

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

MONDAY, MAY 4, 1981

SESSION OF 1981

165TH OF THE GENERAL ASSEMBLY

No. 30

HOUSE OF REPRESENTATIVES

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

THE TEMPORARY SPEAKER  
(JEFFREY E. PICCOLA) IN THE CHAIR

PRAYER

REV. JACK H. THORNE, chaplain of the House of Representatives and pastor of Rose Tree Park Church of the Nazarene, Rose Tree, Media, Pennsylvania, offered the following prayer:

Let us pray:

O God, our heavenly Father, in Your word we have been reminded to pray for those in authority over us, "That we may live peaceful and quiet lives in all godliness and holiness." So it is with praise and thanksgiving that we pray for these men and women who have been elected by the people of Pennsylvania. Give to them wisdom beyond themselves as they consider that which comes before them today. Bless today's session by Your spirit. May each person here be so very conscious of Your presence.

Now, may the words of our mouths and the meditation of our hearts be pleasing in Your sight, O Lord, our rock and our redeemer. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

ELECTION OF SPEAKER PRO TEMPORE

Mr. PICCOLA. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, because of the unexpected absence of Speaker Ryan because of an accident he had this morning, I move that the House elect a Speaker pro tempore to act in Speaker Ryan's absence pursuant to House rule 1, and I so move.

Mr. PICCOLA. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, I took a quick count here, and as long as we are electing a Speaker, I will go along with John Hope Anderson. I just want you to know that we are electing.

Mr. PICCOLA. The Chair thanks the gentleman.

On the question,

Will the House agree to the motion?

Motion was agreed to.

JOHN HOPE ANDERSON ELECTED  
SPEAKER PRO TEMPORE

Mr. PICCOLA. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I nominate the gentleman from York, Mr. Anderson, to act as Speaker pro tempore in the absence of Speaker Ryan.

Mr. MANDERINO. I will second that motion, Mr. Speaker.

Mr. PICCOLA. The Chair thanks the gentleman.

Are there any other nominations? The Chair hears none.

All those in favor of electing the gentleman from York, Mr. Anderson, to act as Speaker pro tempore in the absence of Speaker Ryan say "aye"; opposed, "no."

The "ayes" have it, and the gentleman is so elected.

Will the gentleman please come to the rostrum?

THE SPEAKER PRO TEMPORE  
(JOHN HOPE ANDERSON) IN THE CHAIR

JOURNALS APPROVED

The SPEAKER pro tempore. The Journals of Tuesday, April 21, and Wednesday, April 22, 1981, are now in print. Are there any corrections to the Journals? If not, and without objection, the Journals stand approved. The Chair hears no objection.

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, approval of the Journal of Wednesday, April 29, 1981, will be postponed until printed. The Chair hears none.

LEAVES OF ABSENCE GRANTED

The SPEAKER pro tempore. The Chair recognizes the majority whip for leaves of absence.

Mr. CESSAR. Thank you, Mr. Speaker.

I ask for leaves of absence for Representatives DURHAM, LASHINGER, FRAZIER, and RYAN for today's session.

The SPEAKER pro tempore. The Chair recognizes the minority leader for leaves of absence.

Mr. IRVIS. Thank you, Mr. Speaker.

We ask for a leave of absence for Representative WOZNIAK for the week and for Representative BERSON for today's session.

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

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 1347** By Representative PHILLIPS  
(BY REQUEST)

An Act declaring and adopting the song "Pennsylvania," by Ethel Lodge, as the State song of the Commonwealth.

Referred to Committee on STATE GOVERNMENT, April 29, 1981.

**No. 1348** By Representatives BRANDT, MERRY,  
PITTS and ARMSTRONG

An Act amending "The Minimum Wage Act of 1968," approved January 17, 1968 (P. L. 11, No. 5), further providing for exemptions.

Referred to Committee on LABOR RELATIONS, April 29, 1981.

**No. 1349** By Representatives KOWALYSHYN,  
GALLAGHER and BURNS

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), reducing the term of secretary of school districts of the second, third and fourth class from four to two years.

Referred to Committee on EDUCATION, April 29, 1981.

**No. 1350** By Representative PICCOLA

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, authorizing the purchase of credit for certain previous State service.

Referred to Committee on STATE GOVERNMENT, April 29, 1981.

**No. 1351** By Representatives GRIECO, CIMINI,  
WENGER, MADIGAN, W. W. FOSTER,  
COLE, STUBAN, SHOWERS,  
CAPPABIANCA, D. R. WRIGHT,  
F. E. TAYLOR, SPENCER, HASAY,  
SWIFT and LEVI

An Act selecting, designating and adopting milk as the official beverage of the Commonwealth of Pennsylvania.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, April 29, 1981.

**No. 1352** By Representatives STEVENS, GALLEN,  
HASAY, GREENWOOD, KLINGAMAN  
and CLYMER

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), further providing for changes in polling places.

Referred to Committee on STATE GOVERNMENT, April 29, 1981.

**No. 1353** By Representatives COHEN,  
RICHARDSON, FISCHER, MICHLOVIC,  
IRVIS, KUKOVICH, MANDERINO,

HORGOS, TELEK, MRKONIC,  
GRABOWSKI, BLAUM, GALLAGHER,  
TADDONIO, A. K. HUTCHINSON,  
CLARK, WIGGINS, WOZNIAK,  
CAPPABIANCA, PISTELLA, DeWEESE,  
STEWART, BROWN, DEAL, EVANS,  
PETRARCA, McCALL, GEORGE,  
DeMEDIO, BARBER, PETRONE,  
SEVENTY, OLASZ, TRELLO,  
MISCEVICH, McINTYRE, RIEGER,  
DUFFY, BORSKI, CAWLEY, OLIVER,  
VAN HORNE, J. D. WILLIAMS,  
WAMBACH, H. WILLIAMS,  
GREENFIELD, KOLTER, CORDISCO,  
BELFANTI, HARPER, GRAY,  
McMONAGLE, PUCCIARELLI, SWAIM,  
RYBAK, EMERSON, PIEVSKY, DAWIDA,  
GAMBLE, DOMBROWSKI, WHITE,  
F. E. TAYLOR, O'DONNELL, WACHOB,  
DONATUCCI, MULLEN and MURPHY

An Act establishing a program for employee protection and community stabilization and providing penalties.

Referred to Committee on BUSINESS AND COMMERCE, April 29, 1981.

**No. 1354** By Representatives DININNI, KOLTER and  
PETERSON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for illuminated signs on tops of trucks and truck tractors.

Referred to Committee on TRANSPORTATION, April 29, 1981.

**No. 1355** By Representatives DAWIDA, POTT and  
SEVENTY

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

Referred to Committee on LOCAL GOVERNMENT, April 29, 1981.

**No. 1356** By Representatives STEIGHNER, BURD,  
MISCEVICH, SWEET, GRABOWSKI,  
BELFANTI, STEWART, TRELLO,  
DUFFY, McVERRY, LAUGHLIN and  
COLAFELLA

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

Referred to Committee on LOCAL GOVERNMENT, April 29, 1981.

**No. 1357** By Representative CALTAGIRONE

An Act amending the act of May 7, 1925 (P. L. 577, No. 300), referred to as the Common Law Lien Law, further providing for the enforcement and priority of the lien.

Referred to Committee on JUDICIARY, April 29, 1981.

**No. 1358** By Representatives CALTAGIRONE, RIEGER, BOWSER, COLE, DONATUCCI and COCHRAN

An Act amending the act of December 22, 1959 (P. L. 1978, No. 728), referred to as the Pennsylvania Harness Racing Law, further providing for the disposition of pari-mutuel pools and creating the Overpayment Reimbursement Fund and providing for its distribution by the commission.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, April 29, 1981.

**No. 1359** By Representatives CALTAGIRONE, RIEGER, BOWSER, COLE, DONATUCCI and COCHRAN

An Act amending the act of December 11, 1967 (P. L. 707, No. 331), referred to as the Pennsylvania Thoroughbred Horse Racing Law, further providing for the disposition of pari-mutuel pools and creating the Overpayment Reimbursement Fund and providing for its distribution by the commission.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, April 29, 1981.

**No. 1360** By Representatives E. Z. TAYLOR, FREIND, GRIECO, COWELL, LEWIS and WILT

An Act amending the "Municipality Authorities Act of 1945," approved May 2, 1945 (P. L. 382, No. 164), further providing for the purposes and powers of authorities.

Referred to Committee on STATE GOVERNMENT, April 29, 1981.

**No. 1361** By Representatives BOWSER, BOYES, DOMBROWSKI, CAPPABIANCA, MERRY, STUBAN, PIEVSKY and A. K. HUTCHINSON

An Act making an appropriation to the Department of Public Welfare for continuation of the program for community living arrangements for developmentally disabled.

Referred to Committee on APPROPRIATIONS, April 29, 1981.

**HOUSE RESOLUTION INTRODUCED AND REFERRED**

**No. 62** By Representatives ZWIKL, J. L. WRIGHT and MORRIS

House recognize May 10-16, 1981, as Preservation Week 1981 and memorializes Governor to issue a proclamation during Pennsylvania's 300th birthday observing, "Conservation: Keeping America's Neighborhoods Together".

Referred to Committee on RULES, April 29, 1981.

**SENATE BILLS FOR CONCURRENCE**

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

**SB 356, PN 765**

Referred to Committee on Transportation, April 29, 1981.

**SB 512, PN 690**

Referred to Committee on Agriculture and Rural Affairs, April 29, 1981.

**SENATE RESOLUTION FOR CONCURRENCE**

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

**SR 215**

Referred to Committee on Federal-State Relations, April 29, 1981.

**MASTER ROLL CALL RECORDED**

The SPEAKER pro tempore. The Chair at this time will take the master roll call. All those members in their seats and only those in their seats are permitted to vote on the master roll call. Members will proceed to vote.

The following roll call was recorded:

**PRESENT—195**

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

Earley Levi Richardson Zwick  
Emerson Levin Rieger

ADDITIONS—1

Mackowski

NOT VOTING—0

EXCUSED—6

Berson Frazier Wozniak  
Durham Lashingier  
Ryan,  
Speaker

**MEMBER'S PRESENCE RECORDED**

The SPEAKER pro tempore. The Chair recognizes the gentleman from McKean, Mr. Mackowski, who wishes to be added to the master roll.

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

**HB 863, PN 1522** (Amended) (Unanimous)

By Rep. DeVERTER

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.

INSURANCE.

**RESOLUTION REPORTED  
FROM COMMITTEE**

**HR 47, PN 1288** (Unanimous) (Concurrent)

By Rep. HASAY

General Assembly memorialize Congress to designate May 6, 1981 as "National Nursing Home Residents' Day."

FEDERAL-STATE RELATIONS.

**BILL REREPORTED FROM COMMITTEE**

**HB 143, PN 1521** (Amended)

By Rep. WENGER

An Act authorizing the creation of agricultural areas.

AGRICULTURE AND RURAL AFFAIRS.

**CALENDAR**

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 82, PN 83**, entitled:

An Act amending the "Pennsylvania Cigarette Tax Act," approved July 22, 1970 (P. L. 513, No. 178), removing an exemption from taxation.

On the question,

Will the House agree to the bill on third consideration?

Mr. DORR offered the following amendments No. A1067:

Amend Title, page 1, line 4, by inserting after "taxation" and changing the cigarette stamping agencies permitted to pay for purchases on a deferred basis

Amend Bill, page 2, by inserting between lines 14 and 15

Section 2. Subsection (e) of section 301 of the act is amended to read:

Section 301. Stamp to Evidence the Tax.—\*\*\*

(e) The department shall by regulation permit [only] a [Pennsylvania domiciled] cigarette stamping agency to pay for purchases on a deferred basis, upon the filing of a surety bond, of the type approved by the department, with the department, in an amount deemed sufficient by the department to protect the revenue, said bond to be executed by the cigarette stamping agency as principal and by a corporate surety company, duly authorized to engage in such business in the Commonwealth of Pennsylvania, as surety. The department shall deny deferred purchase plans to any stamping agency in any state where such state denies stamping agencies in Pennsylvania the right to use deferred purchase plans.

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

3

On the question,

Will the House agree to the amendments?

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

Mr. DORR. Mr. Speaker, first I want to apologize again to the House for the inadvertent error in the original drafting of this amendment. This is the point at which we stopped session last week and did not get back to the amendment.

If you will recall the discussion at that time, the amendment creates a reciprocal system whereby cigarette and tobacco dealers from the bordering areas of Pennsylvania which border on other states will have a reciprocal treatment with regard to whether they can purchase the tax stamps on a deferred basis; that is, not paying for them until after the funds have come in. Otherwise, the Pennsylvania agents are going to have to purchase the out-of-state stamps on a cash-up-front basis, and it is very difficult for the small businessman today to borrow the funds. It is very costly to borrow the funds to finance the purchase of those tax stamps. We need to create a reciprocal situation so the other states will not discriminate against Pennsylvanians.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

**YEAS—188**

Alden	Evans	Levi	Reber
Anderson	Fee	Lewis	Rieger
Armstrong	Fischer	Lloyd	Ritter
Arty	Fleck	Lucyk	Rocks
Barber	Foster, W. W.	McCall	Rybak
Belardi	Foster, Jr., A.	McClatchy	Salvatore
Belfanti	Freind	McIntyre	Saurman
Bittle	Fryer	McMonagle	Serafini
Blaum	Gallagher	McVerry	Seventy
Borski	Gallen	Mackowski	Showers
Bowser	Gamble	Madigan	Shupnik
Boyes	Gannon	Maiale	Sieminski
Brandt	Geist	Manderino	Sirianni
Brown	George	Manmiller	Smith, B.
Burd	Gladeck	Marmion	Smith, E. H.
Burns	Grabowski	Merry	Smith, L. E.

Caltagirone	Gray	Michlovic	Snyder
Cappabianca	Greenfield	Micozzie	Spencer
Cawley	Greenwood	Miller	Spitz
Cessar	Grieco	Miscevich	Stairs
Cimini	Gruitza	Moehlmann	Steighner
Civera	Gruppo	Morris	Stevens
Clark	Hagarty	Mowery	Stewart
Clymer	Haluska	Mrkonic	Stuban
Cochran	Harper	Mullen	Swaim
Cohen	Hasay	Murphy	Sweet
Colafrella	Hayes	Nahill	Swift
Cole	Heiser	Noye	Taddonio
Cordisco	Hoeffel	O'Donnell	Taylor, E. Z.
Cornell	Honaman	Olasz	Taylor, F. E.
Coslett	Horgos	Oliver	Telek
Cowell	Hutchinson, A.	Pendleton	Treflo
Cunningham	Hutchinson, W.	Perzel	Vroon
DeMedio	Irvic	Peterson	Wachob
DeVerter	Itkin	Petrarca	Wambach
DeWeese	Jackson	Petrone	Wargo
Daikeler	Johnson	Phillips	Wass
Davies	Kanuck	Piccola	Wenger
Dawida	Kennedy	Pievsky	Weston
Deal	Klingaman	Pistefia	White
Dietz	Kolter	Pitts	Wiggins
Dininni	Kowalshyn	Pott	Williams, H.
Dombrowski	Kukovich	Pratt	Wilson
Donatucci	Laughlin	Pucciareffi	Wogan
Dorr	Lehr	Rappaport	Wright, D. R.
Duffy	Lescovitz	Rappaport	Wright, J. L.
Earley	Letterman	Rasco	Zwilk

NAYS—4

Livengood	Richardson	Tigue	Van Horne
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NOT VOTING—4

Beloff	Emerson	Levin	Williams, J. D.
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EXCUSED—6

Berson	Frazier	Wozniak
Durham	Lashingar	Ryan, Speaker

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

The SPEAKER pro tempore. The House will be at ease for a few moments awaiting an amendment for Mr. Hoeffel.

**BILL PLACED ON THIRD CONSIDERATION POSTPONED CALENDAR**

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, the gentleman, Mr. Hoeffel, has received his amendment from the Reference Bureau but he is not satisfied with the language, and, therefore, I ask that HB 82 and the Dorr amendment be placed on the third consideration postponed calendar.

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

**BILLS AND RESOLUTIONS PASSED OVER**

The SPEAKER pro tempore. Without objection, all remaining bills and resolutions on today's calendar will be passed over. The Chair hears none.

**APPROPRIATIONS COMMITTEE MEETING**

The SPEAKER pro tempore. The Chair recognizes the gentleman from Montgomery, Mr. McClatchy.

Mr. McCLATCHY. Mr. Speaker, I would like to call an Appropriations Committee meeting immediately after the recess, when we break, in the Appropriations Committee room.

**REPUBLICAN CAUCUS AND RULES COMMITTEE MEETING**

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I suggest that the House recess at this time for the purpose of caucus, and I would like to call a meeting of the Rules Committee commencing at 3 o'clock.

I would ask that we keep the desk open until 3:30 so that we can receive reports of committees at that time. Thank you, Mr. Speaker.

**DEMOCRATIC CAUCUS**

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. O'Donnell.

Mr. O'DONNELL. Mr. Speaker, there will be an immediate Democratic caucus on the call of the recess. Thank you.

**SENATE MESSAGE**

**SENATE CONCURRENCE IN HOUSE RESOLUTION**

The clerk of the Senate informed that the Senate has concurred in **HR 58, PN 1439**.

**COMMUNICATIONS FROM GOVERNOR**

**BILLS SIGNED BY GOVERNOR**

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

APPROVAL OF HBs Nos. 19, 20, 21, and 23.

Commonwealth of Pennsylvania  
Governor's Office, Harrisburg

May 1, 1981

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 19, Printer's No. 19, entitled "An act amending the act of May 1, 1933 (P. L. 103, No. 69), entitled 'An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto,' further providing for the filling of vacancies in certain township offices".

DICK THORNBURGH  
GOVERNOR

Commonwealth of Pennsylvania  
Governor's Office, Harrisburg

May 1, 1981

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 20, Printer's No. 374, entitled "An act amending the act of August 9, 1955 (P. L. 323, No. 130), entitled 'An act relating to counties of the third, fourth, fifth, sixth, seventh and eighth classes; amending, revising, consolidating and changing the laws relating thereto,' eliminating the requirement of court approval for the construction of bridges and viaducts".

DICK THORNBURGH  
GOVERNOR

Commonwealth of Pennsylvania  
Governor's Office, Harrisburg

May 1, 1981

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 21, Printer's No. 21, entitled "An act amending the act of June 24, 1931 (P. L. 1206, No. 331), entitled 'An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto,' further providing for filling vacancies in certain township offices".

DICK THORNBURGH  
GOVERNOR

Commonwealth of Pennsylvania  
Governor's Office, Harrisburg

May 1, 1981

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 23, Printer's No. 23, entitled "An act amending the act of May 27, 1953 (P. L. 249, No. 35), entitled 'An act providing that the town councils of incorporated towns shall have the right to declare vacant the seats of councilmen or presidents of town councils for failure to qualify and for failure to attend meetings or vote upon questions before the council,' further providing for the filling of certain vacancies".

DICK THORNBURGH  
GOVERNOR

### COMMUNICATION FROM PENNSYLVANIA CRIME COMMISSION

The SPEAKER pro tempore. The Chair at this time wants to announce the receipt of the annual report of the Pennsylvania Crime Commission as of April 1981.

The following communication was read:

Commonwealth of Pennsylvania  
Pennsylvania Crime Commission  
523 East Lancaster Avenue  
Post Office Box 45  
St. Davids, Pennsylvania 19087

April 29, 1981

The Honorable Matthew J. Ryan  
Speaker of the House  
Main Capitol Building  
Harrisburg, PA 17120

Dear Speaker Ryan:

In compliance with its statutory mandate, the Pennsylvania Crime Commission has prepared and is submitting its Annual Report in April of 1981. The primary topic of this report is the status of organized crime during the preceding year.

I am forwarding a copy of this annual report to you on behalf of the Commission because we know that you share our interest in and concern about the inroads which organized crime continues to make in our Commonwealth.

If, after you have read the report, you have any questions or comments, please feel free to contact me or our Executive Director, Wallace P. Hay.

Sincerely,  
Alvin B. Lewis, Jr.  
Chairman

(Copy of report is on file with the Journal clerk.)

### COMMUNICATION FROM JUDICIAL COUNCIL

The SPEAKER. The Chair also wants to announce receipt from the Justice of the Supreme Court the schedule of fees for the Supreme, Superior, and Commonwealth Courts. This will be placed upon the calendar.

The following communication was read:

### COURT RULES REPORT NO. 2

The Supreme Court of Pennsylvania  
April 30, 1981

The Honorable Matthew J. Ryan  
Speaker  
House of Representatives  
Room 139  
Main Capitol  
Harrisburg, Pa. 17120

Dear Representative Ryan:

On behalf of the Judicial Council of Pennsylvania, I am pleased to submit to you the enclosed schedule of fees for the Supreme, Superior and Commonwealth Courts.

I hereby certify that the enclosed schedule was approved by a majority vote of the Judicial Council, including the affirmative votes of Senator George W. Gekas and Representative William D. Hutchinson, as required by Judiciary Code §1725. To become effective, the schedule 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,  
With kindest regards,  
Cordially,  
Samuel J. Roberts  
For The Chief Justice

HXO'B/bd  
Enclosure

(Copy of schedule of fees is on file with the Journal clerk.)

### BUSINESS AND COMMERCE COMMITTEE MEETING

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

Mr. L. E. SMITH. Mr. Speaker, before you recess, I want to make an announcement about a Business and Commerce Committee meeting tomorrow morning.

The SPEAKER pro tempore. The gentleman is in order to make the announcement at this time.

Mr. L. E. SMITH. There will be a meeting of the Business and Commerce Committee tomorrow morning at 10 o'clock. You will be notified through your office what room number. The bills for the agenda will be HB's 1125, 1126, and 675. Thank you.

### RECESS

The SPEAKER pro tempore. Without objection, the House now stands in recess until 3:30 p.m. The Chair hears none.

### AFTER RECESS

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

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

#### HB 1290, PN 1524 (Amended)

By Rep. McCLATCHY

An Act amending the "Federal Augmentation Appropriation Act of 1980," approved July 3, 1980 (P. L. 1445, No. 23A), changing certain appropriations and adding new appropriations.

#### APPROPRIATIONS.

#### HB 1291, PN 1436

By Rep. McCLATCHY

An Act amending the act of December 5, 1980 (P. L. 1665, No. 138A), entitled "An act to further provide for the expenses of the Executive and Legislative Departments of the Commonwealth for the fiscal period July 1, 1980 to June 30, 1981; \*\*\*\*" increasing the appropriation to the Department of Education from the Federal Revenue Sharing Trust Fund.

#### APPROPRIATIONS.

### BILLS REREPORTED FROM COMMITTEE

#### HB 149, PN 150

By Rep. McCLATCHY

An Act amending Title 54 (Names) of the Pennsylvania Consolidated Statutes, providing for certain filing fees.

#### APPROPRIATIONS.

#### HB 312, PN 318

By Rep. McCLATCHY

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

#### APPROPRIATIONS.

#### HB 538, PN 565

By Rep. McCLATCHY

An Act amending the act of May 22, 1933 (P. L. 853, No. 155), known as "The General County Assessment Law," excluding solar energy systems in determining the value of real estate.

#### APPROPRIATIONS.

#### HB 539, PN 566

By Rep. McCLATCHY

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571, No. 254), excluding solar energy systems in determining the value of real estate.

#### APPROPRIATIONS.

#### HB 556, PN 583

By Rep. McCLATCHY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the replacement of certain documents lost in the mail.

#### APPROPRIATIONS.

#### HB 717, PN 766

By Rep. McCLATCHY

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), providing for the continuation, composition and functions of the State Veterans' Commission.

#### APPROPRIATIONS.

#### HB 800, PN 1147

By Rep. McCLATCHY

An Act amending the "Soil Conservation Law," approved May 15, 1945 (P. L. 547, No. 217), further providing for county boards, providing for nomination of district directors; providing additional duties for the Department of Environmental Resources, the State Conservation Commission and district boards.

#### APPROPRIATIONS.

#### HB 815, PN 1077

By Rep. McCLATCHY

An Act amending the "Hearing Aid Sales Registration Law," approved November 24, 1976 (P. L. 1182, No. 262), adding a definition of dealer-fitter; further defining "business of selling hearing aids," "advertise" and "fitting"; further providing for persons excluded from registration; further providing for applications for examination, temporary certificates and reciprocal registration; and prohibiting the sale of dispensing of hearing aids by certain persons.

#### APPROPRIATIONS.

### REPORT FROM RULES COMMITTEE

#### BILLS REMOVED FROM TABLE FOR CALENDAR

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. HAYES. The Rules Committee has instructed me to make a motion to remove the following bills from the table and place them on the active calendar, and I so move:

HB 428, PN 449;

HB 568, PN 1494;

HB 588, PN 617;

HB 1153, PN 1278;

HB 1274, PN 1413;

HB 125, PN 1492; and

HB 1218, PN 1353.

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

**BILLS REMOVED FROM TABLE  
FOR CALENDAR**

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. HAYES. The Rules Committee has instructed me to make a motion to remove the following bills from the table and place them on the active calendar, with the understanding that they will be rereferred to the Appropriations Committee for the purpose of a fiscal note at a later date, and I so move:

HB 229, PN 1493;  
HB 719, PN 768; and  
HB 863, PN 1522.

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

**RESOLUTIONS REPORTED  
FROM COMMITTEE**

**HR 62, PN 1505**

By Rep. HAYES

House recognize May 10-16, 1981, as Preservation Week 1981 and memorializes Governor to issue a proclamation during Pennsylvania's 300th birthday observing, "Conservation: Keeping America's Neighborhoods Together".

**RULES.**

**SR 202 (Concurrent)**

By Rep. HAYES

Directing Joint State Government Commission conduct an in-depth study of property tax relief for senior citizens.

**RULES.**

**SENATE MESSAGE**

**ADJOURNMENT RESOLUTION  
FOR CONCURRENCE**

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

In the Senate, May 4, 1981

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, May 11, 1981 and when the House of Representatives adjourns this week it reconvene on Monday, May 11, 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.

**WELCOMES**

The SPEAKER pro tempore. We are pleased to welcome as guests in the hall of the House today Miss Janet Hirsch of Alliance, Ohio, and Mrs. Linda Rice of Tamaqua, who are guests of Representative Klingaman of Schuylkill County.

The Chair is pleased to recognize, as a guest, a former representative of this House, Mr. Fred Milanovich.

The Chair at this time would like to recognize and welcome to the hall of the House a group from the Friend Select School of Philadelphia, who are here as guests of the gentleman, Mr. James Williams.

**ADJOURNMENT**

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

Mr. FRYER. Mr. Speaker, I move that this House do now adjourn until Tuesday, May 5, 1981, at 11 a.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 3:38 p.m., e.d.t., the House adjourned.