

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, JUNE 23, 1980

Session of 1980

164th of the General Assembly

No. 50

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (H. JACK SELTZER) IN THE CHAIR

PRAYER

THE HONORABLE LOIS SHERMAN HAGARTY, member of the House of Representatives and guest chaplain, offered the following prayer:

Let us pray: Everlasting Father, we come before Thee at this time to ask Your blessing upon the House of Representatives of the Commonwealth of Pennsylvania as its members resume their legislative duties once again. We give thanks to Thee that You have given each of us a mission in life, and we praise You for the manner in which the honorable members of this House of this great State have accepted Your call and the call of those whom we represent.

As the legislative process begins, may it do so with sincerity from both sides of the political aisle, with the hope and prayer that the legislation passed and signed into law is for the betterment of all Pennsylvanians. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of June 10, 1980? If not, and without objection, the Journal stands approved. The Chair hears none.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Tuesday, June 17, 1980, will be postponed until printed. The Chair hears none.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2725 By Representatives DIETZ, HALVERSON, CUNNINGHAM AND SHUPNIK

An Act amending Title 9 (Burial Grounds) of the Pennsylvania Consolidated Statutes, further providing for permanent lot care funds.

Referred to Committee on BUSINESS AND COMMERCE, June 18, 1980.

No. 2726 By Representatives CALTAGIRONE, BROWN AND BURD

An Act amending the "Child Labor Law," approved May 13, 1915 (P. L. 286, No. 177), further providing for minor volunteer fire company, volunteer ambulance corps, volunteer rescue squads and volunteer forest fire crew member activities.

Referred to Committee on LABOR RELATIONS, June 18, 1980.

No. 2727 By Representatives STEWART, M. R. CLARK AND TELEK

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), authorizing the Department of Commerce to assist small business concerns which have received certain loans from the Small Business Administration as a result of the Flood of 1977, to make interest payments on such loans and making an appropriation.

Referred to Committee on APPROPRIATIONS, June 18, 1980.

No. 2728 By Representatives BOWSER, SWIFT, DOMBROWSKI AND DiCARLO

An Act authorizing the Township of Harborcreek, Erie County to utilize a portion of land acquired pursuant to the provisions of the "Project 70 Land Acquisition and Borrowing Act" for other than the prescribed recreation, conservation and historical purposes.

Referred to Committee on STATE GOVERNMENT, June 18, 1980.

No. 2729 By Representatives FRYER, DININNI, A. K. HUTCHINSON, FEE, LEVI, HALVERSON, KOLTER, GATSKI, B. D. CLARK, KNIGHT, BURD, GOEBEL, GAMBLE, DUFFY, LETTERMAN, McCALL, DAVIES, MADIGAN, GLADECK AND GRIECO

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, requiring the fee for inspection certificates to be printed thereon.

Referred to Committee on TRANSPORTATION, June 18, 1980.

No. 2730 By Representative HOEFFEL

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), further providing for recanvassing voting machines.

Referred to Committee on STATE GOVERNMENT,
June 18, 1980.

No. 2731 By Representatives LETTERMAN,
W. W. FOSTER, GOEBEL, TELEK,
STEIGHNER AND GRAY

An Act amending "The Game Law," approved June 3,
1937 (P. L. 1225, No. 316), granting police powers to game
protectors in certain circumstances and making a repeal.

Referred to Committee on JUDICIARY, June 18, 1980.

No. 2732 By Representatives LETTERMAN,
W. W. FOSTER, GOEBEL, STEIGHNER
AND GRAY

An Act amending "The Fish Law of 1959," approved
December 15, 1959 (P. L. 1779, No. 673), granting police
powers to waterways patrolmen in certain circumstances and
making a repeal.

Referred to Committee on JUDICIARY, June 18, 1980.

No. 2733 By Representatives HALVERSON AND
VROON

An Act relating to insurance information and privacy
protection.

Referred to Committee on INSURANCE, June 18, 1980.

No. 2734 By Representatives BROWN, KUKOVICH,
REED, MRKONIC AND
A. K. HUTCHINSON

An Act amending the "Pennsylvania No-fault Motor
Vehicle Insurance Act," approved July 19, 1974 (P. L. 489,
No. 176), providing for a reduction in premium rates for
reduced driving.

Referred to Committee on INSURANCE, June 18, 1980.

No. 2735 By Representatives PITTS, BRANDT,
E. H. SMITH, E. R. LYNCH, GEIST,
DeWEESE, M. H. GEORGE AND
PETRARCA

An Act relating to the authority of certain fire department
and fire and rescue company officers in certain emergencies,
prohibiting certain acts and prescribing penalties.

Referred to Committee on JUDICIARY, June 18, 1980.

No. 2736 By Representatives PITTS, BRANDT,
GEIST, DeWEESE, M. H. GEORGE AND
PETRARCA

An Act amending "The Borough Code," approved
February 1, 1966 (1965 P. L. 1656, No. 581), providing for
special building permit fees and disposition thereof to certain
volunteer fire companies.

Referred to Committee on LOCAL GOVERNMENT,
June 18, 1980.

No. 2737 By Representatives PITTS, BRANDT,
GEIST, DeWEESE, M. H. GEORGE AND
PETRARCA

An Act amending "The First Class Township Code,"
approved June 24, 1931 (P. L. 1206, No. 331), providing for
special building permit fees and disposition thereof to certain
volunteer fire companies.

Referred to Committee on LOCAL GOVERNMENT,
June 18, 1980.

No. 2738 By Representatives PITTS, BRANDT,
GEIST, DeWEESE, M. H. GEORGE AND
PETRARCA

An Act amending "The Second Class Township Code,"
approved May 1, 1933 (P. L. 103, No. 69), providing for
special building permit fees and disposition thereof to certain
volunteer fire companies.

Referred to Committee on LOCAL GOVERNMENT,
June 18, 1980.

No. 2739 By Representatives PITTS, BRANDT,
GEIST, DeWEESE, M. H. GEORGE AND
PETRARCA

An Act amending "The Third Class City Code," approved
June 23, 1931 (P. L. 932, No. 317), providing for special
building permit fees and disposition thereof to certain volun-
teer fire companies.

Referred to Committee on LOCAL GOVERNMENT,
June 18, 1980.

No. 2740 By Representatives PITTS, BRANDT,
GEIST, DeWEESE AND PETRARCA

An Act amending "The First Class Township Code,"
approved June 24, 1931 (P. L. 1206, No. 331), further
providing for levy for fire protection.

Referred to Committee on LOCAL GOVERNMENT,
June 18, 1980.

No. 2741 By Representatives PITTS, BRANDT,
GEIST, DeWEESE AND PETRARCA

An Act amending "The Second Class Township Code,"
approved May 1, 1933 (P. L. 103, No. 69), further providing
for levy for fire protection.

Referred to Committee on LOCAL GOVERNMENT,
June 18, 1980.

No. 2742 By Representatives PITTS, BRANDT,
GEIST, DeWEESE AND PETRARCA

An Act amending "The Borough Code," approved
February 1, 1966 (1965 P. L. 1656, No. 581), further providing
for levy for fire protection.

Referred to Committee on LOCAL GOVERNMENT,
June 18, 1980.

No. 2743 By Representatives W. W. FOSTER,
SERAFINI, KOWALYSHYN, SPENCER
AND BELARDI

An Act amending Title 22 (Detectives and Private Police) of
the Pennsylvania Consolidated Statutes, authorizing private
police for condominiums and planned community develop-
ments.

Referred to Committee on JUDICIARY, June 18, 1980.

No. 2744 By Representatives W. W. FOSTER AND
SCHEAFFER

An Act authorizing the Department of General Services,
with the approval of the Department of Environmental
Resources and the Governor, to grant and convey to the Town-

ship of Delaware in Pike County an easement and right-of-way in and over certain land in George W. Childs State Park in Delaware Township, Pike County, Pennsylvania.

Referred to Committee on STATE GOVERNMENT, June 18, 1980.

No. 2745 By Representatives MRKONIC, DUFFY, AUSTIN, MICHLOVIC, NOVAK AND KNIGHT

An Act amending the "Child Labor Law," approved May 13, 1915 (P. L. 286, No. 177), permitting minors aged sixteen and seventeen to work until midnight.

Referred to Committee on LABOR RELATIONS, June 18, 1980.

No. 2746 By Representatives MRKONIC, DUFFY, McVERRY, AUSTIN, KNIGHT AND NOVAK

An Act requiring protective eyewear for individuals playing racquetball.

Referred to Committee on JUDICIARY, June 18, 1980.

No. 2747 By Representatives STAIRS, COCHRAN, F. TAYLOR AND DeWEESE

An Act making an appropriation to the County Commissioners of Fayette County.

Referred to Committee on APPROPRIATIONS, June 18, 1980.

No. 2748 By Representatives GANNON, HALVERSON, RASCO, MADIGAN, GRUPPO, PERZEL, MOWERY, VROON, KOWALYSHYN, MICHLOVIC, DAWIDA AND MURPHY

An Act relating to motor vehicle repair practices, prescribing penalties and providing for damages.

Referred to Committee on INSURANCE, June 18, 1980.

No. 2749 By Representative WILT

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (2nd Sp. Sess., 1937 P. L. 2897, No. 1), changing offset provisions to conform with Federally mandated provisions.

Referred to Committee on LABOR RELATIONS, June 18, 1980.

LEAVES OF ABSENCE GRANTED

The SPEAKER. The Chair recognizes the majority whip, Mr. Hayes, for leaves of absence.

Mr. S. E. HAYES. I request a leave for the gentleman from Bucks, Mr. WEIDNER, for the week; and for the gentleman from Northumberland, Mr. HELFRICK, for the week.

The SPEAKER. Without objection, leaves will be granted. The Chair hears none.

The Chair recognizes the gentleman from Erie, Mr. DiCarlo, for the Democratic leaves of absence.

Mr. DICARLO. Mr. Speaker, the minority requests leaves for the gentleman from Elk, Mr. WACHOB, for today; for the gentleman from Philadelphia, Mr. BARBER, for today; and for the gentleman from Allegheny, Mr. RHODES, for today.

The SPEAKER. Without objection, leaves will be granted. The Chair hears none.

Mr. ZELLER. Mr. Speaker?

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

Mr. ZELLER. Mr. Speaker, with the problems we had last week, I would like to know where all the kamikaze people are who wanted to be here for this so-called roll call. I see hardly any of them on the floor.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The clerk of the Senate informed that the Senate has concurred in **HB 2362, PN 3401**.

SENATE MESSAGE

HOUSE AMENDED SENATE BILL CONCURRED IN

The clerk of the Senate informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 1203, PN 1877**.

SENATE MESSAGE

SENATE CONCURRENCE IN HOUSE RESOLUTION

The Senate informed that the Senate has concurred in **HR 185, PN 3171**.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

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

HB 1352, PN 3497

The SPEAKER. The bill will appear on the calendar.

COMMUNICATIONS FROM GOVERNOR

BILLS, WITH EXCEPTIONS, SIGNED BY GOVERNOR

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

APPROVAL OF HBs Nos. 1623 and 1799.

Commonwealth of Pennsylvania
Governor's Office, Harrisburg

June 18, 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 1623, Printer's No. 3509, entitled "An act to provide for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal period July 1, 1980 to June 30, 1981 and for payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1980; to provide supplemental appropriations from the General Fund to the various departments of the Commonwealth for the fiscal period July 1, 1979 to June 30, 1980," except for the following:

PART II
General Fund Appropriations 1980-81

* * *

I Executive Department

* * *

To the Treasury Department

* * *

For payment into the Capital Facilities Redemption Fund to meet the principal and interest requirements on notes and bonds issued and notes and bonds to be issued 118,044,000

This item is approved in the sum of \$117,044,000. This appropriation has been reduced due to insufficient revenues and a revised estimate of needs.

For payment into the Nursing Home Loan Sinking Fund to meet principal and interest requirements on bonds issued and bonds to be issued 4,332,000

This item is approved in the sum of \$3,432,000. This appropriation has been reduced due to insufficient revenues and a revised estimate of needs.

To the Department of Agriculture

For general government operations of the Department of Agriculture . . \$ 15,146,000

This item is approved in the sum of \$14,961,000. This appropriation has been reduced due to insufficient revenues.

To the Department of Commerce

For general government operations of the Department of Commerce . . \$ 5,231,000

This item is approved in the sum of \$5,131,000. This appropriation has been reduced due to insufficient revenues.

For the administration and operation of the Navigation Commission for the Delaware River 86,000

This item is approved in the sum of \$50,000. This appropriation has been reduced due to insufficient revenues.

For the Pennsylvania Industrial

Development Authority 20,000,000

This item is approved in the sum of \$18,000,000. This appropriation has been reduced due to insufficient revenues.

To the Department of Education

* * *

For payment of subsidies to school districts on account of basic instruction costs: Provided, That the Secretary of Education, with the approval of the Governor, may make payments from this appropriation in advance of the due date prescribed by law to school districts which are financially handicapped, whenever he shall deem it necessary to make such advanced payments to enable the school districts to keep their public schools open. 1,500,000,000

This item is approved in the sum of \$1,494,000,000. This appropriation has been reduced due to insufficient revenues.

For payments to school districts on account of annual rental or sinking fund charges on school buildings 158,800,000

This item is approved in the sum of \$156,300,000. This appropriation has been reduced due to insufficient revenues and a revised estimate of needs.

For program of education and training at State schools and hospitals, private licensed facilities, and other child care facilities of the Department of Public Welfare 17,013,000

This item is approved in the sum of \$16,413,000. This appropriation has been reduced due to insufficient revenues.

For education radio and television grants 500,000

This item is approved in the sum of \$300,000. This appropriation has been reduced due to insufficient revenues.

To the Department of General Services

* * *

For payment of rental charges to the General State Authority 48,500,000

This item is approved in the amount of \$47,500,000. This appropriation has been reduced due to insufficient revenues and a revised estimate of needs.

To the Pennsylvania Historical and Museum Commission

For general government operations of the Pennsylvania Historical and Museum Commission \$6,074,000

This item is approved in the sum of \$5,890,000. This appropriation has been reduced due to insufficient revenues.

For the restoration of High-lands 75,000

This item is approved in the sum of \$50,000. This appropriation has been reduced due to insufficient revenues.

To the Department of Justice

* * *

For Crime Victim's Compensation Board 291,000

This item is approved in the sum of \$251,000. This appropriation has been reduced due to insufficient revenues.

To the Pennsylvania Board of Probation and Parole

* * *

Payments for grants-in-aid to counties for providing improved adult probation services 3,000,000

This item is approved in the sum of \$2,000,000. This appropriation has been reduced due to insufficient revenues.

To the Department of Public Welfare

* * *

For the operation, maintenance and administration of the State medical and surgical hospitals as follows:

Ashland 550,000

This item is approved in the sum of \$110,000. This appropriation has been reduced due to insufficient revenues.

Coaldale 660,000

This item is approved in the sum of \$550,000. This appropriation has been reduced due to insufficient revenues.

Connellsville 1,100,000

This item is approved in the sum of \$700,000. This appropriation has been reduced due to insufficient revenues.

Hazleton 600,000

This item is approved in the sum of \$30,000. This appropriation has been reduced due to insufficient revenues.

Locust Mountain 530,000

This item is approved in the sum of \$150,000. This appropriation has been reduced due to insufficient revenues.

Nanticoke 640,000

This item is approved in the sum of \$260,000. This appropriation has been reduced due to insufficient revenues.

Phillipsburg 340,000

This item is approved in the sum of \$25,000. This appropriation has been reduced due to insufficient revenues.

Scranton 150,000

This item is approved in the sum of \$100,000. This appropriation has been reduced due to insufficient revenues.

Shamokin 430,000

This item is approved in the sum of \$75,000. This appropriation has been reduced due to insufficient revenues.

Retreat State Hospital 8,357,000

This item is approved in the sum of \$4,133,000. This appropriation has been reduced due to insufficient revenues.

Eastern Psychiatric Institute 9,600,000

This item is approved in the sum of \$6,024,000. This appropriation has been reduced due to insufficient revenues.

To the Department of Revenue

* * *

For the distribution of Public

Utility Realty Tax 42,000,000

This item is approved in the sum of \$41,000,000. This appropriation has been reduced due to insufficient revenue and a revised estimate of needs.

PART III

Supplemental General Fund Appropriation 1979-1980

* * *

To the Department of General Services

* * *

For payments to the City of Philadelphia for municipal overburden resulting from police and fire protection for State facilities located within Philadelphia and for the reimbursement of expenses incurred by the police department for highway patrol and traffic regulation on interstate highways within the boundaries of Philadelphia 6,000,000

For payments to Allegheny County for municipal overburden resulting from police protection to State facilities located within Allegheny County and in lieu of taxes for State facilities located in Allegheny County 4,000,000

For payments in lieu of taxes to the City of Scranton for the State office building and the Bureau of Employment Security Office located within the city 428,000

For payments in lieu of taxes to the City of Altoona for the State office building 45,000

For payments in lieu of taxes to the following municipalities for Bureau of Employment Security Offices located within such municipalities:

City of Butler	5,000
City of Coatesville	8,000
City of Easton	28,000
City of Erie	35,000
City of Pittston	10,000
City of Sharon	2,000
City of Uniontown	6,500
Township of Loyalsock	5,000

For payments in lieu of taxes to the cities, boroughs, towns or townships in which are located the State-owned university and the State-owned colleges at the rate of \$50,000 per city, borough, town or township 700,000

I withhold my approval from the thirteen items listed above. In addition to having insufficient revenues to support these

items, I find this to be a poorly defined new program to begin at a time of diminishing State financial resources.

DICK THORNBURGH
GOVERNOR

Commonwealth of Pennsylvania
Governor's Office, Harrisburg

June 19, 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 1799, Printer's No. 3403, entitled "An act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for certificates of public convenience relating to taxicabs TO PROVIDE FOR TEMPORARY AUTHORITY FOR COMMON CARRIERS AND CHANGING CERTAIN CERTIFICATES OF PUBLIC CONVENIENCE".

DICK THORNBURGH
GOVERNOR

RESIGNATION OF MEMBER

The SPEAKER. The Speaker gives notice that he has received the resignation of a member, which he will include in the record.

HOUSE OF REPRESENTATIVES
Commonwealth of Pennsylvania
Harrisburg

Hon. H. Jack Seltzer
Speaker
House of Representatives
Commonwealth of Pennsylvania
State Capitol
Harrisburg, Penna.

Dear Mr. Speaker and Members,

Over the last several weeks I have been unable to perform my duties in a manner I feel my district deserves.

I will be able to prove myself innocent of the charges leveled against me. However, it has taken a longer time to do so than I had originally anticipated; through no fault of my own might I add.

Therefore, I hereby resign as Representative of the 5th legislative district as well as Chairman of the Federal-State Relations Committee.

May God's speed be with each and everyone of you.

Respectfully yours,
David S. Hayes
Chairman of Federal-State
Representative 5th District

MASTER ROLL CALL RECORDED

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

The following roll call was recorded:

YEAS—191

Alden	Freind	Livengood	Ritter
Anderson	Fryer	Lynch, E. R.	Rocks
Armstrong	Gallagher	McCall	Rodgers
Arty	Gallen	McClatchy	Ryan

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

NAYS—0

NOT VOTING—5

Beloff	Jones	Shadding	Street
Dumas			

EXCUSED—5

Barber	Rhodes	Wachob	Weidner
Helfrick			

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

**BILLS REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND
RECOMMENDED TO COMMITTEE ON RULES**

HB 2006, PN 3635 (Amended)

By Rep. THOMAS

An Act amending the act of December 11, 1967 (P. L. 707, No. 331), referred to as the Pennsylvania Thoroughbred Horse Racing Law, further providing for the disposition of pari-mutuel pools and increasing the amount of money paid into the Pennsylvania Fair Fund and making editorial changes.

AGRICULTURE AND RURAL AFFAIRS.

HB 2007, PN 3636 (Amended)

By Rep. THOMAS

An Act amending the act of December 22, 1959 (P. L. 1978, No. 728), referred to as the Pennsylvania Harness Racing Law, further providing for the disposition of pari-mutuel pools, Pennsylvania Fair Funds and the Pennsylvania Sire Stakes Fund.

AGRICULTURE AND RURAL AFFAIRS.

HB 2630, PN 3482

By Rep. THOMAS

An Act amending the act of December 22, 1959 (P. L. 1978, No. 728), referred to as the Pennsylvania Harness Racing Law, further providing for the disposition of pari-mutuel pools in counties of the fourth class.

AGRICULTURE AND RURAL AFFAIRS.

HB 2640, PN 3500

By Rep. THOMAS

An Act amending the act of March 22, 1862 (P. L. 164, No. 164), entitled, as amended, "An act to provide for the destruction, and to prevent the spread of Canada thistles, chicory and marihuana, and imposing certain powers and duties upon supervisors and constables in relation thereto," extending the act to include Johnson grass.

AGRICULTURE AND RURAL AFFAIRS.

**BILLS REPORTED FROM COMMITTEES,
CONSIDERED FIRST TIME, AND TABLED****SB 888, PN 1373**

By Rep. GALLEN

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for the time frame for the creation of a Legislative Reapportionment Commission.

STATE GOVERNMENT.

SB 1053, PN 1927 (Amended)

By Rep. GALLEN

An Act authorizing and directing the Department of General Services, with the approval of the Department of Agriculture and the Governor to convey to the Township of Collier ten acres of land, more or less, situate in the Township of Collier, Allegheny County, Commonwealth of Pennsylvania.

STATE GOVERNMENT.

SB 1287, PN 1928 (Amended)

By Rep. THOMAS

An Act requiring prompt payment to milk producers, providing for the establishment of a Milk Producers' Security Fund and a Cooperative Security Fund, providing for a procedure to process claims against the Milk Producers' Security Fund and Cooperative Security Fund, providing for alternative methods of security on behalf of milk producers, and providing for certain prohibitions and penalties.

AGRICULTURE AND RURAL AFFAIRS.

CALENDAR**BILLS AGREED TO
ON SECOND CONSIDERATION**

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

HB 1587, PN 1897; HB 1589, PN 3473; HB 2490, PN 3268; SB 419, PN 1883; SB 1135, PN 1388; SB 517, PN 1884; SB 804, PN 1188; SB 982, PN 1843; SB 1145, PN 1882; HB 2534, PN 3402; HB 1542, PN 1819; HB 2607, PN 3451; and HB 2608, PN 3452.

FINAL PASSAGE BILL CONSIDERED

Agreeable to order,

The House proceeded to the consideration on final passage of **HB 2438, PN 3587**, entitled:

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), excluding certain family residences from the terms children's institutions eliminating licensure of family day care homes and providing for a registration system of family day care homes.

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?

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I move that HB 2438 be laid on the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

**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 1019, PN 2712**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, prohibiting the elimination of cost advantageous residential rates.

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?

BILL RECOMMITTED

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

Mr. TADDONIO. Mr. Speaker, HB 1019 has been kicking around this House for quite some time, and there has been quite a bit of controversy about some of the figures and some of the data and some of the interaction with the PUC - Public Utility Commission. In fact, just as late as this morning I have on my desk a letter from the legislative liaison from the PUC stating some innuendos and misstatement of facts about this whole piece of legislation.

I have talked this over with the chairman of the Consumer Affairs Committee about the possibility of recommitting this bill to the Consumer Affairs Committee for possibly having another public hearing to bring out some of the facts that have been bandied about here and clear the air once and for all before this House acts on this bill and get the thing straight. I think there has been too much of a special interest put into this bill and I think that we ought to get the whole thing cleared up and I think the summer recess would be a good time to do it. Therefore, I would move to recommit this bill to the House Consumer Affairs Committee.

The SPEAKER. The gentleman from Allegheny, Mr. Taddonio, moves that HB 1019 be recommitted to the Committee on Consumer Affairs.

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

The SPEAKER. The Chair recognizes the minority whip. Mr. MANDERINO. Mr. Speaker, I am sure that it has not gone without notice that I have announced and had announced last week, which got some publicity across the state, that I intended to offer to this bill, HB 1019, a series of amendments having to do with electric utility reform.

Mr. Speaker, I think the amendments that I have intended to offer and announced that I would offer to this bill and have been marked as being prepared to offer to this bill for a number of weeks on our calendar would accomplish some very meaningful reform in the area that this bill deals with. Each of the amendments parallels, Mr. Speaker, bills that I have introduced, nearly all of which have been in committee for a year or more. Specifically, they have been in the Consumer Affairs Committee, to which it is proposed that this bill now be recommitted.

Mr. Speaker, I have been attempting, without success, to have the bills, which I have drafted in the form of amendments now, reported from the Consumer Affairs Committee since May of 1979. Mr. Speaker, since May of 1979 there have been three meetings of the Consumer Affairs Committee, all of which failed to consider the bills which I have drawn in amendment form. In June, July, August and October of 1979, a total of nine meetings were held, and again the bills to which I refer were not considered. A meeting of the committee was held in January of 1980 and on February 14 of this year. I wrote to the chairman of the committee, listed the bills, told him that they had been in committee since the spring of 1979, and I requested as a courtesy that I be informed if the committee intended to call the bills. I am yet awaiting a response to my communication.

Mr. Speaker, the reason this bill is being recommitted, in my opinion, at this time is to prevent the offering of the amendments that mean, perhaps, Mr. Speaker, meaningful utility reform in this Commonwealth, a response perhaps to TMI - Three Mile Island - which I feel this Assembly should be making. Mr. Speaker, I oppose the recommitment.

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

Mr. COHEN. Mr. Speaker, I also oppose the recommitment. I sympathize with Mr. Taddonio's desire to clear this bill up and send it to committee. However, I think that we can vote on Mr. Manderino's amendments and my amendments which deal with TMI and merely delete the original language from HB 1019, and then we could deal with a clean bill in committee.

HB 1019 is a very important vehicle for the discussion of utility reform issues. Since TMI we have not had a single opportunity in this House to vote directly on the question of nuclear reform. I have amendments which I would like the opportunity to introduce. One of them closely parallels SB 600, which passed the Senate 47 to 1 and which clearly will pass in the form I have drafted it, providing for a nuclear engineer at each nuclear plant.

A second follows Governor Thornburgh's recommendation that the state ought to license nuclear operators and the assistant nuclear operators and all the other people at the nuclear plant. It is absolutely incredible that you need a license to be a barber in this state, you need a license to be a beautician, you need a license to be a real estate salesman, you need a license to be a used-car salesman, but you do not need a license to operate a nuclear power plant and thus affect the lives of hundreds of thousands of individuals. My amendments will deal directly with this problem. I think the House deserves a chance to vote on these amendments. I think we can help Mr. Taddonio with his problem by simply deleting the earlier language from the bill. I think Mr. Manderino's amendments also have great merit. I would urge an opposition vote of "no" on this motion.

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

Mr. WILSON. Mr. Speaker, the minority whip says that he has not been heard in the Consumer Affairs Committee. That is entirely erroneous. He appeared on May 17, 1979, before our committee to support the bills, and the committee did not see fit to report them out. Now, if he wants to play games with this bill, he can go play them, but that is not true and he does not dare say that on the floor of this House, and I take umbrage with him.

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

The following roll call was recorded:

YEAS—101

Alden	Foster, W. W.	McKelvey	Scheaffer
Anderson	Foster, Jr., A.	McVerry	Serafini
Armstrong	Freind	Mackowski	Sieminski
Arty	Gallen	Madigan	Sirianni
Belardi	Geist	Manmiller	Smith, E. H.
Bittle	Gladeck	Micozzie	Smith, L. E.
Bowser	Goodman	Milanovich	Spencer
Brandt	Grieco	Moehlmann	Spitz
Burd	Gruppo	Mowery	Stairs
Burns	Hagarty	Nahill	Swift
Cessar	Halverson	Noye	Taddonio
Cimini	Hasay	O'Brien, B. F.	Taylor, E. Z.
Civera	Hayes, Jr., S.	O'Brien, D. M.	Telek
Clark, M. R.	Honaman	Perzel	Thomas
Cornell	Hutchinson, W.	Peterson	Vroon
Coslett	Itkin	Phillips	Wass

Cunningham	Johnson, E. G.	Piccola	Wenger
DeVerter	Kanuck	Pitts	Wilson
Davies	Klingaman	Polite	Wilt
Dietz	Knepper	Pott	Wright, Jr., J.
Dininni	Lashingner	Punt	Yohn
Dorr	Lehr	Pyles	Zord
Durham	Lewis	Rasco	
Earley	Lynch, E. R.	Rocks	Seltzer,
Fischer	McClatchy	Ryan	Speaker
Fisher	McIntyre	Salvatore	

NAYS—79

Austin	Fryer	Lescovitz	Rieger
Bennett	Gallagher	Letterman	Ritter
Berson	Gamble	Livengood	Rodgers
Borski	Gatski	McCall	Schmitt
Brown	Geesey	McMonagle	Seventy
Caltagirone	George, C.	Maiale	Shupnik
Cappabianca	George, M. H.	Manderino	Steighner
Clark, B. D.	Giammarco	Michlovic	Stewart
Cochran	Grabowski	Mrkonic	Stuban
Cohen	Gray	Mullen	Sweet
Cole	Greenfield	Murphy	Taylor, F.
Cowell	Harper	Novak	Trello
DeMedio	Hoeffel	O'Donnell	Wargo
DeWeese	Hutchinson, A.	Oliver	White
DiCarlo	Irvis	Petrarca	Wright, D. R.
Dawida	Knight	Pievsy	Yahner
Dombrowski	Kolter	Pistella	Zeller
Donatucci, R.	Kowalshyn	Pucciarelli	Zitterman
Duffy	Kukovich	Rappaport	Zwikl
Fee	Laughlin	Richardson	

NOT VOTING—16

Beloff	Goebel	Levin	Schweder
Chess	Johnson, J. J.	Miller	Shadding
Dumas	Jones	Pratt	Street
Gannon	Levi	Reed	Williams

EXCUSED—5

Barber	Rhodes	Wachob	Weidner
Helfrick			

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

The SPEAKER. The bill is so recommitted.

The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, I have some concern at the swiftness that the Chair records votes on very important matters such as the recommittal motion that was just passed. Mr. Speaker, I think that there are probably somewhere near 200 people in this House, and probably 170 votes got up there. There are probably a number of people who are in the hall of this House who did not vote on that. Mr. Speaker, I would ask, as a courtesy in the future, that the vote total be shown on the board for at least a minute or so before the vote is recorded.

The SPEAKER. The Chair thanks the gentleman for his observation. The Chair would like to observe for the gentleman there were 174 votes on the master roll and 180 on the vote to recommit. The Chair feels as though he gave ample time to the members to vote.

Mr. MANDERINO. Can you explain to me how that happened that we have more votes voting on the bill than on the master roll?

The SPEAKER. Since the master roll was taken, four members have come in and recorded their presence.

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the gentleman from Venango, Mr. Levi.

Mr. LEVI. Mr. Speaker, I was called to the back of the House when the vote was taken on the recommittal on HB 1019. Had I been in my seat, I would have voted to recommit.

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2551, PN 3350**, entitled:

An Act providing for the registration of foreign limited partnerships; imposing additional powers and duties on the Department of State; limiting the legal remedies of foreign limited partnerships which are not registered and empowering the Attorney General to enforce the provisions of this act.

On the question,

Will the House agree to the bill on third consideration?

Mr. BERSON offered the following amendments:

Amend Title, page 1, lines 1 through 5, by striking out all of said lines and inserting Amending Title 59 (Partnerships) of the Pennsylvania Consolidated Statutes, adding provisions relating to foreign limited partnerships and making a conforming amendment to Title 42 as to foreign partnerships and other entities.

Amend Bill, page 1, lines 8 through 19; pages 2 through 4, lines 1 through 30; page 5, lines 1 through 7, by striking out all of said lines on said pages and inserting

Section 1. Chapter 5 of Title 59, act of November 25, 1970 (P.L.707, No.230), known as the Pennsylvania Consolidated Statutes, is amended by adding a subchapter to read:

SUBCHAPTER E

FOREIGN LIMITED PARTNERSHIPS

Sec.

- 561. Foreign limited partnership defined.
- 562. Governing law.
- 563. Registration.
- 564. Issuance of registration.
- 565. Name.
- 566. Changes and amendments.
- 567. Cancellation of registration.
- 568. Transaction of business without registration.
- 569. Action by Attorney General.

§ 561. Foreign limited partnership defined.

A foreign limited partnership is a limited partnership formed under the laws of any jurisdiction other than this Commonwealth.

§ 562. Governing law.

Subject to the Constitution of Pennsylvania and public policy of this Commonwealth:

(1) The laws of the jurisdiction under which a foreign limited partnership is organized govern its organization and internal affairs and the liability of its limited partners.

(2) A foreign limited partnership may not be denied registration by reason of any difference between those laws and the laws of this Commonwealth.

§ 563. Registration.

Before transacting business in this Commonwealth, a foreign limited partnership shall register with the Department of State. In order to register, a foreign limited partnership shall submit to the Department of State an application for registra-

tion as a foreign limited partnership, signed by a general partner and setting forth:

(1) The name of the foreign limited partnership and, if different, the name under which it proposes to transact business and register in this Commonwealth.

(2) The jurisdiction and date of its formation.

(3) The general character of the business it proposes to transact in this Commonwealth, which shall not be one which a domestic limited partnership may not lawfully do in this Commonwealth.

(4) The address of the office required to be maintained in the jurisdiction of its organization by the laws of that jurisdiction or, if not so required, of the principal office of the foreign limited partnership.

(5) If the certificate of limited partnership filed in the jurisdiction of organization of the foreign limited partnership is not required to include the names and business addresses of the partners, a list of the names and business addresses of all partners.

§ 564. Issuance of registration.

Upon the filing of the application for registration as a foreign limited partnership, the Department of State shall issue to the partnership a certificate of registration to transact business in this Commonwealth.

§ 565. Name.

A foreign limited partnership may register with the Department of State under any name (whether or not it is the name under which it is registered in its jurisdiction of organization) that includes the words "limited partnership" and that could be used by a domestic limited partnership.

§ 566. Changes and amendments.

If any statement in the application for registration of a foreign limited partnership was false when made or any arrangements or other facts described have changed, making the application inaccurate in any respect, the foreign limited partnership shall promptly file in the office of the Department of State a certificate, signed by a general partner, correcting the statement.

§ 567. Cancellation of registration.

A foreign limited partnership may cancel its registration by filing with the Department of State a certificate of cancellation signed by a general partner.

§ 568. Transaction of business without registration.

(a) Maintenance of actions prohibited.—A foreign limited partnership transacting business in this Commonwealth may not maintain any action in any court of this Commonwealth until it has registered in this Commonwealth.

(b) Contracts and defense of actions.—The failure of a foreign limited partnership to register in this Commonwealth does not impair the validity of any contract or act of the foreign limited partnership or prevent the foreign limited partnership from defending any action in any court of this Commonwealth.

(c) Liability of limited partner.—A limited partner of a foreign limited partnership is not liable as a general partner of the foreign limited partnership solely by reason of the foreign limited partnership having transacted business in this Commonwealth without registration.

§ 569. Action by Attorney General.

The Attorney General may bring an action to restrain a foreign limited partnership from transacting business in this Commonwealth in violation of this subchapter.

Section 2. Section 5301 of Title 42 is amended to read:

§ 5301. Persons.

(a) General rule.—The existence of any of the following relationships between a person and this Commonwealth shall constitute a sufficient basis of jurisdiction to enable the tribunals of this Commonwealth to exercise general personal jurisdiction over such person, or his personal representative in the

case of an individual, and to enable such tribunals to render personal orders against such person or representative:

(1) Individuals.—

(i) Presence in this Commonwealth at the time when process is served.

(ii) Domicile in this Commonwealth at the time when process is served.

(iii) Consent, to the extent authorized by the consent.

(2) Corporations.—

(i) Incorporation under or qualification as a foreign corporation under the laws of this Commonwealth.

(ii) Consent, to the extent authorized by the consent.

(iii) The carrying on of a continuous and systematic part of its general business within this Commonwealth.

(3) Partnerships, limited partnerships, partnership associations, professional associations, unincorporated associations and similar entities.—

(i) Formation under or qualification as a foreign entity under the laws of this Commonwealth.

(ii) Consent, to the extent authorized by the consent.

(iii) The carrying on of a continuous and systematic part of its general business within this Commonwealth.

(b) Scope of jurisdiction.—When jurisdiction over a person is based upon this section any cause of action may be asserted against him, whether or not arising from acts enumerated in this section. Discontinuance of the acts enumerated in subsection (a)(2)(i) and (iii) and (a)(3)(i) and (iii) shall not affect jurisdiction with respect to any act, transaction or omission occurring during the period such status existed.

Section 3. This act shall take effect in 60 days.

On the question,

Will the House agree to the amendments?

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

Mr. BERSON. Mr. Speaker, these amendments are technical in nature. After I introduced the bill, I found that we had already codified the statutes relating to partnerships and limited partnerships. So the amendment fits the bill into the Pennsylvania Consolidated Statutes.

I further discovered that we had failed to amend that section of Title 42, the Judicial Code, giving Pennsylvania's courts jurisdiction over foreign limited partnerships, and to clear up that loophole, this bill specifically grants the court jurisdiction over foreign limited partnerships. It is technical in nature and is just designed to clear up those technical problems with the bill.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—181

Alden	Foster, W. W.	Livengood	Rocks
Anderson	Foster, Jr., A.	Lynch, E. R.	Rodgers
Armstrong	Freind	McCall	Ryan
Arty	Fryer	McClatchy	Salvatore
Austin	Gallagher	McIntyre	Scheaffer
Belardi	Gallen	McKelvey	Schmitt
Bennett	Gamble	McMonagle	Serafini
Berson	Gannon	McVerry	Seventy

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

NAYS—0

NOT VOTING—15

Beloff	Johnson, J. J.	Maiale	Shadding
Chess	Jones	Pratt	Street
Dumas	Lashingner	Reed	Williams
Goebel	Levin	Schweder	

EXCUSED—5

Barber	Rhodes	Wachob	Weidner
Helfrick			

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.

* * *

The House proceeded to third consideration of **SB 768, PN 1591**, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, providing for petitions attested by verified statements, increasing intestate share of surviving spouse; clarifying certain provisions relating to spouses' elections; authorizing certain payments to family and funeral directors; changing bond requirements; adding provisions for distributees; increasing interest rates; changing provisions concerning termination of trusts and combination of

trusts; making technical and editorial changes and making repeals.

On the question,

Will the House agree to the bill on third consideration?

Mr. HOEFFEL offered the following amendment:

Amend Bill, page 10, line 12, by striking out all of said line and inserting § 3539. Information services. When an agreement between a distributee and a person or corporation that has informed the distributee of his interest in an estate provides for payment for services to the informant, it shall, upon request of a party, be subject to review and adjustment by the court as justice and equity require. The provisions of this section may not be waived.

On the question,

Will the House agree to the amendment?

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

Mr. HOEFFEL. Mr. Speaker, my amendment would reinsert in SB 768 language that was originally placed in that bill by the Joint State Government Commission that wrote this bill. The language that I would like to see put back into the measure was taken out in the Senate and it addresses itself to the problem of information services that genealogists provide when estates have to be settled and the heirs have to be found. The language that I would like to reinsert, similar language that was provided in the bill as it came out of the Joint State Government Commission Task Force, would say that the agreement that is reached between the prospective heir and the genealogist shall be subject to review by the courts.

The concern I have is that unsuspecting heirs who are interested in receiving the benefits of an estate are likely to agree to contracts with the genealogists who might not at all be in their best interests. We are talking about money that these individuals are entitled to. It is their inheritance, and while the genealogists are entitled certainly to a payment for their services, I do think that the court should have the ability to review that contract to make sure that the genealogist is not receiving an undue share of that inheritance.

There have been cases, I understand, where people have gone out and approached prospective heirs and said that they are in line for an inheritance and the contract has been signed giving away a third or a half of the inheritance to the genealogist, and then a couple days later, through the normal court procedures, the individual is contacted, and it is too late for him to then receive all of the benefits of his inheritance. I would suggest that we put this language back into the bill as it was originally written by the Joint State Government Commission. Thank you.

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

Mr. PICCOLA. I rise to oppose the Hoeffel amendment. Let me say that it is my information that the vast, vast majority of these agreements that are entered into between prospective heirs and such individuals who are searching them out are freely entered into and there is no or very little in the way of undue influence or pressure or unreasonable fees charged.

Another thing to look at is that we would be providing for the review of a contract freely entered into between two parties and giving the court the power to change that contract in very substantial ways after that contract has been signed. I think that is a dangerous precedent to set in the Commonwealth of Pennsylvania.

Finally, these contracts provide for a contingency interest in that estate by the corporation doing the searching, and it is that contingency fee that is charged that provides the very incentive for those heirs to be located in the first place. If that incentive is no longer there, or if we permit the courts the potential of changing that incentive, it is quite likely that a prospective heir entitled to some money may not get any money because such a service will not be provided. I would, therefore, urge that this amendment be defeated.

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

Mr. HOEFFEL. In brief reply to the previous comments, I have heard it said on several occasions, in opposition to my amendment, that contracts that we are talking about have been freely entered into by the genealogists and the prospective heir and, therefore, the court should have no say. Well, I think we have to keep in mind that these contracts that are so-called freely entered into are set in an occasion where the prospective heir is viewing this money as a windfall, as something that suddenly is descending upon him and that he will get a great percentage of money if he only agrees to give this genealogist a third of it, or a quarter of it, or half of it, or whatever might be the case, but we have got to remember that this inheritance is totally belonging to that prospective heir; that this is not money that is just being given to him off the wall. This is money that he is entitled to; that he is inheriting, and that we are permitting the genealogist to go in there without court review and perhaps reach agreements on that are really out of line and not in the best interest of the prospective heir.

I am not saying that genealogists should not make money. Of course they should. They will not do this service if they cannot be compensated for it, and I do not argue that point at all. All I say is that these contracts, which may be entered into without full knowledge of the heir as to what his chances really are of receiving the money, I think these contracts should be reviewable. Thank you.

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

Mr. PICCOLA. I cannot emphasize more, Mr. Speaker, that although Mr. Hoeffel is correct this is money that is due an heir, that heir knows that at the time that he signs that contract, that agreement. It is or should be clearly set forth in that agreement what the terms of that agreement are and what fees he would be paying, or what percentage of his inheritance would be due to the genealogist.

There was also some mention that this had originally been inserted in this bill by the Joint State Government Commission Task Force on Descendents' Estates. That task force, it is my information, later recommended that this provision be deleted from the bill, and that is the reason

that it was deleted in the Senate and why it came to the House in this fashion. I, again, urge the defeat of this amendment.

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Hoeffel. Does the gentleman wish to speak for the third time?

Mr. HOEFFEL. Yes, Mr. Speaker.

The SPEAKER. The gentleman asks unanimous consent to speak for the third time in behalf of the amendment.

The Chair hears no objection. The gentleman may proceed.

Mr. HOEFFEL. The information that the previous speaker just imparted, I do not believe is correct. I am not aware that the Joint State Government Commission ever asked for this amendment to be deleted. It was deleted in the state Senate because a genealogist who does business in this Commonwealth asked for it to be deleted. That is why it was taken out. I do not think that one businessman in this state should be having impact on the laws that govern all of us, and I think we ought to stick it back in. Thank you.

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

The following roll call was recorded:

YEAS—64

Austin	Fryer	McIntyre	Schmitt
Borski	Gatski	McMonagle	Seventy
Brown	George, C.	Michlovic	Shupnik
Caltagirone	Giammarco	Milanovich	Spitz
Clark, B. D.	Goodman	Mrkonic	Steighner
Cochran	Gray	Murphy	Stewart
Cohen	Greenfield	O'Brien, B. F.	Stuban
Cole	Harper	O'Donnell	Sweet
DeMedio	Hoeffel	Petrarca	Taylor, F.
DeWeese	Itkin	Pievsky	Wargo
DiCarlo	Kolter	Pistella	Wright, D. R.
Dawida	Kukovich	Pucciarelli	Yahner
Dombrowski	Laughlin	Rappaport	Zeller
Donatucci, R.	Lescovitz	Reed	Zitterman
Duffy	Livengood	Rieger	Zord
Fee	McCall	Ritter	Zwilk

NAYS—117

Alden	Foster, W. W.	Lewis	Rocks
Anderson	Foster, Jr., A.	Lynch, E. R.	Rodgers
Armstrong	Freind	McClatchy	Ryan
Arty	Gallagher	McKelvey	Salvatore
Belardi	Gallen	McVerry	Scheaffer
Bennett	Gamble	Mackowski	Serafini
Berson	Geesey	Madigan	Sieminski
Bittle	Geist	Maiale	Sirianni
Bowser	George, M. H.	Manmiller	Smith, E. H.
Brandt	Gladeck	Micozzie	Smith, L. E.
Burd	Grabowski	Miller	Spencer
Burns	Grieco	Moehlmann	Stairs
Cappabianca	Gruppo	Mowery	Swift
Cessar	Hagarty	Mullen	Taddonio
Cimini	Halverson	Nahill	Taylor, E. Z.
Civera	Hasay	Novak	Telek
Clark, M. R.	Hayes, Jr., S.	Noye	Thomas
Cornell	Honaman	O'Brien, D. M.	Trello
Coslett	Hutchinson, A.	Oliver	Vroon
Cowell	Hutchinson, W.	Perzel	Wass
Cunningham	Irvis	Peterson	Wenger
DeVerter	Johnson, E. G.	Phillips	White
Davies	Kanuck	Piccola	Wilson
Dietz	Klingaman	Pitts	Wilt
Dininni	Knepper	Polite	Wright, Jr., J.

Dorr	Knight	Pott	Yohn
Durham	Kowalshyn	Punt	
Earley	Lehr	Pyles	Seltzer,
Fischer	Letterman	Rasco	Speaker
Fisher	Levi	Richardson	

NOT VOTING—15

Beloff	Goebel	Levin	Shadding
Chess	Johnson, J. J.	Manderino	Street
Dumas	Jones	Pratt	Williams
Gannon	Lashingner	Schweder	

EXCUSED—5

Barber	Rhodes	Wachob	Weidner
Helfrick			

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

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

Amend Sec. 7 (Sec. 3543), page 11, line 26, by striking out "5%" and inserting 5.25%

Amend Sec. 7 (Sec. 3543), page 11, line 28, by striking out "5%" and inserting 5.25%

Amend Sec. 7 (Sec. 3543), page 12, line 6, by striking out "5%" and inserting 5.25%

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

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

Mr. ITKIN. Mr. Speaker, current law provides that a pecuniary legacy, that is, a money legacy which is to be awarded to an heir of an estate shall bear the rate of 3 percent interest from the death of the decedent to the time that the money is paid.

Obviously, when wills are probated and contested, several years may elapse between when the money actually goes to the appropriate heir. As a consequence, through all these years of high interest rates, there is a lot of money that has been made, because the law only requires that 3 percent be provided to the heir even though the return on the money could have provided a much higher amount.

SB 768 attempts to address that problem by raising the interest rate to 5 percent. I still do not think that is high enough, because there are far better interest-bearing accounts and certificates that bear much higher than 5 percent. While I recognize the law cannot know of what every circumstance may be, I feel that changing the 5 percent to 5 1/4 percent is appropriate, and that is what this amendment does, because there is no interest-bearing account today that pays a rate of interest less than 5 1/4 percent. Therefore, Mr. Speaker, I would hope that the House would agree with me and raise the 5 percent to 5 1/4 percent. Thank you, Mr. Speaker.

On the question recurring,
Will the House agree to the amendments?
The following roll call was recorded:

YEAS—63

Austin	Giammarco	McCall	Rasco
Berson	Goebel	McIntyre	Reed
Borski	Goodman	McMonagle	Richardson
Cappabianca	Grabowski	McVerry	Rieger
Cohen	Gray	Michlovic	Rodgers
Cole	Greenfield	Milanovich	Schmitt
Cowell	Gruppo	Mrkonic	Seventy
DeWeese	Harper	Murphy	Shupnik
Dawida	Hoefel	Novak	Steighner
Dombrowski	Hutchinson, A.	O'Brien, B. F.	Stewart
Donatucci, R.	Irvis	O'Donnell	Taddonio
Duffy	Itkin	Oliver	Trello
Fee	Knight	Petrarca	Wargo
Gallagher	Kolter	Pievsky	White
Gamble	Kukovich	Pistella	Wright, D. R.
George, C.	Laughlin	Pucciarelli	

NAYS—114

Alden	Fischer	Livengood	Salvatore
Anderson	Fisher	Lynch, E. R.	Scheaffer
Armstrong	Foster, W. W.	McClatchy	Serafini
Belardi	Foster, Jr., A.	McKelvey	Sieminski
Bennett	Freind	Mackowski	Sirianni
Bittle	Fryer	Madigan	Smith, E. H.
Bowser	Gallen	Maiale	Smith, L. E.
Brandt	Gatski	Manderino	Spencer
Brown	Geesey	Manmiller	Spitz
Burd	Geist	Micozzie	Stairs
Burns	George, M. H.	Miller	Stuban
Cessar	Gladeck	Moehlmann	Swift
Cimini	Grieco	Mowery	Taylor, E. Z.
Civera	Hagarty	Nahill	Taylor, F.
Clark, B. D.	Halverson	Noye	Telek
Clark, M. R.	Hasay	O'Brien, D. M.	Vroon
Cochran	Hayes, Jr., S.	Perzel	Wass
Cornell	Honaman	Peterson	Wenger
Coslett	Hutchinson, W.	Phillips	Wilt
Cunningham	Johnson, E. G.	Piccola	Wright, Jr., J.
DeMedio	Kanuck	Pitts	Yahner
DeVerter	Klingaman	Polite	Yohn
DiCarlo	Knepper	Pott	Zeller
Davies	Kowalshyn	Punt	Zitterman
Dietz	Lehr	Pyles	Zord
Dininni	Lescovitz	Rappaport	Zwikl
Dorr	Letterman	Ritter	
Durham	Levi	Rocks	Seltzer,
Earley	Lewis	Ryan	Speaker

NOT VOTING—19

Arty	Gannon	Mullen	Sweet
Beloff	Johnson, J. J.	Pratt	Thomas
Caltagirone	Jones	Schweder	Williams
Chess	Lashingner	Shadding	Wilson
Dumas	Levin	Street	

EXCUSED—5

Barber	Rhodes	Wachob	Weidner
Helfrick			

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

SB 768 PASSED OVER TEMPORARILY

The SPEAKER. Without objection, SB 768 will be passed over temporarily. The Chair hears none.

* * *

The House proceeded to third consideration of **HB 2176, PN 3129**, entitled:

An Act providing for a Statewide emergency telephone number "911" system, establishing the Office of Telecommuni-

cation in the Department of General Services and providing for its powers and duties, and making a repeal.

On the question,

Will the House agree to the bill on third consideration?

Mrs. HONAMAN offered the following amendments:

Amend preamble, page 1, line 7, by striking out "Providing" and inserting by providing

Amend preamble, page 1, line 13, by inserting after "service." It is the intent of the General Assembly that the Commonwealth assume full responsibility for costs, as defined in section 4 of this act, associated with Statewide implementation and operation of this program.

Amend preamble, page 2, line 3, by inserting after "encouraged" to implement the "911" system and

Amend preamble, page 2, line 6, by removing the period after "capability" and inserting , within the time period provided in the act.

Amend Sec. 2, page 2, by inserting between lines 15 and 16 "Annual plan." The document submitted by the county to the Office of Telecommunication, as a request for funding of implementation and operational costs as authorized in section 4. This annual plan shall be used by the Office of Telecommunication in compiling information for the annual report to the General Assembly.

Amend Sec. 2, page 2, lines 21 and 22, by striking out all of said lines

Amend Sec. 3, page 3, lines 13 to 16, by striking out all of said lines and inserting (1) To be responsible for the central management of telecommunication for the Commonwealth.

Amend Sec. 3, page 3, by inserting between lines 16 and 17 (2) To provide information regarding Federal or State grants, for which the applicant counties may be eligible.

Amend Sec. 3, page 3, line 17, by striking out "(2)" and inserting (3)

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

Amend Sec. 3, page 3, line 21 by striking out "(4)" and inserting (5)

Amend Sec. 3, page 3, line 22, by striking out "the "911" system." and inserting and maintain the "911" system eligible for funding under the act.

Amend Sec. 3, page 3, line 23, by striking out "(5)" and inserting (6)

Amend Sec. 3, page 3, line 26, by inserting after "provide" technical

Amend Sec. 3, page 3, line 28, by striking out "(6)" and inserting (7)

Amend Sec. 4, page 4, lines 8 and 9, by striking out "The office shall approve all" in line 8, all of line 9, and inserting The office shall have the authority to establish the parameters of county "911" plans that would be acceptable for funding and shall submit approved annual plans to the General Assembly for funding action.

Amend Sec. 4, page 4, lines 10 and 11, by striking out both of said lines and inserting (b) Funded elements.—The ongoing service costs for the following elements of the "911" emergency telephone system, incurred after the enactment of this act, shall be fully funded for each county which so requests:

Amend Sec. 4, page 4, lines 18 through 24, by striking out "in adjacent counties." in line 18, all of lines 19 through 24, and inserting (4) Additional elements of "911" emergency telephone service where justified as cost effective. (5) Funding for one-time installation charges attendant to (1), (2), (3) and (4), incurred subsequent to enactment of this act, shall be available until January 1 of the sixth year after the effective date of this act. (6) The wages and benefits involves in hiring of extra persons because of implementing a "911" system, to a maximum of five employees.

Amend Sec. 4, page 4, line 26, by inserting after "Fund." If, in any fiscal year, appropriations are insufficient to cover the costs of grants and reimbursement to those counties which make timely requests in that fiscal year, the Department of General Services shall report such fact to the General Assembly and shall request appropriation of funds necessary to provide the grants authorized in this section. If such a deficiency appropriation is not enacted any county which has not received the full amount of the grant for which it is eligible under this section shall be as a first priority reimbursed from appropriations made in the next successive fiscal year.

Amend Sec. 5, page 4, line 28, by striking out "Counties" and inserting (a) Counties, which elect to provide the "911" service, in their county

Amend Sec. 5, page 5, by inserting between lines 15 and 16 (b) Nothing in this section shall be construed to require compliance with the act by the county. Any county not electing to comply with the act shall not be subject to any criminal or civil penalties under law.

Amend Bill, page 6, by inserting between lines 2 and 3 Section 8. Penalty. Any person who intentionally calls the "911" emergency number for other than emergency purposes shall be guilty of a misdemeanor of the third degree.

Amend Sec. 8, page 6, line 3, by striking out "8." and inserting 9.

Amend Sec. 9, page 6, line 9, by striking out "9." and inserting 10.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the lady from Lancaster, Mrs. Honaman.

Mrs. HONAMAN. Most of the amendments contained in A7108 are either technical or clarifying, except for one which I will explain later.

When this bill was first put on the calendar, we had a great deal of consternation on the part of county officials who were afraid it was going to be mandatory and they would therefore be adversely affected. It was not the idea of the committee to make it mandatory, but to encourage the counties to implement the 911 system. For that reason, we have spelled out very clearly that this is not a mandatory bill, but that the counties may elect to adopt the system and enter into the funding of it.

We have added an additional portion regarding funding. It was the feeling of some that the funds may dry up within the time period of each year. We therefore inserted on section 4, page 4, "If, in any fiscal year, appropriations are insufficient to cover the costs..." that such requests may be deferred in the same line in which they came in to the following year or this House may make additional appropriations.

Several weeks ago there was an article in one of the local papers stating that obscene phone calls and unnecessary calls are being made to the 911 number. For that reason we added a penalty: "Any person who intentionally calls the '911' emergency number for other than emergency purposes shall be guilty of a misdemeanor of the third degree," which we hope will deter such action.

Mr. Speaker, I ask for the adoption of this amendment.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, would the lady yield to interrogation?

Mrs. HONAMAN. Yes.

The SPEAKER. The lady indicates she will. The gentleman may proceed.

Mr. MANDERINO. Mr. Speaker, it is my understanding that the amendment speaks to a definition of the kinds of costs that will be paid under this bill. Is that correct?

Mrs. HONAMAN. Partially, yes.

Mr. MANDERINO. Do I further understand that those counties which have, on their own, implemented a system of 911 will receive no reimbursement for what they have already done?

Mrs. HONAMAN. Yes.

Mr. MANDERINO. So, the fact that you took this concept of 911 and decided it was a good concept and implemented it on the local level, you will not receive any moneys for the implementation, whereas other counties who did nothing will now be encouraged to implement by a funding mechanism that will give them money to implement the system. Is that correct?

Mrs. HONAMAN. That is correct.

Mr. MANDERINO. Do you think that is fair?

Mrs. HONAMAN. Yes.

Mr. MANDERINO. That those counties who sat back and did nothing now will get implementation costs, and those counties who went ahead, thinking it was a good idea, last year or the year before and went to a 911 system will get nothing for implementation?

Mrs. HONAMAN. Mr. Speaker, it was our feeling in drafting this legislation that the counties who picked up 911 previously and the areas—in fact this goes back 12 years; Dubois started it 12 years ago—have enjoyed the safety and the good will, since the commissioners put it, of the people, and they never even expected that we would pay anything. As a result of this particular bill, their current costs will be picked up and employes up to five, which I think is something they did not expect and I think is a fair proposition.

Mr. MANDERINO. You say that your amendment deals with that in part. What else does the amendment provide?

Mrs. HONAMAN. The particular amendment we are speaking to clarifies that the counties are not mandated to do this. It is a matter of choice, whether or not they care to do within the next 6 years. We also added a penalty clause for people who misuse this particular system.

Mr. MANDERINO. Thank you. I have no further questions.

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

Mr. KOLTER. Mr. Speaker, I ask the members of this House to vote in the affirmative on this amendment. This amendment happens to be a hard worked out compromise between the sub-committee and the officials of the county governments.

I think that those communities that have already been served and have not been reimbursed for it have had this service. And, as Mrs. Honaman stated, this service was

given to them years and years ago before we even thought of 911 here in the General Assembly. Like I said, there have been many hard hours spent in trying to arrive at a compromise. This is a compromise, and I urge an affirmative vote.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, I have mixed emotions about this amendment. This amendment, no doubt, defines the cost that will be reimbursed by the Commonwealth in such a manner as to limit the cost of this reimbursement program that is being instituted. It limits the cost in such a manner that those communities that already have a 911 system and have paid for it, even if they put it in last year or if they are putting it in right now, will not be reimbursed for the cost of implementing that system, but anybody who has sat back and done nothing will be encouraged to go into a 911 system and will get a reimbursement of costs.

Now that is important, Mr. Speaker, because even those communities that do have a 911 system—and Mr. Speaker, if I am wrong about this, I wish you would correct me—will be reimbursed for future costs limited by the bill and by your amendment. Is that correct?

Mrs. HONAMAN. Yes.

Mr. MANDERINO. But the costs that will be reimbursed because of the amendment and because of the bill itself are limited. And I do not want to get into discussing the bill because I will discuss the bill at the time that the bill is on final passage. But the effect of this amendment is to take those larger counties—my guess would be Philadelphia is implemented; my guess would be that Allegheny is implemented; my guess would be that Westmoreland is implemented—and give them nothing as a reimbursement for the costs that those counties incurred in putting this system in. Whereas the rural counties where it may even be more expensive to implement per population, per capita, and who have done nothing—and it may be less important for those communities to have a 911 system. Maybe it does not do as much good; maybe it does not operate as efficiently because of the nature of the community in which the system must operate, but for whatever reason—the local officials in those communities decided not to implement a 911 system, and those are the communities that we are now going to reimburse. And as I say, I have mixed emotions. I know that the Honaman amendment, because it now defines those costs, those reimbursable costs, as costs that will be received only by those counties that have done nothing, and that certainly will limit the cost. It seems to me it is a very unfair amendment because those of us who already have any part of a 911 system operating and local officials had to put up local tax dollars to pay for the implementing of that system will get nothing for their efforts as a reimbursement. I personally will vote “no” on the Honaman amendment.

The SPEAKER. The Chair recognizes the lady from Lancaster, Mrs. Honaman.

Mrs. HONAMAN. Mr. Speaker, I would like to say that my own county is one of those which does have the 911

number and they do support this concept because they think it is important that every county has this system. Although we are blessed to live in a county such as the minority whip and I do where we have the system, if we are visiting or traveling outside the county, it is most important to us to have it across the State of Pennsylvania. I ask for an affirmative vote.

The SPEAKER. The Chair recognizes the gentleman from Indiana, Mr. Wass.

Mr. WASS. May I interrogate the person making the proposal, the amendment?

Mrs. HONAMAN. Yes.

The SPEAKER. The lady indicates she will stand for interrogation. The gentleman may proceed.

Mr. WASS. In my particular county, Indiana, we do have the 911 established. When will my county begin to reap benefits under your proposal?

Mrs. HONAMAN. Once the bill becomes effective, once the guidelines are set up for the office of telecommunications, and the regulations have been published in the Pennsylvania Bulletin, which would be approximately 60 days after the system is approved.

Mr. WASS. And then what benefits will they be eligible for?

Mrs. HONAMAN. The state will pick up the current costs by the telephone companies, the current running costs, plus any implementation needed up to five employees to run the phone bank, or answer the central phone rather.

Mr. WASS. Thank you very much.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—114

Alden	Earley	Lewis	Rasco
Anderson	Fischer	Livengood	Rocks
Armstrong	Fisher	Lynch, E. R.	Ryan
Arty	Foster, W. W.	McCall	Salvatore
Bennett	Foster, Jr., A.	McClatchy	Scheaffer
Bittle	Freind	McKelvey	Schmitt
Borski	Gallen	McVerry	Sieminski
Bowser	Geesey	Mackowski	Sirianni
Brown	Geist	Madigan	Smith, E. H.
Burd	George, C.	Micozzie	Smith, L. E.
Burns	Gladeck	Milanovich	Spencer
Caltagirone	Grieco	Miller	Spitz
Cessar	Gruppo	Moehlmann	Stairs
Cimini	Hagarty	Mowery	Stewart
Civera	Halverson	Mrkonic	Stuban
Clark, M. R.	Hasay	Nahill	Swift
Cochran	Hayes, Jr., S.	Noye	Taddonio
Cole	Honaman	O'Brien, B. F.	Taylor, E. Z.
Cornell	Hutchinson, W.	O'Brien, D. M.	Telek
Coslett	Johnson, E. G.	Perzel	Thomas
Cunningham	Kanuck	Peterson	Vroon
DeVerter	Klingaman	Phillips	Wass
DiCarlo	Knepper	Piccola	Wenger
Davies	Kolter	Pievsky	Wilt
Dietz	Lashinger	Pitts	Wright, D. R.
Dininni	Laughlin	Polite	Yohn
Dorr	Lehr	Pott	
Duffy	Letterman	Punt	Seltzer,
Durham	Levi	Pyles	Speaker

NAYS—69

Austin	Giammarco	Manderino	Rodgers
Belardi	Goebel	Manmiller	Serafini
Berson	Goodman	Michlovic	Seventy
Cappabianca	Grabowski	Mullen	Shupnik
Clark, B. D.	Greenfield	Murphy	Steighner
Cohen	Harper	Novak	Sweet
Cowell	Hoeffel	O'Donnell	Taylor, F.
DeMedio	Hutchinson, A.	Oliver	Trello
DeWeese	Irviss	Petrarca	Wargo
Dawida	Itkin	Pistella	White
Dombrowski	Knight	Pratt	Wilson
Donatucci, R.	Kowalshyn	Pucciarelli	Wright, Jr., J.
Fee	Kukovich	Rappaport	Yahner
Fryer	Lescovitz	Reed	Zeller
Gallagher	McIntyre	Richardson	Zitterman
Gamble	McMonagle	Rieger	Zord
Gatski	Maiale	Ritter	Zwikl
George, M. H.			

NOT VOTING—13

Beloff	Gannon	Jones	Shadding
Brandt	Gray	Levin	Street
Chess	Johnson, J. J.	Schweder	Williams
Dumas			

EXCUSED—5

Barber	Rhodes	Wachob	Weidner
Helfrick			

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?

Mrs. ARTY offered the following amendments:

Amend Sec. 2, page 2, by inserting between lines 20 and 21 "Enhanced 911 system." A system incorporating all the elements of the basic "911" system plus selective routing, automatic number identification and automatic listing information.

Amend Sec. 4, page 4, by inserting between lines 24 and 25 (6) In the case of counties authorized to install it pursuant to section 5(2), the additional cost of the equipment, lines and appropriate additional personnel necessary to install, operate and maintain an enhanced "911" system.

Amend Sec. 5, page 5, by inserting between lines 1 and 2 (2) In the case of counties with a population of 500,000 or more and with 35 or more municipal police departments, to install, operate and maintain an enhanced "911" emergency telephone system within the county.

Amend Sec. 5, page 5, line 2, by striking out "(2)" and inserting (3)

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

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

Amend Sec. 5, page 5, line 13, by striking out "(5)" and inserting (6)

Amend Sec. 6, page 5, by inserting between lines 21 and 22 (b) Enhanced "911" service.—Those telephone companies which provide general telephone service in counties authorized to install an enhanced "911" system pursuant to section 5(2) shall provide enhanced "911" service in their exchanges in such counties by January 1 of the fifth year after enactment of this act.

Amend Sec. 6, page 5, line 22, by striking out "(b)" and inserting (c)

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

The SPEAKER. The Chair recognizes the lady from Delaware, Mrs. Arty.

Mrs. ARTY. Mr. Speaker, we have a problem with the bill as it is written. Although, indeed, we have no problem recognizing the fact that 911 as an emergency number, in which we must expect response to emergency situations, is indeed desirable and indeed needed. The problem ensues in the kind of a county in which my district lies, where there are multiple police departments, where there are multiple volunteer fire units, and where there are multiple ambulance companies. There are 49 towns in the county of Delaware, and there are many, many telephone exchanges, and not always do the telephone exchanges go along with the boundary lines of the particular municipalities. Therefore, the members of county council appointed a 911 task force for the county of Delaware, and the 911 task force found that basic 911 would not meet the needs of Delaware County as written. The amendment that we propose, A7197, to HB 2176, would allow for an enhanced 911 system which would incorporate all of the elements of the basic 911 system plus allow for selective routing, automatic number identification and automatic listing information. Mr. Speaker, we ask an affirmative vote on this amendment to HB 2176.

The SPEAKER. The Chair recognizes the lady from Lancaster, Mrs. Honaman.

Mrs. HONAMAN. Mr. Speaker, may I interrogate the maker of this amendment?

The SPEAKER. The lady indicates she will stand for interrogation. Mrs. Honaman may proceed.

Mrs. HONAMAN. Mr. Speaker, under section 6 in the case of counties authorized to install it, pursuant to section 5(2), the additional cost of equipment lies in appropriate additional personnel necessary to install, operate, and maintain. Are you saying there that you would want to be paid then beyond the limit of five employes presently in the bill?

Mrs. ARTY. Mr. Speaker, I had some difficulty in trying to hear the lady from Lancaster. I wonder if the lady would repeat her remarks, please?

Mrs. HONAMAN. When you say appropriate additional personnel to maintain the enhanced 911, are you then taking it beyond the limit of the five employes called for in the present bill?

Mrs. ARTY. Mr. Speaker, I now understand the question, and I thank the lady for repeating her remarks. It is felt by the Delaware County 911 task force and by the experts who were on that committee, sir, that the number of employes as cited in the bill as it stands would not nearly satisfy the need for our particular county even with the enhanced 911 system which, in effect, is a computer assistant dispatch system.

Mrs. HONAMAN. Another question: In number two, "In the case of counties with a population of 500,000 or more and with 35 or more municipal police departments," how many such counties are there in Pennsylvania?

Mrs. ARTY. Mr. Speaker, we really do not have any idea how many counties. We would suppose that there would be five or six where the population would exceed 500,000 and where there would be 35 or more individual local autonomous municipal police departments.

Mrs. HONAMAN. Can you tell me what counties they are?

Mrs. ARTY. Off the top of my head, Mr. Speaker, Montgomery County, Delaware County, Allegheny County, and the other two elude me.

Mrs. HONAMAN. You say Delaware and Montgomery and Allegheny. That is three.

Mrs. ARTY. Allegheny, that I know of offhand.

Mrs. HONAMAN. Further question: It seems to me if we adopted this amendment, we would be putting a tremendous additional cost into the bill. Do you have a fiscal note for this amendment?

Mrs. ARTY. Mr. Speaker, I do not argue the fact that there would be additional costs, but I must bring to the attention of the Speaker and to the members of the House that each county and each municipality has particular problems each of which has to be addressed. And I continue to press for the fact that in the case of Delaware County, where the study, indeed, as asked by the state, was carried out by the members of county council, and the 911 task force recommends that which we have put into this amendment for our county.

Mrs. HONAMAN. I have finished the interrogation, I would like to make a statement.

The SPEAKER. The Chair recognizes the lady from Lancaster, Mrs. Honaman.

Mrs. HONAMAN. I certainly sympathize with the lady on her problems with Delaware County. She did not answer my question about a fiscal note, but I think all of us here realize that additional costs would be imposed if this amendment were to pass. It is very difficult to say "no" in a case like this, but I will ask for a negative vote on this. Other counties have faced these same problems and have been able to resolve them. Our own county has over 350,000 people and over 41 police departments, but somehow we have been able to manage with five people. I am very sorry to oppose the lady, but I do ask for a negative vote.

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

Mr. CIVERA. Mr. Speaker, I was one of the members who served on the 911 task force in Delaware County. Let me just say this: I rise to support the Arty amendment.

In the Commonwealth of Pennsylvania I am sure there are many counties that face the same problem or similar to Delaware County. If this Commonwealth is going to adopt a law for 911, then I say let us do it the right way. I say that in Delaware County, like Allegheny County and many other counties in the Commonwealth where the problem runs the same, that the cost of the enhanced 911 system, which we are trying to amend here today, would certainly safeguard the lives of thousands and thousands of people

who live in that county. I think that they are the counties that need this more. The ones with a population of over 500,000; the ones with more than 35 municipal police departments, they are the ones who really could use the 911 system. I urge that we support the Arty amendment. Thank you.

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

The following roll call was recorded:

YEAS—58

Alden	Durham	Irvis	Pott
Anderson	Earley	Klingaman	Pratt
Arty	Fischer	Knepper	Pucciarelli
Bennett	Fisher	Lehr	Punt
Bittle	Foster, Jr., A.	Letterman	Rappaport
Caltagirone	Freind	Livengood	Rasco
Cessar	Gannon	McVerry	Richardson
Civera	Geesey	Maiale	Ryan
Clark, M. R.	George, C.	Michlovic	Spitz
Cochran	Grabowski	Micozzie	Taddonio
Cornell	Gray	Mullen	Taylor, F.
Cowell	Hagarty	Oliver	Yahner
DiCarlo	Harper	Petrarca	Yohn
Davies	Hutchinson, A.	Polite	Zord
Dawida	Hutchinson, W.		

NAYS—123

Armstrong	Gatski	McMonagle	Serafini
Austin	Geist	Mackowski	Seventy
Belardi	George, M. H.	Manderino	Shupnik
Berson	Giammarco	Manmiller	Sieminski
Borski	Gladeck	Milanovich	Sirianni
Bowser	Goebel	Miller	Smith, E. H.
Brandt	Goodman	Moehlmann	Smith, L. E.
Brown	Greenfield	Mowery	Spencer
Burd	Grieco	Mrkonic	Stairs
Burns	Gruppo	Murphy	Steighner
Cappabianca	Halverson	Nahill	Stewart
Cimini	Hasay	Novak	Stuban
Clark, B. D.	Hayes, Jr., S.	Noye	Swift
Cohen	Hoeffel	O'Brien, B. F.	Taylor, E. Z.
Cole	Honaman	O'Brien, D. M.	Telek
Coslett	Itkin	O'Donnell	Thomas
Cunningham	Johnson, E. G.	Perzel	Vroon
DeMedio	Kanuck	Peterson	Wargo
DeVerter	Knight	Phillips	Wass
DeWeese	Kolter	Piccola	Wenger
Dietz	Kowalshyn	Pistella	White
Dininni	Kukovich	Pitts	Wilson
Dombrowski	Lashingner	Pyles	Wilt
Donatucci, R.	Laughlin	Reed	Wright, D. R.
Dorr	Lescovitz	Rieger	Wright, Jr., J.
Duffy	Levi	Ritter	Zeller
Fee	Lewis	Rocks	Zitterman
Foster, W. W.	Lynch, E. R.	Rodgers	Zwinkl
Fryer	McCall	Salvatore	
Gallagher	McIntyre	Scheaffer	Seltzer,
Gallen	McKelvey	Schmitt	Speaker
Gamble			

NOT VOTING—15

Beloff	Jones	Pievsky	Sweet
Chess	Levin	Schweder	Trello
Dumas	McClatchy	Shadding	Williams
Johnson, J. J.	Madigan	Street	

EXCUSED—5

Barber	Rhodes	Wachob	Weidner
Helfrick			

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?

Mrs. CLARK offered the following amendment:

Amend Sec. 5, page 5, line 8, by inserting after "act." The plan shall include implementation of the direct dispatching method.

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

The SPEAKER. The Chair recognizes the lady from Cambria, Mrs. Clark.

Mrs. CLARK. Mr. Speaker, this amendment A7113 to HB 2176 would place the plan—the plan would include the implementation of the direct dispatching method—into operational responsibility for the county's emergency operation of 911 in this bill. I think the state should include the most efficient operational alternative if it is going to put this bill into law, which is the direct dispatch method.

The idea of 911 is to provide help as quickly as possible, and if it is to be efficient at all, the response to citizens' calls must be prompt and accurate. When the information is passed on, inaccuracy often results.

If we put this bill into law the way it is written now, we will simply have a continuation of the present system, which is a transfer method.

The value of 911 is the reduction of time between the discovery of an accident and the call for assistance. I do not think we should lose valuable time in transferring. It could be a matter of life and death; a crime committed or a crime prevented. I think if we are going to eliminate confusions, mistakes, and delays with 911, we should put into effect the direct dispatching method. I hope you will support my amendment.

The SPEAKER. The Chair recognizes the lady from Lancaster, Mrs. Honaman.

Mrs. HONAMAN. I oppose this amendment for the simple reason that it puts back into the bill exactly what we want to take out, and that was mandating any county how they should implement the system. If Mrs. Clark will look at the amendment 7108, which was passed earlier, she will find—I believe that it is on page 3, under number 4—additional elements of 911 emergency telephone service were justified as cost effective. If her county finds that that is the best and most effective costwise way to do it, her county may do it, but we do want to steer clear of telling any county what they have to do. I therefore oppose this amendment.

The SPEAKER. The Chair recognizes the lady from Cambria, Mrs. Clark.

Mrs. CLARK. Mr. Speaker, there are so many ambulance, fire, volunteer, agencies that now give emergency services, and I do not think that these agencies are going to give up their authority very quickly. I think we are going to have a continuation of what we now have, if we do not put this dispatch method into 911.

In Cambria County we have 75 different numbers to call for emergency services, and this can be nothing but confusion in an emergency. I would hope that we would implement a plan, the direct dispatch plan.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—49

Alden	Fee	Knight	Pratt
Anderson	Foster, Jr., A.	Kukovich	Punt
Arty	Gamble	Lehr	Rasco
Bennett	George, C.	Letterman	Richardson
Bittle	Goebel	Livengood	Rocks
Caltagirone	Grabowski	McKelvey	Salvatore
Clark, M. R.	Hagarty	Michlovic	Sirianni
Cochran	Halverson	Mullen	Spitz
Cohen	Hayes, Jr., S.	Novak	Taylor, F.
Cowell	Hutchinson, A.	O'Brien, D. M.	Telek
DiCarlo	Irvis	Perzel	Wass
Dawida	Itkin	Pistella	Zeller
Durham			

NAYS—133

Armstrong	Gallagher	Madigan	Seventy
Belardi	Gannon	Maiale	Shupnik
Berson	Gatski	Manderino	Sieminski
Borski	Geesey	Manmiller	Smith, E. H.
Bowser	Geist	Micozzie	Smith, L. E.
Brandt	George, M. H.	Milanovich	Spencer
Brown	Gladeck	Miller	Stairs
Burd	Goodman	Moehlmann	Steighner
Burns	Gray	Mowery	Stewart
Cappabianca	Grieco	Mrkonic	Stuban
Cessar	Gruppo	Murphy	Sweet
Cimini	Harper	Nahill	Swift
Civera	Hasay	Noye	Taddonio
Clark, B. D.	Hoeffel	O'Brien, B. F.	Taylor, E. Z.
Cole	Honaman	O'Donnell	Thomas
Cornell	Hutchinson, W.	Oliver	Trello
Coslett	Johnson, E. G.	Peterson	Vroon
Cunningham	Kanuck	Petrarca	Wargo
DeMedio	Klingaman	Phillips	Wenger
DeVerter	Knepper	Piccola	White
DeWeese	Kolter	Pievsky	Williams
Davies	Kowalyszyn	Pitts	Wilson
Dietz	Lashinger	Polite	Wilt
Dininni	Laughlin	Pott	Wright, D. R.
Dombrowski	Lescovitz	Pucciarelli	Wright, Jr., J.
Donatucci, R.	Levi	Pyles	Yahner
Dorr	Lewis	Rappaport	Yohn
Duffy	Lynch, E. R.	Reed	Zitterman
Earley	McCall	Rieger	Zord
Fischer	McClatchy	Ritter	Zwikel
Fisher	McIntyre	Rodgers	
Foster, W. W.	McMonagle	Ryan	Seltzer,
Freind	McVerry	Scheaffer	Speaker
Fryer	Mackowski	Serafini	

NOT VOTING—14

Austin	Gallen	Jones	Schweder
Beloff	Giammarco	Levin	Shadding
Chess	Greenfield	Schmitt	Street
Dumas	Johnson, J. J.		

EXCUSED—5

Barber	Rhodes	Wachob	Weidner
Helfrick			

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

AMENDMENT WITHDRAWN TEMPORARILY

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

Mr. SERAFINI. Mr. Speaker, at this time I would like to withdraw my amendments until Mr. Zwikel's amendment is taken.

The SPEAKER. The gentleman, Mr. Serafini, has temporarily withdrawn his amendment.

AMENDMENT WITHDRAWN TEMPORARILY

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, I am withdrawing my amendment temporarily.

On the question recurring,

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

Mr. ZWIKL offered the following amendments:

Amend Sec. 4, page 4, by inserting between lines 24 and 25 (c) Existing systems.—All local governments which have an existing "911" system on the effective date of this act shall be eligible for funding or for reimbursement in the same manner as provided in this section.

Amend Sec. 4, page 4, line 25, by striking out "(c)" and inserting (d)

On the question,

Will the House agree to the amendments?

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

Mr. ZWIKL. Mr. Speaker, this amendment would affect all those municipalities that have in the past inserted 911 systems into their existing telephone networks, and the amendment would provide that on the effective date of this amendment, those governments shall be eligible for funding and reimbursement in the same manner as provided on page 4 of the bill.

I would like to alert the members of the House—and I am going to read the counties and the towns and townships that already have 911 systems—if you hear your county or your local government on this list, you will be able to receive funding from this amendment. The counties that already have a 911 system are Butler, Clarion, Cumberland, Dauphin, Indiana, Lackawanna, Lebanon, Lancaster, Philadelphia, Westmoreland, and York. In addition, there are 20 communities that have the 911 service; Allentown, Berwick, Bradford, Clearfield, Du Bois, Hollidaysburg, Lansford, Milton, Norwood, Pittsburgh, Shaler Township, Shamokin, Smethport, Tarentum, Union City, and Washington. This amendment will provide reimbursement to the counties and municipalities that I just read. I do not believe that it is fair for this General Assembly to enact legislation that overlooks the systems that are already existing in Pennsylvania.

I would like to also call to your attention that a memo I have in my possession, dated May 16, put out by the Pennsylvania State Association of County Commissioners states, and I quote, "Our association has taken a strong position

of not supporting such legislation unless"—and one provision that they quote is—"it includes provisions for reimbursement of '911' costs incurred prior to the effective date of the Act."

Mr. Speaker, I think that this amendment covers all of the existing communities in Pennsylvania that have this system. It is a fair and equitable way to treat the 911 system, and I would ask for an affirmative vote for the amendment.

The SPEAKER. The Chair recognizes the lady from Lancaster, Mrs. Honaman.

Mrs. HONAMAN. Mr. Speaker, I realize at that time the county commissioners did put out such a letter. I met with them since that time, outlined what we could do to take away the mandatory feeling within the bill, explained to them the costs involved in paying back systems, some of which were started 12 years ago. They went back to their association and came back and were perfectly happy with the bill as it is because they realized the added burden to the taxpayer to pay back all these costs.

I do not know if you have a fiscal note on it, but I would think it would run into millions and millions in order to do this because it now encompasses 39 percent of the population in Pennsylvania. We are trying with this bill to keep it as cost effective as possible to the taxpayers and still implement it for their benefit. I regretfully oppose it. Had we had a \$10- or \$12-million surplus in the budget, and it was the feeling of this General Assembly they wanted to spend that, it would be a different thing, but I think we are trying to do the best thing for the citizens at the least possible cost.

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

Mr. ZWIKL. Mr. Speaker, perhaps I am outdated on this memo that I do have of May 16. Perhaps you have met, and I certainly accept what you are saying, but the problem still remains that there are 20-some municipalities and an additional almost dozen counties where the local taxpayers have put money into those systems, and now they are again asked to pay taxes to the Commonwealth of Pennsylvania to support the municipalities around the state that did not take that initiative on the local level. And I know that where I come from in the city of Allentown, we have a very fine sophisticated system, but our people, our local officials, feel that we are being shortchanged in effect. Now perhaps the County Commissioners Association has agreed to this, but I am sure if you go to the local governments that have the 911 system or if you go to the counties that have the 911 system, you are not going to find that those particular areas agree with the position that is taken in this legislation. Do not misunderstand me; I support the 911 system; I think it is excellent, but I think what is fair for one part of the state should be fair for the other part of the state as well.

The SPEAKER. The Chair recognizes the lady from Lancaster, Mrs. Honaman.

Mrs. HONAMAN. I do not know about your own community. I have spoken to my own county which has it, and they are quite happy to get their current expenses from now on and up to five employes because they feel it is a benefit to Pennsylvania.

And you know very often, yourself, sir, that you have voted things to help other areas of Pennsylvania where you yourself have been shortchanged. But very often in this chamber we vote for something for all of Pennsylvania even though we do not get a direct financial benefit back on it. I have done it many times, and I hope that this chamber will do the same thing. Thank you.

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

Mr. ZELLER. Mr. Speaker, as a member of LEAA - Law Enforcement Administration Agency - which did benefit some areas with the 911 system, I know that if we follow the theory, with all respect to Mrs. Honaman, of wait, do not comply and benefit later, this is what we are going to encourage with all political subdivisions in almost anything. For example, in many areas in which we have made grants to political subdivisions, we found that those receiving the grants are those who did not take care of their areas or did not have the money to at the time, but they let it go and wound up with high crime rates and so forth, and they are the ones who are benefitting by LEAA. The same theory Mrs. Honaman produces here is, they do not comply, let those who want to follow the law, which we have set up and spent a lot of money on, and we will not get into the act and then we will benefit later because the state will come through and want everybody to get in line, and we will take care of you. That kind of theory is going to encourage a constant, a constant neglect in this state, a constant neglect by political subdivisions saying do not comply because the state will take care of you later. This is a bad policy.

Now, unless the Zwinkl amendment is adopted, then that is what is going to happen. No one is going to be rewarded for good faith. So that is the theory we are setting up, and if that is the kind of theory we want, then we go along with Mrs. Honaman. But if you want to reward those political subdivisions for doing a job, then you will follow the Zwinkl amendment.

The SPEAKER. The Chair recognizes the lady from Delaware, Mrs. Arty.

Mrs. ARTY. Mr. Speaker, will the maker of the amendment stand for interrogation, sir?

Mr. ZWIKL. Yes, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Zwinkl, indicates he will stand for interrogation. Mrs. Arty may proceed.

Mrs. ARTY. Is there a fiscal note on the Zwinkl amendment, and what would you propose that this amendment would cost?

Mr. ZWIKL. Mr. Speaker, the original fiscal note that came out of the House Appropriations Committee, dated March 3, 1980, indicates for 1980-81, a \$2.9-million figure. Now, at the bottom of that fiscal note, if you have that

available, it says that the figures were based on the amount of money presently spent by several counties and localities that already have installed the system. So it would be my estimate that the fiscal impact of this amendment would be the same as is on the fiscal note that accompanied the bill, because those figures came from the existing systems.

Mrs. ARTY. Would that be \$2.8 million?

Mr. ZWIKL. \$2.9 million.

Mrs. ARTY. \$2.9 million. And that would be in addition to what the fiscal note appears on the bill as it would impact on the counties who have not implemented 911?

Mr. ZWIKL. That would be my understanding, yes.

Mrs. ARTY. Thank you very much.

Mr. Speaker?

The SPEAKER. The Chair recognizes the lady from Delaware, Mrs. Arty.

Mrs. ARTY. I would suggest, Mr. Speaker, that I understand Mr. Zwikl's amendment; I understand what he is trying to say. It is probably the same thing I was trying to say, that one bill very obviously and the tenets of that bill very obviously will not meet the needs in each and every of the 67 counties of the Commonwealth. I thank Mr. Zwikl for bringing this to our attention and for providing us with this information.

The SPEAKER. The Chair recognizes the lady from Lancaster, Mrs. Honaman.

Mrs. HONAMAN. Mr. Speaker, without a computer I still doubt Mr. Zwikl's figures of \$2.8 million now encompassing 39 percent of the state plus what we would do this year. Now, we have 60 percent to go. I would think you would be closer to \$5 million, Mr. Speaker, if we picked up the expenses in the past going back 12 years.

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

Mr. ZWIKL. I would disagree, Mr. Speaker, because I think that the fiscal note, when it was drafted, was based on the systems that we presently have, which is 39 percent. We are not talking about the new systems that are going to be coming in; we are talking about the existing systems, and this fiscal note says \$2.9 million.

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

Mr. RITTER. Mr. Speaker, I think the issue is one of fairness. Mr. Manderino pointed out earlier about the fact that those counties, which have on their own put in this system, are now being penalized. Mr. Zeller pointed out about the fact that we are going to discourage— Mr. Speaker, really what we are going to do if we refuse to grant to those counties and those municipalities which have taken the initiative without any mandates—and everybody in this chamber gets upset when the Federal Government mandates something—and on their own they have put in these systems and they have proved them to be worthwhile, they in effect became the guinea pigs for the rest of the state. And now we are saying because those counties and those municipalities had the courage and the gumption and the wherewithal to tell their own people, we are going to

put the taxes on you to pay for this system and we will prove to the rest of the state that it works, the majority of the states are now going to turn around and say, thank you very much for making us realize how important it is, but now we will provide money to all of the other people who did not have the courage to do it on their own. And we will say to them, we are going to help you do it, but you are going to say to those of us who did, you are not entitled to get anything for being a guinea pig.

Mr. Speaker, you are going to discourage innovation. You are going to discourage experimentation on the part of local communities. They are going to sit back and they are going to say, why should we have the guts enough to do it? Why should we take the initiative to do it where if we sit back and wait, sooner or later somebody in Harrisburg is going to say what a great idea it is, and in order to sweeten the pie and the pot, they are going to say, we will pay you to do it. Now, Mr. Speaker, that is not fair, and if you think that that is fair, then I am saying to you that unless you are willing to recognize those counties and municipalities, which have made that contribution on their own, by now letting them share in this largess we are going to find, then I say to you that we ought not to do it for anybody. And if these municipalities can do it on their own up to now, then the rest of the state ought to be able to do it too on their own.

So it is a question of fairness. I think that 911 system is good. It was very good for us, and we put it in our area without any additional compensation. I think the rest of the state, frankly, ought to do the same thing. But if you insist on providing this kind of money, I do not know where it is going to come from, but if you are going to provide this kind of money to the 60 or 65 percent of this state that did not have the courage to do it in the first place, then you ought to be able to provide a little bit more for those of us who did and who took it on our own some years ago to put this system in. I am saying to you in all honesty and all fairness, if you do not want to do that, then at least vote "no" on the bill, and say to the rest of the state, you do it on your own like the other people did, like that 39 percent did. Mr. Speaker, I ask for an affirmative vote on this fair, fair amendment.

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

The following roll call was recorded:

YEAS—110

Austin	Gatski	Madigan	Rocks
Belardi	Geesey	Maiale	Rodgers
Bennett	George, C.	Manderino	Salvatore
Berson	George, M. H.	Manmiller	Schmitt
Borski	Giammarco	Michlovic	Schweder
Brown	Goebel	Milanovich	Serafini
Burd	Goodman	Mowery	Seventy
Caltagirone	Grabowski	Mrkonc	Shupnik
Cappabianca	Gray	Mullen	Spitz
Clark, B. D.	Greenfield	Murphy	Stairs
Cochran	Harper	Novak	Steighner
Cohen	Hasay	O'Brien, B. F.	Stewart
Cole	Hoeffel	O'Brien, D. M.	Stuban
Coslett	Hutchinson, A.	O'Donnell	Sweet
Cowell	Irvis	Oliver	Taddonio

DeMedio	Itkin	Perzel	Taylor, F.
DeWeese	Kanuck	Petrarca	Telek
DiCarlo	Klingaman	Piccola	Trello
Dawida	Knight	Pievsky	Wargo
Dombrowski	Kukovich	Pistella	Wass
Donatucci, R.	Laughlin	Pratt	White
Dorr	Letterman	Pucciarelli	Williams
Fee	Levin	Rappaport	Wright, D. R.
Fischer	Livengood	Reed	Yahner
Foster, W. W.	McCall	Richardson	Zeller
Fryer	McIntyre	Rieger	Zitterman
Gallagher	McKelvey	Ritter	Zwikel
Gamble	McMonagle		

NAYS—78

Alden	Earley	Lescovitz	Ryan
Anderson	Fisher	Levi	Scheaffer
Armstrong	Foster, Jr., A.	Lewis	Sieminski
Arty	Freind	Lynch, E. R.	Sirianni
Bittle	Gallen	McClatchy	Smith, E. H.
Bowser	Gannon	McVerry	Smith, L. E.
Brandt	Geist	Mackowski	Spencer
Burns	Gladeck	Micozzie	Swift
Cessar	Grieco	Miller	Taylor, E. Z.
Cimini	Gruppo	Moehlmann	Thomas
Civera	Hagarty	Nahill	Vroon
Clark, M. R.	Halverson	Noye	Wenger
Cornell	Hayes, Jr., S.	Peterson	Wilson
Cunningham	Honaman	Phillips	Wilt
DeVerter	Johnson, E. G.	Pitts	Wright, Jr., J.
Davies	Knepper	Polite	Yohn
Dietz	Kolter	Pott	Zord
Dininni	Kowalshyn	Punt	
Duffy	Lashingner	Pyles	Seltzer,
Durham	Lehr	Rasco	Speaker

NOT VOTING—8

Beloff	Dumas	Johnson, J. J.	Shadding
Chess	Hutchinson, W.	Jones	Street

EXCUSED—5

Barber	Rhodes	Wachob	Weidner
Helfrick			

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

AMENDMENTS WITHDRAWN

The SPEAKER. The Chair recognizes the gentleman from Lackawanna, Mr. Serafini. Does the gentleman now wish to offer his amendment?

Mr. SERAFINI. Mr. Speaker, I withdraw my amendments. Thank you.

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 2378, PN 3076**, entitled:

An Act amending the act of July 9, 1976 (P. L. 582, No. 140), entitled "An act authorizing the Department of General Services, with the approval of the Governor and the Secretary of Transportation to sell and convey to Urban Community Alternatives certain lots or pieces of ground together with buildings and improvements thereon situate in the City of

Philadelphia," further providing for the consideration for the sale, removing the restriction and reversion section and making an editorial correction.

On the question,

Will the House agree to the bill on third consideration?

Mr. SALVATORE offered the following amendments:

Amend Sec. 1, page 1, line 12, by inserting after "The" title and the

Amend Sec. 1, page 1, by inserting between lines 18 and 19
AN ACT

Amending the act of July 9, 1976 (P.L.582, No.140), entitled "An act authorizing the Department of General Services, with the approval of the Governor and the Secretary of Transportation to sell and convey [to Urban Community Alternatives] after an independent appraisal, at a public auction to the highest bidder meeting the minimum bid requirement as determined by the Secretary of General Services, certain lots or pieces of ground together with buildings and improvements thereon situate in the City of Philadelphia."

Amend Sec. 1 (Sec. 1), page 2, line 1, by inserting a bracket before "to" where it appears the second time

Amend Sec. 1 (Sec. 1), page 2, line 2, by striking out the bracket before "\$1"

Amend Sec. 1 (Sec. 1), page 2, line 2, by striking out "\$60,000" and inserting after an independent appraisal, at a public auction to the highest bidder meeting the minimum bid requirement as determined by the Secretary of General Services,

On the question,

Will the House agree to the amendments?

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

Mr. SALVATORE. Mr. Speaker, I would like to make a statement before I offer my amendment.

Mr. Speaker, I rise to question the contents of HB 2378 inasfar as the protection of the people of Pennsylvania are concerned and inasfar as it sets a precedent in this House which could return to plague us for future times. In section 1 of the bill, it is unfortunate that the bill does not contain a specific description of the state-owned property involved so they could be readily identified. This bill has created confusion.

Few members who served here in 1976, when Act 140 was passed, can remember the description of the parcel involved. Certainly the 88 members who have come here in the past two sessions have no notion of the identity of this property.

I would also like to inform members that an appraisal of this property by PennDOT established a present value at approximately \$149,000. Thus it is clear that the land that is being transferred by this measure for an amount of \$60,000 is almost \$90,000 below its market value. I also want the House to know that this property is located in a neighborhood with rapidly escalating property values.

Mr. Speaker, I offer the amendment marked 6902 at this time. The amendment, Mr. Speaker, asks that language be inserted that amends the act that "after an independent appraisal, at a public auction to the highest bidder meeting the minimum bid requirements as determined by the Secretary of General Services," et cetera.

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

Mr. RAPPAPORT. Would the gentleman from Philadelphia consent to interrogation?

Mr. SALVATORE. Yes, I will, Mr. Speaker.

Mr. RAPPAPORT. Could the gentleman inform us whether he has other amendments to this bill besides this one?

Mr. SALVATORE. Yes, I do, Mr. Speaker.

Mr. RAPPAPORT. Does the gentleman intend to offer the amendment which would have the effect of selling this ground to a named individual for the sum of \$75,000?

Mr. SALVATORE. No, Mr. Speaker.

Mr. RAPPAPORT. Would the gentleman know if the gentleman, Mr. O'Brien, intends to offer that amendment?

Mr. SALVATORE. I cannot speak for Mr. O'Brien, Mr. Speaker, but I do not think so.

Mr. RAPPAPORT. Mr. Speaker, I thank the gentleman and would ask to be recognized.

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

Mr. RAPPAPORT. Mr. Speaker, I have distributed some information on this bill to the members of the House. If the House will remember, this property was a subject of legislation in the last session which would have given it to this group for the sum of \$1 with the reverter clause. The Secretary of Highways in the last administration, for some strange reason, refused to sign that deed, and, therefore, this legislation became necessary. The group involved a legitimate nonprofit organization and negotiated a price with the Secretary of General Services, Mr. Baran, of \$60,000. This price was agreed upon long before I knew of the existence of these negotiations. In fact, I had no part in them, and to this day, I have never met Mr. Baran. I distributed to the House copies of letters from Mr. Baran, and from the gentleman, Mr. Salvatore, endorsing this transaction.

Over the years we have set up procedures in this House for the sale of Commonwealth land. We have a House rule, House rule 32, which requires the State Government Committee to obtain an opinion from the Department of General Services. This rule has been strictly followed by both sides as control has shifted over the years and is a rule to protect the House and to protect us from ourselves.

In this particular case, the Department of General Services feels that considering this particular grantee, a nonprofit group, is worthy of receiving this property for \$60,000. They have, contingent upon the passage of this bill, over quarter of a million dollars of foundation grants which were made available to them to renovate this property. I know this property. It is worth \$140,000. Presently it is in a totally decrepit condition and has to be "rehabed," and this group is raising the money to do so.

If we are going to start requiring that every piece of ground that is sold by this Commonwealth be sold at public auction, I would suggest we are opening up a can of worms that we really do not want to get into. These types of bills have routinely passed this General Assembly for years.

The safeguard for the Commonwealth is the Department of General Services and House rule 32, which has been followed. If we are going to start debating every one of these routine bills, so be it, and then I will have a lot to say about a lot of these bills. Mr. Speaker, I ask that this amendment be rejected and the members vote "no."

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

Mr. SALVATORE. Mr. Speaker, will Mr. Rappaport stand for interrogation?

Mr. RAPPAPORT. Yes, Mr. Speaker.

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

Mr. SALVATORE. Does HB 2378 describe the properties that are going to be sold, Mr. Speaker?

Mr. RAPPAPORT. May it please the speaker, the bill itself is an amending bill, amending the earlier bill, which in fact did describe the property by the metes and bounds.

Mr. SALVATORE. Mr. Speaker, do you know who the principals of this nonprofit organization are?

Mr. RAPPAPORT. I am sorry, Mr. Speaker, I did not hear the gentleman.

Mr. SALVATORE. Do you know who the principals of this nonprofit organization are?

Mr. RAPPAPORT. I know the names of the other organizations involved, and I know one or two people who are very active. I do not know who the board members are. I know the organizations, and I know the work they do in the community, and I have frequently attended concerts and other artistic events that were given by these organizations, since I live four blocks away from this.

Mr. SALVATORE. Mr. Speaker, is it the intent of this group that once they acquire this property from the Commonwealth, to renovate this property and sell at a later date and take this money to buy other properties?

Mr. RAPPAPORT. Mr. Speaker, I would assume that all of that was gone into by Mr. Baran. I was not part of those discussions and I have no idea what was said between Mr. Baran, the Secretary of General Services in the present administration, and this group. The negotiations were handled directly.

Mr. SALVATORE. Mr. Speaker, did you ever meet with a Mr. Munsul, who is now the chairman of the UCA - Urban Community Alternatives - group?

Mr. RAPPAPORT. I have talked to Mr. Munsul on the telephone on several occasions. I do not think I have ever met him personally.

Mr. SALVATORE. And did Mr. Munsul, when you talked to him, tell you that at the time he talked to me there were already changes made of their executive committee? That at some later date this could possibly change again and other people could be principals of this nonprofit organization?

Mr. RAPPAPORT. Mr. Speaker, I do not know what the gentleman means by principals. I know what principals are of profitable corporations. It was my understanding that nonprofit charitable corporations operate through a

board of directors, and that there are not principals; that all the profits must go for the charitable use, not for any individuals. And therefore I do not understand what the gentleman means by a principal.

Mr. SALVATORE. Well, I will say—

Mr. RAPPAPORT. I will answer the gentleman further, with his kind permission, that I do not know who the members of the board are. I would assume the Secretary of General Services did, and that I know that these are groups that have been in existence for a number of years, like the Museum College of Art, which receives a nonpreferred appropriation from this General Assembly, and that they are respectable organizations. I do not know who all the trustees in the University of Pennsylvania are either, yet I voted for their appropriation last week. Thank you, Mr. Speaker.

Mr. SALVATORE. Mr. Speaker, I have no further questions. I would just like to make a comment.

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

Mr. SALVATORE. Mr. Speaker, under Act No. 140 that this General Assembly passed, there is a description of the properties. There also is a section 2 of that act which says that the use of the tract shall be restricted to nonprofit community purposes. If the lots are not used for community purposes, they, with the buildings and the programs thereon, shall revert to the Commonwealth of Pennsylvania.

Now I will be offering another amendment that will take care of that, Mr. Speaker, but in this bill, HB 2378, we are going to allow this group to take this piece of ground for \$60,000 when this property has been assessed by the Pennsylvania Department of Transportation for \$149,000. Now, if we do this all over the Commonwealth, with all of the properties that the state owns, we are doing a heck of a business. We are losing \$90,000 every time we sell property.

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

Mr. RAPPAPORT. Mr. Speaker, with the kind permission of the majority leader, I will undertake his job for a moment. I personally resent the attack on the integrity of the Secretary of General Services, a member of the Governor's cabinet. He is the gentleman who negotiated this price of \$60,000; I did not. It was the Secretary of General Services who evaluated these groups and came to the conclusion that if the reverter clause was removed, \$60,000 was a fair and equitable price. Now, if Mr. Salvatore wants to attack that cabinet officer, that of course is his privilege on the floor of this House, but I do not believe that he acted in bad faith. I think he is dedicated to protecting the property of this Commonwealth, and I would therefore ask that this amendment be turned down. Thank you, Mr. Speaker.

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

Mr. SALVATORE. I just want to make a statement that there is no attack on the Secretary of General Services. The

Secretary of General Services at this time wants the property sold to the highest bidder.

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

Mr. WILLIAMS. Mr. Speaker, would the gentleman, Mr. Rappaport, consent to interrogation?

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

Mr. RAPPAPORT. Mr. Speaker, I stand ready for the questions from the gentleman from Philadelphia, Mr. Williams.

Mr. WILLIAMS. Mr. Speaker, what are the purposes of the charitable group in this legislation?

Mr. RAPPAPORT. Mr. Speaker, community alternatives is an umbrella group for a number of nonprofit organizations interested in the arts in the Queen Village area. It was originally set up with seed money provided by the Museum College of Art, now known as the Philadelphia College of Art, and consists of the Painted Bride Art Center, which was salvaged in 1969; the South Philadelphia Renaissance Association, established in 1970; the Philadelphia Dance Alliance, established in 1971; and the Wilma Theatre Project, established in 1973.

Mr. WILLIAMS. Mr. Speaker, do you know what they do or what their plans are as far as activities in the nonprofit or artistic area? What the plans are or what they have done?

Mr. RAPPAPORT. Mr. Speaker, yes, I can inform the gentleman. These groups, both together and individually, have sponsored and put on various artistic performances in the community, in fact all over the city, as the result of grants received from the College of Art and from the Pennsylvania Council on the Arts.

Mr. WILLIAMS. Mr. Speaker, do you know whether or not this group or groupings have any minority or ethnic involvement in the activities of these artistic groupings?

Mr. RAPPAPORT. Yes, Mr. Speaker, I have been in performances and know that most of the companies here are thoroughly integrated.

Mr. WILLIAMS. That is the Painted Bride and the Philadelphia Dance Alliance, did you say?

Mr. RAPPAPORT. Would the gentleman please repeat his question?

Mr. WILLIAMS. The activities of the Painted Bride and the Philadelphia Dance Alliance— Did you say Dance Alliance or Philadelphia Dance Company?

Mr. RAPPAPORT. Philadelphia Dance Alliance.

Mr. WILLIAMS. Mr. Speaker, very directly, are any minorities on the boards of these groups or just in some of the events that are sponsored?

Mr. RAPPAPORT. Mr. Speaker, I do not know or have knowledge of who sits on the boards of these organizations. I have never been to a meeting of the board of any of these organizations. I know some of the people involved and I know the work that they have done. And therefore I have to confess to the gentleman I have no idea whether they are all black, all white, all Spanish, or mixed. I really do not know.

Mr. WILLIAMS. Thank you, Mr. Speaker.

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

Mr. ZELLER. Mr. Speaker, in support of what Mr. Rappaport is saying, some years back we talked about the sale of armories, if you remember, and we saw all of these armories going for \$1 throughout the state. We asked for the Secretary of General Services to look into this and to place them up for bid or for whatever the best price they could get for these armories. Now, I commend the Secretary and Mr. Rappaport for the fact and the move is that they are getting something for it. It is a start in the right direction. And I am not going to get involved in a political squabble that may be going on in Philadelphia right now, but I am saying that at least the Secretary is going in the right direction. At least it is a price they are putting up for a nonprofit organization, which I think is a great move, a move we have been asking for for a long time. And I do not think we should dirty the waters with any kind of political move here. Now, to answer Mr. Williams, as I understand in every department they have the affirmative action program, which we find in the Department of Community Affairs when grants go out and so forth, they do not go out to organizations unless the affirmative action part is approved of. And they watch this very closely. So therefore I believe all the corners have been covered, and I feel it is a good move and I really feel the amendment should be voted against.

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

Mr. RAPPAPORT. Would Mr. Salvatore consent to an interrogation again?

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

Mr. RAPPAPORT. Mr. Speaker, I did not quite understand the gentleman in explaining his amendment. Did the gentleman say that the Secretary of General Services requested this language that it be sold to the highest bidder?

Mr. SALVATORE. Mr. Speaker, I said that in contacting the Secretary's office, he indicated that they would be very happy to sell this property to the highest bidder.

Mr. RAPPAPORT. Mr. Speaker, may I submit that that does not answer the question. If we are going to start putting this in, then I would not be but a bit surprised that an amendment of this nature - to the highest bidder - will go into every bill that comes in front of this House to sell Commonwealth property, and I would suggest that that is going to be a total waste of everybody's time, effort, and money. Mr. Speaker, I ask for a "no" vote on this amendment.

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

The following roll call was recorded:

YEAS—101

Alden	Foster, W. W.	McClatchy	Ryan
Anderson	Foster, Jr., A.	McIntyre	Salvatore
Armstrong	Freind	McKelvey	Scheaffer
Arty	Gannon	McVerry	Serafini
Belardi	Geesey	Mackowski	Sieminski
Bittle	Geist	Madigan	Sirianni
Bowser	Giammarco	Manmiller	Smith, E. H.
Brandt	Goebel	Micozzie	Smith, L. E.
Burd	Grabowski	Miller	Spitz
Burns	Gray	Moehlmann	Stairs
Cessar	Grieco	Mowery	Swift
Cimini	Gruppo	Nahill	Taylor, E. Z.
Civera	Halverson	Noye	Telek
Clark, M. R.	Hasay	O'Brien, D. M.	Thomas
Cornell	Hayes, Jr., S.	Perzel	Vroon
Coslett	Honaman	Peterson	Wass
Cunningham	Hutchinson, W.	Phillips	Wilson
DeMedio	Johnson, E. G.	Piccola	Wilt
DeVerter	Klingaman	Pitts	Wright, Jr., J.
DiCarlo	Knepper	Polite	Yohn
Davies	Kowalshyn	Pott	Zitterman
Dininni	Lashinger	Punt	Zord
Dorr	Laughlin	Pyles	
Durham	Lehr	Rasco	Seltzer,
Fischer	Levi	Rieger	Speaker
Fisher	Lynch, E. R.	Rocks	

NAYS—84

Austin	Gamble	Livengood	Ritter
Bennett	Gatski	McCall	Rodgers
Berson	George, C.	McMonagle	Schmitt
Borski	George, M. H.	Maiale	Schweder
Brown	Gladeck	Manderino	Seventy
Caltagirone	Goodman	Michlovic	Shupnik
Cappabianca	Greenfield	Milanovich	Spencer
Clark, B. D.	Hagarty	Mrkonic	Steighner
Cochran	Harper	Mullen	Stewart
Cohen	Hoeffel	Murphy	Stuban
Cole	Hutchinson, A.	Novak	Sweet
Cowell	Iris	O'Brien, B. F.	Taylor, F.
DeWeese	Itkin	O'Donnell	Trello
Dawida	Kanuck	Oliver	Wargo
Dietz	Knight	Petrarca	Wenger
Dombrowski	Kolter	Pievsky	White
Duffy	Kukovich	Pistella	Williams
Earley	Lescovitz	Pratt	Wright, D. R.
Fee	Letterman	Rappaport	Yahner
Fryer	Levin	Reed	Zeller
Gallagher	Lewis	Richardson	Zwick

NOT VOTING—11

Beloff	Dumas	Jones	Street
Chess	Gallen	Pucciarelli	Taddonio
Donatucci, R.	Johnson, J. J.	Shadding	

EXCUSED—5

Barber	Rhodes	Wachob	Weidner
Helfrick			

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. SALVATORE offered the following amendments:

Amend Bill, page 2, line 7, by striking out said line

Amend Sec. 3, page 2, line 8, by striking out "3." and inserting 2.

On the question,

Will the House agree to the amendments?

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

Mr. SALVATORE. Mr. Speaker, this amendment is a very simple amendment. What it does is it changes the language in HB 2378 that the repealer clause stays in. In other words, what the gentleman, Mr. Rappaport, is trying to do in HB 2378, Mr. Speaker, is repeal the section that reads that the use of the tract shall be restricted to nonprofit community purposes. If the lots are not used for community purposes, they, with the buildings and improvements thereon, shall revert to the Commonwealth of Pennsylvania.

Mr. Speaker, it is my understanding that recently our State Government Committee in another piece of legislation, SB 137, inserted principally the same language as I am inserting in HB 2378.

The SPEAKER. The Chair recognizes Mr. Rappaport.

Mr. RAPPAPORT. Mr. Speaker, I have no debate on this particular amendment. Let it be rolled.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—175

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

Foster, Jr., A.

NAYS—8

Greenfield	Letterman	Rappaport	Wargo
Hoeffel	Livengood	Richardson	Yahner

NOT VOTING—13

Arty	Cohen	Johnson, J. J.	Shadding
Austin	Dumas	Jones	Street
Beloff	Hutchinson, A.	Pucciarelli	Sweet
Chess			

EXCUSED—5

Barber	Rhodes	Wachob	Weidner
Helfrick			

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?

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—180

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

Fisher	Lewis	Ritter	Speaker
Foster, W. W.	Lynch, E. R.		
NAYS—6			
Hutchinson, A.	Letterman	Novak	Sweet
Knight	Livengood		
NOT VOTING—10			
Austin	Dumas	Pucciarelli	Street
Beloff	Johnson, J. J.	Shadding	Williams
Chess	Jones		
EXCUSED—5			
Barber	Rhodes	Wachob	Weidner
Helfrick			

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 1842, PN 2268**, entitled:

An Act amending the act of May 31, 1911 (P. L. 468, No. 193), referred to as the State Highway Department Law, deleting a portion of Route 167 in Pike County and conveying and ceding jurisdiction to such route to the United States Government.

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—186

Alden	Freind	Livengood	Rocks
Anderson	Fryer	Lynch, E. R.	Rodgers
Armstrong	Gallagher	McCall	Ryan
Arty	Gallen	McClatchy	Salvatore
Belardi	Gamble	McIntyre	Scheaffer
Bennett	Gannon	McKelvey	Schmitt
Berson	Gatski	McMonagle	Schweder
Bittle	Geesey	McVerry	Serafini
Borski	Geist	Mackowski	Seventy
Bowser	George, C.	Madigan	Shupnik
Brandt	George, M. H.	Maiale	Sieminski
Brown	Giammarco	Manderino	Sirianni
Burd	Gladeck	Manmiller	Smith, E. H.
Burns	Goebel	Michlovic	Smith, L. E.
Caltagirone	Goodman	Micozzie	Spencer
Cappabianca	Grabowski	Milanovich	Spitz
Cessar	Gray	Miller	Stairs
Cimini	Greenfield	Moehlmann	Steighner
Civera	Grieco	Mowery	Stewart
Clark, B. D.	Gruppo	Mrkonic	Stuban
Clark, M. R.	Hagarty	Mullen	Sweet
Cochran	Halverson	Murphy	Swift
Cohen	Harper	Nahill	Taddonio
Cole	Hasay	Novak	Taylor, E. Z.
Cornell	Hayes, Jr., S.	Noye	Taylor, F.
Coslett	Hoefel	O'Brien, B. F.	Telek
Cowell	Honaman	O'Brien, D. M.	Thomas
Cunningham	Hutchinson, A.	O'Donnell	Trello
DeMedio	Hutchinson, W.	Oliver	Vroon
DeVerter	Irvis	Perzel	Wargo

DeWeese	Itkin	Peterson	Wass
DiCarlo	Johnson, E. G.	Petrarca	Wenger
Davies	Kanuck	Phillips	White
Dawida	Klingaman	Piccola	Williams
Dietz	Knepper	Pievsky	Wilson
Dininni	Knight	Pistella	Wilt
Dombrowski	Kolter	Pitts	Wright, D. R.
Donatucci, R.	Kowalyszyn	Polite	Wright, Jr., J.
Dorr	Kukovich	Pott	Yahner
Duffy	Lashinger	Pratt	Yohn
Durham	Laughlin	Punt	Zeller
Earley	Lehr	Pyles	Zitterman
Fee	Lescovitz	Rappaport	Zord
Fischer	Letterman	Rasco	Zwinkl
Fisher	Levi	Reed	
Foster, W. W.	Levin	Rieger	Seltzer,
Foster, Jr., A.	Lewis	Ritter	Speaker

NAYS—0

NOT VOTING—10

Austin	Dumas	Pucciarelli	Shadding
Beloff	Johnson, J. J.	Richardson	Street
Chess	Jones		

EXCUSED—5

Barber	Rhodes	Wachob	Weidner
Helfrick			

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

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

HB 2525 PASSED OVER

The SPEAKER. Without objection, HB 2525 will be passed over. The Chair hears none.

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

Mr. COHEN. Mr. Speaker, for what reason is HB 2525 being passed over?

The SPEAKER. The prime sponsor of the bill, Mr. Scheaffer, has asked that the bill be passed over; I do not know why.

Will the gentleman, Mr. Scheaffer, stand for inter-rogation? The gentleman indicates that he will. Mr. Cohen may proceed.

Mr. COHEN. Mr. Speaker, could the gentleman explain to us why HB 2525 is being passed over?

Mr. SCHEAFFER. Because we have to caucus on it again.

Mr. COHEN. Mr. Speaker, that is all for the inter-rogation.

Mr. Speaker, I have two amendments to this bill dealing with nuclear safety. It will be my very, very strong hope that this bill would not be recommitted like the prior bill was.

The SPEAKER. The Chair would hope that the gentleman would submit his amendments so they could be printed and distributed.

Mr. COHEN. The amendments have been distributed.

The SPEAKER. The Chair has no markings on his calendar that the gentleman has amendments to this bill.

Mr. COHEN. Mr. Speaker, the amendments have been given to Mr. Noye. They have been distributed to each member of the House.

* * *

The House proceeded to third consideration of **SB 226, PN 857**, entitled:

An Act amending the act of August 31, 1955 (P. L. 531, No. 131), entitled "Pennsylvania Athletic Code," further providing for the age of participants in certain amateur athletic contests.

On the question,

Will the House agree to the bill on third consideration?

Mr. PISTELLA offered the following amendment:

Amend Sec. 1 (Sec. 203), page 2, line 4, by inserting after "age" who has written permission from a parent or legal guardian

On the question,

Will the House agree to the amendment?

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

Mr. PISTELLA. Mr. Speaker, this amendment 7241 inserts a provision that indicates those persons who wish to participate in Pennsylvania State Athletic Commission-sanctioned wrestling and boxing matches between the ages of 12 and 16 must have written permission from either their parent or legal guardian. I feel that this amendment is really self-explanatory and I would encourage the support of all the members. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—183

Alden	Fryer	Livengood	Rieger
Anderson	Gallagher	Lynch, E. R.	Ritter
Armstrong	Gallen	McCall	Rocks
Arty	Gamble	McClatchy	Rodgers
Belardi	Gannon	McIntyre	Ryan
Berson	Gatski	McKelvey	Salvatore
Bittle	Geesey	McMonagle	Scheaffer
Borski	Geist	McVerry	Schmitt
Bowser	George, C.	Mackowski	Serafini
Brandt	George, M. H.	Madigan	Seventy
Brown	Giammarco	Maiale	Shupnik
Burd	Gladeck	Manderino	Sieminski
Burns	Goebel	Manmiller	Sirianni
Caltagirone	Goodman	Michlovic	Smith, L. E.
Cappabianca	Grabowski	Micozzie	Spencer
Cessar	Gray	Milanovich	Spitz
Cimini	Greenfield	Miller	Stairs
Civera	Grieco	Moehlmann	Steighner
Clark, B. D.	Gruppo	Mowery	Stewart
Clark, M. R.	Hagarty	Mrkonic	Sweet
Cochran	Halverson	Mullen	Swift
Cohen	Harper	Murphy	Taddonio
Cole	Hasay	Nahill	Taylor, E. Z.
Cornell	Hayes, Jr., S.	Novak	Taylor, F.
Coslett	Hoefel	Noye	Telek
Cowell	Honaman	O'Brien, B. F.	Thomas
Cunningham	Hutchinson, A.	O'Brien, D. M.	Trello
DeMedio	Hutchinson, W.	O'Donnell	Vroon
DeVerter	Irvis	Oliver	Wargo
DeWeese	Itkin	Perzel	Wass
DiCarlo	Johnson, E. G.	Peterson	Wenger
Davies	Kanuck	Petrarca	White
Dawida	Klingaman	Phillips	Williams

Dietz	Knepper	Piccola	Wilson
Dininni	Knight	Pievsky	Wilt
Dombrowski	Kolter	Pistella	Wright, D. R.
Donatucci, R.	Kowalyszyn	Pitts	Wright, Jr., J.
Dorr	Kukovich	Polite	Yahner
Duffy	Lashinger	Pott	Yohn
Durham	Laughlin	Pratt	Zeller
Earley	Lehr	Punt	Zitterman
Fee	Lescovitz	Pyles	Zord
Fischer	Letterman	Rappaport	Zwikl
Fisher	Levi	Rasco	
Foster, W. W.	Levin	Reed	Seltzer,
Foster, Jr., A.	Lewis	Richardson	Speaker
Freind			

NAYS—1

Smith, E. H.

NOT VOTING—12

Austin	Chess	Jones	Shadding
Beloff	Dumas	Pucciarelli	Street
Bennett	Johnson, J. J.	Schweder	Stuban

EXCUSED—5

Barber	Rhodes	Wachob	Weidner
Helfrick			

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—180

Alden	Freind	Livengood	Rieger
Armstrong	Fryer	Lynch, E. R.	Ritter
Arty	Gallagher	McCall	Rocks
Belardi	Gallen	McClatchy	Rodgers
Bennett	Gamble	McIntyre	Ryan
Berson	Gannon	McKelvey	Salvatore
Bittle	Gatski	McMonagle	Scheaffer
Borski	Geesey	McVerry	Schmitt
Bowser	Geist	Mackowski	Serafini
Brandt	George, C.	Madigan	Seventy
Brown	George, M. H.	Maiale	Shupnik
Burd	Giammarco	Manderino	Sieminski
Burns	Gladeck	Manmiller	Smith, E. H.
Caltagirone	Goebel	Michlovic	Smith, L. E.
Cappabianca	Goodman	Micozzie	Spencer
Cessar	Grabowski	Milanovich	Stairs
Cimini	Gray	Miller	Steighner
Civera	Greenfield	Moehlmann	Stewart
Clark, B. D.	Grieco	Mowery	Stuban
Clark, M. R.	Gruppo	Mrkonic	Sweet
Cochran	Hagarty	Mullen	Swift
Cohen	Halverson	Murphy	Taddonio
Cole	Harper	Nahill	Taylor, E. Z.
Cornell	Hasay	Novak	Taylor, F.
Coslett	Hayes, Jr., S.	Noye	Thomas
Cowell	Hoefel	O'Brien, B. F.	Trello
Cunningham	Honaman	O'Brien, D. M.	Vroon
DeMedio	Hutchinson, A.	Oliver	Wargo
DeVerter	Hutchinson, W.	Perzel	Wass
DeWeese	Irvis	Peterson	Wenger
DiCarlo	Itkin	Petrarca	White
Davies	Johnson, E. G.	Phillips	Williams
Dawida	Kanuck	Pievsky	Wilson

Dietz	Klingaman	Pistella	Wilt
Dininni	Knepper	Pitts	Wright, D. R.
Dombrowski	Knight	Polite	Wright, Jr., J.
Donatucci, R.	Kolter	Pott	Yahner
Dorr	Kowalyszyn	Pratt	Yohn
Duffy	Kukovich	Pucciarelli	Zeller
Durham	Lashingner	Punt	Zitterman
Earley	Laughlin	Pyles	Zord
Fee	Lehr	Rappaport	Zwinkl
Fischer	Lescovitz	Rasco	
Fisher	Letterman	Reed	Seltzer,
Foster, W. W.	Levin	Richardson	Speaker
Foster, Jr., A.	Lewis		

NAYS—5

Levi	Piccola	Sirianni	Spitz
O'Donnell			

NOT VOTING—11

Anderson	Chess	Jones	Street
Austin	Dumas	Schweder	Telek
Beloff	Johnson, J. J.	Shadding	

EXCUSED—5

Barber	Rhodes	Wachob	Weidner
Helfrick			

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

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

* * *

The House proceeded to third consideration of **SB 640, PN 1746**, entitled:

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), entitled "Liquor Code," authorizing the board to transfer certain licenses to performing arts facilities on city-owned premises.

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

Amend Sec. 1 (Sec. 408.6), page 6, line 11 by striking out "**BOARD**" and inserting bond
Amend Sec. 1 (Sec. 408.6), page 7, line 19 by striking out "**PORTIONS**" and inserting patrons

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

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

Mr. LEHR. These are two technical changes - on page 6, line 11, by striking out the word "**BOARD**" and inserting bond, and on page 7, line 19, by striking out "**PORTIONS**" and inserting patrons - just two technical changes. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—187

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

NAYS—0

NOT VOTING—9

Austin	Dumas	Jones	Shadding
Beloff	Johnson, J. J.	Schweder	Street
Chess			

EXCUSED—5

Barber	Rhodes	Wachob	Weidner
Helfrick			

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

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Freind, who offers the following amendment which will be read by the clerk. Does the gentleman have amendments?

Mr. FREIND. Yes, I do, Mr. Speaker. The problem is, because of information we recently received, the amendment is being changed slightly. It is on its way down. I would ask, if it is not too much of an inconvenience, could we pass over it temporarily until the new amendment is down?

On the question,

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

Mr. DORR offered the following amendments:

Amend Title, page 1, line 33 by inserting after "LAWS," "authorizing additional sales by certain licensees at certain locations and

Amend Sec. 1, page 4, line 30 by striking out "A SECTION" and inserting sections

Amend Bill, page 4, by inserting after line 30 Section 406.1. Authority for Certain Additional Sales.—Every person who is the holder of a hotel liquor license or a club or retail liquor license and who also owns and operates a golf course and every municipality which is the holder of a municipal golf course restaurant liquor license shall have the authority under any license heretofore or hereinafter issued, if the licensed premises are on the same property as the golf course, to make additional sales of liquor and malt or brewed beverages at one or more sites, as determined by the licensee, within the boundaries of such golf course.

On the question,

Will the House agree to the amendments?

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

Mr. DORR. Mr. Speaker, the amendment authorizes holders of liquor licenses who operate golf courses to offer the alcoholic beverages, that are sold on the premises that are licensed, at another location on the property of the licensee but outside the regular licensed premises. It is for the purpose of allowing the offering of alcoholic beverages at a place which might not otherwise have the opportunity to do so on the site of the golf course.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—65

Alden	Foster, Jr., A.	Novak	Stairs
Anderson	Freind	Noye	Sweet
Arty	Geesey	O'Brien, D. M.	Taddonio
Belardi	Goodman	Perzel	Trello
Bittle	Halverson	Polite	Vroon
Burd	Itkin	Pott	Wilson
Burns	Kanuck	Pucciarelli	Wilt
Cessar	Knepper	Punt	Wright, Jr., J.
Civera	Lehr	Pyles	Yahner
Cole	Lynch, E. R.	Ritter	Yohn
DeMedio	McClatchy	Rocks	Zeller
Davies	McVerry	Ryan	Zord
Dietz	Madigan	Salvatore	Zwinkl
Dorr	Micozzie	Serafini	
Earley	Miller	Seventy	Seltzer,
Fischer	Murphy	Sirianni	Speaker
Fisher	Nahill	Spencer	

NAYS—121

Armstrong	Gamble	Laughlin	Pratt
Bennett	Gannon	Lescovitz	Rappaport
Berson	Gatski	Letterman	Rasco
Borski	Geist	Levi	Reed
Bowser	George, C.	Levin	Richardson
Brandt	George, M. H.	Lewis	Rieger
Caltagirone	Giammarco	Livengood	Rodgers
Cappabianca	Gladeck	McCall	Scheaffer
Cimini	Goebel	McIntyre	Schmitt
Clark, B. D.	Grabowski	McKelvey	Schweder
Clark, M. R.	Gray	McMonagle	Shupnik

Cochran	Greenfield	Mackowski	Sieminski
Cohen	Grieco	Maiale	Smith, E. H.
Cornell	Gruppo	Manderino	Smith, L. E.
Coslett	Hagarty	Manmiller	Spitz
Cowell	Harper	Michlovic	Steighner
Cunningham	Hasay	Milanovich	Stewart
DeVerter	Hayes, Jr., S.	Moehlmann	Stuban
DeWeese	Hoeffel	Mowery	Swift
DiCarlo	Honaman	Mrkonic	Taylor, E. Z.
Dawida	Hutchinson, A.	Mullen	Taylor, F.
Dininni	Hutchinson, W.	O'Brien, B. F.	Telek
Dombrowski	Irvic	Oliver	Thomas
Donatucci, R.	Johnson, E. G.	Peterson	Wargo
Duffy	Klingaman	Petrarca	Wass
Durham	Knight	Phillips	Wenger
Fee	Kolter	Piccola	White
Foster, W. W.	Kowalshyn	Pievsky	Williams
Fryer	Kukovich	Pistella	Wright, D. R.
Gallagher	Lashingar	Pitts	Zitterman
Gallen			

NOT VOTING—10

Austin	Chess	Jones	Shadding
Beloff	Dumas	O'Donnell	Street
Brown	Johnson, J. J.		

EXCUSED—5

Barber	Rhodes	Wachob	Weidner
Helfrick			

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?

Mr. FREIND offered the following amendments:

Amend Title, page 2, line 1, by removing the period after "PREMISES" and inserting and requiring the affixing of official seals to liquor and alcohol packages and providing penalties.

Amend Bill, page 4, by inserting between lines 28 and 29

Section 1. Section 102, act of April 12, 1951 (P.L.90, No.21), known as the "Liquor Code," is amended by adding a definition to read:

Section 102. Definitions.—The following words or phrases, unless the context clearly indicates otherwise, shall have the meanings ascribed to them in this section:

"Official Seal" shall mean and include any insignia approved by the board that is required to be affixed to a package, as herein defined.

Section 2. Subsection (f) of section 208 and subsection (d) of section 305 of the act, amended October 11, 1972 (P.L.906, No.215), are amended to read:

Section 208. Specific Subjects on Which Board May Adopt Regulations.—Subject to the provisions of this act and without limiting the general power conferred by the preceding section, the board may make regulations regarding:

(f) The sealing and labeling of liquor and alcohol sold under this act and of liquor and alcohol lawfully acquired by any person prior to January first, one thousand nine hundred thirty-four. This section shall not be construed to authorize the board to require that packages containing wine have affixed thereto the official seal of the board nor shall it be construed to authorize the board to allow the affixing of the official seal of the board on liquor and alcohol packages after such liquor or alcohol has entered the Commonwealth, except in the case of Pennsylvania manufacturers.

* * *

Section 305. Sales by Pennsylvania Liquor Stores.—* * *

(d) No liquor or alcohol, except wine, shall be sold to any purchaser except in a package bearing the official seal of the board required by this act and no package shall be opened on the premises of a Pennsylvania Liquor Store. No manager or other employe of the board employed in a Pennsylvania Liquor Store shall allow any liquor or alcohol to be consumed on the store premises, nor shall any person consume any liquor or alcohol on such premises.

* * *

Amend Sec. 1, page 4, line 29, by striking out "1." and inserting 3.

Amend Sec. 1, page 4, lines 29 and 30, by striking out "OF APRIL 12, 1951 (P. L. 90, NO. 21), KNOWN AS THE "LIQUOR CODE,""

Amend Bill, page 7, line 23, by striking out all of said line and inserting

Section 4. Clauses (2) and (4) of section 491 of the act, clause (2) amended October 2, 1974 (P.L.665, No.220) and October 10, 1974 (P.L.692, No.231) and clause (4) amended October 11, 1972 (P.L.906, No.215) are amended, and the section is amended by adding a clause to read:

Section 491. Unlawful Acts Relative to Liquor, Alcohol and Liquor Licensees.—

It shall be unlawful—

* * *

(2) Possession or Transportation of Liquor or Alcohol. For any person, except a manufacturer or the board or the holder of a sacramental wine license or of an importer's license, to possess or transport any liquor or alcohol within this Commonwealth which was not lawfully acquired prior to January first, one thousand nine hundred and thirty-four, or has not been purchased from a Pennsylvania Liquor Store or a licensed limited winery in Pennsylvania, except miniatures totalling less than one gallon purchased by a collector of the same in another state or foreign country, or in accordance with the board's regulations. The burden shall be upon the person possessing or transporting such liquor or alcohol to prove that it was so acquired. But nothing herein contained shall prohibit the manufacture or possession of wine by any person in his home for consumption of himself, his family and guests and not for sale, not exceeding, during any one calendar year, two hundred gallons, any other law to the contrary notwithstanding. Such wine shall not be manufactured, possessed, offered for sale or sold on any licensed premises.

None of the provisions herein contained shall prohibit nor shall it be unlawful for any person to import into Pennsylvania, transport or have in his possession, an amount of liquor not exceeding one gallon in volume upon which a State tax has not been paid, and the package in which the liquor is contained does not bear the official seal of the board, if it can be shown to the satisfaction of the board that such person purchased the liquor in a foreign country or United States territory and was allowed to bring it into the United States. Neither shall the provisions contained herein prohibit nor make it unlawful for (i) any member of the armed forces on active duty, or (ii) any retired member of the armed forces, or (iii) any totally disabled veteran, or (iv) the spouse of any person included in the foregoing classes of persons to import into Pennsylvania, transport or have in his possession an amount of liquor not exceeding one gallon per month in volume upon which the State tax has not been paid, so long as such liquor has been lawfully purchased from a package store established and maintained under the authority of the United States and is in containers identified in accordance with regulations issued by the Department of Defense. Such liquor shall not be possessed, offered for sale or sold on any licensed premises.

None of the provisions herein contained shall prohibit nor shall it be unlawful for any consul general, consul or other diplomatic officer of a foreign government to import into Pennsylvania, transport or have in his possession liquor upon which a State tax has not been paid, if it can be shown to the satisfaction of the board that such person acquired the liquor in a foreign country and was allowed to bring it into the United States. Such liquor shall not be possessed, offered for sale or sold on any licensed premises.

Any person violating the provisions of this clause for a first offense involving the possession or transportation in Pennsylvania of any liquor in a package (bottle or other receptacle) which does not bear the official seal of the board or wine not purchased from a Pennsylvania Liquor Store or from a licensed limited winery in Pennsylvania, with respect to which satisfactory proof is produced that the required Federal tax has been paid and which was purchased, procured or acquired legally outside of Pennsylvania shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of twenty-five dollars (\$25) for each such package, plus costs of prosecution, or undergo imprisonment for a term not exceeding ninety (90) days. Each full quart or major fraction thereof shall be considered a separate package (bottle or other receptacle) for the purposes of this clause. Such packages of liquor shall be forfeited to the Commonwealth in the manner prescribed in Article VI of this act but the vehicle, boat, vessel, animal or aircraft used in the illegal transportation of such packages shall not be subject to forfeiture: Provided, however, That if it is a second or subsequent offense or if it is established that the illegal possession or transportation was in connection with a commercial transaction, then the other provisions of this act providing for prosecution as a misdemeanor and for the forfeiture of the vehicle, boat, vessel, animal or aircraft shall apply.

* * *

(4) [Possession and Use of Decanters] Liquor Packages Without Official Seal. For any person [to use decanters of alcoholic beverages except that the] , except a manufacturer, to have or keep any liquor, except wine, within the Commonwealth unless the package (except the decanter or other receptacle containing liquor for immediate consumption) in which the liquor is contained while containing that liquor bears the official seal of the board as originally affixed in accordance with the provisions of this act or the regulations of the board. Except in the case of Pennsylvania manufacturers, such seal shall be affixed to the package containing the liquor prior to the liquor entering the Commonwealth. The use of decanters or other similar receptacles by licensees shall be permitted only in the case of wines and then only in accordance with the regulations of the board, but nothing herein contained shall prohibit the manufacture and possession of wine as provided in clause (2) of this section.

* * *

(15) Unlawful Activities Relative to Official Seal.—For any person to have, keep, use, utter, barter, buy, sell, traffic in, manufacture or make any official seal of the board or facsimile or reproduction thereof, unless authorized so to do by the provisions of this act or by the regulations or the express consent of the board.

Section 5. Except for the provisions of section 408.6 which shall take effect immediately, this act shall take effect in 90 days.

On the question,

Will the House agree to the amendments?

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

Mr. FREIND. With one exception, which I will explain, this amendment is identical to the amendment which was run to SB 86 and was passed overwhelmingly by this House. It is about the state seal requirement on the liquor bottles. Once we passed the amendment to SB 86, the Senate nonconcurred, and we had a conference committee. I was a member of that committee. It was agreed by all parties and by the Liquor Control Board that as far as enforcement is concerned, it is preferable to have state seals as opposed to any in-house type of stamping which the LCB would do. A number of questions were raised, however, with respect to the cost - which in fact was cheaper?

Because we did not have that specific information available, the state seal section of SB 86 was taken out and the rest of the bill was reported out in the conference report. The agreement was we would receive this additional economic information. I have in fact received this economic information now, Mr. Speaker, and it is clear that in addition to being a much better enforcement tool, having state seals placed on the bottles before they come into Pennsylvania by the manufacturer is also cheaper by almost 50 percent. So it is cheaper, number one; number two, it is a far greater enforcement tool, and I have the information which the LCB has provided me.

Therefore, this amendment is identical to the previous amendment requiring state seals on the bottles with the exception that it goes further and says that these seals shall be placed on the bottles by the manufacturers before they are sent to the Commonwealth of Pennsylvania. The issues are the same as we discussed in depth here before on the state seal issue. I think it is a good amendment and I would appreciate your support for it.

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

The following roll call was recorded:

YEAS—151

Alden	Foster, Jr., A.	Lynch, E. R.	Scheaffer
Anderson	Freind	McCall	Schmitt
Arty	Fryer	McVerry	Seventy
Bennett	Gallagher	Mackowski	Shupnik
Bittle	Gallen	Madigan	Sieminski
Bowser	Gamble	Manmiller	Sirianni
Brandt	Gatski	Michlovic	Smith, E. H.
Brown	Geesey	Micozzie	Smith, L. E.
Burd	Geist	Milanovich	Spencer
Burns	George, C.	Miller	Spitz
Caltagirone	George, M. H.	Mowery	Stairs
Cappabianca	Giammarco	Murphy	Steighner
Cessar	Goebel	Novak	Stewart
Cimini	Grabowski	Noye	Sweet
Civera	Greenfield	O'Brien, B. F.	Swift
Clark, B. D.	Grieco	O'Brien, D. M.	Taddonio
Clark, M. R.	Gruppo	O'Donnell	Taylor, E. Z.
Cochran	Hagarty	Perzel	Taylor, F.
Cohen	Halverson	Peterson	Telek
Cornell	Hasay	Phillips	Thomas
Coslett	Hayes, Jr., S.	Piccola	Trello
Cowell	Hoeffel	Pievsky	Vroon
Cunningham	Honaman	Pistella	Wargo
DeMedio	Hutchinson, W.	Pitts	Wass
DeVerter	Itkin	Polite	Wenger
DeWeese	Johnson, E. G.	Pott	Wilson
Davies	Johnson, J. J.	Pratt	Wilt

Dawida	Kanuck	Pucciarelli	Wright, D. R.
Dietz	Klingaman	Punt	Wright, Jr., J.
Dininni	Knepper	Pyles	Yahner
Dombrowski	Knight	Rappaport	Yohn
Dorr	Kolter	Rasco	Zeller
Duffy	Kowalyszyn	Reed	Zitterman
Durham	Kukovich	Ritter	Zord
Earley	Lescovitz	Rocks	Zwick
Fee	Letterman	Rodgers	
Fischer	Levi	Ryan	Seltzer,
Fisher	Livengood	Salvatore	Speaker
Foster, W. W.			

NAYS—31

Armstrong	Gray	McIntyre	Richardson
Belardi	Harper	McKelvey	Rieger
Berson	Hutchinson, A.	McMonagle	Schweder
Borski	Lashingier	Maiale	Serafini
Cole	Laughlin	Moehlmann	Stuban
Donatucci, R.	Lehr	Mrkonic	White
Gannon	Levin	Nahill	Williams
Gladeck	Lewis	Petrarca	

NOT VOTING—14

Austin	Dumas	McClatchy	Oliver
Beloff	Goodman	Manderino	Shadding
Chess	Irvis	Mullen	Street
DiCarlo	Jones		

EXCUSED—5

Barber	Rhodes	Wachob	Weidner
Helfrick			

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

REQUEST TO PASS OVER TEMPORARILY

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

Mr. WHITE. Mr. Speaker, I believe that this bill has particular interest to the city of Philadelphia and I would ask that this bill be passed over temporarily until we get some additional information from the city—temporarily, Mr. Speaker.

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

Alden	Fisher	Levin	Reed
Anderson	Freind	Lewis	Rieger
Armstrong	Fryer	Lynch, E. R.	Ritter
Arty	Gallagher	McCall	Rocks
Belardi	Gallen	McIntyre	Rodgers
Bennett	Gamble	McKelvey	Ryan
Berson	Gannon	McMonagle	Salvatore
Bittle	Gatski	McVerry	Schmitt
Borski	Geesey	Mackowski	Schweder
Brandt	Geist	Madigan	Serafini
Brown	George, C.	Maiale	Seventy
Burd	George, M. H.	Manderino	Shupnik
Burns	Giammarco	Manmiller	Sieminski
Caltagirone	Gladeck	Michlovic	Sirianni
Cappabianca	Goodman	Micozzie	Smith, E. H.

Cessar	Gray	Milanovich	Spencer
Cimini	Greenfield	Miller	Stairs
Civera	Grieco	Mowery	Steighner
Clark, B. D.	Gruppo	Mrkonic	Stewart
Clark, M. R.	Hagarty	Mullen	Stuban
Cochran	Halverson	Murphy	Sweet
Cohen	Harper	Nahill	Swift
Cole	Hasay	Novak	Taddonio
Cornell	Hayes, Jr., S.	Noye	Taylor, E. Z.
Coslett	Hoeffel	O'Brien, B. F.	Taylor, F.
Cowell	Hutchinson, A.	O'Brien, D. M.	Telek
DeMedio	Hutchinson, W.	O'Donnell	Trello
DeWeese	Irvis	Oliver	Vroon
DiCarlo	Itkin	Perzel	Wargo
Davies	Johnson, E. G.	Petrarca	White
Dawida	Johnson, J. J.	Phillips	Williams
Dietz	Kanuck	Piccola	Wilson
Dininni	Knepper	Pievsky	Wilt
Dombrowski	Knight	Pistella	Wright, D. R.
Donatucci, R.	Kolter	Polite	Wright, Jr., J.
Dorr	Kukovich	Pott	Yahner
Duffy	Lashinger	Pratt	Yohn
Durham	Laughlin	Pucciarelli	Zeller
Earley	Lehr	Punt	Zitterman
Fee	Lescovitz	Rappaport	Zord
Fischer	Letterman	Rasco	Zwilk

NAYS—21

Cunningham	Honaman	Peterson	Wass
DeVerter	Klingaman	Pitts	Wenger
Foster, W. W.	Kowalshyn	Richardson	
Foster, Jr., A.	Levi	Scheaffer	Seltzer,
Goebel	Livengood	Smith, L. E.	Speaker
Grabowski	Moehlmann	Thomas	

NOT VOTING—11

Austin	Chess	McClatchy	Spitz
Beloff	Dumas	Pyles	Street
Bowser	Jones	Shadding	

EXCUSED—5

Barber	Rhodes	Wachob	Weidner
Helfrick			

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

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

REMARKS ON VOTES

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

Mr. WHITE. Mr. Speaker, on SB 640 I would like to be recorded in the negative.

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

The Chair recognizes the gentleman from Erie, Mr. Bowser.

Mr. BOWSER. Mr. Speaker, I would like to be recorded in the affirmative on SB 640.

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

REPORT OF COMMITTEE
OF CONFERENCE CONSIDERED

Mr. RYAN called up for consideration the following Report of the Committee of Conference on **HB 227, PN 3585**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for jury selection commissions, requiring certain budgetary data from the Court Administrator and providing for the qualifications, selection and service of jurors and providing penalties.

On the question,

Will the House adopt the Report of the Committee of Conference?

The Chair recognizes the gentleman from Schuylkill, Mr. Hutchinson.

Mr. W. D. HUTCHINSON. Mr. Speaker, all the conference report does is make a provision for home rule counties, which was neglected in the original bill. That is why it was sent to conference. It is technical. I urge support of the conference report.

On the question recurring,

Will the House adopt the Report of the Committee of Conference?

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

YEAS—183

Alden	Fryer	Lynch, E. R.	Rieger
Anderson	Gallagher	McCall	Ritter
Armstrong	Gallen	McClatchy	Rocks
Arty	Gamble	McIntyre	Ryan
Belardi	Gannon	McKelvey	Salvatore
Bennett	Gatski	McMonagle	Scheaffer
Berson	Geesey	McVerry	Schmitt
Bittle	Geist	Mackowski	Schweder
Borski	George, C.	Madigan	Serafini
Bowser	George, M. H.	Maiale	Seventy
Brandt	Giammarco	Manderino	Shupnik
Brown	Gladeck	Manmiller	Sieminski
Burd	Goebel	Michlovic	Sirianni
Burns	Grabowski	Micozzie	Smith, E. H.
Caltagirone	Gray	Milanovich	Smith, L. E.
Cappabianca	Greenfield	Miller	Spencer
Cessar	Grieco	Moehlmann	Spitz
Cimini	Gruppo	Mowery	Stairs
Civera	Hagarty	Mrkonic	Steighner
Clark, B. D.	Halverson	Mullen	Stewart
Clark, M. R.	Harper	Murphy	Stuban
Cochran	Hasay	Nahill	Sweet
Cohen	Hayes, Jr., S.	Novak	Swift
Cole	Hoeffel	Noye	Taddonio
Cornell	Honaman	O'Brien, B. F.	Taylor, E. Z.
Coslett	Hutchinson, A.	O'Brien, D. M.	Taylor, F.
Cowell	Hutchinson, W.	O'Donnell	Telek
Cunningham	Irvis	Oliver	Thomas
DeMedio	Itkin	Perzel	Trello
DeVerter	Johnson, E. G.	Peterson	Vroon
DeWeese	Johnson, J. J.	Petrarca	Wargo
DiCarlo	Kanuck	Phillips	Wass
Davies	Klingaman	Piccola	Wenger
Dawida	Knepper	Pievsky	White
Dietz	Knight	Pistella	Wilson
Dombrowski	Kolter	Pitts	Wilt
Donatucci, R.	Kowalshyn	Polite	Wright, D. R.
Dorr	Kukovich	Pott	Yahner
Duffy	Lashinger	Pratt	Yohn

Durham	Laughlin	Pucciarelli	Zeller
Earley	Lehr	Punt	Zitterman
Fee	Lescovitz	Pyles	Zord
Fischer	Letterman	Rappaport	Zwinkl
Fisher	Levi	Rasco	
Foster, W. W.	Lewis	Reed	Seltzer,
Foster, Jr., A.	Livengood	Richardson	Speaker
Freind			

NAYS—0

NOT VOTING—13

Austin	Dumas	Levin	Street
Beloff	Goodman	Rodgers	Williams
Chess	Jones	Shadding	Wright, Jr., J.
Dininni			

EXCUSED—5

Barber	Rhodes	Wachob	Weidner
Helfrick			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the Report of the Committee of Conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE CONSIDERED

Mr. RYAN called up for consideration the following Report of the Committee of Conference on **HB 1011, PN 3489**, entitled:

An Act amending the act of June 18, 1941 (P. L. 137, No. 74), entitled "An act providing for the appointment, powers and control of members of volunteer fire companies as special fire police, and conferring powers on them at fires attended by their fire companies in any city, borough, town and township," further providing for the powers of special fire police.

On the question,

Will the House adopt the Report of the Committee of Conference?

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

Mr. A. C. FOSTER. The only changes that were made in the bill as passed by the House and amended by the Senate is we clarify the language dealing with home rule municipalities so that it says quite simply that home rule municipalities are included. We further clarified on page 2, line 29, that instead of speaking of the chairman of the home rule municipality, we changed that to chief executive officer of the home rule municipality, which is much clearer. I would ask you to vote for concurrence.

On the question recurring,

Will the House adopt the Report of the Committee of Conference?

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

YEAS—188

Alden	Fryer	McCall	Rocks
Anderson	Gallagher	McClatchy	Rodgers
Armstrong	Gallen	McIntyre	Ryan
Arty	Gamble	McKelvey	Salvatore
Belardi	Gannon	McMonagle	Scheaffer

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

NAYS—0

NOT VOTING—8

Austin	Chess	Goodman	Shadding
Beloff	Dumas	Jones	Street

EXCUSED—5

Barber	Rhodes	Wachob	Weidner
Helfrick			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the Report of the Committee of Conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

The Senate informed that it has adopted the Report of the Committee of Conference on **SB 65, PN 1794**.

REPORT OF COMMITTEE OF CONFERENCE CONSIDERED

Mr. RYAN called up for consideration the following Report of the Committee of Conference on **SB 65, PN 1794**, entitled:

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, adding provisions relating to condominiums.

On the question,

Will the House adopt the Report of the Committee of Conference?

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

Mr. BERSON. Mr. Speaker, I would suggest that the House not adopt the Conference Committee Report on SB 65.

The members will recall that during the debate on this bill in the House, certain amendments were inserted in the bill. One of them was by Mr. Rocks, which provided for local option. In other words, it allowed the local municipalities throughout this state that are affected by the stampede of conversions of existing rental apartments to condominiums to enact ordinances which would have the force of law to protect their local residents from this sort of conversion process.

The conference committee voted to strike that provision and to say to the local municipalities in this state, you have no right to make laws respecting conversions of condominiums, and whatever rights you have are in this bill and you do not have any more. I think that is wrong.

In an effort to compromise the matter, I offered the following amendment to the bill to the conference committee. Since there are a limited number of municipalities in this state that are affected by this problem, most of whom have already enacted ordinances, I propose to the conference committee that we grandfather-in those ordinances and prohibit any further enactment by municipalities of ordinances dealing with the conversion to condominium form. That, which I consider to be a reasonable compromise and would have vindicated the interest of people in townships like Jenkintown and Lower Merion and the city of Philadelphia, was rejected by the conference committee. They did not even want to discuss it. They would not even second it so it could be discussed. I think that is wrong.

We do, in Philadelphia and in our suburban townships around Philadelphia—and I know there is another township in Lehigh County, I believe, that has an ordinance—do know what our problems are with this kind of conversion process. We do know what is available to our people in the way of alternative housing. We are able to deal with this.

The only single argument advanced in favor of eliminating local option from this bill was uniformity. They wanted to make the law uniform. That seems to me to be an argument without a great deal of merit in the housing field. We have zoning laws that vary from municipality to municipality. We have planning codes, building codes, fire

codes, an endless number of codes which vary from municipality to municipality. Only when it comes to converting condominiums suddenly the law has to be uniform. I do not see why it should be. The builder, the operator, the converter have to look up the law with respect to zoning, housing, fire, planning and all the other codes, and it will not take them much longer to check into this law with respect to converting real estate to condominium forms.

It seems to me that this General Assembly ought to be in a position to protect the people who are most affected by this stampede to convert existing rental units to condominiums. These are fundamental people who are elderly, whose families have grown, who have sold their homes, and who have moved to apartments and now, in what are supposed to be their golden years, are told that they must make a large, new investment to have a roof over their heads.

Many of our townships have said you cannot do this, and those of us who have tried to preserve the local option provisions in this bill want to enforce that right and protect the elderly residents of our towns and cities. The conference committee thought otherwise. They thought that the interest of the big developers was more important and tossed that provision out of the bill.

I urge you, do not adopt this conference report. Send it back. Let us have another opportunity. I believe, if given more time and another chance, the conferees will adopt a reasonable compromise on the local option amendment. Vote "no" on adopting this conference report.

MOTION TO RECOMMIT

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

Mr. ROCKS. You may recall that it was my amendment that this House adopted which would allow, on the question of condominium conversion, where a local ordinance might be more stringent than that of state law if you take precedence.

Mr. Speaker, I know there are many of our colleagues in this chamber who are not living with the problem of condominium conversions. Those of us who are in the metropolitan areas of especially southeastern Pennsylvania are not only aware of this but are deeply concerned. It was in reaction to that concern that we were very grateful to this chamber for adopting the amendment which would allow where our local governments have acted, for example, in the city of Philadelphia, where we put in place an 18-month moratorium to very honestly study the problem and the dramatic impact it was having on our rental housing. For that we were grateful.

Because of all the other features in SB 65 that I know are very much needed in the State of Pennsylvania, because it is the first time that we codify even the construction of condominiums, I am reluctant to ask for nonconcurrence in the conference report. However, Mr. Speaker, for many of our constituents, should SB 65 as it reads in front of us right now become law, we are doing a grave disservice to our people and to those local governments who have

already taken upon themselves to put ordinances in place which would be superseded by this legislation. Therefore, to address just that aspect of a local ordinance when it might be more stringent than we are doing on the state level, I am moving, Mr. Speaker, that we recommit SB 65 to the conference committee and ask that conference committee to cope with the question of local ordinance. Thank you, Mr. Speaker.

MOTION WITHDRAWN

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

Mr. ROCKS. Mr. Speaker, I will withdraw the motion to recommit the conference report to the conference committee and will move for nonconurrence in the conference report.

Mr. Speaker, it would be my hope, as previously stated, that in addressing specifically that problem of local ordinance, as this House has previously agreed to it, that we would vote "no" on this conference report, thereby sending it back to the conference committee and asking them to please address this problem on the behalf of those of us who are faced with it, and not only for ourselves and our districts, but for the people we represent. Thank you, Mr. Speaker.

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

Mr. BURNS. Mr. Speaker, I totally concur with the previous two speakers that we should nonconcur in this bill. Not only will it put people who are in their golden years in a situation where they cannot afford to go out and get mortgages for \$60,000, \$70,000 or \$80,000; but it also puts municipalities in a situation where they cannot correct some mistakes that were made in the buildings on previous codes or prior to the time there were previous codes. For example, in the township of Bensalem, which will be very hard hit by this type of legislation, the township supervisor will be totally restricted from going in and making the units conform to the Fire and Panic Act that is in effect now but was not in effect when these particular buildings were built back in the late 60's or very early 70's.

This is what local control really means. It allows the local municipality to go in and do this. Let me say that of all the rules and regulations I have seen in Harrisburg that have come out of the many departments or come out of our own legislature, this is the first time that I, in my recollection, can find any time that we did not allow local municipalities to go above and beyond what we set as a minimum. That holds true in the Fire and Panic Act; it holds true in a hundred other acts that we have passed, and yet here we do not want to let it happen. I really must say that I hope everybody thinks a little bit; looks around at their own municipality; notes that you are going to be affected sooner or later by it, and if this piece of legislation passes in its present form, that later will be too late for you. So I would just simply support Mr. Berson and Mr. Rocks and ask for a nonconurrence.

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the gentleman from Cambria, Mr. Stewart.

Mr. STEWART. Mr. Speaker, I rise to a parliamentary inquiry

The SPEAKER. The gentleman will state it.

Mr. STEWART. I realize Mr. Rocks withdrew his motion, but my question is, is there such a motion that can be made to recommit a conference committee report?

The SPEAKER. The gentleman's point of parliamentary inquiry is whether it is a proper motion to send the Conference Committee Report on SB 65 back to the committee on conference.

Mr. STEWART. By motion.

The SPEAKER. By motion. And it is the opinion of the Chair it is not.

Mr. STEWART. So the motion that he made and withdrew was not a proper motion to begin with.

The SPEAKER. It is the opinion of the Chair that it is not a proper motion.

Mr. STEWART. Thank you, Mr. Speaker.

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

Mr. FRYER. Mr. Speaker, I would urge that the members vote to nonconcur in the conference committee report.

It seems to me that we have here another example of our local government versus big brother in Harrisburg. With the thousands of municipalities that we have in this Commonwealth, it seems to me that there are different conditions that face the various municipalities. It would also seem to me, Mr. Speaker, that the better part would be to allow these local municipalities to move to meet their own problems in their own way, rather than big brother speaking from the mountain and stating this shall be such for all municipalities of the Commonwealth. Mr. Speaker, I urge nonconurrence of the Conference Committee Report.

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

Mr. NAHILL. Mr. Speaker, I think basically this bill is a good bill. I think it is well thought out. But one thing troubles me and it troubles me greatly when I look at my district. I have a borough in my district which contains one large apartment house that has approximately 565 units. If this conversion takes place in this borough and it goes condominium, the people who live in this apartment section are going to have a real problem. This apartment comprises approximately 75 percent of the available rental units in this borough. There is no place where these people can relocate. There is nothing they can do. They have got to move, and they have got to move a fair distance. Because of this, Mr. Speaker, I am asking for nonconurrence in the Conference Report on SB 65. Thank you.

PARLIAMENTARY INQUIRY

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

Mr. J. L. WRIGHT. Mr. Speaker, may I make a parliamentary inquiry?

The SPEAKER. The gentleman will state it.

Mr. J. L. WRIGHT. What options does the conference committee have if we nonconcur in the adoption of this conference committee report? May they return the report to us unchanged? Can they change the report and return it to us or can they forget and let it die sine die?

The SPEAKER. In response to the inquiry of the gentleman from Bucks, Mr. Wright, if the House were to adopt the committee of conference, the clerk would inform the Senate accordingly and it would then go to the Governor's desk. If the committee of conference were defeated today in the House, having already been agreed to by the other body, the message would go from the House to the other body that the House has not adopted the report of the committee on conference, and at that time we would await a message from the Senate, the other body, as to what they would anticipate doing on behalf of this legislation.

It would be the further opinion of the Chair from experience that the conference committee members would again meet and see whether they would issue a different report, which they could, or if they insisted on reissuing the same report, the House would then take up the matter and could either pass it or defeat it. At that time, if it were defeated the second time, the House could ask to have the committee of conference discharged and a new committee appointed and ad infinitum.

Mr. J. L. WRIGHT. Is it required that the conference committee report back to the House, or could they sine die at the end of the session without submitting a report?

The SPEAKER. This General Assembly could sine die for the 1979-80 session without having adopted a Report of the Committee of Conference on SB 65.

Mr. J. L. WRIGHT. I would appreciate your clearing up one additional point. Am I correct in interpreting your answer that a turndown by this House would, in effect, have to be seconded by the Senate before the conference committee would go back to work?

The SPEAKER. The Senate being a separate body could, in my opinion, if they so desired, take no further action on SB 65. Or they could take further action and call a meeting of the committee of conference and/or discharge their committee of conference and ask us to do likewise and reappoint a new committee.

Mr. J. L. WRIGHT. What happens if they concur and we nonconcur and they refuse to do anything further?

The SPEAKER. Then the ultimate would be, when this General Assembly goes sine die at the end of this year, there would be no action taken on condominium legislation.

Mr. J. L. WRIGHT. Thank you, sir.

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

Mr. WHITE. Mr. Speaker, I rise to oppose the Conference Committee Report on SB 65. This House of Representatives, in its wisdom, instituted or inserted into SB 65 what should and ought to be considered to be the very basic tenet of protection for prospective owners and tenants of condominiums. The local option provision of SB 65 was of particular importance, but in addition to that, we struck out such language as related to separate utility metering for each individual unit. We also reduced the amount of proper notice that was required to also offer a tenant prior to the conversion to condominium units. I think if this House was serious in its previous commitment to affording protection and to affording fairness in the construction and in the maintenance and in the habitation of condominiums, that all of us in good conscience would vote "no" on the SB 65 Conference Report. Thank you, Mr. Speaker.

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

Mr. PICCOLA. I would like to speak on behalf of the Conference Committee Report on SB 65 and urge that this House adopt the same.

The argument has been made that this conference committee report ignores the wishes of local government with regard to the transforming of apartments into condominiums. Traditionally this Commonwealth and this General Assembly has given broad ranging powers to local government to decide issues of zoning and issues involving real property, and I have traditionally been in support of that kind of power. But the reason for the granting of that kind of power is primarily, in my estimation, for land planning and land use.

In the case of SB 65, we are dealing with existing structures, places that are already there, and the uses are not going to change. They are merely going to be transforming the nature of the ownership and the title. Therefore, we are not really dealing with land use or land planning; we are dealing more as we are with the relationship between a landlord and a tenant, such as we do in the Landlord-Tenant Act. Now, if we were dealing with land use and land planning, then I could say, let us give local government the option to plan, because they are right there on the scene and they know best. But we are dealing with the rights between a tenant and a landlord and a prospective change from one kind of ownership to another, and we have made uniform in this state a Landlord-Tenant Act, and I feel, therefore, it is consistent that we have a uniform law on condominium conversion. For that reason I would urge that we support this conference committee report and I urge its adoption.

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

Mr. D. M. FISHER. I, too, rise in support of SB 65 and the conference report that is presently before the House. There is no issue that is more difficult to get up on here on the floor of the House for me—and I know many others who support this bill—to oppose any issue of local control. But the issue of local control as it applies to this bill, in my

opinion, is not the type of local control issue that we traditionally face in this General Assembly.

Let us examine for a moment what is contained in SB 65 which is before this House. Now, as one of the conferees on SB 65, I want to bring before this chamber the fact that the conference committee, when it met on three separate occasions on 2 days, met and discussed very thoroughly the various provisions on which the House and the Senate versions of this bill differed. We went over the provisions virtually line by line. Most all of the provisions that were adopted by this House of Representatives were retained in the conference report that was issued. The conference report even went further than the bill contained when it was before the House. It expanded, it expanded in a very important way on the provision applying to senior citizens. It expanded that provision by taking out the income requirement for senior citizens to be entitled to an additional 2 years to carry forward in the apartment in which they were living after conversion. Two more years, for any senior citizen or blind or disabled individual without income restriction.

Now, each conversion tenant, without regard to age, will be given 1 year's prior notice after the notice of conversion is given before he has to vacate that condominium. But, of course, prior to the decision he has to make upon vacating the apartment building, he will be given 6 months' exclusive first right to purchase that unit; 6 months. Now, during that 6 months, he is the person who has the first right to purchase. After that 6 months expires, the developer or the owner of that building cannot offer the unit to anyone else at terms more favorable than it was offered to the apartment tenant on the first offering. The provisions that were inserted in the House which would give a tenant under a lease to unilaterally cancel that lease at the time of conversion within 90 days of notice have been retained. Another important provision was inserted in the conference committee, which said that a comprehensive warranty would have to be given by the developer, which warranted that he inspected for structural and mechanical defects, and if any such defects were found, that they would be repaired.

Now, there were a variety of other consumer- or tenant-protection measures that are contained within SB 65. In my opinion, SB 65 is the best condominium bill which is pending or has been adopted in any state in the country. West Virginia has adopted a bill which is close to this, but it is not quite this good. Now, why not local option? Why not local option? I think my colleague, Mr. Piccola, has mentioned some of the reasons why we should not have local option. You have heard of the need for uniformity; you have heard of the problems of a hodgepodge of ordinances in various municipalities. Why, in Allegheny County we have 130 municipalities. If local option is to be provided, not for land use but for ownership, what is going to happen is that when an individual unit—and it may be one of your constituents will want to go out and buy that unit and when an individual unit—is subject of purchase, it

is going to be very difficult—and I caution you, it is going to be very difficult—with this hodgepodge of ordinances which will certainly arise under local option. It will be very difficult, one, for title search to be done, and if title searches run into difficulty and if the costs exceed what the current costs are, another problem that you are going to find is you are going to have great difficulty obtaining necessary financing.

Now, most important, and the most important reason why I believe that we should not reject this conference report is merely because the local option provision has been taken out. Let us examine for a moment what are in those so-called other ordinances that everybody wants to keep. There is no ordinance in this state that has more stringent provisions in it than SB 65 has. I could go down the ordinances item by item, the ones that I have mentioned, but in Philadelphia, in the great Philadelphia ordinance that many of the members are on the floor trying to preserve, there is no protection in the Philadelphia ordinance for senior citizens. There is no protection in it. On the 1-year extension, there is protection in the Philadelphia ordinance, giving the tenants 1 year before they have to vacate. It has been in none of the other ordinances except one in Montgomery County where that same protection applied. In that community the person, the tenant, would have had to live in the apartment for a year, so a new tenant who moved in, who was in his first year's lease, would not get the benefit of that protection.

Mr. Speaker, I submit to you that this local option issue, this local option issue that the members are trying to protect, is not a realistic local government issue that we so dearly have attempted to protect in other areas. I submit to you that what the local option issue is, is an attempt on the part of some communities to maintain the right to say, not under local ordinances are we going to impose more stringent restrictions, but under local ordinance we are going to impose moratoriums.

Now, what do moratoriums do? Moratoriums say that the person who owns that apartment building, he owns it, which says that for the period of that moratorium you cannot convert it. Now I submit that that is wrong. We are talking about a form of property ownership in this Commonwealth that I submit will be uniform under SB 65 and it will be fair. It is wrong to say you cannot convert it. Let us think of the people, not only the owner, but just think in the tight housing market that we are presently in, there are not a lot of single family homes being built. I know in my county and any other county, we do not have to limit ourselves to counties but states. If a person wants to go out and buy a unit, buy a unit rather than renting it, if there is a moratorium in place in that local community, you are denying a right to the person who wants to purchase that condominium to go out and buy the unit.

Now, those of you who are concerned about the moratoriums in place in Philadelphia, I submit that if SB 65 is passed that we will provide and be providing your people with more of a moratorium than you have under current

law. We will be providing you, first of all, with at least 1 year; for senior citizens, at least 2 years.

Secondly, the provisions will not go into effect until around the time that that moratorium will expire.

I submit that this bill is a good bill. I submit that this bill gives the citizens of the Commonwealth, in a uniform and a fair way, all the protection that is needed. I submit to you if we want to pass condominium legislation in Pennsylvania today or this year, this is the opportunity to do it. It is an opportunity to place Pennsylvania in the forefront of adopting condominium legislation, and I strongly urge that we adopt the conference report that is before the House. Thank you, Mr. Speaker.

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

Mr. DiCARLO. Mr. Speaker, I rise to also support concurrence in the Senate amendments of SB 65 and I think Mr. Fisher touched on the points in the last part of his address, and I think we are forgetting a very, very big point that we ought to accent. In this country the whole American dream is based upon property ownership, the right to purchase a home, the right to raise a family in that kind of structure.

Mr. Speaker, it seems that for a concern that some of the people have who are asking to nonconcur on this legislation, the arguments are somewhat shallow. We may be concerned about people who are on fixed incomes or elderly people who may be shifted or may be pushed out to another segment of the housing market, but, Mr. Speaker, we have a whole segment of our population in Pennsylvania who, because of tight money markets, who, because of moratoriums and because of regulations passed by the Department of Environmental Resources, cannot even have housing built, such as in my section of the state, because they cannot get permits; they cannot get sewerage treatment permits, and we have virtually no housing whatsoever.

Mr. Speaker, the availability of condominiums, the availability of that type of housing is really the only hope that young couples have starting out in life that they can really purchase housing, and I am saying that that is important and I am saying that it is something that we ought to address.

Mr. Speaker, another important thing—and I think it is a philosophical argument that we have to look at—we have the rights of the tenants protected in this bill, but, more importantly, we are talking about government control, the government controlling and telling people who own property what they can or what they cannot do with it, and I think that is wrong, and I think if people own a piece of property, whether it is 1 unit, 5 units, 20 units, or if it is 500 units, the government has no right, no right whatsoever, to say that you cannot do anything at all with that property until we make a decision.

Mr. Speaker, I think SB 65 addresses the concerns of condominium legislation. I think we put in that conference committee, after many hours of debate in this chamber, adequate, more than adequate, protections for people who

will be involved in the type of conversions that we are talking to, even tighter protection than exists under present landlord-tenant law, and because of that, Mr. Speaker, I am asking the House to concur on SB 65.

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

Mr. ROCKS. I realize it is for the second time and there is some danger involved in that. I will be brief.

In very quick response to the previous speaker, the gentleman, Mr. DiCarlo, maybe he could help me explain the American dream to the 60-, 70-, 80-year old people whom I know in the city of Philadelphia who, for the last 20 and 25 years, have been renters. They do in fact live on a fixed income. They may not be indigent; however, they are not at a point in their lives where they are about to go out and enter into that mortgage market that is out there today. The gentleman and my friend from Dauphin County, they will never know the problem of condominium conversion. The other aspects of this bill will take care of their housing needs. Those of us today in the southeastern part of this state, we know it and we know it as a crisis.

I was cheered greatly that the gentleman, Mr. Fryer, reminded us that there is in fact a question here of local government controlling, and the gentleman, Mr. Fryer, should take great pleasure in knowing that his voice is even reaching that great Capitol in Washington, D.C., because next week, Mr. Speaker, the Congress of the United States will deal with the question of condominiums and conversion, and the Congress of the United States is allowing a 1-year period of time for the states and any local government to opt out of whatever legislation is put in place at the Federal level. So even the greatest big brother of all is willing to give those local municipalities the break that they need.

Do not tell the councilmen and -women of the city of Philadelphia that this is not a question of local government. Do not tell the commissioners of Jenkintown, do not tell the commissioners of Lower Merion. They are faced with this problem now. In Jenkintown, 85 percent of their rental market goes with one conversion.

I plead with you, for the sake of this one question, that you have been very, very—I am very appreciative for the amount of attention you have given it over the past months. One time lastly, please, send this question back. Allow the conference committee to once again take up this very needed package with the question of local governments at hand, and let them, please, give us, in the metropolitan areas of this state where we are targeted now by converters, the option at home to deal with this housing crisis for the people who desperately need it. Thank you, Mr. Speaker.

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

Mr. BERSON. Mr. Speaker, I rise for the second time also on this bill. Mr. Fisher has eloquently reminded you that many of the amendments inserted in this bill by the House, in fact most of them, were retained in this bill. And that raises a question in my mind, and I think it ought to

raise a question in yours, that of all of these amendments, why was this one relating to local option taken out of this bill? Well, I think I know the answer and I think you ought to ponder that question.

There is presently, I am informed, in Philadelphia, 32 high-rise buildings for which declarations have been filed to convert to condominium form. That means hundreds and hundreds of units. Those declarations were filed under the present statute that we have in Pennsylvania and have been prevented from going forward because of our local ordinance. If we adopt this conference report, it is my prediction that the residents of those buildings will very soon be told that they better get ready to buy their apartments, and if they do not have the money, they better get ready to move. It seems to me a sad day when we cannot assure the elderly in this Commonwealth of shelter, of a roof over their heads.

I urge you, give us one more time to pass a bill which has the needed protection. Mr. Fisher says that this bill is as stringent as any local ordinance. Well, if it is, what do the sponsors of the bill have to lose by allowing local ordinances to be adopted? They will be no more stringent, according to Mr. Fisher, than what is in this bill now. Certainly they cannot object to a local ordinance that does no more than this bill does. I think what they are afraid of, however, are Philadelphia-type ordinances, which do provide and take into account local problems, local issues, and help local people, which, in fact, the sponsors do not want. That is why this, among a couple of others, I will concede, but this primarily, with House amendments was the one that was stripped from the bill.

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

Mr. FREIND. I rise to support the conference report. I am certainly a local control advocate, and local control is certainly an issue. But I think, Mr. Speaker, there is an issue that is even greater, which unfortunately time and time we ignore, and that is the basic issue of property rights, the right of an individual to own property and do with it as he or she chooses. And how far do we go, Mr. Speaker, regardless what the goal is, to continue to take that right away? This nation and the entire English Common Law was based on that property right, and I do not think we should tread on it lightly.

I am from eastern Pennsylvania, and a number of townships in my area do have local ordinances, but I think what we do in this conference report by the year-notice procedure and for those senior citizens, 62 and older, the disabled and the blind, 2 years, I think that is more than enough. There is no legislation that is perfect. No matter how hard we work, we will never pass a bill or never pass a law that does not work a hardship on some person or some group, but I think what you have to do is look at the whole picture, and I think we would make a sad mistake if we go any further to take away that basic property right, which is so much an important part of our system. I urge support for this conference report. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I join in the remarks of Mr. Freind, my colleague from Delaware County. I speak here now as an individual, not as the leader of the Republican caucus. I have very strong feelings on the subject of real property and the rights of individuals to own it and really dispose of it pretty much as they see fit, if it is not really contrary to the good of the public really almost specifically rather than generally. I am disturbed at some of the things that we have done in this state with respect to the ownership of real property. I think the condominium bill, SB 65, as it is now is an honest compromise. I frankly was disturbed that we got into this field at all. I wonder why a man who has for years owned real estate— And I do not happen to have an interest in any real estate that is capable of being subdivided into a condominium, nor do I represent as a private attorney anyone who owns real estate, to my knowledge, that is capable of being subdivided into a condominium. That however does not mean that I feel they should not be able to do it. I think they should be able to do it. A person as a landlord today has the right to tell an older senior citizen, your lease is up, get out, regardless of their age. A person has a right today under today's law to say, I am raising the rent and it is too bad if you cannot afford it. Now, that is a hard thing to say, but nevertheless this is part of the rights of ownership. This is what made this country great. I do not think many landlords do that, but they have increased costs that they must pass on, and if they cannot do that then private enterprise will stop and there will be no apartments or dwellings for others.

I think we have gone pretty far with SB 65. I think both sides better take what is before them rather than run the risk of the unknown. I would not be surprised if this is sent back to the conferees that nothing is done. And if that is the case, the protection that many of the senior citizens in the southeast and particularly in the Philadelphia area, many of the protections that they seek and have in this bill perhaps will be lost. That is true in the other counties.

I would urge as an individual, not as a party leader—and I would not want the press to recite it that I am up here as a party leader, but rather only as an individual—who has strong feelings with respect to the rights of a person to have real estate and do with it as they see fit, I would urge the adoption of this conference report.

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

Mr. WILLIAMS. Mr. Speaker, I do not want to prolong the debate on this bill, but I did want to comment on the philosophy just espoused concerning property rights so that that will not be taken into consideration, hopefully, in our vote on this bill.

Mr. Freind said that because we are talking about property rights, therefore we should disregard, I guess, the interests of the elderly and others. I just want to say that we do that all the time. A liquor store owner is told by law he cannot operate after 2 o'clock in the morning. Apartment

houses already by small owners cannot chop them up to three, four, and five apartments because they are indeed regulated. Veterans who go to foreign wars get preferences. They get jobs ahead of other people because they served in the service. You pay income tax because a law says a certain portion, or whatever our Congress says, should be taken out of our pay. The most commonly owned commodity in this country, automobiles, owned by us as property, are regulated by fees; it is regulated by speed, and so forth and so on. And so we are talking really only about a question of when some rights are judged in common, collision, or in fusion with public policy, a public policy espoused by Mr. Berson and the other gentleman over here, which says that in this country senior citizens, hard-working people who spent their dues and who are indeed on limited incomes, such as was recognized by social security, have a right, have an absolute right, to some expectations, some reasonable expectations, not to be thrown out abruptly and capriciously. So I suggest that the concerns, the human concerns, that they are talking about are quite substantial and are embedded in our law already and repeatedly so. So I do not think the mere regulation of a future property right in what was an apartment already when that owner bought it is something that ought to command us to say that our property rate therefore is superior to our hesitation to make sure that people such as senior citizens get indeed a fair break.

I would join with their voices to nonconcur on this conference report and to allow it time, for local option may indeed be one of the factors in a human way as far as public policy is concerned that we need to pay attention to.

On the question recurring,

Will the House adopt the Report of the Committee of Conference?

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

YEAS—118

Alden	Fischer	Lynch, E. R.	Schweder
Anderson	Fisher	McVerry	Seventy
Armstrong	Foster, W. W.	Mackowski	Sieminski
Arty	Foster, Jr., A.	Madigan	Sirjanni
Bennett	Freind	Manmiller	Smith, E. H.
Bittle	Gamble	Michlovic	Smith, L. E.
Bowser	Gannon	Micozzie	Spencer
Brandt	Geesey	Milanovich	Spitz
Brown	Geist	Miller	Stairs
Burd	George, M. H.	Mowery	Steighner
Caltagirone	Goebel	Mrkonic	Stewart
Cappabianca	Grabowski	Murphy	Sweet
Cessar	Grieco	Noye	Swift
Cimini	Gruppo	O'Brien, D. M.	Taddonio
Civera	Halverson	Perzel	Taylor, E. Z.
Cochran	Hasay	Peterson	Taylor, F.
Coslett	Hayes, Jr., S.	Phillips	Thomas
Cowell	Honaman	Piccola	Trello
Cunningham	Hutchinson, W.	Pistella	Vroon
DeVerter	Itkin	Pitts	Wass
DeWeese	Johnson, E. G.	Pott	Wenger
DiCarlo	Knepper	Pratt	Wilt
Dawida	Kowalshyn	Punt	Wright, D. R.
Dietz	Kukovich	Pyles	Yohn
Dininni	Laughlin	Rasco	Zeller
Dombrowski	Lehr	Ritter	Zord
Dorr	Letterman	Ryan	Zwilk

Duffy	Levi	Salvatore	
Durham	Lewis	Scheaffer	Seltzer,
Earley	Livengood	Schmitt	Speaker

NAYS—69

Belardi	Gladeck	McClatchy	Rappaport
Berson	Goodman	McIntyre	Reed
Borski	Gray	McKelvey	Richardson
Burns	Greenfield	McMonagle	Rieger
Clark, B. D.	Hagarty	Maiale	Rocks
Clark, M. R.	Harper	Manderino	Rodgers
Cole	Hoeffel	Moehlmann	Serafini
Cornell	Hutchinson, A.	Mullen	Shupnik
DeMedio	Iris	Nahill	Stuban
Davies	Kanuck	Novak	Telek
Donatucci, R.	Klingaman	O'Brien, B. F.	Wargo
Fee	Knight	O'Donnell	White
Fryer	Kolter	Oliver	Williams
Gallagher	Lashingner	Petrarca	Wilson
Gallen	Lescovitz	Pievsky	Wright, Jr., J.
Gatski	Levin	Polite	Yahner
George, C.	McCall	Pucciarelli	Zitterman
Giammarco			

NOT VOTING—9

Austin	Cohen	Johnson, J. J.	Shadding
Beloff	Dumas	Jones	Street
Chess			

EXCUSED—5

Barber	Rhodes	Wachob	Weidner
Helfrick			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the Report of the Committee of Conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

The Senate informed that it has adopted the Report of the Committee of Conference on **SB 86, PN 1886**.

REPORT OF COMMITTEE OF CONFERENCE CONSIDERED

Mr. RYAN called up for consideration the following Report of the Committee of Conference on **SB 86, PN 1886**, entitled:

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), entitled "Liquor Code," authorizing licensed clubs composed of volunteer firemen to serve persons who are active members of any volunteer fire fighting group in this Commonwealth, further providing for the number of licenses in certain municipalities and for the exchange of certain club licenses.

On the question,

Will the House adopt the Report of the Committee of Conference?

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

Mr. FREIND. The conference committee made several wording changes with respect to the exchange of a beer

license for a liquor license and made it clear that the beer license would have to be surrendered. They also made some wording changes with respect to the volunteer firemen who are active members of another chartered club. In addition, for the reasons which I discussed when we ran SB 640, the state seal requirement was taken out. Also taken out of the bill was the split municipalities issue because that is present in SB 518, which we are going to consider in a few minutes. That is all of the changes, Mr. Speaker.

The SPEAKER. Does the gentleman, Mr. Foster, wish to be recognized?

Mr. A. C. FOSTER. Yes, Mr. Speaker.

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

Mr. A. C. FOSTER. Will the gentleman, Mr. Freind, consent to interrogation?

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

Mr. A. C. FOSTER. I refer to page 4, line 26. My question would be, is the language there what it should have been? Have any words been omitted? It reads, "In any municipality wherein restaurant liquor license issue...." Is that the proper terminology?

Mr. FREIND. I am not sure, Mr. Speaker. I think I might defer it to the chairman of the Liquor Committee, Mr. Lehr, on that issue.

Mr. LEHR. That is the language from the chief counselor's office.

Mr. A. C. FOSTER. Very well, I will accept that on faith, but apparently the first portion is written in legalese and the rest in common English that we laymen can understand. Thank you, Mr. Speaker.

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

Mr. TAYLOR. I also rise to urge an affirmative vote on the conference committee.

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

Mr. RODGERS. Mr. Speaker, may I interrogate the maker of the— Who was it, Mr. Lehr or Mr. Freind?

The SPEAKER. The gentleman, Mr. Freind, will stand for interrogation. Mr. Rodgers may proceed.

Mr. RODGERS. Mr. Speaker, would this include fraternal clubs and other clubs that are national organizations?

Mr. FREIND. I have been advised that it includes just volunteer fire companies.

Mr. RODGERS. Just volunteer fire companies? No other clubs?

Mr. FREIND. That is the information I have received. That is correct, Mr. Speaker. Once again, I think I might defer to the chairman of the Liquor Committee. I will be very honest, Mr. Speaker, the chairman asked me to discuss the changes. The only thing I cared about in that darned bill is the state seal requirement and that came out, so I am not your big expert on this and I might defer to somebody who knows a little bit more of what they are talking about.

Mr. RODGERS. It says here clubs as defined in the acts. Could you expand on that? What that means by clubs?

Mr. FREIND. I cannot, but maybe Mr. Lehr can.

Mr. LEHR. Any nonprofit club.

Mr. RODGERS. Any club, you are saying?

Mr. LEHR. Any club. They are all nonprofit. It includes any club that has a license.

Mr. RODGERS. Any licensed club?

Mr. LEHR. Right.

Mr. RODGERS. Thank you, Mr. Speaker.

On the question recurring,

Will the House adopt the Report of the Committee of Conference?

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

YEAS—177

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

NAYS—10

Armstrong	Fischer	Pitts	Wass
Brandt	Honaman	Vroon	Wenger
Dietz	Peterson		

NOT VOTING—9

Austin	Dumas	Jones	Street
Beloff	Johnson, J. J.	Shadding	Williams
Chess			

EXCUSED—5

Barber	Rhodes	Wachob	Weidner
Helfrick			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the Report of the Committee of Conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

BILLS PASSED OVER

The SPEAKER. Without objection, SB 985 and SB 986 will be passed over. The Chair has been informed that the Republican caucus has not caused on these reports and was asked to pass them over.

The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I marked both these bills over this morning when the leadership met. It was indicated at that time that there was a hold on the bills by Mr. Cessar, and the calendar was marked accordingly. I would ask that they be passed over for the day.

The SPEAKER. Without objection, SB 985 and SB 986 will be passed over. The Chair hears none.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED

The Senate returned the following **HB 1106, PN 3365**, with the information that the Senate has passed the same with amendments in which concurrence of the House of Representatives is requested:

An Act providing for certain authorized agencies to receive from insurance companies information relating to fire losses; providing for insurance companies to notify authorized agencies of suspicious fire losses, providing for immunity for insurance companies that provide information under this act; providing for the exchange and confidentiality of information and providing penalties.

On the question,
Will the House concur in Senate amendments?

The Chair recognizes the majority leader.
Mr. RYAN. I suggest that the House do concur in the amendments inserted by the Senate to HB 1106.

On the question recurring,
Will the House concur in Senate amendments?

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

YEAS—187

Alden	Fryer	Lynch, E. R.	Ritter
Anderson	Gallagher	McCall	Rocks
Armstrong	Gallen	McClatchy	Rodgers
Arty	Gamble	McIntyre	Ryan
Belardi	Gannon	McKelvey	Salvatore
Bennett	Gatski	McMonagle	Scheaffer
Berson	Geesey	McVerry	Schmitt
Bittle	Geist	Mackowski	Schweder
Borski	George, C.	Madigan	Serafini

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

NAYS—0

NOT VOTING—9

Austin	Dumas	Jones	Street
Beloff	Johnson, J. J.	Shadding	Williams
Chess			

EXCUSED—5

Barber	Rhodes	Wachob	Weidner
Helfrick			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED

The Senate returned the following **HB 1145, PN 3428**, with the information that the Senate has passed the same with amendments in which concurrence of the House of Representatives is requested:

An Act amending the "Municipality Authorities Act of 1945," approved May 2, 1945 (P. L. 382, No. 164), providing for a hearing before the adoption of certain resolutions and ordinances; clarifying language for the determination of certain assessments and making a repeal relating to term bonds.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I suggest that the House do concur in the amendments inserted by the Senate to HB 1145.

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—178

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

NAYS—0

NOT VOTING—18

Austin	Dumas	Polite	Street
Beloff	Hayes, Jr., S.	Richardson	Williams
Cessar	Johnson, J. J.	Ryan	Yohn
Chess	Jones	Shadding	Zord
Dorr	McClatchy		

EXCUSED—5

Barber	Rhodes	Wachob	Weidner
Helfrick			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED

The Senate returned the following **HB 1177, PN 3345**, with the information that the Senate has passed the same with amendments in which concurrence of the House of Representatives is requested:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), imposing certain restrictions on the powers of townships and authorizing townships to use the provisions of the Local Government Unit Debt Act for financing construction of sewers and drains.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I would ask for nonconurrence in the amendments inserted by the Senate to HB 1177.

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—3

Gamble	Miller	Pucciarelli
		NAYS—181

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

Dininni	Kolter	Pitts	Wright, Jr., J.
Dombrowski	Kowalshyn	Polite	Yahner
Donatucci, R.	Kukovich	Pott	Yohn
Dorr	Lashingier	Pratt	Zeller
Duffy	Laughlin	Punt	Zitterman
Durham	Lehr	Pyles	Zord
Earley	Lescovitz	Rappaport	Zwilk
Fee	Letterman	Rasco	
Fischer	Levi	Reed	Seltzer,
Fisher	Levin	Richardson	Speaker
Foster, W. W.	Lewis	Rieger	

NOT VOTING—12

Austin	Dumas	Jones	Street
Beloff	Gray	Rodgers	Taylor, E. Z.
Chess	Johnson, J. J.	Shadding	Williams

EXCUSED—5

Barber	Rhodes	Wachob	Weidner
Helfrick			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the clerk inform the Senate accordingly.

REMARKS ON VOTES

The SPEAKER. The Chair recognizes the majority whip. Mr. S. E. HAYES. Mr. Speaker, before you leave page 17, when the vote was taken on concurrence in Senate amendments to HB 1145, my switch was inoperable. I would like to be recorded in the affirmative. Thank you.

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

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

Mr. COHEN. I see from the record my vote was not recorded on SB 65. I would like to be recorded in the negative on the Conference Committee Report on SB 65.

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

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED

The Senate returned the following **HB 1684, PN 3392**, with the information that the Senate has passed the same with amendments in which concurrence of the House of Representatives is requested:

An Act requiring the name of the issuer of a prescription to be printed thereon and providing a penalty.

On the question,
Will the House concur in Senate amendments?

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. I suggest that the House do concur in the amendments inserted by the Senate to HB 1684.

On the question recurring,
Will the House concur in Senate amendments?

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

YEAS—186

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

NAYS—0

NOT VOTING—10

Austin	Dumas	Jones	Street
Beloff	Gray	Shadding	Williams
Chess	Johnson, J. J.		

EXCUSED—5

Barber	Rhodes	Wachob	Weidner
Helfrick			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

The Senate informed that it has adopted the Report of the Committee of Conference on **SB 985, PN 1827**.

REPORT OF COMMITTEE OF CONFERENCE CONSIDERED

Mr. RYAN called up for consideration the following Report of the Committee of Conference on **SB 985, PN 1827**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), entitled "Public School Code of 1949," further providing for the disposition of certain unused and unnecessary lands.

On the question,

Will the House adopt the Report of the Committee of Conference?

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I would ask the members to reject the report of the conferees on SB 985.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. I am making the request that we reject, as the majority leader has requested. I concur with the majority leader's request and ask that we reject.

The SPEAKER. The question has been asked, why should the House reject the report of the committee of conference? The Chair has been informed that since the conference committee report was signed, there have been problems revealed to the conferees that they would like to correct.

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

Mr. ITKIN. Mr. Speaker, that is precisely the case.

On the question recurring,

Will the House adopt the Report of the Committee of Conference?

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

YEAS—0

NAYS—186

- | | | | |
|-------------|---------------|--------------|--------------|
| Alden | Freind | Lynch, E. R. | Ritter |
| Anderson | Fryer | McCall | Rocks |
| Armstrong | Gallagher | McClatchy | Rodgers |
| Arty | Gallen | McIntyre | Ryan |
| Belardi | Gamble | McKelvey | Salvatore |
| Bennett | Gannon | McMonagle | Scheaffer |
| Berson | Gatski | McVerry | Schmitt |
| Bittle | Geesey | Mackowski | Schweder |
| Borski | Geist | Madigan | Serafini |
| Bowser | George, C. | Maiale | Seventy |
| Brandt | George, M. H. | Manderino | Shupnik |
| Brown | Giammarco | Manmiller | Sieminski |
| Burd | G'adeck | Michlovic | Sirianni |
| Burns | Goebel | Micozzie | Smith, E. H. |
| Caltagirone | Goodman | Milanovich | Smith, L. E. |
| Cappabianca | Grabowski | Miller | Spencer |
| Cessar | Greenfield | Mochlmann | Spitz |

- | | | | |
|-----------------|----------------|----------------|-----------------|
| Cimini | Grieco | Mowery | Stairs |
| Civera | Gruppo | Mrkonic | Steighner |
| Clark, B. D. | Hagarty | Mullen | Stewart |
| Clark, M. R. | Halverson | Murphy | Stuban |
| Cochran | Harper | Nahill | Sweet |
| Cohen | Hasay | Novak | Swift |
| Cole | Hayes, Jr., S. | Noye | Taddonio |
| Cornell | Hoeffel | O'Brien, B. F. | Taylor, E. Z. |
| Coslett | Honaman | O'Brien, D. M. | Taylor, F. |
| Cowell | Hutchinson, A. | O'Donnell | Telek |
| Cunningham | Hutchinson, W. | Oliver | Thomas |
| DeMedio | Irvis | Perzel | Trello |
| DeVerter | Itkin | Peterson | Vroon |
| DeWeese | Johnson, E. G. | Petrarca | Wargo |
| DiCarlo | Kanuck | Phillips | Wass |
| Davies | Klingaman | Piccola | Wenger |
| Dawida | Knepper | Pievsky | White |
| Dietz | Knight | Pistella | Wilson |
| Dininni | Kolter | Pitts | Wilt |
| Dombrowski | Kowalshyn | Polite | Wright, D. R. |
| Donatucci, R. | Kukovich | Pott | Wright, Jr., J. |
| Dorr | Lashingier | Pratt | Yahner |
| Duffy | Laughlin | Pucciarelli | Yohn |
| Durham | Lehr | Punt | Zeller |
| Earley | Lescovitz | Pyles | Zitterman |
| Fee | Letterman | Rappaport | Zord |
| Fischer | Levi | Rasco | Zwinkl |
| Fisher | Levin | Reed | |
| Foster, W. W. | Lewis | Richardson | Seltzer, |
| Foster, Jr., A. | Livengood | Rieger | Speaker |

NOT VOTING—10

- | | | | |
|--------|----------------|----------|----------|
| Austin | Dumas | Jones | Street |
| Beloff | Gray | Shadding | Williams |
| Chess | Johnson, J. J. | | |

EXCUSED—5

- | | | | |
|----------|--------|--------|---------|
| Barber | Rhodes | Wachob | Weidner |
| Helfrick | | | |

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the Report of the Committee of Conference was not adopted.

Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

The Senate informed that it has adopted the Report of the Committee of Conference on **SB 986, PN 1828**.

REPORT OF COMMITTEE OF CONFERENCE CONSIDERED

Mr. RYAN called up for consideration the following Report of the Committee of Conference on **SB 986, PN 1828**, entitled:

An Act amending the act of June 22, 1964 (1 Sp. Sess., P. L. 84, No. 6), entitled "Eminent Domain Code," further providing for abandonment of projects.

On the question,

Will the House adopt the Report of the Committee of Conference?

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, on the question, I would ask the members to reject the Conference Committee Report on SB 986.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. I concur with the request of the majority leader and too ask that the report be rejected.

On the question recurring,

Will the House adopt the Report of the Committee of Conference?

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

YEAS—5

Coslett	McIntyre	Rieger	Wenger
Letterman			

NAYS—179

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

NOT VOTING—12

Anderson	Chess	Johnson, J. J.	Shadding
Austin	Dumas	Jones	Street
Beloff	Gray	Laughlin	Williams

EXCUSED—5

Barber	Rhodes	Wachob	Weidner
Helfrick			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the Report of the Committee of Conference was not adopted.

Ordered, That the clerk inform the Senate accordingly.

RESOLUTIONS ADOPTED

Mr. RYAN called up HR 108, PN 1880, entitled:

General Assembly petition Congress to enact legislation for tax credits to citizens of Pennsylvania for fuel costs due to Three Mile Island accident.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—185

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

NAYS—1

Mrkonic

NOT VOTING—10

Austin	Dumas	Jones	Street
Beloff	Gray	Shadding	Williams
Chess	Johnson, J. J.		

EXCUSED—5

Barber	Rhodes	Wachob	Weidner
Helfrick			

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

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

* * *

Mr. RYAN called up HR 234, PN 3421, entitled:

General Assembly memorialize United States Department of Energy award the fusion energy research program contract to Westinghouse Electric Corporation of Pittsburgh.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—178

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

NAYS—5

Brown	DeWeese	Hoeffel	Rappaport
Cohen			

NOT VOTING—13

Austin	Dumas	O'Donnell	Seltzer,
Beloff	Gray	Shadding	Speaker
Bennett	Johnson, J. J.	Street	
Dininni	Jones	Williams	

EXCUSED—5

Barber	Rhodes	Wachob	Weidner
Helfrick			

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

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

* * *

Mr. RYAN called up HR 237, PN 3474, entitled:

Bipartisan Committee study and gather legislative documents and historical works to coordinate activities for Pennsylvania's tercentenary celebration.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—187

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

Fee	Levi	Rasco	Zwikel
Fischer	Levin	Reed	
Fisher	Lewis	Richardson	Seltzer,
Foster, W. W.	Livengood	Rieger	Speaker
Foster, Jr., A.			

NAYS—0

NOT VOTING—9

Austin	Gray	Jones	Street
Beloff	Johnson, J. J.	Shadding	Williams
Dumas			

EXCUSED—5

Barber	Rhodes	Wachob	Weidner
Helfrick			

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

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

* * *

Mr. RYAN called up SR 233, entitled:

Urging support for development of Legionville as a National Park and Historical Center.

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

The following roll call was recorded:

YEAS—185

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

Earley	Lescovitz	Rasco	Zwikel
Fee	Letterman	Reed	
Fischer	Levi	Richardson	Seltzer,
Fisher	Levin	Rieger	Speaker
Foster, W. W.	Livengood	Ritter	

NAYS—1

Rappaport

NOT VOTING—10

Austin	Gray	Lewis	Street
Beloff	Johnson, J. J.	Shadding	Williams
Dumas	Jones		

EXCUSED—5

Barber	Rhodes	Wachob	Weidner
Helfrick			

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

Ordered, That the clerk inform the Senate accordingly.

* * *

Mr. RYAN called up SR 234, entitled:

Extending congratulations to Clifford H. McConnell on retirement from State service.

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

The following roll call was recorded:

YEAS—186

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

Earley	Lescovitz	Rappaport	Zord
Fee	Letterman	Rasco	Zwilk
Fischer	Levi	Reed	
Fisher	Levin	Richardson	Seltzer,
Foster, W. W.	Lewis	Rieger	Speaker

NAYS—0

NOT VOTING—10

Austin	Goodman	Mrkonic	Street
Beloff	Johnson, J. J.	Shadding	Williams
Dumas	Jones		

EXCUSED—5

Barber	Rhodes	Wachob	Weidner
Helfrick			

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

Ordered, That the clerk inform the Senate accordingly.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I move that HB 2438 be removed from the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

CONSIDERATION OF SB 768 RESUMED

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. LEVIN offered the following amendments:

Amend Sec. 2 (Sec. 2102), page 2, line 11, by striking out "\$50,000" and inserting \$30,000

Amend Sec. 2 (Sec. 2102), page 2, line 14, by striking out "\$50,000" and inserting \$30,000

Amend Sec. 2 (Sec. 2102), page 2, line 21, by striking out "\$50,000" and inserting \$30,000

On the question,

Will the House agree to the amendments?

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

Mr. LEVIN. This is a rather complicated bill in many areas, but I do not believe it is difficult to understand in the area that I am proposing we amend.

The present law of Pennsylvania—that is, the law before this bill—deals with the situation which we call intestate. Now putting that in simple language, it means that if you or anyone else in the Commonwealth dies without making a will—we are not dealing with people who have made a will here; we are dealing with someone who did not have the good judgment or did not have the time to make a will—the present law of Pennsylvania is, in at least certain sections, that the spouse would receive—Let us assume that the husband dies without a will. The wife would receive \$20,000, and then the children would receive one-half of the remainder and the wife would share that. So to put that in simple terms, the present law is that the widow would

receive \$20,000 and then she would receive one-half of the remainder. If we assume there was \$60,000 dollars, that a man died with \$60,000, presently she would receive \$20,000 and then the remaining \$40,000 would be split. So she would get \$40,000 today and the children would get \$20,000. That is the existing law.

This bill made a radical change, I believe, in that concept. It gives the widow in my same example the first \$50,000. It gives the children therefore—in the example that I gave you with \$60,000—\$5,000, and it gives the widow \$55,000.

Now there is obviously a policy decision to be made by this body, and I would hope that some of you would pay a little attention to it. It is not a burning issue. It is not one that affects me. I try desperately to get my clients to appreciate the fact that a will is a very inexpensive thing and they can come in and exercise their own judgment and they do not have to rely on this body's collective judgment, but I think that this change in the law is too drastic.

The proponents argued that the \$20,000 was too low because of inflation. Well, I am willing to accept their argument, and, therefore, what my amendment does is raise the \$20,000 to \$30,000. I would take the same example of the \$60,000. I would give the widow the first \$30,000, and then I would split the remaining \$30,000 between the children and the wife. I think that giving the wife the first \$50,000, in most cases, means that basically the children are not going to receive anything in 90 percent of the intestate cases. That 90 percent is a figure I can only pick out of the air. I would say in the vast majority of the cases where a man dies without a will, he is not going to leave in excess of \$50,000, and what this bill will do is give all that money to his wife and none to his children, and I do not believe that we should exercise our judgment in that fashion. If you disagree, then you can simply vote "no" on the amendment. I have compromised with the \$30,000, and I think that is a reasonable change. I think \$50,000 is too far.

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

Mr. PICCOLA. I would oppose the amendment offered by the gentleman, Mr. Levin. It seems to me that it is not uncommon in this day and age for an individual to die with an estate valued at around \$50,000 and not leave a will. This is a relatively common occurrence, and, therefore, it seems to me that it is wholly appropriate that we legislate in this area as we have done.

Further, it seems to me that it is appropriate that such estates be given primary consideration in the area of the surviving spouse. I cite as reason for this the fact that it is more likely that a surviving spouse will be dependent upon that individual who dies rather than a parent or a child. If there is a child, that child is probably dependent upon the surviving spouse, if in fact it is a dependent child.

Therefore, I believe that the task force report, urging that this \$20,000 level be increased to \$50,000 is wholly appropriate, and I would urge that the Levin amendment be rejected.

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

Mr. LEVIN. Did Mr. Yohn want to speak?

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

Mr. YOHN. Mr. Speaker, I would also rise to oppose the amendment. It seems to me that in these situations we are talking about, situations where there is no will, the people have neglected for one reason or another to make a will, that what we are trying to do is impose by law what they probably most likely would have done by themselves had they elected to write a will, and in a vast majority of the cases of estates like this, when people come in to see you to write a will, they do give everything to the other spouse, and only in the event that the other spouse is deceased do they then give it to the children. So I think that the vast majority of people would want the funds from their estate to go to their spouse so it can be used to help support the spouse and the children, of course, when the other spouse is gone. For that reason I think the increase from \$20,000 to \$50,000 is appropriate. It helps to effectuate that purpose, and, therefore, I would urge the defeat of the amendments so the bill can remain intact.

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

Mr. MULLEN. Mr. Speaker, this is a very good amendment. Certainly to those of us who come from areas where the inheritances are modest, to give a wife \$50,000 right off the top when a person dies without a will is wrong. You have to take care of the children, too. You must remember that if a spouse dies, sometimes that is a second marriage, and in many areas where you have small estates - \$50,000, \$60,000, \$70,000, \$80,000, and \$100,000 - you are excluding the children; you are excluding his family completely.

I think this represents a fair compromise. I think \$20,000 is pretty high, but \$50,000 is way high, and this represents a compromise. It is only \$30,000, so I would support Mr. Levin's compromise, and I think we all ought to support it because I think it is fair. Thank you.

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

Mr. ITKIN. Mr. Speaker, I agree with the remarks of Mr. Mullen and support the amendment of Mr. Levin. I think the issue that has to be considered is a case where you have children surviving from a prior spouse, which has no relationship with the existing spouse, and, therefore, raising the first share to \$50,000 is going to deny a child of the decedent the right of some type of inheritance, and I would wholeheartedly support the Levin amendment.

The SPEAKER. The Chair recognizes Mr. Levin.

Mr. LEVIN. I hope that by offering the amendment I have given you a chance now to understand the issue. It is one that I was afraid would just be passed into law without you exercising your judgment, not just the committee's judgment. I have given you an honest choice; I have told you what I believe it should be and I will rest on your judgment.

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

The following roll call was recorded:

YEAS—100

Bennett	Gamble	Livengood	Richardson
Berson	Gatski	Lynch, E. R.	Rieger
Bittle	George, C.	McCall	Ritter
Borski	George, M. H.	McIntyre	Rocks
Brown	Giammarco	McKelvey	Rodgers
Burns	Goebel	McMonagle	Schmitt
Caltagirone	Grabowski	Maiale	Schweder
Cappabianca	Gray	Manderino	Seventy
Chess	Greenfield	Michlovic	Shupnik
Clark, B. D.	Harper	Milanovich	Stewart
Cochran	Hoeffel	Moehlmann	Stuban
Cohen	Hutchinson, A.	Mrkonic	Sweet
Cole	Hutchinson, W.	Mullen	Taddonio
Cowell	Irviss	Murphy	Taylor, F.
Cunningham	Itkin	Novak	Telek
DeMedio	Knepper	O'Brien, B. F.	Trello
DeWeese	Knight	O'Donnell	Wargo
DiCarlo	Kolter	Oliver	White
Dombrowski	Kowalshyn	Petrarca	Wilson
Duffy	Kukovich	Pievsky	Wright, D. R.
Fee	Lashinger	Pistella	Wright, Jr., J.
Fischer	Laughlin	Pratt	Yahner
Foster, Jr., A.	Lescovitz	Pucciarelli	Zeller
Fryer	Letterman	Rappaport	Zitterman
Gallagher	Levin	Reed	Zwinkl

NAYS—85

Alden	Foster, W. W.	Mackowski	Serafini
Anderson	Freind	Madigan	Sieminski
Armstrong	Gallen	Manmiller	Sirianni
Arty	Gannon	Micozzie	Smith, E. H.
Belardi	Geesey	Miller	Smith, L. E.
Bowser	Geist	Mowery	Spencer
Brandt	Gladeck	Nahill	Spitz
Burd	Grieco	Noye	Stairs
Cessar	Gruppo	O'Brien, D. M.	Steighner
Cimini	Hagarty	Perzel	Swift
Civera	Halverson	Peterson	Taylor, E. Z.
Clark, M. R.	Hasay	Phillips	Thomas
Cornell	Hayes, Jr., S.	Piccola	Vroon
Coslett	Honaman	Pitts	Wass
DeVerter	Johnson, E. G.	Polite	Wenger
Davies	Kanuck	Pott	Wilt
Dawida	Klingaman	Punt	Yohn
Dietz	Lehr	Pyles	Zord
Dorr	Levi	Rasco	
Durham	Lewis	Ryan	Seltzer, Speaker
Earley	McClatchy	Salvatore	
Fisher	McVerry	Scheaffer	

NOT VOTING—11

Austin	Donatucci, R.	Johnson, J. J.	Street
Beloff	Dumas	Jones	Williams
Dininni	Goodman	Shadding	

EXCUSED—5

Barber	Rhodes	Wachob	Weidner
Helfrick			

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. W. D. HUTCHINSON offered the following amendments:

Amend Sec. 8 (Sec. 6102), page 12, line 17, by striking out the bracket before "a"

Amend Sec. 8 (Sec. 6102), page 12, lines 18 and 19, by striking out "one or more beneficiaries"

Amend Sec. 8 (Sec. 6102), page 12, line 25, by striking out the bracket before "But,"

Amend Sec. 8 (Sec. 6102), page 12, line 27, by inserting brackets before and after "\$50,000" and inserting immediately thereafter \$100,000

Amend Sec. 8 (Sec. 6102), page 12, line 28, by striking out the bracket after "conveyor."

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Schuylkill, Mr. Hutchinson.

Mr. W. D. HUTCHINSON. Mr. Speaker, the amendment that I offer goes to a somewhat technical but I think important issue.

The current law of Pennsylvania says that if you make a will and create a trust so that you want to leave some property to your grandchildren and perhaps you are a little concerned about whether or not your son or your daughter is going to be able to handle the money and not waste it, the current law of Pennsylvania protects you. It says in effect that the courts and the trustee whom you have trusted with that must respect your judgment and must hold that property for the benefit of the remaindermen, the grandchildren. Now, there is a problem there, and the problem is that sometimes these trusts get too small and the expense of administering them is so great that it is not really feasible to keep them in trusts. Under current law, therefore, the court with a trust of \$50,000 or less can order the distribution of that money to the person currently getting the income, but only to members of your family, not to an outsider.

The task force report, which is the basis of this bill—and that is made up of so-called experts in this field, many of whom represent large financial institutions. That report—would open this up, and it says that a court in its discretion can say that this trust is no longer possible of fulfillment in its exact purposes and, therefore, can order the distribution of the money to an income beneficiary without regard to amount. So that in the case that I pose, the son or daughter whom you are concerned about wasting the money and leaving nothing for the grandchildren, whenever that bank feels or that trustee feels that he does not want to administer this trust anymore for whatever reason, he can go into court and the court has discretion to order distribution to the income beneficiary. I think that is wrong. I think that when an institution undertakes a trust and if they are willing to do it, they should continue to administer it, to carry out the intent of the testator.

Now there is a problem, as I said, and, therefore, my amendment does one other thing. Because of the inflation, it says that the court can order distributions up to \$100,000, which I think is a very liberal standard and in and of itself a significant trespass on the will of the person who did the trust. I think the amendment should be supported if we are

to protect those documents which are intended to go on beyond our lifetime, and that we should not simply give the courts and the trustees carte blanche to come in and say, we cannot accomplish this fellow's intention—for whatever reason; maybe it is not just that there is not enough money, but we cannot accomplish his intention—so relieve us of that obligation and let us distribute it to the current income beneficiary. I do not think that is right; I think we should have limits on it. I propose a limit of \$100,000 in the light of the inflation. That is twice what it is now. I urge support of the amendment. Thank you.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—183

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

NAYS—4

DeMedio	McVerry	O'Donnell	Sweet
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NOT VOTING—9

Austin	Hutchinson, A.	Jones	Street
Beloff	Johnson, J. J.	Shadding	Williams
Dumas			

EXCUSED—5

Barber Rhodes Wachob Weidner
 Helfrick

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?

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—187

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

NAYS—0

NOT VOTING—9

Austin Johnson, J. J. Shadding Taddonio
 Beloff Jones Street Williams
 Dumas

EXCUSED—5

Barber Rhodes Wachob Weidner
 Helfrick

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

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

REMARKS ON VOTE

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

Mr. DORR. Mr. Speaker, the record indicates that my switch apparently malfunctioned on HB 1145. I would like to be recorded in the affirmative on concurrence in Senate amendments.

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

RECONSIDERATION OF VOTE
 ON HB 2597

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

Mr. McCLATCHY. Mr. Speaker, I move that the vote by which HB 2597, PN 3441, was defeated on the 17th day of June be reconsidered.

The SPEAKER. The Chair recognizes majority leader. Mr. RYAN. I second the motion.

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

The following roll call was recorded:

YEAS—163

Alden	Foster, Jr., A.	McClatchy	Rocks
Anderson	Freind	McIntyre	Rodgers
Armstrong	Fryer	McKelvey	Ryan
Arty	Gallen	McMonagle	Salvatore
Belardi	Gamble	McVerry	Scheaffer
Bennett	Gatski	Mackowski	Schmitt
Berson	Geesey	Madigan	Schweder
Bittle	Geist	Maiale	Serafini
Borski	George, C.	Manderino	Seventy
Bowser	George, M. H.	Manmiller	Shupnik
Brandt	Giammarco	Michlovic	Sieminski
Brown	Gladeck	Micozzie	Sirianni
Burd	Goodman	Milanovich	Smith, E. H.
Burns	Gray	Miller	Smith, L. E.
Caltagirone	Greenfield	Moehlmann	Spencer
Cessar	Grieco	Mowery	Spitz
Chess	Gruppo	Mrkonic	Stairs
Cimini	Hagarty	Mullen	Steighner
Civera	Halverson	Murphy	Stewart
Clark, M. R.	Harper	Nahill	Stuban
Cochran	Hasay	Noye	Sweet
Cohen	Hayes, Jr., S.	O'Brien, D. M.	Taddonio
Cole	Hoeffel	O'Donnell	Taylor, E. Z.

Cornell	Honaman	Oliver	Telek
Cowell	Irviss	Perzel	Thomas
Cunningham	Johnson, E. G.	Peterson	Trello
DeMedio	Kanuck	Petrarca	Vroon
DeVerter	Klingaman	Phillips	Wargo
DeWeese	Knepper	Piccola	Wenger
DiCarlo	Kolter	Pievsky	White
Davies	Kowalyszyn	Pitts	Wilson
Dietz	Lashingier	Polite	Wright, Jr., J.
Diminni	Laughlin	Pott	Yahner
Dombrowski	Lehr	Pucciarelli	Yohn
Dorr	Lescovitz	Punt	Zeller
Duffy	Levi	Pyles	Zitterman
Durham	Levin	Rappaport	Zord
Earley	Lewis	Rasco	Zwinkl
Fee	Livengood	Richardson	
Fischer	Lynch, E. R.	Rieger	Seltzer,
Fisher	McCall	Ritter	Speaker
Foster, W. W.			

NAYS—19

Cappabianca	Grabowski	Letterman	Reed
Clark, B. D.	Hutchinson, A.	Novak	Taylor, F.
Dawida	Itkin	O'Brien, B. F.	Wass
Gallagher	Knight	Pistella	Wright, D. R.
Goebel	Kukovich	Pratt	

NOT VOTING—14

Austin	Dumas	Jones	Swift
Beloff	Gannon	Shadding	Williams
Coslett	Hutchinson, W.	Street	Wilt
Donatucci, R.	Johnson, J. J.		

EXCUSED—5

Barber	Rhodes	Wachob	Weidner
Helfrick			

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

HB 2597 PLACED ON FINAL PASSAGE POSTPONED CALENDAR

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I move that HB 2597 be placed on the final passage postponed calendar.

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

**REPORT FROM RULES COMMITTEE
ADDITIONS AND DELETIONS OF
COSPONSORS**

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I submit the report with respect to the additions and deletions of sponsors of bills:

ADDITIONS

HB 2095, DeWeese; HB 2353, A. C. Foster; HB 2353, Geist; HB 2353, Wachob; HB 2353, Wass; HB 2353, W. W. Foster; HB 2353, Trello; HB 2353, Gamble; HB 2353, Knight; HB 2353, Michlovic; HB 2353, Wenger; HB 2353, Sirianni; HB 2353, Brandt; HB 2353, Petrarca; HB 2353, Lehr; HB 2353, D. R. Wright; HB 2353, Noye; HB 2353,

Madigan; HB 2353, Peterson; HB 2353, A. K. Hutchinson; HB 2353, Livengood; HB 2353, Cappabianca; HB 2353, Dombrowski; HB 2353, Pott; HB 2538, Civera; HR 235, DeWeese.

DELETIONS

HB 2573, Duffy; HB 2573, Knight.

**BILLS REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND
RECOMMITTED TO COMMITTEE ON RULES**

HB 301, PN 3640 (Amended) By Rep. WILSON

An Act regulating subdivision sales, providing penalties and making an appropriation.

CONSUMER AFFAIRS.

HB 2279, PN 2921 By Rep. WILSON

An Act providing for the safety of audiences at musical concerts and providing penalties.

CONSUMER AFFAIRS.

HB 2488, PN 3266 (Unanimous)

By Rep. WILSON

An Act providing for ridesharing arrangements and providing that certain laws shall be inapplicable to ridesharing arrangements.

CONSUMER AFFAIRS.

HB 2512, PN 3296 (Unanimous)

By Rep. WILSON

An Act requiring the posting of unit prices of fuel at retail gasoline or diesel fuel outlets and providing penalties.

CONSUMER AFFAIRS.

HB 2541, PN 3333

By Rep. WILSON

An Act providing for the regulation of gasoline advertising.

CONSUMER AFFAIRS.

**REPORT OF COMMITTEE OF
CONFERENCE PRESENTED**

Mr. GALLEN presented the Report of the Committee of Conference on SB 543, PN 1930.

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

**STATE GOVERNMENT
COMMITTEE MEETING**

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

Mr. GALLEN. Mr. Speaker, there will be an immediate meeting in room 401 of the powerful State Government Committee. I would like everybody to report now. The meeting will be very brief, and let us get it over with.

CONFERENCE COMMITTEE MEETING

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

Mr. McCLATCHY. I would like to announce that there will be a conference committee meeting on HB 1262 tomorrow at 11:45 a.m., in room 245.

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.

ANNOUNCEMENT BY MAJORITY LEADER

The SPEAKER. The Chair recognizes the majority leader. Does the gentleman have any announcements?

Mr. RYAN. Mr. Speaker, the only announcement I would have is that I would ask that the desk be held open awaiting the report of the Committee on State Government, and then there will be a report from the Rules Committee and a motion to move certain bills off the table, which have been cleared with the Democratic leadership.

REPORT OF COMMITTEE ON COMMITTEES

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

Mr. ANDERSON. Mr. Speaker, I submit the following supplemental report of the Committee on Committees.

The following report was read:

SUPPLEMENTAL REPORT OF COMMITTEE ON COMMITTEES

In the House of Representatives, June 23, 1980 RESOLVED, That E. Raymond Lynch, 155th District, Chester County, is hereby elected a member of the Professional Licensure Committee vice David S. Hayes resigned.

Signed: John Hope Anderson,
Chairman
and others

On the question,
Will the House adopt the resolution?
Resolution was adopted.

The SPEAKER. The Chair recognizes the gentleman from Cambria, Mr. Telek.

Mr. TELEK. I move that this House do now adjourn—

The SPEAKER. The gentleman will yield.

For the information of the gentleman, the House is going to be placed in recess, and the gentleman's efforts will be utilized at some future time.

The Chair recognizes the gentleman from Philadelphia, Mr. O'Donnell.

Mr. O'DONNELL. Mr. Speaker, are there any more votes today other than those mentioned by the majority leader?

The SPEAKER. There will be no more votes today.

Mr. O'DONNELL. Thank you.

RECONSIDERATION MOTION FILED

The SPEAKER. The Chair gives notice that it has received a reconsideration motion on the final passage of SB 640.

BILLS SIGNED BY SPEAKER

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

HB 1106, PN 3365

An Act providing for certain authorized agencies to receive from insurance companies information relating to fire losses;* * * providing for the exchange and confidentiality and providing penalties.

HB 1145, PN 3428

An Act amending the "Municipality Authorities Act of 1945," approved May 2, 1945 (P. L. 382, No. 164), providing for a hearing before the adoption of certain resolutions and ordinances; clarifying language for the determination of certain assessments and making a repeal relating to term bonds.

HB 1684, PN 3392

An Act requiring the name of the issuer of a prescription to be printed thereon and providing a penalty.

HB 2362, PN 3401

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.

SB 1187, PN 1465

An Act authorizing the town council of incorporated towns to make investments of town funds and providing for the regulation of such investments.

SB 1189, PN 1467

An Act amending the act of June 24, 1931 (P. L. 1206, No. 331), entitled "The First Class Township Code," further providing for the investment of township funds.

SB 1203, PN 1877

An Act providing for the release of certain Project 500 land situated in the City of Pittsburgh, Allegheny County from restrictions on use or other encumbrances so that it may be conveyed for use in conjunction with nonprofit senior citizens housing.

RECESS

The SPEAKER. This House now stands in recess until the call of the Chair.

AFTER RECESS

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

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 496, PN 1937 (Amended)

By Rep. GALLEN

An Act authorizing the Department of General Services, with the approval of the Governor, to convey a tract of land, together with any improvements or buildings thereon in Hazleton, Luzerne County, Pennsylvania to the Hazleton-Nanticoke MH/MR Center, Inc.

STATE GOVERNMENT.

BILLS REREPORTED FROM COMMITTEE**HB 2645, PN 3514** By Rep. RYAN

An Act making an appropriation to the Association for the Blind of Armstrong and Indiana Counties, for the provision of services to the blind.

RULES.

HB 2724, PN 3598 By Rep. RYAN

An Act appropriating the Federal Augmentation to the Executive and Judicial Departments of the Commonwealth and establishing restricted receipts accounts for the fiscal period July 1, 1980 to June 30, 1981 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1980.

RULES.

REPORT FROM RULES COMMITTEE**BILLS REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I move that HB 1048, SB 355, SB 888, and SB 496 be removed from the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

WELCOMES

The SPEAKER. The Chair welcomes to the front of the House Miss Helen Martin, a teacher from the Unionville-Chadds Ford School District, and one of her students, Miss Carol Pitts, who is the daughter of Mr. Pitts. They are here today as the guests of Mr. Pitts and the Chester County delegation.

Mr. Bill DeWeese from Greene County would like to have the House recognize Capt. Emerson Carr, USMC, and his wife Frances and their two children, Christopher and Darrin. Mr. Carr was the commanding officer of Mr. DeWeese overseas and was an All-American football player at the U.S. Naval Academy. They are the guests of Mr. DeWeese.

The Chair welcomes to the House Mr. Albert Maiale, brother of Mr. Nick Maiale.

The Chair also recognizes Fred and Janet Rudolph and their children from Kittanning, Pennsylvania, who are here as the guests of Mr. Livengood.

The Chair welcomes to the hall of the House Ms. Cheryl Shaw and Ms. Yvonne Seymour of Philadelphia, who are here today as the guests of the legislative Black Caucus.

The Chair also welcomes to the hall of the House Mr. Herman I. Liebling, doctor of economics, Lafayette College, Easton, who is here today as the guest of Mr. Sieminski.

ADJOURNMENT

The SPEAKER. The Chair recognizes the gentleman from Cambria, Mr. Telek.

Mr. TELEK. Mr. Speaker, I move that this House do now adjourn until Tuesday, June 24, 1980, at 11 a.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 6:19 p.m., e.d.t., the House adjourned.