

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

WEDNESDAY, FEBRUARY 18, 1981

SESSION OF 1981

165TH OF THE GENERAL ASSEMBLY

No. 11

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 share together in prayer.

Almighty God, Our Heavenly Father, we approach Your throne of grace with thankful hearts. We realize our responsibilities are great. We acknowledge that with You as our guardian, guide and stay all things are possible. It makes the difficult much easier to bear. It encourages us so that when we disagree we do it with more love and more understanding. Father in heaven, watch over us and give us sufficient grace for this day and the remainder of the week, 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 Tuesday, February 17, 1981, will be postponed until printed. The Chair hears none.

HOUSE BILLS INTRODUCED AND REFERRED

No. 572 By Representative A. K. HUTCHINSON

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, authorizing political activity by judges.

Referred to Committee on JUDICIARY, February 17, 1981.

No. 573 By Representative A. K. HUTCHINSON

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, prohibiting the Supreme Court from suspending laws enacted by the General Assembly.

Referred to Committee on JUDICIARY, February 17, 1981.

No. 574 By Representative A. K. HUTCHINSON

An Act providing for the registration and regulation of certain off-road vehicles including but not limited to all-terrain vehicles and trail bikes; imposing powers and duties on the Department of Environmental Resources and providing fees and penalties.

Referred to Committee on TRANSPORTATION, February 17, 1981.

No. 575 By Representative A. K. HUTCHINSON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the width of certain vehicles.

Referred to Committee on TRANSPORTATION, February 17, 1981.

No. 576 By Representative A. K. HUTCHINSON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, requiring lighted headlights on trucks of Class 4 and higher.

Referred to Committee on TRANSPORTATION, February 17, 1981.

No. 577 By Representatives J. D. WILLIAMS, EVANS, WIGGINS, BARBER, PUCCIARELLI, DONATUCCI, RIEGER, MAIALE, RAPPAPORT, OLIVER, DEAL, PENDLETON, CORDISCO, COHEN, MISCEVICH, RICHARDSON, WAMBACH and WOZNIAK

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, adding an offense and providing a penalty.

Referred to Committee on JUDICIARY, February 17, 1981.

No. 578 By Representatives SIEMINSKI, GRUPPO, W. W. FOSTER, RYBAK, RITTER, KANUCK and SNYDER

An Act amending the act of June 28, 1968 (P. L. 281, No. 136), entitled "An act concerning highways and bridges over the Delaware River, and responsibilities of the Delaware River Joint Toll Bridge Commission and the Department of Highways of the Commonwealth of Pennsylvania with regard to the construction of additional crossings," further providing for the construction and operation of certain bridges.

Referred to Committee on TRANSPORTATION, February 17, 1981.

**No. 579** By Representatives SIEMINSKI, ZWIKL, RITTER, RYBAK, GRUPPO and W. W. FOSTER

An Act making an appropriation to the Hugh Moore Park Commission of Northampton County.

Referred to Committee on APPROPRIATIONS, February 17, 1981.

**No. 580** By Representative A. K. HUTCHINSON

An Act amending the "Commonwealth Documents Law," approved July 31, 1968 (P. L. 769, No. 240), eliminating provisions relating to omission of proposed rule making notices and making an editorial change.

Referred to Committee on STATE GOVERNMENT, February 17, 1981.

**No. 581** By Representative SPENCER

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, making a conforming change relating to certain misdemeanors.

Referred to Committee on JUDICIARY, February 17, 1981.

**No. 582** By Representatives HOFFEL, SEVENTY, SWEET, MORRIS, J. L. WRIGHT, MILLER, GRAY, KUKOVICH, COWELL, GAMBLE, BROWN, PISTELLA, PRATT, TADDONIO, DOMBROWSKI, CLARK, WILSON, HALUSKA, WHITE, WACHOB, KOWALYSHYN, McCALL, McINTYRE, COHEN, ALDEN, BELFANTI, TRELLO, VAN HORNE, PETRARCA, MRKONIC, MICHLOVIC, McVERRY, CORDISCO, LASHINGER, ITKIN, LETTERMAN, BORSKI, LESCOVITZ, COLAFELLA and GALLAGHER

An Act amending the "Pennsylvania No-fault Motor Vehicle Insurance Act," approved July 19, 1974 (P. L. 489, No. 176), providing for certain surcharge information and prohibiting certain surcharges.

Referred to Committee on INSURANCE, February 17, 1981.

**No. 583** By Representative A. K. HUTCHINSON

An Act amending the "Public Employee Relations Act," approved July 23, 1970 (P. L. 563, No. 195), further providing for collective bargaining agreements and providing for arbitration in certain cases.

Referred to Committee on LABOR RELATIONS, February 17, 1981.

**No. 584** By Representative A. K. HUTCHINSON

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, adding certain employees to the State Employees' Retirement System.

Referred to Committee on STATE GOVERNMENT, February 17, 1981.

**No. 585** By Representatives LEVI, SIRIANNI, FRYER, A. C. FOSTER, JR. and DeMEDIO

An Act amending the act of April 18, 1929 (P. L. 612, No. 253), entitled, as amended, "An act for the election of the mayor, \*\*\* local and special laws," providing for the publication of audit summaries.

Referred to Committee on LOCAL GOVERNMENT, February 17, 1981.

**No. 586** By Representatives LEVI, DeMEDIO, A. C. FOSTER, JR. and FRYER

An Act amending the "Municipality Authorities Act of 1945," approved May 2, 1945 (P. L. 382, No. 164), further providing for the investment of Authority moneys.

Referred to Committee on LOCAL GOVERNMENT, February 17, 1981.

**No. 587** By Representatives COLE, HALUSKA, SIEMINSKI, MERRY, ITKIN, SWEET, DORR, MACKOWSKI, LLOYD, A. C. FOSTER, JR. and CAPPABIANCA

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 CONSUMER AFFAIRS, February 17, 1981.

**No. 588** By Representative BRANDT

An Act authorizing the Department of General Services, with the approval of the Governor to sell and convey a certain lot or tract of ground together with improvements thereon situate in the Township of Mt. Joy, Lancaster County, Pennsylvania.

Referred to Committee on STATE GOVERNMENT, February 17, 1981.

**No. 589** By Representatives ZWIKL, FREIND, GALLEN, A. K. HUTCHINSON, HASAY, CALTAGIRONE, CAPPABIANCA, ALDEN, HALUSKA, ITKIN, GANNON, FISCHER, ARTY, PRATT, KOLTER, KUKOVICH, SPITZ, COHEN, COCHRAN, WARGO, STUBAN, SNYDER, MICOZZIE, J. L. WRIGHT, TELEK, WACHOB, TRELLO, BROWN, COWELL, LETTERMAN and McINTYRE

An Act amending the "Volunteer Firemen's Relief Association Act," approved June 11, 1968 (P. L. 149, No. 84), authorizing the purchase of home alert monitors from the funds of relief associations.

Referred to Committee on LOCAL GOVERNMENT, February 17, 1981.

**No. 590** By Representatives PETRARCA, KOLTER, CLARK, CALTAGIRONE, LETTERMAN and GAMBLE

An Act amending the "Pennsylvania Sewage Facilities Act," approved January 24, 1966 (1965 P. L. 1535, No. 537), further defining the responsibility of the Department of Environmental Resources to abate pollution in certain rivers and streams.

Referred to Committee on CONSERVATION, February 17, 1981.

**No. 591** By Representatives PETRARCA, KOLTER, SPITZ, CLARK, COCHRAN, CALTAGIRONE, HALUSKA, PISTELLA, MICOZZIE, MORRIS and MRKONIC

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for the terms and membership of the commission.

Referred to Committee on CONSUMER AFFAIRS, February 17, 1981.

**No. 592** By Representatives ITKIN, SWEET, SIEMINSKI, BROWN, DeWEESE, KUKOVICH, SEVENTY, GALLAGHER, PISTELLA, CLARK, LLOYD, WAMBACH, BELFANTI, LASHINGER, PRATT, BLAUM, MRKONIC and McVERRY

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), limiting the Utilities Gross Receipts tax.

Referred to Committee on CONSUMER AFFAIRS, February 17, 1981.

**No. 593** By Representatives PETRARCA, KOLTER, CLARK, COCHRAN, CALTAGIRONE, COHEN, MERRY, HALUSKA, PISTELLA, DeMEDIO, DAWIDA, MICOZZIE, LETTERMAN, MRKONIC and WOGAN

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), providing for the stocking and sale of miniature bottles of liquor at Pennsylvania Liquor Stores.

Referred to Committee on LIQUOR CONTROL, February 17, 1981.

**No. 594** By Representatives PETRARCA, KOLTER, CLARK, CALTAGIRONE, PRATT, COHEN, PISTELLA, DeMEDIO, MICOZZIE, MORRIS, PENDLETON, MRKONIC and WOGAN

An Act requiring manufacturing and processing plants to give notice to workers prior to a planned shutdown and imposing civil penalties.

Referred to Committee on LABOR RELATIONS, February 17, 1981.

**No. 595** By Representatives PETRARCA, KOLTER, CLARK, CALTAGIRONE, DeMEDIO and LETTERMAN

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

Referred to Committee on FINANCE, February 17, 1981.

**No. 596** By Representatives PETRARCA, KOLTER, CLARK, PUNT, CALTAGIRONE, PRATT, COHEN, NOYE, MAIALE, HALUSKA, COLE, BROWN, PISTELLA, DAWIDA, MICOZZIE, LETTERMAN, MORRIS and WIGGINS

An Act amending the "Pennsylvania Human Relations Act," approved October 27, 1955 (P. L. 744, No. 222), prohibiting discrimination by reason of certain medical conditions.

Referred to Committee on LABOR RELATIONS, February 17, 1981.

**No. 597** By Representatives PETRARCA, KOLTER, CLARK, CALTAGIRONE, PISTELLA, MICOZZIE, LETTERMAN, WIGGINS, PENDLETON and MRKONIC

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further regulating the sale, publication and disclosure of records and providing an increased penalty.

Referred to Committee on JUDICIARY, February 17, 1981.

**No. 598** By Representatives PETRARCA, KOLTER, CLARK, COCHRAN, CALTAGIRONE and MERRY

An Act declaring lawful the manufacture, sale and use of the drug amygdalin (laetrile), providing for its prescription by physicians and providing penalties.

Referred to Committee on HEALTH AND WELFARE, February 17, 1981.

**No. 599** By Representatives PETRARCA, KOLTER, COCHRAN, CALTAGIRONE, MERRY and LETTERMAN

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), providing for measurement of containers used in sales of liquor for immediate consumption on the premises.

Referred to Committee on LIQUOR CONTROL, February 17, 1981.

**No. 600** By Representatives ZWIKL, VROON, SIEMINSKI, CALTAGIRONE, CAPPABIANCA, ALDEN, PRATT, McINTYRE, WILSON, GANNON, FISCHER, ARTY, PRATT, MRKONIC, COHEN, COCHRAN, SALVATORE, STUBAN, MICOZZIE, J. L. WRIGHT, TELEK, TRELLO, SEVENTY and LETTERMAN

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for four-year terms for members of the House of Representatives.

Referred to Committee on JUDICIARY, February 17, 1981.

**No. 601** By Representatives SALVATORE, BURD, JOHNSON, TELEK, GEIST, MERRY, BOWSER, ARTY, WOGAN, FRAZIER, SAURMAN, POTT, WESTON, PERZEL and ROCKS

An Act authorizing certain persons to use mace while performing prescribed job duties.

Referred to Committee on JUDICIARY, February 17, 1981.

**No. 602** By Representatives MICOZZIE, CIVERA, ARTY, SPITZ, PUCCIARELLI, DONATUCCI and FREIND

An Act amending the "Public Employe Relations Act," approved July 23, 1970 (P. L. 563, No. 195), establishing special procedures to handle negotiation impasses with public school employes.

Referred to Committee on LABOR RELATIONS, February 17, 1981.

**No. 603** By Representatives MICOZZIE, CIVERA, ARTY, SPITZ, PUCCIARELLI, DONATUCCI and FREIND

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), providing for a tax credit for payment of taxes to cities of the first class.

Referred to Committee on LOCAL GOVERNMENT, February 17, 1981.

**No. 604** By Representatives MICOZZIE, CIVERA, ARTY, SPITZ, PUCCIARELLI, DONATUCCI and FREIND

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206, No. 331), extending insurance to elected officers.

Referred to Committee on LOCAL GOVERNMENT, February 17, 1981.

**No. 605** By Representatives GEIST and JOHNSON

An Act making an appropriation to the Blair County Society for Crippled Children and Adults.

Referred to Committee on APPROPRIATIONS, February 17, 1981.

**No. 606** By Representatives GEIST, GRIECO, GLADECK, WHITE, MURPHY, PUNT, BOWSER, BELFANTI, MAIALE, SALVATORE, PRATT, LETTERMAN, DeWEESE, MANMILLER, DAVIES, PHILLIPS, COCHRAN, VROON, GRUPPO, HAYES, NOYE, PUCCIARELLI, SPITZ, STEVENS, MERRY, FREIND, MRKONIC, JOHNSON, BURD, HOEFFEL, FLECK, MORRIS, RASCO, KLINGAMAN, NAHILL, DORR, HASAY, PITTS, W. W. FOSTER, ALDEN, O'DONNELL, CUNNINGHAM, ROCKS, PISTELLA, BLAUM and MICOZZIE

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the imposition of an additional penalty to be imposed for the use of or discharge of a firearm during the commission of any crimes.

Referred to Committee on JUDICIARY, February 17, 1981.

**No. 607** By Representatives POTT, GREENFIELD, SIRIANNI, CESSAR, SEVENTY, GRUPPO, COCHRAN, PRATT, LETTERMAN, NOYE, LEHR, WACHOB, PENDLETON, GEIST, MAIALE, COLE, PUNT, PUCCIARELLI, PISTELLA, D. R. WRIGHT, LIVENGOOD, MERRY, McVERRY, BURD, GANNON, JOHNSON, FLECK, MORRIS, PETERSON, KLINGAMAN, HALUSKA, RASCO, CALTAGIRONE, LASHINGER, NAHILL, CORNELL, WILSON, MILLER, MRKONIC, LUCYK, PITTS, PETRARCA, ALDEN, E. Z. TAYLOR, ZWIKL, GAMBLE, LEVIN, FISCHER, ARTY, EARLEY, SAURMAN, SIEMINSKI, HEISER and SALVATORE

An Act providing for review of administrative rules by the General Assembly.

Referred to Committee on STATE GOVERNMENT, February 17, 1981.

### HOUSE RESOLUTION INTRODUCED AND REFERRED

**No. 17**

(Concurrent) By Representatives PICCOLA, DININNI, WAMBACH and HAYES

General Assembly memorialize Governor Thornburgh designate April 25th, "Rescue Attempt Memorial Saturday," for those servicemen killed in the rescue mission in Iran.

Referred to Committee on RULES, February 17, 1981.

### LEAVES OF ABSENCE GRANTED

The SPEAKER. The Chair recognizes the majority whip. Mr. CESSAR. Mr. Speaker, I request leaves of absence for Representatives WILT and LEWIS for today's session.

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

Mr. PIEVSKY. Mr. Speaker, I request leave of absence for Representative RAPPAPORT for today's session.

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

The SPEAKER. Without objection, leaves are granted. The Chair hears none.

### GRATZ CHOIR PRESENTED

The SPEAKER. Will the gentleman from Philadelphia, Mr. Richardson, approach the rostrum?

The Chair recognizes the gentleman from Philadelphia, Mr. Richardson, for the purpose of introducing certain guests.

Mr. RICHARDSON. Mr. Speaker, it gives me great honor and pleasure to address this House of Representatives this morning, for we are celebrating Black History Month, and every year we try to bring some talent from our city and from the State of Pennsylvania to show you the kind of talent that is possessed by our young. This year we are pleased to announce that the Gratz High School, located in State Representative Ruth Harper's district, a school in which I teach practical politics every week to two classes of seniors, is here, represented by the Gratz Choir, their instructor, Mrs. Virginia Hagerman, and also their music director, Mr. Nolan Veal, who are here today and are going to sing before this House of Representatives. And I, at this time, would like to present the Gratz Choir from Philadelphia, who will sing to us at this time. They will be coming from the rear of the House of Representatives right up front to the well of the House. The Gratz Choir from Philadelphia.

(A musical program was presented.)

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

Mr. RICHARDSON. To the Gratz Choir from Philadelphia, thank you very much; very beautiful.

Mr. Speaker, I would like to thank you and the members of the House of Representatives for this opportunity to bring you some talent from Philadelphia, from the Simon Gratz High School, and to their director, Mrs. Hagerman, and to the music director of Gratz High School, Mr. Nolan Veal, we thank you very much for the opportunity.

The SPEAKER. Mr. Richardson, the Chair is grateful for the opportunity to permit, if that is the proper word, the students to do their presentation here today. I would like to have them up here regularly. There was more attention paid to the Speaker today with the presence of these young folks than any other time. And it is also nice to have some talent from Philadelphia up here.

### VOLLEYBALL TEAM PRESENTED

The SPEAKER. Philadelphia is going all out today.

The Chair recognizes the gentleman from Philadelphia, Mr. Rocks, for a further presentation of Philadelphia's talent.

Mr. ROCKS. Mr. Speaker, it is certainly a rare day that Philadelphia gets this much recognition on the floor of this House, and it is a great honor.

It is particularly an honor to join with my colleague from Philadelphia, Representative Richardson, and the outstanding talent of Gratz High School in providing for you some living testament that the future of the Commonwealth is secure and certainly our greatest natural resource is our young people.

I have the particular pleasure of presenting briefly to you the 1980-81 championship city titleholders of the girls'

volleyball league in the city of Philadelphia from the high school right in the middle of my district in Philadelphia, Roxborough High School. Mr. Speaker, I would like to add to that that not only are the 30 members of the team that are here today championship volleyball players, but they are also a president of a national honor society, a president of the Girls' Athletic Association, the secretary of the class of 1982, six members of the national honor society. A number of them are choir members; a number of the girls are varsity letter holders in basketball, softball, tennis, gymnastics; they are also members of the school band, the jazz band; several are reporters on the school paper; they are members of the yearbook staff; and they are also representatives in the Student Government Association.

I point that out, Mr. Speaker, because these are some very dynamic and involved young people. And in my home community, Mr. Speaker, these are not just the young people who make up that community, but it is my conviction that they are the people whom that community is built upon. I would like to, with no further ado, present to you, together with their coach, Mrs. Hammes, who has been coach for a number of years, which I will not mention, at Roxborough High School, the 1980-81 city championship girls' volleyball team from Roxborough High School.

Mr. Speaker, we will, in a ceremony outside the chamber, be presenting a House citation honoring the championship team. I certainly thank the Speaker and my colleagues in the House.

### CONDOLENCE RESOLUTION ADOPTED

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

Mr. WAMBACH. I stand here before the House today with deep regret and sympathy and offer a condolence resolution in honor of Thomas Balaban, our former Parliamentarian, and I ask for its immediate consideration.

The SPEAKER. The gentleman will send the resolution to the desk, and the clerk will read it.

The following resolution was read:

HOUSE OF REPRESENTATIVES  
HARRISBURG, PA.  
OFFICE OF CHIEF CLERK  
RESOLUTION

WHEREAS, The Honorable Thomas R. Balaban, former Parliamentarian of the Pennsylvania House of Representatives, passed away February 10, 1981 at the age of sixty-four; and

WHEREAS, A graduate of Duquesne University and Duquesne University School of Law, Mr. Balaban's distinguished and varied legal career included the private practice of law and numerous public offices including Deputy Insurance Commissioner of the Commonwealth; associate solicitor and assistant Parliamentarian of the 1967 Pennsylvania Constitutional Convention; counsel to the Constitutional Convention Preparatory Convention; and Parliamentarian of the Pennsylvania House of Representatives from 1965-1972 and again during the 1975-76 Session. He was a member of the Law Committee of the National Fraternal Congress, the Dauphin County, Pennsylvania and American Bar Associations, and the American Judicature Society. He unselfishly served his commu-

nity as a member of the Greater Beneficial Union of Pittsburgh; executive committeeman of the Cumberland County Democratic Committee; alternate delegate to the 1964 Democratic National Convention; and Parliamentarian for the Democratic State Committee. He was also a former Public Interest Director for the Federal Home Loan Bank and a director of the Pennsylvania Mortgage Insurance and Princeton Life Insurance Companies. Mr. Balaban was the recipient of the Croatian Fraternal Union of America Scholarship Man of the Year Award in 1963; the Pennsylvania Congress John Jordan Upchurch Award in 1977; and the 1978 Centennial Distinguished Alumnus Award from Duquesne University; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to mourn the passing of a distinguished Parliamentarian, legal scholar, and dedicated public servant whose generosity, deep concern and dedication to the citizens of this Commonwealth will long be remembered and extends its heartfelt sympathy to his wife, Margaret and his thirteen children; and be it further

RESOLVED, That a copy of this resolution be delivered to Mrs. Margaret Balaban, 31 Circle Drive, Camp Hill, Pennsylvania 17011.

We hereby certify that the foregoing is an exact copy of a Resolution introduced in the House of Representatives by the Honorable K. Leroy Irvis, and adopted by the House of Representatives the 17th day of February 1981.

Cosponsors:  
 Peter C. Wambach, Jr.  
 James J. Manderino  
 Matthew J. Ryan,  
 Speaker  
 ATTEST:  
 John Zubeck,  
 Chief Clerk

On the question,  
 Will the House adopt the resolution?

The SPEAKER. All those in favor of the adoption of the resolution will please rise and remain standing as a further remark of respect to the memory of our former Parliamentarian. Guests will please rise.  
 (Members stood.)

The SPEAKER. The resolution is unanimously adopted.

**MASTER ROLL CALL RECORDED**

The SPEAKER. The Chair is about to take the master roll call. Only those members present on the floor of the House will be permitted on the master roll call. Members will proceed to vote.

The following roll call was recorded:

**PRESENT—195**

Alden	Fee	Lucyk	Salvatore
Anderson	Fischer	McCall	Saurman
Armstrong	Fleck	McClatchy	Serafini
Arty	Foster, W. W.	McIntyre	Seventy
Barber	Frazier	McMonagle	Showers
Belardi	Freind	McVerry	Shupnik
Belfanti	Fryer	Mackowski	Sieminski
Beloff	Gallagher	Madigan	Sirianni
Bittle	Gallen	Maiale	Smith, B.
Blaum	Gamble	Manderino	Smith, E. H.
Borski	Gannon	Manmiller	Smith, L. E.
Bowser	Geist	Marmion	Snyder
Boyes	George	Merry	Spencer

Brandt	Gladeck	Michlovic	Spitz
Brown	Grabowski	Micozzie	Stairs
Burd	Gray	Miller	Steighner
Burns	Greenfield	Miscevich	Stevens
Caltagirone	Greenwood	Moehlmann	Stewart
Cappabianca	Grieco	Morris	Stuban
Cawley	Gruitza	Mowery	Swaim
Cessar	Gruppo	Mrkonic	Sweet
Cimini	Hagarty	Mullen	Swift
Civiera	Haluska	Murphy	Taddonio
Clark	Harper	Nahill	Taylor, E. Z.
Clymer	Hasay	Noye	Taylor, F. E.
Cochran	Hayes	O'Donnell	Telek
Colafella	Heiser	Olasz	Tigue
Cole	Hoefel	Oliver	Trello
Cordisco	Honaman	Pendleton	Van Horne
Cornell	Horgos	Perzel	Vroon
Coslett	Hutchinson, A.	Peterson	Wachob
Cowell	Hutchinson, W.	Petrarca	Wambach
Cunningham	Irvis	Petrone	Wargo
DeMedio	Itkin	Phillips	Wass
DeVerter	Jackson	Piccola	Wenger
DeWeese	Johnson	Pievsky	Weston
Daikeler	Kanuck	Pistella	White
Davies	Kennedy	Pitts	Wiggins
Dawida	Klingaman	Pott	Williams, H.
Deal	Kolter	Pratt	Williams, J. D.
Dietz	Kukovich	Pucciarelli	Wilson
Dininni	Lashinger	Punt	Wogan
Dombrowski	Laughlin	Rasco	Wozniak
Donatucci	Lehr	Reber	Wright, D. R.
Dorr	Lescovitz	Richardson	Wright, J. L.
Duffy	Levi	Rieger	Zwikl
Durham	Levin	Ritter	
Earley	Livengood	Rocks	Ryan,
Emerson	Lloyd	Rybak	Speaker
Evans			

**ADDITIONS—3**

Cohen Foster, Jr., A. Rappaport  
**NOT VOTING—0**

**EXCUSED—5**

Berson Letterman Lewis Wilt  
 Kowalyszyn

**MEMBER'S PRESENCE RECORDED**

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

Mr. A. C. FOSTER. Mr. Speaker, I would like the record to indicate that I am present, but my machine is not working properly.

**CALENDAR**

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 19, PN 19**, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), further providing for the filling of vacancies in certain township offices.

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—195

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

NAYS—0

NOT VOTING—2

Manderino Rasco

EXCUSED—6

Berson Letterman Rappaport Wilt  
Kowalshyn Lewis

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. Cohen.

Mr. COHEN. Mr. Speaker, I ask that my name be added to the master roll call.

REMARKS ON VOTE

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

Mr. MANDERINO. Mr. Speaker, to spread upon the record the fact that, on the HB 19, had my vote been recorded, it would have been in the affirmative.

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

MOTION TO REMOVE BILL FROM TABLE

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

Mr. IRVIS. Mr. Speaker, to place a motion before the House of Representatives.

The SPEAKER. Without objection, the gentleman is in order. The Chair hears none.

Mr. IRVIS. Mr. Speaker, on page 4 of the tabled bill calendar for today, a bill appears, HB 363. This bill was reported out of committee, and I believe there was error in judgment made in the reporting of this bill.

I am seeking to rectify what I consider to be a legislative error, and I am seeking to do it without rancor, without the proliferation of name calling.

My first motion, Mr. Speaker, is to remove from the table HB 363, PN 372, and I so move.

The SPEAKER. It is moved by the gentleman, Mr. Irvis, that HB 363, PN 372, be removed from the table.

The Chair recognizes the majority leader.

Mr. HAYES. I have no objection to the gentleman's motion. However, I believe there may be some debate on a further motion. Thank you, Mr. Speaker.

The SPEAKER. So the gentleman, Mr. Irvis, understands the Chair's understanding, should this motion be successful and the bill is removed from the table, it will go to the second consideration calendar tomorrow. If the Chair has some further motion that he would like to act on today, it is the Chair's opinion that a suspension of the rules would be necessary.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—185

Alden	Earley	Levin	Salvatore
Anderson	Emerson	Livengood	Saurman
Armstrong	Evans	Lloyd	Serafini
Arty	Fee	Lucyk	Seventy
Barber	Fischer	McCall	Showers
Belardi	Fleck	McClatchy	Shupnik
Belfanti	Foster, W. W.	McIntyre	Sieminski
Beloff	Foster, Jr., A.	McMonagle	Smith, B.
Bittle	Frazier	Mackowski	Smith, E. H.

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

NAYS—11

DeVerter	Kanuck	Perzel	Smith, L. E.
Gannon	McVerry	Peterson	Wogan
Jackson	Marmion	Sirianni	

NOT VOTING—1

Pratt

EXCUSED—6

Berson	Letterman	Rappaport	Wilt
Kowalyszyn	Lewis		

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

The SPEAKER. The bill is removed from the table and shall be prepared for the second consideration calendar for the next legislative day.

The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, would you place the House at ease for a moment please? I want to confer with the majority leader.

The SPEAKER. The House will be at ease temporarily.

MOTION TO RECOMMIT

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, in order to abbreviate this situation, we have an argument as to what parliamentary procedure ought to be followed. I am now going to move

to recommit to the Health and Welfare Committee HB 363, PN 372.

The SPEAKER. It is the opinion of the Chair that the gentleman is out of order and that that is not a proper motion.

The Chair calls to the attention of the gentleman a prior ruling of Speaker Seltzer, on June 11, 1979, when HB 26 had been moved from the table and under a point of parliamentary inquiry, the gentleman, Mr. Cowell, was recognized. Mr. Cowell inquired as to at what point would it be in order to make a motion to recommit HB 26 to another committee. The Chair replied that, in his opinion, tomorrow, when the bill appears on the second reading calendar, would be the apropos time for the gentleman to make the motion. The Chair refers the gentleman to rule 22 of the House, which indicates that a bill, when it is removed from the table, goes on the second consideration calendar the next legislative day, which is the basis for Speaker Seltzer's ruling and is the basis for my ruling.

RULING OF THE CHAIR APPEALED

Mr. IRVIS. I thank the Chair, but respectfully I disagree with the Chair's ruling. I suggest to the Chair that its interpretation of rule 22 is too narrow, that the language which says "any bill so removed...shall be placed on the second consideration calendar" refers to a particular method of removing a bill from the table, and that particular method is "may be removed from the table by motion of the Majority Leader, or his designee, acting on a report of the Committee on Rules. Such report shall be in writing and a copy thereof distributed to each member. Any bill so removed from the table shall be placed on the second consideration calendar." I think if it is removed by the majority leader or his designee, acting on the report of the Committee on Rules, then the Speaker's ruling is accurate and Speaker Seltzer's ruling would have been accurate, but I suggest that I am acting under the instruction of rule 22, beginning, "Nothing herein shall affect the right of any member to make a motion to remove a bill from the table."

Following that language, I do not believe the bill automatically must go to second consideration, and that is the basis for my challenge of the Speaker's ruling. It is not a personal challenge; it is a disagreement on parliamentary procedure, and I challenge the Speaker's ruling in this particular matter.

The SPEAKER. The Chair thanks the gentleman.

On the question of an appeal of the ruling of the Chair, those voting in the affirmative vote to sustain the ruling of the Chair; those voting in the negative vote to overturn the ruling of the Chair.

The members will proceed to vote.

The following roll call was recorded:

YEAS—97



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

## NAYS—96

Barber	Emerson	Livengood	Ritter
Belfanti	Evans	Lloyd	Rybak
Beloff	Fee	Lucyk	Seventy
Blaum	Fryer	McCall	Showers
Borski	Gallagher	McIntyre	Shupnik
Brown	Gamble	McMonagle	Steighner
Caltagirone	George	Maiale	Stewart
Cappabianca	Grabowski	Manderino	Stuban
Cawley	Gray	Michlovic	Swaim
Clark	Greenfield	Miscevich	Sweet
Cochran	Gruitza	Morris	Taylor, F. E.
Cohen	Haluska	Mullen	Tigue
Colafella	Harper	Murphy	Trello
Cole	Hoeffel	O'Donnell	Van Horne
Cordisco	Horgos	Olasz	Wachob
Cowell	Hutchinson, A.	Oliver	Wambach
DeMedio	Hutchinson, W.	Pendleton	Wargo
DeWeese	Irvis	Petrarca	White
Dawida	Itkin	Petrone	Wiggins
Deal	Kolter	Pievsky	Williams, H.
Dombrowski	Kukovich	Pistella	Williams, J. D.
Donatucci	Laughlin	Pucciarelli	Wozniak
Duffy	Lescovitz	Richardson	Wright, D. R.
Earley	Levin	Rieger	Zwilk

## NOT VOTING—4

Mrkonic	Pratt	Rocks	Wilson
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## EXCUSED—6

Berson	Letterman	Rappaport	Wilt
Kowalshyn	Lewis		

The majority having voted in the affirmative, the question was determined in the affirmative and the ruling of the Chair was sustained.

## MOTION TO SUSPEND RULE 22

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Following the instruction of the House of Representatives, Mr. Speaker, I now move to suspend rule 22. My reason for doing so is to place upon the record a motion to recommit to the Health and Welfare Committee HB 363. I ask the latitude of the Chair given to the leaders to explain my reasons for this motion.

Mr. Speaker, I think an error was made. There are codes of behavior which govern the actions of men, and one of those codes is the behavior code which governs our normal actions one to the other. On Wednesday of last week, HB 363, which is a highly controversial welfare bill, was scheduled for committee hearings. The committee had been scheduled for 3 days of hearings for the purposes of taking amendments, if they were to be offered. The committee chairman had been alerted that there were to be Democratic amendments, and it is true that he called the meeting at 10 a.m., and it is true that a number of Democrats walked into that meeting 4 minutes to 7 minutes after 10. The normal code of procedure in this legislative hall would be for the chairman to have called Mr. Barber, who is the Democratic chairman, and asked, where are the Democrats? Are they boycotting the meeting or are they going to be here? The chairman, through an inadvertence, did not do so, and this is the reason that I protest the methodology.

I am not arguing the substance of the bill at this particular point, although I believe the bill ought to be recommended for the purpose of public hearings because the bill is not the same bill as the one which was held in public hearings last session, and I do not think that the wishes of a coalition of people, made up of the League of Women Voters, the National Association for the Advancement of Colored People, the Welfare Rights Association, the American Federation of Labor and Congress of Industrial Organizations, ought to be ignored, at least totally ignored, by our committee system. I think there is time in this session to pass the type of bill which the Governor obviously wants. I think it is fracturing or bruising the relationships between the parties to have proceeded in that committee exactly the way it was done. And I suggest, Mr. Speaker—and I suggest it from my particular position of Leroy Irvis—that it is a piece of arrogant stupidity to draw battle lines where they are not needed in this House. There are plenty of opportunities for drawing those battle lines legitimately. It is not necessary to insult the minority party on a matter of 4 to 7 minutes' lateness in order to draw battle lines. I would suggest that such a battle line is dangerous. It ought not to be drawn, and I would suggest a graceful way to eradicate this particular line is to permit me to get to a position to offer a motion to recommit HB 363 to that committee.

Those are my reasons for moving to suspend the rules so that I may get to that position and offer that recommittal motion, Mr. Speaker. Thank you.

The SPEAKER. The question is on the motion to suspend rule 22.

On the question,

Will the House agree to the motion?

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

Mr. DAWIDA. Mr. Speaker, very briefly, the vote that was taken last Wednesday, which Mr. Irvis referred to, was the first vote of any kind in 2 1/2 years that I have missed in this House. I am particularly concerned about it because

I was a supporter of that measure last year, and in all likelihood would vote for it this year. I believe what happened was a mistake and should be viewed as a mistake, particularly when you consider that there are many of us on this side of the aisle who would like to support that kind of legislation but wanted to do some meaningful amending in committee.

Therefore, on behalf of those Democrats who would like to have a chance at that bill, I would like you to consider the actions of last Wednesday as a mistake, allow recommitment, not with the purpose of delaying the tactic, because I will not allow that and I do not think very many people will over here, but consider what was done a mistake of judgment, and please vote so that we may put this bill in a position to recommit, at least briefly, so that those of us on the Health and Welfare Committee on our side have the opportunity to deal with the issue. I arrived at 4 minutes after 10 last Wednesday, so I was not derelict in my duties, so I would urge a bipartisan support on this particular motion.

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

Mr. BARBER. Mr. Speaker, as the minority chairman, I received a letter stating that we were going to have 3 days of work. I was approximately 5 minutes late. We were sitting in my office with our amendments; I think there were 18 to 25 amendments. When we arrived, instead of 3 days of work, it was 3 minutes of work. Mr. Speaker, I would beg—I beg because this is a very important bill and I do not think we have ever had a bill on the calendar that is more important than this particular bill and I cannot see any reason when you have the votes—it was 13 to 0—why the chairman—and I do not mean this in a derogatory way; I think it was a mistake, too. I do believe that, and I think that we should have the chance to participate in this legislative body. I think it was very unfair, but I will say this, Mr. Speaker, give us the chance to participate. Thank you very much.

The SPEAKER. The question before the House is the suspension of rule 22. The Speaker has allowed certain latitudes on that question but would ask that the members confine as best they can their remarks to the question of suspension of the rules, not the merits of any bill.

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

Mr. BROWN. I would just like to say that I entered the floor of the House this morning with the crazy thought of voting against my party leadership on this very important rule. I did so because I support the concept of the bill, but I did not realize what happened last week in the details that I heard this morning. I do think if we wish to do things properly—and we are now having 2 weeks after this week—I urge that you consider Mr. Irvis' plea and vote with Mr. Irvis and the Democrats, I hope, on this proposal. Thank you, Mr. Speaker.

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

Mr. GAMBLE. Mr. Speaker, I, too—my name is on this bill—think we should follow the regular process in getting a bill out of committee, and I think that we should put this bill back in committee, and not to do so, I think, is just a very clear signal that the other side of the aisle wants this to be their bill. They have the votes here and they have the votes in the Senate, not as in the last session when they needed our help. Maybe they just want to divorce the Democratic support for this bill and take the credit. I do not know what other reason there could be, and if this bill does not go back into committee today, I think we can assume that that is the strategy of the other side of the aisle.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Duffy, on the question of suspension of rule 22.

Mr. DUFFY. Mr. Speaker, at different times in the past, I have opposed my leaders on this side of the aisle, but I have always been treated with courtesy. I have always listened to our side of the argument, and I feel right now that we should, and that is on both sides of the aisle, support Mr. Irvis in his movement today. Thank you.

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

Mr. GALLEN. I, of course, was not at the meeting last week, which was talked about, but I think the inclination has been given by the members who have spoken so far on this motion that something improper happened, Mr. Speaker. I do not believe that it did.

The SPEAKER. On the question of suspension of rule 22, those voting in the affirmative are voting to suspend the rule. Those voting in the negative are voting against suspension. The members will proceed to vote.

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

The following roll call was recorded:

YEAS—98

Barber	Emerson	Lucyk	Rybak
Belfanti	Evans	McCall	Seventy
Beloff	Fee	McIntyre	Showers
Blaum	Fryer	McMonagle	Shupnik
Borski	Gallagher	Maiale	Steighner
Brown	Gamble	Manderino	Stewart
Caltagirone	George	Michlovic	Stuban
Cappabianca	Grabowski	Miscevich	Swaim
Cawley	Gray	Morris	Sweet
Clark	Greenfield	Mrkonic	Swift
Cochran	Gruitza	Mullen	Taylor, F. E.
Cohen	Haluska	Murphy	Telek
Colafella	Harper	O'Donnell	Tigue
Cole	Hoeffel	Olasz	Trello
Cordisco	Horgos	Oliver	Van Horne
Cowell	Hutchinson, A.	Pendleton	Wachob
Cunningham	Irvis	Petrarca	Wambach
DeMedio	Itkin	Petrone	White
DeWeese	Kolter	Pievsy	Wiggins
Dawida	Kukovich	Pistella	Williams, H.
Deal	Laughlin	Pucciarelli	Williams, J. D.
Dombrowski	Lescovitz	Richardson	Wozniak
Donatucci	Levin	Rieger	Wright, D. R.
Duffy	Livengood	Ritter	Zwinkl
Earley	Lloyd		

**NAYS—97**

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

**NOT VOTING—2**

Hagarty      Pratt

**EXCUSED—6**

Berson      Letterman      Rappaport      Wilt  
Kowalyszyn      Lewis

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

**REMARKS ON VOTE**

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

Mr. W. D. HUTCHINSON. Mr. Speaker, on the appeal from the ruling of the Chair, I was incorrectly recorded in the negative. I wish to be recorded in the affirmative. Thank you.

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

**STATEMENT BY MINORITY LEADER**

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, I rarely make a statement on the floor of this House such as the one that I am making now. But I take the vote on the floor of the House personally. I think the Republican Party, in the main, has rejected the type of leadership that I have tried to use in all my years as a Democratic leader. I think you have done something which you will, in more careful afterthought, regret. And I am sorry that you have not thought it through more carefully.

There is a stupidity in this arrogance which you do not deserve to have attached to you. There is no necessity for this. There was no reason for it. And I cannot, in all

honesty, interpret it as anything else except an answer to Leroy Irvis who says, let us work together, and you have said, to hell with that.

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I will yield to the gentleman, Mr. Wargo.

**REMARKS ON VOTE**

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

Mr. WARGO. Mr. Speaker, let the record clearly show that I intended to vote in the affirmative to suspend rule 22.

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

**STATEMENT BY MAJORITY LEADER**

The SPEAKER. The Chair recognizes the majority leader. The gentleman may proceed.

Mr. HAYES. Mr. Speaker, since a few minutes after 10 last Wednesday, there have been an awful lot of people trying to assign a lot of motive to all that has happened, and I respectfully suggest that we stop assigning motive. I could have, a few minutes after 10, begun myself to assign an awful lot of motive. I wondered why we held a press conference before we found it important enough to come to room 110 to talk about the problem. I could have made shrill statements. I could have used adjectives to characterize those who made public statements before they counseled with others.

I read and heard words describing a man of this House of Representatives that if the person saying those words really in fact knew the gentleman, would have never assigned those words. I could ask the reverse of the question: Why did not the chairman call the minority chairman? I could reverse that question and say: Why did not the minority chairman call the majority chairman? I hear banter back there. But I do not think this House of Representatives today or any day in the future will be advanced by assigning motives that are clearly not assignable. If there are those who want to assign, they will assign. And there are days when it is very, very difficult for me to understand another person's position in persistence. But I would ask all not to assign when you are not really sure other than in the form of conjecture.

I do not think Mr. Irvis has individually been rejected in any way whatsoever. There are certainly a lot of questions that can be asked of a lot of people, not only in this issue but on other issues as well. And if we spend our time assigning motive, we will get nothing done but that, and from motive assigning blame. That is not the way to do things.

I can appreciate how emotions can sometimes run a little stronger than the facts themselves, but we have to be appreciative and understanding of that from time to time.

I have said publicly, I say to all of you today, that there was no intention whatsoever to move a bill in some tricky way, regardless of what perceptions may be held today. There was no intention beforehand; there is no intention on this day.

There will be in fact ample time for those who are proponents and opponents of those provisions which are currently found in HB 363 to address those questions. There are those who support the concepts of HB 363 but will in fact offer amendments, I presume. And if there are those persons, they will have time to draft their amendments, and this House will give deliberate consideration to those amendments. To those who are opposed to HB 363 in any form, you will also have time to draft your amendments.

The bill is now in the possession of this House of Representatives, and, as the majority leader, I will not allow that bill to be carried away in some swift legislative current. It will be here with us for some time.

Now, to those who are opponents of HB 363, you should not interpret from my remarks today that this bill is going to be here with us from now until the end of this calendar year. We will move deliberately to a final decision on HB 363.

To whatever extent there are those who believe that the process has been fractured, I just ask you to be patient and watch to see if not this legislation will be considered deliberately. It will be. There will not be a Representative in this chamber who will be able to say, as a reasonable person, that the bill was not considered deliberately and carefully. We will proceed along that course now. As your majority leader I promise you that.

To a conclusion we will go carefully, deliberately, and not in some terrible haste. To the opponents, to the opponents, who on many, many occasions have used every parliamentary device to serve their purpose—and I am not being critical—to the opponents I will continue my efforts to bring a final decision on HB 363. It will not be before you have had reasonable time to prepare yourselves, but to a conclusion we will go.

For the second time, this bill will not be carried away by some swift legislative current. It will be before us. No purpose is served by using adjectives of characterization, of process or individual, of process or individual. Thank you, Mr. Speaker.

#### STATEMENT BY MRS. HARPER

The SPEAKER. The Chair recognizes the lady from Philadelphia, Mrs. Harper. Does the lady request unanimous consent to make a statement?

Mrs. HARPER. May I have unanimous consent?

The SPEAKER. The Chair hears no objection. The lady may proceed.

Mrs. HARPER. Mr. Speaker, I would just like to say that I received a letter at my home stating that we would have 3 days of hearings on HB 363, and I was ill on Wednesday and I had hoped that I would be feeling better

on Thursday and Friday to attend those hearings. I wanted to have an input. In fact, I wanted to call to ask for public hearings on the bill, but I was denied that opportunity. And I would just like to go on record of that. Thank you.

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

#### STATEMENT BY MR. RITTER

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

Mr. RITTER. Mr. Speaker, I would like unanimous consent to make a few brief remarks.

The SPEAKER. The Chair hears no objections. The gentleman may proceed.

Mr. RITTER. Mr. Speaker, in the years that I have been here, I think that I have probably stood at this microphone and defended the committee system more than any other member here. And that is why I am disturbed. Contrary to what the majority leader says about characterizing the process, this process, if not legally, then morally, has been violated. Notices were sent out to members that they were to be prepared for 3 days of meetings.

Mr. Speaker, I learned a long time ago that if you have the votes for a bill, it does not really matter whether you report that bill out in the first 4 minutes of your committee meeting or whether you take 2 days to do it.

The SPEAKER. Will the gentleman, Mr. Ritter, yield?

#### PARLIAMENTARY INQUIRY

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

Mr. SPENCER. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SPENCER. Is it proper for a member of the House to bring before the House what goes on inside a committee or how a committee operates?

The SPEAKER. It would be you, Mr. Spencer, to put me to the first test.

It is the opinion of the Chair, without benefit of research, that discussion of what took place in a committee meeting is permissible since we have "sunshined" those meetings. Now, it may be on reflection and on further research that I will change that opinion. I would hope you would not put me to the test at the moment, but I would ask, however, that Mr. Ritter confine his remarks to something that will not stir up the likes of Mr. Spencer. The gentleman may proceed.

Mr. RITTER. That, Mr. Speaker, would be difficult.

The point I wanted to make was that not only was, I think, due process violated, but the rights of the minority party were violated. There were a number of groups of responsible people in this Commonwealth - the Catholic Conference, the Lutheran Coalition on Public Policy, the AFL-CIO, a whole host of other people - who said in effect

that just a scheduling, a mere scheduling, of 3 days of public hearings was doing a disservice because there was not enough time to get public input. They were concerned about the fact that the committee scheduled only 3 days of meetings. As it turned out, they had only about 3 minutes of deliberation.

Mr. Speaker, I think that this is a bad omen for this House of Representatives. We are probably across the country one of the most partisan legislatures anywhere in these United States. Action such as that that took place last week and again today simply reinforced that partisanship that is here. As I said, I think it is a bad omen. I hope I am wrong. I disagree with the majority leader. I do not care how many times it is done, how many times you bring the bills out and say, I will hold them on this calendar for full consideration by this House, if the committees are not going to deliberate, if the committees are not going to give proper consideration to the bills, then let us get rid of the committee system and let us just put the bills out on the floor, and we can pick and choose which ones we as a group want to discuss and we can just do away with the committee system.

Now, that is basically what is happening and that is what I am concerned about. Mr. Speaker, as I said, it is a bad omen. I hope it is never repeated again, but I have my doubts.

#### STATEMENT BY MR. H. WILLIAMS

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

Mr. H. WILLIAMS. I ask unanimous consent of the House to make a brief statement.

The SPEAKER. The Chair hears no objection.

Mr. H. WILLIAMS. Mr. Speaker, obviously the members of the Health and Welfare Committee and the interested public on this most important bill were promised that there would be at least three meetings recognizing the significance and the import of this bill.

I would just like to ask the question of the chairman—or somebody, I believe, owes someone an explanation—as to why those 3 days of meetings were not held in view of the fact that members were invited and told in writing that that would occur and the interested public assumed that that would take place, and I would just like to ask the question of the gentleman or gentleperson who was responsible as to just why those meetings were not held?

#### ANNOUNCEMENT BY MR. CUNNINGHAM

The SPEAKER. The Chair recognizes the gentleman from Centre, Mr. Cunningham, for the purpose of making an announcement.

Mr. CUNNINGHAM. Mr. Speaker, I would just like to remind the membership that at the hour of 12:30 we had scheduled in the minority caucus room a second showing of a film that deals with abortion. I would encourage any member who has not seen the film to attend. It takes only

29 minutes to get through it. Your constituents are going to be interested to know whether you have seen it. We are going to have to confront this issue this session again, without a doubt, and it is a very important film from a factual point of view. I would encourage you to take a few moments to see it if you have not already. Thank you, Mr. Speaker.

#### REQUEST FOR RECESS

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. I respectfully suggest that we recess at this time for the purpose of taking lunch and I would ask that we return promptly at 2 p.m. and begin on page 3 with HB 20. Thank you, Mr. Speaker.

The SPEAKER. Does the minority leader have any business prior to the recess?

#### RECESS

The SPEAKER. Without objection, this House is now recessed until 2 p.m. The Chair hears none.

#### AFTER RECESS

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

#### HOUSE BILLS INTRODUCED AND REFERRED

**No. 608** By Representatives LUCYK, McCALL, MRKONIC, SEVENTY, WOZNIAK, J. L. WRIGHT, ITKIN, CALTAGIRONE, DeWEESE, LESCOVITZ, LETTERMAN, SALVATORE, BELFANTI, MORRIS, WACHOB, BORSKI, PUCCIARELLI, W. D. HUTCHINSON, O'DONNELL and SHOWERS

An Act requiring certain public buildings to use a coal fired heating system or be heated by a form of energy substantially produced by the use of coal; \*\*\*.

Referred to Committee on MINES AND ENERGY MANAGEMENT, February 18, 1981.

**No. 609** By Representatives LUCYK, McCALL, MRKONIC, SEVENTY, WOZNIAK, J. L. WRIGHT, ITKIN, CALTAGIRONE, DeWEESE, LESCOVITZ, LETTERMAN, SALVATORE, BELFANTI, MORRIS, WACHOB, BORSKI, PUCCIARELLI, W. D. HUTCHINSON, O'DONNELL and SHOWERS

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

Referred to Committee on MINES AND ENERGY MANAGEMENT, February 18, 1981.

**No. 610** By Representatives STEIGHNER, BITTLE, KOWALYSHYN, CAPPABIANCA, MICHLOVIC, DOMBROWSKI, D. R. WRIGHT, BOYES, MERRY and GRABOWSKI

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), restricting the powers of the Environmental Quality Board as to fees charged to the public relating to the use of State parks.

Referred to Committee on CONSERVATION, February 18, 1981.

**No. 611** By Representatives ZWIKL, CALTAGIRONE, CAPPABIANCA, ITKIN, McINTYRE, FISCHER, ARTY, OLASZ, COHEN, STUBAN, J. L. WRIGHT, TRELLO, LETTERMAN and PISTELLA

An Act establishing the Office of Ombudsman and making an appropriation.

Referred to Committee on STATE GOVERNMENT, February 18, 1981.

**No. 612** By Representatives ZWIKL, BOWSER, CAPPABIANCA, ALDEN, McINTYRE, ARTY, PRATT, PERZEL, OLASZ, COCHRAN, STUBAN, J. L. WRIGHT, TELEK, TRELLO, SEVENTY, RAPPAPORT, LETTERMAN and PISTELLA

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), authorizing special wine dispensing licenses for restaurants and providing penalties.

Referred to Committee on LIQUOR CONTROL, February 18, 1981.

**No. 613** By Representatives KUKOVICH, CALTAGIRONE, DAWIDA, WACHOB, PETRARCA, PISTELLA, SEVENTY, HOFFFEL, MICHLOVIC, COHEN, HARPER, BROWN, O'DONNELL, PRATT and WHITE

An Act providing for reimbursement by insurance companies and others for services performed by licensed certified nurse midwives.

Referred to Committee on INSURANCE, February 18, 1981.

**No. 614** By Representatives KUKOVICH, WACHOB, LIVENGOOD, DAWIDA, PETRARCA, COCHRAN, E. Z. TAYLOR, PISTELLA, SEVENTY, GRIECO, JOHNSON, COHEN, ZWIKL, LETTERMAN, LLOYD, BORSKI, PRATT and ITKIN

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, providing for a reduced license fee for certain disabled persons.

Referred to Committee on GAME AND FISHERIES, February 18, 1981.

**No. 615** By Representatives KUKOVICH, WACHOB, COWELL, MICHLOVIC, PISTELLA, DAWIDA, MORRIS, POTT, SEVENTY, HOFFFEL, COHEN, ZWIKL, BLAUM, LLOYD, MURPHY, MAIALE, BORSKI, STEWART and ITKIN

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for certain changes in the nomination process relating to the offices of Governor and Lieutenant Governor.

Referred to Committee on STATE GOVERNMENT, February 18, 1981.

**No. 616** By Representatives KUKOVICH, POTT, PISTELLA, TADDONIO, SWEET, DAWIDA, MURPHY, BROWN and ITKIN

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, reducing the size of the General Assembly.

Referred to Committee on JUDICIARY, February 18, 1981.

**No. 617** By Representatives PITTS, LAUGHLIN, KOLTER, GRAY, NOYE, HASAY, HAYES, GEORGE, DeVERTER, MERRY, PHILLIPS, GAMBLE and PUNT

An Act providing for storage, handling and use of certain explosives and imposing penalties.

Referred to Committee on BUSINESS AND COMMERCE, February 18, 1981.

**No. 618** By Representatives PITTS, ZWIKL, WENGER, DORR, BURD, JOHNSON, CALTAGIRONE, COCHRAN, E. Z. TAYLOR, WOGAN, PUNT, LUCYK, WASS, BLAUM, CIMINI, MERRY, POTT, ARTY, LASHINGER, LETTERMAN, NOYE, SIRIANNI, KLINGAMAN, BOWSER, JACKSON, PETRARCA, LLOYD, CLARK, SALVATORE, MRKONIC, MILLER, PRATT, FISCHER, WILSON, MICOZZIE, ALDEN, CUNNINGHAM, SPITZ and PETERSON

An Act amending the act of July 31, 1968 (P. L. 769, No. 240), referred to as the Commonwealth Documents Law, providing for approval or disapproval of regulations by the Legislature.

Referred to Committee on STATE GOVERNMENT, February 18, 1981.

- No. 619** By Representatives SAURMAN, CESSAR, DAIKELER, ARTY, NOYE, REBER, CLYMER, COHEN, E. Z. TAYLOR and PISTELLA

An Act amending the act of May 21, 1937 (P. L. 774, No. 211), referred to as the Pennsylvania Turnpike Commission Act, providing for a panel of review, monitor and aid in improving ambulance service available to travelers of the Pennsylvania Turnpike.

Referred to Committee on TRANSPORTATION, February 18, 1981.

- No. 620** By Representatives BROWN, MORRIS, PERZEL, ALDEN, COHEN, BLAUM, MRKONIC, PISTELLA and PRATT

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for the terms of the members of the Pennsylvania Public Utility Commission.

Referred to Committee on STATE GOVERNMENT, February 18, 1981.

- No. 621** By Representatives BROWN, PRATT, MORRIS, PERZEL, COHEN, MRKONIC and PISTELLA

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for the election of public utility commissioners and for their campaign expenses.

Referred to Committee on STATE GOVERNMENT, February 18, 1981.

- No. 622** By Representatives CORDISCO, GALLAGHER, BURNS, CLYMER, PETRARCA CALTAGIRONE and D. R. WRIGHT

An Act providing for credits to mobile home owners for certain taxes paid under Article II of the "Tax Reform Code of 1971," and making an appropriation.

Referred to Committee on FINANCE, February 18, 1981.

- No. 623** By Representatives CORDISCO, PICCOLA, SWEET, COLAFELLA, RICHARDSON, BLAUM, PETRONE, GALLAGHER, J. D. WILLIAMS, EVANS, McCALL, KOLTER, FRYER, GEORGE, BURNS, J. L. WRIGHT, PETRARCA, A. K. HUTCHINSON, STEIGHNER, CAPPABIANCA, CLYMER, O'DONNELL, SALVATORE, MORRIS, CALTAGIRONE, POTT, COCHRAN, MRKONIC, WOZNIAK, RASCO, PRATT, D. R. WRIGHT, CIMINI, STEVENS, SPITZ, ALDEN and CLARK

An Act amending "The Controlled Substance, Drug, Device and Cosmetic Act," approved April 14, 1972 (P. L. 233, No. 64), prescribing mandatory jail sentences for certain drug pushers and distribution to certain minors.

Referred to Committee on JUDICIARY, February 18, 1981.

- No. 624** By Representatives VROON, CALTAGIRONE, PETRARCA, COCHRAN, NOYE, JOHNSON, McINTYRE, ZWIKL, CESSAR, STEWART, TRELLO, ARTY, GRUITZA, E. Z. TAYLOR, IRVIS, PRATT, SWEET, MAIALE, PETERSON, SALVATORE and COHEN

An Act amending the "Pennsylvania Industrial Development Authority Act," approved May 17, 1956 (1955 P. L. 1609, No. 537), creating the Pennsylvania Energy Development Office as a special division in the Pennsylvania Industrial Development Authority and setting forth its powers and duties.

Referred to Committee on BUSINESS AND COMMERCE, February 18, 1981.

- No. 625** By Representatives GRABOWSKI, PICCOLA, DOMBROWSKI, BOWSER, STEIGHNER, FLECK, O'DONNELL, TELEK, PENDLETON, CALTAGIRONE, DeMEDIO, McVERRY, DAWIDA, HOEFFEL, CAPPABIANCA, STEWART, MARMION, RASCO, DeWEESE, FEE, PETRARCA, MICHLOVIC, VAN HORNE, SEVENTY, PISTELLA, COHEN, PETERSON, BOYES, MERRY, GAMBLE, KUKOVICH, KOLTER, OLASZ, D. R. WRIGHT, PETRONE, HORGOS, MANMILLER, ITKIN, BURD, FRAZIER, CLARK, LIVENGOOD, MISCEVICH, TRELLO, LESCOVITZ, COWELL, GRUITZA, DUFFY, SWEET, MURPHY, COCHRAN and GRAY

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), providing for migratory waterfowl stamps and providing a penalty.

Referred to Committee on GAME AND FISHERIES, February 18, 1981.

- No. 626** By Representatives VROON, RAPPAPORT, LEVI, W. W. FOSTER, TELEK, SIEMINSKI, PUCCIARELLI, SPITZ, JOHNSON, CAPPABIANCA and E. H. SMITH

An Act amending "The County Code," approved August 9, 1955 (1956 P. L. 323, No. 130), providing for a cash reimbursement in lieu of a grave marker.

Referred to Committee on LOCAL GOVERNMENT, February 18, 1981.

- No. 627** By Representatives L. E. SMITH, A. K. HUTCHINSON, CLARK, LIVENGOOD, PETRARCA, WASS, PITTS, COCHRAN, LETTERMAN, SEVENTY, OLASZ, COLAFELLA, CORDISCO, TRELLO, PUNT,

LESCOVITZ, McCALL, GALLAGHER,  
DOMBROWSKI, PISTELLA, MURPHY,  
DeVERTER, PETRONE, HORGOS,  
SPENCER, GRIECO, BURNS,  
ARMSTRONG, POTT and  
W. W. FOSTER

An Act authorizing the Department of Revenue to grant tax credits to certain business entities which donate property to certain educational institutions.

Referred to Committee on FINANCE, February 18, 1981.

**No. 628** By Representatives CALTAGIRONE and COCHRAN

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the maximum fine to be imposed for summary offense convictions.

Referred to Committee on JUDICIARY, February 18, 1981.

**No. 629** By Representatives CALTAGIRONE and COCHRAN

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682, No. 284), requiring payment within 30 days from the date of settlement of a claim.

Referred to Committee on INSURANCE, February 18, 1981.

**No. 630** By Representatives CALTAGIRONE and COCHRAN

An Act amending "The Local Tax Enabling Act," approved December 31, 1965 (P. L. 1257, No. 511), exempting certain citizens of cities of the third class from per capita and head taxes.

Referred to Committee on URBAN AFFAIRS, February 18, 1981.

**No. 631** By Representatives CALTAGIRONE and COCHRAN

An Act providing for the licensing of organizations to operate punchboards, providing for the use of the proceeds thereof, suspensions and revocations of licenses and for penalties.

Referred to Committee on STATE GOVERNMENT, February 18, 1981.

**No. 632** By Representatives CALTAGIRONE and COCHRAN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for deposit of bail security.

Referred to Committee on JUDICIARY, February 18, 1981.

**No. 633** By Representatives CALTAGIRONE and COCHRAN

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for removal of vehicles by a property owner and providing an implied lien for the costs of removal.

Referred to Committee on TRANSPORTATION, February 18, 1981.

**No. 634** By Representatives CALTAGIRONE and COCHRAN

An Act amending the "Urban Redevelopment Law," approved May 24, 1945 (P. L. 991, No. 385), requiring acts of authorities to be approved by the municipalities.

Referred to Committee on URBAN AFFAIRS, February 18, 1981.

**No. 635** By Representatives CALTAGIRONE and COCHRAN

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), further providing for special occasion permits.

Referred to Committee on LIQUOR CONTROL, February 18, 1981.

**No. 636** By Representatives SALVATORE, GANNON, VROON, POTT, RASCO, ARTY, GRUPPO, JACKSON, WILSON, PHILLIPS, SIRIANNI, NOYE, GEIST, CIVERA, BURD, MICOZZIE, SIEMINSKI, CIMINI, ALDEN, GLADECK, WESTON, WOGAN, ROCKS and PERZEL

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), changing the penalty for false statements.

Referred to Committee on HEALTH AND WELFARE, February 18, 1981.

**No. 637** By Representatives MICOZZIE, CIVERA and ALDEN

An Act amending the "Vital Statistics Law of 1953," approved June 29, 1953 (P. L. 304, No. 66), further providing for local registrars.

Referred to Committee on STATE GOVERNMENT, February 18, 1981.

**No. 638** By Representatives ITKIN, J. L. WRIGHT, SEVENTY, SWEET and CESSAR

An Act amending the "Building Energy Conservation Act," approved December 15, 1980 (No. 222), further providing for steam and hot water heating systems.

Referred to Committee on MINES AND ENERGY MANAGEMENT, February 18, 1981.

**No. 639** By Representatives PETRARCA, COCHRAN, CALTAGIRONE, WACHOB, COLE, CLARK, PICCOLA, PISTELLA, DeMEDIO, JACKSON and KOLTER

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for a Pennsylvania Judicial Center.

Referred to Committee on JUDICIARY, February 18, 1981.



**HOUSE RESOLUTION  
INTRODUCED AND REFERRED**

**No. 18**

(Concurrent) By Representatives PETRARCA, CLARK, LIVENGOOD, A. K. HUTCHINSON, KOLTER, VAN HORNE, STEWART, BROWN and MICOZZIE

General Assembly memorializes President and Congress desist from natural gas price deregulation.

Referred to Committee on RULES, February 18, 1981.

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

**HB 5, PN 5** By Rep. SPENCER

An Act amending the "Uniform Acknowledgment Act," approved July 24, 1941 (P. L. 490, No. 188), providing for acknowledgments by an attorney at law.

JUDICIARY.

**HB 202, PN 203** By Rep. SPENCER

A Joint Resolution proposing amendments to the Constitution of the Commonwealth of Pennsylvania, authorizing the General Assembly to increase certain retirement benefits or pensions and further providing for the disposition of taxes on aviation fuel.

JUDICIARY.

**HB 303, PN 309** By Rep. SPENCER

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for certain remedies against individuals violating provisions relating to electronic surveillance and for certain defenses.

JUDICIARY.

**HB 312, PN 318** By Rep. SPENCER

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, increasing per diem compensation for senior judges.

JUDICIARY.

**HB 326, PN 332** By Rep. SPENCER

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, permitting parties to civil actions for personal injury or death to argue the amount of damages which should be awarded.

JUDICIARY.

**CALENDAR CONTINUED**

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 20, PN 374**, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323, No. 130), eliminating the requirement of court approval for the construction of bridges and viaducts.

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—194**

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

**NAYS—1**

Lucyk

**NOT VOTING—3**

Bittle

Sweet

White

**EXCUSED—5**

Berson  
Kowalshyn

Letterman

Lewis

Wilt

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.

LEAVE OF ABSENCE CANCELED AND MEMBER'S PRESENCE RECORDED

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

Mr. RAPPAPORT. Mr. Speaker, I ask that my name be withdrawn from leave and placed on the master roll call.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of HB 21, PN 21, entitled:

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206, No. 331), further providing for filling vacancies in certain township offices.

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—190

Table listing names of members who voted 'YEAS' for HB 21, PN 21. Includes names like Anderson, Armstrong, Barber, etc.

Table listing names of members who voted 'NAYS' for HB 21, PN 21. Includes names like Dininni, Dombrowski, Donatucci, etc.

NAYS—0

NOT VOTING—8

Table listing names of members who did not vote for HB 21, PN 21. Includes Alden, Arty, Cohen, etc.

EXCUSED—5

Table listing names of members who were excused for HB 21, PN 21. Includes Berson, Kowalyszyn, Letterman, etc.

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 22, PN 22, entitled:

An Act amending "The Borough Code," approved February 1, 1966 (1965 P. L. 1656, No. 581), further providing for filling of vacancies in certain borough offices.

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—194

Table listing names of members who voted 'YEAS' for HB 22, PN 22. Includes Alden, Anderson, Armstrong, etc.

Cordisco	Hoefel	Pendleton	Trello
Cornell	Honaman	Perzel	Van Horne
Coslett	Horgos	Peterson	Vroon
Cowell	Hutchinson, A.	Petrarca	Wachob
Cunningham	Hutchinson, W.	Petrone	Wambach
DeMedio	Irviss	Phillips	Wargo
DeVerter	Itkin	Piccola	Wass
DeWeese	Jackson	Pievsky	Wenger
Daikeler	Johnson	Pistella	Weston
Davies	Kanuck	Pitts	Wiggins
Dawida	Kennedy	Pott	Williams, H.
Deal	Klingaman	Pratt	Williams, J. D.
Dietz	Kolter	Pucciarelli	Wilson
Dininni	Lashingner	Punt	Wogan
Dombrowski	Laughlin	Rappaport	Wozniak
Donatucci	Lehr	Rasco	Wright, D. R.
Dorr	Lescovitz	Reber	Wright, J. L.
Duffy	Levi	Richardson	Zwilk
Durham	Levin	Rieger	
Earley	Livengood	Ritter	Ryan,
Emerson	Lloyd	Rocks	Speaker

NAYS—0

NOT VOTING—4

Arty	Gannon	Kukovich	White
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EXCUSED—5

Berson	Letterman	Lewis	Wilt
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 23, PN 23**, entitled:

An Act amending the act of May 27, 1953 (P. L. 249, No. 35), entitled "An act providing that the town councils of incorporated towns shall have the right to declare vacant the seats of councilmen or presidents of town councils for failure to qualify and for failure to attend meetings or vote upon questions before the council," further providing for the filling of certain vacancies.

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—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
Bittle	Freind	Mackowski	Sieminski
Blaum	Fryer	Madigan	Smith, B.
Borski	Gallagher	Maiale	Smith, E. H.
Bowser	Gallen	Manderino	Smith, L. E.
Boyes	Gamble	Manmiller	Snyder

Brandt	Gannon	Marmion	Spencer
Brown	Geist	Merry	Spitz
Burd	George	Michlovic	Stairs
Burns	Gladeck	Miller	Steighner
Caltagirone	Grabowski	Miscevich	Stevens
Cappabianca	Gray	Moehlmann	Stewart
Cawley	Greenfield	Morris	Stuban
Cessar	Greenwood	Mowery	Swaim
Cimini	Grieco	Mrkonic	Sweet
Civera	Gruitza	Mullen	Swift
Clark	Gruppo	Murphy	Taddonio
Clymer	Hagarty	Nahill	Taylor, E. Z.
Cochran	Haluska	Noye	Taylor, F. E.
Cohen	Harper	O'Donnell	Telek
Colafella	Hasay	Olasz	Tigue
Cole	Hayes	Oliver	Trello
Cordisco	Heiser	Pendleton	Van Horne
Cornell	Hoefel	Perzel	Vroon
Coslett	Honaman	Peterson	Wachob
Cowell	Horgos	Petrarca	Wambach
Cunningham	Hutchinson, A.	Petrone	Wargo
DeMedio	Hutchinson, W.	Phillips	Wass
DeVerter	Irviss	Piccola	Wenger
DeWeese	Itkin	Pievsky	Weston
Daikeler	Jackson	Pistella	Wiggins
Davies	Johnson	Pitts	Williams, H.
Dawida	Kanuck	Pott	Williams, J. D.
Deal	Kennedy	Pratt	Wilson
Dietz	Klingaman	Pucciarelli	Wogan
Dininni	Kolter	Punt	Wozniak
Dombrowski	Lashingner	Rappaport	Wright, D. R.
Donatucci	Laughlin	Rasco	Wright, J. L.
Dorr	Lehr	Reber	Zwilk
Duffy	Lescovitz	Richardson	
Durham	Levi	Rieger	Ryan,
Earley	Levin	Ritter	Speaker

NAYS—0

NOT VOTING—4

Kukovich	Micozzie	Sirianni	White
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EXCUSED—5

Berson	Letterman	Lewis	Wilt
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 223, PN 224**, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323, No. 130), eliminating the requirement of court approval for commissioners to acquire, sell or lease certain lands and buildings.

On the question,  
Will the House agree to the bill on third consideration?  
Mr. LLOYD offered the following amendments No. A165:

Amend Title, page 1, line 7, by removing the period after "buildings" and inserting and requiring a determination of fair market value.

Amend Sec. 1 (Sec. 2305), page 1, line 16, by inserting after "purchase" for not more than the fair market value

Amend Sec. 1 (Sec. 2305), page 2, line 10, by inserting after "price.]" The fair market value of real property in the case of

a purchase shall be determined by the county commissioners in consultation with the county assessor and two licensed real estate brokers doing business within the county.

Amend Sec. 3 (Sec. 2306), page 3, line 6, by inserting after "sell" for not less than the fair market value

Amend Sec. 3 (Sec. 2306), page 3, line 23, by inserting after "proper.]" The fair market value of real property in the case of a sale shall be determined by the county commissioners in consultation with the county assessor and two licensed real estate brokers doing business within the county.

On the question,

Will the House agree to the amendments?

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

Mr. LLOYD. Mr. Speaker, the purpose of my amendment is to spell out in the law some standard and a procedure which would govern counties in buying and selling real property if HB 223 passes and we remove the role of the courts from oversight on those purchases and sales. Although, if HB 223 passes, many counties will not buy property at more than fair market value or sell at less than fair market value, there will be some cases, unfortunately, in which that will happen.

Normally the motivation to sell property at less than fair market value or to buy it in excess of fair market value is to pay off some debts to personal friends or to political supporters. So the purpose of my amendment basically is first to spell out in the law the obligation of the county commissioners not to purchase property at more than fair market value and not to sell property at less than fair market value. My amendment would require further that before any property can be purchased or sold, the commissioners must make a good-faith attempt to determine what fair market value would be. The amendment would require that this determination be made after consultation with the chief assessor of the county and at least two licensed real estate brokers doing business within the county.

Without some language such as I am proposing, if HB 223 passes, the commissioners will have basically carte blanche in determining at what price they will sell or buy real property, because even if we are to assume that the obligation to buy and sell at fair value is implied, there is no meaningful mechanism to police that. Without some kind of language in the bill, there is no legal hook on which the county auditors can hang their opinion that the commissioners have acted improperly and that a surcharge should be levied.

I come from a county which has just gone through a very controversial purchase of real property in which the county commissioners purchased for a price in excess of \$170,000 a farm to be used as a help center for the drug and alcohol program. That farm was purchased at what some real estate appraisers indicated was in excess of \$40,000 more than fair market value, and it was purchased from the family of a gentleman who is the supervising official of various community-action programs in our county, and this undoubtedly was the cause of much of the controversy.

Admittedly, the court procedure did not work very well, and while one can argue either side of the question as to whether fair market value was paid, I believe that removing the court entirely and not putting some mechanism such as the one I am suggesting into place will basically open up a can of worms and give us no meaningful mechanism by which to control the commissioners. I ask for adoption of the amendment, Mr. Speaker.

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

Mr. A. K. HUTCHINSON. I will yield to the gentleman from Schuylkill, Mr. Hutchinson.

The SPEAKER. The gentleman from Westmoreland, Mr. Hutchinson, yields to the gentleman from Schuylkill, Mr. Hutchinson.

Mr. W. D. HUTCHINSON. I thank the gentleman from Westmoreland.

Mr. Speaker, I support the amendment. I could not agree more with the gentleman and I urge all members to vote in favor of the amendment.

I would ask the Speaker, after the amendment is voted, if I could be recognized for the purpose of making a motion.

The SPEAKER. Does the gentleman from Westmoreland, Mr. Hutchinson, care to be recognized?

Mr. A. K. HUTCHINSON. I agree to the amendment.

The SPEAKER. It would appear that both of the Mr. Hutchinsons are in agreement.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

#### YEAS—198

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
Bittle	Fryer	Madigan	Sirianni
Blaum	Gallagher	Maiale	Smith, B.
Borski	Gallen	Manderino	Smith, E. H.
Bowser	Gamble	Manmiller	Smith, L. E.
Boyes	Gannon	Marmion	Snyder
Brandt	Geist	Merry	Spencer
Brown	George	Michlovic	Spitz
Burd	Gladeck	Micozzie	Stairs
Burns	Grabowski	Miller	Steighner
Caltagirone	Gray	Miscevich	Stevens
Cappabianca	Greenfield	Mochlmann	Stewart
Cawley	Greenwood	Morris	Stuban
Cessar	Grieco	Mowery	Swaim
Cimini	Gruitza	Mrkonic	Sweet
Civera	Gruppo	Mullen	Swift
Clark	Hagarty	Murphy	Taddonio
Clymer	Haluska	Nahill	Taylor, E. Z.
Cochran	Harper	Noye	Taylor, F. E.
Cohen	Hasay	O'Donnell	Telck
Colafella	Hayes	Olasz	Tigue
Cole	Heiser	Oliver	Trello
Cordisco	Hoeffel	Pendleton	Van Horne
Cornell	Honaman	Perzel	Vroon
Coslett	Horgos	Peterson	Wachob
Cowell	Hutchinson, A.	Petrarca	Wambach
Cunningham	Hutchinson, W.	Petrone	Wargo
DeMedio	Irvis	Phillips	Wass

DeVerter	Itkin	Piccola	Wenger
DeWeese	Jackson	Pievsky	Weston
Daikeler	Johnson	Pistella	White
Davies	Kanuck	Pitts	Wiggins
Dawida	Kennedy	Pott	Williams, H.
Deal	Klingaman	Pratt	Williams, J. D.
Dietz	Kolter	Pucciarelli	Wilson
Dininni	Kukovich	Punt	Wogan
Dombrowski	Lashingier	Rappaport	Wozniak
Donatucci	Laughlin	Rasco	Wright, D. R.
Dorr	Lehr	Reber	Wright, J. L.
Duffy	Lescovitz	Richardson	Zwikel
Durham	Levi	Rieger	
Earley	Levin	Ritter	Ryan,
Emerson	Livengood	Rocks	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Berson	Letterman	Lewis	Wilt
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?

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

Mr. W. D. HUTCHINSON. Mr. Speaker, I have a motion and I have discussed it with the gentleman, Mr. Hutchinson, from Westmoreland. I would like to briefly state my reasons.

This bill deals in an area which is highly sensitive, at least in my part of the state - the disposal of county-owned land. I suppose it is sensitive as well in any area where there are minerals involved and where large quantities of mineral lands are held by the county commissioners. Therefore, because of the sensitivity of this problem and my own desire to be certain that we do not, by this legislation, open the door further to manipulation of property that really should be held for the benefit of the public and taxpayers, I would at this time, I believe with the consent of the gentleman from Westmoreland, ask that the bill be passed over.

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. That is all right, Mr. Speaker. The prime sponsor has indicated that that is all right with him as well. Thank you, Mr. Speaker.

The SPEAKER. Without objection, the bill will be prepared for final passage. The Chair hears none.

\* \* \*

The House proceeded to third consideration of **HB 231, PN 232**, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), permitting supervisors to be members of a township planning commission.

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

NAYS—16

Boyes	Frazier	Marmion	Rasco
Burns	Greenwood	Miller	Sirianni
Fischer	Heiser	Piccola	Taddonio
Fleck	McVerry	Pott	Wright, J. L.

NOT VOTING—2

Burd	Smith, B.
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## EXCUSED—5

Berson Letterman Lewis Wilt  
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 85, PN 375**, entitled:

An Act amending "The Pennsylvania Fair Plan Act," approved July 31, 1968 (P. L. 738, No. 233), further providing for the availability of insurance, the types of insurance and the methods of providing said insurance.

On the question,

Will the House agree to the bill on third consideration?

Mr. RITTER offered the following amendment No. A154:

Amend Sec. 3 (Sec. 201), page 7, lines 12 and 13, by striking out "except they may be policyholders." and inserting "The four public members shall be property owners whose insurance coverage is carried by and under "The Pennsylvania Fair Plan Act.""

On the question,

Will the House agree to the amendment?

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

Mr. RITTER. Mr. Speaker, all my amendment seeks to do is say that those four new public members shall be property owners whose insurance coverage is carried by and under the Pennsylvania Fair Plan Act. I would ask support for the amendment.

The SPEAKER. The Chair recognizes the gentleman from Mifflin, Mr. DeVerter.

Mr. DeVERTER. Mr. Speaker, I rise to oppose the gentleman's amendment. I can appreciate and understand what he is attempting to do, but, as most of you know, the Fair Plan is subsidized not only by those members who participate in it but the cost of the subsidization is spread among the rest of us who also are property owners and who rely to a great extent on insurance to protect ourselves. If we are going to restrict those participants on the board and the board is to be increased from its current size to 12 members, it flies really in the face of perhaps Federal standards that have been set down, and if it does not include the general-public members, we are going to have problems with the loss of Federal riot and civil commotion insurance and it will adversely impact then on the cost of the insurance to policyholders in the Fair Plan.

I realize what the gentleman is attempting to do, but it could be perhaps analogous to also saying that we are going to place independent agents on that board who derive commissions from the sale of this insurance, and I think we would be ill-advised at this point in time—and I think it is

discriminatory—to restrict the members on that board to those who are only property owners and insured under the Fair Plan. Under the Fair Plan we also have tenants who may perhaps be renting or leasing properties, and they would also be excluded from representation on that board. I think in light of that we ought to reject the amendment and go with the measure as it currently is constructed. Thank you.

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

Mr. RAPPAPORT. Mr. Speaker, I rise to support the amendment of the gentleman from Lehigh, Mr. Ritter.

It is the intent of this bill to extend the coverage of Fair Plan insurance to homeowners insurance, which is very needed in many areas of the state, both city and rural, where conventional homeowners' insurance cannot be obtained for one reason or another.

It was also the intent to expand the advisory board of Fair Plan to include 12 people, four of whom should represent the public. It is the intention of this amendment to have those four people be people who know something about the Fair Plan; to wit, people who have insurance with it, and I could not think of a better definition of consumer representative than people who actually have this kind of insurance. I therefore support the amendment of the gentleman, Mr. Ritter. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Mifflin, Mr. DeVerter.

Mr. DeVERTER. Mr. Speaker, the gentleman refers to having only those members who participate in the Fair Plan. I would remind him that the operating losses for the Fair Plan are made up with assessments against member companies. Those expenses of operating that Fair Plan are ultimately passed on to us, the insured public. I think what we are going to do is preclude the Governor from going outside of those who are currently using the Fair Plan to participate on that board, and I just do not think that is fair to the remaining citizens of this Commonwealth who, through their payments of their policies, are helping to subsidize that Fair Plan. I would ask for rejection of the amendment. Thank you, Mr. Speaker.

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

Mr. RITTER. Just briefly, Mr. Speaker, on the other side of the issue there are eight votes of the 12, and those eight votes are from people who write insurance. They are the people who are in effect writing the coverage for the Fair Plan. So on one hand you have eight people who have in effect an ax to grind, and on the other hand I am asking that we have four people who are the ones who will be most affected by whatever conditions this facility, whatever it is called, provides. So if you want to have consumer representation, user representation, then my amendment simply says that those four public members, hopefully, will balance those eight industry members, and those four members shall be property owners and policyholders under the Fair Plan. I do not think it is an unfair request and I would ask support for the amendment, Mr. Speaker.

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

The following roll call was recorded:

**YEAS—102**

Barber	Fryer	Maiale	Shupnik
Belfanti	Gallagher	Manderino	Smith, E. H.
Beloff	Gamble	Michlovic	Steighner
Blaum	George	Miscevich	Stewart
Borski	Grabowski	Morris	Stuban
Brown	Gray	Mrkonic	Swaim
Burns	Gruitza	Mullen	Sweet
Caltagirone	Haluska	Murphy	Taddonio
Cappabianca	Harper	O'Donnell	Taylor, F. E.
Cawley	Heiser	Olasz	Telek
Clark	Hoeffel	Oliver	Tigue
Cochran	Horgos	Pendleton	Trello
Cohen	Irvis	Petrarca	Van Horne
Colafella	Itkin	Petrone	Wachob
Cole	Kolter	Pievsky	Wambach
Cordisco	Kukovich	Pistella	Wargo
Cowell	Laughlin	Pratt	Wass
DeMedio	Lescovitz	Pucciarelli	White
DeWeese	Levin	Rappaport	Wiggins
Dawida	Livengood	Richardson	Williams, H.
Deal	Lloyd	Rieger	Williams, J. D.
Dombrowski	Lucyk	Ritter	Wilson
Donatucci	McCall	Rybak	Wozniak
Duffy	McIntyre	Seventy	Wright, D. R.
Emerson	McMonagle	Showers	Zwinkl
Fee	McVerry		

**NAYS—94**

Alden	Earley	Klingaman	Reber
Anderson	Evans	Lashinger	Rocks
Armstrong	Fischer	Lehr	Salvatore
Arty	Fleck	Levi	Saurman
Belardi	Foster, W. W.	McClatchy	Serafini
Bittle	Foster, Jr., A.	Mackowski	Sieminski
Bowser	Frazier	Madigan	Sirianni
Boyes	Freind	Manmiller	Smith, B.
Brandt	Gallen	Marmion	Smith, L. E.
Burd	Gannon	Merry	Snyder
Cessar	Geist	Micozzie	Spencer
Cimini	Gladeck	Miller	Spitz
Civera	Greenfield	Mochlmann	Stairs
Clymer	Greenwood	Mowery	Stevens
Cornell	Grieco	Nahill	Swift
Coslett	Gruppo	Noye	Taylor, E. Z.
Cunningham	Hagarty	Perzel	Vroon
DeVerter	Hasay	Peterson	Wenger
Daikeler	Hayes	Phillips	Weston
Davies	Honaman	Piccola	Wogan
Dietz	Hutchinson, W.	Pitts	Wright, J. L.
Dininni	Jackson	Pott	
Dorr	Johnson	Punt	Ryan,
Durham	Kennedy	Rasco	Speaker

**NOT VOTING—2**

Hutchinson, A. Kanuck

**EXCUSED—5**

Berson Letterman Lewis Wilt  
Kowalshyn

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

**REMARKS ON VOTE**

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

Mr. EVANS. Mr. Speaker, I would like to make it clear for the record that my vote should be in the affirmative on the Ritter amendment to HB 85.

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

**CONSIDERATION OF HB 85 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—193**

Alden	Evans	Lloyd	Salvatore
Anderson	Fee	Lucyk	Saurman
Armstrong	Fischer	McCall	Serafini
Arty	Fleck	McClatchy	Seventy
Barber	Foster, W. W.	McIntyre	Showers
Belardi	Foster, Jr., A.	McMonagle	Shupnik
Belfanti	Frazier	McVerry	Sieminski
Beloff	Freind	Mackowski	Sirianni
Bittle	Fryer	Madigan	Smith, B.
Blaum	Gallagher	Maiale	Smith, E. H.
Borski	Gallen	Manderino	Smith, L. E.
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	Gray	Miscevich	Stewart
Cappabianca	Greenfield	Mochlmann	Stuban
Cawley	Greenwood	Morris	Swaim
Cessar	Grieco	Mowery	Swift
Cimini	Gruitza	Mrkonic	Taddonio
Civera	Gruppo	Mullen	Taylor, E. Z.
Clark	Hagarty	Murphy	Taylor, F. E.
Clymer	Haluska	Nahill	Telek
Cochran	Harper	Noye	Tigue
Cohen	Hasay	O'Donnell	Trello
Colafella	Hayes	Olasz	Van Horne
Cole	Hoeffel	Oliver	Vroon
Cordisco	Honaman	Pendleton	Wachob
Cornell	Horgos	Perzel	Wambach
Coslett	Hutchinson, A.	Peterson	Wargo
Cowell	Hutchinson, W.	Petrarca	Wass
Cunningham	Irvis	Petrone	Wenger
DeMedio	Itkin	Phillips	Weston
DeVerter	Jackson	Piccola	White
DeWeese	Johnson	Pievsky	Wiggins
Daikeler	Kanuck	Pistella	Williams, H.
Davies	Kennedy	Pitts	Williams, J. D.
Dawida	Klingaman	Pratt	Wilson
Dietz	Kolter	Pucciarelli	Wogan
Dininni	Kukovich	Punt	Wozniak
Dombrowski	Lashinger	Rappaport	Wright, D. R.
Donatucci	Laughlin	Rasco	Wright, J. L.
Dorr	Lehr	Reber	Zwinkl
Duffy	Lescovitz	Rieger	
Durham	Levi	Ritter	
Earley	Levin	Rocks	Ryan,
Emerson	Livengood	Rybak	Speaker

NAYS—2

Heiser Sweet

NOT VOTING—3

Deal Pott Richardson

EXCUSED—5

Berson Letterman Lewis Wilt  
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 121, PN 122**, entitled:

A Supplement to the act of April 11, 1974 (P. L. 252, No. 62), entitled "An act authorizing the indebtedness, with approval of the electors, \*\*\* for the repair, \*\*\* of nursing homes \*\*\*," authorizing, with approval of the electors, part of the funds for nursing homes to be used for loans to repair, reconstruct and rehabilitate boarding homes.

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?

The Chair recognizes the gentleman from Lehigh, Mr. Ritter. Does the gentleman have amendments to this bill?

Mr. RITTER. No, Mr. Speaker, if I may just have a minute to make a brief explanation of why I am not offering the amendment.

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

Mr. RITTER. Mr. Speaker, yesterday in our caucus I had mentioned that I was going to prepare an amendment because I was concerned about the section of the bill which waives the time limit for the advertisement of the notice of the election, but when I got out the original bill that was passed in 1974, which first created the \$100-million bond issue, it carried with it a section that said exactly as this bill reads: "...except that the time limits for advertisement of notice of the election may be waived as to the question." I voted for that bill in 1974, Mr. Speaker, with that language in it then, and I suppose that I will vote for this bill even though the language is in there also.

I understand there is some degree of urgency involved in passing this thing, but I am concerned that we are waiving an advertising requirement which theoretically is intended to notify the public as to what it is they are voting on. I am concerned about it, but I will not hold up the bill to get the amendment prepared and I will vote for it with that language in. But I wanted the record to indicate that I think that it is not the best way for us to go.

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—189

- |             |                 |             |               |
|-------------|-----------------|-------------|---------------|
| Alden       | Evans           | Lucyk       | Rybak         |
| Anderson    | Fee             | McCall      | Salvatore     |
| Armstrong   | Fischer         | McClatchy   | Saurman       |
| Arty        | Foster, W. W.   | McIntyre    | Serafini      |
| Barber      | Foster, Jr., A. | McMonagle   | Seventy       |
| Belardi     | Frazier         | McVerry     | Showers       |
| Belfanti    | Freind          | Mackowski   | Shupnik       |
| Beloff      | Gallagher       | Madigan     | Sieminski     |
| Bittle      | Gallen          | Maiale      | Sirianni      |
| Borski      | Gamble          | Manmiller   | Smith, B.     |
| Bowser      | Gannon          | Marmion     | Smith, E. H.  |
| Boyes       | Geist           | Merry       | Smith, L. E.  |
| Brandt      | George          | Michlovic   | Snyder        |
| Brown       | Gladeck         | Micozzie    | Spencer       |
| Burd        | Grabowski       | Miller      | Spitz         |
| Burns       | Gray            | Miscevich   | Stairs        |
| Caltagirone | Greenfield      | Moehlmann   | Steighner     |
| Cappabianca | Greenwood       | Morris      | Stevens       |
| Cawley      | Grieco          | Mowery      | Stewart       |
| Cessar      | Gruitza         | Mrkonic     | Stuban        |
| Cimini      | Gruppo          | Mullen      | Swaim         |
| Civera      | Hagarty         | Murphy      | Sweet         |
| Clark       | Haluska         | Nahill      | Swift         |
| Clymer      | Harper          | Noye        | Taddonio      |
| Cochran     | Hasay           | O'Donnell   | Taylor, E. Z. |
| Cohen       | Hayes           | Olasz       | Taylor, F. E. |
| Colafella   | Hoefel          | Oliver      | Telek         |
| 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          |
| DeVerte     | Johnson         | Pievsky     | Wenger        |
| Daikeler    | Kanuck          | Pistella    | Weston        |
| Davies      | Kennedy         | Pitts       | Wiggins       |
| Dawida      | Klingaman       | Pott        | Williams, H.  |
| Deal        | Kolter          | Pratt       | Wilson        |
| Dietz       | Kukovich        | Pucciarelli | Wogan         |
| Dininni     | Lashingier      | Punt        | Wozniak       |
| Dombrowski  | Laughlin        | Rappaport   | Wright, D. R. |
| Donatucci   | Lehr            | Rasco       | Wright, J. L. |
| Dorr        | Lescovitz       | Reber       | Zwilk         |
| Duffy       | Levi            | Richardson  |               |
| Durham      | Levin           | Rieger      | Ryan,         |
| Earley      | Livengood       | Ritter      | Speaker       |
| Emerson     | Lloyd           | Rocks       |               |

NAYS—5

Blaum Fryer Heiser Tigue  
Fleck

NOT VOTING—4

DeWeese Manderino White Williams, J. D.

EXCUSED—5

Berson Letterman Lewis Wilt  
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 VOTE**

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

Mr. DeWEESE. My switch seems to be malfunctioning. I would like to be recorded in the affirmative on HB 121, 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 227, PN 228**, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to convey to the Borough of Norristown, 2,970 square feet of land, more or less, situate in the Borough of Norristown, Montgomery County, Commonwealth of Pennsylvania.

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—195**

Alden	Evans	Lloyd	Salvatore
Anderson	Fee	Lucyk	Saurman
Armstrong	Fischer	McCall	Serafini
Arty	Fleck	McClatchy	Seventy
Barber	Foster, W. W.	McIntyre	Showers
Belardi	Foster, Jr., A.	McMonagle	Shupnik
Belfanti	Freind	McVerry	Sieminski
Beloff	Fryer	Mackowski	Sirianni
Bittle	Gallagher	Madigan	Smith, B.
Blaum	Gallen	Maiale	Smith, E. H.
Borski	Gamble	Manderino	Smith, L. E.
Bowser	Gannon	Manmiller	Snyder
Boyes	Geist	Merry	Spencer
Brandt	George	Michlovic	Spitz
Brown	Gladeck	Micozzie	Stairs
Burd	Grabowski	Miller	Steighner
Burns	Gray	Miscevich	Stevens
Caltagirone	Greenfield	Moehlmann	Stewart
Cappabianca	Greenwood	Morris	Stuban
Cawley	Grieco	Mowery	Swain
Cessar	Gruitza	Mrkonic	Sweet
Cimini	Gruppo	Mullen	Swift
Civera	Hagarty	Murphy	Taddonio
Clark	Haluska	Nahill	Taylor, E. Z.
Clymer	Harper	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	Hutchinson, W.	Petrone	Wargo
Cunningham	Irvis	Phillips	Wass
DeMedio	Itkin	Piccola	Wenger
DeVerter	Jackson	Pievsky	Weston
DeWeese	Johnson	Pistella	White

Daikeler	Kanuck	Pitts	Wiggins
Davies	Kennedy	Pott	Williams, H.
Dawida	Klingaman	Pratt	Williams, J. D.
Deal	Kolter	Pucciarelli	Wilson
Dietz	Kukovich	Punt	Wogan
Dininni	Lashinger	Rasco	Wozniak
Dombrowski	Laughlin	Reber	Wright, D. R.
Donatucci	Lehr	Richardson	Wright, J. L.
Dorr	Lescovitz	Rieger	Zwikl
Duffy	Levi	Ritter	
Durham	Levin	Rocks	Ryan,
Earley	Livengood	Rybak	Speaker
Emerson			

**NAYS—1**

Rappaport

**NOT VOTING—2**

Frazier

Marmion

**EXCUSED—5**

Berson  
Kowalshyn

Letterman

Lewis

Wilt

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 239, PN 240**, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323, No. 130), further defining first and second class counties.

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—158**

Anderson	Emerson	Livengood	Rocks
Armstrong	Evans	Lloyd	Rybak
Barber	Fee	Lucyk	Salvatore
Belardi	Fischer	McCall	Serafini
Belfanti	Fleck	McIntyre	Seventy
Beloff	Foster, Jr., A.	McMonagle	Showers
Bittle	Frazier	McVerry	Shupnik
Blaum	Freind	Madigan	Sirianni
Borski	Fryer	Maiale	Smith, B.
Bowser	Gallagher	Manderino	Smith, E. H.
Boyes	Gallen	Marmion	Spitz
Brandt	Gamble	Merry	Stairs
Brown	Gannon	Michlovic	Steighner
Burd	Geist	Miller	Stevens
Caltagirone	George	Miscevich	Stewart
Cappabianca	Grabowski	Mochlmann	Stuban
Cawley	Gray	Morris	Swain
Cessar	Greenfield	Mrkonic	Sweet
Civera	Gruitza	Mullen	Taddonio
Clark	Haluska	Murphy	Taylor, F. E.
Cochran	Harper	Noye	Telek
Cohen	Hasay	O'Donnell	Tigue
Colafella	Hayes	Olasz	Trello
Cole	Hoeffel	Oliver	Van Horne

Cordisico	Honaman	Pendleton	Wachob
Coslett	Horgos	Perzel	Wambach
Cowell	Hutchinson, A.	Peterson	Wargo
Cunningham	Hutchinson, W.	Petrarca	Wass
DeMedio	Irvis	Petrone	Wenger
DeWeese	Itkin	Phillips	Weston
Davies	Jackson	Pievsky	White
Dawida	Johnson	Pistella	Wiggins
Deal	Kennedy	Pott	Williams, H.
Dietz	Klingaman	Pratt	Williams, J. D.
Dombrowski	Kolter	Pucciarelli	Wogan
Donatucci	Kukovich	Rappaport	Wozniak
Dorr	Laughlin	Rasco	Zwinkl
Duffy	Lehr	Richardson	
Durham	Lescovitz	Rieger	Ryan,
Earley	Levin	Ritter	Speaker

**NAYS—39**

Alden	Gladeck	Mackowski	Sieminski
Arty	Greenwood	Manmiller	Smith, L. E.
Burns	Grieco	Micozzie	Snyder
Cimini	Gruppo	Mowery	Swift
Clymer	Hagarty	Nahill	Taylor, E. Z.
Cornell	Heiser	Piccola	Vroon
DeVertter	Kanuck	Pitts	Wilson
Daikeler	Lashinger	Punt	Wright, D. R.
Dininni	Levi	Reber	Wright, J. L.
Foster, W. W.	McClatchy	Saurman	

**NOT VOTING—1**

Spencer

**EXCUSED—5**

Berson	Letterman	Lewis	Wilt
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.

**RESOLUTION ADOPTED**

Mr. HAYES called up **HR 7, PN 334**, entitled:

General Assembly urge Joint State Government Commission study various statutes and recommend changes for the "Real Estate Settlement Procedures Act."

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

**YEAS—188**

Anderson	Fleck	McCall	Salvatore
Armstrong	Foster, W. W.	McClatchy	Saurman
Barber	Foster, Jr., A.	McIntyre	Serafini
Belardi	Frazier	McMonagle	Seventy
Belfanti	Freind	McVerry	Showers
Beloff	Fryer	Mackowski	Shupnik
Bittle	Gallagher	Madigan	Sieminski
Blaum	Gallen	Maiale	Sirianni
Borski	Gamble	Manderino	Smith, B.
Bowser	Geist	Marmion	Smith, E. H.
Boyes	George	Merry	Smith, L. E.
Brandt	Gladeck	Michlovic	Snyder
Brown	Grabowski	Miller	Spencer
Burd	Gray	Miscevich	Spitz
Burns	Greenfield	Moehlmann	Stairs
Caltagirone	Greenwood	Morris	Steighner
Cappabianca	Grieco	Mowery	Stevens
Cawley	Gruitza	Mrkonic	Stewart

Cessar	Gruppo	Mullen	Swaim
Cimini	Hagarty	Murphy	Sweet
Civera	Haluska	Nahill	Swift
Clark	Harper	Noye	Taddonio
Clymer	Hasay	O'Donnell	Taylor, E. Z.
Cochran	Hayes	Olasz	Taylor, F. E.
Cohen	Heiser	Oliver	Telek
Colafella	Hoeffel	Pendleton	Tigue
Cole	Honaman	Perzel	Trello
Cordisico	Horgos	Peterson	Van Horne
Cornell	Hutchinson, A.	Petrarca	Vroon
Coslett	Hutchinson, W.	Petrone	Wachob
Cowell	Irvis	Phillips	Wambach
Cunningham	Itkin	Piccola	Wargo
DeMedio	Jackson	Pievsky	Wass
DeVertter	Johnson	Pistella	Wenger
DeWeese	Kanuck	Pitts	Weston
Daikeler	Kennedy	Pott	White
Davies	Klingaman	Pratt	Wiggins
Dawida	Kolter	Pucciarelli	Williams, H.
Deal	Kukovich	Punt	Williams, J. D.
Dietz	Lashinger	Rappaport	Wilson
Dombrowski	Laughlin	Rasco	Wogan
Donatucci	Lehr	Reber	Wozniak
Dorr	Lescovitz	Richardson	Wright, D. R.
Duffy	Levi	Rieger	Zwinkl
Emerson	Levin	Ritter	
Evans	Livengood	Rocks	Ryan,
Fee	Lloyd	Rybak	Speaker
Fischer	Lucyk		

**NAYS—0**

**NOT VOTING—10**

Alden	Durham	Manmiller	Stuban
Arty	Earley	Micozzie	Wright, J. L.
Dininni	Gannon		

**EXCUSED—5**

Berson	Letterman	Lewis	Wilt
Kowalshyn			

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

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

**RULES SUSPENDED**

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

Mr. EVANS. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate adoption of a resolution.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

**YEAS—191**

Alden	Fischer	McCall	Salvatore
Anderson	Foster, W. W.	McClatchy	Saurman
Armstrong	Foster, Jr., A.	McIntyre	Serafini
Arty	Frazier	McMonagle	Seventy
Barber	Freind	McVerry	Showers
Belardi	Fryer	Mackowski	Shupnik
Belfanti	Gallagher	Madigan	Sieminski
Beloff	Gallen	Maiale	Sirianni
Bittle	Gamble	Manderino	Smith, B.
Blaum	Gannon	Manmiller	Smith, E. H.
Borski	Geist	Marmion	Smith, L. E.
Bowser	George	Merry	Snyder
Boyes	Gladeck	Michlovic	Spencer

Brandt	Grabowski	Micozzie	Spitz
Brown	Gray	Miller	Stairs
Burd	Greenfield	Miscevich	Steighner
Burns	Greenwood	Moehlmann	Stevens
Caltagirone	Grieco	Morris	Stewart
Cappabianca	Gruitza	Mowery	Stuban
Cawley	Gruppo	Mrkonic	Swaim
Cessar	Hagarty	Mullen	Sweet
Cimini	Haluska	Murphy	Swift
Civera	Harper	Nahill	Taddonio
Clark	Hasay	Noye	Taylor, E. Z.
Clymer	Hayes	O'Donnell	Taylor, F. E.
Cochran	Heiser	Olasz	Telek
Cohen	Hoeffel	Pendleton	Tigue
Colafella	Honaman	Perzel	Trello
Cole	Horgos	Peterson	Van Horne
Cornell	Hutchinson, A.	Petrarca	Vroon
Coslett	Irvis	Petrone	Wachob
Cowell	Itkin	Phillips	Wambach
Cunningham	Jackson	Piccola	Wargo
DeMedio	Johnson	Pievsky	Wass
DeVerter	Kanuck	Pistella	Wenger
DeWeese	Kennedy	Pitts	Weston
Daikeler	Klingaman	Pott	White
Davies	Kolter	Pratt	Wiggins
Dawida	Kukovich	Pucciarelli	Williams, J. D.
Deal	Lashingner	Punt	Wilson
Dietz	Laughlin	Rappaport	Wogan
Dombrowski	Lehr	Rasco	Wozniak
Donatucci	Lescovitz	Reber	Wright, D. R.
Dorr	Levi	Richardson	Wright, J. L.
Duffy	Levin	Rieger	Zwikl
Earley	Livengood	Ritter	
Emerson	Lloyd	Rocks	Ryan,
Evans	Lucy	Rybak	Speaker
Fee			

NAYS—0

NOT VOTING—7

Cordisco	Durham	Hutchinson, W.	Williams, H.
Dininni	Fleck	Oliver	

EXCUSED—5

Berson	Letterman	Lewis	Wilt
Kowalyszyn			

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

**RESOLUTION ADOPTED**

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

Mr. EVANS. Mr. Speaker, I would like to introduce this resolution for immediate consideration.

The SPEAKER. Will the gentleman send the resolution to the desk?

The following resolution was read:

In the House of Representatives,

WHEREAS, The City of Atlanta and surrounding communities have been the scene of 19 tragic murders; and

WHEREAS, City, county and local authorities and law enforcement agencies have been working diligently to solve these crimes; and

WHEREAS, It is imperative to find the perpetrator of these crimes as soon as possible; therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania hereby memorializes the President and the Attorney General of the United States to assist in every way possible the law enforcement agencies of the City of

Atlanta, Fulton County and the municipalities involved in the investigation; and be it further

RESOLVED, That the House of Representatives hereby endorses and supports the efforts of Mayor Maynard Jackson of the City of Atlanta in his efforts to solve this case and to prevent future murders; and be it further

RESOLVED, That the House of Representatives hereby extends its condolences to the parents and families of the young victims; and be it further

RESOLVED, That copies of this resolution be immediately transmitted to the President and the Attorney General of the United States and to Mayor Jackson of Atlanta.

- Dwight Evans
- K. Leroy Irvis
- James D. Barber
- Alphonso Deal
- William W. Rieger
- James M. McIntyre
- Clifford Gray, Jr.
- James D. Williams
- Stephen E. Levin
- Hardy Williams
- William W. Pendleton
- John J. Swaim
- David P. Richardson, Jr.

On the question,

Will the House adopt the resolution?

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Evans, to explain the resolution.

Mr. EVANS. The resolution is for the purpose of bringing awareness to this particular tragic situation in our country at this time. I think it is very important that we understand that this could happen in any city in the Commonwealth of Pennsylvania and it is especially important to show people throughout the country that we are in support of the efforts and send our condolences to the families in Atlanta.

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—190

Alden	Fee	Lloyd	Ritter
Anderson	Fischer	Lucy	Rocks
Armstrong	Fleck	McCall	Rybak
Arty	Foster, W. W.	McClatchy	Saurman
Barber	Foster, Jr., A.	McIntyre	Serafini
Belardi	Frazier	McMonagle	Seventy
Belfanti	Freind	McVerry	Showers
Beloff	Fryer	Mackowski	Shupnik
Bittle	Gallagher	Madigan	Sieminski
Blaum	Gallen	Maiale	Sirianni
Borski	Gamble	Manderino	Smith, B.
Bowser	Gannon	Manmiller	Smith, E. H.
Brandt	Geist	Marmion	Smith, L. E.
Brown	George	Merry	Spencer
Burd	Gladeck	Michlovic	Spitz
Burns	Grabowski	Micozzie	Stairs
Caltagirone	Gray	Miller	Steighner
Cappabianca	Greenfield	Miscevich	Stevens
Cawley	Greenwood	Moehlmann	Stewart
Cessar	Grieco	Morris	Stuban
Cimini	Gruitza	Mowery	Swaim
Civera	Gruppo	Mrkonic	Swift
Clark	Hagarty	Mullen	Taddonio
Clymer	Haluska	Murphy	Taylor, E. Z.
Cochran	Harper	Nahill	Taylor, F. E.

Cohen	Hasay	Noye	Telek
Colafella	Hayes	O'Donnell	Tigue
Cole	Heiser	Olasz	Trello
Cordisco	Hoeffel	Oliver	Van Horne
Cornell	Honaman	Pendleton	Vroon
Coslett	Horgos	Perzel	Wachob
Cowell	Hutchinson, A.	Peterson	Wambach
Cunningham	Hutchinson, W.	Petrarca	Wargo
DeMedio	Irvis	Petrone	Wass
DeVerter	Itkin	Phillips	Wenger
DeWeese	Jackson	Piccola	Weston
Daikeler	Johnson	Pievsky	Wiggins
Davies	Kennedy	Pistella	Williams, H.
Dawida	Klingaman	Pitts	Williams, J. D.
Deal	Kolter	Pott	Wilson
Dietz	Kukovich	Pratt	Wogan
Dombrowski	Lashinger	Pucciarelli	Wozniak
Donatucci	Laughlin	Punt	Wright, D. R.
Dorr	Lehr	Rappaport	Wright, J. L.
Duffy	Lescovitz	Rasco	Zwikl
Earley	Levi	Reber	
Emerson	Levin	Richardson	Ryan,
Evans	Livengood	Rieger	Speaker

**NAYS—0**

**NOT VOTING—8**

Boyes	Durham	Salvatore	Sweet
Dininni	Kanuck	Snyder	White

**EXCUSED—5**

Berson	Letterman	Lewis	Wilt
Kowalyszyn			

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

**ADDITIONS OF SPONSORSHIPS**

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I submit for the record in accordance with our rules, the following additions of sponsorships:

HB 363, Morris 119; HB 391, Cunningham 36; HB 562, Freind 38; HB 601, Rasco 198; HR 16, Telek 91; HB 157, Belfanti 99; HB 221, Shupnik 208; HB 306, Telek 91; HB 309, Telek 91; HB 352, Fischer 195; HB 376, Fryer 77; HB 417, E. Z. Taylor 139; HB 466, Manderino 11; HB 477, Heiser 179; HR 9, E. Z. Taylor 139; HR 9, Morris 119.

**ANNOUNCEMENT**

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. We have concluded our voting calendar for today, but rather than adjourn at this time, I would like to recess the House until 4 o'clock so that there can be a meeting of the Rules Committee so we can advance bills on the calendar. I have no further announcement at this time. Thank you, Mr. Speaker.

The SPEAKER. Would the gentleman advise the members of the Rules Committee when that meeting will take place?

Mr. HAYES. The meeting will be immediately at the call of the recess in my office, room 110. Thank you.

**INTERROGATION**

The SPEAKER. The Chair recognizes the minority whip. Mr. MANDERINO. Can the majority leader inform us as to what bills will be advanced in the absence of the House?

Mr. HAYES. We are just going to report them from the Rules Committee and we are not going to move from second to third, or anything like that, Mr. Speaker.

Mr. MANDERINO. Then the bills will be in no better position when we return than they will be this afternoon, is that correct?

Mr. HAYES. No; they will be on the active calendar, Mr. Speaker, when we return on March 9. Rather than wait until that date to have a meeting of the Rules Committee, we can do so now.

Mr. MANDERINO. So the only action that will take place this afternoon will be a report from the Rules Committee, which simply reports bills and does not rerefer them or does not move them up or advance them in any manner?

Mr. HAYES. No; there will be some bills referred to the Appropriations Committee.

Mr. MANDERINO. No, Mr. Speaker, there will not be, because I will be here to ask for 102 votes.

Mr. HAYES. That is fine; be here.

The SPEAKER. The members will report back to the floor at 4 o'clock.

**REMARKS ON VOTE**

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

Mr. WHITE. On the Evans resolution, my switch was apparently inoperative. I would like to be recorded in the affirmative.

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

When we return at 4 o'clock, it will not be a token session.

Mr. MANDERINO. Mr. Speaker, the members on this side of the aisle who have plans to leave the Capitol before 4 o'clock are not discouraged by their leadership.

**RECESS**

The SPEAKER. Without objection, this House stands in recess until 4 p.m. The Chair hears none.

**AFTER RECESS**

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

**RECESS**

The SPEAKER. The Republican leaders have requested an additional recess until 5 o'clock.

Without objection, this recess is extended until 5 o'clock.

Mr. MANDERINO. Mr. Speaker, there may be an objection. Are you going to recognize an objection, Mr. Speaker? Must you do that with unanimous consent?

The SPEAKER. Does the gentleman, Mr. Manderino, seek to be recognized?

Mr. MANDERINO. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. MANDERINO. Mr. Speaker, what is the purpose for the delay?

The SPEAKER. I was discussing it with the minority leader at the time—

Mr. MANDERINO. Mr. Speaker, I am a member of the state's Reapportionment Commission—

The SPEAKER. The gentleman will yield. The gentleman is asking the Speaker a question. I would expect that you would extend me the courtesy of allowing me to make an answer.

Mr. MANDERINO. I apologize for interrupting the Speaker. Mr. Speaker, please give me your wisdom.

The SPEAKER. I do not know that we have time today, but the gentleman is invited to come to the rostrum, and I would be happy to discuss it with him and the minority leader.

Mr. MANDERINO. The purpose of the delay?

The SPEAKER. Yes, sir.

Mr. MANDERINO. My objection stands until removed.

The SPEAKER. Well, that is fine.

The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, my concern about the extension of a recess was mixed with an appointment that I have as a member of the Reapportionment Commission that was going to meet at 4 o'clock. I understand that the other members are willing to wait until we do our business in the House and I withdraw my objection to the recess until 5 o'clock, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Without objection, this House will stand in recess until 5 p.m. The Chair hears none.

### AFTER RECESS

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

### WELCOMES

The SPEAKER. The Chair welcomes Tom and Maryann Orr and their children, Amanda and Polly, of Altoona, Pennsylvania, guests today of Mr. Geist of Blair County.

The Chair welcomes to the floor of the House the chief of police of Lansdowne, Pennsylvania, Mr. Harry Gaab, here today as the guest of Mr. Micozzie.

The Chair welcomes the 7th-grade members of the Challenge Program from Elkins Park and Cedarbrook Middle School, Cheltenham Township, here today as the guests of Mr. Nahill of Montgomery County.

### 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.

### ADJOURNMENT

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

Mr. DAVIES. Mr. Speaker, I move that this House do now adjourn until Monday, March 9, 1981, at 1 p.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 4:55 p.m., e.s.t., the House adjourned.