

Legislative Journal

WEDNESDAY, OCTOBER 12, 1977

Session of 1977

161st of the General Assembly

Vol. 1, No. 88

HOUSE OF REPRESENTATIVES

The House convened at 10:30 a.m., e.d.t.

THE SPEAKER (K. LEROY IRVIS) IN THE CHAIR

PRAYER

REVEREND DOCTOR DAVID R. HOOVER, chaplain of the House of Representatives and pastor of St. Paul's Lutheran Church, McConnellsburg, Pennsylvania, offered the following prayer:

Our Loving and Most Gracious Father, Thou art keenly aware of our human frailties, shortcomings, and failings in life itself. There are so many times when we have failed to measure up to Thy expectations and our own potentialities, and we look to Thee for the help and strength to overcome these mistakes in life. We humbly pray that Thou wilt share with us Thy grace and forgive the errors we have committed, that Thou wilt keep us from those things which may bring us harm, and that Thou wilt guide us in the performance of service to Thee and to our fellowmen. This we ask that Thy will and Thy way may become the challenge in the life of each of us. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Tuesday, October 11, 1977, will be postponed until printed.

MASTER ROLL CALL RECORDED

The SPEAKER. The Speaker announces that he is about to take the master roll for today. All members will please promptly report to the floor of the House.

The Clerk will open the master roll.

The following roll call was recorded:

YEAS—195

Abraham	Gallen	Manderino	Scanlon
Anderson	Gamble	Manmiller	Scheaffer
Armstrong	Garzia	McCall	Schmitt
Arthurs	Gatski	McClatchy	Schweder
Barber	Geesey	McGinnis	Scirica
Bellomini	Geisler	McIntyre	Seltzer
Beloff	George, C.	McLane	Shuman
Berlin	George, M.	Mebus	Shupnik
Berson	Giammarco	Meluskey	Sirianni
Bittinger	Gillette	Milanovich	Smith, E.
Bittle	Gleeson	Miller	Smith, L.
Borski	Goebel	Milliron	Spencer
Brandt	Goodman	Miscevich	Spitz
Brown	Gray	Moehlmann	Stairs

Brunner	Greenfield	Morris	Stapleton
Burd	Greenleaf	Mowery	Stewart
Burns	Grieco	Mrkonic	Stuban
Butera	Halverson	Mullen, M. P.	Sweet
Caltagirone	Hamilton	Mullen, M. M.	Taddonio
Caputo	Hasay	Musto	Taylor, E.
Cassidy	Haskell	Novak	Taylor, F.
Cessar	Hayes, D. S.	Noye	Tenaglio
Cianciulli	Hayes, S. E.	O'Brien, B.	Thomas
Cimini	Helfrick	O'Brien, D.	Trello
Cohen	Hoeffel	O'Connell	Valentici
Cole	Honaman	O'Donnell	Vroon
Cowell	Hopkins	O'Keefe	Wagner
Davies	Hutchinson, A.	Oliver	Wansacz
DeMedio	Hutchinson, W.	Pancoast	Wargo
DeVerter	Itkin	Parker	Wass
DeWeese	Johnson	Petrarca	Weidner
DiCarlo	Jones	Piccola	Wenger
Dietz	Katz	Pievsky	White
Diminni	Kelly	Pitts	Wiggins
Dombrowski	Kernick	Polite	Wilson
Donatucci	Klingaman	Pott	Wilt
Dorr	Knepper	Pratt	Wise
Doyle	Kolter	Prendergast	Wright, D.
Duffy	Kowalshyn	Pyles	Wright, J. L.
Dumas	Laughlin	Ravenstahl	Yahner
Englehart	Lehr	Reed	Yohn
Fee	Letterman	Renwick	Zearfoss
Fischer, R. R.	Levi	Rhodes	Zeller
Fisher, D. M.	Lincoln	Richardson	Zitterman
Flaherty	Livengood	Rieger	Zord
Foster, A.	Logue	Ritter	Zwinkl
Foster, W.	Lynch	Ruggiero	
Freind	Mackowski	Ryan	Irvis,
Fryer	Madigan	Salvatore	Speaker
Gallagher			

NAYS—0

NOT VOTING—5

Bennett	Rappaport	Shelton	Williams
Harper			

The SPEAKER. One hundred ninety-five members having indicated their presence, a master roll is established.

HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEES

No. 1728 By Messrs. SWEET, DeMEDIO and MANDERINO

An Act amending the act of May 24, 1945 (P. L. 967, No. 380), referred to as the Fictitious Name Act, further providing for publication.

Referred to Committee on State Government.

No. 1729 By Messrs. SWEET, VALICENTI and FLAHERTY

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736, No. 338), raising the compensation rate for certain individuals and making an appropriation.

Referred to Committee on Labor Relations.

No. 1730 By Messrs. GOEBEL and BURD

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), providing for the payment of interest on taxes overpaid to the Commonwealth.

Referred to Committee on Finance.

No. 1732 By Mr. PYLES (By Special Request)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, repealing, by special request, a section limiting municipal regulation of firearms.

Referred to Committee on Judiciary.

No. 1733 By Messrs. RENWICK, LETTERMAN, GEORGE and YAHNER

An Act amending the act of June 22, 1931 (P. L. 594, No. 203), referred to as the Township State Highway Law, adding a route in Cameron and Elk Counties.

Referred to Committee on Transportation.

No. 1734 By Mr. WILSON

An Act amending the act of June 26, 1931 (P. L. 1379, No. 348), entitled, as amended, "An act creating in counties of the second class A and third class a board for the assessment and revision of taxes; ***" further providing for assessment, revision and appeals.

Referred to Committee on Local Government.

No. 1735 By Messrs. GALLAGHER, LINCOLN, ENGLEHART and MILLER

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), changing the method for computing reimbursements for vocational extension classes and pre-employment training.

Referred to Committee on Education.

No. 1736 By Messrs. GALLAGHER, O'DONNELL, LINCOLN, ENGLEHART, DeVERTER, HASKELL, DAVIES, DeMEDIO and MILLER

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), increasing the number of members on the State Board of Nurse Examiners; providing for their appointment; increasing the number of members of the board necessary for a quorum; and making changes to conform to existing law.

Referred to Committee on Professional Licensure.

No. 1737 By Messrs. GALLAGHER, LINCOLN, HASKELL, DAVIES and DeMEDIO

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), further requiring the teaching of certain subjects by certain instructors.

Referred to Committee on Education.

No. 1738 By Messrs. GALLAGHER, LINCOLN, ENGLEHART, HASKELL, DAVIES, DeMEDIO and MILLER

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), making school teachers and school employes eligible to be election officials.

Referred to Committee on State Government.

No. 1739 By Messrs. O'DONNELL, LINCOLN, ENGLEHART, DeMEDIO and MILLER

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), providing for payment of salary in case of certain injuries.

Referred to Committee on Education.

No. 1740 By Messrs. O'DONNELL, ENGLEHART, HASKELL and MILLER

An Act amending the act of March 30, 1811 (P. L. 145, Chapter XCIX.), entitled "An act to amend and consolidate the several acts relating to the settlement of the public accounts and the payment of the public monies, and for other purposes," exempting deferred income from current taxes or withholding.

Referred to Committee on Finance.

No. 1741 By Messrs. O'DONNELL, ENGLEHART, HASKELL and MILLER

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further defining compensation.

Referred to Committee on Finance.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The clerk of the Senate presented the following bills for concurrence:

SENATE BILL No. 647

An Act amending the act of August 31, 1971 (P. L. 398, No. 96), entitled "County Pension Law" further defining regular interest.

Referred to Committee on Local Government.

SENATE BILL No. 1102

An Act amending the act of August 24, 1977 (No. 12-A) entitled "Federal Augmentation Appropriation Act of 1977" adding an appropriation to the Department of General Services.

Referred to Committee on Appropriations.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. REED, DININNI, MANMILLER, PICCOLA AND CIMINI

HOUSE RESOLUTION No. 149

The House of Representatives urges the President and the Congress of the United States to either reduce the importation of foreign products, including steel, which is creating economic adversity for this Nation and Commonwealth, or bring about

the increase of tariffs to make certain subsidized foreign steel and other products do not realize an unfair trade advantage over American-produced steel and other products.

Referred to Committee on Federal-State Relations.

By Messrs. DOMBROWSKI, ENGLEHART, DiCARLO, HOPKINS, Mrs. GEORGE, Messrs. BELLOMINI, TAYLOR, LAUGHLIN, REED, ZITTEMAN, SCHMITT, MUSTO, SHUPNIK and ZELLER

HOUSE RESOLUTION No. 150

The Speaker of the House of Representatives direct the Committee on Insurance to investigate the spiraling costs of automobile insurance.

Referred to Committee on Rules.

NO ADDITIONAL LEAVES OF ABSENCE REQUESTED

The SPEAKER. The Chair recognizes the majority whip. Mr. GREENFIELD. Mr. Speaker, I have no additional requests for leaves of absence.

The SPEAKER. The Chair recognizes the minority caucus chairman.

Mr. S. E. HAYES. Mr. Speaker, I have no additional requests for leaves for absence.

The SPEAKER. The Chair thanks the gentlemen.

CALENDAR

LOCAL GOVERNMENT BILL ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 334, printer's No. 1301**, entitled:

An Act amending the act of February 1, 1974 (P. L. 34, No. 15), entitled "Pennsylvania Municipal Retirement Law" further providing for selection of the chairman and vice chairman of the board for designation of alternates by certain board members for audits for the credit of excess interest and surplus allocations for administrative expenses and for interest paid while vesting and changing the date of the itemized estimate to municipalities.

And said bill having been considered the second time and agreed to,

Ordered, to be transcribed for third consideration.

GAME AND FISHERIES BILLS ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1336, printer's No. 1573**, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225, No. 316), authorizing the commission to purchase wildlife stamps and shoulder patches decals and such other similar items and solicit funds to promote the cause of wildlife management.

And said bill having been considered the second time and agreed to,

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1508, printer's No. 1809**, entitled:

An Act amending the "Motor Boat Law" approved May 28, 1931 (P. L. 202, No. 121), further providing for penalties and amending the short title.

And said bill having been considered the second time and agreed to,

Ordered, to be transcribed for third consideration.

AMENDMENTS TO BE OFFERED

The SPEAKER. Note for your calendar that on third reading, amendments will be offered to HB 1508 by the gentleman, Mr. O'Connell, and by the gentleman, Mr. Wilt.

URBAN AFFAIRS BILL ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill No. 488, printer's No. 527**, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932, No. 317), further providing for discharge suspension and demotion of classified civil service employees.

And said bill having been considered the second time and agreed to,

Ordered, to be transcribed for third consideration.

JUDICIARY BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **Senate bill No. 234, printer's No. 1202**, entitled:

An Act relating to the qualifications of former or retired justices or judges to be recalled for temporary assignment to perform judicial service.

On the question,

Will the House agree to the bill on third consideration?

BILL RECOMMITTED

Mr. BERSON moved that Senate bill No. 234 be recommitted to the Committee on Judiciary.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—171

Anderson	Gatski	McCall	Scirica
Armstrong	Geesey	McClatchy	Seltzer
Arthurs	George, C.	McGinnis	Shuman
Barber	George, M.	McIntyre	Shupnik
Bellomini	Giammarco	McLane	Sirianni
Berlin	Goebel	Mebus	Smith, E.
Berson	Goodman	Meluskey	Smith, L.
Bittinger	Gray	Miller	Spencer
Bittle	Greenfield	Moehlmann	Spitz
Borski	Greenleaf	Morris	Stairs
Brandt	Grieco	Mowery	Stapleton
Brown	Halverson	Mrkonic	Stewart
Brunner	Hamilton	Mullen, M. P.	Stuban
Burd	Hasay	Musto	Sweet
Burns	Haskell	Noye	Taddonio

Butera	Hayes, D. S.	O'Brien, B.	Taylor, E.
Caltagirone	Hayes, S. E.	O'Brien, D.	Taylor, F.
Cessar	Helfrick	O'Connell	Tenaglio
Cianciulli	Hoeffel	O'Donnell	Thomas
Cimini	Honaman	O'Keefe	Vroom
Cohen	Hopkins	Oliver	Wagner
Cole	Hutchinson, A.	Pancoast	Wansacz
Davies	Hutchinson, W.	Parker	Wargo
DeMedio	Johnson	Petrarca	Wass
DeVerter	Jones	Piccola	Weidner
DeWeese	Katz	Pievsky	Wenger
DiCarlo	Kelly	Pitts	White
Dietz	Kernick	Polite	Wiggins
Dininni	Klingaman	Pott	Wilson
Dombrowski	Knepper	Pratt	Wilt
Donatucci	Kolter	Prendergast	Wise
Dorr	Kowalshyn	Pyles	Wright, D.
Doyle	Laughlin	Reed	Wright, J. L.
Englehart	Lehr	Renwick	Yahner
Fee	Letterman	Rieger	Yohn
Fischer, R. R.	Levi	Ritter	Zearfoss
Fisher, D. M.	Lincoln	Ruggiero	Zeller
Foster, A.	Livengood	Ryan	Zitterman
Foster, W.	Lynch	Salvatore	Zord
Freind	Mackowski	Scanlon	Zwikel
Fryer	Madigan	Scheaffer	
Gallagher	Manderino	Schmitt	Irvis,
Gallen	Manmiller	Schweder	Speaker
Garzia			

NAYS—0

NOT VOTING—29

Abraham	Flaherty	Logue	Ravenstahl
Beloff	Gamble	Milanovich	Rhodes
Bennett	Geisler	Milliron	Richardson
Caputo	Gillette	Miscevich	Shelton
Cassidy	Gleeson	Mullen, M. M.	Trello
Cowell	Harper	Novak	Valicenti
Duffy	Itkin	Rappaport	Williams
Dumas			

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

The SPEAKER. The bill is so recommitted.

REMARKS ON VOTE

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

Mr. CAPUTO. Mr. Speaker, to get the Allegheny County delegation up to date, if I had been in my seat instead of in the caucus of the Allegheny County delegation, on SB 234, PN 1202, page 4, I would have voted to recommit.

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

REMARKS ON VOTE

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

Mr. GEISLER. An inquiry, Mr. Speaker.

The SPEAKER. The gentleman will place his inquiry to the Chair.

Mr. GEISLER. Was SB 234 recommitted?

The SPEAKER. SB 234 was recommitted, on the motion of the gentleman, Mr. Berson, and by the vote of the floor, to the Committee on Judiciary.

Mr. GEISLER. I would like to be voted in the affirmative on that recommittal motion.

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

Agreeable to order,

The House proceeded to third consideration of **Senate bill No. 717, printer's No. 914**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes prohibiting certain sexual conduct involving children and the dissemination of photographs or films depicting said sexual conduct.

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 provision of the Constitution, the roll call will now be taken.

YEAS—177

Anderson	Fryer	Madigan	Schmitt
Armstrong	Gallagher	Manderino	Schweder
Arthurs	Gallen	Manmiller	Scirica
Barber	Garzia	McCall	Seltzer
Bellomini	Gatski	McClatchy	Shuman
Berlin	Geesey	McGinnis	Shupnik
Berson	George, C.	McIntyre	Sirianni
Bittinger	George, M.	McLane	Smith, E.
Bittle	Giammarco	Mebus	Smith, L.
Borski	Gillette	Meluskey	Spencer
Brandt	Goebel	Milanovich	Stairs
Brown	Gray	Miller	Stapleton
Brunner	Greenfield	Milliron	Stewart
Burd	Greenleaf	Moehlmann	Stuban
Burns	Grieco	Morris	Sweet
Butera	Halverson	Mowery	Taddonio
Caltagirone	Hamilton	Mrkonjic	Taylor, E.
Cassidy	Hasay	Mullen, M. P.	Taylor, F.
Cessar	Haskell	Musto	Tenaglio
Cianciulli	Hayes, D. S.	Noye	Thomas
Cimini	Hayes, S. E.	O'Brien, B.	Vroom
Cohen	Helfrick	O'Brien, D.	Wagner
Cole	Hoeffel	O'Connell	Wansacz
Cowell	Honaman	O'Donnell	Wargo
Davies	Hopkins	O'Keefe	Wass
DeMedio	Hutchinson, A.	Oliver	Weidner
DeVerter	Hutchinson, W.	Pancoast	Wenger
DeWeese	Itkin	Parker	White
DiCarlo	Johnson	Petrarca	Wiggins
Dietz	Jones	Piccola	Wilson
Dininni	Katz	Pievsky	Wilt
Dombrowski	Kelly	Pitts	Wise
Donatucci	Kernick	Polite	Wright, D.
Dorr	Klingaman	Pott	Wright, J. L.
Doyle	Knepper	Pratt	Yahner
Duffy	Kolter	Prendergast	Yohn
Dumas	Kowalshyn	Pyles	Zearfoss
Englehart	Laughlin	Reed	Zeller
Fee	Lehr	Renwick	Zitterman
Fischer, R. R.	Letterman	Rieger	Zord

Fisher, D. M.	Levi	Ritter	Zwinkl
Flaherty	Lincoln	Ruggiero	
Foster, A.	Livengood	Ryan	Irvis,
Foster, W.	Lynch	Scanlon	Speaker
Freind	Mackowski	Scheaffer	

NAYS—0

NOT VOTING—23

Abraham	Gleeson	Novak	Shelton
Beloff	Goodman	Rappaport	Spitz
Bennett	Harper	Ravenstahl	Trello
Caputo	Logue	Rhodes	Valicenti
Gamble	Miscevich	Richardson	Williams
Geisler	Mullen, M. M.	Salvatore	

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 information that the House has passed the same without amendment.

REMARKS ON VOTES

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

Mr. CAPUTO. Mr. Speaker, to get the Allegheny County delegation up to date, if I had been in my seat instead of in the caucus of the Allegheny County delegation, on SB 717, PN 914, page 4, I would have voted in the affirmative.

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

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

Mr. GEISLER. Mr. Speaker, I would like to be recorded in the affirmative on SB 717.

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

STATE GOVERNMENT BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 147, printer's No. 160**, entitled:

An Act authorizing the Department of General Services with the approval of the Secretary of Education and the Governor to convey a tract of land in the City of Lock Haven Clinton County in exchange for another tract of land also situated in the City of Lock Haven Clinton County.

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?

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

Mr. ITKIN. Mr. Speaker, there is a meeting of the Allegheny County delegation in progress right now.

We were under the assumption that no votes would be taken and since that time several votes have been taken. I do not know whether our members have been recorded or not.

The SPEAKER. The members have not been recorded and the Allegheny delegation was informed by the Chair that there would be votes taken.

Mr. ITKIN. All right, thank you, Mr. Speaker.

The SPEAKER. Would the gentleman ask the Chair to delay while the Allegheny County delegates can be called?

Mr. ITKIN. Yes, Mr. Speaker.

The SPEAKER. The Chair would be glad to grant that wish on the gentleman's part.

For the information of the Allegheny County delegation, we are now on HB 147, PN 160, on page 5.

On the question recurring,
Shall the bill pass finally?

Agreeable to the provision of the Constitution, the following roll call was recorded:

YEAS—190

Abraham	Gallagher	Madigan	Scheaffer
Anderson	Gallen	Manderino	Schmitt
Armstrong	Gamble	Manmiller	Schweder
Arthurs	Garzia	McCall	Scirica
Barber	Gatski	McClatchy	Seltzer
Bellomini	Geesey	McGinnis	Shuman
Berlin	Geisler	McIntyre	Shupnik
Berson	George, C.	McLane	Sirianni
Bittinger	George, M.	Mebus	Smith, E.
Bittle	Giammarco	Meluskey	Smith, L.
Borski	Gillette	Milanovich	Spencer
Brandt	Goebel	Miller	Spitz
Brown	Goodman	Milliron	Stairs
Brunner	Gray	Moehlmann	Stapleton
Burd	Greenfield	Morris	Stewart
Burns	Greenleaf	Mowery	Stuban
Butera	Grieco	Mrkonic	Sweet
Caltagirone	Halverson	Mullen, M. P.	Taddonio
Caputo	Hamilton	Musto	Taylor, E.
Cassidy	Hasay	Novak	Taylor, F.
Cessar	Haskell	Noye	Tenaglio
Cianciulli	Hayes, D. S.	O'Brien, B.	Thomas
Cimini	Hayes, S. E.	O'Brien, D.	Trello
Cohen	Helfrick	O'Connell	Valicenti
Cole	Hoeffel	O'Donnell	Vroon
Cowell	Honaman	O'Keefe	Wagner
Davies	Hopkins	Oliver	Wansacz
DeMedio	Hutchinson, A.	Pancoast	Wargo
DeVerter	Hutchinson, W.	Parker	Wass
DeWeese	Itkin	Petrarca	Weidner
DiCarlo	Johnson	Piccola	Wenger
Dietz	Jones	Pievsky	White
Dininni	Katz	Pitts	Wiggins
Dombrowski	Kelly	Polite	Wilson
Donatucci	Kernick	Pott	Wilt
Dorr	Klingaman	Pratt	Wise
Doyle	Knepper	Prendergast	Wright, D.
Duffy	Kolter	Pyles	Wright, J. L.
Dumas	Kowalyshyn	Ravenstahl	Yahner
Englehart	Laughlin	Reed	Yohn
Fee	Lehr	Renwick	Zearfoss
Fischer, R. R.	Letterman	Rhodes	Zeller
Fisher, D. M.	Levi	Rieger	Zitterman
Flaherty	Lincoln	Ritter	Zord
Foster, A.	Livengood	Ruggiero	Zwinkl

Foster, W.	Logue	Ryan	
Freind	Lynch	Salvatore	Irvis,
Fryer	Mackowski	Scanlon	Speaker

NAYS—0

NOT VOTING—10

Beloff	Harper	Rappaport	Shelton
Bennett	Miscevich	Richardson	Williams
Gleeson	Mullen, M. M.		

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 VOTES

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

Mr. CAPUTO. Mr. Speaker, to get the Allegheny County delegation up to date, if I had been in my seat instead of in the caucus of the Allegheny County delegation, on HB 147, PN 160, page 5, I would have voted in the affirmative.

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

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

Mr. TRELLO. Mr. Speaker, on SB 717, the Allegheny County delegation was in a brief caucus and we would all like to be voted in the affirmative.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Trello. Will the gentleman give the Chair a list of those members who wish to be recorded in the affirmative on the vote?

Mr. TRELLO. Mr. Speaker, the dean of our delegation, Mr. Caputo, is getting that information together and will send it up to the Speaker's chair.

The SPEAKER. The Chair thanks the gentleman. When that information is here at the desk, the Speaker will see that the gentlemen are recorded in the Journal as to their vote.

DECISION RECONSIDERED ON SB 280

The SPEAKER. The Chair reconsiders its announcement that SB 280, PN 282, on page 4, is not called for today. The Chair has been advised by the gentleman, Mr. Berson, that that bill is available for final passage today.

JUDICIARY BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **Senate bill No. 280, printer's No. 282**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania providing for filling vacancies in the office of justice judge or justice of the peace.

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?

The SPEAKER. The Chair would respectfully suggest to the members that this is an important bill, and some of you are so busily at work talking that you do not know what you are going to be voting on.

The Chair recognizes the gentleman from Lehigh, Mr. Zeller.
Mr. ZELLER. Thank you, Mr. Speaker.

I agree with your statement, and I also feel that this is a very serious bill.

Would someone, please, from the Judiciary Committee or the majority leader explain what this bill does? I think that we should know because we are dealing with the judiciary, with the justice system, and I really do not know what I am voting on. That is nothing new, I guess.

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

Mr. BERSON. This bill is designed to clear up an ambiguity in the constitution as to what occurs when a vacancy occurs and the Governor appoints to fill the vacancy and the question then arises, does the person appointed to fill that vacancy hold office until the expiration of the term of the person who either resigned or retired or does he hold office until the next municipal election occurring within I think it is 10 months after the appointment? The amendment is designed to clear up that ambiguity, although there is a Pennsylvania Supreme Court decision which deals with the subject, and the answer is, as this amendment would answer that question, he holds office until the first of those events occurs; in other words, until there is a municipal election or until the term expires, whichever happens first.

The SPEAKER. The Chair recognizes the gentleman from Lehigh, Mr. Zeller.

Mr. ZELLER. Would the gentleman, Mr. Berson, consent to brief interrogation?

The SPEAKER. The gentleman, Mr. Berson, indicates that he will stand for interrogation. The gentleman, Mr. Zeller, is in order and may proceed.

Mr. ZELLER. Thank you, Mr. Speaker.

Mr. Speaker, does the age factor—I believe it is 70—come into the picture also?

Mr. BERSON. Yes; that would come into it, because under the constitution you have a mandatory retirement age for judges at 70. So if he were elected for a 10-year term and he turned 70 and let us say he served 2 years, there would be 8 years remaining of his term. Then the question arises—and it has been litigated—when the Governor appoints to fill the vacancy, does that person appointed hold office for the remaining 8 years or does he just hold office until the next municipal election when he would have to run as any appointed judge would have to run? And the answer is, under this amendment

and under the decided cases, he has to run at the next municipal election.

Mr. ZELLER. The last question, please: The joint resolution states, "... proposing an amendment to the Constitution . . ." Does this in any way come before the voters or is this final action?

Mr. BERSON. Yes; this must be approved by the voters.

Mr. ZELLER. Okay. Thank you.

On the question recurring,
Shall the bill pass finally?

Agreeable to the provision of the Constitution, the following roll call was recorded:

YEAS—188

Abraham	Gallen	Manmiller	Scheaffer
Anderson	Gamble	McCall	Schmitt
Armstrong	Garzia	McClatchy	Schweder
Arthurs	Gatski	McGinnis	Scirica
Barber	Geesey	McIntyre	Seltzer
Bellomini	Geisler	McLane	Shuman
Berlin	George, C.	Mebus	Shupnik
Berson	George, M.	Meluskey	Sirianni
Bittinger	Giammarco	Milanovich	Smith, E.
Bittle	Gillette	Miller	Smith, L.
Borski	Goebel	Milliron	Spencer
Brandt	Goodman	Miscevich	Spitz
Brown	Gray	Moehlmann	Stairs
Brunner	Greenfield	Morris	Stapleton
Burd	Greenleaf	Mowery	Stewart
Burns	Halverson	Mullen, M. P.	Stuban
Butera	Hamilton	Mullen, M. M.	Sweet
Caltagirone	Hasay	Musto	Taddonio
Caputo	Haskell	Novak	Taylor, E.
Cassidy	Hayes, D. S.	Noye	Taylor, F.
Cessar	Hayes, S. E.	O'Brien, B.	Tenaglio
Cianciulli	Helfrick	O'Brien, D.	Thomas
Cohen	Hoeffel	O'Connell	Trello
Cole	Honaman	O'Donnell	Valicenti
Cowell	Hopkins	O'Keefe	Vroon
Davies	Hutchinson, A.	Oliver	Wagner
DeMedio	Hutchinson, W.	Pancoast	Wansacz
DeVerter	Itkin	Parker	Wargo
DeWeese	Johnson	Petrarca	Wass
DiCarlo	Jones	Piccola	Weidner
Dietz	Katz	Pievsky	Wenger
Dininni	Kelly	Pitts	White
Dombrowski	Kernick	Polite	Wiggins
Donatucci	Klingaman	Pott	Wilson
Dorr	Knepper	Prendergast	Wilt
Doyle	Kolter	Pyles	Wise
Duffy	Kowalyszyn	Ravenstahl	Wright, D.
Dumas	Laughlin	Reed	Wright, J. L.
Englehart	Lehr	Renwick	Yahner
Fee	Letterman	Rhodes	Yohn
Fischer, R. R.	Levi	Richardson	Zeller
Fisher, D. M.	Lincoln	Rieger	Zitterman
Flaherty	Livengood	Ritter	Zord
Foster, A.	Logue	Ruggiero	Zwikl
Foster, W.	Lynch	Ryan	
Freind	Mackowski	Salvatore	Irvis,
Fryer	Madigan	Scanlon	Speaker
Gallagher	Manderino		

NAYS—2

Mrkonic	Pratt
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NOT VOTING—10

Beloff	Gleeson	Rappaport	Williams
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Bennett
Cimini

Grieco
Harper

Shelton

Zearfoss

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 information that the House has passed the same without amendment.

REMARKS ON VOTES

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

Mr. ZEARFOSS. Mr. Speaker, I request permission to make a statement for the record.

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

Mr. ZEARFOSS. Mr. Speaker, I was discussing a legislative matter with a member of the staff at the rear of the House when the vote on SB 280 was taken. Had I been in my seat, I would have voted in the affirmative.

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

The Chair recognizes the gentleman from Lycoming, Mr. Cimini.

Mr. CIMINI. Mr. Speaker, my switch was locked out on SB 280, PN 282. I wish to be recorded in the affirmative.

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

The Chair recognizes the gentleman from Lycoming, Mr. Grieco.

Mr. GRIECO. Mr. Speaker, on SB 280, I was discussing the bill with my colleagues and I was too slow in voting, but I would like to be voted "yes."

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

STATE GOVERNMENT BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 338, printer's No. 1962**, entitled:

An Act authorizing and directing the Department of General Services with the approval of the Department of Public Welfare and the Governor to convey to the Plymouth Fire Company No. 1 of the Township of Plymouth 1.126 acres of land more or less situate in Plymouth Township Montgomery County Pennsylvania.

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 provision of the Constitution, the roll call will now be taken.

YEAS—191

Abraham	Gallen	Manmiller	Scheaffer
Anderson	Gamble	McCall	Schmitt
Armstrong	Garzia	McClatchy	Schweder
Arthurs	Gatski	McGinnis	Scirica
Barber	Geesey	McIntyre	Seltzer
Bellomini	Geisler	McLane	Shuman
Berlin	George, C.	Mebus	Shupnik
Berson	George, M.	Meluskey	Sirianni
Bittinger	Giammarco	Milanovich	Smith, E.
Bittle	Gillette	Miller	Smith, L.
Borski	Gleeson	Milliron	Spencer
Brandt	Goebel	Miscevich	Spitz
Brown	Goodman	Moehlmann	Stairs
Brunner	Gray	Morris	Stapleton
Burd	Greenfield	Mowery	Stewart
Burns	Greenleaf	Mrkonic	Stuban
Butera	Grieco	Mullen, M. P.	Sweet
Caltagirone	Halverson	Mullen, M. M.	Taddonio
Caputo	Hamilton	Musto	Taylor, E.
Cassidy	Hasay	Novak	Taylor, F.
Cessar	Haskell	Noye	Tenaglio
Cianciulli	Hayes, D. S.	O'Brien, B.	Thomas
Cimini	Hayes, S. E.	O'Brien, D.	Trello
Cohen	Helfrick	O'Connell	Valicenti
Cole	Hoeffel	O'Donnell	Vroon
Cowell	Honaman	O'Keefe	Wagner
Davies	Hopkins	Oliver	Wansacz
DeMedio	Hutchinson, A.	Pancoast	Wargo
DeVerter	Hutchinson, W.	Parker	Wass
DeWeese	Johnson	Petrarca	Weidner
DiCarlo	Jones	Piccola	Wenger
Dietz	Kelly	Pievsky	White
Dininni	Kernick	Pitts	Wiggins
Dombrowski	Klingaman	Polite	Wilson
Donatucci	Knepper	Pott	Wilt
Dorr	Kolter	Pratt	Wise
Doyle	Kowalshyn	Prendergast	Wright, D.
Duffy	Laughlin	Pyles	Wright, J. L.
Dumas	Lehr	Ravenstahl	Yahner
Englehart	Letterman	Reed	Yohn
Fee	Levi	Renwick	Zearfoss
Fischer, R. R.	Lincoln	Rhodes	Zeller
Fisher, D. M.	Livengood	Richardson	Zitterman
Flaherty	Logue	Rieger	Zord
Foster, A.	Lynch	Ritter	Zwinkl
Foster, W.	Mackowski	Ruggiero	
Freind	Madigan	Ryan	Irvis,
Fryer	Manderino	Scanlon	Speaker
Gallagher			

NAYS—0

NOT VOTING—9

Beloff	Itkin	Rappaport	Shelton
Bennett	Katz	Salvatore	Williams
Harper			

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.

Agreeable to order,

The House proceeded to third consideration of **House bill No. 636, printer's No. 702**, entitled:

An Act authorizing the Department of General Services with the approval of the Governor and the Adjutant General to sell

and convey real property situate in the Borough of Honesdale, Wayne County known as the Park Street Armory property to the County of Wayne.

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 provision of the Constitution, the roll call will now be taken.

YEAS—194

Abraham	Gallen	Manderino	Scanlon
Anderson	Gamble	Manmiller	Scheaffer
Armstrong	Garzia	McCall	Schmitt
Arthurs	Gatski	McClatchy	Schweder
Barber	Geesey	McGinnis	Scirica
Bellomini	Geisler	McIntyre	Seltzer
Berlin	George, C.	McLane	Shuman
Berson	George, M.	Mebus	Shupnik
Bittinger	Giammarco	Meluskey	Sirianni
Bittle	Gillette	Milanovich	Smith, E.
Borski	Gleeson	Miller	Smith, L.
Brandt	Goebel	Milliron	Spencer
Brown	Goodman	Miscevich	Spitz
Brunner	Gray	Moehlmann	Stairs
Burd	Greenfield	Morris	Stapleton
Burns	Greenleaf	Mowery	Stewart
Butera	Grieco	Mrkonic	Stuban
Caltagirone	Halverson	Mullen, M. P.	Sweet
Caputo	Hamilton	Mullen, M. M.	Taddonio
Cassidy	Hasay	Musto	Taylor, E.
Cessar	Haskell	Novak	Taylor, F.
Cianciulli	Hayes, D. S.	Noye	Tenaglio
Cimini	Hayes, S. E.	O'Brien, B.	Thomas
Cohen	Helfrick	O'Brien, D.	Trello
Cole	Hoeffel	O'Connell	Valicenti
Cowell	Honaman	O'Donnell	Vroon
Davies	Hopkins	O'Keefe	Wagner
DeMedio	Hutchinson, A.	Oliver	Wansacz
DeVerter	Hutchinson, W.	Pancoast	Wargo
DeWeese	Itkin	Parker	Wass
DiCarlo	Johnson	Petrarca	Weidner
Dietz	Jones	Piccola	Wenger
Dininni	Katz	Pievsky	White
Dombrowski	Kelly	Pitts	Wiggins
Donatucci	Kernick	Polite	Wilson
Dorr	Klingaman	Pott	Wilt
Doyle	Knepper	Pratt	Wise
Duffy	Kolter	Prendergast	Wright, D.
Dumas	Kowalshyn	Pyles	Wright, J. L.
Englehart	Laughlin	Ravenstahl	Yahner
Fee	Lehr	Reed	Yohn
Fischer, R. R.	Letterman	Renwick	Zearfoss
Fisher, D. M.	Levi	Rhodes	Zeller
Flaherty	Lincoln	Richardson	Zitterman
Foster, A.	Livengood	Rieger	Zord
Foster, W.	Logue	Ritter	Zwinkl
Freind	Lynch	Ruggiero	
Fryer	Mackowski	Ryan	Irvis,
Gallagher	Madigan	Salvatore	Speaker

NAYS—0

NOT VOTING—6

Beloff	Harper	Shelton	Williams
Bennett	Rappaport		

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.

Agreeable to order,

The House proceeded to third consideration of **House bill No. 737, printer's No. 828, entitled:**

An Act authorizing the Department of General Services with the approval of the General State Authority to convey a tract of land located in West Nantmeal Township Chester County to the Chester County Water Resources Authority.

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 provision of the Constitution, the roll call will now be taken.

YEAS—189

Abraham	Gallagher	Manmiller	Scheaffer
Anderson	Garzia	McCall	Schmitt
Armstrong	Gatski	McClatchy	Schweder
Arthurs	Geesey	McGinnis	Scirica
Barber	Geisler	McIntyre	Seltzer
Bellomini	George, C.	McLane	Shupnik
Berlin	George, M.	Mebus	Sirianni
Berson	Giammarco	Meluskey	Smith, E.
Bittinger	Gillette	Milanovich	Smith, L.
Bittle	Gleeson	Miller	Spencer
Borski	Goebel	Milliron	Spitz
Brandt	Goodman	Miscevich	Stairs
Brown	Gray	Moehlmann	Stapleton
Brunner	Greenfield	Morris	Stewart
Burd	Greenleaf	Mowery	Stuban
Burns	Grieco	Mrkonic	Sweet
Butera	Halverson	Mullen, M. P.	Taddonio
Caltagirone	Hamilton	Mullen, M. M.	Taylor, E.
Caputo	Hasay	Musto	Taylor, F.
Cassidy	Haskell	Novak	Tenaglio
Cessar	Hayes, D. S.	Noye	Thomas
Cianciulli	Hayes, S. E.	O'Brien, B.	Trello
Cimini	Helfrick	O'Brien, D.	Valicenti
Cohen	Hoeffel	O'Connell	Vroon
Cole	Honaman	O'Donnell	Wagner
Cowell	Hopkins	O'Keefe	Wansacz
Davies	Hutchinson, A.	Oliver	Wargo
DeMedio	Itkin	Pancoast	Wass
DeVerter	Johnson	Parker	Weidner
DeWeese	Jones	Petrarca	Wenger
DiCarlo	Katz	Piccola	White
Dietz	Kelly	Pievsky	Wiggins
Dininni	Kernick	Polite	Wilson
Dombrowski	Klingaman	Pott	Wilt
Donatucci	Knepper	Pratt	Wise
Dorr	Kolter	Prendergast	Wright, D.
Doyle	Kowalshyn	Pyles	Wright, J. L.
Duffy	Laughlin	Ravenstahl	Yahner
Dumas	Lehr	Reed	Yohn
Englehart	Letterman	Renwick	Zearfoss
Fee	Levi	Rhodes	Zeller
Fischer, R. R.	Lincoln	Richardson	Zitterman
Fisher, D. M.	Livengood	Rieger	Zord
Flaherty	Logue	Ritter	Zwinkl

Foster, A.	Lynch	Ruggiero	
Foster, W.	Mackowski	Ryan	Irvis,
Freind	Madigan	Salvatore	Speaker
Fryer	Manderino	Scanlon	

NAYS—0

NOT VOTING—11

Beloff	Gamble	Pitts	Shuman
Bennett	Harper	Rappaport	Williams
Gallen	Hutchinson, W.	Shelton	

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.

Agreeable to order,

The House proceeded to third consideration of **House bill No. 802, printer's No. 906, entitled:**

An Act amending "The Marriage Law" approved August 22, 1953 (P. L. 1344, No. 383), further providing for the contents of a marriage license application and changing the fee.

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 provision of the Constitution, the roll call will now be taken.

YEAS—182

Abraham	Gallagher	Manmiller	Scheaffer
Anderson	Gallen	McCall	Schmitt
Armstrong	Gamble	McClatchy	Schweder
Arthurs	Garzia	McIntyre	Scirica
Barber	Gatski	McLane	Seltzer
Bellomini	Geesey	Mebus	Shuman
Berlin	Geisler	Meluskey	Shupnik
Berson	George, C.	Milanovich	Sirianni
Bittinger	George, M.	Miller	Smith, E.
Bittle	Giammarco	Milliron	Smith, L.
Borski	Gillette	Miscevich	Spencer
Brandt	Gleeson	Moehlmann	Spitz
Brown	Goebel	Morris	Stairs
Brunner	Goodman	Mowery	Stapleton
Burd	Gray	Mrkonic	Stewart
Burns	Greenfield	Mullen, M. P.	Stuban
Butera	Greenleaf	Mullen, M. M.	Sweet
Caltagirone	Grieco	Musto	Taddonio
Caputo	Hayes, D. S.	Novak	Taylor, E.
Cassidy	Hayes, S. E.	O'Brien, B.	Taylor, F.
Cessar	Helfrick	O'Connell	Tenaglio
Cianciulli	Hoeffel	O'Donnell	Thomas
Cimini	Honaman	O'Keefe	Trello
Cohen	Hopkins	Oliver	Valicenti
Cole	Hutchinson, A.	Pancoast	Vroon
Cowell	Hutchinson, W.	Parker	Wagner
Davies	Itkin	Petrarca	Wansacz
DeMedio	Johnson	Piccola	Wargo
DeVerter	Jones	Pievsky	Weidner
DeWeese	Katz	Pitts	Wenger

DiCarlo	Kelly	Polite	White
Dietz	Kernick	Pott	Wiggins
Dininni	Knepper	Pratt	Wilson
Dombrowski	Kolter	Prendergast	Wilt
Donatucci	Kowalshyn	Pyles	Wise
Dorr	Laughlin	Ravenstahl	Wright, D.
Doyle	Lehr	Reed	Wright, J. L.
Duffy	Letterman	Renwick	Yahner
Dumas	Levi	Rhodes	Yohn
Englehart	Lincoln	Richardson	Zearfoss
Fee	Livengood	Rieger	Zeller
Fischer, R. R.	Logue	Ritter	Zitterman
Flaherty	Lynch	Ruggiero	Zwinkl
Foster, A.	Mackowski	Ryan	
Freind	Madigan	Salvatore	Irvis,
Fryer	Manderino	Scanlon	Speaker

NAYS—11

Fisher, D. M.	Hasay	McGinnis	Wass
Halverson	Haskell	Noye	Zord
Hamilton	Klingaman	O'Brien, D.	

NOT VOTING—7

Beloff	Foster, W.	Rappaport	Williams
Bennett	Harper	Shelton	

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.

HB 1239 PASSED OVER TEMPORARILY

The SPEAKER. On page 7, HB 1239, PN 1786, has previously been marked to be passed over. The hold placed on that bill by Mr. Berlin has been removed.

The gentleman, Mr. O'Connell, and the gentleman, Mr. Brandt, have amendments to the bill. Are those amendments available?

Mr. O'Connell's amendments are available. Mr. Brandt's amendments are not?

I am informed that the gentleman, Mr. Brandt's amendments have been sent down for duplication.

Mr. BRANDT. That is right, Mr. Speaker.

The SPEAKER. All right. In that case the Chair will pass over temporarily HB 1239 and return to that later today.

Agreeable to order.

The House proceeded to third consideration of **House bill No. 1293, printer's No. 1969**, entitled:

An Act authorizing the Department of General Services with the approval of the Governor the Department of Public Welfare and the General State Authority to sell and convey certain land and the buildings thereon located in the Borough of Blossburg County of Tioga to North Penn Comprehensive Health Services Inc and making appropriations.

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

BILL RECOMMENDED

Mr. PIEVSKY moved that House bill No. 1293 be recommended to the Committee on Appropriations.

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

The following roll call was recorded:

YEAS—188

Abraham	Gallen	McCall	Scheaffer
Anderson	Gamble	McClatchy	Schmitt
Armstrong	Garzia	McGinnis	Schweder
Arthurs	Gatski	McIntyre	Scirica
Barber	Geisler	McLane	Seltzer
Bellomini	George, C.	Mebus	Shuman
Berlin	George, M.	Meluskey	Shupnik
Berson	Giammarco	Milanovich	Smith, E.
Bittinger	Gillette	Miller	Smith, L.
Bittle	Goebel	Milliron	Spencer
Borski	Goodman	Miscevich	Spitz
Brandt	Gray	Moehlmann	Stairs
Brown	Greenfield	Morris	Stapleton
Brunner	Greenleaf	Mrkonjic	Stewart
Burd	Grieco	Mullen, M. P.	Stuban
Burns	Halverson	Mullen, M. M.	Sweet
Butera	Hamilton	Musto	Taddonio
Caltagirone	Hasay	Novak	Taylor, E.
Caputo	Haskell	Noye	Taylor, F.
Cassidy	Hayes, D. S.	O'Brien, B.	Tenaglio
Cessar	Hayes, S. E.	O'Brien, D.	Thomas
Cianciulli	Helfrick	O'Connell	Trello
Cimini	Hoeffel	O'Donnell	Valicenti
Cohen	Honaman	O'Keefe	Vroon
Cole	Hopkins	Oliver	Wagner
Cowell	Hutchinson, A.	Pancoast	Wansacz
Davies	Hutchinson, W.	Parker	Wargo
DeMedio	Itkin	Petrarca	Wass
DeVerter	Johnson	Piccola	Weidner
DeWeese	Jones	Pievsky	Wenger
DiCarlo	Katz	Pitts	White
Dietz	Kelly	Polite	Wiggins
Dininni	Kernick	Pott	Wilson
Dombrowski	Klingaman	Pratt	Wilt
Dorr	Knepper	Prendergast	Wise
Doyle	Kolter	Pyles	Wright, D.
Duffy	Kowalshyn	Ravenstahl	Wright, J. L.
Dumas	Laughlin	Reed	Yahner
Englehart	Lehr	Renwick	Yohn
Fee	Letterman	Rhodes	Zearfoss
Fischer, R. R.	Levi	Richardson	Zeller
Fisher, D. M.	Lincoln	Rieger	Zitterman
Flaherty	Livengood	Ritter	Zord
Foster, A.	Logue	Ruggiero	Zwinkl
Foster, W.	Lynch	Ryan	
Freind	Mackowski	Salvatore	Irvis,
Fryer	Manderino	Scanlon	Speaker
Gallagher	Manmiller		

NAYS—3

Geesey	Madigan	Mowery
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NOT VOTING—9

Beloff	Gleeson	Rappaport	Sirianni
Bennett	Harper	Shelton	Williams
Donatucci			

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

The SPEAKER. The bill is so recommitted.

Agreeable to order,

The House proceeded to third consideration of **Senate bill No. 251, printer's No. 995**, entitled:

An Act authorizing the Department of General Services with the approval of the Governor and the Pennsylvania State Police to sell at public sale to the highest bidder a parcel of property located in Middletown Township Delaware County.

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 provision of the Constitution, the roll call will now be taken.

YEAS—187

Table listing names of members who voted 'YEAS' for the bill, including Abraham, Anderson, Armstrong, etc.

NAYS—5

Table listing names of members who voted 'NAYS' for the bill, including Davies, Geesey, Halverson, Taddonio, Zord.

NOT VOTING—8

Table listing names of members who did not vote for the bill, including Beloff, Gleeson, Rappaport, Stuban.

Bennett Harper Shelton Williams

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 information that the House has passed the same without amendment.

LOCAL GOVERNMENT BILLS ON THIRD CONSIDERATION

Agreeable to order,
The House proceeded to third consideration of House bill No. 300, printer's No. 1961, entitled:

An Act amending the "Volunteer Fireman's Relief Association Act" approved June 11, 1968 (P. L. 149, No. 84), further providing for the spending of relief association moneys.

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 provision of the Constitution, the roll call will now be taken.

YEAS—191

Table listing names of members who voted 'YEAS' for the second bill, including Abraham, Anderson, Armstrong, etc.

Dumas	Laughlin	Pyles	Yahner
Englehart	Lehr	Ravenstahl	Yohn
Fee	Letterman	Reed	Zearfoss
Fischer, R. R.	Levi	Renwick	Zeller
Fisher, D. M.	Lincoln	Richardson	Zitterman
Flaherty	Livengood	Rieger	Zord
Foster, A.	Logue	Ritter	Zwikl
Foster, W.	Lynch	Ruggiero	
Freind	Mackowski	Ryan	Irvis,
Fryer	Madigan	Salvatore	Speaker
Gallagher			

NAYS—0

NOT VOTING—9

Beloff	Harper	Rhodes	Wiggins
Bennett	Rappaport	Shelton	Williams
Gleeson			

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.

HB 1069 PASSED OVER TEMPORARILY

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Hayes.

Mr. S. E. HAYES. Mr. Speaker, Mr. DeVerter does have an amendment to HB 1069 and Mr. Pyles has an amendment to HB 1071, but the Reference Bureau has not delivered those amendments to the floor of the House. I wonder if we could pass it over temporarily, Mr. Speaker.

The SPEAKER. Certainly.

The Chair reconsiders its announcement. The question is, Will the House agree to the bill?, and HB 1069 will be passed over temporarily awaiting the delivery of amendments to Mr. DeVerter.

Agreeable to order,

The House proceeded to third consideration of **House bill No. 1070, printer's No. 1966**, entitled:

An Act amending the "The Borough Code" approved February 1, 1966 (1965, P. L. 1656, No. 581), changing provisions relating to filling vacancies in certain borough offices.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Fisher, on final passage of the bill.

Mr. D. M. FISHER. Thank you, Mr. Speaker.

I am trying to get a copy of the bill.

I rise in opposition to HB 1070. For the information of the members, what House bills 1069, 1070, and 1071 basically do, it appears, is to create what is called a vacancy board to institute another step in the filling of a vacancy at the borough

level. The Borough Code is what is encompassed in HB 1070 which we are presently on.

The reason that I oppose HB 1070 is this: I do not, per se, oppose the concept that perhaps there should be something else done locally in an attempt to fill vacancies that occur in local offices rather than having the courts of common pleas all too often be forced into the position, because of stalemates, of filling these offices. But HB 1070, I think, is one more slap in the face to the mayors of the boroughs of the Commonwealth of Pennsylvania.

Now HB 1070, interestingly enough, when it was first introduced in PN 1246, I believe called for the creation of this vacancy board but placed the mayor of the borough on that vacancy board and specified that the mayor shall be the chairman of the vacancy board. But HB 1070 as it is presently before us specifies that the vacancy board shall be composed of all the councilmen—which would be the uneven number of councilmen as we have 5, 7, 9, or 11—and one other registered elector as appointed by the council. So what we have done is, we have said, mayor, we are taking more of your power away under the Borough Code. In the event that there is a vacancy in any office in the borough, you are not going to have any say. Presently if the councilmen cannot decide on who should fill that vacancy, at least the mayor has an opportunity to cast the tie-breaking vote. But now you are saying, okay, if the tie cannot be resolved through the normal process, then the vacancy board that you do not sit on is going to decide this.

I think that the system that we have under the Borough Code is sufficiently different from the existing system under the First Class Township Code and the Second Class Township Code to indicate that there is no necessity for creating a vacancy board under the Borough Code.

Furthermore, if we are going to have a vacancy board, I strongly urge that you allow the mayor, who is the only boroughwide elected official in that borough, to be able to serve and to be able to have some input as to who should fill the vacancy.

For those reasons, Mr. Speaker, I urge that this bill, HB 1070, be rejected in its current form.

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

Mr. FRYER. Mr. Speaker, the former speaker has stated that the concept is a good one. On that we are in complete agreement.

He further states that this bill was amended in committee from its original state. That is also true. The bill was amended to make it a better bill because in the case of boroughs, as the gentleman is aware, the mayor already has the tie-breaking power in the Borough Code, and it would remain as such. In the event there is a tie, and assuming that the mayor would then be cast upon the roll, he would break that tie. However, if the mayor enters into the picture, you could have a stalemate and this would produce the necessity for the vacancy board.

The concept is a good one because it allows the appointments to be made on the local level of government, the decision to be made by that particular municipality.

I think it is also worthy because of the fact that it does not

take the matter into our courts which are already overburdened and should not project themselves into this picture. The concept is a good one; the bill is in good shape. I would urge the members of the House to support and vote for this bill.

The SPEAKER. The Chair recognizes the gentleman from Lehigh, Mr. Zeller.

Mr. ZELLER. Mr. Speaker, I say ditto to what Representative Fryer stated, but I would like to add, for my good friend, Mr. Fisher, that the power of the mayor, if he is not aware of it, is practically nil presently as far as any appointments. He has no power presently as far as any appointments, except the veto power, as Mr. Fryer stated. He is what we call a weak mayor and, in effect, is a ribbon-cutter, kissing babies and also enforces laws and enforces the ordinances of the community and is in charge of the police department. That is the extent of the power that the mayor has, and I have quite a bit of experience in that area.

I think I am aware of where this pressure is coming from, and it is coming from that particular area out there. I happen to know the individual who is pushing for this power of the mayors and it has been going on since I have been in the Boroughs Association for many years.

The thing is that this is a good bill since it allows the mayor to still have the right to veto and it places the power of that government in the council. That is where that power should remain. I feel that this is going in the right direction. The mayor still has the same power he ever had. He has the right to veto. So we are not taking anything away from him and we are not giving him anything. I think it is a good bill.

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

Mr. MEBUS. Mr. Speaker, I think that the intention of this legislation is good. I am not prepared to argue against it. I would just like to raise a few questions for your consideration.

I almost have to discuss the three bills together to make the point that I wish to make and I hope that I might have the latitude to do that.

We have here a concept that Mr. Fryer and I are agreed on and have been for some time, that there should be uniformity insofar as it is possible in the codes for boroughs, townships of the second class and townships of the first class. That is the effort of these bills, as I see it, insofar as the filling of vacancies is concerned.

However, I wonder if we are not creating more problems than we are eliminating, particularly in townships of the second class where we mandatorily have an odd number of people to make a decision to begin with. You have three or five supervisors in a township of the second class. Now if I may go for a moment to add one more, and you end up with six, you are then putting yourself in a position of having a tie very likely or distinctly possible, at least.

If you go to townships of the first class, the code says that there shall be either five or upward to 15 township commissioners in the township of the first class. Most of them have chosen to pick an odd number of commissioners, though not all of them. Most of them have done that so that they avoid the

possibility of ties. You then, by bringing on the additional party, create further possibilities of ties if the thing is not resolved in the first instance.

If you go to the matter of boroughs, normally seven is the number of borough councilmen, but that is not fixed. It can be almost anything, and I think you would be creating as many problems as you are eliminating here. You can say that if there is one person absent, that you are replacing somebody, so therefore you do not have the five but you would have four.

Maybe my argument reverses itself in the case of townships of the second class, but I do not think that this is going to be a panacea. That is what I am really working up to. I do not think it is going to cure all of the problems that it is intended to. I think it may create some, though in fact it might very well eliminate some.

I am not suggesting whether we should vote "yes" or "no." I am just saying I have questions about the virtue of the legislation, though I am not, in any sense, violently opposed to it.

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

Mr. TRELLO. Mr. Speaker, just to comment on this bill, not all boroughs have seven or nine councilmen. The particular borough that I reside in has eight, and if one resigns that leaves seven to vote, so there would be no need for a tie because you would have seven voting.

In a case of a township that has three or five commissioners, if one resigns then you have four, with the possibility of a tie. That is where the chairman of this vacancy board would come into play.

In the case of a borough that has seven or nine councilmen, there is no problem. If one resigns you would have either six or eight, and that could constitute a tie and the mayor could break that. So really there is no problem with the bill. I think the appointing of a chairman of a vacancy committee is a very good idea for that specific reason. Where there is an odd number of councilmen with a vacancy, that leaves an even number and the possibility of a tie. The only time the mayor can vote is when there is a tie and he will cast his vote when there is a tie.

In the other event, where there is no tie, the mayor does not even come into play, so I think the chairman of the vacancy board is very appropriate. I think it is a good bill and we should support it.

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

Mr. FRYER. Mr. Speaker, briefly, Representative Trello has stated the case extremely well. I would remind my good friend from Montgomery, Mr. Mebus, that in the beginning the boards are created with an uneven number strictly because of the idea of a stalemate. In the examples of a three- or five-man supervisors' board, with one leaving, that produces the vacancy which produces the even number and thus the stalemate develops. This is where the vacancy board would come into play.

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

Mr. MEBUS. In talking my way through this thing on the

floor, I kind of reversed my field because I can see now the real virtue of it in townships of the second class. All I am saying then is, really, in townships of the first class and in boroughs where you do not necessarily have an odd number of people, you may be creating a problem instead of eliminating it, particularly in townships in the first class, because you give the mayor a shot, as Mr. Fryer said initially, in boroughs, but there still could be problems there because you do not have every borough with an odd number of councilmen.

Maybe there ought to be an amendment to this thing that brings in the fact of whether it is an odd or even number of councilmen or commissioners, as the case may be.

I think it will work in second class townships. I am now convinced of that and I would say that the bill has definite merit. Maybe we could work out the details of an amendment to the other two bills to ensure that we have what we are after, which is, a tie-breaking situation.

The SPEAKER. The Chair recognizes the gentleman from Chester, Mr. Morris.

Mr. MORRIS. Thank you, Mr. Speaker.

I hope that some of my friends who have been arguing this question will not think I am being either facetious or sarcastic, but I am afraid that what we are doing here is that we are not thinking this thing through too carefully. We are not using very, very simple arithmetic.

Take a borough, if you have one, with six people on the borough council. When somebody resigns or dies, you then do not have an even number of people on the council and you have the opportunity for deciding the question of a successor right there at the local level, providing they all come to the meeting, and that is all there is to it. The same thing applies to townships of the first class. If you have an uneven group on the commissioners board in townships of the first class or borough council, then the problem arises. In the case of the townships of the first class, you would definitely need this situation that we are dealing with in one of these bills. And in the case of a borough, the mayor could break the tie, but I suppose there is a possibility the mayor might refuse to vote, in which case you would go to this other system.

These are good bills. I just think you have to think a little bit about them.

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Garzia.

Mr. GARZIA. Mr. Speaker, as an ex-mayor of the borough that I live in, this bill does not take any powers away from the mayor. I think it is a good bill. It may help stalemates that can be created when somebody resigns.

As far as I know, a mayor in Delaware County has never broken the tie to see who gets on the council, and this may be a way of starting something like this. So I urge everyone to vote in the affirmative for this bill.

Thank you.

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

Mr. GAMBLE. Mr. Speaker, just for a point of clarification, I

would like to ask Mr. Fryer a question.

The SPEAKER. The gentleman, Mr. Fryer, indicates that he will stand for interrogation. The gentleman from Allegheny is in order and may proceed.

Mr. GAMBLE. Mr. Speaker, could you please give me one example where a borough would have to resort to this board? My understanding is that if you have an even number, the mayor would break the tie. If you end up with an odd number on council, they would break the tie. Could you give me an example where this board would come into play? I do not understand that part of it.

Mr. FRYER. There could be a case in which there is an absentee due to illness in the hospital and if there is a tie, the mayor then would vote according to the Borough Code to break that tie. If, however, there still is a tie remaining, the vacancy board would come into play. There are many cases that could come up. I mentioned one in which a member may be ill and may be in the hospital and is unable to be present at the meeting where a stalemate could develop. In fact, it could be the mayor himself. It could be a vacancy in the office of mayor.

MR. GAMBLE. The only time that the mayor gets to vote is if there is a tie. Is that correct?

Mr. FRYER. Yes, sir. That is correct.

Mr. GAMBLE. All right. So then really the only case where this board would be used is if the mayor himself were sick and could not make the meeting or it was the mayor's post which was being decided upon.

Mr. FRYER. That is correct, Mr. Speaker.

Mr. GAMBLE. Thank you.

On the question recurring,
Shall the bill pass finally?

Agreeable to the provision of the Constitution, the following roll call was recorded:

YEAS—160

Abraham	Gamble	Madigan	Scanlon
Anderson	Garzia	Manderino	Scheaffer
Arthurs	Gatski	McCall	Schmitt
Barber	Geesey	McClatchy	Schweder
Bellomini	Geisler	McIntyre	Scirica
Berlin	George, C.	McLane	Shuman
Berson	George, M.	Meluskey	Shupnik
Bittinger	Giammarco	Milanovich	Smith, E.
Borski	Gillette	Miller	Smith, L.
Brandt	Goodman	Milliron	Spencer
Brown	Gray	Miscevich	Stairs
Brunner	Greenfield	Moehlmann	Stapleton
Burd	Greenleaf	Morris	Stewart
Burns	Grieco	Mrkonic	Stuban
Butera	Halverson	Mullen, M. P.	Sweet
Caltagirone	Hasay	Mullen, M. M.	Taylor, F.
Caputo	Haskell	Musto	Tenaglio
Cassidy	Hayes, S. E.	Novak	Thomas
Cessar	Helfrick	Noye	Trello
Cianciulli	Hoeffel	O'Brien, B.	Valicenti
Cimini	Honaman	O'Connell	Vroon
Cohen	Hopkins	O'Donnell	Wagner
Cole	Hutchinson, A.	O'Keefe	Wansacz
Cowell	Hutchinson, W.	Oliver	Wargo
Davies	Itkin	Parker	Wass
DeMedio	Johnson	Petrarca	Weidner
DeWeese	Jones	Pievsky	Wenger
DiCarlo	Kelly	Pitts	White

Dombrowski	Kernick	Pott	Wiggins
Dorr	Klingaman	Prendergast	Wilson
Doyle	Knepper	Pyles	Wise
Duffy	Kolter	Ravenstahl	Wright, D.
Dumas	Kowalshyn	Reed	Wright, J. L.
Englehart	Laughlin	Renwick	Yahner
Fee	Lehr	Rhodes	Zeller
Fischer, R. R.	Letterman	Richardson	Zitterman
Flaherty	Levi	Rieger	Zwilk
Foster, A.	Lincoln	Ritter	
Fryer	Livengood	Ruggiero	Irvis,
Gallagher	Logue	Ryan	Speaker
Gallen	Mackowski		

NAYS—30

Armstrong	Hamilton	O'Brien, D.	Spitz
DeVerter	Hayes, D. S.	Pancoast	Taddonio
Dietz	Katz	Piccola	Taylor, E.
Dininni	Lynch	Polite	Wilt
Fisher, D. M.	Manmiller	Pratt	Yohn
Foster, W.	McGinnis	Salvatore	Zearfoss
Freind	Mebus	Sirianni	Zord
Goebel	Mowery		

NOT VOTING—10

Beloff	Donatucci	Rappaport	Shelton
Bennett	Gleeson	Seltzer	Williams
Bittle	Harper		

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.

Agreeable to order,

The House proceeded to third consideration of **House bill No. 1069, printer's No. 1245**, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103, No. 69), changing the method of filling vacancies in certain township offices.

On the question,

Will the House agree to the bill on third consideration?

Mr. DeVERTER offered the following amendment:

Amend Sec. 1 (Sec. 420), page 2, line 11 by inserting after "vacancy." Forty-five days after a vacancy occurs, five registered electors of the township may also petition the court of common pleas to appoint a registered elector of the township to fill the existing vacancy.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Mifflin, Mr. DeVerter.

Mr. DeVERTER. Thank you, Mr. Speaker.

Mr. Speaker, HB 1069 does basically what HB 1070, which was just passed by the House, does. My problem with the bill is that it removes the possibility for local electors in second class townships to be able to petition the court should the vacancy board fail to act within reasonable time.

Now although the bill states that the vacancy board chairman shall petition the court of common pleas, I think it is only right that the electors of that township also have that priv-

ilege, which has been taken out of the legislation. I believe they should have the right to petition the court to submit the names they so choose to fill the vacancy at such time a vacancy exists in either the township supervisors, the auditor, the assessor, or the tax collector.

This is a complete change in this legislation, and I believe the local electors should have the same privilege as does the vacancy board.

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Fryer, on the amendment.

Mr. FRYER. Mr. Speaker, I have just received a copy of the amendment, and, quite frankly, I do not see the need for this amendment. I have checked the bills. We have gone over the bills quite carefully in committee. The vacancy board is set up for that purpose, and I cannot really see a need for this amendment. So I would ask the members to oppose the amendment.

The SPEAKER. The Chair recognizes the gentleman from Lehigh, Mr. Zeller, on the amendment.

Mr. ZELLER. Thank you, Mr. Speaker.

Mr. Speaker, I would like to ask someone who possibly was or is a solicitor for a township to consent to a brief interrogation. I will tell you why I say this, Mr. Speaker: It is because, I think, this is already law. Is there anyone who was a former solicitor? I guess there is nobody who wants to reveal the fact they have two jobs. Perhaps a former solicitor—

The SPEAKER. Mr. Zeller's contention is that the language submitted by the gentleman, Mr. DeVerter, may well be current law and he is asking if there is anyone in the House who is capable of answering that question definitively.

The gentleman from Mifflin, Mr. DeVerter, rises. For what purpose does the gentleman rise?

Mr. DeVERTER. To respond to Mr. Zeller, if I might, Mr. Speaker.

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

Mr. DeVERTER. Mr. Speaker, what my amendment does is replace that which is taken out of a bill. Previously, five registered electors in a second class township could, in fact, petition the court. They will no longer have that opportunity. You are going to leave it entirely in the hands of a vacancy board.

All I am saying by my amendment is that five registered electors of the township may also petition the court of common pleas after the 45-day period during which the vacancy board has the opportunity to act and, if they do not act, the registered electors may do so.

Mr. ZELLER. Thank you, Mr. Speaker.

Mr. Speaker, I am aware of what you are trying to do, but I felt that that was not taken out. Now Mr. Fryer may be able to answer. Was it taken out? Well, then, if it was taken out, I have no quarrel with it.

The SPEAKER. The Chair recognizes the gentleman from Mifflin, Mr. DeVerter.

Mr. DeVERTER. Mr. Speaker, on page 2 of the bill, it says, ". . . the [court of common pleas shall appoint a successor who is a registered voter, upon the presentation of a petition signed by a supervisor and not less than five registered electors." That is stricken in HB 1069.

The SPEAKER. The gentleman, Mr. DeVerter, is correct. If the House were to pass the bill as it is currently structured, current language reading “. . . court of common pleas shall appoint . . .” et cetera, would be stricken from the law. Mr. DeVerter’s contention is that by his amendment that language is maintained in the law because it would be returned to the bill.

The Chair recognizes the gentleman from Berks, Mr. Fryer.

Mr. FRYER. Mr. Speaker, I would point out to the gentleman, Mr. DeVerter, to read further on in the bill, page 2, line 9, and I quote: “If the vacancy board fails to fill the position within the time prescribed, the chairman shall petition the court of common pleas to fill the vacancy.” That provides the vehicle for the petition to go to the court.

The SPEAKER. The Chair recognizes the gentleman from Mifflin, Mr. DeVerter.

Mr. DeVERTER. Thank you, Mr. Speaker.

What I am saying is, this places the discretion solely with the chairman of the vacancy board to petition the court. All my amendment says is that I want the registered electors of that township to have the same opportunity to do so. Whether it says “shall,” “may” or whatever it says in the bill with regard to the chairman of the vacancy board, I think the registered electors are entitled to that same privilege.

The SPEAKER. The Chair recognizes the gentleman from Lehigh, Mr. Ritter.

Mr. RITTER. Mr. Speaker, I agree with the gentleman, Mr. Fryer. There is a 45-day time period in which the vacancy shall be filled. The first 30 days it is up to the supervisors to fill the vacancy, and then if that fails, then within 15 days the vacancy board shall fill the vacancy. And if they fail to do that, on line 10 it says, “. . . the chairman shall petition the court of common pleas to fill the vacancy.”

It does the same thing that Mr. DeVerter is attempting to do except that he says that five electors may petition, and his amendment just says, “may” petition, where the bill itself would say that the chairman “shall,” he must petition the court. And that seems to me to get the issue before the court and they in turn then would appoint a registered elector in that area.

I think the amendment is not necessary and I would ask that the amendment be defeated and then we vote affirmatively on the bill.

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

Mr. PYLES. Mr. Speaker, the DeVerter amendment is not taking away from the power of the chairman to also make a petition to the court. What Mr. DeVerter is trying to do is to let the electorate continue to be a part of the process of filling vacancies when 45 days have gone by and the mechanism in this bill has not worked, so that the court then would end up with maybe more than one petition, with more than one name to choose from. Under the proposed amendment in the bill, only the chairman shall make a petition to the court. Therefore, the court only has one name before it.

It is important, I believe, that we give every opportunity available to our electorate to play a part in their government,

and that is all the DeVerter amendment is doing.

The SPEAKER. The Chair recognizes the gentleman from Lehigh, Mr. Ritter.

Mr. RITTER. Mr. Speaker, nowhere in the existing law nor in the proposed bill, nor, in fact, in the amendment does it say anything at all about the recommendation of a particular person to fill the vacancy by a board or by the five electors. All it says is that the board—the present law says the court of common pleas—“shall appoint a successor who is a registered voter, upon the presentation of a petition . . .” But it gives the court the authority to appoint the particular individual. All this bill says is that the chairman, in the event there is a dispute over who shall fill it, shall petition the court and the court, in effect, will appoint a particular person. But the chairman is not authorized to recommend a name, nor under Mr. DeVerter’s amendment is there anything at all which allows the petitioners to suggest whose name it shall be. So, again, I say that the bill itself is sufficient in that the issue will get before the court and the court will make the ultimate decision.

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Fryer, on the amendment.

Mr. FRYER. Mr. Speaker, I strongly support the statements of Representative Ritter because in reading the amendment, the amendment is meaningless. It states that the five registered electors may petition the court of common pleas. They have that right as it is. And I would submit to you that in the event the vacancy board does not reach a decision, you could possibly find a flurry of petitions signed by five electors. So the court would be in the very same position and, in effect, it is meaningless. The chairman does not—I repeat, not—recommend the name to the court of common pleas. He merely states that they have a vacancy, and then the court goes into action. And I am certain that the court will receive much advise as to the wisdom of its appointment, so it is meaningless, and I would urge its defeat.

The SPEAKER. The Chair recognizes the gentleman from York, Mr. Foster, on the amendment.

Mr. A. C. FOSTER. Mr. Speaker, will the gentleman, Mr. DeVerter, consent to interrogation?

The SPEAKER. The gentleman, Mr. DeVerter, indicates that he will stand for interrogation. The gentleman, Mr. Foster, is in order and may proceed.

Mr. A. C. FOSTER. Mr. Speaker, first of all, I would like to state that presently these vacancies are filled by the court, and in most cases a name or several names are submitted to the court and the court chooses from among the names suggested.

My question for Mr. DeVerter: Must the court pick a name that is suggested to them or is the court free to make any appointment that they so choose to make?

Mr. DeVERTER. Well, Mr. Speaker, the recommendation submitted by the petitioners often carries great weight with the court. Unfortunately, in some instances in my area, that has not been the case and the court has gone outside the recommendation of those petitioners. Now that is what I am saying in this instance. What I am saying is that even though the vacancy board has the right to make a recommendation for the

filling of the vacancy, the electors should have that same opportunity to also petition the court and submit any name that they so desire.

It becomes, quite frankly, a very political, partisan issue in some areas, I suspect, depending upon whose ox is being gored, as to whether or not you want to see the local electors be able to participate in who is selected as one of the assessors, auditors or whatever. That is my point.

Mr. A. C. FOSTER. I thank the gentleman.

I would like to make a brief statement, Mr. Speaker.

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

Mr. A. C. FOSTER. Mr. Speaker, I think the DeVerter amendment is will intentioned, but I do not think it is necessary for the reason that Mr. DeVerter just enunciated, namely, that the court is not bound to consider any name submitted by the electors.

Now I think in all practicality the court will certainly be guided by those wishes, those expressions by the electors. However, I think the electors will have the same right under the bill as drafted. Therefore, I think that although the amendment is well intentioned, I would urge that we reject it and pass the bill as we have it before us.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—72

Anderson	Goebel	Mebus	Smith, E.
Armstrong	Greenleaf	Miller	Smith, L.
Bittle	Grieco	Moehlmann	Spencer
Brandt	Halverson	Mowery	Spitz
Burns	Hamilton	Noye	Stairs
Butera	Hayes, S. E.	O'Brien, D.	Taddonio
Cessar	Helfrick	O'Connell	Taylor, E.
Davies	Honaman	Parker	Thomas
DeVerter	Hopkins	Piccola	Vroon
Dietz	Hutchinson, W.	Pitts	Wagner
Dininni	Katz	Polite	Weidner
Dorr	Klingaman	Pott	Wenger
Fischer, R. R.	Knepper	Pyles	Wilton
Fisher, D. M.	Lehr	Ryan	Wilt
Foster, W.	Levi	Salvatore	Wright, J. L.
Freind	Madigan	Scirica	Yohn
Gallen	Manmiller	Seltzer	Zearfoss
Geesey	McClatchy	Sirianni	Zord

NAYS—118

Abraham	Fryer	Lynch	Rieger
Arthurs	Gallagher	Mackowski	Ritter
Barber	Gamble	Manderino	Ruggiero
Bellomini	Garzia	McCall	Scanlon
Berlin	Gatski	McGinnis	Scheaffer
Berson	Geisler	McIntyre	Schmitt
Bittinger	George, C.	McLane	Schweder
Borski	George, M.	Meluskey	Shuman
Brown	Giammarco	Milanovich	Shupnik
Brunner	Gillette	Milliron	Stapleton
Burd	Goodman	Miscevich	Stewart
Caltagirone	Gray	Morris	Stuban
Cassidy	Greenfield	Mrkonic	Sweet
Cianciulli	Hasay	Mullen, M. P.	Taylor, F.
Cimini	Haskell	Musto	Tenaglio
Cohen	Hayes, D. S.	Novak	Trello
Cole	Hoeffel	O'Brien, B.	Valicenti

Cowell	Hutchinson, A.	O'Donnell	Wargo
DeMedio	Itkin	O'Keefe	Wass
DeWeese	Johnson	Oliver	White
DiCarlo	Jones	Pancoast	Wiggins
Dombrowski	Kelly	Petrarca	Wise
Donatucci	Kernick	Pievsky	Wright, D.
Doyle	Kolter	Pratt	Yahner
Duffy	Kowalyshyn	Prendergast	Zeller
Dumas	Laughlin	Ravenstahl	Zitterman
Englehart	Letterman	Reed	Zwikl
Fee	Lincoln	Renwick	
Flaherty	Livengood	Rhodes	Irvis,
Foster, A.	Logue	Richardson	Speaker

NOT VOTING—10

Belloff	Gleeson	Rappaport	Wansacz
Bennett	Harper	Shelton	Williams
Caputo	Mullen, M. M.		

The question was determined in the negative and the amendment was not agreed to.

On the question recurring,

Will the House agree to the bill on third consideration?

Bill was agreed to.

The SPEAKER. 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 provision of the Constitution, the roll call will now be taken.

YEAS—170

Abraham	Gallen	Mackowski	Scheaffer
Anderson	Gamble	Madigan	Schmitt
Armstrong	Garzia	Manderino	Schweder
Arthurs	Gatski	McCall	Scirica
Barber	Geesey	McIntyre	Seltzer
Berlin	Geisler	McLane	Shuman
Berson	George, C.	Mebus	Shupnik
Bittinger	George, M.	Meluskey	Sirianni
Bittle	Giammarco	Milanovich	Smith, E.
Borski	Gillette	Miller	Smith, L.
Brandt	Goebel	Milliron	Spencer
Brown	Goodman	Miscevich	Stairs
Brunner	Gray	Moehlmann	Stapleton
Burd	Greenfield	Morris	Stewart
Burns	Greenleaf	Mowery	Stuban
Butera	Grieco	Mrkonic	Sweet
Caltagirone	Halverson	Mullen, M. P.	Taddonio
Caputo	Hasay	Musto	Taylor, F.
Cassidy	Haskell	Novak	Tenaglio
Cessar	Hayes, D. S.	Noye	Thomas
Cianciulli	Hayes, S. E.	O'Brien, B.	Trello
Cimini	Helfrick	O'Connell	Valicenti
Cohen	Hoeffel	O'Keefe	Vroon
Cole	Honaman	Oliver	Wagner
Cowell	Hopkins	Pancoast	Wansacz
Davies	Hutchinson, A.	Parker	Wargo
DeMedio	Hutchinson, W.	Petrarca	Wass
DeWeese	Itkin	Pievsky	Weidner
DiCarlo	Johnson	Pitts	Wenger
Dombrowski	Jones	Polite	White
Dorr	Kelly	Pott	Wiggins
Doyle	Kernick	Pratt	Wilson
Duffy	Klingaman	Prendergast	Wilt
Dumas	Knepper	Ravenstahl	Wise
Englehart	Kolter	Reed	Wright, D.
Fee	Kowalyshyn	Renwick	Wright, J. L.
Fischer, R. R.	Laughlin	Rhodes	Yahner
Fisher, D. M.	Lehr	Richardson	Zeller

Flaherty	Letterman	Rieger	Zitterman
Foster, A.	Levi	Ritter	Zwinkl
Foster, W.	Lincoln	Ruggiero	
Fryer	Livengood	Ryan	Irvis,
Gallagher	Logue	Scanlon	Speaker

NAYS—19

DeVertter	Katz	O'Brien, D.	Taylor, E.
Dietz	Lynch	Piccola	Yohn
Dininni	Manmiller	Pyles	Zearfoss
Freind	McClatchy	Salvatore	Zord
Hamilton	McGinnis	Spitz	

NOT VOTING—11

Bellomini	Donatucci	Mullen, M. M.	Shelton
Beloff	Gleeson	O'Donnell	Williams
Bennett	Harper	Rappaport	

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.

**ANNOUNCEMENTS
HOUSE SCHEDULE**

The SPEAKER. We shall be now in recess until 1:30 p.m. The Chair would like to emphasize to the members that we will be starting promptly at 1:30 p.m.

We intend to finish the calendar voting for this week today. So you may check out of your hotels during the lunch period if you have not already done so.

The House will be called back into session on Tuesday of next week rather than Monday, and you would be well advised to come prepared to stay for at least 10 days when you come back on Tuesday. The Chair is not joking, and you will soon find out the reason for the nonjoking. So do not say you have not been warned. When we come back in on Tuesday, the House may well find itself in continuous session for a period of 10 days.

Does the majority leader desire recognition before the declaration of the recess?

RULES COMMITTEE MEETING

Mr. MANDERINO. Yes, for the purpose of announcing a Rules Committee meeting immediately upon the declaration of the recess; a meeting of the Committee on Rules.

The SPEAKER. A Rules Committee meeting in the majority leader's office immediately upon the declaration of the recess.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Hayes.

Mr. S. E. HAYES. Mr. Speaker, I would ask the Republican members to just stand fast for a second.

It was the intention to recess the House for 1 hour for the purpose of lunch. I asked the majority leader if it would be possible to have the recess continued until 1:30, for an hour and a half, the reason being this: There are two items which I believe

should be discussed with the caucus before they travel to their districts at the conclusion of today's session. I believe we can dispense with our business within one-half hour if all Republican Representatives would go to caucus immediately. Right now, please.

The SPEAKER. The Chair recognizes the gentleman from Chester, Mr. Smith.

Mr. E. H. SMITH. I believe that we were informed that there was a meeting of the Liquor Control Committee scheduled from 12 to 1, or something like that. Is that still on the program, do you know?

The SPEAKER. The Chair has no such information. Is the Chairman of the Liquor Control Committee on the floor of the House?

Mr. E. H. SMITH. And also in what room?

The SPEAKER. The Chair does not have that information, sir. I regret it.

Mr. E. H. SMITH. Thank you very much.

RECESS

The SPEAKER. This House stands in recess until 1:30 p.m.

AFTER RECESS

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

CALENDAR

LOCAL GOVERNMENT BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 1220, printer's No. 1442**, entitled:

An Act amending the "Home Rule Charter and Optional Plans Law" approved April 13, 1972 (P. L. 184, No. 62), providing for the disposition of the records of a government study commission.

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 provision of the Constitution, the roll call will now be taken.

YEAS—180

Abraham	Gamble	Manmiller	Scheaffer
Anderson	Garzia	McCall	Schmitt
Armstrong	Gatski	McClatchy	Schweder
Arthurs	Geesey	McGinnis	Seirica
Bellomini	Geisler	McIntyre	Seltzer
Berlin	George, C.	McLane	Shuman
Berson	George, M.	Mebus	Shupnik
Bittinger	Giammarco	Meluskey	Sirianni
Bittle	Gillette	Milanovich	Smith, E.
Borski	Gleeson	Miller	Smith, L.
Brandt	Goebel	Milliron	Spencer
Brown	Goodman	Miscevich	Spitz

Brunner	Gray	Moehlmann	Stairs
Burd	Greenfield	Morris	Stapleton
Burns	Greenleaf	Mowery	Stewart
Butera	Grieco	Mrkonic	Stuban
Caltagirone	Halverson	Mullen, M. P.	Sweet
Caputo	Hamilton	Mullen, M. M.	Taddonio
Cassidy	Hasay	Musto	Taylor, E.
Cessar	Haskell	Novak	Taylor, F.
Cianciulli	Hayes, D. S.	Noye	Tenaglio
Cimini	Hayes, S. E.	O'Brien, B.	Thomas
Cohen	Helfrick	O'Brien, D.	Trello
Cole	Hoeffel	O'Connell	Valicenti
Cowell	Honaman	O'Keefe	Vroon
Davies	Hopkins	Oliver	Wagner
DeMedio	Hutchinson, A.	Pancoast	Wargo
DeVertter	Hutchinson, W.	Parker	Wass
DeWeese	Itkin	Piccola	Weidner
DiCarlo	Katz	Pievsky	Wenger
Dietz	Kelly	Pitts	Wilson
Dininni	Kernick	Polite	Wilt
Dombrowski	Klingaman	Pott	Wise
Dorr	Knepper	Pratt	Wright, D.
Doyle	Kolter	Pyles	Wright, J. L.
Duffy	Kowalshyn	Ravenstahl	Yahner
Englehart	Laughlin	Reed	Yohn
Fee	Lehr	Renwick	Zearfoss
Fischer, R. R.	Levi	Rhodes	Zeller
Flaherty	Lincoln	Rieger	Zitterman
Foster, A.	Livengood	Ritter	Zord
Foster, W.	Logue	Ruggiero	Zwinkl
Freind	Lynch	Ryan	
Fryer	Mackowski	Salvatore	Irvis,
Gallagher	Madigan	Scanlon	Speaker
Gallen	Manderino		

NAYS—0

NOT VOTING—20

Barber	Fisher, D. M.	O'Donnell	Shelton
Beloff	Harper	Petrarca	Wansacz
Bennett	Johnson	Prendergast	White
Donatucci	Jones	Rappaport	Wiggins
Dumas	Letterman	Richardson	Williams

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.

GAME AND FISHERIES BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 470, printer's No. 509**, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225, No. 316), further regulating the use of recorded calls or sounds or electronically amplified imitations of calls or sounds for use in hunting any wild birds or wild animals.

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 provision of the Constitution, the roll call will now be taken.

YEAS—178

Abraham	Gallagher	Madigan	Scheaffer
Anderson	Gallen	Manderino	Schweder
Armstrong	Gamble	Manmiller	Scirica
Arthurs	Garzia	McClatchy	Seltzer
Bellomini	Gatski	McGinnis	Shuman
Berlin	Geesey	McIntyre	Shupnik
Berson	Geisler	McLane	Sirianni
Bittinger	George, C.	Mebus	Smith, E.
Bittle	George, M.	Meluskey	Smith, L.
Borski	Giammarco	Milanovich	Spencer
Brandt	Gillette	Miller	Spitz
Brown	Goebel	Milliron	Stairs
Brunner	Gray	Miscevich	Stapleton
Burd	Greenfield	Moehlmann	Stewart
Burns	Greenleaf	Morris	Stuban
Butera	Grieco	Mowery	Sweet
Caltagirone	Halverson	Mrkonic	Taddonio
Caputo	Hamilton	Mullen, M. P.	Taylor, E.
Cassidy	Hasay	Mullen, M. M.	Taylor, F.
Cessar	Haskell	Musto	Tenaglio
Cianciulli	Hayes, D. S.	Novak	Thomas
Cimini	Hayes, S. E.	Noye	Trello
Cohen	Helfrick	O'Brien, B.	Valicenti
Cole	Hoeffel	O'Brien, D.	Vroon
Cowell	Honaman	O'Connell	Wagner
Davies	Hopkins	O'Keefe	Wansacz
DeMedio	Hutchinson, A.	Oliver	Wargo
DeVertter	Hutchinson, W.	Pancoast	Wass
DeWeese	Itkin	Parker	Weidner
DiCarlo	Jones	Petrarca	Wenger
Dietz	Katz	Piccola	Wilson
Dininni	Kelly	Pitts	Wilt
Dombrowski	Kernick	Polite	Wise
Dorr	Klingaman	Pott	Wright, D.
Doyle	Knepper	Pratt	Wright, J. L.
Duffy	Kowalshyn	Prendergast	Yahner
Englehart	Laughlin	Pyles	Yohn
Fee	Lehr	Ravenstahl	Zearfoss
Fischer, R. R.	Letterman	Reed	Zeller
Fisher, D. M.	Levi	Renwick	Zitterman
Flaherty	Lincoln	Rieger	Zord
Foster, A.	Livengood	Ritter	Zwinkl
Foster, W.	Logue	Ryan	
Freind	Lynch	Salvatore	Irvis,
Fryer	Mackowski	Scanlon	Speaker

NAYS—0

NOT VOTING—22

Barber	Goodman	Pievsky	Schmitt
Beloff	Harper	Rappaport	Shelton
Bennett	Johnson	Rhodes	White
Donatucci	Kolter	Richardson	Wiggins
Dumas	McCall	Ruggiero	Williams
Gleeson	O'Donnell		

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.

SB 524 PASSED OVER TEMPORARILY

The SPEAKER. The Chair has just been informed that on page 11, SB 524, the gentleman, Mr. Meluskey, has additional amendments which have not yet been produced. Consequently, that bill will not be called now and will be passed over temporarily.

CONSERVATION BILL ON THIRD CONSIDERATION

Agreeable to order,
The House proceeded to third consideration of **Senate bill No. 674, printer's No. 716**, entitled:

An Act authorizing the Borough of Hellertown Northampton County to change the use it is making of land acquired pursuant to the provisions of the "Project 70 Land Acquisition and Borrowing Act".

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 provision of the Constitution, the roll call will now be taken.

YEAS—182

Abraham	Garzia	Manmiller	Schmitt
Anderson	Gatski	McClatchy	Schweder
Armstrong	Geesey	McGinnis	Scirica
Arthurs	Geisler	McIntyre	Seltzer
Bellomini	George, C.	McLane	Shuman
Berlin	George, M.	Mebus	Shupnik
Berson	Giammarco	Meluskey	Sirianni
Bittinger	Gillette	Milanovich	Smith, E.
Bittle	Goebel	Miller	Smith, L.
Borski	Goodman	Milliron	Spencer
Brandt	Gray	Miscevich	Spitz
Brown	Greenfield	Moehlmann	Stairs
Brunner	Greenleaf	Morris	Stapleton
Burd	Grieco	Mowery	Stewart
Burns	Halverson	Mrkonic	Stuban
Butera	Hamilton	Mullen, M. P.	Sweet
Caltagirone	Hasay	Mullen, M. M.	Taddonio
Caputo	Haskell	Musto	Taylor, E.
Cassidy	Hayes, D. S.	Novak	Taylor, F.
Cessar	Hayes, S. E.	Noye	Tenaglio
Cianciulli	Helfrick	O'Brien, B.	Thomas
Cimini	Hoeffel	O'Brien, D.	Trello
Cohen	Honaman	O'Connell	Valicenti
Cole	Hopkins	O'Keefe	Vroon
Cowell	Hutchinson, A.	Oliver	Wagner
Davies	Hutchinson, W.	Pancoast	Wansacz
DeMedio	Itkin	Parker	Wargo
DeVerter	Johnson	Petrarca	Wass
DeWeese	Jones	Piccola	Weidner
DiCarlo	Katz	Pievsky	Wenger
Dietz	Kelly	Pitts	White
Diminni	Kernick	Polite	Wilson
Dombrowski	Klingaman	Pott	Wilt
Dorr	Knepper	Pratt	Wise
Doyle	Kowalyszyn	Prendergast	Wright, D.
Duffy	Laughlin	Pyles	Wright, J. L.
Englehart	Lehr	Ravenstahl	Yahner
Fee	Letterman	Reed	Yohn
Fisher, D. M.	Levi	Renwick	Zearfoss
Flaherty	Lincoln	Rieger	Zeller
Foster, A.	Livengood	Ritter	Zitterman
Foster, W.	Logue	Ruggiero	Zord
Freind	Lynch	Ryan	Zwinkl
Fryer	Mackowski	Salvatore	
Gallagher	Madigan	Scanlon	Irvis,
Gamble	Manderino	Scheaffer	Speaker

NAYS—0

NOT VOTING—18

Barber	Fischer, R. R.	McCall	Richardson
Beloff	Gallen	O'Donnell	Shelton
Bennett	Gleeson	Rappaport	Wiggins
Donatucci	Harper	Rhodes	Williams
Dumas	Kolter		

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 information that the House has passed the same without amendment.

MR. FRYER REQUESTED TO PRESIDE

The SPEAKER. The Chair at this time turns the gavel over temporarily to the Speaker pro tempore, who will call up SB 630, PN 665, for amendment.

THE SPEAKER PRO TEMPORE (LESTER K. FRYER) IN THE CHAIR

INSURANCE BILL ON THIRD CONSIDERATION

Agreeable to order,
The House proceeded to third consideration of **Senate bill No. 630, printer's No. 665**, entitled:

An Act amending the act of May 17, 1921 (P. L. 789, No. 285), entitled as amended "The Insurance Department Act of one thousand nine hundred and twenty-one" changing certain provisions relating to the impairment of capital and reserves.

On the question,
Will the House agree to the bill on third consideration?
Mr. KOWALYSHYN offered the following amendment:

Amend Sec. 1 (Sec. 321), page 2, line 3, by inserting after "j", to any degree

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

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

Mr. KOWALYSHYN. Mr. Speaker, the present law provides that if there is a 20-percent impairment of capital of a company, the insurance commissioner shall notify the company to correct its deficiency within 60 days. The amendment that is being offered provides that if there is a deficiency "to any degree"—to any degree—then the insurance commissioner shall notify the insurance company that it must correct its deficiency.

The bill itself provides that that deficiency shall be corrected within 30 days rather than 60 days as provided in the present law.

The amendment by itself simply provides that if there is an impairment of capital to any degree, then the commissioner shall act and the insurance company shall proceed to correct the deficiency.

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

The following roll call was recorded:

YEAS—181

Abraham	Garzia	Madigan	Ruggiero
Anderson	Gatski	Manderino	Salvatore
Armstrong	Geesey	Manmiller	Scanlon
Arthurs	Geisler	McCall	Scheaffer
Bellomini	George, C.	McClatchy	Schmitt
Berlin	George, M.	McGinnis	Schweder
Berson	Giammarco	McIntyre	Scirica
Bittinger	Gillette	McLane	Seltzer
Bittle	Gleeson	Mebus	Shuman
Borski	Goebel	Meluskey	Shupnik
Brandt	Goodman	Milanovich	Sirianni
Brown	Gray	Miller	Smith, E.
Brunner	Greenfield	Milliron	Spencer
Burd	Greenleaf	Miscevich	Spitz
Burns	Grieco	Moehlmann	Stairs
Butera	Halverson	Morris	Stapleton
Caltagirone	Hamilton	Mowery	Stewart
Caputo	Hasay	Mrkonic	Stuban
Cassidy	Haskell	Mullen, M. P.	Sweet
Cessar	Hayes, D. S.	Mullen, M. M.	Taddonio
Cianciulli	Hayes, S. E.	Musto	Taylor, E.
Cimini	Helfrick	Novak	Taylor, F.
Cohen	Hoeffel	Noye	Tenaglio
Cole	Honaman	O'Brien, B.	Thomas
Cowell	Hopkins	O'Brien, D.	Trello
Davies	Hutchinson, A.	O'Connell	Valicenti
DeMedio	Hutchinson, W.	O'Donnell	Vroon
DeWeese	Itkin	O'Keefe	Wansacz
DiCarlo	Johnson	Oliver	Wargo
Dietz	Jones	Pancoast	Wass
Dininni	Katz	Parker	Weidner
Dombrowski	Kelly	Petrarca	Wenger
Dorr	Kernick	Piccola	Wiggins
Doyle	Klingaman	Pievsky	Wilson
Duffy	Knepper	Pitts	Wilt
Engelhart	Kowalyshyn	Polite	Wise
Fee	Laughlin	Pott	Wright, D.
Fischer, R. R.	Lehr	Pratt	Wright, J. L.
Fisher, D. M.	Letterman	Prendergast	Yahner
Flaherty	Levi	Pyles	Yohn
Foster, A.	Lincoln	Ravenstahl	Zearfoss
Foster, W.	Livengood	Reed	Zeller
Freind	Logue	Renwick	Zitterman
Gallagher	Lynch	Rieger	Zord
Gallen	Mackowski	Ritter	Zwilk
Gamble			

NAYS—3

DeVertter	Smith, L.	Wagner
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NOT VOTING—16

Barber	Fryer	Richardson	Williams
Beloff	Harper	Ryan	
Bennett	Kolter	Shelton	Irvis,
Donatucci	Rappaport	White	Speaker
Dumas	Rhodes		

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

On the question,

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

Bill as amended was agreed to.

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

The question is, Shall the bill pass finally?

Agreeable to the provision of the Constitution, the roll call will now be taken.

YEAS—185

Abraham	Gamble	Madigan	Ruggiero
Anderson	Garzia	Manderino	Ryan
Armstrong	Gatski	Manmiller	Salvatore
Arthurs	Geesey	McCall	Scanlon
Bellomini	Geisler	McClatchy	Scheaffer
Berlin	George, C.	McGinnis	Schmitt
Berson	George, M.	McIntyre	Schweder
Bittinger	Giammarco	McLane	Scirica
Bittle	Gillette	Mebus	Seltzer
Borski	Gleeson	Meluskey	Shuman
Brandt	Goebel	Milanovich	Shupnik
Brown	Goodman	Miller	Sirianni
Brunner	Gray	Milliron	Smith, E.
Burd	Greenfield	Miscevich	Smith, L.
Burns	Greenleaf	Moehlmann	Spencer
Butera	Halverson	Morris	Spitz
Caltagirone	Hamilton	Mowery	Stairs
Caputo	Hasay	Mrkonic	Stapleton
Cassidy	Haskell	Mullen, M. P.	Stewart
Cessar	Hayes, D. S.	Mullen, M. M.	Stuban
Cianciulli	Hayes, S. E.	Musto	Sweet
Cimini	Helfrick	Novak	Taddonio
Cohen	Hoeffel	Noye	Taylor, E.
Cole	Honaman	O'Brien, B.	Taylor, F.
Cowell	Hopkins	O'Brien, D.	Tenaglio
Davies	Hutchinson, A.	O'Connell	Thomas
DeMedio	Hutchinson, W.	O'Donnell	Trello
DeVertter	Itkin	O'Keefe	Vroon
DeWeese	Johnson	Oliver	Wansacz
DiCarlo	Jones	Pancoast	Wargo
Dietz	Katz	Parker	Wass
Dininni	Kelly	Petrarca	Weidner
Dombrowski	Kernick	Piccola	Wenger
Dorr	Klingaman	Pievsky	Wiggins
Doyle	Knepper	Pitts	Wilson
Duffy	Kolter	Polite	Wilt
Engelhart	Kowalyshyn	Pott	Wise
Fee	Laughlin	Pratt	Wright, D.
Fischer, R. R.	Lehr	Prendergast	Wright, J. L.
Fisher, D. M.	Letterman	Pyles	Yahner
Flaherty	Levi	Ravenstahl	Yohn
Foster, A.	Lincoln	Reed	Zearfoss
Foster, W.	Livengood	Renwick	Zeller
Freind	Logue	Rhodes	Zitterman
Fryer	Lynch	Rieger	Zord
Gallagher	Mackowski	Ritter	Zwilk
Gallen			

NAYS—0

NOT VOTING—15

Barber	Grieco	Shelton	Williams
Beloff	Harper	Valicenti	
Bennett	Rappaport	Wagner	Irvis,
Donatucci	Richardson	White	Speaker
Dumas			

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 information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

URBAN AFFAIRS BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **Senate bill No. 524, printer's No. 1315**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes further providing for waiver of costs by ordinance for certain summary parking violations.

On the question,

Will the House agree to the bill on third consideration?

Mr. MELUSKEY offered the following amendments:

Amend Title, page 1, line 2 by striking out "BY ORDINANCE"

Amend Sec. 1 (Sec. 6306), page 2, line 3 by striking out "MAY" and inserting shall

Amend Sec. 1 (Sec. 6306), page 2, line 3 by striking out "BY A MUNICIPALITY BY ORDINANCE"

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Leigh, Mr. Meluskey.

Mr. MELUSKEY. Thank you, Mr. Speaker.

This amendment to SB 524 is designed to change the language on page 2, line 3, making the bill "shall" instead of "may" so that in the case of traffic violations, when a defendant has been issued a parking ticket and remits the fine within 8 days of the parking ticket, the municipality "shall" waive the costs normally imposed for a summary parking violation.

This was the initial, original language in the Senate bill offered by Senators Lynch and Smith, and it is my intention for this amendment to return to that initial intent.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Erie, Mr. Bellomini.

Mr. BELLOMINI. Mr. Speaker, in a way, I have nothing against changing the word to "shall".

The intent of this legislation is to have the municipalities make their own decisions. I do not think the legislators should take it upon themselves at this point to say that they have to do something in that area about the parking violations. The intent is to send this legislation in and let the legislators in the areas make the decision. So I rise to oppose this amendment, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lehigh, Mr. Zeller.

Mr. ZELLER. Mr. speaker, normally I would say "yes" to local government home rule. I support it. I fight for it.

My problem with this particular issue is, I can see local government blaming the state legislature for placing this fine upon the citizens. I can see them saying this was mandated by the state.

Had this been left alone with nothing done, had they passed their own ordinances and gone into their own fine situation, that would be all right. They could do it. But here is a case now where we are saying that they "may" go ahead and do it, and

they are going to come out and say that the legislature put it on them.

That is one of the reasons why here again we are protecting the constituents against this possible onslaught. That is why I favor the amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Erie, Mr. Bellomini.

Mr. BELLOMINI. Mr. Speaker, I just want to clarify something for Mr. Zeller. This particular section was already passed by the House in HB 1171 as a "may" bill. I just do not want to see that changed at the present time because I feel as though we should not be dictating to the legislators in other areas. We want them to make their own decisions. Hopefully, we will oppose this piece of legislation today.

Thank you.

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

Mr. GARZIA. Mr. Speaker, may I interrogate Mr. Bellomini, please?

The SPEAKER pro tempore. Will the gentleman, Mr. Bellomini, consent to a period of interrogation?

The gentleman indicates that he will. The gentleman, Mr. Garzia, is in order and may proceed.

Mr. GARZIA. Mr. Speaker, does the new Motor Vehicle Code cover boroughs' and townships' streets?

Mr. BELLOMINI. Yes, it does, Mr. Speaker.

Mr. GARZIA. I think under the old code the borough or township had an ordinance where it was \$2 for illegal parking. I think under the new code now it is \$25 plus \$10.

Mr. BELLOMINI. That is correct.

Mr. GARZIA. Even on a borough street?

Mr. BELLOMINI. That is the bill that came into effect on July 1. Now with the amendments on HB 1171, that was eliminated and it reads as a "may" bill. The reason for this piece of legislation here today, Mr. Speaker, is to push forward this type of legislation because there are areas now that do not want to charge \$25 for parking violations.

At the present time, especially in my area, our mayor has put up a moratorium now for 60 days to go back to the old ruling of \$2 per parking violation, and not to charge the \$25 that was mandated in the old Vehicle Code that took precedence on July 1. Now we have changed this, Mr. Speaker, in our new Vehicle Code, HB 1171.

Mr. GARZIA. Mr. Speaker, where do the fines go now under the new law on the borough and township roads, that \$25 plus the \$10 court cost?

Mr. BELLOMINI. No. Let us do it this way. It is a \$15 cost plus—

Mr. GARZIA. Well, 15 whatever it is.

Mr. BELLOMINI. —The \$15 fine plus \$10 cost, sir.

Mr. Speaker, as I understand it, all of the fines, the parking-violation fines, go to the townships, cities or municipalities and the costs go to the county.

Mr. GARZIA. Okay. Mr. Speaker, this bill, with this amendment, makes it mandatory that a borough or township can just charge whatever the ordinance is. If it is a \$2 parking fine, then

they would have to charge \$2 instead of the \$15. Do I understand it right that this is what this bill does? It goes back to the old way?

Mr. BELLOMINI. Just to clarify the question, are you saying that under these amendments being offered here today, it mandates that they go back?

Mr. GARZIA. Well, does the bill mandate it to go back to the old way of letting the borough ordinance determine the amount of fine? Is that what you—

Mr. BELLOMINI. No. It is a "may" bill. It is a "may" bill. We are letting it up to the local municipality, townships and cities to make their own decisions. Their own legislators make their own decisions. This bill does that. But with this amendment now, we are mandating them to do this.

I suggested to the legislators that we do not mandate; that we make it a "may" bill so the townships and municipalities all over the State can make their own rules and decide what their parking fines should be and costs.

Mr. GARZIA. Well, then this amendment mandates that it would have to go back. It says "shall." It shall go back to what? To the old way of whatever the ordinance was in that borough or township?

Mr. BELLOMINI. This amendment mandates that they must do this, that they must go back to whatever fines they have.

Now, by mandating, this means that if we are charging \$25 which we have to for parking violations as of July 1 when the new Vehicle Code went into effect, we are mandating them to stay at that position, at \$25.

That is why I suggested that we make it a "may" bill so they in their own municipalities could make up their own mind and change their legislation to say, well, we do not want to charge \$25; we want to charge \$2 or \$5. Am I making that clear to you?

Mr. GARZIA. Yes. I understand it is turning it back to the local government just the way it is now without this amendment. This amendment means "shall."

Mr. BELLOMINI. By using the word "shall," Mr. Speaker, it goes back to the Vehicle Code that went into effect July 1.

Mr. GARZIA. Okay. That is all I have, Mr. Speaker.

Mr. BELLOMINI. That is why I rise to oppose this amendment. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lehigh, Mr. Ritter.

Mr. RITTER. Mr. Speaker, I rise to support the amendment. What Mr. Meluskey is attempting to do is to say that if you have got a parking violation and you pay that ticket within 8 days you should not be subject to a \$10 cost on top of the parking-ticket fine. What Mr. Bellomini is apparently confusing is the fine and the cost and combining them in one.

Now I am saying that if a person gets an overtime parking violation in Harrisburg or in Allentown, he ought to pay that fine, but he should not be subject to the possibility of paying \$10 more in costs. The reason for the cost in the first place in a summary violation is for the cost of the magistrate to prepare all of the papers and issue them, et cetera.

I just think that Mr. Meluskey's amendment makes sense. If you do not pay it within 8 days or if you have got a history of

parking violations, this waiver will not apply, and then you will be charged the \$10. This takes care of the guy who pays his fine within 8 days and who does not have a history of parking violations. We do not think any municipality ought to be able to charge \$10 on top of that.

That is what Mr. Meluskey's amendment seeks to prevent. It simply says that if you pay the fine within 8 days or you do not have a history of parking violations, you simply pay the fine for the overtime parking or the parking violation and you do not have to pay the extra \$10. If you accept the bill without the amendment, then municipalities across this Commonwealth may or may not eliminate the \$10 cost.

I just do not think it is fair and I think the amendment makes sense.

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

Mr. GARZIA. No. Mr. Speaker, I understand about the amendment. We are talking about the court cost. That is all this does. My question is, does this bill go back and give the borough and township the option to only charge them with \$2 for illegal parking under the ordinance or must they stick with \$15? That is what my question is.

It never used to be that if a borough had an ordinance for a \$2 fine, you paid \$2 and there was a court cost if you did not pay it. Now does this bill go back to the old way if they want to enforce their ordinance by only charging you \$2 instead of \$14? Is this what this bill does?

Mr. BELLOMINI. This bill, Mr. Speaker, does this exactly. The bill brings it back to the local ordinance and whatever the ordinance had before, whatever the Third Class City Code provided for. In other words, whatever the Third Class City Code or the legislators, in the area and the third-class cities had passed, it stays at that position. But under the wording here that we are trying to pass this legislation, they may go back. Now if they want to, it is up to that locality. But we in the legislature should not be dictating that they should go back. There are probably other areas that do not want to go back. They want to keep it at the figure that they have right now.

Mr. GARZIA. Well, Mr. Speaker, in my opinion, I think we ought to go back to their way. That way, when the policeman makes out a ticket, he makes it out one way, by the borough ordinance only and not by state regulation. Highways, fine, I can see where you can use this state code for a violation on a state highway, but a borough and township should be by local ordinance.

I think if you mandate it, you know, if you have a "compare" — friend "compare" — who gives you a ticket under one section and if you have another "compare" — friend — you get it under another ordinance, I think it is wrong. I think I support this amendment. I will support the bill. Thank you.

Mr. BELLOMINI. I just want to make something clear to you, Mr. Speaker. This is fine. What you are saying is fine. But we have a problem if we pass it this way because under the state police, the state police make an arrest. It is a different story if the state police make an arrest because then they have to bring that in front of a district justice and there will be a cost impaired.

Mr. GARZIA. Mr. Speaker, in all my dealings with the state police, as the mayor of the borough of Brookhaven, they have one set of rules. That is the state regulation. They will give you a ticket for parking on my orders if you are wrong, under the state regulation. Now that is my experience with them because I have seen enough of those tickets. While we charged \$2, they were charging whatever it was at that particular time. It was not \$2.

Mr. BELLOMINI. That is because of the new Vehicle Code going into effect July 1. That is the language that we need to change it back so the local people have their own set of rules. We are trying to say "yes" we may; not we "should" tell them what to do. That is all I am trying to say.

The SPEAKER pro tempore. The Chair recognizes, for the second time, the gentleman from Lehigh, Mr. Ritter.

Mr. RITTER. Mr. Speaker, I want to try to clarify something where I think Mr. Bellomini has provided the wrong information. This bill has nothing whatsoever to do with the fines for parking. It does not change the Motor Vehicle Code one iota in terms of the fines for parking violations. It does not do that at all.

All it simply says is that in the case where you get a parking ticket, if you pay it within the 8 days, the municipality cannot impose another \$10 in costs on top of the fine. The fines are not disturbed at all. This simply talks about section 6306 of the Motor Vehicle Code, which is on costs for summary offenses. It does not change the fine at all for the parking violations. I want to make sure we understand that.

As I said, I think the amendment makes a great deal of sense and I would ask that we vote favorably for the amendment.

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

Mr. ZEARFOSS. Mr. Speaker, I wonder if Mr. Bellomini would consent to another brief interrogation.

The SPEAKER pro tempore. The gentleman indicates he will, and the gentleman, Mr. Zearfoss, is in order and may proceed with the interrogation.

Mr. ZEARFOSS. Mr. Speaker, will this amendment and bill if amended have any applicability to parking ordinances of municipalities; in other words, where a municipality adopts a parking ordinance for overtime parking, let us say, and they issue a ticket that provides that you can pay the ticket within 24 hours or 48 hours? If this amendment and bill passes, would they be—

Mr. BELLOMINI. No. It does not.

Mr. ZEARFOSS. Pardon me?

Mr. BELLOMINI. It does not affect any overtime parking.

Mr. ZEARFOSS. It would not require then that they give 8 days in which to pay the fine as opposed to 2 days?

Mr. BELLOMINI. No. It does not.

Mr. ZEARFOSS. All right. Thank you, Mr. Speaker.

Mr. BELLOMINI. All overtime parking is covered by local ordinance.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Erie, Mr. Dombrowski.

Mr. DOMBROWSKI. Yes, Mr. Speaker. There seems to be

some confusion amongst the members as to whether this affects fine or cost. If it is all right with the sponsors or the chairman of the Transportation Committee, who had offered the amendment in committee, and if it is all right with Mr. Meluskey from Allentown, I would like to put a hold on this bill until Tuesday so we can straighten this matter out.

MOTION TO RECOMMIT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Butler, Mr. Arthurs.

Mr. ARTHURS. Mr. Speaker, this bill was never in the Transportation Committee. It was in Urban Affairs Committee where it should never have been.

I move that this bill be returned to the Transportation Committee for further study so that we can get clarification on what is going on.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Erie, Mr. Dombrowski.

Mr. DOMBROWSKI. Mr. Speaker, I made a request to hold the bill and he told me to hold on just for a minute so he can make a statement before that. Now he is asking for a recommittal. If he wants to recommit it Tuesday, fine. I would like the bill held until Tuesday.

The SPEAKER pro tempore. Mr. Dombrowski, I have been informed by the Parliamentarian that the motion to recommit takes precedence over your motion.

MOTION WITHDRAWN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Butler, Mr. Arthurs.

Mr. ARTHURS. Mr. Speaker, I do not want to outdo anything that Mr. Dombrowski is trying to do. So I will withdraw my motion until he gets completed what he wants to do. I just do not want to hold the bill on the calendar. I want to have a chance to recommit it before it is out on the calendar. I will withdraw my motion until he finishes what he wants to do.

The SPEAKER pro tempore. Mr. Arthurs has withdrawn his recommittal motion.

SB 524 PASSED OVER

The SPEAKER pro tempore. Without objection, the bill will go over, with the amendment, on the calendar.

MOTION TO RECOMMIT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Butler, Mr. Arthurs.

Mr. ARTHURS. Mr. Speaker, I would like to see the bill, whatever it takes to get it back, put into the Transportation Committee now. There is no sense holding it over until Tuesday and then my making the motion again. I thought Mr. Dombrowski wanted to discuss something more, but if this is the case I will move that the bill be returned to the Transportation Committee.

The SPEAKER pro tempore. The gentleman, Mr. Arthurs, has moved that the bill be returned to the Committee on Transportation.

On the motion, the Chair recognizes the gentleman from Erie, Mr. Bellomini.

Mr. BELLOMINI. Mr. Speaker, I oppose that move to return this bill to Transportation Committee simply because the bill, I would like to explain this to the gentleman, Mr. Speaker, as reported to Urban Affairs read entirely different. I had gutted the whole bill because it was scheduled to go into a first class city bill and I had gutted the bill to read so as to get rid of this dilemma that we are having throughout the Commonwealth on parking violations. As far as it going back into the Transportation Committee for study, we already passed it in HB 1171, so I mean if we are going to study something we already passed, it is a waste. So I suggest to Mr. Arthurs that just corrected amendments are what we need on this bill, and by holding it over until Tuesday, we should have a better explanation.

Mr. ARTHURS. Mr. Speaker, I do not agree with that.

The SPEAKER pro tempore. On the question, the Chair recognizes the gentleman from Butler, Mr. Arthurs.

Mr. ARTHURS. Yes. What I am saying is, this does not just affect Philadelphia. This affects every municipality that there is in this State, and I am saying that any bill that has to do with transportation should be in your committee and you should be feeling that way, Mr. Chairman. You are not worried about Philadelphia.

Mr. BELLOMINI. Now let me explain something to you. We already passed the bill in HB 1171 exactly as it reads here. Now, you already looked it over and we already agreed to it in committee, in the Transportation Committee. This is only a form, a vehicle, to get this type of legislation done immediately so the municipalities do not suffer the fact that they are being fined \$25 for a parking violation.

The fact is, if HB 1171 was passed by the Senate and we had concurred, this already would have become law. I am only making this a speedy piece of legislation so the municipalities do not have to call a moratorium to keep their fines down.

Mr. ARTHURS. What we are doing, Mr. Speaker, we are piecemealing what we already did in the Transportation Committee by passing HB 1171, and this is just one way that the Department of Transportation can go ahead and collect moneys over there that should have been collected in HB 1171. They do not want to do this. They want to pass this piecemeal and then they can get over there what they want. And I still move that it is returned to the Transportation Committee.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Erie, Mr. Bellomini.

Mr. BELLOMINI. I would oppose this move. I think the gentleman has got his cards all mixed up. He does not understand what he is talking about. This is not a piecemeal thing. These are on emergencies that arise in all municipalities in the area of parking violations.

Presently, if you check with your constituents, they are paying \$25 fines. These are fines and costs. Before, in the past, they were paying a \$2 fine plus costs if they did not pay it on time.

This piece of legislation is a measure for doing it quickly so that our constituents and our mayors in our municipalities do

not put out moratoriums. They can only put out a 30-day moratorium.

The way the Senate has been handling HB 1171 right now, we do not know when it is going to come out. This is just something to speed up this piece of legislation so our constituents do not suffer the fines.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Erie, Mr. Dombrowski.

Mr. DOMBROWSKI. Yes, Mr. Speaker, I also rise to oppose the motion to recommit. I think that the person who made the motion to recommit was totally wrong. It belonged in Urban Affairs Committee because it was only amending the First Class Cities Code. Now we have changed it with an amendment and it affects all municipalities. And I think it is a serious problem and I think it should be ironed out expeditiously, so I am asking you to vote against the recommittal.

The SPEAKER pro tempore. On the subject of cards, apparently Mr. Arthurs prefers to play his hand. The Chair recognizes the gentleman, Mr. Arthurs.

Mr. ARTHURS. Yes. I might get my horses mixed up, but not my cards. Now, may I interrogate Mr. Dombrowski?

The SPEAKER pro tempore. Will the gentleman, Mr. Dombrowski, stand for interrogation?

Mr. DOMBROWSKI. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman indicates that he will. The gentleman, Mr. Arthurs, is in order and may proceed.

Mr. ARTHURS. Mr. Speaker, did you say that this is relating just to a first class city?

Mr. DOMBROWSKI. The original bill was. Yes, sir, it was.

Mr. ARTHURS. How is it now?

Mr. DOMBROWSKI. It affects all municipalities.

Mr. ARTHURS. All right. That is what I say and I think, once again, it has to do with the Vehicle Code and it has to do with every municipality, and I so move that we recommit.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—28

Arthurs	Hasay	O'Keefe	Seltzer
Brandt	Levi	Pancoast	Smith, E.
Caltagirone	Livengood	Pitts	Stairs
Fee	Mackowski	Polite	Taylor, E.
Fryer	McClatchy	Pratt	Taylor, F.
Garzia	Miller	Prendergast	Tenaglio
Halverson	Moehlmann	Pyles	Wright, D.

NAYS—161

Abraham	Gallagher	Logue	Salvatore
Anderson	Gallen	Lynch	Scanlon
Armstrong	Gamble	Madigan	Scheaffer
Barber	Gatski	Manderino	Schmitt
Bellomini	Geesey	Manmiller	Schweder
Berlin	Geisler	McCall	Scirica
Berson	George, C.	McGinnis	Shuman
Bittinger	George, M.	McIntyre	Shupnik
Bittle	Giammarco	McLane	Sirianni
Borski	Gillette	Mebus	Smith, L.

Brown	Gleeson	Meluskey	Spencer
Brunner	Goebel	Milanovich	Spitz
Burd	Gray	Milliron	Stapleton
Burns	Greenfield	Miscevich	Stewart
Butera	Greenleaf	Morris	Stuban
Caputo	Grieco	Mowery	Sweet
Cessar	Hamilton	Mrkonic	Taddonio
Cianciulli	Haskell	Mullen, M. P.	Thomas
Cimini	Hayes, D. S.	Mullen, M. M.	Trello
Cohen	Hayes, S. E.	Musto	Valicenti
Cole	Helfrick	Novak	Vron
Cowell	Hoeffel	Noye	Wagner
Davies	Honaman	O'Brien, B.	Wansacz
DeMedio	Hopkins	O'Brien, D.	Wargo
DeVerter	Hutchinson, A.	O'Connell	Wass
DeWeese	Hutchinson, W.	Oliver	Weidner
DiCarlo	Itkin	Parker	Wenger
Dietz	Johnson	Petrarca	White
Dininni	Jones	Piccola	Wiggins
Dombrowski	Katz	Pievsky	Wilson
Donatucci	Kelly	Pott	Wilt
Dorr	Kernick	Ravenstahl	Wise
Duffy	Klingaman	Reed	Wright, J. L.
Dumas	Knepper	Renwick	Yahner
Englehart	Kolter	Rhodes	Yohn
Fischer, R. R.	Kowalyshyn	Richardson	Zearfoss
Fisher, D. M.	Laughlin	Rieger	Zeller
Flaherty	Lehr	Ritter	Zitterman
Foster, A.	Letterman	Ruggiero	Zord
Foster, W.	Lincoln	Ryan	Zwikl
Freind			

NOT VOTING—11

Beloff	Goodman	Rappaport	Irvis,
Bennett	Harper	Shelton	Speaker
Cassidy	O'Donnell	Williams	
Doyle			

The question was determined in the negative and the motion was not agreed to.

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

The SPEAKER pro tempore. The Chair recognizes the lady from Allegheny, Mrs. Kernick. For what purpose does the lady rise?

Mrs. KERNICK. Mr. Speaker, to speak on the amendment.

I hope everybody was listening when Representative Ritter spoke because Representative Ritter went to the heart — Oh, I am sorry about that. I hope everybody in this House will—

POINT OF ORDER

The SPEAKER pro tempore. The gentleman, Mr. Bellomini, rises to a point of order. What is the gentleman's point of order?

Mr. BELLOMINI. As I understand it, does it take precedence that Mr. Dombrowski asked that we pass the bill over at the present time?

The SPEAKER pro tempore. That was withdrawn in view of the recommittal motion, Mr. Bellomini, is the Chair's understanding.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Erie, Mr. Dombrowski.

Mr. DOMBROWSKI. Mr. Speaker, I had no withdrawal of the motion that I made, but the parliamentarian ruled that Mr.

Arthur's motion superseded mine. It just went over, but I am asking that that bill and the amendment be held until Tuesday.

The SPEAKER pro tempore. The gentleman, Mr. Dombrowski, has requested that the bill be held until next week, until Tuesday.

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

The following roll call was recorded:

YEAS—170

Abraham	Gallen	Manmiller	Ruggiero
Anderson	Gamble	McCall	Ryan
Armstrong	Garzia	McClatchy	Salvatore
Arthurs	Gatski	McGinnis	Scanlon
Barber	Geesey	McIntyre	Scheaffer
Berlin	Geisler	McLane	Schmitt
Berson	George, C.	Mebus	Schweder
Bittinger	George, M.	Meluskey	Scirca
Bittle	Giammarco	Milanovich	Seltzer
Borski	Gleeson	Miller	Shuman
Brandt	Goodman	Milliron	Shupnik
Brown	Gray	Miscevich	Sirianni
Brunner	Greenfield	Moehlmann	Smith, E.
Burd	Greenleaf	Morris	Smith, L.
Burns	Grieco	Mowery	Spencer
Butera	Halverson	Mullen, M. P.	Spitz
Caltagirone	Hamilton	Mullen, M. M.	Stairs
Caputo	Hasay	Musto	Stapleton
Cianciulli	Hayes, D. S.	Novak	Stuban
Cimini	Hayes, S. E.	O'Brien, B.	Sweet
Cohen	Hoeffel	O'Brien, D.	Taddonio
Cole	Honaman	O'Connell	Taylor, E.
Cowell	Hopkins	O'Donnell	Taylor, F.
Davies	Hutchinson, A.	O'Keefe	Tenaglio
DeMedio	Hutchinson, W.	Oliver	Trello
DeVerter	Johnson	Pancoast	Valicenti
DeWeese	Jones	Parker	Wansacz
DiCarlo	Katz	Petrarca	Wargo
Dietz	Kelly	Piccola	Wass
Dombrowski	Klingaman	Pievsky	Weidner
Donatucci	Knepper	Pitts	Wenger
Dorr	Kolter	Polite	White
Doyle	Kowalyshyn	Pott	Wiggins
Duffy	Laughlin	Pratt	Wise
Dumas	Lehr	Prendergast	Wright, D.
Englehart	Letterman	Pyles	Wright, J. L.
Fee	Levi	Ravenstahl	Yahner
Flaherty	Lincoln	Reed	Yohn
Foster, A.	Logue	Renwick	Zearfoss
Foster, W.	Lynch	Richardson	Zeller
Freind	Mackowski	Rieger	Zitterman
Fryer	Madigan	Ritter	Zwikl
Gallagher	Manderino		

NAYS—21

Cessar	Haskell	Mrkonic	Vron
Dininni	Helfrick	Noye	Wagner
Fischer, R. R.	Itkin	Rhodes	Wilson
Fisher, D. M.	Kernick	Stewart	Wilt
Gillette	Livengood	Thomas	Zord
Goebel			

NOT VOTING—9

Bellomini	Cassidy	Shelton	Irvis,
Beloff	Harper	Williams	Speaker
Bennett	Rappaport		

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

LOCAL GOVERNMENT BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 1071, printer's No. 1247**, entitled:

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206, No. 331), changing provisions relating to filling vacancies in certain township offices and making repeals.

On the question,

Will the House agree to the bill on third consideration?

Mr. PYLES offered the following amendment:

Amend Sec. 1 (Sec. 530), page 2, line 20 by inserting after "occurs." Forty-five (45) days after a vacancy occurs, twenty (20) registered electors of the ward or township may also petition the court of common pleas to appoint a registered elector of the ward or township as the case may be, to fill the existing vacancy.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Montgomery, Mr. Pyles.

Mr. PYLES. Facetiously, Mr. Speaker, I hope you do not put me at a disadvantage since you are the sponsor of this bill.

The SPEAKER pro tempore. The Chair, at all times, tries to maintain fairness.

Mr. PYLES. Thank you, sir.

The SPEAKER pro tempore. At times he is successful.

Mr. PYLES. My amendment is similar to Mr. DeVerter's amendment that he proposed on HB 1069.

I want to bring this to the attention of my colleagues because my colleague, Mr. Ritter, in speaking against the previous amendment, I think allayed some fears and apprehensions that do not exist. Let me review for you for a moment what the current procedure is: If there is a vacancy in an elected position in a township of the first class, the board of commissioners have 30 days in which to appoint a person to the vacancy. Failing to do so, the registered voters in the number of 20 of the ward of the township from which the vacancy occurred can petition the court to fill that vacancy.

The proposed bill we have before us would change that procedure so that as currently the township commissioners would have the 30 days in which to fill the vacancy. Prior to the beginning of the year or at the beginning of the year when the townships have their reorganization meeting, they would appoint a vacancy board chairman. And if the 30 days pass and no one is appointed, the vacancy board, consisting of the remaining commissioners and the chairman, will have 15 days to do so, for the vacancy board failing to fill the vacancy, the chairman, with the citizens members of the vacancy board, would then petition the court of common pleas.

You will note the major difference in this proposal is that it leaves out entirely in the process the registered voters of either the township or the ward involved. When those petitions now

are submitted to the court of common pleas, those petitions always, and I mean always, contain a potential name for vacancies. The petition is not just only a "pray thee, court," to do something about it to fill the vacancy. Those petitions are a part of the nomination process. Leaving out the registered voters, I think, is completely wrong.

Yes, under the proposed new procedures, the chairman should probably submit a petition and let the court know the names of the individuals whom both the commissioners, on the one hand, and the vacancy board, on the other hand, had under consideration. But, I submit, the registered voters should also have that opportunity.

All my amendment does is put the same language back that has been in the law all these years to allow 20 registered electors of the ward or township to petition the court with a name that they would like to propose for consideration by the court. I suggest that we give our electorates the opportunity to make that presentation.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Chester, Mr. Morris.

Mr. MORRIS. Thank you, Mr. Speaker.

I have read this amendment. I have read Mr. DeVerter's amendment. I have read both bills. I can discern absolutely no difference between Mr. Pyles' amendment to this bill and Mr. DeVerter's amendment to the last bill.

We decided by a vote of 118 to 72 that the amendment was unnecessary in the case of townships of the second class, and I really cannot see any point in continuing with this particular amendment. It should be kept the same as the other township code, and all these local government codes should be kept as nearly the same as possible.

I certainly would oppose this amendment and suggest that all members vote against it.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Montgomery, Mr. Pyles.

Mr. PYLES. Thank you, Mr. Speaker.

I agree that this amendment is no different than Mr. DeVerter's. I think that the debate on that previous amendment led many of my colleagues astray in their vote.

I have tried to inform this body of the importance of keeping the electorate involved in the process to provide at least the opportunity through the petition process to the courts to put a name before that court to make an adequate decision in filling the vacancy.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lehigh, Mr. Ritter.

Mr. RITTER. Mr. Speaker, I rise to oppose the amendment. I think Mr. Morris pointed out that there really is basically very little difference.

I want to emphasize again that I do not see anything in the Borough Code or the Township Code which says that the judge must appoint that person or persons recommended by the petitioners. It is his decision to make, and it seems to me it does not matter whether 20 registered voters petition or whether the chairman of the board petitions. He will make the ultimate decision anyway.

I ask that we defeat the amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Trello.

Mr. TRELLO. Mr. Speaker, you know, I am somewhat inclined to agree with Representative Pyles. Whenever there is a vacancy on a board and there is a tie and they cannot come up with a decision, he wants to bring it back to the constituents, the voting public, the grass-roots politician or whatever, and he is 100 percent right.

But you know, the sad truth to that matter is that the reason why they get five names of the electorate in that particular district on a petition is the fact that the elected officials from both political parties go around and take the initiative to circulate it and submit a name to the judge. I have never once in my tenure of three terms as an elected official on the local level had a group of citizens or anybody come to council and ask for the method of circulating a petition to replace a vacancy. It has always been taken up by the local elected officials to circulate that petition from both parties, whether it be the majority party or the minority party, to get those names.

I am against the amendment. I do not think we need the amendment, and I would ask you to oppose it.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Montgomery, Mr. Yohn.

Mr. YOHN. Mr. Speaker, I would also rise to support the amendment.

It seems to me that the way the bill is drafted now, if the commission does not recommend a name, even though the bill says that the chairman "shall" petition the court, it may be possible that that particular chairman will not do so. Perhaps they are very close to getting an agreement and he is trying to stall for a little more time. So it seems to me that this would provide an alternate way to get the matter before the court where it does belong in the event there is no vacancy filled within the 45-day period. So I think for that reason it would be important to allow the registered voters of the district to get the matter before the court through this petition.

Secondly, it seems to me also important that the registered voters of the district should be able to get another name before the judge even if the chairman has filed a petition before the judge, because although it is not required and not necessary, there is nothing in the bill that would prohibit the chairman of the commission from recommending a particular individual, and I think that the history of this type of thing is that he will recommend some individual, the person he is in favor of having appointed to fill the vacancy.

So I think that this would provide a means for the judge to receive the names of other people who may be interested in the position and who have the support of a certain number of people within the ward or within the municipality.

Therefore, I think that in a way to get these names before the judge so the judge can make an intelligent decision of the best candidate among those persons whose names are submitted to him, it would be advisable to have this amendment. I would, therefore, urge its support.

Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware, Mr. O'Keefe.

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

I rise against the amendment. I think it is worthy that we include the people. However, in the past that always has not worked.

In 1972, in January, we had 2,000 names on a petition in my old ward in Ridley Township. And despite the 2,000 names, the court appointed whom they wanted to appoint anyway. It took us until 1975 to correct that situation, and we corrected it in 1975 with a vote of the people.

So I think that the new way we are doing it here from the Local Government Committee is the way we should try, and it would be more honest to all the people in the local governments.

Thank you.

The SPEAKER pro tempore. Does the gentleman from Chester, Mr. Morris, care to be recognized?

Mr. MORRIS. Thank you.

Just one final word: This bill is a bipartisan bill. It was presented to the Local Government Committee by members of both parties in that committee, basically. It went through the Local Government Committee, which I think I can safely say has a record of a bipartisan approach to all legislation. I really recommend to all my colleagues, all our colleagues on both sides of the aisle to defeat this amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—69

Anderson	Geesey	McClatchy	Sirianni
Armstrong	Goebel	McGinnis	Smith, E.
Bittle	Greenleaf	Mebus	Smith, L.
Burd	Grieco	Miller	Spitz
Burns	Hasay	Moehlmann	Stairs
Butera	Hayes, S. E.	Mowery	Taddonio
Cassidy	Helfrick	Noye	Taylor, E.
Cessar	Honaman	O'Connell	Thomas
Cimini	Hopkins	Pancoast	Vroon
Davies	Hutchinson, W.	Parker	Wagner
DeVerter	Klingaman	Piccola	Weidner
Dietz	Knepper	Pitts	Wenger
Dininni	Lehr	Polite	Wilson
Dorr	Levi	Pyles	Wright, J. L.
Fischer, R. R.	Lynch	Ryan	Yohn
Fisher, D. M.	Madigan	Scirica	Zearfoss
Foster, W.	Manmiller	Seltzer	Zord
Freind			

NAYS—121

Abraham	Gallen	Logue	Richardson
Arthurs	Gamble	Mackowski	Rieger
Barber	Garzia	Manderino	Ritter
Bellomini	Gatski	McCall	Ruggiero
Berlin	Geisler	McIntyre	Salvatore
Berson	George, C.	McLane	Scanlon
Bittinger	George, M.	Meluskey	Scheaffer
Borski	Giammarco	Milanovich	Schmitt
Brandt	Gillette	Milliron	Schweder
Brown	Gleeson	Miscevich	Shuman
Brunner	Goodman	Morris	Shupnik

Caltagirone	Gray	Mrkonic	Stapleton
Caputo	Greenfield	Mullen, M. P.	Stewart
Cianciulli	Hamilton	Mullen, M. M.	Stuban
Cohen	Haskell	Musto	Sweet
Cole	Hayes, D. S.	Novak	Taylor, F.
Cowell	Hoeffel	O'Brien, B.	Tenaglio
DeMedio	Hutchinson, A.	O'Brien, D.	Trello
DeWeese	Itkin	O'Donnell	Valicenti
DiCarlo	Johnson	O'Keefe	Wansacz
Dombrowski	Jones	Oliver	Wargo
Donatucci	Katz	Petrarca	Wass
Doyle	Kelly	Pievsky	Wiggins
Duffy	Kernick	Pott	Wilt
Dumas	Kolter	Pratt	Wise
Engelhart	Kowalyshyn	Prendergast	Wright, D.
Fee	Laughlin	Ravenstahl	Yahner
Flaherty	Letterman	Reed	Zeller
Foster, A.	Lincoln	Renwick	Zitterman
Fryer	Livengood	Rhodes	Zwicl
Gallagher			

NOT VOTING—10

Beloff	Harper	Spencer	Irvis,
Bennett	Rappaport	White	Speaker
Halverson	Shelton	Williams	

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?

Bill was agreed to.

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

The question is, Shall the bill pass finally?

Agreeable to the provision of the Constitution, the roll call will now be taken.

YEAS—184

Abraham	Gamble	Mackowski	Ryan
Armstrong	Garzia	Madigan	Salvatore
Arthurs	Gatski	Manderino	Scanlon
Barber	Geesey	McCall	Scheaffer
Bellomini	Geisler	McClatchy	Schmitt
Berlin	George, C.	McGinnis	Schweder
Berson	George, M.	McIntyre	Scirica
Bittinger	Giammarco	McLane	Seltzer
Bittle	Gillette	Meluskey	Shuman
Borski	Gleeson	Milanovich	Shupnik
Brandt	Goebel	Miller	Sirianni
Brown	Goodman	Milliron	Smith, E.
Brunner	Gray	Miscevich	Smith, L.
Burns	Greenfield	Moehlmann	Spencer
Butera	Greenleaf	Morris	Spitz
Caltagirone	Grieco	Mowery	Stairs
Caputo	Halverson	Mrkonic	Stapleton
Cassidy	Hamilton	Mullen, M. P.	Stewart
Cessar	Hasay	Mullen, M. M.	Stuban
Cianciulli	Haskell	Musto	Sweet
Cimini	Hayes, D. S.	Novak	Taddonio
Cohen	Hayes, S. E.	Noye	Taylor, E.
Cole	Helfrick	O'Brien, B.	Taylor, F.
Cowell	Hoeffel	O'Brien, D.	Tenaglio
Davies	Honaman	O'Connell	Thomas
DeMedio	Hopkins	O'Donnell	Trello
DeWeese	Hutchinson, A.	O'Keefe	Valicenti
DiCarlo	Hutchinson, W.	Oliver	Vroon
Dietz	Itkin	Pancoast	Wagner

Dombrowski	Johnson	Parker	Wansacz
Donatucci	Jones	Petrarca	Wargo
Dorr	Katz	Pievsky	Wass
Doyle	Kelly	Pitts	Weidner
Duffy	Kernick	Polite	Wenger
Dumas	Klingaman	Pott	White
Engelhart	Knepper	Pratt	Wiggins
Fee	Kolter	Prendergast	Wilson
Fischer, R. R.	Kowalyshyn	Pyles	Wilt
Fisher, D. M.	Laughlin	Ravenstahl	Wise
Flaherty	Lehr	Reed	Wright, D.
Foster, A.	Letterman	Renwick	Wright, J. L.
Foster, W.	Levi	Rhodes	Yahner
Freind	Lincoln	Richardson	Zearfoss
Fryer	Livengood	Rieger	Zeller
Gallagher	Logue	Ritter	Zitterman
Gallen	Lynch	Ruggiero	Zwicl

NAYS—9

Anderson	Dininni	Mebus	Yohn
Burd	Manmiller	Piccola	Zord
DeVerter			

NOT VOTING—7

Beloff	Harper	Shelton	Irvis,
Bennett	Rappaport	Williams	Speaker

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 pro tempore. The Chair recognizes the gentleman from Delaware, Mr. Freind.

Mr. FREIND. Mr. Speaker, on the last bill, HB 1071, I inadvertently voted in the affirmative. I would like to be recorded in the negative.

The SPEAKER pro tempore. The Chair thanks the gentleman and his remarks will be spread upon the record.

ANNOUNCEMENTS
DEMOCRATIC CAUCUS

The SPEAKER pro tempore. The Chair at this time recognizes the gentleman from Schuylkill, Mr. Goodman.

Mr. GOODMAN. Mr. Speaker, I would like to call for a recess for a brief Democratic caucus immediately and to return to the floor at 3 p.m.

LEGISLATION TO BE INTRODUCED

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

Mr. JOHNSON. Mr. Speaker, today we will introduce a bill that will change the regulation of the Blue Cross-Blue Shield. I am introducing this bill today for Mr. Irvis. This bill will allow more consumers to be on the board that regulates the Blue Cross-Blue Shield.

I am informing the members who wish to cosponsor this bill that it will be at the front of the House. I think it is a good bill.

Thank you, Mr. Speaker.

NO REPUBLICAN CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Blair, Mr. Hayes.

Mr. S. E. HAYES. Mr. Speaker, there will not be a need for a Republican caucus at this time.

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

Mr. GREENFIELD. Mr. Speaker, there is other action to be taken subject to going into the caucus. I urge all the members to attend the caucus immediately so that we can return promptly to the floor and finish our business as quickly as possible.

RECESS

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

AFTER RECESS

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

THE SPEAKER (K. LEROY IRVIS) IN THE CHAIR**ADDITIONAL LEAVE OF ABSENCE GRANTED**

The SPEAKER. The Chair recognizes the majority whip.

Mr. GREENFIELD. Mr. Speaker, I request leave of absence for the gentleman, Mr. Arthurs, for the balance of the day.

The SPEAKER. Without objection, leave is granted.

BILLS REPORTED AND REREFERRED TO COMMITTEES**HB 452, PN 491**

By Mr. SCHMITT

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053, No. 286), by eliminating provisions for automatic adjustment of rates, and requiring certain public utilities to advertise for and accept bids for fuel purchases.

Reported from Committee on Consumer Affairs.

Rereferred to Committee on Mines and Energy Management.

HB 1702, PN 2062

By Mr. SCHMITT

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), adding members of the public at large to certain licensing boards, including the State Board of Psychologist Examiners, the State Board of Public Accountants and the State Board of Landscape Architects' within the act, making editorial changes, further providing for the powers and duties of the Bureau of Professional and Occupational Affairs and the Bureau of Consumer Protection and making repeals.

Reported from Committee on Consumer Affairs.

Rereferred to Committee on Professional Licensure.

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

Mr. SCHMITT. Mr. Speaker, I would like to call to the attention of the Speaker that I erred in reporting those bills out. They are actually rereferrals to other committees.

The SPEAKER. For the information of the clerk, these are rereferrals.

Will the gentleman, Mr. Schmitt, advise the clerk and the Speaker to which committee these should be referred?

Mr. SCHMITT. Mr. Speaker, I marked it on the front, on the flyleaf, of the folder in black ink.

One is to be referred to Mines and Energy Management Committee and the other one is to be referred to Professional Licensure Committee.

HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEES

No. 1742 By Messrs. GOODMAN, McCALL, WANSACZ, WARGO, B. F. O'BRIEN, McLANE, SHUPNIK, MUSTO, W. D. HUTCHINSON, SCIRICA, GATSKI and ZITTERMAN

An Act amending "The Administrative Code of 1929," approved April 29, 1929 (P. L. 177, No. 175), authorizing the Department of Health to contract or award grants for research on coal workers pneumoconiosis.

Referred to Committee on Mines and Energy Management.

No. 1743 By Messrs. S. E. HAYES, RUGGIERO, WEIDNER, LIVENGOOD, ARTHURS, LEVI, ZELLER, BRANDT, A. C. FOSTER, MACKOWSKI, GARZIA and SCHEAFFER

An Act amending "The Borough Code," approved February 1, 1966 (1965 P. L. 1656, No. 581), authorizing boroughs to sell borough-owned land to nonprofit medical corporations.

Referred to Committee on Local Government.

No. 1744 By Messrs. O'DONNELL, GALLAGHER, LINCOLN, ENGLEHART, DeVERTER, DAVIES, DeMEDIO and STUBAN

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), authorizing credit union payroll deductions for employes of any State college or State university.

Referred to Committee on Education.

No. 1745 By Messrs. HASAY, MACKOWSKI, GATSKI, NOYE, SELTZER and HELFRICK

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for reduced license fees for senior citizens.

Referred to Committee on Transportation.

No. 1746 By Messrs. RHODES, HAMILTON, GARZIA, SCHMITT, LAUGHLIN, WHITE, ZEARFOSS, FREIND, CAPUTO, ITKIN, DUFFY, GAMBLE, GEISLER, MRKONIC, FLAHERTY, RICHARDSON and WIGGINS

An Act amending the act of April 9, 1849 (P. L. 533, No. 356), entitled "An act to exempt property to the value of three hundred dollars from levy and sale on execution and distress for rent," increasing the amount of exempt property.

Referred to Committee on Finance.

No. 1747 By Mr. CAPUTO

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), providing for a charge for all dishonored checks tendered to the board.

Referred to Committee on Liquor Control.

No. 1748 By Messrs. McINTYRE, SALVATORE, GIAMMARCO, Mrs. SCANLON, Messrs. CIANCIULLI, JONES, BORSKI, MILLIRON, GRAY, SWEET, GOEBEL, McLANE, Mrs. KELLY, Messrs. MELUSKEY, CALTAGIRONE, SHUMAN, TENAGLIO, GALLAGHER, E. H. SMITH, DONATUCCI, STAPLETON, O'KEEFE, RIEGER, WIGGINS, VALICENTI, BELOFF, NOVAK, GARZIA, ZITTERMAN, STUBAN, BROWN, Mrs. WISE and Mr. MILANOVICH

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), providing that certain payments be made directly to landlords to persons eligible for assistance.

Referred to Committee on Health and Welfare.

No. 1749 By Messrs. D. M. FISHER, SPENCER, KNEPPER, POTT, FREIND, HOPKINS, DAVIES and VROON

An Act amending the "Health Care Services Malpractice Act," approved October 15, 1975 (P. L. 390, No. 111), eliminating the requirement for professional liability insurance for health care providers.

Referred to Committee on Insurance.

No. 1750 By Messrs. D. M. FISHER, GREENLEAF and SCIRICA

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the defense of insanity.

Referred to Committee on Judiciary.

No. 1751 By Mr. GREENLEAF

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), prohibiting the use of Commonwealth funds to defend State officers or employees charged with criminal offenses.

Referred to Committee on State Government.

No. 1752 By Messrs. HASAY, STUBAN, DeWEESE, NOYE, MACKOWSKI and DAVIES

An Act amending the act of May 22, 1933 (P. L. 851, No. 153), entitled "An act fixing the pay and mileage of jurors and witnesses," increasing the compensation of jurors.

Referred to Committee on Judiciary.

No. 1753 By Messrs. PICCOLA, MANMILLER and Miss SIRIANNI

An Act amending the "Municipality Authorities Act of 1945," approved May 2, 1945 (P. L. 382, No. 164), providing for jurisdiction regarding rates and service to be vested with

the Pennsylvania Public Utility Commission.

Referred to Committee on Consumer Affairs.

No. 1754 By Mr. PICCOLA

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853, No. 155), excluding certain real property which utilize solar energy as the primary source of energy for a limited number of years.

Referred to Committee on Local Government.

No. 1755 By Mr. PICCOLA

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571, No. 254), excluding certain real property improvements which utilize solar energy for a limited number of years.

Referred to Committee on Local Government.

No. 1756 By Messrs. ZITTERMAN, WANSACZ, WARGO, McLANE and GATSKI

An Act amending the "General Appropriation Act of 1977," approved August 20, 1977 (No. 11-A), increasing the appropriation to the Department of Justice, for the Bureau of Consumer Protection for the operation of the Scranton office.

Referred to Committee on Appropriations.

No. 1757 By Mr. SALVATORE

An Act amending the "Vital Statistics Law of 1953," approved June 29, 1953 (P. L. 304, No. 66), repealing certain provisions relating to birth certificates.

Referred to Committee on Judiciary.

No. 1758 By Mr. SALVATORE

An Act amending the "Adoption Act," approved July 24, 1970 (P. L. 620, No. 208), providing for impounding of original birth certificates.

Referred to Committee on Judiciary.

No. 1759 By Messrs. WAGNER, B. F. O'BRIEN and HELFRICK

An Act amending the "Real Estate Tax Sale Law," approved July 7, 1947 (P. L. 1368, No. 542), increasing the period of property leases.

Referred to Committee on Local Government.

No. 1760 By Messrs. WAGNER, PRATT, HOPKINS, FREIND, MORRIS, ANDERSON, DeMEDIO, KATZ, DORR, MILLIRON, McGINNIS, NOYE, D. M. FISHER, SALVATORE, DOYLE, SCHMITT, ZORD and MADIGAN

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for the implied consent of drivers to step out of their vehicles under certain conditions.

Referred to Committee on Transportation.

No. 1761 By Messrs. SCHMITT, THOMAS, YAHNER, MORRIS, ZELLER, GEORGE, SWEET, STUBAN, WENGER and SHUMAN

An Act amending the act of July 25, 1961 (P. L. 857, No. 372), entitled "An act regulating the manufacture of stuffed toys intended for sale, * * * and prescribing penalties," exempting charitable and nonprofit organizations from payment of the registration fee, amending the criminal penalties, providing equitable relief and civil penalties and making editorial changes.

Referred to Committee on Consumer Affairs.

No. 1762 By Messrs. IRVIS, JOHNSON, Mrs. KELLY, Messrs. ZEARFOSS, SCHMITT, Mrs. GILLETTE, Messrs. McLANE, DUMAS, JONES, BORSKI, GARZIA, TAYLOR, COWELL, REED, COHEN, HASAY, BROWN, SWEET, RIEGER, CIANCIULLI and GLEESON

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, changing certain requirements for incorporators and directors of general medical service corporations and further providing for the election of directors of such corporations.

Referred to Committee on Insurance.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The clerk of the Senate presented the following bill for concurrence:

SENATE BILL No. 556

An Act amending the act of July 7, 1947 (P. L. 1368, No. 542), entitled "Real Estate Tax Sale Law" further providing for payments over.

Referred to Committee on Local Government.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. IRVIS, CAPUTO, FLAHERTY, MRKONIC, GEISLER, GAMBLE, DUFFY, ITKIN, RHODES, VALICENTI, TRELLO, ABRAHAM, NOVAK, MISCEVICH, RAVENSTAHL, LOGUE, M. M. MULLEN, Mrs. KERNICK, Mrs. GILLETTE, Messrs. COWELL, MORRIS, KNEPPER, PARKER, CESSAR, ZORD, POTT, GOEBEL and TADDONIO

HOUSE RESOLUTION No. 151
(Concurrent)

The convention center presently under construction by the Commonwealth, in the downtown area of the City of Pittsburgh, between Tenth and Eleventh Streets and between Penn Avenue and Fort Duquesne Boulevard, is hereby designated and shall be known as the David Leo Lawrence Convention Center.

Referred to Committee on Rules.

By Mr. J. L. WRIGHT

HOUSE RESOLUTION No. 152

The Speaker of the House of Representatives direct the Committee on Transportation to conduct a study regarding the feasibility of improving highway safety by increased or improved methods to control driver fatigue and safety in-

spections of trucks and buses.

Referred to Committee on Rules.

SENATE MESSAGE

TIME OF NEXT MEETING

The clerk of the Senate presented the following extract from the Journal of the Senate, which was read:

In the Senate,
October 12, 1977

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, October 17, 1977, and when the House of Representatives adjourns this week it reconvene on Tuesday, October 18, 1977.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

On the question,
Will the House concur in the resolution of the Senate?
Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

CALENDAR

INSURANCE BILL ON THIRD CONSIDERATION

Agreeable to order,
The House proceeded to third consideration of **Senate bill No. 631, printer's No. 815**, entitled:

An Act amending the act of May 17, 1921 (P. L. 682, No. 284), entitled "The Insurance Company Law of 1921" further providing for the approval of the Insurance Commissioner required in connection with certain acquisitions of or offer to acquire the capital stock of certain corporations.

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 provision of the Constitution, the roll call will now be taken.

YEAS—185

Abraham	Gatski	McIntyre	Schweder
Anderson	Geesey	McLane	Scirica
Barber	Geisler	Mebus	Seltzer
Bellomini	George, C.	Meluskey	Shuman
Berlin	George, M.	Milanovich	Shupnik
Bittinger	Giammarco	Miller	Sirianni
Bittle	Gillette	Milliron	Smith, E.
Borski	Gleeson	Miscevich	Smith, L.
Brandt	Goebel	Moehlmann	Spencer
Brown	Goodman	Morris	Spitz
Brunner	Gray	Mowery	Stairs
Burd	Greenfield	Mrkonic	Stapleton
Burns	Greenleaf	Mullen, M. P.	Stewart
Butera	Grieco	Mullen, M. M.	Stuban
Caltagirone	Halverson	Musto	Sweet
Caputo	Hamilton	Novak	Taddonio
Cassidy	Hasay	Noye	Taylor, E.
Cessar	Hayes, D. S.	O'Brien, B.	Taylor, F.

Cianciulli	Hayes, S. E.	O'Brien, D.	Tenaglio
Cimini	Helfrick	O'Connell	Thomas
Cohen	Hoeffel	O'Donnell	Trello
Cole	Honaman	O'Keefe	Valicenti
Cowell	Hopkins	Oliver	Vroon
Davies	Hutchinson, A.	Pancoast	Wagner
DeMedio	Hutchinson, W.	Parker	Wansacz
DeVerter	Itkin	Petrarca	Wargo
DeWeese	Johnson	Piccola	Wass
DiCarlo	Jones	Pievsky	Weidner
Dietz	Katz	Pitts	Wenger
Diminni	Kelly	Polite	White
Dombrowski	Kernick	Pott	Wiggins
Donatucci	Klingaman	Pratt	Wilson
Dorr	Knepper	Prendergast	Wilt
Doyle	Kowalyszyn	Pyles	Wise
Duffy	Laughlin	Ravenstahl	Wright, D.
Dumas	Lehr	Reed	Wright, J. L.
Englehart	Letterman	Renwick	Yahner
Fee	Levi	Rhodes	Yohn
Fisher, D. M.	Lincoln	Richardson	Zearfoss
Flaherty	Livengood	Rieger	Zeller
Foster, A.	Logue	Ritter	Zitterman
Foster, W.	Mackowski	Ruggiero	Zord
Fryer	Madigan	Ryan	Zwilk
Gallagher	Manderino	Salvatore	
Gallen	Manmiller	Scanlon	Irvis,
Gamble	McClatchy	Scheaffer	Speaker
Garzia	McGinnis	Schmitt	

NAYS—0

NOT VOTING—15

Armstrong	Berson	Haskell	Rappaport
Arthurs	Fischer, R. R.	Kolter	Shelton
Beloff	Freind	Lynch	Williams
Bennett	Harper	McCall	

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 information that the House has passed the same without amendment.

REMARKS ON VOTES

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

Mr. HASKELL. Mr. Speaker, on the vote that we just had on SB 631, PN 815, had I been in my seat I would have voted "aye."

The Chair recognizes the gentleman from Delaware, Mr. Freind. For what purpose does the gentleman rise?

Mr. FREIND. Mr. Speaker, I was not in my seat when we voted on SB 631. I would like to be recorded in the affirmative.

REMARKS DEFERRED

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

Mr. TRELLO. Mr. Speaker, just a moment ago a number of bills were mentioned that were being transferred from one committee to another. I happen to be the prime sponsor of one

of them. I wonder if it would be appropriate if I made a remark on the transfer of that particular bill.

The SPEAKER. The gentleman is really not in order at this time. If the gentleman will permit us to complete the calendar, then we will ask for unanimous consent. I am sure it will be granted. The gentleman can make his statement then. Is that satisfactory?

Mr. TRELLO. Yes, Mr. Speaker.

HEALTH AND WELFARE BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **Senate bill No. 901, printer's No. 1220**, entitled:

An Act relating to amygdalin (laetrile).

On the question,

Will the House agree to the bill on third consideration?

SB 901 TABLED

The SPEAKER. The Chair recognizes the lady from Philadelphia, Mrs. Kelly. For what purpose does the lady rise?

Mrs. KELLY. Mr. Speaker, I would like to make a motion to table SB 901 for further hearings.

Mr. GARZIA. Mr. Speaker—

The SPEAKER. The motion is not debatable. The gentleman is not permitted to speak against the motion or for it. It is a nondebatable motion.

We assume that informally, however, the gentleman has stated his negative opinion.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—170

Abraham	Gamble	McGinnis	Schweder
Anderson	Gatski	McIntyre	Scirica
Armstrong	Geisler	McLane	Seltzer
Barber	George, C.	Mebus	Shuman
Bellomini	George, M.	Meluskey	Shupnik
Berlin	Giammarco	Miller	Sirianni
Bittinger	Gillette	Milliron	Smith, E.
Bittle	Goebel	Miscevich	Smith, L.
Borski	Goodman	Moehlmann	Spitz
Brandt	Gray	Mowery	Stairs
Brown	Greenfield	Mrkonic	Stapleton
Brunner	Greenleaf	Mullen, M. P.	Stewart
Burns	Grieco	Musto	Stuban
Butera	Halverson	Novak	Sweet
Caltagirone	Hamilton	Noye	Taddonio
Caputo	Haskell	O'Brien, B.	Taylor, E.
Cassidy	Hayes, D. S.	O'Brien, D.	Taylor, F.
Cessar	Hayes, S. E.	O'Connell	Thomas
Cianciulli	Helfrick	O'Donnell	Trello
Cimini	Hoeffel	O'Keefe	Valicenti
Cohen	Honaman	Oliver	Vroon
Cole	Itkin	Pancoast	Wansacz
Cowell	Johnson	Parker	Wargo
DeMedio	Jones	Petrarca	Wass
DeVerter	Katz	Pievsky	Weidner
DeWeese	Kelly	Pitts	Wenger
DiCarlo	Kernick	Polite	White
Dietz	Klingaman	Pott	Wiggins

Dininni	Knepper	Pratt	Wilson
Dombrowski	Kolter	Prendergast	Wilt
Donatucci	Kowalyszyn	Pyles	Wise
Dorr	Laughlin	Reed	Wright, D.
Doyle	Lehr	Renwick	Wright, J. L.
Duffy	Letterman	Rhodes	Yahner
Dumas	Levi	Richardson	Yohn
Englehart	Lincoln	Rieger	Zearfoss
Fischer, R. R.	Livengood	Ritter	Zeller
Fisher, D. M.	Logue	Ruggiero	Zitterman
Flaherty	Madigan	Ryan	Zord
Foster, A.	Manderino	Salvatore	Zwinkl
Foster, W.	Manmiller	Scanlon	
Fryer	McCall	Scheaffer	Irvis,
Gallagher	McClatchy	Schmitt	Speaker

NAYS—17

Burd	Geesey	Lynch	Piccola
Davies	Hasay	Mackowski	Ravenstahl
Freind	Hopkins	Milanovich	Tenaglio
Gallen	Hutchinson, A.	Morris	Wagner
Garzia			

NOT VOTING—13

Arthurs	Fee	Hutchinson, W.	Shelton
Beloff	Gleeson	Mullen, M. M.	Spencer
Bennett	Harper	Rappaport	Williams
Berson			

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

STATE GOVERNMENT BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 799, printer's No. 903**, entitled:

An Act amending the "Public Auditorium Authorities Law" approved July 29, 1953 (P. L. 1034, No. 270), increasing the amount of supplies and materials which may be purchased without advertising.

On the question,

Will the House agree to the bill on third consideration?

Mrs. KERNICK offered the following amendments:

Amend Sec. 1 (Sec. 11), page 2, line 12, by inserting after "provided." At least two written bids shall be required for all contracts involving an expenditure of from one thousand dollars (\$1,000.00) to two thousand dollars (\$2,000.00). The authority need not advertise for such bids.

Amend Sec. 1 (Sec. 11), page 3, line 4, by inserting after "provided." All supplies and materials costing from one thousand dollars (\$1,000.00) to two thousand dollars (\$2,000.00) shall be purchased only after the authority has received at least two written bids. The authority need not advertise for such bids.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the lady from Allegheny, Mrs. Kernick.

Mrs. KERNICK. Thank you, Mr. Speaker.

HB 799, with its companion bills HB 800 and HB 801, is designed to cut advertising costs for local municipalities, but I am concerned about contracts awarded between \$1,000 and

\$2,000. Therefore, this amendment would require two bids, not necessarily advertised, but two letter-type bids, to insure that the taxpayers get the best deal. I urge your support.

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Garzia.

Mr. GARZIA. Mr. Speaker, may I interrogate Mrs. Kernick, please?

The SPEAKER. The lady from Allegheny indicates that she will stand for interrogation. The gentleman, Mr. Garzia, is in order and may proceed.

Mr. GARZIA. Mr. Speaker, what happens in a borough or township if they cannot get two people to bid on anything?

Mrs. KERNICK. The same that would happen if they advertised for bids and only got one. If they could only get one bid, there is no other way out, but the taxpayers would have greater protection if two letter bids were required.

Mr. GARZIA. Yes, but my question is, what if you do not get two? What happens to the bid? Does it go down the drain or do we award it to the one, or what?

Mrs. KERNICK. Mr. Speaker, I am sure the same thing would happen here in this case as would happen if you advertise for competitive bids and only get one. You would award it to that particular company.

Mr. GARZIA. In other words, you do not even need this.

Mrs. KERNICK. I will tell you why you need it. I have perfect examples back home in my district where with a home rule municipality we have a \$2,500 limitation and contracts are let for \$2,495 without getting more than one bid.

Mr. GARZIA. Yes, but this is done in a lot of boroughs and townships now in order to save time. Twenty-five hundred dollars or even \$2,000 will never break a borough or township.

Mostly they will take this route to save time. If I have, let us say, a little contracting company that does a little bit of work, my brother has one, my cousin has one, my uncle has one, so we again buy it if we are asked to bid on a job. It is all in the family, is it not?

Mrs. KERNICK. Mr. Speaker, all I am trying to do is to require incompetent administrators to get two letter-type bids. All they have to do is pick up the phone and say, would you send me a bid on such and such, and that is all that is necessary. If it wastes two phone calls, fine, as long as the taxpayers in that municipality, or in this case, the Public Auditorium Authorities, get the best of the deal.

Mr. GARZIA. Mr. Speaker, you mentioned the taxpayers, but I am beginning to get the feeling that you distrust the local politicians who are voted in office with an amendment like this. They are voted by the people. If you do not have any trust and faith in your own local people, I mean, who are you going to trust then in local government? You have to trust someone. This does not solve anything. I can get you a dozen bids on anything and still take the one I want.

Mrs. KERNICK. I do not think it is a matter of faith; it is not letting them be tempted.

Mr. GARZIA. Well, Mr. Speaker, in my own personal opinion I shall vote against the amendment. I will vote for the bill. I do not think you need this. It is not going to solve anything. In fact, you are going to create more problems because you are

going to find someone on the board who is going to say, well, if we do not get two bids the bid does not go out. The way it is now, at least if you come across one person to take that little job, they will do it.

Sure there is going to be favoritism. You know that. If the Republicans control the council, they will pick a Republican or vice versa, but the fact of life is, you have to trust your local officials.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the lady, Mrs. Kernick.

Mrs. KERNICK. May I suggest that Mr. Garzia vote "no" and the rest of the House vote "yes?"

Thank you.

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

Mr. TRELLO. Mr. Speaker, I wonder if Mrs. Kernick would consent to a very brief interrogation.

Mrs. KERNICK. Yes, Mr. Speaker.

The SPEAKER. The lady indicates that she will stand for interrogation. The gentleman, Mr. Trello, may proceed.

Mr. TRELLO. Mr. Speaker, I can appreciate your amendment and I can appreciate your being concerned about the taxpayers and so am I, but what happens in a case like this? In Coraopolis Borough we just repaired a highlift that was supposed to be obsolete. To buy a new one was going to cost us \$12,000. But rather than buy a new one, we had the local mechanic who worked for the borough repair it. I think it cost us \$1,800 in parts plus his time and so forth. Would they be required to advertise and accept the lowest and best bid to buy these parts for this particular highlift?

Mrs. KERNICK. I do not think you would have a contract with your own employes. I do not think this would prohibit them from working on your municipal equipment.

Mr. TRELLO. No, I am talking about buying the parts. The parts cost in excess of \$1,800.

Mrs. KERNICK. I think you would have to use reasonable judgment there as to whether you were buying them from one company or whether the necessary parts came from various suppliers.

Mr. TRELLO. The reason why I am questioning you on this is that in local government I think the lid was \$1,500 in the past. I think it was just raised last year to \$2,000 where you did not have to advertise for the lowest and best bid because there are many occasions where you do have to spend less than \$2,000 and you just do not have the time to advertise for the bids.

I can appreciate what you are saying. It is a simple matter of making a few phone calls to the particular company to say, send me a letter on what this is going to cost. But is that really going to solve the problem, though?

Mrs. KERNICK. All I know, Mr. Speaker, from my experience as a treasurer in Penn Hills Township and as a taxpayer, is that I would rather see any purchases between \$1,000 and \$2,000 have at least two letter bids where it is possible.

Mr. TRELLO. One more thing now. A treasurer is the same as a tax collector. Is that correct?

Mrs. KERNICK. In a first-class township a treasurer is the

treasurer and also serves as the tax collector. Right. A treasurer is not a tax collector.

Mr. TRELLO. In other words, as treasurer your responsibility was to check the local administration on the amount of moneys that they spent. Is that correct?

Mrs. KERNICK. Right. You sign the checks and all the—

Mr. TRELLO. Okay. It is a little different from a borough.

Mrs. KERNICK. Right.

Mr. TRELLO. Thank you very much.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—137

Abraham	George, C.	McClatchy	Shupnik
Anderson	George, M.	McGinnis	Sirianni
Armstrong	Giammarco	Meluskey	Smith, E.
Barber	Gillette	Milliron	Smith, L.
Bellomini	Gleeson	Miscevich	Spencer
Berlin	Goebel	Mowery	Spitz
Berson	Goodman	Mrkonic	Stairs
Bittinger	Greenfield	Mullen, M. P.	Stapleton
Bittle	Greenleaf	Musto	Stewart
Brown	Halverson	Novak	Stuban
Burns	Hamilton	Noye	Sweet
Caltagirone	Hasay	O'Brien, B.	Taddonio
Cessar	Haskell	O'Brien, D.	Taylor, E.
Cohen	Hayes, D. S.	O'Connell	Taylor, F.
Cole	Hayes, S. E.	O'Donnell	Tenaglio
Cowell	Helfrick	O'Keefe	Thomas
Davies	Hoefel	Oliver	Trello
DeVerter	Honaman	Pancoast	Valicenti
DeWeese	Hopkins	Parker	Vroon
DiCarlo	Hutchinson, W.	Pievsky	Wagner
Dietz	Itkin	Pitts	Wansacz
Dombrowski	Johnson	Polite	Wargo
Dorr	Jones	Pott	Wenger
Doyle	Katz	Pratt	Wilson
Duffy	Kelly	Pyles	Wilt
Fischer, R. R.	Kernick	Reed	Wright, D.
Fisher, D. M.	Klingaman	Ritter	Wright, J. L.
Flaherty	Knepper	Ruggiero	Zearfoss
Foster, W.	Kowalyshyn	Salvatore	Zeller
Fryer	Laughlin	Scanlon	Zord
Gallagher	Lehr	Scheaffer	Zwinkl
Gallen	Levi	Schweder	
Gamble	Lynch	Scirca	Irvis,
Gatski	Mackowski	Seltzer	Speaker
Geesey	Manderino	Shuman	

NAYS—49

Borski	Foster, A.	Manmiller	Ravenstahl
Brandt	Freind	McIntyre	Renwick
Brunner	Garzia	McLane	Richardson
Burd	Geisler	Mebus	Rieger
Caputo	Gray	Milanovich	Schmitt
Cassidy	Grieco	Miller	Wass
Cianciulli	Hutchinson, A.	Moehlmann	Weidner
Cimini	Letterman	Morris	Wiggins
DeMedio	Lincoln	Mullen, M. M.	Wise
Dininni	Livengood	Petrarca	Yahner
Donatucci	Logue	Piccola	Yohn
Dumas	Madigan	Prendergast	Zitterman
Englehart			

NOT VOTING—14

Arthurs	Fee	Rappaport	Shelton
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Beloff	Harper	Rhodes	White
Bennett	Kolter	Ryan	Williams
Butera	McCall		

The question was determined in the affirmative and the amendments were agreed to.

On the question,

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

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 provision of the Constitution, the roll call will now be taken.

YEAS—179

Abraham	Gallagher	Mackowski	Scanlon
Anderson	Gallen	Madigan	Scheaffer
Armstrong	Gamble	Manderino	Schmitt
Barber	Garzia	McCall	Schweder
Bellomini	Gatski	McClatchy	Scirica
Berlin	Geisler	McGinnis	Seltzer
Berson	George, C.	McIntyre	Shupnik
Bittinger	George, M.	McLane	Sirianni
Bittle	Giammarco	Meluskey	Smith, E.
Borski	Gillette	Milanovich	Smith, L.
Brandt	Gleeson	Miller	Spencer
Brown	Goebel	Milliron	Spitz
Brunner	Goodman	Miscevich	Stairs
Burd	Gray	Moehlmann	Stapleton
Burns	Greenfield	Morris	Stewart
Butera	Greenleaf	Mowery	Sweet
Caltagirone	Grieco	Mrkonic	Taddonio
Caputo	Hamilton	Mullen, M. P.	Taylor, E.
Cassidy	Hasay	Mullen, M. M.	Taylor, F.
Cessar	Haskell	Musto	Tenaglio
Cianciulli	Hayes, D. S.	Novak	Thomas
Cimini	Hayes, S. E.	Noye	Trello
Cohen	Helfrick	O'Brien, B.	Valicenti
Cole	Hoeffel	O'Brien, D.	Vroon
Cowell	Honaman	O'Connell	Wansacz
Davies	Hutchinson, A.	O'Donnell	Wargo
DeMedio	Hutchinson, W.	O'Keefe	Weidner
DeVertter	Itkin	Oliver	Wenger
DeWeese	Johnson	Pancoast	White
DiCarlo	Jones	Parker	Wiggins
Dietz	Katz	Petrarca	Wilson
Dombrowski	Kelly	Pievsky	Wilt
Donatucci	Kernick	Pitts	Wise
Dorr	Klingaman	Polite	Wright, D.
Doyle	Knepper	Pott	Wright, J. L.
Duffy	Kolter	Pratt	Yahner
Dumas	Kowalshyn	Prendergast	Yohn
Englehart	Laughlin	Pyles	Zearfoss
Fee	Lehr	Ravenstahl	Zeller
Fischer, R. R.	Letterman	Reed	Zitterman
Fisher, D. M.	Levi	Rieger	Zord
Flaherty	Lincoln	Ritter	Zwikl
Foster, A.	Livengood	Ruggiero	
Foster, W.	Logue	Ryan	Irvis,
Freind	Lynch	Salvatore	Speaker
Fryer			

NAYS—12

Dininni	Hopkins	Piccola	Stuban
Geesey	Manmiller	Renwick	Wagner
Halverson	Mebus	Shuman	Wass

NOT VOTING—9

Arthurs	Harper	Rhodes	Shelton
Beloff	Rappaport	Richardson	Williams
Bennett			

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.

HB 800 PASSED OVER TEMPORARILY

The SPEAKER. The gentleman, Mr. O'Connell, has announced that he has an amendment to HB 800 which has not yet been circulated. It has not yet been duplicated. Is that correct?

Mr. O'CONNELL. It is a simple amendment. I can explain it.

The SPEAKER. We will pass over HB 800, PN 904, temporarily.

The amendment clerk will please inform the Chair when that amendment has been circulated.

Agreeable to order,

The House proceeded to third consideration of **House bill No. 801, printer's No. 905**, entitled:

An Act amending the Act of July 12, 1972 (P. L. 762, No. 180), entitled "An act relating to intergovernmental cooperation" regulating joint purchases and bids on such purchases.

On the question,

Will the House agree to the bill on third consideration?

Mrs. KERNICK offered the following amendment:

Amend Sec. 1 (Sec. 7.1), page 1, line 15, by inserting after "bidder." At least two written bids shall be required for all joint purchases involving an expenditure of from one thousand dollars (\$1,000) to two thousand dollars (\$2,000). The request for such bids need not be advertised.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the lady from Allegheny, Mrs. Kernick.

Mrs. KERNICK. Mr. Speaker, the same arguments apply to this amendment that applied to the last one. I will not waste your time going through them again. I urge a "yes" vote.

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Garzia.

Mr. GARZIA. I also oppose it like I did the last time, but with one addition. It is a shame that you have to have your personality—

The SPEAKER. Is the gentleman, Mr. Garzia, asking permission to interrogate the lady?

Mr. GARZIA. No, I withdraw. I just want to say that I oppose the amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—139

Abraham	Gallen	Miller	Shuman
Anderson	Gamble	Milliron	Shupnik
Armstrong	Gatski	Miscevich	Sirianni
Barber	Geesey	Moehlmann	Smith, E.
Bellomini	George, C.	Mowery	Smith, L.
Berlin	George, M.	Mrkonic	Spencer
Bittinger	Gillette	Mullen, M. P.	Spitz
Bittle	Gleeson	Mullen, M. M.	Stairs
Brown	Goebel	Musto	Stapleton
Brunner	Greenleaf	Novak	Stewart
Burd	Halverson	Noye	Stuban
Burns	Hamilton	O'Brien, B.	Sweet
Butera	Hasay	O'Brien, D.	Taddonio
Caltagirone	Haskell	O'Connell	Taylor, E.
Cassidy	Hayes, D. S.	O'Donnell	Taylor, F.
Cessar	Hayes, S. E.	O'Keefe	Tenaglio
Cimini	Helfrick	Oliver	Thomas
Cohen	Hoeffel	Pancoast	Trello
Cole	Honaman	Parker	Valicenti
Cowell	Hutchinson, W.	Pievsky	Vroon
Davies	Itkin	Pitts	Wagner
DeVerter	Katz	Polite	Wansacz
DeWeese	Kelly	Pott	Wargo
Dietz	Kernick	Pratt	Wenger
Dombrowski	Klingaman	Pyles	Wilson
Dorr	Knepper	Reed	Wilt
Doyle	Kowalyshyn	Rhodes	Wright, D.
Duffy	Laughlin	Ritter	Wright, J. L.
Fee	Lehr	Ruggiero	Zearfoss
Fischer, R. R.	Levi	Ryan	Zeller
Fisher, D. M.	Lynch	Scanlon	Zord
Flaherty	Mackowski	Scheaffer	Zwikel
Foster, W.	McClatchy	Schmitt	
Freind	McGinnis	Schweder	Irvis,
Fryer	Meluskey	Seltzer	Speaker
Gallagher			

NAYS—48

Borski	Goodman	Madigan	Ravenstahl
Brandt	Gray	Manderino	Renwick
Caputo	Greenfield	Manmiller	Richardson
Cianciulli	Grieco	McCall	Rieger
DeMedio	Hutchinson, A.	McIntyre	Scirica
DiCarlo	Johnson	McLane	Wass
Dininni	Jones	Mebus	Weidner
Donatucci	Kolter	Milanovich	Wiggins
Englehart	Letterman	Morris	Wise
Foster, A.	Lincoln	Petrarca	Yahner
Garzia	Livengood	Piccola	Yohn
Geisler	Logue	Prendergast	Zitterman

NOT VOTING—13

Arthurs	Dumas	Hopkins	Shelton
Beloff	Giammarco	Rappaport	White
Bennett	Harper	Salvatore	Williams
Berson			

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

On the question,

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

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 provision of the Constitution, the roll call will now be taken.

YEAS—183

Abraham	Gallagher	Manderino	Scheaffer
Anderson	Gallen	Manmiller	Schmitt
Armstrong	Gamble	McCall	Schweder
Barber	Garzia	McClatchy	Scirica
Bellomini	Gatski	McGinnis	Seltzer
Berlin	Geisler	McIntyre	Shupnik
Berson	George, M.	McLane	Sirianni
Bittinger	Giammarco	Meluskey	Smith, E.
Bittle	Gillette	Milanovich	Smith, L.
Borski	Gleeson	Miller	Spencer
Brandt	Goebel	Milliron	Spitz
Brown	Goodman	Miscevich	Stairs
Brunner	Gray	Moehlmann	Stapleton
Burd	Greenfield	Morris	Stewart
Burns	Greenleaf	Mowery	Stuban
Butera	Grieco	Mrkonic	Sweet
Caltagirone	Hamilton	Mullen, M. P.	Taddonio
Caputo	Hasay	Mullen, M. M.	Taylor, E.
Cassidy	Haskell	Musto	Taylor, F.
Cessar	Hayes, D. S.	Novak	Tenaglio
Cianciulli	Hayes, S. E.	Noye	Thomas
Cimini	Helfrick	O'Brien, B.	Trello
Cohen	Hoeffel	O'Brien, D.	Valicenti
Cole	Honaman	O'Connell	Vroon
Cowell	Hopkins	O'Donnell	Wagner
Davies	Hutchinson, A.	O'Keefe	Wansacz
DeMedio	Itkin	Oliver	Wargo
DeVerter	Johnson	Pancoast	Weidner
DeWeese	Jones	Parker	Wenger
DiCarlo	Katz	Petrarca	White
Dietz	Kelly	Pievsky	Wiggins
Dininni	Kernick	Pitts	Wilson
Dombrowski	Klingaman	Polite	Wilt
Donatucci	Knepper	Pott	Wise
Dorr	Kolter	Pratt	Wright, D.
Doyle	Kowalyshyn	Prendergast	Wright, J. L.
Duffy	Laughlin	Pyles	Yahner
Dumas	Lehr	Reed	Yohn
Englehart	Letterman	Rhodes	Zearfoss
Fee	Levi	Richardson	Zeller
Fischer, R. R.	Lincoln	Rieger	Zitterman
Fisher, D. M.	Livengood	Ritter	Zord
Flaherty	Logue	Ruggiero	Zwikel
Foster, A.	Lynch	Ryan	
Foster, W.	Mackowski	Salvatore	Irvis,
Freind	Madigan	Scanlon	Speaker
Fryer			

NAYS—8

Geesey	Halverson	Piccola	Shuman
George, C.	Mebus	Renwick	Wass

NOT VOTING—9

Arthurs	Harper	Rappaport	Shelton
Beloff	Hutchinson, W.	Ravenstahl	Williams
Bennett			

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.

Agreeable to order,

The House proceeded to third consideration of **House bill No. 1239, printer's No. 1786**, entitled:

An Act to automatically terminate all forms of publications pamphlets periodicals and similar materials printed or otherwise reproduced at government expense.

On the question, Will the House agree to the bill on third consideration? Mr. O'CONNELL offered the following amendment:

Amend Sec. 7, page 7, line 24, by inserting after "form." All forms and publications printed at Commonwealth expense shall carry on them the total cost and the per unit cost expended on that form of publication.

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

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. O'Connell.

Mr. O'CONNELL. I understand the amendment is agreed to, Mr. Speaker.

The SPEAKER. The Chair has not been so informed, but the Chair reminds the gentleman that it would be wise to briefly explain the amendment anyway.

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

What this amendment purports to do is indicate that on any of the publications or the forms that the total cost of that particular form in bulk be printed thereon, as well as the individual cost. This is done in a number of states and it has been a very effective tool in regard to publications.

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Berlin.

Mr. BERLIN. That particular amendment is agreed to, Mr. Speaker.

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

The following roll call was recorded:

YEAS—192

Table listing names of members who voted 'YEAS' in two columns: Abraham, Anderson, Armstrong, Barber, Bellomini, Berlin, Berson, Bittinger, Bittle, Borski, Brandt, Brown, Brunner, Burd, Burns, Butera, Caltagirone, Caputo, Cassidy, Cessar, Cianciulli, Cimini, Cohen, Cole, Cowell, Davies, DeMedio, DeVerter, Gamble, Garzia, Gatski, Geesey, Geisler, George, C., George, M., Giammarco, Gillette, Gleeson, Goebel, Goodman, Gray, Greenfield, Greenleaf, Grieco, Halverson, Hamilton, Hasay, Haskell, Hayes, D. S., Hayes, S. E., Helfrick, Hoeffel, Honaman, Hopkins, Hutchinson, A., Hutchinson, W., Manmiller, McCall, McClatchy, McGinnis, McIntyre, McLane, Mebus, Meluskey, Milanovich, Miller, Milliron, Misceovich, Moehlmann, Morris, Mowery, Mrkonic, Mullen, M. P., Mullen, M. M., Musto, Novak, Noye, O'Brien, B., O'Brien, D., O'Connell, O'Donnell, O'Keefe, Oliver, Pancoast, Scanlon, Scheaffer, Schmitt, Schweder, Scirica, Seltzer, Shuman, Shupnik, Sirianni, Smith, E., Smith, L., Spencer, Spitz, Stairs, Stapleton, Stewart, Stuban, Sweet, Taddonio, Taylor, E., Taylor, F., Tenaglio, Thomas, Trello, Valicenti, Vroon, Wagner, Wansacz

Table listing names of members who voted 'NAYS' or 'NOT VOTING' in two columns: DeWeese, DiCarlo, Dietz, Dininni, Dombrowski, Donatucci, Dorr, Doyle, Duffy, Dumas, Englehart, Fee, Fischer, R. R., Fisher, D. M., Flaherty, Foster, A., Foster, W., Freind, Fryer, Gallagher, Gallen, Itkin, Johnson, Jones, Katz, Kelly, Kernick, Klingaman, Knepper, Kolter, Kowalshyn, Laughlin, Lehr, Letterman, Levi, Lincoln, Livengood, Logue, Lynch, Mackowski, Madigan, Manderino, Parker, Petrarca, Piccola, Pievsky, Pitts, Polite, Pott, Pratt, Prendergast, Pyles, Ravenstahl, Reed, Renwick, Rhodes, Richardson, Rieger, Ritter, Ruggiero, Ryan, Salvatore, Wargo, Wass, Weidner, Wenger, Wiggins, Wilson, Wilt, Wise, Wright, D., Wright, J. L., Yahner, Yohn, Zearfoss, Zeller, Zitterman, Zord, Zwilk, Irvis, Speaker

NAYS—0

NOT VOTING—8

Table listing names of members who did not vote: Arthurs, Beloff, Bennett, Harper, Rappaport, Shelton, White, Williams

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

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

Mr. BRANDT offered the following amendments:

Amend Title, page 1, line 3, by removing the period after "expense" and inserting and to establish an oversight committee.

Amend Sec. 4, page 3, lines 21 through 23, by striking out all of said lines

Amend Bill, page 7, by inserting between lines 24 and 25 Section 8. Project 30 Oversight Committee.

(a) There is hereby established a permanent joint legislative and executive committee to oversee all rules and regulations and changes thereto promulgated in connection with this act which shall be known as the Project 30 Oversight Committee. No rule or regulation promulgated in connection with this act shall become effective until approved by the committee.

(b) The committee shall consist of the following four members:

- (1) Chairman of the House Committee on State Government.
(2) Chairman of the Senate Committee on State Government.
(3) An appointee of the Secretary of Administration familiar with forms management.
(4) An appointee of the Secretary of General Services familiar with printing.

Amend Sec. 8, page 7, line 25, by striking out "8" and inserting 9

Amend Sec. 9, page 8, line 4, by striking out "9" and inserting 10

Amend Sec. 10, page 8, line 11, by striking out "10" and inserting 11

Amend Sec. 11, page 8, line 17, by striking out "11" and inserting 12

Amend Sec. 12, page 8, line 21, by striking out "12" and inserting 13

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

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

Mr. BRANDT. Thank you, Mr. Speaker.

Briefly, this amendment inserts into this bill an oversight committee so that once this bill becomes an act of law, this committee shall have the opportunity to review any rule or regulation that is made to this bill for its implementation. I think since this bill starts out as a first step in the sunset concept, we can follow through with that idea by inserting this type of language in this bill.

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Berlin.

Mr. BERLIN. Mr. Speaker, I urge the adoption of the amendment.

The SPEAKER. This is amendment A2569. Is that correct, Mr. Brandt?

Mr. BRANDT. Yes, Mr. Speaker.

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

The following roll call was recorded:

YEAS—187

Abraham	Gallen	Madigan	Scanlon
Anderson	Gamble	Manderino	Scheaffer
Armstrong	Garzia	Manmiller	Schmitt
Barber	Gatski	McCall	Schweder
Bellomini	Geesey	McClatchy	Scirica
Berlin	Geisler	McGinnis	Seltzer
Berson	George, C.	McIntyre	Shuman
Bittinger	George, M.	McLane	Shupnik
Bittle	Giammarco	Mebus	Sirianni
Borski	Gillette	Meluskey	Smith, E.
Brandt	Gleeson	Milanovich	Smith, L.
Brown	Goebel	Miller	Spencer
Brunner	Goodman	Milliron	Spitz
Burd	Gray	Moehlmann	Stairs
Burns	Greenfield	Morris	Stapleton
Butera	Greenleaf	Mowery	Stewart
Caltagirone	Grieco	Mrkonic	Sweet
Caputo	Halverson	Mullen, M. P.	Taddonio
Cassidy	Hamilton	Musto	Taylor, E.
Cessar	Hasay	Novak	Taylor, F.
Cianciulli	Haskell	Noye	Tenaglio
Cimini	Hayes, D. S.	O'Brien, B.	Thomas
Cohen	Hayes, S. E.	O'Brien, D.	Trello
Cole	Helfrick	O'Connell	Valicenti
Cowell	Hoeffel	O'Donnell	Vroon
Davies	Honaman	O'Keefe	Wagner
DeMedio	Hopkins	Oliver	Wansacz
DeVerter	Hutchinson, A.	Pancoast	Wargo
DeWeese	Itkin	Parker	Wass
DiCarlo	Johnson	Petrarca	Weidner
Dietz	Jones	Pievsky	Wenger
Dininni	Katz	Pitts	Wiggins
Dombrowski	Kelly	Polite	Wilson
Donatucci	Kernick	Pott	Wilt
Dorr	Klingaman	Pratt	Wise
Doyle	Knepper	Prendergast	Wright, D.
Duffy	Kolter	Pyles	Wright, J. L.
Dumas	Kowalyszyn	Ravenstahl	Yahner
Englehart	Laughlin	Reed	Yohn
Fee	Lehr	Renwick	Zearfoss
Fischer, R. R.	Letterman	Rhodes	Zeller
Fisher, D. M.	Levi	Richardson	Zitterman
Flaherty	Lincoln	Rieger	Zord
Foster, A.	Livengood	Ritter	Zwinkl

Foster, W.	Logue	Ruggiero	
Freind	Lynch	Ryan	Irvis,
Fryer	Mackowski	Salvatore	Speaker
Gallagher			

NAYS—1

Piccola

NOT VOTING—12

Arthurs	Harper	Mullen, M. M.	Stuban
Beloff	Hutchinson, W.	Rappaport	White
Bennett	Miscevich	Shelton	Williams

The question was determined in the affirmative and the amendments were agreed to.

The SPEAKER. Does the gentleman, Mr. Brandt, have an additional amendment?

Mr. BRANDT. No, Mr. Speaker, I withdraw the second amendment.

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

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?

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, would the principal sponsor, Mr. Berlin, consent to a brief interrogation?

Mr. BERLIN. I will, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Berlin, indicates that he will stand for interrogation. The gentleman, Mr. Ryan, is in order and may proceed.

Mr. RYAN. Mr. Speaker, let me say initially that I agree with the concept that is proposed under HB 1239; that is, to do away with a lot of the useless publications and forms that are found not only in state government but in the Federal Government as well as in local government. However, I have some questions with respect to HB 1239 that I would like answered.

It would appear, Mr. Speaker, that the prime sponsor under the provisions of this bill has two different formulas or two different provisions relating to the reinstatement of forms and publications. I am curious as to the reason for it.

I look on page 5 "The General Assembly may reinstitute the forms" Now we are talking about forms. That is on line 10. If you drop down to the end of that paragraph, lines 19 and 20, these forms will be reinstated. However, if the General Assembly does nothing, if the General Assembly does nothing, that lack of action results in an approval of the forms as submitted within 90 days. Is that right?

Mr. BERLIN. That is correct.

Mr. RYAN. Now we go over to the next page and we talk about publications on the bottom of page 6.

In the case of publications, if the General Assembly takes no action within 90 days, they are deemed disapproved, and I am curious as to the difference. Why the difference between

publications and forms?

Mr. BERLIN. Basically because the machinery of government thrives on forms. We feel that the publications are not vital to the continued action of the government. Consequently, there are two different mechanisms for approval.

We do not want to interrupt the flow of business as a consequence of the forms, but we do not feel that it is all that vital with respect to the publications.

Mr. RYAN. Now with respect to the word "publication," as I look at the bill as proposed and I am now going back to page 3 of the definitions, on page 3 of the definitions under this bill, line 14, the word "publications" includes forms.

Now, my problem looks something like this: Over on page 6 we are saying to reinstitute publications, it is necessary for us to take affirmative action. Otherwise, they are disapproved. Right? But yet if you look at the definition of publications, it includes forms. So I think there is an inconsistency in your bill, Mr. Speaker. You have one provision relating to no action amounts to approval under the term "forms." Yet by definition where action is required for approval, "publications" by definition includes forms.

Mr. BERLIN. I think if you look at the top on line 2, section 6, it states the "Method of reinstitution for publications other than forms."

Mr. RYAN. So your position would be then that the definition is amended by the language of this bill to exclude the word "forms" as to this particular section?

Mr. BERLIN. That is correct, Mr. Speaker.

Mr. RYAN. All right.

The next problem I have is on page 5, line 10, that paragraph on line 10. What kind of a vote is necessary for approval or rejection?

The difficulty I am having is the wording on lines 11 and 12 where it says: "The General Assembly may reinstitute the forms by approving the resolution or finally abolish the forms listed in the resolution by a negative vote, by a vote of a majority of the members to which the House is entitled." I do not understand that language at all.

Mr. BERLIN. It is my understanding that that would require a simple majority as opposed to a constitutional majority.

Mr. RYAN. Are you requiring that the resolution be put in the negative by referring to a negative vote?

Mr. BERLIN. There is a comma, sir. It relates to everything in that section.

Mr. Ryan. All right.

My problem, Mr. Speaker, is that you appear to be saying that a simple majority can do this, the way we have amendments now.

Mr. BERLIN. A vote—

Mr. RYAN. A vote of a simple majority.

Mr. BERLIN. —of a simple majority would be required to pass the resolution.

Mr. RYAN. Okay.

Now look at lines 12 and 13, the end of 12, "by a vote of a majority of the members to which the House is entitled." Now this is language I have never seen before.

But I have to think that "by a vote of a majority of the mem-

bers to which the House is entitled" must mean the usual language, and the House is entitled, I suppose, to 203 members. So I suspect that they are trying to say a constitutional majority but they really do not say it.

You are saying now that, as you understand it, the legislative intent would be a simple majority?

Mr. BERLIN. That was my intent, to make the approval of this particular resolution by a simple majority. Now that does not mean that I am going to be the one who is doing the interpreting of this law.

The point you raise has legal significance to which I am not privy. I would suggest that at the time the bill is enacted and the procedures are followed, the Speaker of the House would probably require the constitutional majority of 102 votes or the standard procedure for passing resolutions.

Mr. RYAN. You would agree then that the language as drafted is ambiguous when it is your intent that it be a simple majority, and yet the language of the bill reads ". . . by a vote of a majority of the members to which the House is entitled."

Mr. BERLIN. I would view that that statement was drafted legally. The intent at the time was to make this whole process as easy to administer as possible.

Now my intent is, and the way the law is written if it turns out that it is 102 votes, that may indeed be a more practical procedure and one that is more effective for the goals we have set. So I do not think that that kind of a point will create the kind of problems that I think you are concerned about.

Mr. RYAN. Now, would it be your interpretation of this bill—and I am referring now generally to all agencies—would it be your intention that this bill cover such things as employment applications, parking permits? For instance, our staff people and, I suppose, the members here, we all have to fill out some kind of a form to get a parking permit. Parking permits would be abolished, the standard forms, employment contracts or employment applications. How about House histories? Would they be abolished unless brought back in by resolution?

Mr. BERLIN. Use of them or the previous editions of them?

Mr. RYAN. Oh, no, not the previous editions. They would be in.

Mr. BERLIN. Okay. The House in this case is exempt from those publications, so the House history would not be abolished.

Mr. RYAN. Now I disagree that this bill provides for the exemption of the House. I think what it says is that the House can enact temporary measures for a period of 90 days after it adopts the prior forms and resolution.

Mr. BERLIN. Which in effect is an exemption.

We do not want the majority voting on the information available to or from the minority. So that is a safeguard built in.

I think what you are concerned about and maybe I am reading it into what you are saying, but the gentleman's brilliance is well known so I do not have to give you—

The word "abolish" means that on an effective date that form is not going to be used again. To reinstitute it does not require a monumental change in operation. It happens to be in a very, very easy form or simple form, then that form can just be applied for over again and just reintroduced.

It is not that we are going to see the end of the form and a tremendous amount of chaos. It just means that on the resolution that form will reappear in ample time to reenact it.

Mr. RYAN. Now I walked into this Capitol yesterday morning and I saw a mass of trash on the rotunda steps which I was given to understand are some of the forms and publications now available to the unwary public, printed by the Commonwealth for their bewilderment. Do you have any idea how many forms and/or publications are now strangling state government?

Mr. BERLIN. We do not know precisely how many. Our latest estimate is about 40,000 forms.

Mr. RYAN. All right.

Now these 40,000 forms that are presently strangling state government and the citizens of the Commonwealth, will they be required to be reproduced in resolution form to be submitted to the House, or are the resolutions referred to in this bill simply a resolution that will have captions like we have on House bills?

Mr. BERLIN. Each form will not be reproduced in entirety but merely a small caption and a brief explanation of what the form is.

Mr. RYAN. Now let us assume for a minute that the many facets of our state government that are dropping these forms on the unsuspecting public decide they would like to reissue all these same forms so that they can keep all their people busy explaining how to fill them out and they can send them back for corrections and all. They all have to be submitted to the chief clerk and to the secretary of the Senate, do they not?

Mr. BERLIN. There is one step you omitted.

Mr. RYAN. Pardon me?

Mr. BERLIN. There is one step that you omitted.

Mr. RYAN. What is that?

Mr. BERLIN. It must go to the Office of Administration, which they do not have to do now.

Mr. RYAN. But assuming that all of these wonderful forms and all the new ones that we get every day—as I see it that great big pile of paper sitting on the rotunda steps yesterday—will be multiplied by at least three, so that we can have a great big pile of paper in the chief clerk's office and the office of the secretary of the Senate. In addition to that big pile of paper we will have our own big pile of paper which will be all the resolutions necessary to reinstitute the first big pile of paper. Right?

Mr. BERLIN. Well, when you are all through with these big piles of paper, let us back up just one step. As it stands, the procedure for reinstituting the forms need not be done at one time.

Number two, what the chief clerk will receive are the recommendations of the Governor's Office of Administration, which is not going to be a gigantic pile of paper. With the oversight committee, there is a screening process that we believe—through the use of a computer that we have already proposed and determined to be viable—

Mr. RYAN. Which will print on all piles of paper.

Mr. BERLIN. It is not going to print anything. No, it is going

to do the screening for us.

Mr. RYAN. I see.

Mr. BERLIN. We ought not to have a gigantic pile. Your assumption now is that we are going to go through this whole process the same way the administration does, with the same absence of controls.

What we have done is to institute control and design the system so that it is adaptable to an automatic data processing component. That is all. There is a control mechanism, a review proposal and an oversight proposal. It is not very exotic; it is not very sophisticated, but it will start them on the road to re-examining precisely what they are doing.

As a consequence of this bill, we have a chance then to build on that, to do screening in conformance with the Federal Privacy Act. So we will have a computer that will be examining the types of information that is being requested by the state to determine whether that would be in violation of the Federal statute on the subject of privacy. It is a multiple effect.

I assure you that if your office gets buried under a pile of paperwork, I will personally come by and remove it for you.

Mr. RYAN. Well, I may hold you to that, Mr. Speaker. But my office will not be burdened with all that paperwork because I will not accept all of those papers.

Looking at page 6, lines 23 and 24, that is what causes my concern. In that resolution, which is also called a form, there is a requirement that there be “. . . a separate resolution for each publication.” Each publication will be on file with the Secretary of the Senate and the House of Representatives' Chief Clerk. I think what we are intending to do is very, very good and it is something that we all want to accomplish and that is, doing away with all of these massive loads of documents.

I am concerned about this and I guess I will have to wait to see how it works out. I am not going to attempt to delay this bill. I am going to suggest that you, as chief sponsor, assuming it passes, advise someone in the Senate as to this inconsistency in regard to whether or not a simple majority or a constitutional majority is needed.

Thank you, Mr. Speaker.

Mr. BERLIN. The gentleman's point is well taken, Mr. Speaker.

REMARKS PRESENTED FOR THE RECORD

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

Mr. BRANDT. Thank you, Mr. Speaker.

Just one point on the last debate: You have to keep in mind that we exempt forms and publications that are specifically required by law.

On top of that, Mr. Speaker, I would like to submit these remarks for the record.

The SPEAKER. The gentleman's remarks will be accepted and placed upon the record.

Mr. BRANDT presented the following remarks for the Legislative Journal:

HOUSE OR REPRESENTATIVES
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

SUNSETTING FORMS AND PUBLICATIONS
PROJECT 30

House Bill 1239, Printers Number 1786

HB 1239, PN 1789, is the first step in the right direction curbing waste and duplication in state government through a limited application of the Sunset concept. Although the duties prescribed for the Secretary of Administration are his already but by specifically designating to them in law, extra emphasis is given to them in dealing with all Commonwealth agencies. To document the problem, I have contacted 54 executive agencies and the legislature requesting information concerning:

1. Types of forms and publications printed
2. Designation of the printing source
3. Designation of the quantity printed
4. Designation of the annual cost of printing
5. Designation of the annual cost of mailing or other distribution.

To date I have received 25 complete responses along with samples of agency publications and forms.

In order to project approximate totals of quantity and costs which I will receive upon completion of this study, I have averaged returns from three typical agencies, namely: the Department of Education designated as a typically large agency in terms of size and responsibility; the Department of Insurance designated as a medium size agency; and the Governor's Council on the Arts designated as a small agency. Returns from these agencies were averaged and multiplied by the 54 agencies contacted. These projected figures, however, would be understandably low:

1. Projected total annual quantity of forms printed by all 54 agencies would be 56,655,450
2. Projected total annual quantity of publications printed by all agencies would be 86,107,450
- * Projected total annual quantity of both publications and forms would be 142,763,310
3. Projected total annual cost of print and distributing forms for all 54 agencies would be \$2,533,806
4. Projected total annual costs for printing and distributing publications for all 54 agencies would be \$6,121,278
- * Projected total annual costs of printing and distributing for both forms and publications would be \$8,655,084

The three departments we used to approximate totals were:

1. Education Department
 - A. Total annual quantity of forms printed were 2,673,675
 - B. Total annual printing and mailing costs were \$104,207
 - C. Total annual quantity of publications printed were 4,672,600
 - D. Total annual printing and mailing costs were \$330,637
2. Insurance Department
 - A. Total annual quantity of forms printed were 432,460
 - B. Total annual printing and mailing costs were \$34,729
 - C. Total annual quantity of publications printed were 100,300
 - D. Total annual printing and mailing costs were \$4,850
3. Governors Council on Arts
 - A. Total annual quantity of forms printed were 41,390
 - B. Total annual printing and mailing costs were \$1,831
 - C. Total annual quantity of publications printed were 10,870
 - D. Total annual printing and mailing costs were \$4,584

The Bureau of Employment Securities in the Department of Labor and Industry represent 1,100 of these forms.

The Bureau of Employment Securities also stated that it took them 60 staff days to gather this information. I think this is a good reason for this legislation, especially if it took one bureau that long to gather together all their paper work.

I received fine cooperation from all the departments that

responded. They were glad for this opportunity to take a look at their own House in regards to forms and publications.

I was happy to find that several departments do have a going Committee on Forms and Publications and this will certainly help the Office Administration when this bill becomes a law. My intentions are to turn over to the Office Administration all forms and material that I have received.

The amendment to this bill establishes an oversight committee that will approve all rules and regulations that will be adopted concerning this act.

On the question recurring,
Shall the bill pass finally?

Agreeable to the provision of the Constitution, the following roll call was recorded:

YEAS—187

Abraham	Gallen	Manmiller	Scanlon
Anderson	Gamble	McClatchy	Scheaffer
Armstrong	Garzia	McGinnis	Schmitt
Barber	Gatski	McIntyre	Schweder
Bellomini	Geesey	McLane	Scirica
Berlin	Geisler	Mebus	Shuman
Berson	George, C.	Meluskey	Shupnik
Bittinger	George, M.	Milanovich	Sirianni
Bittle	Giammarco	Miller	Smith, E.
Borski	Gillette	Milliron	Smith, L.
Brandt	Gleeson	Miscevich	Spencer
Brown	Goebel	Moehlmann	Spitz
Brunner	Goodman	Morris	Stairs
Burd	Gray	Mowery	Stapleton
Burns	Greenfield	Mrkonc	Stewart
Butera	Greenleaf	Mullen, M. P.	Stuban
Caltagirone	Grieco	Mullen, M. M.	Sweet
Caputo	Halverson	Musto	Taddonio
Cassidy	Hamilton	Novak	Taylor, E.
Cessar	Hasay	Noye	Tenaglio
Cianciulli	Haskell	O'Brien, B.	Thomas
Cimini	Hayes, D. S.	O'Brien, D.	Trello
Cohen	Hayes, S. E.	O'Connell	Valicenti
Cole	Helfrick	O'Donnell	Vroon
Cowell	Hoeffel	O'Keefe	Wagner
Davies	Honaman	Oliver	Wansacz
DeMedio	Hopkins	Pancoast	Wargo
DeVerter	Hutchinson, W.	Parker	Wass
DeWeese	Itkin	Petrarca	Weidner
DiCarlo	Katz	Piccola	Wenger
Dietz	Kelly	Pievsyky	White
Dininni	Kernick	Pitts	Wiggins
Dombrowski	Klingaman	Polite	Wilson
Donatucci	Knepper	Pott	Wilt
Dorr	Kolter	Pratt	Wise
Doyle	Kowalyshyn	Prendergast	Wright, D.
Duffy	Laughlin	Pyles	Wright, J. L.
Dumas	Lehr	Ravenstahl	Yahner
Englehart	Letterman	Reed	Yohn
Fee	Levi	Renwick	Zearfoss
Fischer, R. R.	Lincoln	Rhodes	Zeller
Fisher, D. M.	Livengood	Richardson	Zitterman
Flaherty	Logue	Rieger	Zord
Foster, A.	Lynch	Ritter	Zwilk
Foster, W.	Mackowski	Ruggiero	
Freind	Madigan	Ryan	Irvis,
Fryer	Manderino	Salvatore	Speaker
Gallagher			

NAYS—1

Hutchinson, A.

NOT VOTING—12

Arthurs	Harper	McCall	Shelton
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Beloff Johnson Rappaport Taylor, F.
Bennett Jones Seltzer Williams

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.

APPROPRIATION BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 1650, printer's No. 1970**, entitled:

An Act making an appropriation to the Governor for disaster relief and assistance for the Great Flood of July 1977.

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?

The Chair recognizes the gentleman from Cambria, Mr. Bittinger.

Mr. BITTINGER. Mr. Speaker, perhaps we should note, as I understand, this bill requires a two-thirds majority. The Appropriations Committee staff advises me that this is what is needed on this particular bill.

The SPEAKER. Apparently the reason for that is because this bill becomes effective only upon the approval of a constitutional amendment.

Mr. BITTINGER. That is correct.

The SPEAKER. And, therefore, it will be monies given to special recipients not now covered by the Constitution. Therefore, it would be a nonpreferred appropriation and, therefore, it would require the two-thirds vote.

Mr. BITTINGER. I would urge a "yes" vote.

The SPEAKER. The Chair recognizes the gentleman from Montour, Mr. Wagner.

Mr. WAGNER. Thank you, Mr. Speaker.

Mr. Speaker, this is a question to the Appropriations Committee chairman, Mr. Pievsky.

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

Mr. WAGNER. Thank you, Mr. Speaker.

This sum of \$2 million, was a provision made for this in the budget which we passed late this summer? If not, is there money currently available from current revenues to pay this appropriation?

Mr. PIEVSKY. Mr. Speaker, the budget secretary assured me that he is lapsing \$2 million from the original \$10 million that was in the item on the GA bill. The money is available.

Mr. WAGNER. Okay, fine. Thank you.

On the question recurring,

Shall the bill pass finally?

Agreeable to the provision of the Constitution, the following roll call was recorded:

YEAS—191

Abraham	Gatski	McCall	Scheaffer
Anderson	Geesey	McClatchy	Schmitt
Armstrong	Geisler	McGinnis	Schweder
Barber	George, C.	McIntyre	Scirica
Bellomini	George, M.	McLane	Seltzer
Berlin	Giammarco	Mebus	Shuman
Berson	Gillette	Meluskey	Shupnik
Bittinger	Gleeson	Milanovich	Sirianni
Bittle	Goebel	Miller	Smith, E.
Borski	Goodman	Milliron	Smith, L.
Brandt	Gray	Miscevich	Spencer
Brown	Greenfield	Moehlmann	Spitz
Brunner	Greenleaf	Morris	Stairs
Burd	Grieco	Mowery	Stapleton
Burns	Halverson	Mrkonic	Stewart
Caltagirone	Hamilton	Mullen, M. P.	Stuban
Caputo	Hasay	Mullen, M. M.	Sweet
Cassidy	Haskell	Musto	Taddonio
Cessar	Hayes, D. S.	Novak	Taylor, E.
Cianciulli	Hayes, S. E.	Noye	Taylor, F.
Cimini	Helfrick	O'Brien, B.	Tenaglio
Cohen	Hoeffel	O'Brien, D.	Thomas
Cole	Honaman	O'Connell	Trello
Cowell	Hopkins	O'Donnell	Valcenti
Davies	Hutchinson, A.	O'Keefe	Vroon
DeMedio	Hutchinson, W.	Oliver	Wagner
DeVertter	Itkin	Pancoast	Wansacz
DeWeese	Johnson	Parker	Wargo
DiCarlo	Jones	Petrarca	Wass
Dietz	Katz	Piccola	Weidner
Dininni	Kelly	Pievsky	Wenger
Dombrowski	Kernick	Pitts	White
Dorr	Klingaman	Polite	Wiggins
Doyle	Knepper	Pott	Wilson
Duffy	Kolter	Pratt	Wilt
Dumas	Kowalyszyn	Prendergast	Wise
Englehart	Laughlin	Pyles	Wright, D.
Fee	Lehr	Ravenstahl	Wright, J. L.
Fischer, R. R.	Letterman	Reed	Yahner
Fisher, D. M.	Levi	Renwick	Yohn
Flaherty	Lincoln	Rhodes	Zearfoss
Foster, A.	Livengood	Richardson	Zeller
Foster, W.	Logue	Rieger	Zitterman
Freind	Lynch	Ritter	Zord
Fryer	Mackowski	Ruggiero	Zwilk
Gallagher	Madigan	Ryan	
Gallen	Manderino	Salvatore	Irvis,
Gamble	Manmiller	Scanlon	Speaker
Garzia			

NAYS—0

NOT VOTING—9

Arthurs	Butera	Harper	Shelton
Beloff	Donatucci	Rappaport	Williams
Bennett			

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.

STATE GOVERNMENT BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 800, printer's No. 904**, entitled:

An Act amending the act of August 7, 1936 (1st Sp. Sess., P. L. 106, No. 46), referred to as the Flood Control Law, further providing for contracts.

On the question,
Will the House agree to the bill on third consideration?
Mrs. KERNICK offered the following amendment:

Amend Sec. 1 (Sec. 10), page 2, line 19 by inserting brackets before and after “; except, however, that” and inserting immediately thereafter : Provided, That at least two written bids shall be required for all contracts or acquisitions of property involving an expenditure of from one thousand dollars to two thousand dollars, however, the request for such bids need not be advertised: And, provided further, That

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

The SPEAKER. The Chair recognizes the lady from Allegheny, Mrs. Kernick.

Mrs. KERNICK. Mr. Speaker, in the essence of time, this is the same type of amendment that was put in HB 799 and HB 801. I urge your support.

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Garzia.

Mr. GARZIA. Mr. Speaker, I also oppose this amendment with one additional comment. It is a shame when a Representative up here, who is supposed to represent all the people, lets a personal grudge back home cause him to put an amendment like this in that will make your politicians, your local people back home, kind of leery of us back here.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the lady from Allegheny, Mrs. Kernick.

Mrs. KERNICK. Mr. Speaker, Representative Garzia is a former local official. If all local officials were as dedicated, as sincere and as full of integrity as he is, we would not need this amendment. I urge its adoption.

The SPEAKER. He is equal to the occasion, give him a few seconds. We are anxious for this retort.

Mr. GARZIA. No, I am not going to say anything bad. I was the mayor of the borough I lived in for two terms. I was represented by Stanley Kester, who is a Republican. When I wrote to him, he wrote back to me but he did not put up any goofy amendments like this saying that you have to do something that you really do not even need.

Thank you.

The SPEAKER. The record stands that Representative Stanley Kester did not offer any goofy laws. Is that correct? I am sure Stan will enjoy that record.

Does the lady, Mrs. Kernick, desire recognition?

The Chair recognizes the lady.

Mrs. KERNICK. I tried to point out in my commendation with Representative Garzia that this law would not be necessary if we had all good administrators and all good council. But you know and I know that we do not. For the many who do a good job, this law or this amendment will mean nothing. But

for those who fail to abide by obtaining two bids or three bids when it is necessary, they will have to. That is all it does.

Thank you.

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

The following roll call was recorded:

YEAS—145

Abraham	Gamble	McClatchy	Scirica
Anderson	Gatski	McGinnis	Seltzer
Armstrong	Geesey	Meluskey	Shuman
Bellomini	George, C.	Miller	Shupnik
Berlin	George, M.	Milliron	Sirianni
Berson	Giammarco	Miscevich	Smith, E.
Bittinger	Gillette	Moehlmann	Smith, L.
Bittle	Gleeson	Mowery	Spencer
Brown	Goebel	Mrkonic	Spitz
Burd	Goodman	Mullen, M. P.	Stairs
Burns	Greenfield	Musto	Stapleton
Butera	Greenleaf	Novak	Stewart
Caltagirone	Halverson	Noye	Stuban
Cassidy	Hamilton	O'Brien, B.	Sweet
Cessar	Hasay	O'Brien, D.	Taddonio
Cimini	Haskell	O'Connell	Taylor, E.
Cohen	Hayes, D. S.	O'Donnell	Taylor, F.
Cole	Hayes, S. E.	Oliver	Tenaglio
Cowell	Helfrick	Pancoast	Thomas
Davies	Hoefel	Parker	Trello
DeVerter	Honaman	Petrarca	Valicenti
DeWeese	Hutchinson, W.	Pievsky	Vroon
DiCarlo	Itkin	Pitts	Wagner
Dietz	Johnson	Polite	Wargo
Dombrowski	Jones	Pott	Wenger
Dorr	Katz	Pratt	White
Doyle	Kelly	Pyles	Wilt
Duffy	Kernick	Reed	Wright, D.
Fee	Klingaman	Rhodes	Wright, J. L.
Fischer, R. R.	Knepper	Ritter	Zearfoss
Fisher, D. M.	Kowalyshyn	Ruggiero	Zeller
Flaherty	Laughlin	Ryan	Zord
Foster, W.	Lehr	Salvatore	Zwinkl
Freind	Letterman	Scanlon	
Fryer	Levi	Scheaffer	Irvis,
Gallagher	Lynch	Schmitt	Speaker
Gallen	Mackowski	Schweder	

NAYS—44

Barber	Garzia	Manderino	Prendergast
Borski	Geisler	Manmiller	Ravenstahl
Brandt	Gray	McCall	Renwick
Caputo	Grieco	McIntyre	Rieger
Cianciulli	Hopkins	McLane	Wass
DeMedio	Hutchinson, A.	Mebus	Weidner
Dininni	Kolter	Milanovich	Wiggins
Donatucci	Lincoln	Morris	Wise
Dumas	Livengood	Mullen, M. M.	Yahner
Englehart	Logue	O'Keefe	Yohn
Foster, A.	Madigan	Piccola	Zitterman

NOT VOTING—11

Arthurs	Brunner	Richardson	Williams
Beloff	Harper	Shelton	Wilson
Bennett	Rappaport	Wansacz	

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

On the question,
Will the House agree to the bill as amended on third con-

sideration?

Mr. O'CONNELL offered the following amendment:

Amend Sec. 1 (Sec. 10), page 2, line 26, by removing the period after "facility" and inserting and except, however, that this board may, if the integrity of a flood control work is in imminent peril or if there is an immediate threat to life or property, perform such work as may be necessary without regard to the requirements of this section.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. O'Connell.

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

This amendment excludes the necessity for bidding if any time the integrity of a flood-control project is in imminent peril or if there is a threat to life and property. The Department can go in and perform whatever work might be necessary to preserve the system and to protect the people from any further distress and damage.

The problem at the present time is that the disaster has to be declared before anyone can effectively go in and do it. That is too late. That is after the fact. This is a remedy rather than a cure. I would urge the adoption of the amendment.

Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—189

Table listing names of members who voted 'YEAS' (189 total). Includes names like Abraham, Anderson, Armstrong, Barber, Bellomini, Berlin, Berson, Bittinger, Borski, Brandt, Brown, Brunner, Burd, Burns, Butera, Caltagirone, Caputo, Cassidy, Cessar, Cianciulli, Cimini, Cohen, Cole, Cowell, Davies, DeMedio, DeVerter, DeWeese, DiCarlo, Dietz, Dininni, Dombrowski, Doyle, Duffy, Dumas, Gatski, Geesey, Geisler, George, C., George, M., Giammarco, Gillette, Gleeson, Goebel, Goodman, Gray, Greenfield, Greenleaf, Grieco, Halverson, Hamilton, Hasay, Haskell, Hayes, D. S., Hayes, S. E., Helfrick, Hoeffel, Honaman, Hopkins, Hutchinson, A., Hutchinson, W., Itkin, Johnson, Jones, Katz, Kelly, Kernick, Klingaman, Knepper, Kolter, McCall, McClatchy, McGinnis, McIntyre, McLane, Mebus, Meluskey, Milanovich, Miller, Milliron, Misceovich, Moehlmann, Morris, Mowery, Mrkonic, Mullen, M. P., Mullen, M. M., Musto, Novak, Noye, O'Brien, B., O'Brien, D., O'Connell, O'Donnell, O'Keefe, Oliver, Pancoast, Parker, Petrarca, Piccola, Pievsky, Pitts, Polite, Pott, Pratt, Scheaffer, Schmitt, Schweder, Scirica, Seltzer, Shuman, Shupnik, Sirianni, Smith, L., Spencer, Spitz, Stairs, Stapleton, Stewart, Stuban, Sweet, Taddonio, Taylor, E., Taylor, F., Tenaglio, Thomas, Trello, Valicenti, Vroon, Wagner, Wansacz, Weidner, Wenger, White, Wiggins, Wilson, Wilt, Wise.

Table listing names of members who did not vote or voted 'NAYS'. Includes names like Englehart, Fee, Fischer, R. R., Fisher, D. M., Flaherty, Foster, A., Foster, W., Freund, Fryer, Gallagher, Gallen, Gamble, Garzia, Kowalyshyn, Laughlin, Lehr, Letterman, Levi, Lincoln, Livengood, Logue, Lynch, Mackowski, Madigan, Manderino, Manmiller, Prendergast, Pyles, Ravenstahl, Reed, Renwick, Rhodes, Richardson, Rieger, Ritter, Ruggiero, Ryan, Salvatore, Scanlon, Wright, D., Wright, J. L., Yahner, Yohn, Zearfoss, Zeller, Zitterman, Zord, Zwickl, Irvis, Speaker.

NAYS—1

Dorr

NOT VOTING—10

Table listing names of members who did not vote. Includes names like Arthurs, Beloff, Bennett, Bittle, Donatucci, Harper, Rappaport, Shelton, Smith, E, Williams.

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

On the question recurring,

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

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 provision of the Constitution, the roll call will now be taken.

YEAS—190

Table listing names of members who voted 'YEAS' (190 total). Includes names like Abraham, Anderson, Armstrong, Barber, Bellomini, Berlin, Berson, Bittinger, Borski, Brandt, Brown, Brunner, Burd, Burns, Butera, Caltagirone, Caputo, Cassidy, Cessar, Cianciulli, Cimini, Cohen, Cole, Cowell, Davies, DeMedio, DeVerter, DeWeese, DiCarlo, Dietz, Dininni, Dombrowski, Garzia, Gatski, Geesey, Geisler, George, C., George, M., Giammarco, Gillette, Gleeson, Goebel, Goodman, Gray, Greenfield, Greenleaf, Grieco, Halverson, Hamilton, Hasay, Haskell, Hayes, D. S., Hayes, S. E., Helfrick, Hoeffel, Honaman, Hopkins, Hutchinson, A., Hutchinson, W., Itkin, Johnson, Jones, Katz, Kelly, Manmiller, McCall, McClatchy, McGinnis, McIntyre, McLane, Meluskey, Milanovich, Miller, Milliron, Misceovich, Moehlmann, Morris, Mowery, Mrkonic, Mullen, M. P., Mullen, M. M., Musto, Novak, Noye, O'Brien, B., O'Brien, D., O'Connell, O'Keefe, Oliver, Pancoast, Parker, Petrarca, Piccola, Pievsky, Pitts, Scheaffer, Schmitt, Schweder, Scirica, Seltzer, Shuman, Shupnik, Sirianni, Smith, E., Smith, L., Spencer, Spitz, Stairs, Stapleton, Stewart, Stuban, Sweet, Taddonio, Taylor, E., Taylor, F., Tenaglio, Thomas, Trello, Valicenti, Vroon, Wagner, Wansacz, Weidner, Wenger, White.

Dorr	Kernick	Polite	Wiggins
Doyle	Klingaman	Pott	Wilson
Duffy	Knepper	Pratt	Wilt
Dumas	Kolter	Prendergast	Wise
Englehart	Kowalshyn	Pyles	Wright, D.
Fee	Laughlin	Ravenstahl	Wright, J. L.
Fischer, R. R.	Lehr	Reed	Yahner
Fisher, D. M.	Letterman	Renwick	Yohn
Flaherty	Levi	Rhodes	Zearfoss
Foster, A.	Lincoln	Richardson	Zeller
Foster, W.	Livengood	Rieger	Zitterman
Freind	Logue	Ritter	Zord
Fryer	Lynch	Ruggiero	Zwicl
Gallagher	Mackowski	Ryan	
Gallen	Madigan	Salvatore	Irvis,
Gamble	Manderino	Scanlon	Speaker

NAYS—1

Mebus

NOT VOTING—9

Arthurs	Bittle	Harper	Shelton
Beloff	Donatucci	Rappaport	Williams
Bennett			

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.

NAME REMOVED FROM BILLS

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

Mr. MEBUS. I would merely like to have my name removed as the sponsor of HB 799, HB 800 and HB 801 because the bills no longer reflect the character that they had when I co-signed them initially.

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

Would the majority leader include the gentleman's name and remarks on his motion?

STATEMENT

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Trello. The purpose of this recognition is for the gentleman to make comments on certain bills that were rereferred to committees.

Mr. TRELLO. Mr. Speaker, HB 452, which deals with the automatic adjustment of the fuel adjustment charge that every member of this House and every constituent in this state recognizes when they get their bill at the end of the month. This bill was just formerly transferred from the Consumer Protection Committee to the Mines and Energy Committee.

First of all, I would like to compliment C. L. Schmitt and the entire Consumer Protection Committee for starting hearings throughout this Commonwealth to get some input on exactly how the people feel about this, and also to get some expert advise in regard to the fuel adjustment charge.

I also belong to the Mines and Energy Management Committee where we have a very capable chairman, Mr. Bernard O'Brien. My purpose for rising here is to notify the members

that the automatic fuel adjustment charge is probably one of the most controversial things in each and every one of your districts. I would hope that our chairman of the Mines and Energy Committee will continue to do the job that C. L. Schmitt did and continue to have hearings throughout the Commonwealth.

Thank you, Mr. Speaker.

**RECONSIDERATION OF VOTE
ON SB 717**

Mr. TRELLO moved that the vote by which SB 717 was passed finally on this date be reconsidered.

Mr. LOGUE seconded the motion.

On the question,
Will the House agree to the motion?
(A roll call vote was taken.)

On the question recurring,
Shall the bill pass finally?

REMARKS ON VOTE

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

Mr. DeVERTER. Mr. Speaker, would it be possible to reconsider that vote? My switch was thrown on green because of the confusion surrounding that vote, and I would like to be recorded in the negative on the reconsideration motion.

The SPEAKER. Would the gentleman be satisfied if his remarks were recorded rather than having us go through a second vote?

Mr. DeVERTER. Well, several members over here have indicated the same thing. I will leave it to the discretion of the Speaker.

Mr. TRELLO. Mr. Speaker, could I explain the purpose for my reconsideration on this?

The SPEAKER. I am sorry, it is not in order for the gentleman to explain anything at this point in time. The Chair would indicate, however, that the purpose of the reconsideration motion is not to defeat the bill. That is not the purpose of the motion.

Does the gentleman, Mr. DeVerter, still wish to change his vote? He does?

The Chair rescinds its decision that the motion of the gentleman, Mr. Trello, has been adopted. The Chair will again place the motion before the House.

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

The following roll call was recorded:

YEAS—111

Abraham	Garzia	Manderino	Richardson
Armstrong	Gatski	McCall	Rieger
Barber	Geisler	McClatchy	Ritter
Bellomini	George, C.	McGinnis	Ruggiero
Berlin	George, M.	McIntyre	Scanlon
Berson	Giammarco	McLane	Schmitt
Borski	Gillette	Milanovich	Schweder
Brandt	Gleeson	Miscevich	Shuman

Brunner	Goodman	Morris	Shupnik
Burd	Gray	Mrkonic	Spitz
Caputo	Greenfield	Mullen, M. P.	Stapleton
Cessar	Greenleaf	Mullen, M. M.	Sweet
Cianciulli	Grieco	Musto	Taylor, F.
Cohen	Haskell	Novak	Tenaglio
Cowell	Hoefel	O'Brien, B.	Trello
DeMedio	Hopkins	O'Keefe	Valicenti
DeWeese	Hutchinson, A.	Oliver	Wansacz
Dombrowski	Itkin	Parker	Wargo
Doyle	Johnson	Petrarca	White
Duffy	Jones	Pievsky	Wilt
Dumas	Kelly	Pratt	Wise
Englehart	Kernick	Pratt	Wright, D.
Fee	Knepper	Prendergast	Yahner
Fisher, D. M.	Kolter	Pyles	Yohn
Flaherty	Kowalshyn	Ravenstahl	Zitterman
Freind	Laughlin	Reed	
Fryer	Letterman	Renwick	Irvis,
Gallagher	Logue	Rhodes	Speaker
Gamble			

NAYS—79

Anderson	Geesey	Mebus	Smith, L.
Bittinger	Goebel	Meluskey	Spencer
Bittle	Halverson	Miller	Stairs
Brown	Hamilton	Milliron	Stewart
Burns	Hasay	Moehlmann	Stuban
Butera	Hayes, D. S.	Mowery	Taddonio
Caltagirone	Hayes, S. E.	Noye	Taylor, E.
Cassidy	Helfrick	O'Brien, D.	Thomas
Cimini	Honaman	O'Connell	Vroon
Cole	Hutchinson, W.	Pancoast	Wagner
Davies	Katz	Piccola	Wass
DeVerter	Klingaman	Pitts	Weidner
DiCarlo	Lehr	Polite	Wenger
Dietz	Levi	Ryan	Wilson
Dininni	Lincoln	Salvatore	Wright, J. L.
Dorr	Livengood	Scheaffer	Zearfoss
Fischer, R. R.	Lynch	Scirica	Zeller
Foster, A.	Mackowski	Seltzer	Zord
Foster, W.	Madigan	Sirianni	Zwinkl
Gallen	Manmiller	Smith, E.	

NOT VOTING—10

Arthurs	Donatucci	Rappaport	Wiggins
Beloff	Harper	Shelton	Williams
Bennett	O'Donnell		

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

On the question recurring,
Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Mifflin, Mr. DeVerter.

Mr. DeVERTER. Mr. Speaker, I would like to place an interrogatory to Mr. Trello, if I might please.

The SPEAKER. The gentleman, Mr. Trello, indicates that he will stand for interrogation. The gentleman, Mr. DeVerter, is in order and may proceed.

Mr. DeVERTER. Mr. Speaker, could you explain why you asked for the reconsideration motion, so that this side of the aisle is entirely clear as to why we are doing this?

Mr. TRELLO. I will be very happy to. At the time that the original vote was taken on SB 717—and I feel very strongly about SB 717—the Allegheny County Delegation was in caucus and we did not have an opportunity to record our vote. As you

know, in the Pittsburgh papers they print our votes every Sunday in the Sunday paper. Just having it for a matter of record is not good enough. I would like to be recorded officially as voting for SB 717, just like my good colleagues on the other side of the aisle. I would appreciate it very much if you would express your "yes" vote again.

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. O'Connell.

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

I support the gentleman's request. I agree wholeheartedly with him and I hope the same courtesy will be extended from time to time for the rest of the members of this House.

On the question recurring,
Shall the bill pass finally?

Agreeable to the provision of the Constitution, the following roll call was recorded:

YEAS—193

Abraham	Gamble	Manmiller	Scheaffer
Anderson	Garzia	McCall	Schmitt
Armstrong	Gatski	McClatchy	Schweder
Barber	Geesey	McGinnis	Scirica
Bellomini	Geisler	McIntyre	Seltzer
Berlin	George, C.	McLane	Shuman
Berson	George, M.	Mebus	Shupnik
Bittinger	Giammarco	Meluskey	Sirianni
Bittle	Gillette	Milanovich	Smith, E.
Borski	Gleeson	Miller	Smith, L.
Brandt	Goebel	Milliron	Spencer
Brown	Goodman	Miscevich	Spitz
Brunner	Gray	Moehlmann	Stairs
Burd	Greenfield	Morris	Stapleton
Burns	Greenleaf	Mowery	Stewart
Butera	Grieco	Mrkonic	Stuban
Caltagirone	Halverson	Mullen, M. P.	Sweet
Caputo	Hamilton	Mullen, M. M.	Taddonio
Cassidy	Hasay	Musto	Taylor, E.
Cessar	Haskell	Novak	Taylor, F.
Cianciulli	Hayes, D. S.	Noye	Tenaglio
Cimini	Hayes, S. E.	O'Brien, B.	Thomas
Cohen	Helfrick	O'Brien, D.	Trello
Cole	Hoefel	O'Connell	Valicenti
Cowell	Honaman	O'Donnell	Vroon
Davies	Hopkins	O'Keefe	Wagner
DeMedio	Hutchinson, A.	Oliver	Wansacz
DeVerter	Hutchinson, W.	Pancoast	Wargo
DeWeese	Itkin	Parker	Wass
DiCarlo	Johnson	Petrarca	Weidner
Dietz	Jones	Piccola	Wenger
Dininni	Katz	Pievsky	White
Dombrowski	Kelly	Pitts	Wiggins
Donatucci	Kernick	Polite	Wilson
Dorr	Klingaman	Pott	Wilt
Doyle	Knepper	Pratt	Wise
Duffy	Kolter	Prendergast	Wright, D.
Dumas	Kowalshyn	Pyles	Wright, J. L.
Englehart	Laughlin	Ravenstahl	Yahner
Fee	Lehr	Reed	Yohn
Fischer, R. R.	Letterman	Renwick	Zearfoss
Fisher, D. M.	Levi	Rhodes	Zeller
Flaherty	Lincoln	Richardson	Zitterman
Foster, A.	Livengood	Rieger	Zord
Foster, W.	Logue	Ritter	Zwinkl
Freind	Lynch	Ruggiero	
Fryer	Mackowski	Ryan	Irvis,
Gallagher	Madigan	Salvatore	Speaker
Gallen	Manderino	Scanlon	

NAYS—0

NOT VOTING—7

Arthurs	Bennett	Rappaport	Williams
Beloff	Harper	Shelton	

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 information that the House has passed the same without amendment.

RECONSIDERATIONS TO BE OFFERED

The SPEAKER. For the information of the members, the Chair is about to read a series of reconsiderations to be offered as motions by the gentleman, Mr. Pievsky. Each one of those reconsiderations will be for one of the nonpreferred bills which failed passage.

It is not the intention of Mr. Pievsky to call the bills up for a final vote today but merely to place, if the House concurs, these bills back on the active calendar so that you do know what you are voting on.

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 1250

Mr. PIEVSKY moved that the vote by which HB 1250, PN 1473, was defeated on final passage on Wednesday, September 28, 1977, be reconsidered.

Mr. GREENFIELD seconded the motion.

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

The following roll call was recorded:

YEAS—167

Anderson	Geesey	McGinnis	Scirica
Armstrong	Geisler	McLane	Shuman
Barber	George, C.	Mebus	Shupnik
Bellomini	George, M.	Meluskey	Sirianni
Berlin	Giammarco	Miller	Smith, E.
Berson	Gillette	Milliron	Smith, L.
Bittinger	Gleeson	Moehlmann	Spitz
Bittle	Goodman	Morris	Stairs
Borski	Gray	Mowery	Stapleton
Brandt	Greenfield	Mrkonic	Stewart
Brunner	Greenleaf	Mullen, M. P.	Stuban
Burd	Grieco	Mullen, M. M.	Sweet
Burns	Halverson	Musto	Taddonio
Butera	Hamilton	Noye	Taylor, E.
Caputo	Haskell	O'Brien, B.	Tenaglio
Cassidy	Hayes, D. S.	O'Brien, D.	Thomas
Cessar	Hayes, S. E.	O'Connell	Trello
Cianciulli	Helfrick	O'Keefe	Valicenti
Cimini	Hoeffel	Oliver	Vroon
Cohen	Honaman	Pancoast	Wagner
Cowell	Hopkins	Parker	Wansacz
Davies	Hutchinson, A.	Petrarca	Wargo
DeMedio	Itkin	Piccola	Wass
DeVerter	Johnson	Pievsky	Weidner
DiCarlo	Jones	Pitts	Wenger
Dietz	Katz	Polite	White
Dininni	Kelly	Pott	Wiggins
Dombrowski	Klingaman	Pratt	Wilson
Dorr	Knepper	Prendergast	Wilt
Doyle	Kowalyshyn	Pyles	Wise

Duffy	Laughlin	Ravenstahl	Wright, D.
Dumas	Lehr	Reed	Wright, J. L.
Englehart	Letterman	Renwick	Yahner
Fee	Levi	Rhodes	Yohn
Fischer, R. R.	Lincoln	Richardson	Zearfoss
Flaherty	Logue	Ritter	Zeller
Foster, A.	Lynch	Ryan	Zitterman
Foster, W.	Mackowski	Salvatore	Zord
Freind	Madigan	Scanlon	Zwinkl
Gallagher	Manderino	Scheaffer	
Gamble	Manmiller	Schmitt	Irvis,
Garzia	McClatchy	Schweder	Speaker
Gatski			

NAYS—12

Brown	Fryer	Hutchinson, W.	Milanovich
Caltagirone	Goebel	Kernick	Ruggiero
Fisher, D. M.	Hasay	Livengood	Taylor, F.

NOT VOTING—21

Abraham	Donatucci	McIntyre	Rieger
Arthurs	Gallen	Miscevich	Seltzer
Beloff	Harper	Novak	Shelton
Bennett	Kolter	O'Donnell	Spencer
Cole	McCall	Rappaport	Williams
DeWeese			

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

On the question recurring,
Shall the bill pass finally?

BILL PLACED ON FINAL PASSAGE POSTPONED CALENDAR

Mr. PIEVSKY moved that HB No. 1250, printer's No. 1473, be placed on the final passage postponed calendar.

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

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

Mr. GARZIA. Mr. Speaker, may I suggest that when you announce the House bills, I would like to know what they are for, I do not have the bills in front of me. If it is possible.

The SPEAKER. You mean you want the Chair to announce the separate title of the bills?

Mr. GARZIA. Outside of the numbers, right.

The SPEAKER. All right. The Chair will endeavor to do that.

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

Mr. ITKIN. Mr. Speaker, since there are about, I would imagine, approximately 10 bills to reconsider, I would like to suggest that we amend Mr. Pievsky's motion for the purpose of considering by one resolution the reconsideration of all of these bills. Therefore it will save time.

The SPEAKER. The problem with that, Mr. Itkin, is that there may be individual members who wish to vote in the negative on certain bills. The indication the Chair has from the gentleman, Mr. Garzia, is that he is a member who may wish to

be recorded in the negative on certain bills.

Mr. ITKIN. I see, Mr. Speaker. Thank you.

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 1251

Mr. PIEVSKY moved that the vote by which HB 1251, PN 1474, was defeated on final passage on Wednesday, September 28, 1977, be reconsidered.

Mr. GREENFIELD seconded the motion.

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

The following roll call was recorded:

YEAS—165

Table listing names of members who voted 'YEAS' for House Bill No. 1251, including Anderson, Armstrong, Barber, Bellomini, Berson, Bittinger, Bittle, Borski, Brandt, Brunner, Burd, Burns, Butera, Caputo, Cassidy, Cessar, Cianciulli, Cimini, Cohen, Cowell, Davies, DeMedio, DeVerter, DeWeese, DiCarlo, Dietz, Dininni, Dombrowski, Dorr, Doyle, Duffy, Dumas, Englehart, Fischer, R. R., Fisher, D. M., Flaherty, Foster, A., Foster, W., Freind, Gallagher, Gallen, Gamble, Garzia, Geesey, Geisler, George, C., George, M., Giammarco, Gillette, Gleeson, Goodman, Gray, Greenfield, Greenleaf, Halverson, Hamilton, Haskell, Hayes, D. S., Hayes, S. E., Helfrick, Hoeffel, Honaman, Hopkins, Hutchinson, A., Itkin, Johnson, Jones, Katz, Kelly, Klingaman, Knepper, Kolter, Kowalyszyn, Laughlin, Lehr, Letterman, Levi, Lincoln, Lynch, Mackowski, Madigan, Manderino, Manmiller, McCall, McClatchy, McGinnis, McIntyre, McLane, Mebus, Milanovich, Miller, Milliron, Moehlmann, Morris, Mowery, Mullen, M. M., Musto, Noye, O'Brien, B., O'Brien, D., O'Connell, O'Keefe, Oliver, Pankoast, Parker, Petrarca, Pievsky, Pitts, Polite, Pott, Pratt, Prendergast, Pyles, Ravenstahl, Reed, Renwick, Richardson, Rieger, Ritter, Ryan, Salvatore, Scanlon, Scheaffer, Schmitt, Schweder, Scirica, Shuman, Shupnik, Sirianni, Smith, E., Smith, L., Spencer, Spitz, Stairs, Stapleton, Stewart, Sweet, Taddonio, Taylor, E., Tenaglio, Thomas, Trello, Valicenti, Vroon, Wagner, Wansacz, Wargo, Wass, Weidner, Wenger, White, Wiggins, Wilson, Wilt, Wise, Wright, D., Wright, J. L., Yahner, Yohn, Zearfoss, Zeller, Zitterman, Zord, Zwikl, Irvis, Speaker.

NAYS—15

Table listing names of members who voted 'NAYS' for House Bill No. 1251, including Brown, Caltagirone, Fryer, Gatski, Goebel, Hasay, Hutchinson, W., Kernick, Livengood, Logue, Meluskey, Piccola, Ruggiero, Stuban, Taylor, F.

NOT VOTING—20

Table listing names of members who did not vote for House Bill No. 1251, including Abraham, Arthurs, Beloff, Bennett, Berlin, Cole, Donatucci, Fee, Grieco, Harper, Misceovich, Mrkonic, Mullen, M. P., Novak, O'Donnell, Rappaport, Rhodes, Seltzer, Shelton, Williams.

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

On the question recurring, Shall the bill pass finally?

BILL PLACED ON FINAL PASSAGE POSTPONED CALENDAR

Mr. PIEVSKY moved that HB 1251, PN 1474, be placed on the final passage postponed calendar.

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

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 1265

Mr. PIEVSKY moved that the vote by which HB 1265, PN 1488, was defeated on final passage on Wednesday, September 28, 1977, be reconsidered.

Mr. MANDERINO seconded the motion.

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

The following roll call was recorded:

YEAS—167

Table listing names of members who voted 'YEAS' for House Bill No. 1265, including Anderson, Armstrong, Barber, Bellomini, Berson, Bittinger, Bittle, Borski, Brandt, Brunner, Burd, Burns, Butera, Caputo, Cassidy, Cessar, Cianciulli, Cimini, Cohen, Cowell, Davies, DeMedio, DeVerter, DeWeese, DiCarlo, Dietz, Dininni, Dombrowski, Donatucci, Dorr, Doyle, Duffy, Dumas, Englehart, Englehart, Fee, Fischer, R. R., Fisher, D. M., Flaherty, Foster, A., Foster, W., Garzia, Geesey, Geisler, George, C., George, M., Giammarco, Gillette, Gleeson, Goodman, Gray, Greenfield, Greenleaf, Halverson, Hamilton, Haskell, Hayes, D. S., Hayes, S. E., Helfrick, Hoeffel, Honaman, Hopkins, Hutchinson, A., Itkin, Johnson, Jones, Katz, Kelly, Klingaman, Knepper, Kolter, Kowalyszyn, Laughlin, Lehr, Letterman, Levi, Lincoln, Logue, Lynch, Mackowski, Madigan, McCall, McClatchy, McGinnis, McIntyre, McLane, Mebus, Milanovich, Miller, Milliron, Moehlmann, Morris, Mowery, Mrkonic, Mullen, M. M., Musto, Noye, O'Brien, B., O'Brien, D., O'Connell, O'Keefe, Oliver, Pankoast, Parker, Petrarca, Pievsky, Pitts, Polite, Pott, Prendergast, Pyles, Ravenstahl, Reed, Renwick, Richardson, Rieger, Ritter, Ryan, Salvatore, Scanlon, Schweder, Scirica, Shuman, Shupnik, Sirianni, Smith, E., Smith, L., Spencer, Spitz, Stairs, Stapleton, Stewart, Sweet, Taddonio, Taylor, E., Tenaglio, Thomas, Trello, Valicenti, Vroon, Wagner, Wansacz, Wass, Weidner, Wenger, White, Wiggins, Wilson, Wilt, Wise, Wright, D., Wright, J. L., Yahner, Yohn, Zearfoss, Zitterman, Zord, Zwikl.

Freind	Manderino	Scheaffer	Irvis,
Gallen	Manmiller	Schmitt	Speaker
Gamble			

NAYS—15

Brown	Goebel	Livengood	Stuban
Caltagirone	Hasay	Meluskey	Taylor, F.
Fryer	Hutchinson, W.	Piccola	Zeller
Gatski	Kernick	Ruggiero	

NOT VOTING—18

Abraham	Cole	Mullen, M. P.	Rhodes
Arthurs	Gallagher	Novak	Seltzer
Beloff	Grieco	O'Donnell	Shelton
Bennett	Harper	Rappaport	Williams
Berlin	Miscevich		

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

On the question recurring,
Shall the bill pass finally?

BILL PLACED ON FINAL PASSAGE POSTPONED CALENDAR

Mr. PIEVSKY moved that HB 1265, PN 1488, be placed on the final passage postponed calendar.

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

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 1266

Mr. PIEVSKY moved that the vote by which HB 1266, PN 1489, was defeated on final passage on Wednesday, September 28, 1977, be reconsidered.

Mr. MANDERINO seconded the motion.

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

The following roll call was recorded:

YEAS—165

Anderson	Gallen	Manmiller	Schweder
Armstrong	Gamble	McCall	Scirica
Barber	Garzia	McClatchy	Seltzer
Bellomini	Geesey	McGinnis	Shuman
Berson	Geisler	McIntyre	Shupnik
Bittinger	George, C.	McLane	Sirianni
Bittle	George, M.	Mebus	Smith, E.
Borski	Giammarco	Milanovich	Smith, L.
Brandt	Gillette	Miller	Spencer
Brunner	Gleeson	Milliron	Stairs
Burd	Goodman	Moehlmann	Stapleton
Burns	Gray	Morris	Stewart
Butera	Greenfield	Mowery	Sweet
Caputo	Greenleaf	Mrkonic	Taddonio
Cassidy	Halverson	Mullen, M. P.	Taylor, E.
Cessar	Hamilton	Mullen, M. M.	Tenaglio
Cianciulli	Haskell	Musto	Thomas
Cimini	Hayes, D. S.	Noye	Trello
Cohen	Hayes, S. E.	O'Brien, B.	Valicenti
Cowell	Helfrick	O'Brien, D.	Vroon
Davies	Hoeffel	O'Connell	Wagner

DeMedio	Honaman	O'Keefe	Wansacz
DeVerter	Hopkins	Oliver	Wargo
DeWeese	Hutchinson, A.	Pancoast	Wass
DiCarlo	Itkin	Parker	Weidner
Dietz	Johnson	Petrarca	Wenger
Dininni	Jones	Pievsky	White
Dombrowski	Katz	Pitts	Wilson
Donatucci	Kelly	Polite	Wilt
Dorr	Klingaman	Pott	Wise
Doyle	Knepper	Prendergast	Wright, D.
Duffy	Kolter	Pyles	Wright, J. L.
Dumas	Kowalshyn	Ravenstahl	Yahner
Englehart	Laughlin	Reed	Yohn
Fee	Lehr	Renwick	Zearfoss
Fischer, R. R.	Letterman	Richardson	Zitterman
Fisher, D. M.	Lincoln	Rieger	Zord
Flaherty	Logue	Ritter	Zwilk
Foster, A.	Lynch	Ryan	
Foster, W.	Mackowski	Salvatore	Irvis,
Freind	Madigan	Scanlon	Speaker
Gallagher	Manderino	Scheaffer	

NAYS—19

Brown	Hasay	Meluskey	Spitz
Caltagirone	Hutchinson, W.	Piccola	Stuban
Fryer	Kernick	Pratt	Taylor, F.
Gatski	Levi	Ruggiero	Zeller
Goebel	Livengood	Schmitt	

NOT VOTING—16

Abraham	Berlin	Miscevich	Rhodes
Arthurs	Cole	Novak	Shelton
Beloff	Grieco	O'Donnell	Wiggins
Bennett	Harper	Rappaport	Williams

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

On the question recurring,
Shall the bill pass finally?

BILL PLACED ON FINAL PASSAGE POSTPONED CALENDAR

Mr. PIEVSKY moved that HB 1266, PN 1489, be placed on the final passage postponed calendar.

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

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 1267

Mr. PIEVSKY moved that the vote by which HB 1267, PN 1490, was defeated on final passage on Wednesday, September 28, 1977, be reconsidered.

Mr. MANDERINO seconded the motion.

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

The following roll call was recorded:

YEAS—162

Anderson	Garzia	Manmiller	Schweder
Armstrong	Geesey	McCall	Scirica
Barber	Geisler	McClatchy	Seltzer

Bellomini	George, C.	McGinnis	Shuman
Berson	George, M.	McIntyre	Shupnik
Bittinger	Giammarco	McLane	Smith, E.
Bittle	Gillette	Mebus	Smith, L.
Borski	Gleeson	Milanovich	Spencer
Brandt	Goodman	Miller	Spitz
Brunner	Gray	Milliron	Stairs
Burd	Greenfield	Moehlmann	Stapleton
Burns	Greenleaf	Morris	Stewart
Butera	Grieco	Mowery	Sweet
Caputo	Halverson	Mrkonic	Taddonio
Cassidy	Hamilton	Mullen, M. P.	Taylor, E.
Cessar	Haskell	Musto	Tenaglio
Cimini	Hayes, D. S.	Noye	Thomas
Cohen	Hayes, S. E.	O'Brien, B.	Trello
Cowell	Helfrick	O'Brien, D.	Valicenti
Davies	Hoeffel	O'Connell	Vroon
DeMedio	Honaman	O'Keefe	Wagner
DeVerter	Hopkins	Oliver	Wansacz
DeWeese	Hutchinson, A.	Pancoast	Wargo
DiCarlo	Itkin	Parker	Wass
Dietz	Johnson	Petrarca	Weidner
Dininni	Jones	Pievsky	Wenger
Dombrowski	Katz	Pitts	White
Dorr	Kelly	Polite	Wilson
Doyle	Klingaman	Pott	Wilt
Duffy	Knepper	Prendergast	Wise
Dumas	Kolter	Pyles	Wright, D.
Englehart	Kowalyshyn	Ravenstahl	Wright, J. L.
Fischer, R. R.	Laughlin	Reed	Yahner
Fisher, D. M.	Lehr	Renwick	Yohn
Flaherty	Letterman	Richardson	Zearfoss
Foster, A.	Lincoln	Rieger	Zitterman
Foster, W.	Logue	Ritter	Zord
Freind	Lynch	Ryan	Zwikl
Gallagher	Mackowski	Salvatore	
Gallen	Madigan	Scanlon	Irvis,
Gamble	Manderino	Scheaffer	Speaker

NAYS—17

Brown	Hasay	Livengood	Schmitt
Caltagirone	Hutchinson, W.	Meluskey	Stuban
Fryer	Kernick	Piccola	Taylor, F.
Gatski	Levi	Ruggiero	Zeller
Goebel			

NOT VOTING—21

Abraham	Cole	Mullen, M. M.	Rhodes
Arthurs	Donatucci	Novak	Shelton
Beloff	Fee	O'Donnell	Sirianni
Bennett	Harper	Pratt	Wiggins
Berlin	Miscevich	Rappaport	Williams
Cianciulli			

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

On the question recurring,
Shall the bill pass finally?

BILL PLACED ON FINAL PASSAGE POSTPONED CALENDAR

Mr. PIEVSKY moved that HB 1267, PN 1490, be placed on the final passage postponed calendar.

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

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 1268

Mr. PIEVSKY moved that the vote by which HB 1268, PN 1491, was defeated on final passage on Wednesday, September 28, 1977, be reconsidered.

Mr. GREENFIELD seconded the motion.

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

The following roll call was recorded:

YEAS—166

Anderson	Gamble	Manderino	Scheaffer
Armstrong	Garzia	Manmiller	Schweder
Barber	Geesey	McCall	Scirica
Bellomini	Geisler	McClatchy	Seltzer
Berson	George, C.	McGinnis	Shuman
Bittinger	George, M.	McIntyre	Shupnik
Bittle	Giammarco	McLane	Smith, E.
Borski	Gillette	Mebus	Smith, L.
Brandt	Gleeson	Milanovich	Spencer
Brunner	Goodman	Miller	Spitz
Burd	Gray	Milliron	Stairs
Burns	Greenfield	Moehlmann	Stapleton
Butera	Greenleaf	Morris	Stewart
Caputo	Grieco	Mowery	Sweet
Cassidy	Halverson	Mullen, M. P.	Taddonio
Cessar	Hamilton	Mullen, M. M.	Taylor, E.
Cianciulli	Hasay	Musto	Tenaglio
Cimini	Haskell	Noye	Thomas
Cohen	Hayes, D. S.	O'Brien, B.	Trello
Cowell	Hayes, S. E.	O'Brien, D.	Valicenti
Davies	Helfrick	O'Connell	Vroon
DeMedio	Hoeffel	O'Keefe	Wagner
DeVerter	Honaman	Oliver	Wansacz
DeWeese	Hopkins	Pancoast	Wargo
DiCarlo	Hutchinson, A.	Parker	Wass
Dietz	Itkin	Petrarca	Weidner
Dininni	Johnson	Pievsky	Wenger
Dombrowski	Jones	Pitts	White
Dorr	Katz	Polite	Wilson
Doyle	Kelly	Pott	Wilt
Duffy	Klingaman	Prendergast	Wise
Dumas	Knepper	Pyles	Wright, D.
Englehart	Kolter	Ravenstahl	Wright, J. L.
Fee	Kowalyshyn	Reed	Yahner
Fischer, R. R.	Laughlin	Renwick	Yohn
Fisher, D. M.	Lehr	Rhodes	Zearfoss
Flaherty	Letterman	Richardson	Zitterman
Foster, A.	Lincoln	Rieger	Zord
Foster, W.	Logue	Ritter	Zwikl
Freind	Lynch	Ryan	
Gallagher	Mackowski	Salvatore	Irvis,
Gallen	Madigan	Scanlon	Speaker

NAYS—18

Brown	Hutchinson, W.	Piccola	Sirianni
Caltagirone	Kernick	Pratt	Stuban
Fryer	Levi	Riggiero	Taylor, F.
Gatski	Livengood	Schmitt	Zeller
Goebel	Meluskey		

NOT VOTING—16

Abraham	Berlin	Miscevich	Rappaport
Arthurs	Cole	Mrkonic	Shelton
Beloff	Donatucci	Novak	Wiggins
Bennett	Harper	O'Donnell	Williams

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

On the question recurring,
Shall the bill pass finally?

**BILL PLACED ON FINAL PASSAGE POSTPONED
CALENDAR**

Mr. PIEVSKY moved that HB 1268, PN 1491, be placed on the final passage postponed calendar.

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

**RECONSIDERATION OF VOTE
ON HOUSE BILL NO. 1269**

Mr. PIEVSKY moved that the vote by which HB 1269, PN 1492, was defeated on final passage on Wednesday, September 28, 1977, be reconsidered.

Mr. MANDERINO seconded the motion.

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

The following roll call was recorded:

YEAS—164

Anderson	Gamble	Manmiller	Scheaffer
Armstrong	Garzia	McCall	Schweder
Barber	Geesey	McClatchy	Scirica
Bellomini	Geisler	McGinnis	Seltzer
Berson	George, C.	McIntyre	Shuman
Bittinger	George, M.	McLane	Shupnik
Bittle	Giammarco	Mebus	Smith, E.
Borski	Gillette	Milanovich	Smith, L.
Brandt	Gleeson	Miller	Spencer
Brunner	Goodman	Milliron	Spitz
Burd	Gray	Moehlmann	Stairs
Burns	Greenfield	Morris	Stapleton
Butera	Greenleaf	Mowery	Stewart
Caputo	Grieco	Mullen, M. P.	Sweet
Cassidy	Halverson	Mullen, M. M.	Taddonio
Cessar	Hamilton	Musto	Taylor, E.
Cianciulli	Haskell	Noye	Tenaglio
Cimini	Hayes, D. S.	O'Brien, B.	Thomas
Cohen	Hayes, S. E.	O'Brien, D.	Trello
Cowell	Helfrick	O'Connell	Valicenti
Davies	Hoeffel	O'Keefe	Vroon
DeMedio	Honaman	Oliver	Wansacz
DeVerter	Hopkins	Pancoast	Wargo
DeWeese	Hutchinson, A.	Parker	Wass
DiCarlo	Itkin	Petrarca	Weidner
Dietz	Johnson	Pievsky	Wenger
Dininni	Jones	Pitts	White
Dombrowski	Katz	Polite	Wilson
Dorr	Kelly	Pott	Wilt
Doyle	Klingaman	Prendergast	Wise
Duffy	Knepper	Pyles	Wright, D.
Dumas	Kolter	Ravenstahl	Wright, J. L.
Engelhart	Kowalyszyn	Reed	Yahner
Fee	Laughlin	Renwick	Yohn
Fischer, R. R.	Lehr	Rhodes	Zearfoss
Fisher, D. M.	Letterman	Richardson	Zitterman
Flaherty	Lincoln	Rieger	Zord
Foster, A.	Logue	Ritter	Zwinkl
Foster, W.	Lynch	Ryan	
Freind	Mackowski	Salvatore	Irvis,
Gallagher	Madigan	Scanlon	Speaker
Gallen	Manderino		

NAYS—20

Brown	Hasay	Meluskey	Sirianni
Caltagirone	Hutchinson, W.	Piccola	Stuban
Fryer	Kernick	Pratt	Taylor, F.
Gatski	Levi	Ruggiero	Wagner
Goebel	Livengood	Schmitt	Zeller

NOT VOTING—16

Abraham	Berlin	Miscevich	Rappaport
Arthurs	Cole	Mrkonic	Shelton
Beloff	Donatucci	Novak	Wiggins
Bennett	Harper	O'Donnell	Williams

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

On the question recurring,
Shall the bill pass finally?

**BILL PLACED ON FINAL PASSAGE POSTPONED
CALENDAR**

Mr. PIEVSKY moved that HB 1269, PN 1492, be placed on the final passage postponed calendar.

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

**RECONSIDERATION OF VOTE
ON HOUSE BILL NO. 1271**

Mr. PIEVSKY moved that the vote by which HB 1271, PN 1494, was defeated on final passage on Wednesday, September 28, 1977, be reconsidered.

Mr. BERSON seconded the motion.

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

The following roll call was recorded:

YEAS—163

Anderson	Garzia	Manderino	Scheaffer
Armstrong	Geesey	Manmiller	Schmitt
Barber	Geisler	McCall	Schweder
Bellomini	George, C.	McClatchy	Scirica
Berson	George, M.	McGinnis	Seltzer
Bittinger	Giammarco	McIntyre	Shuman
Bittle	Gillette	McLane	Shupnik
Borski	Gleeson	Mebus	Smith, E.
Brandt	Goodman	Meluskey	Smith, L.
Brunner	Gray	Milanovich	Spencer
Burns	Greenfield	Miller	Stairs
Butera	Greenleaf	Milliron	Stapleton
Caputo	Grieco	Moehlmann	Stewart
Cassidy	Halverson	Morris	Stuban
Cessar	Hamilton	Mowery	Sweet
Cianciulli	Haskell	Mullen, M. P.	Taddonio
Cimini	Hayes, D. S.	Mullen, M. M.	Taylor, E.
Cohen	Hayes, S. E.	Musto	Tenaglio
Cowell	Helfrick	Noye	Thomas
Davies	Hoeffel	O'Brien, B.	Trello
DeMedio	Honaman	O'Brien, D.	Valicenti
DeVerter	Hopkins	O'Connell	Vroon
DeWeese	Hutchinson, A.	O'Keefe	Wansacz
DiCarlo	Itkin	Oliver	Wargo
Dietz	Johnson	Pancoast	Wass

Dininni	Jones	Parker	Weidner
Dombrowski	Katz	Petrarca	Wenger
Dorr	Kelly	Piccola	White
Doyle	Klingaman	Pievsky	Wilson
Duffy	Knepper	Pitts	Wilt
Dumas	Kolter	Polite	Wise
Englehart	Kowalyszyn	Pott	Wright, D.
Fee	Laughlin	Prendergast	Wright, J. L.
Fischer, R. R.	Lehr	Pyles	Yahner
Fisher, D. M.	Letterman	Ravenstahl	Zearfoss
Flaherty	Levi	Reed	Zitterman
Foster, A.	Lincoln	Renwick	Zord
Foster, W.	Logue	Rieger	Zwilk
Freind	Lynch	Ritter	
Gallagher	Mackowski	Ryan	Irvis,
Gallen	Madigan	Scanlon	Speaker
Gamble			

NAYS—17

Brown	Hutchinson, W.	Ruggiero	Taylor, F.
Fryer	Kernick	Salvatore	Wagner
Gatski	Livengood	Sirianni	Yohn
Goebel	Pratt	Spitz	Zeller
Hasay			

NOT VOTING—20

Abraham	Burd	Miscevich	Rhodes
Arthurs	Caltagirone	Mrkonic	Richardson
Beloff	Cole	Novak	Shelton
Bennett	Donatucci	O'Donnell	Wiggins
Berlin	Harper	Rappaport	Williams

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

On the question recurring,
Shall the bill pass finally?

BILL PLACED ON FINAL PASSAGE POSTPONED CALENDAR

Mr. PIEVSKY moved that HB 1271, PN 1494, be placed on the final passage postponed calendar.

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

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 1277

Mr. PIEVSKY moved that the vote by which HB 1277, PN 1500, was defeated on final passage on Wednesday, September 28, 1977, be reconsidered.

Mr. BERSON seconded the motion.

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

The following roll call was recorded:

YEAS—165

Anderson	Garzia	McCall	Scirica
Armstrong	Geesey	McClatchy	Seltzer
Barber	Geisler	McGinnis	Shuman
Bellomini	George, C.	McIntyre	Shupnik
Berson	George, M.	McLane	Smith, E.
Bittinger	Giammarco	Mebus	Smith, L.

Bittle	Gillette	Milanovich	Spencer
Borski	Gleeson	Miller	Spitz
Brandt	Goodman	Milliron	Stairs
Brunner	Gray	Moehlmann	Stapleton
Burd	Greenfield	Morris	Stewart
Burns	Greenleaf	Mowery	Sweet
Butera	Grieco	Mullen, M. M.	Taddonio
Caputo	Halverson	Musto	Taylor, E.
Cassidy	Hamilton	Noye	Tenaglio
Cessar	Haskell	O'Brien, B.	Thomas
Cianciulli	Hayes, D. S.	O'Brien, D.	Trello
Cimini	Hayes, S. E.	O'Connell	Valicenti
Cohen	Helfrick	O'Keefe	Vroon
Cowell	Hoeffel	Oliver	Wagner
Davies	Honaman	Pancoast	Wansacz
DeMedio	Hopkins	Parker	Wargo
DeVerter	Hutchinson, A.	Petrarca	Wass
DeWeese	Itkin	Pievsky	Weidner
DiCarlo	Johnson	Pitts	Wenger
Dietz	Jones	Polite	White
Dininni	Katz	Pott	Wiggins
Dombrowski	Kelly	Prendergast	Wilson
Dorr	Klingaman	Pyles	Wilt
Doyle	Knepper	Ravenstahl	Wise
Duffy	Kolter	Reed	Wright, D.
Dumas	Kowalyszyn	Renwick	Wright, J. L.
Englehart	Laughlin	Rhodes	Yahner
Fee	Lehr	Richardson	Yohn
Fischer, R. R.	Letterman	Rieger	Zearfoss
Fisher, D. M.	Lincoln	Ritter	Zitterman
Flaherty	Logue	Ryan	Zord
Foster, A.	Lynch	Salvatore	Zwilk
Foster, W.	Mackowski	Scanlon	
Gallagher	Madigan	Scheaffer	Irvis,
Gallen	Manderino	Schmitt	Speaker
Gamble	Manmiller	Schweder	

NAYS—18

Brown	Hasay	Meluskey	Sirianni
Caltagirone	Hutchinson, W.	Piccola	Stuban
Fryer	Kernick	Pratt	Taylor, F.
Gatski	Levi	Ruggiero	Zeller
Goebel	Livengood		

NOT VOTING—17

Abraham	Cole	Miscevich	O'Donnell
Arthurs	Donatucci	Mrkonic	Rappaport
Beloff	Freind	Mullen, M. P.	Shelton
Bennett	Harper	Novak	Williams
Berlin			

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

On the question recurring,
Shall the bill pass finally?

BILL PLACED ON FINAL PASSAGE POSTPONED CALENDAR

Mr. PIEVSKY moved that HB 1277, PN 1500, be placed on the final passage postponed calendar.

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

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 1278

Mr. MANDERINO moved that the vote by which HB 1278,

PN 1501, was defeated on final passage on Wednesday, September 28, 1977, be reconsidered.

Mr. PIEVSKY seconded the motion.

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

The following roll call was recorded:

YEAS—166

Anderson	Gamble	Manmiller	Schweder
Armstrong	Garzia	McCall	Scirica
Barber	Geesey	McClatchy	Seltzer
Bellomini	Geisler	McGinnis	Shuman
Berson	George, C.	McIntyre	Shupnik
Bittinger	George, M.	McLane	Sirianni
Bittle	Giammarco	Mebus	Smith, E.
Borski	Gillette	Milanovich	Smith, L.
Brandt	Gleeson	Miller	Spencer
Brunner	Goodman	Milliron	Spitz
Burd	Gray	Moehlmann	Stairs
Burns	Greenfield	Morris	Stapleton
Butera	Greenleaf	Mowery	Stewart
Caputo	Grieco	Mullen, M. P.	Sweet
Cassidy	Halverson	Mullen, M. M.	Taddonio
Cessar	Hamilton	Musto	Taylor, E.
Cianciulli	Haskell	Noye	Tenaglio
Cimini	Hayes, D. S.	O'Brien, B.	Thomas
Cohen	Hayes, S. E.	O'Brien, D.	Trello
Cowell	Helfrick	O'Connell	Valicenti
Davies	Hoeffel	O'Keefe	Vroon
DeMedio	Honaman	Oliver	Wansacz
DeVerter	Hopkins	Pancoast	Wargo
DeWeese	Hutchinson, A.	Parker	Wass
DiCarlo	Itkin	Petrarca	Weidner
Dietz	Johnson	Pievsky	Wenger
Dininni	Jones	Pitts	White
Dombrowski	Katz	Polite	Wiggins
Dorr	Kelly	Pott	Wilson
Doyle	Klingaman	Prendergast	Wilt
Duffy	Knepper	Pyles	Wise
Dumas	Kolter	Ravenstahl	Wright, D.
Englehart	Kowalyshyn	Reed	Wright, J. L.
Fee	Laughlin	Renwick	Yahner
Fischer, R. R.	Lehr	Rhodes	Yohn
Fisher, D. M.	Letterman	Richardson	Zearfoss
Flaherty	Lincoln	Rieger	Zitterman
Foster, A.	Logue	Ritter	Zord
Foster, W.	Lynch	Ryan	Zwikel
Freind	Mackowski	Salvatore	
Gallagher	Madigan	Scanlon	Irvis,
Gallen	Manderino	Scheaffer	Speaker

NAYS—19

Brown	Hasay	Meluskey	Stuban
Caltagirone	Hutchinson, W.	Piccola	Taylor, F.
Fryer	Kernick	Pratt	Wagner
Gatski	Levi	Ruggiero	Zeller
Goebel	Livengood	Schmitt	

NOT VOTING—15

Abraham	Berlin	Miscevich	Rappaport
Arthurs	Cole	Mrkonic	Shelton
Beloff	Donatucci	Novak	Williams
Bennett	Harper	O'Donnell	

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

On the question recurring,
Shall the bill pass finally?

BILL PLACED ON FINAL PASSAGE POSTPONED CALENDAR

Mr. MANDERINO moved that HB 1278, PN 1501, be placed on the final passage postponed calendar.

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

RULES SUSPENDED TO ADD AND DELETE SPONSORS

The SPEAKER. The Chair recognizes the majority leader.
Mr. MANDERINO. Mr. Speaker, I move that the House of Representatives now suspend its rules to permit additions and deletions of sponsors.

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

The following roll call was recorded:

YEAS—169

Anderson	Garzia	Manderino	Scheaffer
Armstrong	Gatski	Manmiller	Schmitt
Bellomini	Geesey	McClatchy	Schweder
Berson	Geisler	McGinnis	Scirica
Bittinger	George, C.	McIntyre	Seltzer
Bittle	George, M.	McLane	Shuman
Borski	Giammarco	Mebus	Shupnik
Brandt	Gillette	Meluskey	Sirianni
Brown	Gleeson	Milanovich	Smith, E.
Brunner	Goodman	Miller	Smith, L.
Burns	Gray	Milliron	Spencer
Butera	Greenfield	Moehlmann	Stairs
Caltagirone	Greenleaf	Morris	Stapleton
Caputo	Grieco	Mowery	Stewart
Cassidy	Halverson	Mullen, M. P.	Sweet
Cessar	Hamilton	Mullen, M. M.	Taddonio
Cianciulli	Hasay	Musto	Taylor, E.
Cimini	Haskell	Noye	Tenaglio
Cohen	Hayes, D. S.	O'Brien, B.	Thomas
Cowell	Hayes, S. E.	O'Brien, D.	Trello
Davies	Helfrick	O'Connell	Trelo
DeMedio	Hoeffel	O'Keefe	Valicenti
DeVerter	Honaman	Oliver	Vroon
DeWeese	Hopkins	Pancoast	Wagner
DiCarlo	Hutchinson, A.	Parker	Wansacz
Dietz	Itkin	Petrarca	Wargo
Dininni	Johnson	Pitts	Wass
Dombrowski	Jones	Polite	Weidner
Dorr	Katz	Pott	Wenger
Doyle	Kelly	Pratt	White
Duffy	Kernick	Prendergast	Wilt
Englehart	Klingaman	Pyles	Wright, D.
Fee	Knepper	Ravenstahl	Wright, J. L.
Fischer, R. R.	Kowalyshyn	Reed	Yahner
Fisher, D. M.	Laughlin	Renwick	Yohn
Flaherty	Lehr	Rhodes	Zeller
Foster, A.	Letterman	Richardson	Zitterman
Foster, W.	Levi	Rieger	Zord
Freind	Lincoln	Ritter	Zwikel
Fryer	Logue	Ruggiero	
Gallagher	Lynch	Ryan	Irvis,
Gallen	Mackowski	Salvatore	Speaker
Gamble	Madigan	Scanlon	

NAYS—9

Burd	Livengood	Spitz	Wilson
Goebel	Piccola	Stuban	Zearfoss
Hutchinson, W.			

NOT VOTING—22

Abraham	Cole	Miscevich	Rappaport
Arthurs	Donatucci	Mrkonic	Shelton
Barber	Dumas	Novak	Wiggins
Beloff	Harper	O'Donnell	Williams
Bennett	Kolter	Pievsky	Wise
Berlin	McCall		

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

MOTION TO ADD AND DELETE SPONSORS

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that the House of Representatives permit additions and deletions of sponsors on the following bills:

Additions:

HB 1125 — Clifford Gray #132; HB 1630 — Peter Vroon #123; HB 1636 — George Miscevich #136, Donald Abraham #137, Bernard Novak #138; HB 1637 — George Miscevich #136, Donald Abraham #137, Bernard Novak #138; HB 1638 — George Miscevich #136, Donald Abraham #137, Bernard Novak #138; HB 1639 — George Miscevich #136, Donald Abraham #137, Bernard Novak #138; HB 1640 — George Miscevich #136, Donald Abraham #137, Bernard Novak #138; HB 1641 — George Miscevich #136, Donald Abraham #137, Bernard Novak #138; HB 1642 — George Miscevich #136, Donald Abraham #137, Bernard Novak #138; HB 1643 — George Miscevich #136, Donald Abraham #137, Bernard Novak #138; HB 1644 — George Miscevich #136, Donald Abraham #137, Bernard Novak #138; HB 1645 — George Miscevich #136, Donald Abraham #137, Bernard Novak #138; HB 1661 — Anthony Cimini #163; and HR 147 — Kenneth Halverson #175, Joseph Manmiller #105, Clifford Gray #132

Deletions:

HB 749 — Mr. Lincoln; HB 799 — Messrs. DeMedio, Mebus; HB 800 — Messrs. DeMedio, Mebus; HB 801 — Messrs. DeMedio, Mebus; and HB 972 — Mr. Shuman

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—177

Anderson	Geesey	McClatchy	Schmitt
Armstrong	Geisler	McGinnis	Schweder
Bellomini	George, C.	McIntyre	Scirica
Berson	George, M.	McLane	Seltzer
Bittinger	Giammarco	Mebus	Shuman
Bittle	Gillette	Meluskey	Shupnik
Borski	Gleeson	Milanovich	Sirianni
Brandt	Goebel	Miller	Smith, E.
Brown	Goodman	Milliron	Smith, L.
Brunner	Gray	Moehlmann	Spencer
Burns	Greenfield	Morris	Spitz
Butera	Greenleaf	Mowery	Stairs
Caltagirone	Grieco	Mrkonic	Stapleton
Caputo	Halverson	Mullen, M. P.	Stewart
Cassidy	Hamilton	Mullen, M. M.	Stuban
Cessar	Hasay	Musto	Sweet
Cianciulli	Haskell	Noye	Taddonio
Cimini	Hayes, D. S.	O'Brien, B.	Taylor, E.

Cohen	Hayes, S. E.	O'Brien, D.	Taylor, F.
Cowell	Helfrick	O'Connell	Tenaglio
Davies	Hoeffel	O'Keefe	Thomas
DeMedio	Honaman	Oliver	Trello
DeVerter	Hopkins	Pancoast	Valicenti
DeWeese	Hutchinson, A.	Parker	Vroon
DiCarlo	Hutchinson, W.	Petrarca	Wagner
Dietz	Itkin	Piccola	Wansacz
Dininni	Johnson	Pievsky	Wass
Dombrowski	Jones	Pitts	Weidner
Dorr	Katz	Polite	Wenger
Doyle	Kelly	Pott	White
Duffy	Kernick	Pratt	Wilt
Englehart	Klingaman	Prendergast	Wise
Fee	Knepper	Pyles	Wright, D.
Fischer, R. R.	Kowalshyn	Ravenstahl	Wright, J. L.
Fisher, D. M.	Laughlin	Reed	Yahner
Flaherty	Lehr	Renwick	Yohn
Foster, A.	Letterman	Rhodes	Zearfoss
Foster, W.	Levi	Richardson	Zeller
Freind	Lincoln	Rieger	Zitterman
Fryer	Logue	Ritter	Zord
Gallagher	Lynch	Ruggiero	Zwilk
Gallen	Mackowski	Ryan	
Gamble	Madigan	Salvatore	Irvis,
Garzia	Manderino	Scanlon	Speaker
Gatski	Manmiller	Scheaffer	

NAYS—3

Burd	Livengood	Wilson
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NOT VOTING—20

Abraham	Berlin	Kolter	Rappaport
Arthurs	Cole	McCall	Shelton
Barber	Donatucci	Miscevich	Wargo
Beloff	Dumas	Novak	Wiggins
Bennett	Harper	O'Donnell	Williams

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

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, the Rules Committee of the House has instructed me to make a motion to remove the following bills from the table to the active calendar, and I so move:

House Bill 953; House Bill 1106; House Bill 1213; House Bill 1306; House Bill 1566; House Bill 1572; House Bill 1624; Senate Bill 199; Senate Bill 432; and Senate Bill 653.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, the Rules Committee has instructed me to make a motion to remove the following bills from the table and recommit the same to the Appropriations Committee, and I so move:

House Bill 803; House Bill 1655; and Senate Bill 305.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, the Rules Committee has instructed me to make a motion to remove the following bills from the tabled calendar and drop them from the calendar;

House Bill 593; and House Bill 1075.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, the Rules Committee did not make this instruction, but I move that HB 1062 be taken from the table and referred to the Committee on Finance.

On the question,

Will the House agree to the motion?

Motion was agreed to.

HB 172 REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. HB 172 was placed on the table by a motion of this House, and it is my understanding that one of the members has an amendment to the same. We are going to be dealing with that. I would ask that HB 172 be removed from the table:

On the question,

Will the House agree to the motion?

Motion was agreed to.

LEGISLATION TO BE INTRODUCED

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Reed.

Mr. REED. In this time, Mr. Speaker, when the financial plight of our Commonwealth in both the general operating budget and in the nonpreferred appropriations are all well known to all of us, we discover that a practice, that was begun in 1853 and was never based on any law that was passed by this General Assembly or any past General Assembly, is that of senatorial scholarships. It is a special kind of privilege and program that is available to the 50 members of the Senate of Pennsylvania.

A little bit of research has indicated that approximately \$6 million a year is spent by the various members of the Senate. That comes out to approximately \$50,000 per year per member of the Senate in the distribution of scholarships to certain universities in this Commonwealth.

I think that in this day when we have the Pennsylvania Higher Education Assistance Agency as well as a variety of other tax-supported programs to aid deserving students or prospective students on the basis of their financial need and academic standing, that it is high time for the abolition of that

practice and program that is known as the Senatorial Scholarship System.

Realizing, of course, that this does not win me some friends in some places in this building, I offer this joint resolution on that matter.

Additional cosponsors are certainly solicited, if you dare.

HEALTH AND WELFARE COMMITTEE MEETING

The SPEAKER. The Chair recognizes the lady from Philadelphia, Mrs. Kelly.

Mrs. KELLY. Mr. Speaker, I would like to remind the members of the Health and Welfare Committee that the meeting tomorrow morning at 9:30 will still be on. I hope everyone will attend. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Hayes.

Mr. S. E. HAYES. Mr. Speaker, there is a lot I would like to say, but at this time I would reserve my comments and adjourn.

The SPEAKER. The Chair is very grateful.

BILLS AND RESOLUTION PASSED OVER

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

WELCOMES

The SPEAKER. The Chair is pleased to welcome to the hall of the House eight student government officers and senators from Clarion State College — Maureen Malthaner, president; Kelly Brown, vice president; Bob O'Toole, Dave Bell, Carol Dushac, Craig Snodgrass, Maureen McCartney and Mark Demick.

They are here as the guests of the gentleman from Clarion, Mr. David Wright.

The Chair also is pleased to welcome to the hall of the House 11 students of the Fleetwood Area High School and their teacher, Dale Cullin. The students and their teacher are here as the guests of Representative Lester K. Fryer, and these students are state and local government students.

The Chair would ask the students to rise, and the House is delighted to welcome them.

The Chair at this time is delighted to welcome to the hall of the House, Mr. Daniel Kulp and Mr. Vernon Iverson. Mr. Kulp is from Lower Paxton Township, and Mr. Iverson is a guest from Los Angeles, California. Both are here as the guests of Dauphin County and Lebanon County Representatives, Joe Manmiller and Jeff Piccola.

The Chair has the pleasure of presenting to the members of the House of Representatives, Mrs. Jane Dietz, wife of Representative Dietz. Mrs. Dietz is on her way home from the Pennsylvania Republican Women's Annual Convention where she was elected a state delegate.

Mrs. Dietz is accompanied by her friend, Mrs. Laura Bullington.

We are delighted to have you with us and we are pleased to see that the Republican Party has such good taste.

The Chair welcomes Mrs. Lois Cassidy, who is the mother of, and who is the guest of, Representative Michael Cassidy of Blair County.

ADJOURNMENT

Mr. STAIRS moved that this House do now adjourn until Tuesday, October 18, 1977, at 1 p.m., e.d.t.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—135

Anderson	Geesey	Mackowski	Scanlon
Armstrong	Geisler	Madigan	Scirica
Bellomini	George, C.	Manderino	Seltzer
Berlin	George, M.	McClatchy	Shuman
Bittinger	Giammarco	McGinnis	Smith, E.
Bittle	Gillette	McIntyre	Spencer
Brandt	Goebel	McLane	Spitz
Brown	Gray	Mebus	Stairs
Brunner	Greenfield	Miller	Stapleton
Butera	Greenleaf	Moehlmann	Stewart
Caltagirone	Grieco	Morris	Stuban
Caputo	Halverson	Mrkonic	Sweet
Cessar	Hamilton	Mullen, M. P.	Taddonio
Cianciulli	Hasay	Musto	Taylor, E.
Cimini	Haskell	Noye	Tenaglio
Cohen	Hayes, D. S.	O'Brien, B.	Thomas
Cole	Hayes, S. E.	O'Brien, D.	Vroon
Cowell	Hoeffel	O'Connell	Wagner
Davies	Honaman	O'Donnell	Wass
DeMedio	Hopkins	O'Keefe	Weidner
DiCarlo	Hutchinson, A.	Oliver	White
Dietz	Hutchinson, W.	Parker	Wilt

Dombrowski	Itkin	Pitts	Wise
Doyle	Johnson	Polite	Wright, D.
Duffy	Jones	Pott	Yahner
Englehart	Katz	Prendergast	Yohn
Fischer, R. R.	Kelly	Pyles	Zearfoss
Fisher, D. M.	Kernick	Reed	Zeller
Flaherty	Knepper	Renwick	Zitterman
Fryer	Kowalyshyn	Rhodes	Zord
Gallagher	Laughlin	Rieger	Zwilk
Gallen	Letterman	Ritter	
Gamble	Levi	Ryan	Irvis,
Garzia	Lincoln	Salvatore	Speaker
Gatski			

NAYS—19

Burd	Dorr	Manmiller	Sirianni
Burns	Foster, A.	Meluskey	Smith, L.
DeVerter	Klingaman	Milanovich	Wilson
DeWeese	Lehr	Piccola	Wright, J. L.
Dininni	Livengood	Schweder	

NOT VOTING—46

Abraham	Freind	Mullen, M. M.	Schmitt
Arthurs	Gleeson	Novak	Shelton
Barber	Goodman	Pancoast	Shupnik
Beloff	Harper	Petrarca	Taylor, F.
Bennett	Helfrick	Pievsky	Trello
Berson	Kolter	Pratt	Valicenti
Borski	Logue	Rappaport	Wansacz
Cassidy	Lynch	Ravenstahl	Wargo
Donatucci	McCall	Richardson	Wenger
Dumas	Milliron	Ruggiero	Wiggins
Fee	Miscevich	Scheaffer	Williams
Foster, W.	Mowery		

The question was determined in the affirmative and the motion was agreed to and (at 5:16 p.m., e.d.t.) the House adjourned.