

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

TUESDAY, MARCH 17, 1981

SESSION OF 1981

165TH OF THE GENERAL ASSEMBLY

No. 15

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:

God of all grace and goodness, we count it a privilege to come to You in prayer. We, Your children, are thankful that we are heirs of Your kingdom. We appreciate the sacrifices You have made for us and in turn we acknowledge the necessity of returning our faithfulness unto You. Help us, our God, when we fail to live up to Your expectations. Grant us wisdom and insight that will enable us to carry forth Your will for us day by day. In this spring season of the year, help us to see our newness of life not only in nature but within our very beings, and as we seek first the kingdom of God, help us to know that Your blessings will follow all the days of our lives. As we are faithful to You so will You be faithful to us. Bless us we pray both now and for evermore. We ask these blessings in Thy divine name. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Monday, March 16, 1981, will be postponed until printed. The Chair hears none.

HOUSE BILLS
INTRODUCED AND REFERRED

No. 852 By Representatives ITKIN, LEHR, NAHILL, KUKOVICH, GREENFIELD, LETTERMAN, PRATT, PETRARCA, ZWIKL, MISCEVICH, MILLER, HALUSKA, IRVIS, SEVENTY, TELEK, MAIALE, PISTELLA, WOGAN, PERZEL, MICHLOVIC, SAURMAN, WHITE, D. R. WRIGHT, TADDONIO, CESSAR,

McCALL, GALLAGHER, WACHOB, MICOZZIE, COHEN, MORRIS, RASCO, BLAUM and FISCHER

An Act amending the "Senior Citizen Property Tax or Rent Rebate and Older Persons Inflation Needs Act," approved March 11, 1971 (P. L. 104, No. 3), providing for the annual indexing of eligibility levels in relation to the Consumer Price Index.

Referred to Committee on FINANCE, March 16, 1981.

No. 853 By Representatives BROWN, JACKSON, HORGOS, PRATT, MORRIS, TRELLO and PERZEL

An Act providing a civil penalty for the giving of certain false information by a nuclear engineer.

Referred to Committee on JUDICIARY, March 16, 1981.

No. 854 By Representatives BROWN, JACKSON, HORGOS, PRATT, MORRIS, TRELLO and PERZEL

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, making it a felony for a nuclear engineer to give certain false information after a nuclear accident.

Referred to Committee on JUDICIARY, March 16, 1981.

No. 855 By Representatives BROWN, MRKONIC, JACKSON, HORGOS, PRATT, MORRIS, TRELLO, PERZEL and TELEK

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, making it a felony for a public utility to provide certain false information.

Referred to Committee on JUDICIARY, March 16, 1981.

No. 856 By Representatives BROWN, MRKONIC, JACKSON, HORGOS, PRATT, MORRIS, TRELLO, PERZEL and TELEK

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining certain activity of a wholesaler in fuel as a felony.

Referred to Committee on JUDICIARY, March 16, 1981.

No. 857 By Representatives BROWN, MORRIS, WARGO, HALUSKA, JOHNSON, DAWIDA, BELARDI, PRATT, McINTYRE, FISCHER and SEVENTY

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), requiring State Colleges and the State university to provide a course in solar energy as it applies to campus buildings.

Referred to Committee on EDUCATION, March 16, 1981.

No. 858 By Representatives W. W. FOSTER, MADIGAN, NOYE and HASAY

An Act exempting owners of certain existing firing ranges from any civil or criminal actions relating to noise pollution.

Referred to Committee on JUDICIARY, March 16, 1981.

No. 859 By Representatives HASAY, STUBAN, STEVENS and NOYE

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the penalty for scattering rubbish.

Referred to Committee on JUDICIARY, March 16, 1981.

No. 860 By Representatives TADDONIO and COWELL

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723, No. 230), providing for a hotel room rental tax and providing for its use.

Referred to Committee on URBAN AFFAIRS, March 16, 1981.

No. 861 By Representatives PHILLIPS, HASAY and McCLATCHY

An Act making an appropriation to the Historical and Museum Commission for the restoration and improvement of the Fort Augusta Historic Site, Northumberland County.

Referred to Committee on APPROPRIATIONS, March 16, 1981.

No. 862 By Representatives PITTS, E. Z. TAYLOR, LEHR, E. H. SMITH and REBER

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), providing a personal and corporate income tax credit for renewable energy systems.

Referred to Committee on FINANCE, March 16, 1981.

No. 863 By Representatives PITTS, MACKOWSKI, HALUSKA, ALDEN, JACKSON, McVERRY, MADIGAN, NOYE, MAIALE, WHITE, COCHRAN, D. R. WRIGHT, MORRIS, PHILLIPS, KLINGAMAN, LETTERMAN, TELEK, POTT, PRATT, E. Z. TAYLOR, COHEN, PETERSON, ITKIN and MERRY

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736, No. 338), further providing for the payment of workmen's compensation premiums.

Referred to Committee on INSURANCE, March 16, 1981.

No. 864 By Representatives CIMINI, LETTERMAN, PETERSON, LEVI, CIMINI, CUNNINGHAM, GEORGE and WACHOB

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), regulating the harvesting of Wild American Ginseng.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, March 16, 1981.

No. 865 By Representatives WILT, GRUITZA and MILLER

An Act amending the "Pennsylvania Human Relations Act," approved October 27, 1955 (P. L. 744, No. 222), further providing for the payment of reasonable expenses, hearing examiners and making editorial changes.

Referred to Committee on LABOR RELATIONS, March 16, 1981.

No. 866 By Representatives GALLEN, NOYE, DAVIES and FRYER

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), prohibiting the filing of certain nomination papers or petitions.

Referred to Committee on STATE GOVERNMENT, March 16, 1981.

No. 867 By Representatives BELFANTI, LETTERMAN, PHILLIPS, FRYER, BLAUM, TIGUE, CAWLEY, STEWART, WOZNIAK, WAMBACH, KOWALYSHYN, LAUGHLIN, LIVENGOOD, A. K. HUTCHINSON, CORDISCO, RITTER, MANDERINO, McCALL, LESCOVITZ, HOFFEL, COLAFELLA, WACHOB and PIEVSKY

An Act making a continuing appropriation to the Department of Environmental Resources for purposes of providing grants to counties for costs in preparing official storm water management plans.

Referred to Committee on APPROPRIATIONS, March 16, 1981.

No. 868 By Representatives HASAY, SHUPNIK, STEVENS, COSLETT, BLAUM and TIGUE

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

Referred to Committee on APPROPRIATIONS, March 16, 1981.

No. 869 By Representatives HASAY, GEIST, GRIECO and KLINGAMAN

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, redefining murder of the second degree to include those homicides committed while the defendant was in possession of a deadly weapon.

Referred to Committee on JUDICIARY, March 16, 1981.

No. 870 By Representatives MANMILLER, PICCOLA, DININNI and WAMBACH

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the political activity of district justices.

Referred to Committee on JUDICIARY, March 16, 1981.

No. 871 By Representatives DOMBROWSKI, PRATT, KUKOVICH, BOWSER,

CAPPABIANCA, COLE, DeMEDIO,
HOEFFEL, KOWALYSHYN, COCHRAN,
CALTAGIRONE and MORRIS

An Act amending "The Local Tax Enabling Act," approved December 31, 1965 (P. L. 1257, No. 511), further providing for exemption from certain taxes, further providing for the tax on manufacturing, further providing for the collection and amount of the occupational privilege tax, ***.

Referred to Committee on LOCAL GOVERNMENT,
March 16, 1981.

No. 872 By Representatives PETRARCA and
TRELLO

An Act amending the "Motor License Fund Supplement to the General Appropriation Act of 1980," approved June 30, 1980 (No. 22A), prohibiting the use of any funds appropriated herein for the "pothole hotline."

Referred to Committee on TRANSPORTATION,
March 16, 1981.

No. 873 By Representatives PETRARCA and
TRELLO

An Act amending the "General Appropriation Act of 1980," approved June 18, 1980 (No. 17A), further providing for the "pothole hotline."

Referred to Committee on TRANSPORTATION,
March 16, 1981.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 29 By Representatives LAUGHLIN, BITTLE
and KOWALYSHYN

Speaker appoint a committee to study toxic waste deposited into the environment.

Referred to Committee on RULES, March 16, 1981.

No. 30 By Representatives HASAY, SHUPNIK,
WASS, STEVENS, COSLETT, BELARDI,
SERAFINI and KLINGAMAN

House memorialize Congress urge Department of Labor proceed with speedy resolution of the backlog in Black Lung benefit claims.

Referred to Committee on FEDERAL-STATE RELATIONS,
March 16, 1981.

LEAVE OF ABSENCE GRANTED

The SPEAKER. The Chair recognizes the majority whip.

Mr. CESSAR. Mr. Speaker, we have no requests for leaves of absence.

The SPEAKER. The Chair recognizes the gentleman from Washington, Mr. Lescovitz.

Mr. LESCOVITZ. Mr. Speaker, I request a leave for Representative KOLTER for today's session.

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

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 257, PN 262 (Unanimous)

By Rep. FISCHER

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), increasing the membership on the State Board of Education.

EDUCATION.

HB 286, PN 292 (Unanimous)

By Rep. FISCHER

An Act creating a Student Advisory Board, providing for its membership, powers and duties, and adding to the duties of the Secretary of Education.

EDUCATION.

HB 812, PN 870

By Rep. FISCHER

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), further providing for gross allocations to school districts.

EDUCATION.

PARLIAMENTARY INQUIRY

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

Mr. DAVIES. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DAVIES. Mr. Speaker, in seeking to expedite the business of the day, I am seeking direction on a proper action to adopt a temporary rule for this daily session. Must I seek suspension of the rules and then place the proposal before the body? The reference would be for a 2-minute limit on any member's remarks, either praising the greatness of the American-Irish kinderkind from the old sod or remarks praising their patron saint on his day of celebration. Now, I know my sainted grandmother's lineage on my paternal side goes back to County Cork and County Mayo, but this effort is not to be construed as being put forth with any prejudicial action; it is merely an offer in equity and malice toward none. Thank you, Mr. Speaker.

The SPEAKER. In response to the gentleman, I would advise the gentleman that the Chair is not required to accept frivolous motions. By way of further explanation, it would seem that there would be little or no support for such a motion on a day such as March 17. The Chair no longer recognizes the gentleman.

Mr. DAVIES. I think, sir, that sainted grandmother probably would have put it the same way. Thank you.

The SPEAKER. The Chair thanks the gentleman from County Berks.

MASTER ROLL CALL RECORDED

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

The following roll call was recorded:

PRESENT—198

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

ADDITIONS—0

NOT VOTING—2

Gray Kanuck

EXCUSED—3

Kolter Pucciarelli Punt

WELCOME

The SPEAKER. The Chair is pleased to welcome to the floor of the House today nine administrative officers in the areas of finance, education, health, information, urban and regional planning, and the civil service, representing four of the 19 states of the nation of Nigeria, present here in Harrisburg on this St. Patrick's day.

These senior-level government officials are in the United States to participate in a 2-month seminar in human resources

planning and financial management sponsored by the International Institute of Public Management in Washington, D. C.

In recent years Nigeria has adopted a constitution modeled after the United States Constitution, and in the past 2 years the country has been under a presidential system similar to ours. The Nigerian state governments are organized and operate much like our own, and our visitors, in this part of their seminar, are looking face-to-face at how we do it at our state and local levels.

We are very pleased to have these representatives here today, and I would ask that we extend to them a warm St. Patrick-like Pennsylvania welcome to the Commonwealth of Pennsylvania. Will the guests please rise.

ANNOUNCEMENTS BY SPEAKER

The SPEAKER. Yesterday, you will recall three resolutions were placed by the clerk's desk for additional signatures in connection with the 300th anniversary of Pennsylvania. Many of the members who wanted to sign did not get an opportunity because of the long lines. I would ask that anybody who wants to add their signature to those resolutions do so quietly at this time.

I also had the sad duty yesterday to announce the death of a former distinguished member and good friend, "Rip" Polite. We are attempting to determine how many members of this body are interested in taking public transportation provided by the House to the funeral services tomorrow morning in Montgomery County. Any of you who intend to go by bus from the Capitol, returning to the Capitol, will please see the former chief clerk, Mr. Mebus, who is to my left, and sign up for that trip.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. The Chair recognizes the lady from Philadelphia, Mrs. Harper. For what purpose does the lady rise?

Mrs. HARPER. I rise to a question of personal privilege.

The SPEAKER. The lady will state it.

Mrs. HARPER. I would like to extend a special welcome to the lady over there from Africa. I notice there is only one woman among the men, and she is in the same position as I am in, one woman among the men on this side.

THE SPEAKER. I am sure she will do an equally good job.

ARRANGEMENTS FOR FUNERAL

The SPEAKER. The Chair has been questioned regarding the arrangements for the Polite funeral. It is the Chair's understanding that a bus will leave the Capitol complex at approximately 8:30 tomorrow morning and return at approximately 3 o'clock tomorrow afternoon.

STATEMENT BY MR. ROCKS

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Rocks, who requests unanimous consent to make a brief statement.

Mr. ROCKS. I begin, Mr. Speaker, by thanking you for ever so judiciously, in your own completely unbiased manner, dismissing with the first attempt to change the rule today. And to the gentleman from Berks, he should know that an attempt at changing that rule today "would be like chasing moonbeams or lighting a penny candle from a star."

The few comments that I would care to share with you today tend to be a touch self-indulging, but, given the day, I beg the understanding of the House.

It was really not very long ago that my own grandfather, Patrick Rocks, left the County of Tyrone in that Emerald Isle, and after a time, landed on the shores of the United States to live in Philadelphia. He made his living

The SPEAKER. Will the gentleman yield?

Now my fellow members, we pay close attention to your comments on Columbus Day; we pay close attention to your comments on Martin Luther King Day, and we would certainly expect that you too would pay close attention to the comments on our day.

Mr. ROCKS. Thank you, Mr. Speaker.

Mr. Speaker, Patrick Rocks made his living working on the Pennsylvania Railroad, and I remember much about him, but, if you know the feeling, not quite as much as I would like to remember. I know that he was proud of that railroad. As a matter of fact, he spoke about it as if he were building it himself. It was some years later that I realized what my grandfather was building, and it was not so much a link with the railroad, but it was a link to the great American experience. This experience, of course, has been repeated many, many thousands of times over.

Of all the days to have to admit this, Mr. Speaker, I am sorry it has to be today, but not all the immigrants in this country were Irish. But in many ways, today, we are all a little bit Irish. You see, what my grandfather handed down to me through my father was a belonging, a belonging, however small, to a part of this great American experience; an experience where we can freely practice our cherished faith; where we can raise our families with the traditions that we brought from all over the globe and where we work, Mr. Speaker, if not on the railroads, then in the fields and in the professional offices; in the market place, and on the assembly lines; and, yes, maybe even as the Speaker of the Pennsylvania House of Representatives.

One day a year, Mr. Speaker, because we are a proud people, we take to the wearing of the green. We celebrate today, the feast of Ireland's patron saint, the great and glorious St. Patrick

The SPEAKER. Will the gentleman yield?

These members need all of the blessings of St. Patrick, because shortly they are going to incur the wrath of St. Matthew. Will the members please take their seats.

Mr. ROCKS. In listening to you, Mr. Speaker, sometimes I am even more vividly reminded of Patrick Rocks.

We are, Mr. Speaker, also a thankful people, which is why what I would like to leave with each of you today, as we have done in several years past, is part of an old blessing, a blessing like so many Irish customs, its author is unknown, but whose

meaning goes on forever. And so, "May the road rise up to meet you; may the wind be forever at your back; may the sun shine warm upon each of you and the rain fall gentle on your fields. And may God keep you always secure in the palm of His hand until in heaven we meet again."

Mr. Speaker, it is a great honor for this grandson of an Irish Catholic immigrant and son of a city fireman to be able to stand in your midst, because nowhere else on the face of this earth could it happen that I might have the opportunity to serve in a great legislative assembly, and for that opportunity I am eternally grateful and thank each of you. Happy St. Patrick's Day.

The SPEAKER. The Chair thanks the gentleman.

CALENDAR

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 103, PN 819**, entitled:

An Act amending the "Banking Code of 1965," approved November 30, 1965 (P. L. 847, No. 356), further providing for renegotiable mortgages and for the elimination of the Banking Board.

On the question,

Will the House agree to the bill on third consideration?

Mr. L. E. SMITH offered the following amendment No. A401:

Amend Sec. 1 (Sec. 310), page 2, line 22, by inserting after "SECTION," the following further conditions shall apply: (1) the amount of increase in the per annum interest rate on a renegotiable rate mortgage may not exceed five percent between the date of the loan and the date of maturity; (2) interest rate increases warranted by increases in the chosen index may be imposed at the bank's option, but decreases are mandatory; (3)

On the question,

Will the House agree to the amendment?

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

Mr. L. E. SMITH. Mr. Speaker, after much deliberation and some concern on my part for HB 103, I have offered this amendment as a compromise, and hopefully we will be able to satisfy some of the anxieties of members who are reluctant to vote for HB 103 in its present form. Essentially what we have done with this amendment is put a 5-percent cap on the increase over the term of the mortgage.

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

Mr. LAUGHLIN. Mr. Speaker, first I want to ask, is Mr. Smith Irish? Are you, Mr. Smith?

Mr. L. E. SMITH. I thought I heard someone say here a little while ago that we are all a little bit Irish.

Mr. LAUGHLIN. Well, on the basis of that, Mr. Speaker, I will take it easy on you today.

Mr. L. E. SMITH. Thank you.

Mr. LAUGHLIN. But, Mr. Speaker, I do have a question for you.

Mr. Speaker, would the gentleman stand for brief interrogation?

The SPEAKER. The gentleman indicates that he is willing to consent to interrogation. The gentleman, Mr. Laughlin, may proceed.

Mr. LAUGHLIN. Mr. Speaker, the amendment does sound vaguely familiar to me; vaguely familiar in the aspect that the gentleman, Mr. Cohen, introduced it last week, and you voted against it at that time and spoke against it. Now, I can certainly understand your change of mind and your change of heart after reviewing it over the weekend, because certainly it does have merit with regard to Mr. Cohen's position. It does not have, as far as I am concerned, my support, but I certainly am glad that you have recognized that some of the amendments that are offered from this side of the aisle do have merit, and I will be offering one later and I hope you will look at that with a very serious note. Thank you.

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

Mr. TAYLOR. Would the gentleman, Mr. Smith, consent to brief interrogation?

The SPEAKER. The gentleman indicates a willingness to be interrogated. The gentleman may proceed.

Mr. TAYLOR. Mr. Speaker, I applaud your effort in trying to do something with HB 103 and the renegotiable part in it. What disturbs me is that you said last week you were for parity. Are you still for parity among the lending institutions?

Mr. L. E. SMITH. Yes.

Mr. TAYLOR. Well, why not draft this amendment in the fashion that it is drafted in the Savings and Loan Code that specifically spells out the life of the mortgage instead of maturity date?

You know, we may be raising a highly technical legal question that at the end of that 3-, 4-, or 5-year period, that may be the maturity date, and I think you are opening up another problem area that we do not necessarily need. If we would redraft the amendment in a fashion to say—and I read to you out of the Savings and Loan Code—“The maximum rate increase or decrease shall be 0.5% per year multiplied by the number of years in the loan term, with a maximum increase or decrease of 0.5% over the life of the mortgage.”, I think that that language would better serve us than the language contained in your amendment.

Mr. L. E. SMITH. Mr. Speaker, at one point I think you were talking about regulations and now are you reading from the code or from regulations?

Mr. TAYLOR. This is from the regulations.

Mr. L. E. SMITH. You stated that you were reading from the Savings and Loan Code.

Mr. TAYLOR. Right, the Savings and Loan Code, which the regulation is part of.

Mr. L. E. SMITH. Well, Mr. Speaker, I am a little confused. You are reading from regulations promulgated by whom?

Mr. TAYLOR. By the Secretary of Banking of the State of Pennsylvania.

Mr. L. E. SMITH. And, on the other hand, you tell me you are reading from the Savings and Loan Code?

Mr. TAYLOR. Well, it is part of that now. It is part of the regulation; it is the law. The regulation is the law of this Commonwealth until it is changed. The regulation has the full force and effect of law.

Mr. L. E. SMITH. Okay, I guess we are into an exercise in semantics, but I guess your hangup is with the word “maturity.” Is that right?

Mr. TAYLOR. Right. I think we have got a hangup there. Also, why did you not address other possible areas that could be exposed in HB 103, which I addressed last week, and that is the possibility that the Secretary of Banking would also be giving authority to issue balloon and demand mortgages, because you only address renegotiables here and all you are doing, in effect, is saying that 5 percent on a renegotiable. You know, the renegotiable may be the least

The SPEAKER. Will the gentleman yield? Is the gentleman interrogating Mr. Smith or making a statement on the amendment now?

Mr. TAYLOR. Well, I am probably making a statement on the amendment, but I would like to ask the gentleman, does he agree that the renegotiable is probably the least offensive of those which he may put out in regulations?

Mr. L. E. SMITH. I am not sure I understand the question, Mr. Speaker.

Mr. TAYLOR. I asked you that the Secretary of Banking, will he or will he not have the power to also issue balloon mortgages, demand mortgages, and also renegotiables under HB 103 as it is presently written? Can he or can he not do those things?

Mr. L. E. SMITH. Yes, he could.

Mr. TAYLOR. All right, if he can do those things, Mr. Speaker, then why did you not address the problem with the balloon mortgages and demand mortgages and not just only renegotiables, which may be the least offensive of those three?

Mr. L. E. SMITH. I have tried, as I said, to make a compromise in the hope that we can get enough votes to pass HB 103 because I think it is needed. Now, you have said that you were reading from regulations promulgated by the Secretary of Banking with regard to savings and loan associations, and I do not see what the difference would be, because the same secretary is going to promulgate the rules for the state-chartered banks. In fact, we have a letter stating that he is going to be eminently fair in promulgation of those rules and regulations.

Mr. TAYLOR. That is still questionable. Thank you, Mr. Speaker.

I say with mixed emotions that Mr. Smith's position in offering this amendment is a laudable position, except it does not go far enough, again. We still have major problems with this piece of legislation.

This amendment does not make it that much more palatable. It is at best giving a sugar-coated pill for a seriously sick individual. I think we ought to still take the opportunity to at least look at those Federal regulations. They may contain a lot of things that we do not want to see; that we may not want to take part in.

The 5-percent cap is, in effect, a tentative safeguard so that those interest rates will not rise more than 5 percent over the life of the mortgage. I am not so sure that we want to, in this House, build in a 5-percent increase in the mortgage rates in this particular instrumentality, the renegotiable, and not at the same time address the problems of the demand mortgages and the balloon mortgages of this Commonwealth that are out there now that are being sold to the various people who come in to get a loan.

I think that we ought to redraft this amendment to address those areas, too, and then I think that we would be addressing the problem areas in a particular piece of legislation. Thank you, Mr. Speaker.

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

Mr. SPITZ. Mr. Speaker, I think that the amendment proposed by the chairman of the committee, Mr. Smith, is an excellent compromise. I think that the possibility that demand mortgages and balloon mortgages are not included does not raise any serious question with respect to this amendment. They will be—to the extent that they are available now and will be available to the state charters—far more sophisticated financial instruments, and the chances are that the the borrower in most instances will be a sophisticated borrower. On the renegotiables, however, one of the fears that many members had is that they will basically be the only option open to the perspective home buyer who may not be aware when he is originally negotiating the loan what the maximum interest could be, and I think that the Smith amendment sets into law the very protections that many members were seeking to set into law, and I think that it will go a long way towards insuring the availability of these mortgages to the perspective home buyers.

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

Mr. LEVIN. Will Mr. Smith stand for brief interrogation?

The SPEAKER. The gentleman indicates a willingness to be interrogated. The gentleman, Mr. Levin, may proceed.

Mr. LEVIN. Mr. Speaker, I am concerned about language and would like to make a little legislative history here so that we can be very certain as to what we are voting on.

In the first paragraph, you are permitting a 5-percent increase from the date of the loan to the date of maturity. Am I correct that you mean the entire term of the loan, not the renegotiable period?

Mr. L. E. SMITH. Absolutely.

Mr. LEVIN. All right. Thank you, Mr. Speaker.

Mr. Speaker, may I comment on the amendment?

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

Mr. LEVIN. Mr. Speaker, with a clear understanding that this amendment intends that the percentage increase can be no more than 5 percent over the term of the entire mortgage, I would support the amendment. I do not think that the amendment goes far enough, but I believe that it is better to have this in the bill than not have it because it is a measure of protection, and I would hope that we would pass this and then see if

we can modify the bill later to add additional protection in other areas.

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

Mr. COHEN. Mr. Speaker, this amendment is very similar to the amendment that I introduced last week. However, the differences are that the wording of this is ambiguous. Mr. Smith's statement of legislative intent is welcomed, although statements of legislative intent are not always held as binding by the courts. I, too, would urge support of this amendment and I would hope that the Senate or the House in the future would clear up the language.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—194

| | | | |
|-------------|-----------------|------------|-----------------|
| Alden | Evans | Lloyd | Salvatore |
| Anderson | Fee | Lucyk | Saurman |
| Armstrong | Fischer | McCall | Serafini |
| Barber | Fleck | McClatchy | Seventy |
| Belardi | Foster, W. W. | McIntyre | Showers |
| Belfanti | Foster, Jr., A. | McMonagle | Shupnik |
| Beloff | Frazier | McVerry | Sieminski |
| Berson | 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 | Greenfield | Miscevich | Stewart |
| Cappabianca | Greenwood | Moehlmann | Stuban |
| Cawley | Grieco | Morris | Swaim |
| Cessar | Gruitza | Mowery | Sweet |
| Cimini | Gruppo | Mrkonc | Swift |
| Civera | Hagarty | Mullen | Taddonio |
| Clark | Haluska | Murphy | Taylor, E. Z. |
| Clymer | Harper | Nahill | Taylor, F. E. |
| Cochran | Hasay | Noye | Telek |
| Cohen | Hayes | O'Donnell | Tigue |
| Colafella | Heiser | Olasz | Trello |
| Cole | Hoeffel | Oliver | Van Horne |
| Cordisico | 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 |
| Davies | Kennedy | Pistella | Williams, H. |
| Dawda | Klingaman | Pitts | Williams, J. D. |
| Deal | Kowalshyn | Pott | Wilson |
| Dietz | Kukovich | Pratt | Wilt |
| Dininni | Lashinger | Rappaport | Wogan |
| Dombrowski | Lehr | Rasco | Wozniak |
| Donatucci | Lescovitz | Reber | Wright, D. R. |
| Dorr | Letterman | Richardson | Wright, J. L. |
| Duffy | Levi | Rieger | Zwinkl |
| Durham | Levin | Ritter | |
| Earley | Lewis | Rocks | Ryan, |
| Emerson | Livengood | Rybak | Speaker |

NAYS—1

Laughlin

NOT VOTING—5

Arty
Daikeler

Gray

Kanuck

Vroon

EXCUSED—3

Kolter

Pucciarelli

Punt

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

STATEMENT ON AMENDMENT CHANGE

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

Mr. WAMBACH. Just for a point of clarification on an amendment that was inserted last week, Mr. Speaker. I would like to interrogate Mr. Alden.

The SPEAKER. Will the gentleman advise the Chair if this concerns amendments to HB 103?

Mr. WAMBACH. Yes, it does, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Alden, indicates a willingness to be interrogated. The gentleman may proceed.

Mr. WAMBACH. Mr. Speaker, have you seen the new printer's number 819 to HB 103?

Mr. ALDEN. No, I have not.

Mr. WAMBACH. Do you have it?

Mr. ALDEN. I have a copy of it.

Mr. WAMBACH. I would like to draw your attention, Mr. Speaker, to line 22 on page 2. It says, and I quote, "...THE MORTGAGEE MUST BE GIVEN,...." Now, when I got up at this microphone last week, the Speaker concurred that your amendment read "mortgagor" even though I felt it was changed here on the floor.

Mr. ALDEN. Let me address that. When the amendment came down from Legislative Reference, it had "mortgage." Before it was sent up to the desk, that was changed to "mortgagor." What now appears in the bill is "mortgagee."

The SPEAKER. Will the gentleman yield?

The Chair has been advised, Mr. Wambach, and perhaps this will answer your question, that the Legislative Reference Bureau recognizes that amendment as having been adopted stating "mortgagor." That has just come to my attention, and they are permitted to make that editorial change.

Mr. WAMBACH. Mr. Speaker, I am under the impression that the "mortgagee," as it appears in the bill, is in fact the bank, based on my experience in the real estate business.

Mr. ALDEN. You are correct that "mortgagee" does mean bank. However, the original amendment said "mortgagor" and there has been an error in the bill, and, as Speaker Ryan has just indicated, that editorial change can be made.

Mr. WAMBACH. It seems like the Legislative Reference Bureau has already made an editorial change to the wrong extent. What I am trying to say is that I do not want the bank to prepare papers to turn over to the bank. I want the mortgagee, the lender, to, in fact, be aware of what he is getting

into under this amendment, Mr. Speaker. I think if the Legislative Reference Bureau has taken upon themselves editorially to change it from "mortgagor" to "mortgagee," we should be having a safeguard involved here to change it back to our intent that the mortgagor or lender be given the statement; the borrower, the borrower, in fact.

Mr. Speaker, I would like to see the bill held up until we get a corrective amendment to this.

The SPEAKER. The Chair is advised that it need not be amended, that the Legislative Reference Bureau has advised the legal department of the majority staff that it made a mistake and that it can correct that mistake on its own because the amendment, as adopted, stated "mortgagor" and there was a mistake in transition.

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

Mr. WAMBACH. Mr. Speaker, I would just like to make one brief statement on this.

In my history of employment, et cetera, with the House of Representatives, I have never seen an amendment changed on the floor of the House. I am a freshman and I realize that, but I think what happens when we get involved in changing amendments on the floor is precisely what happened here. I would appreciate it if the Speaker would, in fact, advise all the members of the House that amendments in the future will not be changed on the floor so we are not confronted with this same situation. As far as this bill is concerned, if voted today, it would have read "mortgagee." I am almost certain of that. With the editorial corrections from the Reference Bureau going in the wrong direction to begin with, and now we are asking them to accept the corrected amendment as made on the floor last week, I think we are going back and forth as in a tennis match, and I would like to see it precisely given the way it is brought down from the Reference Bureau in the future so we do not come up with situations like this in the future.

PARLIAMENTARY INQUIRY

The SPEAKER. Does the gentleman from Philadelphia, Mr. Lloyd, have amendments? I am sorry, the gentleman from Somerset, Mr. Lloyd.

Mr. LLOYD. Mr. Speaker, I want to hasten to note to underscore the fact that I am from Somerset. My constituents would not appreciate the reference to Philadelphia, even on St. Patrick's Day.

The SPEAKER. That cost you some votes.

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

Mr. LLOYD. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LLOYD. Mr. Speaker, would it be in order to reconsider the vote on the Laughlin amendment from last week first? I raise that point of parliamentary inquiry because if that amendment were to be passed on reconsideration, the amendment which I would offer would be one version. If that amendment were to be defeated on reconsideration, the amendment which I offer would be another version.

The SPEAKER. Is the gentleman, Mr. Lloyd, suggesting that the amendment that Mr. Laughlin had redrafted to the new printer's number be considered first?

Mr. LLOYD. Yes, Mr. Speaker.

The SPEAKER. All right.

CONSIDERATION OF HB 103 CONTINUED

The SPEAKER. Mr. Laughlin is recognized.

On the question,

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

Mr. LAUGHLIN offered the following amendments No. A326:

Amend Sec. 1 (Sec. 310), page 2, line 11 by striking out the brackets before and after "substantially equal"

Amend Sec. 1 (Sec. 310), page 2, lines 12 and 13 by striking out the bracket before "at" in line 12 and after "and" in line 13

Amend Sec. 1 (Sec. 310), page 2, line 15 by striking out the bracket before "except"

Amend Sec. 1 (Sec. 310), page 2, line 15 by inserting after "except" as provided in section 310.1 and further excepting

Amend Sec. 1 (Sec. 310), page 2, line 20 by striking out the bracket after "loan"

Amend Bill, page 3, by inserting between lines 14 and 15

Section 2. The act is amended by adding a section to read:

Section 310.1. Renegotiable Rate Mortgage Instruments

(a) Authorization—A State chartered commercial bank may make, purchase or participate in a renegotiable rate mortgage loan under this section if the loan pertains to one to four family home loans.

(b) Description—For purposes of this section, a renegotiable rate mortgage loan is a loan issued for a term of three, four or five years, secured by a long-term mortgage of up to thirty years, and automatically renewable at equal intervals except as provided herein and in regulations promulgated by the department to carry out the purposes of this section. The loan must be repayable in equal monthly installments of principal and interest during the loan term, in an amount at least sufficient to amortize a loan with the same principal and at the same interest rate over the remaining term of the mortgage. At renewal, no change other than in the interest rate may be made in the terms or conditions of the initial loan. Prepayment in full or in part of the loan balance secured by the mortgage may be made without penalty at any time.

(c) Reference index—The interest rate reference index shall be contract interest rate on the purchase of previously-occupied homes in the Federal Home Loan Bank Board most recent monthly national average mortgage rate index for all major lenders.

(d) Cost of renewal—The borrower may not be charged any costs or fees in connection with the renewal of such loan.

(e) Base rate commitment—The initial or base value of the reference index shall be committed to the borrower at the same time that the initial contract interest rate is committed to the borrower and shall be entered in the loan documents as a contractual provision of the loan.

(f) Application disclosure—An applicant for a renegotiable rate mortgage loan must be given, at the time the applicant requests an application, written materials which contain such information as the department shall require including a "worst case" schedule for the renegotiable rate mortgage which shows the highest possible monthly payment during the mortgage term, the contract rate of interest and the initial or base value of the

reference index to be utilized as a base in determining interest rate increases and decreases.

Section 3. Subclause (B) of clause (i) of subsection (a) of section 505 of the act, amended May 21, 1980 (No.51), is amended and a section is added to read:

Section 505. Real Estate Loans

(a) Permissible loans; maximum amount and term—A savings bank may, subject to the requirements of this section, make or acquire a loan secured by a lien on real estate (including a leasehold) located in any state or the District of Columbia, in a dependency or insular possession of the United States or in the Commonwealth of Puerto Rico, in an amount and for a term not to exceed:

(i) in the case of improved real estate, including farm land:

(B) four-fifths of the value for thirty years, if the terms of the loan require payments which are substantially equal [except for the last payment] at successive intervals of not more than one year each and in an amount sufficient to pay all principal of and interest on the loan within [thirty years, except] the term of the loan except as provided in section 505.1 and further excepting, that a loan to a commercial or industrial borrower is exempted from the requirement of substantially equal payments and the date of the initial payment on a loan to such borrower may be deferred for a period not in excess of three years from the date of the loan; or

Section 505.1. Renegotiable Rate Mortgage Instruments

(a) Authorization—A savings bank may make, purchase or participate in a renegotiable rate mortgage loan under this section if the loan pertains to one to four family home loans.

(b) Description—For purposes of this section, a renegotiable rate mortgage loan is a loan issued for a term of three, four or five years, secured by a long-term mortgage of up to thirty years, and automatically renewable at equal intervals except as provided herein and in regulations promulgated by the department to carry out the purposes of this section. The loan must be repayable in equal monthly installments of principal and interest during the loan term, in an amount at least sufficient to amortize a loan with the same principal and at the same interest rate over the remaining term of the mortgage. At renewal, no change other than in the interest rate may be made in the terms or conditions of the initial loan. Prepayment in full or in part of the loan balance secured by the mortgage may be made without penalty at any time.

(c) Reference index—The interest rate reference index shall be the contract interest rate on the purchase of previously-occupied homes in the Federal Home Loan Bank Board most recent monthly national average mortgage rate index for all major lenders.

(d) Cost of renewal—The borrower may not be charged any costs or fees in connection with the renewal of such loan.

(e) Base rate commitment—The initial or base value of the reference index shall be committed to the borrower at the same time that the initial contract interest rate is committed to the borrower and shall be entered in the loan documents as a contractual provision of the loan.

(f) Application disclosure—An applicant for a renegotiable rate mortgage loan must be given, at the time the applicant requests an application, written materials which contain such information as the department shall require including a "worst case" schedule for the renegotiable rate mortgage which shows the highest possible monthly payment during the mortgage term, the contract rate of interest and the initial or base value of the reference index to be utilized as a base in determining interest rate increases and decreases.

Amend Sec. 2, page 3, line 15 by striking out "2" and inserting 4
 Amend Sec. 3, page 3, line 25 by striking out "3" and inserting 5
 Amend Sec. 4, page 3, line 30 by striking out "4" and inserting 6
 Amend Sec. 5, page 4, line 25 by striking out "5" and inserting 7

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

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

Mr. LAUGHLIN. Mr. Speaker, last week the chairman of the Business and Commerce Committee and I engaged in a rather lengthy dissertation regarding the merits of a movable base rate, balloon mortgages, disclosure, and very few other situations that are included in this amendment. Mr. Speaker, as of today, the Alden amendment that was offered last week has been accepted; Mr. Smith has now offered a cap which has been accepted and Mr. Smith has offered some moderate disclosure that has been accepted.

Mr. Speaker, this amendment does not greatly alter those situations that have already been accepted in the House as amendments to this bill, and I would ask that the members of the House today give disclosure to those who are seeking mortgages and have the statute language there rather than the Secretary of Banking's language.

As you know, the chairman of the Business and Commerce Committee last week said that he would prefer to allow the Secretary of Banking to make those rules and regulations, but today we see a change in that position and now statutory language proposed to recommend and guide the Secretary of Banking.

Mr. Speaker, this language that I offer today does exactly the same thing. It gives the direction on what the disclosure should be to those seeking a mortgage, and I believe it should be accepted on those grounds. Thank you, Mr. Speaker.

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

Mr. L. E. SMITH. Mr. Speaker, I rise in opposition to these amendments. First of all, I think I stated clearly enough that my compromise on the 5-percent cap was in the interest of the passage of this bill and making renegotiable mortgages available to more people in this Commonwealth, because I feel that is the only instrument that is going to be available.

With the passage of that amendment, we have put into the statute as much law as we should. The rest should be left to the regulators. What Mr. Laughlin is offering here is basically the rules and regulations which have been promulgated by the Secretary for savings and loan associations, and here again I think I have to draw the line. I cannot go any further with putting regulations into the law and I would ask for a negative vote.

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

The following roll call was recorded:

YEAS—81

| | | | |
|-------------|----------------|------------|-----------------|
| Barber | Evans | Lloyd | Rybak |
| Belfanti | Fee | Lucyk | Seventy |
| Berson | Fryer | McCall | Shupnik |
| Blaum | Gallagher | McIntyre | Steighner |
| Borski | Gamble | McMonagle | Stewart |
| Brown | George | Manderino | Stuban |
| Caltagirone | Greenfield | Michlovic | Swaim |
| Cappabianca | Gruitza | Miscevich | Taylor, F. E. |
| Cawley | Haluska | Mrkonic | Tigue |
| Clark | Harper | Mullen | Trello |
| Cochran | Hoeffel | Murphy | Van Horne |
| Cohen | Horgos | Olasz | Wachob |
| Colafella | Hutchinson, A. | Oliver | Wambach |
| Cordisco | Irvic | Petrarca | Wargo |
| Cowell | Itkin | Petrone | White |
| DeWeese | Kowalshyn | Pievsky | Wiggins |
| Dawida | Kukovich | Pistella | Williams, H. |
| Deal | Laughlin | Richardson | Williams, J. D. |
| Dombrowski | Lescovitz | Rieger | Wozniak |
| Duffy | Levin | Ritter | Zwilk |
| Emerson | | | |

NAYS—112

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

NOT VOTING—7

| | | | |
|------|-----------|-----------|-----------|
| Cole | Kanuck | O'Donnell | Smith, B. |
| Gray | McClatchy | Pratt | |

EXCUSED—3

| | | |
|--------|-------------|------|
| Kolter | Pucciarelli | Punt |
|--------|-------------|------|

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

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

Mr. LLOYD offered the following amendments No. A364:

Amend Title, page 1, line 16 by striking out "renegotiable" and inserting certain residential

Amend Bill, page 3, by inserting between lines 14 and 15 Section 2. The act is amended by adding a section to read: Section 310.1. Certain Residential Loans

(a) Authorization by Department—A bank shall not make or acquire any loan secured by a lien on one to four family residential real estate not permitted on the day before the effective date of this amendatory act until such time as the department has specifically authorized, by regulation, the type of loans and mortgage instruments to be permitted in accordance with this amendatory act.

(b) Disclosures—The department shall promulgate regulations to assure that, before a bank, acting pursuant to this amendatory act, makes or acquires a loan secured by a lien on one to four family residential real estate, that bank provides, in addition to any other disclosures otherwise required, a clear explanation of the terms and conditions of the loan, including at least, the manner in which the loan may be renewed; the contract interest rate; and, if applicable to the type of mortgage, the manner in which the mortgagor's monthly payments could be increased or decreased during the term of the mortgage and the reference index base.

(c) Variance of Payments and Rates—The department shall promulgate regulations which determine the amount by which the monthly payments and the interest rates may vary on a loan made or acquired pursuant to this amendatory act and secured by a lien on one to four family residential real estate. In promulgating such regulations, the department shall give due consideration to general economic conditions, the financial condition of State-chartered banks, and the expectations of mortgagors of residential real estate.

(d) Oversight—A copy of every rule or regulation or amendment to a rule or regulation relating to mortgages for financing the purchase of a one to four family residential property proposed by the department in order to implement any provision of this amendatory act shall be submitted to the Secretary of the Senate and the Chief Clerk of the House of Representatives who shall cause the rules or regulations to be printed and distributed among all members of both chambers in the same manner as a reorganization plan. If either body fails to act within sixty days of receipt of such rules or regulations, or within fifteen legislative days after receipt, whichever shall last occur, rules or regulations adopted by the department shall be promulgated pursuant to the provisions of the act of July 31, 1968 (P.L. 769, No. 240), referred to as the Commonwealth Documents Law and 45 Pa.C.S. Part II (relating to publication and effectiveness of Commonwealth documents). If both chambers disapprove any rule or regulation, such information shall be certified by the Speaker of the House of Representatives and President pro tempore of the Senate to the department and such rule or regulation shall not be promulgated as a final rule or regulation.

Amend Sec. 2, page 3, line 15 by striking out "2" and inserting 3

Amend Sec. 3, page 3, line 25 by striking out "3" and inserting 4

Amend Sec. 4, page 3, line 30 by striking out "4" and inserting 5

Amend Sec. 5, page 4, line 25 by striking out "5" and inserting 6

On the question,

Will the House agree to the amendments?

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

Mr. LLOYD. Mr. Speaker, during debate on HB 103 last week and already today, it has been argued that it is not necessary for the legislature to place a statutory limitation on the types of flexible rate mortgages which banks may create. It has also been argued that it is not necessary for the legislature to place anything other than a 5-percent limitation on the amount by which the interest rate may be changed during the

life of a mortgage. Finally, it has been argued that it is not necessary for the legislature to spell out by statute what information banks must disclose to potential mortgagors.

The argument has been and continues to be that the Secretary of Banking can approve or disapprove new types of mortgages; can set ceilings other than 5 percent on interest rate fluctuations, and can require any disclosure which he deems necessary. The argument goes further, Mr. Speaker. The argument is that the Secretary should do that because the legislature is too slow to respond to changing circumstances and to make changes in outdated requirements and limitations.

My amendment has several objectives. First, it would give the Secretary of Banking clear, adequate authority to regulate the type of flexible mortgages in the way which Mr. Smith and other supporters of the bill suggest he intends to do. It would also give him the clear, adequate authority to determine the amount by which interest rates should vary if he should determine that something less than 5 percent would be appropriate. Finally, Mr. Speaker, it would give him the clear and adequate authority to require whatever disclosures he deemed appropriate.

The second objective of the amendment is to impose upon the Secretary the duty to investigate these various subjects - disclosure, the cap, and the kinds of flexible rate mortgages to be issued - and to promulgate those regulations which he determines to be necessary.

The third objective is to enable the General Assembly to review those regulations to assure that they properly balance the interest of the banks and the interest of the consumers.

Mr. Speaker, my amendment is in four parts. The first part would empower and require the Secretary of Banking to review the types of mortgages banks wish to offer. Mortgages which are permissible under existing law would continue unaffected by my amendment, but no new type of mortgage could be issued until the Secretary had satisfied himself that that new type of mortgage was proper.

The second part of the amendment, Mr. Speaker, would empower and require the Secretary to determine what disclosures banks must make in order to give a clear explanation to potential mortgagors of the terms and conditions of their loan. The Secretary would be required to issue regulations for banks to disclose how a loan can be renewed, what the contract interest rate is, and, if applicable to that particular type of mortgage, what the reference index base rate is and how monthly payments and interest rates can vary during the life of the mortgage. It would be up to the Secretary to decide how and when and in what form the disclosures are to be made and to decide how extensive those disclosures should be.

Mr. Speaker, I share the concern of the gentleman who rose last week and showed us the various disclosure forms which banks and savings and loan institutions must currently issue, and I share the concern that sometimes we deluge the consumers with information which the consumers cannot digest and, therefore, do not really understand, and I would hope that in exercising the regulatory authority which my amendment would give to the Secretary that he would give

due heed to the concern of this body that whatever disclosures are made should be disclosures which are reasonably calculated to inform the consumer in a way which he is going to understand.

Part three of my amendment would empower and require the Secretary to set limitations or establish guidelines for the variation in interest rates and monthly payments during the life of flexible rate mortgages. Because there is an ambiguity in the Smith amendment, even though the legislative intent has been clearly stated, this section of my amendment remains important because it gives the Secretary the clear power to put into effect the intent which Mr. Smith's amendment carries with it. It also gives him the power, should he determine that it is appropriate, to set some limitation out into the future which would be less than the 5-percent maximum which we voted on a few moments before.

Part four of my amendment would entitle the General Assembly to review whatever regulations the Secretary proposes, and those regulations would automatically go into effect unless they were vetoed by both houses. This part of my amendment, Mr. Speaker, is in essence a Taylor legislative oversight amendment which was offered last week and was defeated by one vote.

Now, Mr. Speaker, because of the flexibility which my amendment would provide to the Secretary of Banking, he could in effect establish parity on mortgage matters among the various lending institutions, if he decided that parity were appropriate.

The objective of HB 103 is to encourage banks to issue more mortgages by enabling them to lower short-term interest rates because of the guarantee that those rates could be raised in the long run if the market interest rates rise. If the banks respond as predicted by Mr. Smith and the other proponents of this bill, then at least theoretically there will be an increase in residential construction and a decrease in unemployment. I support that objective, but enactment of HB 103 will not produce any significant increase in mortgages issued or in housing starts unless consumers have some reasonable assurance that the interest rate on their mortgage is known to them in advance and that it will not rise so high in the future that they will not be able to meet their payments.

It was argued last week that the banks are in the foreclosing business, but, Mr. Speaker, I invite our attention to history. The present restrictions on the kinds of mortgages which banks can issue have their roots in abuses which occurred previously, and if we do not take heed to that history we shall repeat it and we will once again be confronted with the possibility of substantial foreclosures. Mr. Speaker, we do not need to put the banks in the position of having to make that choice. One way to help prevent that is to make sure consumers know in advance what they are getting into. Placing a 5-percent cap into the bill as we have already today is a good step toward compromise and a good step in that direction, but it does not mean anything unless there are some regulations spelling out in clear language so that the consumer actually knows that his mortgage can fluctuate in that way.

The bottom line, Mr. Speaker, is that without that assurance as to what he is getting into, few consumers are going to want mortgages, and the housing industry will continue to slump notwithstanding our intention to the contrary. My amendment would be a step toward providing those assurances, not by statute but by regulation which can be revised as circumstances dictate.

My amendment meets the objections which were raised last week and which were raised earlier today to Mr. Laughlin's new amendment. My amendment allows flexibility; it allows experimentation; it allows flexible mortgages on a permanent basis, but it does those things at the same time it establishes a mechanism whereby the legislature can exercise its responsibility not to delegate unlimited power to unelected bureaucrats. Mr. Speaker, I urge adoption of the amendment.

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

Mr. L. E. SMITH. Mr. Speaker, I rise in opposition to this amendment, and let me begin by stating for the purposes of legislative intent, it is our intention that the Secretary of Banking would promulgate rules as closely as possible to what we presently have with Federal and state-chartered savings and loan associations and what will be forthcoming for national banks. Now, I do not really see why the legislature would want to get into this kind of an amendment. We do not look at the rules and regulations and approve them for the Department of Welfare, for the Department of Environmental Resources, Labor and Industry, Health and Welfare, or any other department.

Now, in the power that Mr. Lloyd would give the Secretary here, in part (c) of his amendment, he states that "...the department shall give due consideration to general economic conditions, the financial condition of State-chartered..." savings "banks, and the expectations of mortgagors of residential real estate." Now, when we give the Secretary that power, in the next section of this amendment we say, now you send your regulations over here to the legislature and we are going to approve them or disapprove them.

Now, I can just see that before we would want to act on that, in order that we might determine what the general economic conditions are, we might want to hire an economist, and the minority might want to hire two economists, and, as far as I am concerned, economists are like lawyers - when you get two of them together, you cannot get agreement. And when you get five on each side, we would be in turmoil because we would not know who was right and who was wrong, and I do not know why the legislature would want to subject themselves to that kind of oversight because it would just create turmoil.

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

Mr. LAUGHLIN. Mr. Speaker, would the gentleman please stand for interrogation?

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

Mr. LAUGHLIN. Mr. Speaker, if I am to understand your statement correctly, what you are saying to us is that you do

not want the Secretary of Banking to submit his proposals to the legislature for review prior to enactment. Is that correct?

Mr. L. E. SMITH. Yes, that is correct.

Mr. LAUGHLIN. I was waiting there; I was kind of wondering if you thought it was or not.

Mr. Speaker, with regard to that, you are saying that you do not want those rules and regulations submitted here in the House for review, but, Mr. Speaker, I know that talking about legislation that is not introduced and is not before us is not acceptable for debate on this floor, but I am going to give you cause to remember what you just said when we debate this bill dealing with housing just a few weeks or months down the road which calls exactly for review by this House of rules and regulations that are sent over by departments such as the Pennsylvania Department of Housing, and, Mr. Speaker, I would like to see you substantiate the kind of position you are taking when on one issue you say we should not review, and on the other when you say we should review.

Mr. L. E. SMITH. Mr. Speaker, let me make the clarification here. I believe the gentleman is referring to the Pennsylvania Housing Finance Agency, and it is not a regulatory agency.

Mr. LAUGHLIN. Mr. Speaker, the gentleman has stated the Pennsylvania Housing Finance Agency is not a regulatory agency. I would suggest to him that he examine the 1978 legislation dealing with mortgage financing, and he would find that in that legislation the Senate specifically pointed out in SB 984 that they shall regulate the housing; they shall put out the requirements for housing; they shall select the areas of public housing where it is most beneficial and fitting. Mr. Speaker, I would suggest that you examine that before you say that they do not have regulatory power as such.

Mr. L. E. SMITH. Mr. Speaker, we are going far afield in the arguments on the Lloyd amendments. The Pennsylvania Housing Finance Agency has no executive cabinet positions. They are directly regulated by the legislature; they are a creation and an arm of the legislature, and I do not think we should be arguing that point at this period. We will have plenty of time to do that down the road.

Mr. LAUGHLIN. Yes, we shall, Mr. Speaker. Thank you.

Mr. Speaker, one statement.

The SPEAKER. The Chair recognizes the gentleman from Beaver, Mr. Laughlin, for one statement.

Mr. LAUGHLIN. Mr. Speaker, it is quite obvious that Mr. Smith is going to take the position throughout the amendment procedure this morning that he is going to stand on not wishing to see additional review by this legislature of rules and regulations that are promulgated by the Banking Commission or by any other department of this particular government, and the administration is going to have the right, then, to dictate the policy and to dictate the procedures, and the legislature is going to be in a position of accepting them. We all know how difficult it is to change law once it is enacted. We also know how difficult it is to get the departments to change directions once they have promulgated rules and regulations. Mr. Speaker, I would suggest that our constituencies would want the fullest and the most complete possible review of all

the regulations that are promulgated by these departments, and I cannot honestly understand your objection to that. Thank you.

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

Mr. LLOYD. Mr. Speaker, the argument has been made that it is not necessary and in fact there is something philosophically wrong with requiring the members of various government agencies to come back to this House and to the Senate with their proposed regulations. Mr. Speaker, I would like to call the members' attention to a bill which we passed in this House early in this session, basically clarifying a mistake made last year about forcing the various professional regulators over in the Department of State to bring their regulations to this General Assembly for disapproval.

I might also note in that regard that when that legislation was on the floor of the House, many members on this side of the aisle argued that it would be better to have a two-house veto, and the members on the other side argued successfully that a one-house veto was sufficient. Mr. Speaker, it seems to me that it is now inconsistent to argue that it is okay to impose a one-house veto, a much more stringent measure than I am proposing; that it is okay to impose that on the Professional Licensing Board but it is not okay to impose a two-house veto on the Secretary of Banking.

Furthermore, Mr. Speaker, there is currently pending in this House legislation which has a Republican prime sponsor and has cosponsors, a substantial number, on both sides of the aisle. I am one of those cosponsors, Mr. Speaker, and the intention of that legislation is to require that departmental regulations across the board be submitted to the legislature for a two-house veto, and I ask, Mr. Speaker, the members who have cosponsored that legislation to bear in mind their cosponsorship when they vote on my amendment this morning.

Finally, Mr. Speaker, it has been suggested that we do not need to look over the shoulder of the Secretary of Banking because nothing bad is going to happen. Mr. Speaker, if the effort is to obtain the vote of those of us on this side of the aisle who believe that there is merit in flexible rate mortgages, one does not do that, Mr. Speaker, by saying, do not come back and show us what the Secretary is doing, because the effect of that argument is to raise suspicion about what the Secretary might do. The way to put those suspicions to rest and to assure a significant number of votes on this side of the aisle on final passage is to give us some protection in the bill. You have been unwilling to give us any specific protections beyond the ambiguous Smith amendment and the ambiguous Alden amendment. At the very least, give us this right to have a review of what the Secretary of Banking is going to have to promulgate.

Mr. Speaker, I urge adoption of the amendment.

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

The following roll call was recorded:

YEAS—91

| | | | |
|-------------|----------------|------------|-----------------|
| Barber | Duffy | Letterman | Rieger |
| Belardi | Emerson | Levin | Ritter |
| Belfanti | Evans | Lloyd | Rybak |
| Berson | Fee | Lucyk | Seventy |
| Blaum | Fryer | McCall | Shupnik |
| Borski | Gallagher | McIntyre | Steighner |
| Brown | Gamble | McMonagle | Stewart |
| Burns | George | Manderino | Stuban |
| Caltagirone | Grabowski | Michlovic | Swaim |
| Cappabianca | Greenfield | Miller | Taylor, F. E. |
| Cawley | Greenwood | Miscevich | Trello |
| Clark | Gruitza | Morris | Van Horne |
| Cochran | Haluska | Mrkonic | Wachob |
| Cohen | Harper | Murphy | Wambach |
| Colafella | Hoeffel | O'Donnell | Wargo |
| Cole | Horgos | Olasz | Wiggins |
| Cordisco | Hutchinson, A. | Oliver | Williams, H. |
| Cowell | Irvis | Pendleton | Williams, J. D. |
| Cunningham | Itkin | Petrarca | Wilson |
| DeMedio | Kowalshyn | Petrone | Wozniak |
| DeWeese | Kukovich | Pievsky | Wright, D. R. |
| Dawida | Laughlin | Pistella | Zwikel |
| Deal | Lescovitz | Richardson | |

NAYS—103

| | | | |
|------------|----------------|-----------|---------------|
| Alden | Fleck | McVerry | Sieminski |
| Anderson | Foster, W. W. | Mackowski | Sirianni |
| Armstrong | Frazier | Madigan | Smith, B. |
| Arty | Freind | Maiale | Smith, E. H. |
| Beloff | Gallen | Manmiller | Smith, L. E. |
| Bittle | Gannon | Marmion | Snyder |
| Bowser | Geist | Merry | Spencer |
| Boyes | Gladeck | Micozzie | Spitz |
| Brandt | Grieco | Moehlmann | Stairs |
| Burd | Gruppo | Mowery | Stevens |
| Cessar | Hagarty | Nahill | Sweet |
| Cimini | Hayes | Noye | Swift |
| Civera | Hayes | Perzel | Taddonio |
| Clymer | Heiser | Peterson | Taylor, E. Z. |
| Cornell | Honaman | Phillips | Telek |
| Coslett | Hutchinson, W. | Piccola | Tigue |
| DeVerter | Jackson | Pitts | Vroon |
| Daikeler | Johnson | Pott | Wass |
| Davies | Kennedy | Rappaport | Wenger |
| Dietz | Klingaman | Rasco | Weston |
| Dininni | Lashinger | Reber | Wilt |
| Dombrowski | Lehr | Rocks | Wogan |
| Donatucci | Levi | Salvatore | Wright, J. L. |
| Dorr | Lewis | Saurman | |
| Durham | Livengood | Serafini | Ryan, |
| Earley | McClatchy | Showers | Speaker |
| Fischer | | | |

NOT VOTING—6

| | | | |
|-----------------|--------|-------|-------|
| Foster, Jr., A. | Kanuck | Pratt | White |
| Gray | Mullen | | |

EXCUSED—3

| | | |
|--------|-------------|------|
| Kolter | Pucciarelli | Punt |
|--------|-------------|------|

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

REMARKS ON VOTE

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

Mr. A. C. FOSTER. Mr. Speaker, I was not recorded on the roll call on the Lloyd amendment A364 to HB 103. I would like to be recorded in the negative.

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

CONSIDERATION OF HB 103 CONTINUED

On the question recurring,

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

Mr. GEORGE offered the following amendments No. A325:

Amend Title, page 1, line 16, by striking out "and" and inserting , requiring the cashing of checks for senior citizens, and providing

Amend Bill, page 3, by inserting between lines 14 and 15 Section 2. The act is amended by adding a section to read: Section 611. Cashing Checks for Senior Citizens An institution shall cash, without charge, any State or Federal Government check presented for payment by the payee of the check who is a senior citizen sixty-five years of age or older.

Amend Sec. 2, page 3, line 15, by striking out "2" and inserting 3

Amend Sec. 3, page 3, line 25, by striking out "3" and inserting 4

Amend Sec. 4, page 3, line 30, by striking out "4" and inserting 5

Amend Sec. 5, page 4, line 25, by striking out "5" and inserting 6

On the question,

Will the House agree to the amendments?

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

Mr. GEORGE. Mr. Speaker, I come before you today better prepared to insist on the need for an amendment that I feel must be adopted in order to help our senior citizens. Last week when we debated the merits of this bill, I apologized for not realizing just how important in facts and dollars this bill will be. I did not know last week that there were almost two million Social Security checks for people in Pennsylvania and therefore if banks would charge only 50 cents a check, we would be costing the senior citizens \$1 million a month or \$12 million a year.

Now, I realize that many of you who supported this bill may have had some reservations on the flexibility and the appropriateness. Therefore, also last week I was not aware of proper identification. So today, Mr. Speaker, we provide to you— Mr. Speaker, I just will not belabor this, but there were some of you fine individuals who said, hey, look, we want this to specifically say senior citizens. There has to be a happy medium. We all have to be interested in senior citizens, so the amendment is proposed to you that it does alleviate the need and the charge for senior citizens. I ask that you adopt this amendment.

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

Mr. L. E. SMITH. Mr. Speaker, could I just have a minute? I was dealing on another matter here and I do not have a copy of the amendment that is being offered.

Mr. Speaker, this is very similar to an amendment that we defeated last week, and the problem with this amendment is

that it states that "... who is a senior citizen sixty-five years of age or older," and that creates a problem for the bank because they are not permitted to ask you your age.

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

The following roll call was recorded:

YEAS—117

| | | | |
|-------------|----------------|------------|-----------------|
| Barber | Evans | McCall | Ritter |
| Belardi | Fee | McIntyre | Rybak |
| Belfanti | Fischer | McMonagle | Seventy |
| Beloff | Fryer | Maiale | Showers |
| Berson | Gallagher | Manderino | Shupnik |
| Blaum | Gambie | Merry | Stairs |
| Borski | George | Michlovic | Steighner |
| Brown | Grabowski | Micozzie | Stevens |
| Burns | Greenfield | Miller | Stewart |
| Caltagirone | Gruitza | Miscevich | Stuban |
| Cappabianca | Haluska | Moehlmann | Swaim |
| Cawley | Harper | Morris | Sweet |
| Cimini | Hoefel | Mrkonic | Taddonio |
| Civera | Horgos | Murphy | Taylor, F. E. |
| Clark | Hutchinson, A. | O'Donnell | Telck |
| Cochran | Irvic | Olasz | Tigue |
| Cohen | Itkin | Oliver | Trello |
| Colafella | Jackson | Pendleton | Van Horne |
| Cole | Klingaman | Perzel | Wachob |
| Cordisco | Kowalyszyn | Petrarca | Wambach |
| Cornell | Kukovich | Petrone | Wargo |
| Cowell | Laughlin | Phillips | Wass |
| DeMedio | Lehr | Pievsky | Wiggins |
| DeWeese | Lescovitz | Pistella | Williams, H. |
| Dawida | Letterman | Pratt | Williams, J. D. |
| Deal | Levin | Rappaport | Wogan |
| Dombrowski | Livengood | Reber | Wozniak |
| Donatucci | Lloyd | Richardson | Wright, D. R. |
| Duffy | Lucy | Rieger | Zwilk |
| Emerson | | | |

NAYS—75

| | | | |
|------------|-----------------|-----------|---------------|
| Anderson | Foster, W. W. | Lashinger | Serafini |
| Armstrong | Foster, Jr., A. | Levi | Sieminski |
| Bittle | Frazier | Lewis | Sirianni |
| Bowser | Freind | McVerry | Smith, E. H. |
| Boyes | Gallen | Mackowski | Smith, L. E. |
| Brandt | Gannon | Madigan | Snyder |
| Burd | Geist | Manmiller | Spencer |
| Cessar | Gladeck | Marmion | Spitz |
| Clymer | Greenwood | Mowery | Swift |
| Coslett | Grieco | Nahill | Taylor, E. Z. |
| Cunningham | Gruppo | Noye | Vroon |
| DeVerter | Hagarty | Peterson | Wenger |
| Daikeler | Hasay | Piccola | Weston |
| Davies | Hayes | Pitts | Wilson |
| Dietz | Heiser | Pott | Wilt |
| Dininni | Honaman | Rasco | Wright, J. L. |
| Dorr | Hutchinson, W. | Rocks | |
| Durham | Johnson | Salvatore | Ryan, |
| Earley | Kennedy | Saurman | Speaker |
| Fleck | | | |

NOT VOTING—8

| | | | |
|-------|--------|-----------|-----------|
| Alden | Gray | McClatchy | Smith, B. |
| Arty | Kanuck | Mullen | White |

EXCUSED—3

| | | |
|--------|-------------|------|
| Kolter | Pucciarelli | Punt |
|--------|-------------|------|

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

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

Mr. D. R. WRIGHT offered the following amendments No. A416:

Amend Title, page 1, line 16, by inserting after "mortgages"; for the crediting of deposits

Amend Bill, page 3, by inserting between lines 14 and 15 Section 2. The act is amended by adding a section to read: Section 611. Crediting of Deposits. All deposits made with any institution by a depositor shall be credited to the account of the depositor on the day the deposit is received by the institution.

Amend Sec. 2, page 3, line 15, by striking out "2" and inserting 3

Amend Sec. 3, page 3, line 25, by striking out "3" and inserting 4

Amend Sec. 4, page 3, line 30, by striking out "4" and inserting 5

Amend Sec. 5, page 4, line 25, by striking out "5" and inserting 6

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

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

Mr. D. R. WRIGHT. Mr. Speaker, this is a very simple amendment that I am certain that everybody can support. All it means is that when you make a deposit, that deposit is recorded and credited to your account on the day that you make the deposit. I ask for your support.

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

Mr. L. E. SMITH. Would the gentleman stand for brief interrogation?

The SPEAKER. The gentleman indicates he will; the gentleman, Mr. Smith, may proceed.

Mr. L. E. SMITH. Mr. Speaker, are you making any distinction here between a cash deposit and a deposit of a check?

Mr. D. R. WRIGHT. No, I am not. One of the problems right now, Mr. Speaker, is that

Mr. L. E. SMITH. Wait a minute. Let us not debate the merits. I just wanted to make a point, and the point is

Mr. D. R. WRIGHT. Maybe I wanted to make a point. Go right ahead.

Mr. L. E. SMITH. The point is that if you deposit cash, you could require the bank to do that?

Mr. D. R. WRIGHT. That is right.

Mr. L. E. SMITH. I am through with my interrogation. If you deposit a check

The SPEAKER. The Chair recognizes the gentleman, Mr. Smith, on the merits of the amendment.

Mr. L. E. SMITH. —that item is not collected until it is cleared through the Federal Reserve. Presently, we have banks who are not depositing checks until they clear the Federal Reserve, and they have every right to do that. So I think if you are going to offer this amendment, which I would have to oppose, I believe you should make the distinction between a cash deposit and a check deposit.

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

Mr. D. R. WRIGHT. Mr. Speaker, the gentleman, Mr. Smith, has raised a question that deserves some kind of response. It is true that if you go into a bank and you have a check—let us say for \$500—and you want that put into your account, they may not do that until Monday or Tuesday if it is deposited on Friday. But then if you say, I want that check cashed, they will cash the check, and then you can say, now, I want to make a deposit, and then you can write a check against that. There are businesses, there are corporations that have payroll payment plans, salary payment plans, in which they put all of the payroll in a bank, and it happens in this Commonwealth that those persons have written checks against that and those checks have bounced, even though the corporation or the company has put money in the bank for that purpose.

I really do not see any real problem with this. We have got a bill here that I think all of us, many of us, are going to support one way or the other. We are giving a good deal to the banks. All we are asking now is to give the consumer a break and post his deposit on the day that he makes it. I do not think that that is unreasonable or unfair and I hope Mr. Smith will support it.

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

Mr. RAPPAPORT. Mr. Speaker, the amendment of my friend from Clarion has a superficial appeal to help the consumer. I would suggest, however, the only person who is going to be helped is the check-kiter. Perhaps I should explain what a check-kiter is. People get involved in check-kiting scams when they deposit checks on one bank in another bank for uncollected funds.

Let us talk about what uncollected funds are. I frequently get a check from the Commonwealth drawn on a bank in Erie, and I deposit it in a bank in Philadelphia. Now, that bank in Erie is good for the money, and the Commonwealth is good for the money, but my bank in Philadelphia does not actually have the money until about a week after I deposit it because it must go through the Philadelphia Federal Reserve Bank and then go to the Pittsburgh Reserve Bank, and then go to Erie and come back down the line, which means my bank does not have that money for a week to 10 days. If they do me the favor, as the gentleman from Clarion said, of cashing such a check for me, it is a favor; it is an accommodation to a customer, and I assure you they are not going to do it with a \$1,000 check. They might do it with a \$100 check because you need the cash, or they might not bounce your check for uncollected funds as an accommodation, but if we write this into the law, we are talking about billions of dollars in the float, and what you are saying to the banks is, pay out on these checks even though you do not know if they are good. You may not wait until that check comes back from the Bank of America in California. You may not wait in Philadelphia until that check comes back from Mellon in Pittsburgh bounced because that person did not have an account in Mellon. You must pay the check today, and I would suggest to the House

that this is just not an amendment that should be passed. If the gentleman would change his amendment to read "cash deposits," if there is a problem with that, I should be very happy to support it, but in terms of checks, even U. S. Treasury checks, you are asking the bank to assume a tremendous liability which it should not have to assume and which would put our Banking Code and our Bank Collection Code out of "sync" with the National Bank Collection Code, which is vital. Thank you, Mr. Speaker.

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

Mr. PISTELLA. I would like to make a few brief comments and observations on the Wright amendment.

I have been doing business for a number of years in a local branch of a Pittsburgh bank in my district, and one particular time when I was having a little bit of difficulty with cash flow, I walked in with a state paycheck. This was a paycheck that I have received the first of every month from the chief clerk. As I walked in, I explained to the teller that I wanted to have a portion of that money returned to me in cash and the rest deposited in my account. They then informed me, as is the procedure, that it would take up to 10 days before I would be eligible to draw on that. Now, I have noticed that there have been observations that have been made about the bank doing me a favor or doing the consumer a favor by cashing a check. Let us really look at it in its true sense. What they do is when they take the money from me or anyone else as a consumer, at the end of the day they take the receipts and they put it into a high-yield, very short-term certificate. So really the big favor that the bank is telling me that they are doing for me by cashing my check is in actuality a favor that I am doing for them by letting them play with my money for 24 or 48 hours or 36 hours.

Now, as my colleague from Philadelphia, Mr. Rappaport, indicated, there is a question of security. If I were to withdraw a portion of my money from a checking account and find out that I have been cited for nonsufficient funds, even though I would have ample moneys in my account to cover that check, I am still hit with a \$4 service charge. So why do we not just put it in its proper perspective, that actually the bank is not doing any of us a favor by cashing our checks? We are doing them a favor by giving them 10 days to play with our money. So I would encourage everyone to put this in its proper perspective and support the Wright amendment. Thank you.

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

Mr. L. E. SMITH. Mr. Speaker, in opposing this amendment let me remind the members again that we are dealing here with 165 state-chartered banks; we have no control over the national banks; we are creating a very distinct competitive disadvantage when we do this for state banks where we have no control over national banks, and I would ask for a negative vote.

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

The following roll call was recorded:

YEAS—77

| | | | |
|-------------|----------------|------------|-----------------|
| Barber | Gallagher | McIntyre | Seventy |
| Blaum | Gamble | McMonagle | Showers |
| Borski | George | Manderino | Shupnik |
| Brown | Greenfield | Michlovic | Steighner |
| Caltagirone | Gruitza | Miscevich | Stewart |
| Cappabianca | Haluska | Mrkonic | Stuban |
| Clark | Harper | Mullen | Taylor, F. E. |
| Cohen | Horgos | Murphy | Trello |
| Colafiglia | Hutchinson, A. | O'Donnell | Van Horne |
| Cole | Irvis | Olasz | Wachob |
| DeMedio | Itkin | Oliver | Wambach |
| DeWeese | Kukovich | Petrarca | Wargo |
| Dawida | Laughlin | Petrone | White |
| Deal | Lescovitz | Pievsky | Wiggins |
| Dombrowski | Levin | Pistella | Williams, H. |
| Duffy | Livengood | Pratt | Williams, J. D. |
| Emerson | Lloyd | Richardson | Wozniak |
| Evans | Lucyk | Rieger | Wright, D. R. |
| Fee | McCall | Ritter | Zwilk |
| Fryer | | | |

NAYS—120

| | | | |
|------------|-----------------|-----------|---------------|
| Alden | Durham | Levi | Saurman |
| Anderson | Earley | Lewis | Serafini |
| Armstrong | Fischer | McClatchy | Sieminski |
| Belardi | Fleck | McVerry | Sirianni |
| Belfanti | Foster, W. W. | Mackowski | Smith, B. |
| Beloff | Foster, Jr., A. | Madigan | Smith, E. H. |
| Berson | Frazier | Maiale | Smith, L. E. |
| Bittle | Freind | Manmiller | Snyder |
| Bowser | Gallen | Marmion | Spencer |
| Boyes | Gannon | Merry | Spitz |
| Brandt | Geist | Micozzie | Stairs |
| Burd | Gladeck | Miller | Stevens |
| Burns | Grabowski | Moehlmann | Swaim |
| Cawley | Greenwood | Morris | Sweet |
| Cessar | Grieco | Mowery | Swift |
| Cimini | Gruppo | Nahill | Taddonio |
| Civiera | Hagarty | Noye | Taylor, E. Z. |
| Clymer | Hasay | Pendleton | Telek |
| Cochran | Hayes | Perzel | Tiguc |
| Cordisco | Heiser | Peterson | Vroon |
| Cornell | Hoeffel | Phillips | Wass |
| Coslett | Honaman | Piccola | Wenger |
| Cowell | Hutchinson, W. | Pitts | Weston |
| Cunningham | Jackson | Pott | Wilson |
| DeVerter | Johnson | Rappaport | Wilt |
| Daikeler | Kennedy | Rasco | Wogan |
| Davies | Klingaman | Reber | Wright, J. L. |
| Dietz | Kowalyshyn | Rocks | |
| Dininni | Lashinger | Rybak | Ryan, |
| Donatucci | Lehr | Salvatore | Speaker |
| Dorr | Letterman | | |

NOT VOTING—3

| | | |
|------|------|--------|
| Arty | Gray | Kanuck |
|------|------|--------|

EXCUSED—3

| | | |
|--------|-------------|------|
| Kolter | Pucciarelli | Punt |
|--------|-------------|------|

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

**ANNOUNCEMENTS
HOUSE SCHEDULE**

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I suggest that we recess now for the purpose of taking lunch until 2 p.m. My desk shows that there are a couple of amendments yet to be offered, and I

respectfully suggest that we limit ourselves to just those. Mr. Levin has two; Mr. Cohen has one; Mr. Taylor has one, and Mr. Fleck has one. I respectfully suggest that we come back at 2 p.m., address those five amendments, and vote upon this bill finally.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. I have no announcement except I was not paying attention. Did the majority leader say there were additional amendments to HB 103?

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. It is my understanding that Mr. Levin has two; Mr. Cohen has one; Mr. Taylor one, and Mr. Fleck one, and I suggest that we do not spend lunch hour drafting more amendments.

Mr. IRVIS. I understand that, but there is one more amendment which may be drafted, and I will inform the majority leader of that.

I have no announcement, Mr. Speaker.

STATE GOVERNMENT COMMITTEE MEETING

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

Mr. GALLEN. Mr. Speaker, there will be an immediate meeting of the State Government Committee in room 401. It will be very brief. Thank you, Mr. Speaker.

REMARKS ON VOTE

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

Mr. COSLETT. Mr. Speaker, on HB 103, amendment A325, Mr. George's amendment, I was cast in the negative, and I would like to be cast in the affirmative, please.

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

**ANNOUNCEMENTS, CONTINUED
BLACK CAUCUS MEETING**

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

Mr. H. WILLIAMS. Mr. Speaker, there will be an immediate meeting of the Black Caucus in Mr. Barber's office.

**AD HOC COMMITTEE ON
UNEMPLOYMENT COMPENSATION MEETING**

The SPEAKER. The Chair recognizes the gentleman from Bradford, Mr. Madigan.

Mr. MADIGAN. There will be a meeting of the Ad Hoc Committee on Unemployment Compensation in room 313A, my office, at 1:15.

RECESS

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

AFTER RECESS

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

The SPEAKER. The members will report to the floor of the House. The Chair is about to take up HB 103.

REMARKS ON VOTE

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

Mr. HASAY. On the George amendment to HB 103, my switch was malfunctioning. I wish to be recorded in the affirmative. Thank you.

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

CONSIDERATION OF HB 103 RESUMED

On the question recurring,

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

Mr. FLECK offered the following amendments No. A404:

Amend Sec. 1, page 1, line 22, by inserting after "amended" where it appears the second time and a subsection is added

Amend Sec. 1 (Sec. 310), page 3, by inserting between lines 13 and 14

(a.1) Service charge refund—If any renegotiable rate mortgage loan made pursuant to this section is satisfied by the borrower prior to expiration of its original term for the purpose of refinancing, the borrower at the time the mortgage loan is satisfied shall receive from the institution a refund of any service charge paid by the borrower at settlement calculated by multiplying the service charge by a fraction, the numerator of which shall be the original term of the mortgage loan minus the number of years payments have been paid on the mortgage loan and the denominator of which shall be the original term of the mortgage loan. For purposes of this subsection "service charge" shall mean any consideration paid by the borrower and retained by the institution for or related to the making of a renegotiable rate mortgage loan, plus any consideration received by the institution for making a renegotiable rate mortgage loan commitment.

On the question,

Will the House agree to the amendments?

MR. SPENCER REQUESTED TO PRESIDE

The SPEAKER. The Chair requests the gentleman from Tioga, Mr. Spencer, to preside temporarily.

**THE SPEAKER PRO TEMPORE
(WARREN H. SPENCER) IN THE CHAIR**

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Fleck, for the purpose of explaining his amendments.

Mr. FLECK. Mr. Speaker, I offer my amendment to HB 103 in the hopes of correcting an unforeseen inequity that exists under the current bill and the expected regulations

which will be promulgated. Currently banks are charging service fees and other origination fees to mortgage borrowers which have historically been charged on instruments of 20, 25, or 30 years. If we pass HB 103 and do not address the issue of service charges, we face a basic inequity which defeats the purpose of a renegotiable mortgage.

Essentially what would happen is, you as a borrower would pay 1 percent or 2 percent of the entire principal amount of your loan at the time of its creation. This fee—let us say for the sake of argument, \$1,000; 2 percent on a \$50,000 mortgage—is currently taken by the bank and is used to increase the yield of that loan to an appropriate rate over the life of the loan. What would happen under the renegotiable-mortgage situation is this: If your lending institution informs you that they are increasing the rate of your mortgage interest under the regulations to be promulgated and that deal is not acceptable to you, you are faced with the option of either accepting it or going out and refinancing your loan. In this event, which is the only power that the borrower brings to the bargaining table in the renegotiable mortgage, in this event he faces again the necessity to pay 2 percent on \$50,000, or a fresh \$1,000.

Service charges as provided by Act 6 of 1974 were intended to live the life of a normal mortgage. Renegotiable mortgages will now permit those charges to be written off, to be taken in whole, to be assumed to be earned by the bank at each and every renegotiation point should the borrower choose not to continue under the new terms. My amendment seeks to correct this inequity by stating that service charges indeed do live for the expected life of the mortgage. In the event that you, halfway into your mortgage, decide to take a better deal from another bank to refinance, your service charges would be refunded pro rata to you so that you then can take this share of the service charges out to another financial institution, recreate the mortgage which you are giving up, and not suffer this economic penalty.

Unless we do this, we are essentially locking people into accepting whatever the borrower would propose his rate to be under the regulations which we are not sure exactly what they will be. We are bringing an economic penalty to one side of the negotiation. We are removing the free market principles of giving this person the right to go where his best interests are served. I would urge your support of this amendment to HB 103 which I feel brings back some basic fairness to the negotiations which will occur. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Jefferson, Mr. Smith.

Mr. L. E. SMITH. Mr. Speaker, I would like to yield temporarily to the gentleman from Philadelphia, Mr. Rappaport, who is going to discuss the service charge.

The SPEAKER pro tempore. The gentleman from Jefferson, Mr. Smith, yields the floor to the gentleman from Philadelphia, Mr. Rappaport.

Mr. RAPPAPORT. Would the gentleman, Mr. Fleck, consent to interrogation?

Mr. FLECK. Yes.

Mr. RAPPAPORT. Mr. Speaker, could the gentleman inform the House as to whether under his amendment the

actual title insurance costs will be part of that service fee refundable?

Mr. FLECK. No, sir, they would not.

Mr. RAPPAPORT. How about the appraisal fee, assuming it goes to an outside appraiser?

Mr. FLECK. No, sir, that would not be covered.

Mr. RAPPAPORT. How about counsel fees that are paid for the drawing of papers?

Mr. FLECK. No, sir.

Mr. RAPPAPORT. You are talking merely about a service charge that, as you say, goes back to the lender as consideration for the granting of the mortgage?

Mr. FLECK. That is right.

Mr. RAPPAPORT. Thank you, Mr. Speaker.

I reyield, with the Chair's kind permission, to the gentleman from Jefferson.

The SPEAKER pro tempore. The gentleman from Philadelphia, Mr. Rappaport, yields back to the gentleman from Jefferson, Mr. Smith.

Mr. L. E. SMITH. Mr. Speaker, in opposition to this amendment, I want to state what I have stated before.

Here again we are dealing only with state-chartered commercial banks. The costs that Mr. Fleck is talking about are the immediate costs that are associated with the administration of a closing. Now, the most important thing that you people should understand about this amendment is that if this language goes into this bill, it will destroy state-chartered banks' ability to market their mortgages to a secondary mortgage company, because the secondary mortgage company is obligated by everything that is in the original mortgage. FHA, VA mortgages for state-chartered banks, forget it. All of the Federal mortgage companies, forget it. Any secondary mortgage company that has to assume these kinds of costs is going to say to the state-chartered banks, we are not buying any more of your mortgages.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Beaver, Mr. Laughlin. Do you care to be recognized?

Mr. LAUGHLIN. Mr. Speaker, I was waiting for the gentleman, Mr. Fleck, to reply if he so desires.

The SPEAKER pro tempore. Mr. Fleck, do you desire to take the floor?

Mr. FLECK. Yes, sir.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Fleck, for the second time.

Mr. FLECK. If I understand Mr. Smith's comments, he is suggesting that the fees, which are essentially additional incomes to increase the yield of the total mortgage to an appropriate level, he is suggesting that because those fees would be defined on a continuum to live with the life of the mortgage, that somehow this would impair the future ability to sell that mortgage into a secondary market. Am I right?

Mr. L. E. SMITH. Yes.

Mr. FLECK. I do not see how that can happen since if the fees are designed to increase the yield of the mortgage, which has a life of 20 years, my amendment makes a pro rata assignment of those fees and permits that rate to exist on a

continuum. Rather, if we do not pass this amendment, what will happen is mortgages which are terminated at an early point under the renegotiable mortgage bill will have an extra interest added to them. The yield will actually increase. In other words, a 2-percent charge which increases the rate of return on a 20-year instrument to the appropriate level, if left unaltered, doubly, or rather more than doubly, increases that rate of return on a mortgage that is terminated after 5 years. I do not understand the point.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Jefferson, Mr. Smith.

Mr. L. E. SMITH. The point I am trying to make is that there is a possible payback in this amendment, and the payback would have to come from the person who bought the mortgage from the state-chartered commercial bank, and the secondary mortgage market is just simply not going to get involved in any document where there is a possible payback.

Mr. FLECK. It was not my intention to have that be done by the secondary personnel holding the mortgage but rather by the institution which created the mortgage which received the benefit of the service fees and which took them into income at the time of creation of the loan.

Mr. L. E. SMITH. Mr. Speaker, would the gentleman stand for interrogation?

Mr. FLECK. Yes.

The SPEAKER pro tempore. Will the gentleman stand for interrogation? The gentleman indicates he will. The gentleman from Jefferson, Mr. Smith, may proceed with the interrogation.

Mr. L. E. SMITH. Mr. Speaker, in the third line of your language you refer to the original term. Now, does this mean that after the first 3- or 5-year term, this amendment would not apply?

Mr. FLECK. No, sir, it does not. The intention of my legislation is to live with the expected term of the loan created notwithstanding the increments of renegotiation that are installed.

Mr. L. E. SMITH. On the third line from the bottom where you talk about— I am sorry; it would be starting with the sixth line where we start with "For purposes of this subsection 'service charge' shall mean any consideration paid by the borrower and retained by the institution...." Now, I do not know what you or the drafter of this amendment had in mind when you speak of "any consideration paid by the borrower."

Mr. FLECK. "Service charge" is a specific term created by Act 6 of 1974, and this bill uses that term in its definition under that act.

Mr. L. E. SMITH. That completes my interrogation, Mr. Speaker. I just want to make one further comment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Jefferson, Mr. Smith.

Mr. L. E. SMITH. I am not sure yet that I know what the gentleman intends to do. This looks like a sexy amendment, but it is very poorly drafted because he refers to the original term, and yet he said that is not what he intends. And the word "consideration" in the line that I mentioned before

certainly is very vague, and I would ask for a negative vote on this amendment.

Mr. FLECK. If I could respond for a moment.

The SPEAKER pro tempore. Just one moment, please.

FILMING PERMISSION GRANTED

The SPEAKER pro tempore. The Chair would like to interrupt the debate for just a moment to inform the members of the House that under permission granted to the Chair under rule 73 of the House of Representatives, an affiliate of Today's Post, a daily newspaper in Montgomery County, will be taking still pictures for a period of 10 minutes. Thank you.

CONSIDERATION OF HB 103 CONTINUED

AMENDMENTS WITHDRAWN

The SPEAKER pro tempore. Mr. Fleck, would you desire recognition?

Mr. FLECK. Yes, sir, I do.

The SPEAKER pro tempore. I would just like to remind Mr. Fleck that this is the third time, but we are counting the second time as interrogation.

Mr. FLECK. Thank you for that reminder.

I have just been apprised that I do actually have some drafting difficulty in the amendment. It is going to create an effect that I did not desire and, with the permission of the Chair, I would like to withdraw my amendment for some redrafting.

The SPEAKER pro tempore. The Chair thanks the gentleman, and the amendment is withdrawn.

The Chair recognizes the gentleman from Fayette, Mr. Taylor, for the purpose of submitting an amendment.

The clerk will read the amendment.

Mr. TAYLOR. Mr. Speaker, I believe that Mr. Levin has amendments that I think ought to be considered before my amendment. If it is in order, I would yield to him.

The SPEAKER pro tempore. Mr. Taylor, I have been informed that the Chair does not have the Levin amendment, and, therefore, would you consent to— Hold just a minute.

The Chair has been informed by the maker of the amendments, Mr. Levin, that the amendments were received but were again inaccurately drawn and had to be sent back for correction. Therefore, the Chair will again recognize the gentleman from Fayette, Mr. Taylor, for the purpose of submitting amendments.

Mr. TAYLOR. Thank you, Mr. Speaker.

I, at this time, yield to Mr. Cohen from Philadelphia for his amendments that I think ought to be considered at this time.

The SPEAKER pro tempore. I have been informed that we have the same difficulty, that the Chair is not in receipt of Mr. Cohen's amendments.

Mr. COHEN. Mr. Speaker, it has been distributed already.

Mr. Speaker, I yield to Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Speaker.

May I suggest that we take up the Wright amendment? The new Wright amendment, I believe, is down and it has been circulated.

On the question recurring,

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

Mr. D. R. WRIGHT offered the following amendments No. A425:

Amend Title, page 1, line 16, by inserting after "mortgages"; for the crediting of deposits

Amend Bill, page 3, by inserting between lines 14 and 15 Section 2. The act is amended by adding a section to read: Section 611. Crediting of Deposits. All deposits of cash and first party checks made with any institution by a depositor shall be credited to the account of the depositor on the day the deposit is received by the institution.

Amend Sec. 2, page 3, line 15, by striking out "2." and inserting 3.

Amend Sec. 3, page 3, line 25, by striking out "3." and inserting 4.

Amend Sec. 4, page 3, line 30, by striking out "4." and inserting 5.

Amend Sec. 5, page 4, line 25, by striking out "5." and inserting 6.

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Clarion, Mr. Wright, for the purpose of explaining his amendment.

Mr. D. R. WRIGHT. Mr. Speaker, when I introduced a former amendment, there was some concern, it seemed to me, some issues raised with regard to second- and third-party checks. What I have done here is simply draft an amendment that says that "All deposits of cash and first party checks made with any institution by a depositor shall be credited to the account of the depositor on the day the deposit is received by the institution." It seems to me that this meets the objection that was raised previously. I ask for consideration of this amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Jefferson, Mr. Smith.

Mr. L. E. SMITH. Mr. Speaker, would the gentleman stand for brief interrogation?

The SPEAKER pro tempore. The gentleman from Clarion indicates he will.

Mr. D. R. WRIGHT. Yes. Be sure to tell me when you are finished, Mr. Speaker.

Mr. L. E. SMITH. I always do.

Mr. Speaker, in your amendment you speak of "on the day the deposit is received by the institution," and under the Uniform Commercial Code, a banking day is described

Mr. D. R. WRIGHT. I did not hear you, Mr. Speaker.

Mr. L. E. SMITH. Under the Uniform Commercial Code, a banking day is described in that code, and if, for instance, a deposit is made after the close of the banking day, which might be 2 o'clock, and your deposit is made at 2:30, this amendment is in conflict with the Uniform Commercial Code. How do you propose to handle that?

Mr. D. R. WRIGHT. I am not proposing to handle it in any way except to say that if a bank receives a deposit, they will deposit on the day as specified in this amendment. I do not see any problem with that at all.

Mr. L. E. SMITH. Mr. Speaker?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Jefferson, Mr. Smith.

Mr. L. E. SMITH. There is a possible conflict here, and I am suggesting that due to the fact that banks have very sophisticated computers now that are a little difficult to work in the framework of this amendment, I am asking for a "no" vote.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Clarion, Mr. Wright.

Mr. D. R. WRIGHT. Mr. Speaker, it is apparent to me that any amendment to this legislation will find some kind of new objection. If you raise a new amendment to try to meet previous ones, there will be additional objection.

What we are attempting to do, and I think what we will finally do here, is to lay a heavy burden upon the taxpayers and consumers of the Commonwealth of Pennsylvania. This is an amendment that is not a complex, complicated amendment. All it does actually is to say that the banking institutions will use this complex computer mechanism, which Mr. Smith has described, to give the depositor of a bank a fair shake. We have instances all across this Commonwealth, Mr. Speaker, where banks have held depositors' money for days and days before it has been credited to their account, gaining interest from that and not giving any benefit at all to the depositor. It seems to me that that money ought to belong to somebody at some time all of the time and it ought to belong to the depositor when he puts that into a bank. I ask for an affirmative vote on this amendment.

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

The following roll call was recorded:

YEAS—92

| | | | |
|-------------|----------------|-----------|-----------------|
| Barber | Fee | Lloyd | Showers |
| Belfanti | Fischer | Lucyk | Shupnik |
| Blaum | Fryer | McCall | Stairs |
| Borski | Gallagher | McIntyre | Steighner |
| Brown | Gamble | McMonagle | Stewart |
| Burns | George | Manderino | Stuban |
| Caltagirone | Gladeck | Michlovic | Swaim |
| Cappabianca | Grabowski | Miller | Sweet |
| Cawley | Greenfield | Miscevich | Taylor, F. E. |
| Clark | Gruitza | Morris | Tigue |
| Cochran | Haluska | Mrkonic | Trello |
| Cohen | Hoeffel | Murphy | Van Horne |
| Colafella | Horgos | Olasz | Wachob |
| Cole | Hutchinson, A. | Oliver | Wambach |
| Cornell | Irvis | Petrarca | Wargo |
| Cowell | Itkin | Petrone | Wass |
| Cunningham | Kowalshyn | Pievsky | White |
| DeMedio | Kukovich | Pistella | Wiggins |
| Dawida | Laughlin | Pratt | Williams, H. |
| Dombrowski | Lescovitz | Rieger | Williams, J. D. |
| Duffy | Letterman | Ritter | Wozniak |
| Emerson | Levin | Rybak | Wright, D. R. |
| Evans | Livengood | Seventy | Zwilk |

NAYS—97

| | | | |
|-----------|-----------------|-----------|--------------|
| Anderson | Fleck | McVerry | Salvatore |
| Armstrong | Foster, W. W. | Mackowski | Saurman |
| Arty | Foster, Jr., A. | Madigan | Serafini |
| Belardi | Frazier | Maiale | Sieminski |
| Beloff | Frcind | Manmiller | Sirianni |
| Berson | Gallen | Marmion | Smith, B. |
| Bowser | Gannon | Merry | Smith, E. H. |

| | | | |
|-----------|----------------|-----------|---------------|
| Boyes | Geist | Micozzie | Smith, L. E. |
| Brandt | Greenwood | Moehlmann | Snyder |
| Burd | Grieco | Mowery | Spencer |
| Cessar | Gruppo | Mullen | Spitz |
| Cimini | Hagarty | Nahill | Stevens |
| Civera | Hasay | Noye | Swift |
| Clymer | Hayes | O'Donnell | Tadonio |
| Cordisco | Heiser | Pendleton | Telek |
| Coslett | Honaman | Perzel | Wenger |
| DeVerter | Hutchinson, W. | Peterson | Weston |
| Daikeler | Jackson | Phillips | Wilson |
| Davies | Johnson | Piccola | Wilt |
| Dietz | Kennedy | Pitts | Wogan |
| Dininni | Klingaman | Pott | Wright, J. L. |
| Donatucci | Lehr | Rappaport | |
| Dorr | Levi | Rasco | Ryan, |
| Durham | Lewis | Reber | Speaker |
| Earley | McClatchy | Rocks | |

NOT VOTING—11

| | | | |
|---------|--------|------------|---------------|
| Alden | Deal | Kanuck | Taylor, E. Z. |
| Bittle | Gray | Lashingner | Vroon |
| DeWeese | Harper | Richardson | |

EXCUSED—3

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| Kolter | Pucciarelli | Punt |
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The question was determined in the negative, and the amendments were not agreed to.

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

Mr. TAYLOR. Mr. Speaker, at this time I would like to yield to Mr. Cordisco for the purpose of an amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks, Mr. Cordisco.

Mr. CORDISCO. Mr. Speaker, I have an amendment which is not before me at this time. It is on its way down. It specifically states "deposits of cash."

The SPEAKER pro tempore. The Chair thanks the gentleman, and the House will be at ease for a few moments.

Mr. CORDISCO. Thank you, Mr. Speaker.

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

Mr. COHEN offered the following amendments No. A426:

Amend Sec. 1, page 1, line 20, by removing the comma after "310" and inserting and subsection (a) of section 505,

Amend Sec. 1, page 1, line 22, by striking out "is" and inserting are

Amend Bill, page 3, by inserting between lines 14 and 15 Section 505. Real Estate Loans

(a) Permissible loans; maximum amount and term—A savings bank may, subject to the requirements of this section, make or acquire a loan secured by a lien on real estate (including a leasehold) located in any state or the District of Columbia, in a dependency or insular possession of the United States or in the Commonwealth of Puerto Rico, in an amount and for a term not to exceed:

(i) in the case of improved real estate, including farm land:

(A) two-thirds of the value for ten years, if unamortized; or

(B) four-fifths of the value for thirty years, if the terms of the loan require payments which are substantially equal except for the last payment at successive intervals of not more than one year each and in an amount sufficient to pay all principal of and interest on

the loan within thirty years, except that a loan to a commercial or industrial borrower is exempted from the requirement of substantially equal payments and the date of the initial payment on a loan to such borrower may be deferred for a period not in excess of three years from the date of the loan: Provided, however, That whenever a renegotiable rate mortgage loan is to be made under the authority of this section, the mortgagor must be given, along with the letter of commitment, written notice of the initial base value of the reference index to be utilized as a base in determining interest rate increases and decreases; or

(C) ninety percent of the value of a one family residential property for thirty years, in an amount not to exceed forty thousand dollars (\$40,000), unless the department by regulation approves the granting of loans under this subsection in greater amounts, subject to the same requirements set forth in clause (B); or

(D) ninety-five percent of the value for thirty years, if that portion of the loan in excess of seventy-five percent of the value is made in reliance upon a private company mortgage insurance or guarantee acceptable to the Department of Banking, subject to the same requirements set forth in clause (B); or

(ii) in the case of unimproved real estate to be acquired or developed with the proceeds of the loan:

(A) two-thirds of the value for three years, or

(B) three-fourths of the value for five years, when utilities, roads or streets necessary for the development of such real estate have been completed.

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

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Cohen, for the purpose of explaining his amendments.

Mr. COHEN. Mr. Speaker, HB 103 deals with two distinct types of banks. It deals with state-chartered banks and it deals with mutual savings banks. What this amendment does is it seeks to extend the protections accorded in the Alden amendment which provides for disclosures of what index is being used to compute the renegotiable rate, to the mutual savings banks, which were not initially included in the Alden amendment. Mr. Alden has agreed that his language should be included to the mutual savings banks, and Mr. Smith has stated that he has no objections to doing this either. I urge support of this amendment.

The SPEAKER pro tempore. Is it my understanding that this amendment is agreed to?

Mr. COHEN. Yes, it is, Mr. Speaker.

The SPEAKER pro tempore. Is the gentleman from Jefferson, Mr. Smith, on the floor? I understand from the gentleman from Jefferson, Mr. Smith, this amendment is agreed to.

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

The following roll call was recorded:

YEAS—187

| | | | |
|-----------|-----------------|-----------|----------|
| Alden | Fischer | Lloyd | Serafini |
| Anderson | Fleck | Lucyk | Seventy |
| Armstrong | Foster, W. W. | McCall | Showers |
| Arty | Foster, Jr., A. | McClatchy | Shupnik |

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

NAYS—4

| | | | |
|--------|--------|--------|---------|
| Beloff | Bowser | Maiale | Marmion |
|--------|--------|--------|---------|

NOT VOTING—9

| | | | |
|--------|--------|----------|-----------|
| Barber | Gallen | Kanuck | Rappaport |
| Clark | Gray | Petrarca | Wiggins |
| Davies | | | |

EXCUSED—3

| | | |
|--------|-------------|------|
| Kolter | Pucciarelli | Punt |
|--------|-------------|------|

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

MOTION TO RECOMMIT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lawrence, Mr. Pratt.

Mr. PRATT. Mr. Speaker, would I be in order for a motion?

The SPEAKER pro tempore. State your motion.

Mr. PRATT. A motion to recommit.

The SPEAKER pro tempore. A motion to recommit is always in order.

Mr. PRATT. Mr. Speaker, at the risk of being redundant, this House has spent literally 2 days debating this bill. I

believe that the questions, the plans, et cetera, dealing with the various issues of the bill could have been easily handled in committee and then the bill rereported out to the floor of the House in a condition that it should be, and for the reasons I stated last week for recommitting this bill, I again make a motion to recommit HB 103 to the Committee on Business and Commerce.

The SPEAKER pro tempore. The Chair would admonish the members to listen carefully. We have a very important motion to recommit HB 103 by Mr. Pratt.

The Chair recognizes the gentleman from Jefferson, Mr. Smith.

Mr. L. E. SMITH. Mr. Speaker, I realize that we have spent a lot of time, and apparently there are amendments in the Reference Bureau that are to be drafted or are coming down. I would ask the members to oppose the motion to recommit so that we might table this bill. We are not going to be able to do anything in that Business and Commerce Committee that we have not already done, and I would like to have this bill put on the table. So I therefore would ask for a negative vote on recommitment.

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

Mr. TAYLOR. Mr. Speaker, may I interrogate Mr. Smith from the other side?

The SPEAKER pro tempore. Mr. Smith, would you be interrogated by the gentleman from Fayette? He indicates that he will.

I must state that the interrogation must be limited to the reasons for recommitment.

Mr. TAYLOR. My question, Mr. Speaker, if I read you right, is that you are going to make a motion after this to table the bill?

Mr. L. E. SMITH. Yes.

Mr. TAYLOR. I then support your position not to recommit this bill and that we put it on the table. Thank you.

The SPEAKER pro tempore. Is the gentleman withdrawing his motion? Mr. Smith, would you care to table at this time?

MOTION WITHDRAWN

Mr. PRATT. I will withdraw my motion, Mr. Speaker, in view of Mr. Smith's proposed motion to table.

The SPEAKER pro tempore. The motion to recommit has been withdrawn.

BILL TABLED

The SPEAKER pro tempore. The Chair recognizes the gentleman from Jefferson, Mr. Smith.

Mr. L. E. SMITH. Mr. Speaker, I think there is a growing feeling here that we are flying blind with this legislation. There are technical amendments coming that are very difficult to interpret in 5 minutes, and, therefore, I would ask that this bill be placed on the table.

The SPEAKER pro tempore. It has been moved by the gentleman from Jefferson, Mr. Smith, that HB 103 be placed on the table.

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

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

Mr. TAYLOR. Mr. Speaker, I wholeheartedly agree with Chairman Smith's position and I move that we vote in the affirmative to table this bill. Thank you.

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

(Members proceeded to vote.)

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

Mr. LAUGHLIN. Mr. Speaker, the gentleman, Mr. Ritter, requested your attention prior to your call for the vote, and, unfortunately, you did not see him. Would you kindly strike the vote and give him an opportunity to address the House?

The SPEAKER pro tempore. The motion to table is not debatable, but I will strike it if Mr. Ritter will state what the purpose of his seeking the mike was.

PARLIAMENTARY INQUIRY

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

Mr. RITTER. Mr. Speaker, is this motion to table for today, until we come back? What is the motion to table? For how long?

The SPEAKER pro tempore. A motion to table is the motion before us now. If it is tabled, then it will lie on the table until it is brought off by a vote of the members of this House.

Mr. RITTER. Mr. Speaker, then I would ask that instead of the motion to table, it be placed on the final passage postponed calendar, so that it can be reprinted and the correction made that Mr. Wambach alluded to earlier today and take the word "mortgagee" out and put "mortgagor" in there, and, and if we put it on the final passage postponed calendar

The SPEAKER pro tempore. The Chair will interrupt the gentleman to indicate that his motion is out of order. The motion to table that is before us takes precedence.

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

The following roll call was recorded:

YEAS—173

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

| | | | |
|-------------|----------------|------------|------------------|
| Burd | George | Merry | Stevens |
| Burns | Grabowski | Michlovic | Stuban |
| Caltagirone | Greenfield | Micozzie | Swaim |
| Cappabianca | Greenwood | Miscevich | Swift |
| Cawley | Grieco | Morris | Taddonio |
| Cessar | Gruppo | Mowery | Taylor, E. Z. |
| Cimini | Hagarty | Mrkonic | Taylor, F. E. |
| Civera | Haluska | Mullen | Telek |
| Clark | Harper | Murphy | Tigue |
| Clymer | Hasay | Noye | Trello |
| Cochran | Hayes | O'Donnell | Van Horne |
| Cohen | Heiser | Olasz | Vroon |
| Colafella | Hoeffel | Oliver | Wambach |
| Cole | Honaman | Pendleton | Wargo |
| Cordisco | Horgos | Perzel | Wass |
| Coslett | Hutchinson, A. | Peterson | Wenger |
| Cowell | Hutchinson, W. | Petrarca | Weston |
| DeMedio | Irvis | Petrone | White |
| DeVerter | Itkin | Pievsky | Wiggins |
| DeWeese | Jackson | Pistella | Williams, H. |
| Daikeler | Johnson | Pitts | Williams, J. D. |
| Davies | Kennedy | Pott | Wilson |
| Dawida | Klingaman | Pratt | Wilt |
| Deal | Kowalyszyn | Rappaport | Wogan |
| Dietz | Lashingner | Rasco | Wright, D. R. |
| Dombrowski | Lehr | Reber | Zwinkl |
| Donatucci | Lescovitz | Richardson | |
| Dorr | Letterman | Rieger | Ryan, Speaker |
| Duffy | Levi | Rocks | |
| Durham | Levin | Rybak | |

NAYS—18

| | | | |
|------------|-----------|-----------|---------|
| Alden | Manmiller | Piccola | Stewart |
| Cornell | Miller | Ritter | Sweet |
| Cunningham | Moehlmann | Sieminski | Wachob |
| Geist | Nahill | Sirianni | Wozniak |
| Kukovich | Phillips | | |

NOT VOTING—9

| | | | |
|-----------|---------|---------|---------------|
| Armstrong | Gladeck | Gruitza | Laughlin |
| Dininni | Gray | Kanuck | Wright, J. L. |
| Freind | | | |

EXCUSED—3

| | | |
|--------|-------------|------|
| Kolter | Pucciarelli | Punt |
|--------|-------------|------|

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

GAVEL RETURNED TO SPEAKER

The SPEAKER pro tempore. The Chair now turns over the gavel to the Speaker, Mr. Ryan.

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

The SPEAKER. The Chair thanks the gentleman from Tioga, Mr. Spencer.

**BILLS ON THIRD
CONSIDERATION CONTINUED**

The House proceeded to third consideration of **HB 104, PN 105**, entitled:

An Act amending the "Savings Association Code of 1967," approved December 14, 1967 (P. L. 746, No. 345), further providing for elimination of the Savings Association Board.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader. Mr. HAYES. Mr. Speaker, I move that HB 104 be placed on the table.

On the question,
Will the House agree to the motion?
Motion was agreed to.

* * *

The House proceeded to third consideration of **HB 106, PN 107**, entitled:

An Act amending the "Department of Banking Code," approved May 15, 1933 (P. L. 565, No. 111), further providing for the elimination of the Banking Board and the Building and Loan Board.

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

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

| | | | |
|------------|-----------|------------|---------------|
| Dawida | Kukovich | Pratt | Wilson |
| Deal | Lashinger | Rappaport | Wogan |
| Dietz | Laughlin | Rasco | Wozniak |
| Dininni | Lehr | Reber | Wright, D. R. |
| Dombrowski | Lescovitz | Richardson | Wright, J. L. |
| Donatucci | Letterman | Rieger | Zwikl |
| Dorr | Levi | Ritter | |
| Duffy | Levin | Rocks | Ryan, |
| Durham | Lewis | Rybak | Speaker |

NAYS—0

NOT VOTING—10

| | | | |
|---------|--------|--------|--------|
| DeWeese | Gray | Miller | Stairs |
| Fischer | Harper | Noye | Wilt |
| Gladeck | Kanuck | | |

EXCUSED—3

| | | |
|--------|-------------|------|
| Kolter | Pucciarelli | Punt |
|--------|-------------|------|

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.

SENATE MESSAGE

ADJOURNMENT RESOLUTION FOR CONCURRENCE

The Senate presented the following resolution for concurrence:

In the Senate, March 16, 1981

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, March 23, 1981 and when the House of Representatives adjourns this week it reconvene on Monday, March 23, 1981.

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

On the question,
Will the House concur in the resolution of the Senate?
Resolution was concurred in.
Ordered, That the clerk inform the Senate accordingly.

REMARKS ON VOTE

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

Mr. GLADECK. Mr. Speaker, I was out of my seat on the final roll call on HB 106 and I wish to be recorded in the affirmative.

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

CALENDAR CONTINUED

BILL PASSED OVER

The SPEAKER. Without objection, HB 210 will be passed over. The Chair hears none.

The Chair recognizes the gentleman from Jefferson, Mr. Smith.

Mr. L. E. SMITH. I was informed that HB 210 would be voted today.

The SPEAKER. My calendar does not show that.

The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, the reason that your calendar shows that is that at the time your calendar was marked, it was not known whether the Democrats had caucused on this legislation. They have, and I would respectfully request that we reconsider going over the bill today, and let us vote it.

DECISION OF CHAIR REVERSED

The SPEAKER. Without objection, the Chair withdraws its decision that HB 210 is passed over. The Chair hears none.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 210, PN 373**, entitled:

An Act amending the "Savings Association Code of 1967," approved December 14, 1967 (P. L. 746, No. 345) authorizing construction loans without security, issuance of credit cards, mutual capital certificates, consumer lending, granting trust powers, increasing investment and lending powers, and authorizing withdrawals by travelers' convenience withdrawals.

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

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

Mr. COHEN. To give the Chair the information that I have an amendment drafted. I did not circulate it because I believed it was not going to be voted on today, based on Mr. Hayes' calendar, but if it is going to be voted on, I would like the privilege of circulating the amendment.

The SPEAKER. The Chair does not have the gentleman's name listed for amendments. The Chair has Mr. Laughlin's name listed for amendments. Does the gentleman, Mr. Laughlin, have amendments?

Mr. LAUGHLIN. Yes, Mr. Speaker, but like Mr. Cohen, I did not know you were going to run it right now and so I did not bring them to the floor of the House.

The SPEAKER. I would ask that the gentlemen, Mr. Cohen and Mr. Laughlin, have their amendments circulated.

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

Mr. L. E. SMITH offered the following amendments No. A141:

Amend Sec. 1 (Sec. 102), page 2, line 10, by striking out "of" and inserting or

Amend Sec. 12 (Sec. 922), page 13, lines 17 and 18, by striking out "SECTION 5(C) (4) (C) OF THE HOME OWNERS' LOAN ACT OF" in line 17 and all of line 18

On the question,

Will the House agree to the amendments?

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

Mr. L. E. SMITH. Mr. Speaker, to my knowledge these are agreed-to amendments. They are technical and amend a couple of drafting errors.

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

Mr. TAYLOR. I agree with the gentleman that they are technical in nature and that we ought to pass these amendments.

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—4

Dininni Gray Kanuck Lewis

EXCUSED—3

Kolter Pucciarelli Punt

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

On the question,

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

Mr. GEORGE offered the following amendments No. A396:

Amend Title, page 1, line 17, by inserting after "acts,"" requiring the cashing of checks for senior citizens,

Amend Bill, page 5, by inserting between lines 26 and 27 Section 4. The act is amended by adding a section to read: Section 824. Cashing Checks for Senior Citizens.—An institution shall cash, without charge, any State or Federal Government check presented for payment by the payee of the check who is a senior citizen sixty-five years of age or older.

Amend Sec. 4, page 5, line 27, by striking out "4." and inserting 5.

Amend Sec. 5, page 6, line 16, by striking out "5." and inserting 6.

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

Amend Sec. 7, page 7, line 7, by striking out "7." and inserting 8.

Amend Sec. 8, page 8, line 17, by striking out "8." and inserting 9.

Amend Sec. 9, page 9, line 3, by striking out "9." and inserting 10.

Amend Sec. 10, page 9, line 30, by striking out "10." and inserting 11.

Amend Sec. 11, page 10, line 22, by striking out "11." and inserting 12.

Amend Sec. 12, page 12, line 22, by striking out "12." and inserting 13.

Amend Sec. 13, page 13, line 20, by striking out "13." and inserting 14.

Amend Sec. 14, page 13, line 29, by striking out "14." and inserting 15.

On the question,

Will the House agree to the amendments?

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

Mr. GEORGE. Mr. Speaker, this amendment is similar to the one that we passed just a few hours ago. It asks that these institutions continue to cash checks for senior citizens who are 65 years of age without a charge. Thank you.

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

Mr. LEVI. I reluctantly have to get up to oppose this amendment. I think it has merit, what Mr. George is trying to do, but I think we are doing a great disservice to our senior citizens. On one hand, our Federal Government is encouraging our senior citizens to have their Social Security checks sent by mail and deposited in a financial institution so they are not stolen or lost in the mail. I think we are doing a disservice.

We should encourage the people to have them deposited. The people then would have established a credit rating, a bank account, and would have checks. Then any state retirement check or any state pension check or any other Federal check could be cashed because they have a line of credit; they are known. There would be no charge, and our people would be safer because the checks would be mailed. There would not be a chance that they would be stolen or lost, and I think the people would be better served. I think it would be in the best interests of our senior citizens if we vote this amendment down.

The SPEAKER. On the question of the amendments offered by Mr. George, the Chair recognizes the gentleman from Berks, Mr. Fryer.

Mr. FRYER. Mr. Speaker, I must admit that Mr. Levi stated a commonsense approach, that these people should have accounts; they should have the check deposited there. There is no question of that. However, are we not going a little far when once again we are trying to do what is good for them? It is wonderful. Now, a lot of people have trouble writing checks, and the amount of that check is rather low. They like to deal in cash; they have all their lives, but now this legislature is going to decide what is good for them. I say what is good for them is to do whatever they please. It is like so many things that are well intended, but as for myself, I am not going to tell a senior citizen, now you have been doing this all your life, but now you change your ways, because I am a wiser person. I am not that old and I do not believe any person in this chamber is that old that they can tell people of this age group what is good for them. Let them do as they darn please. Thank you, Mr. Speaker.

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

Mr. LETTERMAN. May I question Mr. Fryer, please?

The SPEAKER. Will the gentleman from Berks, Mr. Fryer, consent to be interrogated?

Mr. FRYER. I approach the mike with fear. A limited interrogation.

The SPEAKER. The gentleman, Mr. Fryer, has indicated a willingness to be interrogated to a limited consent.

Mr. LETTERMAN. Mr. Speaker, I was wondering if it might be getting close to you having a conflict of interest on this piece of legislation?

Mr. FRYER. Mr. Speaker, there is validity to that thought, and I dare say that decision and that mode of action will come to you as you approach those golden years.

Mr. LETTERMAN. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—137

| | | | |
|-----------|-----------|-----------|-----------|
| Alden | Evans | McCall | Serafini |
| Armstrong | Fee | McIntyre | Seventy |
| Barber | Fischer | McMonagle | Showers |
| Belardi | Fryer | Maiale | Shupnik |
| Belfanti | Gallagher | Manderino | Stairs |
| Beloff | Gamble | Merry | Steighner |
| Berson | George | Michlovic | Stevens |
| Blaum | Grabowski | Micozzie | Stewart |

| | | | |
|-------------|----------------|------------|-----------------|
| Borski | Greenfield | Miller | Stuban |
| Brown | Greenwood | Miscevich | Swaim |
| Burns | Grieco | Moehlmann | Sweet |
| Caltagirone | Gruitza | Morris | Swift |
| Cappabianca | Gruppo | Mrkonic | Taylor, E. Z. |
| Cawley | Haluska | Mullen | Taylor, F. E. |
| Cimini | Harper | Murphy | Telek |
| Civera | Hasay | O'Donnell | Tigue |
| Clark | Hoeffel | Olasz | Trello |
| Cochran | Horgos | Oliver | Van Horne |
| Cohen | Hutchinson, A. | Pendleton | Wachob |
| Colafella | Hutchinson, W. | Perzel | Wambach |
| Cole | Irvis | Petrarca | Wargo |
| Cordisco | Itkin | Petrone | Wass |
| Cornell | Jackson | Phillips | Wenger |
| Coslett | Klingaman | Pievsky | Weston |
| Cowell | Kowalshyn | Pistella | White |
| DeMedio | Kukovich | Pratt | Wiggins |
| DeWeese | Laughlin | Rappaport | Williams, H. |
| Davies | Lehr | Reber | Williams, J. D. |
| Dawida | Lescovitz | Richardson | Wilson |
| Deal | Letterman | Rieger | Wilt |
| Dietz | Levin | Ritter | Wogan |
| Dombrowski | Livengood | Rocks | Wozniak |
| Donatucci | Lloyd | Rybak | Wright, D. R. |
| Duffy | Lucyk | Salvatore | Zwilk |
| Emerson | | | |

NAYS—60

| | | | |
|------------|-----------------|-----------|---------------|
| Anderson | Fleck | Levi | Saurman |
| Arty | Foster, W. W. | Lewis | Sieminski |
| Bittle | Foster, Jr., A. | McClatchy | Sirianni |
| Bowser | Frazier | McVerry | Smith, B. |
| Boyes | Freind | Mackowski | Smith, E. H. |
| Brandt | Gallen | Madigan | Smith, L. E. |
| Burd | Gannon | Manmiller | Snyder |
| Cessar | Geist | Marmion | Spencer |
| Clymer | Gladeck | Mowery | Spitz |
| Cunningham | Hagarty | Nahill | Taddonio |
| DeVerter | Hayes | Noye | Vroon |
| Daikeler | Heiser | Peterson | Wright, J. L. |
| Dininni | Honaman | Piccola | |
| Dorr | Johnson | Pitts | Ryan, |
| Durham | Kennedy | Rasco | Speaker |
| Earley | Lashingner | | |

NOT VOTING—3

| | | |
|------|--------|------|
| Gray | Kanuck | Pott |
|------|--------|------|

EXCUSED—3

| | | |
|--------|-------------|------|
| Kolter | Pucciarelli | Punt |
|--------|-------------|------|

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

On the question recurring,

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

Mr. COHEN offered the following amendments No. A378:

Amend Title, page 1, line 21, by inserting after "powers," further providing for renegotiating mortgages

Amend Sec. 10, page 9, line 30, by striking out "Subsections" and inserting The introductory clause and subsections

Amend Sec. 10, page 10, line 1, by inserting after "amended" where it appears the last time and a clause is added

Amend Sec. 10 (Sec. 915), page 10, line 4, by inserting brackets before and after "and" and inserting immediately thereafter

Amend Sec. 10 (Sec. 915), page 10, line 4, by inserting after "(f)" and (k)

Amend Sec. 10 (Sec. 915), page 10, by inserting between lines 21 and 22 (k) Whenever a renegotiable rate mortgage loan is to be made under the authority of this act, the mortgagee must be

given, along with the letter of commitment, written notice of the initial base value of the reference index to be utilized as a base in determining interest rate increases and decreases.

On the question,

Will the House agree to the amendments?

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

Mr. COHEN. Mr. Speaker, this is an agreed-to amendment. What it does is it further extends the Alden language to the banks covered under this bill. It says that a "...mortgagee must be given,..." in case of renegotiable mortgage, "...written notice of the initial base value of the reference index to be utilized—"

The SPEAKER. Will the gentleman yield? Will the gentleman speak into the microphone, please?

Mr. COHEN. Mr. Speaker, what this does is it extends the Alden language to the banks covered in this bill. It says that, "...along with the letter of commitment, written notice of the initial base value of the reference index to be utilized as a base in determining interest rate increases and decreases." It is agreed to by Mr. Smith. I urge support of it.

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

Mr. RITTER. Mr. Speaker, maybe someone could answer the question for me. Is a mortgagee the lender or is the lender the mortgagor?

The SPEAKER. The Chair will venture an answer to that. The mortgagor is a person who is borrowing. The mortgagee is the person who is lending.

Mr. RITTER. Mr. Speaker, on the Cohen amendment, may I interrogate the gentleman, please?

The SPEAKER. Mr. Cohen indicates a willingness to be interrogated. The gentleman may proceed.

Mr. RITTER. Mr. Speaker, this is the same problem we had with the Alden amendment. The language says that, "...the mortgagee must be given, along with a letter of commitment,...." et cetera

Mr. COHEN. Mr. Speaker, this is a problem with the Legislative Reference Bureau computer. The intent is the "mortgagor." I would hope that the Legislative Reference Bureau up there would be listening. They obviously mean "mortgagor" from the intent. It is the duty of the Legislative Reference Bureau not to interpret things in a manner that would draw an absurd conclusion, and I thank the gentleman, Mr. Ritter, for calling this to the attention of the House.

MOTION TO TABLE HB 210

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

Mr. RITTER. Mr. Speaker, I was going to raise a parliamentary inquiry, but I frankly am unhappy about voting for amendments and we are going to trust the Reference Bureau to make the changes when they made the changes in the first place. I would like to know under what authority they made those changes.

Mr. RITTER. Mr. Speaker, I said my experience up here has been that if we send an amendment up and there is an error made, the Reference Bureau calls us and says, do you mean this word or that word? Apparently they are not doing that. I am not going to trust them to make a change again in this amendment or this bill, and, therefore, Mr. Speaker, I move that HB 210, PN 373, be laid on the table.

Mr. Speaker, the Cohen amendment is a good amendment if you have the right language.

MOTION WITHDRAWN

The SPEAKER. Will the gentleman, Mr. Ritter, withdraw his motion for the time being?

Mr. RITTER. All right, Mr. Speaker, I withdraw my motion to table HB 210.

On the question recurring,

Will the House agree to the amendments?

AMENDMENT WITHDRAWN

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Cohen, and asks that he withdraw temporarily his amendment and have it redrafted.

Mr. COHEN. Okay, Mr. Speaker. I withdraw amendment No. A378 to HB 210 temporarily.

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

Mr. L. E. SMITH. Mr. Speaker, this is a very important piece of legislation. Back a few weeks ago we did the exact same thing for the mutual savings banks. We are giving here to the savings and loan associations parity with the Federal savings and loan associations, and it is important. I would ask those members who have amendments drafted to HB 210 to give every consideration to offering those amendments. They will be given the opportunity to offer those amendments to HB 104.

There was an agreement with the minority chairman that that is the way it would go, and I would like him to respond to that agreement that we had on HB 210.

What I said, Mr. Speaker, was that this is a very important piece of legislation which has been agreed to, and that there was also an agreement with you and your staff that all the amendments pertaining to the Savings Associations Code would be offered to HB 104 and that this bill would be passed without amendments. Is that not true?

Mr. TAYLOR. No. I said to you in response to that, Mr. Speaker, that there were various people who may want to amend this bill, and I cannot stop them from doing that, but that some of the amendments offered I would oppose; some of them I would support. I did not say, in effect, that I was going to direct that they be put there. I could suggest to them that they apply those amendments to HB 104, and I would certainly agree with you and I agree that we ought to keep HB 210 as clean as possible, and that those amendments ought to be drafted to HB 104. Whether they do that or not, it is not my prerogative. I cannot direct them to do that, but that would be my suggestion.

The SPEAKER. Will the gentleman from Beaver, Mr. Laughlin, the gentleman from Philadelphia, Mr. Cohen, the gentleman from Jefferson, Mr. Smith, and the gentlman from Fayette, Mr. Taylor, come to the rostrum? The House will be temporarily at ease.

The Chair is pleased to announce that reasonable men have agreed.

On the question recurring,

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

Mr. LEVIN offered the following amendments No. A444:

Amend Sec. 10, page 9, line 30, by striking out "Subsections" and inserting The introductory paragraph and subsections

Amend Sec. 10, page 10, line 1, by inserting after "act," subsections (d) and (e)

Amend Sec. 10, page 10, line 1, by inserting after "amended" where it appears the second time and a subsection is added

Amend Sec. 10 (Sec. 915), page 10, line 4, by inserting a comma after "(e)"

Amend Sec. 10 (Sec. 915), page 10, line 4, by inserting brackets before and after "and"

Amend Sec. 10 (Sec. 915), page 10, line 4, by inserting after "(f)" and (k)

Amend Sec. 10 (Sec. 915), page 10, by inserting between lines 21 and 22 (k) Balloon loans are prohibited for financing the purchase of a one to two family residential property.

On the question,

Will the House agree to the amendments?

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

Mr. LEVIN. Mr. Speaker, last week when we initially discussed my objections to the legislation in general, I raised with the members my objection to balloon mortgages. My objection was basically to preventing balloon mortgages from becoming offered in residential properties. This amendment prevents balloon mortgages financing the purchase of one- or two-family residential properties. It does not apply to commercial. It does not apply to industrial. I suggest that it be adopted.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—192

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

| | | | |
|------------|----------------|------------|---------------|
| Cawley | Grieco | Mrkonic | Swift |
| Cessar | Gruitza | Mullen | Taddonio |
| Cimini | Gruppo | Murphy | Taylor, E. Z. |
| Civera | Hagarty | Nahill | Taylor, F. E. |
| Clark | Haluska | Noye | Telek |
| Clymer | Harper | O'Donnell | Tigue |
| Cochran | Hasay | Olasz | Trello |
| Cohen | Hayes | Oliver | Van Horne |
| Colafella | Heiser | Pendleton | Vroon |
| Cole | Hoeffel | Perzel | Wachob |
| Cordisco | Honaman | Peterson | Wambach |
| Cornell | Horgos | Petrarca | Wargo |
| Coslett | Hutchinson, A. | Petrone | Wass |
| Cowell | Hutchinson, W. | Piccola | Wenger |
| Cunningham | Irvis | Pievsky | Weston |
| DeMedio | Itkin | Pistella | White |
| DeVerter | Jackson | Pitts | Wiggins |
| DeWeese | Kennedy | Pott | Williams, H. |
| Daikeler | Klingaman | Pratt | Wilson |
| Davies | Kowalyshyn | Rappaport | Wilt |
| Dawida | Kukovich | Rasco | Wogan |
| Deal | Lashinger | Reber | Wozniak |
| Dietz | Laughlin | Richardson | Wright, D. R. |
| Dininni | Lehr | Rieger | Wright, J. L. |
| Dombrowski | Lescovitz | Ritter | Zwilk |
| Donatucci | Letterman | Rocks | |
| Dorr | Levi | Rybak | Ryan, |
| Duffy | Levin | Salvatore | Speaker |
| Durham | Livengood | | |

NAYS—0

NOT VOTING—8

| | | | |
|-------|---------|-----------|-----------------|
| Geist | Johnson | Lewis | Phillips |
| Gray | Kanuck | McClatchy | Williams, J. D. |

EXCUSED—3

| | | |
|--------|-------------|------|
| Kolter | Pucciarelli | Punt |
|--------|-------------|------|

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

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

It is the Chair's understanding, Mr. Cohen, that these amendments simply reflect the change in spelling of "mortgagor" to "mortgagee."

Mr. COHEN. That is correct, Mr. Speaker. They extend the Alden language to the institutions covered under this bill.

On the question recurring,

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

Mr. COHEN offered the following amendments No. A445:

Amend Title, page 1, line 21, by inserting after "powers," further providing for renegotiating mortgages

Amend Sec. 10, page 9, line 30, by striking out "Subsections" and inserting The introductory clause and subsections

Amend Sec. 10, page 10, line 1, by inserting after "amended" where it appears the last time and a clause is added

Amend Sec. 10 (Sec. 915), page 10, line 4, by inserting brackets before and after "and" and inserting immediately thereafter

Amend Sec. 10 (Sec. 915), page 10, line 4, by inserting after "(f)" and (k)

Amend Sec. 10 (Sec. 915), page 10, by inserting between lines 21 and 22 (k) Whenever a renegotiable rate mortgage loan is to be made under the authority of this act, the mortgagor must be given, along with the letter of commitment, written notice of the initial base value of the reference index to be utilized as a base in determining interest rate increases and decreases.

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

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

Mr. COHEN. Mr. Speaker, all this amendment does is it says that the mortgagor in a renegotiable rate situation must be given, along with a letter of commitment, written notice of the initial base value of the reference index to be utilized in determining interest rate increases and decreases. It is agreed to by Mr. Smith. I urge your support.

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

Mr. L. E. SMITH. Mr. Speaker, this amendment has been agreed to.

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

The following roll call was recorded:

YEAS—194

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

NAYS—0

NOT VOTING—6

| | | | |
|--------|--------|---------|--------|
| Bittle | Kanuck | Madigan | Mowery |
| Gray | Lewis | | |

EXCUSED—3

| | | |
|--------|-------------|------|
| Kolter | Pucciarelli | Punt |
|--------|-------------|------|

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

On the question recurring,

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

Mr. LEVIN offered the following amendments No. A443:

Amend Sec. 10, page 9, line 30, by striking out "Subsections" and inserting The introductory paragraph and subsections

Amend Sec. 10, page 10, line 1, by inserting after "act," subsections (d) and (e)

Amend Sec. 10, page 10, line 1, by inserting after "amended" where it appears the second time and a subsection is added

Amend Sec. 10 (Sec. 915), page 10, line 4, by inserting a comma after "(e)"

Amend Sec. 10 (Sec. 915), page 10, line 4, by inserting brackets before and after "and"

Amend Sec. 10 (Sec. 915), page 10, line 4, by inserting after "(f)" and (k)

Amend Sec. 10 (Sec. 915), page 10, by inserting between lines 21 and 22 (k) Except in the case of a default and in accordance with the act of January 30, 1974 (P. L. 13, No. 6), referred to as the Loan Interest and Protection Law, no loan for financing the purchase of a one to two family residential property shall contain a provision that the loan may be accelerated at the lender's option.

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

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

Mr. LEVIN. This amendment prohibits another evil that I see in financing of mortgages, which is the lender, the mortgage institution, putting a provision in your mortgage saying that it may be accelerated at their option. That would mean that at any time during the life of the mortgage they could simply call the mortgage, tell you you had to come down and pay it in full. That is sometimes referred to as a demand note, but in a mortgage it would be a provision to accelerate at the lender's option. This bill prohibits that kind of conduct, and it is my understanding that it is agreed to.

The SPEAKER. The Chair recognizes the gentleman from Jefferson, Mr. Smith, on the Levin amendment A443.

Mr. L. E. SMITH. This amendment has been agreed to, Mr. Speaker.

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

The following roll call was recorded:

YEAS—191

| | | | |
|-----------|-----------------|-----------|-----------|
| Alden | Fee | Livengood | Rybak |
| Anderson | Fischer | Lloyd | Salvatore |
| Armstrong | Fleck | Lucyk | Saurman |
| Arty | Foster, W. W. | McCall | Serafini |
| Barber | Foster, Jr., A. | McClatchy | Seventy |
| Belardi | Frazier | McMonagle | Showers |

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

NAYS—1

Cunningham

NOT VOTING—8

| | | | |
|------|--------|-----------|----------|
| Burd | Gray | McIntyre | Sirianni |
| Dorr | Kanuck | Sieminski | Wiggins |

EXCUSED—3

| | | |
|--------|-------------|------|
| Kolter | Pucciarelli | Punt |
|--------|-------------|------|

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—197

| | | | |
|-----------|---------|-----------|-----------|
| Alden | Emerson | Livengood | Salvatore |
| Anderson | Evans | Lloyd | Saurman |
| Armstrong | Fee | Lucyk | Serafini |
| Arty | Fischer | McCall | Seventy |
| Barber | Fleck | McClatchy | Showers |

| | | | |
|-------------|-----------------|------------|-----------------|
| Belardi | Foster, W. W. | McIntyre | Shupnik |
| Belfanti | Foster, Jr., A. | McMonagle | Sieminski |
| Beloff | Frazier | McVerry | Sirianni |
| Berson | Freind | Mackowski | Smith, B. |
| Bittle | Fryer | Madigan | Smith, E. H. |
| Blaum | Gallagher | Maiale | Smith, L. E. |
| Borski | Gallen | Manderino | Snyder |
| Bowser | Gamble | Manmiller | Spencer |
| Boyes | Gannon | Marmion | Spitz |
| Brandt | Geist | Merry | Stairs |
| Brown | George | Michlovic | Steighner |
| Burd | Gladeck | Micozzie | Stevens |
| Burns | Grabowski | Miller | Stewart |
| Caltagirone | Greenfield | Miscevich | Stuban |
| Cappabianca | Greenwood | Moehlmann | Swaim |
| Cawley | Grieco | Morris | Sweet |
| Cessar | Gruitza | Mowery | Swift |
| Cimini | Gruppo | Mrkonic | Taddonio |
| Civera | Hagarty | Mullen | Taylor, E. Z. |
| Clark | Haluska | Murphy | Taylor, F. E. |
| Clymer | Harper | Nahill | Telek |
| Cochran | Hasay | Noye | Tigue |
| Cohen | Hayes | O'Donnell | Trello |
| Colafella | Heiser | 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 | Irviss | Petrone | Wenger |
| DeMedio | Itkin | Phillips | Weston |
| DeVerter | Jackson | Piccola | White |
| DeWeese | Johnson | Pievsky | Williams, H. |
| Daikeler | Kennedy | Pistella | Williams, J. D. |
| Davies | Klingaman | Pitts | Wilson |
| Dawida | Kowalyshyn | Pott | Wilt |
| Deal | Kukovich | Pratt | Wogan |
| Dietz | Lashinger | Rappaport | Wozniak |
| Dininni | Laughlin | Rasco | Wright, D. R. |
| Dombrowski | Lehr | Reber | Wright, J. L. |
| Donatucci | Lescovitz | Richardson | Zwinkl |
| Dorr | Letterman | Rieger | |
| Duffy | Levi | Ritter | Ryan, |
| Durham | Levin | Rocks | Speaker |
| Earley | Lewis | Rybak | |

NAYS—0

NOT VOTING—3

| | | |
|------|--------|---------|
| Gray | Kanuck | Wiggins |
|------|--------|---------|

EXCUSED—3

| | | |
|--------|-------------|------|
| Kolter | Pucciarelli | Punt |
|--------|-------------|------|

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 **SB 164, PN 164**, entitled:

An Act amending the act of May 11, 1889 (P. L. 188, No. 210), entitled "A further supplement to an act, entitled 'An act to establish a board of wardens for the Port of Philadelphia, and for the regulation of pilots and pilotage, and for other purposes,' approved March twenty-ninth, one thousand eight hundred and three, and for regulating of rates of pilotage and number of pilots," further regulating the rates of pilotage.

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—196

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

NAYS—1

Petrone

NOT VOTING—3

Bittle Gray Kanuck

EXCUSED—3

Kolter Pucciarelli Punt

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

* * *

The House proceeded to third consideration of **SB 167, PN 167**, entitled:

An Act amending the act of December 5, 1972 (P. L. 1280, No. 284), entitled "Pennsylvania Securities Act of 1972," changing the registration requirements and fees for broker-dealers, investment advisers and agents, eliminating obsolete language relating to consent to service of process requirements and further providing for administrative files.

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—197

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

| | | | |
|--------------|-------------|---------|---------|
| Durham | Levin | Rocks | Speaker |
| Earley | Lewis | Rybak | |
| NAYS—0 | | | |
| NOT VOTING—3 | | | |
| Gray | Kanuck | Wiggins | |
| EXCUSED—3 | | | |
| Kolter | Pucciarelli | Punt | |

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

* * *

The House proceeded to third consideration of **HB 356, PN 754**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of injuring or tampering with fire apparatus by prohibiting obstruction or interference with the operation of fire apparatus or emergency vehicles.

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—192

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

NAYS—0

NOT VOTING—8

| | | | |
|---------|--------|----------|---------|
| Fischer | Kanuck | Sirianni | Wiggins |
| Gray | Miller | Stairs | Wilt |

EXCUSED—3

| | | |
|--------|-------------|------|
| Kolter | Pucciarelli | Punt |
|--------|-------------|------|

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 417, PN 430**, entitled:

An Act amending the "Real Estate Tax Sale Law," approved July 7, 1947 (P. L. 1368, No. 542), further providing for the returns by collectors in certain cases.

On the question,
Will the House agree to the bill on third consideration?
Mr. BRANDT offered the following amendment No. A189:

Amend Sec. 2, page 2, line 20, by removing the period after "immediately" and inserting and shall be applied retroactively to January 1, 1981.

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

The SPEAKER. The Chair recognizes the gentleman from Lancaster, Mr. Brandt.

Mr. BRANDT. This amendment changes back in the language of the tax claim sale bureau the date from April 1 to May 1. The amendment that I am asking to be considered by the House puts language in there that in case this bill does not get passed by April 1 that the intent of legislation would be retroactive to January 1, 1981. I would ask for the House to agree to the amendment.

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

The following roll call was recorded:

YEAS—195

| | | | |
|-----------|---------|-----------|-----------|
| Alden | Emerson | Livengood | Salvatore |
| Anderson | Evans | Lloyd | Serafini |
| Armstrong | Fee | Lucyk | Seventy |
| Arty | Fischer | McCall | Showers |

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

NAYS—1

Miscevich

NOT VOTING—4

Gray Johnson Kanuck Saurman

EXCUSED—3

Kolter Pucciarelli Punt

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—197

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

NAYS—0

NOT VOTING—3

Gray Kanuck McIntyre

EXCUSED—3

Kolter Pucciarelli Punt

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 472, PN 497**, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323, No. 130), providing for the publication of audit summaries.

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

Mr. MANDERINO offered the following amendments No. A371:

Amend Sec. 1 (Sec. 1720), page 2, line 16, by inserting after "reports." Within the summary of the auditor's or controller's report, there shall be a notice to the public that the entire text of the report shall be available for public inspection during regular business hours in the office of the auditor or controller.

Amend Sec. 1 (Sec. 1720), page 2, line 30, by inserting after "county." Within the summary of the auditor's or controller's report, there shall be a notice to the public that the entire text of the report shall be available for public inspection during regular business hours in the office of the auditor or controller.

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

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, the bill before us allows publication of the auditor or controller's report in summary form in the newspaper. My amendment adds to that that in the summary advertisement there must be language contained indicating that anyone who is interested in the full text of the report can go to the designated place to get a full text of the report.

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

Mr. LEVI. I think it is a good amendment. It was an oversight when I drafted the bill. I think we should accept it.

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

The following roll call was recorded:

YEAS—197

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

| | | | |
|------------|------------|------------|-----------------|
| Cunningham | Itkin | Phillips | Weston |
| DeMedio | Jackson | Piccola | White |
| DeVerter | Johnson | Pievsky | Wiggins |
| DeWeese | Kennedy | Pistella | Williams, H. |
| Daikeler | Klingaman | Pitts | Williams, J. D. |
| Davies | Kowalyszyn | Pott | Wilson |
| Dawida | Kukovich | Pratt | Wilt |
| Deal | Lashingier | Rappaport | Wogan |
| Dietz | Laughlin | Rasco | Wozniak |
| Dininni | Lehr | Reber | Wright, D. R. |
| Dombrowski | Lescovitz | Richardson | Wright, J. L. |
| Donatucci | Letterman | Rieger | Zwinkl |
| Dorr | Levi | Ritter | |
| Duffy | Levin | Rocks | Ryan, |
| Durham | Lewis | Rybak | Speaker |
| Earley | Livengood | Salvatore | |

NAYS—0

NOT VOTING—3

| | | |
|--------|------|--------|
| Gallen | Gray | Kanuck |
|--------|------|--------|

EXCUSED—3

| | | |
|--------|-------------|------|
| Kolter | Pucciarelli | Punt |
|--------|-------------|------|

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—194

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

| | | | |
|------------|-----------|------------|-----------------|
| DeWeese | Johnson | Pievsky | White |
| Daikeler | Kennedy | Pistella | Wiggins |
| Davies | Klingaman | Pitts | Williams, H. |
| Dawida | Kowalshyn | Pott | Williams, J. D. |
| Deal | Kukovich | Pratt | Wilson |
| Dietz | Lashinger | Rappaport | Wilt |
| Dombrowski | Laughlin | Rasco | Wogan |
| Donatucci | Lehr | Reber | Wozniak |
| Dorr | Lescovitz | Richardson | Wright, D. R. |
| Duffy | Letterman | Rieger | Wright, J. L. |
| Durham | Levi | Ritter | Zwikl |
| Earley | Levin | Rocks | |
| Emerson | Lewis | Rybak | Ryan, |
| Evans | Livengood | Salvatore | Speaker |

NAYS—1

Blaum

NOT VOTING—5

| | | | |
|---------|------|--------|----------|
| Bowser | Gray | Kanuck | Peterson |
| Dininni | | | |

EXCUSED—3

| | | |
|--------|-------------|------|
| Kolter | Pucciarelli | Punt |
|--------|-------------|------|

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 523, PN 550**, entitled:

An Act amending "The Local Tax Enabling Act," approved December 31, 1965 (P. L. 1257, No. 511), further restricting the power to levy real estate transfer taxes on certain transfers between former husbands and wives.

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—197

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

| | | | |
|------------|----------------|------------|-----------------|
| Cimini | Gruppo | Mrkonic | Taddonio |
| Civera | Hagarty | Mullen | Taylor, E. Z. |
| Clark | Haluska | Murphy | Taylor, F. E. |
| Clymer | Harper | Nahill | Telek |
| Cochran | Hasay | Noye | Tigue |
| Cohen | Hayes | O'Donnell | Trello |
| Colafella | Heiser | Olasz | Van Horne |
| Cole | Hoeffel | Oliver | Wachob |
| Cordisco | Honaman | Pendleton | Wambach |
| Cornell | Horgos | Perzel | Wargo |
| Coslett | Hutchinson, A. | Peterson | Wass |
| Cowell | Hutchinson, W. | Petrarca | Wenger |
| Cunningham | Irvis | Petrone | Weston |
| DeMedio | Itkin | Phillips | White |
| DeVerter | Jackson | Piccola | Wiggins |
| DeWeese | Johnson | Pievsky | Williams, H. |
| Daikeler | Kennedy | Pistella | Williams, J. D. |
| Davies | Klingaman | Pitts | Wilson |
| Dawida | Kowalshyn | Pott | Wilt |
| Deal | Kukovich | Pratt | Wogan |
| Dietz | Lashinger | Rappaport | Wozniak |
| Dininni | Laughlin | Rasco | Wright, D. R. |
| Dombrowski | Lehr | Reber | Wright, J. L. |
| Donatucci | Lescovitz | Richardson | Zwikl |
| Dorr | Letterman | Rieger | |
| Duffy | Levi | Ritter | Ryan, |
| Durham | Levin | Rocks | Speaker |
| Earley | Lewis | Rybak | |

NAYS—0

NOT VOTING—3

| | | |
|------|--------|-------|
| Gray | Kanuck | Vroon |
|------|--------|-------|

EXCUSED—3

| | | |
|--------|-------------|------|
| Kolter | Pucciarelli | Punt |
|--------|-------------|------|

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 524, PN 551**, entitled:

An Act amending "The Realty Transfer Tax Act," approved December 27, 1951 (P. L. 1742, No. 467), further defining "document" so as to exclude certain transfers between former husbands and wives.

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 | Earley | Lewis | Rybak |
| Anderson | Emerson | Livengood | Salvatore |
| Armstrong | Evans | Lloyd | Saurman |
| Arty | Fischer | Lucyk | Serafini |
| Barber | Fleck | McCall | Seventy |
| Belardi | Foster, W. W. | McClatchy | Showers |
| Belfanti | Foster, Jr., A. | McIntyre | Shupnik |
| Beloff | Frazier | McMonagle | Sieminski |
| Berson | 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 | Greenfield | Miscevich | Stewart |
| Cappabianca | Greenwood | Moehlmann | Stuban |
| Cawley | Grieco | Morris | Swaim |
| Cessar | Gruitza | Mowery | Sweet |
| Cimini | Gruppo | Mrkonic | Swift |
| Civera | Hagarty | Mullen | Taddonio |
| Clark | Haluska | Murphy | Taylor, E. Z. |
| Clymer | Harper | Nahill | Taylor, F. E. |
| Cochran | Hasay | Noye | Telek |
| Cohen | Hayes | O'Donnell | Tigue |
| Colafella | Heiser | Olasz | Trello |
| Cole | Hoeffel | Oliver | Van Horne |
| Cordisco | Honaman | Pendleton | Vroon |
| Cornell | Horgos | Perzel | Wachob |
| 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 | Kennedy | Pistella | Williams, H. |
| Davies | Klingaman | Pitts | Williams, J. D. |
| Dawida | Kowalyszyn | Pott | Wilson |
| Deal | Kukovich | Pratt | Wilt |
| Dietz | Lashinger | Rappaport | Wogan |
| Dininni | Laughlin | Rasco | Wright, D. R. |
| Dombrowski | Lehr | Reber | Wright, J. L. |
| Donatucci | Lescovitz | Richardson | Zwikl |
| Dorr | Letterman | Rieger | |
| Duffy | Levi | Ritter | Ryan, |
| Durham | Levin | Rocks | Speaker |

NAYS—0

NOT VOTING—6

| | | | |
|------|---------|---------|---------|
| Fee | Kanuck | Wambach | Wozniak |
| Gray | McVerry | | |

EXCUSED—3

| | | |
|--------|-------------|------|
| Kolter | Pucciarelli | Punt |
|--------|-------------|------|

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 585, PN 614**, entitled:

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.

On the question,

Will the House agree to the bill on third consideration?

Mr. MANDERINO offered the following amendment No. A372:

Amend Sec. 1 (Sec. 4), page 1, line 20, by inserting after "town." Within the summary there shall be a notice to the public that the entire text of the report shall be available at a location designated by town council.

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

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, this is another summary publication bill. My amendment in this class of municipalities likewise directs that anyone interested in the full text of the audit report can go to the city council and the town council to receive a report.

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

Mr. LEVI. I agree with the amendment.

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—4

Dininni Gray Kanuck Pott

EXCUSED—3

Kolter Pucciarelli Punt

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

(A rollcall vote was taken, but due to a malfunction the individual members' votes were not recorded.)

VOTE RETAKEN ON HB 585

The SPEAKER. The Chair has been advised that the vote on final passage of HB 585 will necessarily have to be retaken due to a malfunction of the machine.

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—196

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

| | | | |
|------------|-----------|------------|-----------------|
| DeMedio | Johnson | Pievsky | White |
| DeVerter | Kennedy | Pistella | Wiggins |
| DeWeese | Klingaman | Pitts | Williams, H. |
| Daikeler | Kowalshyn | Pott | Williams, J. D. |
| Davies | Kukovich | Pratt | Wilson |
| Dawida | Lashingar | Rappaport | Wilt |
| Deal | Laughlin | Rasco | Wogan |
| Dietz | Lehr | Reber | Wozniak |
| Dininni | Lescovitz | Richardson | Wright, D. R. |
| Dombrowski | Letterman | Rieger | Wright, J. L. |
| Donatucci | Levi | Ritter | Zwikl |
| Dorr | Levin | Rocks | |
| Duffy | Lewis | Rybak | Ryan, |
| Durham | Livengood | Salvatore | Speaker |
| Earley | Lloyd | | |

NAYS—1

Grabowski

NOT VOTING—3

Emerson Gray Kanuck

EXCUSED—3

Kolter Pucciarelli Punt

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

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

REMARKS ON VOTES

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

Mr. WAMBACH. Mr. Speaker, on HB 524, PN 551, my switch did not function. I would like to be recorded in the affirmative.

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

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

Mr. POTT. Mr. Speaker, on the Manderino amendment, A372, to HB 585, I would like to be recorded in the affirmative.

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

CONDOLENCE RESOLUTION ADOPTED

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

Mr. DAIKELER. I offer a condolence resolution.

The SPEAKER. The clerk will read the condolence resolution.

The following resolution was read:

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

WHEREAS, Roosevelt I. Polite, a dedicated public servant and former member of the Pennsylvania House of Representatives, passed away March 14, 1981; and

WHEREAS, Mr. Polite, educated at West Chester State College, Pennsylvania State University Evening School and Fordham University Law School, was first elected to the Pennsylvania House of Representatives in 1972, was reelected to three successive terms and retired in 1980. A dedicated and honest public servant, he was highly respected and admired by his constituents and was honored with the Congressional Medal of Merit presented by United States Representative Richard Schulze. Prior to his election to this House, Mr. Polite served as justice of the peace for twelve years and as chairman of the Hatfield Republican Committee for ten years. He was a former president of the Hatfield Joint School Authority; a Director of Purchasing of Brooks Instrument Company, Hatfield; and an active member of the Lansdale Rotary Club; the Lansdale Jaycees, the Red Cross and the Montgomery County Park Board; 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 former member and statesman dedicated to the betterment of his community and the well-being of his fellowman; and extends its heartfelt condolences to his wife, Eleanor Ludwig Polite; and be it further

RESOLVED, That a copy of this resolution be delivered to Mrs. Eleanor Ludwig Polite, 1440 Hatfield Valley Road, Lansdale, Pennsylvania 19446.

We hereby certify that the foregoing is an exact copy of a Resolution introduced in the House of Representatives by the Honorable Bert Daikeler, and adopted by the House of Representatives the 16th day of March 1981.

Matthew J. Ryan,
Speaker

ATTEST:
John J. Zubeck,
Chief Clerk

On the question,
Will the House adopt the resolution?

The SPEAKER. All those in favor of the adoption of this resolution please stand and remain standing as a mark of respect for the memory of our former colleague?

(Members stood.)

The SPEAKER. The resolution is unanimously adopted.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. There will be a bus leaving at 8:30 tomorrow morning from the rear of the Capitol to take the members and staff who care to go to the funeral services for "Rip" Polite.

I would ask any who are going to go on that bus to advise Mr. Mebus at the chief clerk's office.

ANNOUNCEMENT HEALTH AND WELFARE COMMITTEE MEETING RESCHEDULED

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

Mr. KLINGAMAN. For an announcement, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. KLINGAMAN. Out of respect for the memory of our former colleague, "Rip" Polite, and the expressed desire of

some to attend his funeral services, the meeting of the Committee on Health and Welfare scheduled for Wednesday, March 18, will be cancelled, and the committee will meet promptly at 10 a.m. on Thursday, March 19, in the majority caucus room, to resume the committee meeting scheduled as previously announced. Thank you.

REMARKS ON VOTES

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

Mr. GRABOWSKI. Mr. Speaker, on HB 472 I inadvertently voted in the affirmative. I would like my vote recorded in the negative.

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

The Chair recognizes the gentleman from Venango, Mr. Peterson.

Mr. PETERSON. On HB 472, PN 497, if my switch had been working, I would have voted in the positive.

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

CONDOLENCE RESOLUTION ADOPTED

The SPEAKER. The Chair recognizes the gentleman from Perry, Mr. Noye.

Mr. NOYE. Mr. Speaker, I have a condolence resolution.

The SPEAKER. The clerk will read the condolence resolution.

The following resolution was read:

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

WHEREAS, Lester H. Zimmerman, former member of the Pennsylvania House of Representatives for ten years, passed away December 30, 1980, at the age of sixty-four; and

WHEREAS, A World War II veteran, he was a retired legal assistant for the law firm of Barron and Zimmerman. He was a member of Pine Grove United Methodist Church, the Mifflintown Hose Company, past president of the Juniata County Historical Society, a member of the Union Lodge 324, F & A M, Tall Cedars of Lebanon, Juniata Forest 88, the Harrisburg Consistory, Zembo Temple of Harrisburg; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to mourn the passing of Lester H. Zimmerman, a distinguished, dedicated and honorable public servant who was admired and respected by his many friends, neighbors and associates; extends heartfelt condolences to his wife, Violet Lebkicher Zimmerman, his sons, Lester H. Jr., Randall E., Jeffrey M., and Douglas Z.; his brother and sister and his four grandchildren; and be it further

RESOLVED, That a copy of this resolution be delivered to Mrs. Violet Lebkicher Zimmerman, 316 Orange Street, Mifflintown, Pennsylvania 17059.

We hereby certify that the foregoing is an exact copy of a Resolution introduced in the House of Representatives by the Honorable Fred C. Noye, and adopted by the House of Representatives the 16th day of March 1981.

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 this resolution will please rise and remain standing as a further mark of respect for a former colleague.

(Members stood.)

The SPEAKER. The resolution is unanimously adopted.

REMARKS ON VOTE

The SPEAKER. Does the gentleman from Cambria, Mr. Wozniak, desire recognition?

Mr. WOZNIAK. Mr. Speaker, I would like the record to show that I voted in the affirmative for HB 524, PN 551.

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 643, PN 752**, entitled:

An Act providing limited civil and criminal immunity to persons donating food to charitable organizations for distribution to needy persons and imposing certain powers and duties on 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—195

| | | | |
|-------------|-----------------|-----------|--------------|
| Alden | Fee | Lloyd | Salvatore |
| Anderson | Fischer | Lucy | Saurman |
| Armstrong | Fleck | McCall | Serafini |
| Arty | Foster, W. W. | McClatchy | Seventy |
| Belardi | Foster, Jr., A. | McIntyre | Showers |
| Belfanti | Frazier | McMonagle | Shupnik |
| Beloff | Freind | McVerry | Sieminski |
| Berson | 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 | Marmion | Spencer |
| Brandt | George | Merry | Spitz |
| Brown | Gladeck | Michlovic | Stairs |
| Burd | Grabowski | Micozzie | Steighner |
| Burns | Greenfield | Miller | Stevens |
| Caltagirone | Greenwood | Miscevich | Stewart |
| Cappabianca | Grieco | Moehlmann | Stuban |
| Cawley | Gruitza | Morris | Swaim |
| Cessar | Gruppo | Mowery | Sweet |
| Cimini | Hagarty | Mrkonic | Swift |
| Civera | Haluska | Mullen | Taddonio |

| | | | |
|------------|----------------|------------|-----------------|
| Clark | Harper | Murphy | Taylor, E. Z. |
| Clymer | Hasay | Nahill | Telek |
| Cochran | Hayes | Noye | Tigue |
| Cohen | Heiser | O'Donnell | Trello |
| Colafella | Hoeffel | Olasz | Van Horne |
| Cole | Honaman | Oliver | Vroon |
| Cordisco | Horgos | Pendleton | Wachob |
| Cornell | Hutchinson, A. | Perzel | Wambach |
| Coslett | Hutchinson, W. | Peterson | Wargo |
| Cowell | Irvis | Petrarca | Wass |
| Cunningham | Itkin | Petrone | Wenger |
| DeMedio | Jackson | Phillips | Weston |
| DeVerter | Johnson | Piccola | White |
| DeWeese | Kennedy | Pievsky | Wiggins |
| Daikeler | Klingaman | Pistella | Williams, H. |
| Davies | Kowalshyn | Pitts | Williams, J. D. |
| Dawida | Kukovich | Pott | Wilson |
| Deal | Lashinger | Pratt | Wilt |
| Dietz | Laughlin | Rappaport | Wogan |
| Dininni | Lehr | Rasco | Wozniak |
| Dombrowski | Lescovitz | Reber | Wright, D. R. |
| Donatucci | Letterman | Richardson | Wright, J. L. |
| Dorr | Levi | Rieger | Zwikl |
| Duffy | Levin | Ritter | |
| Durham | Lewis | Rocks | Ryan, |
| Earley | Livengood | Rybak | Speaker |
| Evans | | | |

NAYS—0

NOT VOTING—5

| | | | |
|---------|------|--------|---------------|
| Barber | Gray | Kanuck | Taylor, F. E. |
| Emerson | | | |

EXCUSED—3

| | | |
|--------|-------------|------|
| Kolter | Pucciarelli | Punt |
|--------|-------------|------|

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 456, PN 477**, entitled:

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

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—197

| | | | |
|-----------|-----------------|-----------|--------------|
| Alden | Evans | Lloyd | Saurman |
| Anderson | Fee | Lucy | Serafini |
| Armstrong | Fischer | McCall | Seventy |
| Arty | Fleck | McClatchy | Showers |
| Barber | Foster, W. W. | McIntyre | Shupnik |
| Belardi | Foster, Jr., A. | McMonagle | Sieminski |
| Belfanti | Frazier | McVerry | Sirianni |
| Beloff | Freind | Mackowski | Smith, B. |
| Berson | Fryer | Madigan | Smith, E. H. |
| Bittle | Gallagher | Maiale | Smith, L. E. |
| Blaum | Gallen | Manderino | Snyder |

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

NAYS—0

NOT VOTING—3

| | | |
|---------|------|--------|
| Dininni | Gray | Kanuck |
|---------|------|--------|

EXCUSED—3

| | | |
|--------|-------------|------|
| Kolter | Pucciarelli | Punt |
|--------|-------------|------|

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 61, PN 757**, entitled:

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682, No. 284), prohibiting the issuance of certain assessable policies.

On the question,

Will the House agree to the bill on third consideration?

Mr. MADIGAN offered the following amendments No. A365:

Amend Sec. 1 (Sec. 202), page 4, line 26, by inserting after "ASSESSABLE" bodily injury and property damage liability insurance

Amend Sec. 1 (Sec. 202), page 4, line 27, by inserting after "VEHICLES;" except this prohibition shall not apply to insurance coverage providing for collision damage or other direct loss or damage to the insured automobile or motor vehicle;

Amend Sec. 2, page 7, line 5, by removing the period after "ACT." and inserting except this prohibition shall not apply to insurance coverage providing for collision damage or other direct loss or damage to the insured automobile or motor vehicle.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Bradford, Mr. Madigan.

Mr. MADIGAN. As the bill was amended in committee, there was a concern expressed in the area of the farm mutual companies in the rural areas who do write assessable physical damage insurance on farm equipment, which would be otherwise classified as a motor vehicle, but it is a farm vehicle.

In working on this with Mr. Sweet, we came up with the current amendment, which I believe is clarifying, and I believe it is agreed to by both sides. I urge your adoption of this amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—197

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

| | | | |
|--------|-----------|-----------|---------|
| Durham | Lewis | Rybak | Speaker |
| Earley | Livengood | Salvatore | |

NAYS—0

NOT VOTING—3

| | | |
|------|----------------|-----------|
| Gray | Hutchinson, A. | Kanuck |
| | | EXCUSED—3 |

| | | |
|--------|-------------|------|
| Kolter | Pucciarelli | Punt |
|--------|-------------|------|

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—195

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

Earley

NAYS—0

NOT VOTING—5

| | | |
|---------|----------------|--------|
| Fee | Gray | Kanuck |
| Gladeck | Hutchinson, A. | |

EXCUSED—3

| | | |
|--------|-------------|------|
| Kolter | Pucciarelli | Punt |
|--------|-------------|------|

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.

**FINAL PASSAGE
BILL CONSIDERED**

Agreeable to order,

The House proceeded to the consideration on final passage of **HB 223, PN 639**, 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 and requiring a determination of fair market value.

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

The question is, shall the bill pass finally?

Without objection, the Chair reverses its decision as to the bill having been agreed to on third consideration as amended. The Chair hears none.

On the question recurring,

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

Mr. LLOYD offered the following amendments No. A369:

Amend Sec. 1 (Sec. 2305), page 2, line 14, by inserting after "COUNTY." Before entering a contract for the purchase of real property, the board of commissioners shall find that the purchase would fulfill a public purpose and that no other acceptable property can be purchased at a significantly lower cost. At least thirty days before entering such a contract, the board of commissioners shall adopt a resolution setting forth such findings, as well as a summary of the terms and the cost of said acquisition and the estimated impact on taxes.

Amend Sec. 3 (Sec. 2306), page 4, line 3, by inserting after "COUNTY." At least thirty days before entering a contract for the sale of real property, the board of commissioners shall adopt a resolution setting forth the public purpose for the sale; a summary of the terms of said sale; and, if the property is to be sold without competitive bidding, the selling price of the property and the reason why competitive bidding is not practical.

On the question,

Will the House agree to the amendments?

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

Mr. LLOYD. Mr. Speaker, HB 223 would remove the requirement from existing law that before county commissioners in third to eighth class counties can buy or sell real property, they must obtain approval from the court of common pleas.

I would agree that a decision to buy or sell real property is a policy decision not appropriately made by courts. I would also agree that removal of the requirement for prior court approval could help to eliminate backlogs in some of our county courts and also save the counties some money. Therefore, I agree with the thrust of HB 223.

My amendment, however, would meet certain other objectives. First, it would spell out the procedure that the commissioners must follow in buying real property. Summarized briefly, my amendment would require that before the commissioners buy property they would be required to make certain disclosures to the public - specifically, the reason why they want to buy the property, the cost of the property, the fact that there is no other acceptable property which would be significantly cheaper in price, and a rough estimate of the impact of the purchase on local taxes.

This disclosure would accomplish two purposes. First, since the disclosure under my amendment would come at least 30 days before the purchase, the public would have an opportunity to ask questions, voice their opinions, and if they were not satisfied with the answers, to mount opposition. Furthermore, in order to make the necessary disclosures, it would be necessary for the commissioners to make a good-faith survey of the various pieces of property which might be suitable and an attempt to find the cheapest acceptable piece of property.

The second objective of the amendment deals with the procedure when the counties wish to sell real property, and, once again, my amendment would spell out a very minimal procedure to be followed. Summarized briefly, before they sell property, commissioners would be required to disclose to the public why they want to sell that piece of property, and, if they are not going to use competitive bidding, why they find competitive bidding not to be practical, and how much they expect to get for the property. Once again, the disclosure will accomplish two purposes. Since it will come at least 30 days before the sale, the public will once again have an opportunity to ask questions, voice opinions, and, if they are not satisfied, to mount opposition. In addition, in order to make the necessary disclosures, the commissioners would have to make a good-faith attempt to sell the property at a price most favorable to the taxpayers.

Now, Mr. Speaker, the adoption of my amendment would not impose an unreasonable burden on the county commissioners for several reasons. First, presumably whenever they buy or sell property, they should always and already be looking for the best possible price. Therefore, my amendment does not require them to do anything more in that respect than what they are already supposed to be doing.

Secondly, Mr. Speaker, if a public purpose would be served by selling a particular parcel of property to a particular purchaser, notwithstanding what other people might be willing to pay for that property, my amendment would permit that.

Thirdly, Mr. Speaker, my amendment carries with it no requirement of public advertising, and therefore there would be no cost for publication in the local press. My amendment would assume that in those purchases or sales which are

significant, the reporters from the local newspapers who cover the commissioners' meetings will apprise the public of what is at stake.

The major effect of my amendment would be to make sure that the public has all of the information about a sale or purchase of property in time to apply political pressure to stop it if the transaction would hurt the taxpayers, or to bring additional information to the commissioners' attention which might change their plans. Therefore, the amendment is not intended solely to prevent abuses but also to assure that commissioners do not make decisions in a vacuum, to assure that they do not overlook information the public might be able to provide. While it might be argued, Mr. Speaker, that the commissioners could be defeated in the next election, if they bought or sold property improperly or unwisely, a defeat at the polls would come too late. The property would already have been bought or sold, and it would be virtually impossible for a new set of commissioners to reverse what had been done.

Mr. Speaker, the present requirement of court approval presumably was put into the law to stop abuses which had been occurring and to assure that decisions to buy or sell property were made on the basis of all of the reasonably available information. If we are going to take the courts out of the business of giving prior approval, without imposing some minimal alternative safeguards to the taxpayers, we will be inviting the return of the very abuses and uninformed decisions which led to the enactment of the present law. Mr. Speaker, although court approval has not always stopped abuses and produced wise decisions, it is fair to assume that it has, at least in some cases, discouraged commissioners from going ahead with a questionable sale or purchase. If we are going to remove the requirement of court approval and substitute political pressure as the means of preventing abuses, it is important that we give the public the information it needs to mount a fight against a questionable sale or purchase. My amendment would assure that the public has the necessary information. Mr. Speaker, I urge adoption of the amendment.

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

Mr. A. C. FOSTER. I rise to oppose the amendment offered by the gentleman from Somerset as being unworkable and one that is detrimental to the operation of the office of county commissioner. I will just cite the one sentence, "that no other acceptable property" could be found. Decisions of this type are made on the best possible site and very, very rarely, if ever, on it being the only possible site.

The amendment is unnecessary and unworkable. I would ask for a negative vote.

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

Mr. LLOYD. Mr. Speaker, I believe that the gentleman was referring to an earlier draft of the amendment because the current language in the amendment no longer contains those words.

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

Will the gentleman yield? Did the gentleman from Somerset, Mr. Lloyd, complete his remarks?

Mr. LLOYD. Mr. Speaker, I would like to reserve the opportunity to respond to Mr. Hutchinson, if that is necessary.

The SPEAKER. The gentleman, Mr. Hutchinson, may proceed.

Mr. A. K. HUTCHINSON. Mr. Speaker, when I sponsored this bill, I thought that judges ought to be out of making policy. I thought that the political part ought to be in the county commissioners, ought to be a political decision of theirs. I think I am very much against his amendment. Everything that he said is in the Sunshine Act. They have to do it if the sun is shining, all the lights. I would like to have a "no" vote on these amendments. Thank you very much.

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

Mr. LLOYD. Mr. Speaker, I recognize the desirability of removing the burden of prior court approval. I also recognize the fact that prior court approval has not in all instances stopped abuses or resulted in informed judgment. But, Mr. Speaker, we have to look at history to see why it is that the current law requires prior court approval. That provision was undoubtedly inserted in the law because of abuses, and if we are going to trust the political process, then all I am asking, Mr. Speaker, is something very simple, for the county commissioners to basically do what everybody would agree that they already ought to do. They are going to have to pass a resolution in any event to purchase or sell property. All I am saying is that in that resolution they should make certain findings. That should not constitute any particular burden to the county commissioners, and it results in the public having information.

Now, lest I be misleading anyone, the gentleman who was talking about finding other acceptable property, the language in the bill now, while similar, says that the commissioners are supposed to determine that there is no other property which would accomplish the public purpose which would cost significantly less money. That is a very flexible standard. There is really no enforcement mechanism here—the Attorney General is not going to run in—and what we are trying to do is simply to spell out in the law some protections so that we can show the people that we are not simply saying, yes, carte blanche to county commissioners; we are saying, yes, we believe, as Mr. Hutchinson does, that the policy decisions should be made by the policymakers, and those are the county commissioners, but we believe that if citizens are going to exercise their political rights, they have to be well informed. Therefore, I urge adoption of the amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—29

| | | | |
|-------------|----------------|-----------|-----------|
| Belfanti | Dawida | Michlovic | Steighner |
| Bittle | Hutchinson, W. | O'Donnell | Swaim |
| Blaum | Klingaman | Olasz | Tigue |
| Brown | Kowalshyn | Ritter | Wambach |
| Caltagirone | Kukovich | Rybak | White |

| | | | |
|------------|----------|----------|---------------|
| Cawley | Laughlin | Serafini | Williams, H. |
| Cohen | Lloyd | Seventy | Wright, D. R. |
| Cunningham | | | |

NAYS—160

| | | | |
|------------|-----------------|------------|-----------------|
| Alden | Fischer | Lucyk | Salvatore |
| Anderson | Fleck | McCall | Saurman |
| Armstrong | Foster, W. W. | McClatchy | Showers |
| Arty | Foster, Jr., A. | McIntyre | Shupnik |
| Barber | Frazier | McMonagle | Sieminski |
| Belardi | Fryer | McVerry | Sirianni |
| Beloff | Callagher | Mackowski | Smith, B. |
| Berson | Gallen | Madigan | Smith, E. H. |
| Borski | Gamble | Manderino | Smith, L. E. |
| Bowser | Gannon | Manmiller | Snyder |
| Boyes | Geist | Marmion | Spencer |
| Brandt | George | Merry | Spitz |
| Burd | Gladeck | Micozzie | Stairs |
| Burns | Grabowski | Miller | Stevens |
| Cessar | Greenfield | Moehlmann | Stewart |
| Cimini | Greenwood | Morris | Stuban |
| Civera | Grieco | Mowery | Sweet |
| Clark | Gruppo | Mrkonic | Swift |
| Clymer | Hagarty | Mullen | Taddonio |
| Cochran | Haluska | Murphy | Taylor, E. Z. |
| Colafella | Harper | Nahill | Taylor, F. E. |
| Cordisco | Hasay | Noye | Telek |
| Cornell | Hayes | Oliver | Van Horne |
| Coslett | Heiser | Pendleton | Vroon |
| Cowell | Hoefel | Perzel | Wachob |
| DeMedio | Honaman | Peterson | Wargo |
| DeVertter | Horgos | Petrarca | Wass |
| DeWeese | Hutchinson, A. | Petrone | Wenger |
| Daikeler | Irvis | Phillips | Weston |
| Davies | Itkin | Piccola | Wiggins |
| Deal | Jackson | Pievsky | Williams, J. D. |
| Dietz | Johnson | Pistella | Wilson |
| Dininni | Kennedy | Pitts | Wilt |
| Dombrowski | Lashingier | Pott | Wogan |
| Donatucci | Lehr | Rappaport | Wozniak |
| Dorr | Lescovitz | Rasco | Wright, J. L. |
| Duffy | Letterman | Reber | Zwikl |
| Durham | Levi | Richardson | |
| Earley | Levin | Rieger | Ryan, |
| Evans | Lewis | Rocks | Speaker |
| Fee | Livengood | | |

NOT VOTING—11

| | | | |
|-------------|---------|-----------|-------|
| Cappabianca | Freind | Kanuck | Pratt |
| Cole | Gray | Maiale | Trelo |
| Emerson | Gruitza | Miscevich | |

EXCUSED—3

| | | |
|--------|-------------|------|
| Kolter | Pucciarelli | Punt |
|--------|-------------|------|

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

On the question recurring,

Will the House agree to the bill on third consideration 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?

Does the gentleman from Schuylkill, Mr. Hutchinson, desire recognition?

Mr. W. D. HUTCHINSON. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. W. D. HUTCHINSON. Mr. Speaker, this bill in its present form effectively removes all control over the sale of

county lands. From the experience in my county in connection with coal lands, from recent experience in which a large portion of the coal reserves in Schuylkill County were tied up under conditions that at least arguably were not to the advantage of the taxpayers and the residents of that county.

I think it is a mistake to do this. I would have preferred—And I voted in the affirmative on the Lloyd amendment not because the Lloyd amendment was perfect, but because it was a step in the right direction—to deal with this problem in the counties where there are large tracts of land that have gone back into the county commissioners since the thirties and the forties during the depression. Those tracts of land have constituted in many counties sources of great corruption and evil, and control is needed over handling them.

I do not have a problem with my cousin Amos' desire to necessarily take the courts out of it, but to take it out and leave no controls at all is wrong, and I urge the members to vote "no" from considerable experience in this area. I was a county solicitor for 3 years. We had the problems with these lands. There needs to be some control in this situation. The Lloyd amendment would have faded out in the public, and, unfortunately, that was voted down. With the Lloyd amendment I could have supported the bill; without it, I urge you to vote "no."

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

Mr. A. K. HUTCHINSON. I disagree with my cousin who is running for Supreme Court, and I told him the other day if he runs and makes a good showing, then I would run for Governor. But that is where we parted company.

He was a county solicitor, and also each case where Mr. Lloyd and Mr. Hutchinson were talking about, the judges ruled that it was okay. So, all I want to do with the judges, now the county commissioners, is if they pull a crooked deal, the voters can get them and throw them the heck out of office. Thank you very much.

The SPEAKER. The Chair recognizes the gentleman from Schuylkill, Mr. Hutchinson, to reply to his cousin's remarks.

Mr. W. D. HUTCHINSON. Mr. Speaker, in reply briefly to the gentleman from Westmoreland, the simple fact that happened in my county—and let me tell you about these coal lands—the mineral in the surface is severed; that is, one person owns the surface and the other owns the mineral. Different owners of the mineral underlie different portions of the surface. The county commissioners in many cases do not have these lands indexed. When you go in to look for them and try to find out where they are, you are told to come back in a week or two and then they will let you know whether they are available. When you go back in a week or two, they are just under lease to somebody else, and they just found that out.

What happens is, and it happened recently in my county, the coal lands in the western part of the county were put under an exclusive arrangement which was not desirable for the county. The people of the county did not have any input into that situation. They had no political input at all into it. It was done and it was over with. Now the commissioners have

attempted to revoke that problem, and they are under threat that they will tie those lands up for years in litigation when we need energy and coal. We need a reform in this area, and I agree with Mr. Hutchinson on that, but we do not need something that lets people play behind the scenes with these reserves, and I really urge you to vote "no" on this bill in its present form.

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

Mr. A. C. FOSTER. I rise in support of the bill, and I would say to the gentleman from Schuylkill, Mr. Hutchinson, that the abuses that have occurred in his county have occurred with the consent and with the apparent approval of the other judges under the old system. The system that he alludes to did not prevent the abuses, and I see no reason to vote in the negative on the bill. I think it is a good piece of legislation and I urge an affirmative vote.

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—142

| | | | |
|-------------|-----------------|-----------|-----------------|
| Anderson | Duffy | Livengood | Richardson |
| Armstrong | Emerson | McCall | Rieger |
| Barber | Evans | McClatchy | Rocks |
| Belfanti | Fee | McIntyre | Rybak |
| Beloff | Foster, W. W. | McMonagle | Saurman |
| Berson | Foster, Jr., A. | McVerry | Showers |
| Bittle | Frazier | Mackowski | Shupnik |
| Blaum | Fryer | Madigan | Sieminski |
| Borski | Gallagher | Maiale | Smith, B. |
| Bowser | Gallen | Manderino | Smith, E. H. |
| Boyes | Gamble | Manmiller | Smith, L. E. |
| Brandt | Geist | Marmion | Snyder |
| Burd | George | Merry | Stairs |
| Caltagirone | Gladeck | Micozzie | Steighner |
| Cappabianca | Grabowski | Miscevich | Stevens |
| Cawley | Greenfield | Morris | Stewart |
| Clark | Gruitza | Mrkonic | Stuban |
| Clymer | Gruppo | Mullen | Swift |
| Cochran | Harper | Nahill | Taddonio |
| Cohen | Hayes | Noye | Taylor, E. Z. |
| Colafella | Heiser | O'Donnell | Taylor, F. E. |
| Cole | Horgos | Oliver | Telek |
| Cornell | Hutchinson, A. | Pendleton | Van Horne |
| Cowell | Irvis | Peterson | Wambach |
| Cunningham | Jackson | Petrarca | Wargo |
| DeMedio | Johnson | Petrone | Wass |
| DeVerter | Kowalshyn | Phillips | Wenger |
| DeWeese | Kukovich | Pievsky | White |
| Daikeler | Lashinger | Pistella | Wiggins |
| Dawida | Laughlin | Pitts | Williams, H. |
| Deal | Lehr | Pott | Williams, J. D. |
| Dietz | Lescovitz | Pratt | Wilt |
| Dininni | Letterman | Rappaport | Wozniak |
| Dombrowski | Levi | Rasco | Wright, D. R. |
| Donatucci | Levin | Reber | Zwinkl |
| Dorr | Lewis | | |

NAYS—54

| | | | |
|----------|----------------|-----------|--------|
| Alden | Gannon | Michlovic | Spitz |
| Arty | Greenwood | Miller | Swaim |
| Belardi | Grieco | Moehlmann | Sweet |
| Brown | Hagarty | Mowery | Tigue |
| Burns | Haluska | Murphy | Trello |
| Cessar | Hasay | Olasz | Vroon |
| Cimini | Hoefel | Perzel | Wachob |
| Civera | Honaman | Piccola | Weston |
| Cordisco | Hutchinson, W. | Ritter | Wilson |

| | | | |
|---------|-----------|-----------|---------------|
| Coslett | Itkin | Salvatore | Wogan |
| Davies | Kennedy | Serafini | Wright, J. L. |
| Durham | Klingaman | Seventy | |
| Earley | Lloyd | Sirianni | Ryan, |
| Fleck | Lucyk | Spencer | Speaker |

NOT VOTING—4

| | | | |
|---------|--------|------|--------|
| Fischer | Freind | Gray | Kanuck |
|---------|--------|------|--------|

EXCUSED—3

| | | |
|--------|-------------|------|
| Kolter | Pucciarelli | Punt |
|--------|-------------|------|

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.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 686, PN 721**, entitled:

An Act making an appropriation to the Legislative Reapportionment 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—194

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

| | | | |
|------------|-----------|------------|-----------------|
| DeWeese | Johnson | Pistella | Wiggins |
| Daikeler | Kennedy | Pitts | Williams, H. |
| Davies | Klingaman | Pott | Williams, J. D. |
| Dawida | Kowalshyn | Pratt | Wilson |
| Deal | Kukovich | Rappaport | Wilt |
| Dietz | Lashinger | Rasco | Wogan |
| Dininni | Laughlin | Reber | Wozniak |
| Dombrowski | Lehr | Richardson | Wright, D. R. |
| Donatucci | Lescovitz | Rieger | Wright, J. L. |
| Dorr | Letterman | Ritter | Zwikl |
| Duffy | Levi | Rocks | |
| Durham | Lewis | Rybak | Ryan, |
| Earley | Livengood | Salvatore | Speaker |

NAYS—0

NOT VOTING—6

| | | | |
|--------|--------|-------|-----------|
| Beloff | Gray | Levin | Moehlmann |
| Freind | Kanuck | | |

EXCUSED—3

| | | |
|--------|-------------|------|
| Kolter | Pucciarelli | Punt |
|--------|-------------|------|

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. J. L. WRIGHT called up **HR 6, PN 600**, entitled:

General Assembly petition Congress to pay for costs incurred due to Three Mile Island cleanup.

On the question,
Will the House adopt the resolution?

Mr. **ITKIN** offered the following amendments No. A296:

Amend 2nd Whereas Clause, page 1, lines 5 through 10, by striking out "almost" in line 5, all of lines 6 through 10 and inserting by the Electric Utility Industry, the Nuclear Manufacturing Industry, and various agencies of the Federal Government; and

Amend 3rd Whereas Clause, page 1, line 14, by striking out "people" and inserting consumers

Amend 4th Whereas Clause, page 1, line 16, by striking out "fuel" and inserting energy

Amend 7th Whereas Clause, page 2, line 10, by striking out "fuel" and inserting energy

Amend 2nd Resolved Clause, page 2, line 24, by striking out "fuel" and inserting energy

Amend 2nd Resolved Clause, page 2, line 26, by removing the semi-colon after "facility" and inserting . Provided, however, that in the event the operator of Three Mile Island receives any money from its legal claims against the Nuclear Regulatory Commission and its nuclear steam supply system designer, then such money should be deducted from the cost;

Amend Resolution, page 2, by inserting between lines 26 and 27 **RESOLVED**, That the licensees of commercial nuclear power plants should be encouraged to increase their nuclear liability insurance coverage to ensure that they will have adequate financial protection in the event of a future accident at a fixed nuclear facility; and be it further

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

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

Mr. ITKIN. Mr. Speaker, HR 6 basically would urge the Congress of the United States to come to grips with the critical financial aspects of the cleanup of Three Mile Island. This amendment cleans up a little part of the resolution by making some of the verbiage more clear and has a couple of substantial additions. Those substantial additions are: One, the Congress, in determining how the cost of this cleanup should be handled, should consider the fact that there are law suits pending and that any claims by the operator of TMI which is collected shall be then deducted from the total cost to be allocated by the various involved people.

Finally, the resolution calls that in the future electric utility companies that have nuclear power plants have sufficient insurance that this type of bailout will not be required again. Thank you, Mr. Speaker.

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

Mr. J. L. WRIGHT. I just wanted to point out that the amendment is agreed to.

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

The following roll call was recorded:

YEAS—195

| | | | |
|-------------|-----------------|-----------|-----------------|
| Alden | Fee | Lucyk | Saurman |
| Anderson | Fischer | McCall | Serafini |
| Armstrong | Fleck | McClatchy | Seventy |
| Arty | Foster, W. W. | McIntyre | Showers |
| Barber | Foster, Jr., A. | McMonagle | Shupnik |
| Belardi | Frazier | McVerry | Sieminski |
| Belfanti | Freind | Mackowski | Sirianni |
| Berson | Fryer | Madigan | Smith, B. |
| Bittle | Gallagher | Maiale | Smith, E. H. |
| Blaum | Gallen | Manderino | Smith, L. E. |
| Borski | Gamble | Manmiller | Snyder |
| Bowser | Gannon | Marmion | Spencer |
| Boyes | Geist | Merry | Spitz |
| Brandt | George | Michlovic | Stairs |
| Brown | Gladeck | Micozzie | Steighner |
| Burd | Grabowski | Miller | Stevens |
| Burns | Greenfield | Miscevich | Stewart |
| Caltagirone | Greenwood | Moehlmann | Stuban |
| Cappabianca | Grieco | Morris | Swaim |
| Cessar | Gruitza | Mowery | Sweet |
| Cimini | Gruppo | Mrkonic | Swift |
| Civera | Hagarty | Mullen | Taddonio |
| Clark | Haluska | Murphy | Taylor, E. Z. |
| Clymer | Harper | Nahill | Taylor, F. E. |
| Cochran | Hasay | Noye | Telek |
| Cohen | Hayes | O'Donnell | Tigue |
| Colafella | Heiser | 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 | Iris | Petrone | Wass |
| DeMedio | Itkin | Phillips | Wenger |
| DeVerter | Jackson | Piccola | Weston |
| DeWeese | Johnson | Pievsky | White |
| Daikeler | Kennedy | Pistella | Wiggins |
| Davies | Klingaman | Pitts | Williams, H. |
| Dawida | Kowalshyn | Pott | Williams, J. D. |
| Deal | Kukovich | Pratt | Wilson |
| Dietz | Lashingner | Rappaport | Wilt |
| Dininni | Laughlin | Rasco | Wogan |
| Dombrowski | Lehr | Reber | Wozniak |

| | | | |
|-----------|-----------|------------|---------------|
| Donatucci | Lescovitz | Richardson | Wright, D. R. |
| Dorr | Letterman | Rieger | Wright, J. L. |
| Duffy | Levi | Ritter | Zwinkl |
| Durham | Lewis | Rocks | |
| Earley | Livengood | Rybak | Ryan, |
| Emerson | Lloyd | Salvatore | Speaker |
| Evans | | | |

NAYS—0

NOT VOTING—5

| | | | |
|--------|------|--------|-------|
| Beloff | Gray | Kanuck | Levin |
| Cawley | | | |

EXCUSED—3

| | | |
|--------|-------------|------|
| Kolter | Pucciarelli | Punt |
|--------|-------------|------|

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

On the question,
Will the House adopt the resolution as amended?

The following roll call was recorded:

YEAS—195

| | | | |
|-------------|-----------------|------------|-----------------|
| Alden | Emerson | Livengood | Rybak |
| Anderson | Evans | Lloyd | Salvatore |
| Armstrong | Fee | Lucyk | Saurman |
| Arty | Fischer | McCall | Serafini |
| Barber | Fleck | McClatchy | Seventy |
| Belardi | Foster, W. W. | McIntyre | Showers |
| Belfanti | Foster, Jr., A. | McMonagle | Shupnik |
| Berson | Frazier | McVerry | Sieminski |
| Bittle | Freind | Mackowski | Sirianni |
| Blaum | Fryer | Madigan | Smith, B. |
| Borski | Gallagher | Maiale | Smith, E. H. |
| Bowser | Gallen | Manderino | Smith, L. E. |
| Boyes | Gamble | Manmiller | Snyder |
| Brandt | Gannon | Marmion | Spencer |
| Brown | Geist | Merry | Spitz |
| Burd | George | Michlovic | Stairs |
| Burns | Gladeck | Micozzie | Steighner |
| Caltagirone | Grabowski | Miller | Stevens |
| Cappabianca | Greenfield | Miscevich | Stewart |
| Cawley | Greenwood | Moehlmann | Stuban |
| Cessar | Grieco | Morris | Swaim |
| Cimini | Gruitza | Mowery | Sweet |
| 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 | Iris | Petrone | Wass |
| DeVerter | Itkin | Phillips | Wenger |
| DeWeese | Jackson | Piccola | Weston |
| Daikeler | Johnson | Pievsky | White |
| Davies | Kennedy | Pistella | Wiggins |
| Dawida | Klingaman | Pitts | Williams, H. |
| Deal | Kowalshyn | Pott | Williams, J. D. |
| Dietz | Kukovich | Pratt | Wilson |
| Dininni | Lashingner | Rappaport | Wilt |
| Dombrowski | Laughlin | Rasco | Wogan |
| Donatucci | Lehr | Reber | Wozniak |
| Dorr | Lescovitz | Richardson | Wright, D. R. |
| Duffy | Letterman | Rieger | Wright, J. L. |
| Durham | Levi | Ritter | Zwinkl |
| Earley | Lewis | Rocks | |

NAYS—0
NOT VOTING—5

| | | |
|--------|--------|---------|
| Beloff | Kanuck | Levin |
| Gray | | |
| | | Ryan, |
| | | Speaker |

EXCUSED—3

| | | |
|--------|-------------|------|
| Kolter | Pucciarelli | Punt |
|--------|-------------|------|

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

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

QUESTION OF INFORMATION

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

Mr. GRABOWSKI. Mr. Speaker, could you tell me, is there any special significance in passing over HR 16?

The SPEAKER. The Chair's calendar is not marked for a vote evidently because neither party has caucused on that amendment according to my markings.

Mr. GRABOWSKI. I sort of think if we pass this resolution on St. Patrick's Day there would be a special significance to it. Maybe you do not agree; I do not know.

STATEMENT BY MR. MANDERINO

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

Mr. MANDERINO. Mr. Speaker, to gain unanimous consent to make a brief statement before the House.

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

Mr. MANDERINO. Mr. Speaker, last year one of my esteemed colleagues from Westmoreland County, Allen Kukovich, made headlines by scolding the Governor for spending something like \$40,000 in taxpayers' money to take a vacation to China and Japan with his wife and staff. The Governor's outburst yesterday against the state's teachers, the state store employes' union, and the leaders of welfare rights organizations, because they apparently have dared to differ with the Governor publicly on key issues, suggests to me, Mr. Speaker, that perhaps it would be a good investment of the taxpayers' money for the Governor to take a vacation to Canada or Alaska to cool off.

Mr. Speaker, in a democracy—and I believe this still is a democracy—people have a right to differ from the elected authorities. They have a right to speak out, to organize their opposition and to make themselves heard. Whether some of us like what they say or not, that is what freedom is all about.

Now, the Governor has launched an attack of vituperation and harsh language—and to borrow a few words, Mr. Speaker, from his own speech—"innuendo, intimidation and distortion" against the teachers because they asked compensation that takes some account of inflation; against state store

employes because they want to keep their jobs; and against people who choose to speak for welfare recipients even if they are not on welfare themselves.

I am troubled, Mr. Speaker, not because there are conflicting forces at work in Pennsylvania and in the halls of the Capitol, where lobbyists from all points of the compass ply their trade, but I am troubled, Mr. Speaker, because there can only be one rational reaction to the Governor's tirade yesterday: He wants to beat down the opposition to his position by using the power of his office to attract and hold the media, which only a Governor can command. He gave a slight nod of his head, and the representatives of the media dutifully drew close and recorded his every word - the raising of an eyebrow; the harshness in his voice. Even, Mr. Speaker, the much-touted PSEA—Pennsylvania State Education Association—does not attract that kind of attention if its so-called clique of leaders shout their opinions from the Capitol dome wearing green long underwear. The Governor, Mr. Speaker, deplored cynical goals, false claims, and heavy-handed tactics as well as intimidation and distortion, but what can this tirade, Mr. Speaker, performed for the sake of television cameras, be called but heavy-handed and cynical?

And he accuses the teachers of a big lie for claiming that he made a campaign promise to fund basic education subsidy at the full 50-percent level as outlined by law. Yesterday he said, I never made the promise now attributed to me. Mr. Speaker, if he never made that promise, then what did he mean when he addressed this General Assembly on statewide television on February 3 to present his budget message when he said, "This administration remains committed to the...goal of achieving full funding of the basic education subsidy." If he indeed remains committed, he must have made a commitment at some time previous to the speech. Mr. Speaker, is a commitment a promise or a pledge? Most of us would think so. Most people would think it was not a big lie to interpret that commitment as a pledge or a promise.

Mr. Speaker, in one of the Governor's claims that the PSEA lobbying and publicity effort in favor of 50-percent funding was a secret plan. He made it sound like a "fifth column" effort to undermine state government were under way. He said a shadow government of special interest groups exists, which apparently is thwarting his plans. This kind of language, if it were to come from a private citizen, a person not familiar with government or not familiar with the operation of a democracy, might be understandable and forgivable, but I think we have a right to expect more responsibility from the Governor of this Commonwealth. If he were truly angry, this attack might be at least explainable if not forgivable, but if this outburst was as calculating as it appeared to me, and it appeared to be to me, it was not a red-letter day for the Governorship in Pennsylvania.

I make these remarks, Mr. Speaker, because I fear that if the Governor's antics of yesterday were to pass unnoticed by this chamber, he might be encouraged to repeat this kind of leadership by verbal intimidation against others - individuals, organizations, and perhaps even against members of this body. Thank you, Mr. Speaker.

REMARKS ON VOTE

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

Mr. GRIECO. Mr. Speaker, on amendment 325 to HB 103, I would like to change my "no" vote to a "yes" vote. Thank you.

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

STATEMENT BY MR. LUCYK

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

Mr. LUCYK. Mr. Speaker, I ask for unanimous consent to address the House.

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

Mr. LUCYK. Mr. Speaker, less than 2 weeks ago, the Secretary of Public Welfare appeared before the House Appropriations Committee and stated in answer to a question by Representative McCall of Carbon County that no decision had been made as to the fate of Locust Mountain State General Hospital, a facility that has served thousands of people of my legislative district with health care—I might add quality health care—until the Department of Welfare began a carefully contrived and executed program of phaseout, a phaseout that consisted of denying the hospital much needed capital improvements; a phaseout that consisted of depriving the hospital of modern equipment facilities; a phaseout that was calculated to influence members of the medical profession to send their patients to other hospitals between 10 and 20 miles away rather than risk placing them in a facility that was deteriorating in its services by design.

I might point out to you that the Locust Mountain State General Hospital was not built with state funds. It was the result of a serious private effort by individuals in the communities in and around Shenandoah, people who raised the money to build a hospital; people who turned it over to this Commonwealth because they needed such a facility desperately and were assured that the Commonwealth would enter into a perpetual program of quality health care.

Last week, the Department of Public Welfare announced that the Locust Mountain Hospital will close on the 1st of May, and the day after that announcement, the Secretary of Public Welfare told the House Appropriations Committee that the decision had not been made when she first appeared before that committee. We have reason to believe otherwise, but that is not the subject of my remarks here today.

What we are experiencing in state government today—and I know the warning has been sounded time and again in this House chamber—we are seeing another attempt at usurpation of legislative powers, and unless we act to stop it, we are paving the road for even more government by rule, regulation, and executive order. You saw it last year with the closing of Retreat State Hospital in Luzerne County. You saw it last

year when the administration jawboned its way to price increases in the liquor stores, and all of you agree it was nothing more than a backdoor tax increase. You saw an attempt made last year when the administration wanted to take over the control of setting of professional license fees, and you are seeing it today when the administration, without any advance notice, announced the closing of the Locust Mountain State Hospital.

Let me assure you that the hospital would have been capable of becoming a completely self-sustaining facility, as are most of the others in our network of nine state general hospitals; but the administration, through its planned program of neglect, has seen to it that if Locust Mountain closes its doors on May 1, it will become a monument to the callous insensitivity of this administration to the pressing health needs of a population that is aging; a population where the unemployment rate is near 15 percent; where retired miners, afflicted with black lung disease, walk slowly through the streets of their towns gasping to fill their lungs with air.

They will not soon forget that in an administration where \$35,000 is spent to send rolls of red tape to small businesses, where \$60,000 is paid to a Pennsylvania golfer for 4 hours of commercial work, where over \$60,000 is spent to establish an 800 network of pothole prowlers, where millions of dollars are appropriated each year to urban area hospitals in no-strings grants to improve and enhance the delivery of health care, their government in Harrisburg is telling them that there is no room in this administration for their hospital.

We are a proud people in Schuylkill County. We have not asked for handouts from state government, and we have borne our proportionate share of tax burdens and responsibilities in supporting that government. We ask only fair reciprocity in return.

I will be calling on you ladies and gentlemen of the House in the very near future as I introduce a resolution calling for a complete investigation into the Locust Mountain facility, an investigation that will lay bare all of the facts concerning health care and the costs of operating and the percentage rates of billing in that facility. I will ask your support in this vital matter. Thank you, Mr. Speaker.

BILL SIGNED BY SPEAKER

The Chair gave notice that he was about to sign the following bill, which was then signed:

SB 167, PN 167

An Act amending the act of December 5, 1972 (P. L. 1280, No. 284), entitled "Pennsylvania Securities Act of 1972," changing the registration requirements and fees for broker-dealers, investment advisers and agents, eliminating obsolete language relating to consent to service of process requirements and further providing for administrative files.

COMMUNICATION FROM CHIEF JUSTICE

The SPEAKER. The Chair acknowledges receipt of a communication from the Chief Justice of the Pennsylvania Supreme Court, which the clerk will read.

The following communication was read:

The Supreme Court
of Pennsylvania

March 3, 1981

The Honorable Matthew J. Ryan
Speaker
House of Representatives
Room 139
Main Capitol
Harrisburg, PA 17120

Dear Representative Ryan:

As Chairman of the Judicial Council of Pennsylvania, I am pleased to submit to you the enclosed schedules of fees for Prothonotaries, Clerks of Orphans' Courts Division and Registers of Wills. These schedules were adopted at a meeting of the Judicial Council held in Pittsburgh on February 28, 1981, at which a quorum of the members was present.

I hereby certify that the enclosed schedules were approved by a majority vote of the Judicial Council, including the affirmative votes of Senator D. Michael Fisher and Representative William D. Hutchinson, as required by Judiciary Code §1725. To become effective, the schedules must be approved by separate Senate and House resolutions, or by the passage of 120 legislative days without action on the resolutions.

Thank you for your attention to this matter.

Sincerely,
Henry X. O'Brien

HXO'B/bd
Enclosure

(Schedules are on file with the Journal clerk.)

ADDITIONS AND DELETION OF SPONSORSHIPS

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. I submit a list of additions and deletion of sponsors of bills in accordance with our rules.

ADDITIONS:

HB 143, Stairs; HB 395, Dietz; HB 520, Morris; HB 618, Madigan, Dietz, Snyder; HB 652, Belardi; HB 739, McIntyre; HB 745, Alden; HB 749, Gallagher, Earley; HB 758, Merry, Boyes; HB 772, Ryan, Alden, Merry; HB 773, Merry; HB 774, Alden, Merry; HB 775, Merry.

DELETION:

HB 265, Dietz.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 158, PN 159 (Unanimous)

By Rep. DININNI

An Act amending the act of June 22, 1931 (P. L. 31, No. 21), referred to as the Township State Highway Law, deleting a route in Franklin Township, Westmoreland County.

TRANSPORTATION.

HB 191, PN 192 (Unanimous)

By Rep. DININNI

An Act amending the "Fuel Use Tax Act," approved January 14, 1952 (1951 P. L. 1965, No. 550), further providing for the

payment of tax by individual users for private automobiles and trucks.

TRANSPORTATION.

HB 230, PN 231 (Unanimous)

By Rep. DININNI

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for provisions prohibiting the transfer of registration to evade certain financial responsibility requirements, further providing for suspension for non-payment of judgments and further providing for financial responsibility.

TRANSPORTATION.

HB 305, PN 944 (Amended) (Unanimous)

By Rep. DININNI

An Act creating the High Speed Intercity Rail Passenger Commission, providing for its powers and duties and making an appropriation.

TRANSPORTATION.

HB 306, PN 312 (Unanimous)

By Rep. DININNI

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for photographs and photographic records.

TRANSPORTATION.

HB 359, PN 368 (Unanimous)

By Rep. DININNI

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

TRANSPORTATION.

HB 556, PN 583 (Unanimous)

By Rep. DININNI

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the replacement of certain documents lost in the mail.

TRANSPORTATION.

HB 793, PN 851 (Unanimous)

By Rep. GALLEN

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, revising provisions relating to retirement for public school employees and State employees.

STATE GOVERNMENT.

BILLS AND RESOLUTIONS PASSED OVER

The SPEAKER. Without objection, all remaining bills and resolutions on today's calendar will be passed over.

The Chair hears none.

WELCOMES

The SPEAKER. The Chair at this time welcomes to the hall of the House Linda Selcher and Sue Steinkamp, students at the Elizabethtown Middle School, together with their teacher, Dale Denlinger, and Mrs. Linda Whipple, here today as the guests of Mr. Brandt.

Also today the Chair welcomes to the floor two young ladies from the Coatesville Area High School, Marsha McGinnis and Maryann Perry, here today as the guests of Mr. E. H. Smith.

Also today we welcome to the floor of the House Ross Williams from Hop Bottom, Susquehanna County, here today as the guest of Miss Sirianni.

The Chair also welcomes to the floor of the House Glen Esler, a student at Temple University, here today as the guest of George Saurman of Montgomery County.

The Chair is pleased to welcome to the hall of the House today Rose Marie Belfanti, Cecilia Belfanti, and Joyce Gibson, here today as the guests of Mr. Robert Belfanti.

ADJOURNMENT

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

Mr. CAWLEY. Mr. Speaker, I move that this House do now adjourn until Monday, March 23, 1981, at 1 p.m., e.s.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 4:52 p.m., e.s.t., the House adjourned.