

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

TUESDAY, JULY 8, 1980

Session of 1980

164th of the General Assembly

No. 57

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (H. JACK SELTZER) IN THE CHAIR

PRAYER

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

Let us pray.

Oh God, great architect of the universe, creator and make of all things, as I stand today with this special group of people, I thank You that I am one of them. And while these people may be loved by few or by many in the districts from which they come, here together may we, who are despised and rejected of men, come to know Thee as the lover of men's souls and friend of all. And as You gave our Founding Fathers the foresight, the vision, the dream, the courage, and, above all, the wisdom to form and establish a new and different kind of government, we now ask that You guide and direct us as You did those Founding Fathers and all others over the past 200 years, so that the protection and preservation of this great Nation, founded under God, can be guaranteed. We ask that You continue to shed Thy grace on this great Commonwealth and the United States of America. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of June 11 and 16, 1980?

If not, and without objection, the Journals are approved.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Thursday, July 3, 1980, will be postponed until printed.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2818 By Representatives BROWN, REED, STEWART AND ZELLER

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), requiring the Department of Justice to assess certain inmates of penal and correctional institutions for room and board.

Referred to Committee on JUDICIARY, July 7, 1980.

No. 2819 By Representatives SIEMINSKI, HONAMAN AND GRUPPO

An Act providing for the appointment of notaries public and the revocation or suspension of their commissions; requiring them to maintain registers; establishing their powers and duties and providing penalties.

Referred to Committee on STATE GOVERNMENT, July 7, 1980.

No. 2820 By Representative SIEMINSKI

An Act designating the official flag of the Commonwealth of Pennsylvania, describing the same and making a repeal.

Referred to Committee on STATE GOVERNMENT, July 7, 1980.

No. 2821 By Representatives POTT, LAUGHLIN, IRVIS AND RAPPAPORT

An Act amending the "Banking Code of 1965," approved November 30, 1965 (P. L. 847, No. 356), granting additional powers to savings banks.

Referred to Committee on BUSINESS AND COMMERCE, July 7, 1980.

No. 2822 By Representatives FISHER, RHODES, SPENCER, LASHINGER, HAGARTY, EARLEY, ROCKS, McVERRY, ALDEN, KUKOVICH, WACHOB, BERSON, DeWEESE, WHITE AND LEVIN

An Act establishing a Department of Corrections; providing for correctional facilities for inmates, for administration of correctional field services, for joint county detention facilities and for the powers of courts with respect to offenders and making repeals.

Referred to Committee on JUDICIARY, July 7, 1980.

No. 2823 By Representatives BRANDT AND LEVI

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania providing for biennial general appropriations for the Commonwealth.

Referred to Committee on STATE GOVERNMENT, July 7, 1980.

**No. 2824** By Representatives SWEET, WACHOB, PETERSON AND LEVI

An Act amending "The Local Tax Enabling Act," approved December 31, 1965 (P. L. 1257, No. 511), further providing for the powers of officers to examine records of employers.

Referred to Committee on LOCAL GOVERNMENT, July 7, 1980.

**No. 2825** By Representatives STEWART, AUSTIN, ITKIN, WILSON, SEVENTY, DAWIDA, BURNS, MURPHY, DUFFY, HOFFEL, GOEBEL, SWEET, STEIGHNER, PISTELLA, RITTER, MILLER, TRELLO, DOMBROWSKI, KUKOVICH, MICHLOVIC, RHODES, GREENFIELD, GAMBLE, COHEN, B. D. CLARK, KNIGHT, ZWIKL AND O'DONNELL

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for annual inspection of passenger cars.

Referred to Committee on TRANSPORTATION, July 7, 1980.

**No. 2826** By Representatives ITKIN, KNEPPER, MURPHY, FISHER, POTT, McVERRY, RASCO, ZORD, TADDONIO, B. D. CLARK, TRELLO, SEVENTY, CESSAR, NOVAK, COWELL, KNIGHT, CHESSE, GOEBEL, IRVIS, MRKONIC, GRABOWSKI, PISTELLA, GAMBLE, DAWIDA, DUFFY, MICHLOVIC, RHODES AND AUSTIN

An Act amending the act of June 21, 1939 (P. L. 626, No. 294), referred to as the Second Class County Assessment Law, providing for the right to appeal before the board for persons suffering catastrophic losses to their property.

Referred to Committee on URBAN AFFAIRS, July 7, 1980.

**No. 2827** By Representative POLITE

An Act providing for the establishment and regulation of consumer banks.

Referred to Committee on BUSINESS AND COMMERCE, July 7, 1980.

**No. 2828** By Representatives POTT, STEWART, COLE AND PETERSON

An Act amending the "Goods and Services Installment Sales Act," approved October 28, 1966 (1st Sp. Sess., P. L. 55, No. 7), further providing for the minimum service charge.

Referred to Committee on BUSINESS AND COMMERCE, July 7, 1980.

**No. 2829** By Representatives ITKIN, MILLER AND GALLEN

An Act amending the "Hearing Aid Sales Registration Law," approved November 24, 1976 (P. L. 1182, No. 262), increasing the size of the Advisory Council.

Referred to Committee on STATE GOVERNMENT, July 7, 1980.

**No. 2830** By Representatives DAVIES, CESSAR, GEIST, WILSON, MOWERY, WASS, ARTY, KOLTER, PETRARCA, C. GEORGE, TRELLO, WILT, GALLEN, WHITE AND BOWSER

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further imposing limitations on evidence obtained from certain speed devices.

Referred to Committee on TRANSPORTATION, July 7, 1980.

**No. 2831** By Representatives STREET AND WILLIAMS

An Act prohibiting the operation of an automatic elevator and providing a penalty.

Referred to Committee on STATE GOVERNMENT, July 7, 1980.

**No. 2832** By Representatives STREET AND WILLIAMS

An Act prohibiting the operation of certain toll booths and providing a penalty.

Referred to Committee on TRANSPORTATION, July 7, 1980.

**No. 2833** By Representatives STREET AND WILLIAMS

An Act prohibiting the offering of self-service gasoline pumps at full-service outlets and prescribing penalties.

Referred to Committee on CONSUMER AFFAIRS, July 7, 1980.

**No. 2834** By Representatives B. D. CLARK, GATSKI, FRYER, KOLTER, McCALL AND PETRARCA

An Act prohibiting the creation or expansion of State agencies and the expansion of the rendering of services by contract.

Referred to Committee on STATE GOVERNMENT, July 7, 1980.

**No. 2835** By Representatives B. D. CLARK, IRVIS, PETRARCA, GATSKI AND KOLTER

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), requiring copies of certain contracts to be furnished to the State Treasurer.

Referred to Committee on STATE GOVERNMENT, July 7, 1980.

**No. 2836** By Representatives SERAFINI AND CAPPABIANCA

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for offenses relating to cruelty to animals.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, July 7, 1980.

**No. 2837** By Representatives DiCARLO, BARBER, OLIVER, ZORD AND KLINGAMAN

An Act amending the "Nursing Home Loan Agency Law," approved July 22, 1974 (P. L. 610, No. 207), adding a legislative finding; further defining "nursing home" and "reconstruction"; and further providing for qualifications of applicants and loan application requirements.

Referred to Committee on HEALTH AND WELFARE, July 7, 1980.

**No. 2838** By Representatives FREIND AND ALDEN

An Act amending the act of June 24, 1968 (P. L. 237, No. 111), referred to as the Policemen and Firemen Collective Bargaining Act, further providing for the selection and compensation of the third arbitrator.

Referred to Committee on LABOR RELATIONS, July 7, 1980.

**No. 2839** By Representative COWELL

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), providing an additional deduction for certain foreign taxes.

Referred to Committee on FINANCE, July 7, 1980.

**No. 2840** By Representatives COWELL, POTT, HOEFFEL, MICHLOVIC, WACHOB, AUSTIN, McVERRY, RASCO, ZORD, GRIECO, TADDONIO, PISTELLA, MURPHY, DAWIDA, COHEN, CHESS, KUKOVICH, STEWART, SWEET, DeWEESE AND ITKIN

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), changing the dates for the Municipal and General primaries and making related changes.

Referred to Committee on STATE GOVERNMENT, July 7, 1980.

**No. 2841** By Representative McCLATCHY

A Supplement to the act of (No. ), entitled "An act providing for the capital budget for the fiscal year 1980-1981," itemizing transportation assistance projects to be acquired or constructed by the Pennsylvania Department of Transportation together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects, stating the estimated useful life of the projects, and making an appropriation.

Referred to Committee on APPROPRIATIONS, July 7, 1980.

**No. 2842** By Representative McCLATCHY

An Act amending the "Pennsylvania Urban Mass Transportation Assistance Law of 1967," approved January 22, 1968 (P. L. 42, No. 8), establishing a pooled bus acquisition program, authorizing the amount of bond funds to be used for the program and making editorial changes.

Referred to Committee on TRANSPORTATION, July 7, 1980.

**No. 2843** By Representatives MRKONIC, AUSTIN AND KNIGHT

An Act declaring and adopting the song "Pennsylvania," music and lyrics by Gertrude Martin Rohrer, late of Allegheny County, Pennsylvania, as the State Song of the Commonwealth.

Referred to Committee on STATE GOVERNMENT, July 7, 1980.

**No. 2844** By Representatives COHEN, ITKIN, KUKOVICH, BROWN, HARPER, DeWEESE, MILLER, PIEVSKY, BERSON AND GREENFIELD

An Act amending the "General Appropriation Act of 1980," approved June 18, 1980 (No. 17A), adding an appropriation to the Department of Health.

Referred to Committee on APPROPRIATIONS, July 7, 1980.

**No. 2845** By Representatives CORNELL, NAHILL AND PYLES

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206, No. 331), changing the per diem rate for attendance of appointed township officers and employes at conferences, institutes and schools.

Referred to Committee on LOCAL GOVERNMENT, July 7, 1980.

**No. 2846** By Representatives COHEN, O'DONNELL, KUKOVICH, BROWN AND HARPER

An Act amending the "General Appropriation Act of 1980," approved June 18, 1980 (No. 17A), adding an appropriation to the Department of Health.

Referred to Committee on APPROPRIATIONS, July 7, 1980.

**No. 2847** By Representatives F. TAYLOR, LEHR, COCHRAN, CAPPABIANCA, HASAY, SERAFINI AND COSLETT

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), authorizing employes of the board to assist customers in certain circumstances.

Referred to Committee on LIQUOR CONTROL, July 7, 1980.

**No. 2848** By Representatives F. TAYLOR, LEHR, COCHRAN, CAPPABIANCA AND HASAY

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), providing for the board to enter into labor contracts on its own behalf.

Referred to Committee on LIQUOR CONTROL, July 7, 1980.

**No. 2849** By Representatives F. TAYLOR, COCHRAN, CAPPABIANCA, HASAY, SERAFINI AND COSLETT

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), providing for the conversion to self-service of a certain number of liquor stores.

Referred to Committee on LIQUOR CONTROL, July 7, 1980.

**No. 2850** By Representatives F. TAYLOR, LEHR, COCHRAN, CAPPABIANCA, SERAFINI AND COSLETT

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), authorizing the board to advertise and promote products with certain restrictions.

Referred to Committee on LIQUOR CONTROL, July 7, 1980.

**No. 2851** By Representatives F. TAYLOR, LEHR, COCHRAN, CAPPABIANCA, HASAY, SERAFINI AND COSLETT

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), further providing for the transfer of liquor and alcohol by certain employes of the board.

Referred to Committee on LIQUOR CONTROL, July 7, 1980.

**No. 2852** By Representatives F. TAYLOR, LEHR, COCHRAN, CAPPABIANCA, HASAY, SERAFINI AND COSLETT

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), permitting the board to apply a variable mark-up to its products.

Referred to Committee on LIQUOR CONTROL, July 7, 1980.

**No. 2853** By Representatives F. TAYLOR, CAPPABIANCA, HASAY AND SERAFINI

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), further providing for audits by the Auditor General.

Referred to Committee on LIQUOR CONTROL, July 7, 1980.

**No. 2854** By Representative STAIRS

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the recorded testimony of rape victims.

Referred to Committee on JUDICIARY, July 7, 1980.

**No. 2855** By Representatives SALVATORE AND WHITE

An Act amending the "Utility Service Tenants Rights Act," approved November 26, 1978 (P. L. 1255, No. 299), further providing for landlord ratepayers and tenants, and for notice prior to discontinuance of service.

Referred to Committee on CONSUMER AFFAIRS, July 7, 1980.

**No. 2856** By Representatives DORR AND WHITE

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for landlord ratepayers and tenants, and for notice prior to discontinuance of service.

Referred to Committee on CONSUMER AFFAIRS, July 7, 1980.

**No. 2857** By Representative BURD

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Public Welfare, to convey to Cranberry Township, 4.891 acres of land, more or less, situate in Cranberry Township, Butler County, Pennsylvania.

Referred to Committee on STATE GOVERNMENT, July 7, 1980.

**No. 2858** By Representatives REED, STEWART, KOWALYSHYN, BROWN, BORSKI, R. C. DONATUCCI AND PUCCIARELLI

An Act providing for the elimination of certain taxes imposed by municipalities and school districts within six years, and providing for the imposition of an earned income tax.

Referred to Committee on FINANCE, July 7, 1980.

**No. 2859** By Representative A. K. HUTCHINSON

An Act amending "The Second Class Township Code," reenacted and amended July 10, 1947 (P. L. 1481, No. 567), requiring townships and authorities using private roads for access to maintain the roads.

Referred to Committee on LOCAL GOVERNMENT, July 7, 1980.

**No. 2860** By Representatives E. G. JOHNSON, HAGARTY, GEIST, SHUPNIK AND RAPPAPORT

An Act providing for interest on State tax refunds.

Referred to Committee on FINANCE, July 7, 1980.

**No. 2861** By Representatives E. G. JOHNSON, SPENCER, L. E. SMITH AND WENGER

An Act amending "The Local Tax Enabling Act," approved December 31, 1965 (P. L. 1257, No. 511), further providing for limitations on actions to recover unpaid taxes.

Referred to Committee on LOCAL GOVERNMENT, July 7, 1980.

**No. 2862** By Representatives ROCKS, BERSON, McCLATCHY, HAGARTY, CORNELL AND NAHILL

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, authorizing condominium conversion moratoriums.

Referred to Committee on STATE GOVERNMENT, July 7, 1980.

#### HOUSE RESOLUTION INTRODUCED AND REFERRED

**No. 244**

(Concurrent) By Representatives E. G. JOHNSON, GEIST, NOYE, HAGARTY AND S. E. HAYES, JR.

General Assembly memorialize Congress enact legislation eliminating penalty for refusing to answer questions in connection with a census.

Referred to Committee on FEDERAL-STATE RELATIONS, July 7, 1980.

**SENATE MESSAGE**

**SENATE BILLS FOR CONCURRENCE**

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

**SB 1141, PN 1921**

Referred to Committee on Insurance, July 7, 1980

**SB 1272, PN 1976**

Referred to Committee on State Government, July 7, 1980

**SB 1373, PN 1741**

Referred to Committee on Local Government, July 7, 1980

**SB 1384, PN 1942**

Referred to Committee on Education, July 7, 1980

**SB 1404, PN 1935**

Referred to Committee on Professional Licensure, July 7, 1980

**SB 1430, PN 1836**

Referred to Committee on Professional Licensure, July 7, 1980

**SB 1454, PN 1876**

Referred to Committee on Labor Relations, July 7, 1980

**LEAVES OF ABSENCE GRANTED**

The SPEAKER. The Chair recognizes the majority whip.

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

(Mr. Helfrick's presence was noted later.)

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. I request a leave for the gentleman from Allegheny, Mr. CHESS, for today's session; for the gentleman from Schuylkill, Mr. GOODMAN, for today's session; and for the gentleman from Philadelphia, Mr. COHEN, for the week.

The SPEAKER. Without objection, leaves will be granted.

(Mr. Goodman's presence and Mr. Chess' presence were noted later.)

**REPUBLICAN CAUCUS**

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. For the benefit of the Republican members, there will be a caucus at 1:30.

**DEMOCRATIC CAUCUS**

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. For the benefit of the Democratic members, we shall also caucus at 1:30.

**RECESS**

The SPEAKER. Without objection, this House will now stand in recess until 2 p.m. The Chair hears none.

**AFTER RECESS**

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

**MASTER ROLL CALL RECORDED**

The SPEAKER. Members will please report to the floor. The Chair is about to take the master roll. Only those members in their seats may be recorded. The members will proceed to vote.

The following roll call was recorded:

**YEAS—193**

Alden	Fryer	Lynch, E. R.	Rodgers
Anderson	Gallagher	McCall	Ryan
Armstrong	Gallen	McClatchy	Salvatore
Arty	Gamble	McIntyre	Scheaffer
Austin	Gannon	McKelvey	Schmitt
Barber	Gatski	McMonagle	Schweder
Belardi	Geesey	McVerry	Serafini
Beloff	Geist	Mackowski	Seventy
Bennett	George, C.	Madigan	Shadding
Berson	George, M. H.	Maiale	Shupnik
Bittle	Giammarco	Manderino	Sieminski
Borski	Gladeck	Manmiller	Sirianni
Bowser	Goebel	Michlovic	Smith, E. H.
Brandt	Goodman	Micozzie	Smith, L. E.
Brown	Grabowski	Milanovich	Spencer
Burd	Greenfield	Miller	Spitz
Caltagirone	Grieco	Moehlmann	Stairs
Cappabianca	Gruppo	Mowery	Steighner
Cessar	Hagarty	Mrkonic	Stewart
Cimini	Halverson	Mullen	Stuban
Civera	Harper	Murphy	Sweet
Clark, B. D.	Hasay	Nahill	Swift
Clark, M. R.	Hayes, Jr., S.	Novak	Taddonio
Cochran	Helfrick	Noye	Taylor, E. Z
Cole	Hoeffel	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	Irvis	Perzel	Vroon
DeMedio	Itkin	Peterson	Wachob
DeVertter	Johnson, E. G.	Petrarca	Wargo
DeWeese	Johnson, J. J.	Phillips	Wass
DiCarlo	Jones	Piccola	Wenger
Davies	Kanuck	Pievsky	White
Dawida	Klingaman	Pistella	Williams
Dietz	Knepper	Pitts	Wilson

Dininni	Knight	Polite	Wilt
Dombrowski	Kolter	Pott	Wright, D. R.
Donatucci, R.	Kowalyszyn	Pratt	Wright, Jr., J.
Dorr	Kukovich	Pucciarelli	Yahner
Duffy	Lashinger	Punt	Yohn
Dumas	Laughlin	Pyles	Zeller
Durham	Lehr	Rappaport	Zitterman
Fee	Lescovitz	Rasco	Zord
Fischer	Letterman	Reed	Zwilk
Fisher	Levi	Rhodes	
Foster, W. W.	Levin	Rieger	Seltzer,
Foster, Jr., A.	Lewis	Ritter	Speaker
Freind	Livengood	Rocks	

NAYS—0

NOT VOTING—3

Gray Richardson Street

EXCUSED—5

Burns Cohen Earley Weidner  
Chess

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

**PARLIAMENTARY INQUIRY**

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

Mr. RYAN. Mr. Speaker, I rise to a point of parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RYAN. Is it necessary for Mr. Helfrick, who is present on the floor of the House, to withdraw his request for a leave of absence?

The SPEAKER. Since the House had granted the leave, it would certainly be in order for the gentleman, who now announces his presence, to indicate that he wishes to withdraw his leave of absence for the day.

**LEAVES OF ABSENCE WITHDRAWN**

Mr. HELFRICK. I wish to withdraw my request for leave.

The SPEAKER. The gentleman from Schuylkill, Mr. Goodman, also had a leave of absence.

Mr. GOODMAN. I wish to withdraw my leave of absence, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Goodman, also wishes to withdraw his leave of absence for the day. The Chair thanks the gentleman.

**PARLIAMENTARY INQUIRY**

The SPEAKER. For what purpose does the gentleman from Clarion, Mr. Wright, rise?

Mr. D. R. WRIGHT. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. Will the gentleman wait? The Chair will acknowledge you in a moment as soon as the master roll has been affirmed.

The Chair recognizes the gentleman from Clarion, Mr. Wright, for a point of parliamentary inquiry.

Mr. D. R. WRIGHT. Am I correct that in order for us to consider HB 1673, we would have to have a suspension of the rules?

The SPEAKER. The gentleman is in error.

Mr. D. R. WRIGHT. We do not have to have a suspension of the rules to reconsider HB 1673?

The SPEAKER. There is no need for the suspension of the rules.

Mr. D. R. WRIGHT. Mr. Speaker, at some point I wish to move a suspension of the rules, and I wish to be recognized at the appropriate time, whenever that might be.

**PARLIAMENTARY INQUIRIES**

The SPEAKER. The Chair recognizes the minority whip. Mr. MANDERINO. I rise to a point of parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state his point of parliamentary inquiry.

Mr. MANDERINO. Mr. Speaker, as I recall, the bill that the gentleman, Mr. Wright, spoke about was defeated twice by this House, and it is my understanding that our rules require that a bill defeated twice cannot be reconsidered without a suspension of the rules.

The SPEAKER. For the information of the minority whip and the other members of the House, that rule which the gentleman refers to was in the 1973 rules, but it has since been removed by this House and is no longer a part of our rules.

The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, I rise to a further point of parliamentary inquiry.

The SPEAKER. The gentleman will state his point of parliamentary inquiry.

Mr. MANDERINO. On rule 26. Is the tenor of rule 26 then that a bill defeated twice, three times, four times, et cetera, can be reconsidered at any time by this House without a suspension of the rules?

The SPEAKER. The gentleman is correct, with the exception that it must be in the possession of the House.

Mr. MANDERINO. Has a motion been timely filed for reconsideration?

The SPEAKER. It has.

**RECONSIDERATION OF VOTE  
ON HB 1673**

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I move that the vote by which HB 1673, PN 3735, was defeated on the 3d day of July be reconsidered.

The SPEAKER. The Chair recognizes the majority whip. Mr. S. E. HAYES. Mr. Speaker, I second the motion.

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

The SPEAKER. The Chair recognizes the minority whip on the motion.

Mr. MANDERINO. Mr. Speaker, although the rules of this House, as indicated in the parliamentary inquiry, would seem to allow interminable reconsiderations, under the rules of the House, if my memory serves me correctly—and it may or may not serve me correctly on this occasion—I think at least twice during this session we followed the old rule. I believe that we suspended the rules in order to consider a bill that was defeated the second time. Perhaps we are just in old habits, Mr. Speaker. In any event, the motion being made to reconsider this evening is a motion to reconsider a nonconcurrence that this House has attached to the unemployment compensation bill before us. We have nonconcurred on two different occasions. This House has not mustered enough votes according to the constitution to allow HB 1673 to become law.

Mr. Speaker, in the interest of getting a fair bill; in the interest of sending this bill to a conference committee where it belongs, I would ask every member of this House to vote against reconsidering HB 1673. Until we demonstrate by our vote that we do not want to reconsider our nonconcurrence, then we are not really serious about sending this bill to a conference or about coming out with a fair compromise in this matter. Every vote to reconsider this bill is a vote for what is in this bill, because if you are against what is in this bill you will, at this time, since it has been defeated twice, refuse to have this House reconsider it by voting against reconsideration. The alternative would be, Mr. Speaker, the only alternative that the Chair would have at that time would be to message the Senate that we have been unable to pass the bill and are ready to proceed with a conference as soon as the Senate has indicated their preference to a conference committee.

Mr. Speaker, I know that many of you will say, well, this is just a procedural vote. Well, many times I have seen this House, although a motion to reconsider is a procedural vote, exercise its prerogative in that procedure to demonstrate where the heart really was on the contents of the bill. And I ask you to show where your heart is on the contents of this bill by refusing to allow it to be reconsidered again by this House. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, the gentleman, I think, labored erroneously as I did earlier this year on the question as to whether or not it was necessary to have 102 votes to reconsider our actions. I think it was ruled on on more than one occasion that a simple majority permits the reconsideration, but once the reconsideration has failed, it is necessary for a constitutional majority to suspend the rules to allow for further reconsideration. I disagree with the gentleman with respect to a procedural vote being a vote on the merits of the bill. We customarily have, for as many years as I have been here, pretty much used that as we saw fit. We say one time it is procedural; has nothing to do with the merits; the next time we say it does have something to do with the merits.

This bill, HB 1673, is going to be voted on tonight on concurrence. If it goes down, it will be voted on tomorrow on concurrence, and we are going to pass this so that we can complete this portion of our session. I would ask for a favorable vote on reconsideration.

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

The following roll call was recorded:

YEAS—105

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

NAYS—82

Barber	George, C.	McMonagle	Rodgers
Beloff	Giammarco	Maiale	Schmitt
Berson	Goebel	Manderino	Schweder
Borski	Goodman	Michlovic	Seventy
Brown	Grabowski	Milanovich	Shadding
Caltagirone	Greenfield	Mrkonic	Shupnik
Cappabianca	Harper	Mullen	Steighner
Clark, B. D.	Hoeffel	Novak	Stewart
Cochran	Hutchinson, A.	O'Donnell	Stuban
Cole	Irvis	Oliver	Sweet
Cowell	Itkin	Petrarca	Taylor, F.
DeMedio	Knight	Pievsky	Trello
DeWeese	Kolter	Pistella	Wachob
Dawida	Kowalshyn	Pratt	Wargo
Dombrowski	Kukovich	Pucciarelli	White
Donatucci, R.	Laughlin	Rappaport	Williams
Fee	Lescovitz	Reed	Wright, D. R.
Fryer	Levin	Rhodes	Zeller
Gallagher	Livengood	Rieger	Zitterman
Gamble	McCall	Ritter	Zwilk
Gatski	McIntyre		

NOT VOTING—9

Clark, M. R.	Jones	Letterman	Smith, L. E.
Gray	Kanuck	Richardson	Street
Johnson, J. J.			

EXCUSED—5

Burns	Cohen	Earley	Weidner
Chess			

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

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

**DEMOCRATIC CAUCUS**

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, it is now necessary for me to request that the Democrats go to caucus. We will be there for 20 minutes; we shall be back on the floor by 5:30.

The SPEAKER. The minority leader, Mr. Irvis, asks for a 20-minute Democratic caucus.

The Chair recognizes the majority leader.

Mr. RYAN. There will be no need for a Republican caucus.

Mr. Speaker, before banging the gavel, I would request that the Republican members stay on the floor.

**RECESS**

The SPEAKER. Without objection, this House now stands in recess until 5:30. The Chair hears none.

**AFTER RECESS**

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

**RULES SUSPENDED**

The SPEAKER. Without objection, the Chair recognizes the minority leader, Mr. Irvis, for the purpose of making a motion to suspend the rules in order to consider a resolution immediately. The Chair hears no objection.

Mr. IRVIS. Mr. Speaker, for the purposes of introducing a congratulatory citation and asking for its immediate adoption and for that purpose only so that the members do not get uneasy about the motion, I move to suspend the rules.

The SPEAKER. The minority leader, Mr. Irvis, asks that a rule be suspended in order that a resolution which he has introduced may be considered immediately.

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

The following roll call was recorded:

**YEAS—169**

Alden	Fryer	McCall	Rhodes
Anderson	Gallagher	McClatchy	Rieger
Armstrong	Gatski	McIntyre	Ritter
Arty	Geesey	McKelvey	Rocks
Austin	Geist	McMonagle	Rodgers
Belardi	George, C.	McVerry	Ryan
Beloff	George, M. H.	Mackowski	Salvatore
Bennett	Giammarco	Madigan	Scheaffer
Berson	Gladeck	Maiale	Serafini
Bittle	Goebel	Manderino	Seventy
Borski	Goodman	Manmiller	Shadding
Bowser	Grabowski	Michlovic	Shupnik
Brandt	Greenfield	Micozzie	Sieminski
Brown	Grieco	Milanovich	Sirianni
Burd	Gruppo	Miller	Smith, E. H.
Caltagirone	Hagarty	Moehlmann	Smith, L. E.
Cappabianca	Halverson	Mowery	Spencer

Cessar	Harper	Mrkonic	Spitz
Cimini	Hasay	Mullen	Stairs
Civera	Hayes, Jr., S.	Murphy	Steighner
Clark, B. D.	Helfrick	Nahill	Stewart
Clark, M. R.	Hoeffel	Novak	Stuban
Cochran	Honaman	Noye	Sweet
Cole	Hutchinson, A.	O'Brien, B. F.	Swift
Cornell	Hutchinson, W.	O'Brien, D. M.	Taddonio
Coslett	Irvis	O'Donnell	Taylor, E. Z.
Cunningham	Itkin	Oliver	Taylor, F.
DeMedio	Kanuck	Perzel	Telek
DeVerter	Klingaman	Peterson	Trello
DeWeese	Knepper	Petrarca	Vroon
DiCarlo	Knight	Phillips	Wachob
Davies	Kolter	Piccola	Wargo
Dininni	Kowalshyn	Pievsky	Wass
Dombrowski	Kukovich	Pistella	Wenger
Donatucci, R.	Laughlin	Pitts	White
Dorr	Lehr	Polite	Wilson
Dumas	Lescovitz	Pott	Wright, Jr., J.
Durham	Levi	Pratt	Yahner
Fee	Levin	Pucciarelli	Yohn
Fischer	Lewis	Pyles	Zeller
Fisher	Livengood	Rappaport	Zitterman
Foster, W. W.	Lynch, E. R.	Reed	Zwikel
Freind			

**NAYS—1**

Lashinger

**NOT VOTING—26**

Barber	Gamble	Punt	Williams
Cowell	Gannon	Rasco	Wilt
Dawida	Gray	Richardson	Wright, D. R.
Dietz	Johnson, E. G.	Schmitt	Zord
Duffy	Johnson, J. J.	Schweder	
Foster, Jr., A.	Jones	Street	Seltzer, Speaker
Gallen	Letterman	Thomas	

**EXCUSED—5**

Burns	Cohen	Earley	Weidner
Chess			

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

**RESOLUTION ADOPTED**

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. I offer the following resolution for immediate consideration.

The SPEAKER. The clerk will read the resolution.

The following resolution was read:

In the House of Representatives,  
WHEREAS, The United States of America and the Federal Republic of Nigeria have over a period of time developed a common bond based on economic ties which today involve mainly oil exports from Nigeria; and

WHEREAS, During 1977-1978, the Constitutional Assembly of Nigeria drafted a new Constitution which provides for a federated system of government similar to that existing in the United States of America; and

WHEREAS, Nigeria is presently the fourth largest democracy in the world; and

WHEREAS, The House of Representatives of the Commonwealth of Pennsylvania is presently hosting a group of delegates from the Cross River State House of Assembly which is composed of: Honorable Chief Ndaeyo UTTAH, Deputy Speaker; Honorable Cyril M. EKIKO, Minority Leader; Honorable Brendan UKATA, Majority Whip; Honorable Basil

U. ESSIEN, Member; Honorable George INYANG-ETTE, Member; Honorable Peter NYA, Member; and Mr. Michale MONN, Senior Deputy Clerk; therefore be it

RESOLVED, That the House of Representatives urge the President of the United States and the Congress of the United States to develop stronger bonds connecting the United States of America with the Federal Republic of Nigeria based on meeting the economic and political needs of each Nation; and be it further

RESOLVED, That the Chief Clerk of the House of Representatives transmit copies of this resolution to the Congress in care of the President pro tempore of the Senate and the Speaker of the House of Representatives and to the President of the United States of America.

K. LEROY IRVIS  
 H. JACK SELTZER  
 By request of:  
 Honorable Chief Ndaeyo Uttah,  
 Deputy Speaker  
 Honorable Cyril M. Ekiko,  
 Minority Leader  
 Honorable Brendan Ukata,  
 Majority Whip  
 Honorable Basil U. Essien  
 Honorable George Inyang-Ette  
 Honorable Peter Nya  
 Mr. Michale Monn,  
 Senior Deputy Clerk

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, I ask for the immediate adoption of the resolution and ask that our honored guests, the gentlemen from Cross River State, Nigeria, who are our counterparts in a state legislative body in Nigeria, be recognized after the adoption of the resolution. Thank you, Mr. Speaker.

On the question,  
 Will the House adopt the resolution?

The following roll call was recorded:

YEAS—192

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

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

NAYS—0

NOT VOTING—4

Gray	Jones	Richardson	Street
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EXCUSED—5

Burns	Cohen	Earley	Weidner
Chess			

The question was determined in the affirmative, and the resolution was unanimously adopted.

CONSIDERATION OF HB 1673 ON CONCURRENCE

HB 1673, amended by Senate, reconsidered on concurrence, entitled:

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (2nd Sp. Sess., 1937 P. L. 2897, No. 1), adding a definition, further providing for the rate and amount of benefits, for the rate of employer contributions and for additional contributions, for a waiting week, qualifications for benefits, certain pension deductions, employer benefit charges, appeals and review, recoupment of overpayments and contributions of nonprofit organizations.

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

MOTION TO SUSPEND RULES

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, I am aware that our rules prevent the offering of amendments to Senate amendments. It would be useless, I think, for me to go over ground that has been plowed and replowed many times on the floor of this House, pointing out that the House of Representatives, neither as a body nor through its leadership, had any input at all in the formation of this most important bill.

There are those on this side who are asking an opportunity to offer amendments to this bill. In order that that opportunity be afforded them, I must move at this time to suspend the rules of the House so that amendments may be offered to the Senate amendments to HB 1673. I so move, Mr. Speaker.

The SPEAKER. It has been moved by the minority leader, Mr. Irvis, that rule 30 be suspended in order that amendments may be offered to Senate amendments.

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I oppose the motion to suspend rule 30 and ask for a negative vote.

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

(Members proceeded to vote.)

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

Mr. MANDERINO. To ask if it is not a rule of this House that if you are in the hall of the House, you must cast a vote on propositions before the House?

The SPEAKER. The gentleman is correct.

Mr. MANDERINO. There are people in the hall of the House who have not cast votes.

The SPEAKER. The Chair would remind the gentleman the roll call is still open.

Mr. MANDERINO. I thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—97

Austin	Fryer	Levin	Rhodes
Barber	Gallagher	Livengood	Rieger
Belardi	Gamble	McCall	Ritter
Beloff	Gatski	McIntyre	Rodgers
Berson	George, C.	McMonagle	Schmitt
Borski	Giammarco	Maiale	Seventy
Brown	Goebel	Manderino	Shadding
Caltagirone	Goodman	Michlovic	Shupnik
Cappabianca	Grabowski	Milanovich	Stairs
Chess	Greenfield	Miller	Steighner
Clark, B. D.	Harper	Mrkonic	Stewart
Clark, M. R.	Hoefel	Mullen	Stuban
Cochran	Hutchinson, A.	Murphy	Sweet
Cole	Irvis	Novak	Taylor, F.
Coslett	Itkin	O'Brien, B. F.	Telek
Cowell	Johnson, J. J.	O'Donnell	Trello
DeMedio	Knight	Oliver	Wachob
DeWeese	Kolter	Petrarca	Wargo
DiCarlo	Kowalyszyn	Pievsky	White
Dawida	Kukovich	Pistella	Williams
Dombrowski	Laughlin	Pratt	Wright, D. R.
Donatucci, R.	Lehr	Pucciarelli	Zeller
Duffy	Lescovitz	Rappaport	Zitterman
Dumas	Letterman	Reed	Zwinkl
Fee			

NAYS—95

Alden	Gallen	McVerry	Schweder
Anderson	Gannon	Mackowski	Serafini
Armstrong	Geesey	Madigan	Sieminski
Arty	Geist	Manmiller	Sirianni
Bennett	George, M. H.	Micozzie	Smith, E. H.
Bittle	Gladeck	Moehlmann	Smith, L. E.
Bowser	Grieco	Mowery	Spencer
Brandt	Gruppo	Nahill	Spitz
Burd	Hagarty	Noye	Swift
Cessar	Halverson	O'Brien, D. M.	Taddonio
Cimini	Hasay	Perzel	Taylor, E. Z.

Civera	Hayes, Jr., S.	Peterson	Thomas
Cornell	Helfrick	Phillips	Vroon
Cunningham	Honaman	Piccola	Wass
DeVerter	Hutchinson, W.	Pitts	Wenger
Davies	Johnson, E. G.	Polite	Wilson
Dietz	Kanuck	Pott	Wilt
Dininni	Klingaman	Punt	Wright, Jr., J.
Dorr	Knepper	Pyles	Yahner
Durham	Levi	Rasco	Yohn
Fischer	Lewis	Rocks	Zord
Fisher	Lynch, E. R.	Ryan	
Foster, W. W.	McClatchy	Salvatore	Seltzer,
Foster, Jr., A.	McKelvey	Scheaffer	Speaker
Freind			

NOT VOTING—5

Gray	Lashingier	Richardson	Street
Jones			

EXCUSED—4

Burns	Cohen	Earley	Weidner
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The question was determined in the negative, and the motion was not agreed to.

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

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, on the question, I ask that the vote now be in the negative. We have attempted, those of us who believe firmly that the UC - Unemployment Compensation - bill must be passed in some form, those of us who believe there is a problem that must be solved, have attempted this afternoon to offer at least a partial solution by suspending the rules so that we might offer amendments to this particular bill. We have been defeated in that attempt, and I must, therefore, ask the members on this side to vote in the negative on the question of, shall we concur in amendments inserted by the Senate to HB 1673? I ask for a negative vote on the question, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, the merits of this bill have been debated on the floor of this House at least twice before.

I will be very brief simply to point out that a majority of the members here present today think that this bill ought to be amended because a majority of the people here today voted to suspend the rules to allow amendments. Now, if you really believe that this bill ought to be amended, that in its present form it is not a bill which rises to the level that it should become legislation for whatever reason, there is only one way to accomplish that, and that is to vote "no" and send this bill to a conference committee. A majority of the members here present today, by the vote just taken, have indicated that they want this bill amended. It can be amended in the conference committee. It should be amended in the conference committee. Mr. Speaker, I ask for a negative vote.

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—99**

Alden	Foster, W. W.	McKelvey	Scheaffer
Anderson	Foster, Jr., A.	McVerry	Schweder
Armstrong	Freind	Mackowski	Sieminski
Arty	Gallen	Madigan	Sirianni
Austin	Geesey	Manmiller	Smith, E. H.
Bennett	Geist	Miller	Smith, L. E.
Bittle	George, M. H.	Moehlmann	Spencer
Bowser	Gladeck	Mowery	Spitz
Brandt	Goebel	Murphy	Stairs
Burd	Grabowski	Nahill	Swift
Cessar	Grieco	Noye	Taddonio
Chess	Gruppo	O'Brien, B. F.	Taylor, E. Z.
Cimini	Hagarty	O'Brien, D. M.	Thomas
Civera	Halverson	Peterson	Vroon
Clark, M. R.	Hayes, Jr., S.	Phillips	Wass
Cornell	Helfrick	Piccola	Wenger
Coslett	Honaman	Pitts	Wilson
Cunningham	Hutchinson, W.	Polite	Wilt
DeVerter	Johnson, E. G.	Pott	Wright, Jr., J.
DiCarlo	Knepper	Punt	Yahner
Davies	Lashingner	Pyles	Yohn
Dietz	Levi	Rasco	Zord
Dininni	Lewis	Rocks	
Dorr	Lynch, E. R.	Ryan	Seltzer,
Duffy	McClatchy	Salvatore	Speaker
Fisher			

**NAYS—92**

Barber	Gannon	Livengood	Rieger
Belardi	Gatski	McCall	Ritter
Beloff	George, C.	McIntyre	Rodgers
Berson	Giammarco	McMonagle	Schmitt
Borski	Goodman	Maiale	Serafini
Brown	Greenfield	Manderino	Seventy
Caltagirone	Harper	Michlovic	Shadding
Cappabianca	Hasay	Micozzie	Shupnik
Clark, B. D.	Hoeffel	Milanovich	Steighner
Cochran	Hutchinson, A.	Mrkonic	Stewart
Cole	Irviss	Mullen	Stuban
Cowell	Itkin	Novak	Sweet
DeMedio	Kanuck	O'Donnell	Taylor, F.
DeWeese	Klingaman	Oliver	Telek
Dawida	Knight	Perzel	Trello
Dombrowski	Kolter	Petrarca	Wachob
Donatucci, R.	Kowalshyn	Pievsky	Wargo
Durham	Kukovich	Pistella	White
Fee	Laughlin	Pratt	Williams
Fischer	Lehr	Pucciarelli	Wright, D. R.
Fryer	Lescovitz	Rappaport	Zeller
Gallagher	Letterman	Reed	Zitterman
Gamble	Levin	Rhodes	Zwikl

**NOT VOTING—6**

Dumas	Johnson, J. J.	Richardson	Street
Gray	Jones		

**EXCUSED—4**

Burns	Cohen	Earley	Weidner
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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.

**RECONSIDERATION OF VOTE  
ON HB 1673**

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I move that the vote by which HB 1673, PN 3735, was defeated on the 8th day of July 1980 be reconsidered.

The SPEAKER. The Chair recognizes the majority whip. Mr. S. E. HAYES. Mr. Speaker, I second the motion.

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

The following roll call was recorded:

**YEAS—105**

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

**NAYS—84**

Austin	Gatski	McCall	Rieger
Barber	George, C.	McIntyre	Ritter
Beloff	Giammarco	McMonagle	Rodgers
Berson	Goebel	Maiale	Schmitt
Borski	Goodman	Manderino	Seventy
Brown	Grabowski	Michlovic	Shadding
Caltagirone	Greenfield	Milanovich	Shupnik
Cappabianca	Harper	Mrkonic	Steighner
Clark, B. D.	Hoeffel	Mullen	Stewart
Cochran	Hutchinson, A.	Murphy	Stuban
Cole	Irviss	Novak	Sweet
Cowell	Itkin	O'Brien, B. F.	Taylor, F.
DeMedio	Knight	O'Donnell	Trello
DeWeese	Kolter	Oliver	Wachob
Dawida	Kowalshyn	Petrarca	Wargo
Dombrowski	Kukovich	Pievsky	White
Donatucci, R.	Laughlin	Pistella	Williams
Fee	Lescovitz	Pratt	Wright, D. R.
Fryer	Letterman	Pucciarelli	Zeller
Gallagher	Levin	Reed	Zitterman
Gamble	Livengood	Rhodes	Zwikl

**NOT VOTING—8**

Dumas	Gray	Rappaport	Street
Fisher	Jones	Richardson	Telek

**EXCUSED—4**

Burns	Cohen	Earley	Weidner
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The question was determined in the affirmative, and the motion was agreed to.

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

### REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I would ask for a three-quarter-of-an-hour recess and an immediate Republican caucus for every member of the Republican Party.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Will the Chair recognize the gentleman, Mr. Rappaport, before recess?

### REMARKS ON VOTE

The SPEAKER. For what purpose does the gentleman from Philadelphia, Mr. Rappaport, rise?

Mr. RAPPAPORT. To be recorded in the negative on the motion to reconsider the vote on HB 1673, Mr. Speaker. Thank you.

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

### NO DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. There will be no need for a Democratic caucus, so all Democrats can go to lunch.

### RECESS

The SPEAKER. This House now stands in recess until 7:30 p.m.

### AFTER RECESS

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

### MOTION TO SUSPEND RULES

The SPEAKER. The Chair recognizes the majority leader.

Mr. STEWART. Mr. Speaker, point of order.

Mr. RYAN. Mr. Speaker—

Mr. STEWART. Mr. Speaker, point of order.

Mr. RYAN. —it is now 11:10—

Mr. STEWART. Mr. Speaker, a point of order under our rules should be recognized by the Speaker.

Mr. RYAN. —and I would move that rule 15 be suspended—

Mr. STEWART. Mr. Speaker, a point of order by any member of this House should be recognized by the Chair.

Mr. RYAN. —to permit us to continue on this session beyond 11 o'clock.

The SPEAKER. It has been moved by the majority leader, Mr. Ryan, that rule 15 be suspended in order that the House may continue beyond the hour of 11 o'clock.

On the question,

Will the House agree to the motion?

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

Mr. McMONAGLE. I will go over to the speaker from Cambria.

### POINT OF ORDER

The SPEAKER. The gentleman from Philadelphia, Mr. McMonagle, yields to the gentleman from Cambria, Mr. Stewart.

Mr. STEWART. Mr. Speaker, I rose to a point of order which I believe, since I have been in this House of Representatives, always took precedence over whatever was happening on this floor. It is obvious in the last several minutes that that is not true.

The motion was made, so I would like to speak on the motion.

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

Mr. STEWART. The motion was made to suspend the rules, rule 15. Mr. Speaker, rule 15 clearly states that at the hour of 11 p.m. this House stands in adjournment. Whether or not we are here or whether or not someone makes the motion to suspend the rule at the hour of 11 p.m., this House automatically adjourns unless voted on by the majority of those elected to this House.

The point of order I was trying to make was that it was passed at 11, and we were technically in violation of the House rules which call very clearly under rule 15 for a rollcall vote which must pass by a constitutional majority of 102 members, and I ask the Chair for a ruling for that point of order.

The SPEAKER. The Chair is unable to determine what the gentleman's point of order is.

Mr. STEWART. Mr. Speaker, I believe the motion to suspend the rules is out of order because under rule 15 this House adjourned some 13 minutes ago and there was no rollcall vote taken to keep us in session.

The SPEAKER. The House determines when it adjourns and when it stays in session.

Mr. STEWART. No, Mr. Speaker. Rule 15 clearly states—

The SPEAKER. The Chair does not believe it clearly states as the gentleman, Mr. Stewart, indicates. As the Chair reads the rule, you will adjourn not later than 11 prevailing time, unless otherwise ordered by a rollcall vote of the majority of the members elected, and that is the position the House now finds itself in.

Mr. STEWART. And we have not had that rollcall vote of the majority of those elected to this House, and a motion was made after we adjourned under rule 15.

The SPEAKER. The question before the House is suspension of rule 15.

Mr. STEWART. No, Mr. Speaker. The question is not shall we suspend the rules. The question is, have we violated or have we invoked or have we not invoked or are we going to obey rule 15? Now, it takes the same number of votes. I understand that, but I would rather the Chair ask the House to rule on whether or not we should stay in session past 11 o'clock and comply with rule 15 rather than vote on the motion to suspend the rules.

The SPEAKER. The Chair does not believe the gentleman's point of order would be well taken. And the question before the House is the suspension of rule 15. Those in favor of suspending the rules in order that the House may stay in session after 11 o'clock will vote "aye"; those opposed will vote "no." The members will proceed to vote.

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

The following roll call was recorded:

YEAS—105

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

NAYS—81

Barber	Gatski	McMonagle	Rodgers
Beloff	George, C.	Maiale	Schmitt
Berson	Giammarco	Manderino	Seventy
Borski	Goebel	Michlovic	Shadding
Brown	Goodman	Milanovich	Shupnik
Caltagirone	Grabowski	Mrkonic	Steighner
Cappabianca	Greenfield	Mullen	Stewart
Chess	Harper	Novak	Stuban
Clark, B. D.	Hoeffel	O'Donnell	Sweet
Cochran	Hutchinson, A.	Oliver	Taylor, F.
Cole	Irvis	Petrarca	Trello
Cowell	Itkin	Pievsky	Wachob
DeMedio	Knight	Pistella	Wargo
DeWeese	Kolter	Pratt	White
Dawida	Laughlin	Pucciarelli	Williams
Dombrowski	Lescovitz	Rappaport	Wright, D. R.
Donatucci, R.	Letterman	Reed	Yahner
Fee	Levin	Rhodes	Zeller
Fryer	Livengood	Rieger	Zitterman

Gallagher	McIntyre	Ritter	Zwinkl
Gamble			

NOT VOTING—11

Austin	Johnson, J. J.	McCall	Street
Dumas	Jones	Richardson	Wright, Jr., J.
Gray	Knepper	Scheaffer	

EXCUSED—4

Burns	Cohen	Earley	Weidner
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The question was determined in the affirmative, and the motion was agreed to.

CONSIDERATION OF HB 1673 RESUMED

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

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I would ask that rule 66 be suspended to permit the taking of a roll call for a period in excess of 10 minutes.

The SPEAKER. It has been moved by the majority leader, Mr. Ryan, that rule 66 be suspended in order that the voting machine can be held open longer than 10 minutes.

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

The SPEAKER. Does the gentleman, Mr. Manderino, wish to be recognized on the motion?

Mr. MANDERINO. Yes, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, rule 66 was placed in the House rules placing a time limitation on the time in which a vote can be taken or should be taken in this House to prevent the kind of undue pressures that are put upon members of this House by both sides of the aisle and leaders on both sides of the aisle when a very difficult vote is taken, such as the vote on the unemployment compensation bill that is before us. I think that all members of this House, on both sides of the aisle, have seen the wisdom in the 10-minute rule. Certainly, if the number of votes cannot be counted that are necessary to pass a bill within the time proscribed by rule 66, there is no valid reason to extend longer.

Mr. Speaker, those of you who have been subject to all sorts of pressures from both sides of the people on this question are the people who ought not, who ought not to vote in favor of a suspension of the rules. If we suspend this rule, we might as well throw our rule book away. It is one of the most important new rules that this House has adopted in the past several sessions of the legislature. I know that it is tradition to follow party leadership on procedural questions. I think that this particular procedural question is a question of member's individual rights and rises above party loyalty.

Mr. Speaker, I think everyone knows what the issue is here, and unless we want to see a rollcall vote kept open for 2 and 3 hours, which is possible once you begin suspending these kinds of rules, then I would ask each member of this House and every member of this House to vote against the suspension of the rules, especially rule 66 which gives a full 10 minutes in which to determine the necessary votes. Mr. Speaker, I ask for a negative vote.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, I recognize the situation in which the majority leader finds himself, and as the majority leader, I have been guilty of keeping the roll open for many hours before we instituted— How long was it? Four hours? Thank you for defending me, Mr. Speaker. I have been informed I was guilty of keeping the roll open for 4 hours and 45 minutes. I have, in the years of my lifetime, been guilty of many errors and that is only one of the minor ones.

Well, let me point out to the majority leader that if he succeeds in suspending rule 66, he will have accomplished a great many things more than he intends. Let me read some of rule 66 to you. Rule 66 designates, "The names of the members shall be listed on the electric roll call boards...." Are you going to eliminate that when you suspend the rule? Rule 66 says that on any question requiring the "yeas" and "nays," the electric rollcall system shall be used.

I yield.

### POINT OF ORDER

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

Mr. RYAN. Point of order, Mr. Speaker.

It is my recollection that my motion was to suspend that portion of rule 66 that limited the taking of the roll call to a period not to exceed 10 minutes. I believe specifically—I am paraphrasing perhaps, and I have missed a word here or there—in essence, that was my motion. It was not to suspend the rule, but rather I did describe with some specificity that portion of the rule that I asked to be suspended. Is that proper?

### PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, at 25 minutes after 11, I do not certainly intend to engage in a lot of nit-picking over whether or not the majority leader said what he believes he said. Perhaps he did, and perhaps I did not hear him, but assuming that he is correct and his motion is to suspend part of a rule, then I would direct to the Chair the parliamentary inquiry whether or not that is possible, and would urge the Chair to take note of the fact that if the Chair rules that it is possible to suspend one part of the rule, then it may well be theoretically possible for any member to suspend a period, a colon, a comma, a single word, or a

single letter in any one rule, which indeed would be a ridiculous conclusion, and yet it might be inevitably the conclusion, if the Chair so rules.

Incidentally, I am told that the 4 hours and 45 minutes is an incorrect total; the Speaker has pointed out it was 4 hours and 10 minutes.

The SPEAKER. In response to the parliamentary inquiry of the minority leader, the Chair finds nothing in its rules or in its parliamentary authority which would prohibit a majority of the members of this House from suspending the entire rule or a part of the rule, if that is the will of the majority of the members-elect. And the Chair would just add to that that immediately prior to this motion, the House, in its wisdom, suspended that part of rule 15 which only pertains to holding sessions after 11 o'clock. It had not suspended the entire rule. And so the Chair is saying that if a majority of the members-elect would decide that that part of a rule can be suspended, then it can be suspended.

The Chair recognizes the minority leader, Mr. Irvis.

Mr. IRVIS. I thank the Chair, and I certainly do not intend to extend this debate, as I said, at 11:32 in the evening. I thank the Chair and I will no longer question.

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

Mr. ZELLER. Mr. Speaker, I want you to please listen to what I am going to say on this one, because I was here during that 4 hour and 10 minute so-called open-board vote, and I was not in favor of what was happening on my side of the aisle. And, Mr. Ryan, you know yourself, with all respect to you, most of the taking of issue was from the Republican side of the aisle of that very thing that was happening at that time, and we fought to get this 10-minute rule. Now what is going to happen will set a very dangerous precedent. Number two, one could be voted by someone who has to either go to the restroom or answer a call out of the House. They could be voted by the so-called wear-you-down tactics. Do not worry, I remember. And that is what I am afraid of.

Now, the point I want to bring out to all of us is that we always talk about— We do it with respect; we know the leadership has a job to do, and I respect that. But the point is, if you let this get out of control more than 10 minutes—and, as Mr. Manderino has said, most people have made their minds up, with one exception. Now you are going to allow yourself to be placed in a position of pressure that many of you have never experienced, and you are going to get it. So vote for the extension of the 10 minutes and wish to hell you did not. This is what is going to happen. So take heed. We had it on this side of the aisle, and it was unmerciful. So if you are smiling—and you had been around when it happened—saying, well, I am going to get that bunch because they did it to me back several years ago, well, I have got news for you. You will rue the day. So, please, vote against this, because what you are doing, in effect, is you are going to tell your folks back home that that is the only way that this House can operate; that you

are going to say, well, leave it open, and let the leadership operate on you by wearing you to a frazzle. So, if this is what you want, then you are no longer a Representative anymore; you are not taking a stand on your own two feet; you have already made your minds up. But once you start getting that pressure on you, I have got news for you, you will wear down. Do not let the 10-minute rule be broken.

The SPEAKER. The question recurs on suspension of the rule or that part of the rule which would limit the time of voting to 10 minutes.

Does the gentleman, Mr. Stewart, wish to be recognized? The gentleman is in order and may proceed.

Mr. STEWART. Mr. Speaker, on the suspension of the rules, several minutes ago we suspended rule 15, and in my opinion we suspended the rule on a vote that was in violation of the very rule that we suspended. We have seen again in the last several weeks on this particular measure, regardless of what side you are on, a suspension and a violation of House rules that in 3-1/2 years in this legislature I have never seen before. Now we are asked to suspend rule 66—excuse me, a part of rule 66. A lot of people took a lot of time and a lot of trouble and a lot of effort to develop these House rules so that we could live by them. Now if we are going to summarily suspend them at somebody's whim or to make it easier and more expedient to pass legislation that is difficult, and pass legislation that we are agonizing over, well, then, so be it. But I think these House rules were developed to keep some order in this system that does not parallel order by its very nature.

I oppose the suspension of rule 66; I oppose the suspension of any one of these rules, especially in times when we find ourselves debating issues that are very critical both on party lines and very critical to the citizens of this Commonwealth. I urge every one of my colleagues to oppose this suspension of the rule and every other suspension of the rule. And if you cannot do that, if you cannot oppose this suspension of the rule, then at least oppose every suspension of the rule by a motion that is made on the floor of this House. Thank you, Mr. Speaker.

The SPEAKER. Does the gentleman from Allegheny, Mr. Austin, wish to be recognized?

Mr. AUSTIN. Yes, Mr. Speaker.

Would Mr. Ryan consent to brief interrogation?

Mr. RYAN. Yes, sir.

The SPEAKER. The gentleman indicates he will stand for interrogation. Mr. Austin may proceed.

Mr. AUSTIN. I did not catch the reason why we are going to suspend this rule.

Mr. RYAN. I did not throw such a reason.

Mr. AUSTIN. I would really like to know why we are going to do this. You know, in other words, obviously we are going to go longer than 10 minutes, but could we not run it 10 minutes and then run it another 10, or are you just after expediency?

Mr. RYAN. Mr. Speaker, I think the problem—

Mr. AUSTIN. I am not trying to be cute; I want to know.

Mr. RYAN. I understand that and I think that is a very valid question, and I would be glad to give you my reasoning, such as it is.

Essentially, if we could go for 10 and then 10, I would be satisfied with that. However, I do not believe we can do that. I think once the roll call is being taken and the board is open, then under our rules, at the expiration of 10 minutes it closes down without an intervening suspension. I do not believe you can properly make an intervening suspension for an additional 10 minutes.

On the last roll call, at 9 minutes, when I was attempting to go back and talk to someone about their vote, I was interrupted. By the time I got back there, the 10 minutes had expired. I would just as soon not have that happen to me again, and believe that in a case such as this, with a measure as important as this, some reasonable extension of time is not inappropriate. It is not my intention to abuse this suspension with any 4-hour-and-45-minute run. I can count, but I just want an opportunity to discuss the matter with some people, perhaps.

Mr. AUSTIN. Could you give us some kind of estimate on—I am trying to make my schedule out here.

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

Mr. AUSTIN. That was the question. You know, do you think we are going to be here 4 hours?

Mr. RYAN. No.

### PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the gentleman, Mr. Austin. For what purpose does the gentleman rise?

Mr. AUSTIN. Could I have a point of parliamentary inquiry, Mr. Speaker?

The SPEAKER. The gentleman will state it.

Mr. AUSTIN. Okay. Two questions: One, can we amend this motion to put a time limit on it? That is one. Two: At what point does the time end?

May I make a brief statement?

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I would have no objection to amending my motion to put a 30-minute limit on it.

The SPEAKER. Will the majority leader come to the desk, please?

The Chair would like to respond to the inquiry from Mr. Austin. The rules of the House indicate, in rule 77, that suspension of the rules cannot be amended. However, the majority leader, Mr. Ryan, indicates that he is willing to withdraw his motion and reinstitute a new motion to suspend the rules for a period of not more than 30 minutes.

Mr. AUSTIN. Well, that is acceptable with me. I will be glad to give him an hour though, you know, if it was up to me.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Maybe I will compromise, Mr. Speaker, with the gentleman. I move that rule 66 be suspended so that

that portion of the rule which states that the rollcall machine cannot be opened for a period in excess of 10 minutes be amended to permit the roll call to exceed that period but not to exceed 30 minutes.

### POINT OF ORDER

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

Mr. RITTER. Point of order, Mr. Speaker.

The SPEAKER. The gentleman will state his point of order.

Mr. RITTER. Mr. Speaker, rule 77 of the House as you quoted earlier says: "The existing rules of the House shall not be changed, added to, modified or deleted except by written resolution and the same approved by a majority vote of the members elected to the House...."

Mr. Speaker, let me change the point of order to a parliamentary inquiry, and that is, is not the majority leader attempting to modify the rules without having a written resolution?

The SPEAKER. The Chair would ask the gentleman to direct his attention to the first several lines of rule 77. The Chair quotes: "Any rule of the House, which is not required by the Constitution, may be temporarily suspended at any time for a specific purpose only by a majority vote of the members elected to the House by a roll call vote."

Mr. RITTER. Mr. Speaker, the majority leader did not ask to have that rule suspended. He said to leave the roll call open for a period not to exceed 30 minutes. That is not a suspension. That is a change of the rules.

The SPEAKER. The Chair was unable to hear the gentleman.

Mr. RITTER. Mr. Speaker, the majority leader asked that that portion of rule 66 which deals with a 10-minute roll call be changed on a temporary basis—whatever way you want to put it—for a period not to exceed 30 minutes. Mr. Speaker, it seems to me that that is not a suspension, but that is in fact a modification or an alteration of the rules. Rule 77 prohibits that, and I am asking as a point of parliamentary inquiry, is that not a fact?

The SPEAKER. The Chair believes that the motion made by the majority leader is a proper motion, and if adopted by a majority of the members elected to the House, that the rule will be suspended for up to and not to exceed 30 minutes.

Mr. RITTER. Further point of order, Mr. Speaker.

The SPEAKER. The gentleman will state his point of order.

Mr. RITTER. Mr. Speaker, did the majority leader indicate the specific purpose for which he wants to suspend the rules?

The SPEAKER. The Chair believed that the gentleman had responded to a similar question posed by Mr. Austin a few moments ago.

Mr. RITTER. Mr. Speaker, I heard that response and I did not consider that to be a specific request. That was some generalization, and, Mr. Speaker, under points of order in our Pennsylvania Manual—

The SPEAKER. Will the gentleman, Mr. Ritter, yield to the majority leader?

Mr. RYAN. Mr. Speaker, it may be that the gentleman is right and that I did not phrase it properly. I am requesting that this suspension apply only to the votes taken on this particular bill that is before us this evening; not a general suspension of the rule, but rather for the specific purpose of extending the time on the vote on this bill.

The SPEAKER. Does the gentleman have any further inquiry?

Mr. RITTER. Just one further inquiry, Mr. Speaker: Do I understand you correctly to say that the majority leader's request that that portion of rule 66 be temporarily suspended for a period not to exceed 30 minutes, and you are saying that is a proper motion? That is not an alteration of the rules, but rather a suspension?

The SPEAKER. In the opinion of the Chair, that is correct.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

### YEAS—98

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

### NAYS—92

Austin	Gamble	Livengood	Rieger
Beloff	Gatski	McCall	Ritter
Bennett	George, C.	McIntyre	Rodgers
Berson	George, M. H.	McMonagle	Schmitt
Borski	Giammarco	Maiale	Schweder
Brown	Goebel	Manderino	Seventy
Caltagirone	Goodman	Michlovic	Shadding
Cappabianca	Grabowski	Milanovich	Shupnik
Chess	Greenfield	Mrkonic	Steighner
Clark, B. D.	Harper	Mullen	Stewart
Cochran	Hoefel	Murphy	Stuban
Cole	Hutchinson, A.	Novak	Sweet
Cowell	Irvis	O'Brien, B. F.	Taylor, F.
DeMedio	Itkin	O'Donnell	Trello
DeWeese	Johnson, J. J.	Oliver	Wachob
DiCarlo	Knight	Petrarca	Wargo
Dawida	Kolter	Pievsky	White
Dombrowski	Kowalyshyn	Pistella	Williams
Donatucci, R.	Kukovich	Pratt	Wright, D. R.
Duffy	Laughlin	Pucciarelli	Yahner

Fee	Lescovitz	Rappaport	Zeller
Fryer	Letterman	Reed	Zitterman
Gallagher	Levin	Rhodes	Zwilk

## NOT VOTING—7

Barber	Gray	Richardson	Street
Dumas	Jones	Sirianni	

## EXCUSED—4

Burns	Cohen	Earley	Weidner
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The question was determined in the negative, and the motion was not agreed to.

On the question recurring,

Will the House concur in Senate amendments?

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, the bill that is before us, HB 1673, has not changed in one line, one comma, one period, one word, one phrase since it was defeated three times by this House. It is still that very bad bill, that very unfair bill. It is still that bill that was sent to us from the Senate for us to swallow hook, line and sinker, without amendment, without alteration. It is that bill that we had no input on. It is that bill that bypassed the committee system. It is that bill that violated a compromise that had been achieved by at least \$110 million by amendments placed in the bill after it came from Senate committee. Those of you who have been persuaded and may change your votes on this bill are changing votes on that kind of a bill. It is a bill that does not solve the problem of unemployment compensation debt to the Federal Government in Pennsylvania. It is not even a good Band-Aid. Mr. Speaker, in 2 years the fund will be back in the same place that it is right now. The employers of this Commonwealth have been unwilling to meet their responsibility to fund the unemployment compensation fund properly and adequately.

The crisis arose, Mr. Speaker, in this Commonwealth as soon as the Federal mandate in Federal law that disallowed touching worker's benefits was lifted, and that was in December of 1979. That is when this big crisis arose. At least that is when it arose in the minds of the people who have for years been shirking their responsibility, the business community that pays this as a cost of production and the cost of labor. This is not, as all the editorial writers might lead you to believe, a tax. This is not a tax. If it were a tax, it would violate the uniformity clause of our constitution, and I am sure all the editors across this Commonwealth know that we are not talking about a tax. We are talking about something that employers have always figured as a cost of production, a cost of labor, what they have to pay in addition to wages in order to comply with the laws.

And I defy you, Mr. Speaker, to tell me where the problem was solved in any other state in this Union. And we were not the only state; we were not the only state that had a problem with the Federal Unemployment Compensation Fund in a payback. Other states had that same problem. You tell me about how many other states cut the benefits like we are cutting benefits in Pennsylvania. Have you heard of any other state that cut the benefits in that

manner? The problem was solved in the other states in the manner in which the Federal Government directed that the problem be solved - by an adjustment of the base, by an adjustment of the rate by what the employers paid into the fund. Pennsylvania; these generous employers, these people who provide jobs for people. Nothing about their profits. They do not make any profits, they do not pay dividends, they just provide jobs; benevolence. That is what they would have you believe. Mr. Speaker, those benevolent people are cutting into workers' benefits. Long fought for, achieved earned benefits that we ought to be proud are afforded to the workers in Pennsylvania, and we ought not to allow what is happening to the unemployment compensation benefits in Pennsylvania under this bill happen. We ought not to let it happen. We ought to stick with our opposition to this bill and we ought to defeat it again.

Mr. Speaker, I have talked to many members on this side of the aisle and the other side of the aisle who said, I am committed to this bill. What? Committed to what is in the bill? Committed to what it does? Committed to the way the burden is spread between employer and employee? None of them said that was what they were committed to, but they were committed to it.

We only have one commitment when we come down here, Mr. Speaker, and elected by 60,000 people, and that commitment is to vote our conscience; to do what we think is right. Mr. Speaker, many of us admit, many of us have said, that this is a problem that labor and management have to sit down with, try to solve, get to the root of the problem, because both sides knew that it had to be solved, and I think that was attempted. And I even think it was achieved. I think what we are voting on tonight was not what was achieved, but a violation of what was achieved, an abomination of what was achieved, and a bill that does not deserve the vote of the members of this General Assembly who had nothing to do with putting together such a bad piece of legislation. I urge a negative vote, Mr. Speaker.

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—107

Alden	Foster, W. W.	McClatchy	Salvatore
Anderson	Foster, Jr., A.	McKelvey	Scheaffer
Armstrong	Freind	McVerry	Schweder
Arty	Gallen	Mackowski	Sieminski
Austin	Geesey	Madigan	Sirianni
Bennett	Geist	Manmiller	Smith, E. H.
Bittle	George, M. H.	Micozzie	Smith, L. E.
Bowser	Gladeck	Miller	Spencer
Brandt	Goebel	Moehlmann	Spitz
Burd	Grabowski	Mowery	Stairs
Cessar	Grieco	Murphy	Swift
Chess	Gruppo	Nahill	Taddonio
Cimini	Hagarty	Noye	Taylor, E. Z.
Civera	Halverson	O'Brien, B. F.	Thomas
Clark, B. D.	Hayes, Jr., S.	O'Brien, D. M.	Vroon
Clark, M. R.	Helfrick	Perzel	Wass
Cornell	Honaman	Peterson	Wenger
Coslett	Hutchinson, W.	Phillips	Wilson
Cunningham	Johnson, E. G.	Piccola	Wilt

DeVertter	Johnson, J. J.	Pitts	Wright, D. R.
DiCarlo	Kanuck	Polite	Wright, Jr., J.
Davies	Klingaman	Pott	Yahner
Dietz	Knepper	Punt	Yohn
Dininni	Lashinger	Pyles	Zord
Dorr	Levi	Rasco	
Duffy	Lewis	Rocks	Seltzer,
Dumas	Lynch, E. R.	Ryan	Speaker
Fisher			

**NAYS—86**

Barber	Gannon	McCall	Ritter
Belardi	Gatski	McIntyre	Rodgers
Beloff	George, C.	McMonagle	Schmitt
Berson	Giammarco	Maiale	Serafini
Borski	Goodman	Manderino	Seventy
Brown	Greenfield	Michlovic	Shadding
Caltagirone	Harper	Milanovich	Shupnik
Cappabianca	Hasay	Mrkonic	Steighner
Cochran	Hoeffel	Mullen	Stewart
Cole	Hutchinson, A.	Novak	Stuban
Cowell	Irvis	O'Donnell	Sweet
DeMedio	Itkin	Oliver	Taylor, F.
DeWeese	Knight	Petrarca	Telek
Dawida	Kolter	Pievsky	Trello
Dombrowski	Kowalshyn	Pistella	Wachob
Donatucci, R.	Kukovich	Pratt	Wargo
Durham	Laughlin	Pucciarelli	White
Fee	Lehr	Rappaport	Williams
Fischer	Lescovitz	Reed	Zeller
Fryer	Letterman	Rhodes	Zitterman
Gallagher	Levin	Rieger	Zwilk
Gamble	Livengood		

**NOT VOTING—4**

Gray	Jones	Richardson	Street
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**EXCUSED—4**

Burns	Cohen	Earley	Weidner
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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.

**HOUSE SCHEDULE**

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, will the members remain in their seats? There are several more votes to be taken tonight.

Mr. Speaker, I would appreciate it if the members would listen for a moment. It would be my intention to adjourn shortly until September 15, subject to the call of the Speaker. However, prior to doing that there are two votes that must be taken. The minority leader and the minority whip advise me they will require a caucus on one of them.

Now, let me tell you in essence what it is that we will vote before we recess for the summer. SB 1299 is the fee bill that has been before us on three separate occasions. It is my belief that we must again attempt to pass that particular bill in order to raise the funds necessary to take care of some of our obligations to the nonpreferred institutions.

I am suggesting that an amendment be offered to SB 1299 as it is now, and that is with the line-itemed amounts in SB 1299. The amendment to provide that hereafter the

executive department would send any increases over to us that would immediately go on the calendars, the Senate and the House, and could be rejected by either side. That is the first bill that we would like to run.

As to the second bill, I have been advised, there is a reconsideration motion that has been filed that will be called up dealing with HB 1 as amended by the Senate. Those two bills I believe must be voted on prior to our summer recess.

Thank you, Mr. Speaker. I do not know what length of time the Democrats require for their caucus, Mr. Speaker.

**DEMOCRATIC CAUCUS**

The SPEAKER. The Chair recognizes the minority leader for an announcement.

Mr. IRVIS. It will be necessary for the Democrats to caucus immediately on the fee bill to make a decision as to how we shall vote on the bill. We will have it explained in caucus. I would ask for a caucus of 20 minutes, Mr. Speaker.

**RECESS**

The SPEAKER. Without objection, this House will now stand in recess until 12:30 a.m.

**AFTER RECESS**

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

**CALENDAR**

**FINAL PASSAGE BILL CONSIDERED**

Agreeable to order,

The House proceeded to the consideration on final passage of SB 1299, PN 1988, entitled:

An Act providing for the comprehensive management and fixing of fees charged by administrative agencies and the judicial system.

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?

Without objection, the Chair reverses its decision as to the bill having been agreed to on third consideration.

On the question recurring,

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

Mr. RYAN offered the following amendment:

Amend Bill, page 4, by inserting between lines 5 and 6 Section 203. Governor's authority to propose fee rate changes.

(a) The Governor may propose, subject to review by the General Assembly, changes in the rates of fees collected by any agency which are authorized by statute and set either by this act or by any other statute. Such rates may be proposed so that each fee achieves its regulatory objective or produces receipts no greater than those needed to cover the cost of the activities

of the Commonwealth which are related to providing the good, service, certification, permit or license.

(b) Each proposal to change the rate of any fee or fees collected by any agency shall be submitted to the President pro tempore of the Senate and the Speaker of the House of Representatives and shall be proposed in the form of a resolution and placed on the calendar of each House on the next legislative day following its receipt and shall be considered by each House within 30 calendar days of continuous session of the General Assembly.

(c) Each proposal shall take effect immediately upon adoption by the last House to act, if such proposal is approved by a majority vote of the duly elected membership of each House within the 30-day period.

(d) Each proposal may be rejected in its entirety by resolution of either House of the General Assembly approved by a majority vote of the duly elected membership of such House, prior to the expiration of the 30-day period. Upon the expiration of the 30-day period after the delivery of the proposal to the two Houses of the General Assembly and failure to act as provided in this section, each fee change proposal shall become effective.

(e) For the purposes of subsection (b):

(1) continuity of session shall be considered as broken only by an adjournment of the General Assembly sine die; but

(2) in the computation of the 30-day period there shall be excluded the days on which either House is not in session because of an adjournment of more than ten days to a day certain.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, the amendments that are offered are offered in the nature of a compromise on varying positions that have been suggested with respect to the fee bill over the past several weeks. As the members know, we have three times run SB 1299 in an attempt to first set a schedule of fees for the various licensees of the Commonwealth that are more realistic and more closely attuned to the actual cost of running the departments that the fees are associated with.

Mr. Speaker, to continue, SB 1299, as it appears before us, is a line-by-line bill setting forth the amount that each licensee would pay for their particular license. It sets forth the amount that they are going to be charged, the amount of the increase. This amendment would add to that a provision that in the future the executive would send to the Senate and to the House a suggestion of increased fees which either House could reject. In which event, with the rejection of the House or the rejection by the Senate, the additional fees or the increased fees or the change of fees would not go into effect. I believe this represents the best thinking available at this time to effectuate the compromise necessary to pass this fee bill.

Now, what is the effect of this? It is my belief that it is necessary to pass SB 1299 with the set amount in the bill if we are to raise the necessary moneys to meet, in part, our obligation to the nonpreferreds. If we attempted to do it otherwise and simply did it by the recommendation of the

executive, going onto our calendar for a period of 30 days, it could not become law until sometime in October. During that period of time the budget office would be unable to certify increased revenues. Without such certification, the nonpreferred would be abated proportionately. I would respectfully urge that the members adopt these amendments, and, after adoption, adopt the bill as amended. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, I must rise in opposition, to oppose the amendment of the majority leader. In reading the amendment I read that "The Governor may propose, subject to review by the General Assembly, changes in the rates of fees collected by any agency which are authorized by statute and set either by this act or by any other statute." Now, as I read that, that would allow the Governor to change the motor vehicle driver's license and truck registration fees, because those are fees set by statute, and this says that he may change any statute. I would be unwilling to allow the Governor to make such a change and submit it to the House of Representatives under language which says, "Each proposal may be rejected in its entirety...." That would indicate that we might very well be faced someday with a series of proposals by the chief executive, some of which would be absolutely unsupportable and others of which might be highly desirable. Then we would find ourselves in the situation where we would have to destroy the highly desirable ones in order not to accept the unsupportable ones. It would have been far better if the language had indicated that either House might reject, in whole or in part, the resolution offered, and in that case there might have been a better chance of passage to this amendment.

But, again, I point out to the majority leader and to the House, that under the language of the amendment in section 203, subsection (a), the Governor would be authorized to set any fee which is authorized by any statute at any time in this Commonwealth, and I am unwilling to offer that power to the Governor.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, would the minority leader consent to interrogation?

Mr. IRVIS. Certainly.

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

Mr. RYAN. I apologize to Mr. Irvis that a portion of his comments I did not hear because I was otherwise busy, which I should not have been at that time.

Did I understand the gentleman to say that he believed there would be more support for SB 1299 if the amendment were restricted to those items that are set forth in SB 1299 as opposed to the motor license fees and the other fees that he mentioned?

Mr. IRVIS. I did not say that, Mr. Speaker. But it is my opinion that there would be more support on this side if the

listing were kept as it were. But the important objection that we have, Mr. Speaker, is having the House limited to either accepting or rejecting in entirety the resolution. That is a more serious objection on our part.

**AMENDMENT WITHDRAWN  
SB 1299 PASSED OVER TEMPORARILY**

The SPEAKER. The Chair recognizes the majority leader, Mr. Ryan.

Mr. RYAN. Mr. Speaker, the minority leader was absolutely correct in his interpretation of that amendment. It is something that was an oversight on my part. Accordingly, I withdraw that amendment and ask that we temporarily pass over SB 1299 and move to HB 1 while this amendment is being redone.

**RECONSIDERATION OF VOTE  
ON HB 1**

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

Mr. ROCKS. Mr. Speaker, I move that the vote by which concurrence in Senate amendments to HB 1 was defeated on July 3, 1980 be reconsidered.

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

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

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

Mr. DAWIDA. Am I in order to speak on the motion?

The SPEAKER. The gentleman is in order.

Mr. DAWIDA. I know that it is customary in the House to, out of consideration, give a reconsideration vote, but I think that judging by the amount of votes that this bill got the last time, I would urge a "no" vote on reconsideration. This is a very dangerous concept that we are dealing with, one which should not be appropriately dealt with on such a complex problem at this late hour. It only deals with Philadelphia and Allegheny Counties, and as a legislator from Allegheny County, I would appreciate a "no" vote on this reconsideration. Thank you.

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

Mr. ROCKS. Mr. Speaker, on the motion to reconsider, I for one was a "no" vote on this bill when it was before us. And I have had some time with the prime sponsor of this bill to have a better understanding, not only of the bill, but how it would impact on my particular district. I will briefly take that opportunity to speak on this bill if we, in fact, have that chance by reconsidering it. I would ask the members of the House to please give us the opportunity to explain the intention of this bill and, therefore, first reconsider it.

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

Mr. ITKIN. Mr. Speaker, I do not think that the House at this time wants to pursue a lengthy debate on this partic-

ular legislation. I think if we vote to reconsider the bill, according to the previous speaker he intends to debate it. We who oppose the measure certainly intend to debate it at length. I do not think the House has the constitution to spend the entire evening dallying with this issue at this time. I simply suggest that we vote not to reconsider. Thank you, Mr. Speaker.

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

Mr. RAPPAPORT. Mr. Speaker, I do not intend to debate this bill at length either now or later. I would ask for the courtesy of a reconsideration and to vote in the affirmative. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. I too would ask the House to reconsider this vote.

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

The following roll call was recorded:

**YEAS—142**

Alden	Freind	McVerry	Schweder
Anderson	Gallen	Mackowski	Serafini
Armstrong	Gannon	Madigan	Shadding
Arty	Geesey	Maiale	Sieminski
Barber	Geist	Manderino	Sirianni
Belardi	Giammarco	Manmiller	Smith, E. H.
Beloff	Gladeck	Micozzie	Smith, L. E.
Berson	Goodman	Miller	Spencer
Bittle	Greenfield	Moehlmann	Spitz
Borski	Grieco	Mowery	Stairs
Bowser	Gruppo	Mullen	Stewart
Brandt	Hagarty	Nahill	Stuban
Burd	Halverson	Noye	Sweet
Cessar	Harper	O'Brien, B. F.	Swift
Chess	Hasay	O'Brien, D. M.	Taddonio
Cimini	Hayes, Jr., S.	Oliver	Taylor, E. Z.
Civera	Hoeffel	Perzel	Taylor, F.
Clark, B. D.	Honaman	Peterson	Telek
Clark, M. R.	Hutchinson, A.	Petrarca	Thomas
Cornell	Hutchinson, W.	Phillips	Trello
Coslett	Irviss	Piccola	Vroon
Cunningham	Johnson, E. G.	Pievsky	Wass
DeVerter	Johnson, J. J.	Pitts	Wenger
DeWeese	Klingaman	Polite	White
DiCarlo	Knepper	Pratt	Williams
Davies	Lashinger	Pucciarelli	Wilson
Dietz	Laughlin	Punt	Wilt
Dininni	Lehr	Pyles	Wright, D. R.
Donatucci, R.	Levi	Rappaport	Wright, Jr., J.
Dorr	Levin	Rasco	Yohn
Dumas	Lewis	Reed	Zeller
Durham	Livengood	Rieger	Zord
Fischer	Lynch, E. R.	Rocks	Zwinkl
Fisher	McClatchy	Ryan	
Foster, W. W.	McIntyre	Salvatore	Seltzer,
Foster, Jr., A.	McMonagle	Scheaffer	Speaker

**NAYS—42**

Bennett	Fee	Kolter	Pistella
Brown	Fryer	Kowalshyn	Pott
Caltagirone	Gallagher	Kukovich	Ritter
Cappabianca	Gamble	Lescovitz	Rodgers
Cochran	Gatski	McCall	Schmitt
Cole	George, C.	McKelvey	Seventy
Cowell	George, M. H.	Michlovic	Steighner
DeMedio	Goebel	Milanovich	Wachob
Dawida	Grabowski	Murphy	Yahner
Dombrowski	Itkin	Novak	Zitterman

Duffy	Knight		
NOT VOTING—13			
Austin	Kanuck	O'Donnell	Shupnik
Gray	Letterman	Rhodes	Street
Helfrick	Mrkonic	Richardson	Wargo
Jones			

EXCUSED—4

Burns	Cohen	Earley	Weidner
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The question was determined in the affirmative, and the motion was agreed to.

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

**CONSIDERATION OF HB 1 ON CONCURRENCE**

HB 1, amended by Senate, reconsidered on concurrence, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, authorizing special tax provisions for taxpayers in certain areas.

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

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

Mr. ROCKS. Mr. Speaker, I would like to assure the gentleman, Mr. Itkin, that I do not plan a lengthy debate on this bill. As concisely and briefly as I can state it, this bill is a constitutional amendment. It must go before this House another term. The deadline we are up against with this bill is that due to an advertising requirement, it is the last opportunity for this session to vote on the bill. It ultimately, as a constitutional amendment, goes before our voters.

In my district in Philadelphia, I have come to understand that in a movement toward redevelopment with an expenditure of Federal dollars, there is a serious problem, especially for the senior citizens that own older homes in a redeveloped area.

The intent of this bill for the city of Philadelphia would be to allow the city, by way of its taxing authority, to add homes that might be in the \$10,000 to \$20,000 range that, because of some redevelopment in a certain block of that city neighborhood, might suddenly see their value escalated anywhere from \$80,000 to \$120,000. So those persons who live in those homes would be forced out of them, not being able to— So those persons would not be forced out of those homes if this constitutional amendment would become the law of the Commonwealth. It would be the intention of the enabling legislation, which is yet to be enacted—actually yet to be drafted—that the city of Philadelphia could freeze a taxing level for one homeowner so that there would not be a loss of revenue to the city of Philadelphia. It would be the further intention of any ensuing enabling legislation that the money would be recovered by the city of Philadelphia when the home of that

individual would be sold either by a transfer of deed or by the home being left to an estate.

I think that this is a concept in redeveloped neighborhoods that will allow those persons, who have stuck it out through some pretty tough times, to continue to live there. And in fairness to the revenue flow in the city of Philadelphia and in the city of Pittsburgh—as this applies to Allegheny County—it does not present a bonanza to that person, but also allows the taxing authority to collect back the money if the person would sell the home at the much higher real estate value after redevelopment had taken its full effect.

Mr. Speaker, I thank the House at this somewhat ungodly hour for the attention they have given to this bill. I would ask those of my colleagues who maybe did not understand its intent last week to reconsider their vote on this as I have and will tonight. Thank you, Mr. Speaker.

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

Mr. DAWIDA. Very briefly, I still believe that even though the intent of this bill is good, the actual drafting of the words—and that is all we have to go by—the actual drafting of the words is so vague and unclear as to make this a very dangerous concept. It says longtime owner-occupants, and what, I ask you, does that mean? I have lived in the same neighborhood all my life, but in three different houses. Does that make me a longtime owner-occupant? Should it make me eligible for some kind of tax break? It is not clear here.

It is a bad bill. It is one that would be very bad for Allegheny County. I do not believe it would be particularly good for Philadelphia, but at least I know in Allegheny we are not in favor of this, and I would ask at this late hour that this very complex problem of gentrification of innercity neighborhoods not be addressed by this particular piece of legislation, and I would urge a “no” vote on concurrence on HB 1.

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

Mr. ITKIN. Mr. Speaker, whether you agree with the purpose or the intent of this legislation or not, there is a feature in this particular bill that bothers me very, very much. I cannot understand why the maker of this particular bill would choose to amend the constitution so that these types of special tax provisions can only be applicable in two counties of the state and would be null and void and not applicable in the remaining 65 counties. It would be as if the Federal Constitution was amended to allow certain things to occur in New York and New Jersey but prohibit them in other areas of the country. The question of giving special tax preferences to longtime owner-occupants of residences opens the whole area to very broad interpretation, and it is not clear how each local authority might implement this type of constitutional amendment.

In addition, it is going to, in my judgment, retard people from moving out of one particular residence into another because of the special tax provisions they would receive by maintaining and not changing residences.

Mr. Dawida has indicated that he has lived in three residences in the same community. If these tax provisions were in effect, there might be tremendous disincentive for him to ever have changed his residences and therefore cause a lack of utilization of residential property in his community. Beyond that, I think it is extremely difficult to expect people today, particularly the young people who for the first time are seeking their own houses, their own households, and therefore are not longtime owner-occupants of residences, the young people of our Commonwealth, to have to bear the burden of any tax relief which is being provided to those who may be classified as longtime owner-occupants.

I would just like to bear in mind that if this was part and parcel of our original Constitution of Pennsylvania, many of us in this room today would be paying taxes far in excess of those people who claim to be descendants of those who fought in the American Revolution and who still live in the same log cabin that they did 200 years ago. I think it is very bad to set into the constitutional framework legislation of this nature that affects only two counties. We of Allegheny County never sought to seek inclusion in this and we would hope that you would vote against the measure.

All I want to say in closing is, I think this is a very bad piece of legislation. I think this legislation was before us on several occasions, not because of the quality of the legislation, but because of the action of a Senator in Philadelphia as to what he did on other matters, and I would suggest that you vote against this bad piece of bill.

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

Mr. WHITE. Just very, very briefly. One, this bill does seek to solve a problem that is uniquely prevalent primarily in the Philadelphia areas. The previous speaker, Mr. Itkin, raised the question as to why Allegheny County was included, and I think that the true reason for that can be basically found in the votes of the Allegheny County Senators who voted to make sure that Allegheny County was included in this legislation.

What we seek to do is to try to deal with the very prevalent problem that we have termed "recycling." Recycling, in essence, happens when new developers, either private or Federal, come into a local community. They "rehab" or renovate existing housing, thereby driving the cost of that housing stock up. Those persons who have been living in that neighborhood whose homes were not affected by the urban renewal or the private developer are then forced to stare at increased tax assessments for that same property that they have been living in for long periods of time and undoubtedly in the end will be unable to afford to meet those particular tax requirements.

We would hope, Mr. Speaker, that we would keep in mind that this is in fact a constitutional amendment. It still requires enabling legislation further down the road, and we would ask that the members of this House would vote "yes" on HB 1. Thank you, Mr. Speaker.

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

(Members proceeded to vote.)

VOTES CHALLENGED

Mr. ITKIN. I challenge the vote of Mr. DeWeese.  
Mr. Speaker, Mr. Barber, would you have his vote removed from the board?

The SPEAKER. The members will please take their seats. The Chair is unable to determine the presence of members in the House while the members are milling throughout the floor. Will the members please take their seats?

For what purpose does the gentleman from Allegheny, Mr. Itkin, rise?

Mr. ITKIN. Mr. Barber is recorded on the board. I do not see him in the hall of the House.

The SPEAKER. Is the gentleman from Philadelphia, Mr. Barber, on the floor of the House? Is the gentleman, Mr. Barber, on the floor of the House? Someone please strike Mr. Barber's vote.

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—104

Anderson	Gannon	McKelvey	Rieger
Armstrong	Geist	McMonagle	Rocks
Arty	Giammarco	Mackowski	Ryan
Beloff	Gladeck	Maiale	Salvatore
Berson	Goodman	Manderino	Schweder
Bittle	Greenfield	Manmiller	Serafini
Borski	Grieco	Micozzie	Shadding
Brandt	Hagarty	Milanovich	Sirianni
Cappabianca	Harper	Miller	Smith, L. E.
Cessar	Hayes, Jr., S.	Mullen	Spencer
Cimini	Hoeffel	Nahill	Spitz
Civera	Honaman	Novak	Stewart
Clark, B. D.	Hutchinson, A.	Noye	Stuban
Cornell	Irvis	O'Brien, B. F.	Sweet
Cunningham	Johnson, E. G.	O'Donnell	Trello
DeVerter	Johnson, J. J.	Oliver	Wargo
DeWeese	Jones	Petrarca	White
Davies	Kolter	Phillips	Williams
Dietz	Lashingier	Piccola	Wilson
Dininni	Laughlin	Pievsy	Wright, Jr., J.
Dombrowski	Lehr	Pitts	Yohn
Dorr	Letterman	Polite	Zeller
Dumas	Lewis	Pucciarelli	Zord
Fischer	Livengood	Pyles	
Fisher	McCall	Rappaport	Seltzer,
Freind	McClatchy	Reed	Speaker
Gallen	McIntyre		

NAYS—85

Alden	Fryer	Levi	Schmitt
Belardi	Gallagher	Levin	Seventy
Bennett	Gamble	Lynch, E. R.	Sieminski
Bowser	Gatski	McVerry	Smith, E. H.
Brown	Geesey	Madigan	Stairs
Burd	George, C.	Michlovic	Stighner
Caltagirone	George, M. H.	Moehlmann	Swift
Chess	Goebel	Mowery	Taddonio
Clark, M. R.	Grabowski	Mrkonic	Taylor, E. Z.
Cochran	Gruppo	Murphy	Taylor, F.
Cole	Halverson	O'Brien, D. M.	Telek
Coslett	Hasay	Perzel	Thomas
Cowell	Hutchinson, W.	Peterson	Vroon
DeMedio	Itkin	Pistella	Wachob

DiCarlo	Kanuck	Pott	Wass
Dawida	Klingaman	Pratt	Wenger
Donatucci, R.	Knepper	Punt	Wilt
Duffy	Knight	Rasco	Wright, D. R.
Durham	Kowalyszyn	Ritter	Yahner
Fee	Kukovich	Rodgers	Zitterman
Foster, W. W.	Lescovitz	Scheaffer	Zwikl
Foster, Jr., A.			

NOT VOTING—8

Austin	Gray	Rhodes	Shupnik
Barber	Helfrick	Richardson	Street

EXCUSED—4

Burns	Cohen	Earley	Weidner
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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.

**RECONSIDERATION OF VOTE  
ON HB 1**

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

Mr. POTT. Mr. Speaker, I move that the vote by which HB 1, PN 3729, was passed on the 8th day of July be reconsidered.

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

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

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

The following roll call was recorded:

YEAS—127

Alden	Foster, W. W.	Lynch, E. R.	Salvatore
Armstrong	Foster, Jr., A.	McCall	Scheaffer
Arty	Freind	McClatchy	Schweder
Belardi	Gallen	McKelvey	Serafini
Bittle	Geesey	McVerry	Seventy
Bowser	Geist	Madigan	Shupnik
Brandt	George, C.	Manderino	Sieminski
Brown	George, M. H.	Manmiller	Sirianni
Burd	Gladeck	Micozzie	Smith, E. H.
Cappabianca	Grabowski	Miller	Smith, L. E.
Cessar	Greenfield	Moehlmann	Spencer
Chess	Grieco	Mrkonic	Spitz
Cimini	Gruppo	Mullen	Stairs
Civera	Hagarty	Nahill	Sweet
Clark, B. D.	Halverson	Noye	Swift
Clark, M. R.	Hasay	O'Brien, B. F.	Taddonio
Cole	Hayes, Jr., S.	O'Brien, D. M.	Taylor, E. Z.
Cornell	Helfrick	O'Donnell	Telek
Coslett	Hoeffel	Perzel	Trello
Cowell	Honaman	Peterson	Wargo
Cunningham	Iris	Phillips	Wass
DeMedio	Johnson, E. G.	Piccola	Wenger
DeVerter	Klingaman	Pitts	Wilt
DiCarlo	Knepper	Polite	Yahner
Davies	Knight	Pott	Yohn
Dawida	Lashinger	Punt	Zeller
Dietz	Lehr	Pyles	Zitterman
Dininni	Lescovitz	Rappaport	Zord
Dombrowski	Letterman	Rasco	Zwikl
Donatucci, R.	Levi	Ritter	
Dorr	Lewis	Rocks	Seltzer,
Durham	Livengood	Ryan	Speaker
Fisher			

NAYS—50

Anderson	Gallagher	Michlovic	Rodgers
Barber	Gamble	Milanovich	Schmitt
Bennett	Gatski	Mowery	Steighner
Berson	Goebel	Murphy	Stewart
Borski	Harper	Novak	Taylor, F.
Caltagirone	Hutchinson, A.	Oliver	Thomas
Cochran	Johnson, J. J.	Pievsky	Vroon
DeWeese	Kolter	Pistella	White
Duffy	Kowalyszyn	Pratt	Williams
Dumas	Kukovich	Pucciarelli	Wilson
Fee	McIntyre	Reed	Wright, D. R.
Fischer	McMonagle	Rieger	Wright, Jr., J.
Fryer	Maiale		

NOT VOTING—20

Austin	Gray	Laughlin	Richardson
Beloff	Hutchinson, W.	Levin	Shadding
Gannon	Itkin	Mackowski	Street
Giammarco	Jones	Petrarca	Stuban
Goodman	Kanuck	Rhodes	Wachob

EXCUSED—4

Burns	Cohen	Earley	Weidner
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The question was determined in the affirmative, and the motion was agreed to.

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

The SPEAKER. Does the gentleman, Mr. Pott, wish to debate concurrence? The gentleman is in order and may proceed.

Mr. POTT. I realize the hour is late. There is really no necessity to pass a constitutional amendment at 10 minutes after 1 on the 9th of July. If this is that important, we can take it up later, in the next session of the General Assembly. Let us not force ourselves into a political deal and hamstring ourselves for the future. Let us vote this bill down. We can pass it this session of the General Assembly later. We can pass it the next session of the General Assembly. Let us vote the bill down and maybe consider it again in the next session if it is all that important.

**MOTION TO ADJOURN**

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

Mr. SHADDING. I make a motion that the House adjourn until September the 15th at 1 o'clock in the afternoon, Mr. Speaker.

**MOTION WITHDRAWN**

Mr. SHADDING. I withdraw my motion, Mr. Speaker.

The SPEAKER. The Chair was unable to hear the gentleman. The Chair did not realize the gentleman made a motion.

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

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. For what purpose does the gentleman from Allegheny, Mr. Itkin, rise?

Mr. ITKIN. When the vote was being taken, I rose to challenge the votes of several members.

The SPEAKER. The Chair had not heard the gentleman, Mr. Itkin, who was asking for recognition at the time the Chair locked the machine. However, the Chair believes that a member is entitled to challenge votes and, therefore, the Chair has asked the clerk to strike the vote, and we will take another roll call.

The Chair is not disposed to keep the roll call open for any length of time. The Chair would hope that all of the members who are going to vote "aye" will vote immediately, and the gentleman from Allegheny, Mr. Itkin, will challenge immediately.

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

(Members proceeded to vote.)

VOTES CHALLENGED

The SPEAKER. Does the gentleman from Allegheny, Mr. Itkin, wish to challenge any votes?

Mr. ITKIN. Mr. Speaker, Mr. Williams?

The SPEAKER. Mr. Williams is not recorded.

Mr. ITKIN. Mr. McIntyre?

The SPEAKER. Is the gentleman, Mr. McIntyre, on the floor of the House?

Mr. ITKIN. Mr. Richardson?

The SPEAKER. Is the gentleman, Mr. Richardson, on the floor of the House? The gentleman is not recorded.

Are there any further challenges?

Mr. ITKIN. Mr. Street?

The SPEAKER. Does the gentleman have any additional challenges?

Mr. ITKIN. Mrs. Lewis?

The SPEAKER. The Chair was unable to hear the gentleman.

Mr. ITKIN. Mrs. Lewis?

The SPEAKER. The lady is not recorded.

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—104

Anderson	Gallagher	McIntyre	Rocks
Arty	Gallen	McKelvey	Rodgers
Beloff	Gannon	McMonagle	Ryan
Bennett	Geesey	Mackowski	Salvatore
Berson	Geist	Maiale	Schmitt
Bittle	Giammarco	Manderino	Schweder
Borski	Gladeck	Manmiller	Serafini
Caltagirone	Goodman	Micozzie	Shadding
Cappabianca	Greenfield	Milanovich	Sirianni
Civera	Grieco	Mullen	Smith, L. E.
Clark, B. D.	Hagarty	Nahill	Spencer
Cochran	Harper	Noye	Spitz
Cornell	Hasay	O'Brien, B. F.	Stewart
Coslett	Hayes, Jr., S.	O'Donnell	Stuban
Cunningham	Hoefel	Oliver	Sweet
DeVerter	Hutchinson, A.	Petrarca	Taddonio

DeWeese	Irvis	Phillips	Wargo
Davies	Johnson, J. J.	Piccola	White
Dininni	Jones	Pievsky	Wilson
Dombrowski	Kolter	Pitts	Wilt
Donatucci, R.	Lashinger	Polite	Wright, Jr., J.
Dorr	Laughlin	Pucciarelli	Yohn
Dumas	Lehr	Pyles	Zeller
Fischer	Letterman	Rappaport	
Fisher	Livengood	Reed	Seltzer,
Foster, Jr., A.	McCall	Rieger	Speaker
Freind	McClatchy		

NAYS—81

Alden	Fryer	Lynch, E. R.	Seventy
Armstrong	Gamble	McVerry	Shupnik
Belardi	Gatski	Madigan	Sieminski
Bowser	George, C.	Michlovic	Smith, E. H.
Brandt	George, M. H.	Miller	Stairs
Brown	Goebel	Moehlmann	Steighner
Burd	Grabowski	Mowery	Swift
Cessar	Gruppo	Mrkonic	Taylor, E. Z.
Chess	Halverson	Murphy	Taylor, F.
Cimini	Honaman	Novak	Telek
Clark, M. R.	Hutchinson, W.	O'Brien, D. M.	Thomas
Cole	Itkin	Perzel	Trello
Cowell	Kanuck	Peterson	Vroon
DeMedio	Klingaman	Pistella	Wachob
DiCarlo	Knight	Pott	Wass
Dawida	Kowalyszyn	Pratt	Wenger
Dietz	Kukovich	Punt	Wright, D. R.
Duffy	Lescovitz	Rasco	Yahner
Durham	Levi	Ritter	Zitterman
Fee	Levin	Scheaffer	Zwinkl
Foster, W. W.			

NOT VOTING—12

Austin	Helfrick	Lewis	Street
Barber	Johnson, E. G.	Rhodes	Williams
Gray	Knepper	Richardson	Zord

EXCUSED—4

Burns	Cohen	Earley	Weidner
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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.

BILLS SIGNED BY SPEAKER

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

HB 1, PN 3729

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, authorizing special tax provisions for taxpayers in certain areas.

HB 1673, PN 3735

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (2nd Sp. Sess., 1937 P. L. 2897, No. 1), adding a definition, further providing for the rate and amount of benefits, for the rate of employer contributions and for additional contributions, for a waiting week, qualifications for benefits, certain pension deductions, employer benefit charges, appeals and review, recoupment of overpayments and contributions of nonprofit organizations.

**CONSIDERATION OF SB 1299 RESUMED**

On the question recurring,

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

Mr. RYAN offered the following amendment:

Amend Bill, page 4, by inserting between lines 5 and 6 Section 203. Governor's authority to propose fee rate changes.

(a) The Governor may propose, subject to review by the General Assembly, changes in the rates of fees collected by any agency which are authorized by statute and set by this act. Such rates may be proposed so that each fee achieves its regulatory objective or produces receipts no greater than those needed to cover the cost of the activities of the Commonwealth which are related to providing the good, service, certification, permit or license.

(b) Each proposal to change the rate of any fee or fees collected by any agency shall be submitted to the President pro tempore of the Senate and the Speaker of the House of Representatives and shall be proposed in the form of a resolution and placed on the calendar of each House on the next legislative day following its receipt and shall be considered by each House within 30 calendar days of continuous session of the General Assembly.

(c) Each proposal shall take effect immediately upon adoption by the last House to act, if such proposal is approved by a majority vote of the duly elected membership of each House within the 30-day period.

(d) Each proposal may be rejected either in whole or in part by resolution by either House of the General Assembly approved by a majority vote of the duly elected membership of such House, prior to the expiration of the 30-day period. Upon the expiration of the 30-day period after the delivery of the proposal of the two Houses of the General Assembly and failure to act as provided in this section, each fee change proposal shall become effective. Any fee rejected in part by either or both Houses shall, if it takes effect at all, take effect at the lowest rate approved by both Houses.

(e) For the purposes of subsection (b):

(1) continuity of session shall be considered as broken only by an adjournment of the General Assembly sine die; but

(2) in the computation of the 30-day period there shall be excluded the days on which either House is not in session because of an adjournment of more than ten days to a day certain.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, Mr. Irvis pointed out to me earlier a defect in the amendment that had previously been offered, and I believe that the amendment before you now takes care of that problem.

The effect of the amendment, other than to get Amos Hutchinson's vote, is to permit the Governor to change any of the fees that are in SB 1299 as it is before us, only those that are mentioned, and to which a number is ascribed. Any further changes to be made by the executive department must be forwarded, appear on the calendar in the House and in the Senate, at which time the House or the Senate can reject in whole or in part any of the recom-

mended fees by the Governor. If, for instance, a fee is set at \$100 by the Governor, it comes over, the House says \$85 and the Senate says \$60, then in that case the lower amount would carry and it would be a \$60 fee.

I believe this meets most of the objections raised by both sides informally and on the record and I think it will go a long way to solving the problem facing us in connection with the nonpreferreds. I ask that the amendment be adopted, Mr. Speaker.

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

Mr. CUNNINGHAM. Mr. Speaker, this argument has been couched in political terms by some of those who have made observations concerning the bill. I would like to rise briefly to note that this is not a Republican vote; this is not a Democratic vote. What this vote means is that if we fail to solve this problem tonight, and this is the last chance we are going to get, this Commonwealth will be short \$15 million in revenues. That is going to mean to the county of Philadelphia \$5,278,000 less money in nonpreferred appropriations than they would otherwise have received. If this was to be to Allegheny County, \$3,395,000—

The SPEAKER. Will the gentleman yield.

**POINT OF ORDER**

The SPEAKER. For what purpose does the gentleman from Erie, Mr. Dombrowski, rise?

Mr. DOMBROWSKI. Is the gentleman speaking on the amendment?

The SPEAKER. The Chair will ask the gentleman to please confine his debate to the amendment before the House. The gentleman may proceed.

Mr. CUNNINGHAM. Mr. Speaker, I appreciate that admonition and I shall continue to confine my remarks to the amendment. My remarks are germane to the amendment specifically.

The amendment is the best solution to the problem. The amendment allows this House of Representatives to control the fee process. It allows this House of Representatives alone, without resort to the Senate of this Commonwealth, to reject increases or modifications that are proposed by the Governor. Failure to adopt this amendment, failure to adopt this amendment, is going to mean not only a loss of over \$5 million to the county of Philadelphia and over \$3 million to Allegheny County, but to the rural areas of this state it is going to mean a loss of almost \$6 million.

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

Mr. ZELLER. Mr. Speaker, I have before me two amendments; one that was drawn as No. 7743, and then I have the second one, No. 7744. Now, I am with you, Mr. Speaker. I am with you for what you are saying, but on the board it says A7751. Now which one are we really going after?

The SPEAKER. The amendment before the House that was introduced by the majority leader is identified as A7751. For the information of the gentleman, Mr. Zeller, it

is the same as amendment 7744, which was circulated earlier so the members would have an opportunity to review the amendment. A7744 is the same as amendment 7751.

Mr. RYAN. Mr. Speaker, will the gentleman yield for a moment?

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

Mr. RYAN. I would, with great reluctance, correct the Speaker. The amendment 7744 that was circulated is not exactly the same as A7751 that is before you on the board. There was stricken from A7744 the words in the fourth line, "either" and in the fifth line, "or by any other statute." Now, those words do not appear in amendment 7751, but rather A7744 was distributed so that everyone could have it, and because of the lateness of the hour, we redid A7751 to meet the objections of Mr. Irvis. Other than that, the Speaker is absolutely correct. It is identical in all other—

The SPEAKER. The amendment that was circulated this evening within the last hour, A7744, had the strikeouts in it.

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

Mr. PISTELLA. Would the gentleman, Mr. Ryan, please submit to brief interrogation?

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

Mr. PISTELLA. Mr. Speaker, as I look at your amendment, I see outlined in front of me a parliamentary procedure to be followed in relationship to the fees that would be proposed by the Governor or by the administration. Am I to understand then, Mr. Speaker, that according to the House rules as they exist now, this resolution, as introduced by a member or a group of members, would have to be referred to a particular committee for consideration by that committee?

Mr. RYAN. No, Mr. Speaker. It is similar to a reorganization plan in that when it is sent over by the executive, it would immediately go on the calendar of the House and the Senate.

Mr. PISTELLA. Okay. Thank you very much, Mr. Speaker.

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

The following roll call was recorded:

YEAS—96

Alden	Gannon	Mackowski	Schweder
Anderson	Geesey	Madigan	Serafini
Armstrong	Geist	Manmiller	Sieminski
Arty	Gladeck	Micozzie	Sirianni
Belardi	Goebel	Miller	Smith, E. H.
Bittle	Grieco	Moehlmann	Smith, L. E.
Brandt	Gruppo	Mowery	Spencer
Cessar	Hagarty	Nahill	Spitz
Cimini	Halverson	Noye	Stairs
Civera	Hasay	O'Brien, D. M.	Taddonio
Clark, M. R.	Hayes, Jr., S.	Perzel	Taylor, E. Z.
Cornell	Helfrick	Peterson	Telek
Coslett	Honaman	Phillips	Thomas
Cunningham	Hutchinson, W.	Piccola	Vroon
DeVerter	Johnson, E. G.	Pitts	Wass
Davies	Klingaman	Polite	Wenger

Dietz	Knepper	Punt	Wilson
Dininni	Lashingner	Pyles	Wilt
Dorr	Lehr	Rasco	Wright, Jr., J.
Fischer	Levi	Reed	Yohn
Fisher	Livengood	Rocks	Zord
Foster, W. W.	Lynch, E. R.	Ryan	
Foster, Jr., A.	McClatchy	Salvatore	Seltzer,
Freind	McKelvey	Scheaffer	Speaker
Gallen	McVerry		

NAYS—95

Austin	Durham	Letterman	Rieger
Barber	Fee	Levin	Ritter
Beloff	Fryer	McCall	Rodgers
Bennett	Gallagher	McIntyre	Schmitt
Berson	Gamble	McMonagle	Seventy
Borski	Gatski	Maiale	Shadding
Bowser	George, C.	Manderino	Steighner
Brown	George, M. H.	Michlovic	Stewart
Burd	Giammarco	Milanovich	Street
Caltagirone	Goodman	Mrkonic	Stuban
Cappabianca	Grabowski	Mullen	Sweet
Chess	Greenfield	Murphy	Swift
Clark, B. D.	Harper	Novak	Taylor, F.
Cochran	Hoeffel	O'Brien, B. F.	Trello
Cole	Hutchinson, A.	O'Donnell	Wachob
Cowell	Irvis	Oliver	Wargo
DeMedio	Itkin	Petrarca	White
DeWeese	Johnson, J. J.	Pievsky	Williams
DiCarlo	Knight	Pistella	Wright, D. R.
Dawida	Kolter	Pott	Yahner
Dombrowski	Kowalyszyn	Pratt	Zeller
Donatucci, R.	Kukovich	Pucciarelli	Zitterman
Duffy	Laughlin	Rappaport	Zwilk
Dumas	Lescovitz	Rhodes	

NOT VOTING—6

Gray	Kanuck	Richardson	Shupnik
Jones	Lewis		

EXCUSED—4

Burns	Cohen	Earley	Weidner
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The question was determined in the affirmative, and the amendment was agreed to.

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

Mr. CUNNINGHAM. Mr. Speaker, I am going to name six figures and then I am going to sit down. Failure to pass this bill tonight is going to cost the county of Philadelphia over \$5 million. It is going to cost Allegheny County over \$3.3 million. It is going to cost the rural counties almost \$6 million. It is going to cost Lincoln University \$174,000. It is going to cost the University of Pennsylvania, with the Veterinary Medicine College, \$907,000. It is going to cost Temple University \$3.5 million. It is going to cost Pitt \$3.1 million, and it is going to cost Penn State \$5.6 million. I urge an affirmative vote, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, I submit to the gentleman who just spoke, if we would have had a chance to cut the Governor's budget instead of having it rammed down our throat, nobody would lose a dime here tonight. In addition, Mr. Speaker, the bill before us does not raise as much money as he said everybody was going to lose. There is no way it could happen. I counted at least \$12 million, \$15 million. This bill raises \$7 million. No way can that happen. I do not think any of you here tonight believe the Senate is going to return to consider this bill. I do not think any of you believe that; I do not think the majority leader believes it and I do not think the Speaker believes it.

Mr. Speaker, it is quarter to 2 in the morning. There are members on this side of the aisle, when this bill was first proposed, there were members on the other side of the aisle, when this bill was first proposed with the specific fee rate changes in it that had several that they were interested in changing. And I am sure that that is the procedure that ought to be followed and I know that they are not prepared to do that this evening. I know that in addition to whatever is to be raised in a fee bill, Ayatollah Thornburgh has indicated— That is somebody who rules by divine right.

The SPEAKER. The Chair thanks the gentleman for his confidence.

Mr. MANDERINO. Mr. Speaker, The Governor of this Commonwealth has already indicated that we are not talking about \$15 million that he is short. He is talking about being short \$40 million. Everyone representing a nonpreferred appropriation traipsed in and out of my office, and I am sure out of Mr. Ryan's office and Mr. Irvis' office, maybe every member here, and we were told the story that they were some \$40 million short. We are not going to solve any problem here tonight at 2 o'clock in the morning. I do not even think we ought to try. None of us know what really is in the amendment that was drawn up and changed in the last minute. There are many of us who want to change specific numbers in the bill, and I do not see any urgency in passing this bill at this time, because it is not going anywhere. The Senate has gone home. They are not going to consider this bill. That is only part of the problem. It is a \$7-million part of a \$40-million problem.

The Governor did not give us a balanced budget. If he wants to hold the nonpreferreds hostage, that is his business. He knew how much money he did not have when he had the budget before him. He could have taken that \$40 million out of the budget. That would have been easy enough for him to do with his blue pen, and he would not have had to hold, Mr. Speaker, any nonpreferred hostage. He would not have had to do it. If he wants to do it, that is the direction he wants to go; then let him do it but let him own up to it being his plan to force this General Assembly to give him \$40 million that we may well have cut from his budget had he given us that opportunity.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, in brief, what we are attempting to do tonight is amend a Senate bill, SB 1299. I

am inclined to agree with Mr. Manderino that the Senate will not be in for 3 days. I would argue, however, that it is entirely possible that at the call of the President pro tempore, the Senate may return to town for 1 day and concur in SB 1299 as amended by the House. Now, even if they do not do it, if they want to play guts ball and ignore this—and I am not suggesting that they will. I am simply addressing hypothetically this problem—we will have done what is our job to do.

It is truly unfortunate that we were unable to do this a week ago or 2 weeks ago when the Senate was here in Harrisburg. We did run it two or three times, and in an effort to accommodate as many of the members, 102, we put this amendment in today. We have run this bill three times. The nonpreferreds have been in. They have been in my office. They have been in many of your offices. They have a legitimate concern, and we can solve it here in the House and then leave it up to the Senate to meet the objections of the nonpreferreds when the President pro tempore has asked to call them back in for one night.

There is one further element of this bill, and that is that the bill, SB 1299, addresses the question of the fees of the municipal court in Philadelphia. And it is my understanding that they, too, have budgetary problems, and I suggest that they would appreciate an affirmative vote. Mr. Speaker, I have no further comments.

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

Mr. TRELLO. Mr. Speaker, so far in this administration, if my memory serves me right, we have raised interest rates on insurance policies; we have raised insurance rates on automobiles; we have raised insurance rates on credit cards; we have raised the limit of trucks to 80,000 pounds to travel over our crumbling roads and bridges. Our motto is, "You have a friend in Pennsylvania." With friends like this, we do not need any more enemies, and if you want to show your constituents you really have a friend in Pennsylvania, vote this turkey down.

On the question recurring,  
Shall the bill pass finally?

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

YEAS—78

Anderson	Gallen	Mackowski	Scheaffer
Armstrong	Gannon	Madigan	Schweder
Arty	Geesey	Manmiller	Sieminski
Bittle	Geist	Micozzie	Sirianni
Brandt	Goebel	Miller	Smith, E. H.
Cessar	Grieco	Mowery	Smith, L. E.
Cimini	Gruppo	Nahill	Spencer
Civera	Hagarty	Noye	Taddonio
Cornell	Halverson	O'Brien, D. M.	Telek
Coslett	Hasay	Perzel	Thomas
Cowell	Hayes, Jr., S.	Peterson	Vroon
Cunningham	Honaman	Phillips	Wass
DeVerter	Hutchinson, W.	Piccola	Wenger
Davies	Johnson, E. G.	Pitts	Wilson
Dininni	Klingaman	Polite	Wilt
Dorr	Knepper	Pyles	Yohn
Fisher	Lehr	Rasco	Zord
Foster, W. W.	Levi	Rocks	
Foster, Jr., A.	McClatchy	Ryan	Seltzer,

Freind	McVerry	Salvatore	Speaker
NAYS—112			
Alden	Fryer	Lynch, E. R.	Ritter
Barber	Gallagher	McCall	Rodgers
Belardi	Gamble	McIntyre	Schmitt
Beloff	Gatski	McKelvey	Serafini
Bennett	George, C.	McMonagle	Seventy
Berson	George, M. H.	Maiale	Shadding
Borski	Giammarco	Manderino	Shupnik
Bowser	Gladeck	Michlovic	Spitz
Brown	Goodman	Milanovich	Stairs
Burd	Grabowski	Moehlmann	Steighner
Caltagirone	Greenfield	Mrkonic	Stewart
Cappabianca	Harper	Mullen	Street
Chess	Hoeffel	Murphy	Stuban
Clark, B. D.	Hutchinson, A.	Novak	Sweet
Clark, M. R.	Irvis	O'Brien, B. F.	Swift
Cochran	Itkin	O'Donnell	Taylor, E. Z.
Cole	Johnson, J. J.	Oliver	Taylor, F.
DeMedio	Knight	Petrarca	Trello
DeWeese	Kolter	Pievsky	Wachob
DiCarlo	Kowalyszyn	Pistella	Wargo
Dawida	Kukovich	Pott	White
Dietz	Lashingner	Pratt	Williams
Dombrowski	Laughlin	Pucciarelli	Wright, D. R.
Donatucci, R.	Lescovitz	Punt	Wright, Jr., J.
Duffy	Letterman	Rappaport	Yahner
Durham	Levin	Reed	Zeller
Fee	Lewis	Rhodes	Zitterman
Fischer	Livengood	Rieger	Zwikl

NOT VOTING—7

Austin	Gray	Jones	Richardson
Dumas	Helfrick	Kanuck	

EXCUSED—4

Burns	Cohen	Earley	Weidner
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Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

RECONSIDERATION MOTIONS FILED

The SPEAKER. The following reconsideration motions have been filed as of July 8, 1980, which the clerk will read.

The clerk read the following information:

Bill & Printer's No.	Status	Date Motion Filed	Filed
HB 756, PN 819	Defeated	July 2	July 2
HB 2490, PN 3268	Defeated	July 1	July 1
SB 237, PN 1793			
Amendment #6847	Passed	June 16	June 16
SB 237, PN 1793			
Amendment #7060	Defeated	June 16	June 16
HB 1066, PN 2826	Defeated	May 27	June 4
SB 449, PN 5399			
Lashingner Amendment	Defeated	March 25	March 26
SB 449, PN 1430			
Amendment #4454	Passed	March 25	March 25
HB 739, PN 2607			
Override veto	Defeated	Feb. 27	March 3
HB 1577, PN 2287			
Sweet Amendment	Passed	Jan. 22	Jan. 22
HB 756, PN 819	Defeated	July 2	July 2
HB 2490, PN 3268	Defeated	July 1	July 1
SB 237, PN 1793			

Amendment #6847	Passed	June 16	June 16
SB 237, PN 1793			
Amendment #7060	Defeated	June 16	June 16
HB 1066, PN 2826	Defeated	May 27	June 4
SB 449, PN 5399			
Lashingner Amendment	Defeated	March 25	March 26
SB 449, PN 1430			
Amendment #4454	Passed	March 25	March 25
HB 739, PN 2607			
Override veto	Defeated	Feb. 27	March 3
HB 1577, PN 2287			
Sweet Amendment	Passed	Jan. 22	Jan. 22

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.

DELETIONS OF SPONSORS

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I submit for the record a list of deletions of sponsors in accordance with the rules.

DELETIONS:

HB 1, E. R. Lynch 123; HB 1, Sirianni 103; HB 1, Vroon 178; HB 1, Gladeck 159; HB 1, Lashingner 158; HB 1, Levi 87.

MOTION TO ADJOURN

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I move that this House do now adjourn until Monday, September 15, 1980 at 1 p.m., e.d.t., unless sooner recalled by the Speaker of the House.

PARLIAMENTARY INQUIRY

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

Mr. CUNNINGHAM. Mr. Speaker, I rise to a point of parliamentary inquiry. It was my intention to move that this House recess until Monday, July 14, 1980, at 1 p.m. I would like to ask if I have been now preempted from making that motion by the majority leader's motion?

MOTION WITHDRAWN

The SPEAKER. Will the majority leader withdraw his motion?

Mr. RYAN. Mr. Speaker, I will withdraw my motion, and if I may, I would like to make a comment.

The SPEAKER. The gentleman may proceed.

Mr. RYAN. I understand that Mr. Cunningham is very concerned that SB 1299 pass. It was my fault when I moved to adjourn until September 15, thinking that we had given SB 1299 a fair shake, it having gone down four times in this House. The purpose of the motion that it be subject to the recall of the Speaker, is when there is sufficient

evidence to indicate that SB 1299 is wanted by 102 members of this House, that the Speaker can call us back in. To come back in each and every Monday through the summer, I think serves no useful purpose. With those remarks, I withdraw my motion.

**MOTION TO ADJOURN**

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

Mr. CUNNINGHAM. Mr. Speaker, I would like to move that this House recess until Monday, July 14, 1980 at 1 p.m., e.d.t.

The SPEAKER. The Chair would suggest that the gentleman's proper motion would be to adjourn rather than recess.

Mr. CUNNINGHAM. I thank the Speaker, and I do move that this House adjourn until Monday, July 14, 1980, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

Mr. CESSAR. Mr. Speaker, I would not support that motion. Of course, you understand the Republican National Convention starts on Monday.

The SPEAKER. The gentleman will yield. The motion is not debatable.

Mr. CESSAR. Mr. Speaker, I oppose the motion. I call for a rollcall vote.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

**YEAS—54**

Berson	Foster, Jr., A.	Laughlin	Pyles
Bittle	Gallagher	Lescovitz	Reed
Cappabianca	Geist	Letterman	Rocks
Chess	George, C.	Livengood	Rodgers
Cole	Goebel	Milanovich	Schmitt
Cowell	Goodman	Murphy	Seventy
Cunningham	Grabowski	O'Brien, D. M.	Stewart
DeVerter	Greenfield	O'Donnell	Street
Dawida	Hoeffel	Petrarca	Stuban
Dombrowski	Irvis	Phillips	Sweet
Dorr	Itkin	Pievsky	Taylor, F.
Duffy	Johnson, J. J.	Pistella	Trello
Durham	Kowalyszyn	Pratt	Wright, D. R.
Fischer	Kukovich		

**NAYS—126**

Alden	Gallen	McMonagle	Serafini
Anderson	Gamble	McVerry	Shadding
Arty	Gannon	Mackowski	Sieminski
Belardi	Gatski	Madigan	Sirianni
Beloff	George, M. H.	Maiale	Smith, E. H.
Bennett	Giammarco	Manderino	Smith, L. E.
Borski	Grieco	Manmiller	Spencer
Bowser	Gruppo	Michlovic	Spitz
Brandt	Hagarty	Micozzie	Stairs
Brown	Halverson	Miller	Steighner
Burd	Harper	Moehlmann	Swift
Caltagirone	Hasay	Mowery	Taddonio
Cessar	Hayes, Jr., S.	Mrkonic	Taylor, E. Z.
Cimini	Honaman	Nahill	Thomas
Civera	Hutchinson, A.	Novak	Vroon
Clark, B. D.	Hutchinson, W.	Noye	Wargo
Clark, M. R.	Johnson, E. G.	O'Brien, B. F.	Wass
Cochran	Kanuck	Oliver	Wenger
Coslett	Klingaman	Perzel	White
DeMedio	Knepper	Peterson	Williams

DeWeese	Knight	Piccola	Wilson
DiCarlo	Kolter	Pitts	Wilt
Davies	Lashinger	Polite	Wright, Jr., J.
Dietz	Lehr	Pott	Yahner
Dininni	Levi	Pucciarelli	Yohn
Donatucci, R.	Levin	Punt	Zeller
Dumas	Lewis	Rasco	Zitterman
Fee	Lynch, E. R.	Rieger	Zord
Fisher	McCall	Ritter	Zwinkl
Foster, W. W.	McClatchy	Ryan	
Freind	McIntyre	Salvatore	Seltzer,
Fryer	McKelvey	Scheaffer	Speaker

**NOT VOTING—17**

Armstrong	Gladeck	Mullen	Schweder
Austin	Gray	Rappaport	Shupnik
Barber	Helfrick	Rhodes	Telek
Cornell	Jones	Richardson	Wachob
Geesey			

**EXCUSED—4**

Burns	Cohen	Earley	Weidner
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The question was determined in the negative, and the motion was not agreed to.

**COMMUNICATIONS**

BEAVER COUNTY  
MANPOWER SERVICES  
699 Fifth Street  
Beaver, Pennsylvania 15009

July 1, 1980

Representative H. Jack Seltzer, Speaker  
House of Representatives  
House Post Office  
139 Main Capitol Building  
Harrisburg, PA 17120

Dear Representative Seltzer:

Per 20 CFR 676.12, this letter serves as notification of the availability for review of Beaver County's Fiscal Year 1981 draft Comprehensive Employment and Training Plan (CETP) under the Comprehensive Employment and Training Act (CETA) of 1978.

Copies of this draft plan will be made available to interested parties for their review and comment until August 1, 1980. Requests to review this draft plan should be directed to: Richard E. Wood, Acting Administrator, Beaver County Manpower Services, 699 Fifth Street, Beaver, PA 15009.

Your comments and suggestions would be greatly appreciated.

Very truly yours,  
Richard E. Wood  
Acting Administrator

REW/drk

COUNTY OF DELAWARE  
MANPOWER OFFICE  
203 E. Baltimore Pike  
Media, Pennsylvania 19063

July 2, 1980

Honorable Jack Seltzer  
Pa. State House of Representatives  
Speaker of the House  
State Capital  
Harrisburg, Pa. 17120

Dear Mr. Seltzer:

Delaware County has filed with the U. S. Department of Labor the Title IV Summer Youth Employment program (SYEP) for the Fiscal year 1981. The SYEP is available for referral to appropriate community based organizations and appropriate agencies and institutions.

Very truly yours,  
Frederick T. Martin,  
Executive Director  
DELAWARE COUNTY  
MANPOWER OFFICE

FTM:jap  
Encls.

#### PUBLIC NOTICE

Delaware County has filed with the United States Department of Labor, Employment and Training Administration, Region III, the Comprehensive Employment and Training Plan (CETP) for FY81. The preliminary planning estimates for funds provided under Title II, VI, and VII of the Comprehensive Employment and Training Act total \$11,529,000. Planning estimates for Title IV are not available. Classroom Training, Work Experience, On-the-Job Training, Career Employment Experience, and Public Service Employment will be provided for eligible Delaware County residents.

A copy of the Comprehensive Employment and Training Plan is available for review by any interested person from 7/2/80 to 8/2/80 between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, at 203 East Baltimore Pike, Media, Pennsylvania 19063.

Written comments from interested persons may be directed to Frederick T. Martin, Executive Director, Delaware County Manpower Office, 203 East Baltimore Pike, Media, Pennsylvania 19063.

THE SCRANTON-LACKAWANNA  
HUMAN DEVELOPMENT AGENCY, INC.  
200 Adams Avenue,  
Scranton, Pennsylvania 18503

July 2, 1980

Mr. H. Jack Seltzer, Speaker  
Penna. State House of Representatives  
Main Capitol Building  
Harrisburg, Pennsylvania 17120

Dear Mr. Seltzer:

Enclosed please find your copies of the Lackawanna County Prime Sponsor's Annual Plan for FY 81 (Grant No. 42-1-018PP) and Modification 001 to the Master Plan, (Grant No. 42-9-018XX), which were recently submitted to the U. S. Department of Labor, Employment and Training Administration, for your review and comment.

Sincerely,  
Fred F. Lettieri

FFL:mc  
Encl.

WESTMORELAND COUNTY  
EMPLOYMENT AND TRAINING ADMINISTRATION  
Courthouse Square  
10 W. Pittsburgh Street  
Greensburg, PA 15601

July 1, 1980

The Honorable H. Jack Seltzer  
Speaker of the House  
Commonwealth of Pennsylvania  
House of Representatives  
Main Capitol Building  
Harrisburg, PA 17120

Dear Mr. Seltzer:

Westmoreland County has submitted the Comprehensive Employment and Training Plan (CETP) to the U. S. Department of Labor for funding under the Comprehensive Employment and Training Act (CETA). The CETP Plan describes the CETA employment and training activities for the period October 1, 1980 to September 30, 1981. These activities cover both adult and youth programs.

In accordance with Federal regulations, I am enclosing a copy of the CETP Plan. Please distribute the information to interested parties within your legislative body.

Any comments should be forwarded to either of the following within thirty (30) days: Mr. William J. Haltigan, Regional Administrator for the Employment and Training Administration, Region III, Box 8796, Philadelphia, Pa 19101; or the Westmoreland County Board of Commissioners, Courthouse Square, Greensburg, Pa. 15601.

Very truly yours,  
Carl J. Bartolomucci  
Executive Director

CJB/gp  
Enclosures

Commonwealth of Pennsylvania  
Insurance Department  
Harrisburg  
July 3, 1980

Members of the Pennsylvania  
General Assembly  
Main Capitol Building  
Harrisburg, PA 17120

Dear Member:

Transmitted herewith is the report for the period July 1, 1979 to June 30, 1980 of the Committee established pursuant to Section 1006 of the Health Care Services Malpractice Act of October 15, 1975, as amended, P. L. 390, No. 111 (40 P. S. §§ 1301.101-1301.1007.1). We urge your favorable consideration of legislative recommendations, particularly passing House Bill 2204 (Pr.#3646), which should be enacted as soon as possible for avert an impending medical malpractice crisis.

Sincerely,  
James R. Farley  
Acting Insurance Commissioner

JRF/mdj  
Enclosure

(The booklets are available.)

#### ADJOURNMENT

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I move that this House do now adjourn until Monday, September 15, 1980, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 11:59 p.m., e.d.t., the House adjourned.