

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

MONDAY, JUNE 2, 1980

Session of 1980

164th of the General Assembly

No. 41

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (H. JACK SELTZER) IN THE CHAIR

PRAYER

THE HONORABLE MARIO CIVERA, member of the House of Representatives and guest chaplain, offered the following prayer:

Let us pray:

Heavenly Father, we Thy servants are happy that Thou spared our lives and we have come again at the beginning of another week with a reasonable portion of health and strength to do Thy will.

We are well aware of the many problems that must be decided. They are not necessarily personal problems, but they are problems of the great Commonwealth of Pennsylvania. We are praying for the wisdom to make the best decision for the best good of all the people and for the glorification of Thy name. We are also aware that with our training and our specialization in many fields, we need Thy divine guidance to help us meet the needs of every phase of human demand, for with Thy spirit leading us, we know we cannot go wrong, and Thy name shall have the glory and the praise. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Wednesday, May 28, 1980, will be postponed until printed.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2595 By Representative PICCOLA

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682, No. 284), providing for appeals of individual classifications to the Insurance Department.

Referred to Committee on INSURANCE, June 2, 1980.

No. 2596 By Representative McVERRY

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), further providing for the duties of constables in counties of the second class.

Referred to Committee on JUDICIARY, June 2, 1980.

No. 2597 By Representative McCLATCHY

An Act providing for the management of fees charged by administrative agencies.

Referred to Committee on APPROPRIATIONS, June 2, 1980.

No. 2598 By Representative HASAY

An Act declaring and adopting the song "Pennsylvania," by Joe Francis Weber, as the State song of the Commonwealth of Pennsylvania.

Referred to Committee on STATE GOVERNMENT, June 2, 1980.

No. 2599 By Representatives M. R. CLARK, TELEK, STEWART AND YAHNER

An Act making an appropriation to the Johnstown Flood Museum Association, Johnstown, Pennsylvania, to establish the Johnstown historical archives.

Referred to Committee on APPROPRIATIONS, June 2, 1980.

No. 2600 By Representative W. D. HUTCHINSON

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

Referred to Committee on FINANCE, June 2, 1980.

No. 2601 By Representatives PRATT, CALTAGIRONE, STEIGHNER, F. TAYLOR AND CAPPABIANCA

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for theft and vandalism of fire, emergency and lifesaving equipment.

Referred to Committee on JUDICIARY, June 2, 1980.

No. 2602 By Representatives PRATT, CALTAGIRONE, STEIGHNER, F. TAYLOR AND CAPPABIANCA

An Act amending "The Local Tax Enabling Act," approved December 31, 1965 (P. L. 1257, No. 511), changing the income exemption.

Referred to Committee on LOCAL GOVERNMENT, June 2, 1980.

**No. 2603** By Representatives HASAY AND MACKOWSKI

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), excluding certain interest from the personal income tax.

Referred to Committee on FINANCE, June 2, 1980.

**No. 2604** By Representatives BROWN, FISCHER, McMONAGLE AND GIAMMARCO

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, prohibiting public utilities from passing on to their customers costs incurred for public relations services.

Referred to Committee on MINES AND ENERGY MANAGEMENT, June 2, 1980.

**No. 2605** By Representatives HALVERSON, E. R. LYNCH, VROON, MADIGAN, MOWERY, SCHEAFFER, PICCOLA AND PETERSON

An Act amending "The Insurance Department Act of one thousand nine hundred and twenty-one," approved May 17, 1921 (P. L. 789, No. 285), further providing for transactions in this Commonwealth involving group or blanket insurance or group annuities.

Referred to Committee on INSURANCE, June 2, 1980.

**No. 2606** By Representative CUNNINGHAM

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, authorizing the General Assembly to increase certain retirement benefits or pensions.

Referred to Committee on STATE GOVERNMENT, June 2, 1980.

**No. 2607** By Representative McCLATCHY

An Act amending the act of July 16, 1979 (No. 14A), entitled "An act making appropriations to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors," increasing the appropriation for the State Workmen's Insurance Fund.

Referred to Committee on APPROPRIATIONS, June 2, 1980.

**No. 2608** By Representative McCLATCHY

An Act providing for adoption of capital projects to be financed from current revenues of the Fish Fund and the Boating Fund.

Referred to Committee on APPROPRIATIONS, June 2, 1980.

**No. 2609** By Representative McCLATCHY

An Act repealing section 1, act of March 15, 1899 (P. L. 8, No. 4), entitled "An act to regulate the manner in which appropriations to educational, penal, reformatory, charitable, benevolent, or eleemosynary institutions shall be paid."

Referred to Committee on APPROPRIATIONS, June 2, 1980.

**No. 2610** By Representative McCLATCHY

An Act repealing section 207 of the act of June 13, 1967 (P. L. 31, No. 21), entitled "An act to consolidate, editorially revise, and codify the public welfare laws of the Commonwealth.

Referred to Committee on APPROPRIATIONS, June 2, 1980.

**HOUSE RESOLUTION  
INTRODUCED AND REFERRED**

**No. 235**

(Concurrent) By Representatives PITTS, FISCHER, E. G. JOHNSON, GEIST, E. R. LYNCH, E. Z. TAYLOR, VROON AND BOWSER

General Assembly memorialize Governor, Department of Education and Department of Health develop a Keystone State Games Program.

Referred to Committee on RULES, June 2, 1980.

**SENATE MESSAGE**

**SENATE BILL FOR CONCURRENCE**

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

**SB 410, PN 416**

Referred to Committee on Education, June 2, 1980.

**SENATE MESSAGE**

**HOUSE BILLS CONCURRED IN BY SENATE**

The clerk of the Senate informed that the Senate has concurred in **HB 1530, PN 1803; HB 2000, PN 2511; HB 2028, PN 2562; HB 2146, PN 2733; and HB 2191, PN 2785.**

**SENATE MESSAGE**

**AMENDED HOUSE BILLS  
RETURNED FOR CONCURRENCE**

The Senate returned the following House bills with amendments in which concurrence of the House is requested:

**HB 1799, PN 3403, and HB 2231, PN 3300.**

The SPEAKER. The bills will appear on the calendar.

**BILLS SIGNED BY SPEAKER**

The Chair gave notice that it was about to sign the following bills, which were then signed:

**HB 1530, PN 1803**

An Act making an appropriation to the United Cerebral Palsy of Wyoming Valley, Luzerne County.

**HB 2000, PN 2511**

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the appointment of eight additional judges to the Superior Court.

**HB 2028, PN 2562**

An Act making an appropriation to the Westmoreland County Branch of the Pennsylvania Association for the Blind.

**HB 2146, PN 2733**

An Act making an appropriation to the United Cerebral Palsy of Delaware County, Pennsylvania.

**HB 2191, PN 2785**

An Act making an appropriation to the Beaver County Association for the Blind.

**COMMUNICATION FROM GOVERNOR**

**BILL SIGNED BY GOVERNOR**

The Secretary to the Governor presented the following communication from His Excellency, the Governor:

**APPROVAL OF HB No. 2137.**

Commonwealth of Pennsylvania  
Governor's Office, Harrisburg

May 29, 1980

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 2137, Printer's No. 2718, entitled "An act amending the act of May 21, 1943 (P. L. 302, No. 140), entitled, as amended, 'An act providing for the admission of children to, and their education and maintenance in, and their discharge from the Scotland School for Veterans' Children; prohibiting discharging children or taking children from said school, or children from leaving the same without an order of the Board of Trustees of the Scotland School for Veterans' Children; and prescribing penalties,' providing for the admission of children of veterans who did not serve during a time of war or armed conflict".

DICK THORNBURGH  
GOVERNOR

**LEAVES OF ABSENCE GRANTED**

The SPEAKER. The Chair recognizes the majority whip. Mr. S. E. HAYES. I request a leave for the gentleman from Bucks, Mr. WEIDNER, for the week; for the gentleman from Montgomery, Mr. POLITE, for the week; for the gentleman from Lycoming, Mr. GRIECO, for today; for the gentleman from Chester, Mr. VROON, for today; for the gentleman from Tioga, Mr. SPENCER, for today; for the gentleman from Northumberland, Mr. HELFTRICK, for the week; for the gentleman from Mifflin, Mr. DeVERTER, for the week; and for the gentleman from Jefferson, Mr. L. E. SMITH, for today.

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

Mr. PIEVSKY. I request a leave for the gentleman from Luzerne, Mr. B. F. O'BRIEN, for today; for the gentleman

from Westmoreland, Mr. SCHMITT, for today; for the gentleman from Philadelphia, Mr. STREET, for today; for the gentleman from Lehigh, Mr. ZELLER, for today; for the gentleman from Philadelphia, Mr. LEVIN, for the week; and for the gentleman from Allegheny, Mr. RHODES, for today.

The SPEAKER. Without objection, leaves are granted.

**MASTER ROLL CALL RECORDED**

The SPEAKER. The Chair is about to take the master roll. Only those members in their seats may be recorded.

The following roll call was recorded:

**YEAS—182**

Alden	Fisher	Levi	Rieger
Anderson	Foster, W. W.	Lewis	Ritter
Armstrong	Foster, Jr., A.	Livengood	Rocks
Arty	Freind	Lynch, E. R.	Rodgers
Austin	Fryer	McCall	Ryan
Barber	Gallagher	McClatchy	Salvatore
Belardi	Gallen	McIntyre	Scheaffer
Bennett	Gamble	McMonagle	Schweder
Berson	Gannon	McVerry	Serafini
Bittle	Gatski	Mackowski	Seventy
Borski	Geesey	Madigan	Shadding
Bowser	Geist	Maiale	Shupnik
Brandt	George, C.	Manderino	Sieminski
Brown	George, M. H.	Manmiller	Sirianni
Burd	Giammarco	Michlovic	Smith, E. H.
Burns	Gladeck	Micozzie	Spitz
Caltagirone	Goebel	Milanovich	Stairs
Cappabianca	Goodman	Miller	Steghner
Cessar	Grabowski	Moehlimann	Stewart
Chess	Gray	Mowery	Stuban
Cimini	Greenfield	Mrkonic	Sweet
Civera	Gruppo	Mullen	Swift
Clark, B. D.	Hagarty	Murphy	Taddonio
Clark, M. R.	Halverson	Nahill	Taylor, E. Z.
Cochran	Harper	Novak	Taylor, F.
Cohen	Hasay	Noye	Telek
Cole	Hayes, Jr., S.	O'Brien, D. M.	Thomas
Cornell	Hoeffel	O'Donnell	Trello
Coslett	Honaman	Oliver	Wachob
Cowell	Hutchinson, A.	Perzel	Wargo
Cunningham	Hutchinson, W.	Peterson	Wass
DeMedio	Irvis	Petrarca	Wenger
DeWeese	Itkin	Phillips	White
DiCarlo	Johnson, E. G.	Piccola	Williams
Davies	Kanuck	Pievsky	Wilson
Dawida	Klingaman	Pistella	Wilt
Dietz	Knepper	Pitts	Wright, D. R.
Dininni	Knight	Pott	Wright, Jr., J.
Dombrowski	Kolter	Pratt	Yahner
Donatucci, R.	Kowalyszyn	Pucciarelli	Yohn
Dorr	Kukovich	Punt	Zitterman
Duffy	Lashingner	Pyles	Zord
Durham	Laughlin	Rappaport	Zwilk
Earley	Lehr	Rasco	
Fee	Lescovitz	Reed	Seltzer,
Fischer	Letterman	Richardson	Speaker

**NAYS—0**

**NOT VOTING—5**

Beloff	Johnson, J. J.	Jones	McKelvey
Dumas			

**EXCUSED—15**

DeVerter	Levin	Schmitt	Vroon
Grieco	O'Brien, B. F.	Smith, L. E.	Weidner
Hayes, D. S.	Polite	Spencer	Zeller
Helfrick	Rhodes	Street	

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

**BILLS REPORTED FROM COMMITTEE,  
CONSIDERED FIRST TIME, AND TABLED**

**HB 944, PN 3430 (Amended)**

By Rep. A. C. FOSTER

An Act authorizing a county, with the written recommendation of its recorder of deeds or commissioner of records, by ordinance of its governing body, to establish a uniform parcel identifier system by providing for a depository agency of the county's tax maps, including additions, deletions and revisions to such maps, and by providing for the assignment by such depository agency of uniform parcel identifiers for each parcel on the map in order to facilitate conveyancing and its tax assessment and to establish a modern land record system.

**LOCAL GOVERNMENT.**

**HB 945, PN 3431 (Amended)**

By Rep. A. C. FOSTER

An Act amending the act of March 18, 1875 (P. L. 32, No. 36), entitled "An act requiring recorders of deeds to prepare and keep in their respective offices general, \*\*\* general indexes shall be notice to all persons," prescribing the entities of uniform parcel identifiers to be made by recorders of deeds in certain counties in the indexes for deeds and indexes for mortgages.

**LOCAL GOVERNMENT.**

**HB 946, PN 3432 (Amended)**

By Rep. A. C. FOSTER

An Act amending the act of April 22, 1929 (P. L. 620, No. 258), entitled "An act directing the recorder of deeds of each county of the Commonwealth \*\*\* the assessment of real estate," by requiring the uniform parcel identifier to be included or endorsed on such deeds or other transfers of real estate, or interest in real estate in certain counties.

**LOCAL GOVERNMENT.**

**HB 947, PN 3433 (Amended)**

By Rep. A. C. FOSTER

An Act amending the act of April 1, 1909 (P. L. 91, No. 53), entitled "An act relating to deeds for conveying or releasing lands, construing words and phrases used \*\*\* conveying or releasing lands," providing for the description of land conveyed or released in a deed or other instrument by the use of the county tax parcel number of such land.

**LOCAL GOVERNMENT.**

**SB 1203 REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I move that SB 1203 be removed from the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

**BILL AGREED TO  
ON SECOND CONSIDERATION**

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

**SB 1203, PN 1482.**

**CALENDAR**

**BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 2406, PN 3246**, entitled:

An Act amending the "Pennsylvania Scenic Rivers Act," approved December 5, 1972 (P. L. 1277, No. 283), removing provisions relating to eminent domain and adding an additional classification known as pastoral rivers.

On the question,

Will the House agree to the bill on second consideration?

Mr. STEIGHNER offered the following amendment:

Amend Sec. 1 (Sec. 5), page 4, line 6, by inserting after "act." In addition to the public hearings provided for in subsection (b) the Department of Environmental Resources shall conduct prior to undertaking any study an informational public hearing in the county or counties where the study is to be made at which meeting the Department of Environmental Resources shall announce the planned study, explain the techniques to be employed in such study and describe the scope of such study. Notice of the informational public hearing shall be given at least three weeks before in a newspaper of general circulation in the county, or in the case of land located in more than one county, in a newspaper of general circulation in each county. Notice shall also be given three weeks in advance by first class mail to those owners of the land involved in the study, as shown on county tax assessment records.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Butler, Mr. Steighner.

Mr. STEIGHNER. This amendment No. 6794 was circulated last Tuesday, May 27, to the members. This amendment merely affords the landowner the opportunity to be knowledgeable that their land is under study by the Department of Environmental Resources. It requires that DER hold one informational public hearing, publish the notice of that hearing in the local media, and, three, notify the landowners. The amendment has the support of DER, and it is my understanding that it is an agreed-to amendment.

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

Mr. RAPPAPORT. Mr. Speaker, would the gentleman consent to brief interrogation?

The SPEAKER. The gentleman, Mr. Steighner, indicates that he will. Mr. Rappaport may proceed.

Mr. RAPPAPORT. Mr. Speaker, I realize the bill takes eminent domain powers out of this bill, but it could very well be that the powers could be added in someplace along the line. Is it the opinion of the gentleman that this notice

would constitute imminence of condemnation under the provisions of the Eminent Domain Code, giving rise to damages or de facto condemnation by the Commonwealth at that time?

Mr. STEIGHNER. Yes; I believe it would.

Mr. RAPPAPORT. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority whip.

Mr. S. E. HAYES. Mr. Speaker, the gentleman's amendment does as he previously explained it, and I would support the gentleman's amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—171

Alden	Freind	Lewis	Rieger
Anderson	Fryer	Livengood	Ritter
Arty	Gallagher	Lynch, E. R.	Rocks
Barber	Gallen	McCall	Rodgers
Belardi	Gamble	McClatchy	Ryan
Bennett	Gannon	McIntyre	Salvatore
Berson	Gatski	McVerry	Scheaffer
Bittle	Geesey	Mackowski	Schweder
Bowser	Geist	Madigan	Serafini
Brandt	George, C.	Majale	Seventy
Brown	George, M. H.	Manderino	Shadding
Burd	Giammarco	Manmiller	Shupnik
Burns	Gladeck	Michlovic	Sieminski
Caltagirone	Goebel	Micozzie	Smith, E. H.
Cappabianca	Goodman	Milanovich	Smith, E. H.
Cessar	Grabowski	Miller	Stairs
Chess	Gray	Moehlmann	Steighner
Cimini	Greenfield	Mowery	Stewart
Civera	Gruppo	Mrkonic	Stuban
Clark, B. D.	Hagarty	Mullen	Swift
Clark, M. R.	Halverson	Murphy	Taddonio
Cochran	Harper	Nahill	Taylor, F.
Cole	Hasay	Novak	Telek
Cornell	Hayes, Jr., S.	Noye	Thomas
Coslett	Hoeffel	O'Brien, D. M.	Trello
Cowell	Honaman	O'Donnell	Wachob
Cunningham	Hutchinson, A.	Oliver	Wargo
DeMedio	Hutchinson, W.	Perzel	Wass
DiCarlo	Irvis	Peterson	Wenger
Davies	Itkin	Petrarca	White
Dawida	Johnson, E. G.	Phillips	Williams
Dietz	Kanuck	Piccola	Wilson
Dininni	Klingaman	Pievsky	Wilt
Dombrowski	Knight	Pistella	Wright, D. R.
Donatucci, R.	Kolter	Pitts	Wright, Jr., J.
Dorr	Kowalyszyn	Pott	Yahner
Duffy	Kukovich	Pucciarelli	Yohn
Durham	Lashingner	Punt	Zitterman
Earley	Laughlin	Pyles	Zord
Fee	Lehr	Rappaport	Zwilk
Fischer	Lescovitz	Rasco	
Fisher	Letterman	Reed	Seltzer,
Foster, W. W.	Levi	Richardson	Speaker
Foster, Jr., A.			

NAYS—0

NOT VOTING—16

Armstrong	Cohen	Jones	Pratt
Austin	DeWeese	Knepper	Spitz
Beloff	Dumas	McKelvey	Sweet
Borski	Johnson, J. J.	McMonagle	Taylor, E. Z.

EXCUSED—15

DeVerter	Levin	Schmitt	Vroon
Grieco	O'Brien, B. F.	Smith, L. E.	Weidner
Hayes, D. S.	Polite	Spencer	Zeller
Helfrick	Rhodes	Street	

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

On the question,

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

Bill as amended was agreed to.

Ordered, that the bill as amended be prepared for third consideration.

FINAL PASSAGE  
POSTPONED BILL CONSIDERED

Agreeable to order,

The bill having been called up from the postponed calendar by Mr. RYAN, the House resumed consideration on final passage of **HB 1155, PN 3425**, entitled:

An Act amending the "Pennsylvania No-fault Motor Vehicle Insurance Act," approved July 19, 1974 (P. L. 489, No. 176), redefining certain terms; exempting motorized pedalcycles from insurance requirements; authorizing temporary suspension of coverage; providing for proof of security at inspections; further providing for assigned claims plan coverage; further providing for collateral benefits; providing for certain surcharge information; and prohibiting certain surcharges and further prohibiting the operation of vehicles without security.

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 Clearfield, Mr. George.

Mr. GEORGE. Mr. Speaker, I have amendments to this bill.

The SPEAKER. It was the understanding of the Chair last week when the bill was reprinted that the bill was going to be called up for final passage without any additional amendments to be offered.

The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, the gentleman, Mr. George, and I have discussed that, and the gentleman is insisting on offering his amendment and he therefore requests time to have his amendments redrafted to the correct printer's number.

The SPEAKER. The Chair's recollection is that last week when we discussed this bill, the gentleman had withdrawn this set of amendments. That is why they were not considered last week when the bill was before us.

Mr. IRVIS. Mr. Speaker, the Speaker is correct in his assumption. The minority leader assumed the same, but the gentleman, Mr. George, says he did not withdraw the amendment. It was an error on our part in not calling up the amendment, and he is insisting on his amendment.

The SPEAKER. Will the gentleman, Mr. George, indicate to the Chair what the number of this amendment is?

Mr. GEORGE. Mr. Speaker, are you talking about the prior printer's number? I will get the old amendment. The printer's number was 3363.

The SPEAKER. That was the printer's number. The Chair was inquiring of the gentleman's amendment number.

Mr. GEORGE. Amendment 6811.

The SPEAKER. The Chair recognizes the gentleman from Fayette, Mr. Taylor.

Mr. TAYLOR. Mr. Speaker, last Wednesday I believe there was a motion on the House floor to put HB 1155 on the final passage postponed calendar for the purpose of having it printed so that we may be able to read it. I do not have a copy of it and I would move that we temporarily pass over this bill until we get a copy of it.

The SPEAKER. Have all the members received copies of HB 1155?

### RECONSIDERATION OF VOTE ON HB 1155

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

Mr. GEORGE. Mr. Speaker, I move that the vote by which HB 1155 passed third consideration as amended on May 28, 1980, be reconsidered.

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

Mr. GAMBLE. I second the motion.

On the question,

Will the House agree to the motion?

Motion was agreed to.

On the question recurring,

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

Mr. GEORGE offered the following amendment:

Amend Sec. 6 (Sec. 504), page 16, by inserting between lines 3 and 4 (f) A person who owns more than one vehicle shall only be required to pay the premium on one noncommercial vehicle for coverage on all the vehicles: Provided, however, That only a single noncommercial vehicle shall be operated at any one time unless the additional noncommercial vehicle is operated by a member of the same household as the insured or an individual who has similar coverage on his own noncommercial vehicle.

On the question,

Will the House agree to the amendment?

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

Mr. GEORGE. Mr. Speaker, this amendment addresses many complaints that I am sure many of you have received over the past couple of years; that is, if an individual should be the owner of more than one vehicle and no one else is driving that vehicle but him, why should he be required to buy personal injury protection on all three

vehicles? Many insurance companies will address it by saying, well, he does not pay the same amount on the second one as he did on the first one. But I do not think that that has anything to do with it. The fact is, regardless of whether he would drive 100,000 miles on the one vehicle or 50,000 on each of the two vehicles, I do not think that it is fair to force that individual to stay within the law by forcing him to buy PIP on both vehicles. All my amendment does is ask that if an individual is in this circumstance and he has legally the insurance on one vehicle and nobody else is driving the vehicle, he should not be forced to buy this type of protection on the second vehicle.

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

Mr. YOHN. Mr. Speaker, I know there is a lot of confusion on the floor right now, but I hope that the members would pay attention to this amendment, because it would be a disaster for the State of Pennsylvania.

The result of this amendment is basically this, that if you are a one-car family in Pennsylvania, your insurance premium will go up. It will go up. If you are a two- or a three- or a four-car family in Pennsylvania, then your insurance premium will go down. I do not think this is the result that most members of this House, if they are aware of what the language says in the amendment, will want.

The amendment says that there is basically one insurance premium per family. That means that if you have one car, you will pay one premium, and if you have three cars, you will pay the same one premium. What is going to happen as a result of that, since the same dollars are being paid out, is that the premium on your one car is going to have to go up to make up the difference, and I think this is exactly the wrong result in the present situation. Insurance should be spread in accordance with the risk and should be spread the way it is today, where when you have a second or third car in the family, you get a portion of a discount to try to reflect the difference in usage of the car, but you should not get a free ride for the second and third and fourth car in the same family. That is what this amendment would do. I think that basically what it would do then is hurt that family in Pennsylvania that could only afford one car and would help those families that have two, three, and four cars.

Secondly, I think I should point out to you that the language of the amendment talks about the fact that so long as only one of the cars is being operated at any one time. Well, obviously, it would be completely impractical to try to enforce that kind of a situation, and that the driver would always say, well, this was the only car being used in the family at that time. And I think that it would be completely impractical to try to enforce that type of language. I would, therefore, strongly urge the amendment to be defeated. Thank you.

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

Mr. GEORGE. Mr. Speaker, to listen to the hush in this audience you would swear that I am the only legislator in

Pennsylvania who receives complaints from his constituency that the insurance companies intend to charge more, limit the type of production, limit the type of protection, and for some reason refuse to understand that we are slowly but surely pricing people out of insurance. The average individual, the honest taxpayer, does not want to run up and down the road chancing the fact that an accident might encumber him for the rest of his life or take away from him everything that he has worked for.

This amendment does not do what my fine colleague just said. It simply states, if he would read it—and I think he has read it. It says—that no one will drive that car who is not insured himself. I do not suppose that anyone could make me believe that anyone could drive two automobiles at the same time. You could do it on a motorcycle if you spread eagle, I imagine. This does not do what everybody says; it just says that an individual, for example, a single individual, who would have a pickup truck and a car under PIP, simply cannot drive them both at the same time. Why should he be required to pay a premium on PIP if he cannot drive both of those vehicles? And the amendment then goes further to protect, as our colleague insists we must do. It says that only a single noncommercial vehicle shall be operated at any one time unless the additional noncommercial vehicle is operated by a member of the same household as the insured or an individual who has similar coverage on his own noncommercial vehicle.

Mr. Speaker, if we do not start to pay attention, it is going to get ahead of us. I know that many of you, if I could talk with you privately, would have to admit that you have heard this complaint, and it will never be addressed until we address it at this time. Thank you.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, would the gentleman consent to interrogation?

The SPEAKER. The gentleman indicates that he will. Mr. Ryan may proceed.

Mr. RYAN. Mr. Speaker, as I read this amendment, it would appear to me that if I have two cars, I need only pay one insurance premium. And if my son, who is a member of my household, is using my second car, despite the fact that he has none in his own name, I still only have to pay one premium. Is that accurate?

Mr. GEORGE. If that is the way you interpret it, then I ask your indulgence while I have it redrafted, Mr. Speaker, because I do not believe it reads that way.

Mr. RYAN. Well—

Mr. GEORGE. Forgive me, I thought it read that if the vehicle is operated by a member of the same household as the insured. That means that if you were not single and had a family, you would have notified the insurance carrier or the underwriter how many members would be of legal age or driving age, or an individual who has similar coverage on his own noncommercial vehicle. That is the way I read it, Mr. Speaker.

Mr. RYAN. Mr. Speaker, let me pose a hypothetical question to the gentleman. I have two cars. I have a 21- or 22-year-old son who drives one of those two cars; he does not have a car of his own and he is a member of my household. How many policies of insurance must I have under this amendment and how many premiums must I pay?

Mr. GEORGE. I believe that, as the amendment reads, if you had a son 22 years of age, you would be forced under the law to buy the additional protection on the second vehicle or even on the first vehicle.

Mr. RYAN. Why?

Mr. GEORGE. Because the amendment reads that only if the second vehicle—if you have more than one vehicle, and the second vehicle—is being operated by only you or someone who is insured. And that is the way I feel that it reads.

Mr. RYAN. Mr. Speaker, I ask the gentleman to pick up his amendment and read it with me. A person who owns more than one vehicle shall only be required to pay the premium on one noncommercial vehicle for coverage on all the vehicles. So in my hypothetical, I have two cars and I am required to carry only one premium policy on those two cars, provided, however, that only a single noncommercial vehicle shall be operated at any one time.

Now, if I have two cars and I am the only driver and I pay one premium—I understand what you are saying. That goes along with what you have said—unless, and this is the part that raises my question, unless the additional vehicle is operated by a member of the same household as the insured. My son is a member of the same household as a dependent; he is in college; and he is operating my second car. Now, under your exclusion, I believe that both my son and I can drive my two cars at the same time with payment of only the one premium. And if that is the case, those of you who have only one car, with two or three kids driving it, are going to pick up part of my bill, for which I would thank you.

Mr. GEORGE. Mr. Speaker—

The SPEAKER. Does the gentleman wish to debate for the third time?

Mr. GEORGE. No, I do not wish to debate. I am willing to take advisement if I feel it is accurate. Mr. Speaker, how does Mr. Ryan think this amendment should be drafted, because I feel that he knows or at least he wants to know what I am about to do or try to do. What do you think is wrong with the amendment, Mr. Speaker? How should it have been drafted?

Mr. RYAN. Probably not at all. I would suggest that we just defeat it.

Mr. GEORGE. Well, Mr. Speaker, I cannot believe that you would not be the first to lead the fight to make insurance somewhat—

The SPEAKER. If the gentleman wishes to debate the amendment, the gentleman is in order and may proceed.

Mr. GEORGE. Now, Mr. Speaker, if you are going to take the kid in the golden gloves and put him up against the pro, then I guess maybe we ought to get ready for it. I do

not think that was fair. I asked the man out of a matter of respect.

The SPEAKER. Does the gentleman wish to interrogate the majority leader? Then he should ask the Chair.

Mr. GEORGE. I am afraid to get bit the second time, Mr. Speaker.

The SPEAKER. Does the gentleman wish to interrogate the majority leader?

Mr. GEORGE. Yes, Mr. Speaker.

The SPEAKER. Would the majority leader permit himself to be interrogated?

The gentleman indicates that he will, and the gentleman may proceed.

Mr. GEORGE. Mr. Speaker, how would you have asked that question so I would not have got a smart answer?

Mr. RYAN. I yield to the gentleman from Allegheny, Mr. Irvis. No; I do not know how to draft an amendment to accomplish what you want to do because I do not know what you want to do.

Now, if it please the gentleman, I suggest that what he is attempting to accomplish is unfair to those in the Commonwealth who have only one car. I, for instance, have two cars. I am the only driver most of the time of those cars; however, my kids take them from time to time. At that point I have two risks of exposure on the road - my own driving and that of any one of my kids. And I do not think it is fair that another member of this society is carrying a policy on his one car, paying the same premium I am paying, and yet has only half the risk on the road. I just think, Mr. George, that what you are suggesting is not practical in that to do what you are suggesting would spread that additional cost over the other members of the insuring society who have only one car. And I just think that if a person has enough money to have both a truck and a car, then that should be part of his overhead. If he wants the luxury of two vehicles, he should be prepared to pay for them. And I do not know how else you get around that.

Mr. GEORGE. Mr. Speaker, as a matter of just some amateur calculation, are you insisting that an individual with two vehicles, and no other drivers in the family, driving at a total of 30,000 miles for two vehicles, should pay more PIP protection than an individual with one vehicle driving 150,000 miles? Is that what you are suggesting? That is what you have just told me. I do not believe you mean that. That is exactly what we have done here. You have just said to me, now, Mr. George, I do not care if the man wants to drive two vehicles and whether he can drive them both at the same time or not, we are going to force him to buy insurance, and I am only talking about PIP, Mr. Speaker. I do not want the people to go out and not buy insurance, Mr. Speaker. I have to buy it.

Mr. RYAN. All right. Mr. Speaker, if I may. To police properly what the gentleman is suggesting, I believe could only be done perhaps by insuring a license tag, and then as you move from your truck to your car you take your tag with you. Other than that there is no way you could police

whether my son is driving my other car while I am driving my first car or not. And if I have the one premium outstanding on two cars, there is no way of protecting the rest of the people who are buying insurance against my having both of those cars in operation.

Now, to do what you want to do, if we say that you are the only driver of these two vehicles and why should you pay coverage on two vehicles when you can only drive one at a time, I suggest you have to revamp the whole system and buy insurance on a tag. And when you want to move from car "A" to car "B," you move your tag with it. Otherwise, it would be impossible to protect and police your system.

Mr. GEORGE. Mr. Speaker, may I ask your indulgence one moment because I believe this is quite enlightening to all the members. Just yesterday I had a call from a constituent, and I should not use names or should not use an actual experience, but boy No. 1 was a driver that maybe, if we were insurance people, we would be the first to admit he should be an assigned risk for the Pennsylvania plan. And I could not give her an answer and neither could the Insurance Commission yesterday, because they told me it was our fault because boy No. 2, who has never had an accident, never had a violation, cannot buy insurance because he lives in the same house as boy 1. If we do not take care of these things, both you and I, Mr. Speaker, how will we do them?

Mr. RYAN. I do not know, Mr. Speaker, but not by this amendment. This amendment does not address that problem.

Mr. GEORGE. Will you wait until I get one that will, Mr. Speaker?

Mr. RYAN. I would suggest that by the time you get one that properly addresses this problem, this bill could have passed and there will be other bills on the calendar for you to attach it to, because to do what you want to do, I think, is going to require a great deal of study. I am not being facetious; I honestly believe that, Mr. Speaker.

#### AMENDMENT WITHDRAWN

Mr. GEORGE. Well, Mr. Speaker, I am not out to commit mayhem to the insurance industry, but I am certainly out to do what I can to protect that little guy who keeps calling people such as myself. If it is all right with the Speaker, I will withdraw this amendment and I will wait on my reconsideration that I would like to take up, because I do not believe we can wait on that. Thank you, Mr. Speaker.

#### RECONSIDERATION OF AMENDMENTS TO HB 1155

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

Mr. GEORGE. Mr. Speaker, I move that the vote by which amendment No. 6878 was defeated on the 28th day of May, 1980, be reconsidered.



Mr. GAMBLE. I second the motion.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

**YEAS—152**

Alden	Duffy	Lashingner	Punt
Anderson	Durham	Laughlin	Pyles
Armstrong	Fee	Lehr	Reed
Arty	Fisher	Lescovitz	Rieger
Barber	Foster, W. W.	Letterman	Ritter
Belardi	Foster, Jr., A.	Levi	Rocks
Bennett	Fryer	Lewis	Rodgers
Berson	Gallagher	Livengood	Ryan
Bittle	Gallen	Lynch, E. R.	Salvatore
Borski	Gamble	McCall	Schweder
Bowser	Gatski	McClatchy	Serafini
Brandt	Geesey	McIntyre	Seventy
Brown	Geist	McMonagle	Shadding
Burd	George, C.	Mackowski	Shupnik
Burns	George, M. H.	Madigan	Sieminski
Caltagirone	Giammarco	Maiale	Smith, E. H.
Cappabianca	Gladeck	Manderino	Stairs
Cessar	Goodman	Manmiller	Steighner
Chess	Grabowski	Michlovic	Stewart
Cimini	Gray	Micozzie	Stuban
Civera	Greenfield	Milanovich	Sweet
Clark, B. D.	Gruppo	Miller	Swift
Clark, M. R.	Hagarty	Mrkonic	Taylor, F.
Cochran	Harper	Mullen	Telek
Cole	Hasay	Murphy	Trello
Cornell	Hayes, Jr., S.	Nahill	Wachob
Coslett	Hoeffel	Novak	Wargo
Cowell	Honaman	O'Brien, D. M.	Wass
Cunningham	Hutchinson, A.	O'Donnell	Wenger
DeMedio	Hutchinson, W.	Oliver	White
DeWeese	Iris	Perzel	Williams
DiCarlo	Johnson, E. G.	Petrarca	Wilson
Dawida	Kanuck	Phillips	Wright, D. R.
Dietz	Klingaman	Piccola	Wright, Jr., J.
Dininni	Knight	Pievsky	Yahner
Dombrowski	Kolter	Pistella	Yohn
Donatucci, R.	Kowalshyn	Pratt	Zitterman
Dorr	Kukovich	Pucciarelli	Zwikl

**NAYS—12**

Fischer	Noye	Rappaport	Sirianni
Halverson	Peterson	Richardson	Thomas
Mowery	Pitts	Scheaffer	Zord

**NOT VOTING—23**

Austin	Gannon	McKelvey	Taddonio
Beloff	Goebel	McVerry	Taylor, E. Z.
Cohen	Itkin	Moehlmann	Wilt
Davies	Johnson, J. J.	Pott	
Dumas	Jones	Rasco	Seltzer,
Earley	Knepper	Spitz	Speaker
Freind			

**EXCUSED—15**

DeVerter	Levin	Schmitt	Vroon
Grieco	O'Brien, B. F.	Smith, L. E.	Weidner
Hayes, D. S.	Polite	Spencer	Zeller
Helfrick	Rhodes	Street	

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

On the question recurring,

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

Mr. GEORGE reoffered the following amendments:

Amend Sec. 8, (Sec. 601.2), page 19, line 3, by inserting after "cards." Before the department may delegate authority to an authorized department employee, issuing authority, police officer, district constable or writ server to seize a license, the department shall have first mailed a notice to the individual by certified mail, return receipt requested. The notice shall give the individual ten days to either correct the problem with department, authorized department employee, issuing authority, police officer, district constable or writ server or to surrender license to any of them.

Amend Sec. 8, page 20, by inserting between lines 3 and 4 § 601.3. Surcharge of insurance companies. The Department shall surcharge each insurance company underwriting automobile insurance in the Commonwealth the sum of five cents (5) per vehicle insured by the insurance company. This money shall be used to defray the expenses of notification pursuant to section 601.2

On the question recurring,

Will the House agree to the amendments?

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

Mr. GEORGE. Mr. Speaker, may I yield to the gentleman, Mr. Kukovich?

**AMENDMENTS DIVIDED**

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

Mr. KUKOVICH. I had a discussion with Mr. George and I thought that perhaps if this amendment was divided, it would be easier to make it clear to the members what Mr. George was attempting to do and avoid a problem with the latter part of that amendment.

I would suggest that it be divided at the end of the part that amends section 8, page 19, line 3, and prior to the part that begins to amend page 20.

The SPEAKER. It is the opinion of the Chair that the amendment is divisible. Will the gentleman indicate which part of the amendment he wishes to take up?

Mr. GEORGE. Yes, Mr. Speaker. Can we take up the first part?

The SPEAKER. The gentleman, Mr. George, indicates that he wants to take up the first part of the amendment to amend section 8, section 601.2, and inserting after the word "cards" the following paragraph.

Does the gentleman, Mr. George, wish to explain the first part of his amendment?

Mr. GEORGE. Yes, Mr. Speaker. This amendment was offered the other day, and I feel that we should look at this amendment again. It simply states that "Before the department may delegate authority to an unauthorized department employee, issuing authority, police officer, district constable or writ server, to seize a license, the department shall have first mailed a notice to the individual by certified mail, receipt return requested."

The notice shall give the individual 10 days to either correct the problem with the department of the authorized department employe or the issuing authority or whatever. That means that they could go to the local district justice or

district magistrate rather than send that back and forth between Harrisburg and have them cross in the mail. I really believe from what I heard on the radio this morning that PennDOT insists that we are not going in the right direction. They insist, and I believe they are right.

I further contacted the department and they said the 44,000 that they must deal with, or there are 44,000 that are being canceled out within the first 6 months, and legitimately that there are a couple hundred thousands, and that 89 percent of those people do have insurance. You and I both know, as legislators, how many people refuse to change their addresses; how many times you have to come down here and get a license for an individual because he did not get his application. I insist there will be many fine people who have, on their own volition, procured insurance. The Insurance Department can devise some type of form that will take care of this. I believe this is absolutely necessary that we go in this direction, Mr. Speaker. Thank you.

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

Mr. YOHN. Mr. Speaker, I will be very brief.

This is the same amendment that we defeated after about an hour and a half of debate last week by a total of 29 votes. Basically the amendment requires another notice. At the time we debated the amendment last week, we had just received it a few minutes before the debate and did not have a chance to check it out thoroughly. So we find on checking with the department that instead of there being 2 notices that are already sent out, there are actually three notices that the policyholder already receives, and this would be a fourth notice that we are asking for in this amendment.

In the current situation, if someone cancels their insurance policy or changes companies, there is a notice that goes into the Department of Transportation from the insurance company. A copy of that notice goes to the policyholder, and he is then to indicate on that notice and he must advise the Department of Transportation where his new insurance policy is.

In the event that he does not do that, there is a second notice that goes out from the Department of Transportation, a 30-day notice that if he does not advise them within 30 days of the fact that he has insurance coverage, his registration will then be suspended.

Finally, if at the end of that 30 days, the department does not receive notice that he has insurance, then a suspension notice goes out to the individual from the department, notice that his registration plates are being suspended. So the individual already gets three notices, and now we are asking that a fourth notice gets out. I think that it is a question really of how much notice should we be giving to these people who are flaunting the law by not carrying insurance?

Secondly, as I indicated last week, there is a cost aspect to this. We are adding costs to the insurance costs of this Commonwealth which only are eventually turned over and have to be paid by the other policyholders of the state.

Thirdly, as I indicated last time, that many people who are playing a game with their insurance coverage at the present time are going to play more of a game if this amendment becomes law, because what they are going to do is say, yes, I can disregard those first three notices because I do not have to do a thing until I get this fourth notice. It is just going to be that much longer that they are going to ignore their requirement to carry insurance.

Finally, if there is a prosecution for not carrying insurance, the fact that this notice has been given is another element that the prosecutor is going to have to approve in court, and it seems to me that that is just adding a greater burden in trying to get these people off the road who are driving without insurance, or to require them to carry the appropriate insurance that all the rest of us are carrying. For all these reasons, then, I would urge you to repeat the vote from last week and to defeat this amendment. Thank you.

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

Mr. GEORGE. Just one added plea for your consideration: I do not stand here trying to do anything to allow people to drive our highways without insurance. I do not even try to intimidate you or our Speaker, but the truth is, and everyone on the committee would be the first to admit, that there are thousands and thousands of notifications that go into the Department of Transportation, namely, Traffic Safety, and these people at the time of this notification legitimately are insured. There is not a legislator who does not at one time or another in a given month try to get an application for an individual who did not change his address. To send out a process or a writ service and pay \$9 out of taxpayers' dollars to take a tag off an automobile that is sitting there that has coverage, I think is improper and indecent. I am not going to go on and on. I ask you to consider this. This will not hurt insurance; this will not allow or give any flexibility to those who do not want to buy. It will just, as a matter of principle and integrity, protect those who, for some reason, have insurance and the insurance companies did not notify. Thank you very much.

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

Mr. ZITTERMAN. Mr. Speaker, would the gentleman, Mr. Yohn, stand for a brief interrogation please?

The SPEAKER. The gentleman, Mr. Yohn, indicates he will. Mr. Zitterman may proceed.

Mr. ZITTERMAN. Mr. Speaker, in your brief discussion, you indicated that the George amendment would create a fourth letter to be sent to the uninsured. Is this a possibility that the Department of Transportation could revise their schedule and send a 30-day notice and then the registered letter, which would actually reduce this to make it two letters instead of four?

Mr. YOHN. Well, I do not know and I tried to find this out this morning as to whether or not the requirement for that third notice was a statutory requirement or a regulatory requirement. I do not know the answer to that. If it is

regulatory, obviously it could be changed. But, in any event, it would have to be a certified notice in accordance with the requirements of this.

This amendment does not speak to eliminating any of the existing requirements. It just speaks to adding a new requirement which would be a fourth notice. There are three going out now, and this would be a requirement for a fourth notice.

Mr. ZITTERMAN. Thank you, Mr. Speaker.

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

Mr. ZITTERMAN. Mr. Speaker, may I make a brief comment, please?

The SPEAKER. The gentleman, Mr. Zitterman, is in order and may proceed.

Mr. ZITTERMAN. Mr. Speaker, it is my opinion that the George amendment will not create additional mailing out, and the thought that it would would be a misnomer. I would like to support the George amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Somerset, Mr. Halverson.

Mr. HALVERSON. Mr. Speaker, I agree totally with the remarks made by Mr. Yohn. There were two other points that I would just like to mention to the members of the House because I think it is worthy of their consideration. In Mr. George's amendment he does call for the notice of suspension to be sent by certified mail, return receipt requested. It seems to me that those malingerers who want to go without insurance are going to have an additional means of escaping simply by not accepting the certified mail. The certified mail will eventually have to be served on them again by Mr. George's writ server. In that respect, I think, again, it is just giving that person additional time in which to go without insurance on his vehicle. So I ask for the defeat of the amendment.

On the question,  
Will the House agree to Part I of the amendments?

The following roll call was recorded:

YEAS—66

Barber	Gamble	McMonagle	Shadding
Bennett	Gatski	Manderino	Shupnik
Borski	George, C.	Milanovich	Steighner
Bowser	Gray	Mrkonic	Stewart
Caltagirone	Greenfield	Mullen	Suban
Cappabianca	Harper	Novak	Sweet
Chess	Hoeffel	O'Donnell	Taylor, F.
Clark, B. D.	Hutchinson, A.	Petrarca	Trello
Cochran	Irviss	Pievsky	Wachob
Cole	Knight	Pistella	Wargo
DeMedio	Kolter	Pucciarelli	Wass
DeWeese	Kukovich	Punt	White
Dawida	Laughlin	Richardson	Williams
Dombrowski	Lescovitz	Rodgers	Wright, D. R.
Duffy	Letterman	Schweder	Yahner
Fee	Livengood	Seventy	Zitterman
Gallagher	McCall		

NAYS—110

Alden	Fisher	Levi	Rasco
Anderson	Foster, W. W.	Lewis	Reed
Armstrong	Foster, Jr., A.	Lynch, E. R.	Rieger
Arty	Freind	McClatchy	Ritter

Belardi	Fryer	McIntyre	Rocks
Berson	Gallen	McVerry	Ryan
Bittle	Gannon	Mackowski	Salvatore
Brandt	Geesey	Madigan	Scheaffer
Brown	Geist	Maiale	Serafini
Burd	George, M. H.	Manmiller	Sieminski
Burns	Giammarco	Michlovic	Sirianni
Cessar	Gladeck	Micozzie	Smith, E. H.
Cimini	Goodman	Miller	Stairs
Civera	Grabowski	Moehlmann	Swift
Clark, M. R.	Gruppo	Mowery	Taddonio
Cornell	Hagarty	Murphy	Taylor, E. Z.
Coslett	Halverson	Nahill	Telek
Cowell	Hasay	Noye	Thomas
Cunningham	Hayes, Jr., S.	O'Brien, D. M.	Wenger
DiCarlo	Honaman	Oliver	Wilson
Davies	Hutchinson, W.	Perzel	Wilt
Dietz	Itkin	Peterson	Wright, Jr., J.
Dininni	Johnson, E. G.	Phillips	Yohn
Donatucci, R.	Kanuck	Piccola	Zord
Dorr	Klingaman	Pitts	Zwilk
Durham	Kowalyszyn	Pott	
Earley	Lashinger	Pyles	Seltzer,
Fischer	Lehr	Rappaport	Speaker

NOT VOTING—11

Austin	Dumas	Jones	Pratt
Beloff	Goebel	Knepper	Spitz
Cohen	Johnson, J. J.	McKelvey	

EXCUSED—15

DeVerter	Levin	Schmitt	Vroon
Grieco	O'Brien, B. F.	Smith, L. E.	Weidner
Hayes, D. S.	Polite	Spencer	Zeller
Helfrick	Rhodes	Street	

The question was determined in the negative, and Part I of the amendments was not agreed to.

PART II OF AMENDMENTS WITHDRAWN

The SPEAKER. Does the gentleman wish to offer the second half of his amendments?

The Chair thanks the gentleman. The gentleman indicates that he is withdrawing it.

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—164

Anderson	Foster, Jr., A.	McCall	Ritter
Armstrong	Freind	McClatchy	Rocks
Arty	Fryer	McIntyre	Rodgers
Barber	Gallagher	McMonagle	Ryan
Belardi	Gamble	McVerry	Salvatore
Bennett	Gannon	Mackowski	Scheaffer
Berson	Gatski	Madigan	Schweder
Bittle	Geesey	Maiale	Serafini
Borski	Geist	Manderino	Seventy
Bowser	George, M. H.	Manmiller	Shadding
Brandt	Giammarco	Michlovic	Shupnik
Brown	Gladeck	Micozzie	Sieminski
Burd	Goodman	Milanovich	Sirianni
Burns	Grabowski	Miller	Smith, E. H.
Caltagirone	Gray	Moehlmann	Stairs
Cappabianca	Greenfield	Mowery	Steighner

Cessar	Gruppo	Mrkonic	Stewart
Chess	Hagarty	Mullen	Stuban
Cimini	Halverson	Murphy	Swift
Civera	Harper	Nahill	Taddonio
Clark, B. D.	Hasay	Novak	Taylor, E. Z.
Clark, M. R.	Hayes, Jr., S.	Noye	Taylor, F.
Cochran	Hoeffel	O'Brien, D. M.	Telek
Cole	Honaman	Oliver	Thomas
Cornell	Hutchinson, A.	Perzel	Trello
Coslett	Hutchinson, W.	Peterson	Wargo
Cowell	Irviss	Petrarca	Wass
Cunningham	Itkin	Phillips	Wenger
DeWeese	Johnson, E. G.	Piccola	White
DiCarlo	Kanuck	Pievsky	Wilson
Davies	Klingaman	Pistella	Wilt
Dawida	Knight	Pitts	Wright, D. R.
Dietz	Kolter	Pott	Wright, Jr., J.
Dininni	Kowalyszyn	Pratt	Yahner
Dombrowski	Kukovich	Pucciarelli	Yohn
Donatucci, R.	Laughlin	Punt	Zitterman
Dorr	Lehr	Pyles	Zord
Duffy	Lescovitz	Rappaport	Zwinkl
Fee	Levi	Rasco	
Fischer	Lewis	Reed	Seltzer,
Fisher	Livengood	Rieger	Speaker
Foster, W. W.	Lynch, E. R.		

**NAYS—13**

Alden	Gallen	Letterman	Sweet
DeMedio	George, C.	O'Donnell	Wachob
Durham	Lashingier	Richardson	Williams
Earley			

**NOT VOTING—10**

Austin	Dumas	Jones	McKelvey
Beloff	Goebel	Knepper	Spitz
Cohen	Johnson, J. J.		

**EXCUSED—15**

DeVerter	Levin	Schmitt	Vroon
Grieco	O'Brien, B. F.	Smith, L. E.	Weidner
Hayes, D. S.	Polite	Spencer	Zeller
Helfrick	Rhodes	Street	

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.

**PARLIAMENTARY INQUIRY**

The SPEAKER. The Chair recognizes the minority whip. For what purpose does the gentleman rise?

Mr. MANDERINO. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANDERINO. Mr. Speaker, I have a reconsideration motion filed on SB 881, and because of a former ruling, what I thought was a ruling of the Chair, I would like to clarify within what time that reconsideration motion must be acted on by this House?

The SPEAKER. The Chair recognizes Mr. Manderino.

Mr. MANDERINO. Mr. Speaker, the amendment that I am talking about is to a different bill, HB 2254. Whenever that is called, that is the question that I—

The SPEAKER. For the information of the gentleman, the Chair has already gone over HB 2254, but the Chair will respond to his question.

Mr. MANDERINO. Yes, Mr. Speaker, if you would.

The SPEAKER. The Chair repeats its ruling as of some weeks or months ago, in that as long as the gentleman, Mr. Manderino, has filed his reconsideration motion within the 5 days, that the reconsideration motion will lay on the desk until the gentleman calls it up.

Mr. MANDERINO. Is there a time limit in which it must be called up?

The SPEAKER. In the Chair's opinion, there is no time limit as long as he has met the minimum requirements of filing it within 5 legislative days, which the gentleman has met.

Without objection, SB 881 will be passed over.

Mr. MANDERINO. Thank you, Mr. Speaker.

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 2268, PN 3193**, entitled:

An Act relating to emergency powers and duties of the Governor in the event of an energy or fuel supply emergency or an energy resource shortage, supply or distribution problem and prescribing penalties.

On the question,

Will the House agree to the bill on third consideration?

Mr. STAIRS offered the following amendment:

Amend Sec. 5, page 5, line 24, by inserting after "unless" terminated

On the question,

Will the House agree to the amendment?

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

Mr. STAIRS. Mr. Speaker, I am introducing a technical amendment, inserting after "unless", the word "terminated".

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

**YEAS—175**

Alden	Foster, W. W.	Livengood	Ritter
Anderson	Foster, Jr., A.	Lynch, E. R.	Rocks
Armstrong	Freind	McCall	Rodgers
Arty	Gallagher	McClatchy	Ryan
Barber	Gallen	McMonagle	Salvatore
Belardi	Gamble	McVerry	Scheaffer
Bennett	Gannon	Mackowski	Schweder
Berson	Gatski	Madigan	Serafini
Bittle	Geesey	Maiale	Seventy
Borski	Geist	Manderino	Shadding
Bowser	George, C.	Manmiller	Shupnik
Brandt	George, M. H.	Michlovic	Sieminski
Brown	Giammarco	Micozzie	Sirianni
Burd	Gladeck	Milanovich	Smith, E. H.
Burns	Goodman	Miller	Stairs
Caltagirone	Grabowski	Moehlmann	Steighner
Cappabianca	Gray	Mowery	Stewart
Cessar	Greenfield	Mrkonic	Stuban
Chess	Gruppo	Mullen	Sweet
Cimini	Hagarty	Murphy	Swift
Civera	Halverson	Nahill	Taddonio
Clark, B. D.	Harper	Novak	Taylor, E. Z.
Clark, M. R.	Hasay	Noye	Taylor, F.

Cochran	Hayes, Jr., S.	O'Brien, D. M.	Telek
Cole	Hoeffel	O'Donnell	Thomas
Cornell	Honaman	Oliver	Trello
Coslett	Hutchinson, A.	Perzel	Wachob
Cowell	Hutchinson, W.	Peterson	Wargo
Cunningham	Irvis	Petrarca	Wass
DeMedio	Itkin	Phillips	Wenger
DeWeese	Johnson, E. G.	Piccola	White
DiCarlo	Kanuck	Pievsky	Williams
Davies	Klingaman	Pistella	Wilson
Dawida	Knight	Pitts	Wilt
Dietz	Kolter	Pott	Wright, D. R.
Dininni	Kowalyshyn	Pratt	Wright, Jr., J.
Dombrowski	Kukovich	Pucciarelli	Yahner
Donatucci, R.	Lashinger	Punt	Yohn
Dorr	Laughlin	Pyles	Zitterman
Duffy	Lehr	Rappaport	Zord
Durham	Lescovitz	Rasco	Zwinkl
Earley	Letterman	Reed	
Fee	Levi	Richardson	Seltzer,
Fischer	Lewis	Rieger	Speaker

NAYS—0

NOT VOTING—12

Austin	Dumas	Johnson, J. J.	McIntyre
Beloff	Fryer	Jones	McKelvey
Cohen	Goebel	Knepper	Spitz

EXCUSED—15

DeVerter	Levin	Schmitt	Vroon
Grieco	O'Brien, B. F.	Smith, L. E.	Weidner
Hayes, D. S.	Polite	Spencer	Zeller
Helfrick	Rhodes	Street	

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

On the question,

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

Mr. STAIRS offered the following amendments:

Amend Sec. 4, page 3, line 2 by striking out all of said line and inserting

(a) Energy contingency plans.—The Governor shall have the power to direct all State agencies to develop, for his approval and to be placed on file, energy contingency plans to be implemented in the event of a state of energy or fuel supply emergency. Plans shall be submitted in such form and within each limits as the Governor shall specify and shall recognize the obligations and duties which may be placed upon agencies subject to this act. The plans shall include, but shall not be limited to, programs to reduce fuel usage and programs to promote conservation, prevention of waste, and salvage of fuel supplies and resources by the agencies. In the event that an agency shall have already in existence an energy or fuel supply emergency contingency plan, such a plan shall be submitted to the Governor for reference and to be placed on file. Existing contingency plans shall not be subject to revision by the Governor.

(b) General powers.—After proclamation of a state of energy or fuel supply

Amend Sec. 4, page 3, lines 12 through 16 by striking out all of said lines and inserting (3) Implement energy contingency plans for State agencies.

Amend Sec. 4, page 3, line 17 by striking out "(5)" and inserting (4)

Amend Sec. 4, page 3, line 19 by striking out "(6)" and inserting (5)

Amend Sec. 4, page 3, line 22 by striking out "(7)" and inserting (6)

Amend Sec. 4, page 4, line 2 by striking out "(8)" and inserting (7)

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

Amend Sec. 4, page 5, line 3 by striking out "(10)" and inserting (9)

On the question,

Will the House agree to the amendments?

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

Mr. STAIRS. This amendment is in regards to contingency plans. Different state agencies have contingency plans in case of emergencies. This just gives the Governor the power to follow their plan.

The SPEAKER. The Chair recognizes the minority whip, Mr. Manderino.

Mr. MANDERINO. Will the gentleman, Mr. Stairs, consent to interrogation?

The SPEAKER. The gentleman indicates he will. Mr. Manderino, may proceed.

Mr. MANDERINO. Mr. Speaker, I am concerned about the necessity for the portion of the amendment that talks about "Existing contingency plans shall not be subject to revision by the Governor." What does that mean?

Mr. STAIRS. Mr. Speaker, it refers to the plans as submitted by the agencies, PUC, and so forth, that can go ahead with these plans and the Governor would not have the power to adopt or change these.

Mr. MANDERINO. I am concerned about any piece of legislation that puts the departments, the agencies of government, who are directly responsible to the Governor, over and above the Governor in saying that the plans that they develop he cannot revise, when we are talking about the Governor having the power to direct all state agencies developed and for his approval. I do not understand why we are allowing the Governor to have full power to direct the development of emergency contingency plans, giving him the power to approve those plans, but then saying those that already have plans in existence, he cannot revise them. That does not make sense to me, and unless I get a better explanation, I do not know how I will vote.

Mr. STAIRS. Mr. Speaker, I think what I am really trying to say is, the PUC has come up with certain plans, and we do not want the Governor to contradict plans that have already been provided for or devised, particularly, on a gas shortage or even a natural gas shortage or an electrical shortage. The PUC has drawn up contingency plans, and we are not trying to make any contradictions.

Mr. MANDERINO. Mr. Speaker, do you understand that the word "agency" has to do with some group or body other than the departments of government under the executive jurisdiction?

Mr. STAIRS. Yes; "agencies" referred to the Governor's agencies that are disposable under him, yes.

Mr. MANDERINO. I am sorry, I did not hear the answer.

Mr. STAIRS. Yes.

Mr. MANDERINO. This is a new act and there is no definition of "agency," and I do not understand how you would get that interpretation. I am having difficulty understanding that. I think if we are going to talk about the PUC or some department or some agency that is independent and saying that the Governor could not revise those particular contingency plans, I could understand it. But I would think that the amendment is ill drawn, at least in the first look-over of the amendment as it pertains to the bill. Unless there is some emergency or urgency, Mr. Speaker, I would ask that we go over the bill for today until we can check that out.

AMENDMENTS WITHDRAWN

The SPEAKER. The Chair recognizes the gentleman from Westmoreland, Mr. Stairs, who is withdrawing his amendment, and the Chair has been informed that he has another amendment he will offer later in the afternoon. Does the gentleman have the amendment now?

The Chair has been informed that the amendment just went down to the basement to be reproduced.

The Chair recognizes the majority whip.

Mr. S. E. HAYES. The amendment which is being offered by Mr. Stairs has been circulated, and the gentleman is ready to offer it at this time.

On the question recurring,

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

Mr. STAIRS offered the following amendment:

Amend Sec. 4, page 5, by inserting between lines 11 and 12 (11) Any actions taken by the Governor pursuant to this section shall not conflict with the prescribed curtailment procedures on file with the Public Utility Commission made pursuant to 52 Pa. Code §§ 59.61 - 59.67 (relating to reporting and curtailment of service) and § § 69.21 - 69.27 (relating to gas curtailment).

On the question,

Will the House agree to the amendment?

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

Mr. STAIRS. This clarifies our previous question where you had many agencies involved. This specifically says the PUC, so it spells it out a little clearer.

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

Mr. KUKOVICH. Mr. Speaker, I would just like to add that I agree with the intent of the amendment Mr. Stairs offered and I think we should support it.

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

Mr. SPITZ. Mr. Speaker, prior to the vote on the amendment, I simply would ask to be added to the master roll. I had put in for a leave of absence and I just arrived in Harrisburg.

The SPEAKER. The gentleman, Mr. Spitz, is now in the hall of the House and asks that his name be added to the master roll.

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

The following roll call was recorded:

YEAS—170

Alden	Fischer	Levi	Rieger
Anderson	Fisher	Lewis	Ritter
Armstrong	Foster, W. W.	Livengood	Rocks
Arty	Foster, Jr., A.	Lynch, E. R.	Rodgers
Barber	Freind	McCall	Ryan
Belardi	Fryer	McClatchy	Salvatore
Bennett	Gallagher	McIntyre	Scheaffer
Berson	Gallen	McMonagle	Schweder
Bittle	Gamble	Mackowski	Serafini
Borski	Gannon	Madigan	Seventy
Bowser	Gatski	Maiale	Shadding
Brandt	Geesey	Manderino	Shupnik
Brown	Geist	Manmiller	Sieminski
Burd	George, C.	Michlovic	Sirianni
Burns	George, M. H.	Micozzie	Smith, E. H.
Caltagirone	Giammarco	Miller	Spitz
Cappabianca	Gladeck	Moehlmann	Stairs
Cessar	Grabowski	Mowery	Steighner
Chess	Gray	Mullen	Stuban
Cimini	Greenfield	Murphy	Sweet
Civera	Gruppo	Nahill	Swift
Clark, B. D.	Hagarty	Novak	Taddonio
Clark, M. R.	Halverson	Noye	Taylor, E. Z.
Cochran	Harper	O'Brien, D. M.	Taylor, F.
Cole	Hasay	O'Donnell	Telek
Cornell	Hayes, Jr., S.	Oliver	Trello
Coslett	Hoeffel	Perzel	Wachob
Cowell	Honaman	Peterson	Wargo
Cunningham	Hutchinson, A.	Petrarca	Wass
DeMedio	Hutchinson, W.	Phillips	White
DeWeese	Irvic	Piccola	Williams
DiCarlo	Itkin	Pievsky	Wilson
Davies	Johnson, E. G.	Pistella	Wilt
Dawida	Kanuck	Pitts	Wright, D. R.
Dietz	Klingaman	Pott	Wright, Jr., J.
Dininni	Knight	Pratt	Yahner
Dombrowski	Kolter	Pucciarelli	Yohn
Donatucci, R.	Kowalshyn	Punt	Zitterman
Dorr	Kukovich	Pyles	Zord
Duffy	Lashinger	Rappaport	Zwikl
Durham	Laughlin	Rasco	
Earley	Lehr	Reed	Seltzer,
Fee	Lescovitz	Richardson	Speaker

NAYS—2

Goodman Letterman

NOT VOTING—15

Austin	Goebel	McKelvey	Stewart
Beloff	Johnson, J. J.	McVerry	Thomas
Cohen	Jones	Milanovich	Wenger
D.mas	Knepper	Mrkonic	

EXCUSED—15

DeVerter	Levin	Schmitt	Vroon
Grieco	O'Brien, B. F.	Smith, L. E.	Weidner
Hayes, D. S.	Polite	Spencer	Zeller
Helfrick	Rhodes	Street	

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

The SPEAKER. Does the gentleman, Mr. Stairs, have any additional amendments?

Mr. STAIRS. No, I do not.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. KUKOVICH offered the following amendments:

Amend Sec. 4, page 4, line 29, by removing the comma after "public" and inserting a period

Amend Sec. 4, page 4, line 29 and 30; page 5, lines 1 and 2 by striking out "imposing an excess power" in line 29 and all of line 30, page 4, all of lines 1 and 2, page 5

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

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

Mr. KUKOVICH. Mr. Speaker, the purpose of this amendment is to delete language on page 4, beginning on line 29 on that page. That language in the bill gives the Governor a power to tax, in essence. I believe that imposes too much power, and the purpose of this amendment is simply to remove that language from the bill.

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

Mr. STAIRS. I agree to this amendment. There is no opposition on this side.

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

The following roll call was recorded:

YEAS—174

Alden	Foster, W. W.	Lewis	Rocks
Anderson	Foster, Jr., A.	Livengood	Rodgers
Armstrong	Freind	Lynch, E. R.	Ryan
Arty	Fryer	McCall	Salvatore
Barber	Gallagher	McClatchy	Scheaffer
Belardi	Gallen	McIntyre	Schweder
Bennett	Gamble	McMonagle	Serafini
Berson	Gannon	Mackowski	Seventy
Bittle	Gatski	Madigan	Shadding
Borski	Geesey	Maiale	Shupnik
Bowser	Geist	Manderino	Sieminski
Brandt	George, C.	Manmiller	Sirianni
Brown	George, M. H.	Michlovic	Smith, E. H.
Burd	Giammarco	Micozzie	Spitz
Burns	Gladeck	Milanovich	Stairs
Caltagirone	Goodman	Miller	Steighner
Cappabianca	Grabowski	Moehlmann	Stewart
Cessar	Gray	Mowery	Stuban
Chess	Greenfield	Mrkonic	Sweet
Cimini	Gruppo	Mullen	Swift
Civera	Hagarty	Murphy	Taddonio
Clark, M. R.	Halverson	Nahill	Taylor, E. Z.
Cochran	Harper	Novak	Taylor, F.
Cole	Hasay	Noye	Telek
Cornell	Hayes, Jr., S.	O'Brien, D. M.	Thomas
Coslett	Hoeffel	O'Donnell	Trello
Cowell	Honaman	Oliver	Wachob
Cunningham	Hutchinson, A.	Perzel	Wargo
DeMedio	Hutchinson, W.	Peterson	Wass
DeWeese	Irvis	Petrarca	Wenger
DiCarlo	Itkin	Phillips	White
Davies	Johnson, E. G.	Piccola	Williams
Dawida	Kanuck	Pievsky	Wilson
Dietz	Klingaman	Pistella	Wilt
Dininni	Knight	Pratt	Wright, D. R.
Dombrowski	Kolter	Pucciarelli	Wright, Jr., J.
Donatucci, R.	Kowalshyn	Punt	Yahner
Dorr	Kukovich	Pyles	Yohn
Duffy	Lashingner	Rappaport	Zitterman
Durham	Laughlin	Rasco	Zord

Earley	Lehr	Reed	Zwikel
Fee	Lescovitz	Richardson	
Fischer	Letterman	Rieger	Seltzer,
Fisher	Levi	Ritter	Speaker

NAYS—2

Clark, B. D. McVerry

NOT VOTING—11

Austin	Dumas	Jones	Pitts
Beloff	Goebel	Knepper	Pott
Cohen	Johnson, J. J.	McKelvey	

EXCUSED—15

DeVerter	Levin	Schmitt	Vroon
Grieco	O'Brien, B. F.	Smith, L. E.	Weidner
Hayes, D. S.	Polite	Spencer	Zeller
Helfrick	Rhodes	Street	

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

REMARKS ON VOTE

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

Mr. THOMAS. I was temporarily out of my seat on the Stairs amendment. I would like to be recorded in the affirmative.

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

CONSIDERATION OF HB 2268 CONTINUED

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

Mr. KUKOVICH offered the following amendments:

Amend Sec. 4, page 3, line 24, by removing the colon after "to" and inserting air quality control.

Amend Sec. 4, page 3, lines 25 through 30; page 4, line 1, by striking out all of said lines on said pages

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

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

Mr. KUKOVICH. This amendment amends page 3, section 7, which would give the Governor the power to suspend or modify certain state standards. This amendment had been redrafted and it allows the air quality control to be suspended or modified. I believe that was the original intention of this bill, to make sure that certain DER requirements could be set aside if, in case of emergency, low-sulfur coal or other such type coal needed to be burned.

There are no state standards for any of the other sections, that is II, III, and IV, so that language is anticipatory and that power is not really needed, and I think this would clean up the language in that section and I would ask for your support.

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

Mr. STAIRS. This is an agreed-to amendment.

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

The following roll call was recorded:

YEAS—175

Alden	Foster, W. W.	Lynch, E. R.	Rocks
Anderson	Foster, Jr., A.	McCall	Rodgers
Arty	Freind	McClatchy	Ryan
Barber	Fryer	McMonagle	Salvatore
Belardi	Gallagher	McVerry	Scheaffer
Bennett	Gallen	Mackowski	Schweder
Berson	Gamble	Madigan	Serafini
Bittle	Gannon	Maiale	Seventy
Borski	Gatski	Manderino	Shadding
Bowser	Geesey	Manmiller	Shupnik
Brandt	George, C.	Michlovic	Sieminski
Brown	George, M. H.	Micozzie	Sirianni
Burd	Giammarco	Milanovich	Smith, E. H.
Burns	Gladeck	Miller	Spitz
Caltagirone	Goodman	Moehlmann	Stairs
Cappabianca	Grabowski	Mowery	Steighner
Cessar	Gray	Mrkonic	Stewart
Chess	Greenfield	Mullen	Stuban
Cimini	Gruppo	Murphy	Sweet
Civera	Hagarty	Nahill	Swift
Clark, B. D.	Halverson	Novak	Taddonio
Clark, M. R.	Harper	Noye	Taylor, E. Z.
Cochran	Hasay	O'Brien, D. M.	Taylor, F.
Cohen	Hayes, Jr., S.	O'Donnell	Telek
Cole	Hoefel	Oliver	Thomas
Cornell	Honaman	Perzel	Trello
Coslett	Hutchinson, A.	Peterson	Wachob
Cowell	Hutchinson, W.	Petrarca	Wargo
Cunningham	Irviss	Phillips	Wass
DeMedio	Itkin	Piccola	Wenger
DeWeese	Johnson, E. G.	Pievsky	White
DiCarlo	Kanuck	Pistella	Williams
Davies	Klingaman	Pitts	Wilson
Dawida	Knight	Pott	Wilt
Dietz	Kolter	Pratt	Wright, D. R.
Dininni	Kowalshyn	Pucciarelli	Wright, Jr., J.
Dombrowski	Kukovich	Punt	Yahner
Donatucci, R.	Lashinger	Pyles	Yohn
Dorr	Laughlin	Rappaport	Zitterman
Duffy	Lehr	Rasco	Zord
Durham	Lescovitz	Reed	Zwilk
Earley	Levi	Richardson	
Fee	Lewis	Rieger	Seltzer,
Fischer	Livengood	Ritter	Speaker
Fisher			

NAYS—2

Geist Letterman

NOT VOTING—10

Armstrong	Dumas	Jones	McIntyre
Austin	Goebel	Knepper	McKelvey
Beloff	Johnson, J. J.		

EXCUSED—15

DeVerter	Levin	Schmitt	Vroon
Grieco	O'Brien, B. F.	Smith, L. E.	Weidner
Hayes, D. S.	Polite	Spencer	Zeller
Helfrick	Rhodes	Street	

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

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

Mr. KUKOVICH offered the following amendments:

Amend Sec. 3, page 2, line 21 by striking out "90-day" and inserting 30-day

Amend Sec. 3, page 2, line 24 by striking out "90-day" and inserting 30-day

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

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

Mr. KUKOVICH. Mr. Speaker, this bill gives very broad powers to the Governor of this state. I question whether any Governor of any party should have those powers. In light of that, I have offered this amendment to reduce the amount of days under which a Governor can declare an emergency, suspend certain rules. Currently in the bill it talks about 90 days. My amendment very simply reduces that from 90 to 30 days. I feel that is an adequate amount of time in case of a serious emergency. I also feel that if the emergency is prolonged, Article II, Section 4, of the constitution provides a procedure for the Governor to call a special session, which can be done in a very brief time, and include us, include the General Assembly, and the Senate in the decisionmaking process in case of an emergency. I think that is reasonable; I think 30 days is a more proper time and I would ask for your support of this last amendment.

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

Mr. STAIRS. I rise to oppose this amendment. When I drafted this legislation, I studied other states. Approximately 15 other states have emergency legislation of this type, and the days of the emergency were between 60 days and 90 days, and I feel a 30-day period would be much too short a time. Oftentimes this would give us too little time to comply with the emergency, and I feel that we should use the guidance and the foresight that the other states have used. Particularly New York and California were using a much longer period of time than 30 days, so I would hope that the members of this House could agree with me on the 90-day period.

The SPEAKER. The Chair recognizes Mr. Kukovich.

Mr. KUKOVICH. Mr. Speaker, I would just say that I am not concerned about what other states have done. Maybe legislative assemblies in those states have been willing to abdicate their responsibility. I do not think that should be the case here.

I think there are procedures available to extend the time period. On page 2, section 3, subsection C, there is another mechanism by which the time period can be extended, and I think we need as many safeguards as possible whenever we are doing what we are in this bill, in giving a lot of powers to one man. I think it is a reasonable compromise to go to 30 days rather than give up the power that is inherent within us, and I would ask for your support.



The SPEAKER. Does Mr. Stairs wish to be recognized? The gentleman may proceed.

Mr. STAIRS. To further state my plea, I think a compromise has been established here. Some of the states do not have any power of the legislature to act whatsoever. It is strictly in the hands of the Governor. I feel in my bill we are giving both the legislature and the Governor an equal amount of power here and not giving it all to one branch of government. So I feel we have reached a very desirable compromise. The 30 days, to me, is a very short period of time, and with the way government acts, enacts or reacts today, I feel we need a much longer period of time than the 30 days. So I would appreciate your consideration to keep the bill as it is.

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

The following roll call was recorded:

YEAS—82

Barber	Fryer	Livengood	Richardson
Bennett	Gallagher	McCall	Ritter
Berson	Gamble	McMonagle	Rodgers
Borski	Gatski	Maiale	Schweder
Brown	George, C.	Manderino	Seventy
Caltagirone	George, M. H.	Michlovic	Shadding
Cappabianca	Giammarco	Milanovich	Shupnik
Chess	Grabowski	Mrkonic	Steighner
Cimini	Gray	Mullen	Stewart
Clark, B. D.	Greenfield	Murphy	Stuban
Cochran	Harper	Novak	Taylor, F.
Cohen	Hoeffel	Noye	Trello
Cole	Hutchinson, A.	O'Donnell	Wachob
Cowell	Irvis	Oliver	Wargo
Cunningham	Knight	Petrarca	White
DeMedio	Kolter	Pievsky	Williams
DeWeese	Kowalshyn	Pistella	Wright, D. R.
Dawida	Kukovich	Pratt	Yahner
Donatucci, R.	Laughlin	Pucciarelli	Zitterman
Duffy	Lescovitz	Rappaport	Zwilk
Fee	Letterman		

NAYS—94

Alden	Foster, W. W.	McClatchy	Salvatore
Anderson	Foster, Jr., A.	McIntyre	Scheaffer
Armstrong	Freind	McVerry	Serafini
Arty	Gallen	Madigan	Sieminski
Belardi	Gannon	Manmiller	Sirianni
Bittle	Geesey	Micozzie	Smith, E. H.
Bowser	Geist	Miller	Spitz
Brandt	Gladeck	Moehlmann	Stairs
Burd	Gruppo	Mowery	Sweet
Burns	Hagarty	Nahill	Swift
Cessar	Halverson	O'Brien, D. M.	Taddonio
Civera	Hasay	Perzel	Taylor, E. Z.
Clark, M. R.	Hayes, Jr., S.	Peterson	Telek
Cornell	Honaman	Phillips	Thomas
Coslett	Hutchinson, W.	Piccola	Wass
DiCarlo	Itkin	Pitts	Wenger
Davies	Johnson, E. G.	Pott	Wilson
Dietz	Kanuck	Punt	Wilt
Dininni	Klingaman	Pyles	Wright, Jr., J.
Dorr	Lashingner	Rasco	Yohn
Durham	Lehr	Reed	Zord
Earley	Levi	Rieger	
Fischer	Lewis	Rocks	Seltzer,
Fisher	Lynch, E. R.	Ryan	Speaker

NOT VOTING—11

Austin	Dumas	Johnson, J. J.	McKelvey
Beloff	Goebel	Jones	Mackowski
Dombrowski	Goodman	Knepper	

EXCUSED—15

DeVerter	Levin	Schmitt	Vroon
Grieco	O'Brien, B. F.	Smith, L. E.	Weidner
Hayes, D. S.	Polite	Spencer	Zeller
Helfrick	Rhodes	Street	

The question was determined in the negative, and the amendments were not agreed to.

On the question recurring,  
Will the House agree to the bill 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—176

Alden	Foster, W. W.	Lynch, E. R.	Ritter
Anderson	Foster, Jr., A.	McCall	Rocks
Armstrong	Freind	McClatchy	Rodgers
Arty	Fryer	McIntyre	Ryan
Barber	Gallagher	McMonagle	Salvatore
Belardi	Gallen	McVerry	Scheaffer
Bennett	Gamble	Mackowski	Serafini
Berson	Gannon	Madigan	Seventy
Bittle	Gatski	Maiale	Shadding
Borski	Geesey	Manderino	Shupnik
Bowser	Geist	Manmiller	Sieminski
Brandt	George, C.	Michlovic	Sirianni
Brown	George, M. H.	Micozzie	Smith, E. H.
Burd	Giammarco	Milanovich	Spitz
Burns	Gladeck	Miller	Stairs
Caltagirone	Goodman	Moehlmann	Steighner
Cappabianca	Grabowski	Mowery	Stewart
Cessar	Gray	Mrkonic	Stuban
Chess	Greenfield	Mullen	Sweet
Cimini	Gruppo	Murphy	Swift
Civera	Hagarty	Nahill	Taddonio
Clark, M. R.	Halverson	Novak	Taylor, E. Z.
Cochran	Harper	Noye	Taylor, F.
Cohen	Hasay	O'Brien, D. M.	Telek
Cole	Hayes, Jr., S.	O'Donnell	Thomas
Cornell	Hoeffel	Oliver	Trello
Coslett	Honaman	Perzel	Wachob
Cowell	Hutchinson, A.	Peterson	Wargo
Cunningham	Hutchinson, W.	Petrarca	Wass
DeMedio	Irvis	Phillips	Wenger
DeWeese	Itkin	Piccola	White
DiCarlo	Johnson, E. G.	Pievsky	Williams
Davies	Kanuck	Pistella	Wilson
Dawida	Klingaman	Pitts	Wilt
Dietz	Knight	Pott	Wright, D. R.
Dininni	Kolter	Pratt	Wright, Jr., J.
Dombrowski	Kowalshyn	Pucciarelli	Yahner
Donatucci, R.	Kukovich	Punt	Yohn
Dorr	Lashingner	Pyles	Zitterman
Duffy	Laughlin	Rappaport	Zord
Durham	Lehr	Rasco	Zwilk
Earley	Lescovitz	Reed	
Fee	Levi	Richardson	Seltzer,
Fischer	Lewis	Rieger	Speaker
Fisher	Livengood		

NAYS—3

Clark, B. D. Letterman Schweder

NOT VOTING—8

Austin Dumas Johnson, J. J. Knepper  
Beloff Goebel Jones McKelvey

EXCUSED—15

DeVerter Levin Schmitt Vroon  
Grieco O'Brien, B. F. Smith, L. E. Weidner  
Hayes, D. S. Polite Spencer Zeller  
Helfrick Rhodes Street

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 1162, PN 3003**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for a plea or finding of guilty but mentally ill.

On the question,

Will the House agree to the bill on third consideration?

Mr. D. M. FISHER offered the following amendments:

Amend Sec. 1 (Sec. 314), page 2, line 14, by removing the comma after "SECTION" and inserting and section 1327 (relating to disposition of persons found guilty but mentally ill).

Amend Sec. 1 (Sec. 1327), page 2, line 25, by inserting after "offense." Before imposing sentence, the court shall hear testimony and make a finding on the issue of whether the defendant is mentally ill at the time of sentencing.

Amend Sec. 1 (Sec. 1327), page 2, line 27, by inserting after "offender" who is found to be mentally ill at the time of sentencing and

Amend Sec. 1 (Sec. 1327), page 3, line 13, by striking out "401" and inserting 401(a)

Amend Sec. 1 (Sec. 1327), page 3, lines 14 and 15, by striking out "GUILTY BUT MENTALLY ILL" and inserting to be mentally ill at sentencing

Amend Sec. 1 (Sec. 1327), page 3, line 15, by striking out "ACT" and inserting chapter

Amend Sec. 1 (Sec. 1327), page 3, line 18, by inserting after "PSYCHIATRIST" or psychologist

Amend Sec. 1 (Sec. 1327), page 3, by inserting between lines 20 and 21 (3) The cost for treatment of offenders found guilty but mentally ill, committed to the custody of the Bureau of Correction and transferred to a mental health facility shall be borne by the Commonwealth.

Amend Sec. 1 (Sec. 1327), page 4, line 7, by inserting after "PAROLE" conditions

Amend Sec. 1 (Sec. 1327), page 4, line 9, by inserting after "TERMS" and laws

Amend Sec. 1 (Sec. 1327), page 4, lines 12 through 14, by striking out "TREATING FACILITY AND, IN" in line 12, all of line 13 and "OR SENTENCING JUDGE," in line 14 and inserting supervising authority,

Amend Sec. 1 (Sec. 1327), page 4, line 16, by inserting after "Parole" procedure

Amend Sec. 1 (Sec. 1327), page 4, lines 17 through 30; page 5, line 1, by striking out all of lines 17 through 30, page 4 and "shall be filed." in line 1, page 5 and inserting recommends

parole, the paroling authority shall consider the offender for parole within 45 days or at the expiration of his minimum sentence, whichever is later. If the report does not recommend parole, the paroling authority may consider the offender for parole pursuant to other law or administrative rules. When the paroling authority considers the offender for parole, it shall consult with the treating facility at which the offender is being treated or from which he was discharged.

Amend Sec. 1 (Sec. 1327), page 5, line 16, by striking out "parole" and inserting probation

Amend Sec. 1 (Sec. 1327), page 5, lines 16 and 17, by striking out "not be less than five years" and inserting be the maximum permitted by law

On the question,

Will the House agree to the amendments?

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

Mr. D. M. FISHER. HB 1162 is a bill which I have been working on for some time, which establishes a new type of verdict in Pennsylvania entitled "Guilty But Mentally Ill."

Now the amendment which is before us, amendment—

Mr. Speaker, I think we have the wrong amendment number up on the board. It is not the amendment I just submitted to the clerk. That is better.

The amendment which is before us, amendment No. 6506, is an amendment which I have worked on with both the majority staff of the House Judiciary Committee and the minority staff of the House Judiciary Committee to try to make some technical changes in the bill which are required as a result of certain peculiarities in the Mental Health Procedures Act, our parole law and our probation laws in the Commonwealth.

The bill itself is patterned after a guilty but mentally ill statutory scheme that was adopted in the State of Michigan approximately 4 or 5 years ago. We have had to make a number of technical changes to conform to the peculiarities of our other laws that I have noted. There is one part of the amendment which is other than a technical change, and that is the change which was necessitated by a recent decision of the United States Supreme Court which required that we provide even more of a hearing at the sentencing stage.

I believe that there is no opposition to this amendment from Mr. Berson or anybody on the other side of the aisle, and I would urge the adoption of the amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—177

Alden	Fisher	Livengood	Rocks
Anderson	Foster, W. W.	Lynch, E. R.	Rodgers
Armstrong	Foster, Jr., A.	McCall	Ryan
Arty	Freind	McClatchy	Salvatore
Barber	Fryer	McIntyre	Scheaffer
Belardi	Gallagher	McMonagle	Schweder
Bennett	Gallen	McVerry	Serafini
Berson	Gamble	Mackowski	Seventy
Bittle	Gannon	Madigan	Shadding
Borski	Gatski	Maiale	Shupnik
Bowser	Geist	Manmiller	Sieminski
Brandt	George, C.	Michlovic	Sirianni
Brown	George, M. H.	Micozzie	Smith, E. H.

Burd	Giammarco	Milanovich	Spitz
Burns	Gladeck	Miller	Stairs
Caltagirone	Goodman	Moehlmann	Steighner
Cappabianca	Grabowski	Mowery	Stewart
Cessar	Gray	Mrkonic	Stuban
Chess	Greenfield	Mullen	Sweet
Cimini	Gruppo	Murphy	Swift
Civera	Hagarty	Nahill	Taddonio
Clark, B. D.	Halverson	Novak	Taylor, E. Z.
Clark, M. R.	Harper	Noye	Taylor, F.
Cochran	Hasay	O'Brien, D. M.	Telek
Cohen	Hayes, Jr., S.	O'Donnell	Thomas
Cole	Hoeffel	Oliver	Trello
Cornell	Honaman	Perzel	Wachob
Coslett	Hutchinson, A.	Peterson	Wargo
Cowell	Hutchinson, W.	Petrarca	Wass
Cunningham	Irviss	Phillips	Wenger
DeMedio	Itkin	Piccola	White
DeWeese	Johnson, E. G.	Pievsky	Williams
DiCarlo	Kanuck	Pistella	Wilson
Davies	Klingaman	Pitts	Wilt
Dawida	Knight	Pott	Wright, D. R.
Dietz	Kolter	Pratt	Wright, Jr., J.
Dininni	Kowalshyn	Pucciarelli	Yahner
Dombrowski	Kukovich	Punt	Yohn
Donatucci, R.	Lashingier	Pyles	Zitterman
Dorr	Laughlin	Rappaport	Zord
Duffy	Lehr	Rasco	Zwikl
Durham	Lescovitz	Reed	
Earley	Letterman	Richardson	Seltzer,
Fee	Levi	Rieger	Speaker
Fischer	Lewis	Ritter	

NAYS—0

NOT VOTING—10

Austin	Geesey	Jones	McKelvey
Beloff	Goebel	Knepper	Manderino
Dumas	Johnson, J. J.		

EXCUSED—15

DeVerter	Levin	Schmitt	Vroon
Grieco	O'Brien, B. F.	Smith, L. E.	Weidner
Hayes, D. S.	Polite	Spencer	Zeller
Helfrick	Rhodes	Street	

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?

Mr. BERSON offered the following amendment:

Amend Sec. 1 (Sec. 314), page 2, line 9, by inserting after "plea." A defendant whose plea is not accepted by the court shall be entitled to a jury trial, except that if a defendant subsequently waives his right to a jury trial, the judge who presided at the hearing on mental illness shall not preside at the trial.

On the question,

Will the House agree to the amendment?

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

Mr. BERSON. Mr. Speaker, this is a technical amendment. Under the bill, in a plea of guilty but mentally ill, a judge is required to hold a hearing on that plea. This amendment would say that if that plea is rejected, the same judge cannot sit and preside at a subsequent trial of that same defendant. That is all it does.

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

Mr. D. M. FISHER. Mr. Speaker, I agree to the amendment.

The SPEAKER. The parliamentarian just posed a question to the Chair: What happens in a county with only one judge?

Mr. BERSON. The same thing as they do today in a county with one judge where there is a suppression motion; another judge has to come and hear the case.

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

Mr. DAVIES. Mr. Speaker, would the maker of the amendment then stand for one question?

The SPEAKER. The gentleman, Mr. Berson, indicates he will stand for interrogation.

Mr. DAVIES. Mr. Speaker, would there be then any additional costs with this? Would this necessitate a change of venue then from the next trial by moving it to another county or would it necessitate bringing in a judge from another county, and would it add any costs to the proceedings?

Mr. BERSON. It is conceivable that the same result will occur in one-judge counties as occurs now where a motion is made presently, for instance, to suppress evidence. The judge who hears that motion cannot preside at the trial and an outside judge will be brought in to try that case. Similarly with this statute, if this amendment is adopted, if the judge presiding at the hearing to determine whether to accept the defendant's plea of guilty but mentally ill makes a ruling against the defendant, he cannot preside at the trial, and in one-judge counties, an outside judge will have to be brought in. There is some expense involved with that, but I am not certain that it is very great.

Mr. DAVIES. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—176

Alden	Foster, Jr., A.	Lynch, E. R.	Rocks
Anderson	Freind	McCall	Rodgers
Armstrong	Fryer	McClatchy	Ryan
Arty	Gallagher	McIntyre	Salvatore
Austin	Gallen	McMonagle	Scheaffer
Barber	Gamble	McVerry	Schweder
Belardi	Gannon	Mackowski	Serafini
Berson	Gatski	Madigan	Seventy
Bittle	Geesey	Maiale	Shadding
Borski	Geist	Manderino	Shupnik
Bowser	George, C.	Manmiller	Sieminski
Brandt	George, M. H.	Michlovic	Sirianni
Brown	Giammarco	Micozzie	Smith, E. H.
Burd	Gladeck	Milanovich	Spitz
Burns	Goodman	Miller	Stairs
Caltagirone	Grabowski	Moehlmann	Steighner
Cappabianca	Gray	Mowery	Stewart
Cessar	Greenfield	Mrkonic	Stuban
Chess	Gruppo	Mullen	Sweet
Cimini	Hagarty	Murphy	Swift
Civera	Halverson	Nahill	Taddonio
Clark, B. D.	Harper	Novak	Taylor, E. Z.
Clark, M. R.	Hasay	O'Brien, D. M.	Taylor, F.
Cochran	Hayes, Jr., S.	O'Donnell	Telek

Cohen	Hoeffel	Oliver	Thomas
Cole	Honaman	Perzel	Trello
Cornell	Hutchinson, A.	Peterson	Wachob
Coslett	Hutchinson, W.	Petrarca	Wargo
Cowell	Irvis	Phillips	Wass
Cunningham	Itkin	Piccola	Wenger
DeMedio	Johnson, E. G.	Pievsky	White
DeWeese	Kanuck	Pistella	Williams
DiCarlo	Klingaman	Pitts	Wilson
Davies	Knight	Pott	Wilt
Dawida	Kolter	Pratt	Wright, D. R.
Dietz	Kowalshyn	Pucciarelli	Wright, Jr., J.
Dombrowski	Kukovich	Punt	Yahner
Donatucci, R.	Lashinger	Pyles	Yohn
Duffy	Laughlin	Rappaport	Zitterman
Durham	Lehr	Rasco	Zord
Earley	Lescovitz	Reed	Zwilk
Fee	Letterman	Richardson	
Fischer	Levi	Rieger	Seltzer,
Fisher	Lewis	Ritter	Speaker
Foster, W. W.	Livengood		

NAYS—0

NOT VOTING—11

Beloff	Dorr	Johnson, J. J.	McKelvey
Bennett	Dumas	Jones	Noye
Dininni	Goebel	Knepper	

EXCUSED—15

DeVerter	Levin	Schmitt	Vroon
Grieco	O'Brien, B. F.	Smith, L. E.	Weidner
Hayes, D. S.	Polite	Spencer	Zeller
Helfrick	Rhodes	Street	

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.

\* \* \*

The House proceeded to third consideration of **HB 2362, PN 3401**, entitled:

An Act amending the "Post Conviction Hearing Act," approved April 28, 1978 (P. L. 202, No. 53), delaying the effective day of a repeal of provisions relating to post conviction hearings.

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—173

Alden	Foster, Jr., A.	Lynch, E. R.	Rocks
Armstrong	Freind	McCall	Rodgers
Arty	Fryer	McClatchy	Ryan
Austin	Gallagher	McIntyre	Salvatore
Belardi	Gamble	McMonagle	Scheaffer
Berson	Gannon	Mackowski	Schweder
Bittle	Gatski	Madigan	Serafini

Borski	Geesey	Maiale	Seventy
Bowser	Geist	Manderino	Shadding
Brandt	George, C.	Manmiller	Shupnik
Brown	George, M. H.	Michlovic	Sieminski
Burd	Giammarco	Micozzie	Sirianni
Burns	Gladeck	Milanovich	Smith, E. H.
Caltagirone	Goodman	Miller	Spitz
Cappabianca	Grabowski	Mochlmann	Stairs
Cessar	Gray	Mowery	Steighner
Chess	Greenfield	Mrkonic	Stewart
Cimini	Gruppo	Mullen	Stuban
Civera	Hagarty	Murphy	Sweet
Clark, B. D.	Halverson	Nahill	Swift
Clark, M. R.	Harper	Novak	Taddonio
Cochran	Hasay	Noye	Taylor, E. Z.
Cohen	Hayes, Jr., S.	O'Brien, D. M.	Taylor, F.
Cole	Hoeffel	O'Donnell	Telek
Cornell	Honaman	Oliver	Thomas
Coslett	Hutchinson, A.	Perzel	Trello
Cowell	Hutchinson, W.	Peterson	Wachob
DeMedio	Irvis	Petrarca	Wargo
DeWeese	Itkin	Phillips	Wass
DiCarlo	Johnson, E. G.	Piccola	Wenger
Davies	Kanuck	Pievsky	White
Dawida	Klingaman	Pistella	Williams
Dietz	Knight	Pitts	Wilson
Dininni	Kolter	Pott	Wilt
Dombrowski	Kowalshyn	Pratt	Wright, D. R.
Donatucci, R.	Kukovich	Pucciarelli	Wright, Jr., J.
Dorr	Lashinger	Punt	Yahner
Duffy	Laughlin	Pyles	Yohn
Durham	Lehr	Rappaport	Zitterman
Earley	Lescovitz	Rasco	Zwilk
Fee	Letterman	Reed	
Fischer	Levi	Richardson	Seltzer,
Fisher	Lewis	Rieger	Speaker
Foster, W. W.	Livengood	Ritter	

NAYS—1

McVerry

NOT VOTING—13

Anderson	Cunningham	Goebel	Knepper
Barber	Dumas	Johnson, J. J.	McKelvey
Beloff	Gallen	Jones	Zord
Bennett			

EXCUSED—15

DeVerter	Levin	Schmitt	Vroon
Grieco	O'Brien, B. F.	Smith, L. E.	Weidner
Hayes, D. S.	Polite	Spencer	Zeller
Helfrick	Rhodes	Street	

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 Perry, Mr. Noye.

Mr. **NOYE**. In the last amendment on HB 1162, I was out of my seat on that vote and, had I been in my seat, I would have been recorded in the affirmative.

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

**BILLS ON THIRD CONSIDERATION  
CONTINUED**

The House proceeded to third consideration of **HB 2032, PN 2791**, entitled:

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), further providing for the obtaining of child support payments for recipients whose eligibility for assistance is based on the absence of a parent from the home.

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

Amend Sec. 2 (Sec. 432.7A), page 3, line 19, by inserting after "cause" as determined by the department

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, it is my understanding this is not a controversial amendment but rather in the nature of a technical amendment to explain that the determination of cooperation under the section of this bill is to be determined by the Department of Welfare. That was unclear as drawn, and this simply adds that provision. I understand it is noncontroversial.

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

The following roll call was recorded:

**YEAS—168**

Alden	Fisher	Lewis	Rieger
Anderson	Foster, W. W.	Livengood	Ritter
Armstrong	Foster, Jr., A.	Lynch, E. R.	Rocks
Arty	Freind	McCall	Rodgers
Austin	Fryer	McClatchy	Ryan
Barber	Gallagher	McIntyre	Salvatore
Belardi	Gallen	McVerry	Schaeffer
Berson	Gamble	Mackowski	Schweder
Bittle	Gannon	Madigan	Serafini
Borski	Gatski	Maiale	Seventy
Bowser	Geesey	Manderino	Shupnik
Brandt	Geist	Manmiller	Sieminski
Brown	George, C.	Michlovic	Sirianni
Burd	George, M. H.	Micozzie	Smith, E. H.
Burns	Giammarco	Milanovich	Spitz
Caltagirone	Gladeck	Miller	Stairs
Cappabianca	Grabowski	Moehlmann	Steighner
Cessar	Gray	Mowery	Stewart
Chess	Greenfield	Mrkonic	Stuban
Cimini	Gruppo	Mullen	Swift
Civera	Hagarty	Murphy	Taddonio
Clark, B. D.	Halverson	Nahill	Taylor, E. Z.
Clark, M. R.	Harper	Novak	Taylor, F.
Cochran	Hasay	Noye	Telek
Cole	Hayes, Jr., S.	O'Brien, D. M.	Trello
Cornell	Hoeffel	O'Donnell	Wachob
Coslett	Honaman	Oliver	Wargo
Cowell	Hutchinson, A.	Perzel	Wass
Cunningham	Hutchinson, W.	Peterson	Wenger
DeWeese	Irvis	Petrarca	White
DiCarlo	Itkin	Phillips	Wilson
Davies	Johnson, E. G.	Piccola	Wilt
Dawida	Kanuck	Pievsky	Wright, D. R.
Dietz	Klingaman	Pistella	Wright, Jr., J.
Dininni	Knight	Pitts	Yahner

Dombrowski	Kolter	Pott	Yohn
Donatucci, R.	Kowalyszyn	Pratt	Zitterman
Dorr	Kukovich	Pucciarelli	Zord
Duffy	Lashinger	Punt	Zwikl
Durham	Laughlin	Pyles	
Earley	Lescovitz	Rasco	Seltzer,
Fee	Letterman	Reed	Speaker
Fischer	Levi		

**NAYS—2**

Richardson	Williams
------------	----------

**NOT VOTING—17**

Beloff	Goebel	Knepper	Rappaport
Bennett	Goodman	Lehr	Shadding
Cohen	Johnson, J. J.	McKelvey	Sweet
DeMedio	Jones	McMonagle	Thomas
Dumas			

**EXCUSED—15**

DeVerter	Levin	Schmitt	Vroon
Grieco	O'Brien, B. F.	Smith, L. E.	Weidner
Hayes, D. S.	Polite	Spencer	Zeller
Helfrick	Rhodes	Street	

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

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

Mr. IRVIS offered the following amendment:

Amend Sec. 2 (Sec. 432.7A), page 3, by inserting after line 30 (4) Caretaker relatives shall be reimbursed from funds appropriated for county administration for transportation costs incurred in cooperating at the rate of seventeen cents (17¢) per mile for private transportation or the actual cost of public transportation.

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

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, all this amendment says is that if the caretaker relative is being required to come into court to various hearings concerning the eligibility of a young child for assistance, then the caretaker relative should be reimbursed at the rate of 17 cents per mile for private transportation or the actual cost of public transportation that is involved. This is to allow those caretaker relatives who must come in from a distance of 25, 30, and 40 miles in the nonurban counties to be reimbursed for their travels. That is all the amendment does, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I rise to oppose the amendment offered by Mr. Irvis. Presently the regulations, as I understand them, provide that transportation shall be reimbursed at the rate of 12 cents per mile, which I understand by regulation will shortly be raised, or if by public transportation at the rate of \$2, which I understand will shortly be raised to \$4. However, under the present regulations this payment is made only if the recipient has no other means of transportation or if the expense for the transportation cannot be met from other resources available to the recipient. Mr. Irvis' amendment has no such limitation.

The other thing that is missing from Mr. Irvis' amendment is a question of reasonableness of reimbursement. In other words, there is some concern that a person who has to go to the welfare office or the courthouse under the provisions of this bill could take a taxi rather than public transportation. There is no control over that; there is no question as to the reasonableness of that transportation trip. It could lead to what has been referred to as taxi abuse in that an individual could take a taxi regardless of the availability of cheaper forms of transportation and, under these amendments, be reimbursed at full cost rather than the provision today of a maximum of \$2 shortly to be raised, I understand, to \$4.

Under all of these circumstances, Mr. Speaker, I would suggest that we vote "no" on the Irvis amendment.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Obviously, Mr. Speaker, the majority leader and I have a disagreement as to whether or not we should regulate this by statute or regulate it by regulation. I personally believe that we ought to write into statutory law the rights of these caretaker relatives and simply state that they have the right to be paid for whatever transportation they use in order to get to these hearings. As far as their abuse by taxi is concerned, that is easily answered, Mr. Speaker. The regulations of the department take care of what is reasonable and what is not reasonable. The department never pays out what it considers to be an unreasonable amount of money to anyone who applies, or at least it ought not to pay out an unreasonable amount of money to anyone who applies.

So the difference is one of philosophy - whether you believe the department ought to set the regulation and allow the caretaker relative to be at the mercy of the department or whether you believe, as I do, that the House of Representatives, the General Assembly, ought to set the amount of money which is to be reimbursed to the caretaker relative. I believe in the second and I ask for an affirmative vote on the amendment, Mr. Speaker.

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

The following roll call was recorded:

**YEAS—88**

Barber	Fee	Livengood	Rieger
Bennett	Fryer	McCall	Ritter
Berson	Gallagher	McIntyre	Schweder
Borski	Gamble	McMonagle	Seventy
Brown	Gatski	Maiale	Shadding
Burns	George, M. H.	Manderino	Shupnik
Caltagirone	Giammarco	Michlovic	Steighner
Cappabianca	Goodman	Milanovich	Stewart
Chess	Grabowski	Mrkonic	Stuban
Clark, B. D.	Greenfield	Mullen	Sweet
Cochran	Harper	Murphy	Taylor, F.
Cohen	Hoeffel	Novak	Trello
Cole	Hutchinson, A.	O'Donnell	Wachob
Cowell	Irvis	Oliver	Wargo
DeMedio	Itkin	Petrarca	White
DeWeese	Knight	Pievsky	Williams
DiCarlo	Kolter	Pistella	Wilson
Dawida	Kowalshyn	Pratt	Wright, D. R.
Dombrowski	Kukovich	Pucciarelli	Wright, Jr., J.

Donatucci, R.	Laughlin	Rappaport	Yahner
Duffy	Lescovitz	Reed	Zitterman
Earley	Letterman	Richardson	Zwilk

**NAYS—90**

Alden	Foster, W. W.	Lewis	Rocks
Anderson	Foster, Jr., A.	Lynch, E. R.	Ryan
Armstrong	Freind	McClatchy	Salvatore
Arty	Gallen	McVerry	Scheaffer
Belardi	Gannon	Mackowski	Serafini
Bittle	Geesey	Madigan	Sieminski
Bowser	Geist	Manmiller	Sirianni
Brandt	George, C.	Micozzie	Smith, E. H.
Burd	Gladeck	Miller	Spitz
Cessar	Gray	Moehlmann	Stairs
Cimini	Gruppo	Mowery	Swift
Civera	Hagarty	Nahill	Taddonio
Clark, M. R.	Halverson	Noye	Taylor, E. Z.
Cornell	Hasay	O'Brien, D. M.	Telek
Coslett	Hayes, Jr., S.	Perzel	Thomas
Cunningham	Honaman	Peterson	Wass
Davies	Hutchinson, W.	Phillips	Wenger
Dietz	Johnson, E. G.	Piccola	Wilt
Dininni	Kanuck	Pitts	Yohn
Dorr	Klingaman	Pott	Zord
Durham	Lashingier	Punt	
Fischer	Lehr	Pyles	Seltzer,
Fisher	Levi	Rasco	Speaker

**NOT VOTING—9**

Austin	Goebel	Jones	McKelvey
Beloff	Johnson, J. J.	Knepper	Rodgers
Dumas			

**EXCUSED—15**

DeVerter	Levin	Schmitt	Vroon
Grieco	O'Brien, B. F.	Smith, L. E.	Weidner
Hayes, D. S.	Polite	Spencer	Zeller
Helfrick	Rhodes	Street	

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

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

Mr. RICHARDSON. Mr. Speaker, we are preparing a reconsideration motion on the Irvis amendment and would like to have some time to do that.

**RECONSIDERATION OF VOTE  
ON AMENDMENT TO HB 2032**

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, I move that the vote by which amendment No. 6270 to HB 2032 was defeated on the 2d day of June be reconsidered.

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

Mr. RICHARDSON. Mr. Speaker, I second the motion.

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

The following roll call was recorded:

**YEAS—171**

Alden	Foster, Jr., A.	Livengood	Rocks
Anderson	Freind	Lynch, E. R.	Rodgers
Armstrong	Fryer	McCall	Ryan
Barber	Gallagher	McClatchy	Salvatore
Belardi	Gallen	McIntyre	Scheaffer

Bennett	Gamble	McVerry	Schweder
Berson	Gatski	Mackowski	Serafini
Bittle	Geesey	Madigan	Seventy
Borski	Geist	Maiale	Shadding
Bowser	George, C.	Manderino	Shupnik
Brandt	George, M. H.	Manmiller	Sieminski
Brown	Giammarco	Michlovic	Sirianni
Burd	Gladeck	Micozzie	Smith, E. H.
Burns	Goodman	Milanovich	Spitz
Caltagirone	Grabowski	Miller	Stairs
Cappabianca	Gray	Moehlmann	Steighner
Cessar	Greenfield	Mowery	Stewart
Chess	Gruppo	Mrkonic	Stuban
Cimini	Hagarty	Mullen	Sweet
Civera	Halverson	Murphy	Swift
Cochran	Harper	Nahill	Taddonio
Cohen	Hasay	Novak	Taylor, E. Z.
Cole	Hayes, Jr., S.	Noye	Taylor, F.
Cornell	Hoeffel	O'Brien, D. M.	Telek
Coslett	Honaman	O'Donnell	Thomas
Cowell	Hutchinson, A.	Oliver	Trello
Cunningham	Hutchinson, W.	Perzel	Wachob
DeMedio	Irvis	Peterson	Wargo
DeWeese	Itkin	Phillips	Wass
DiCarlo	Johnson, E. G.	Piccola	Wenger
Davies	Kanuck	Pievsky	White
Dawida	Klingaman	Pistella	Williams
Dietz	Knight	Pitts	Wilson
Dininni	Kolter	Pott	Wilt
Dombrowski	Kowalyszyn	Pratt	Wright, Jr., J.
Donatucci, R.	Kukovich	Pucciarelli	Yahner
Dorr	Lashingier	Punt	Yohn
Duffy	Laughlin	Pyles	Zitterman
Durham	Lehr	Rasco	Zord
Earley	Lescovitz	Reed	Zwinkl
Fee	Letterman	Richardson	
Fischer	Levi	Rieger	Seltzer,
Fisher	Lewis	Ritter	Speaker
Foster, W. W.			

NAYS—1

Wright, D. R.

NOT VOTING—15

Arty	Clark, M. R.	Johnson, J. J.	McMonagle
Austin	Dumas	Jones	Petrarca
Beloff	Gannon	Knepper	Rappaport
Clark, B. D.	Goebel	McKelvey	

EXCUSED—15

DeVerter	Levin	Schmitt	Vroon
Grieco	O'Brien, B. F.	Smith, L. E.	Weidner
Hayes, D. S.	Polite	Spencer	Zeller
Helfrick	Rhodes	Street	

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

On the question recurring,

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

Mr. IRVIS reoffered the following amendment:

Amend Sec. 2 (Sec. 432.7A), page 3, by inserting after line 30 (4) Caretaker relatives shall be reimbursed from funds appropriated for county administration for transportation costs incurred in cooperating at the rate of seventeen cents (17¢) per mile for private transportation or the actual cost of public transportation.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—88

Austin	Fee	Livengood	Rieger
Barber	Fryer	McCall	Ritter
Bennett	Gallagher	McIntyre	Rodgers
Berson	Gamble	McMonagle	Schweder
Borski	Gatski	Maiale	Seventy
Brown	George, C.	Manderino	Shadding
Burns	Giammarco	Michlovic	Shupnik
Cappabianca	Goodman	Milanovich	Steighner
Chess	Grabowski	Mrkonic	Stewart
Clark, B. D.	Gray	Mullen	Stuban
Cochran	Greenfield	Murphy	Sweet
Cohen	Harper	Novak	Taylor, F.
Cole	Hoeffel	O'Donnell	Telek
Cowell	Hutchinson, A.	Oliver	Trello
DeMedio	Irvis	Petrarca	Wachob
DeWeese	Itkin	Pievsky	Wargo
DiCarlo	Knight	Pistella	White
Dawida	Kolter	Pratt	Williams
Dombrowski	Kowalyszyn	Pucciarelli	Wright, D. R.
Donatucci, R.	Kukovich	Rappaport	Yahner
Duffy	Laughlin	Reed	Zitterman
Earley	Lescovitz	Richardson	Zwinkl

NAYS—90

Alden	Foster, W. W.	Lynch, E. R.	Ryan
Anderson	Foster, Jr., A.	McClatchy	Salvatore
Armstrong	Freind	McVerry	Scheaffer
Arty	Gallen	Mackowski	Serafini
Belardi	Geesey	Madigan	Sieminski
Bittle	Geist	Manmiller	Sirianni
Bowser	George, M. H.	Micozzie	Smith, E. H.
Brandt	Gladeck	Miller	Spitz
Burd	Gruppo	Moehlmann	Stairs
Cessar	Hagarty	Mowery	Swift
Cimini	Halverson	Nahill	Taddonio
Civera	Hasay	Noye	Taylor, E. Z.
Clark, M. R.	Hayes, Jr., S.	O'Brien, D. M.	Thomas
Cornell	Honaman	Perzel	Wass
Coslett	Hutchinson, W.	Peterson	Wenger
Cunningham	Johnson, E. G.	Phillips	Wilson
Davies	Kanuck	Piccola	Wilt
Dietz	Klingaman	Pitts	Wright, Jr., J.
Dininni	Lashingier	Pott	Yohn
Dorr	Lehr	Punt	Zord
Durham	Letterman	Pyles	
Fischer	Levi	Rasco	Seltzer,
Fisher	Lewis	Rocks	Speaker

NOT VOTING—9

Beloff	Gannon	Johnson, J. J.	Knepper
Caltagirone	Goebel	Jones	McKelvey
Dumas			

EXCUSED—15

DeVerter	Levin	Schmitt	Vroon
Grieco	O'Brien, B. F.	Smith, L. E.	Weidner
Hayes, D. S.	Polite	Spencer	Zeller
Helfrick	Rhodes	Street	

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

The Chair recognizes the gentleman from Philadelphia, Mr. Richardson.

Mr. RICHARDSON. I would like to interrogate the prime sponsor, Mr. Speaker.

The SPEAKER. Will the gentleman, Mr. Ryan, stand for interrogation? The gentleman indicates that he will, and Mr. Richardson may proceed.

Mr. RICHARDSON. Mr. Speaker, can you tell us at this present time what the numbers are in the Commonwealth of Pennsylvania dealing specifically with those persons who are presently not applying to this law that you are trying to introduce?

Mr. RYAN. Mr. Speaker, no; I am not able to tell. I understand, however, that there is a backlog growing at the rate of 2,500 per month in Philadelphia. These numbers are available. The total number of people who are not cooperating I do not know. The one number of 2,500 per month I do know.

Mr. RICHARDSON. Well, the only thing, Mr. Speaker, is that when you say people are not cooperating, what evidence do you have that they are not cooperating?

Mr. RYAN. The statement of the department.

Mr. RICHARDSON. Yes; that is what I am saying. That is just information that someone has given you; that is not something that you actually know.

Mr. RYAN. Mr. Speaker, if I may answer further, there is very little we know in this world that we do not rely on others to get. If I could not rely on the word of some of the departments and the county administrators, I do not know what information we would ever be able to get. I know in my county, in Delaware County, they feel that there is a problem. I think some of the members should understand what this is all about.

Mr. RICHARDSON. Yes; I think so, too.

Mr. RYAN. All right. What I am attempting to do with this bill is make it easier for the Commonwealth of Pennsylvania to recover from absent—I am going to say husbands, for the moment—husbands support payments. When a woman comes in and seeks support from her husband for her children, the county domestic relations office handles it. When a woman comes to the Welfare Department and asks for welfare for her children because her husband cannot be located, she should have an obligation to come to the state and give to the state the money she would receive from her husband if she were able to get that money. The purpose of this bill is to make it easier for the state to recapture some of the money it is paying out on welfare by searching out the absent spouse who has an obligation to support his children and/or dependents. That is what this bill is designed to do, to force that cooperation, because too many times people fail to come before our domestic relations courts to seek money from the spouse or the parent of these children and rather are satisfied taking welfare payments and not seeking the money from the person who truly should be paying it. This is designed to help the Commonwealth of Pennsylvania get the money

from the person who should be paying, rather than just paying it out in welfare without seeking reimbursement from that person.

Mr. RICHARDSON. Well, I do not know how you got all of that out of the question, but thank you very much for the lengthy answer that you gave. The question I have, Mr. Speaker, is relative to the elimination of a process that has already been implemented by the department dealing with child support. In this particular bill, this bill moves to eliminate one step of that process, and I am wondering why you would move to want to support that.

Mr. RYAN. Mr. Speaker, again, the information I have is that the person who is seeking support and who is presently on welfare is failing in many cases to appear for second appointments where information is gathered in connection with chasing the absent parent or the absent spouse, and this step would be eliminated and it would all be put together, and when the information is received by the welfare office, the same information could be taken to chase the absent parent or absent spouse.

Mr. RICHARDSON. My question specifically is then, Mr. Speaker, how does this bill change the present process that is already in operation? The point is that already these plans are in operation and now you are seeking to change that. How does this bill in fact change the present law that is on the books?

Mr. RYAN. This bill would eliminate interviews with welfare claims settlement officers and direct these individuals immediately to the domestic relations section of the court for the purpose of securing the child support payments. The procedures under this bill for imposing protective payments as a penalty are set forth in the bill, and that, too, is handled in a new fashion.

The other thing that I think is very important with this bill is it would allow access to state records to assist in locating absent parents. Now, you cannot take the financial information, but the Department of Revenue would be permitted to give social security numbers and addresses of any absent parent, and our present law does not provide for that. I do not understand, in other words, Mr. Speaker, under today's law, why we, the Commonwealth, should pay welfare when some man or woman, whatever the case may be, is not meeting their obligations, and then have under our existing law the Department of Revenue tell the Department of Welfare, I cannot give you the tax information, the social security number of this absent parent because it is confidential. So the Welfare Department is unable to locate this absconding or irresponsible parent or spouse simply because one of our other departments will not give them the information. This would also cure that problem.

Mr. RICHARDSON. Mr. Speaker, in relationship to answering the question of what is the present law and how this bill changes the present law that already exists, already they have bounty hunters now who are out, who are supposed to be responsible inside the Department of Public Welfare to in fact go out and seek these persons who abscond. What I am trying to find out is, what is different



in this bill which you are presenting to us that is already not existing law, and I think that that is the point that I am trying to make, because it says that we are eliminating certain processes, but it does not speak directly to the fact that we are changing any major activity that is already operated by the Department of Public Welfare.

Mr. RYAN. Mr. Speaker, the present bounty hunters who are out searching for these absent parents are not doing much of a job, because the backlog is growing at the rate in Philadelphia—I look at my notes now—3,500 per month.

Mr. RICHARDSON. Look at the whole state, not just Philadelphia.

Mr. RYAN. Now, I want to try and help those bounty hunters out by giving them perhaps the information that the sheriffs in the old wild west had, and that was the circular describing the person they were looking for. Only today, under modern times, that information should be, rather than a picture on a poster, a social security number and information as to where this person may be working. That is a major change in the law from what it is today.

Mr. RICHARDSON. Well, Mr. Speaker, the only thing I can say to you is that if this is an attempt to try to help those bounty hunters, it seems to me that this is the wrong approach to doing that. The tax information, the social security numbers and those things which you are saying are being made available are presently available now to those persons who are out trying to seek those persons. The problem is that in most instances we wind up having to punish the recipient, who is the person receiving the money, if he or she does not know where his or her spouse is, and it seems to me that if we are going to do something that is going to correct the law to in fact change that, it seems to me that HB 2032 is not that mechanism.

I would conclude my remarks then with the speaker, Mr. Speaker, and ask for time to speak on the bill.

Mr. RYAN. It is my understanding that the gentleman is asking for permission of the Chair to speak on the bill. I have no objection to that, of course.

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

Mr. RICHARDSON. I said I had concluded the interrogation and asked to speak on the bill.

I want to say, number one, I oppose HB 2032 and indicate, Mr. Speaker, that HB 2032 is an attempt to in fact place the blame on the recipient and not to do the maneuvering that is being suggested by Mr. Ryan, the prime sponsor. It seems to me that if we are going to get to the problem that he only talks about in Philadelphia, I would like to look at the entire state, but none of those facts is available to us today. I would like to know how many persons in the Commonwealth of Pennsylvania presently are under this situation, and what is going to be the cost of this bill to administer it, based on the concept that we are already spending X number of dollars of the taxpayers' money to in fact go out and get this information; that if this is to support that move, then how much more money

are we going to spend to in fact find those persons out? Those most of the time who sit in welfare, who are recipients of welfare, are being blamed in this particular instance for not being able to find the person who may be his or her spouse. It would seem to me that if we are going to resolve that problem, it would be better to try and go after immediately those persons inside the department whose responsibility it is to in fact do the bounty hunting.

I wrote to the Department of Health, Education, and Welfare in Washington to get a reaction from them concerning this bill. In a letter of response to us, they indicated that this bill, if passed, would not have a disproportionate impact on the community at large in that the majority of the Pennsylvania child-support services are provided to persons who do not receive public assistance. They pointed out that they felt that really the bill was not necessary because of the fact that there is already existing law on the books that does in fact cover this particular area.

I am wondering whether or not we are in fact duplicating our services, and I raised that question in our Health and Welfare Committee responding to this particular piece of legislation, while the only thing that really changes is the fact that they are going to make some tax records available. All other records are presently available in terms of being able to deal with a person's social security number, if they work. They already can attach that person's pay. Also, if they are not working, their social security number is available on that person. There are several ways by which they can do that. They can go out, look at the person's name, try to find out whether or not this person is in fact alive. You have a number of people who have either left the state or are no longer in the city and do not come in contact with their spouse at all, and in this bill we are blaming them specifically for this action. I, Mr. Speaker, would advise the members of this House that we are moving in a very dangerous area and would ask that they vote "no" on this bill.

On the question recurring,  
Shall the bill pass finally?

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

YEAS—165

Alden	Fischer	Letterman	Ritter
Anderson	Fisher	Levi	Rocks
Armstrong	Foster, W. W.	Lewis	Ryan
Arty	Foster, Jr., A.	Livengood	Salvatore
Austin	Freind	Lynch, E. R.	Scheaffer
Belardi	Fryer	McCall	Schweder
Bennett	Gallagher	McClatchy	Serafini
Bittle	Gallen	McIntyre	Seventy
Borski	Gamble	McVerry	Shupnik
Bowser	Gannon	Mackowski	Sieminski
Brandt	Gatski	Madigan	Sirianni
Brown	Geesey	Manderino	Smith, E. H.
Burd	Geist	Manmiller	Spitz
Burns	George, C.	Michlovic	Stairs
Caltagirone	George, M. H.	Micozzie	Steighner
Cappabianca	Giammarco	Milanovich	Stewart
Cessar	Gladeck	Miller	Stuban
Chess	Goodman	Moehlmann	Sweet
Cimini	Grabowski	Mowery	Swift

Civera	Gray	Mrkonic	Taddonio
Clark, B. D.	Greenfield	Mullen	Taylor, E. Z.
Clark, M. R.	Gruppo	Murphy	Taylor, F.
Cochran	Hagarty	Nahill	Telek
Cohen	Halverson	Novak	Thomas
Cole	Hasay	Noye	Trello
Cornell	Hayes, Jr., S.	O'Brien, D. M.	Wachob
Coslett	Hoeffel	O'Donnell	Wargo
Cowell	Honaman	Perzel	Wass
Cunningham	Hutchinson, A.	Peterson	Wenger
DeMedio	Hutchinson, W.	Petrarca	Wilson
DeWeese	Itkin	Phillips	Wilt
DiCarlo	Johnson, E. G.	Piccola	Wright, D. R.
Davies	Kanuck	Pistella	Wright, Jr., J.
Dawida	Klingaman	Pitts	Yahner
Dietz	Knight	Pott	Yohn
Dininni	Kolter	Pratt	Zitterman
Dombrowski	Kowalshyn	Pucciarelli	Zord
Donatucci, R.	Kukovich	Punt	Zwilk
Dorr	Lashinger	Pyles	
Duffy	Laughlin	Rasco	Seltzer,
Durham	Lehr	Reed	Speaker
Fee	Lescovitz	Rieger	

NAYS—13

Barber	McMonagle	Pievsky	Shadding
Berson	Maiale	Rappaport	White
Harper	Oliver	Richardson	Williams
Irvic			

NOT VOTING—9

Beloff	Goebel	Jones	McKelvey
Dumas	Johnson, J. J.	Knepper	Rodgers
Earley			

EXCUSED—15

DeVerter	Levin	Schmitt	Vroon
Grieco	O'Brien, B. F.	Smith, L. E.	Weidner
Hayes, D. S.	Polite	Spencer	Zeller
Helfrick	Rhodes	Street	

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 1452, PN 3244**, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), providing for sponsorship of tournaments.

On the question.

Will the House agree to the bill on third consideration?

The SPEAKER. The Chair recognizes the gentleman from Lackawanna, Mr. Serafini, who offers the following amendment which the clerk will read.

Mr. SERAFINI. Mr. Speaker, I would like to withdraw that amendment.

The SPEAKER. Is Mr. Letterman withdrawing his amendment?

Mr. LETTERMAN. Yes.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. TAYLOR offered the following amendments:

Amend Title, page 1, line 17, by inserting after "OF" dart Amend Sec. 1 (Sec. 476), page 3, line 2, by inserting after "OF" Dart

Amend Sec. 1 (Sec. 476), page 3, line 3, by inserting after "SPONSOR" dart

Amend Sec. 1 (Sec. 476), page 3, line 7, by inserting after "SPONSOR" dart

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Fayette, Mr. Taylor.

Mr. TAYLOR. All this amendment does is insert back into the bill the word "dart," which was inadvertently omitted when the bill was reprinted after the amendment was reported out of committee. It is an agreed-to amendment.

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. Hasay.

Mr. HASAY. Yes, Mr. Speaker, all this amendment does is tighten up the language and it strengthens the legislation.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—171

Alden	Fisher	Lewis	Richardson
Anderson	Foster, W. W.	Livengood	Rieger
Armstrong	Foster, Jr., A.	Lynch, E. R.	Ritter
Arty	Freind	McCall	Rocks
Barber	Gallagher	McClatchy	Ryan
Belardi	Gallen	McIntyre	Salvatore
Bennett	Gamble	McMonagle	Scheaffer
Berson	Gannon	McVerry	Schweder
Bittle	Geesey	Mackowski	Serafini
Borski	Geist	Madigan	Seventy
Bowser	George, C.	Maiale	Shadding
Brandt	George, M. H.	Manderino	Shupnik
Brown	Giammarco	Manmiller	Sieminski
Burd	Gladeck	Michlovic	Sirianni
Burns	Goebel	Micozzie	Smith, E. H.
Caltagirone	Goodman	Milanovich	Spitz
Cappabianca	Grabowski	Miller	Stairs
Cessar	Gray	Moehlmann	Steighner
Chess	Greenfield	Mowery	Stewart
Cimini	Gruppo	Mrkonic	Stuban
Civera	Hagarty	Mullen	Sweet
Clark, B. D.	Halverson	Murphy	Swift
Clark, M. R.	Harper	Nahill	Taddonio
Cochran	Hasay	Novak	Taylor, E. Z.
Cohen	Hayes, Jr., S.	Noye	Taylor, F.
Cole	Hoeffel	O'Brien, D. M.	Telek
Cornell	Honaman	O'Donnell	Wachob
Coslett	Hutchinson, A.	Oliver	Wargo
Cowell	Hutchinson, W.	Perzel	Wass
Cunningham	Irvic	Peterson	Wenger
DeMedio	Itkin	Petrarca	Williams
DeWeese	Johnson, E. G.	Phillips	Wilson
DiCarlo	Kanuck	Piccola	Wilt
Davies	Klingaman	Pievsky	Wright, D. R.
Dawida	Kolter	Pistella	Wright, Jr., J.
Dietz	Kowalshyn	Pitts	Yahner
Dininni	Kukovich	Pott	Yohn
Dombrowski	Lashinger	Pratt	Zitterman
Donatucci, R.	Laughlin	Pucciarelli	Zord
Dorr	Lehr	Punt	Zwilk
Duffy	Lescovitz	Pyles	
Durham	Letterman	Rasco	Seltzer,
Earley	Levi	Reed	Speaker

Fischer

NAYS—0

NOT VOTING—16

Austin	Fryer	Knepper	Rodgers
Beloff	Gatski	Knight	Thomas
Dumas	Johnson, J. J.	McKelvey	Trello
Fee	Jones	Rappaport	White

EXCUSED—15

DeVerter	Levin	Schmitt	Vroon
Grieco	O'Brien, B. F.	Smith, L. E.	Weidner
Hayes, D. S.	Polite	Spencer	Zeller
Helfrick	Rhodes	Street	

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.

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

**MOTION TO RECESS**

The SPEAKER. The Chair recognizes the majority leader. We have just passed over HB 1908.

Mr. RYAN. Mr. Speaker, it is my understanding that Mr. Pievsky wants to offer amendments to the next bill, HB 2101, which, among other things, would include a budget for the coming fiscal year. Under the circumstances, it having been reproduced and distributed I believe today, perhaps Friday, we would require a lengthy caucus, and I would ask for one at this time, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, it seems to me that there is no necessity for a caucus until HB 2101 has been called up by this House. I think that Mr. Pievsky ought to have the opportunity to call up HB 2101, and if he succeeds in calling up HB 2101 and if there are no delaying tactics in the calling up of HB 2101, then it may be necessary for us to go to caucus to consider whatever amendment Mr. Pievsky wants to offer. But we do not even have HB 2101 before this assembly at this time, and I would oppose any motion to recess until HB 2101 is called before this House.

Mr. RYAN. Mr. Speaker, I would like to recess now until 6 o'clock.

The SPEAKER. The majority leader moves that this House stand in recess until 6 p.m.

The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, I will yield to the gentleman, Mr. Amos Hutchinson.

Mr. A. K. HUTCHINSON. I would like to amend that motion.

The SPEAKER. Will the gentleman yield? This motion is nondebatable.

Mr. A. K. HUTCHINSON. Oh, I do not want to debate it.

The SPEAKER. The motion is not debatable.

Mr. A. K. HUTCHINSON. Mr. Speaker, I would like to amend that—

The SPEAKER. Will the gentleman yield? It is also not amendable.

Mr. A. K. HUTCHINSON. Who said bills were not amendable?

The SPEAKER. The Chair refers you to rule 56.

The Chair recognizes the minority leader.

Mr. A. K. HUTCHINSON. I would like to appeal the ruling of the Chair.

The SPEAKER. If the minority leader, Mr. Irvis, will yield to the Speaker, the Chair reads from rule 56, a rule which the gentleman, Mr. Hutchinson, voted for: "A motion to adjourn or recess is not debatable, cannot be amended and is always in order...."

The Chair recognizes the minority leader.

Mr. A. K. HUTCHINSON. Mr. Speaker, I would like to beg your pardon. I was not—

The SPEAKER. The gentleman is out of order.

The Chair recognizes Mr. Irvis.

Mr. A. K. HUTCHINSON. Mr. Speaker?

The SPEAKER. The gentleman is out of order.

Mr. A. K. HUTCHINSON. Oh, I have been out of order a lot of times.

The SPEAKER. Does the minority leader wish to be recognized?

Mr. IRVIS. Yes, Mr. Speaker.

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

Mr. IRVIS. Mr. Speaker, I oppose the motion to recess at this particular time. The Democrats obviously have an extracurricular activity which the majority leader is well aware of. I would suggest to the majority leader that before he presses his motion, he discuss this with the leaders of the Democratic Party inasmuch as this is not the last day of this session nor the last session, hopefully, of the General Assembly.

Mr. RYAN. I would be glad to meet at sidebar if that is what the gentleman is suggesting.

The SPEAKER. The House will stand at ease.

\* \* \*

The SPEAKER. The question before the House is that the majority leader, Mr. Ryan, has asked for a recess until 6 p.m.

The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, I am opposing the motion by the gentleman, Mr. Ryan, and I wish to state my reasons on the record.

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

Mr. IRVIS. Mr. Speaker, I have not, as leader of the Democratic Party, nor to my knowledge has any other leader of the Democratic Party in the House been privy to certain machinations about which I have read in the press, which involved, apparently, the leadership of the Republican Party in the House, the leadership of the Demo-

cratic Party in the Senate, and possibly the leadership of the Republican Party in the Senate, although I am not as certain of that unit as I am of the other two. If what I read in the press is correct, there will be an attempt made, and there has been an attempt made, to hand to this General Assembly a budget by way of a committee of conference report.

The SPEAKER. For what purpose does the majority leader rise?

Mr. RYAN. Is the gentleman speaking on the motion to recess?

Mr. IRVIS. I am speaking on my reasons for opposing the motion, Mr. Ryan.

The SPEAKER. The Chair tends to be as lenient as possible on the remarks of the minority leader, as lenient as he hopes he can be on the remarks of the majority leader that will follow.

*The gentleman, Mr. Irvis, will proceed.*

Mr. IRVIS. Thank you, Mr. Speaker. It was my intention, Mr. Speaker, to offer to the members of the General Assembly, at least to the members of the House, an opportunity for an input on the budget, which would not be granted to them if the machinations which I alluded to had been followed by sending to us a committee of conference report including a budget which could only be voted on "yea" or "nay." That was the purpose of the amendment to be offered today to HB 2101. The gentleman, Mr. Ryan, has seen fit to move to recess this House so that motion cannot be placed, and that is the reason that I have given this explanation in detail.

I object to a budget coming before this House in any other way but as in such a way as to allow each and every separate member a chance for input, and that was the reason I had hoped to have this amendment and that is the reason that I object to Mr. Ryan's motion to recess at this time which would preclude the offering of such an amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I am somewhat amazed at the statement of Mr. Irvis that our motion for a recess would have the effect of precluding any member from having the opportunity of offering an amendment to anything. That is not what is before the House. What is before the House is a recess motion.

Now, because Mr. Irvis brought up this subject of a yes or no vote on the budget, I would hasten to remind Mr. Irvis that 2 years ago the Senate amended a house bill and sent it back to us. The present Speaker, the then Minority Leader, asked to suspend the rules to permit the amendment of that bill, and it was opposed by Mr. Manderino who was the then Majority Leader. But that has nothing to do with the motion before the House today.

A great deal of fanfare took place here in the rotunda last Wednesday when a group of some 16 or 17 members of the minority side had a press conference to talk about the unfairness of considering the budget by way of conference

committee. I reviewed the House Journals and found that not one of them had given the present Speaker, the then Minority Leader, Jack Seltzer, a vote when it was asked to open up the process 2 years ago. That was true the prior term—pardon me, the year before that—although many of those 17 were not members because they are freshman members this year. Those who are in their second or third year, though, did not give Mr. Seltzer a vote.

Mr. Hoeffel, I can get that sent up to you. I see you wondering whether I am telling you the truth.

I do not think that necessarily is again the problem that is before us now. What I see facing us, if you will, is a proposal by Mr. Pievsky to offer a budget tonight. He circulated those amendments today. The ordinary procedure that we have followed in this House is and, in fact, we did it on the preceding bill when Mr. Manderino said he did not want to vote the bill because you had not caucused on it—and that has happened on amendments. Amendments are not offered because they have not been caucused on; bills are not voted because they are not caucused on—and that is the case that is before us right now - there is a major piece of legislation being offered as an amendment and I have requested a caucus for several hours.

*The truth of the matter, the truth of the matter though, is that my preference would be to do nothing today and do nothing tomorrow until such time as we have found whether or not the Senate is going to act favorably on SB 10, which has been in the Senate for 1 year.*

I think before we can consider the general appropriations bill, the budget, for this coming fiscal year, it is incumbent on us to know what is going to happen with SB 10 or what does in fact happen to SB 10. I am advised that the Senate will probably consider SB 10 tomorrow, and this is somewhat general information, if you please, in that I got a call today that there was a meeting going to take place in the Senate with the Senate majority—

The SPEAKER. Will the gentleman yield one moment? The rule says the majority and minority leaders may speak up to 2 minutes. The Chair would hope that the gentleman will conclude his remarks in a reasonable length of time.

Mr. IRVIS. Mr. Speaker, I must rise to the defense of the majority leader. I think I took more than 2 minutes and I think he ought to have the same courtesy.

The SPEAKER. The gentleman may proceed with caution.

Mr. RYAN. The part that had me shook up was watching Goebel clap.

Anyway, I am not trying to pull the wool over your eyes, if you please, when I move for a recess. I am telling you now, I am telling you now, that in my judgment the prudent thing for us to do in this House is wait a day or 2 days before we consider the budget until we find out what is going on with SB 10.

I have met privately, as you observed, with Mr. Irvis. I explained to him the reason why I thought this was a prudent course of action, and at the Republican Policy Committee meeting this morning, the question of the

budget was brought up and it was decided then, generally, that the thing for us to do is to start working on it seriously the end of this week or the beginning of next week, at which time we hopefully will know what the PennDOT circumstances are with SB 10.

I do not think I am misleading anyone. I think that this type of activity on our part is the more prudent way to handle the coming fiscal year's budget. If we take this up now, we may be forced into positions we would rather not be in. I think under those circumstances, Mr. Speaker, that perhaps I should even move to adjourn, but I will not do that. Leroy likes that. You have a picnic; I know it. If you want to amend, you go ahead and amend, Mr. Speaker, if you think we should adjourn, and I will support your motion, but under the circumstances I would at this time ask that we recess now until 6:15, because I have spent 15 minutes talking.

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

Mr. RYAN. Only those in their seats, Mr. Speaker.  
The SPEAKER. It is a rule of the House.

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

The following roll call was recorded:

**YEAS—91**

Alden	Foster, W. W.	McVerry	Salvatore
Anderson	Foster, Jr., A.	Mackowski	Scheaffer
Armstrong	Gallen	Madigan	Serafini
Arty	Gannon	Manmiller	Sieminski
Belardi	Geesey	Micozzie	Sirianni
Bittle	Geist	Miller	Smith, E. H.
Bowser	Gladeck	Moehlmann	Spitz
Brandt	Gruppo	Mowery	Stairs
Burd	Hagarty	Mrkonic	Swift
Burns	Halverson	Nahill	Taddonio
Cessar	Hasay	Noye	Taylor, E. Z.
Cimini	Hayes, Jr., S.	O'Brien, D. M.	Telek
Civera	Honaman	Perzel	Thomas
Clark, M. R.	Hutchinson, W.	Peterson	Wass
Cornell	Johnson, E. G.	Phillips	Wenger
Coslett	Kanuck	Piccola	Wilson
Cunningham	Klingaman	Pitts	Wilt
Davies	Lashingier	Pott	Wright, Jr., J.
Dietz	Lehr	Punt	Zohn
Dorr	Levi	Pyles	Zord
Durham	Lewis	Rasco	
Earley	Lynch, E. R.	Rocks	Seltzer,
Fischer	McClatchy	Ryan	Speaker
Fisher			

**NAYS—76**

Austin	Gallagher	Lescovitz	Richardson
Barber	Gamble	Letterman	Ritter
Berson	George, C.	Livengood	Rodgers
Borski	George, M. H.	McCall	Seventy
Brown	Goebel	McIntyre	Shadding
Cappabianca	Goodman	McMonagle	Shupnik
Chess	Grabowski	Maiale	Steighner
Clark, B. D.	Gray	Manderino	Stewart
Cochran	Greenfield	Michlovic	Suban
Cohen	Harper	Mullen	Sweet
Cowell	Hoeffel	Murphy	Taylor, F.
DeMedio	Hutchinson, A.	Novak	Trello
DeWeese	Irvis	O'Donnell	Wachob
Dawida	Itkin	Oliver	Wargo
Dombrowski	Knight	Petrarca	White
Donatucci, R.	Kolter	Pievsky	Wright, D. R.

Duffy	Kowalyszyn	Pistella	Yahner
Fee	Kukovich	Pucciarelli	Zitterman
Fryer	Laughlin	Rappaport	Zwilk

**NOT VOTING—20**

Beloff	Dininni	Johnson, J. J.	Pratt
Bennett	Dumas	Jones	Reed
Caltagirone	Freind	Knepper	Rieger
Cole	Gatski	McKelvey	Schweder
DiCarlo	Giammarco	Milanovich	Williams

**EXCUSED—15**

DeVerter	Levin	Schmitt	Vroon
Grieco	O'Brien, B. F.	Smith, L. E.	Weidner
Hayes, D. S.	Polite	Spencer	Zeller
Helfrick	Rhodes	Street	

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

**RECESS**

The SPEAKER. This House now stands in recess until 6:15 p.m.

**AFTER RECESS**

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

**BILLS REMOVED FROM TABLE FOR CALENDAR**

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I move that the following bills be removed from the table and placed on the active calendar:

- HB 285, PN 305;
- HB 569, PN 3247;
- HB 1837, PN 3406;
- HB 2241, PN 2870;
- HB 2408, PN 3136;
- HB 2409, PN 3342;
- HB 2410, PN 3138;
- HB 2411, PN 3139;
- HB 2553, PN 3352;
- SB 237, PN 1793;
- SB 516, PN 1786;
- SB 623, PN 1848;
- SB 1186, PN 1464;
- SB 1187, PN 1465;
- SB 1188, PN 1849;
- SB 1189, PN 1467;
- SB 1246, PN 1847;
- SB 1254, PN 1844; and
- SB 1312, PN 1655.

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. Mr. Speaker, I move that the following bills be removed from the table and rereferred to the Appropriations Committee for the purpose of a fiscal note:

HB 329, PN 3426;  
 HB 330, PN 3427;  
 HB 1966, PN 2476;  
 HB 2081, PN 3361;  
 HB 2092, PN 2648;  
 HB 2192, PN 2786;  
 HB 2263, PN 3362;  
 HB 2443, PN 3383;  
 HB 2555, PN 3354;  
 SB 629, PN 1846; and  
 SB 982, PN 1843.

On the question,

Will the House agree to the motion?

Motion was agreed to.

### 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.

### STATEMENT BY MAJORITY LEADER

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, prior to an adjournment resolution, I would state simply that we did go to caucus; we had a general discussion. I explained to the members of our caucus, in brief, that it is my suggestion that we resist Mr. Pievsky's amendments at this time to give us an opportunity to watch the Senate's activities on SB 10. I believe that this is an essential part of the budget process; that is, the adoption or rejection of the contents of SB 10, either in the form that it is in or in some other form. I believe that this week we will have a clear understanding as to what is going to happen with the PennDOT budget from a revenue-raising standpoint, and without that information I believe it would be foolish for us to address the general budget. If that is not taken care of tomorrow or this week, then I think that the time would be more appropriate to get into a general budget discussion here on the floor. Thank you, Mr. Speaker.

### STATEMENT BY MINORITY LEADER

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, I certainly appreciate the remarks of the majority leader. I have been in that chair myself and I know the situation he faces. But I announce now publicly that I intend to pursue the philosophy which I

enunciated earlier at this microphone. I believe that every member of the General Assembly in the House and the Senate should have a right for input into a general fund budget. I think that any method which prevents the members from doing that, although it may be legal and it may be constitutional, is immoral and unwise. I am not—and I emphasize for the record and for history, I am not—accusing the majority leader of any of those motivations. He and I are personal friends, and I would not so accuse him. But I think that there was a built-in tragedy for the House of Representatives in a move which would have eliminated, had it been allowed to continue, or if it is allowed to continue, will eliminate, the input of the regular members into a general fund budget.

I know, Mr. Speaker, that there are members who say it does not matter how much we offer amendments; they are never accepted. That well may be true, but I think the opportunity has to be given, and I intend to pursue whatever path is necessary to give each member that opportunity. I assume that once these negotiations break down, as I think they may, then the majority leader and I will be talking exactly the same language. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. I am not sure, Mr. Speaker, what language Mr. Irvis refers to. I would ask Mr. Irvis to perhaps have some member of his staff—and if there are any members of my staff listening to me—search back over the past 6, 8, 10 years and take a look at the budget process as finally adopted and see if I am right when I say that the now minority leader, as speaker or as majority leader, presided over or was the leader of this chamber when we did not have such an opportunity to offer amendments but rather received back a House bill that had been amended by the Senate that came back here to us for concurrence or nonconcurrence, and a move by the then minority, the Republican side, was resisted on the very question of opening it up for amendments. It is my recollection, although I have not searched it back too many years, but over the past few years that I have searched, I found that to be so. I ask the minority leader to have his people take a look, and those listening to me on my staff, I would ask that they initiate such a look over the past, say, 10 years. Thank you, Mr. Speaker.

### WELCOMES

The SPEAKER. The Chair welcomes to the front of the House the Democratic candidate in the 103d Legislative District, Dauphin County, who is here today as the guest of the Dauphin County delegation, Pete Wambach.

The Chair welcomes to the front of the House George Kogut and his son, George, of Jerome, Pennsylvania. They are here today as the guests of Mr. Telek.

The Chair also welcomes to the House Mr. and Mrs. Joseph Kerecmen and two daughters from Throop, Pennsylvania, who are here today as the guests of Mr. Zitterman and the Lackawanna County delegation.

The Chair welcomes to the front of the House Ms. Maxine Whatley, president of the National Business League; Mr. Jim Cade, vice president of the National Business League; Ms. Gilda Woods and Mr. Georgie Woods from W.D.A.S. Radio, Philadelphia, who are here today as the guests of the legislative Black Caucus.

#### ADJOURNMENT

The SPEAKER. The Chair recognizes the gentleman from Crawford, Mr. Swift.

Mr. SWIFT. Mr. Speaker, I move that this House do now adjourn until Tuesday, June 3, 1980, at 11 a.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 6:27 p.m., e.d.t., the House adjourned.