

Legislative Journal

TUESDAY, OCTOBER 9, 1979

Session of 1979

163rd of the General Assembly

Vol. 1, No. 70

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (H. JACK SELTZER) IN THE CHAIR

PRAYER

THE HONORABLE JOSEPH A. STEIGHNER, member of the House of Representatives and guest chaplain, offered the following prayer:

Today's prayer is authored by Rev. Mr. Gerald C. Stein, deacon at St. Paul's Church in Butler, Pennsylvania.

Let us pray:

Heavenly Father, mover of all mankind, shower Your blessings and graciousness upon Your sons and daughters as we begin a new week in this legislature.

We ask Your guidance for all who are engaged in working toward the passage of laws for this our Commonwealth.

Support us in our effort to deflate our egos, keeping in mind that we are elected officials—servants—of our constituency.

Give us divine assistance in being fair and honest in our deliberations and debate.

Supply us with strength and fortitude to be considerate of our fellow legislator in giving him the opportunity to present his best thinking on the subject at hand.

Help us to be intelligent listeners, shutting out all distractions both internal and external, so that we could have a full grasp of the intent of the proposed legislation.

Help us to keep the discussion at a high level of accomplishment so that our time is wisely spent.

Enlighten our minds that we may understand the far-reaching effect of the proposed legislation wherein a lighter burden might be placed on the backs of the more unfortunate of our peoples.

Give us the courage to vote our consciences, refusing to compromise when all the facts are in and it is time to act.

We ask all of this, Father, so that we can better serve our fellowman.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Tuesday, October 2, 1979, will be postponed until printed.

HOUSE BILLS INTRODUCED

HB 1788 By Representative DININNI.
PN 2191

An Act amending "The Borough Code," approved February 1, 1966 (1965 P. L. 1656, No. 581), further providing for the decrease in the number of councilmen based on increased minimum borough population.

Referred to Local Government, Oct. 2, 1979.

HB 1789 By Representatives TRELLO and SEVENTY.
PN 2192

An Act amending "The Landlord and Tenant Act of 1951," approved April 6, 1951 (P. L. 69, No. 20), providing for termination of a lease for senior citizens in certain cases.

Referred to Health and Welfare, Oct. 2, 1979.

HB 1790 By Representative TRELLO.
PN 2193

An Act amending the "Public Employe Relations Act," approved July 23, 1970 (P. L. 563, No. 195), prohibiting strikes by employes of certain health institutions and providing for binding arbitration in the event of an impasse in collective bargaining by such employes.

Referred to Labor Relations, Oct. 2, 1979.

HB 1791 By Representative TRELLO.
PN 2194

An Act requiring certain public utilities to issue stock in certain circumstances and requiring the Public Utility Commission to make certain calculations.

Referred to Consumer Affairs, Oct. 2, 1979.

HB 1792 By Representatives McCALL, ZWIKL,
PN 2195 DOMBROWSKI and STUBAN.

An Act providing for lunch periods.

Referred to Labor Relations, Oct. 2, 1979.

HB 1793 By Representatives THOMAS, YAHNER,
PN 2196 WENGER, STUBAN, BOWSER, WASS,
W. W. FOSTER, ZELLER, PITTS, BROWN,
CALTAGIRONE, HONAMAN, D. R.
WRIGHT, KLINGAMAN, MADIGAN and
WILT.

An Act authorizing the creation of agricultural areas.

Referred to Agriculture and Rural Affairs, Oct. 2, 1979.

HB 1794 By Representatives THOMAS, YAHNER,
PN 2197 WENGER, DEVERTER, A. C. FOSTER,
JR., HONAMAN, CALTAGIRONE,
BROWN, PITTS, ZELLER, W. W. FOSTER,
D. R. WRIGHT, BOWSER, STUBAN,
WASS, MADIGAN and WILT.

An Act to protect agricultural operations from nuisance suits under certain circumstances.

Referred to Agriculture and Rural Affairs, Oct. 2, 1979.

HB 1795 By Representatives PETRARCA, SIRIANNI,
PN 2198 LIVENGOOD and B. D. CLARK.

An Act amending the "Pennsylvania Cigarette Tax Act," approved July 22, 1970 (P. L. 513, No. 178), further providing for the bearing of licenses by cigarette vending machines.

Referred to Finance, Oct. 2, 1979.

HB 1796 By Representatives SALVATORE,
PN 2199 McKELVEY, D. M. O'BRIEN and PERZEL.

An Act amending the "General Appropriation Act of 1979," approved July 4, 1979 (No. 9A), reducing the appropriation to the Pennsylvania Council on the Arts.

Referred to Appropriations, Oct. 2, 1979.

HB 1797 By Representatives SALVATORE,
PN 2200 McKELVEY, PERZEL, D. M. O'BRIEN,
GRUPPO, ROCKS, GIAMMARCO, JONES,
PUCCIARELLI, McMONAGLE and
BORSKI.

An Act providing a limited exemption from taxation of residential real property of certain retired persons and for reimbursement by the Commonwealth through the Department of Revenue for loss of revenues occasioned by such exemption.

Referred to Finance, Oct. 2, 1979.

HB 1798 By Representatives SALVATORE,
PN 2201 McKELVEY, D. M. O'BRIEN, PERZEL,
GRUPPO, GIAMMARCO, JONES,
PUCCIARELLI, McMONAGLE and
BORSKI.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), creating and empowering an advisory council on the arts in the Department of Community Affairs.

Referred to State Government, Oct. 2, 1979.

HB 1799 By Representatives WILSON, GIAMMARCO,
PN 2202 KUKOVICH, M. R. CLARK, BARBER,
WHITE, J. J. JOHNSON, REED, E. G.
JOHNSON, JONES, HARPER, BRANDT,
ALDEN, LEWIS, E. Z. TAYLOR, GOEBEL,
McINTYRE, PERZEL and ROCKS.

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for certificates of public convenience related to taxicabs.

Referred to Consumer Affairs, Oct. 2, 1979.

HB 1800 By Representative DiCARLO.
PN 2203

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, by prohibiting the dispensing of cigarettes in certain instances.

Referred to Judiciary, Oct. 2, 1979.

HB 1801 By Representatives CESSAR, DeMEDIO,
PN 2204 IRVIS, GOEBEL, McVERRY, ITKIN,
PISTELLA, MICHLOVIC, GRABOWSKI,
TRELLO, ZORD, GAMBLE, FISHER,
CHESS and KNEPPER.

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723, No. 230), further providing credits for military service.

Referred to Military and Veterans Affairs, Oct. 2, 1979.

HB 1802 By Representatives PERZEL, D. M. O'BRIEN,
PN 2205 SALVATORE, McKELVEY, ROCKS,
GRUPPO, McMONAGLE and
GIAMMARCO.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), increasing certain authorized acquisition allowances concerning textbooks for nonpublic school children.

Referred to Education, Oct. 2, 1979.

HB 1803 By Representatives GOODMAN, B. F.
PN 2206 O'BRIEN, J. L. WRIGHT, JR., BURNS,
GATSKI, STUBAN, MUSTO and McCALL.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), providing for grants to school districts, intermediate units or vocational technical schools to defray costs of conversion of certain heating systems.

Referred to Education, Oct. 2, 1979.

HB 1804 By Representatives McINTYRE,
PN 2207 SALVATORE, GIAMMARCO, LEVIN,
RAPPAPORT, GRAY, McMONAGLE,
OLIVER, McKELVEY, WHITE,
SHADDING, J. J. JOHNSON, JONES,
MULLEN, BARBER, PUCCIARELLI,
BORSKI, RIEGER, BELOFF, PIEVSKY
and GREENFIELD.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), further providing for the filing of certain nomination petitions in cities of the first class.

Referred to Urban Affairs, Oct. 2, 1979.

HB 1805 By Representatives L. E. SMITH, BENNETT,
PN 2208 GRIECO, SPENCER, ZWIKL,
LIVENGOOD, McCALL and
DOMBROWSKI.

An Act amending the "Banking Code of 1965," approved November 30, 1965 (P. L. 847, No. 356), further providing for

variable rate and alternative type mortgages; *** expansion of authority to own treasury stock, and revising restrictions on officer and employe loans.

Referred to Business and Commerce, Oct. 2, 1979.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 131

(Concurrent) By Messrs. D. S. HAYES, BOWSER and HALVERSON

The General Assembly of the Commonwealth of Pennsylvania memorializes the Congress of the United States to designate the fourth Saturday in September of each year as National Hunting and Fishing Day and that it request the President of the United States to issue a formal proclamation designating that day as such.

Referred to Committee on Federal-State Relations.

LEAVES OF ABSENCE GRANTED

The SPEAKER. The Chair recognizes the majority whip.

Mr. S. E. HAYES. Mr. Speaker, I request leaves of absence for Mrs. DURHAM, Messrs. W. D. HUTCHINSON and MILLER for today's session.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, I request leaves of absence for Messrs. RHODES, DUFFY and STREET for today's session, and for Mr. KOWALYSHYN for this week's session.

The SPEAKER. Without objection, leaves are granted.

MASTER ROLL CALL RECORDED

The SPEAKER. The members will please report to the floor. The Chair is about to take today's master roll.

The following roll call was recorded:

YEAS—195

Table listing names of members who voted 'YEAS' (195 total). Includes Alden, Anderson, Armstrong, Arty, Austin, Barber, Belardi, Beloff, Bennett, Berson, Bittle, Borski, Bowser, Brandt, Brown, Brunner, Burd, Burns, Caltagirone, Cappabianca, Cessar, Chess, Cimini, Clark, B., Clark, R., Cochran, Freind, Fryer, Gallagher, Gallen, Gamble, Gannon, Gatski, Geesey, Geist, George, C., George, M., Giammarco, Gladeck, Goebel, Goodman, Grabowski, Gray, Greenfield, Grieco, Gruppo, Halverson, Harper, Hasay, Hayes, D. S., Hayes, S. E., Helfrick, Lynch, E. R., Lynch, F., Mackowski, Madigan, Manderino, Manmiller, McCall, McClatchy, McIntyre, McKelvey, McMonagle, McVerry, Michlovic, Micozzie, Milanovich, Moehlmann, Mowery, Mrkonjic, Mullen, M. P., Murphy, Musto, Nabill, Novak, Noye, O'Brien, B., O'Brien, D., Salvatore, Scheaffer, Schmitt, Schweder, Scirica, Serafini, Seventy, Shadding, Shupnik, Sieminski, Sirianni, Smith, E., Smith, L., Spencer, Spitz, Stairs, Steighner, Stewart, Stuban, Sweet, Swift, Taddonio, Taylor, E., Taylor, F., Telek, Thomas.

Table listing names of members who voted 'NAYS' (0) and 'NOT VOTING' (8). Includes Cohen, Cole, Cornell, Coslett, Cowell, Cunningham, Davies, Dawida, DeMedio, DeVerter, DeWeese, DiCarlo, Diez, Dininni, Dombrowski, Donatucci, Dorr, Dumas, Earley, Fee, Fischer, R. R., Fisher, D. M., Foster, A., Foster, W., Hoeffel, Honaman, Hutchinson, A., Irvis, Itkin, Johnson, E., Johnson, J., Jones, Kanuck, Kernick, Klingaman, Knepper, Knight, Kolter, Kukovich, Lashingner, Laughlin, Lehr, Letterman, Levi, Levin, Lewis, Livengood, O'Donnell, Oliver, Perzel, Peterson, Petrarca, Piccola, Pievsky, Pistella, Pitts, Polite, Pott, Pratt, Pucciarelli, Punt, Pyles, Rappaport, Reed, Richardson, Rieger, Ritter, Rocks, Rodgers, Ryan, Trello, Vroon, Wachob, Wagner, Wargo, Wass, Weidner, Wenger, White, Williams, Wilson, Wilt, Wright, D., Wright, J. L., Yahner, Yohn, Zeller, Zitterman, Zord, Zwick, Seltzer, Speaker.

NAYS—0

NOT VOTING—8

Table listing names of members who did not vote (8 total). Includes Cianciulli, Duffy, Durham, Hutchinson, W., Kowalysyn, Miller, Rhodes, Street.

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

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 672, PN 728 By Mr. WILSON

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, mandating certain electric utilities to maintain a certain supply of fossil fuel at certain times.

Consumer Affairs.

HB 1222, PN 1375 (Unanimous) By Mr. ZORD

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), further providing for eligibility for and amount of State blind pensions.

Health and Welfare.

HB 1611, PN 1936 By Mr. ZORD

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), providing reimbursements for certain services for children affected with muscular dystrophy.

Health and Welfare.

HB 1632, PN 2212 (Amended) By Mr. ZORD

An Act making an appropriation to the Department of Public Welfare for the purchase of social services.

Health and Welfare.

HB 1653, PN 2005 (Unanimous) By Mr. WILSON

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for billing procedures.

Consumer Affairs.

HB 1671, PN 2209 (Amended) By Mr. BURNS

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, adding provisions relating to education in public and nonpublic schools and making repeals.

Education.

HB 1673, PN 2213 (Amended) By Mr. POLITE

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (2nd Sp. Sess., 1937 P. L. 2896, No. 1), further providing for ineligibility for compensation.

Labor Relations.

SB 489, PN 1181 (Amended) By Mr. GEESEY

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," further providing for examinations to be administered by the professional and occupational examining boards; and providing for approval or disapproval of regulations by the Legislature.

Professional Licensure.

REPORT OF COMMITTEE OF CONFERENCE PRESENTED

Mr. DININNI presented the Report of the Committee of Conference on HB 177, PN 2211.

The SPEAKER. The report will be laid over for printing under the rules.

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:

SB 693, PN 911; SB 762, PN 1083; HB 11, PN 2182; HB 311, PN 1067; HB 420, PN 1701; HB 421, PN 1702; HB 273, PN 1795; HB 1436, PN 1731; HB 1176, PN 1320; and SB 276, PN 1036.

HB 1145 PASSED OVER TEMPORARILY

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

Mr. GOEBEL. Mr. Speaker, I also have an amendment for this but I have not received it from the Reference Bureau yet, and I was wondering if you could hold this bill until tomorrow.

The SPEAKER. Without objection, HB 1145 will be passed over temporarily.

CALENDAR BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of SB 535, PN 1080, entitled:

An Act amending the act of June 27, 1968 (P. L. 271, No. 127), entitled "An act fixing the annual salary or compensation of members of the police force in boroughs, towns and townships," providing for certain legal fees and judgments.

On the question,

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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage. The question is, shall the bill pass finally?

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

YEAS—188

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

NAYS—0

NOT VOTING—15

Table listing names of members who did not vote in four columns: Barber, Dumas, McMonagle, Shadding; Cianciulli, Durham, Miller, Street; Donatucci, Hutchinson, W., Rhodes, Williams; Duffy, Kowalyszyn, Richardson.

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

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

CALENDAR BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of SB 797, PN 1084, entitled:

An Act authorizing political subdivisions, municipality authorities and transportation authorities to enter into contracts for the purchase of goods where no bids are received.

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

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

Amend Sec. 1, page 1, line 8, by striking out "OR" and inserting a comma

Amend Sec. 1, page 1, line 9, by inserting after "MUNICIPALITY" authority or transportation authority

Amend Sec. 1, page 1, line 10, by inserting after "RECEIVED," the

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

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

Mr. WEIDNER. Mr. Speaker, this amendment is really technical. It inserts two words which were omitted in error. On line 9 it would insert after "MUNICIPALITY" "authority or transportation authority", and on line 10 it would insert the word "the," t-h-e. Really, it is an omission of words and is technical.

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

The following roll call was recorded:

YEAS—181

Table listing names of members who voted 'YEAS' (181 total). Includes Alden, Fryer, Lynch, E. R., Salvatore, etc.

Table listing names of members who voted 'NAYS' (3 total). Includes Cole, Honaman, O'Donnell, Vroon, etc.

NAYS—3

Table listing names of members who voted 'NAYS' (3 total): DeMedio, Sweet, Zeller.

NOT VOTING—19

Table listing names of members who did not vote (19 total). Includes Anderson, Dumas, Kowalyszyn, Richardson, etc.

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

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

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

The question is, shall the bill pass finally?

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

YEAS—183

Table listing names of members who voted 'YEAS' (183 total). Includes Alden, Freind, Livengood, Rodgers, etc.

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	Irvis	Perzel	Wachob
Cowell	Itkin	Peterson	Wagner
Cunningham	Johnson, J.	Petrarca	Wargo
Davies	Jones	Piccola	Wass
Dawida	Kanuck	Pievsky	Weidner
DeMedio	Kernick	Pistella	Wenger
DeVerter	Klingaman	Pitts	White
DeWeese	Knepper	Polite	Wilson
DiCarlo	Knight	Pott	Wilt
Dietz	Kolter	Pratt	Wright, D.
Dininni	Kukovich	Pucciarelli	Wright, J. I.
Dombrowski	Lashinger	Punt	Yahner
Dorr	Laughlin	Pyles	Yohn
Earley	Lehr	Rappaport	Zitterman
Fee	Letterman	Reed	Zwilk
Fischer, R. R.	Levi	Rieger	
Fisher, D. M.	Levin	Ritter	Seltzer,
Foster, A.	Lewis	Rocks	Speaker
Foster, W.			

NAYS—4

Halverson	Sweet	Zeller	Zord
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NOT VOTING—16

Barber	Dumas	Kowalyshyn	Richardson
Cianciulli	Durham	McMonagle	Shadding
Donatucci	Hutchinson, W.	Miller	Street
Duffy	Johnson, E.	Rhodes	Williams

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

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

The House proceeded to third consideration of **HB 1398, PN 1588**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, adding a provision relating to labeling reproductions of antiques.

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

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

Mr. NOYE offered the following amendments:

Amend Sec. 1 (Sec. 4102), page 1, line 10, by inserting after "antiquity", etc

Amend Sec. 1 (Sec. 4102), page 1, line 16, by striking out "Labeling" and inserting Sale of unlabeled

Amend Sec. 1 (Sec. 4102), page 1, line 17, by striking out "participates" and inserting participates

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

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

Mr. NOYE. Mr. Speaker, this is somewhat of a technical amendment. There are three changes, two of which are misspellings in the bill. The one of any substance is an amendment in an attempt to tighten up the language to pinpoint the people who would be most affected by this bill, and that is specifically spelling out that we are talking about antique dealers, dealers of antiquity, rather than any kind of person in business who might happen to be selling a reproduction or a carbon copy of something that was produced earlier. We are nailing this down to antique dealers.

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

The following roll call was recorded:

YEAS—185

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

NAYS—2

O'Donnell	Stuban
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NOT VOTING—16

Barber	Dumas	McMonagle	Richardson
Cianciulli	Durham	Miller	Shadding
Donatucci	Hutchinson, W.	Rappaport	Street
Duffy	Kowalyszyn	Rhodes	Williams

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

(Members proceeded to vote)

VOTE STRICKEN

The SPEAKER. The Chair recognizes the gentleman from Columbia, Mr. Stuban.

Mr. STUBAN. Mr. Speaker, I would like you to strike that vote. I would like to question the prime sponsor of the bill.

The SPEAKER. The clerk will strike the vote.

The gentleman, Mr. Noye, indicates he will stand for interrogation. The gentleman, Mr. Stuban, may proceed.

Mr. STUBAN. Mr. Speaker, in this bill it is a summary offense and you just added an amendment to tack it to antique dealers. What about the manufacturer who manufactures these items?

An instance I would like to relate to you is, Mr. Goodman here had a friend who worked in this House who gave him a miner's lamp, and I stopped in his office the other day and he was under the impression that this was a lamp that the seller used on the job working in a mine, and I lifted up the lamp and I said to Jim, "Where did you get this lamp?" Jim said "The fellow gave it to me and it was his lamp," and it was marked "made in Hong Kong" on the bottom, I guess.

Now, you know, what do we do with that fellow? If I had taken that label off or Mr. Goodman would have taken that label off that lamp knowingly, he would have no knowledge of it being a reproduction.

Mr. NOYE. I do not think there would be any problem at all at this point on that particular case because there was no sale. It was a gift to Mr. Goodman. If he would have sold that under the pretense that it was an antique, and it was not properly labeled under this bill as an antique, then he would have been subject to the violation.

Mr. STUBAN. The thing that bothers me is how many people have that knowledge? I am in the auction business and I can stand here and say that I do not have that expertise or knowledge. So if I pick up an item on the auction block and I say it is old or it looks old and I unknowingly sell this item, I had no knowledge that this was a reproduction.

Mr. NOYE. Mr. Speaker, first of all, in this bill it is not my intention to cover auctioneers. In fact, when the bill came down from the Reference Bureau originally, it had that put into it, and I had that part stricken. However, I do believe that somebody who goes into the antique business and deals in this better darned well know what is an antique and what is not or they are going to be out of business very soon.

This bill actually was suggested by the Pennsylvania Antique Dealers Association. This is their idea; they want to make sure that only legitimate antique dealers are in business in Pennsylvania, and they are trying to rid themselves of the frauds who have portrayed themselves as antique dealers. I think anybody who is in the business to make a profit knows what is antique and what is not.

Mr. STUBAN. Well, personally, I differ with that argument, because I have sold to a lot of these people and I would differ with you. I personally am going to vote against the bill, and the reason that I am going to vote against the bill is because I feel that there are going to be a lot of innocent people out there paying a fine and not having the knowledge, while you let this manufacturer continue to manufacture and reproduce these items. I think that that is where we ought to address this — at the site of manufacture. There is where it should be marked "reproduced."

Mr. NOYE. Mr. Speaker, I agree, and, really, those manufacturers will come under the provisions of the bill if they portray their product to be an object of antiquity.

If they are reproducing an item and selling it as such, as a reproduction, that is fine; they do not come under the auspices of this bill. But if they are portraying it to be an object of antiquity—and that, by the way, is defined in other statutes—then they would be in violation of this act.

Mr. STUBAN. I personally am going to oppose this bill, and I personally think it is a bad bill. There are going to be a lot of innocent people involved in this knowingly and at state sales and other places who have a reproduction in their possession, not realizing that it is a reproduction, and we cannot say that everybody who sells antiques or sells used furniture is an expert. I feel it is just a bad piece of legislation.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, I rise in opposition to the bill before us for several reasons.

Presently the Crimes Code does define an offense under which the evil that Mr. Noye would like to get at can be prosecuted. A person guilty of intentionally defrauding in the manner described by Mr. Noye and in a manner aimed at by this bill would be guilty of a theft by deception as defined in the Criminal Code, and there are various degrees depending upon the object and the amount of money involved in the theft by deception.

Mr. Speaker, while I can understand the concern that some individuals have for attempting to define more specifically the particular crime as it deals with antiques or antiquities or, as the bill describes it, objects of antiquity and rarity of source or authorship, I submit, Mr. Speaker, that for a criminal statute, which this is, there is no definition contained for the word

"antiquity" or for the other descriptive words in the bill, and I think that the statute would fail, would be unconstitutional, because of this deficiency. I am aware that the word "antique" is defined in our statutes. However, we are introducing some new words here which are not defined, to the best of my knowledge, anywhere.

An individual may be guilty of the crime described in HB 1398 with the recent Noye amendment if he knowingly participates in the scheme, and it seems to me that all that is required so far as the individual's knowledge is concerned is that he is participating in the sale. It has nothing to do with whether or not he has knowledge that what is being sold is a reproduction. It would seem to me that that ought to be an essential element of the crime, that one ought not to become a criminal unless he knows that he is participating in the sale of something that is a reproduction and is not labeled as such, but you can be guilty of a crime under HB 1398 by simply knowing that you are participating in the sale in some manner, whether or not you have knowledge that the object being sold is really a reproduction.

For those two reasons, Mr. Speaker, I would ask for a negative vote on HB 1398.

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

Mr. NOVAK. Mr. Speaker, may I interrogate the prime sponsor, please?

The SPEAKER. The gentleman, Mr. Noye, indicates he will stand for interrogation. The gentleman, Mr. Novak, may proceed.

Mr. NOVAK. Mr. Speaker, we all know there are numerous flea markets throughout the State of Pennsylvania. I want to pose a question to the prime sponsor. For example, if I went to a flea market this coming Sunday and I bought an old-fashioned coffee grinder, the thrust of my question is simply this: What is the procedure that I follow if I go home and find out that that is a reproduction? What is my procedure in filing this complaint under this bill here?

Mr. NOYE. If the item was not properly labeled, you would file a charge against that individual with the local district justice.

Mr. NOVAK. Suppose he is traveling throughout the state? He hits a flea market here and hits one the next Sunday somewhere else. What do you do in that case? That happens occasionally.

Mr. NOYE. First of all, if you have gone to a flea market, somebody is running that flea market and they have a record of every one of their vendors' names and addresses and telephone numbers and whatever other information they may need before they rent them space, and I would think that you could go to the owner of that flea market and get that information.

Mr. NOVAK. Okay, thank you.

On the question recurring,
Shall the bill pass finally?

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

YEAS—102

Alden	Gallen	Madigan	Serafini
Anderson	Gannon	Manmiller	Sieminski
Armstrong	Geesey	McClatchy	Sirianni
Arty	Geist	McKelvey	Smith, E.
Belardi	Gladeck	McVerry	Smith, L.
Bittle	Goebel	Micozzie	Spencer
Bowser	Gruppo	Moehlmann	Spitz
Brandt	Halverson	Mowery	Stairs
Burd	Hasay	Nahill	Sweet
Burns	Hayes, D. S.	Noye	Swift
Cessar	Hayes, S. E.	O'Brien, D.	Taddonio
Clark, R.	Helfrick	Perzel	Taylor, E.
Cornell	Honaman	Peterson	Telek
Coslett	Itkin	Piccola	Thomas
Cunningham	Johnson, E.	Pitts	Wass
Davies	Kanuck	Polite	Weidner
DeVerter	Klingaman	Pott	Wenger
Dietz	Knepper	Punt	Wilson
Dininni	Lashingier	Pyles	Wilt
Dorr	Laughlin	Rappaport	Wright, J. L.
Earley	Lehr	Reed	Yohn
Fischer, R. R.	Levi	Rocks	Zord
Fisher, D. M.	Lewis	Ryan	Zwilk
Foster, A.	Lynch, E. R.	Salvatore	
Foster, W.	Lynch, F.	Scheaffer	Seltzer,
Freind	Mackowski	Scirica	Speaker

NAYS—85

Austin	Gallagher	Levin	Rieger
Beloff	Gamble	Livengood	Ritter
Bennett	Gatski	Manderino	Rodgers
Berson	George, C.	McCall	Schmitt
Borski	George, M.	McIntyre	Schweder
Brown	Giammarco	McMonagle	Seventy
Brunner	Goodman	Michlovic	Shupnik
Caltagirone	Grabowski	Milanovich	Steighner
Cappabianca	Gray	Mrkonic	Stewart
Chess	Greenfield	Mullen, M. P.	Stuban
Clark, B.	Harper	Murphy	Taylor, F.
Cochran	Hoeffel	Musto	Trello
Cohen	Hutchinson, A.	Novak	Wachob
Cole	Irvis	O'Brien, B.	Wagner
Cowell	Johnson, J.	O'Donnell	Wargo
Dawida	Jones	Oliver	White
DeMedio	Kernick	Petrarca	Williams
DeWeese	Knight	Pievsky	Wright, D.
DiCarlo	Kolter	Pistella	Yahner
Dombrowski	Kukovich	Pratt	Zeller
Fee	Letterman	Pucciarelli	Zitterman
Fryer			

NOT VOTING—16

Barber	Duffy	Hutchinson, W.	Richardson
Cianciulli	Dumas	Kowalshyn	Shadding
Cimini	Durham	Miller	Street
Donatucci	Grieco	Rhodes	Vroon

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.

CALENDAR BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 794, PN 1970**, entitled:

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), providing for an exemption from the utilities gross receipts tax.

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

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

The question is, shall the bill pass finally?

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

YEAS—164

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

NAYS—17

Austin	Knight	Mrkoncic	Spitz
Brown	Levin	Pistella	Trello
Geesey	McMonagle	Ritter	Zeller
Grabowski	Mowery	Scheaffer	Zwilk
Kernick			

NOT VOTING—22

Barber	Dumas	Johnson, J.	Richardson
Cianciulli	Durham	Kowalshyn	Shadding
Cimini	Gamble	Miller	Street
Cunningham	Giammarco	Rappaport	White
Donatucci	Grieco	Rhodes	Williams
Duffy	Hutchinson, W.		

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

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

REMARKS ON VOTE

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

Mr. GAMBLE. Mr. Speaker, I was out of my seat when HB 794 was voted upon. I would like to be recorded in the affirmative.

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

HB 1107 PASSED OVER

The SPEAKER. The Chair recognizes the majority whip. Mr. S. E. HAYES. Mr. Speaker, the prime sponsor, Mr. Vroon, would like to have this bill held over today.

The SPEAKER. Without objection, HB 1107 will be passed over. The Chair hears none.

SENATE MESSAGE

ADJOURNMENT RESOLUTION FOR CONCURRENCE

The Senate presented the following resolution for concurrence:

In the Senate,
 October 9, 1979.

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, October 15, 1979 and when the House of Representatives adjourns this week it reconvene on Monday, October 15, 1979.

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

On the question,
 Will the House concur in the resolution of the Senate?

The following roll call was recorded:

YEAS—184

Alden	Fryer	Lynch, E. R.	Rodgers
Anderson	Gallagher	Lynch, F.	Ryan
Armstrong	Gallen	Mackowski	Salvatore
Arty	Gamble	Madigan	Scheaffer
Austin	Gannon	Manderino	Schmitt
Belardi	Gatski	Manmiller	Scirica
Beloff	Geesey	McCall	Serafini
Bennett	Geist	McClatchy	Seventy
Berson	George, C.	McIntyre	Shupnik
Bittle	George, M.	McKelvey	Sieminski
Borski	Giammarco	McMonagle	Sirianni
Bowser	Gladeck	McVerry	Smith, E.
Brandt	Goebel	Michlovic	Smith, L.
Brown	Goodman	Micozzie	Spencer
Brunner	Grabowski	Milanovich	Spitz
Burd	Gray	Moehlmann	Stairs
Burns	Greenfield	Mowery	Steighner
Caltagirone	Grieco	Mrkoncic	Stewart
Cappabianca	Gruppo	Mullen, M. P.	Stuban
Cessar	Halverson	Murphy	Swift

Chess	Harper	Musto	Taddonio
Cimini	Hasay	Nahill	Taylor, E.
Clark, B.	Hayes, D. S.	Novak	Taylor, F.
Clark, R.	Hayes, S. E.	Noye	Telek
Cochran	Helfrick	O'Brien, B.	Thomas
Cohen	Hoeffel	O'Brien, D.	Trello
Cole	Honaman	O'Donnell	Vroon
Cornell	Irvis	Oliver	Wachob
Coslett	Itkin	Perzel	Wagner
Cowell	Johnson, E.	Peterson	Wargo
Cunningham	Johnson, J.	Petrarca	Wass
Davies	Jones	Piccola	Weidner
Dawida	Kanuck	Pievsky	Wenger
DeMedio	Kernick	Pistella	White
DeVerter	Klingaman	Pitts	Wilson
DeWeese	Knepper	Polite	Wilt
Dietz	Knight	Pott	Wright, D.
Dininani	Kolter	Pratt	Wright, J. L.
Dombrowski	Kukovich	Pucciarelli	Yohn
Dorr	Lashingner	Punt	Zeller
Earley	Laughlin	Pyles	Zitterman
Fee	Lehr	Rappaport	Zord
Fischer, R. R.	Letterman	Reed	Zwilk
Fisher, D. M.	Levi	Rieger	
Foster, A.	Levin	Ritter	Seltzer,
Foster, W.	Lewis	Rocks	Speaker
Freind	Livengood		

NAYS—2

Hutchinson, A. Yahner

NOT VOTING—17

Barber	Dumas	Miller	Shadding
Cianciulli	Durham	Rhodes	Street
DiCarlo	Hutchinson, W.	Richardson	Sweet
Donatucci	Kowalyshyn	Schweder	Williams
Duffy			

The question was determined in the affirmative, and the resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

HB 1145 PASSED OVER

The SPEAKER. Without objection, HB 1145 will be passed over. The Chair hears none.

ADDITIONS OF SPONSORS

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I would at this time submit the list representing the additions of sponsors of bills:

HB 1178, Mrkonic, E. 189; HB 1179, Mrkonic, E. 189; HB 1780, Miller, M. 196; HB 1780, McIntyre, J. 205; and HB 1781, McIntyre, J. 205.

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

HOUSE SCHEDULE AND REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, there is no more floor action to be done today. I would hope that both caucuses will immediately adjourn to their respective caucus rooms; that the calendar be

caucused on in its entirety so that tomorrow we can, hopefully, clean up the calendar as well as the divorce bill.

There will be a meeting of the Rules Committee immediately on the declaration of a recess, and I would ask that the desk be held open to take a report of the Rules Committee.

Mr. Speaker, one other thing I would like to call to the attention of all of the members, particularly the members of the leadership, including myself, and that is, a number of bills on the calendar are labeled "hold" for one or another of the members. I would like everyone to review those items that they have in a hold position in hopes that the bills can be released for action in the near future. Thank you, Mr. Speaker.

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Greenfield, for an announcement.

Mr. GREENFIELD. There will be an immediate caucus of the Democratic side in the minority caucus room to go over the bills which have not been previously caucused upon, and I urge everyone to be there immediately upon the recess.

The SPEAKER. There has been a Republican caucus called for immediately upon the declaration of the recess in the Republican caucus room and there has been a call for a Democratic caucus immediately upon the call of the recess in the Democratic caucus room. There is also a meeting of the Committee on Rules in the majority leader's office immediately upon the declaration of the recess.

BILLS AND RESOLUTIONS PASSED OVER

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

The Chair hears no objection.

RECESS

The SPEAKER. Without objection, this House now stands in recess until 3 p.m.

The Chair hears no objection.

AFTER RECESS

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

REPORT FROM PENN STATE UNIVERSITY

The SPEAKER. The Chair acknowledges receipt from Penn State University of a report of enrollment, student credit hours, course credits and faculty activity, pursuant to the requirements of Appropriation Act 19-A.

THE PENNSYLVANIA STATE UNIVERSITY

201 Old Main
University Park, Pennsylvania 16802
Office of the President

The Honorable H. Jack Seltzer
The Speaker
House of Representatives
Room 139, Main Capitol Building
Harrisburg, Pennsylvania 17120

Dear Mr. Speaker:

I am pleased to submit the attached report for your review in compliance with the requirements of Sections 7 and 8 of the University's 1978-1979 Appropriation Act. The report covers the Fall Term, 1978 and the Winter and Spring Terms of 1979. By agreement with the Joint State Government Commission, the Summer Term, 1979 report will be submitted on November 1, 1979.

In accord with the intent of the legislation requirements, Penn State has supplied information regarding the resident instruction programs of the University and the faculty responsible for delivering these programs. We have not included in these materials information on those academic personnel whose entire assigned workload involves functions other than resident instruction. We have, however, displayed in the reports of Volume II the number of such faculty members and academic administrators within departments of the University. This approach is consistent with the definitions of faculty contained herein and the reporting practices of the other state-related institutions.

The following changes in methodology have been mandated by the appropriation act for the sections of this year's report. Student credit hours produced in individual instruction and classroom instruction are separately displayed in the attached reports. The course credits reported now include only those assigned via classroom instruction. The report "Faculty Instructional Activity and Salary," bound in Volume II, displays departmental activity and cost in measures of assigned course credits, student credit hour production and instructional salaries paid from resident instruction budgets for several categories of teaching and nonteaching faculty.

I hope you will find the attached materials to be a helpful interpretation of the University's stewardship in its effort to fulfill its broad mission in resident instruction to the citizens of the Commonwealth. It is in this spirit that I submit the report for your review.

Sincerely,
John W. Oswald
President

Attachments

(For reports, see Appendix.)

BILLS REMOVED FROM TABLE FOR CALENDAR

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. The Rules Committee has instructed me to make a motion to move the following bills from the table to the active calendar, and I so move:

HB 265, PN 285; HB 847, PN 924; HB 962, PN 2185; HB 1457, PN 1831; HB 1686, PN 2058; SB 64, PN 1119; SB 95, PN 442; SB 224, PN 1076; SB 846, PN 1085; SB 228, PN 229; SB 316, PN 1079; SB 820, PN 905; HB 26, PN 1835; HB 725, PN 890; HB 818, PN 1075; HB 168, PN 2183; HB 1786, PN 2188; SB 335, PN 339; and HB 606, PN 1075.

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

BILLS REMOVED FROM TABLE AND REREFERRED

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. The Rules Committee has instructed me to make a motion to remove the following bills from the table and rerefer them to the Appropriations Committee for the purpose of a fiscal note, and I so move:

HB 852, PN 929; HB 1002, PN 1110; SB 696, PN 1082; HB 1632, PN 2212; HB 856, PN 933; SB 602, PN 634; and SB 815, PN 892.

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

BILL REMOVED FROM TABLE AND RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. The Rules Committee has instructed me to make a motion to remove the following bill from the table and recommit it to the Appropriations Committee, and I so move:

HB 1623, PN 2027.

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

BILL REMOVED FROM TABLE AND RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. The Rules Committee has instructed me to make a motion to remove the following bill from the table and recommit it to the Transportation Committee, and I so move:

HB 572, PN 2059.

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

RESOLUTIONS REPORTED FROM COMMITTEE

HR 124, PN 2103 (Concurrent)

By Mr. RYAN

The General Assembly of the Commonwealth of Pennsylvania provide for an independent task force of the Legislature, making full use of the expertise in the Legislative and Executive Branches of the Commonwealth Government and outside consultants as deemed necessary by the task force, and undertake a transportation system study to determine the combination of modes, and transportation corridors, and facilities to maintain and improve the mobility of the people and commodities in the Commonwealth at an optimum level of service within foreseeable, available financial resources as the policy framework preliminary to the further development of a comprehensive and integrated transportation plan.

Rules.

HR 127, PN 2156

By Mr. RYAN

The Speaker appoint a committee of nine members, five from the majority and four from the minority to study the problem of toxic wastes being deposited into the environment with particular attention being given to the manner of industry being

able to clean up the problem areas without undue financial hardship and without the loss of employment while at the same time protecting the health and safety of our citizens.

Rules.

WELCOME

The SPEAKER. The Chair welcomes to the balcony a group of students from Woodward Elementary School of the Harrisburg School District, who are the guests of the Black Caucus.

ADJOURNMENT

Mr. MICHLOVIC moved that this House of Representatives do now adjourn until Wednesday, October 10, 1979, at 11 a.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 3:22 p.m., e.d.t., the House adjourned.