

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

TUESDAY, MAY 5, 1981

SESSION OF 1981

165TH OF THE GENERAL ASSEMBLY

No. 31

HOUSE OF REPRESENTATIVES

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

THE SPEAKER PRO TEMPORE (JOHN HOPE ANDERSON) 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:

Good morning, Lord. It is a great morning because You are with us. We stand before these men and women this morning in awe, not because of the fact of who they are and the power they hold, but because according to Your word, "The authorities that exist have been established by God."

Let these who are here today recognize they are humanly elected and divinely appointed. May Your spirit control their thoughts and desires, and may they act in accordance with Your will. Bless these men and women this day.

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

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, approval of the Journal for Monday, May 4, 1981, will be postponed until printed. The Chair hears none.

LEAVES OF ABSENCE GRANTED

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

Mr. CESSAR. Mr. Speaker, the leaves for the day: Representatives LASHINGER and RYAN for today's session.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lawrence, Mr. Fee, for leaves for the minority.

Mr. FEE. The minority whip asks leave for Representative LUCYK for today.

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

HOUSE BILLS INTRODUCED AND REFERRED

No. 1362 By Representatives GALLEN, NOYE, DAVIES and FRYER

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

Referred to Committee on STATE GOVERNMENT, May 4, 1981.

No. 1363 By Representative WASS

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), providing for priority in the issuance of licenses to hunt antlerless deer.

Referred to Committee on GAME AND FISHERIES, May 4, 1981.

No. 1364 By Representatives KOWALYSHYN, RYBAK, JOHNSON, WAMBACH and MICHLOVIC

An Act amending the "Pennsylvania No-fault Motor Vehicle Insurance Act," approved July 19, 1974 (P. L. 489, No. 176), further providing for premium charges and providing for the disclosure of surcharge information.

Referred to Committee on INSURANCE, May 4, 1981.

No. 1365 By Representatives KOWALYSHYN, RYBAK, JOHNSON, DAWIDA, WAMBACH, BROWN, HALUSKA, STEWART and MICHLOVIC

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682, No. 284), further providing for fire insurance contracts.

Referred to Committee on INSURANCE, May 4, 1981.

No. 1366 By Representatives KOWALYSHYN, RYBAK, ZWIKL, JOHNSON, WAMBACH, HALUSKA and STEWART

An Act creating the Public Pension Review Commission and imposing powers and duties on the commission and certain other agencies of State Government.

Referred to Committee on STATE GOVERNMENT, May 4, 1981.

No. 1367 By Representatives KOWALYSHYN and RYBAK

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), further providing for the collection of garbage in villages.

Referred to Committee on LOCAL GOVERNMENT, May 4, 1981.

No. 1368 By Representatives KOWALYSHYN, RYBAK, ZWIKL, JOHNSON, WAMBACH, HALUSKA, BROWN and STEWART

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), adding an additional exclusion from the sales and use tax.

Referred to Committee on FINANCE, May 4, 1981.

No. 1369 By Representatives KOWALYSHYN, RYBAK, ZWIKL, JOHNSON, WAMBACH, BROWN and HALUSKA

An Act providing prescription drug rebates to certain senior citizens, widows, widowers and permanently disabled persons with limited incomes; establishing uniform standards and qualifications for eligibility and imposing powers and duties on the Department of Revenue.

Referred to Committee on HEALTH AND WELFARE, May 4, 1981.

No. 1370 By Representatives KOWALYSHYN, RYBAK, ZWIKL, JOHNSON, WAMBACH, BROWN and HALUSKA

An Act amending the "State Lottery Law," approved August 26, 1971 (P. L. 351, No. 91), further providing for the use of moneys in the State Lottery Fund.

Referred to Committee on STATE GOVERNMENT, May 4, 1981.

No. 1371 By Representatives STEIGHNER, BOYES and CAPPABIANCA

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

Referred to Committee on STATE GOVERNMENT, May 4, 1981.

No. 1372 By Representative STEIGHNER

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

Referred to Committee on LOCAL GOVERNMENT, May 4, 1981.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 63 By Representatives LEHR and ANDERSON

Speaker appoint a special committee to investigate industrial air pollution in the West York area.

Referred to Committee on RULES, May 4, 1981.

No. 64

(Concurrent) By Representatives J. L. WRIGHT, ITKIN, SWEET and STAIRS

General Assembly urges President to create an Office of Special Assistant to the President for Coal.

Referred to Committee on FEDERAL-STATE RELATIONS, May 4, 1981.

GAME AND FISHERIES COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Wayne, Mr. Foster.

Mr. W. W. FOSTER. Mr. Speaker, I would like to make an announcement to the Fish and Game Committee that the meeting that was scheduled for Thursday morning at 10 o'clock has been changed to Wednesday morning at 10 o'clock in room 418. Thank you.

LABOR RELATIONS COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Chester, Mr. Pitts.

Mr. PITTS. Mr. Speaker, the House Labor Relations Committee, which is scheduled to have a meeting tomorrow morning at 9:30, will delay that meeting for 1 hour. We will begin at 10:30 tomorrow.

STATEMENT BY MR. WASS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Indiana, Mr. Wass.

Mr. WASS. Mr. Speaker, thank you very much.

We are truly excited this morning here in Harrisburg because this is Egg Month, and the egg producers of Pennsylvania, who produce quality eggs, have taken the privilege to deliver to your offices a dozen quality Pennsylvania eggs.

So today we have in the assembly with us, and I want to introduce to you, Eggatha. Eggatha is the representative or the character that is used throughout Pennsylvania and throughout the United States to promote the Pennsylvania eggs. So with her here today we have Mr. and Mrs. William Patterson with the Weaver Quality Egg Company. Mr. Patterson is a member of the Pennsylvania Egg Council. Please make welcome these beautiful people today in honor of Egg Month.

The SPEAKER pro tempore. The Chair thanks the gentleman, and the Chair certainly thanks the egg producers for their generosity. It has been a pleasure to have you with us.

EDUCATION COMMITTEE MEETING

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

Mr. BURNS. Mr. Speaker, I would like to announce that the Education Committee, which recessed at 11 o'clock, will continue its meeting at the call of the lunch break of the House in room 22 of the Capitol Annex.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER pro tempore. The Chair recognizes the gentleman from Northampton, Mr. Sieminski.

Mr. SIEMINSKI. Mr. Speaker, I rise to ask for unanimous consent to make a brief statement.

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

Mr. SIEMINSKI. Thank you, Mr. Speaker.

Saturday, May 2, I had the honor and privilege to participate in the Fourth Annual Polish-American Day sponsored by the Polish-Americans of Lehigh Valley and the Sun Inn Society of Bethlehem. Since this is the anniversary marking the first Polish free constitution and the contribution of General Casimir Pulaski, Polish nobleman and patriot, to our fight for freedom and Solidarity's current strife in Poland, I would like to have my remarks of Saturday spread upon the record. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will send his remarks to the desk.

Mr. SIEMINSKI submitted the following remarks for the Legislative Journal:

REPRESENTATIVE EDMUND J. SIEMINSKI
 SPEECH, MAY 2, 1981
 4TH ANNUAL PULASKI DAY CELEBRATION
 BETHLEHEM, PA

I greet you very cordially in Polish—Witam was Polskimi slowami badrzo serdecznie.

I am filled with pride and humility this morning as I join with you to commemorate the significance of this day and place here in historic Bethlehem. As the grandson of a Polish immigrant, I am proud to have been asked to make brief remarks today. Like you, I am proud of my heritage. I am humbled, however, by my inability to express my inadequate remarks in fluent Polish. Unlike many of you present today, I did not learn Polish at home or in school. For that I apologize.

As a retired Army officer and cavalryman in the modern, mechanized American Army, it gives me particular pride to join with you in commemorating the contribution of General Casimir Pulaski, Polish nobleman and father of the American cavalry, to the cause and success of the American Revolution.

Pulaski arrived in Marblehead, Massachusetts, on July 23, 1777. In August he joined George Washington's staff which was stationed in Bucks County, as a volunteer. As we know, April 16 and May 17, 1778, he visited the Moravians in Bethlehem. A detachment of his union was on duty at Minnisink near Bethlehem. The Moravians and Poles were neighbors in Europe. The Moravians later made Pulaski's banner which was the subject of Longfellow's poem "Hymn of the Moravian Nuns."

Casimir Pulaski came to America in defense of liberty. His lifelong dedication to the principle of freedom, both in his native Poland and in this land, was, I think, characteristic of all Poles' love of freedom, liberty, and justice. That same spirit is demonstrated by the trade union movement Solidarity in Poland today. Just as General Pulaski, in his own words, "could not submit to stoop before the sovereigns of Europe" and came to America to fight for liberty, the formation of the trade union movement Solidarity in August 1980 testifies to the unquenchable spirit of freedom in the Polish people.

Count Pulaski, the father of the American cavalry, fought alongside Washington and Lafayette for the formation of a new republic free from economic restraints imposed by a foreign rule—restraints which ran counter to the needs of its subjects. Patriots rebelled against the Stamp Act and taxes on tea and sugar. An analogous drive for economic self-determinism fuels Solidarity's current demands for the worker's voice in economic decisions. In Lech Walesa (Wah-len-sa) words, "We can work for only a plate of soup if we know for whom we work, if we knew we work for ourselves: We are Poles and responsible ones" are echoes of the same democratic principles for which General Pulaski gave his life.

While the seeds of the American Revolution lay partly in Britain's economic repression, equally compelling was an insistence on other inalienable human rights: religious freedom, freedom of assembly, and freedom of speech. The realization of these principles was the goal of Count Pulaski's unfailing devotion to the American cause and are among the aims of Solidarity's efforts.

In Poland, the Catholic Church, since the baptism of its first ruler in 966, has been an enduring stronghold through almost two centuries of foreign domination: It remains a symbol both of Polish nationalism and anti-communism.

Solidarity is a nationalistic movement which has united Poles from all sectors of society (farmers, workers, professionals, students, miners) in the cause of liberty and democracy within their political system. Count Pulaski charged into approaching British forces and was able to halt their advances during the Battle of Brandywine, thereby encouraging the American troops to reassemble and repel the British forces. On this and other occasions, such as his successful recruitment of independent troops, Count Pulaski united American patriots from equally diverse backgrounds in the cause of American nationhood. His banner, with the words "Union makes valor stronger" and "No other governs" and his personal heroism in combat reflect a deep and ardent love of liberty. He wrote in a letter to Col. R. H. Lee, "Honor and a true desire of distinguishing myself in defense of liberty was the only motive which fired my breast for the cause of the United States."

Like the members of Solidarity, Count Pulaski risked everything—family, property, his fatherland, and even his life—in the struggle to regain freedoms taken away by others.

In October, addressing a rally, Lech Walesa said: "Do not give in, for once you give in, you will not rise back for a long time. Indeed, we cannot surrender, for those who will follow us will say, 'They were so close and they failed.' History would not absolve us then."

History did not have to absolve Count Pulaski. His heroism and devotion to national liberty continue as inspirations for Americans over 200 years later.

Two days before his death Pulaski, heavily wounded at the Battle of Savannah, said: "God is good. He let me think clearly and pray. I have so much for which to pray: That my country will once again be freed as this country surely will. All my life I have fought for freedom."

Today his prayers seem to be coming true. Poland fights for the independence started with Pulaski. He has inspired the many great heroes who fought "for our freedom and yours." He was looked upon during the epic of heroism of three generations of insurrectionists in Poland: He is the inspiration of the Polish workers now. Freedom, the right to live and work in a free, just country is the main aim to the workers of Solidarity. It is the aim of the free trade union.

Pulaski and his ideals will be remembered as long as there are people who love freedom, and who want to live in peace.

Today as we commemorate and rededicate Pulaski Day, let us all reflect on and pray for the success of the Polish people to gain their rightful freedom.

I finish with the Polish words goodbye: Konecze Polskimi slowami: do wizenzia!

STATEMENT BY MR. ROCKS

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

Mr. ROCKS. I request unanimous consent to address the House, Mr. Speaker.

The SPEAKER pro tempore. Mr. Rocks has an announcement to make that I think we should all pay attention to.

Mr. ROCKS. Thank you, Mr. Speaker.

I think today, Mr. Speaker, we all can take pride in repeating, for the second time in this legislative chamber, a program that we initiated just a year ago. We have with us today, as pages, John and Brian and Beth and Denise, who all are students from the Pennsylvania School for the Deaf. I would ask the members to be aware, as they request the students for assistance—they did an outstanding job last year and I am sure will again today—that if they have any difficulty communicating, they may write the message. But you will find that John and Brian and Denise and Beth are anxious to serve you as any pages are in here and I am sure will do a good job.

I just wanted to make the Speaker aware of that and thank once again the Speaker and the leadership of the House for helping me and my office to, for the second time, put Pennsylvania in the lead in this country in putting hearing-impaired students to work as our pages in this assembly. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair certainly welcomes these pages.

MASTER ROLL CALL RECORDED

The SPEAKER pro tempore. The Chair at this time is about to take the master roll. Only those members in their seats are entitled to vote. Members will proceed to vote.

The following roll call was recorded:

PRESENT—197

Alden	Evans	Levin	Rieger
Anderson	Fee	Lewis	Ritter
Armstrong	Fischer	Livengood	Rocks
Arty	Fleck	Lloyd	Rybak
Barber	Foster, W. W.	McCall	Salvatore
Belardi	Foster, Jr., A.	McClatchy	Saurman
Belfanti	Frazier	McIntyre	Serafini
Beloff	Freind	McMonagle	Seventy
Berson	Fryer	McVerry	Showers
Bittle	Gallagher	Mackowski	Shupnik
Blaum	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	Mochlmann	Stevens
Cessar	Gruitza	Morris	Stewart
Cimini	Gruppo	Mowery	Stuban
Civera	Hagarty	Mrkonic	Swain

Clark	Haluska	Mullen	Sweet
Clymer	Harper	Murphy	Swift
Cochran	Hasay	Nahill	Taddonio
Colafella	Hayes	Noye	Taylor, E. Z.
Cole	Heiser	O'Donnell	Taylor, F. E.
Cordisco	Hoeffel	Olasz	Telek
Cornell	Honaman	Oliver	Tigue
Coslett	Horgos	Pendleton	Trello
Cowell	Hutchinson, A.	Perzel	Van Horne
Cunningham	Hutchinson, W.	Peterson	Vroon
DeMedio	Irvic	Petrarca	Wachob
DeVerter	Itkin	Petrone	Wambach
DeWeese	Jackson	Phillips	Wargo
Daikeler	Johnson	Piccola	Wass
Davies	Kanuck	Pievsky	Wenger
Dawida	Kennedy	Pistella	Weston
Deal	Klingaman	Pitts	White
Dietz	Kolter	Pott	Wiggins
Dimmi	Kowalshyn	Praut	Williams, H.
Dombrowski	Kukovich	Pucciarelli	Williams, J. D.
Donatucci	Laughlin	Punt	Wilson
Dorr	Lehr	Rappaport	Wogan
Duffy	Lescovitz	Rasco	Wright, D. R.
Durham	Letterman	Reber	Wright, J. L.
Earley	Levi	Richardson	Zwilk
Emerson			

ADDITIONS—1

Cohen

NOT VOTING—0

EXCUSED—4

Lashinger
Lucyk

Wozniak

Ryan,
Speaker

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 1125, PN 1248

By Rep. L. E. SMITH

An Act requiring a detailed analysis and review of State rules and regulations delineating their impact on small businesses, small organizations and individuals; providing for exemptions and imposing additional duties on various State agencies.

BUSINESS AND COMMERCE.

HB 1126, PN 1249

By Rep. L. E. SMITH

An Act requiring every Commonwealth agency to award certain fees and expenses in certain agency actions and providing for appeals from decisions of an adjudication officer.

BUSINESS AND COMMERCE.

BILL REREPORTED FROM COMMITTEE

HB 675, PN 710

By Rep. L. E. SMITH

An Act establishing a procedure for the control of Commonwealth forms and publications, imposing duties on the Department of General Services and the Secretary of Budget and Administration and establishing a legislative oversight committee.

BUSINESS AND COMMERCE.

CALENDAR**BILLS AGREED TO
ON SECOND CONSIDERATION**

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

HB 428, PN 449; and HB 586, PN 615.

* * *

The House proceeded to second consideration of **HB 863, PN 1522**, entitled:

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.

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

BILL RECOMMITTED

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

Mr. HAYES. Mr. Speaker, I move that HB 863, PN 1522, be recommitted to the Committee on Appropriations for a fiscal note.

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

**BILLS AGREED TO ON
SECOND CONSIDERATION CONTINUED**

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

HB 125, PN 1492.

* * *

The House proceeded to second consideration of **HB 229, PN 1493**, entitled:

An Act creating the Public Employee Retirement Study Commission to make a continuing study of all public employee retirement and pension systems; and making an appropriation.

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

BILL RECOMMITTED

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

Mr. HAYES. Mr. Speaker, I move that HB 229, PN 1493, be recommitted to the Committee on Appropriations for a fiscal note.

On the question,

Will the House agree to the motion?
Motion was agreed to.

**BILLS AGREED TO ON
SECOND CONSIDERATION CONTINUED**

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

HB 568, PN 1494; and HB 588, PN 617.

* * *

The House proceeded to second consideration of **HB 719, PN 768**, entitled:

An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343, No. 176), further providing for the deposit of securities.

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

BILL RECOMMITTED

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

Mr. HAYES. Mr. Speaker, I move that HB 719, PN 768, be recommitted to the Committee on Appropriations for a fiscal note.

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

**BILLS AGREED TO ON
SECOND CONSIDERATION CONTINUED**

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

HB 815, PN 1077; HB 1153, PN 1278; and HB 1218, PN 1353.

* * *

The House proceeded to second consideration of **HB 1274, PN 1413**, entitled:

An Act creating the State Board of Organized Network Community Anticrime Assistance, granting powers to the board, providing for grants, imposing duties upon certain public officers and agencies and making an appropriation.

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

BILL RECOMMITTED

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

Mr. HAYES. Mr. Speaker, I move that HB 1274, PN 1413, be recommitted to the Committee on Judiciary.

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

**BILLS AGREED TO ON
SECOND CONSIDERATION CONTINUED**

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

HB 800, PN 1147; HB 717, PN 766; HB 556, PN 583; and HB 149, PN 150.

MEMBER'S PRESENCE RECORDED

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Cohen, who asks that his name be added to the master roll call.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 202, PN 203**, entitled:

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

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

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

The question is, shall the bill pass finally?

The Chair recognizes the gentleman from Butler, Mr. Steighner.

Mr. STEIGHNER. Mr. Speaker, would the prime sponsor of the bill stand for brief interrogation?

The SPEAKER pro tempore. The gentleman from Bucks, Mr. Wilson, indicates that he will consent to interrogation.

Mr. STEIGHNER. Mr. Speaker, it is my understanding, on page 3 of the bill concerning the second proposed constitutional amendment, that before any potential property tax relief would be realized by an airport property owner, the General Assembly would have to pass implementing legislation; and two, the General Assembly would also have to make a specific appropriation.

The SPEAKER pro tempore. Could the gentleman, Mr. Wilson, understand the question?

Mr. WILSON. I heard the question, but I do not know if anybody else did.

The SPEAKER pro tempore. I know I could not hear it.

Mr. WILSON. Mr. Speaker, in answer to your question, yes. The General Assembly would have to implement and provide the details by which this section of the Pennsylvania Constitution, if amended, would be implemented somewhere

down the line, draw up the specifics as to how the tax relief would be provided with the aviation fuel taxes.

Mr. STEIGHNER. Thank you, Mr. Speaker.

I would like to make a brief statement on the bill.

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

Mr. STEIGHNER. Mr. Speaker, I think it is important to realize that both these questions would go on the ballot before the voters, and I would ask that the House pass the bill.

The SPEAKER pro tempore. The Chair recognizes the minority whip.

Mr. MANDERINO. Would the gentleman, Mr. Wilson, yield to interrogation?

The SPEAKER pro tempore. He indicates that he will.

Mr. MANDERINO. Mr. Speaker, it is my understanding that the reimbursement for taxes provided for by this constitutional amendment, in addition to taking enabling legislation at a later date, you have indicated that that enabling legislation could only be geared to private airports that are publicly operated. Is that correct?

Mr. WILSON. Not entirely, no. It could also be for publicly owned, publicly operated airports.

Mr. MANDERINO. But "publicly operated" would be key words and a requirement in enabling legislation?

Mr. WILSON. Absolutely. They would have to be open to the general flying public.

Mr. MANDERINO. Thank you, Mr. Speaker.

On the question recurring,
Shall the bill pass finally?

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

YEAS—183

Alden	Durham	Levin	Ritter
Anderson	Earley	Livengood	Rocks
Armstrong	Emerson	Lloyd	Rybak
Arty	Evans	McCall	Salvatore
Barber	Fee	McClatchy	Saurman
Belardi	Fischer	McIntyre	Serafini
Bellanti	Fleck	McMonagle	Seventy
Beloff	Foster, W. W.	McVerry	Showers
Berson	Foster, Jr., A.	Mackowski	Shupnik
Bittle	Frazier	Madigan	Sirianni
Borski	Freind	Maiale	Smith, B.
Bowser	Gallagher	Manderino	Smith, E. H.
Boyes	Gallen	Manmiller	Smith, L. E.
Brown	Gamble	Marmion	Snyder
Burd	Gannon	Michlovic	Spencer
Burns	Geist	Micozzie	Spitz
Caltagirone	George	Miller	Stairs
Cappabianca	Giladeck	Miscevich	Steighner
Cawley	Grabowski	Mochlmann	Stevens
Cessar	Gray	Morris	Stewart
Cimini	Greenfield	Mrkonje	Stuban
Civera	Greenwood	Mullen	Sweet
Clark	Grieco	Murphy	Swift
Clymer	Gruitza	Nahill	Taddonio
Cochran	Gruppo	Noye	Taylor, E. Z.
Cohen	Hagarty	O'Donnell	Taylor, F. E.
Colatella	Harper	Olasz	Telek
Cole	Hasay	Oliver	Trello
Cordisco	Hayes	Pendleton	Van Horne
Cornell	Hoeffel	Perzel	Vroon
Coslett	Honaman	Peterson	Wachob
Cowell	Horgos	Petrarca	Wambach
Cunningham	Hutchinson, A.	Petrone	Wargo
DeMedio	Hutchinson, W.	Phillips	Wass

DeVerter	Irvis	Piccola	Wenger
DeWeese	Itkin	Pievsky	Weston
Daikeler	Jackson	Pistella	White
Davies	Johnson	Pitts	Wiggins
Dawida	Kolter	Pott	Williams, H.
Deal	Kowalyszyn	Pratt	Williams, J. D.
Dietz	Kukovich	Pucciarelli	Wilson
Dininni	Laughlin	Punt	Wogan
Dombrowski	Lehr	Rappaport	Wright, D. R.
Donatucci	Jescovitz	Raseo	Wright, J. L.
Dorr	Letterman	Reber	Zwilk
Duffy	Levi	Rieger	

NAYS—10

Brandt	Heiser	Mowery	Swaim
Fryer	Kennedy	Richardson	Tigue
Haluska	Merry		

NOT VOTING—5

Blaum	Klingaman	Lewis	Sieminski
Kanuck			

EXCUSED—4

Lashinger	Wozniak
Lucyk	
	Ryan, Speaker

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.

REQUEST FOR RECESS

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

Mr. HAYES. Mr. Speaker, I think that at this time we are at a good point in the calendar where we can recess for the purpose of taking lunch. I would move that we recess until 2 p.m.

I believe the gentleman, Mr. Manmiller, has an announcement to make.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Dauphin, Mr. Manmiller.

Mr. MANMILLER. Mr. Speaker, I would like to call a short meeting of the Appropriations Committee at 1:30 in room 245.

REMARKS ON VOTES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cambria, Mr. Haluska.

Mr. HALUSKA. Mr. Speaker, I would like to be recorded in the affirmative on the last vote, HB 202, please.

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

The Chair recognizes the gentleman from Northampton, Mr. Sieminski.

Mr. SIEMINSKI. Mr. Speaker, I would like to be recorded in the affirmative on HB 202.

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

EDUCATION COMMITTEE MEETING

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

Mr. BURNS. I would just like to remind the members of the Education Committee that the committee is in recess at the moment and will reconvene now in room 22 of the Capitol Annex. Thank you.

RECESS

The SPEAKER pro tempore. At this time, without objection, the House will be in recess until the hour of 2 o'clock. 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 427, PN 1539 (Amended)

By Rep. SPENCER

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

JUDICIARY.

HB 581, PN 610

By Rep. SPENCER

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

JUDICIARY.

HB 838, PN 896

By Rep. SPENCER

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for interpreters for certain deaf persons in civil proceedings.

JUDICIARY.

HB 949, PN 1540 (Amended)

By Rep. SPENCER

An Act amending Title 59 (Partnerships) of the Pennsylvania Consolidated Statutes, adding provisions relating to foreign limited partnerships and making a conforming amendment to Title 42 as to foreign partnerships and other entities.

JUDICIARY.

HB 1309, PN 1541 (Amended)

By Rep. SPENCER

An Act amending the act of July 20, 1917 (P. L. 1158, No. 401), referred to as the Constable Fee Law, changing the mileage allowance for constables.

JUDICIARY.

BILLS REREPORTED FROM COMMITTEE**HB 163, PN 164** By Rep. MANMILLER

An Act providing for a voluntary contribution system to aid in the conservation of certain wild flora and fauna, *** and imposing penalties.

APPROPRIATIONS.

HB 229, PN 1493 By Rep. MANMILLER

An Act creating the Public Employee Retirement Study Commission to make a continuing study of all public employee retirement and pension systems; and making an appropriation.

APPROPRIATIONS.

HB 863, PN 1522 By Rep. MANMILLER

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.

APPROPRIATIONS.

CALENDAR RESUMED**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 230, PN 231**, entitled:

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.

On the question,

Will the House agree to the bill on third consideration?

BILL TABLED

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

Mr. HAYES. Mr. Speaker, I move that HB 230, PN 231, be placed upon the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

CITATION PRESENTED

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Emerson, at this time. He has unanimous consent to present a citation. The Chair hears no objection. The gentleman may proceed.

Mr. EMERSON. Mr. Speaker, I would like to suspend the rules of the House in order to present my citation, please.

The SPEAKER pro tempore. You already have unanimous consent. There is no need to suspend the rules.

The clerk will read the citation by Mr. Emerson.

The following citation was read:

COMMONWEALTH OF PENNSYLVANIA
CITATION BY THE HOUSE OF REPRESENTATIVES

WHEREAS, Robert M. Evans has been appointed Manager of Community Affairs, the highest community relations post, for Philadelphia Electric Company; and

WHEREAS, Mr. Evans joined Philadelphia Electric Company in 1953 and has served as a meter reader; worked in the Customers Service department; served as Assistant District Manager and District Manager of the Corporate Communications Department; and as Manager of the Community Services Division. He is actively involved in community and civic affairs and is serving as president of the Germantown Lions Club; vice president of both the Allegheny West Foundation and the Germantown Business Association; and is a member of the Germantown and Eric Businessmen's Association; the Greater Philadelphia Community Development Corporation; United Way; Germantown Planning Advisory Committee; and the YMCA of Germantown. He is also active in the Philadelphia Council of the Boy Scouts of America.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania extends special commendations to Robert M. Evans for his many contributions to his community; congratulates him on his recent appointment as Manager of Community Affairs; and wishes him continued success in his future endeavors; and further directs that a copy of this citation be delivered to Robert M. Evans, 2301 Market Street, Philadelphia, Pennsylvania.

Submitted by:

Junius M. Emerson,
Sponsor

Matthew J. Ryan,
Speaker

ATTEST:
John J. Zubeck,
Chief Clerk

February 2, 1981

The SPEAKER pro tempore. Will the gentleman proceed to the well of the House to accept the citation?

(A citation was presented to Mr. Evans.)

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 306, PN 312**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for photographs and photographic records.

On the question,

Will the House agree to the bill on third consideration?

The SPEAKER pro tempore. Does the gentleman, Mr. Kolter, have amendments for this bill?

The Chair recognizes the gentleman from Beaver, Mr. Kolter, for amendments to HB 306.

Mr. KOLTER. Mr. Speaker, at this time I have to withdraw my amendments. The gentleman, Mr. George, has filed an objection with me, and we are trying to work the details out. I will amend another bill at a later date. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. KUKOVICH offered the following amendments No. A674:

Amend Title, page 1, line 3, by removing the period after "records" and inserting and providing penalties.

Amend Sec. 1 (Sec. 1510), page 1, by inserting between lines 15 and 16

(f) Penalty.—The head of the department or departmental employee violating the provisions of subsection (e) is guilty of a summary offense for the first offense and, on conviction thereof, shall pay a fine of \$300 and undergo imprisonment for 90 days. The head of the department or departmental employee violating such provisions for a second or subsequent offense is guilty of a misdemeanor of the third degree and, on conviction thereof, shall pay a fine of \$2,500 and undergo imprisonment for one year.

On the question,

Will the House agree to the amendments?

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

Mr. KUKOVICH. Thank you, Mr. Speaker.

HB 306 deals with preventing photographic records to be kept by any department. This is as a result of the new ID photo bank. It came to my attention a month or so ago that in New York State they had the same type of problem. Various civil liberties questions were presented about the state maintaining dossiers or files with these pictures.

Now, the purpose of HB 306 is to prevent that. I agree with that purpose. I think it is a good bill. However, I noticed there was no penalty provision. My amendment simply provides for a penalty provision for those employes or department heads who violate that section of the law.

I think if we pass this amendment, we will deter any potential legal problem that they had in New York.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—193

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

Clymer	Harper	Murphy	Taddonio
Cochran	Hasay	Nahill	Taylor, E. Z.
Colafella	Hayes	Noye	Taylor, F. E.
Cole	Heiser	O'Donnell	Telek
Cordisco	Hoeffel	Olasz	Tigue
Cornell	Honaman	Oliver	Trello
Coslett	Horgos	Pendleton	Van Horne
Cowell	Hutchinson, A.	Perzel	Vroon
Cunningham	Hutchinson, W.	Peterson	Wachob
DeMedio	Irvis	Petrarca	Wambach
DeVerte	Itkin	Petrone	Wargo
Daikeler	Jackson	Phillips	Wass
Davies	Johnson	Piccola	Wenger
Dawida	Kanuck	Pievsky	Weston
Deal	Kennedy	Pistella	White
Diertz	Kolter	Pitts	Wiggins
Diminni	Kowalshyn	Pott	Williams, H.
Dombrowski	Kukovich	Pucciarelli	Williams, J. D.
Donatucci	Laughlin	Punt	Wilson
Dorr	Lehr	Rappaport	Wogan
Duffy	Lescovitz	Reber	Wright, D. R.
Durham	Letterman	Richardson	Wright, J. L.
Earley	Levi	Rieger	Zwki
Emerson			

NAYS—1

Rasco

NOT VOTING—4

Cohen DeWeese Klingaman Pratt

EXCUSED—4

Lashinger Wozniak
Lucyk Ryan,
Speaker

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

The question is, shall the bill pass finally?

The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, my calendar indicates that Mr. Petrarca may have an amendment to this. Would you give me a moment to ascertain whether his amendment was the same as Mr. Kolter's?

Mr. Petrarca informs me he has no amendment to HB 306. The Chair may then proceed.

On the question recurring,

Shall the bill pass finally?

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

YEAS—194

Alden	Emerson	Levin	Rieger
Anderson	Evans	Lewis	Ritter
Armstrong	Fee	Livengood	Rocks
Arty	Fischer	Lloyd	Rybak
Barber	Foster, W. W.	McCall	Salvatore
Belardi	Foster, Jr., A.	McClatchy	Saurman
Belfanti	Frazier	McMonagle	Serafini
Beloff	Freind	McVerry	Seventy

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

NAYS—0

NOT VOTING—4

Cohen	Fleck	McIntyre	Vroon
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EXCUSED—4

Lashingier	Wozniak
Lucyk	Ryan, Speaker

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 359, PN 368**, entitled:

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

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

BILL TABLED

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

Mr. HAYES. Mr. Speaker, I move that HB 359, PN 368, be placed upon the table.

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

BILL ON THIRD CONSIDERATION POSTPONED

The House proceeded to **HB 82, PN 83**, on third consideration postponed, 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 as amended?

Mr. HOEFFEL offered the following amendments No. A1206:

Amend Title, page 1, line 4, by removing the period after "taxation" and inserting
and prohibiting persons convicted of felonies and certain other crimes from being licensed as cigarette stamping agents.

Amend Bill, page 2, by inserting between lines 14 and 15
Section 2. Section 402 of the act, is amended by adding a subsection to read:

Section 402. Licensing of Cigarette Stamping Agents.—* * *

(e) For purposes of this section, a person convicted of committing any felony, any infamous crime or any crime involving moral turpitude shall not be a "person of good moral character" and shall not be licensed as a cigarette stamping agent.

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 Montgomery, Mr. Hoeffel.

Mr. HOEFFEL. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is being offered by Representative Freind and myself and addresses itself to the licensing of cigarette stamping agents.

As the members know, the cigarette stamping agents in the Commonwealth perform a very sensitive function on behalf of the Department of Revenue. They are responsible for affixing to the cigarette packages sold in this state the state stamp that indicates the amount of tax paid on the cigarettes.

A court decision in 1973 found that the cigarette stamping agents were not required to meet the standard of moral character that was currently in the law at that time. The court decision was on a specific case and found that the cigarette stamper under question, who had been convicted of violations

of drug laws and alcohol laws in the 1950's, was nevertheless not to be found in violation of the moral turpitude section of the law and was allowed to be a stamping agent.

It is my view that we need to make sure that people who have this very sensitive responsibility not be convicted felons, not be guilty of infamous crimes, and, therefore, this amendment would say that people who had been convicted of these offenses could not be eligible for licensure as stamping agents. *I ask for approval of my amendment. Thank you.*

The SPEAKER pro tempore. Does the gentleman, Mr. Richardson, wish to be recognized on the amendment?

Mr. RICHARDSON. Yes. I would like to interrogate the sponsor of the amendment, because it is very hard hearing what the intent of this amendment is.

The SPEAKER pro tempore. The gentleman, Mr. Hoeffel, indicates that he is willing to be interrogated.

Mr. RICHARDSON. Mr. Speaker, could you explain to us what the terminology "any infamous crime or any crime involving moral turpitude" means to you in relationship to *this amendment*?

Mr. HOEFFEL. Yes, Mr. Speaker. I do not have to tell you what it means to me. I can tell you what the courts have said those two phrases mean.

The condition of moral turpitude has been defined by the Pennsylvania Supreme Court as personal misconduct in the private and social duties between citizens that would be considered acts of baseness, vileness, or depravity and as contrary to accepted and customary rule of right and duty between citizens. That would be the court's definition of "moral turpitude."

The definition of "infamous crime," Mr. Speaker, has also been defined and followed by the Pennsylvania Supreme Court. Just to restate quickly, Mr. Speaker, both of these phrases, "moral turpitude" and "infamous crime," have been defined by the Supreme Court of Pennsylvania and are routinely followed and interpreted because of those court decisions. They are not terms that I dreamt up, in other words. These are terms taken from the case law of Pennsylvania.

I gave you the definition of "moral turpitude." Now, as to the definition of "infamous crime," the language I have is *rather stilted* because it is an old case, but it was a Supreme Court case that defined the phrase "infamous crime" which appears in our state constitution, and it essentially says that people who have been convicted of an infamous crime are people who are incompetent to be witnesses, who have been convicted of treason, felony, and crimes such as forgery, perjury, subordination of perjury, false verdict, and then the language continues, "...other offenses of the like description which involve the charge of falsehood and affect the public administration of justice."

Mr. Speaker, the point of all this, the point of my amendment, is to focus in, first off, on felonies—that is included in the amendment—then those two phrases, "moral turpitude" and "infamous crime," to try to focus on crimes that have involved an abuse of public trust, some kind of flagrant abuse of common decency between people as opposed to something

like a traffic violation. We are not including misdemeanors or summary offenses; they are not included in my amendment. We are including all felonies and then other offenses that would be interpreted by the courts as these abuses of public trust.

Again, Mr. Speaker, the purpose is to make sure the people who are licensed as stamping agents and therefore responsible for thousands of dollars of state revenue would be people of high moral character, people whom we can trust with our tax money.

Mr. RICHARDSON. Would this also include in any way the question of embezzlement? Is it part of the felony law?

Mr. HOEFFEL. Mr. Speaker, I assume that *embezzlement* is a felony. If it is not a felony, I would certainly assume it would be considered a crime of moral turpitude.

Mr. RICHARDSON. Okay.

Mr. HOEFFEL. I am pretty sure it is a felony.

Mr. RICHARDSON. Okay. One final point: The amount of dollars handled by cigarette stamping agents is a lot of money in this Commonwealth concerning revenue and other matters that deal specifically with those persons who would be out there in the community going from place to place dealing with cigarettes, right? And because of the fraud that we have presently with the crime wave and with the Crime Commission reports that have come back with these persons who are able to get away with a lot of these crimes, you are going at the prevention stage at this point prior to them becoming these agents and then cheating the system. You are saying this amendment here will help strengthen the laws around that. Is that my understanding?

Mr. HOEFFEL. Yes, sir, that is my intention and Representative Freind's intention. Let me say, Mr. Speaker, that the cigarette stamping agents that I am referring to and Mr. Freind is referring to in this amendment are not state employes. These are private individuals who sell and wholesale cigarettes for a living, and they are licensed by the state to be cigarette stamping agents - all the more reason, in my judgment, that we need to have high standards for them to meet before they can be licensed. They are private citizens who are in this business, and the Revenue Department asks private citizens to stamp the cigarette packs that we sell in Pennsylvania. The stamping is not done by the state. It is done under license by the state by the private sector, and we are simply trying to make sure that the people who are licensed to do this work have good records.

Mr. RICHARDSON. *Thank you very much, Mr. Speaker.*

I wish to be in order to speak on the amendment.

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

Mr. RICHARDSON. I would just ask the members to support the amendment. I support the amendment, and I thank the gentleman for the clarity on the amendment.

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

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—1

Kanuck

EXCUSED—4

Lashinger
Lucy
Wozniak
Ryan,
Speaker

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

The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

YEAS—187

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

NAYS—6

Beloff
Evans
Levin
Richardson
Williams, H.
Williams, J. D.

NOT VOTING—5

Fischer
Greenfield
Miller
Serafini
Stairs

EXCUSED—4

Lashinger
Lucy
Wozniak
Ryan,
Speaker

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.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED

The Senate returned the following **HB 34, PN 1067**, with the information that the Senate has passed the same with amendments in which concurrence of the House of Representatives is requested:

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932, No. 317), authorizing taxation for the purpose of paying interest and principal on certain indebtedness.

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

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

Mr. LEVI. Mr. Speaker, I request that the House do concur in the amendments inserted by the Senate to HB 34.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware, Mr. Alden.

Mr. ALDEN. Mr. Speaker, could somebody explain what the amendments the Senate put in this bill were?

The SPEAKER pro tempore. The gentleman, Mr. Levi, indicates he will do that.

Mr. LEVI. Yes. On HB 34 all the Senate did was take out the words "currently due" because it just seemed like double-talk in the bill because it says "...annual tax sufficient to pay interest and principal..." and we in the House amended it to put in "currently due." It just seems to be a redundant statement, and that is all they did on this bill, was to take that language out.

Mr. ALDEN. All right. Thank you.

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

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

YEAS—194

Alden	Evans	Lewis	Rieger
Anderson	Fee	Livengood	Ritter
Armstrong	Fischer	Lloyd	Rocks
Arty	Fleck	McCall	Rybak
Barber	Foster, W. W.	McClatchy	Salvatore
Belardi	Foster, Jr., A.	McIntyre	Saurman
Belfanti	Frazier	McMonagle	Serafini
Beloff	Freind	McVerry	Seventy
Berson	Fryer	Mackowski	Showers
Bittle	Gallagher	Madigan	Shupnik
Borski	Gallen	Maiale	Sieminski
Bowser	Gamble	Manderino	Sirianni
Boyes	Gannon	Manmiller	Smith, B.
Brandt	Geist	Marmion	Smith, E. H.
Brown	George	Merry	Smith, L. E.
Burd	Gladeck	Michlovic	Snyder
Burns	Grabowski	Micozzie	Spencer
Caltagirone	Gray	Miller	Spitz
Cappabianca	Greenfield	Miscevich	Stairs
Cawley	Greenwood	Mochlmann	Steighner
Cessar	Grieco	Morris	Stevens
Cimini	Gruitza	Mowery	Stewart
Civera	Gruppo	Mrkonic	Stuban
Clark	Hagarty	Mullen	Swaim
Clymer	Haluska	Murphy	Sweet
Cochran	Harper	Nahill	Taddonio
Cohen	Hasay	Noye	Taylor, E. Z.
Colafella	Hayes	O'Donnell	Taylor, F. E.
Cole	Heiser	Olasz	Telek

Cordisco	Hoeffel	Oliver	Tigue
Cornell	Honaman	Pendleton	Trelo
Coslett	Horgos	Perzel	Van Horne
Cowell	Hutchinson, A.	Peterson	Vron
Cunningham	Hutchinson, W.	Petrarca	Wachob
DeMedio	Irvis	Petrone	Wambach
DeVerter	Itkin	Phillips	Wargo
DeWeese	Jackson	Piccola	Wass
Daikeler	Johnson	Pievsky	Wenger
Davies	Kennedy	Pistella	Weston
Dawida	Klingaman	Pitts	White
Deal	Kolter	Pott	Wiggins
Dietz	Kowalyszyn	Pratt	Williams, H.
Dinimi	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.
Durham	Levi	Richardson	Zwikel
Earley	Levin		

NAYS—1

Blaum

NOT VOTING—3

Emerson Kanuck Swift

EXCUSED—4

Lashinger Wozniak
Lucyk
Ryan,
Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED

The Senate returned the following **HB 32, PN 1066**, with the information that the Senate has passed the same with amendments in which concurrence of the House of Representatives is requested:

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

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

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

Mr. LEVI. Thank you, Mr. Speaker.

The Senate did three things to HB 32. They took out some excess language that was accomplished several years ago when we passed the Judicial Act Repealer Act and the son of JARA. They took out the language that was already in the JARA act that we had in the Unit Debt Act, so we took that out in two places and we put in the right of appeal for local governments who could appeal some of the departmental decisions, and the public has a right to appeal some of the decisions. They have a recourse to the Department of Community Affairs, and if they are not satisfied, then they can still go to the Commonwealth Court. It just gives them one extra place to appeal any decisions made. But most of it

was repealing language that is already in JARA that does not need to be in here. It just fills up the bill.

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—189

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

NAYS—4

Alden	Blaum	Cawley	Tigue
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NOT VOTING—5

Coslett	Kanuck	O'Donnell	Swift
Hutchinson, A.			

EXCUSED—4

Lashinger	Wozniak
Lucyk	Ryan, Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED

The Senate returned the following **HB 35, PN 1068**, with the information that the Senate has passed the same with amendments in which concurrence of the House of Representatives is requested:

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

On the question,

Will the House concur in Senate amendments?

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

Mr. LEVI. This is the same change they made in HB 34. They just took out those two words "currently due" which seemed redundant. I ask that we concur.

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS--190

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

Duffy	Letterman	Reber	Wright, D. R.
Durham	Levi	Richardson	Wright, J. L.
Earley	Levin	Rieger	Zwikel
Emerson	Livengood		

NAYS—3

Alden	Blaum	Cawley
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NOT VOTING—5

Haluska	Laughlin	Lewis	Swift
Kanuck			

EXCUSED—4

Lashinger	Wozniak
Lucyk	Ryan, Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED

The Senate returned the following **HB 36, PN 1069**, with the information that the Senate has passed the same with amendments in which concurrence of the House of Representatives is requested:

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

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

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

Mr. LEVI. This is the same as the other act. They took out the two words "currently due" which seemed redundant. I ask that we accept the Senate amendments.

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

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

YEAS—190

Anderson	Fee	Lewis	Rieger
Armstrong	Fischer	Livengood	Ritter
Arty	Fleck	Lloyd	Rocks
Barber	Foster, W. W.	McCall	Rybak
Belardi	Foster, Jr., A.	McClatchy	Salvatore
Belfanti	Frazier	McIntyre	Saurman
Beloff	Freind	McMonagle	Serafini
Berson	Fryer	McVerry	Seventy
Bittle	Gallagher	Mackowski	Showers
Borski	Gallen	Madigan	Shupnik
Bowser	Gamble	Maiale	Sieminski
Brandt	Gannon	Manderino	Sirianni
Brown	Geist	Manmiller	Smith, B.
Burd	George	Marmion	Smith, E. H.
Burns	Gladeck	Merry	Smith, L. E.
Caltagirone	Grabowski	Michlovic	Snyder
Cappabianca	Gray	Micozzie	Spencer
Cessar	Greenwood	Miller	Spitz
Cimini	Grieco	Moehlmann	Stairs
Civiera	Gruitza	Morris	Steighner
Clark	Gruppo	Mowery	Stevens

Clymer	Hagarty	Mrkonjic	Stewart
Cochran	Haluska	Mullen	Stuban
Cohen	Harper	Murphy	Swaim
Colafella	Hasay	Nahill	Sweet
Cole	Hayes	Noye	Swift
Cordisco	Heiser	O'Donnell	Taddonio
Cornell	Hoefel	Olasz	Taylor, E. Z.
Coslett	Honaman	Oliver	Taylor, F. E.
Cowell	Horgos	Pendleton	Telek
Cunningham	Hutchinson, A.	Perzel	Tigue
DeMedio	Hutchinson, W.	Peterson	Van Horne
DeVerter	Iris	Petrarca	Wachob
DeWeese	Itkin	Petrone	Wambach
Daikeler	Jackson	Phillips	Wargo
Davies	Johnson	Piccola	Wass
Dawida	Kanuck	Pievsky	Wenger
Deal	Kennedy	Pistella	Weston
Dietz	Klingaman	Pitts	White
Dininni	Kolter	Pott	Wiggins
Dombrowski	Kowalshyn	Pratt	Williams, H.
Donatucci	Kukovich	Pucciarelli	Williams, J. D.
Dorr	Laughlin	Punt	Wilson
Duffy	Lehr	Rappaport	Wogan
Durham	Lescovitz	Rasco	Wright, D. R.
Earley	Letterman	Reber	Wright, J. L.
Emerson	Levi	Richardson	Zwikel
Evans	Levin		

NAYS—4

Alden	Blaum	Cawley	Greenfield
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NOT VOTING—4

Boyes	Miscevich	Trello	Vroon
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EXCUSED—4

Lashinger	Wozniak
Lucyk	Ryan, Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED

The Senate returned the following **HB 37, PN 1070**, with the information that the Senate has passed the same with amendments in which concurrence of the House of Representatives is requested:

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

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

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

Mr. LEVI. Thank you, Mr. Speaker.

It is the elimination of the same two words out of this bill as in the others. I ask that we concur in the Senate amendments.

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

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

YEAS—194

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

NAYS—3

Alden	Blaum	Cawley
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NOT VOTING—1

Wachob

EXCUSED—4

Lashingier	Wozniak
Lucyk	Ryan, Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED

The Senate returned the following **HB 38, PN 1179**, with the information that the Senate has passed the same with amendments in which concurrence of the House of Representatives is requested:

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

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

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

Mr. LEVI. Thank you, Mr. Speaker.

It is the same as the previous series of bills. They just eliminated the two words. I ask we concur.

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

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

YEAS—189

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

Evans	Levi	Rieger	Zwinkl
Fee			
NAYS—3			
Alden	Blaum	Cawley	
NOT VOTING—6			
Berson	Mullen	Rasco	Sweet
Burd	Pievsky		
EXCUSED—4			
Lashinger	Wozniak		
Lucyk	Ryan,		
	Speaker		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

REMARKS ON VOTE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bedford, Mr. Dietz.

Mr. DIETZ. Mr. Speaker, I was temporarily out of my seat when the vote was taken on HB 82. Had I been in my seat when the vote was taken, I would have voted "yea."

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

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED

The Senate returned the following **HB 39, PN 1072**, with the information that the Senate has passed the same with amendments in which concurrence of the House of Representatives is requested:

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

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

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

Mr. LEVI. Thank you, Mr. Speaker.

It is the same amendment put into the previous bills. I ask we concur.

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

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

YEAS—192

Anderson	Fee	Lewis	Ritter
Armstrong	Fischer	Lloyd	Rocks
Arty	Fleck	McCall	Rybak
Barber	Foster, W. W.	McClatchy	Salvatore
Belardi	Foster, Jr., A.	McIntyre	Saurman
Belfanti	Frazier	McMonagle	Serafini
Beloff	Freind	McVerry	Seventy
Berson	Fryer	Mackowski	Showers
Bittle	Gallagher	Madigan	Shupnik

Borski	Gallen	Maiale	Sieminski
Bowser	Gamble	Manderino	Sirianni
Boyes	Gannon	Manmiller	Smith, B.
Brandt	Geist	Marmion	Smith, E. H.
Brown	George	Merry	Smith, L. E.
Burd	Gladeck	Michlovic	Snyder
Burns	Grabowski	Micozzie	Spencer
Caltagirone	Gray	Miller	Spitz
Cappabianca	Greenfield	Miscevich	Stairs
Cessar	Greenwood	Moehlmann	Steighner
Cimini	Grieco	Morris	Stevens
Civera	Gruitza	Mowery	Stewart
Clymer	Gruppo	Mrkoncic	Suban
Cochran	Hagarty	Mullen	Swaim
Cohen	Haluska	Murphy	Sweet
Colafella	Harper	Nahill	Swift
Cole	Hasay	Noye	Taddonio
Cordisco	Hayes	O'Donnell	Taylor, E. Z.
Cornell	Heiser	Olasz	Taylor, F. E.
Coslett	Hoefel	Oliver	Telek
Cowell	Honaman	Pendleton	Tigue
Cunningham	Horgos	Perzel	Trello
DeMedio	Hutchinson, A.	Peterson	Van Horne
DeVerter	Hutchinson, W.	Petrarca	Vroom
DeWeese	Irvis	Petrone	Wachob
Daikeler	Itkin	Phillips	Wambach
Davies	Jackson	Piccola	Wargo
Dawida	Johnson	Pievsky	Wass
Deal	Kanuck	Pistella	Wenger
Dietz	Kennedy	Pitts	Weston
Dininni	Klingaman	Pott	White
Dombrowski	Kolter	Pratt	Wiggins
Donatucci	Kowalyszyn	Pucciarelli	Williams, H.
Dorr	Kukovich	Punt	Williams, J. D.
Duffy	Lehr	Rappaport	Wilson
Durham	Lescovitz	Rasco	Wogan
Earley	Letterman	Reber	Wright, D. R.
Emerson	Levi	Richardson	Wright, J. L.
Evans	Levin	Rieger	Zwinkl

NAYS—4

Alden	Blaum	Cawley	Laughlin
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NOT VOTING—2

Clark	Livengood
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EXCUSED—4

Lashinger	Wozniak
Lucyk	Ryan,
	Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED

The Senate returned the following **HB 40, PN 1073**, with the information that the Senate has passed the same with amendments in which concurrence of the House of Representatives is requested:

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

On the question,

Will the House concur in Senate amendments?

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

Mr. LEVI. Thank you, Mr. Speaker.

It is the same amendment as the previous bills. I ask we concur.

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—193

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

NAYS—3

Alden	Blaum	Cawley
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NOT VOTING—2

Anderson	Swift
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EXCUSED—4

Lashinger	Wozniak
Lucyk	Ryan, Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

RESOLUTION ADOPTED

Mr. WARGO called up HR 5, PN 242, entitled:

House direct Transportation Committee investigate distribution and sale of fuel by nonmetered tank vehicles.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—3

Hagarty	Saurman	Swift
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EXCUSED—4

Lashinger Wozniak
Lucyk Ryan,
Speaker

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

RESOLUTION ADOPTED

Mr. LAUGHLIN called up **HR 29, PN 1321**, entitled:

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

On the question,
Will the House adopt the resolution?

Mr. LLOYD offered the following amendment No. A998:

Amend First Resolved Clause, page 2, line 4, by inserting after "areas"

, and minimize the risk of creating additional problem areas,

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

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

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, this amendment was distributed last week. It is basically just to clarify the language in the resolved clause to make it consistent with the whereas clauses on the first page of the resolution.

The resolution creates a special subcommittee to seek ways to avoid some of the environmental problems with hazardous waste. My amendment just simply clarifies that, and I urge adoption of the amendment.

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

The following roll call was recorded:

YEAS—188

Alden	Emerson	Levi	Richardson
Anderson	Evans	Levin	Rieger
Armstrong	Fee	Lewis	Ritter
Arty	Fischer	Livengood	Rocks
Barber	Foster, W. W.	Lloyd	Rybak
Belardi	Foster, Jr., A.	McCall	Salvatore
Belfanti	Frazier	McClatchy	Saurman
Beloff	Freind	McIntyre	Serafini
Berson	Fryer	McMonagle	Seventy
Blaum	Gallagher	McVerry	Showers
Borski	Gallen	Mackowski	Shupnik
Bowser	Gamble	Madigan	Sieminski
Boyes	Gannon	Maiale	Sirianni
Brown	George	Manderino	Smith, B.
Burd	Gladeck	Manmiller	Smith, E. H.
Burns	Grabowski	Marmion	Snyder
Caltagirone	Gray	Merry	Spitz
Cappabianca	Greenfield	Michlovic	Stairs
Cawley	Greenwood	Micozzie	Steighner
Cessar	Grieco	Miller	Stevens
Cimini	Gruitza	Miscevich	Stewart
Civera	Gruppo	Morris	Stuban
Clark	Hagarty	Mowery	Swaim
Clymer	Haluska	Mrkonic	Sweet
Cochran	Harper	Mullen	Taddonio

Cohen	Hasay	Murphy	Taylor, E. Z.
Colafella	Hayes	Nahill	Taylor, F. E.
Cole	Heiser	Noye	Telek
Cordisco	Hoeffel	O'Donnell	Tigue
Cornell	Honaman	Olasz	Trello
Coslett	Horgos	Oliver	Van Horne
Cowell	Hutchinson, A.	Pendleton	Vroon
Cunningham	Hutchinson, W.	Perzel	Wachob
DeMedio	Irvic	Peterson	Wambach
DeWeese	Itkin	Petrarca	Wargo
Daikeler	Jackson	Petrone	Wass
Davies	Johnson	Phillips	Wenger
Dawida	Kanuck	Piccola	Weston
Dcal	Kennedy	Pievsky	White
Dietz	Klingaman	Pistella	Wiggins
Dininni	Kolter	Pitts	Williams, H.
Dombrowski	Kowalshyn	Pott	Williams, J. D.
Donatucci	Kukovich	Pratt	Wilson
Dorr	Laughlin	Pucciarelli	Wogan
Duffy	Lehr	Rappaport	Wright, D. R.
Durham	Lescovitz	Rasco	Wright, J. L.
Earley	Letterman	Reber	Zwikl

NAYS—7

Bittle	DeVerter	Punt	Spencer
Brandt	Moehlmann	Smith, L. E.	

NOT VOTING—3

Fleck	Geist	Swift
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EXCUSED—4

Lashinger	Wozniak
Lucyk	Ryan, Speaker

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

On the question,
Will the House adopt the resolution as amended?

The following roll call was recorded:

YEAS—192

Alden	Durham	Letterman	Richardson
Anderson	Earley	Levi	Rieger
Armstrong	Emerson	Levin	Ritter
Arty	Evans	Lewis	Rocks
Barber	Fee	Livengood	Rybak
Belardi	Fischer	Lloyd	Salvatore
Belfanti	Fleck	McCall	Saurman
Beloff	Foster, W. W.	McClatchy	Serafini
Berson	Foster, Jr., A.	McMonagle	Seventy
Bittle	Frazier	Mackowski	Showers
Blaum	Freind	Madigan	Shupnik
Borski	Fryer	Maiale	Sieminski
Bowser	Gallagher	Manderino	Sirianni
Boyes	Gallen	Manmiller	Smith, B.
Brandt	Gamble	Marmion	Smith, E. H.
Brown	Gannon	Merry	Smith, L. E.
Burd	George	Michlovic	Snyder
Burns	Gladeck	Micozzie	Spencer
Caltagirone	Grabowski	Miller	Spitz
Cappabianca	Greenfield	Miscevich	Stairs
Cawley	Greenwood	Moehlmann	Steighner
Cessar	Grieco	Morris	Stevens
Cimini	Gruitza	Mowery	Stewart
Civera	Gruppo	Mrkonic	Stuban
Clark	Hagarty	Mullen	Swaim
Clymer	Haluska	Murphy	Sweet
Cochran	Harper	Nahill	Taylor, E. Z.
Cohen	Hasay	Noye	Taylor, F. E.
Colafella	Hayes	O'Donnell	Telek
Cole	Heiser	Olasz	Tigue
Cordisco	Hoeffel	Oliver	Trello

Cornell	Honaman	Pendleton	Van Horne
Coslett	Horgos	Perzel	Vroon
Cowell	Hutchinson, A.	Peterson	Wachob
Cunningham	Hutchinson, W.	Petrarca	Wambach
DeMedio	Irvis	Petrone	Wargo
DeVertter	Itkin	Phillips	Wass
DeWeese	Jackson	Piccola	Wenger
Daikeler	Johnson	Pievsky	Weston
Davies	Kanuck	Pistella	White
Dawida	Kennedy	Pitts	Wiggins
Deal	Klingaman	Pott	Williams, H.
Dietz	Kolter	Pratt	Williams, J. D.
Dininni	Kowalyszyn	Pucciarelli	Wilson
Dombrowski	Kukovich	Punt	Wogan
Donatucci	Laughlin	Rappaport	Wright, D. R.
Dorr	Lehr	Rasco	Wright, J. L.
Duffy	Lescovitz	Reber	Zwinkl

NAYS—0

NOT VOTING—6

Geist	McIntyre	Swift	Taddonio
Gray	McVerry		

EXCUSED—4

Lashinger	Wozniak
Lucyk	Ryan, Speaker

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

RESOLUTION ADOPTED

Mr. HASAY called up **HR 30, PN 914**, entitled:

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

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—193

Alden	Earley	Levi	Richardson
Anderson	Emerson	Levin	Rieger
Armstrong	Evans	Lewis	Ritter
Arty	Fee	Livengood	Rocks
Barber	Fischer	Lloyd	Rybak
Belardi	Fleck	McCall	Salvatore
Belfanti	Foster, W. W.	McClatchy	Saurman
Beloff	Foster, Jr., A.	McMonagle	Serafini
Berson	Frazier	McVerry	Seventy
Bittle	Freind	Mackowski	Shupnik
Blaum	Fryer	Madigan	Sieminski
Borski	Gallagher	Maiale	Sirianni
Bowser	Gallen	Manderino	Smith, B.
Boyes	Gamble	Manmiller	Smith, E. H.
Brandt	Gannon	Marmion	Smith, L. E.
Brown	George	Merry	Snyder
Burd	Gladeck	Michlovic	Spencer
Burns	Grabowski	Micozzie	Spitz
Caltagirone	Greenfield	Miller	Stairs
Cappabianca	Greenwood	Miscevich	Steighner
Cawley	Grieco	Moehlmann	Stevens
Cessar	Gruitza	Morris	Stewart
Cimini	Gruppo	Mowery	Stuban
Civera	Hagarty	Mrkonic	Swaim
Clark	Haluska	Mullen	Sweet
Clymer	Harper	Murphy	Taddonio
Cochran	Hasay	Nahill	Taylor, E. Z.
Cohen	Hayes	Noye	Taylor, F. E.
Colafella	Heiser	O'Donnell	Telek

Cole	Hoefel	Olasz	Tigue
Cordisco	Honaman	Oliver	Trello
Cornell	Horgos	Pendleton	Van Horne
Coslett	Hutchinson, A.	Perzel	Vroon
Cowell	Hutchinson, W.	Peterson	Wachob
Cunningham	Irvis	Petrarca	Wambach
DeMedio	Itkin	Petrone	Wargo
DeVertter	Jackson	Phillips	Wass
DeWeese	Johnson	Piccola	Wenger
Daikeler	Kanuck	Pievsky	Weston
Davies	Kennedy	Pistella	White
Dawida	Klingaman	Pitts	Wiggins
Deal	Kolter	Pott	Williams, H.
Dietz	Kowalyszyn	Pratt	Williams, J. D.
Dininni	Kukovich	Pucciarelli	Wilson
Dombrowski	Laughlin	Punt	Wogan
Donatucci	Lehr	Rappaport	Wright, D. R.
Dorr	Lescovitz	Rasco	Wright, J. L.
Duffy	Letterman	Reber	Zwinkl
Durham			

NAYS—0

NOT VOTING—5

Geist	McIntyre	Showers	Swift
Gray			

EXCUSED—4

Lashinger	Wozniak
Lucyk	Ryan, Speaker

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

RESOLUTION ADOPTED

Mr. DeVERTER called up **HR 42, PN 1162**, entitled:

House request Governor proclaim June 7 to June 13, 1981, "Pennsylvania Safe Boating Week".

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

Cohen	Hasay	Noye	Taylor, E. Z.
Colafrilla	Hayes	O'Donnell	Taylor, F. E.
Cole	Heiser	Olasz	Telek
Cordisco	Hoeffel	Oliver	Tigue
Cornell	Honaman	Pendleton	Trello
Coslett	Horgos	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.
Dininni	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.
Durham	Levi	Richardson	Zwinkl
Earley			

NAYS—0

NOT VOTING—1

Hutchinson, A.

EXCUSED—4

Lashingier
Lucyk

Wozniak

Ryan,
Speaker

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

RESOLUTION ADOPTED

Mr. ROCKS called up **HR 44, PN 1250**, entitled:

House direct subcommittee on first class cities investigate citizen complaints on the operation of Northwest Incinerator, Philadelphia.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

Clark	Gruppo	Mrkonic	Swaim
Clymer	Hagarty	Mullen	Sweet
Cochran	Haluska	Murphy	Swift
Cohen	Harper	Nahill	Taddonio
Colafrilla	Hasay	Noye	Taylor, E. Z.
Cole	Hayes	O'Donnell	Taylor, F. E.
Cordisco	Heiser	Olasz	Telek
Cornell	Hoeffel	Oliver	Tigue
Coslett	Honaman	Pendleton	Trello
Cowell	Horgos	Perzel	Van Horne
Cunningham	Hutchinson, A.	Peterson	Vroon
DeMedio	Hutchinson, W.	Petrarca	Wambach
DeVerter	Irvis	Petrone	Wargo
DeWeese	Itkin	Phillips	Wass
Daikeler	Jackson	Piccola	Wenger
Davies	Johnson	Pievsky	Weston
Dawida	Kennedy	Pistella	White
Deal	Klingaman	Pitts	Wiggins
Dietz	Kolter	Pott	Williams, J. D.
Dininni	Kowalshyn	Pratt	Wilson
Dombrowski	Kukovich	Pucciarelli	Wogan
Donatucci	Laughlin	Punt	Wright, D. R.
Dorr	Lehr	Rappaport	Wright, J. L.
Duffy	Lescovitz	Rasco	Zwinkl
Durham	Letterman	Reber	

NAYS—0

NOT VOTING—3

Kanuck Wachob Williams, H.

EXCUSED—4

Lashingier
Lucyk

Wozniak

Ryan,
Speaker

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

RESOLUTION ADOPTED

Mr. L. E. SMITH called up **HR 59, PN 1440**, entitled:

House direct Business and Commerce Committee appoint a special committee on Small Business to review legislative proposals.

On the question,
Will the House adopt the resolution?

Mr. TAYLOR offered the following amendments No. A1110:

Amend Last Resolved Clause, page 2, line 17, by striking out "on" and inserting
or

Amend Last Resolved Clause, page 2, line 17, by removing the period after "business" and inserting
and for studying and developing proposals to address the problems facing small business in the Commonwealth and to assist the small business community in achieving its objectives and full potential; and be it further

RESOLVED, That in carrying out its duties the Special Subcommittee on Small Business may exercise all powers permitted to be exercised by Standing Subcommittees by the Rules of the House of Representatives.

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

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

Mr. TAYLOR. The resolution before us seems to appear to limit the scope of the special subcommittee, and, therefore, I introduce this amendment.

After reviewing the resolution, it appeared that the resolution in itself would limit the scope of the special subcommittee in carrying out its functions. Therefore, this amendment that I propose will give it the same authority as a standing subcommittee of the House and should clear that up. I would recommend that we approve the amendment.

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

The following roll call was recorded:

YEAS—192

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

NAYS—1

Cunningham

NOT VOTING—5

Gray	Kanuck	Manderino	Morris
Irvis			

EXCUSED—4

Lashingner	Wozniak
Lucyk	
	Ryan,
	Speaker

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

PARLIAMENTARY INQUIRY

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

Mr. PISTELLA. Mr. Speaker, I would like to raise, I believe the appropriate term would be a parliamentary inquiry, concerning the adoption of this resolution.

My question, Mr. Speaker, would be, with the adoption of the amendment offered by Mr. Taylor and the acceptance of the House of this resolution, what effect would the— I would like to know what the subsequent result would be should language adopted in the House rules indicate a standing subcommittee of the House would be in existence. What would be the impact upon this resolution if adopted today?

The SPEAKER pro tempore. As I understand it, your question is, should the rules of the House be changed, then what would the standing be of the resolution. Is that correct?

Mr. PISTELLA. My question would be, if we adopt this resolution today, should language included in the House rules resolution addressing this same issue be adopted, what would be the effect?

The SPEAKER pro tempore. The same resolution was adopted 2 years ago, it is the understanding of the Chair, and if this resolution were adopted, there might have to be changes made in the House rules to do what the gentleman is referring to.

Mr. PISTELLA. Well, I had briefly looked at the question, Mr. Speaker, and there was a decision that was reached on February 15, 1901, that said that the adoption of a resolution similar to one previously adopted would be out of order, and I would like to know, in light of that decision, what the effect would be.

The SPEAKER pro tempore. Would the gentleman come up to the podium, please, so we can find out exactly what he has in mind?

PARLIAMENTARY INQUIRY WITHDRAWN

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Pistella.

Mr. PISTELLA. Thank you very much, Mr. Speaker. I withdraw my parliamentary inquiry and thank you for your assistance.

On the question,
Will the House adopt the resolution as amended?

The following roll call was recorded:

YEAS—194

Alden	Emerson	Lewis	Ritter
Anderson	Evans	Livengood	Rocks
Armstrong	Fee	Lloyd	Rybak
Arty	Fischer	McCall	Salvatore

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

NAYS—1

Cunningham

NOT VOTING—3

Gladeck Kanuck Micozzie
EXCUSED—4

Lashingier Wozniak
Lucyk Ryan,
 Speaker

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

RESOLUTION ADOPTED

Mr. ZWIKL called up **HR 62, PN 1505**, entitled:

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".

On the question,
Will the House adopt the resolution?

Mr. ZWIKL offered the following amendments No. A1215:

Amend First Whereas Clause, page 1, line 2, by inserting quotation marks after "Birthday"

Amend Second Whereas Clause, page 1, line 4, by striking out "is" and inserting
are

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

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lehigh, Mr. Zwikl.

Mr. ZWIKL. Mr. Speaker, the amendment merely makes two grammatical corrections that were overlooked in the original draft of the bill.

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

The following roll call was recorded:

YEAS—190

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

NAYS—0

NOT VOTING—8

Alden	Gladeck	Heiser	McIntyre
Bittle	Gray	Kanuck	Vroon

EXCUSED—4

Lashing	Wozniak
Lucyk	Ryan, Speaker

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—190

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

NAYS—0

NOT VOTING—8

Gladeck	Hagarty	Lewis	Moehlmann
Gray	Kanuck	McIntyre	Saurman

EXCUSED—4

Lashing	Wozniak
Lucyk	Ryan, Speaker

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

FILMING PERMISSION GRANTED

The SPEAKER pro tempore. The Chair announces at this time that Tim Moersh of UPI has been granted the privilege of taking silent pictures on the floor for the following 10 minutes.

COURT RULES REPORT
NO. 1, RESOLUTION A

Mr. HAYES called up for consideration Court Rules Report No. 1, Resolution A, entitled:

In the House, March 24, 1981.

Resolved That Court Rules Report No. 1 of 1981 transmitted to the General Assembly under date of March 24, 1981 which is incorporated herein by reference be approved.

On the question,

Will the House adopt Court Rules Report No. 1, Resolution A?

The following roll call was recorded:

YEAS—176

Alden	Durham	Levi	Richardson
Anderson	Earley	Levin	Rieger
Armstrong	Emerson	Livengood	Ritter
Arty	Evans	McClatchy	Rocks
Barber	Fee	McMonagle	Rybak
Belardi	Fischer	McVerry	Salvatore
Belfanti	Fleck	Mackowski	Saurman
Beloff	Foster, W. W.	Madigan	Serafini
Berson	Foster, Jr., A.	Maiale	Seventy
Bittle	Frazier	Manderino	Showers
Borski	Freind	Manmiller	Shupnik
Bowser	Gallagher	Marmion	Sieminski
Boyes	Gallen	Merry	Sirianni
Brandt	Gamble	Michlovic	Smith, B.
Brown	Gannon	Micozzie	Smith, E. H.
Burd	Geist	Miller	Snyder
Burns	George	Miscevich	Spitz
Caltagirone	Gladeck	Moehlmann	Stairs
Cessar	Greenwood	Morris	Stevens
Cimini	Grieco	Mowery	Stuban
Civera	Gruitza	Mrkonic	Swaim
Clymer	Gruppo	Murphy	Sweet
Cochran	Hagarty	Nahill	Swift
Cohen	Haluska	Noye	Taddonio
Colafella	Harper	O'Donnell	Taylor, E. Z.
Cole	Hasay	Olasz	Taylor, F. E.
Cordisco	Hayes	Oliver	Telek
Cornell	Heiser	Pendleton	Trello
Coslett	Honaman	Perzel	Vroon
Cowell	Horgos	Peterson	Wachob
Cunningham	Hutchinson, A.	Petrarca	Wambach
DeMedio	Hutchinson, W.	Petrone	Wargo
DeVerter	Irvis	Phillips	Wass
DeWeese	Itkin	Piccola	Wenger

Daikeler	Jackson	Pievsy	Weston
Davies	Johnson	Pistella	White
Dawida	Kennedy	Pitts	Wiggins
Deal	Klingaman	Pott	Williams, H.
Dietz	Kolter	Pratt	Williams, J. D.
Dininni	Kowalyszyn	Pucciarelli	Wilson
Dombrowski	Laughlin	Punt	Wogan
Donatucci	Lehr	Rappaport	Wright, D. R.
Dorr	Lescovitz	Rasco	Wright, J. L.
Duffy	Letterman	Reber	Zwilk

NAYS—14

Blaum	Fryer	Lloyd	Stewart
Cappabianca	Grabowski	Mullen	Tigue
Cawley	Hoeffel	Steighner	Van Horne
Clark	Kukovich		

NOT VOTING—8

Gray	Kanuck	McCall	Smith, I. E.
Greenfield	Lewis	McIntyre	Spencer

EXCUSED—4

Lashingier	Wozniak
Lucyk	Ryan, Speaker

A constitutional majority of the duly elected members of the House having voted in favor of Court Rules Report No. 1, Resolution A, the same is adopted.

Ordered, That the clerk inform the Senate and the Supreme Court accordingly.

STATEMENT BY MR. DAVIES

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

Mr. DAVIES. I request unanimous consent to address the House.

The SPEAKER pro tempore. The Chair hears no objection. The gentleman may proceed.

Mr. DAVIES. I have distributed a piece that I wanted to be read into the record, "Our Day in Commonwealth Court, A Judicial Mockery."

I would like to make corrections on it. In line 1, that "Last Friday" should read "Two Fridays ago." Line 6 should be "last week." Line 9 should be "many of these" at the end of the line.

I would like to make an additional statement to this, Mr. Speaker, that the Supreme Court asked for a temporary 1-day stay, which kept the trains running another day, then ruled against the Public Utility Commission and the same interveners, those three representatives. This is again an example of the judicial system ignoring the legislative intent of the law by upholding an improper administrative interpretation of the law of the Commonwealth by unilateral action of the Department of Transportation without proper notification of the rule-making decision by that same department. No notification of the same was in the Pennsylvania Journal. This strikes at the very essence of our system, the balance of power between the legislative, executive, and the courts.

I would be remiss if I did not call your attention to this important matter and ask the leadership on both sides of the aisle to consider this as an additional erosion of our constitu-

tional powers. I would ask that leadership consider possible action in the Federal courts to seek a remedy to this constitutional abuse of judicial and executive power. Thank you, Mr. Speaker.

STATEMENT BY SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Speaker would like to thank the members of the House for the election yesterday when I was elected as Speaker pro tem in the absence of Speaker Ryan. I want to thank the gentleman from Dauphin County who conducted over the Chair at that time and for his method of railroading it through without a vote and assuring me a victory, but I am very proud and I want to thank you people for bestowing this honor on me.

I had them check, and it is the first time they have elected a Speaker pro tem since 1921, and, unfortunately, at that time the reason they did it was because they kicked out of the Chair a gentleman from York County. Let us hope that does not happen. But I want to thank the members of the House, and bear with me, and we will try to get along until the Speaker gets back. Thank you very much.

STATEMENT BY MR. McMONAGLE

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

Mr. McMONAGLE. Mr. Speaker, I would like to have the unanimous consent of the House to make a brief statement.

The SPEAKER pro tempore. The Chair hears no objection. The gentleman may proceed.

Mr. McMONAGLE. Thank you, Mr. Speaker.

Yesterday we had a patriot who died. Some people call it suicide; others call it murder. The news media this morning announced the death of Bobby Sands in the Maze Prison in Belfast as the result of a hunger strike. Bobby Sands was recently elected to the House of Commons and was thus a political prisoner by any rational definition of the term. And it is in the interest of all who believe in democracy and in the proper function in a parliamentary practice that such a death be noticed, and the British Government has revealed an extraordinary insensitivity to both the humanitarian aims and to the creation of enduring peace in Ireland. All men and women of goodwill now pray that the demise of this young man not be a spur for more bloodshed in that unhappy country, and we hope somehow the intractable conservative government of Mrs. Margaret Thatcher can be moved to consider its cruel intransigence and enter into negotiation with all interested parties.

Mr. Speaker, Bobby Sands is not the only one who died. There were 12 others in the last 20 years who died from hunger strikes. We have three other men in Ireland who right now have 56 days and 45 days each of fasting. John Hughes, who has 56 days of fasting, is near death himself. There was a quote from his brother saying that when he went to prison Sunday he did not recognize the 27-year-old man. What he recognized was a 90-year-old person who is dying, who is blind, and through the people of Ireland, who are saddened

by this affair, and the American people, I think we ought to do something to let England know.

Six weeks ago we in this House passed a resolution commending England for their human rights. This does not show me any human rights from England. This shows me a great insensitivity from a leader who is supposed to be from a free country and will not do anything for the people who are under their laws. That same thing could not happen here in the United States. It would be a disgrace, and when everybody in the country would know about it, they would be up in arms.

Yesterday our brothers and sisters in the State of New Jersey passed a resolution condemning England for that. I have a resolution which will be coming down. I thought it would be down by now, but Monday when I introduce it, I hope every member of this House will sign it. Thank you very much.

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

Do you have any further business to come before the House at this time?

Mr. HAYES. No, Mr. Speaker.

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.

WELCOMES

The SPEAKER pro tempore. The Chair welcomes to the hall of the House today a group of students from the fifth grade of Rogers School in the Shaler area of Allegheny County. Their teachers are Judy Boland and Kathy Entwish, and their parents, Dean Linder and Carl Neuser. They are guests of the Representative from Allegheny County, the majority whip, Rick Cessar. We are pleased to have you with us.

The Chair welcomes to the hall of the House Mrs. Joyce Stevens and Mrs. John Slovak, who are guests of the gentleman from Luzerne, Representative Corry Stevens.

The Chair welcomes the fifth grade class of Manor Elementary School, their two teachers, a parent, Mrs. Clark, and Hazel Adams of the Westmoreland County Tourist Bureau. They are guests of Allen Kukovich and the entire Westmoreland County delegation.

The Chair also welcomes to the House Joan and Rebecca Gruitza, wife and daughter of Mike Gruitza of Mercer County.

The Chair welcomes at this time Mr. and Mrs. James McBrier of Erie County, who are guests of the gentleman from Erie County, Mr. Boyes.

We also welcome Mr. Steve Sweeting from Millcreek Township, Erie County, who is also a guest of the gentleman from Erie, Mr. Boyes.

The Chair welcomes at this time students, teachers, and parents from the St. Athanasius School of Philadelphia, who are guests of Mr. Evans and Mr. White.

The Chair welcomes to the hall of the House Dr. and Mrs. Christopher Russell, who are guests of the Northampton County legislators.

The Chair at this time welcomes the fifth grade students and teachers of the Chestnut Ridge School District in Bedford County, who are guests of the Representative from Bedford, Mr. Dietz.

At this time the Chair would like to welcome to the hall of the House the Pennsylvania Association of Hospital Auxiliaries, who are in the balcony.

ADJOURNMENT

The SPEAKER pro tempore. The Chair recognizes the lady from Allegheny, Mrs. Heiser.

Mrs. HEISER. Mr. Speaker, I move that this House do now adjourn until Monday, May 11, 1981, at 1 p.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 3:19 p.m., e.d.t., the House adjourned.