

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

TUESDAY, FEBRUARY 10, 1981

SESSION OF 1981 165TH OF THE GENERAL ASSEMBLY

No. 9

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MATTHEW J. RYAN)
IN THE CHAIR
PRAYER

REV. DARWYN J. NACE, chaplain of the House of Representatives and pastor of Felton Bethany United Methodist Church, Felton, Pennsylvania, offered the following prayer:

Let us pray:

Eternal God our loving Father, we thank You for your love and redeeming grace. We pause to acknowledge our weakness and your strength. Help us to know that we will never succeed until we place our trust and confidence in You. We pray, Our Father, that You would bless each one of us today as we seek to do Thy will. Unto Thee we will give all the glory both now and forever more. For we pray in the Master's name. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Monday, February 9, 1981, will be postponed until printed. The Chair hears none.

LEAVES OF ABSENCE GRANTED

The SPEAKER. The Chair recognizes the majority whip. Mr. CESSAR. Mr. Speaker, there are no leaves for today.

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

Mr. PIEVSKY. Mr. Speaker, I ask a leave of absence for Representative KOWALYSHYN for today and the balance of the week.

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

HOUSE BILLS
INTRODUCED AND REFERRED

No. 423 By Representatives HALUSKA, DAWIDA, BROWN, MICHLOVIC, LETTERMAN, TELEK, McINTYRE, ALDEN, COHEN, E. Z. TAYLOR, SAURMAN, JACKSON, MERRY, WAMBACH and TIGUE

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further providing for requirements concerning returns.

Referred to Committee on FINANCE, February 9, 1981.

No. 424 By Representatives HALUSKA, TELEK, MRKONIC, MORRIS and LETTERMAN

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), providing for an additional tax on foreign fire insurance companies.

Referred to Committee on INSURANCE, February 9, 1981.

No. 425 By Representatives HALUSKA, PETRARCA, COCHRAN, BROWN, TELEK and TRELLO

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania further providing for exemptions from taxation.

Referred to Committee on JUDICIARY, February 9, 1981.

No. 426 By Representatives BROWN, PRATT, CLARK, WOZNIAK, ALDEN, FISCHER and PISTELLA

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for special elections in the recall of elective officers.

Referred to Committee on STATE GOVERNMENT, February 9, 1981.

No. 427 By Representatives HAGARTY, HOEFFEL, MOWERY, RASCO, NAHILL, CESSAR, REBER, DAWIDA, MICHLOVIC, SHUPNIK, GLADECK, IRVIS, PENDLETON, LASHINGER, SAURMAN, PISTELLA, PICCOLA and KENNEDY

An Act amending the "Public Defender Act," approved December 2, 1968 (P. L. 1144, No. 358), providing for the payment of expenses incurred in parole proceedings.

Referred to Committee on JUDICIARY, February 9, 1981.

No. 428 By Representatives DeVERTER and NOYE

An Act amending the act of June 1, 1956 (1955 P. L. 1944, No. 655), referred to as the Liquid Fuels Tax Municipal Allocation Law, further providing for the use of the tax proceeds.

Referred to Committee on LOCAL GOVERNMENT, February 9, 1981.

No. 429 By Representatives WACHOB, MANDERINO, KUKOVICH, BROWN, DeWEESE, CALTAGIRONE, PISTELLA, COHEN, WASS, MICHLOVIC, RITTER, SEVENTY, SALVATORE, GALLAGHER, WHITE, GRAY, O'DONNELL, KOLTER, SWEET, CLARK, BELFANTI, MURPHY, WAMBACH, PRATT and CORDISCO

An Act relating to the marketing of gasoline products and the operation of retail service stations.

Referred to Committee on BUSINESS AND COMMERCE, February 9, 1981.

No. 430 By Representative A. K. HUTCHINSON

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932, No. 317), providing for the vesting of pension benefits after twenty years of service.

Referred to Committee on URBAN AFFAIRS, February 9, 1981.

No. 431 By Representative A. K. HUTCHINSON

An Act amending "The Auctioneers' License Act," approved September 29, 1961 (P. L. 1745, No. 708), further defining unlawful act and penalties therefor.

Referred to Committee on PROFESSIONAL LICENSURE, February 9, 1981.

No. 432 By Representative A. K. HUTCHINSON

An Act declaring certain idemnification covenants, promises, agreements or understandings to be void and unenforceable and providing for limited exceptions.

Referred to Committee on JUDICIARY, February 9, 1981.

No. 433 By Representative A. K. HUTCHINSON

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), requiring townships and authorities using private roads for access to maintain the roads.

Referred to Committee on LOCAL GOVERNMENT, February 9, 1981.

No. 434 By Representative A. K. HUTCHINSON

An Act disqualifying certain persons from holding an elective office longer than the withdrawal date upon the filing of a nominating petition for another office.

Referred to Committee on STATE GOVERNMENT, February 9, 1981.

No. 435 By Representative A. K. HUTCHINSON

An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343, No. 176), further providing for post-audits of agencies receiving State aid and authorizing commencement of certain legal proceedings by the Department of the Auditor General.

Referred to Committee on STATE GOVERNMENT, February 9, 1981.

No. 436 By Representative A. K. HUTCHINSON

An Act providing for leaves of absence for persons elected or appointed to certain governmental positions and providing penalties.

Referred to Committee on STATE GOVERNMENT, February 9, 1981.

No. 437 By Representatives A. K. HUTCHINSON and DeMEDIO

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), withdrawing gradually the authority of school districts to levy taxes on real property; authorizing school districts and city councils coterminous with districts of the first class to levy a local school surtax upon personal income; increasing the share of financial participation by the Commonwealth and decreasing the share of school districts and revising State school subsidy formulae accordingly; and requiring a judicial hearing before counties, municipalities and townships may increase real property taxes beyond certain limits.

Referred to Committee on FINANCE, February 9, 1981.

No. 438 By Representative A. K. HUTCHINSON

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), exempting moneys received from municipalities from utilities' gross receipts and taxes thereon.

Referred to Committee on FINANCE, February 9, 1981.

No. 439 By Representative A. K. HUTCHINSON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, requiring the department to establish and implement a system to insure that all registered trucks and truck tractors receive new registration plates each year.

Referred to Committee on TRANSPORTATION, February 9, 1981.

No. 440 By Representative A. K. HUTCHINSON

An Act amending the act of August 20, 1953 (P. L. 1217, No. 339), entitled "An act providing for payments by the Commonwealth to municipalities which have expended money to acquire and construct sewage treatment plants in accordance with the Clean Streams Program and the act, approved the twenty-second day of June, one thousand nine hundred thirty-seven (Pamphlet Laws 1987), and making an appropriation," further requiring payments to be made on or before the first day of October of each year.

Referred to Committee on FINANCE, February 9, 1981.

No. 441 By Representatives MICOZZIE, ARTY, FREIND, TRELLO, PETRONE, CIVERA, ALDEN, MACKOWSKI and CESSAR

An Act extending benefits to police chiefs or heads of police departments of political subdivisions of the Commonwealth who have been removed from bargaining units by the Pennsylvania Labor Relations Board.

Referred to Committee on LOCAL GOVERNMENT, February 9, 1981.

No. 442 By Representatives MICOZZIE, SPITZ, EARLEY, CIVERA, FREIND, ARTY, TRELLO, MACKOWSKI and CESSAR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, requiring two registration plates on each vehicle.

Referred to Committee on TRANSPORTATION, February 9, 1981.

No. 443 By Representatives ITKIN, CESSAR, DAWIDA, COWELL, SEVENTY, PISTELLA, GAMBLE, CALTAGIRONE, FISCHER, WHITE, PETRARCA, NAHILL, BURNS, TRELLO, MORRIS, PUCCIARELLI, KOWALYSHYN, PENDLETON, ALDEN, SWEET, JOHNSON, LETTERMAN, COHEN, SALVATORE, RAPPAPORT, STEIGHNER, GREENFIELD, SHUPNIK, McINTYRE, WACHOB, JACKSON, WHITE, RASCO, TELEK, PERZEL, MRKONIC, BORSKI, BELFANTI, KANUCK, LASHINGER, PRATT, CAPPABIANCA, CORDISCO and McVERRY

An Act amending the "Senior Citizens Property Tax or Rent Rebate and Older Persons Inflation Needs Act," approved March 11, 1971 (P. L. 104, No. 3), authorizing the filing of claims for previous years.

Referred to Committee on HEALTH AND WELFARE, February 9, 1981.

No. 444 By Representatives LIVENGOOD, L. E. SMITH, F. E. TAYLOR, DOMBROWSKI, CAPPABIANCA, SERAFINI, GEIST, COCHRAN, FLECK, PRATT, McVERRY, GEORGE, FEE, D. R. WRIGHT, VAN HORNE, PENDLETON, PETRARCA, BELFANTI, CALTAGIRONE, BROWN, McINTYRE, BLAUM, FISCHER, MRKONIC, DAWIDA, LASHINGER, ZWIKL, PISTELLA, SEVENTY, GRAY, COLE, SWAIM, SAURMAN, ITKIN, LESCOVITZ, LETTERMAN, PERZEL, DeMEDIO and A. K. HUTCHINSON

An Act providing for a reduced tax to be imposed on the retail sales of passenger automobiles.

Referred to Committee on BUSINESS AND COMMERCE, February 9, 1981.

No. 445 By Representatives PERZEL, GANNON, WOGAN, WESTON and SALVATORE

An Act authorizing economically disadvantaged senior citizens to defer their property tax liabilities.

Referred to Committee on FINANCE, February 9, 1981.

No. 446 By Representatives SALVATORE, FRAZIER, SNYDER, BOWSER, JACKSON, ALDEN, McVERRY, PHILLIPS, CORNELL, J. L. WRIGHT, NOYE, MERRY, KLINGAMAN, KANUCK, TELEK, VROON, WESTON and MICOZZIE

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for the issuance of limited driver's license in certain cases and providing penalties.

Referred to Committee on TRANSPORTATION, February 9, 1981.

No. 447 By Representatives SALVATORE, FRAZIER, CLYMER, GEIST, ARTY, JACKSON, ALDEN, E. Z. TAYLOR, RASCO, PHILLIPS, CORNELL, J. L. WRIGHT, NOYE, MERRY, TELEK, FISCHER, VROON, KLINGAMAN, W. W. FOSTER, MADIGAN, GRIECO, PERZEL, WENGER, MICOZZIE, GLADECK and WESTON

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the justifiable use of force.

Referred to Committee on JUDICIARY, February 9, 1981.

No. 448 By Representatives GALLAGHER, BURNS, CORDISCO, LESCOVITZ, SIEMINSKI, D. R. WRIGHT, COHEN, WIGGINS, LIVENGOOD, COLAFELLA, WASS, DAVIES, MACKOWSKI and COSLETT

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), increasing reimbursement for school building construction and making editorial corrections.

Referred to Committee on EDUCATION, February 9, 1981.

No. 449 By Representatives DININNI and COLE

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, exempting certain special mobile equipment from registration requirements.

Referred to Committee on TRANSPORTATION, February 9, 1981.

No. 450 By Representatives ITKIN, TADDONIO, MANDERINO, HOFFEL, SEVENTY, MORRIS, COCHRAN, COLE, PRATT, KUKOVICH, DAWIDA, KOWALYSHYN, COHEN, LEVIN, McCALL, McINTYRE,

VAN HORNE, PETRARCA, CORDISCO,
LASHINGER, LUCYK, PISTELLA,
DeWEESE and EVANS

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for radiation emergency response.

Referred to Committee on STATE GOVERNMENT, February 9, 1981.

No. 451 By Representatives ITKIN, NOYE, MANDERINO, COCHRAN, SEVENTY, COLE, COWELL, PRATT, KUKOVICH, DAWIDA, GRUITZA, SPITZ, D. R. WRIGHT, COHEN, CALTAGIRONE, FISCHER, McINTYRE, PETRARCA, CORDISCO, LASHINGER, O'DONNELL, LUCYK, PISTELLA, ZWIKL, DeWEESE and EVANS

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

Referred to Committee on FINANCE, February 9, 1981.

No. 452 By Representatives DeVERTER, ANDERSON, COCHRAN, LEHR, CESSAR, STUBAN, WASS, PHILLIPS, PITTS, CORNELL, REBER, NAHILL, D. R. WRIGHT, E. Z. TAYLOR, GAMBLE, GRUPPO and SIEMINSKI

An Act amending "The Local Tax Enabling Act," approved December 31, 1965 (P. L. 1257, No. 511), repealing occupation taxes based on a percentage, millage or flat rate basis, repealing per capita taxes, further providing for credits to and deductions from taxes owed to political subdivisions other than the political subdivisions of residence and making editorial changes and repeals.

Referred to Committee on LOCAL GOVERNMENT, February 9, 1981.

No. 453 By Representatives DININNI and KOLTER

An Act amending the act of May 31, 1911 (P. L. 468, No. 195), referred to as the State Highway Department Law, deleting provisions authorizing payments to suppliers prior to delivery of fabricated steel and prestressed beams.

Referred to Committee on TRANSPORTATION, February 9, 1981.

No. 454 By Representatives B. SMITH, DORR, ANDERSON, LEHR, ARMSTRONG, BRANDT and A. C. FOSTER, JR.

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), eliminating utilities gross receipts tax in certain instances.

Referred to Committee on FINANCE, February 9, 1981.

No. 455 By Representatives GALLAGHER, CORDISCO, COLAFELLA, BURNS, GREENWOOD, CLYMER and J. L. WRIGHT

An Act amending the act of July 27, 1967 (P. L. 186, No. 58), entitled "An act imposing liability upon parents for personal injury *** caused by the wilful, tortious acts of children under eighteen ****" increasing the limits of parental liability.

Referred to Committee on JUDICIARY, February 9, 1981.

No. 456 By Representatives J. L. WRIGHT and ZWIKL

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), abolishing the Valley Forge Park Commission and making repeals.

Referred to Committee on STATE GOVERNMENT, February 9, 1981.

No. 457 By Representatives NOYE, A. C. FOSTER, JR., COCHRAN, JACKSON, PHILLIPS, MICOZZIE, CIVERA, MACKOWSKI, SPITZ, McVERRY, ITKIN and GANNON

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), providing for an increase in the maximum compensation of an attorney employed by an auditor.

Referred to Committee on LOCAL GOVERNMENT, February 9, 1981.

No. 458 By Representatives NOYE, JOHNSON, HALUSKA, COCHRAN, BOWSER, PETERSON, PHILLIPS, PERZEL, MICOZZIE, CIVERA, MACKOWSKI, TIGUE and McVERRY

An Act amending the act of April 14, 1949 (P. L. 482, No. 98), entitled, as amended, "An act authorizing and requiring cities, boroughs, townships, municipal authorities and public utility companies engaged in the supplying of water, to shut off the supply of water for nonpayment of sewer, sewerage, or sewage treatment rentals, rates, or charges imposed by municipal authorities organized by counties of the second class, by cities of the second class, by cities of the second class A, by cities of the third class, by boroughs or by townships of the first or second class; authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data; authorizing them to act as billing and collecting agents for such authorities; and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith," extending the act to nonpayment of water bills.

Referred to Committee on LOCAL GOVERNMENT, February 9, 1981.

No. 459 By Representatives NOYE, PUNT, JOHNSON, HASAY, COSLETT, B. SMITH, TELEK, J. L. WRIGHT, ARTY, MILLER, COCHRAN, CORNELL, DORR, COLE, BOWSER, KLINGAMAN, JACKSON, SALVATORE, W. W. FOSTER, PHILLIPS, GRIECO, PERZEL, MICOZZIE, CIVERA, MACKOWSKI, PRATT, TIGUE, CESSAR,

WACHOB, SPITZ, ALDEN, COHEN, HALUSKA, TRELLO, E. Z. TAYLOR, FISCHER, MRKONIC, McVERRY, WENGER, RASCO, ZWIKL, ITKIN, LETTERMAN and BORSKI

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), excluding certain senior citizen organizations from taxes on sales.

Referred to Committee on FINANCE, February 9, 1981.

No. 460 By Representatives NOYE, JOHNSON, HASAY, DORR, B. SMITH, MRKONIC, J. L. WRIGHT, MORRIS, MILLER, COCHRAN, BOWSER, PETERSON, KLINGAMAN, JACKSON, SALVATORE, PHILLIPS, MADIGAN, MERRY, PERZEL, MICOZZIE, CIVERA, MACKOWSKI, PRATT, ALDEN, HALUSKA, VROON, E. Z. TAYLOR, McVERRY, SPITZ, SAURMAN, ITKIN, LETTERMAN, SWAIM and GANNON

An Act amending the "Public Defender Act," approved December 2, 1968 (P. L. 1144, No. 358), providing for the court to assess certain costs on certain criminal defendants and providing for a schedule of limited repayments.

Referred to Committee on JUDICIARY, February 9, 1981.

No. 461 By Representatives NOYE, JOHNSON, PETRARCA, J. L. WRIGHT, MORRIS, COCHRAN, CORNELL, BOWSER, PETERSON, KLINGAMAN, PHILLIPS, GRIECO, MADIGAN, MERRY, MICOZZIE, CIVERA, PRATT, ALDEN, D. R. WRIGHT, TELEK, HONAMAN, HALUSKA, E. Z. TAYLOR, McVERRY, SAURMAN, ITKIN, LETTERMAN and L. E. SMITH

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736, No. 338), further providing for a division of premium costs among municipalities receiving protection from the same volunteer fire company.

Referred to Committee on LOCAL GOVERNMENT, February 9, 1981.

No. 462 By Representatives NOYE, JOHNSON, HASAY, DAWIDA, J. L. WRIGHT, ARTY, COCHRAN, COLE, BOWSER, PETERSON, KLINGAMAN, JACKSON, SALVATORE, W. W. FOSTER, PHILLIPS, MERRY, PERZEL, MICOZZIE, CIVERA, MACKOWSKI, PRATT, TIGUE, RAPPAPORT, ALDEN, TELEK, COHEN, HONAMAN, E. Z. TAYLOR, FISCHER, PETRARCA, McVERRY, SAURMAN, ZWIKL, ITKIN and LETTERMAN

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

Referred to Committee on JUDICIARY, February 9, 1981.

No. 463 By Representatives NOYE, HASAY, TRELLO, JOHNSON, J. L. WRIGHT, MORRIS, ARTY, COCHRAN, CORNELL, BOWSER, PETERSON, KLINGAMAN, JACKSON, SALVATORE, PHILLIPS, GRIECO, MERRY, MICOZZIE, CIVERA, PRATT, TELEK, COHEN, HALUSKA, VROON, E. Z. TAYLOR, PETRARCA, McVERRY, SAURMAN, SNYDER, ITKIN, LETTERMAN, L. E. SMITH and GANNON

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), providing for automobile sales from the Department of General Services to any political subdivision.

Referred to Committee on STATE GOVERNMENT, February 9, 1981.

No. 464 By Representatives NOYE, MORRIS, JOHNSON, HASAY, J. L. WRIGHT, MILLER, COCHRAN, CORNELL, COLE, BOWSER, PETERSON, KLINGAMAN, SALVATORE, PHILLIPS, DAWIDA, GRIECO, PERZEL, MICOZZIE, CIVERA, TIGUE, ALDEN, TELEK, COHEN, McVERRY, SAURMAN, ITKIN and LETTERMAN

An Act amending "The Controlled Substance, Drug, Device and Cosmetic Act," approved April 14, 1972 (P. L. 233, No. 64), providing for the disposition of forfeited money or currency.

Referred to Committee on STATE GOVERNMENT, February 9, 1981.

No. 465 By Representatives NOYE, E. Z. TAYLOR, J. L. WRIGHT, ARTY, COCHRAN, COLE, PETERSON, JACKSON, SALVATORE, PHILLIPS, PERZEL, MICOZZIE, CIVERA, ALDEN, TELEK, PETRARCA, DeWEESE and LETTERMAN

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the crimes of willful separation or nonsupport.

Referred to Committee on JUDICIARY, February 9, 1981.

No. 466 By Representatives PENDLETON, McVERRY, POTT, MAIALE, EARLEY, O'DONNELL, RICHARDSON, OLIVER, IRVIS, CESSAR, BARBER and DAWIDA

An Act establishing a Department of Corrections; providing for correctional facilities for inmates, for prerelease programs, for administration of correctional field services, for joint county detention facilities and for the powers of courts with respect to offenders; and establishing a Board of Probation and Parole, prescribing its powers and duties, providing for probation and parole procedures and making repeals.

Referred to Committee on JUDICIARY, February 9, 1981.

No. 467 By Representatives HAYES, BOWSER, JOHNSON, WENGER, A. C. FOSTER, JR., PITTS, COLE, D. R. WRIGHT, STUBAN, WILT, LIVENGOOD, CALTAGIRONE, DeWEESE, PETERSON, PHILLIPS, TELEK, KLINGAMAN, COSLETT, MACKOWSKI, DIETZ, WASS, GRUPPO, E. H. SMITH, JACKSON, HONAMAN, GEIST, DORR, ARMSTRONG, MOWERY, DeVERTER, GRIECO, MADIGAN, W. W. FOSTER, MORRIS and STAIRS

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

Referred to Committee on LOCAL GOVERNMENT, February 9, 1981.

No. 468 By Representatives WILSON, MAIALE, ANDERSON, PICCOLA, MANMILLER and DININNI

An Act amending the "Home Improvement Finance Act," approved August 14, 1963 (P. L. 1082, No. 464), further providing for finance charges, fees, prepayment rights and credit insurance.

Referred to Committee on BUSINESS AND COMMERCE, February 9, 1981.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 12 By Representatives EVANS, WHITE, RICHARDSON, DEAL, J. D. WILLIAMS, O'DONNELL, OLIVER, COHEN, MAIALE, HOFFFEL, WIGGINS, SWAIM, WOZNIAC, WAMBACH, PUCCIARELLI, BORSKI, RIEGER, McINTYRE, DONATUCCI, GRAY, RYBAK, KOWALYSHYN, PETRONE, H. WILLIAMS, LEVIN, RAPPAPORT, McMONAGLE, SWEET, CORDISCO, DeWEESE, GALLAGHER, MERRY, EMERSON and COLAFELLA

Speaker appoint a select committee to investigate asbestos materials in school buildings.

Referred to Committee on RULES, February 9, 1981.

No. 13

(Concurrent) By Representatives ZWIKL, J. L. WRIGHT, KOWALYSHYN, NOYE, MANDERINO, GRUITZA, STUBAN, MILLER, COCHRAN, SIEMINSKI, DAWIDA, KUKOVICH, PRATT, FEE, McINTYRE, COHEN, McCALL, E. Z. TAYLOR, PISTELLA and LETTERMAN

House urges Department of General Services inventory structures on State farm lands being phased out, for possible inclusion on the historic register.

Referred to Committee on RULES, February 9, 1981.

SENATE BILL FOR CONCURRENCE

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

SB 3, PN 3

Referred to Committee on State Government, February 9, 1981

MASTER ROLL CALL RECORDED

The SPEAKER. All members kindly report to the floor of the House for the taking of the master roll call.

The following roll call was recorded:

PRESENT—191

Table with 4 columns of names: Alden, Anderson, Armstrong, Arty, Barber, Belardi, Belfanti, Beloff, Berson, Bittle, Blaum, Borski, Bowser, Boyes, Brandt, Brown, Burd, Burns, Caltagirone, Cappabianca, Cawley, Cessar, Cimini, Civera, Clymer, Cochran, Cohen, Cole, Cordisco, Cornell, Coslett, Cowell, Cunningham, DeMedio, DeVerter, DeWeese, Evans, Fee, Fischer, Fleck, Foster, W. W., Foster, Jr., A., Frazier, Freind, Fryer, Gallagher, Gallen, Gamble, Gannon, Geist, George, Gladeck, Grabowski, Gray, Greenfield, Greenwood, Grieco, Gruitza, Gruppo, Hagarty, Haluska, Hasay, Hayes, Heiser, Hoeffel, Honaman, Horgos, Hutchinson, A., Hutchinson, W., Irvis, Itkin, Jackson, Livengood, Lloyd, Lucyk, McCall, McClatchy, McIntyre, McMonagle, McVerry, Mackowski, Madigan, Maiale, Manderino, Manmiller, Marmion, Merry, Michlovic, Micozzie, Miller, Miscevich, Moehlmann, Morris, Mowery, Mrkonic, Murphy, Nahill, Noye, O'Donnell, Olasz, Oliver, Pendleton, Perzel, Peterson, Petrone, Phillips, Piccola, Pievsky, Rybak, Salvatore, Saurman, Serafini, Seventy, Showers, Shupnik, Sieminski, Sirianni, Smith, B., Smith, E. H., Snyder, Spencer, Spitz, Stairs, Steighner, Stevens, Stewart, Stuban, Swaim, Sweet, Swift, Taddonio, Taylor, E. Z., Taylor, F. E., Telek, Tigue, Trello, Van Horne, Vroon, Wachob, Wambach, Wargo, Wass, Wenger, Weston

Daikeler	Johnson	Pistella	Wiggins
Davies	Kanuck	Pitts	Williams, J. D.
Dawida	Kennedy	Pott	Wilson
Deal	Klingaman	Pratt	Wilt
Dietz	Kukovich	Pucciarelli	Wogan
Dininni	Lashingner	Punt	Wozniak
Dombrowski	Laughlin	Rappaport	Wright, D. R.
Donatucci	Lehr	Rasco	Wright, J. L.
Dorr	Lescovitz	Reber	Zwinkl
Duffy	Levi	Richardson	
Durham	Levin	Rieger	Ryan,
Earley	Lewis	Rocks	Speaker
Emerson			

ADDITIONS—7

Clark	Kolter	Petrarca	Williams, H.
Colafella	Mullen	Ritter	

NOT VOTING—0

EXCUSED—5

Harper	Letterman	Smith, L. E.	White
Kowalyszyn			

MEMBERS' PRESENCE RECORDED

The SPEAKER. The following members ask that their names be added to the master roll:

The gentleman from Lehigh, Mr. Ritter; the gentleman from Westmoreland, Mr. Petrarca, and the gentleman from Beaver, Mr. Kolter.

CALENDAR

BILLS AGREED TO ON SECOND CONSIDERATION

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

HB 19, PN 19; HB 20, PN 374; HB 21, PN 21; HB 22, PN 22; HB 23, PN 23; HB 223, PN 224; HB 231, PN 232; HB 121, PN 122; HB 85, PN 375; HB 227, PN 228; and HB 239, PN 240.

MEMBER'S PRESENCE RECORDED

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

Mr. COLAFELLA. I ask that my name be added to the master roll call.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 32, PN 33**, entitled:

An Act amending the "Local Government Unit Debt Act," approved July 12, 1972 (P. L. 781, No. 185), making technical and editorial changes.

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

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

The question is, shall the bill pass finally?

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

YEAS—180

Alden	Earley	Lloyd	Ritter
Anderson	Emerson	Lucyk	Rocks
Armstrong	Evans	McCall	Rybak
Arty	Fee	McClatchy	Salvatore
Barber	Fischer	McIntyre	Saurman
Belardi	Foster, W. W.	McMonagle	Serafini
Belfanti	Foster, Jr., A.	McVerry	Seventy
Berson	Frazier	Mackowski	Showers
Bittle	Fryer	Madigan	Shupnik
Borski	Gallagher	Maiale	Sieminski
Bowser	Gallen	Manderino	Sirianni
Boyes	Gamble	Manmiller	Smith, B.
Brandt	Gannon	Marmion	Snyder
Brown	Geist	Merry	Spencer
Burd	George	Michlovic	Spitz
Burns	Gladeck	Micoozie	Stairs
Caltagirone	Grabowski	Miller	Steighner
Cappabianca	Greenfield	Miscevich	Stevens
Cawley	Greenwood	Moehlmann	Stewart
Cessar	Grieco	Morris	Stuban
Cimini	Gruitza	Mowery	Sweet
Civera	Gruppo	Mrkonic	Swift
Clark	Hagarty	Murphy	Taddonio
Clymer	Haluska	Nahill	Taylor, E. Z.
Cochran	Hayes	Noye	Taylor, F. E.
Cohen	Heiser	Olasz	Trello
Colafella	Honaman	Oliver	Van Horne
Cole	Horgos	Pendleton	Vroon
Cordisco	Hutchinson, A.	Perzel	Wachob
Cornell	Hutchinson, W.	Peterson	Wambach
Coslett	Irvic	Petrarca	Wargo
Cowell	Itkin	Petrone	Wass
Cunningham	Jackson	Phillips	Wenger
DeMedio	Johnson	Piccola	Weston
DeVerter	Kanuck	Pievsky	Wiggins
DeWeese	Kennedy	Pistella	Wilson
Daikeler	Klingaman	Pitts	Wilt
Davies	Kolter	Pott	Wogan
Dawida	Kukovich	Pratt	Wozniak
Deal	Lashingner	Pucciarelli	Wright, D. R.
Dietz	Laughlin	Punt	Wright, J. L.
Dininni	Lehr	Rappaport	Zwinkl
Dombrowski	Lescovitz	Rasco	
Donatucci	Levi	Reber	Ryan,
Dorr	Lewis	Rieger	Speaker
Durham	Livengood		

NAYS—6

Blaum	Hoeffel	Richardson	Tigue
Hasay	O'Donnell		

NOT VOTING—12

Beloff	Freind	Mullen	Telek
Duffy	Gray	Smith, E. H.	Williams, H.
Fleck	Levin	Swaim	Williams, J. D.

EXCUSED—5

Harper	Letterman	Smith, L. E.	White
Kowalyszyn			

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

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

REMARKS ON VOTES

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

Mr. FLECK. Mr. Speaker, I was away from my seat at the time of the vote on HB 32. I wish to be recorded in the affirmative.

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

Mr. FLECK. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Chester, Mr. Pitts. For what reason does the gentleman rise?

Mr. PITTS. Mr. Speaker, I was out of my seat on the previous vote on HB 32. I would like to be recorded in the affirmative, please.

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

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 33, PN 34**, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), authorizing taxation for the purpose of paying interest and principal on certain indebtedness.

On the question,

Will the House agree to the bill on third consideration?

Mr. LEVI offered the following amendment No. A64:

Amend Sec. 1 (Sec. 672), page 2, line 2, by inserting after "principal" currently due

On the question,

Will the House agree to the amendment?

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

Mr. LEVI. All this amendment does is add a little more protection for the taxpaying public. It says that, after principal, they can raise taxes only to what are currently due. They cannot try to raise all the taxes in 1 year for a bond indebtedness and put it out at interest. It has to be only the interest and principal due for that ensuing year; just a little more protection for the taxpaying public, Mr. Speaker. I ask for an affirmative vote.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—192

Alden	Evans	Lucyk	Rybak
Anderson	Fee	McCall	Salvatore
Armstrong	Fischer	McClatchy	Saurman
Arty	Fleck	McIntyre	Serafini
Barber	Foster, W. W.	McMonagle	Seventy
Belardi	Foster, Jr., A.	McVerry	Showers
Belfanti	Frazier	Mackowski	Shupnik
Berson	Freind	Madigan	Sieminski
Bittle	Fryer	Maiale	Sirianni

Blaum	Gallagher	Manderino	Smith, B.
Borski	Gallen	Manmiller	Smith, E. H.
Bowser	Gamble	Marmion	Snyder
Boyes	Gannon	Merry	Spencer
Brandt	Geist	Michlovic	Spitz
Brown	George	Micozzie	Stairs
Burd	Gladeck	Miller	Steighner
Burns	Grabowski	Miscevich	Stevens
Caltagirone	Greenfield	Moehlmann	Stewart
Cappabianca	Greenwood	Morris	Stuban
Cawley	Grieco	Mowery	Swaim
Cessar	Gruitza	Mrkonic	Sweet
Cimini	Gruppo	Murphy	Swift
Civera	Hagarty	Nahill	Taddonio
Clark	Haluska	Noye	Taylor, E. Z.
Clymer	Hasay	O'Donnell	Taylor, F. E.
Cochran	Hayes	Olasz	Telek
Cohen	Heiser	Oliver	Tigue
Colafrella	Hoeffel	Pendleton	Trello
Cole	Honaman	Perzel	Van Horne
Cordisco	Horgos	Peterson	Vroon
Cornell	Hutchinson, A.	Petrarca	Wachob
Coslett	Hutchinson, W.	Petrone	Wambach
Cowell	Irvis	Phillips	Wargo
Cunningham	Itkin	Piccola	Wass
DeMedio	Jackson	Pievsky	Wenger
DeVertter	Johnson	Pistella	Weston
Daikeler	Kanuck	Pitts	Wiggins
Davies	Kennedy	Pott	Williams, J. D.
Dawida	Klingaman	Pratt	Wilson
Deal	Kolter	Pucciarelli	Wilt
Dietz	Kukovich	Punt	Wogan
Dininni	Lashingier	Rappaport	Wozniak
Dombrowski	Laughlin	Rasco	Wright, D. R.
Donatucci	Lehr	Reber	Wright, J. L.
Dorr	Lescovitz	Richardson	Zwinkl
Duffy	Levi	Rieger	
Durham	Lewis	Ritter	Ryan,
Earley	Livengood	Rocks	Speaker
Emerson	Lloyd		

NAYS—0

NOT VOTING—6

Beloff	Gray	Mullen	Williams, H.
DeWeese	Levin		

EXCUSED—5

Harper	Letterman	Smith, L. E.	White
Kowalshyn			

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—188

Anderson	Earley	Lucyk	Rybak
Armstrong	Emerson	McCall	Salvatore
Arty	Evans	McClatchy	Saurman
Barber	Fee	McIntyre	Serafini
Belardi	Fischer	McMonagle	Seventy
Belfanti	Fleck	McVerry	Showers
Beloff	Foster, W. W.	Mackowski	Shupnik
Berson	Foster, Jr., A.	Madigan	Sieminski
Bittle	Frazier	Maiale	Sirianni

Blaum	Freind	Manderino	Smith, B.
Borski	Fryer	Manmiller	Smith, E. H.
Bowser	Gallagher	Marmion	Snyder
Boyes	Gallen	Merry	Spencer
Brandt	Gamble	Michlovic	Spitz
Brown	Gannon	Micozzie	Stairs
Burd	Geist	Miller	Steighner
Burns	George	Miscevich	Stevens
Caltagirone	Gladeck	Moehlmann	Stewart
Cappabianca	Grabowski	Morris	Stuban
Cawley	Greenfield	Mowery	Swaim
Cessar	Greenwood	Murphy	Sweet
Cimini	Grieco	Nahill	Swift
Civera	Gruitza	Noye	Taddonio
Clark	Gruppo	O'Donnell	Taylor, E. Z.
Clymer	Hagarty	Olasz	Taylor, F. E.
Cochran	Haluska	Oliver	Telek
Cohen	Hayes	Pendleton	Tigue
Colafella	Heiser	Perzel	Trello
Cole	Hoeffel	Peterson	Van Horne
Cordisco	Honaman	Petrarca	Vroon
Cornell	Hutchinson, A.	Petrone	Wachob
Coslett	Hutchinson, W.	Phillips	Wambach
Cowell	Irvis	Piccola	Wargo
Cunningham	Itkin	Pievsky	Wass
DeMedio	Jackson	Pistella	Wenger
DeVerter	Johnson	Pitts	Weston
DeWeese	Kanuck	Pott	Wiggins
Daikeler	Kennedy	Pratt	Williams, J. D.
Davies	Klingaman	Pucciarelli	Wilson
Dawida	Kukovich	Punt	Wilt
Deal	Lashinger	Rappaport	Wozniak
Dietz	Laughlin	Rasco	Wright, D. R.
Dininni	Lehr	Reber	Wright, J. L.
Dombrowski	Lescovitz	Richardson	Zwikel
Donatucci	Levi	Rieger	
Dorr	Lewis	Ritter	Ryan,
Duffy	Livengood	Rocks	Speaker
Durham	Lloyd		

NAYS—4

Alden	Hasay	Horgos	Mrkonic
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NOT VOTING—6

Gray	Levin	Williams, H.	Wogan
Kolter	Mullen		

EXCUSED—5

Harper	Letterman	Smith, L. E.	White
Kowalshyn			

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

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

MEMBER'S PRESENCE RECORDED

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Clark, who asks that his name be placed on the master roll call.

BILLS ON THIRD CONSIDERATION CONTINUED

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

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932, No. 317), authorizing taxation for

the purpose of paying interest and principal on certain indebtedness.

On the question,
Will the House agree to the bill on third consideration?
Mr. LEVI offered the following amendment No. A61:

Amend Sec. 1 (Sec. 2531), page 2, line 1, by inserting after "principal" currently due

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

The following roll call was recorded:

YEAS—182

Alden	Emerson	Lloyd	Rybak
Anderson	Evans	Lucyk	Salvatore
Armstrong	Fee	McCall	Saurman
Arty	Fischer	McClatchy	Serafini
Belardi	Fleck	McMonagle	Seventy
Belfanti	Foster, W. W.	McVerry	Showers
Berson	Foster, Jr., A.	Mackowski	Shupnik
Bittle	Frazier	Madigan	Sieminski
Blaum	Freind	Maiale	Sirianni
Borski	Fryer	Manderino	Smith, B.
Bowser	Gallagher	Manmiller	Smith, E. H.
Boyes	Gallen	Marmion	Snyder
Brandt	Gannon	Merry	Spencer
Brown	Geist	Mjchlovic	Spitz
Burd	George	Micozzie	Stairs
Caltagirone	Gladeck	Miller	Steighner
Cappabianca	Grabowski	Miscevich	Stevens
Cawley	Greenfield	Moehlmann	Stewart
Cessar	Grieco	Morris	Stuban
Cimini	Gruitza	Mowery	Swaim
Civera	Gruppo	Murphy	Sweet
Clark	Hagarty	Nahill	Swift
Clymer	Haluska	Noye	Taddonio
Cochran	Hasay	O'Donnell	Taylor, E. Z.
Cohen	Hayes	Oliver	Taylor, F. E.
Colafella	Heiser	Pendleton	Telek
Cole	Hoeffel	Perzel	Tigue
Cornell	Honaman	Peterson	Trello
Coslett	Hutchinson, A.	Petrarca	Van Horne
Cowell	Hutchinson, W.	Petrone	Vroon
Cunningham	Irvis	Phillips	Wachob
DeMedio	Itkin	Piccola	Wambach
DeVerter	Jackson	Pievsky	Wargo
DeWeese	Johnson	Pistella	Wass
Daikeler	Kanuck	Pitts	Wenger
Davies	Kennedy	Pott	Weston
Dawida	Klingaman	Pratt	Williams, J. D.
Deal	Kolter	Pucciarelli	Wilson
Dietz	Kukovich	Punt	Wilt
Dininni	Lashinger	Rappaport	Wogan
Dombrowski	Laughlin	Rasco	Wozniak
Donatucci	Lehr	Reber	Wright, D. R.
Dorr	Lescovitz	Richardson	Zwikel
Duffy	Levi	Rieger	
Durham	Lewis	Ritter	Ryan,
Earley	Livengood	Rocks	Speaker

NAYS—3

Horgos	Mrkonic	Olasz
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NOT VOTING—13

Barber	Gamble	Levin	Wiggins
Beloff	Gray	McIntyre	Williams, H.
Burns	Greenwood	Mullen	Wright, J. L.
Cordisco			

EXCUSED—5

Harper Letterman Smith, L. E. White
Kowalyshyn

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

REMARKS ON VOTE

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

Mr. BURNS. Mr. Speaker, on the last vote my switch was inoperative. Had I been able to vote, I would have voted in the affirmative on the Levi amendment to HB 34.

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

CONSIDERATION OF
HB 34 CONTINUED

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—184

Alden	Earley	Lucyk	Salvatore
Anderson	Emerson	McCall	Saurman
Armstrong	Evans	McClatchy	Serafini
Arty	Fee	McIntyre	Seventy
Barber	Fischer	McMonagle	Showers
Belardi	Fleck	McVerry	Shupnik
Belfanti	Foster, W. W.	Mackowski	Sieminski
Berson	Foster, Jr., A.	Madigan	Sirianni
Bittle	Frazier	Maiiale	Smith, B.
Blaum	Freind	Manmiller	Smith, E. H.
Borski	Fryer	Marmion	Snyder
Bowser	Gallagher	Merry	Spencer
Boyes	Gallen	Michlovic	Spitz
Brandt	Gamble	Micozzie	Stairs
Brown	Gannon	Miller	Steighner
Burd	Geist	Miscevich	Stevens
Burns	George	Moehlmann	Stewart
Caltagirone	Gladeck	Morris	Stuban
Cappabianca	Grabowski	Mowery	Swaim
Cawley	Greenfield	Murphy	Sweet
Cessar	Greenwood	Nahill	Swift
Cimini	Grieco	Noye	Taddonio
Civera	Gruitza	O'Donnell	Taylor, E. Z.
Clark	Gruppo	Oliver	Taylor, F. E.
Clymer	Hagarty	Pendleton	Telek
Cochran	Haluska	Perzel	Trello
Cohen	Hayes	Peterson	Van Horne
Colafella	Heiser	Petrarca	Vroon
Cole	Hoeffel	Petrone	Wachob
Cordisco	Honaman	Phillips	Wambach
Cornell	Hutchinson, W.	Piccola	Wargo
Coslett	Itkin	Pievsky	Wass
Cowell	Jackson	Pistella	Wenger
Cunningham	Johnson	Pitts	Weston
DeVerter	Kanuck	Pott	Wiggins
DeWeese	Kennedy	Pratt	Williams, J. D.
Daikeler	Klingaman	Pucciarelli	Wilson

Davies	Kolter	Punt	Wilt
Dawida	Kukovich	Rappaport	Wogan
Deal	Lashinger	Rasco	Wozniak
Dietz	Laughlin	Reber	Wright, D. R.
Dininni	Lehr	Richardson	Wright, J. L.
Dombrowski	Lescovitz	Rieger	Zwikel
Donatucci	Levi	Ritter	
Dorr	Lewis	Rocks	Ryan,
Duffy	Livengood	Rybak	Speaker
Durham	Lloyd		

NAYS—3

Hasay Mrkonic Olasz

NOT VOTING—11

Beloff	Horgos	Levin	Tigue
DeMedio	Hutchinson, A.	Manderino	Williams, H.
Gray	Irvis	Mullen	

EXCUSED—5

Harper Letterman Smith, L. E. White
Kowalyshyn

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

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

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The House proceeded to third consideration of **HB 35, PN 36**, entitled:

An Act amending "The Borough Code," approved February 1, 1966 (1965 P. L. 1656, No. 581), authorizing taxation for the purpose of paying interest and principal on certain indebtedness.

On the question,

Will the House agree to the bill on third consideration?

Mr. LEVI offered the following amendment No. A62:

Amend Sec. 1 (Sec. 1302), page 2, line 2, by inserting after "principal" currently due

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—193

Alden	Emerson	Lloyd	Rybak
Anderson	Evans	Lucyk	Salvatore
Armstrong	Fee	McCall	Saurman
Arty	Fischer	McClatchy	Serafini
Barber	Fleck	McIntyre	Seventy
Belardi	Foster, W. W.	McMonagle	Showers
Belfanti	Foster, Jr., A.	McVerry	Shupnik
Beloff	Frazier	Mackowski	Sieminski
Berson	Freind	Madigan	Sirianni
Bittle	Fryer	Maiiale	Smith, B.
Blaum	Gallagher	Manderino	Smith, E. H.
Borski	Gallen	Manmiller	Snyder
Bowser	Gamble	Marmion	Spencer
Boyes	Gannon	Merry	Spitz
Brandt	Geist	Michlovic	Stairs
Brown	George	Micozzie	Steighner
Burd	Gladeck	Miller	Stevens
Burns	Grabowski	Miscevich	Stewart
Caltagirone	Greenfield	Moehlmann	Stuban
Cappabianca	Greenwood	Morris	Swaim
Cawley	Grieco	Mowery	Sweet
Cessar	Gruitza	Mrkonic	Swift
Cimini	Gruppo	Murphy	Taddonio

Civera	Hagarty	Nahill	Taylor, E. Z.
Clark	Haluska	Noye	Taylor, F. E.
Clymer	Hasay	O'Donnell	Telek
Cochran	Hayes	Olasz	Tigue
Cohen	Heiser	Oliver	Trello
Colafrilla	Hoeffel	Pendleton	Van Horne
Cole	Honaman	Perzel	Vroon
Cordisco	Horgos	Peterson	Wachob
Cornell	Hutchinson, A.	Petrarca	Wambach
Coslett	Hutchinson, W.	Petrone	Wargo
Cowell	Irvis	Phillips	Wass
Cunningham	Itkin	Piccola	Wenger
DeVerter	Jackson	Pievsky	Weston
DeWeese	Johnson	Pistella	Wiggins
Daikeler	Kanuck	Pitts	Williams, J. D.
Davies	Kennedy	Pott	Wilson
Dawida	Klingaman	Pratt	Wilt
Deal	Kolter	Pucciarelli	Wogan
Dietz	Kukovich	Punt	Wozniak
Dininni	Lashingner	Rappaport	Wright, D. R.
Dombrowski	Laughlin	Rasco	Wright, J. L.
Donatucci	Lehr	Reber	Zwilk
Dorr	Lescovitz	Richardson	
Duffy	Levi	Rieger	Ryan,
Durham	Lewis	Ritter	Speaker
Earley	Livengood	Rocks	

NAYS—0

NOT VOTING—5

DeMedio	Levin	Mullen	Williams, H.
Gray			

EXCUSED—5

Harper	Letterman	Smith, L. E.	White
Kowalyszyn			

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—187

Anderson	Emerson	Livengood	Rybak
Armstrong	Evans	Lloyd	Salvatore
Arty	Fee	Lucyk	Saurman
Barber	Fischer	McCall	Serafini
Belardi	Fleck	McClatchy	Seventy
Belfanti	Foster, W. W.	McIntyre	Showers
Beloff	Foster, Jr., A.	McMonagle	Shupnik
Berson	Frazier	McVerry	Sieminski
Bittle	Freind	Mackowski	Sirianni
Blaum	Fryer	Madigan	Smith, B.
Borski	Gallagher	Maiale	Smith, E. H.
Bowser	Gallen	Manderino	Snyder
Boyes	Gamble	Manmiller	Spencer
Brandt	Gannon	Marmion	Spitz
Brown	Geist	Merry	Stairs
Burd	George	Michlovic	Steighner
Burns	Gladeck	Micozzie	Stevens
Caltagirone	Grabowski	Miller	Stewart
Cappabianca	Greenfield	Miscevich	Stuban
Cawley	Greenwood	Mochlmann	Swaim
Cessar	Grieco	Morris	Sweet
Cimini	Gruitza	Mowery	Swift
Civera	Gruppo	Murphy	Taddonio

Clark	Hagarty	Nahill	Taylor, E. Z.
Clymer	Haluska	Noye	Taylor, F. E.
Cochran	Hayes	O'Donnell	Telek
Cohen	Heiser	Oliver	Tigue
Colafrilla	Hoeffel	Pendleton	Trello
Cole	Honaman	Perzel	Van Horne
Cordisco	Horgos	Peterson	Vroon
Cornell	Hutchinson, A.	Petrarca	Wachob
Coslett	Hutchinson, W.	Petrone	Wambach
Cowell	Irvis	Phillips	Wargo
Cunningham	Itkin	Piccola	Wass
DeMedio	Jackson	Pievsky	Wenger
DeVerter	Johnson	Pistella	Weston
DeWeese	Kanuck	Pitts	Williams, J. D.
Daikeler	Kennedy	Pott	Wilson
Davies	Klingaman	Pratt	Wilt
Dawida	Kolter	Pucciarelli	Wogan
Dietz	Kukovich	Punt	Wozniak
Dininni	Lashingner	Rappaport	Wright, D. R.
Dombrowski	Laughlin	Rasco	Wright, J. L.
Donatucci	Lehr	Reber	Zwilk
Dorr	Lescovitz	Rieger	
Duffy	Levi	Ritter	Ryan,
Durham	Lewis	Rocks	Speaker
Earley			

NAYS—4

Alden	Hasay	Mrkonic	Olasz
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NOT VOTING—7

Deal	Levin	Richardson	Williams, H.
Gray	Mullen	Wiggins	

EXCUSED—5

Harper	Letterman	Smith, L. E.	White
Kowalyszyn			

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

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

MEMBER'S PRESENCE RECORDED

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

Mr. MULLEN. I ask that my name be added to the master roll.

REMARKS ON VOTES

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

Mr. GREENWOOD. Mr. Speaker, I would like to be recorded in the affirmative on HB 33. My switch did not operate.

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

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

Mr. DEAL. Mr. Speaker, I failed to vote on the last bill, HB 35. Would you please record me in the affirmative?

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

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of HB 36, PN 37, entitled:

An Act authorizing incorporated towns to levy an additional annual tax for the purpose of paying interest and principal on certain indebtedness.

On the question,

Will the House agree to the bill on third consideration?

Mr. LEVI offered the following amendment No. A63:

Amend Sec. 1, page 1, line 8, by inserting after "principal" currently due

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—187

Table listing names of members who voted 'YEAS' (187 total). Includes names like Anderson, Armstrong, Arty, Barber, Belardi, Belfanti, Beloff, Berson, Bittle, Blaum, Borski, Bowser, Boyes, Brandt, Brown, Burd, Burns, Caltagirone, Cappabianca, Cawley, Cessar, Civera, Clark, Clymer, Cochran, Cohen, Colafella, Cole, Cordisco, Cornell, Coslett, Cowell, Cunningham, DeMedio, DeVerter, DeWeese, Daikeler, Davies, Dawida, Deal, Dietz, Dininni, Dombrowski, Donatucci, Dorr, Durham, Earley, Emerson, Evans, Fee, Fischer, Fleck, Foster, W. W., Foster, Jr., A., Frazier, Freind, Fryer, Gallagher, Gamble, Gannon, Geist, George, Gladeck, Grabowski, Greenfield, Greenwood, Gruitza, Gruppo, Hagarty, Haluska, Hasay, Hayes, Heiser, Hoeffel, Honaman, Horgos, Hutchinson, A., Hutchinson, W., Iris, Itkin, Jackson, Johnson, Kanuck, Kennedy, Klingaman, Kolter, Lashinger, Laughlin, Lehr, Lescovitz, Levi, Lewis, Livengood, Lloyd, Lucy, McCall, McClatchy, McFintyre, McMonagle, McVerry, Mackowski, Madigan, Maiale, Manderino, Manmiller, Marmion, Merry, Michlovic, Micozzie, Miller, Misceovich, Moehlmann, Morris, Mowery, Mrkonic, Mullen, Murphy, Nahill, Noye, O'Donnell, Olasz, Oliver, Pendleton, Perzel, Peterson, Petrarca, Petrone, Phillips, Piccola, Pievsky, Pistella, Pitts, Pott, Pratt, Pucciarelli, Punt, Rappaport, Rasco, Reber, Richardson, Rieger, Ritter, Rocks, Rybak, Salvatore, Saurman, Serafini, Seventy, Showers, Shupnik, Sieminski, Sirianni, Smith, B., Smith, E. H., Snyder, Spitz, Stairs, Steighner, Stevens, Stewart, Stuban, Swaim, Sweet, Swift, Taddonio, Taylor, E. Z., Taylor, F. E., Telek, Tigue, Trello, Van Horne, Vroon, Wachob, Wambach, Wargo, Wass, Wenger, Weston, Wiggins, Wilson, Wilt, Wogan, Wozniak, Wright, D. R., Wright, J. L., Zwick, Speaker

NAYS—0

NOT VOTING—11

Table listing names of members who did not vote: Alden, Cimini, Duffy, Gallen, Gray, Grieco, Kukovich, Levin, Spencer, Williams, H., Williams, J. D.

EXCUSED—5

Table listing names of excused members: Harper, Kowalshyn, Letterman, Smith, L. E., White

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—183

Table listing names of members who voted 'YEAS' (183 total). Includes names like Anderson, Armstrong, Arty, Barber, Belardi, Belfanti, Beloff, Berson, Bittle, Blaum, Borski, Bowser, Boyes, Brandt, Brown, Burd, Burns, Cappabianca, Cawley, Cessar, Civera, Clark, Clymer, Cohen, Colafella, Cole, Cordisco, Cornell, Coslett, Cowell, Cunningham, DeMedio, DeVerter, DeWeese, Daikeler, Davies, Dawida, Deal, Dietz, Dininni, Dombrowski, Donatucci, Dorr, Durham, Earley, Emerson, Emerson, Evans, Emerson, Lewis, Livengood, Lloyd, Lucy, McCall, McClatchy, McFintyre, McMonagle, McVerry, Mackowski, Madigan, Maiale, Manderino, Manmiller, Marmion, Merry, Michlovic, Micozzie, Miller, Misceovich, Moehlmann, Morris, Mowery, Mrkonic, Mullen, Murphy, Nahill, Noye, O'Donnell, Olasz, Oliver, Pendleton, Perzel, Peterson, Petrarca, Petrone, Phillips, Piccola, Pievsky, Pistella, Pitts, Pott, Pratt, Pucciarelli, Punt, Rappaport, Rasco, Reber, Richardson, Rieger, Ritter, Rocks, Rybak, Salvatore, Saurman, Serafini, Seventy, Showers, Shupnik, Sieminski, Sirianni, Smith, B., Smith, E. H., Snyder, Spitz, Stairs, Steighner, Stevens, Stewart, Stuban, Swaim, Sweet, Swift, Taddonio, Taylor, E. Z., Taylor, F. E., Telek, Tigue, Trello, Van Horne, Vroon, Wachob, Wambach, Wargo, Wass, Wenger, Weston, Wiggins, Wilson, Wilt, Wogan, Wozniak, Wright, D. R., Wright, J. L., Zwick, Ritter, Rocks, Salvatore, Saurman, Serafini, Seventy, Showers, Sieminski, Smith, B., Smith, E. H., Snyder, Spitz, Stairs, Steighner, Stevens, Stewart, Stuban, Swaim, Sweet, Swift, Taddonio, Taylor, E. Z., Taylor, F. E., Telek, Tigue, Trello, Van Horne, Vroon, Wachob, Wambach, Wargo, Wass, Wenger, Weston, Wiggins, Williams, J. D., Wilson, Wilt, Wogan, Wright, D. R., Wright, J. L., Zwick, Speaker

NAYS—4

Alden	Hasay	Mrkonic	Olasz
NOT VOTING—11			
Caltagirone	Levin	Shupnik	Williams, H.
Cochran	McIntyre	Sirianni	Wozniak
Gray	Rieger	Spencer	

EXCUSED—5

Harper	Letterman	Smith, L. E.	White
Kowalyszyn			

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

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

* * *

The House proceeded to third consideration of **HB 37, PN 38**, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323, No. 130), authorizing taxation for the purpose of paying interest and principal on certain indebtedness.

On the question,

Will the House agree to the bill on third consideration?

Mr. LEVI offered the following amendment No. A65:

Amend Sec. 1 (Sec. 1770), page 2, line 4, by inserting after principal" currently due

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—195

Alden	Emerson	Lloyd	Rocks
Anderson	Evans	Lucyk	Rybak
Armstrong	Fee	McCall	Salvatore
Arty	Fischer	McClatchy	Saurman
Barber	Fleck	McIntyre	Serafini
Belardi	Foster, W. W.	McMonagle	Seventy
Belfanti	Foster, Jr., A.	McVerry	Showers
Beloff	Frazier	Mackowski	Shupnik
Berson	Freind	Madigan	Sieminski
Bittle	Fryer	Maiale	Sirianni
Blaum	Gallagher	Manderino	Smith, B.
Borski	Gallen	Manmiller	Smith, E. H.
Bowser	Gamble	Marmion	Snyder
Boyes	Gannon	Merry	Spencer
Brandt	Geist	Michlovic	Spitz
Brown	George	Micozzie	Stairs
Burd	Gladeck	Miller	Steighner
Burns	Grabowski	Miscevich	Stevens
Caltagirone	Greenfield	Moehlmann	Stewart
Cappabianca	Greenwood	Morris	Stuban
Cawley	Grieco	Mowery	Swaim
Cessar	Gruitza	Mrkonic	Sweet
Cimini	Gruppo	Mullen	Swift
Civera	Hagarty	Murphy	Taddonio
Clark	Haluska	Nahill	Taylor, E. Z.
Clymer	Hasay	Noye	Taylor, F. E.
Cochran	Hayes	O'Donnell	Telek
Cohen	Heiser	Olasz	Tigue
Colafella	Hoeffel	Oliver	Trello
Cole	Honaman	Pendleton	Van Horne
Cordisco	Horgos	Perzel	Vroon
Cornell	Hutchinson, A.	Peterson	Wachob
Coslett	Hutchinson, W.	Petrarca	Wambach
Cowell	Irvis	Petrone	Wargo

Cunningham	Itkin	Phillips	Wass
DeMedio	Jackson	Piccola	Wenger
DeVerter	Johnson	Pievsky	Weston
DeWeese	Kanuck	Pistella	Wiggins
Daikeler	Kennedy	Pitts	Williams, J. D.
Davies	Klingaman	Pott	Wilson
Dawida	Kolter	Pratt	Wilt
Deal	Kukovich	Pucciarelli	Wogan
Dietz	Lashinger	Punt	Wozniak
Dininni	Laughlin	Rappaport	Wright, D. R.
Dombrowski	Lehr	Rasco	Wright, J. L.
Donatucci	Lescovitz	Reber	Zwinkl
Dorr	Levi	Richardson	
Duffy	Lewis	Rieger	Ryan,
Durham	Livengood	Ritter	Speaker
Earley			

NAYS—0

NOT VOTING—3

Gray	Levin	Williams, H.
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EXCUSED—5

Harper	Letterman	Smith, L. E.	White
Kowalyszyn			

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—184

Anderson	Emerson	Lucyk	Salvatore
Armstrong	Evans	McCall	Saurman
Arty	Fee	McClatchy	Serafini
Barber	Fischer	McMonagle	Seventy
Belardi	Fleck	McVerry	Showers
Belfanti	Foster, W. W.	Mackowski	Shupnik
Bittle	Foster, Jr., A.	Madigan	Sieminski
Blaum	Frazier	Maiale	Sirianni
Borski	Freind	Manderino	Smith, B.
Bowser	Fryer	Manmiller	Smith, E. H.
Boyes	Gallagher	Marmion	Snyder
Brandt	Gallen	Merry	Spencer
Brown	Gamble	Michlovic	Spitz
Burd	Gannon	Micozzie	Stairs
Burns	Geist	Miller	Steighner
Caltagirone	George	Miscevich	Stevens
Cappabianca	Gladeck	Moehlmann	Stewart
Cawley	Grabowski	Morris	Stuban
Cessar	Greenfield	Mowery	Swaim
Cimini	Greenwood	Murphy	Sweet
Civera	Grieco	Nahill	Swift
Clark	Gruitza	Noye	Taddonio
Clymer	Gruppo	O'Donnell	Taylor, E. Z.
Cochran	Hagarty	Oliver	Taylor, F. E.
Cohen	Haluska	Pendleton	Telek
Colafella	Hayes	Perzel	Tigue
Cole	Heiser	Peterson	Trello
Cordisco	Hoeffel	Petrarca	Van Horne
Cornell	Honaman	Petrone	Vroon
Coslett	Horgos	Phillips	Wachob
Cowell	Hutchinson, A.	Piccola	Wambach
Cunningham	Irvis	Pievsky	Wargo
DeMedio	Itkin	Pistella	Wass
DeVerter	Jackson	Pitts	Wenger

DeWeese	Johnson	Pott	Weston
Daikeler	Kanuck	Pratt	Williams, J. D.
Davies	Kennedy	Pucciarelli	Wilson
Dawida	Klingaman	Punt	Wilt
Deal	Kolter	Rappaport	Wogan
Dietz	Kukovich	Rasco	Wozniak
Dininni	Lashingier	Reber	Wright, D. R.
Dombrowski	Lehr	Richardson	Wright, J. L.
Donatucci	Lescovitz	Rieger	Zwikl
Dorr	Levi	Ritter	
Duffy	Lewis	Rocks	Ryan,
Durham	Livengood	Rybak	Speaker
Earley	Lloyd		

NAYS—5

Alden	Laughlin	Mrkonic	Olasz
Hasay			

NOT VOTING—9

Beloff	Hutchinson, W.	McIntyre	Wiggins
Berson	Levin	Mullen	Williams, H.
Gray			

EXCUSED—5

Harper	Letterman	Smith, L. E.	White
Kowalshyn			

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

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

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The House proceeded to third consideration of **HB 38, PN 39**, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723, No. 230), authorizing taxation for the purpose of paying interest and principal on certain indebtedness.

On the question,
Will the House agree to the bill on third consideration?
Mr. LEVI offered the following amendments No. A66:

Amend Sec. 1 (Sec. 1970), page 2, line 9, by inserting after "principal" currently due

Amend Sec. 1 (Sec. 1970), page 2, line 18, by inserting after "principal" currently due

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

The following roll call was recorded:

YEAS—187

Alden	Emerson	Lloyd	Salvatore
Anderson	Evans	McCall	Saurman
Armstrong	Fee	McClatchy	Serafini
Arty	Fischer	McIntyre	Seventy
Barber	Fleck	McMonagle	Showers
Belardi	Foster, W. W.	McVerry	Shupnik
Beloff	Foster, Jr., A.	Mackowski	Sieminski
Berson	Frazier	Madigan	Sirianni
Bittle	Freind	Maiale	Smith, B.
Blaum	Fryer	Manmiller	Smith, E. H.
Borski	Gallagher	Marmion	Snyder
Bowser	Gallen	Merry	Spencer
Boyes	Gamble	Michlovic	Spitz
Brandt	Gannon	Micozzie	Stairs
Brown	Geist	Miller	Steighner
Burd	George	Miscevich	Stevens
Burns	Gladeck	Moehlmann	Stewart

Caltagirone	Grabowski	Morris	Stuban
Cappabianca	Greenfield	Mowery	Swaim
Cawley	Greenwood	Mrkonic	Sweet
Cessar	Grieco	Mullen	Swift
Cimini	Gruitza	Murphy	Taddonio
Civera	Gruppo	Nahill	Taylor, E. Z.
Clark	Hagarty	Noye	Taylor, F. E.
Clymer	Haluska	O'Donnell	Telek
Cochran	Hasay	Oliver	Tigue
Colafella	Hayes	Pendleton	Trello
Cole	Heiser	Perzel	Van Horne
Cordisco	Hoeffel	Peterson	Vroon
Cornell	Honaman	Petrarca	Wachob
Coslett	Horgos	Petrone	Wambach
Cowell	Hutchinson, A.	Phillips	Wargo
Cunningham	Hutchinson, W.	Piccola	Wass
DeMedio	Irvis	Pievsky	Wenger
DeVerter	Itkin	Pistella	Weston
DeWeese	Jackson	Pitts	Wiggins
Daikeler	Johnson	Pott	Williams, J. D.
Davies	Kanuck	Pratt	Wilson
Dawida	Kennedy	Pucciarelli	Wilt
Deal	Klingaman	Punt	Wogan
Dietz	Kolter	Rappaport	Wozniak
Dininni	Kukovich	Rasco	Wright, D. R.
Dombrowski	Lashingier	Reber	Wright, J. L.
Donatucci	Laughlin	Richardson	Zwikl
Dorr	Lehr	Ritter	
Duffy	Lescovitz	Rocks	Ryan,
Durham	Levi	Rybak	Speaker
Earley			

NAYS—1

Rieger

NOT VOTING—10

Belfanti	Levin	Lucyk	Olasz
Cohen	Lewis	Manderino	Williams, H.
Gray	Livengood		

EXCUSED—5

Harper	Letterman	Smith, L. E.	White
Kowalshyn			

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—187

Anderson	Earley	Lloyd	Salvatore
Armstrong	Emerson	Lucyk	Saurman
Arty	Evans	McCall	Serafini
Barber	Fee	McClatchy	Seventy
Belardi	Fischer	McIntyre	Showers
Belfanti	Foster, W. W.	McMonagle	Shupnik
Beloff	Foster, Jr., A.	McVerry	Sieminski
Berson	Frazier	Mackowski	Sirianni
Bittle	Freind	Madigan	Smith, B.
Blaum	Fryer	Maiale	Smith, E. H.
Borski	Gallagher	Manderino	Snyder
Bowser	Gallen	Manmiller	Spencer
Boyes	Gamble	Marmion	Spitz
Brandt	Gannon	Michlovic	Stairs
Brown	Geist	Micozzie	Steighner

Burd	George	Miller	Stevens
Burns	Gladeck	Miscevich	Stewart
Caltagirone	Grabowski	Moehlmann	Stuban
Cappabianca	Greenfield	Morris	Swaim
Cawley	Greenwood	Mowery	Sweet
Cessar	Grieco	Mullen	Swift
Cimini	Gruitza	Murphy	Taddonio
Civera	Gruppo	Nahill	Taylor, E. Z.
Clark	Hagarty	Noye	Taylor, F. E.
Clymer	Haluska	O'Donnell	Telek
Cochran	Hayes	Oliver	Tigue
Cohen	Hoeffel	Pendleton	Trello
Colafella	Honaman	Perzel	Van Horne
Cole	Horgos	Petrarca	Vroon
Cordisco	Hutchinson, A.	Petrone	Wachob
Cornell	Hutchinson, W.	Phillips	Wambach
Coslett	Iris	Piccola	Wargo
Cowell	Itkin	Pievsky	Wass
Cunningham	Jackson	Pistella	Wenger
DeMedio	Johnson	Pitts	Weston
DeVerter	Kanuck	Pott	Wiggins
DeWeese	Kennedy	Pratt	Williams, J. D.
Daikeler	Klingaman	Pucciarelli	Wilson
Davies	Kolter	Punt	Wilt
Dawida	Kukovich	Rappaport	Wogan
Deal	Lashinger	Rasco	Wozniak
Dietz	Laughlin	Reber	Wright, D. R.
Dininni	Lehr	Richardson	Wright, J. L.
Dombrowski	Lescovitz	Rieger	Zwilk
Donatucci	Levi	Ritter	
Dorr	Lewis	Rocks	Ryan,
Duffy	Livengood	Rybak	Speaker
Durham			

NAYS—4

Alden	Hasay	Mrkonic	Olasz
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NOT VOTING—7

Fleck	Heiser	Merry	Williams, H.
Gray	Levin	Peterson	

EXCUSED—5

Harper	Letterman	Smith, L. E.	White
Kowalshyn			

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

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

REMARKS ON VOTE

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

Mr. COHEN. I ask to be recorded in the affirmative on the Levi amendment No. 66 to HB 38.

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

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 39, PN 40**, entitled:

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206, No. 331), authorizing taxation for the purpose of paying interest and principal on certain indebtedness.

On the question,
Will the House agree to the bill on third consideration?
Mr. LEVI offered the following amendment No. A67:

Amend Sec. 1 (Sec. 1709), page 2, line 7, by inserting after "principal" currently due

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

The following roll call was recorded:

YEAS—189

Alden	Emerson	Lucyk	Rocks
Anderson	Evans	McCall	Rybak
Armstrong	Fee	McClatchy	Salvatore
Arty	Fischer	McIntyre	Saurman
Barber	Fleck	McMonagle	Serafini
Belardi	Foster, W. W.	McVerry	Seventy
Belfanti	Foster, Jr., A.	Mackowski	Showers
Beloff	Frazier	Madigan	Shupnik
Bittle	Freind	Maiale	Sieminski
Blaum	Fryer	Manderino	Sirianni
Borski	Gallagher	Manmiller	Smith, B.
Bowser	Gallen	Marmion	Snyder
Boyes	Gamble	Merry	Spencer
Brandt	Gannon	Michlovic	Spitz
Brown	Geist	Micozzie	Stairs
Burd	George	Miller	Steighner
Burns	Gladeck	Miscevich	Stevens
Caltagirone	Grabowski	Moehlmann	Stewart
Cappabianca	Greenfield	Morris	Stuban
Cawley	Greenwood	Mowery	Swaim
Cessar	Grieco	Mrkonic	Sweet
Cimini	Gruitza	Mullen	Swift
Civera	Gruppo	Murphy	Taddonio
Clark	Hagarty	Nahill	Taylor, E. Z.
Clymer	Haluska	Noye	Taylor, F. E.
Cochran	Hasay	O'Donnell	Telek
Cohen	Hayes	Olasz	Tigue
Colafella	Heiser	Oliver	Trello
Cole	Hoeffel	Pendleton	Van Horne
Cordisco	Honaman	Perzel	Vroon
Cornell	Horgos	Peterson	Wachob
Coslett	Hutchinson, A.	Petrarca	Wambach
Cowell	Iris	Petrone	Wargo
Cunningham	Itkin	Phillips	Wass
DeMedio	Jackson	Piccola	Wenger
DeVerter	Johnson	Pievsky	Weston
DeWeese	Kanuck	Pistella	Wiggins
Daikeler	Kennedy	Pitts	Williams, J. D.
Davies	Klingaman	Pott	Wilson
Dawida	Kukovich	Pratt	Wilt
Deal	Lashinger	Pucciarelli	Wogan
Dietz	Laughlin	Punt	Wozniak
Dininni	Lehr	Rappaport	Wright, D. R.
Dombrowski	Lescovitz	Rasco	Zwilk
Donatucci	Levi	Reber	
Duffy	Lewis	Richardson	Ryan,
Durham	Livengood	Rieger	Speaker
Earley	Lloyd	Ritter	

NAYS—0

NOT VOTING—9

Berson	Hutchinson, W.	Levin	Williams, H.
Dorr	Kolter	Smith, E. H.	Wright, J. L.
Gray			

EXCUSED—5

Harper	Letterman	Smith, L. E.	White
Kowalshyn			

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—189

Anderson	Earley	Lloyd	Salvatore
Armstrong	Emerson	Lucy	Saurman
Arty	Evans	McCall	Serafini
Barber	Fee	McClatchy	Seventy
Belardi	Fleck	McIntyre	Showers
Belfanti	Foster, W. W.	McMonagle	Shupnik
Beloff	Foster, Jr., A.	McVerry	Sieminski
Berson	Frazier	Mackowski	Sirianni
Bittle	Freind	Madigan	Smith, B.
Blaum	Fryer	Maiale	Smith, E. H.
Borski	Gallagher	Manderino	Snyder
Bowser	Gallen	Manmiller	Spencer
Boyes	Gamble	Marmion	Spitz
Brandt	Gannon	Merry	Stairs
Brown	Geist	Michlovic	Steighner
Burd	George	Micozzie	Stevens
Burns	Gladeck	Miscevich	Stewart
Caltagirone	Grabowski	Moehlmann	Stuban
Cappabianca	Greenfield	Morris	Swaim
Cawley	Greenwood	Mowery	Sweet
Cessar	Grieco	Mullen	Swift
Cimini	Gruitza	Murphy	Taddonio
Civera	Gruppo	Nahill	Taylor, E. Z.
Clark	Hagarty	Noye	Taylor, F. E.
Clymer	Haluska	O'Donnell	Telek
Cochran	Hayes	Oliver	Tigue
Cohen	Heiser	Pendleton	Trello
Colafella	Hoeffel	Perzel	Van Horne
Cole	Honaman	Peterson	Vroon
Cordisco	Horgos	Petrarca	Wachob
Cornell	Hutchinson, A.	Petrone	Wambach
Coslett	Hutchinson, W.	Phillips	Wargo
Cowell	Irvic	Piccola	Wass
Cunningham	Itkin	Pievsky	Wenger
DeMedio	Jackson	Pistella	Weston
DeVerter	Johnson	Pitts	Wiggins
DeWeese	Kanuck	Pott	Williams, J. D.
Daikeler	Kennedy	Pratt	Wilson
Davies	Klingaman	Pucciarelli	Wilt
Dawida	Kolter	Punt	Wogan
Deal	Kukovich	Rappaport	Wozniak
Dietz	Lashinger	Rasco	Wright, D. R.
Dininni	Laughlin	Reber	Wright, J. L.
Dombrowski	Lehr	Richardson	Zwikl
Donatucci	Lescovitz	Rieger	
Dorr	Levi	Ritter	Ryan,
Duffy	Lewis	Rocks	Speaker
Durham	Livengood	Rybak	

NAYS—4

Alden	Hasay	Mrkonc	Olasz
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NOT VOTING—5

Fischer	Levin	Miller	Williams, H.
Gray			

EXCUSED—5

Harper	Letterman	Smith, L. E.	White
Kowalshyn			

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

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

* * *

The House proceeded to third consideration of **HB 40, PN 41**, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), authorizing taxation for the purpose of paying interest and principal on certain indebtedness.

On the question,
Will the House agree to the bill on third consideration?
Mr. LEVI offered the following amendment No. A68:

Amend Sec. 1 (Sec. 905), page 2, line 4, by inserting after "principal" currently due

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

The following roll call was recorded:

YEAS—191

Alden	Earley	Lewis	Ritter
Anderson	Emerson	Livengood	Rocks
Armstrong	Fee	Lloyd	Rybak
Arty	Fischer	Lucy	Salvatore
Barber	Fleck	McCall	Saurman
Belardi	Foster, W. W.	McClatchy	Serafini
Belfanti	Foster, Jr., A.	McIntyre	Seventy
Beloff	Frazier	McMonagle	Showers
Berson	Freind	Mackowski	Shupnik
Bittle	Fryer	Madigan	Sieminski
Blaum	Gallagher	Maiale	Sirianni
Borski	Gallen	Manderino	Smith, B.
Bowser	Gamble	Manmiller	Smith, E. H.
Boyes	Gannon	Marmion	Snyder
Brandt	Geist	Merry	Spencer
Brown	George	Michlovic	Spitz
Burd	Gladeck	Micozzie	Stairs
Burns	Grabowski	Miller	Steighner
Caltagirone	Greenfield	Moehlmann	Stevens
Cappabianca	Greenwood	Morris	Stewart
Cawley	Grieco	Mowery	Stuban
Cessar	Gruitza	Mrkonc	Sweet
Cimini	Gruppo	Mullen	Swift
Civera	Hagarty	Murphy	Taddonio
Clark	Haluska	Nahill	Taylor, E. Z.
Clymer	Hasay	Noye	Taylor, F. E.
Cochran	Hayes	O'Donnell	Telek
Cohen	Heiser	Olasz	Tigue
Colafella	Hoeffel	Oliver	Trello
Cole	Honaman	Pendleton	Van Horne
Cordisco	Horgos	Perzel	Vroon
Cornell	Hutchinson, A.	Peterson	Wachob
Coslett	Hutchinson, W.	Petrarca	Wambach
Cowell	Irvic	Petrone	Wargo
Cunningham	Itkin	Phillips	Wass
DeMedio	Jackson	Piccola	Wenger
DeVerter	Johnson	Pievsky	Weston
DeWeese	Kanuck	Pistella	Wiggins
Daikeler	Kennedy	Pitts	Wilson
Davies	Klingaman	Pott	Wilt
Dawida	Kolter	Pratt	Wogan
Deal	Kukovich	Pucciarelli	Wozniak
Dietz	Lashinger	Punt	Wright, D. R.
Dininni	Laughlin	Rappaport	Wright, J. L.
Dombrowski	Lehr	Rasco	Zwikl
Donatucci	Lescovitz	Reber	

Dorr	Levi	Richardson	Ryan,
Duffy	Levin	Rieger	Speaker
Durham			

NAYS—0

NOT VOTING—7

Evans	McVerry	Swaim	Williams, J. D.
Gray	Miscevich	Williams, H.	

EXCUSED—5

Harper	Letterman	Smith, L. E.	White
Kowalyszyn			

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—190

Anderson	Earley	Livengood	Rocks
Armstrong	Emerson	Lloyd	Rybak
Arty	Evans	Lucy	Salvatore
Barber	Fee	McCall	Saurman
Belardi	Fischer	McClatchy	Serafini
Belfanti	Fleck	McIntyre	Seventy
Beloff	Foster, W. W.	McMonagle	Showers
Berson	Foster, Jr., A.	McVerry	Shupnik
Bittle	Frazier	Mackowski	Sieminski
Blaum	Freind	Madigan	Sirianni
Borski	Fryer	Maiale	Smith, B.
Bowser	Gallagher	Manderino	Smith, E. H.
Boyes	Gallen	Manmiller	Snyder
Brandt	Gamble	Marmion	Spencer
Brown	Gannon	Merry	Spitz
Burd	Geist	Michlovic	Stairs
Burns	George	Micozzie	Steighner
Caltagirone	Gladeck	Miller	Stevens
Cappabianca	Grabowski	Miscevich	Stewart
Cawley	Greenfield	Moehlmann	Stuban
Cessar	Greenwood	Morris	Swaim
Cimini	Grieco	Mowery	Sweet
Civera	Gruitza	Mullen	Swift
Clark	Gruppo	Murphy	Taddonio
Clymer	Haluska	Nahill	Taylor, E. Z.
Cochran	Hayes	Noye	Taylor, F. E.
Cohen	Heiser	O'Donnell	Telek
Colafella	Hoeffel	Oliver	Tigue
Cole	Honaman	Pendleton	Trello
Cordisco	Horgos	Perzel	Van Horne
Cornell	Hutchinson, A.	Peterson	Vroon
Coslett	Hutchinson, W.	Petrarca	Wachob
Cowell	Iris	Petrone	Wambach
Cunningham	Itkin	Phillips	Wargo
DeMedio	Jackson	Piccola	Wass
DeVerter	Johnson	Pievsky	Wenger
DeWeese	Kanuck	Pistella	Weston
Daikeler	Kennedy	Pitts	Wiggins
Davies	Klingaman	Pott	Williams, J. D.
Dawida	Kolter	Pratt	Wilson
Deal	Kukovich	Pucciarelli	Wilt
Dietz	Lashinger	Punt	Wogan
Dininni	Laughlin	Rappaport	Wozniak
Dombrowski	Lehr	Rasco	Wright, D. R.
Donatucci	Lescovitz	Reber	Zwinkl
Dorr	Levi	Richardson	

Duffy	Levin	Rieger	Ryan,
Durham	Lewis	Ritter	Speaker

NAYS—4

Alden	Hasay	Mrkonic	Olasz
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NOT VOTING—4

Gray	Hagarty	Williams, H.	Wright, J. L.
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EXCUSED—5

Harper	Letterman	Smith, L. E.	White
Kowalyszyn			

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

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

HOUSE SCHEDULE

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. I would like to recess the House now for the purpose of taking lunch until 1:30. We will begin promptly at 1:30. The first order of business at that time will be HB 27 and the Kukovich amendments, so I would ask all Representatives to be prepared for voting again at 1:30. Thank you, Mr. Speaker.

ANNOUNCEMENT

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

Mr. PICCOLA. Mr. Speaker, I would just like to announce that the workshop on juvenile justice that is scheduled for 9:30 tomorrow morning has been changed to the minority caucus room rather than the majority caucus room.

REMARKS ON VOTES

The SPEAKER. The Chair recognizes the gentleman from Lycoming, Mr. Grieco.

Mr. GRIECO. Mr. Speaker, I would like to be recorded as a "yes" vote on HB 35. Thank you.

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

The Chair recognizes the gentleman from Lycoming, Mr. Cimini.

Mr. CIMINI. I would like to be recorded in the affirmative on HB 35.

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

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

Mrs. HAGARTY. Mr. Speaker, I would like to be recorded in the affirmative on HB 40.

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

RECESS

The SPEAKER. Without objection, this House is now declared in recess until 1:30 p.m. The Chair hears none.

AFTER RECESS

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

REMARKS ON VOTES

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

Mr. OLASZ. Mr. Speaker, this morning on voting for HB 33, there was a malfunction in my voting switch which recorded as affirmative rather than negative.

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

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

Mr. LUCYK. On this morning's vote on HB 38, amendment No. A66, I would like to be recorded in the affirmative.

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

MEMBER'S PRESENCE RECORDED

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

Mr. H. WILLIAMS. I ask that my name be added to the master roll call.

CALENDAR CONTINUED**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 27, PN 28**, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), clarifying certain provisions for the approval or disapproval of regulations by the General Assembly.

On the question,

Will the House agree to the bill on third consideration?

Mr. KUKOVICH offered the following amendments No. A55:

Amend Sec. 1 (Sec. 812.2), page 2, line 4, by striking out the bracket before "before"

Amend Sec. 1 (Sec. 812.2), page 2, line 9, by inserting a bracket before "The"

Amend Sec. 1 (Sec. 812.2), page 2, line 22, by inserting a bracket after "year." and inserting immediately thereafter The standing committee shall, within thirty days from the receipt of such proposed rule, regulation or amendment approve or recommend disapproval to the House of Representatives or the Senate of any such proposed rule, regulation or amendment. Failure of either standing committee to recommend disapproval of any rule, regulation or amendment shall constitute approval

thereof. If either committee recommends disapproval, it shall notify the respective House of the General Assembly and the Bureau of Professional and Occupational Affairs immediately upon a recommendation of disapproval. The recommendation for disapproval shall be in the form of a concurrent resolution. The Bureau of Professional and Occupational Affairs shall thereupon suspend consideration of the rule, regulation or amendment for thirty days. If both the House of Representatives and the Senate vote, within the thirty-day period, to disapprove the proposed rule, regulation or amendment the bureau, board or commission shall not adopt the proposed rule, regulation or amendment and it shall not be again offered for a period of five years.

Amend Sec. 1 (Sec. 812.2), page 2, line 26, by inserting a bracket before "be" where it appears the first time

Amend Sec. 1 (Sec. 812.2), page 2, line 26, by striking out "] be"

Amend Sec. 1 (Sec. 812.2), page 3, line 15, by inserting a bracket after "regulation."

On the question,

Will the House agree to the amendments?

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

Mr. KUKOVICH. To give a little background, the problem that created the need for this bill was Act No. 146 of 1980. The intention of that bill was to provide legislative oversight of any regulations and rules promulgated by the Bureau of Professional and Occupational Affairs.

What happened was that through a mistake or an oversight, two different procedures setting up vetoes by the House and the Senate were provided. In HB 27, Mr. Dorr is attempting to correct that mistake. I think that is fine; I think that is a great idea. Upon reviewing that bill, the problem is one of separation of powers, and it has raised the constitutional problem. The Alaska court has struck down a legislative oversight bill. What I am concerned about is going with the provision that will be the strongest one for us, and I think the provision preserved in HB 27 is more subject to constitutional attack. As a matter of fact, there was similar language in HB 215 of 1979, and that was a bill that was vetoed by Governor Thornburgh; and I would like it noted that I supported the Governor wholeheartedly on his veto.

To read from this bill, because there is a direct correlation with that and the problem we are facing today, the Governor said in his veto message, "The bill also provides that the proposed rules and regulations promulgated by the various professional or occupational boards regarding payments and license suspensions be submitted to the General Assembly for approval. If either chamber disapproves of any regulation, such regulation will not be promulgated." The Governor continued to say, "Although I concur in the provisions of this bill governing the use of personal checks," —and this is the important language— "I will withhold my approval from the bill because of serious constitutional infirmities of the provisions providing for review of rules and regulations....While the legislature can delegate the power to issue rules and regulations, it is questionable whether it may withdraw that delegation through a non-legislative review process."

Now, I believe my amendment attempts to rectify the problem that the Governor addressed in his veto message and strengthens any arguments that we can make to the courts; strengthens the position of the General Assembly in reviewing regulations. The thrust of this amendment is to have both chambers, the House and the Senate, vote to veto, rather than simply one.

To run through the procedure that this amendment No. A55 would take is that the standing committee would receive the rule or the regulation; they would have 30 days to approve or disapprove. No action would constitute approval. If either a House or Senate committee disapproves, they notify the other chamber, and it takes the form of a concurrent resolution. They then have 30 days to approve or disapprove. Right now the law in the bill sets up a 60-day time period. This actually shortens the time period and triggers another mechanism so that both chambers will have a chance at oversight.

Now, the main purpose for this is, again, the courts have held that where two chambers have a say, there is a better opportunity to hold that there is no separation of powers. Now, no matter which one of these versions passes, there is a possibility of a constitutional challenge. I am submitting to this chamber that we have a better chance of withstanding that challenge by passing this amendment. It is also important to keep in mind that the purpose of legislative review of these proposed regulations is to state and enforce legislative intent. I am suggesting that one chamber cannot state legislative intent. We need the support of both chambers.

Mr. Speaker, the National Conference of State Legislatures has a book, a magazine that they print, and they have also stated that this has created a problem. In many states constitutional challenges have threatened the right of legislative oversight, and in order for legislative oversight to be upheld, we need two-chamber review. I really feel that this is a more workable version because we also do not bypass the committee system rather than us constantly interfering with run-of-the-mill regulations. And this amendment would provide for every regulation to be disseminated to all the members of the House. Using the committee system, we can have more indepth evaluation and study of those regulations and rules which cause waste or inefficiency.

I suppose the bottom line is that since most of us, I think a majority of us, in this chamber and in the Senate are in favor of an advocate legislative oversight and want to cut back on bureaucratic interpretation of what we do, that in order to do that we have to come out of this chamber with the strongest bill possible. I am hopeful that this simple oversight of the regulations of the Bureau of Professional and Occupational Affairs can eventually blossom into full-blown oversights, something more comprehensive so we can encompass all rules and regulations that are being promulgated. In order to do that we need a vehicle less cumbersome than is being presented in this bill. For those reasons, Mr. Speaker, I would appreciate your support on this amendment.

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

Mr. DORR. Mr. Speaker, I agree with the gentleman's intent. I disagree with his conclusions.

It is clear to me that the procedure that we have chosen to leave in this law is the easier provision to allow the legislature to disapprove of proposed rules and regulations. The reason for that is that it requires the disapproval of only one body rather than two bodies in order to stop a rule or regulation from taking effect.

The gentleman argues that there may be a constitutional problem with this approach. My opinion is that he has reversed the constitutional argument or the constitutional position. The constitution requires, of course, that two bodies pass a law before it becomes a law.

It seems to me that since the rule or regulation is being created, or proposed at least, on the basis of law, that that rule or regulation ought to have the approval of both bodies, the approval of both bodies, before it becomes what in effect would be a law. Therefore, if only one body disapproves of that rule or regulation, in that circumstance, obviously, that rule or regulation should not become law of this Commonwealth. So the constitutional argument that the gentleman makes, I think, is stronger on the position of leaving the bill the way it is.

Furthermore, those of us who are interested in oversight ought to be in favor of making the procedure for disapproving rules and regulations as easy as is possible, and I believe that the bill as proposed does that. So I would recommend a negative vote on the amendment.

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

Mr. COWELL. Mr. Speaker, I cannot fully agree with either Mr. Kukovich or Mr. Dorr. I think Mr. Kukovich is correct in his attempt to address the constitutional problem. However, in attempting to address that problem, I think that he, in his language, creates a couple of other issues. One, the legislation that is proposed by Mr. Dorr, and as approved by the State Government Committee, basically circumvented the committee process. The amendment that has been suggested by Mr. Kukovich today includes the committee process as a part of this review process or procedure and basically would permit a small group of people, perhaps only a chairman of a committee, or at least a majority of committee members, in either chamber, to basically thwart the will of the full legislature - the total House, the total Senate, perhaps a majority in both chambers - who might feel that a proposed rule or regulation was cumbersome, unnecessary, too expensive, whatever the case might be; it might be the cause for their concern and objection. But the process that Mr. Kukovich has proposed would allow a committee to sit on a proposed rule or regulation to do nothing. And as he suggested correctly in his statement, and as his amendment reads, the failure of a committee to disapprove would constitute approval. Now that is a very substantial change from the process that was approved by this legislature last year, and a substantial

change from the process that was proposed in the Dorr legislation.

I think that substantial change is not necessary. In fact, I think it would be an improper change for us to adopt today. I think what we need to do is, through this legislation, to preserve the right of a total chamber to act on proposed rules and regulations, and that right would be compromised by the process that is proposed by Mr. Kukovich.

Secondly, I do not know whether this is minor or major point, but I think that we should not fail to note it. The current law and the legislation as proposed by Mr. Dorr says that the rule or regulation once disapproved could not be offered again for a period of 1 year. Mr. Kukovich suggests a change to that and he would provide for a prohibition of 5 years. Now, I am not quite sure what the implications would be, although it is obviously a much longer period, and it might, in fact, stifle the ability of an agency or a commission or a board to do its job somewhere down the line that cannot address that issue for 5 full years.

On balance then, I am going to argue that we should defeat the Kukovich amendment. I think there is a constitutional problem, but I think it can be addressed in a more meaningful way without trading the other problems that I have just discussed.

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

Mr. RITTER. Mr. Speaker, I rise to support the Kukovich amendment. I am a little concerned about the 5-year period which Mr. Cowell referred to, but if the problem is that severe and this legislation would preclude someone from offering that rule or regulation in a 5-year period, they could do that through the legislative process and take care of it that way.

I am concerned about the constitutional problem, and I agree that both houses should be involved in the process. I have always advocated since I have been here that we need a strong committee system. Mr. Dorr's bill, in effect, bypasses the committee system.

I do not have the same fears that Mr. Cowell has that a committee would be able to do this, that, and the other thing because frankly they can kill legislation now and they can report legislation out as it is. This really is not any different, but if you accept the bill without the Kukovich amendment, you are in effect saying that the committee system really does not mean anything and we cannot trust those committee members with rules and regulations dealing with the very subject matter that they deal with on a daily basis.

I think the Kukovich amendment addresses a problem of responsibilities for committees and at the same time, I think, satisfies the constitutional question of allowing only one chamber or the other to approve or disapprove by requiring both chambers to act in order to disapprove it. So I think that the Kukovich amendment makes some sense. I am not overjoyed with the period of 5 years, but I think we can correct that later if we have to. But in the meantime, I would ask support for the Kukovich amendment.

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

Mr. KUKOVICH. Just two brief points, Mr. Speaker. One is that the whole point of this amendment is to try to provide a legislative oversight bill that will not be tied up in the courts. And I sincerely believe that this is the best way to do it.

Secondly, keep in mind that a similar bill was vetoed by Governor Thornburgh a few years ago, and the same thing could happen this time if the bill passes without amendment with the same language that it has.

The SPEAKER. The Chair recognizes the gentleman from Chester, Mr. Morris.

Mr. MORRIS. I would like to interrogate both Mr. Kukovich and Mr. Dorr, and my reason is not to take sides on this amendment; I am seeking some enlightenment.

It seems to me that as far as the constitutional question goes, you have a possibility of being in a Catch 22 situation regardless of whether the burden is on approval or on disapproval. Some committee can stop the thing up in one house or another. So there is a possibility which perhaps is not written under the law itself at this point, but there is always that possibility of either preventing the discontinuance of the regulations or preventing a continuance of it by the House. Am I correct?

The SPEAKER. For what purpose does the gentleman, Mr. Kukovich, rise?

Mr. KUKOVICH. Mr. Speaker, I cannot hear the gentleman, Mr. Morris, very clearly. I am having a hard time understanding the question.

The SPEAKER. I do not know that the gentleman, Mr. Morris, has decided whether he wants to interrogate you or Mr. Dorr. Maybe the gentleman could make that selection first.

Mr. MORRIS. I think I would rather interrogate Mr. Dorr first because it is his bill.

The SPEAKER. I am sorry, Mr. Kukovich. Mr. Dorr, will you consent to be interrogated?

Mr. DORR. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. DORR. Would the gentleman repeat his basic question? I think I understood it, but I was having difficulty hearing also.

Mr. MORRIS. Well, let us say we have the bill as it is now, with some attempt to change this to go from one house to two houses. The burden is on the regulations or the proposer of them, and if some committee does not approve of the regulations, then they die, regardless of which house it is in? That is inevitable, if it is going to go to both houses. Am I correct or not?

Mr. DORR. Well, if I understand the gentleman, the question relates to whether or not failure to act with—

Mr. MORRIS. Right.

Mr. DORR. Okay. If both bodies fail to act, under the provisions of the bill, then the regulation may be promulgated in the normal course of events, the normal way a regulation is promulgated. So inaction means approval. Is that the gentleman's question?

Mr. MORRIS. Is that the way the bill is now?

Mr. DORR. Yes, it is.

Mr. MORRIS. I thought it was the other way around - the failure to act meant the regulations were disapproved.

Mr. DORR. No. The bill as it reads now says that if both bodies fail to act within 60 days of receipt or 10 legislative days, whichever last occurs, the regulations adopted by the board shall be promulgated pursuant to the Commonwealth Documents Law.

This was the point I was attempting to make earlier, Mr. Speaker, in that the presumption is with the law that we already passed and with the administration of that law that is in the administration. However, if either body says by action that that regulation is not the way we passed that law and you should not adopt it because it is not our intent, then that ought to prevent that regulation from becoming a law of the Commonwealth because the constitution says that both bodies should be in approval of laws.

Mr. MORRIS. That is a defect in the present legislation that now exists?

Mr. DORR. Well, the problem, Mr. Speaker, is that the present law sets up two different ways to disapprove of regulations, and it is at odds with one another, and there is no way to really administer the law as it is now because the administration does not know which approach to take.

Mr. MORRIS. Well, your bill then changes the burden from no action brings approval to no action brings disapproval? Is that correct?

Mr. DORR. No, that is probably a misstatement only because the bill, as it stands now, would leave in place one of the processes which is in the law. In other words, that which is in the bill as it stands now on the floor is already in law. However, there is the other procedure also in law and that is more along the lines that the gentleman has suggested, on a disapproval basis.

I beg your pardon, I am wrong about that. Both of the procedures that are in law today are presumptively in favor of adoption. In other words, one of them requires both bodies to act; the other one requires only one body to act. We are deleting the provision that requires both bodies to act.

Mr. MORRIS. I see. And Mr. Kukovich follows the basic law now but requires two bodies. Is that the difference?

Mr. DORR. His procedure is closer to the one which we are deleting from the bill, I think that is fair to say.

Mr. MORRIS. Thank you.

I do not think I need to question Mr. Kukovich at the moment. I think Mr. Dorr has given me my answer.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—82

Barber	Donatucci	McCall	Rybak
Belfanti	Emerson	McIntyre	Seventy
Beloff	Fee	McMonagle	Showers
Berson	Fryer	Manderino	Shupnik
Blaum	Gallagher	Michlovic	Steighner
Borski	George	Mrkonic	Stewart
Brown	Greenfield	Mullen	Stuban

Caltagirone	Gruitza	Murphy	Sweet
Cappabianca	Haluska	O'Donnell	Taylor, F. E.
Cawley	Hoefel	Olasz	Tighe
Clark	Horgos	Oliver	Trello
Cochran	Hutchinson, A.	Pendleton	Van Horne
Cohen	Irvis	Petrarca	Wachob
Colafella	Kolter	Petrone	Wambach
Cole	Kukovich	Pievsky	Wargo
Cordisco	Laughlin	Pistella	Wiggins
DeMedio	Lescovitz	Pott	Williams, H.
DeWeese	Levin	Pucciarelli	Wozniak
Dawida	Livengood	Rieger	Wright, D. R.
Deal	Lloyd	Ritter	Zwilk
Dombrowski	Lucyk		

NAYS—111

Alden	Fischer	Lehr	Salvatore
Anderson	Fleck	Levi	Saurman
Armstrong	Foster, W. W.	Lewis	Serafini
Arty	Foster, Jr., A.	McClatchy	Sieminski
Belardi	Frazier	McVerry	Sirianni
Bittle	Freind	Mackowski	Smith, B.
Bowser	Gallen	Madigan	Smith, E. H.
Boyes	Gamble	Maiale	Snyder
Brandt	Gannon	Manmiller	Spencer
Burd	Geist	Marmion	Spitz
Burns	Gladeck	Merry	Stairs
Cessar	Grabowski	Micozzie	Stevens
Cimini	Greenwood	Miller	Swift
Civera	Grieco	Miscevich	Taddonio
Clymer	Gruppo	Moehlmann	Taylor, E. Z.
Cornell	Hagarty	Morris	Telek
Coslett	Hasay	Mowery	Vroon
Cowell	Hayes	Nahill	Wass
Cunningham	Heiser	Noye	Wenger
DeVerter	Honaman	Perzel	Weston
Daikeler	Hutchinson, W.	Peterson	Williams, J. D.
Davies	Itkin	Phillips	Wilson
Dietz	Jackson	Piccola	Wilt
Dininni	Johnson	Pitts	Wogan
Dorr	Kanuck	Punt	Wright, J. L.
Duffy	Kennedy	Rasco	
Durham	Klingaman	Reber	Ryan,
Earley	Lashingner	Rocks	Speaker
Evans			

NOT VOTING—5

Gray	Rappaport	Richardson	Swaim
Pratt			

EXCUSED—5

Harper	Letterman	Smith, L. E.	White
Kowalyszyn			

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

On the question recurring,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—194

Alden	Emerson	Livengood	Rocks
Anderson	Evans	Lloyd	Rybak
Armstrong	Fee	Lucyk	Salvatore
Arty	Fischer	McCall	Saurman
Barber	Fleck	McClatchy	Serafini
Belardi	Foster, W. W.	McIntyre	Seventy
Belfanti	Foster, Jr., A.	McMonagle	Showers

Beloff	Frazier	McVerry	Shupnik
Berson	Freind	Mackowski	Sieminski
Bittle	Fryer	Madigan	Sirianni
Blaum	Gallagher	Maiale	Smith, B.
Borski	Gallen	Manderino	Smith, E. H.
Bowser	Gamble	Manmiller	Snyder
Boyes	Gannon	Marmion	Spencer
Brandt	Geist	Merry	Spitz
Brown	George	Michlovic	Stairs
Burd	Gladeck	Micozzie	Steighner
Burns	Grabowski	Miller	Stevens
Caltagirone	Greenfield	Miscevich	Stewart
Cawley	Greenwood	Moehlmann	Stuban
Cessar	Grieco	Morris	Swaim
Cimini	Gruitza	Mowery	Swift
Civera	Gruppo	Mrkonc	Taddonio
Clark	Hagarty	Mullen	Taylor, E. Z.
Clymer	Haluska	Murphy	Taylor, F. E.
Cochran	Hasay	Nahill	Telek
Cohen	Hayes	Noye	Tigue
Colafella	Heiser	O'Donnell	Trello
Cole	Hoeffel	Olasz	Van Horne
Cordisco	Honaman	Oliver	Vroon
Cornell	Horgos	Pendleton	Wachob
Coslett	Hutchinson, A.	Perzel	Wambach
Cowell	Hutchinson, W.	Peterson	Wargo
Cunningham	Irvic	Petrarca	Wass
DeMedio	Itkin	Petrone	Wenger
DeVerter	Jackson	Phillips	Weston
DeWeese	Johnson	Piccola	Wiggins
Daikeler	Kanuck	Pievsky	Williams, H.
Davies	Kennedy	Pistella	Williams, J. D.
Dawida	Klingaman	Pitts	Wilson
Deal	Kolter	Pott	Wilt
Dietz	Kukovich	Pratt	Wogan
Dininni	Lashinger	Pucciarelli	Wozniak
Dombrowski	Laughlin	Punt	Wright, D. R.
Donatucci	Lehr	Rasco	Wright, J. L.
Dorr	Lescovitz	Reber	Zwinkl
Duffy	Levi	Richardson	
Durham	Levin	Rieger	Ryan,
Earley	Lewis	Ritter	Speaker

NAYS—2

Cappabianca Sweet

NOT VOTING—2

Gray Rappaport

EXCUSED—5

Harper Letterman Smith, L. E. White
Kowalyshyn

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

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

* * *

The House proceeded to third consideration of **HB 105, PN 106**, entitled:

An Act requiring the termination of certain agencies of State Government under certain circumstances, creating a Leadership Committee and the Office of Legislative Auditor with certain powers and duties.

On the question,

Will the House agree to the bill on third consideration?

Mrs. HONAMAN offered the following amendments No. A8:

Amend Sec. 5, page 5, line 5, by striking out "whether" and inserting has

Amend Sec. 5, page 5, line 6, by striking out "has"

On the question,

Will the House agree to the amendments?

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

Mrs. HONAMAN. Mr. Speaker, this is simply a technical amendment which clears up some bad grammar in the bill. Thank you.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—189

Alden	Emerson	Livengood	Rocks
Anderson	Fee	Lloyd	Rybak
Armstrong	Fischer	Lucyk	Salvatore
Arty	Fleck	McCall	Saurman
Barber	Foster, W. W.	McClatchy	Serafini
Belardi	Foster, Jr., A.	McMonagle	Seventy
Belfanti	Frazier	McVerry	Showers
Beloff	Freind	Mackowski	Shupnik
Berson	Fryer	Madigan	Sieminski
Bittle	Gallagher	Maiale	Sirianni
Blaum	Gallen	Manderino	Smith, B.
Borski	Gamble	Manmiller	Smith, E. H.
Boyes	Gannon	Marmion	Snyder
Brandt	Geist	Merry	Spencer
Brown	George	Michlovic	Spitz
Burd	Gladeck	Micozzie	Stairs
Burns	Grabowski	Miller	Steighner
Caltagirone	Greenfield	Miscevich	Stevens
Cappabianca	Greenwood	Moehlmann	Stewart
Cawley	Grieco	Morris	Stuban
Cessar	Gruitza	Mowery	Swaim
Cimini	Gruppo	Mrkonc	Sweet
Clark	Hagarty	Mullen	Swift
Clymer	Haluska	Murphy	Taddonio
Cochran	Hasay	Nahill	Taylor, E. Z.
Cohen	Hayes	Noye	Taylor, F. E.
Colafella	Heiser	O'Donnell	Telek
Cole	Hoeffel	Olasz	Tigue
Cordisco	Honaman	Oliver	Trello
Cornell	Horgos	Pendleton	Van Horne
Coslett	Hutchinson, A.	Perzel	Vroon
Cowell	Hutchinson, W.	Peterson	Wambach
Cunningham	Irvic	Petrarca	Wargo
DeMedio	Itkin	Petrone	Wass
DeVerter	Jackson	Phillips	Wenger
DeWeese	Johnson	Piccola	Weston
Daikeler	Kanuck	Pievsky	Williams, J. D.
Davies	Kennedy	Pistella	Wilson
Dawida	Klingaman	Pitts	Wilt
Deal	Kolter	Pott	Wogan
Dietz	Kukovich	Pratt	Wozniak
Dininni	Lashinger	Pucciarelli	Wright, D. R.
Dombrowski	Laughlin	Punt	Wright, J. L.
Donatucci	Lehr	Rasco	Zwinkl
Dorr	Lescovitz	Reber	
Duffy	Levi	Richardson	Ryan,
Durham	Levin	Rieger	Speaker
Earley	Lewis	Ritter	

NAYS—2

Evans McIntyre

NOT VOTING—7

Bowser	Gray	Wachob	Williams, H.
Civera	Rappaport	Wiggins	

EXCUSED—5

Harper	Letterman	Smith, L. E.	White
Kowalshyn			

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

On the question,

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

Mr. GALLEN offered the following amendments No. A50:

Amend Sec. 5, page 5, line 18, by striking out "Chief Clerk" and inserting Secretary

Amend Sec. 5, page 5, line 19, by inserting after "the" Chief Clerk of the

Amend Sec. 8, page 10, lines 14 through 17, by striking out all of said lines and inserting A statutory agency created after January 1, 1981 shall be scheduled for termination on the schedule specified in subsections (a), (b) and (c) of section 6 but no sooner than six years following the effective date of the new agency.

Amend Sec. 9, page 10, line 30, by inserting after "affairs." The Leadership Committee shall have the ability to waive the restrictions on expenditures set forth in this section, upon a showing by the agency of exceptional circumstances.

Amend Sec. 12, page 13, lines 1 and 2, by striking out "following the expiration of the term of a preceding auditor," and inserting of a vacancy in the position of Legislative Auditor,

Amend Sec. 12, page 13, lines 20 and 21, by striking out "or has been adjudged by a court of law, guilty of"

On the question,

Will the House agree to the amendments?

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

Mr. GALLEN. Mr. Speaker, this, too, is a technical amendment although a little bit more extensive than Mrs. Honaman's amendment. It corrects the title of the bill to read "Secretary of the Senate" instead of "the Chief Clerk of the Senate." It clarifies a procedure for placing new agencies into the "sunset" cycle. It permits the leadership committee to waive spending limitations on agencies in exceptional circumstances, and it makes uniform language in a section regarding the office of the legislative auditor, and it removes unnecessary language to make it consistent with the rest of the section, Mr. Speaker. I urge the adoption of the amendment.

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

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

The SPEAKER. The gentleman indicates he will consent. The gentleman may proceed.

Mr. RITTER. Mr. Speaker, your amendment, page 10, lines 14 through 17, where you are striking those out which simply said that "A statutory agency created after January

1, 1981 shall be scheduled for termination at the conclusion of the sixth year..." et cetera, and you are replacing that with "A statutory agency created after January 1, 1981 shall be scheduled for termination on the schedule specified in subsections (a), (b) and (c) of section 6 but no sooner than six years following the effective date of the new agency." I really do not know what that means. Since under subsection (a) they are scheduled to expire in 1983, I do not know what you mean by that.

Mr. RITTER. A further question, Mr. Speaker: In which category would they go, A, B, or C?

Mr. GALLEN. Mr. Speaker, it just really puts the new agencies into those cycles, either A, B, or C, into that 6-year cycle. I do not know what the problem is, Mr. Speaker.

Mr. RITTER. Mr. Speaker, it cannot do that, because if it was created after 1981, it can be scheduled no sooner than 6 years. There is no way you are going to get that in schedule 1 where those agencies terminate in 1983, and you cannot get it in section B when those agencies terminate in 1985. About the only section you might be able to get into is section C where they terminate in 1987. So I do not know what that language means. I think it is confusing. I think the bill was better without that language.

Mr. GALLEN. Mr. Speaker, the agencies, the new agencies when they are created will have language contained in that legislation which creates them, which puts them into this "sunset" cycle, and the termination date will be so set in the language of the legislation which creates a new agency.

Mr. RITTER. Mr. Speaker, you refer to subsections (a), (b) and (c), and I am saying to you that (a), (b) and (c) call forth for three different dates, one of which is 1983, the other is 1985, and the third section is 1987. Now, how can you put new agencies into that schedule? If they are created, for instance, in 1984, what one of those three are they going to go into?

Mr. GALLEN. Mr. Speaker, those dates, 1983, 1985 and 1987, will have a continuum, 1989, 1991, and so on, Mr. Speaker.

Mr. RITTER. Where does it say that in the bill, Mr. Speaker?

Mr. GALLEN. Once the process has begun and once the "sunset" legislation takes effect, Mr. Speaker, we will have to, I guess, each 2 years set up a new cycle, or possibly we could amend—

PARLIAMENTARY INQUIRY

REQUEST TO DIVIDE AMENDMENT

Mr. RITTER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RITTER. Is this amendment divisible, Mr. Speaker? My division that I am referring to would be "Amend Sec. 8, page 10," and then that paragraph that deals with that. I just think that that language is confusing; it really does not fit into the bill. The existing language is sufficient, and I would ask if the amendment is divisible, Mr. Speaker?

AMENDMENT DIVIDED

The SPEAKER. Is the question propounded by the gentleman whether or not that portion of the amendment that is, "Amend Sec. 8, page 10" and the language below it, is your question, is that divisible?

Mr. RITTER. Yes, Mr. Speaker, just down to the next one where it says "Amend Sec. 9." Just that part with section 8.

The SPEAKER. Yes.

Mr. RITTER. Well, Mr. Speaker, then I would so move that the amendment be divided, and I do not know whether you want to take amendment section 8 first. I can support the rest of the amendment; whatever you want to do, Mr. Speaker.

The SPEAKER. Is it the gentleman's intention that the question be divided? If the gentleman will look to his amendment—and I suggest the other members of the House look to the amendment—so that the question that will be put will be first, the top third of the amendment page dealing with "Amend Sec. 5" down to but not including "Amend Sec. 8", and then skipping and including the "Amend Sec. 9" to the end portion of the amendment. Is that accurate?

Mr. RITTER. That is correct.

The SPEAKER. The question then before the House is the amendment as divided. The first portion of the amendment that we will be voting on will be the top third of the page and the bottom third of the page. The part that is excluded from this question is that portion headed "Amend Sec. 8" down to but not including "Amend Sec. 9."

The Chair recognizes the minority whip.

Mr. MANDERINO. Is it possible to withdraw the part of the amendment in the center, if the sponsor would want to do that?

Mr. GALLEN. Mr. Speaker, I intend to so do, if we adopt this part of the amendment.

Mr. MANDERINO. Thank you.

On the question,

Will the House agree to Part I of the amendments?

The following roll call was recorded:

YEAS—188

Alden	Fee	Lucyk	Rocks
Anderson	Fischer	McCall	Rybak
Armstrong	Fleck	McClatchy	Salvatore
Arty	Foster, W. W.	McIntyre	Saurman
Belardi	Foster, Jr., A.	McMonagle	Serafini
Belfanti	Frazier	McVerry	Seventy
Berson	Freind	Mackowski	Showers
Bittle	Fryer	Madigan	Shupnik
Blaum	Gallagher	Maiale	Sieminski
Borski	Gallen	Manderino	Sirianni
Bowser	Gamble	Manmiller	Smith, B.
Boyes	Gannon	Marmion	Smith, E. H.
Brandt	Geist	Merry	Snyder
Brown	George	Michlovic	Spencer
Burd	Gladeck	Micozzie	Spitz
Burns	Grabowski	Miller	Stairs
Caltagirone	Greenfield	Miscevich	Steighner
Cappabianca	Greenwood	Moehlmann	Stevens
Cawley	Grieco	Morris	Stewart
Cessar	Gruitza	Mowery	Stuban
Cimini	Gruppo	Mrkonic	Swaim

Civera	Hagarty	Mullen	Sweet
Clark	Haluska	Murphy	Swift
Clymer	Hasay	Nahill	Taddonio
Cochran	Hayes	Noye	Taylor, E. Z.
Cohen	Heiser	O'Donnell	Telek
Colafella	Hoeffel	Olasz	Tigue
Cole	Honaman	Oliver	Trello
Cordisco	Horgos	Pendleton	Van Horne
Cornell	Hutchinson, A.	Perzel	Vroon
Coslett	Hutchinson, W.	Peterson	Wachob
Cowell	Irvic	Petrarca	Wambach
Cunningham	Itkin	Phillips	Wargo
DeMedio	Johnson	Piccola	Wass
DeVerter	Kanuck	Pievsky	Wenger
DeWeese	Kennedy	Pistella	Weston
Daikeler	Klingaman	Pitts	Williams, H.
Davies	Kolter	Pott	Wilson
Dawida	Kukovich	Pratt	Wilt
Dietz	Lashingier	Pucciarelli	Wogan
Dininni	Laughlin	Punt	Wozniak
Dombrowski	Lehr	Rappaport	Wright, D. R.
Donatucci	Lescovitz	Rasco	Wright, J. L.
Dorr	Levi	Reber	Zwikl
Duffy	Levin	Richardson	
Durham	Lewis	Rieger	Ryan,
Earley	Livengood	Ritter	Speaker
Emerson	Lloyd		

NAYS—6

Barber	Evans	Wiggins	Williams, J. D.
Deal	Jackson		

NOT VOTING—4

Beloff	Gray	Petrone	Taylor, F. E.
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EXCUSED—5

Harper	Letterman	Smith, L. E.	White
Kowalshyn			

The question was determined in the affirmative, and Part I of the amendments was agreed to.

PART OF AMENDMENTS WITHDRAWN

The SPEAKER. The next question before the House on amendment No. A50 to HB 105 is that section of the amendment that begins "Amend Sec. 8" down to but not including "Amend Sec. 9".

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

Mr. GALLEN. Mr. Speaker, I withdraw that portion of the amendment.

The SPEAKER. Without objection, the withdrawal is permitted. The Chair hears none.

On the question recurring,

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

Mr. COHEN offered the following amendments No. A116:

Amend Sec. 5, page 5, line 15, by removing the comma after "terminated" and inserting and

Amend Sec. 5, page 5, line 16, by striking out "and" and inserting , together with a draft of

Amend Sec. 5, page 5, line 22, by inserting after "termination." Once the report is received by each house, the appropriate legislation shall be introduced and referred to a standing committee, in keeping with each house's rules and shall be acted on accordingly.

Amend Sec. 7, page 10, line 3, by inserting after "Reestablishment" or continuation

Amend Sec. 7, page 10, line 4, by inserting before "Any" (a)

Amend Sec. 7, page 10, line 5, by inserting after "reestablished" as provided in this subsection or continued as provided in subsection (b)

Amend Sec. 7, page 10, line 5, by removing the comma after "Assembly" and inserting a period

Amend Sec. 7, page 10, line 5, by striking out "by legislation."

Amend Sec. 7, page 10, line 10, by inserting before "in" where it appears the first time by legislation

Amend Sec. 7, page 10, by inserting between lines 12 and 13

(b) Unless legislation is enacted prior to November 1, reestablishing an agency as provided in subsection (a), the presiding officer of each house shall cause to be placed on their respective calendars for the first legislative day in November, the question, in the form of a resolution, of whether an agency scheduled for termination on December 31 of that year shall be continued. If a majority of the members elected to each house approve such a resolution prior to the scheduled termination date of December 31, the agency shall be continued until the next review and termination cycle scheduled for said agency.

(c) Any statute which terminates or reenacts an agency shall control over any procedure prescribed by this act for the continuation or termination of an agency. No statute shall be deemed to continue an agency beyond a termination date established for said agency pursuant to this act, unless the statute expressly reenacts the agency in its present or altered state.

On the question,

Will the House agree to the amendments?

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

Mr. COHEN. Mr. Speaker, this amendment is No. A116. It is one of several versions that are on your desks. This version is agreed to by Mr. Gallen, the prime sponsor of the bill, and Mr. Hoeffel, the main Democratic cosponsor, and Common Cause.

What this amendment does is it provides for setting up votes automatically in both the House and the Senate before an agency is terminated. Under this amendment, in November of each year before the automatic termination there will be placed on both the House calendar and the Senate calendar a resolution for members of the House and the Senate to vote for. Under this amendment both houses have to vote to continue an agency for the agency to be continued.

I think this amendment is a serious improvement in the bill. I think it will greatly reduce the possibility of any arbitrary or whimsical actions against agencies by anybody in the General Assembly. It should make this bill much better. It should create much more stability than will otherwise exist. I urge support of this amendment.

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

Miss SIRIANNI. I did not have a copy of the amendment and I would like a minute to look at it before I vote. I do not want to vote blindly again.

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

The following roll call was recorded:

YEAS—180

Alden	Evans	Lucyk	Rybak
Armstrong	Fee	McCall	Salvatore
Arty	Fischer	McClatchy	Saurman
Barber	Foster, W. W.	McIntyre	Serafini
Belardi	Foster, Jr., A.	McMonagle	Seventy
Belfanti	Frazier	McVerry	Showers
Beloff	Freind	Mackowski	Shupnik
Berson	Fryer	Madigan	Sieminski
Bittle	Gallagher	Maiale	Sirianni
Blaum	Gallen	Manderino	Smith, B.
Borski	Gamble	Manmiller	Smith, E. H.
Boyes	Gannon	Marmion	Spencer
Brandt	Geist	Merry	Spitz
Brown	George	Michlovic	Stairs
Burd	Gladeck	Micozich	Steighner
Burns	Grabowski	Miscevich	Stevens
Caltagirone	Greenfield	Morris	Stewart
Cappabianca	Greenwood	Mowery	Stuban
Cawley	Grieco	Mrkonic	Swaim
Cessar	Gruitza	Mullen	Sweet
Cimini	Gruppo	Murphy	Swift
Civera	Hagarty	Nahill	Taddonio
Clark	Haluska	Noye	Taylor, F. E.
Clymer	Hayes	O'Donnell	Telek
Cochran	Hoeffel	Olasz	Tigue
Cohen	Honaman	Oliver	Trello
Colafella	Horgos	Pendleton	Van Horne
Cole	Hutchinson, A.	Peterson	Wachob
Cordisco	Hutchinson, W.	Petrarca	Wambach
Cornell	Irvis	Petrone	Wargo
Coslett	Itkin	Phillips	Wass
Cowell	Jackson	Piccola	Wenger
Cunningham	Johnson	Pievsky	Weston
DeMedio	Kennedy	Pistella	Wiggins
DeWeese	Klingaman	Pott	Williams, H.
Daikeler	Kolter	Pratt	Williams, J. D.
Dawida	Kukovich	Pucciarelli	Wilson
Deal	Lashingier	Punt	Wilt
Dininni	Laughlin	Rappaport	Wozniak
Dombrowski	Lehr	Rasco	Wright, D. R.
Donatucci	Lescovitz	Reber	Wright, J. L.
Dorr	Levi	Richardson	Zwikl
Duffy	Levin	Rieger	
Durham	Lewis	Ritter	Ryan,
Earley	Livengood	Rocks	Speaker
Emerson	Lloyd		

NAYS—9

Anderson	Fleck	Heiser	Perzel
DeVerter	Hasay	Miller	Wogan
Dietz			

NOT VOTING—9

Bowser	Kanuck	Pitts	Taylor, E. Z.
Davies	Moehlmann	Snyder	Vroon
Gray			

EXCUSED—5

Harper	Letterman	Smith, L. E.	White
Kowalyszyn			

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

The SPEAKER. Does the gentleman from Philadelphia, Mr. Cohen, have additional amendments?

Mr. COHEN. I have no further amendments, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

For what purpose does the lady from Chester, Mrs. Taylor, rise?

Mrs. E. Z. TAYLOR. Mr. Speaker, I would like to respectfully request that the Speaker would speak into the mike because we cannot hear. Now, I suppose a good reaction from the Speaker would be, well, naturally you cannot because there is so much confusion in the hall of the House, and I would agree with the Speaker on that, but we cannot hear you. Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the lady.

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the gentleman from Chester, Mr. Vroon.

Mr. VROON. Mr. Speaker, my switch did not appear to operate on that last vote on the Cohen amendment to HB 105. I wish to be recorded in favor.

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

CONSIDERATION OF HB 105 CONTINUED

On the question recurring,

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

Mr. LLOYD offered the following amendment No. A102:

Amend Sec. 4, page 3, by inserting after line 30

(7) To assign to an appropriate standing committee of the Senate or the House of Representatives or to appropriate standing committees of both houses operating jointly, if so authorized by the rules of the House and Senate, the responsibility for the review and evaluation of each agency of State Government which is not otherwise scheduled for termination under a provision of this act or a provision of any other act. The Leadership Committee shall establish the schedule for the review and evaluation of such agencies not otherwise scheduled for termination, but each such agency shall be so reviewed and evaluated at least once every six years. In conducting the review and evaluation of each such agency not otherwise scheduled for termination, the designated standing committee shall receive a performance audit from the Office of Legislative Auditor or the Legislative Budget and Finance Committee and shall make a report to the General Assembly similar to the reports required with regard to those agencies scheduled for termination under some other provision of this act.

On the question,

Will the House agree to the amendment?

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

Mr. LLOYD. Mr. Speaker, although HB 105 is a useful step toward controlling government spending and ending overregulation, the 70-some agencies, which would be reviewed and evaluated under "sunset," spend only a relatively small percentage of the state budget and impose only a relatively small percentage of the state's regulations.

The purpose of my amendment is to require the periodic review and evaluation of all the other agencies of state government - like the Department of Education, the Department of Public Welfare, the Department of Environmental Resources, the Department of Labor and Industry, and the Department of Transportation - which spend a lion's share of our state tax dollars and impose the lion's share of our regulations.

Let me emphasize that my amendment would not—and I underscore the "not"—increase the number of agencies scheduled for termination under "sunset." My amendment would not—and again I underscore the "not"—change the procedure or the timetable for the review and evaluation of the 70-some so-called "sunset" agencies.

Put simply, my amendment would require the office of legislative auditor or the Legislative Budget and Finance Committee to conduct performance audits of all state agencies, not just those scheduled for termination under "sunset." The results of those performance audits would then be used by the appropriate standing committees as the basis for separate legislation to reorganize our major state agencies or to eliminate or reform programs and regulations which are not working.

Let me emphasize again, my amendment would not put departments like Education, Welfare, Transportation, and Environmental Resources under "sunset." What it would do is to identify and document problems with the programs and regulations of those and the other major state agencies. What it would do is to give us the impartial information we need to determine in a responsible way which programs and regulations should be changed or eliminated.

Under my amendment the implementation of any such changes or eliminations would require either administrative action by the agencies themselves or separate legislation passed by both the House and the Senate.

Under my amendment the leadership committee would determine the schedule for evaluating the major state agencies. In this way the leadership committee could smooth the legislative auditor's workload and minimize his expenses by assigning him to evaluate major state agencies between the peak periods during which he and his staff are evaluating the so-called "sunset" agencies. The only time limitation imposed by my amendment would be the requirement that each major agency be evaluated at least once every 6 years.

Enactment of my amendment would give us a legislative auditor who can perform for us, albeit on a much smaller scale, some of the same high quality professional analysis of government agencies which the Congressional Budget Office and the General Accounting Office perform for the United States Congress.

Enactment of my amendment would be a clear statement that we politicians got the message on November 4, 1980, and that we intend to do everything possible to make state government operate more efficiently.

I urge approval of the amendment, Mr. Speaker.

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

Mr. HOEFFEL. I rise in opposition to this amendment, Mr. Speaker, on the grounds that I believe that it is too much of a good thing.

Mr. Lloyd's intentions are good. He wants to make sure that the General Assembly adequately oversees the performance of the bureaucracy, but I think that under the terms of the Lloyd amendment, not just the legislative auditor but the standing committees of the House and Senate would be bogged down with an unending number of reviews that would, I think, just stalemate the process and frustrate the "sunset" procedure, so I believe that we ought to reject this amendment. Thank you.

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

Mr. GALLEN. Mr. Speaker, for those reasons enunciated by Mr. Hoefel, I, too, oppose this amendment and ask for a negative vote.

PARLIAMENTARY INQUIRY

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

Mr. DAVIES. Mr. Speaker, a point of parliamentary inquiry.

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

Mr. DAVIES. Is it proper or not proper in our procedures to require a fiscal note with the amendment, or must I ask the maker of the amendment for the possible cost before I insist on any kind of fiscal note?

All right, I will phrase it this way, Mr. Speaker. May I ask the gentleman that question in—

The SPEAKER. I think it is entirely proper that the gentleman ask under interrogation the question.

Will the gentleman, Mr. Lloyd, consent to interrogation?

Mr. LLOYD. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. DAVIES. Mr. Speaker, I did take note of the costs of the original package. What would your amendment do to the cost of this particular bill if it would be successfully amended to the main body?

Mr. LLOYD. Mr. Speaker, I have not had the benefit of the advice of the Appropriations Committee as to what precise impact there might be, but let me answer the question in this way.

First, because of the schedule for "sunset," agencies will be evaluated on a 2-year cycle. Every 2 years we will be in the process of evaluating agencies. It is quite likely that in between the periods of time in which the "sunset" evaluations are under way that there will be slack time. Nevertheless, this bill, as presently constituted, would set up an office of legislative auditor, even though there might be some people sitting around not fully occupied with their time. So my first answer would be that I think that the impact of the cost might not be very substantial because you are simply going to be putting people to work when they are not otherwise busy.

The second comment would be that the amendment allows the leadership committee to utilize the Legislative Budget and Finance Committee, and there, again, there is a staff already in place which is not always fully utilized.

Furthermore, there is the strong likelihood that if we were to move to a periodic evaluation of all state agencies, that some of the inquiries that are filed presently with the Legislative Budget and Finance Committee would no longer be filed, therefore freeing up even more time in existing state personnel.

Finally, the bottom line is that we are spending a lot of time considering a bill, HB 105, which makes a good first start but which really does not speak to the cries of the voters for an end to overregulation and some controls on state spending. If the argument is that we can afford \$400,000 to \$500,000 a year to evaluate 70-some agencies which have a minimal impact on the state budget and a minimal impact on the lives of most people of the Commonwealth, then I submit that even if it does cost a couple hundred thousand dollars more, the investment will be well worthwhile.

Mr. DAVIES. Thank you, Mr. Speaker.

Mr. Speaker, would it be proper for me to ask to be able to make a comment now on the amendment?

The SPEAKER. Certainly it is in order to debate the amendment. The gentleman may proceed.

Mr. DAVIES. Mr. Speaker, with that, I think I would have to agree with the gentleman from Montgomery and the gentleman from Berks that it could be too much of a good thing, because, not having researched the actual costs, I am afraid that we would get so far afield with those things and the matter of the follow-up on it that we actually could be going the other way and creating a negative aspect to the entire intent of the original legislation. Therefore, I would be opposed to the amendment. Thank you, Mr. Speaker.

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

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

The SPEAKER. Will the gentleman from Somerset, Mr. Lloyd, consent to be interrogated?

Mr. LLOYD. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. RICHARDSON. What I would like to ask the gentleman is, number one, could he break down for us the agencies that are not presently in the bill? Which other agencies would fall in there? In other words, which agencies, committees, and boards would fall under your amendment?

Mr. LLOYD. The definition of "agency" on the first page of the bill is basically written to cover not only departments, agencies, commissions, boards, bureaus; it is meant, as I understand it, to be a catchall. My amendment simply says that all of those agencies, as defined in the bill, not specifically spelled out for termination would be covered by my amendment. So that would include specifically and most

importantly the major departments of the Commonwealth. It would also include some other bureaus and agencies and commissions of which I cannot give you a complete list.

Mr. RICHARDSON. Mr. Speaker, do you know which committees would fall under the constitutionality question that could be raised as being agencies, boards, commissions that have been created by this General Assembly body that would perhaps not be included in that particular selection of committees, boards, commissions, agencies?

Mr. LLOYD. To the best of my knowledge, Mr. Speaker, that definition is effective in defining all departments, bureaus, agencies, commissions, and boards of the Commonwealth.

Mr. RICHARDSON. Mr. Speaker, I thank the gentleman.

I would like to know whether or not I can ask the prime sponsor of the bill whether or not he can define for us what those others are, because I do think that there is a question that needs to be raised.

The SPEAKER. The gentleman from Berks, Mr. Gallen, indicates his willingness to be interrogated. The gentleman may proceed.

Mr. GALLEN. Mr. Speaker, there are some 77 agencies enumerated in the bill. There are more than 400 statutory agencies in the Commonwealth.

Mr. RICHARDSON. Okay. So the answer is that there are 400 statutory organizations, and, Mr. Speaker, you are indicating that those would fall under this particular amendment if it were to pass?

Mr. LLOYD. That is my understanding, yes, Mr. Speaker.

Mr. RICHARDSON. Mr. Speaker, I would like to know whether or not it is possible that we could get either a breakdown or a listing of those that are nonstatutory agencies and committees that fall under that purview, because it would seem to me that it would be important to know the impact of the nonstatutory agencies, commissions, boards, et cetera, that fall in that category as opposed to our just saying that there are some 400, because later on I am going to get into questioning how we arrived at the 76.

The SPEAKER. Does the gentleman, Mr. Gallen, care to respond?

Mr. GALLEN. Mr. Speaker, those people who have worked diligently on "sunset" for a number of years felt that it would be better to initiate this "sunset" process in a more limited scope rather than encompassing everything and getting nothing done.

Mr. RICHARDSON. If I may now, Mr. Speaker, I have finished the interrogation and I would like to speak on the amendment.

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

Mr. RICHARDSON. If I understand the amendment, Mr. Speaker, and what its intentions are, one of the things that we would like to have is—and I would like to state that for the record—a copy of those nonstatutory agencies, Mr. Speaker, that do not fall under this particular bill. Just to

tell us that there are over 400 committees, boards, agencies, commissions, et cetera, does not mean that we actually know which ones do not fall under that particular category. I think it would just be good for the members to know which are those that are the constitutional committees that are standard that cannot be challenged under this particular "sunset" legislation.

Secondly, the amendment, as we understand it, certainly speaks directly to the need to review, which we are concerned with and we feel needs to be done in that process, but we are also concerned with several agencies that do fall under there, that there is going to be fair and equitable research and evaluation done on all these commissions and not earmark or target certain organizations and groups that would automatically be excluded. For those reasons, Mr. Speaker, I would ask, based on the information that we have received, that you vote in favor of the amendment.

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

The following roll call was recorded:

YEAS—79

Barber	Fee	McIntyre	Rieger
Belfanti	Gallagher	McMonagle	Ritter
Beloff	Gamble	McVerry	Rybak
Berson	George	Manderino	Seventy
Brown	Greenfield	Miller	Shupnik
Caltagirone	Greenwood	Miscevich	Sirianni
Cappabianca	Gruitza	Mrkonic	Stewart
Cawley	Haluska	Mullen	Swaim
Clark	Horgos	Murphy	Taylor, F. E.
Cochran	Hutchinson, A.	O'Donnell	Tigue
Cohen	Irvic	Olasz	Trello
Cole	Itkin	Oliver	Van Horne
Cowell	Kanuck	Pendleton	Wambach
DeMedio	Kolter	Petrarca	Wargo
Dawida	Laughlin	Petrone	Wiggins
Deal	Lescovitz	Pievsky	Williams, H.
Dombrowski	Levin	Pistella	Williams, J. D.
Donatucci	Livengood	Pratt	Wozniak
Duffy	Lloyd	Pucciarelli	Wright, D. R.
Evans	Lueyk	Richardson	

NAYS—115

Alden	Earley	Lewis	Showers
Anderson	Fleck	McCall	Sieminski
Armstrong	Foster, W. W.	McClatchy	Smith, B.
Arty	Foster, Jr., A.	Mackowski	Smith, E. H.
Belardi	Frazier	Madigan	Snyder
Bittle	Freind	Maiale	Spencer
Blaum	Fryer	Manmiller	Spitz
Borski	Gallen	Marmion	Stairs
Bowser	Gannon	Merry	Steighner
Boyes	Geist	Michlovic	Stevens
Brandt	Gladeck	Micozzie	Stuban
Burd	Grabowski	Moehlmann	Sweet
Burns	Grieco	Morris	Swift
Cessar	Gruppo	Mowery	Taddonio
Cimini	Hagarty	Nahill	Taylor, E. Z.
Civera	Hasay	Noye	Telek
Clymer	Hayes	Perzel	Vroon
Colafralla	Heiser	Peterson	Wachob
Cordisco	Hoefel	Phillips	Wass
Cornell	Honaman	Piccola	Wenger
Coslett	Hutchinson, W.	Pitts	Weston
Cunningham	Jackson	Pott	Wilson
DeVerter	Johnson	Punt	Wilt
DeWeese	Kennedy	Rasco	Wogan

Daikeler	Klingaman	Reber	Wright, J. L.
Davies	Kukovich	Rocks	Zwinkl
Dietz	Lashinger	Salvatore	
Dininni	Lehr	Saurman	Ryan,
Dorr	Levi	Serafini	Speaker
Durham			

NOT VOTING—4

Emerson	Fischer	Gray	Rappaport
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EXCUSED—5

Harper	Letterman	Smith, L. E.	White
Kowalyszyn			

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

On the question recurring,

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

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 Bucks, Mr. Gallagher.

Mr. GALLAGHER. Mr. Speaker, I would like to discuss HB 105, which is before us, and interrogate Mr. Gallen, please.

The SPEAKER. Will the gentleman from Berks, Mr. Gallen, consent to interrogation? The gentleman indicates he will consent to interrogation. The gentleman, Mr. Gallagher, may proceed.

Mr. GALLAGHER. Thank you, Mr. Speaker.

Miss SIRIANNI. Mr. Speaker?

The SPEAKER. Will the gentleman yield?

For what purpose does the lady, Miss Sirianni, rise?

Miss SIRIANNI. I am still waiting for my amendment to come down.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Every Speaker has to deal with her, so you may as well get it.

The SPEAKER. The Chair thanks the minority leader.

Miss SIRIANNI. Just remember, I am there when you need me.

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

Mr. H. WILLIAMS. Mr. Speaker, I rise for a point of order of business. I understand that there is an amendment to the bill which I was anxiously interested in which is being prepared and not brought down. The author of the amendment has not said anything, but that was the amendment that I was waiting for, and I would like to ask the Speaker and the amender if we could be at ease until the amendment arrives so we can put it on the floor?

The SPEAKER. The House will be at ease for a moment.

BILL TABLED TEMPORARILY

The SPEAKER. Without objection, HB 105 will be placed on the table temporarily. The Chair hears none.

REMARKS ON VOTE

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

Mr. E. H. SMITH. This morning when you voted on HB 32, I was not in my seat. I would like to be recorded in favor of HB 32.

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

STATEMENT BY MINORITY WHIP

The SPEAKER. The Chair recognizes the minority whip, who requests unanimous consent to make a statement.

Mr. MANDERINO. Mr. Speaker, the remarks that I want to make this afternoon have relation to Administrative Rules Report No. 1, which is on page 9 of today's calendar. Administrative Rules Report No. 1, which, as I say, is on page 9 of today's calendar, is on its 16th day on our calendar. We will be deemed to have approved the administrative rules report if in 30 days we take no action whatsoever, and, if the Senate takes no action whatsoever, the guidelines that were sent to us by the administration in this rules report will become law.

Mr. Speaker, the Administrative Rules Report No. 1 comes to us because of our enactment of the Floodplains and Storm Water Management Act in October of 1978. The significance of Administrative Rules Report No. 1, Mr. Speaker, is that within 2 years of the adoption of the guidelines—and most members received the guidelines in a very thick report, a copy of which I have in my hand—within 2 years of this report becoming law, all of the local governments and municipalities as designated in the act will have to submit plans according to these guidelines for the management of storm water. In the act that we passed, we indicated that they would be reimbursed for costs by the State of Pennsylvania in the moneys that they expended in the development of these plans according to these guidelines. Several communities, in anticipation of these guidelines and in close cooperation and watch with the task force that was developing these guidelines, are ready to submit plans which they believe follow these guidelines, if we adopt them. Many other communities have done preliminary work.

The budget that has been given to us by the Governor in the two volumes that each of us received does not—and I repeat, does not—provide for any moneys to reimburse local governments for the adoption of the plans that the law will require them to submit. Mr. Speaker, local governments are in a kind of Catch 22 situation, and we are in that kind of a situation in whether or not we take action on the administrative rules report that is before us. If we do not take action and it becomes law, we have placed upon

local governments the obligation of expending money to prepare plans to submit as they are required by the act that we passed in 1978, and we have not provided money for the reimbursement.

I am merely bringing this to your attention, Mr. Speaker, that this problem is going to have to be attacked, and the cost of the plans that we will have to reimburse the governments for ought to be in our consideration when we take action on Administrative Rules Report No. 1.

More significant than this factor, as significant as it is, Mr. Speaker, is that the task force that recommended these guidelines to the General Assembly or to the administration for presentation to the General Assembly also recommended as part of their report, as my understanding of the matter is, a set of rules and regulations to be published in the Pennsylvania Journal, which rules and regulations would set forth the procedure under which the local governments would apply for their reimbursement and the manner in which they would submit their plans to the state and the Department of Environmental Resources. These proposed regulations, Mr. Speaker, as I understand it, now rest in the combined Office of Budget and Administration, and as best we can determine from inquiries to that office, there is no present intention to promulgate the regulations under which local governments will proceed to reimbursement.

Both of these matters, Mr. Speaker, I bring to the attention of the General Assembly, and if anyone has more knowledge - the Appropriations committee chairman or the majority leader or anyone familiar with ARR 1 or the administration's plans so far as funding of the reimbursement and so far as publication of regulations for a procedure for reimbursement - we ask that they come forward at this time or as soon as convenient with that information so that an intelligent decision may be made by this General Assembly on Administrative Rules Report No. 1. Thank you, Mr. Speaker.

STATEMENT BY MAJORITY LEADER

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. I believe that the gentleman makes a good point of the fact that there is a statute which requires administrative agencies of this Commonwealth to do certain things after which municipalities in this Commonwealth must do certain things. I am not at all sure whether or not there is some blame to be fixed today. I think not, and I do not think the gentleman has tried to do that.

I would suggest to all members of this House of Representatives that our last day to act on this particular plan is Tuesday, March 10, which really does not give us too many legislative days from now until then to make a good decision as to whether we should or should not adopt these particular guidelines.

When this legislation was passed by the General Assembly a couple of years ago, there were many who said that the outfall of that enactment would be one super paper

chase which would bring down upon the municipalities of this Commonwealth an irritant in terms of rules and regulations and also a severe economic impact. As a matter of fact, the Department of Environmental Resources, as of this day, states that it may cost local government up to \$15 million to carry out the proposed guidelines which are before us at the present time.

There is no doubt, as the gentleman stated, this Assembly is in a Catch 22. We have guidelines before us which must be acted upon by Tuesday, March 10, and at the same time there is not absolute certainty as to what we will be able to do with regard to providing grants or reimbursements. However, I would call your attention in a problem-solving way to section 17, which talks about assistance and reimbursement to our local municipalities. It does say there that it is our responsibility, which we do not need to be reminded of, but nevertheless it does talk about the sum of money to be appropriated by the General Assembly. It talks about the amount of reimbursement up to 50 percent of cost. It talks about the combination of state and Federal funds. And I think all of us, before we take a vote finally, should familiarize ourselves again with the statute which was passed by a previous General Assembly.

There is another section which I would call to your attention in Act 167 of 1978, and that is section 5. That particular provision does authorize the Department of Environmental Resources to grant local municipalities an extension of time when formulating their storm water management guidelines or plan. I believe that the provisions outlined there as good cause for providing that extension of time clearly state that a lack of financial wherewithal would be good cause. That section may help us resolve this problem which we are discussing here today, but I would respectfully suggest that all of us together turn our attention to that plan, because it may very well have that \$15-million impact as far as our local municipalities are concerned, and we should not blithely in any way whatsoever approve or disapprove the plan without looking back to what we did in the year 1978, and I know that there are probably those here today who would like to stand before us and say we were prophets on that day.

Both the floodplain statute and this storm water management statute are going to cause a tremendous paper chase across Pennsylvania with regard to our local municipalities. That paper may not save one life; that paper may not save one property; that paper may not save one dollar bill, but in a paper chase we are and we will have to address ourselves to it. Thank you, Mr. Speaker.

REQUEST TO PRESENT RESOLUTION

The SPEAKER. Does the gentleman from Allegheny, Mr. Dawida, desire recognition?

Mr. DAWIDA. Yes, for an announcement.

The SPEAKER. For what purpose does the gentleman, Mr. Dawida, rise?

Mr. DAWIDA. For an announcement concerning a resolution.

The SPEAKER. Will the gentleman yield until we have completed today's calendar?

Mr. DAWIDA. Yes.

COMMUNICATION FROM GOVERNOR

**REQUEST TO RETURN
REORGANIZATION PLAN NO. 3**

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

**REQUEST TO RETURN REORGANIZATION PLAN
No. 3.**

Commonwealth of Pennsylvania
Governor's Office, Harrisburg

February 10, 1981

**TO THE GENERAL ASSEMBLY OF THE
COMMONWEALTH OF PENNSYLVANIA:**

I do hereby request that the General Assembly return to me Reorganization Plan No. 3 of 1981 for the purpose of amendment and resubmission.

The purpose of Reorganization Plan No. 3 of 1981 is to transfer to the Secretary of Health all the powers, duties and functions of the Governor's Council on Drug and Alcohol Abuse. The Council will be an advisory body located within the Department of Health whose function will be to provide advice and consultation to the Secretary of Health.

I am requesting the General Assembly to return this Plan to me so that an amended version of Reorganization Plan No. 3 may be submitted to you. This new plan will transfer the Governor's Council on Drug and Alcohol Abuse to the Department of Health and establish the Council as an advisory body within the Department of Health. However, the new plan will more clearly define the role of the Council.

Under this plan, the function of the Council will be to provide advice and consultation to the Secretary of Health on the prevention, intervention and treatment of drug and alcohol abuse and dependence. The Department of Health shall seek the advice and consultation of the Council in the following areas: (1) the development and implementation of the state plan for the control, prevention, intervention, treatment, rehabilitation, research, education and training aspects of drug and alcohol abuse and dependency problems; (2) the promulgation by the Department of Health of any regulations necessary to carry out the purposes of the Pennsylvania Drug and Alcohol Abuse Control Act; (3) the establishment of funding priorities for drug and alcohol programs; (4) the allocation of funds for the control, prevention, intervention, treatment, rehabilitation; research or training aspects of drug and alcohol abuse and dependency problems; and (5) policies pertaining to the collection and dissemination of data and statistics pertaining to drug and alcohol abuse and dependency.

By outlining the areas in which the Council will provide advice and consultation to the Secretary of Health, we ensure that the Council will continue to play an important role in development and implementation of drug and alcohol programs.

For these reasons, I respectively request the return to me of Reorganization Plan No. 3.

**DICK THORNBURGH
GOVERNOR**

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Senate presented the following resolution for concurrence:

In the Senate, February 10, 1981

RESOLVED, (the House of Representatives concurring), That the General Assembly return herewith Reorganization Plan No. 3 of 1981, transmitted under date of February 3, 1981, to His Excellency, the Governor as requested in his message dated February 10, 1981.

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

On the question,

Will the House concur in the resolution of the Senate?

The following roll call was recorded:

YEAS—195

Alden	Evans	Lloyd	Rybak
Anderson	Fee	Lucyk	Salvatore
Armstrong	Fischer	McCall	Saurman
Arty	Fleck	McClatchy	Serafini
Barber	Foster, W. W.	McIntyre	Seventy
Belardi	Foster, Jr., A.	McMonagle	Showers
Belfanti	Frazier	McVerry	Shupnik
Beloff	Freind	Mackowski	Sieminski
Berson	Fryer	Madigan	Sirianni
Bittle	Gallagher	Maiale	Smith, B.
Blaum	Gallen	Manderino	Smith, E. H.
Borski	Gamble	Manmiller	Snyder
Bowser	Gannon	Marmion	Spencer
Boyes	Geist	Merry	Spitz
Brandt	George	Michlovic	Stairs
Brown	Gladeck	Micozzie	Steighner
Burd	Grabowski	Miller	Stevens
Burns	Greenfield	Miscevich	Stewart
Caltagirone	Greenwood	Moehlmann	Stuban
Cappabianca	Grieco	Morris	Swaim
Cawley	Gruitza	Mowery	Sweet
Cessar	Gruppo	Mrkonjic	Swift
Cimini	Hagarty	Murphy	Taddonio
Civera	Haluska	Nahill	Taylor, E. Z.
Clark	Hasay	Noye	Taylor, F. E.
Clymer	Hayes	O'Donnell	Telek
Cochran	Heiser	Olasz	Tigue
Cohen	Hoeffel	Oliver	Trello
Colafella	Honaman	Pendleton	Van Horne
Cole	Horgos	Perzei	Vron
Cordisco	Hutchinson, A.	Peterson	Wachob
Cornell	Hutchinson, W.	Petrarca	Wambach
Coslett	Irvis	Petrone	Wargo
Cowell	Itkin	Phillips	Wass
Cunningham	Jackson	Piccola	Wenger
DeMedio	Johnson	Pievsky	Weston
DeVerter	Kanuck	Pistella	Wiggins
DeWeese	Kennedy	Pitts	Williams, H.
Daikeler	Klingaman	Pott	Williams, J. D.
Davies	Kolter	Pratt	Wilson
Dawida	Kukovich	Pucciarelli	Wilt
Deal	Lashinger	Punt	Wogan
Dietz	Laughlin	Rappaport	Wozniak
Dininni	Lehr	Rasco	Wright, D. R.
Dombrowski	Lescovitz	Reber	Wright, J. L.
Dorr	Levi	Richardson	Zwilk
Duffy	Levin	Rieger	
Durham	Lewis	Ritter	
Earley	Livengood	Rocks	Ryan, Speaker
Emerson			

NAYS—0

NOT VOTING—3

Donatucci Gray Mullen

EXCUSED—5

Harper Letterman Smith, L. E. White
Kowalshyn

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

Ordered, That the clerk inform the Senate accordingly.

REQUEST FOR ADDITIONAL SPONSORS

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

Mr. DAWIDA. Mr. Speaker, I thought the members of the House might be interested in a resolution being sponsored in a bipartisan way, led by Mr. Dombrowski on our side and Mr. Telek on the Republican side, commemorating the struggle of the Polish workers to be able to form labor unions. Anyone interested in cosponsoring this legislation, it is now currently being cosponsored by every member in the House of Slavic descent, that we know of, including the Honorable K. Leroy Irvis. If anyone would be interested in this bill, please see me.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 145, PN 146 (Unanimous)

By Rep. WENGER

An Act authorizing the Secretary of Environmental Resources to establish a Volunteers in State Parks and Forests Program and for other purposes.

CONSERVATION.

HB 164, PN 165 (Unanimous)

By Rep. WASS

An Act amending the act of July 20, 1968 (P. L. 652, No. 220), entitled "An act amending the act of March 31, 1949 (P. L. 372, No. 34), entitled 'An act to promote the welfare of the people of the Commonwealth; creating the General State Authority as a body corporate and politic with power to construct, ***' empowering the Authority to ****" authorizing the acquisition and demolition of properties for the Yellow Creek and Two Lick Creek Flood Protection Project.

CONSERVATION.

HB 105 REMOVED FROM TABLE

The SPEAKER. Without objection, the Chair removes HB 105 from the table. The Chair hears none.

On the question recurring,
Shall the bill pass finally?

DECISION OF CHAIR WITHDRAWN

The SPEAKER. Without objection, the Chair withdraws its decision that the bill had passed third consideration as amended. The Chair hears none.

On the question recurring,

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

Miss SIRIANNI offered the following amendments No. A135:

Amend Title, page 1, line 2, by removing the comma after "circumstances" and inserting and

Amend Title, page 1, line 3, by striking out "and the Office of Legislative Auditor"

Amend Sec. 2, page 1, lines 16 and 17, by striking out "Legislative Auditor" and inserting standing committee

Amend Sec. 4, page 3, lines 14 through 27, by striking out all of said lines

Amend Sec. 4, page 3, line 28, by striking out "(6)" and inserting (3)

Amend Sec. 5, page 4, line 4, by striking out "Legislative Auditor"

Amend Sec. 5, page 5, line 27, by striking out "Legislative Auditor" and inserting standing committee

Amend Sec. 6, page 9, line 14, by striking out "Legislative Auditor" and inserting standing committee

Amend Sec. 6, page 9, line 14, by striking out "his" and inserting its

Amend Sec. 6, page 9, line 15, by striking out "to the standing committee"

Amend Bill, page 11, lines 18 through 30; page 12, lines 1 through 30; page 13, lines 1 through 30; page 14, lines 1 through 30 and page 15, lines 1 through 26, by striking out all of said lines on said pages

Amend Sec. 15, page 15, line 27, by striking out "15." and inserting 11.

Amend Sec. 16, page 15, line 30, by striking out "16." and inserting 12.

On the question,

Will the House agree to the amendments?

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

Miss SIRIANNI. Mr. Speaker, my amendment addresses itself to the elimination of the portion of the bill which deals with the office of the legislative auditor. I feel that this should be eliminated and that the evaluation should be made by the standing committees in the House and Senate rather than creating another bureau. One of the purposes of this "Sunset" legislation is an attempt to eliminate bureaus or bureaucracies, and all we are doing is creating another bureau.

Now, I think that we were sent here to get a handle on the bureaucracies in our state. When we are back home and the voters are complaining and our constituents are complaining about all the rules and regulations and the costs from all these bureaus, we are always coming back at them that we cannot control it, that it is controlled by the bureaucrats. Then I feel it is our responsibility to try to get a handle on the bureaucrats. It is not up to the executive branch or the bureaucrats to be running this; it is up to the elected legislators. Therefore, I would ask that you would vote for my amendment.

The SPEAKER. The Chair welcomes the gentleman from Philadelphia, Mr. Hardy Williams.

Mr. H. WILLIAMS. Mr. Speaker, I would like to support the amendment of Miss Sirianni, and I believe

I also notice that the Senate did the same thing, and the question I propose to you, which I think is very important, is, is this bill put out this early just to see that "Sunset" is finally into law? Or is it to be the legislative vehicle for the Governor to do away with the Liquor Control Board and the Turnpike Commission?

Mr. GALLEN. This bill has only to do with "Sunset" and the legislative review of the departments for the hoped-for efficiency in those departments. With regard to the speed with which this thing emerged from the State Government Committee, this bill is almost a carbon copy of a bill, HB 1650, which was passed by this House by a great majority vote and died in the Senate in the waning days of the last session.

Mr. GALLAGHER. Mr. Speaker, that I realize and understand, but my concern was if the Governor, when he gave us, at a joint session of the House and Senate, the proposal to do away with the Liquor Control Board and his thoughts in the budget presentation that he felt that the Turnpike Commission should be under PennDOT - Pennsylvania Department of Transportation - and when I saw these two bills coming out of the House and the Senate and starting to move forthwith, it only gave me a little concern that is this going to wind up being the vehicle for the Governor's message? Are you aware of this? Has the Governor or his staff ever discussed this as a vehicle to achieve his recommendations to us?

Mr. GALLEN. Absolutely not, Mr. Speaker. As I said, long before the Governor even indicated that he was in favor of doing away with the Turnpike Commission or the Liquor Control Board, "Sunset" was a very hot topic in this legislature, and as I said, it passed the session last time. And I happen to agree with Mr. Ritter that I would prefer to see PennDOT put under the control of the Turnpike Commission, as opposed to the other way around.

Mr. GALLAGHER. Mr. Speaker, I concur with the gentleman, Mr. Gallen, now that I can rest assured from you that this vehicle, this legislative HB 105, will not be the vehicle used by the administration to do what he wanted to do in his budget document to us. Can I feel certain that as far as you know, this will not happen?

Mr. GALLEN. Mr. Speaker, this is not at all a vehicle for the administration whatsoever. It is the reverse; this is a vehicle for the legislature to get a handle on the administration on the various agencies of that administration.

Mr. GALLAGHER. Thank you, Mr. Speaker. I personally urge all the members to support these bills and will hope and look forward to seeing it pass the Senate quickly and be signed by the Governor without any other additions or amendments. Thank you.

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

Mr. DUFFY. Mr. Speaker, I would like to ask Mr. Gallen for an explanation of one section of this bill, if I may.

The SPEAKER. The gentleman from Berks, Mr. Gallen, indicates he consents to interrogation, and the gentleman may begin.

Mr. DUFFY. Yes. On page 11, section (d); it has to do with employees. I will read it to you:

(d) Employees of agencies terminated under this act, who have civil service status or who are covered by union contracts shall fill any existing vacancies within the administrative branch of State Government in their grade and position. If there are more employees than vacant positions at the time of termination, then such terminated employees shall receive employment in the first vacancies that shall thereafter exist in their grade and position.

What I would like to know is, how are these leftover employees going to be selected for reemployment? Who is going to give them a number on that list for reemployment?

Mr. GALLEN. Mr. Speaker, the employees who are the victims of the termination of the agency will automatically go on the list, and those people who are covered by civil service will be the first people employed by the department in whose aegis the agency had resided, and those who were covered by union contracts, the same thing. They would fill vacancies within that department as soon as those vacancies become available.

Mr. DUFFY. Well, how about after—not the ones that are left over but starting from scratch—after an agency is terminated and you have 22 employees who are left who have to be reemployed? Now how would they start?

Mr. GALLEN. I would guess, Mr. Speaker, that not every employee would be hired by the state government. I would hope that the purpose of this legislation is to eliminate some employees and to cut down on the state payroll. And, therefore, I do not think—it is not my idea—that we are looking to employ everyone in an agency that has been terminated.

Mr. DUFFY. There could be problems with it though, is that right, on the reemployment of these people? If there is a combination of civil service and union employees?

Mr. GALLEN. Well, I think the union employees would fill those positions within the department in which there are positions to be held by non-civil service people, and the civil service people would take those positions as they become available that are civil service positions.

Mr. DUFFY. I thank you, Mr. Speaker.

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

Mr. RICHARDSON. Mr. Speaker, I would like to interrogate Mr. Gallen.

The SPEAKER. The gentleman indicates he consents to interrogation. The gentleman, Mr. Richardson, may begin.

Mr. RICHARDSON. Mr. Speaker, I would like to know whether or not you could run down for us the procedure or the process which was used to determine these 76 agencies, boards and commissions that are in HB 105?

Mr. GALLEN. It was my idea and the idea of those people who assisted in drafting this legislation that it would be too difficult to include all 400 statute agencies of the Commonwealth, and we decided to— It was not an arbitrary selection, but we just selected these 77 agencies.

Mr. RICHARDSON. Well, excuse me. You just got finished saying that it was not an arbitrary, unilateral decision that was made to determine which boards, commissions and agencies were used. Then what was used to determine these 76 that are in this bill?

Mr. GALLEN. These same 77 agencies basically were in that legislation, that "Sunset" legislation, which passed in 1977 and again last year.

Mr. RICHARDSON. But, Mr. Speaker, again you are not answering the question. Regardless of what happened in the past session, which cannot be accounted for in this session, could you just explain to the members of this House how we derived at these 77 agencies that are presently in HB 105 other than saying what we wanted last year? What was the formula last year used to determine how we want to get these 77 agencies if these were the same ones?

Mr. GALLEN. These 77 agencies, which were included in the 1977 legislation, I do not know how they arrived at that, but we just extracted from that legislation these same agencies for the legislation last year and again this year.

Mr. RICHARDSON. Okay. Does that mean that there are others that may have been more important for us to look at as opposed to these particular ones that are in the bill at this present time?

Mr. GALLEN. No. It is my hope that the whole system of "Sunset" will work in Pennsylvania and that every agency, at some time or another, will be added to this list in order that they, too, can be scrutinized by the legislature.

Mr. RICHARDSON. Now, you knocked down a couple amendments concerning issues that were relevant to dealing with the 324-odd other agencies that are left. Could you tell us then how you expect to get to those other agencies since you have already devised a program by which you are only going to deal with 77 in this 6-year period?

Mr. GALLEN. This is a piece of legislation which is in its infancy. It has not yet become a reality. Some other states have attempted to have their "Sunset" legislation encompass every single area of state government. I think it was too big a job, and I think that we should try to start off with the idea that let us do something that we can accomplish as opposed to something that we cannot.

Mr. RICHARDSON. The other question I would have, Mr. Speaker, probably hits to a heart that really is sitting right next to a lot of the members here, particularly as it relates to the fact that the Game and Fish Commissions were in HB 105 and then it was decided to take them out. Could you explain why that happened?

Mr. GALLEN. I missed the question, Mr. Speaker.

Mr. RICHARDSON. Okay. I will repeat it again for you, Mr. Speaker.

What I wanted to know was, why were the Fish and Game Commissions decided upon unilaterally, arbitrarily, whichever formula was used, to be taken out of this bill and not be used as a part of the 77 agencies? Could you tell us how the plan was derived to get that out of there, because then I have some questions about some other

boards and commissions that I think need the same fairness.

Mr. GALLEN. I can tell you how the Game Commission and the Fish Commission were taken out of this bill. It was not done during this session. In committee, during the last session, both those agencies were included, both commissions were included in the language of the bill. There was a move by a member of the committee to remove both those commissions from the language of the bill, and both those commissions were removed as a result of a committee vote, an overwhelming committee vote, by the way.

Mr. RICHARDSON. I am sorry, I have a hard time hearing the answer, Mr. Speaker.

Mr. GALLEN. The Game Commission and the Fish Commission were included in HB 1650 of the last session. When that bill came before the State Government Committee, it was moved that they be deleted as agencies to be covered by "Sunset." On that motion to delete them, the amendment was overwhelmingly accepted by the members of the State Government Committee. When this bill was introduced in this session, we decided that since that seemed to be the sentiment of the members of the committee that we would not add them, we would not add them in the bill this time. So that is really all there was to it.

Mr. RICHARDSON. Their lobbyists were a little stronger than some of the others.

What I would raise then, Mr. Speaker, is that the decision on the minority business board and the fact that the minority business board that sits in this bill, how was that determined, Mr. Speaker?

Mr. GALLEN. I think that that language, again, was in the 1977 piece of legislation and it was continued in the succeeding pieces of legislation.

Mr. RICHARDSON. Without going back to 1977, was there not any intelligence used in determining which ones would be used for this session by the members who are new and were looking at a piece of legislation as vitally important without going back to what was used in 1977 as to be able to evaluate which boards, commissions and agencies really should be looked at that had the crucial problems that you wanted to address without looking at all 420 of them at the same time?

Mr. GALLEN. First of all, I think I did respond to that question earlier, although you phrased it slightly different, and as far as the minority business board is concerned, there seemed to be a scandal involving that board, and that is the reason it was added to those agencies in this legislation.

Mr. RICHARDSON. There was a scandal? I am not understanding your terminology based on the fact that there was a scandal. All these other boards and commissions, do they have scandals?

Mr. GALLEN. There was a considerable controversy regarding the granting of loans by that agency, and that is the reason that it was put in here for review.

Mr. RICHARDSON. Would the Human Relations Commission fall under that same category of auspices?

Mr. GALLEN. No; that was in the 1977 bill.

Mr. RICHARDSON. Could you tell us why this board is also placed in this bill?

Mr. GALLEN. Mr. Speaker, I think you are trying to build some kind of case here that there is some aura of discrimination involved in the selection of these agencies. That is not the case, and I do not see why we are continuing in this vein.

Mr. RICHARDSON. Well, Mr. Speaker, the only reason why I raise it is because of the fact that I am very much concerned about those agencies, and I want to make sure that the members of this House know that the black caucus is very much concerned with this area and want to make sure that those areas are going to get the fair and same equal treatment that every other board, commission and agency gets. I am not going to stand on this floor and not say what has to be said.

The point is that there is no point that you have raised to us that tells us why or how you have derived these 77 agencies, and I have asked repeatedly if you could tell us what formula was used. Perhaps there were some other members on that committee who said that maybe some other boards, commissions and agencies should be looked at, should be added, but yet and still we take away Game and Fish Commission, and you are saying it was a strong sentiment. I believe that it was politically motivated; that the political motivation around it was in fact that there was a stronger lobbying kind of movement out there to make sure that that was one of those that were not considered in this particular HB 105. I have to raise the question. Now, if you are saying that you do not care to answer, that is fine, but I just want to make sure that we in fact get the record straight.

Mr. GALLEN. Mr. Speaker, I think it is extremely commendable, your interest in these agencies and in other agencies, and I also know that you would like to see these agencies be properly run and be looked at just as others are by this legislature.

Mr. RICHARDSON. But see, the problem that I have, Mr. Speaker, and I will share this with you and all the other members of this House, while we look at the boards and commissions that presently are in this piece of legislation, I also recognize the fact that you are talking about if any of them are terminated, that people are going to lose their jobs here in the Commonwealth of Pennsylvania and that it will be determined by this piece of legislation that standing committees will also look into whether or not there should be cutting back of staff in order to save spending as we have been hearing so much of in this particular year and will probably hear a lot more of it through the rest of the session. I am concerned with what is going to happen with those employes who are there who do need their job in order to survive or are going to be placed on unemployment rolls or placed, later on down the line, on welfare, and that those employes need somebody to stand up and fight for

them. So I think that it is proper to raise those questions now in order to get a determination from you, the prime sponsor of this bill, what is going to happen to those employes? If we do not raise it here, it will go by, and nothing will ever be said.

Mr. GALLEN. Was that a question? I mean, I did not really hear the question.

Mr. RICHARDSON. Well, I was responding to the comment that you made, there is no problem. What I wanted to do was to find out what you plan to do in relationship to those employes, if you are talking about cutting, getting rid of them, how are you going to determine which jobs are more important for people to stay on and how will they be selected in terms of their commitment to the jobs that they were already holding? What process is going to be set up for that?

Mr. GALLEN. When Mr. Duffy asked me a question in the same vein, I did indicate in that answer exactly how these people would be handled and how the Commonwealth would reemploy them in vacancies existing, but we must remember that the entire purpose of "Sunset" legislation is to cut back and do away with inefficiency in state government and actually to remove some people from the state payroll. That is the purpose of this legislation.

Mr. RICHARDSON. That is our concern, and that is why we are raising it the way we are raising it, because of the fact that these cutbacks will tremendously affect a number of employes here in the Commonwealth of Pennsylvania and that for these employes who presently are at work, their jobs may be in jeopardy and while there has been no systematic approach by this legislative body to determine which agencies we would be going after first. In order to establish this process, the question has to be raised, Mr. Speaker, and I think it is properly being raised here.

Finally, I would say this, Mr. Speaker, that the question of employes has not been clarified. It has not been broken down in terms of those who are state civil service, those who are being cut back. Is it your understanding that the standing committees that will be formed and will be, in terms, operating to deal with going through these various agencies, will this legislative body get a chance in the final decision to vote on whether or not any of these agencies stay or not?

Mr. GALLEN. Yes, they will.

The SPEAKER. Has the gentleman, Mr. Richardson, completed his interrogation?

Mr. RICHARDSON. Mr. Speaker, I have one more question and then I would like to be recognized.

The SPEAKER. The gentleman may proceed.

Mr. RICHARDSON. What is going to be the process other than auditing books to determine whether an agency is viable or not viable in order to determine whether it stays or does not stay?

Mr. GALLEN. The legislative auditor, of course, will have a background in accounting, but that is not the only purpose. The purpose is to take a look at the operation, see

if it is run in a businesslike manner, see if in fact the agency is needed and make a recommendation to the appropriate legislative committee.

Mr. RICHARDSON. Thank you very much, Mr. Speaker. I would like to be recognized on the bill.

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

Mr. RICHARDSON. Mr. Speaker, I tried to attempt to lay out for the members of this House the process by which we have seen some unilateral decisions being made in a committee on a very important piece of legislation, the "Sunset" legislation. We have tried also to determine how one can look at a bill such as this and determine that 77 boards, commissions and agencies, et cetera, are going to be evaluated to determine which ones should be terminated, without any process to determine how they were placed in HB 105 in the first place. It would seem to me that the route by which we are going continues to allow the process to break down, the process of saying that you have free and open will in government to bring things to a committee, that the attempt to do that through the amendment process failed when Mr. Lloyd offered an amendment to deal with that process. That motion failed to deal with all of the agencies, if there is a real, concerted effort to deal with that problem.

The other point is that while we are looking at the issues that affect us in state government and the moneys that are being spent, I would venture to say that there is probably fat and waste in a lot of the agencies, boards, and commissions that presently exist. But I do not know whether or not we are going to really be able to determine how we are going to get to the bottom line of a lot of the issues that affect overall the process by which this "Sunset" legislation was set up. We believe there needs to be review and study of all boards and commissions, and we do not think that that is a process by which it should be dealt with. But I am concerned with the fact that the Bureau of Minority Business Development, also the Human Relations Commission and also a number of other boards and commissions that are placed in this particular bill could become earmarked to specifically be geared toward looking at eliminating these particular commissions themselves. And in that regard, Mr. Speaker, I am frightened that there will not be fair and equal treatment given to all of them collectively across the board.

For that reason, Mr. Speaker, I will be voting "no" on this piece of legislation and share that I think that the argument that has been used on the floor to bring this bill up in such rapid-speed time frightens me to death that it would make me feel the way that I do, and I thank you very much.

CONSTITUTIONAL POINT OF ORDER

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

Mr. H. WILLIAMS. Mr. Speaker, I would like to first raise a question of constitutionality before I proceed, if I might. On page 9 of the bill, Mr. Speaker, section (d), says that the Governor cannot reorganize or by executive order or rule do anything of comparable authority with regard to activities that might be the subject of some terminations. Mr. Speaker, the question I raise is that there are powers on the books now which allow the Governor, by executive order and otherwise, to conduct activities, and he is so conducting activities—

The SPEAKER. Will the gentleman yield until the question is put on the question of constitutionality?

The gentleman from Philadelphia, Mr. Hardy Williams, raises the point of order that HB 105, PN 106, is unconstitutional. The Speaker, under rule 4, is required to submit questions of constitutionality of a bill to the House for a decision, which the Chair now does and recognizes the gentleman from Philadelphia, Mr. Hardy Williams.

Mr. H. WILLIAMS. Mr. Speaker, the section I am referring to directly seeks to take away powers from the Governor, first of all, which we do not identify in this bill.

The SPEAKER. The question of constitutionality has been raised by Mr. Williams. I suggest the members listen attentively.

The gentleman may proceed.

Mr. H. WILLIAMS. Mr. Speaker, I will try to make this comment brief and for the record, and I suggest that the bill is unconstitutional for this reason: Section (d) contains a prohibition on the Governor to do things that I contend he really has an absolute right to do, and to me that is an invasion of executive power.

Number two, it seeks to prohibit activities of the Governor which have already been authorized for him to do, without repealing those authorizations of those powers. I suggest, Mr. Speaker, that the members of the House read that thoroughly, and I would submit the question for the record to the floor, suggesting that the provision by which we seek to prohibit the Governor is unconstitutional, and I do not see a severability clause in the bill and would therefore suggest that the bill as written is unconstitutional.

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Gallen, on the question of constitutionality.

Mr. GALLEN. Mr. Speaker, I urge the members to vote affirmatively on the question of constitutionality. The powers which we intend to limit in this bill, the powers of the Governor which this bill would limit, were given to the Governor by statute, and we are going to limit them by statute, and I feel the bill is absolutely constitutional.

Mr. WILLIAMS. Mr. Speaker, that raises another point I am suggesting and that is that it would be void for vagueness. If this Assembly is going to take some powers away from the Governor and we legislate it, we ought to say so, and if we do not, that is sloppy and, I suggest, void for unconstitutional vagueness. And on that argument, Mr. Speaker, I would submit again that the bill is unconstitutional for what we are trying to do with regard to the executive powers.

The SPEAKER. The question before the House is on the point raised by the gentleman from Philadelphia, Mr. Hardy Williams, that HB 105, PN 106, is unconstitutional. Those voting "aye" will sustain the constitutionality of HB 105; those voting in the negative will be voting that the bill is unconstitutional. The members will now proceed to vote.

The following roll call was recorded:

YEAS—183

Alden	Fee	Lewis	Salvatore
Anderson	Fischer	Livengood	Saurman
Armstrong	Fleck	Lloyd	Serafini
Arty	Foster, W. W.	Lucyk	Seventy
Belardi	Foster, Jr., A.	McCall	Showers
Belfanti	Frazier	McClatchy	Shupnik
Beloff	Freind	McIntyre	Sieminski
Berson	Fryer	McMonagle	Sirianni
Bittle	Gallagher	McVerry	Smith, B.
Blaum	Gallen	Mackowski	Smith, E. H.
Borski	Gamble	Madigan	Snyder
Bowser	Gannon	Maiale	Spencer
Boyes	Geist	Manmiller	Spitz
Brandt	George	Marmion	Stairs
Brown	Gladeck	Merry	Steighner
Burd	Grabowski	Michlovic	Stevens
Burns	Greenfield	Micozzie	Stewart
Caltagirone	Greenwood	Miller	Stuban
Cappabianca	Grieco	Moehlmann	Swaim
Cawley	Gruitza	Morris	Sweet
Cessar	Gruppo	Mowery	Swift
Cimini	Hagarty	Mrkonic	Taddonio
Civera	Haluska	Murphy	Taylor, E. Z.
Clymer	Hasay	Nahill	Taylor, F. E.
Cochran	Hayes	Noye	Telek
Colafella	Heiser	O'Donnell	Tigue
Cole	Hoeffel	Olasz	Trello
Cordisco	Honaman	Pendleton	Van Horne
Cornell	Horgos	Perzel	Vroon
Coslett	Hutchinson, A.	Peterson	Wachob
Cowell	Hutchinson, W.	Petrone	Wambach
Cunningham	Irvis	Phillips	Wargo
DeMedio	Itkin	Piccola	Wass
DeVerter	Jackson	Pievsky	Wenger
DeWeese	Johnson	Pistella	Weston
Daikeler	Kanuck	Pitts	Williams, J. D.
Davies	Kennedy	Pott	Wilson
Dawida	Klingaman	Pratt	Wilt
Dietz	Kolter	Pucciarelli	Wogan
Dininni	Kukovich	Punt	Wozniak
Dombrowski	Lashinger	Rasco	Wright, D. R.
Donatucci	Laughlin	Reber	Wright, J. L.
Dorr	Lehr	Rieger	Zwinkl
Duffy	Lescovitz	Ritter	
Durham	Levi	Rocks	Ryan,
Earley	Levin	Rybak	Speaker
Emerson			

NAYS—13

Barber	Evans	Oliver	Richardson
Clark	Manderino	Petrarca	Wiggins
Cohen	Miscevich	Rappaport	Williams, H.
Deal			

NOT VOTING—2

Gray	Mullen
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EXCUSED—5

Harper	Letterman	Smith, L. E.	White
Kowalshyn			

The majority having voted in the affirmative, the question was determined in the affirmative and the constitutionality of the bill was sustained.

On the question recurring,
Shall the bill pass finally?

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

Mr. H. WILLIAMS. Mr. Speaker, would the gentleman, Mr. Gallen, submit to brief interrogation?

The SPEAKER. The gentleman has indicated he will. The gentleman, Mr. Williams, may proceed.

Mr. H. WILLIAMS. Mr. Speaker, in the very few made by the group that sponsored this bill, did you total up the amount of money and could you tell me the amount of money that these particular commissions listed in the bill expended or had in their budget, say, last session?

Mr. GALLEN. No.

Mr. H. WILLIAMS. Can you tell me the amount of money involved in these commissions that were designated as it compares with the amount of money in the other agencies and departments in the state as of last year?

Mr. GALLEN. No.

Mr. H. WILLIAMS. Mr. Speaker, in your discussions in drafting this bill, did anyone ask those questions or did anyone examine that comparison?

Mr. GALLEN. I do not believe so.

Mr. H. WILLIAMS. Mr. Speaker, would you agree that the ideal legislative purpose of "Sunset" is to save money and function more efficiently for the taxpayers?

Mr. GALLEN. Absolutely.

Mr. H. WILLIAMS. And that we want to designate a point in time where we get a handle on things? Is that generally correct?

Mr. GALLEN. Yes, it is.

Mr. H. WILLIAMS. Mr. Speaker, may I ask you, if that is so, was there or is there any reason why we cannot have an approach which is designed to get a fiscal handle on all the activities of state government?

Mr. GALLEN. That is an excellent idea. We do, of course, each year, both in the House and the Senate, hold appropriation hearings to make some determination about how wisely taxpayers' money is being spent. But we feel this will be an improvement, an additional approach, and that is the purpose of the legislation.

Mr. H. WILLIAMS. Do you think that is not an idea whose time has come?

Mr. GALLEN. That is correct.

Mr. H. WILLIAMS. Thank you, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. H. WILLIAMS. Mr. Speaker, my concern about this sexy "Sunset" idea is just that. You are doing once again for our taxpayers who are crying justifiably so for a sexy idea instead of recognizing that our people are saying we want a handle on all of it and its time is overdue. And if we look at this particular bill, I suggest to you, line by line it does exactly what Miss Sirianni said - it creates another bureaucracy and guarantees that the policies we are elected to make for the benefit of our taxpayers never happen. For instance, just last year or so our smart people said we needed a Department of Aging for our selected dear senior

citizens. And one of the agencies that today we are asked to outlaw is the Department of Aging. Now, the senior citizens have to know one thing about us, and that is we cannot make up our minds from one year to the next about what should happen and where money should go, and they would have to believe that the mechanism suggested in this bill to cover a few agencies, and not even counting the money that is involved in state government, is an effort to turn the job over to someone else.

Mr. Speaker, to enlarge on that, if I could have a moment or two, if you really, really read this bill, it says a leadership committee is going to assign to some committee down the line, and we do not even know which committee. You and I sent here by the senior citizens do not even have the right to say it should be the Appropriations Committee or it should be the Urban Affairs Committee, or it should be the State Government Committee. We do not even have the right to do that. I love the leadership, but I do not trust them every day. Because, if indeed this legislative body were honest and earnest about doing its job, what is wrong with our Appropriations Committee? They have a lot of money, so I am told, and it is a very dear political assignment to get. When they had the Game Commission, the Human Relations Commission, the Department of Aging, all of these people come before it. Just what the devil does it ask? I mean, does it ask what did you need the money for last year, and does that committee submit to us its idea on what is efficient and what is proper, or was that just a game we have been playing for the last 20 or 30 years? I ask you? You know, we ought to abolish the Appropriations Committee if they cannot do their job, or appoint some of the freshmen who would be very anxious to fill those roles.

And if you go on further in this particular bill, it says—and this is about money—that the leadership can consider and approve the budget for the office of the auditor. Now, I do not know how much money they are talking about, and I do not want some few people deciding whether it is going to be \$200,000 or \$2 million. You and I ought to know, as Miss Sirianni says, how much money we are going to put in that additional bureaucracy. They shall consider, why cannot I consider, or why cannot 203 of us consider? That is concerned with the very thing that "Sunset" talks about. That is an irresponsible misdirection and waste of money, because no one is responsible for telling us ahead of time how much.

You know, I had one really strange observation about this bill which talks about performance, and Mr. Richardson was right, because if you read the first page of the bill it talks about a performance audit. And if the fiscal people who have the right to have the jobs under this bill are really good accountants and great corporate presidents and all of that, they will count the money, they will computerize everything. But let me tell you one thing, this bill calls for one public meeting, one public meeting in which the committee can decide on its own discretion whom to call.

Now, my mother is very, very active with senior citizens. She does so many little things in her thing to improve the quality of their lives and it is not on paper. And I know if we were examining the Department of Aging, and some fiscal guy is going to look at how much money is spent and all of that, do we not want to hear from the senior citizens on whether or not some major mechanism exists there that is aiding in their lives, that is helping in the very issue that Governor Thornburgh talked about, and that is street crime, which is most onerous on our senior citizens? How are they going to know about some performance if the public is not allowed to make that input? It is just unrealistic the way this is written and the guidelines by which it is written to get anything about the quality of the services rendered to the veterans when you talk about the veterans apart, or anybody else, because it is just counting nickels and dimes because it does not even allow for any input by the general public. On the other hand, one of the guidelines that it gives the committee is whether or not—on one of these pages—the agency under investigation can do its job in a less restrictive way. What kind of gobbledegook is that if we are going to say those who decide this thing are going to restrict and have no open hearings and one of the standards it is going to use is whether or not the agency was open enough. It just does not make any kind of sense.

Mr. Speaker, one of the things that has really flown in the face of common sense in this idea for me is page 4. And page 4, under (d), says, one of the standards is, one of the criteria whether or not you are going to close shop was, is there a demonstrated need based on service to the public for continuing the existence of the agency? Well, that is just something we were supposed to have decided last year and every year we are given an appropriation. If we cannot decide by the money we appropriate something is needed, then something is wrong in Harrisburg. When we voted last year for whatever agency, were we saying there was a need for that or were we playing political games? And if we are playing political games, if we are going to take this potato off of us and give it to someone else in the name of reform, what makes you think that politics are not going to be involved in that? Mr. Gallen, in his remarks to Mr. Richardson, already said that in committee they decided to take out a few things, and no one knows why. Some were put in, no one knows why. What makes you think that the guys who are going to have a handle on that bureaucracy that Miss Sirianni talks about are also not going to play games?

So if this is some of the crucible of deciding how we are going to spend "Sunset" dollars, why cannot we go through that crucible here and stand up like men and women who may have some provable political interest to also make and serve a composite of constituents? Why do we have to put it under the cover for some professional to play his own political game or submit to the pressure or the whim of some group?

Mr. Speaker, I am saying that throughout this bill, including the report to the legislature, it says, today,

without knowing why, we are asked to outlaw all of these agencies, they are off the books, unless some few people give us a report that says otherwise. To me that is like taking the cart before the horse.

Mr. Speaker, I am all in favor of "Sunset," and I do not want to be misunderstood, and I am going to finish in a few seconds. I believe firmly in accountability and the prudent productive spending of state dollars. I believe that this legislature is capable and should have the backbone enough to create a mechanism that makes that happen and not abdicate our responsibility by passing a law that outlaws agencies we favor already and then wait to back into it. Too many political debts happen that way.

Mr. Richardson was concerned about the minority business, and I am sure he is concerned about human relations. I am sure someone else is concerned about veterans like I am, and some other things, but we maximize that possibility. I am just suggesting that I might get criticized when I go back home because they call it "Sunset," because the people do not know, not yet, that we are afraid to take a full step, and if there is any reason to take a full step, it was the Presidential election of 1981. So we have no need to be afraid. Our people want a full step. I disagree with Mr. Hoeffel when he said maybe it is too good of an idea. I disagree with Mr. Gallen when he says it is an idea whose time has not come. The time has come; the people are ready, and we have to stop taking warmed-over ideas from last year and let that serve as the legislative reform measure.

Mr. Speaker, I oppose the bill. I support the idea and would be willing to actively help in the passage of a full idea somewhere in the nature of what Mr. Lloyd and Miss Sirianni suggest. Thank you.

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

Mr. DEAL. Mr. Speaker, I rise to speak on this bill.

When I was elected as a Representative, I had hoped that my first major session would be involved with a responsible type of leadership. I have some serious questions about this piece of legislation. I had hoped when I became a part of this process that I would be concerned about the employment posture of Pennsylvania and especially those persons who are employed by the State of Pennsylvania. This legislation in which I am about to become involved does not offer me as a legislator an opportunity to help protect those people who elected me to come here and act in their behalf, and I resent anyone putting me in a position that I cannot help those who sent me here to represent them.

Mr. Speaker, I find it highly objectionable, when persons would come here with legislation and cannot tell me how they came to develop the legislation, how they came to bring forth selected groups of organizations that they would like to see abolished, and that is all it is saying.

Mr. Speaker, I would not want to have it misunderstood that I am not for streamlining government and making sure government operates properly; I think that is our responsibility. But I am not willing to become a part of a process,

as my colleagues say, knowing full well we have had powers since this great Commonwealth was founded to do exactly what you are trying to do here. I am saying to you, my friends, do not let some method usurp your power and your authority. I think you have the power to zero in on those commissions that we know full well are not doing the job, but why should you now, under the guise of "Sunset" or "Sunshine" or whatever you want to call it, allow yourselves to put 70-some agencies on the chopping block and then have yourself get involved in the political harangue, when we have so many problems that are confronting this Commonwealth today?

Two weeks from now we may not even have water in Pennsylvania, and here you are talking about a routine procedure where committees will die if you do not function, and even in the resolution, you do not make it mandatory that you must have a process in determining whether they die, and yet you are hollering, roll it, roll it, roll it. Maybe some of us should never have been rolled here in the first place.

Mr. Speaker, I realize there are a lot of us who would like to go home, but all of us ran for this position and we told the people when we were asking for votes, that we would come here and stay and represent them better than the people who were here before, and I pray to you this evening, regardless of how long we have to stay or what has to be said, let us crosscut party lines and now be concerned about the people here in the Commonwealth of Pennsylvania.

Mr. Speaker, there are some emotional, there are some more emotional committees that are involved here. Why should you routinely—and some of you have not weighed this, my friends. You have routinely—skillfully put some commissions in here that, come election time, you will be saying one thing on this floor and saying something else back home and something else in a different community that will cross your area.

Mr. Speaker, I have looked in this legislation. I wonder what will happen after a commission dies. What happens to the legislation? What happens to the enforcement power? You know and I know come time for some of this legislation to appear on this floor, there will be a tradeoff and there will be a fight and some of those commissions will die. What happens then, my friends, to some of those important issues?

And as I close, my friends, many of you were elected by working-class people. You tell me, tell me, what are you going to go back home and say to people when you stood here and voted for legislation which you know the administration is bent on knocking out and about? You might as well admit today, if you vote for this legislation and do not talk out of both sides of the mouth, if you support this legislation, you are saying to the people back home, yes, we found a skillful way to knock out the state stores. We did not say that but we went about it. And for those in your area, we knew how we could get that old Human Relations Commission, knowing full well that if it were not for some

organization or some commission to help keep us on a course of racial understanding, we would be in trouble in Pennsylvania. And I beg you, my friends, seldom do we get an opportunity, seldom is a man or woman afforded an opportunity to stand up and be counted for rights. I say to you, the opportunity is before this great body today to stand up to those who would have proposed this insidious legislation and say to them, no, no, no, I am a legislator and the wheels for justice are already in our power, and if it was good enough for Pennsylvania since its inception, we see no reason why we are to cast that great responsibility off to the administration who will shift these things in such a way we will have no control.

And as I conclude again, when we talk about 300-and-some thousand dollars, that is only a showcase figure, and you know full well that 300-and-some thousand dollars is just a joke and a charade. You would be better off taking that \$300,000 and doing some of the things that need to be done to help make our great state move forward as it should be. Thank you, Mr. Speaker.

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—180

Alden	Fee	Lucy	Rybak
Anderson	Fischer	McCall	Salvatore
Armstrong	Fleck	McClatchy	Saurman
Arty	Foster, W. W.	McIntyre	Serafini
Belardi	Foster, Jr., A.	McMonagle	Seventy
Belfanti	Frazier	McVerry	Showers
Beloff	Freind	Mackowski	Shupnik
Berson	Fryer	Madigan	Sieminski
Bittle	Gallagher	Maiale	Sirianni
Blaum	Gallen	Manderino	Smith, B.
Borski	Gamble	Manmiller	Smith, E. H.
Bowser	Gannon	Marmion	Snyder
Boyes	Geist	Merry	Spitz
Brandt	George	Michlovic	Stairs
Brown	Gladeck	Micozzie	Steighner
Burd	Grabowski	Miller	Stevens
Burns	Greenfield	Miscevich	Stewart
Caltagirone	Greenwood	Morris	Stuban
Cappabianca	Grieco	Mowery	Swaim
Cawley	Gruitza	Mrkoncic	Sweet
Cessar	Gruppo	Mullen	Swift
Cimini	Hagarty	Murphy	Taddonio
Civera	Haluska	Nahill	Taylor, E. Z.
Clark	Hasay	Noye	Taylor, F. E.
Clymer	Hayes	O'Donnell	Telek
Cochran	Heiser	Olasz	Tigue
Colafella	Hoeffel	Pendleton	Trello
Cole	Honaman	Perzel	Van Horne
Cordisco	Horgos	Peterson	Vroon
Cornell	Hutchinson, W.	Petrarca	Wachob
Coslett	Irvis	Petrone	Wambach
Cowell	Itkin	Phillips	Wargo
Cunningham	Jackson	Piccola	Wass
DeMedio	Johnson	Pievsky	Wenger
DeVerter	Kennedy	Pistella	Weston
DeWeese	Klingaman	Pitts	Wilson
Daikeler	Kolter	Pott	Wilt
Davies	Kukovich	Pratt	Wogan
Dawida	Lashinger	Pucciarelli	Wozniak
Dietz	Laughlin	Punt	Wright, D. R.
Dininni	Lehr	Rasco	Wright, J. L.
Dombrowski	Lescovitz	Reber	Zwikl
Donatucci	Levi	Rieger	

Dorr	Levin	Ritter	Ryan,
Duffy	Livengood	Rocks	Speaker
Durham	Lloyd		

NAYS—16

Barber	Emerson	Lewis	Richardson
Cohen	Evans	Moehlmann	Wiggins
Deal	Hutchinson, A.	Oliver	Williams, H.
Earley	Kanuck	Rappaport	Williams, J. D.

NOT VOTING—2

Gray	Spencer
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EXCUSED—5

Harper	Letterman	Smith, L. E.	White
Kowalyszyn			

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

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

ADDITIONS OF SPONSORSHIPS

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I submit for the record additions of sponsorships.

HB 149, Ryan 163; HB 175, Pistella 154; HB 245, McVerry 201; HB 245, Gladeck 160; HB 245, Lashinger 32; HB 300, Hasay 37; HB 301, Hasay 37; HB 302, Hasay 37; HB 365, Belfanti 99; HB 376, Vroon 178; HB 385, B. Smith 14; HB 385, Fischer 195; HB 385, Pistella 154; HB 386, Pistella 154; HB 390, Cordisco 50; HB 390, Burns 6; HB 401, Borski 184; HB 401, Mrkoncic 189; HB 401, Itkin 174; HB 402, Gruppo 162; HB 402, Borski 184; HB 402, Nahill 176; HB 403, Fischer 195; HB 403, Rasco 198; HB 404, Mrkoncic 189; HB 404, Gruppo 162; HB 409, Fischer 195; HB 409, Mrkoncic 189; HB 409, Gruppo 162; HB 410, Gruppo 162; HB 410, Nahill 176; HB 415, Snyder 141; HR 9, Borski 184; HR 9, Lashinger 32; HR 9, Gruppo 162; HB 444, Cordisco 50; HB 444, Gruitza 94; HB 41, Cimini 85.

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 none.

WELCOMES

The SPEAKER. The Chair welcomes to the floor of the House Jack Rawlings and Beth Yocum, here today as the guests of Mr. Rick Geist.

The Chair welcomes a group of guests from Reading from an organization of Polish Falcons, here today as the guests of Mr. Caltagirone.

The Chair welcomes to the floor of the House Bernard Zarko, Phil Augustine, Eugene Reidinger, William Wolfe, and Robert Wolfe, here today as the guests of Mr. Belfanti of Schuylkill County.

The Chair welcomes to the hall of the House a delegation of Lehigh Valley homebuilders and realtors in the gallery, here today as the guests of the Lehigh and Northampton County delegations.

The Chair welcomes to the hall of the House the Conway Area Senior Citizens, headed by Mr. Harold Keefer, president; Mrs. Sarah Keefer, secretary; Mrs. Anne Sieg, secretary, and Miss Ann Keefer, tour chairman, here today as the guests of Mr. Charles Laughlin.

ADJOURNMENT

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

Mr. CLYMER. Mr. Speaker, I move that this House do now adjourn until Tuesday, February 17, 1981, at 1 p.m., e.s.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 5:07 p.m., e.s.t., the House adjourned.