

Legislative Journal

TUESDAY, MARCH 13, 1979

Session of 1979

163rd of the General Assembly

Vol. 1, No. 14

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (H. JACK SELTZER) IN THE CHAIR

PRAYER

THE HONORABLE ROY W. WILT, member of the House of Representatives and guest chaplain, offered the following prayer:

Dear God, we are thankful for all Thy blessings and for the opportunity to come together in this legislative session.

Be with us, Heavenly Father, as we consider the serious problems facing our Commonwealth. Give us the patience, insight, and wisdom to work towards constructive resolution of those problems.

Help us always to remember that we best serve You when we serve our fellowman. We have here an unequaled opportunity to fulfill that mission. Let us not miss our chance to serve.

Lastly, Heavenly Father, we would ask for the forgiveness of our many sins. In Jesus' holy name, we pray these our prayers. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Monday, March 12, 1979, will be postponed until printed.

HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEES

No. 624 By Mr. PICCOLA

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for the surrender of suspended driver's licenses and the payment of a fee for their restoration.

Referred to Committee on Transportation.

No. 625 By Mr. PICCOLA

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, relating to acts of those whose driver's license have been suspended.

Referred to Committee on Transportation.

No. 626 By Messrs. LEVIN, SPENCER, SCIRICA, RHODES and WACHOB

An Act providing for family support and interspousal property rights.

Referred to Committee on Judiciary.

No. 627

By Messrs. DeVERTER, NOYE, LETTERMAN, ZORD, A. C. FOSTER, D. R. WRIGHT, SALVATORE, FREIND, PICCOLA, HASAY, MADIGAN, KLINGAMAN, MILANOVICH, WEIDNER and SIEMINSKI

An Act amending the act of May 1, 1919 (P. L. 103, No. 79), referred to as the *State Art Commission Law*, providing that the State Art Commission shall be an advisory board in the Department of General Services and abolishing the commission's jurisdiction over political subdivisions and repealing inconsistent laws.

Referred to Committee on State Government.

No. 628

By Mrs. HONAMAN, Messrs. MILLER, KLINGAMAN, KOLTER, SCHEAFFER, POLITE, TRELLO, E. H. SMITH, REED, ZELLER, WILSON, POTT, Mrs. KERNICK, Messrs. PETRARCA, E. R. LYNCH, TELEK, NOYE, COHEN, WENGER, Mrs. TAYLOR, Messrs. BRANDT and R. R. FISCHER

An Act amending "The Local Tax Enabling Act," approved December 31, 1965 (P. L. 1257, No. 511), raising the authorized level for exemption from the per capita tax.

Referred to Committee on Local Government.

No. 629

By Mrs. HONAMAN, Messrs. MILLER, KLINGAMAN, KOLTER, SCHEAFFER, POLITE, TRELLO, E. H. SMITH, REED, ZELLER, WILSON, POTT, Mrs. KERNICK, Messrs. PETRARCA, E. R. LYNCH, TELEK, NOYE, COHEN, WENGER, Mrs. TAYLOR, Messrs. BRANDT and R. R. FISCHER

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

Referred to Committee on Education.

No. 630

By Messrs. L. E. SMITH, SPENCER and DOMBROWSKI

An Act amending the "Motor Vehicle Sales Finance Act," approved June 28, 1947 (P. L. 1110, No. 476), further providing for the finance charge of certain motor vehicles.

Referred to Committee on Business and Commerce.

No. 631

By Messrs. L. E. SMITH, SPENCER, DeVERTER and WASS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting trading in motor vehicles and trailers and making certain repeals.

Referred to Committee on Business and Commerce.

No. 632 By Messrs. KUKOVICH, A. K.
HUTCHINSON, PETRARCA, MICHLOVIC,
AUSTIN, SCHMITT, MANDERINO,
PISTELLA, TADDONIO and STAIRS

An Act amending "The County Code," approved August 9, 1955 (P. L. 323, No. 130), further providing for recreational places.

Referred to Committee on Local Government.

No. 633 By Messrs. PUNT, BROWN, GRAY, ZORD,
CESSAR, BOWSER, E. H. SMITH, NOYE,
R. R. FISCHER, Mrs. TAYLOR, Messrs.
FREIND, SIEMINSKI, E. G. JOHNSON,
PERZEL, GEIST, BITTLE, CIMINI,
HASAY, DIETZ, A. C. FOSTER, Mrs.
LEWIS, Mr. ALDEN, Mrs. ARTY, Messrs.
SWIFT, MOWERY, SCHEAFFER, W. W.
FOSTER, CORNELL, LEVI, PETERSON,
Mrs. CLARK, Messrs. GLADECK, LEHR,
MACKOWSKI, COSLETT, MANMILLER,
Miss SIRIANNI, Messrs. POLITE,
WEIDNER, GIAMMARCO, LETTERMAN,
ZWIKL, GATSKI, GAMBLE, ZELLER,
McMONAGLE, STUBAN, BORSKI,
McINTYRE, E. H. SMITH, HALVERSON,
PITTS, ZITTERMAN, DeVERTER,
LASHINGER, McVERRY, McCLATCHY,
REED and S. E. HAYES

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), providing for the Pennsylvania Workfare Program.

Referred to Committee on Health and Welfare.

No. 634 By Messrs. KUKOVICH, MICHLOVIC,
REED, BROWN, COHEN, DeWEESE and
DAWIDA

An Act amending "The Divorce Law," approved May 2, 1929 (P. L. 1237, No. 430), further providing for grounds for divorce.

Referred to Committee on Judiciary.

No. 635 By Mr. A. C. FOSTER, Mrs. GEORGE, Mr.
WEIDNER, Miss SIRIANNI, Messrs.
DIETZ, PUNT and MRS. TAYLOR

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), adding provisions relating to conflict of interest standards of ethics involving township officers and employees.

Referred to Committee on Local Government.

No. 636 By Mr. A. C. FOSTER, Mrs. GEORGE, Mr.
WEIDNER, Miss SIRIANNI, Messrs.
DIETZ, PUNT and Mrs. TAYLOR

An Act amending "The Borough Code," approved February 1, 1966 (1965 P. L. 1656, No. 581), adding provisions relating to conflict of interest and standards of ethics involving borough officers and employees.

Referred to Committee on Local Government.

No. 637 By Mr. A. C. FOSTER, Mrs. GEORGE, Mr.
WEIDNER, Miss SIRIANNI, Messrs.
DIETZ, PUNT and Mrs. TAYLOR

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206, No. 331), adding provisions relating to conflict of interest and standards of ethics involving township officers and employees.

Referred to Committee on Local Government.

No. 638 By Mr. A. C. FOSTER, Mrs. GEORGE, Mr.
WEIDNER, Miss SIRIANNI, Messrs.
DIETZ, PUNT and Mrs. TAYLOR

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), establishing standards of ethical conduct for public school officials and employees.

Referred to Committee on Local Government.

No. 639 By Messrs. D. M. FISHER, GAMBLE,
KNEPPER and McVERRY

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 Township of Upper St. Clair 42.78 acres of land, more or less, situate in the Township of Upper St. Clair, Allegheny County, Commonwealth of Pennsylvania.

Referred to Committee on State Government.

No. 640 By Messrs. SCIRICA, BERSON, SPENCER,
RHODES, MOEHLMANN, NOYE,
WILLIAMS, HOFFEL, KNEPPER, Mrs.
GEORGE, Mrs. HARPER, Messrs. COHEN,
WEIDNER, WAGNER, WHITE, LEVIN,
LASHINGER, EARLEY, WACHOB,
RICHARDSON and KUKOVICH

An Act consolidating, revising and amending the divorce and annulment laws of the Commonwealth and making certain repeals.

Referred to Committee on Judiciary.

No. 641 By Messrs. SCHWEDER, DOMBROWSKI,
CAPPABIANCA, ZWIKL, ZELLER,
KANUCK and RITTER

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.

Referred to Committee on Urban Affairs.

No. 642 By Mrs. HONAMAN, Messrs. MOEHLMANN,
MILLER, WENGER, ARMSTRONG, E. H.
SMITH and BRANDT

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

honey within the term processing so as to exclude the capital stock invested in the preparation from the tax.

Referred to Committee on Finance.

No. 643 By Mr. TADDONIO

A Supplement to the act of September 28, 1978 (P. L. 787, No. 151), entitled "An act providing for the capital budget for the fiscal year 1978-1979," itemizing transportation assistance projects to be acquired or constructed by the Pennsylvania Transportation Assistance Authority together with their estimated financial costs; itemizing transportation assistance projects to be acquired or purchased by the Pennsylvania Department of Transportation; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects, stating the estimated useful life of certain of the projects, and making an appropriation.

Referred to Committee on Appropriations.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 28

(Concurrent) By Messrs. O'DONNELL, FEE, COLE, REED, ITKIN, FREIND, ALDEN, BROWN, McCALL, JONES, DiCARLO, PERZEL, TRELLO, KUKOVICH, SEVENTY, GIAMMARCO, W. D. HUTCHINSON, McKELVEY, DAWIDA, E. H. SMITH and COHEN

The General Assembly of the Commonwealth of Pennsylvania requests the Government of the United States to urge the German Federal Republic and the legislators of that nation to abolish or extend to the end of the century, the statute of limitations relating to Nazi war criminals.

Referred to Committee on Federal-State Relations.

COMMUNICATION REQUESTING ROLLCALL CORRECTION

March 7, 1979.

Honorable Charles F. Mebus
Chief Clerk
House of Representatives
Room 139, Main Capitol Building
Harrisburg, Pennsylvania 17120

Dear Charlie:

While checking the roll call votes, I found that I had inadvertently been voted on House Bill 17 on Tuesday, February 13, 1979.

I want the record to show that I was on a medical leave of absence during that particular legislative week, and should not be recorded as voting. Would you be kind enough to correct the records?

With warm personal regards, I remain

Sincerely,

REID L. BENNETT

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. GREENFIELD. Mr. Speaker, I have no requests for leaves of absence.

The SPEAKER. The Chair thanks the gentlemen.

MASTER ROLL CALL RECORDED

The SPEAKER. The Chair is about to take the master roll.

The following roll call was recorded:

YEAS—201

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

NAYS—0

NOT VOTING—2

Street

Williams

The SPEAKER. Two hundred one members having indicated their presence, a master roll is established.

BILLS REPORTED FROM COMMITTEES

HB 308, PN 697 (Amended)

By Mr. ZORD

An Act relating to health care prescribing the powers and duties of the Department of Health; establishing and providing the powers and duties of the State Health Coordinating Council, Health Systems Agencies and Health Care Policy Board in the Department of Health, and State Health Facility Hearing Board in the Department of Justice;***

Health and Welfare.

HB 510, PN 550

By Mr. POLITE

An Act amending "The Pennsylvania Occupational Disease Act," approved June 21, 1939 (P. L. 566, No. 284), further providing for compensation.

Labor Relations.

HB 608, PN 659

By Mr. F. J. LYNCH

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), continuing the rate of the personal income tax and the rate of tax imposed on certain corporations; and making a repeal.

Finance.

STATEMENT BY MR. DIETZ

The SPEAKER. The Chair recognizes the gentleman from Bedford, Mr. Dietz.

Mr. DIETZ. Thank you, Mr. Speaker.

I would like to remind the members of the House of the March 2 letter that was sent out regarding the Commonwealth Prayer Breakfast that will be held on Tuesday, March 20. The time of the breakfast will be at 8 a.m., and it will be over by 9:30 a.m. It is to be held in the ballroom of the Holiday Inn Town. We will have as the featured speaker there Dr. Donald Barnhouse, a popular television personality and internationally known speaker, writer, and educator, and we will have favorite scriptural readings and brief comments by various members present. We also will be honored with the presence of Governor Dick Thornburgh and William Scranton III and also members of the House and Senate leadership.

For reservations you should contact William Polk, breakfast coordinator, at room 1206, Transportation and Safety Building, Harrisburg. The phone number there is 787-7357. The cost of the breakfast is \$5, and I am sure everyone would enjoy it. Thank you, Mr. Speaker.

CALENDAR BILLS AGREED TO ON SECOND CONSIDERATION

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

HB 113, PN 597; HB 322, PN 598; HB 207, PN 219; HB

140, PN 152; HB 141, PN 153; and HB 215, PN 595.

CALENDAR BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of HB 160, PN 172, entitled:

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.

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 yeas and nays will now be taken.

YEAS—200

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

Fee	Letterman	Rieger	Seltzer,
Fischer, R. R.	Levi	Ritter	Speaker
Fisher, D. M.	Levin		

NAYS—0

NOT VOTING—3

Street	Trello	Williams
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The majority required by the constitution having voted in the affirmative, the question was determined in the affirmative.

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

The House proceeded to third consideration of **HB 153, PN 596**, entitled:

An Act establishing the Pennsylvania Savings Association Insurance Corporation and providing for its powers and duties.

On the question,

Will the House agree to the bill on third consideration?

Mr. L. E. SMITH offered the following amendment:

Amend Sec. 9, page 10, line 9, by removing the period after "herein" and inserting except that the provisions of section 641, act of May 17, 1921 (P. L. 789, No. 285), known as "The Insurance Department Act of one thousand nine hundred and twenty-one," shall continue to apply.

On the question,

Will the House agree to the amendment?

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

Mr. L. E. SMITH. Mr. Speaker, if I could, I would just like to take a moment to explain, first of all, the need for this bill. The amendments that I am going to offer, some of them are just technical amendments, and others satisfy some of the people who have been a little disturbed by the language which we originally had in the bill.

Last year, we passed a bill requiring uninsured savings and loan associations to have insurance. This bill will provide the vehicle for those uninsured savings and loan associations to be able to have insurance.

If the members would be interested in these amendments, I would like to take A287 first and explain those. There was some concern that in the past we have had boards or commissions where vacancies have occurred and the Governor, for one reason or another, has not made an appointment. This language would just make certain that when a directorship becomes vacant, it remain vacant; and then we go on to say further in that section that "In no case shall a director whose term has expired continue to serve unless he is reelected or reappointed to a new term and has qualified."

The other two amendments are technical in nature, and now I would like to go to A270.

Mr. Speaker, since these amendments were offered on two separate sheets, perhaps we should vote A287 first.

The SPEAKER. Is it the understanding of the Chair that the gentleman, Mr. Smith, has sent the second set of amendments up?

On the question recurring,
Will the House agree to the bill on third consideration?
Mr. L. E. SMITH offered the following amendments:

Amend Sec. 4, page 7, line 10, by striking out "he shall continue as such" and inserting the directorship shall remain vacant

Amend Sec. 4, page 7, line 11, by inserting after "qualified." In no case shall a director whose term has expired continue to serve unless he is reelected or reappointed to a new term and has qualified.

Amend Sec. 14, page 11, line 28, by inserting after "of" the
Amend Sec. 14, page 11, line 29, by inserting after "require" the

On the question,

Will the House agree to the amendments?

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. PICCOLA. Mr. Speaker, I believe the amendment A287 is before the House. Before it would be in order to read the second amendment, we must dispose of the first amendment.

AMENDMENT WITHDRAWN

The SPEAKER. The gentleman from Jefferson, Mr. Smith, withdraws the first amendment.

The gentleman from Dauphin is correct, you cannot consider two sets of amendments at one time. Therefore, the gentleman from Jefferson has withdrawn temporarily the first set of amendments.

The gentleman may now proceed to explain to the members of the House the second set of amendments.

Mr. L. E. SMITH. Mr. Speaker, it is my understanding that the clerk read A287.

The SPEAKER. The gentleman is correct. The clerk just read the second set of amendments.

Mr. L. E. SMITH. But, Mr. Speaker, before we have the second set of amendments read, could we vote on A287, which was read and just explained to the House?

The SPEAKER. It is my understanding the gentleman from Jefferson asked that the second set of amendments be explained before the first set of amendments be voted upon.

Mr. L. E. SMITH. That is fine with me.

The SPEAKER. Will the gentleman explain the set of amendments that are now before the House?

Mr. L. E. SMITH. Yes, Mr. Speaker.

In 1974, quite a controversy arose between the insurance industry and the banking industry because it was the fear of the insurance industry that banks were going to get into the insurance business. At that time we passed a bill which would prohibit lending institutions from engaging in the insurance business. This amendment to section 9 would make the same prohibition to the uninsured savings and loan associations that we now have against all other lending institutions.

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

Mrs. KERNICK. For a point of clarification. You had Mr. Smith explain both amendments and then you made the statement, does the House agree to the amendments, with an "s" on the end. Are we voting on both amendments at the same time?

The SPEAKER. No, Mrs. Kernick. We are voting on amendment No. 287.

Mrs. KERNICK. Mr. Speaker, are we then going to establish a practice where, if a member has more than one amendment, he explains all the amendments at one time and then we vote on them individually?

The SPEAKER. No. The gentleman, Mr. Smith, after he began the explanation of his first set of amendments, said that he thought that it would be better and clearer to the House if those amendments were withdrawn and he would offer the second set, explain those and have them disposed of. So the matter before the House now is the adoption of his second set of amendments.

Assuming that those amendments are adopted, the Chair will again recognize Mr. Smith, who will again offer the amendments that he offered in the first instance to be considered by this House.

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. L. E. SMITH offered the following amendments:

Amend Sec. 9, page 10, line 9, by removing the period after "herein" and inserting except that the provision of section 641, act of May 17, 1921 (P. L. 789, No. 285), known as "The Insurance Department Act of one thousand nine hundred and twenty-one," shall continue to apply.

On the question,

Will the House agree to the amendment?

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.

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

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

Mr. ZELLER. Mr. Speaker, I understand the amendment so it may sound odd that I would be up here asking about it. But there are some members, I understand, who are not clear as to what the amendment did, and, if Mr. Smith would consent to a brief interrogation, I think we could square it away.

The SPEAKER. The gentleman, Mr. Smith, agrees to the interrogation, and the gentleman, Mr. Zeller, may begin.

Mr. ZELLER. Thank you, Mr. Speaker.

Mr. Speaker, did you not say that last session we passed legis-

lation to prohibit any banking institution to become engaged in the business of insurance?

Mr. L. E. SMITH. Not last year.

Mr. ZELLER. Was that last session or the session before?

Mr. L. E. SMITH. That was in 1974.

Mr. ZELLER. Thank you.

This amendment would then bring the savings and loan associations into the same category. Is that not correct?

Mr. L. E. SMITH. Well, you see presently the savings and loan associations that are insured are covered by that act. We are bringing a new group of savings and loan associations into the coverage of insurance, setting up a corporation for them, and it was the fear of the insurance industry that we had not prohibited them in the legislation from engaging in the insurance business as we have all other lending institutions. That is the purpose of this amendment — to make sure that the uninsured savings and loan associations do not engage in the insurance business.

Mr. ZELLER. Mr. Speaker, then what triggers the difference between one savings and loan association and the other is their amount of capital that they are worth or what? What triggers that? Is there a certain level?

Mr. L. E. SMITH. Presently, savings and loan associations are insured by the Federal Savings and Loan Insurance Corporation, but they have to have \$25 million in assets to qualify.

Mr. ZELLER. Right.

Mr. L. E. SMITH. Many of these uninsured associations are a \$1 million, \$2 million, maybe up to \$5 million. They are very small. If we do not provide the vehicle for them to be insured, they would have two options: They could go out of business at the end of the time we have given them to get insurance or they could merge into—as many of them who could—a \$25-million holding company and get insurance through the Feds. If we do not do something for them, they are going to find themselves in dire straits.

Mr. ZELLER. Thank you, Mr. Speaker. I feel satisfied and I will support it. Thank you.

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. COHEN. Mr. Speaker, I am frankly puzzled as to what happened with those amendments. It is my understanding that when the Speaker says, will the House agree to consider these amendments, he is just asking a rhetorical question about do we agree to take a vote on the amendments. And then apparently the answer that you drew from nobody saying anything—which meant, I thought and assumed, that we were ready to vote on the amendment—meant that we affirmatively agreed to them. I think it is strongly in the interest of the House for us to be able to vote on the amendments.

Somebody may disagree with the amendments and yet not feel strongly enough to debate them, but they may wish to record a negative opinion.

The SPEAKER. The Chair put the question to a vote, and there was no objection to agreeing to the amendment.

Mr. COHEN. Mr. Speaker, it was my understanding that we were asking if there was no objection to agreeing to consider the amendment.

The SPEAKER. The gentleman is in error.

REQUEST FOR ROLL CALLS

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

Mr. COHEN. Mr. Speaker, I would request that we have a rollcall vote on that amendment.

The SPEAKER. Will the gentleman explain to the Chair which amendment he would like a rollcall vote on?

Mr. COHEN. Both of them, Mr. Speaker. And I would hope that this will be a precedent for future amendments.

ROLLCALL VOTES TAKEN ON AMENDMENTS

The SPEAKER. The Chair would hope the gentlemen would listen.

Without objection, the Chair will return to amendments offered by the gentleman from Jefferson, Mr. L. E. Smith.

The Chair hears none.

The Chair will take up amendment No. A287.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—189

Alden	Fisher, D. M.	Lewis	Ryan
Anderson	Foster, A.	Livengood	Salvatore
Armstrong	Foster, W.	Lynch, E. R.	Scheaffer
Arty	Freind	Lynch, F.	Schmitt
Austin	Fryer	Mackowski	Schweder
Barber	Gallagher	Madigan	Scirica
Belardi	Gallen	Manderino	Serafini
Beloff	Gamble	Manmiller	Seventy
Bennett	Gannon	McCall	Shupnik
Berson	Gatski	McIntyre	Sieminski
Bittle	Geesey	McKelvey	Sirianni
Borski	Geist	McVerry	Smith, E.
Bowser	George, C.	Michlovic	Smith, L.
Brandt	George, M.	Micozzie	Spencer
Brown	Gladeck	Milanovich	Spitz
Brunner	Goebel	Miller	Stairs
Burd	Goodman	Moehlmann	Steighner
Burns	Grabowski	Mowery	Stewart
Caltagirone	Greenfield	Mrkonic	Stuban
Cappabianca	Grieco	Mullen, M. P.	Sweet
Cessar	Gruppo	Murphy	Swift
Chess	Halverson	Musto	Taddonio
Cianciulli	Harper	Nahill	Taylor, E.
Cimini	Hasay	Novak	Taylor, F.
Clark, B.	Hayes, D. S.	Noye	Telek
Clark, R.	Hayes, S. E.	O'Brien, B.	Thomas
Cochran	Helfrick	O'Brien, D.	Trello
Cohen	Hoeffel	O'Donnell	Vroon
Cole	Honaman	Oliver	Wachob
Cornell	Hutchinson, A.	Perzel	Wagner
Coslett	Hutchinson, W.	Peterson	Wargo
Cowell	Irviss	Petrarca	Wass
Cunningham	Itkin	Piccola	Weidner
Davies	Johnson, E.	Pievskey	Wenger
Dawida	Kanuck	Pistella	Wilson

DeMedio	Kernick	Pitts	Wilt
DeVerter	Klingaman	Polite	Wright, D.
DeWeese	Knepper	Pott	Wright, J. L.
DiCarlo	Knight	Pucciarelli	Yahner
Dietz	Kolter	Punt	Yohn
Dininni	Kowalysyn	Pyles	Zeller
Dombrowski	Kukovich	Rappaport	Zitterman
Dorr	Lashinger	Reed	Zord
Duffy	Laughlin	Rhodes	Zwikl
Durham	Lehr	Richardson	
Earley	Letterman	Ritter	Seltzer,
Fee	Levi	Rocks	Speaker
Fischer, R. R.	Levin	Rodgers	

NAYS—8

Donatucci	Gray	Jones	Shadding
Giammarco	Johnson, J.	McMonagle	White

NOT VOTING—6

Dumas	Pratt	Street	Williams
McClatchy	Rieger		

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?

The SPEAKER. The Chair lays before the House amendment No. A270.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—199

Alden	Foster, A.	Levin	Ritter
Anderson	Foster, W.	Lewis	Rocks
Armstrong	Freind	Livengood	Rodgers
Arty	Fryer	Lynch, E. R.	Ryan
Austin	Gallagher	Lynch, F.	Salvatore
Barber	Gallen	Mackowski	Scheaffer
Belardi	Gamble	Madigan	Schmitt
Beloff	Gannon	Manderino	Schweder
Bennett	Gatski	Manmiller	Scirica
Berson	Geesey	McCall	Serafini
Bittle	Geist	McClatchy	Seventy
Borski	George, C.	McIntyre	Shadding
Bowser	George, M.	McKelvey	Shupnik
Brandt	Giammarco	McMonagle	Sieminski
Brown	Gladeck	McVerry	Sirianni
Brunner	Goebel	Michlovic	Smith, E.
Burd	Goodman	Micozzie	Smith, L.
Burns	Grabowski	Milanovich	Spencer
Caltagirone	Gray	Miller	Spitz
Cappabianca	Greenfield	Moehlmann	Stairs
Cessar	Grieco	Mowery	Steighner
Chess	Gruppo	Mrkonic	Stewart
Cianciulli	Halverson	Mullen, M. P.	Stuban
Cimini	Harper	Murphy	Swift
Clark, B.	Hasay	Musto	Taddonio
Clark, R.	Hayes, D. S.	Nahill	Taylor, F.
Cochran	Hayes, S. E.	Novak	Telek
Cohen	Helfrick	Noye	Thomas
Cole	Hoeffel	O'Brien, B.	Trello
Cornell	Honaman	O'Brien, D.	Vroon
Coslett	Hutchinson, A.	O'Donnell	Wachob

Cowell	Hutchinson, W.	Oliver	Wagner
Cunningham	Irvis	Perzel	Wargo
Davies	Itkin	Peterson	Wass
Dawida	Johnson, E.	Petrarca	Weidner
DeMedio	Johnson, J.	Piccola	Wenger
DeVerter	Jones	Pievsky	White
DeWeese	Kanuck	Pistella	Wilson
DiCarlo	Kernick	Pitts	Wilt
Dietz	Klingaman	Polite	Wright, D.
Dininni	Knepper	Pott	Wright, J. L.
Dombrowski	Knight	Pratt	Yahner
Donatucci	Kolter	Pucciarelli	Yohn
Dorr	Kowalyszyn	Punt	Zeller
Duffy	Kukovich	Pyles	Zitterman
Dumas	Lashinger	Rappaport	Zord
Durham	Laughlin	Reed	Zwinkl
Earley	Lehr	Rhodes	
Fee	Letterman	Richardson	Seltzer,
Fischer, R. R.	Levi	Rieger	Speaker
Fisher, D. M.			

NAYS—0

NOT VOTING—4

Street Sweet Taylor, 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.

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

REMARKS ON VOTE

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

Mrs. TAYLOR. Mr. Speaker, I was out of my seat on the last roll call. I would like to be recorded in the affirmative to Mr. Smith's amendment A270 to HB 153.

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

QUESTION OF INFORMATION

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

Mr. GRIECO. I rise to a question of information.

The SPEAKER. The gentleman will state it.

Mr. GRIECO. Mr. Speaker, would it be possible, since the amendments to HB 153 have been agreed to, that we could have a rollcall vote on the above bill?

The SPEAKER. It is the opinion of the Chair that when major amendments are put into a bill, it is to the benefit of the General Assembly and especially the House of Representatives that the bill be in print as amended before the members are asked to vote upon it.

Mr. GRIECO. Thank you.

The House proceeded to third consideration of **HB 52, PN 442**, entitled:

An Act amending the act of April 27, 1927 (P. L. 465, No. 299), referred to as the Fire and Panic Act, authorizing installation of an approved smoke detector system in lieu of an automatic water sprinkler system in certain Class 1 buildings.

On the question,

Will the House agree to the bill on third consideration?

Mr. GANNON offered the following amendments:

Amend Title, page 1, line 15, by striking out "authorizing" and inserting requiring

Amend Title, page 1, line 16, by striking out "in lieu of" and inserting as well as

Amend Sec. 1 (Sec. 1), page 2, line 7, by striking out "or" and inserting and

Amend Sec. 2 (Sec. 3), page 3, lines 12 and 13, by striking out "given the option" and inserting required

Amend Sec. 2 (Sec. 3), page 3, line 14, by striking out "in lieu of" and inserting as well as

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Gannon, to explain his amendment.

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, the introduction of this bill brought to my attention what I feel are some deficiencies in the current fire safety requirements of Pennsylvania. The intent of my amendment basically is to make smoke detector systems an addition to instead of a replacement for sprinkler systems in schools.

The reason I feel this amendment should be considered is that there is some thought about—

The SPEAKER. Will the gentleman yield?

The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, I do not have a copy of the amendments, and several members have said they do not have copies. Have the amendments been in fact distributed?

Mr. GANNON. Yes; they are being distributed.

Mr. IRVIS. They are now being distributed?

Mr. GANNON. Yes.

Mr. IRVIS. Thank you, Mr. Speaker.

The SPEAKER. Have the sergeants at arms or the pages completed the distribution of the amendments?

Mr. GANNON. Excuse me. The signature—

The SPEAKER. Will the gentleman yield until all of the members have copies of the amendments?

Mr. GANNON. The amendment number is A281.

The SPEAKER. Have the members received the copies of the amendments now? Has the minority leader received a copy?

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. PICCOLA. Under rule 19(a), Mr. Speaker, in the opinion

of the Chair, would it be appropriate that this amendment have a fiscal note?

The SPEAKER. In response to the inquiry by the gentleman from Dauphin, Mr. Piccola, it is the opinion of the Chair that rule 19(a) does apply.

GANNON AMENDMENT WITHDRAWN

The SPEAKER. The gentleman from Delaware, Mr. Gannon, withdraws his amendment.

Mr. GANNON. Mr. Speaker, I withdraw the amendment and I would request that I be recognized on the bill.

The SPEAKER. The Chair thanks the gentleman.

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 Delaware, Mr. Gannon.

Mr. GANNON. Since I have withdrawn my amendment as a result of some technical requirements under the rules of the House, I would now like to speak briefly in opposition to the bill.

I am going to draw upon my experience in the insurance claims industry for several years. There has been some discussion about the initial construction costs and the savings that would result as a result of the passage of this bill. However, something that should be considered by the members is the insurance rate which would, no doubt, be affected by the lack of an approved sprinkler system in the buildings.

I believe that any initial construction cost savings over the period of years would be eroded in increased insurance rates because of the lack of sprinkler systems in a public building.

Additionally, since this bill applies to schools, I am particularly concerned with the safety of the children in the schools. Sprinkler heads are designed only to discharge over the area of a fire, since they usually discharge as a result of flame or heat. This prevents the rapid spread of a fire in what could be an occupied building and the building occupied by young children who would need specific instructions and supervision in order to quickly evacuate a building.

Another problem is the current technology in connection with smoke detectors. My understanding is that smoke detectors have not been perfected to complete satisfaction and there have been incidents of failure of the smoke-detector system.

I, therefore, would urge the members of the House to vote against this piece of legislation. Thank you, Mr. Speaker.

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

Mr. GALLEN. Mr. Speaker, I think many of the members of the House have misconstrued what this bill is all about. First of all, this bill applies only to school buildings; no other buildings. It applies to all school buildings. It does not apply in Scranton, Philadelphia and Pittsburgh where they have their own code

and they are not subject to the provisions of the regulations of the Department of Labor and Industry.

First of all, with a smoke-and-heat detector system, I do not think there is any question that a smoke-and-heat detector is triggered a lot more quickly than is a sprinkler system. Consequently, we will have a much faster alert and a faster evacuation from schools with this type of system.

Secondly, when a sprinkler system is triggered and you have tile or linoleum floors in a school, you are going to have a slippery floor and you are going to have kids trying to get out of a school building on a wet floor, which is not in the best interest of their safety.

Some schools are in rural areas where they do not have a municipal water supply. Consequently, they do not have pressure and would not have sufficient pressure to supply a sprinkler system without building some kind of a reservoir at an additional cost. The cost of an electronic smoke-and-heat detector system is about 10 percent that of a sprinkler system.

These smoke detectors, as I said, have much faster alerts. They are set off quicker and they would be connected with local fire departments. They are so designed that the fire department not only knows that there is some kind of a fire or smoke in a school but exactly where that fire is located. Sprinkler systems are primarily designed to protect property, but not to protect people.

Finally, Mr. Speaker, in the event that any school district decides that in the best interest of protecting property and protecting lives that they want to install a sprinkler system, they are perfectly at liberty to do so. That is up to the wishes of the school board. In some school districts you are going to have a cost to install an electronic heat-and-smoke detector system of about \$5,000, whereas in the one school district in Berks County that I am aware of, the cost of a sprinkler system was \$58,000.

Mr. Speaker, I think this is a good bill and I think it does give discretion to the school board. If they feel, in the interest of safety of their school personnel, their students and teachers, that they want to install a sprinkler system, they are at liberty to do so. I ask for support of this bill, Mr. Speaker.

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

Mr. ZELLER. Mr. Speaker, Mr. Gallen said that if we want to give discretion to the school board, we should, in regard to the sprinkler system. Now I think what Mr. Gallen should probably do here is just the other way around, give discretion to the school board in regard to smoke detectors.

One of the problems that you are going to have in taking sprinklers out of your schools is, number one, the cost of insurance; it is going to skyrocket; number two, the sprinklers do protect the taxpayers' investment. That is one of the reasons why they are in there, and also in regard to insurance rates.

While people are not in the building or in the building, take a smoke detector, for example, a smoke detector is sold to people on the idea that you would be sleeping, and this is the time when the loss of lives is the highest because people are not aware of what is going on. You are in bed and that is where we

find, in our fire departments, people dead from smoke inhalation.

Now what we have here is that the smoke detector is important to alert you through the smell, the odor of smoke, to get out. By the time the sprinkler would go off—and this is beefing up his argument that building is in such bad shape already with smoke that there would not be such a thing of slipping around it, because they should be out of that building a long time before that.

With humans in the building during the day, you have, in effect, human smoke detectors, because it is going to be picked up immediately by people smelling the smoke. Therefore, in effect, they are human smoke detectors. It is at night when the problem arises, in the evening.

That is why I feel that those school districts that want to, may put in smoke detectors. But I do not believe that we should take sprinklers out. The simple reason is that when you are not there on the weekends, the sprinkler system is there to protect the building, or if it is there during the day, you smell smoke and you get out of the building. It takes a while before the sprinkler system goes off, because there is a certain heat element that has to go off before that sprinkler system is energized.

I have been in the building business all of my life and I know, and I am sure there are others in the room here who can back me up in regard to the need for sprinkler systems.

Are you aware that if we—Mr. Gannon and I know his amendment is not with us, but just to give you a cost—were to mandate these, the smoke detectors would cost the school districts close to \$40 million? I am figuring 8,000 possible buildings in the state times \$5,000, to show you that it should be, if it was brought up, a “may” bill and we should not go along with this particular bill as it is, because you are taking something out that protects your investment. The cost of insurance would skyrocket. I feel that this is just not necessary.

With all respect to Mr. Gallen, down in your district I believe it is throwing good money to bad by not having a sprinkler system in, even if it costs \$57,000.

One of the reasons that I say that is because it seems that the school boards and many people in the districts are more interested in sex education than protecting the buildings and lives, in that they will spend millions of dollars for sex education and telling the kids how not to get caught but go out and do it, than they are in something that is very, very essential, and that is, protecting the buildings in regard to using sprinkler systems.

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

Mr. GOEBEL. Thank you, Mr. Speaker.

I will try to be as brief as possible.

I have several problems with the idea of this because I am sure new construction on schools will result in the elimination of sprinkler systems. The way school directors are strapped for money, I am sure they will go the cheaper method and install the electronic fire-and-smoke alarm system instead of the sprinkler system.

I think, as Mr. Zeller pointed out, we will find that insurance costs will skyrocket when we do not have protection for the buildings. And I, too, question the fact that, when we build a \$10-million building, that we do not take some steps to take care of the physical building as far as fire prevention. So I think we should probably have both of them in there. If we have just some kind of a real cheap smoke-detector system, they could put the fire out maybe before the water comes on and avoid the water damage.

But I would be opposed to something that would eliminate the sprinkler systems in the new schools basically on the insurance problems and in not protecting the taxpayers' money by something that would actually put the fire out in the event that someone is not there to hear the smoke detector going off. In the wintertime in a lot of rural areas, I think fire companies may have trouble getting to the buildings.

I said I would be brief, so I guess that is enough. Thank you, Mr. Speaker.

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

Mr. ZITTERMAN. Mr. Speaker, would the gentleman, Mr. Gallen, please submit to a brief interrogation?

The SPEAKER. The gentleman from Berks, Mr. Gallen, consents to interrogation. The gentleman from Lackawanna, Mr. Zitterman, may proceed.

Mr. ZITTERMAN. Mr. Speaker, line 29, page 2, says as follows: “As used in this act, the term ‘approved smoke detector system’ shall mean a system meeting the applicable requirements of the underwriters laboratories.” Under the terms of this act, this allows a school or any other facility belonging to the school to put in any type of smoke detector that is applicable to the underwriters laboratories laws. Would this actually give them the authority to put in a small battery-operated type of smoke detector, Mr. Speaker?

Mr. GALLEN. No, Mr. Speaker. It is my understanding from my research people that the only type of smoke-and-heat detector that would be approved by the underwriters laboratories for this type of thing would be an electronic smoke-and-heat detector which would be wired to the local fire company. And as I said before, this would not only tell you there is a fire and smoke in a school, but exactly where it is located. Electronically they would know exactly which classroom, which hallway, which basement or whenever this fire is located.

Mr. ZITTERMAN. And would this smoke detector be visible to the students or within reach of the students of this school, Mr. Speaker?

Mr. GALLEN. I would think it might be.

Mr. ZITTERMAN. Thank you, Mr. Speaker.

Mr. ZITTERMAN. Mr. Speaker, I would like to yield the floor to my colleague, Mr. Milanovich.

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

Mr. MILANOVICH. Mr. Speaker, I in turn yield to my good friend, Mr. Fryer.

The SPEAKER. The gentleman may proceed.

Mr. FRYER. Mr. Speaker, I recognize that the question we have before us is a difficult one. I find it difficult because the school district happens to be a part of the legislative district that I represent. I have met with the directors of this district, people whom I consider very highly, and it is their sincere belief that with a smoke-detector system that is connected with the fire company, it will be more effective in getting the students out in the event there is a fire.

Now they are not playing with dollar bills and forgetting pupil safety. I do not know of a school director who would make such a brutal decision. They are competent people, but they feel that with the arm of the state, Labor and Industry, coming in, mandating a \$58,000 expenditure on something which they could spend \$5,000 for, they question the wisdom of the state. They further feel frustrated at the fact that when this bill was passed, the legislature at that time saw fit to exclude Philadelphia, Pittsburgh and Scranton. Now should not these areas have the same concern if that is the argument? If this House is that concerned, should they not be covered under the same act? I know the able Representatives from Harrisburg, Pittsburgh and Scranton and I know they stand second to none for student safety. I just cannot understand the inactivity in this particular area.

I have also spoken with other legislators from other areas. I had occasion also to have a telephone conversation a short time ago with a gentleman, a fire chief in Westmoreland County. I asked him if they used sprinkler systems, and his response was this: Hell, no. It would break all of us. And I thought that was a fair appraisal, and he said furthermore, we use the smoke-detector system because when there is a fire, we want to get those students out in the quickest possible way.

Now presently it is the only district in Berks County, the 130th district, that has had the state come in and say, thou will, thou shall. I do not know when they are going to come to your particular district, and they are going to be spending all the time, but Philadelphia, Pittsburgh, and Scranton are being ignored. I think our school officials have had it up to their necks in Harrisburg, and particularly the bureaucrats coming in and saying, do this, do that. If it is sound, all well and good, and I would not be at this mike today if I thought there was a question of jeopardizing the safety of that student. I say we are increasing the safety of that student, and we are quoting the people who made the decision and the fire chief whom I spoke to a short time ago. For this is what is going on; this is the issue before you. We have had competent people state that this is the quickest possible way, and it seems to me that this is reasonable, and what we are saying to that school district, you shall not do this, but you may have that option, and, after deliberation, if you so decide, you may go that way.

I realize most of you have your minds made up, but I would just ask you to think a little bit about it and think if it involves a district where you know the school, you know the directors, and you know the school students who go to that school, and I say this, the sponsors of this bill do not yield to anyone in this House for our concern about the safety of students. Thank you, Mr. Speaker.

MOTION TO RECOMMIT HB 52 TO COMMITTEE ON EDUCATION

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

Mr. MILANOVICH. Mr. Speaker, in view of the fact that this bill carries a mandate with it to our local school districts and that there may be a potentially high fiscal impact, I believe it would be in the best interests of the bill to have it recommitted at this time to the Committee on Education for review and consideration.

The SPEAKER. Did the gentleman, Mr. Milanovich, move that HB 52 be sent back to the Committee on Education? Was that in the form of a motion, Mr. Milanovich?

Mr. MILANOVICH. Yes, Mr. Speaker.

The SPEAKER. It has been moved by the gentleman from Beaver, Mr. Milanovich, that HB 52 be recommitted to the Committee on Education.

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

Mr. GALLEN. Mr. Speaker, in the remarks prefacing his motion, Mr. Milanovich said this mandates something and has some kind of a fiscal impact. Entirely the reverse is true; it has a negative fiscal impact. It decreases the costs; it does the opposite. It does not mandate anything. Currently some school districts are mandated by Labor and Industry to install sprinkler systems. This gives them an option. So there is no mandate, and at another point, Mr. Speaker, he said because of the fiscal impact it should be referred to the Education Committee. I do not understand that at all. If there is a fiscal impact, I would think his motion would be to refer it to the Appropriations Committee, but I am not in favor of that, Mr. Speaker. I oppose the motion and ask for a negative vote.

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

Mr. ZELLER. To second Mr. Milanovich's motion, I would like to make just a short comment that there is a fiscal impact, and that would be that the insurance rates are going to skyrocket.

The SPEAKER. The Chair recognizes the lady from Susquehanna, Miss Sirianni.

Miss SIRIANNI. Mr. Speaker, this bill does exactly the reverse of that. The chief purpose of this being sponsored is to reduce the costs to schools. I think we had better take into consideration that we all sit down here in Harrisburg and talk about turning things over to the local governments. Well, this is one way of turning over to local government, and I would like to know whether you think the school directors who are responsible for that school care more than Labor and Industry, and you can bet your bottom dollar they do and they are going to do the right thing by their students, and there certainly is not anything in that bill that is going to increase the cost. Its chief purpose is to decrease it. I wish you would read it over again. Thank you.

The SPEAKER. The question is on the motion to recommit.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—74

Barber	Goodman	Micozzie	Ritter
Beloff	Grabowski	Milanovich	Rodgers
Bennett	Gray	Mullen, M. P.	Schmitt
Berson	Greenfield	Murphy	Seventy
Borski	Hoeffel	O'Brien, B.	Shadding
Cappabianca	Irviss	O'Donnell	Stairs
Cianciulli	Itkin	Oliver	Steighner
Cochran	Johnson, J.	Pievsky	Stewart
Cohen	Jones	Pistella	Sweet
Dawida	Kernick	Pratt	Taylor, F.
DiCarlo	Kolter	Pucciarelli	Telek
Dietz	Kowalyszyn	Punt	Trello
Dombrowski	Kukovich	Pyles	Wachob
Donatucci	Levin	Rappaport	Wass
Dumas	Manderino	Reed	White
Fischer, R. R.	McCall	Rhodes	Wright, D.
Gallagher	McIntyre	Richardson	Zeller
Gannon	McMonagle	Rieger	Zwikel
Giammarco	Michlovic		

NAYS—125

Alden	Fee	Laughlin	Scheaffer
Anderson	Fisher, D. M.	Lehr	Schweder
Armstrong	Foster, A.	Letterman	Scirica
Arty	Foster, W.	Levi	Serafini
Austin	Freind	Lewis	Shupnik
Belardi	Fryer	Livengood	Sieminski
Bittle	Gallen	Lynch, E. R.	Sirianni
Bowser	Gamble	Lynch, F.	Smith, E.
Brandt	Gatski	Mackowski	Smith, L.
Brown	Geesey	Madigan	Spencer
Brunner	Geist	Manmiller	Spitz
Burd	George, C.	McClatchy	Stuban
Burns	George, M.	McKelvey	Swift
Caltagirone	Gladeck	McVerry	Taddonio
Cessar	Goebel	Miller	Taylor, E.
Chess	Grieco	Moehlmann	Thomas
Cimini	Gruppo	Mowery	Vroon
Clark, B.	Halverson	Mrkonic	Wagner
Clark, R.	Harper	Musto	Wargo
Cornell	Hasay	Nahill	Weidner
Coslett	Hayes, D. S.	Novak	Wenger
Cowell	Hayes, S. E.	Noye	Wilson
Cunningham	Helfrick	O'Brien, D.	Wilt
Davies	Honaman	Perzel	Wright, J. L.
DeMedio	Hutchinson, A.	Peterson	Yahner
DeVerter	Hutchinson, W.	Petrarca	Yohn
DeWeese	Johnson, E.	Piccola	Zitterman
Dininni	Kanuck	Pitts	Zord
Dorr	Klingaman	Polite	
Duffy	Knepper	Pott	Seltzer,
Durham	Knight	Rocks	Speaker
Earley	Lashinger	Ryan	

NOT VOTING—4

Cole	Salvatore	Street	Williams
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The question was determined in the negative, and the motion was not agreed to.

On the question recurring,
Shall the bill pass finally?

The SPEAKER. The Chair recognizes the lady from Alle-

gheny, Mrs. Kernick.

Mrs. KERNICK. Thank you, Mr. Speaker. May I interrogate Mr. Gallen, please?

Mr. GALLEN. Yes, Mr. Speaker.

The SPEAKER. The lady may proceed.

Mrs. KERNICK. Thank you, Mr. Speaker. Just to clear the record, Mr. Speaker, is it not true that under present law any school district that wishes to may install a smoke detector along with their sprinkler system?

Mr. GALLEN. They certainly may, yes.

Mrs. KERNICK. Mr. Speaker, would you care to compare the opportunity to vandalize a smoke detector as opposed to a sprinkler system? Which has the greater chance of being vandalized?

Mr. GALLEN. Madame Speaker, in the event that somebody triggers a sprinkler system deliberately by holding some heat up to it, the cost of that vandalism would be many, many, many times greater than if they set off a smoke or a heat detector.

Mrs. KERNICK. But is it also true that a sprinkler system can be vandalized without having heat applied? Let us say it is in the ceiling and some student decides he wants to throw something at it and break it?

Mr. GALLEN. Yes, I think that is true, Mr. Speaker.

Mrs. KERNICK. Thank you, Mr. Speaker.

I would like to suggest that this General Assembly should not take the responsibility for the risk of one child's life by substituting sprinkler systems with smoke alarms. I do not want to be responsible, and if one life is lost, the blame will be put on the members of this General Assembly and not the school district. Thank you.

FILMING PERMISSION GRANTED

The SPEAKER. The Chair calls to the attention of the members of the House it has given permission to WIC-TV to have 10 minutes of silent filming.

The Chair recognizes the gentleman from York, Mr. Foster.

Mr. A. C. FOSTER. Mr. Speaker, I think one of the reasons that we have this bill before us today is the fact that, in my experience in dealing with the Department of Labor and Industry, we have had great difficulties in getting them to recognize the efficacy of smoke detectors. From my own personal experience in this matter, they would incessantly drag their feet on this issue. We have had great difficulties with them. Now I think, therefore, we have to speak from the legislative front and give our school districts this option. I cannot agree with the remarks of the lady from Allegheny, Mrs. Kernick, in regard to loss of life, because the one thing that smoke detectors do is save lives. Sprinkler systems can preserve property, but smoke detectors save lives. I think we need this option and I think the bill is a good one. I would urge its speedy passage.

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

Mr. GANNON. Mr. Speaker, in the course of this debate, several points have been made that I would like to reiterate for the members.

There is some talk about the evacuation with situations

where water sprinklers have gone off causing a floor to be slippery. Bear in mind that sprinklers discharge only in the area of the fire and prevents the fire from spreading and also contain it—in some instances this is only temporary—but provide sufficient time for the evacuation. And, quite frankly, I would prefer to have a slippery floor than be confronted with a blazing inferno.

The other question was raised about early warnings. The present technology permits the coupling of a sprinkler system with some type of a device which would sound an alarm if the system has gone off and pinpoints the particular location where the sprinkler system has gone off.

The question also recurs in my mind that the smoke-detector system is an electrical system. As we know, in many instances fires occur in electrical systems and there is a possibility that the fire could occur in the electrical system, therefore, making the smoke-detector system inoperative, not even giving it an opportunity to provide the warning for which it was designed.

I believe that the question of cost Mr. Goebel earlier pointed out is that we could have a \$10-million public building, paid for with taxpayer dollars, not adequately protected; and, if so, protected only with a smoke-detector system that costs somewhere in the neighborhood of \$5,000. Once again, any cost savings would very quickly be eroded by skyrocketing insurance rates.

Also, the present option for school districts is to install smoke detectors if it so wishes. I do not see any problem in the area that requiring smoke detectors is going to improve the situation as it presently exists.

Mr. Speaker, finally consider this: All we would need in this Commonwealth is one conflagration involving a school occupied by young children and, if it was as a consequence of not having a sprinkler system installed in that building, I am sure that many members would regret a vote in favor of this bill. Thank you.

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

Mr. GALLEN. Mr. Speaker, apparently some of the people have missed the point entirely. Smoke detectors are triggered a lot more quickly; consequently, they lend themselves to a greater degree of safety. They go off—I think that I am correct—but you need 160-degree heat to trigger a sprinkler system, whereas you could have a smoldering fire which never triggers that sprinkler system but will set off a smoke device. You have a chance that with a smoldering fire, which never reaches a great degree of heat, but you have people asphyxiated, whereas the smoke detector would alert them immediately, and I say immediately. They go off very quickly, and I think that Mrs. Kernick was attempting to make my point, because we are talking about conflagrations and children being killed as a result. That is my prime concern. Early alert is the prime concern of this entire bill, and it also gives our school directors the option if they want to install a sprinkler system. If they think that is in their best interest and they are convinced that is the case, they can certainly do that. Thank you, Mr. Speaker.

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

Mr. FRYER. Mr. Speaker, the question has been raised once again in regard to pupil safety. We, who support this proposal, maintain that there is greater safety for the pupil with a smoke-detector system. Now if you are interested in saving properties, then use the sprinkler system. We happen to be primarily concerned with the students' safety.

In this particular case of the school district I cited, a few hundred feet away is a fire company that is one of the finest in the county. Now if you want to have the heavens open up and give all the students a shower, possibly the sprinkler system is the way to go. But these people raised the question once again of \$5,000 to \$58,000. And once again we are saying to this school district, you may; we are not saying they shall. The decision of the school district could be that they may not decide to go that route, but we say, do not cut them off from this; permit it, because sooner or later your very own school district will be faced with the same proposition as this particular school district is as of today. I urge a "yes" vote for the bill.

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

Mrs. KERNICK. Thank you, Mr. Speaker.

I think my remarks were misunderstood. My point is that the school districts now can put smoke detectors in their buildings if they so choose. And my concern is that the students would vandalize the smoke detectors, where it would not be as easy to do to a sprinkler system, and we could have a catastrophe.

I have before me a letter from Thomas J. Kennelly, chief of the Pittsburgh Fire Department, and I would like to read to you excerpts from it. Mr. Kennelly writes: "The one great factor in protection from fire is that a sprinkler system on discovering the fire will immediately go into action as a fire extinguishing unit while the smoke detectors simply notify the occupants that there is a fire and do nothing to extinguish the fire, thus allowing a 3 or 4 minute free burn of the fire while the Fire Department is in route."

"The passage of the above type legislation will only be partial inasmuch as the U. S. Department of Housing and Urban Development requires sprinklers in buildings that they finance or insure.

"The Department of Health, Education, and Welfare is reconsidering their requirements and may go to sprinkler systems in buildings that accept medicare and medicaid."

And he concludes, Mr. Speaker, with the following statement: "It will be ironic if this should be passed in this YEAR OF THE CHILD."

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Cumberland, Mr. Mowery.

Mr. MOWERY. Thank you, Mr. Speaker.

I believe that one of the things we should take into consideration in this bill is that which I think kind of clarifies what we have been talking about here, on page 3, line 12, where it says "Any school building included in Class I shall be given the option by the Department of Labor and Industry to install an Approved . . ." and, as you can see, that word is capitalized "Approved". I happened to be in the committee meeting when they

had a gentleman, who is a fire marshal, there explain what some of these more sophisticated smoke-alarm systems can do. And I was very much against it initially for the many different reasons that have been mentioned here today. But when I heard about some of the new equipment that is out today, I felt that this is probably a step in the right direction.

You know I picture the smoke alarm as those little \$15 ones that we have put in our homes. This is not what we are talking about here. This is a very sophisticated piece of equipment, and in many cases there are central controls of these that would flash on in the business office. There are even systems today that would flash on in the fire departments, right in the fire-house itself, to let them know even before the fire breaks out that there was a problem. And I think it is very important that we keep this in mind as we are thinking about this, because I do not think there is anyone here who would want to lessen the protection of our children.

I think, really, most of us, including myself, are not well informed as far as how sophisticated these smoke-alarm systems have been developed in recent years. And based on what I have heard, I feel that we would probably be improving the situation rather than making it unattractive or more hazardous to the children. Thank you.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, with all due respect to the previous speaker, "an Approved", as used in page 3 of the bill, "... an Approved smoke detector system ..." is defined in the bill on page 2 and it simply says, as used in this act the term "Approved smoke detector system" shall mean a system meeting the applicable requirements of the Underwriters Laboratory.

I submit to you that those little \$16 or \$8 battery-operated smoke-detector systems are underwriter approved. And that is what we are talking about in this bill; nothing more sophisticated than that.

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

Mr. ZELLER. Mr. Speaker, the minority whip is correct, and I wanted to point that out. I did just recently purchase several of these small detectors, and on the back, if you will take a look, it says "UL approved", and they only cost me about \$19 or something like that. So this could be used.

We heard all kinds of emotional rhetoric—in effect, really insulting myself, if it did not insult some of you people—that we are more interested in property than we are in our children. That, to me is a direct insult that I do not appreciate, because that is not true, and the individual who said it knows it is not true. To use those sorts of things — and then the heavens opened up to give the kids a shower and all that business — I mean that is just what I call the Senator Claghorn type of stuff, and I just do not go for it.

I am not against smoke detectors, but to use a smoke detector in lieu of sprinklers creates problems. Imagine a winter evening with an ice storm like some of the ice storms that we have had, a very busy rural fire department, with all respect to them—and I respect our volunteers, as you know—a small force, and

here we have a school on fire. The smoke detector can go off and make all the noise it wants, but they cannot get there. The sprinkler system is going to protect it, and that is what the insurance companies are going to tell you. They are going to let you know in no uncertain words, and they are not talking against the fire departments. They have high praise, and I do, too, and I want that on record, but that is what they are going to tell you.

As to the so-called concern that we also heard during this debate about these school directors, if they are that concerned, they will not only protect the property with the sprinkler system as is today but they will install that so-called cheap, inexpensive smoke detector. They will install that on top of the system of sprinklers rather than in lieu of, if they are really that concerned. That is why I say, let us not throw—and I am not going to get emotional like some have. I will not use the adjective I could use. We will lay the facts on the line, and this is what they are: We are concerned about those children, and we are concerned about the property, and we are concerned as to where the insurance rates are going to go, and we are concerned that in bad weather they just could not get to the fire. The sprinkler system will care for it, and if these directors are so concerned, which I know they are, with all respect to them, they will install this so-called inexpensive smoke-detector system on top of the sprinkler system. Thank you.

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

Mr. DORR. Mr. Speaker, apparently Mr. Manderino and Mr. Zeller have studied together on this issue and they missed the point entirely. We are not talking about whether or not the legislature should approve \$8 smoke detectors.

The question here is purely and simply one of, whom do you trust? Whom do you trust with the lives of the children in your school districts? Do you trust the people sitting in some big building over here in Harrisburg, the Labor and Industry Department, or do you trust the school directors sitting back in your own school district studying the issue as it relates to your school children and your school buildings?

I suggest, Mr. Speaker, that the people we ought to be trusting here are the local people, our friends and neighbors, who surely in every instance are as concerned about the children and the property as we are.

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

Mr. GALLEN. Very briefly, Mr. Speaker, in response to the minority whip, he said that these smoke detectors would be approved if you used these \$15 devices. They are approved by the Underwriters Laboratories, but this bill says, "... approved smoke detector system" shall mean a system meeting the applicable requirements, ..." and it is my understanding, Mr. Speaker, that they will not approve an entire system unless it is wired into the local fire department.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, if I can believe what the gentleman just said, he wants me to approve a system that is

approved by the Underwriters Laboratories. He admits that he knows of no system approved by the Underwriters Laboratories, and I submit to you that the Underwriters Laboratories that approves appliances, electrical appliances mainly, is a laboratory that passes on the internal safety of that device — that the device itself will not cause a fire, explode, blow up, or internally be a safety hazard; that it is made with approved materials; that the capacity of the wire to do the job that that particular device is designed to do is present. That is what an Underwriters Laboratories approval is. That is what it always has been, and it has nothing to do with the performance of the system, whether or not that system is going to be hooked into a fire department, whether it is going to respond the way it should respond. It has to do with the internal safety of that device. That is what it has always meant, and that is what it means in this bill, and anybody who is trying to tell you anything different is not giving you the unvarnished truth.

Mr. Speaker, I do not think that the argument made about letting the local school districts make the decision because they know better is a valid argument. We have standards for public buildings whether they are municipal buildings, whether they are buildings that the general public goes into, whether they are school buildings, and those standards have been set up with the safety of the people who use those buildings in mind, and that is the safety standard that is used when the sprinkling system is required.

You know, the sprinkler system extinguishes many fires that are located in areas of buildings that are not easily accessible by the fire ladder or a fireman, and I think that the safety of the people who ordinarily put out fires in this Commonwealth ought to be considered when you consider changing from a sprinkler system or, at the option of a local school board, changing from a sprinkler system to a smoke-detector system. I think we are placing unusual risk, unnecessary risk, both to property and people by making this switch.

It is my understanding that the fire marshall of this Commonwealth is opposed to this legislation, has written to the legislature asking it to oppose this legislation. I think, really, for the savings of what in the long run and in the long haul, and taking the total construction costs of our schools, is a small item in the sprinkler system, we are engaging and treading on dangerous water to approve HB 52, and I would ask for a negative vote.

On the question recurring,
Shall the bill pass finally?

Agreeable to the provision of the constitution, the yeas and nays will now be taken.

YEAS—104

Anderson	Freind	Lynch, E. R.	Shupnik
Armstrong	Fryer	Lynch, F.	Sieminski
Belardi	Gallen	Mackowski	Sirianni
Bittle	Gatski	Madigan	Smith, E.
Bowser	Geist	McClatchy	Smith, L.
Brandt	George, M.	McVerry	Spencer
Brown	Gladeck	Miller	Stairs
Burd	Grieco	Moehlmann	Stuban
Burns	Gruppo	Mowery	Swift
Caltagirone	Halverson	Musto	Taddonio

Cassar	Hasay	Nahill	Taylor, E.
Cimini	Hayes, D. S.	Noye	Thomas
Clark, R.	Hayes, S. E.	O'Brien, D.	Vroon
Cole	Helfrick	Perzel	Wargo
Cornell	Honaman	Peterson	Wass
Coslett	Hutchinson, A.	Petrarca	Weidner
Cunningham	Hutchinson, W.	Pitts	Wenger
Davies	Johnson, E.	Polite	Wilson
DeVerter	Kanuck	Pott	Wilt
DeWeese	Klingaman	Punt	Wright, J. L.
Dietz	Knepper	Rocks	Yahner
Dorr	Lashinger	Ryan	Yohn
Durham	Lehr	Salvatore	Zord
Earley	Letterman	Scheaffer	
Fisher, D. M.	Levi	Scirica	Seltzer,
Foster, A.	Lewis	Serafini	Speaker
Foster, W.	Livengood		

NAYS—97

Alden	Fischer, R. R.	Levin	Reed
Arty	Gallagher	Manderino	Rhodes
Austin	Gamble	Manmiller	Richardson
Barber	Gannon	McCall	Rieger
Beloff	Geesey	McIntyre	Ritter
Bennett	George, C.	McKelvey	Rodgers
Berson	Giammarco	McMonagle	Schmitt
Borski	Goebel	Michlovic	Schweder
Brunner	Goodman	Micozzie	Seventy
Cappabianca	Grabowski	Milanovich	Shadding
Chess	Gray	Mrkonic	Spitz
Cianciulli	Greenfield	Mullen, M. P.	Steighner
Clark, B.	Harper	Murphy	Stewart
Cochran	Hoeffel	Novak	Sweet
Cohen	Irvis	O'Brien, B.	Taylor, F.
Cowell	Itkin	O'Donnell	Telek
Dawida	Johnson, J.	Oliver	Trello
DeMedio	Jones	Piccola	Wachob
DiCarlo	Kernick	Pievsky	Wagner
Dininni	Knight	Pistella	White
Dombrowski	Kolter	Pratt	Wright, D.
Donatucci	Kowalshyn	Pucciarelli	Zeller
Duffy	Kukovich	Pyles	Zitterman
Dumas	Laughlin	Rappaport	Zwikl
Fee			

NOT VOTING—2

Street 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.

The House proceeded to third consideration of **HB 34, PN 35**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for the posting of certain private property.

On the question,

Will the House agree to the bill on third consideration?

Mr. DOMBROWSKI offered the following amendments:

Amend Title, page 1, line 2 by removing the period after "property" and inserting and establishing a speed limit for school zones.

Amend Sec. 1, page 1, line 6 by inserting after "3353" and subsection (b) of section 3365

Amend Sec. 1, page 1, line 8 by striking out "is" and inserting are

Amend Bill, page 2, by inserting between lines 5 and 6
§ 3365. Special speed limitations.

(b) School zones.—When passing a school zone as defined and established under regulations of the department, no person shall drive a vehicle at a speed greater than [that established for the particular school zone] 15 miles per hour. An official traffic-control device shall indicate the beginning and end of each school zone to traffic approaching in each direction. Establishment of a school zone, including its location, and hours of operation [and speed limit,] shall be approved by the department.

On the question,

Will the House agree to the amendments?

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

Mr. DOMBROWSKI. Mr. Speaker, this amendment would simply reestablish the 15-mile-per-hour speed limit in the school zones.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—197

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

Durham	Laughlin	Rhodes	Zord
Earley	Lehr	Richardson	Zwikl
Fee	Letterman	Rieger	
Fischer, R. R.	Levi	Ritter	Seltzer,
Fisher, D. M.	Levin	Rocks	Speaker
Foster, A.	Livengood	Rodgers	

NAYS—0

NOT VOTING—6

Beloff	Greenfield	Street	Williams
Cunningham	Lewis		

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

REMARKS ON VOTES

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

Mrs. LEWIS. I was out of my seat. Would you record me in the affirmative, please, on the Dombrowski amendment to HB 34?

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

The Chair recognizes the gentleman from Centre, Mr. Cunningham.

Mr. CUNNINGHAM. Thank you, Mr. Speaker.

As a consequence of the malfunction of my voting key, I was unable to vote in the affirmative on the Dombrowski amendment, denominated A210, to HB 34. I would like the record to reflect my affirmative vote.

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

On the question,

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

Mr. GEORGE offered the following amendments:

Amend Sec. 1 (Sec. 3353), page 2, line 2, by removing the period after "restrictions" and inserting and the operator of the vehicle violates such posted restrictions. For the purposes of this section "private parking lot" means a parking lot open to the public or used for parking without charge; or a parking lot used for parking with charge.

Amend Sec. 1 (Sec. 3353), page 2, lines 3 and 4, by striking out "what constitutes a private parking lot and also"

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Clearfield, Mr. George.

Mr. GEORGE. Thank you, Mr. Speaker.

What this amendment does, Mr. Speaker, is define what is private parking and what is considered to be parking without charge or with charge. I think this is an agreed-to amendment, Mr. Speaker.

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?

Mr. TRELLO offered the following amendments:

Amend Title, page 1, line 2, by inserting after "the" issuance of limited driver's license in certain cases, for penalties, and for the

Amend Bill, page 1, by inserting between lines 5 and 6 Section 1. Title 75, act of November 25, 1970 (P. L. 707, No. 230), known as the Pennsylvania Consolidated Statutes, is amended by adding a section to read:
§ 1552. Limited driver's license.

(a) Issuance.—The department may issue to a person whose driver's license has been suspended a limited driver's license upon a showing that such a license is necessary for:

(1) transportation to and from work;

(2) engaging in an occupation, trade, business or profession for which the operation of a motor vehicle is essential; or

(3) obtaining medical care for the person or his dependent.

(b) Eligibility.—A person shall be eligible for only one limited license in any two-year period. No person whose license has been revoked and no person whose license has been suspended pursuant to section 1547 (relating to chemical test to determine amount of alcohol) shall be eligible for a limited license.

(c) Application and fee.—Whenever a person is notified by the department that his driver's license is suspended or revoked he may, within ten days, make application for a limited license which shall be accompanied by a fee of \$10 and satisfactory proof of financial responsibility. The department, after making a determination that the applicant is eligible to apply for a license, shall assign the case to a hearing examiner for a departmental hearing. Such hearing examiner shall be located as close as possible to the residence of the applicant. The department shall postpone the effective date of the suspension pending the outcome of the application for a limited license, if such application is made within the time prescribed herein.

(d) Hearing and determination.—

(1) Hearing notice and procedure.—The examiner shall, upon receipt of notification by the department, immediately notify the applicant of the time and place of the hearing which shall be held as soon as possible. At the hearing the applicant may be represented by counsel and may present testimony concerning his need for a limited license. Notes of testimony shall be taken and the examiner shall render a decision as to whether or not the notes shall be reduced to writing and filed of record. The hearing examiner shall not be bound by the strict rules of evidence.

(2) Recommendation and determination.—Within five days after hearing the testimony the examiner shall forward to the department for its action, his recommendation to deny the applicant a limited license or to grant a limited license with any restrictions thereon that he may deem appropriate. The department shall not grant nor shall an examiner recommend that an applicant be granted a limited license whenever it is found upon sufficient evidence that such applicant's license

was suspended under circumstances in which the applicant displayed reckless, willful and wanton disregard for the safety of others or operated his vehicle in a grossly negligent manner. If the department grants the applicant a limited license the restrictions shall be noted on the license and it shall be valid for the period of the suspension or revocation unless otherwise noted. In granting a limited license the department may require the operator to attend an approved driver improvement school or require him to attend a clinic or any combination of the two.

(e) Judicial review.—Any applicant who is denied a limited license under this section shall have the right to file a petition, within 30 days thereafter, for a hearing on the matter in the court of common pleas of the county in which the applicant resides.

(f) Driving in violation of restrictions.—If any person drives a motor vehicle or tractor in violation of the restrictions of a limited license the department shall suspend the operating privilege of such person for a period twice as long as the original suspension during which period such person shall not be eligible to apply for a limited driver's license. If any person is convicted of any violation to which the point system of section 1535 (relating to schedule of convictions and points) applies, while driving a motor vehicle or tractor under the provisions of this section, the department shall immediately revoke such driver's limited license.

Amend Sec. 1, page 1, line 6, by striking out "1" and inserting 2

Amend Sec. 1, page 1, lines 6 through 8, by striking out "Title 75, act" in line 6, all of line 7 and "Pennsylvania Consolidated Statutes," in line 8 and inserting the title

Amend Sec. 2, page 2, line 6, by striking out "2" and inserting 3

Amend Sec. 2, page 2, line 6, by striking out "60" and inserting 90

On the question,

Will the House agree to the amendments?

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

Mr. TRELLO. Mr. Speaker, this is a limited license bill, or some people refer to it as the "bread and butter" bill. This will allow people who have lost their license to drive to and from work if their license is suspended. It provides penalties and it has exceptions for different violations, and I urge everyone to support the amendment.

The SPEAKER. The Chair recognizes the majority whip.

Mr. S. E. HAYES. Mr. Speaker, the gentleman, Mr. Trello, has stated very clearly that this is a "bread and butter" license amendment, but I think the members of this House would appreciate his elaborating on the complete amendment. There are several provisions which I believe this House of Representatives would like to discuss with the gentleman. So would he go into a little more detail as to what specifically is contained in the amendment?

Mr. TRELLO. Mr. Speaker, what this amendment does is it allows men or women who have lost their license to continue to

use their automobile or truck, whatever the case may be, to keep their employment. Not only does it refer to employment, but it also refers to people who need medical attention who have lost their license. It allows them to go to and from the doctor, to the hospital, and so forth.

The amendment also mandates that a board be set up by the Department of Transportation to determine if the person who has lost his license is worthy of having a limited license. It also imposes restrictions on how to use that limited license. It also has extra penalties if somebody is violating the law in regard to the limited license bill also.

I will stand free for interrogation.

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

Mr. POLITE. Thank you, Mr. Speaker.

Mr. Speaker, the gentleman from Allegheny, Mr. Trello, explained it correctly. To be eligible you must apply to request an application for this limited license. You have your hearing, and then it is determined whether you qualify to have a limited license. There are safeguards if you abuse this privilege that is given to you during this period.

I think this is a bill that should not be referred to as a "bread and butter" bill, but it should be a limited license bill, and I think we should use it as such, and I certainly do support it. Thank you, Mr. Speaker.

REQUEST TO DIVIDE AMENDMENTS

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Reed.

Mr. REED. Mr. Speaker, I will ask your ruling as to the divisibility of this amendment, and the part that I would like to see divided and considered as a separate, free-standing amendment would be at the very top of page 2 of this amendment, section 1552, entitled "Limited driver's license." Under (a) I would like to know if parts (1) and (3) can be considered a separate amendment by themselves, and then we can vote on those two items and then on the rest of the amendment.

The SPEAKER. The Chair asks the gentleman, Mr. Reed, is his specific question whether subparagraphs (1) and (3) can be voted separately?

Mr. REED. Yes. What I am attempting to do is to find out if (1) and (3) can be considered on one vote and the entire other language of this amendment considered on a separate vote.

The SPEAKER. It is the opinion of the Chair that (1) and (3) are separable and can be voted on as separate issues.

Mr. GEESEY. Mr. Speaker, would the gentleman yield, please, for just a minute?

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

Mr. GEESEY. Mr. Speaker, this is a rather extensive and very important amendment that, I might add, has not been caucused on. In order to be absolutely certain that everything is proper in the amendment, I would like the amendment held temporarily until we would have an opportunity to caucus on the amendment properly.

HB 34 AND AMENDMENTS TABLED

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

Mr. GEESEY. Mr. Speaker, I move that the bill, along with the amendment, be placed upon the table until our next legislative day for consideration. That will give us an opportunity to properly caucus on the bill and determine whether or not a fiscal note is needed and have a proper analysis.

The SPEAKER. The Chair recognizes the majority whip.

Mr. S. E. HAYES. Mr. Speaker, I was going to offer another possible alternative before the gentleman from York, Mr. Geesey, made his motion.

There is another bill on the calendar which amends the Motor Vehicle Code, and, if it was agreeable with the gentleman, Mr. Trello, he could possibly have his amendment drafted to that bill, and we would have an opportunity to caucus on his amendment and HB 34 could be considered today.

We have already considered several amendments to that bill and we could continue our work on that piece of legislation.

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

Mr. POLITE. To get a clarification on the bill that the majority whip is referring to, if he will stand for interrogation.

The SPEAKER. Will the majority whip permit himself to be interrogated?

Mr. S. E. HAYES. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. POLITE. Mr. Speaker, what bill number are your referring to?

Mr. S. E. HAYES. Mr. Speaker, I was referring to HB 305. It was only a thought, and I would be perfectly willing not to pursue that thought and allow the gentleman's motion to be considered by this House.

But, obviously, Mr. Speaker, this amendment is a very important amendment and this House of Representatives has not had a chance to caucus on that amendment.

The SPEAKER. It has been moved by the gentleman from York, Mr. Geesey, that HB 34, PN 35, and the amendments be laid on the table.

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

Mr. TRELLO. To speak on the motion.

The SPEAKER. The motion is not debatable.

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

Mr. GEESEY. So the motion is worded properly, I said, "until the next legislative day."

The SPEAKER. The Chair would suggest to the gentleman that he lay the bill and the amendments on the table.

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. GEESEY. Is it not possible to make a tabling motion until a time certain such as the next—

The SPEAKER. *It is not a proper motion. The proper motion to make would be to pass over the bill for today's session.*

Mr. GEESEY. Mr. Speaker, it is my understanding that in previous sessions we were able to make motions like that. However, if the Speaker is ruling that that type of motion is not appropos, I will withdraw the time constraint with a commitment to the gentleman from Allegheny and to the gentleman from Montgomery that, on the next legislative day, I would be happy to join with them in moving the bill from the table.

The SPEAKER. The gentleman will just keep his original motion to lay the bill and the amendments on the table. On the next legislative day, the Chair will recognize the gentleman from York, Mr. Geesey, and he can move that the bill and the amendments be taken from the table.

Mr. GEESEY. That is what I said, Mr. Speaker.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—185

Alden	Fisher, D. M.	Levin	Ryan
Anderson	Foster, A.	Lewis	Salvatore
Armstrong	Foster, W.	Lynch, E. R.	Scheaffer
Arty	Freind	Lynch, F.	Schweder
Austin	Fryer	Mackowski	Scirica
Barber	Gallagher	Madigan	Serafini
Belardi	Gallen	Manderino	Seventy
Beloff	Gamble	Manmiller	Shadding
Bennett	Gannon	McCall	Shupnik
Berson	Gatski	McClatchy	Sieminski
Bittle	Geesey	McKelvey	Sirianni
Borski	Geist	McMonagle	Smith, E.
Bowser	George, C.	McVerry	Smith, L.
Brandt	George, M.	Michlovic	Spencer
Brown	Giammarco	Micozzie	Spitz
Brunner	Gladeck	Milanovich	Stairs
Burd	Goebel	Miller	Steighner
Caltagirone	Goodman	Moehlmann	Stewart
Cappabianca	Grabowski	Mowery	Stuban
Cessar	Greenfield	Mrkonic	Sweet
Chess	Grieco	Mullen, M. P.	Swift
Cianciulli	Gruppo	Murphy	Taddonio
Cimini	Halverson	Musto	Taylor, E.
Clark, R.	Hayes, D. S.	Nahill	Taylor, F.
Cochran	Hayes, S. E.	Novak	Telek
Cohen	Helfrick	Noye	Thomas
Cole	Hoefel	O'Brien, D.	Trello
Cornell	Honaman	O'Donnell	Vroon
Coslett	Hutchinson, A.	Oliver	Wagner
Cowell	Hutchinson, W.	Peterson	Wargo
Cunningham	Irvis	Piccola	Wass
Davies	Itkin	Pievsky	Weidner
DeMedio	Johnson, E.	Pistella	Wenger
DeVertter	Johnson, J.	Pitts	White
DeWeese	Jones	Polite	Wilson
DiCarlo	Kanuck	Pott	Wilt
Dietz	Kernick	Pratt	Wright, J. L.
Dininni	Klingaman	Punt	Yahner
Dombrowski	Knepper	Pyles	Yohn
Donatucci	Knight	Rappaport	Zeller
Dorr	Kolter	Reed	Zitterman
Duffy	Kowalyszyn	Rhodes	Zord

Dumas	Lashinger	Richardson	Zwinkl
Durham	Laughlin	Rieger	
Earley	Lehr	Ritter	Seltzer,
Fee	Letterman	Rocks	Speaker
Fischer, R. R.	Levi	Rodgers	

NAYS—13

Burns	Kukovich	O'Brien, B.	Schmitt
Gray	Livengood	Perzel	Wachob
Harper	McIntyre	Petrarca	Wright, D.
Hasay			

NOT VOTING—5

Clark, B.	Pucciarelli	Street	Williams
Dawida			

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

QUESTION OF INFORMATION

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

Mr. RICHARDSON. I rise to a question of information.

The SPEAKER. The gentleman will state it.

Mr. RICHARDSON. Mr. Speaker, I just want to call to the attention of the members of the House that last year, on bills that were put on the calendar, there was some space available for analysis of the bills. I am wondering whether or not this year we are going to, in fact, also have accompanied with our calendar, at some point, the analysis of the bills we are voting on?

The SPEAKER. The Chair would suggest that the gentleman talk to the minority leader.

Mr. RICHARDSON. Why would I have to do that, Mr. Speaker?

The SPEAKER. It is the Chair's understanding that each caucus is performing that service for its members.

Mr. RICHARDSON. No. Maybe I will try to reiterate my point of information.

Last year we did that. Is there a set rule on why we are not going to do it this year? If there is such a rule, I would like to know whether or not that can be put in the form of a motion to raise the question as to our having a place now on the calendar specifically to have analysis of each bill that we are going to vote on.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I am aware of the problem that the gentleman, Mr. Richardson is calling to our attention.

As I understand it, and I am looking, frankly, to Mr. Zubeck to see if he is agreeing or disagreeing with me as I speak, that the committee chairman and the staff people assigned to the various committees should put a short synopsis of the bill on the blueback when it is reported from the committee, and if that happens, then Mr. Zubeck will see to it that is is printed on the calendar.

Our problem, Mr. Richardson, though—and we have not fully resolved this part of it—is that the calendar is handled through

data processing and the data processing system is unable to incorporate into it the analysis that the committee chairman would put on the blueback.

What it means is that Mr. Zubeck has to go through a great deal more trouble pasting it up, and we are attempting to resolve whether or not handing out an analysis separate from the calendar is sufficient or whether we should use the short memorandum type analysis on the calendar itself.

I, yesterday, dictated a memorandum to the committee, to the staff people for the committees, through Mr. Littleton, asking that his people take care of this problem. I would hope that next week this will be one more problem that we have resolved.

So you are right that, a, there is no rule on it, to my knowledge, but rather it was a courtesy extended and started by the now minority side when they were in the majority. We would intend to continue that practice if we can figure out how to do it in an uncomplicated fashion.

Mr. RICHARDSON. I would just like to say, Mr. Speaker, if that is the case, then perhaps we can take a page out of this side's book from last year and maybe you can institute the same plan that was used then to illustrate to all of the members what was a very brief synopsis of each bill before we voted on it.

If that cannot be done by you working it out with both leaderships, I would so indicate at the proper time that I would amend the rules of this House to so indicate that this should be put on the calendar so each member would have an opportunity to see what they are voting on before they vote on it. Thank you very much.

The House proceeded to third consideration of **HB 60, PN 62**, entitled:

An Act naming a highway in Dauphin County the William B. Lentz Highway.

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 yeas and nays will now be taken.

YEAS—200

Alden	Foster, A.	Livengood	Rodgers
Anderson	Foster, W.	Lynch, E. R.	Ryan
Armstrong	Freind	Lynch, F.	Salvatore
Arty	Fryer	Mackowski	Scheaffer
Austin	Gallagher	Madigan	Schmitt
Barber	Gallen	Manderino	Schweder
Belardi	Gamble	Manmiller	Scirica
Beloff	Gannon	McCall	Serafini
Bennett	Gatski	McClatchy	Seventy
Berson	Geesey	McIntyre	Shadding
Bittle	Geist	McKelvey	Shupnik
Borski	George, C.	McMonagle	Sieminski
Bowser	George, M.	McVerry	Sirianni
Brandt	Giammarco	Michlovic	Smith, E.
Brown	Gladeck	Micozzie	Smith, L.
Brunner	Goebel	Milanovich	Spencer
Burd	Goodman	Miller	Spitz

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

NAYS—1

Kernick

NOT VOTING—2

Street

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.

The House proceeded to third consideration of **HB 62, PN 459**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for the disposition of taxes on aviation fuel.

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 yeas and nays will now be taken.

YEAS—195

Alden	Foster, W.	Lewis	Rocks
Anderson	Freind	Livengood	Rodgers
Armstrong	Fryer	Lynch, E. R.	Ryan

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

NAYS—4

Cohen	Grabowski	Rappaport	Sweet
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NOT VOTING—4

DiCarlo	Sirianni	Street	Williams
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The majority required by the constitution having voted in the affirmative, the question was determined in the affirmative.

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

The House proceeded to third consideration of **HB 305, PN 325**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for articulated buses.

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 differ-

ent days and agreed to and is now on final passage.

The question is, Shall the bill pass finally?

The Chair recognizes the gentleman from Dauphin, Mr. Reed.

Mr. REED. Mr. Speaker, I do not oppose the bill. I am just curious to know what an "articulated bus" is.

The SPEAKER. Will the gentleman yield? The gentleman from Allegheny, Mr. Cessar, indicates that he will permit himself to be interrogated.

Mr. CESSAR. What did you think it was? It is a bus that is jointed in the center like an accordion. That is right.

Mr. REED. Thank you very much. That certainly clarifies the issue.

On the question recurring,

Shall the bill pass finally?

Agreeable to the provision of the constitution, the yeas and nays will now be taken.

YEAS—195

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

NAYS—5

Dietz	Geist	Piccola	Wagner
Geesey			

NOT VOTING—3

Street	Sweet	Williams
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The majority required by the constitution having voted in the affirmative, the question was determined in the affirmative.

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

HB 300 PASSED OVER

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, this bill has not been caucused on and, in discussion with the majority whip, I believe I mentioned the fact that this bill has not been caucused on and we would require a caucus before we would be ready to vote on this, sir.

If it is the desire of the Chair to run the bill, if the Chair will declare a 20-minute recess, we will go off the floor, caucus on the bill and return, but we have not yet—

The SPEAKER. The Chair apologizes to the gentleman. The Chair's calendar was marked that it was ready to be voted upon.

The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, the bill originally was marked for an amendment, which I understand has been withdrawn, but if the minority has not had an opportunity to review it, I have no objection to holding it over until next week.

The SPEAKER. Without objection, HB 300 will be passed over. The Chair hears none.

BILLS PASSED OVER

The SPEAKER. Without objection, all remaining bills on today's calendar will be passed over.

ANNOUNCEMENT

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Dininni.

Mr. DININNI. Mr. Speaker, for the benefit of the Transportation Committee, the meeting that we had scheduled for 12 o'clock noon was definitely canceled until tomorrow at 10 o'clock in the majority caucus room; 10 a.m. tomorrow morning.

CONDOLENCE RESOLUTION ADOPTED

The SPEAKER. The Chair is about to take up a condolence resolution for a former member, which the clerk will read. The clerk may proceed.

The following resolution was read:

House of Representatives
Harrisburg, Pa.
Office of the Chief Clerk
Resolution

WHEREAS, John H. King, a former member of the House of Representatives of the Commonwealth of Pennsylvania, passed away on March 3, 1979, at the age of ninety-eight; and

WHEREAS, John H. King was born in Corry, Pennsylvania and educated in the Corry Public Schools. He was first elected to the House of Representatives from Erie County in 1926, and was reelected every term thereafter until 1934. He served as Personnel Director for the General State Authority and as examiner for the Pennsylvania State Insurance Commissioner. A World War I United States Army veteran, Mr. King was a member of the American Legion. A member of the Masons, Corry Lodge F & AM No. 365 for seventy-seven years, he held the distinction of being one of the oldest members of the Masonic Lodge in the United States. He was a member of numerous organizations including the Columbus Royal Arch Chapter No. 200, the ZemZem Shrine, the Clarence Commandery, the Corry Elks and the Kiwanis; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to mourn the passing of this extraordinary man and extends its heartfelt condolences to his daughter, Elizabeth King; and be it further

RESOLVED, That a copy of this resolution be delivered to Elizabeth King, Muncy Valley, Pennsylvania.

We hereby certify that this is an exact copy of a resolution introduced in the House of Representatives by the Honorable David C. DiCarlo, Harry E. Bowser, David S. Hayes, Bernard J. Dombrowski and Italo S. Cappabianca, and adopted by the House of Representatives on the 7th day of March 1979.

H. JACK SELTZER
Speaker

ATTEST:

CHARLES F. MEBUS
Chief Clerk

The SPEAKER. As a mark of respect, all those who are in favor of the adoption of the resolution will rise and remain standing.

(Members stood).

The SPEAKER. The Resolution is unanimously adopted.

COMMITTEE MEETINGS

The SPEAKER. The Chair recognizes the majority whip.

Mr. S. E. HAYES. Three committee announcements, Mr. Speaker:

The Appropriations Committee will meet immediately at the time of adjournment in room 249.

The Local Government Committee will be reconvened by Mr. Weidner in his office immediately.

The Youth and Aging Subcommittee by Mr. Miller will reconvene immediately in room 401.

STATEMENT ON LEGISLATION TO BE INTRODUCED

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

Mr. RHODES. Mr. Speaker, this House has acted definitively in the past on the problem of personal care of boarding homes in the State of Pennsylvania by enacting, in the last session, HB 500, which, as you know, died in the Senate.

Today I introduce again a personal care of boarding homes licensing and regulation bill and I invite other members of the House who have not already cosponsored the bill, if they wish, they may do so. I will leave it up here in the front of the House.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Rhodes has just announced that he has a bill that is of major importance to many of you and he has invited sponsorship.

This is what I suggested be done last week, and I am asking anyone who is interested in Mr. Rhodes' bill, and I do not know that I am—I am not suggesting that it is a good bill or a bad bill—but if you want to get on it, now is the time to do it, rather than a week or 2 weeks from now coming down and handing to us a list of names and bills and asking that the rules be suspended. This is the proper way of doing it. I would just like to see if it will work once.

BILLS REPORTED FROM COMMITTEES

HB 74, PN 699 (Amended)

By Mr. GALLEN

An Act authorizing the Department of General Services, with the approval of the Governor to sell and convey a certain lot or tract of ground together with improvements thereon situate in the Township of Mt. Joy, Lancaster County, Pennsylvania.

State Government.

HB 404, PN 426

By Mr. GALLEN

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), adding a definition of "charitable organization."

State Government.

SB 297, PN 300

By Mr. GALLEN

An Act amending the act of June 3, 1937 (P. L. 1333, No. 320), entitled "Pennsylvania Election Code," providing for the county board of elections in certain instances.

State Government.

COMMITTEE ON ETHICS APPOINTED

The SPEAKER. Pursuant to House rule 47, the Chair appoints the following members to the Committee on Ethics, which the clerk will read:

The gentleman from Montgomery, Mr. Yohn, chairman;
the gentleman from Philadelphia, Mr. Rappaport, vice chairman;

the gentleman from Bradford, Mr. Madigan, secretary;
the lady from Lancaster, Mrs. Honaman;
the gentleman from Allegheny, Mr. D. Michael Fisher;
the gentleman from Delaware and Philadelphia, Mr. Donatucci;

the gentleman from Philadelphia, Mr. Rieger;
the gentleman from Luzerne, Mr. Shupnik.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Pennsylvania Women's Legislative Exchange is conducting its 11th annual legislative conference today. Attending are nearly 700 leaders of civic endeavor.

The purpose of the conference is to inform members of sponsoring organizations of relevant legislative issues and to encourage participants to engage in legislative and political affairs in order to advance their interests.

Due to our schedule, the Chair will not be able to present the

conference coordinator, Ms. Margaretta K. Miller, who is also the legislative chairman of the Pennsylvania Association of Hospital Auxiliaries, as was planned for 4 p.m. However, this evening, between 6:30 and 8 p.m., all members of the House are invited to attend a reception sponsored by the Exchange at the Penn-Harris Motor Inn, and the Chair urges all members to attend.

NO FURTHER BUSINESS

The SPEAKER. Does the majority leader have any further business?

Mr. RYAN. No; I do not, Mr. Speaker.

The SPEAKER. Does the minority leader have any further business?

Mr. IRVIS. No, Mr. Speaker, I do not.

SB 297 REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, the Rules Committee instructed me to remove from the table SB 297 so that it will be on the calendar ready for second consideration on Monday.

On the question,

Will the House agree to the motion?

Motion was agreed to.

WELCOMES

The SPEAKER. The Chair welcomes to the hall of the House Mr. John Butya, president of the Robinson Township Board of Commissioners, and Miss Ann Milles and Miss Jean Skisick from the Suburban Gazette. They are the guests of the gentleman from Allegheny, Mr. Trello.

The Chair welcomes to the hall of the House the president of the borough council of the borough of Catasauqua, Lehigh County, Richard Deibert, who is the guest of the gentleman from Lehigh County, Mr. Kanuck.

The Chair welcomes to the hall of the House Mr. John Radzynski, who is the ethnic coordinator for the United Steelworkers of America and the director of the Polish National Alliance. Mr. Radzynski is the guest of the gentleman from Allegheny County, Mr. Cessar.

The Chair welcomes to the hall of the House the senior class from St. Basil's Academy of Philadelphia, who are touring the Capitol today with Sister Athanasius, Sister Rita, and the daughter of one of our members, Victoria McMonagle. They are the guests of the gentleman, Messrs. McMonagle and Hoeffel. Hoeffel.

ADJOURNMENT

Mr. CORNELL moved that this House of Representatives do now adjourn until Monday, March 19, 1979, at 1 p.m., e.s.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 1:49 p.m., e.s.t., the House adjourned.