

Legislative Journal

MONDAY, FEBRUARY 12, 1979

Session of 1979

163rd of the General Assembly

Vol. 1, No. 5

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (H. JACK SELTZER) IN THE CHAIR

PRAYER

THE HONORABLE ROGER R. FISCHER, member of the House of Representatives and guest chaplain, offered the following prayer:

We praise and thank Thee, our God and our Father. We thank Thee for all the blessings that Thou has bestowed upon us. You have given us so much, Father. We thank you and we ask that you come into our lives. We thank you for bringing us this day to this House to serve you. We made a lot of mistakes, Father. We do things, I suppose, that do not make you very proud of us. But we come and ask You to forgive us, forgive us through Your Son, and guide us and direct us.

We like to win, Father. We like to accumulate those victories that we think are important. But the real victories, Lord, come through Thee. And we pray that Thou will be with us and guide us and direct us as we move toward you.

We pray, Father, for those among us who travel on this day in danger and we pray that they arrive safely. We pray for those among us who may be ill and we ask that You would be with them and strengthen them.

Father, we ask that You would come into our lives, make us Your servants, Your stewards. Show us the ways, Father, that we can serve Thee and not just ourselves and not just enrich our own lives but enrich all the lives that we touch. Guide us and direct us, bring us toward Thee. We ask this in your Son's name. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Tuesday, February 6, 1979, will be postponed until printed.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip.
Mr. S. E. HAYES. Mr. Speaker, I have no requests for leaves of absence.

The SPEAKER. The Chair recognizes the minority whip.
Mr. MANDERINO. Mr. Speaker, I request leaves of absence for Messrs. BERSON, BENNETT and BRUNNER for today's session.

The SPEAKER. Without objection, leaves are granted.

HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEES

No. 105 By Messrs. J. L. WRIGHT, WEIDNER and SELTZER

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for cost-of-living increase.

Referred to Committee on Education.

No. 106 By Messrs. J. L. WRIGHT, ZWIKL, WEIDNER, SWEET and BURNS

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), adding to the powers and duties of the Pennsylvania Historical and Museum Commission.

Referred to Committee on State Government.

No. 107 By Messrs. J. L. WRIGHT, WEIDNER, SWEET and BURNS

An Act for the protection of the public on highways and streets; requiring the owners of drive-in motion picture theatres to construct the screens upon which the motion pictures are projected in such a manner that the projected picture is not visible from any traveled highway or street outside the theatre enclosure or to erect shields of fence necessary to accomplish such purpose and providing penalties.

Referred to Committee on Judiciary.

No. 108 By Mr. J. L. WRIGHT

An Act excluding energy sources from local assessments and taxes.

Referred to Committee on Local Government.

No. 109 By Messrs. J. L. WRIGHT, SWEET and BURNS

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for a unicameral General Assembly composed of one hundred members.

Referred to Committee on State Government.

No. 110 By Messrs. J. L. WRIGHT and WEIDNER

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), exempting persons sixty-five years of age and over from the personal income tax on interest received from financial institutions.

Referred to Committee on Finance.

No. 111 By Mr. J. L. WRIGHT

An Act requiring the affixing of a nameplate listing energy consumption information and a paper tag indicating average annual operating cost of certain electrical appliances before they are sold or offered for sale and providing penalties.

Referred to Committee on Consumer Affairs.

No. 112 By Messrs. J. L. WRIGHT and WEIDNER

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the operation of traffic control devices in school zones.

Referred to Committee on Transportation.

No. 113 By Mr. J. L. WRIGHT

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682, No. 284), adding certain requirements before which members of certain mutual insurance companies shall be liable to assessment.

Referred to Committee on Insurance.

No. 114 By Messrs. J. L. WRIGHT, B. F. O'BRIEN, SWEET and BURNS

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

Referred to Committee on Finance.

No. 115 By Messrs. J. L. WRIGHT, B. F. O'BRIEN, SWEET and BURNS

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853, No. 155), providing a permanent tax exemption on real property improvements for the purpose of energy conservation.

Referred to Committee on Local Government.

No. 116 By Messrs. J. L. WRIGHT, B. F. O'BRIEN, SWEET and BURNS

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571, No. 254), providing a permanent tax exemption on real property improvements for the purpose of energy conservation.

Referred to Committee on Local Government

No. 117 By Messrs. J. L. WRIGHT and WEIDNER

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), authorizing the holding of additional township positions by certain auditors.

Referred to Committee on Local Government.

No. 118 By Messrs. J. L. WRIGHT, WEIDNER, SWEET and BURNS

An Act amending the "Vital Statistics Law of 1953," approved June 29, 1953 (P. L. 304, No. 66), requiring the issuance of certified birth certificates.

Referred to Committee on Health and Welfare.

No. 119 By Mr. J. L. WRIGHT

An Act amending the "Second Class County Code," approved

July 28, 1953 (P. L. 723, No. 230), operating the power to procure Pennsylvania National Guard equipment for use by counties in times of declared emergency.

Referred to Committee on Military and Veterans Affairs.

No. 120 By Messrs. J. L. WRIGHT, SWEET and BURNS

An Act amending "The County Code," approved August 9, 1955 (P. L. 323, No. 130), granting the power to procure Pennsylvania National Guard equipment for use by counties in times of declared emergency.

Referred to Committee on Military and Veterans Affairs.

No. 121 By Mr. J. L. WRIGHT

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723, No. 230), providing for declaration of countywide states of emergency.

Referred to Committee on Urban Affairs.

No. 122 By Mr. J. L. WRIGHT

An Act empowering the commissioners of counties of the first class to declare a countywide state of emergency.

Referred to Committee on Urban Affairs.

No. 123 By Messrs. J. L. WRIGHT, SWEET and BURNS

An Act providing for solar easements.

Referred to Committee on Judiciary.

No. 124 By Messrs. J. L. WRIGHT, BURNS and SWEET

An Act amending "The County Code," approved August 9, 1955 (P. L. 323, No. 130), providing for declaration of a countywide state of emergency.

Referred to Committee on Local Government.

No. 125 By Messrs. J. L. WRIGHT, SWEET and BURNS

An Act authorizing drilling for gas and oil in Lake Erie.

Referred to Committee on Conservation.

No. 126 By Mr. J. L. WRIGHT

An Act relating to the ownership of methane gas.

Referred to Committee on Judiciary.

No. 127 By Messrs. J. L. WRIGHT, B. F. O'BRIEN, SWEET and BURNS

An Act to encourage energy conservation improvements to existing residential, *** equipment, and installation costs.

Referred to Committee on Finance.

No. 128 By Mr. J. L. WRIGHT

An Act amending the "Public Employe Relations Act," approved July 23, 1970 (P. L. 563, No. 195), further providing for mediation, arbitration, and injunctive relief, providing for certain reports to the court of common pleas and imposing certain powers and duties on the court.

Referred to Committee on Labor Relations.	Referred to Committee on Mines and Energy Management.
No. 129 By Mr. J. L. WRIGHT	No. 138 By Messrs. J. L. WRIGHT, SWEET and B. F. O'BRIEN
An Act amending the "Public Employe Relations Act," approved July 23, 1970 (P. L. 563, No. 195), providing for public disclosure of offer and demands.	An Act providing for standards and labeling of insulation material.
Referred to Committee on Labor Relations.	Referred to Committee on Consumer Affairs.
No. 130 By Messrs. J. L. WRIGHT, B. F. O'BRIEN, SWEET and BURNS	No. 139 By Messrs. J. L. WRIGHT and SWEET
An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for the powers of the commission in times of declared emergencies.	An Act requiring the posting of octane rating of gasoline on certain pumps.
Referred to Committee on Consumer Affairs.	Referred to Committee on Consumer Affairs.
No. 131 By Messrs. J. L. WRIGHT and BURNS	No. 140 By Messrs. BURNS, GALLAGHER, DAVIES, R. R. FISCHER, WILT, WEIDNER, Mrs. GEORGE and Mr. J. L. WRIGHT
An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), providing for pharmaceutical assistance for the aged.	An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), further providing for work to be done under contract let on bids and making an editorial change.
Referred to Committee on Health and Welfare.	Referred to Committee on Education.
No. 132 By Messrs. J. L. WRIGHT and BURNS	No. 141 By Messrs. BURNS, GALLAGHER and J. L. WRIGHT
An Act amending the "Community College Act of 1963," approved August 24, 1963 (P. L. 1132, No. 484), providing for a student member on the board of trustees.	An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), further providing contract bids on certain leases of buildings constructed or altered for school use.
Referred to Committee on Education.	Referred to Committee on Education.
No. 133 By Messrs. J. L. WRIGHT, BURNS and SWEET	No. 142 By Messrs. BURNS, GALLAGHER, DAVIES, WILT, WEIDNER, Mrs. GEORGE and Mr. J. L. WRIGHT
An Act amending the "Wage Payment and Collection Law," approved July 14, 1961 (P. L. 637, No. 329), further providing for employee rights and notification as to certain information.	An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), providing for alternative methods of equalizing tax levies among certain school districts.
Referred to Committee on Labor Relations.	Referred to Committee on Education.
No. 134 By Messrs. J. L. WRIGHT and BURNS	No. 143 By Mr. BURNS
An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), further providing for the issuance of licenses to hunt antlerless deer.	An Act amending the "Uniform Commercial Code," approved April 6, 1953 (P. L. 3, No. 1), further providing for the banks right of set-off.
Referred to Committee on Game and Fisheries.	Referred to Committee on Business and Commerce.
No. 135 By Mr. J. L. WRIGHT	No. 144 By Messrs. BURNS, GALLAGHER, DAVIES, WILT, WEIDNER and J. L. WRIGHT
An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), excluding certain interest from the personal income tax.	An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), providing for graduation of qualified students, and for certain subsidies and reimbursements.
Referred to Committee on Finance.	Referred to Committee on Education.
No. 136 By Messrs. J. L. WRIGHT and BURNS	No. 145 By Mr. MUSTO
An Act amending the "Oil and Gas Conservation Law," approved July 25, 1961 (P. L. 825, No. 359), providing for demethanization.	An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for the reclassification and transfer of real property of a water utility.
Referred to Committee on Mines and Energy Management.	Referred to Committee on Consumer Affairs.
No. 137 By Messrs. J. L. WRIGHT, B. F. O'BRIEN and SWEET	No. 146 By Messrs. R. R. FISCHER, GALLAGHER,
An Act amending "The Atomic Energy Development and Radiation Control Act," approved January 28, 1966 (P. L. 1625, No. 578), to provide for a redefinition of the term "radiation"; ***; changing penalties and making an appropriation.	

<p>O'DONNELL, CALTAGIRONE, MILANOVICH, BURNS, DAVIES and J. L. WRIGHT</p>	<p>STEWART, LIVENGOOD, W. W. FOSTER, and GRIECO</p>
<p>An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), increasing reimbursement for medical services.</p> <p>Referred to Committee on Education.</p>	<p>An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further excluding certain individuals from the definition of child for juvenile purposes.</p> <p>Referred to Committee on Judiciary.</p>
<p>No. 147 By Messrs. R. R. FISCHER, GALLAGHER, MANDERINO, CALTAGIRONE, MILANOVICH, COLE, GATSKI, D. R. WRIGHT, BURNS, DAVIES, J. L. WRIGHT, PERZEL and McKELVEY</p>	<p>No. 153 By Messrs. L. E. SMITH, BENNETT, WILT, MADIGAN, SPENCER, POLITE, DORR and GRIECO</p>
<p>An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L., No. 14), further providing for the causes and criteria for suspension, and providing for waiver of certification requirements in certain instances.</p> <p>Referred to Committee on Education.</p>	<p>An Act establishing the Pennsylvania Savings Association Insurance Corporation and providing for its powers and duties.</p> <p>Referred to Committee on Business and Commerce.</p>
<p>No. 148 By Messrs. BENNETT, PRATT, DiCARLO and STEIGHNER</p>	<p>No. 154 By Messrs. GEORGE, MUSTO, DUFFY, FEE, SHUPNIK, WARGO, McCALL, DOMBROWSKI, BELOFF, TRELLO, SEVENTY, B. F. O'BRIEN, GOODMAN, ZITTERMAN, GRAY, WACHOB, STUBAN, CALTAGIRONE, KUKOVICH, Mrs. KERNICK, Messrs. MICHLOVIC, PISTELLA and McMONAGLE</p>
<p>An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, permitting studs in tires on emergency vehicles.</p> <p>Referred to Committee on Transportation.</p>	<p>An Act amending "The Pennsylvania Occupational Disease Act," approved June 21, 1939 (P. L. 566, No. 284), further providing for the running certain statutes of limitation applicable to certain benefits.</p> <p>Referred to Committee on Judiciary.</p>
<p>No. 149 By Messrs. McCALL, COLE, HOEFFEL, STUBAN, GRAY, WARGO, ZITTERMAN, JONES, RODGERS, GALLAGHER, McMONAGLE, GIAMMARCO, DiCARLO, SHUPNIK, BORSKI, PUCCIARELLI, B. F. O'BRIEN and BURNS</p>	<p>No. 155 By Messrs. GEORGE, PETRARCA, TRELLO, SEVENTY, GAMBLE, DOMBROWSKI, GRAY, ZITTERMAN, McMONAGLE and WACHOB</p>
<p>An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), providing for the labeling of items regarding sales tax.</p> <p>Referred to Committee on Finance.</p>	<p>An Act protecting the privacy of individuals, prohibiting the sale of certain records and providing penalties.</p> <p>Referred to Committee on Judiciary.</p>
<p>No. 150 By Mr. J. L. WRIGHT</p>	<p>No. 156 By Messrs. GEORGE, DOMBROWSKI, MUSTO, MRKONIC, WARGO, TRELLO, BELOFF, DAWIDA, MURPHY, GAMBLE, PISTELLA, GRAY, McMONAGLE, ZITTERMAN, COWELL, WACHOB and PETRARCA</p>
<p>An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), further providing for the consolidation of school districts only after a referendum.</p> <p>Referred to Committee on Education.</p>	<p>An Act amending the act of June 5, 1968 (P. L. 140, No. 78), entitled "An act regulating the writing, cancellation of or refusal to renew policies of automobile insurance; ***" further providing for the increase in individuals rates and for the use of certain records to determine rates.</p> <p>Referred to Committee on Insurance.</p>
<p>No. 151 By Messrs. LETTERMAN, STUBAN, GIAMMARCO, ZITTERMAN, McCALL, GAMBLE, CLARK, CAPPABIANCA, JONES, D. R. WRIGHT, FEE, GEORGE, STEWART, LIVENGOOD and GRIECO</p>	<p>No. 157 By Messrs. GRIECO, CIMINI, HELFRICK, MULLEN, TRELLO, BURNS and TELEK</p>
<p>An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, adding the offense of victimizing the elderly.</p> <p>Referred to Committee on Judiciary.</p>	<p>An Act amending the "Municipality Authorities Act of 1945," approved May 2, 1945 (P. L. 382, No. 164), further providing for the purposes and powers of authorities.</p> <p>Referred to Committee on Local Government.</p>
<p>No. 152 By Messrs. LETTERMAN, STUBAN, GIAMMARCO, ZITTERMAN, McCALL, GAMBLE, CLARK, CAPPABIANCA, JONES, D. R. WRIGHT, FEE, GEORGE,</p>	<p>No. 158 By Messrs. COWELL, IRVIS, GALLAGHER,</p>

PISTELLA, BURNS, D. M. FISHER,
MICHLOVIC, DAWIDA, ITKIN, MURPHY,
GRABOWSKI, KNIGHT, NOVAK,
AUSTIN, COHEN, MILLER, CESSAR,
SEVENTY, McVERRY, REED,
GIAMMARCO, COCHRAN, ZITTERMAN,
ZWIKL, RYAN, DeWEESE, Mrs. HARPER,
Messrs. KUKOVICH, STEWART, CHESS,
RHODES, Mrs. CLARK, Messrs. DUMAS,
STREET, WACHOB, BELOFF, JONES,
GREENFIELD and SWEET

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for the content of the general appropriation bill and for the vote required for certain appropriations.

Referred to Committee on Appropriations.

No. 159 By Messrs. CIANCIULLI, GIAMMARCO,
GRAY, McMONAGLE, WILLIAMS,
MULLEN, J. J. JOHNSON, JONES,
COHEN, Mrs. HARPER, Messrs. STREET,
RICHARDSON and BELOFF

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, by requiring all cases to be disposed of by the Traffic Court of Philadelphia within one year.

Referred to Committee on Urban Affairs.

No. 160 By Messrs. W. W. FOSTER, NOYE, LEVI,
DIETZ, KLINGAMAN, LETTERMAN,
STEIGHNER, WACHOB, SCHEAFFER,
HASAY and WENGER

An Act amending "The Fish Law of 1959," approved December 12, 1959 (P. L. 1779, No. 673), clarifying the references in the act relating to the application of penalties dealing with fishing licenses.

Referred to Committee on Game and Fisheries.

No. 161 By Messrs. SALVATORE, ROCKS, D. M.
O'BRIEN, McKELVEY and PERZEL

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), providing for deductions from personal income taxation.

Referred to Committee on Finance.

No. 162 By Messrs. R. R. FISCHER, SCHWEDER,
GALLAGHER, O'DONNELL,
CALTAGIRONE, MILLER, DiCARLO and
DOMBROWSKI

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, providing an additional limitation on creditable nonschool service.

Referred to Committee on Education.

No. 163 By Messrs. SCHWEDER, GALLAGHER,
O'DONNELL, DOMBROWSKI,
CALTAGIRONE, MILLER, DiCARLO and
WARGO

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, providing an additional limitation on creditable nonschool service.

Referred to Committee on Education.

No. 164 By Mr. WILSON

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships," further providing for the approval of official registration application cards.

Referred to Committee on State Government.

No. 165 By Mr. WILSON

An Act amending the act of June 28, 1931 (P. L. 1379, No. 348), entitled, as amended, "An act creating in counties in the second A and third class a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; providing for their salaries, payable by the county; ***; and providing for the acceptance of this act by cities," further providing for assessment, revision and appeals.

Referred to Committee on Local Government.

No. 166 By Mr. WILSON

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571, No. 254), authorizing real property tax relief for senior citizens.

Referred to Committee on Local Government.

No. 167 By Mr. WILSON

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853, No. 155), authorizing real property tax relief for senior citizens.

Referred to Committee on Local Government.

No. 168 By Mr. WILSON

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), further providing for certain contracts.

Referred to Committee on Appropriations.

No. 169 By Mr. WILSON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for costs of certain traffic-control devices.

Referred to Committee on Transportation.

No. 170 By Mr. WILSON

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for six-year terms for Senators and four-year terms for members of the House of Representatives and changing the time of the election of Senators.

Referred to Committee on State Government.

No. 171 By Mr. WILSON

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571, No. 254), further providing for the agencies for assessment, revision and appeals.

- Referred to Committee on Local Government.
- No. 172** By Messrs. POLITE, SALVATORE, NOYE, BOWSER, VROON, E. G. JOHNSON, SIEMINSKI, KLINGAMAN, McCLATCHY, F. J. LYNCH and CORNELL
- An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for the issuance of limited driver's license in certain cases and providing penalties.
- Referred to Committee on Transportation.
- No. 173** By Messrs. SWEET, D. M. FISHER and R. R. FISCHER
- An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), further providing for hearings for the suspension and expulsion of pupils.
- Referred to Committee on Education.
- No. 174** By Messrs. SWEET, DeMEDIO and D. M. FISHER
- An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), permitting a teacher in an area vocational-technical school to be a member of a participating school board.
- Referred to Committee on Education.
- No. 175** By Messrs. SWEET, WACHOB, B. F. O'BRIEN, TAYLOR, COCHRAN, CAPPABIANCA, D. M. FISHER, McVERRY, R. R. FISCHER and DeWEESE
- An Act amending the act of December 21, 1959 (P. L. 1967, No. 722), entitled "An act providing for creation of an Oil and Gas Inspectors Examining Board in the Department of Mines and Mineral Industries; * * *," further providing for the qualifications of candidates.
- Referred to Committee on Professional Licensure.
- No. 176** By Messrs. ZORD, KNEPPER, D. M. FISHER, McVERRY, CESSAR, TADDONIO, POTT and NOVAK
- An Act authorizing the Secretary of Environmental Resources, with the approval of the Governor, to release certain Project 70 lands in Allegheny County to the Borough of Brentwood and to accept other lands for Project 70 from the Borough of Brentwood.
- Referred to Committee on State Government.
- No. 177** By Messrs. THOMAS, WAGNER and HELFRICK
- An Act amending the act of May 5, 1927 (P. L. 787, No. 408), entitled "An act establishing certain public roads as State highways, and providing for their construction and maintenance at the expense of the Commonwealth," transferring a portion of a route to Lewisburg Borough, Union County.
- Referred to Committee on Transportation.
- No. 178** By Messrs. THOMAS, WAGNER and HELFRICK
- An Act amending the act of June 1, 1930 (P. L. 1172, No. 290), referred to as the Borough State Highway Law, transferring routes to Lewisburg Borough, Union County.
- Referred to Committee on Transportation.
- No. 179** By Messrs. POLITE, SALVATORE, PIEVSKY, NOYE, POTT, KNEPPER, ITKIN, E. H. SMITH, WEIDNER, D. S. HAYES, LASHINGER, BRANDT, BURD, DAVIES, MICHLOVIC, E. R. LYNCH, Mrs. TAYLOR, Messrs. WILT and COHEN
- An Act regulating the practice of professional geologists; providing for the licensing and registration of persons practicing professional geology, and the certification of geologists in training; providing for the establishment of a State Board of Registration for Geologists and prescribing its authority, responsibilities and functions; * * *.
- Referred to Committee on Professional Licensure.
- No. 180** By Messrs. SCIRICA, BERSON, SPENCER, RHODES, KNEPPER, YOHN, O'DONNELL, D. M. FISHER, HELFRICK, BURNS, LETTERMAN, COHEN, FREIND, KUKOVICH, CALTAGIRONE, WILLIAMS, McVERRY, EARLEY, REED, MILLER and ZWIKL
- An Act relating to the issuance of search warrants, imposing limitations on the issuance of search warrants in certain cases, establishing procedures for the issuance of and challenge to an investigative subpoena duces tecum, and providing for the promulgation of rules.
- Referred to Committee on Judiciary.
- No. 181** By Messrs. SCIRICA, BERSON, KNEPPER, RHODES, ZWIKL and YOHN
- An Act requiring law enforcement authorities to use subpoenas duces tecum in lieu of search warrants, except in certain extraordinary circumstances.
- Referred to Committee on Judiciary.
- No. 182** By Messrs. SCIRICA and BERSON
- An Act repealing section 3732 of Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, relating to homicide by vehicle.
- Referred to Committee on Judiciary.
- No. 183** By Messrs. PETRARCA, WACHOB, TRELLO, SEVENTY, STUBAN, LIVENGOOD, GATSKI and DUFFY
- An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, adding provisions relating to utility service credits for the elderly and the permanently disabled, and prescribing penalties.
- Referred to Committee on Judiciary.
- No. 184** By Messrs. PETRARCA, WACHOB, TRELLO, SEVENTY, STUBAN, LIVENGOOD, GATSKI and DUFFY
- An Act amending the "Tax Reform Code of 1971," approved

March 4, 1971 (P. L. 6, No. 2), granting certain credits against the gross receipts tax.

Referred to Committee on Finance.

No. 185 By Messrs. D. M. FISHER, SWEET and SCIRICA

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the number of preemptory challenges in joint criminal trials.

Referred to Committee on Judiciary.

No. 186 By Messrs. GOEBEL, McVERRY, CIMINI, ZORD and D. M. FISHER

An Act amending the act of June 1, 1956 (1955 P. L. 1959, No. 657), referred to as the Public Official Compensation Law, abolishing the Commonwealth Compensation Commission.

Referred to Committee on State Government.

No. 187 By Mr. STAIRS

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), requiring able-bodied persons receiving public assistance to work on assigned local governmental jobs.

Referred to Committee on Health and Welfare.

No. 188 By Messrs. STAIRS and WILT

An Act providing for a system of evaluation and for periodic review of certain units of State Government and providing for their termination in certain circumstances.

Referred to Committee on State Government.

No. 189 By Mr. STAIRS

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, reducing the number of Senators and Representatives in the General Assembly, providing for their election and term of office, and further providing for the January meeting and making editorial changes.

Referred to Committee on State Government.

No. 190 By Mr. STAIRS

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), eliminating straight party voting.

Referred to Committee on State Government.

No. 191 By Messrs. STUBAN, LETTERMAN, FRYER, YAHNER, ZELLER, WACHOB, MILANOVICH, DeWEESE, CALTAGIRONE, BROWN, WENGER, GRIECO, HASAY, COSLETT and THOMAS

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), further providing for the commissioners of the Pennsylvania Game Commission.

Referred to Committee on Game and Fisheries.

No. 192 By Messrs. STUBAN, JONES, THOMAS and CALTAGIRONE

An Act amending "The Local Tax Enabling Act," approved

December 31, 1965 (P. L. 1257, No. 511), increasing the limit on the earned income tax in political subdivisions in which the occupational assessment tax is held invalid.

Referred to Committee on Local Government.

No. 193 By Mr. FREIND

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), further providing for the minimum number of days schools are required to be kept open.

Referred to Committee on Education.

No. 194 By Mr. FREIND

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), providing for the reopening of school districts' budgets and the levying of additional taxes under certain labor related circumstances.

Referred to Committee on Education.

No. 195 By Mr. FREIND

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), providing limitations on State mandated programs for gifted students.

Referred to Committee on Education.

No. 196 By Messrs. FREIND and F. J. LYNCH

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206, No. 331), increasing millage of annual tax for general township purposes.

Referred to Committee on Local Government.

No. 197 By Mr. FREIND, Mrs. ARTY, Mr. ALDEN, Mrs. DURHAM, Messrs. SPITZ, KLINGAMAN, MICOZZIE and F. J. LYNCH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the payment of certain processing fees.

Referred to Committee on Transportation.

No. 198 By Messrs. FREIND, EARLEY, GANNON, Mrs. ARTY, Mrs. DURHAM, Messrs. ALDEN, MICOZZIE, F. J. LYNCH, SPITZ, DAVIES, BELARDI, SERAFINI, COSLETT, RYAN, MILLER, R. R. FISCHER, GALLAGHER, Mrs. GEORGE, Mr. O'DONNELL and Mrs. TAYLOR

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), providing for quarterly payments to school districts.

Referred to Committee on Appropriations.

No. 199 By Mr. FREIND

An Act amending the "Business Corporation Law," approved May 5, 1933 (P. L. 364, No. 106), requiring the annual filing of certain information.

Referred to Committee on Business and Commerce

No. 200 By Mr. FREIND

An Act amending the "Housing Authorities Law," approved May 28, 1937 (P. L. 955, No. 265), providing certain additional powers to housing authorities in cities of the first class.

Referred to Committee on Urban Affairs.

No. 201 By Mr. FREIND

An Act amending the act of June 18, 1974 (P. L. 359, No. 120), referred to as the Municipal Police Education and Training Law, further providing for the addition of housing authority in the definitions of "police officer" and "political subdivision."

Referred to Committee on Local Government.

No. 202 By Mr. FREIND

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), authorizing cross-filing by candidates for the office of Attorney General.

Referred to Committee on State Government.

No. 203 By Mr. FREIND

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing the issuance of citations and summons in summary cases.

Referred to Committee on Judiciary.

No. 204 By Mr. FREIND

An Act authorizing the selling of chances and conducting of gambling activities by charitable organizations, providing for licensing by the Commission on Charitable Organizations, authorizing the sale of chances by political organizations, and providing penalties.

Referred to Committee on State Government.

No. 205 By Mr. FREIND

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), authorizing cross-filing by candidates for the office of district attorney.

Referred to Committee on State Government.

No. 206 By Mr. FREIND

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), exempting wild bird seed from the sales and use tax.

Referred to Committee on Finance.

No. 207 By Mr. FREIND

An Act amending the "Pennsylvania Cigarette Tax Act," approved July 22, 1970 (P. L. 513, No. 178), removing an exemption from taxation.

Referred to Committee on Finance.

No. 208 By Mr. FREIND

An Act amending the "Pennsylvania Human Relations Act," approved October 27, 1955 (P. L. 744, No. 222), prohibiting discrimination by reason of certain medical conditions.

Referred to Committee on Labor Relations.

No. 209 By Messrs. RICHARDSON, WHITE,
BARBER, CIANCIULLI, RAPPAPORT,
GIAMMARCO, DiCARLO, J. J. JOHNSON,

JONES, PUCCIARELLI, COHEN, OLIVER,
DUMAS, GALLAGHER, GREENFIELD,
MANDERINO, Mrs. HARPER and Mr.
STREET

An Act amending "The Support Law," approved June 24, 1937 (P. L. 2045, No. 397), providing that no lien shall be imposed against the property of person receiving assistance.

Referred to Committee on Health and Welfare.

No. 210 By Messrs. ALDEN, TELEK, Mrs. CLARK,
Messrs. SWIFT, DIETZ, PUNT, BELARDI
and SERAFINI

An Act amending the act of June 1, 1956 (P. L. 1959, No. 657), referred to as the Public Official Compensation Law, abolishing the Commonwealth Compensation Commission.

Referred to Committee on State Government.

No. 211 By Messrs. ALDEN, ROCKS, GLADECK,
TELEK, Mrs. CLARK, Messrs. SWIFT,
DIETZ, PUNT, BELARDI and SERAFINI

An Act amending the act of June 1, 1956 (P. L. 1959, No. 657), entitled, as amended, "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, ***," further providing for reports of the Commonwealth Compensation Commission.

Referred to Committee on State Government.

No. 212 By Messrs. ALDEN, BELARDI and
SERAFINI

An Act amending the act of June 1, 1956 (1955 P. L. 1959, No. 657), referred to as the Public Official Compensation Law, further providing for reports of the Commonwealth Compensation Law.

Referred to Committee on State Government.

No. 213 By Messrs. SCHWEDER, DiCARLO,
KLINGAMAN, POTT and BERSON

An Act amending the "Adoption Act," approved July 24, 1970 (P. L. 620, No. 208), incorporating additional provisions relating to due process, notice and best interest of the adoptee; further providing for relinquishment of parental rights and providing for certain options.

Referred to Committee on Health and Welfare.

No. 214 By Messrs. CHESS, SCHEAFFER,
SIEMINSKI, Mrs. DURHAM, Mr. ALDEN,
Mrs. ARTY, Messrs. SPITZ, MICOZZIE,
GANNON, TRELLO, DeWEESE, Mrs.
KERNICK, Messrs. NOVAK, COWELL,
KNIGHT, HALVERSON, E. R. LYNCH and
FREIND

An Act amending the act of May 31, 1893 (P. L. 188, No. 138), referred to as the Legal Holiday Law, providing for observance of Memorial Day and for transactions occurring on that day.

Referred to Committee on State Government.

No. 215 By Messrs. A. C. FOSTER, KOLTER,
TADDONIO, DAVIES and GOEBEL

An Act amending the "Bureau of Professional and Occupational Affairs Fee Act," approved July 1, 1978 (No. 124), permitting payment of fees by personal check or cash.

Referred to Committee on Professional Licensure.

No. 216 By Mr. A. C. FOSTER

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), excluding coin operated car washes from the sales tax.

Referred to Committee on Finance.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 11

(Concurrent) By Messrs. BURNS, PYLES, RODGERS, DAVIES, GALLAGHER and J. L. WRIGHT

The President pro tempore of the Pennsylvania Senate and the Speaker of the House of Representatives shall each appoint three members, two from the Majority Party and one from the Minority Party, who shall constitute a joint bipartisan committee to study and investigate emergency medical treatment services and procedures, to prepare plans and systems to improve emergency medical care, to examine the prevention of athletic and recreational trauma, and the results of said findings shall operate as a model for all State facilities and to study and investigate fire prevention, trauma and trauma prevention, security against theft, vandalism and violence against public officials and buildings and the general safety of our citizens.

Referred to Committee on Rules.

No. 12

(Concurrent) By Mr. SELTZER

The General Assembly of the Commonwealth of Pennsylvania requests the Congress of the United States to call a Constitutional Convention to propose an amendment to the United States Constitution requiring in the absence of a national emergency that the total of all Federal appropriations made by the Congress for any fiscal year may not exceed the total of the estimated Federal revenues, excluding any revenues derived from borrowing for that fiscal year.

Referred to Committee on Rules.

BILLS REMOVED FROM TABLE AND PLACED ON ACTIVE CALENDAR

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, the Rules Committee has instructed me to remove HB 39 and HB 56 from the table and place them on the active calendar, and I so move.

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. I might mention, Mr. Speaker, after caucus I will move that the rules be suspended with respect to HB 56.

BILL REMOVED FROM TABLE AND RECOMMITTED TO APPROPRIATIONS

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. In addition, the Rules Committee has instructed

me to remove HB 3 from the table and recommit it to the Appropriations Committee for the purpose of a fiscal note, and I so move.

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. RYAN. Mr. Speaker, I move that the rules of the House be suspended to permit additions and deletions of sponsors on the following bills:

ADDITIONS

HB 105, Taylor, E. Z. #121; HB 81, Hayes, D. S. 142 and Fischer 195; HB 1, Swift 110; HB 20, Halverson 139; HB 183, Mrkonic 189; HB 4, McVerry 182, Clark, R. 92, Telek 91 and Durham 68; HB 21, Brown 114; HB 65, Fischer 195; HB 66, Fischer 195; HB 2, Hayes, D. S. 142; HB 6, Hayes, D. S. 142; HB 8, Hayes, D. S. 142; HB 17, Hayes, D. S. 142; HB 18, Hayes, D. S. 142; HB 22, Hayes, D. S. 142; HB 25, Hayes, D. S. 142; HB 35, Hayes, D. S. 142; HB 44, Hayes, D. S. 142; HB 53, Hayes, D. S. 142; HB 61, Hayes, D. S. 142; HB 76, Hayes D. S. 142 and HB 52, Brown 114; HB 64, Helfrick #85, Mrkonic 189, Giammarco 166, Letterman 120, Williams 168, Cochran 4, Freind 39, Reed 131, Itkin 174, Sieminski 162, Arty 42, Smith, E. H. 124, Mullen 27, Brown 114, Zord 197, Wright 4, Cohen 116, DeWeese 96, Noye 16, Pratt 23, Halverson 139, Lynch, F. J. 38, Zwinkl 94, Gladeck 159 and Gruppo 163; HB 35, Harper #96, Smith E. H. 124, Hayes, D. S. 142, Bowser 141, McClatchy 13, Seventy 155, Miller 196, Mrkonic 191, Knight 137, Wright 99 and Vroon 123; HB 4, Cianciulli; HB 2, Hutchinson 17, (wants to be listed as the 2nd sponsor) and HR 10, Ryan 1.

DELETIONS

HB 75, Sirianni #103 and Levi 87; HR 10, Belardi 19, Coslett 18, Serafini 20, Geist 35, Lynch, E. R. 140, Micozzie 66, McVerry 182, Gannon 41, Durham 68, Alden 67, Sieminski 162, Clark 92, Telek 91, Pyles 175, Gruppo 163, Bowser 141, Punt 128, McKelvey 146 and Perzel 145.

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

The following roll call was recorded:

YEAS—196

Table with 4 columns of names: Alden, Anderson, Armstrong, Arty, Austin, Barber, Belardi, Beloff, Bittle, Borski, Bowser, Brandt, Freind, Fryer, Gallagher, Gallen, Gamble, Gannon, Gatski, Geesey, Geist, George, C., George, M., Giammarco, Lynch, F., Mackowski, Madigan, Manderino, Manmiller, McCall, McClatchy, McIntyre, McKelvey, McMonagle, McVerry, Michlovic, Salvatore, Scheaffer, Schmitt, Schweder, Scirica, Seltzer, Serafini, Seventy, Shadding, Shupnik, Sieminski, Sirianni

Brown	Gladeck	Micozzie	Smith, E.
Burd	Goebel	Milanovich	Smith, L.
Burns	Goodman	Miller	Spencer
Caltagirone	Grabowski	Moehlmann	Stairs
Cappabianca	Gray	Mowery	Steighner
Cessar	Greenfield	Mrkonic	Stewart
Chess	Grieco	Mullen, M. P.	Street
Cianciulli	Gruppo	Murphy	Stuban
Cimini	Harper	Musto	Sweet
Clark, B.	Hasay	Nahill	Swift
Clark, R.	Hayes, D. S.	Novak	Taddonio
Cochran	Hayes, S. E.	Noye	Taylor, E.
Cohen	Helfrick	O'Brien, B.	Taylor, F.
Cole	Hoeffel	O'Brien, D.	Telek
Cornell	Honaman	O'Donnell	Thomas
Coslett	Hutchinson, A.	Oliver	Trelo
Cowell	Hutchinson, W.	Perzel	Vroon
Cunningham	Irvis	Peterson	Wachob
Davies	Itkin	Petrarca	Wagner
Dawida	Johnson, E.	Pievsky	Wargo
DeMedio	Johnson, J.	Pistella	Wass
DeVerter	Jones	Pitts	Weidner
DeWeese	Kernick	Polite	Wenger
DiCarlo	Klingaman	Pott	White
Dietz	Knight	Pratt	Williams
Dininni	Knepper	Pucciarelli	Wilt
Dombrowski	Kolter	Punt	Wright, D.
Donatucci	Kowalshyshyn	Pyles	Wright, J. L.
Dorr	Kukovich	Rappaport	Yahner
Duffy	Lashinger	Reed	Yohn
Dumas	Laughlin	Rhodes	Zeller
Durham	Lehr	Richardson	Zitterman
Earley	Letterman	Rieger	Zord
Fee	Levi	Ritter	Zwilk
Fischer, R. R.	Levin	Rocks	
Fisher, D. M.	Lewis	Rodgers	Seltzer,
Foster, A.	Livengood	Ryan	Speaker
Foster, W.	Lynch, E. R.		

NAYS—3

Piccola	Spitz	Wilson
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NOT VOTING—3

Bennett	Berson	Brunner
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The question was determined in the affirmative, and the motion was agreed to.

PARLIAMENTARY INQUIRY

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

Mr. KUKOVICH. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KUKOVICH. Mr. Speaker, I am wondering why we have not had a rollcall vote and why we did not have a rollcall vote last Monday, also.

The SPEAKER. Would the gentleman repeat his question?

Mr. KUKOVICH. Mr. Speaker, I am concerned that we did not have a rollcall vote last Monday and again today we started to do business and we have not had a master roll call.

The SPEAKER. It was the Chair's privilege to utilize the vote on the suspension of the rules as the master roll call for the day.

Mr. KUKOVICH. Mr. Speaker, will that be the procedure hence-forth? Will we not have a master roll but rather take the

first vote of the day as a master roll?

The SPEAKER. Not necessarily.

POINT OF ORDER

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

Mr. RICHARDSON. I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. RICHARDSON. I would just like to follow on that. I think that in the past we have at least been afforded the courtesy of knowing what is going to be the procedure as far as the master roll is concerned. We were upstairs in our offices and, before that vote was taken, we were not even afforded the opportunity of knowing whether it was a master roll or not, but we did come downstairs.

I would like to know if the floor leaders have any suggestions as to how the members are going to be informed as to whether or not there will be a master roll taken when we come up on Monday and Tuesday and Wednesday when we are in session or whether or not there is not going to be one. I think that we have the right to know.

That is my point of order, Mr. Speaker. May I have an answer, please?

The SPEAKER. For the information of the gentleman, as the year progresses, the gentleman will find that master roll calls will be utilized more often than not to expedite the business of the session. It has been found in the past that it is a very expedient way to permit the members of this House to be recorded as being present in the House. It was the Chair's feeling today and one day last week, because of the lightness of the schedule, that the two votes that were taken today and last week were sufficient to replace what we knew in prior years as a master roll call per se. But for the information of the gentleman, master roll calls will be taken.

Mr. RICHARDSON. Thank you very much, Mr. Speaker, because also it has a lot to do with the bearing on one's legislative expenses in terms of whether or not it can be determined whether or not those persons were in session on the day in question. One of the ways in the past that has been identified is the fact that a person who does appear on the master roll then could not claim or disclaim whether he was here or not here, because the record will so reflect it.

I thank the Speaker very much for the information, because it would seem to me that many of the members who probably are also raising this question would like to have that clarified for their own edification. Thank you very much, Mr. Speaker.

QUESTION OF PERSONAL PRIVILEGE

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

Mr. COWELL. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. COWELL. Mr. Speaker, on that same point of roll calls, I would simply note two things. As I recall, last Monday there

was no roll call taken in this House for any purpose, including a master roll call. I would encourage whoever is going to make these kinds of decisions to have a roll call taken if we are asked to be present in this House, because, frankly, when we fail to take a roll call or fail to take a master roll call, that works to the benefit and the convenience of those people who choose not to be here, and I am tired of a system that works that way.

Secondly, Mr. Speaker, if a roll call for any purpose will be deemed to be the master roll call, as occurred just moments ago with this vote on the suspension of the rules, I would ask that it be so indicated; that the Speaker would indicate that that roll call will be deemed to be the master roll call and that that indication be made in advance of the roll being taken. Thank you, Mr. Speaker.

HOUSE SCHEDULE

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, for the benefit of the members, so you will understand what we are hoping to accomplish this week, we are suggesting that both caucuses meet very shortly and that they address themselves to two particular bills, one being HB 17, which is the ethics bill, and discuss any amendments that may be offered so that we can vote on them today.

Secondly, when we return from caucus to the floor, I am going to ask that the rules be suspended with respect to HB 56, which was just removed from the table, so that it can be put on the calendar and second consideration taken care of with respect to that bill so that it can be voted on finally tomorrow. That is the deficiency appropriation. Absent that suspension, there is a strong likelihood that we would be required to be in session on Wednesday, and if we can suspend the rules just to get over the second consideration today, we will be in a position to vote it tomorrow rather than holding out until Wednesday on it.

Mr. Speaker, I would yield at this time to the Republican caucus chairman.

REPUBLICAN CAUCUS

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

Mr. NOYE. Mr. Speaker, I would make the motion that we recess the House for about an hour for a caucus to consider the amendments to HB 17.

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Is the majority leader now asking for a recess?

The SPEAKER. For 1 hour.

Mr. IRVIS. One hour will be sufficient for the Democrats to caucus.

May I urge that the Democrats report to caucus immediately? We shall be discussing not only the question of the amending of the ethics law, but we shall also be discussing the matter of deficiency appropriations, and there are a number of deficiencies which must be discussed in caucus. Please report

promptly to the caucus room on the declaration of the recess. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I wish any member who is going to offer an amendment would get a copy of that amendment to the lady to my right so that it can be reproduced and a copy to either Mr. Hayes or Mr. Noye of our caucus and to Mr. Irvis or Mr. Manderino, I suppose, from the Democratic caucus, so that the various caucuses know exactly what they have to address themselves to during the interval between now and the time we come back on the floor.

I have no further business, Mr. Speaker.

STATEMENT ON LEGISLATION INTRODUCED

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

Mr. WACHOB. Last week I distributed to House members a copy of a bill that I plan to introduce before the close of today's session, concerning a pretrial diversion program, which is the accelerated rehabilitative disposition. I request that all members who wish to cosponsor this piece of legislation on both sides of the aisle contact me during our recess.

It is my hope that this legislation, if enacted, will bring greater uniformity and fairness to a program that represents such a significant component of the administration of justice in our Commonwealth.

I will be here at my desk for about the next 5 to 10 minutes if anybody wishes to cosponsor this with me. Thank you, Mr. Speaker.

RECESS

The SPEAKER. Without objection, this House will stand in recess until 2:45 p.m.

The Chair hears none.

AFTER RECESS

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

BILL REPORTED FROM COMMITTEE

HB 82, PN 233 (Amended)

By Mr. SPENCER

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the operation of district justices, fixing the jurisdiction costs, educational requirements and transfer procedures for district justices.

Judiciary.

RULES SUSPENDED

The SPEAKER. Bills on second consideration. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I move that rule 22 of the House be suspended as it applies to HB 56 so that HB 56 may be immediately considered.

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

The following roll call was recorded:

YEAS—190

Anderson	Foster, W.	Lewis	Rocks
Armstrong	Freind	Livengood	Rodgers
Arty	Fryer	Lynch, E. R.	Ryan
Austin	Gallagher	Mackowski	Salvatore
Barber	Gallen	Madigan	Scheaffer
Belardi	Gamble	Manderino	Schmitt
Beloff	Gannon	Manmiller	Schweder
Bennett	Gatski	McCall	Scirica
Berson	Geesey	McClatchy	Serafini
Bittle	Geist	McIntyre	Seventy
Borski	George, C.	McKelvey	Shadding
Bowser	George, M.	McMonagle	Shupnik
Brandt	Giammarco	McVerry	Sieminski
Brown	Gladeck	Michlovic	Smith, E.
Burd	Goebel	Micozzie	Smith, L.
Burns	Goodman	Milanovich	Spencer
Caltagirone	Grabowski	Miller	Stairs
Cappabianca	Gray	Moehlmann	Steighner
Cessar	Greenfield	Mowery	Stewart
Chess	Grieco	Mrkonic	Stuban
Cianciulli	Gruppo	Mullen, M. P.	Sweet
Cimini	Harper	Murphy	Swift
Clark, B.	Hasay	Musto	Taddonio
Cochran	Hayes, D. S.	Nahill	Taylor, E.
Cohen	Hayes, S. E.	Novak	Taylor, F.
Cole	Helfrick	Noye	Thomas
Cornell	Hoeffel	O'Brien, B.	Trello
Coslett	Honaman	O'Brien, D.	Vroon
Cowell	Hutchinson, A.	O'Donnell	Wachob
Cunningham	Hutchinson, W.	Oliver	Wagner
Dawida	Irvis	Perzel	Wargo
DeMedio	Itkin	Peterson	Wass
DeVerter	Johnson, E.	Petrarca	Weidner
DeWeese	Johnson, J.	Pievsky	Wenger
DiCarlo	Jones	Pistella	White
Dietz	Kernick	Pitts	Wilson
Diminni	Klingaman	Polite	Wilt
Dombrowski	Knepper	Pott	Wright, D.
Donatucci	Knight	Pratt	Wright, J. L.
Dorr	Kolter	Pucciarelli	Yahner
Duffy	Kowalshyn	Punt	Yohn
Dumas	Kukovich	Pyles	Zeller
Durham	Lashingier	Rappaport	Zitterman
Earley	Laughlin	Reed	Zord
Fee	Lehr	Rhodes	Zwicl
Fischer, R. R.	Letterman	Richardson	
Fisher, D. M.	Levi	Rieger	Seltzer,
Foster, A.	Levin	Ritter	Speaker

NAYS—7

Alden	Piccola	Spitz	Williams
Clark, R.	Sirianni	Telek	

NOT VOTING—5

Brunner	Halverson	Lynch, F.	Street
Davies			

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

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the gentleman from

Berks, Mr. Davies. For what purpose does the gentleman rise?

Mr. DAVIES. Mr. Speaker, I was out of my seat during the last roll call on the motion that Rule 22 be suspended as it applies to HB 56. Had I been in my seat, I would have voted in the affirmative. Thank you, Mr. Speaker.

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

CALENDAR BILL AGREED TO ON
SECOND CONSIDERATION

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

HB 56, PN 116

QUESTION OF INFORMATION

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

Mr. PIEVSKY. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state the question of information.

Mr. PIEVSKY. Mr. Speaker, in reference to HB 56, I have amendments to be offered. When will they be proper to offer?

The SPEAKER. In response to the gentleman, the amendments can be offered tomorrow.

Mr. PIEVSKY. Thank you, Mr. Speaker.

The SPEAKER. For the information of the membership of the House, amendments can be offered by any or all members of this House tomorrow on third reading.

LEGISLATION INTRODUCED

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

Mr. COLE. Thank you, Mr. Speaker. For the information of the members, I am now going to introduce the cancer control bill that overwhelmingly passed the House in the last session.

We have over 50 sponsors already. Anybody who would like to put their name on the sponsorship of the cancer control plan for Pennsylvania, along with the funding bill, I will be glad to have you as cosponsors. Thank you.

ADDRESS TO HOUSE

Mr. ROCKS, under unanimous consent, addressed the House:

Mr. ROCKS. Thank you, Mr. Speaker. I consider it a particular honor to make my first appearance at this microphone on the floor of the House of Representatives on a day traditionally commemorative of one of the greatest Americans in the history of this Nation, Abraham Lincoln, the 16th President of the United States, and, I would probably note, the first Republican President of this country, who provided during the most turbulent times of this Nation, a unique kind of leadership.

It was Abe Lincoln's undaunted concern for freedom for all people and Lincoln's sense of humility and profound desire to

reconcile differences among all people that have marked his memory as one of the greatest American citizens in our 200-year history.

I would remind the body that Abraham Lincoln never graduated from grade school. It is noted, however, on a plaque in the halls of *Oxford University in England*, that great protectorate of the English language, that the greatest living example to date of our language is, in fact, the Gettysburg Address.

It is also noteworthy that, on his way to his first inaugural address, President Abraham Lincoln stopped and addressed the Pennsylvania General Assembly. It is my fondest hope that Lincoln's spirit of humility and his undaunted concern for the continued concept of freedom for all people in this Nation may be, in fact, the guiding light for the 1979 and 1980 legislature. Thank you, Mr. Speaker.

BIRTHDAY WISHES

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

Mr. GOEBEL. Just a very few moments to also recognize the birthday of another great American and great Pennsylvanian who is unequalled in his dedication and service to the people. It is none other than our own colleague, Mr. Anthony Cimini, Representative from the 83d district. He declines the "Happy Birthday" song, so if we would just applaud him, I think it would be enough.

CALENDAR BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 17, PN 39**, entitled:

An Act amending the act of October 4, 1978 (No. 170), referred to as the Public Official and Employee Ethics Law, changing the effective date.

On the question,

Will the House agree to the bill on third consideration?

Mr. MANDERINO offered the following amendments:

Amend Sec. 2, page 2, line 8, by inserting after "2." (a)

Amend Sec. 2, page 2, line 9, by removing the colon after "1979" and inserting a period

Amend Sec. 2, page 2, lines 9 through 11, by striking out "Provided, however, That any" in line 9, all of lines 10 and 11, and inserting (b) Notwithstanding the effective date postponement of subsections (a), (b), (d) and (e) of section 4 hereof, any action taken pursuant to such subsections between January 1, 1979 and such postponement dates shall not be invalidated.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, very simply, on the second page of HB 17, the effective-date section, I am changing the proviso in that section. I am not touching the effective date, but I am changing the proviso in that section to make it absolutely clear that that which is not invalidated that was done after January 1, 1979, pertains only to those sections which are postponed. It was a little ambiguous the way it was stated because it talked about anything done pursuant to this act, and

what we really meant was that which was done pursuant to the postponed sections of the act "was not being invalidated."

The SPEAKER. The Chair recognizes the majority whip.

Mr. S. E. HAYES. Thank you, Mr. Speaker.

We have read the gentleman's amendments and have agreed to them.

On the question recurring,

Will the House agree to the amendments?

Amendments were agreed to.

On the question,

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

Mr. KUKOVICH offered the following amendments:

Amend Sec. 1 (Sec. 14), page 1, line 14, by striking out "(A)"

Amend Sec. 1 (Sec. 14), page 2, lines 3 through 7, by striking out all of said lines

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Westmoreland, Mr. Kukovich.

Mr. KUKOVICH. Mr. Speaker, the purpose of my amendment is to give us a clean bill. The purpose of HB 17 purportedly was to simply delay this 6 months. The language in section (b) raises the question of constitutionality and also raises another penal provision which is unnecessary, and I think in order for us to go along with what was originally intended with HB 17, I would urge your support for that amendment.

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

Mr. POLITE. What is the number of the amendment that we are alluding to?

The SPEAKER. I have been informed that the number of the amendment is A41.

Mr. POLITE. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority whip.

Mr. S. E. HAYES. Thank you, Mr. Speaker.

We also agree to these amendments.

On the question recurring,

Will the House agree to the amendments?

Amendments were agreed to.

On the question recurring,

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

Bill as amended was agreed to.

Ordered, that the bill as amended be prepared for final passage.

ADDRESS TO HOUSE

Mr. FRYER, under unanimous consent, addressed the House.

Mr. FRYER. Mr. Speaker, I have several amendments to HB

17, one of which would exempt those local public officials who are earning less than \$5,000 from their municipality to be exempt from Act 170.

Representative Gamble also has amendments, as do other members of the House. We had been persuaded not to present these amendments at this time in order to insure the swift passage of HB 17. That puts us in the position, Mr. Speaker, that I would like to inquire from the majority leader. I would like to ask him to stand for a period of brief interrogation.

The SPEAKER. Will the gentleman settle on the majority whip?

Mr. FRYER. Certainly. He is a fine gentleman.

The SPEAKER. The gentleman may proceed.

Mr. FRYER. Mr. Speaker, as you know, HB 17 does not change the ethics bill; it merely postpones the agony. Now my question is, in regards to those of us who do have amendments to offer, that we feel should be accepted to insure the proper performance by our local elected officials, and, in view of that, could the gentleman give assurances to the House that there would be a bill in form before the House that this body could present amendments thereto?

Mr. S. E. HAYES. If I understand the gentleman's question, the answer is yes, and in conversation with the chairman of the Local Government Committee, there is realization that that particular committee in this House of Representatives will have to begin its deliberations with respect to those questions which to date have been raised concerning Act 170 of 1978. It is the chairman's intention at this particular time to begin a study of all those matters which have been brought to us as individual Representatives and also to those persons who specifically serve on the Local Government Committee, so that a determination can be made as to what changes should properly be made to Act 170. It is his intention to begin a review of this matter in the very near future, Mr. Speaker, and to bring before this House of Representatives the committee's recommendations with respect to Act 170.

Mr. FRYER. Mr. Speaker, would the gentleman care to advance any date as to when this vehicle would be before the House?

Mr. S. E. HAYES. If the General Assembly enacts HB 17 with the 1 August effective date, it is the chairman's intention to begin these reviews and studies in the very near future, as I mentioned, because if we are going to satisfy that 1 August date, there is going to have to be something before this House of Representatives and then to the Senate of Pennsylvania so that both chambers can take appropriate action before the 1 August date expires, which means that, in all probability, by the month of May the Local Government Committee will be ready to report its findings back to this House of Representatives.

Mr. FRYER. Mr. Speaker, I gather then that there would be ample time for the various members of the House to present their amendments at that time so that they could be considered on the floor of the House with ample time for the Senate then also to act prior to that deadline. Am I correct in that assumption?

Mr. S. E. HAYES. I believe your assumption is correct and I

believe the chairman would even like to cooperate with those individual Representatives before it is necessary to come to the floor of this House. In all probability, some of the concerns which are being expressed by individual Representatives who do not serve on the Local Government Committee could be brought to the attention of the Local Government Committee in proper form as meetings are scheduled on this particular statute so that the committee can consider those matters even before the appropriate legislation comes to the floor of this House. Of course, if the committee does not accept their points of view during committee deliberations, they are more than welcome, under the rules of the House, to bring amendments to this floor, but it is the committee chairman's intention to bring before this House of Representatives its recommendations in good order so that the 1 August deadline can be satisfied without a further delay.

Mr. FRYER. I thank the gentleman, Mr. Speaker, and at this time I will withhold my proposed amendments and offer them at the proper time. Thank you, Mr. Speaker.

REMARKS ON VOTE

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

Mr. GEESEY. Mr. Speaker, I should like the record to show that had amendment A41 been voted, I would have voted in the negative. Thank you.

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

SENATE MESSAGE

ADJOURNMENT RESOLUTION FOR CONCURRENCE

The Senate presented the following resolution for concurrence:

In the Senate,
February 12, 1979.

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, February 19, 1979 and when the House of Representatives adjourns this week it reconvene on Monday, February 19, 1979.

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.

SENATE MESSAGE

JOINT SESSION RESOLUTION FOR CONCURRENCE

The Senate presented the following resolution for concurrence:

In the Senate,
February 12, 1979.

RESOLVED, (the House of Representatives concurring), That

the Senate and House of Representatives meet in Joint Session at one-thirty o'clock P.M., Tuesday, February 13, 1979 for the purpose of electing a Director of the Legislative Reference Bureau.

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.

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

Mr. WILLIAMS. Mr. Speaker, I rise now mainly to indicate to the Speaker that I had a reason to be recognized on the previous issue, on the amendment, and the Speaker did not recognize me. I had some remarks and inquiries on that issue and I assumed that the Speaker would have recognized me at that time.

The SPEAKER. Is the gentleman indicating that he wanted to speak on the amendment offered by the minority whip?

Mr. WILLIAMS. I am indicating just that, Mr. Speaker. And I do not intend to make any remarks, but I do want the Speaker to understand that I did rise, I pushed my buttom several times, and the Speaker just completely ignored me, and I want to bring that to your attention for the future.

ADDRESS TO HOUSE

Mr. DAVIES, under unanimous consent, addressed the House.

Mr. DAVIES. Thank you, Mr. Speaker.

I am not going to offer those amendments to HB 17 at this time.

Each and every one of those suggestions that I made to our caucus as well as to the Democratic caucus, I will draw in separate bill form to be submitted to the appropriate committee for their consideration. I do this on the insistence of some of my constituency, one municipality in particular, Hamburg Borough, where already some four officials have resigned because of the existing provisions of the ethics law as it now stands. Thank you, Mr. Speaker.

HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEES

No. 217 By Messrs. LETTERMAN, W. W. FOSTER and WACHOB

An Act amending the "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), increasing the issuing agent's fee.

Referred to Committee on Game and Fisheries.

No. 218 By Messrs. LETTERMAN, W. W. FOSTER and WACHOB

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), further prohibiting the sale by any person of any license for a fee in excess of the fee established by

law; providing penalties for violations of license fee requirements; authorized three-day licenses to residents of the Commonwealth to hunt on regulated shooting grounds and increasing the issuing agent's fee for issuing such licenses.

Referred to Committee on Game and Fisheries.

No. 219 By Mr. DOMBROWSKI

An Act amending "The Local Tax Enabling Act," approved December 31, 1965 (P. L. 1257, No. 511), further providing for the limitations on the rate of certain taxes levied by certain political subdivisions.

Referred to Committee on Finance.

No. 220 By Messrs. TRELLO, SEVENTY, NOVAK, PISTELLA, GAMBLE, POTT, D. M. FISHER, CESSAR and CIMINI

An Act amending the "Real Estate Brokers License Act of one thousand nine hundred and twenty-nine," approved May 1, 1929 (P. L. 1216, No. 427), providing for credit for passing portions of the examination, and making editorial changes.

Referred to Committee on Professional Licensure.

No. 221 By Messrs. ZORD, BROWN, GIAMMARCO, HELFRICK, VROON, NOYE, J. L. WRIGHT, MICHLOVIC, ITKIN, WILSON, COLE, REED and SCHMITT

An Act amending the act of April 27, 1927 (P. L. 465, No. 299), referred to as the Fire and Panic Act, requiring smoke detection devices in apartment houses.

Referred to Committee on Judiciary.

No. 222 By Messrs. ZORD, POLITE, ZELLER, VROON, HOEFFEL, TRELLO, POTT, COHEN, SEVENTY, BOWSER, A. C. FOSTER, NOYE, McCLATCHY, FREIND, CALTAGIRONE, WENGER, GRUPPO, D. M. FISHER, CIMINI, REED, D. R. WRIGHT, ANDERSON, LETTERMAN, KNEPPER, GALLEN, MILLER, GRABOWSKI, SALVATORE, CESSAR, GOEBEL and TADDONIO

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, establishing the offense of rape of the first degree and rape of the second degree.

Referred to Committee on Judiciary.

No. 223 By Messrs. MILLER and R. R. FISCHER

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), increasing the level for exemption from the per capita tax.

Referred to Committee on Education.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair would like to remind the membership of the House that there will be a joint session tomorrow at 1:30 p.m. to elect the director of the Legislative Reference Bureau.

WELCOME

The SPEAKER. The Chair is pleased to welcome to the hall of the House a guest of Mr. Giammarco, Albert Delai, the 41st ward Democratic committeeman.

ADJOURNMENT

Mr. AUSTIN moved that this House of Representatives do

now adjourn until Tuesday, February 13, 1979, at 11 a.m., e.s.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 3:45 p.m., e.s.t., the House adjourned.