

Legislative Journal

TUESDAY, MAY 12, 1981

SESSION OF 1981

165TH OF THE GENERAL ASSEMBLY

No. 33

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MATTHEW J. RYAN) 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. This is Your morning. Your Word tells us that nobody should seek his own good but the good of others. But, Lord, we are so human. That is a difficult command to follow, for we are selfish beings, always looking out for number one. Nevertheless, You have spoken, and we must listen. These men and women who serve the people have met the most difficult of tasks, to lay aside their own interests and desires and to seek the good of others. I would ask for them the power of Your presence so that they may become models to all of us and the country of men and women who do indeed seek the good of others.

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

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Monday, May 11, 1981, will be postponed until printed. The Chair hears none.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1395 By Representative McCLATCHY

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), redefining the term "employee."

Referred to Committee on FINANCE, May 11, 1981.

No. 1396 By Representative CALTAGIRONE

An Act amending the "Pennsylvania Industrial Development Authority Act," approved May 17, 1956 (1955 P. L. 1609, No. 537), further defining the term "mortgage."

Referred to Committee on BUSINESS AND COMMERCE, May 11, 1981.

No. 1397 By Representatives DAWIDA, GRABOWSKI, SEVENTY, PISTELLA, PETRONE, MURPHY, GAMBLE and ITKIN

An Act amending the act of August 10, 1951 (P. L. 1189, No. 265), entitled, as amended, "An act regulating the appointment, promotion, suspension, reduction, removal and reinstatement of employes (except superintendents, assistant superintendents, inspectors, chief clerks and guards) in bureaus of police in cities of the second class; and defining the powers and duties of civil service commissions in such cities for such purpose," imposing certain education requirements.

Referred to Committee on URBAN AFFAIRS, May 11, 1981.

No. 1398 By Representatives DAWIDA, WAMBACH, J. L. WRIGHT, CALTAGIRONE, BELFANTI, HORGOS, SEVENTY, PRATT, TRELLO, BLAUM, TELEK and HALUSKA

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571, No. 254), excluding from assessment for real property tax purposes certain fire safety devices and systems.

Referred to Committee on LOCAL GOVERNMENT, May 11, 1981.

No. 1399 By Representatives DAWIDA, WAMBACH, J. L. WRIGHT, CALTAGIRONE, BELFANTI, HORGOS, SEVENTY, PRATT, TRELLO, BLAUM, TELEK and HALUSKA

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853, No. 155), excluding from assessment for real property tax purposes certain fire safety devices and systems.

Referred to Committee on LOCAL GOVERNMENT, May 11, 1981.

No. 1400 By Representatives DAWIDA, WAMBACH, J. L. WRIGHT, CALTAGIRONE, BELFANTI, HORGOS, SEVENTY, PRATT, TRELLO, BLAUM, TELEK and HALUSKA

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), excluding from the sales and use tax the sale of fire safety devices.

Referred to Committee on FINANCE, May 11, 1981.

No. 1401 By Representatives A. K. HUTCHINSON, KUKOVICH, MANDERINO, STAIRS, TADDONIO, VAN HORNE and PETRARCA

An Act making an appropriation to the Westmoreland County Branch of the Pennsylvania Association for the Blind.

Referred to Committee on APPROPRIATIONS, May 11, 1981.

No. 1402 By Representative A. K. HUTCHINSON

An Act amending the "Municipality Authorities Act of 1945," approved May 2, 1945 (P. L. 382, No. 164), further providing for the jurisdiction of the Public Utility Commission as to certain Authorities.

Referred to Committee on CONSUMER AFFAIRS, May 11, 1981.

No. 1403 By Representatives COCHRAN, SHUPNIK, PETRARCA, GREENFIELD, CALTAGIRONE, HORGOS, McVERRY, HARPER, KOLTER, DUFFY, PERZEL and OLASZ

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, requiring five full sized tires on certain vehicles.

Referred to Committee on TRANSPORTATION, May 11, 1981.

No. 1404 By Representatives WHITE, NAHILL, RAPPAPORT, PUCCIARELLI and RICHARDSON

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, authorizing the regulation of firearms by municipalities with certain exceptions.

Referred to Committee on JUDICIARY, May 11, 1981.

No. 1405 By Representatives WHITE, NAHILL, MICHLOVIC, RAPPAPORT, RICHARDSON and PUCCIARELLI

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for firearms and for penalties relating thereto.

Referred to Committee on JUDICIARY, May 11, 1981.

No. 1406 By Representatives RYBAK, SIEMINSKI, KOWALYSHYN, GRUPPO, HAYES, ZWIKL and WAMBACH

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for service by certified mail.

Referred to Committee on JUDICIARY, May 11, 1981.

No. 1407 By Representatives IRVIS, MANDERINO, WACHOB, WHITE and SPENCER

An Act regulating the strip and body cavity search of persons detained, and providing penalties.

Referred to Committee on JUDICIARY, May 11, 1981.

No. 1408 By Representatives WASS, GALLEN, PETRARCA, CLARK, A. K. HUTCHINSON, LIVENGOOD, W. W. FOSTER, PUNT, COCHRAN, DeVERTER, SPENCER, HASAY, STEVENS, GRIECO, D. R. WRIGHT, GALLAGHER, BURNS, GREENWOOD and CLYMER

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

Referred to Committee on BUSINESS AND COMMERCE, May 11, 1981.

No. 1409 By Representatives D. R. WRIGHT, BURNS, F. E. TAYLOR, LEVI, STEIGHNER, VAN HORNE, CAWLEY, BLAUM, TIGUE, LLOYD, PETERSON, WASS, STUBAN, LUCYK, GRUITZA and ARTY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for flashing lights at loading zones for school children.

Referred to Committee on TRANSPORTATION, May 11, 1981.

No. 1410 By Representatives TRELLO, GALLEN, MARMION, PETRARCA, MISCEVICH, SEVENTY, PISTELLA, GAMBLE, DUFFY, DAWIDA, PETRONE, OLASZ, MERRY and COLAFELLA

An Act abolishing certain local real estate taxes and authorizing political subdivisions to initiate their own income taxes.

Referred to Committee on LOCAL GOVERNMENT, May 11, 1981.

No. 1411 By Representatives RIEGER, WHITE, HARPER, PIEVSKY, COHEN, OLIVER, MAIALE, WIGGINS, BARBER, SWAIM, DONATUCCI, J. D. WILLIAMS and EVANS

An Act providing for a Philadelphia Sports Betting Lottery and administration thereof, *** and making an appropriation.

Referred to Committee on STATE GOVERNMENT, May 11, 1981.

No. 1412 By Representatives RICHARDSON, OLIVER, GRAY, RYBAK, EVANS, IRVIS, J. D. WILLIAMS, RIEGER, McINTYRE, LEVIN, WIGGINS, DEAL, COHEN, DAWIDA, PISTELLA, O'DONNELL, HOEFFEL and COLAFELLA

An Act providing assistance to eligible households to offset the costs of home energy for heating and lighting.

Referred to Committee on HEALTH AND WELFARE, May 11, 1981.

No. 1413 By Representatives BELARDI, SERAFINI, DORR, CORDISCO, COSLETT, CAWLEY, TIGUE, BLAUM and CAPPABIANCA

An Act amending the "Medical Practice Act of 1974," approved July 20, 1974 (P. L. 551, No. 190), further providing for the definitions of foreign medical college and clinical clerk and further establishing standards for medical training and facilities.

Referred to Committee on PROFESSIONAL LICENSURE, May 11, 1981.

No. 1414 By Representatives HAGARTY, HEISER, McCLATCHY, CORNELL, WHITE, COWELL, HORGOS, GEIST, KLINGAMAN and LASHINGER

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), providing for domestic violence and rape crisis programs, imposing additional costs and making an appropriation.

Referred to Committee on HEALTH AND WELFARE, May 11, 1981.

No. 1415 By Representatives GANNON, GRUPPO and MARMION

An Act amending the act of August 14, 1963 (P. L. 909, No. 433), entitled "An act requiring, with limitations, that insurance policies insuring against loss occurring in connection with motor vehicles provide protection against certain uninsured motorists," providing for coverage for property damage.

Referred to Committee on INSURANCE, May 11, 1981.

No. 1416 By Representatives WHITE, BERSON, WACHOB, MAIALE, COHEN, PISTELLA, HOFFEL, KUKOVICH, RITTER and SWEET

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the consideration of the victim's medical, psychological and financial status in connection with sentencing the offender.

Referred to Committee on JUDICIARY, May 11, 1981.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 66 By Representatives McMONAGLE, GRAY, RIEGER, McCALL, O'DONNELL, PIEVSKY, FEE, PISTELLA, RAPPAPORT, WHITE, GALLAGHER, GREENFIELD, KOLTER, DAWIDA, MURPHY, DUFFY, COCHRAN, McINTYRE, BORSKI, SWAIM, DONATUCCI, PUCCIARELLI, SALVATORE, WOGAN, ROCKS, WESTON, BURNS, COLE, CLARK, LAUGHLIN, STEWART, SEVENTY, OLASZ, BLAUM, CAWLEY, IRVIS,

RICHARDSON, PETRARCA, GEORGE, FREIND, MORRIS and WAMBACH

House urges British Government to negotiate with Irish Nationalists.

Referred to Committee on RULES, May 11, 1981.

SENATE BILLS FOR CONCURRENCE

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

SB 161, PN 826

Referred to Committee on Transportation, May 11, 1981.

SB 484, PN 491

Referred to Committee on Liquor Control, May 11, 1981.

SB 633, PN 650

Referred to Committee on Agriculture and Rural Affairs, May 11, 1981.

SENATE RESOLUTION FOR CONCURRENCE

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

SR 210

Referred to Committee on Rules, May 11, 1981.

LEAVES OF ABSENCE GRANTED

The SPEAKER. The Chair recognizes the majority whip for the purpose of taking leaves of absence.

Mr. CESSAR. Thank you, Mr. Speaker.

I request a leave for the gentleman from Allegheny, Mr. POTT, for today's session; the gentleman from Delaware, Mr. EARLEY, for today's session; and the gentleman from Dauphin, Mr. DININNI, for today's session.

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

It is the understanding of the Chair that the minority caucus chairman has no leaves of absence for today.

MASTER ROLL CALL RECORDED

The SPEAKER. The Chair is about to take today's master roll call. Only those members in their seats are permitted to vote. Members will proceed to vote.

The following roll call was recorded:

PRESENT—191

Alden	Evans	Lewis	Salvatore
Anderson	Fee	Livengood	Saurman
Armstrong	Fischer	Lloyd	Serafini
Arty	Fleck	Lucyk	Seventy
Barber	Foster, W. W.	McCall	Showers
Belardi	Foster, Jr., A.	McClatchy	Shupnik
Belfanti	Freind	McIntyre	Sieminski
Beloff	Fryer	McMonagle	Sirianni
Berson	Gallagher	McVerry	Smith, B.
Bittle	Gallen	Mackowski	Smith, L. E.
Blaum	Gamble	Madigan	Snyder

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

ADDITIONS—6

Frazier	Marmion	Rappaport	Smith, E. H.
Levin	Mowery		

NOT VOTING—0

EXCUSED—5

Dininni	Hutchinson, W.	Pendleton	Pott
Earley			

LEAVE CANCELED—1

Pendleton

MEMBERS' PRESENCE RECORDED

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Marmion; the gentleman from Philadelphia, Mr. Levin; and the gentleman from Chester, Mr. Smith, who ask that their names be added to the master roll call.

JOHN HARRIS PRESENTED

The SPEAKER. We have a special guest today whom I would like to introduce, but prior to such introduction, I would like the members to be in their seats.

The Chair is pleased to introduce to the House and asks John Harris, the founder of Harrisburg, to address the membership.

Mr. HARRIS. Thank you very much, Mr. Speaker.

When I bequeathed a little over 4 acres to the small village that was developing on this shore of the Susquehanna, I had no idea that this city would become the capital of this mighty Commonwealth, nor that this magnificent building would be erected on this parcel of land.

Now, as I return, I rejoice with you in what you have done in the 20th century, and I congratulate all you 20th century Pennsylvanians for the ways in which you have maintained and carried on the noble ideals which William Penn established in the 17th century. Mr. Penn was a close friend of my father, and this is the important year, 1981, when we will be celebrating the 300th anniversary of the granting of the charter for the establishment of this noble Commonwealth.

I am here today to invite you to that party, which Dauphin County is celebrating, on the 24th of this month in my mansion on South Front Street; May 24, beginning at 2 o'clock in the afternoon. There will be orations and speeches and proper recognitions at my gravesite, and then immediately across the street in my home, you are all invited to come to a reception, and we would be delighted to see you and to have you there. Mrs. Fern Hetrick, my dear friend, is establishing and arranging for all of this celebration, and it is our pleasure to be here today to celebrate with you the continuance of the ideals of William Penn in establishing a Commonwealth for all sorts and conditions of mankind.

My good friends, on May 24 I will see you at my gravesite. Thank you.

MEMBERS' PRESENCE RECORDED

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Frazier, and the gentleman from Philadelphia, Mr. Rappaport, who ask that their names be added to the master roll call.

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 863, PN 1522; HB 427, PN 1539; HB 581, PN 610; HB 838, PN 896; and HB 949, PN 1540.

* * *

The House proceeded to second consideration of HB 1309, PN 1541, entitled:

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.

On the question,

Will the House agree to the bill on second consideration?

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I move that HB 1309, PN 1541, 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 738, PN 787; HB 1125, PN 1248; HB 1126, PN 1249; HB 1290, PN 1524; HB 1291, PN 1436; HB 753, PN 802; HB 1089, PN 1212; HB 1092, PN 1215; SB 14, PN 855; and SB 512, PN 690.

REQUEST TO REMOVE BILL FROM TABLE

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

Mr. GRABOWSKI. Mr. Speaker, since you are on the part of the calendar dealing with game and fish bills, I would like to make a motion to have HB 625 taken off the tabled calendar and placed on the active calendar.

The SPEAKER. This is not the proper place in the calendar to do that. If the gentleman would confer with the majority leader, at the appropriate time he will be recognized.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 717, PN 766**, entitled:

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

On the question,
Will the House agree to the bill on third consideration?
Mr. LLOYD offered the following amendment No. A1347:

Amend Sec. 1 (Sec. 448), page 3, line 12 by removing the period after "veteran" and inserting
and at least one of whom shall be a veteran of the Vietnam era.

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

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

Mr. LLOYD. Mr. Speaker, this bill would reorganize the State Veterans' Commission, which advises the state on veterans' matters including employment. Eleven of the

members of the commission would be the heads of recognized veterans' groups like the American Legion and the VFW - Veterans of Foreign Wars. Five of the members are to be at large.

My amendment would require that at least one of those five at-large members be a veteran of the Vietnam era. This would provide input in the special problems of the Vietnam vet and give the Vietnam veteran some of the status and recognition they have been denied in the past. I ask approval of the amendment.

MEMBER'S PRESENCE RECORDED

The SPEAKER. The Chair recognizes the gentleman from Cumberland, Mr. Mowery.

Mr. MOWERY. Mr. Speaker, I request that my name be added to the master roll call.

CONSIDERATION OF HB 717 CONTINUED

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

The following roll call was recorded:

YEAS—185

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

Fee Fischer	Livengood Lloyd	Rocks Rybak	Speaker
NAYS—7			
Bowser Brandt	DeVerter Fleck	Pitts Smith, L. E.	Williams, H.
NOT VOTING—5			
Boyes Cordisco	Harper	Kanuck	Wright, J. L.
EXCUSED—5			
Dininni Earley	Hutchinson, W.	Pendleton	Pott

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

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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.
The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

YEAS—195

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

Donatucci	Lescovitz	Richardson	Wright, J. L.
Dorr	Letterman	Rieger	Zwinkl
Duffy	Levi	Ritter	
Durham	Levin	Rocks	Ryan,
Emerson	Lewis	Rybak	Speaker
Evans			
NAYS—0			
NOT VOTING—2			
Kanuck	Petrone		
EXCUSED—5			
Dininni Earley	Hutchinson, W.	Pendleton	Pott

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

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

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the lady from Philadelphia, Mrs. Harper.

Mrs. HARPER. Thank you, Mr. Speaker.

Mr. Speaker, on amendment A1347 to HB 717, I was out of my seat, and I would like to be recorded in the positive. Thank you.

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

REQUEST TO CALL UP HB 685

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

Mr. O'DONNELL. Mr. Speaker, I would like to call up HB 685.

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

Mr. SALVATORE. Mr. Speaker, I had asked that a hold be placed on this bill. I understand Representative O'Donnell is calling this bill up.

The SPEAKER. That is accurate.

Mr. SALVATORE. I make a motion to recommit this bill, Mr. Speaker, to the Urban Affairs Committee.

The SPEAKER. Will the gentleman yield for a minute until the House has called the bill up so that it is in a position to be the subject of a recommittal motion?

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 685, PN 720**, entitled:

An Act amending the act of July 6, 1917 (P. L. 747, No. 271), entitled "An act requiring all counties, ***, " providing that a city of the first class shall sell bonds or other securities, except as provided herein, issued by it at public sale after not less than one public notice for such price, ***, whenever authorized.

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

MOTION TO RECOMMIT

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

Mr. SALVATORE. Mr. Speaker, I move that HB 685, PN 720, be recommitted to the Committee on Urban Affairs.

The SPEAKER. The question before the House is on the recommittal motion.

The Chair recognizes the gentleman, Mr. O'Donnell, on the recommittal motion.

Mr. O'DONNELL. Will the gentleman submit to interrogation?

The SPEAKER. The question before the House is on recommittal of the bill. No debate will be permitted on the merits.

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

Mr. SALVATORE. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. O'DONNELL. Mr. Speaker, what is the basis or the reason for recommittal?

Mr. SALVATORE. I think it should be studied by the Subcommittee on First Class Cities of the Urban Affairs Committee.

Mr. O'DONNELL. Mr. Speaker, on what basis does the gentleman believe the bill needs study?

Mr. SALVATORE. Mr. Speaker, I think that the State of Pennsylvania has the Capital Facilities Debt Act—

Mr. O'DONNELL. Excuse me, Mr. Speaker. Would you call for order? I cannot hear the gentleman's response.

The SPEAKER. The gentleman is absolutely correct. The gentleman, Mr. O'Donnell, is entitled to be heard and to hear.

Will the gentleman, Mr. O'Donnell, repeat his question to the gentleman, Mr. Salvatore?

Mr. SALVATORE. Mr. Speaker, before he does—

Mr. O'DONNELL. What is it about the bill that needs study?

Mr. SALVATORE. Mr. Speaker, is this bill debatable?

The SPEAKER. The merits of the bill are not debatable. The question of recommittal may be debated.

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the gentleman, Mr. O'Donnell.

Mr. O'DONNELL. Mr. Speaker, a parliamentary inquiry. If the gentleman withdraws his motion to recommit, is the bill not then debatable?

The SPEAKER. If the gentleman withdraws his motion to recommit, the bill will be on final passage and subject to debate. It is the understanding of the Chair that the gentleman moved, however, to recommit the bill to the Urban Affairs Committee, and on that basis there is no debate permitted on the merits of the bill.

Mr. O'DONNELL. But the reason for my inquiry was that the gentleman wanted to know how he could have the matter debated before the House; it would be by virtue of withdrawing his motion.

The SPEAKER. That is correct.

Mr. O'DONNELL. Thank you, Mr. Speaker.

The SPEAKER. But, if I may, that also would defeat the purpose of his motion.

Mr. O'DONNELL. Are we back to repeating the question?

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

Mr. SALVATORE. The bill is not debatable. I ask that this bill be recommitted.

Mr. O'DONNELL. Shall I restate the question, Mr. Speaker?

Mr. Speaker, in response to the Speaker's inquiry, will the gentleman respond to interrogation, I understood the gentleman's response to be "yes." The interrogation consists of the following: What is it about the bill that needs study?

Mr. SALVATORE. Mr. Speaker, we are speaking about the merits of the bill.

Mr. O'DONNELL. We are not speaking about anything yet.

The SPEAKER. It is the Chair's understanding that the gentleman, Mr. Salvatore, has yielded to the gentleman from Lancaster, Mr. Miller.

The Chair recognizes the gentleman.

Mr. MILLER. I thank you, Mr. Speaker.

Things are never quite as they seem, and perhaps I can simplify the whole process, if the distinguished gentleman would allow me a few moments.

Basically, we have a situation where there is a difference of opinion on the bill, albeit we do not have the specific difference of opinion before us, but two gentlemen from the same city disagree. One has requested a legislative hold to work out that disagreement; the other does not wish to pause. If the bill goes back to committee with the gentleman, Mr. Salvatore's motion, we will pause anyway, and that is something that this side of the aisle ought to consider. But if the hold would be respected by the gentleman from Philadelphia for a few more legislative days, I am certain we can work out the differences of the bill and move the bill expediently to the best interests of both gentlemen. It is with that suggestion I would respectfully request that the gentleman from Philadelphia withdraw his request to call up the bill.

MOTION WITHDRAWN

BILL PASSED OVER

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

Mr. O'DONNELL. Mr. Speaker, on the basis of the gentleman's remarks, I withdraw my request to call up the bill, and I will then contact the Chief Clerk's office for a copy of the record of today's proceedings and underscore the words "several days." Thank you, sir.

The SPEAKER. It is the Chair's understanding that the gentleman from Philadelphia, Mr. Salvatore, withdraws his motion to recommit.

Mr. SALVATORE. Yes, I do, Mr. Speaker.

The SPEAKER. Without objection, the bill is passed over. The Chair hears none.

* * *

The House proceeded to third consideration of **HB 556, PN 583**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Mr. LETTERMAN offered the following amendments No. A1398:

Amend Title, page 1, line 2 by inserting after "for" assigning points,

Amend Title, page 1, line 3 by removing the period after "mail" and inserting and for citations sent by mail.

Amend Sec. 1, page 1, line 6 by striking out "1902" and inserting 1535

Amend Sec. 1, page 1, line 8 by inserting after "amended" by adding a subsection

Amend Bill, page 1, by inserting between lines 8 and 9 § 1535. Schedule of convictions and points.

* * *

(a.1) Proof of receipt of citation.—No points shall be assigned for an offense as to which the violator was sent a citation by mail unless the municipality issuing the citation sends the agency assigning points a copy of the receipt of certified mail sent to and signed by the violator.

* * *

Section 2. Section 1902 of Title 75 is amended to read:

Amend Bill, page 2, by inserting between lines 11 and 12

Section 3. Title 75 is amended by adding a section to read:

§ 6309. Citations sent by mail.

Every citation of a traffic violation mailed to an alleged violator shall be sent by certified mail.

Amend Sec. 2, page 2, line 12 by striking out "2" and inserting 4

On the question,

Will the House agree to the amendments?

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

Mr. LETTERMAN. Thank you, Mr. Speaker.

Mr. Speaker, I am attempting in my amendment to cure an ill that has been going on ever since I have been a legislator.

AMENDMENTS WITHDRAWN

Mr. LETTERMAN. Mr. Speaker, I have just been requested, because there could be a fiscal impact in my amendment, to withdraw it until we come back in June, and at the request of the majority leader, I will do so.

The SPEAKER. Is it the understanding of the Chair that the gentleman, Mr. Letterman, withdraws his amendments?

Mr. LETTERMAN. Temporarily.

BILL PLACED ON THIRD CONSIDERATION POSTPONED CALENDAR

The SPEAKER. The Chair recognizes the majority leader. Mr. HAYES. Mr. Speaker, I move that HB 556, PN 583, be placed on the third consideration postponed calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

* * *

The House proceeded to third 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 third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—190

Table listing names of legislators who voted 'Yeas' for the bill, including Alden, Anderson, Armstrong, Arty, Barber, Belardi, Belfanti, Beloff, Berson, Bittle, Blaum, Bowser, Boyes, Brown, Burd, Burns, Caltagirone, Cappabianca, Cawley, Cessar, Cimini, Civera, Clark, Clymer, Cochran, Cohen, Colafella, Cole, Cornell, Coslett, Cowell, Cunningham, DeMedio, DeVerter, DeWeese, Daikeler, Dawida, Deal, Dietz, Dombrowski, Fleck, Foster, W. W., Foster, Jr., A., Frazier, Freind, Fryer, Gallagher, Gallen, Gamble, Gannon, Geist, George, Gladeck, Grabowski, Gray, Greenfield, Greenwood, Grieco, Gruitza, Gruppo, Hagarty, Haluska, Harper, Hasay, Hayes, Heiser, Hoeffel, Honaman, Horgos, Hutchinson, A., Irvis, Itkin, Jackson, Johnson, Kennedy, Klingaman, Kolter, Kowalyshyn, Kukovich, Lashing, Lucyk, McCall, McClatchy, McIntyre, McMonagle, McVerry, Mackowski, Madigan, Maiaie, Manderino, Manmiller, Marmion, Merry, Michlovic, Micozzie, Miller, Miscевич, Moehlmann, Morris, Mowery, Mrkonic, Mullen, Murphy, Nahill, Noye, O'Donnell, Olasz, Oliver, Peterson, Petrarca, Petrone, Phillips, Piccola, Pievsky, Pistella, Pitts, Pratt, Pucciarelli, Punt, Rappaport, Saurman, Serafini, Seventy, Showers, Shupnik, Sieminski, Sirianni, Smith, B., Smith, E. H., Smith, L. E., Snyder, Spencer, Spitz, Stairs, Steighner, Stevens, Stewart, Stuban, Swaim, Sweet, Swift, Taddonio, Taylor, E. Z., Taylor, F. E., Telek, Tigue, Trello, Van Horne, Vroon, Wachob, Wambach, Wargo, Wass, Wenger, Weston, White, Wiggins, Williams, H., Williams, J. D., Wilson.

Donatucci	Laughlin	Rasco	Wogan
Dorr	Lehr	Reber	Wozniak
Duffy	Lescovitz	Richardson	Wright, D. R.
Durham	Letterman	Rieger	Wright, J. L.
Emerson	Levi	Ritter	Zwinkl
Evans	Levin	Rocks	
Fee	Livengood	Rybak	Ryan,
Fischer	Lloyd	Salvatore	Speaker

NAYS—0

NOT VOTING—7

Borski	Cordisco	Kanuck	Perzel
Brandt	Davies	Lewis	

EXCUSED—5

Dininni	Hutchinson, W.	Pendleton	Pott
Earley			

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 568, PN 1494**, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor and the Secretary of Public Welfare, to sell and convey a certain lot or tract of land situate in the City of Harrisburg, Pennsylvania.

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

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

The question is, shall the bill pass finally?

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

YEAS—192

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

Colafella	Honaman	Peterson	Vroon
Cole	Horgos	Petrarca	Wachob
Cornell	Hutchinson, A.	Petrone	Wambach
Coslett	Irviss	Phillips	Wargo
Cowell	Itkin	Piccola	Wass
Cunningham	Jackson	Pievsky	Wenger
DeMedio	Johnson	Pistella	Weston
DeVerter	Kennedy	Pitts	White
DeWeese	Klingaman	Pratt	Wiggins
Daikeler	Kolter	Pucciarelli	Williams, H.
Davies	Kowalyshyn	Punt	Williams, J. D.
Dawida	Kukovich	Rappaport	Wilson
Deal	Lashingner	Rasco	Wogan
Dietz	Laughlin	Reber	Wozniak
Dombrowski	Lehr	Richardson	Wright, D. R.
Donatucci	Lescovitz	Rieger	Wright, J. L.
Dorr	Letterman	Ritter	Zwinkl
Duffy	Levi	Rocks	
Durham	Levin	Rybak	Ryan,
Emerson	Livengood	Salvatore	Speaker
Evans	Lloyd		

NAYS—0

NOT VOTING—5

Cordisco	Kanuck	Lewis	Miller
Foster, W. W.			

EXCUSED—5

Dininni	Hutchinson, W.	Pendleton	Pott
Earley			

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

Mr. CUNNINGHAM. Mr. Speaker, to make a request of the Chair that in light of the fact that several members are having difficulty getting the bill up before them as the vote is taken, I would respectfully request that the pace be slowed just enough to give us a chance to get the bill up before we vote it.

REMARKS ON VOTE

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

Mr. DAVIES. Mr. Speaker, in that haste I was out of my seat, and I would like to be recorded in the affirmative on HB 229. Thank you, Mr. Speaker.

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

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 588, PN 617**, entitled:

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

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

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

The question is, shall the bill pass finally?

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

YEAS—195

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

NAYS—0

NOT VOTING—2

Cordisco Kanuck

EXCUSED—5

Dininni Hutchinson, W. Pendleton Pott
Earley

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. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I suggest that we stop our morning voting session for the purpose of taking lunch and recess until 1:30 p.m., at which time we will begin voting promptly. I move that we recess until 1:30 p.m. for lunch.

RULES SUSPENDED

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

Mr. SAURMAN. Mr. Speaker, I move that the rules be suspended so that a resolution may be immediately considered.

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

The following roll call was recorded:

YEAS—187

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

Evans

NAYS—0

NOT VOTING—10

Barber	Miscevich	Pistella	White
Cordisco	Olasz	Sweet	Wiggins
Kanuck	Phillips		

EXCUSED—5

Dininni	Hutchinson, W.	Pendleton	Pott
Earley			

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

RESOLUTION ADOPTED

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

Mr. SAURMAN. I offer the following resolution.

The SPEAKER. The clerk will read the resolution.

The following resolution was read:

In the House of Representatives,
WHEREAS, More than 1,000 people died on Commonwealth highways in 1980 as a result of alcohol related accidents; and

WHEREAS, The severity of the problem of driving under the influence of alcohol or drugs was recently highlighted in detail at the Governor's Traffic Safety Conference held on May 5, 1981 at Camp Hill; and

WHEREAS, Immediate solutions to the problems created by driving under the influence of alcohol or drugs must be sought and implemented; therefore be it

RESOLVED, That the House of Representatives of Pennsylvania endorses all efforts by the Executive Branch, including the establishment of a Driving Under the Influence Task Force, to meet the challenge posed by the increasing incidence of death and carnage.

George E. Saurman
Paul Wass
Richard J. Cessar
Bert C. Daikeler
Paul I. Clymer
Karl W. Boyes
Harry E. Bowser
Donald W. Snyder
Frances Weston

On the question,
Will the House adopt the resolution?

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

Mr. SAURMAN. Thank you, Mr. Speaker.

Last Tuesday at the Governor's Annual Traffic Safety Conference, a constituent of mine, Mrs. Marie Tursi, who has formed a chapter of Mothers Against Drunk Driving because of an accident that happened to her son, presented to the Governor a letter asking that he form a task force to attack this problem. Statistically it is a problem that has been constantly increasing, and this resolution is asked in order that the entire population of the Commonwealth of Pennsylvania recognize that this House is against this increasing destruction, the loss of property, the loss of lives, and I would ask that you support this resolution. Thank you, Mr. Speaker.

On the question recurring,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

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

NAYS—0

NOT VOTING—3

Cordisco	Kanuck	Williams, H.
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EXCUSED—5

Dininni	Hutchinson, W.	Pendleton	Pott
Earley			

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

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. McClatchy, for the purpose of an announcement.

Mr. McCLATCHY. Mr. Speaker, there will be a meeting of the Appropriations Committee at the call of the recess. We will meet at 1 o'clock in the Appropriations Committee hearing room. Thank you, Mr. Speaker.

STATEMENT BY MR. DAVIES

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

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

Without suspension, could I ask to make a brief statement in reference to something that was stated on the floor yesterday?

The SPEAKER. The gentleman under unanimous consent is entitled to make a statement. Does the gentleman request that?

Mr. DAVIES. Yes, sir. I would like to make that statement at this time, Mr. Speaker.

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

Mr. DAVIES. Mr. Speaker, yesterday in Representative Mowery's presentation of the 70th anniversary of a page who served in the House, he noted that the House had silver spittoons while the Senate had been endowed with lavish gold spittoons.

On a historical note I think that the record should reflect that gold may be associated with the wealthy and powerful, while silver historically has been associated with the Populist movement and the creditor interests in our monetary controversial past. Many of the members of this body would feel more comfortable with that affirmation of historical fact rather than have some stigma of superiority or inferiority attached to that historical reference.

I would like the record to reflect with clarity that this fact in no way may reflect on the past or present leadership or membership of this august body.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 192, PN 193 (Unanimous)

By Rep. TADDONIO

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), providing for an exemption from the utilities gross receipts tax.

CONSUMER AFFAIRS.

HB 198, PN 1603 (Amended)

By Rep. TADDONIO

An Act providing for the regulation of gasoline and advertising, requiring the posting of price per gallon at retail outlets and providing penalties.

CONSUMER AFFAIRS.

HB 1191, PN 1604 (Amended)

By Rep. TADDONIO

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for landlord ratepayers and tenants, and for notice prior to discontinuance of service.

CONSUMER AFFAIRS.

HB 1380, PN 1605 (Amended)

By Rep. TADDONIO

An Act amending the "Utility Service Tenants Rights Act," approved November 26, 1978 (P. L. 1255, No. 299), further providing for landlord ratepayers and tenants, and for notice prior to discontinuance of service.

CONSUMER AFFAIRS.

RECESS

The SPEAKER. Without objection, this House will stand in recess until 1:30 p.m. The Chair hears none.

AFTER RECESS

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

CALENDAR RESUMED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 815, PN 1077**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Mr. ITKIN offered the following amendments No. A1460:

Amend Title, page 1, line 8, by inserting after "'fitting';" changing membership on the advisory council;
Amend Sec. 1, page 1, line 15, by inserting after "'103,"
201,

Amend Bill, page 3, by inserting between lines 19 and 20

Section 201. Advisory Council.—There is hereby created an Advisory Council, which shall advise the department in administering this act. The council shall consist of [eight] ten individuals appointed by the Governor, three of whom shall be hearing aid fitters registered under this act with at least three years experience in the Commonwealth, one of whom shall be a hearing aid dealer registered under this act with at least three years experience in the Commonwealth. The remaining [four] six shall consist of a physician certified by the American Board of Otolaryngology specializing in disorders of the ear, [an audiologist, and] two audiologists, and three public members who shall represent the interest of the general public.

The terms of office of members of the council shall be three years or until their successors are qualified. Any vacancy of the council shall be filled for the remainder of the unexpired term, in the same manner as the original appointments.

Members of the council shall receive no compensation, but shall be entitled to reimbursement for actual expenses incurred in the performance of duties under this act.

On the question,

Will the House agree to the amendments?

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

Mr. ITKIN. Mr. Speaker, this is a simple amendment which just increases the membership on the Advisory Council by adding one more audiologist and one more public member. I think it is agreed to by the sponsor of the legislation.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Pendleton, who asks that his name be removed from the request for leaves.

CONSIDERATION OF HB 815 CONTINUED

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

The following roll call was recorded:

YEAS—188

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

NAYS—6

Alden	Gallen	Lewis	Taylor, E. Z.
Fleck	Kanuck		

NOT VOTING—4

Pievsky	Rappaport	Richardson	White
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EXCUSED—4

Dininni	Earley	Hutchinson, W.	Pott
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The question was determined in the affirmative, and the amendments were agreed to.

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—194

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

NAYS—1

Alden

NOT VOTING—3

Petrarca

Rappaport

Richardson

EXCUSED—4

Dininni

Earley

Hutchinson, W. Pott

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 1153, PN 1278**, entitled:

An Act providing for cession by the Governor to the United States of jurisdiction over certain lands within Commonwealth boundaries.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—192

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

- | | | | |
|------------|-----------|-------------|-----------------|
| Dawida | Kowalshyn | Pitts | Williams, J. D. |
| Deal | Kukovich | Pratt | Wilson |
| Dietz | Lashinger | Pucciarelli | Wogan |
| Dombrowski | Laughlin | Punt | Wozniak |
| Donatucci | Lehr | Reber | Wright, D. R. |
| Dorr | Lescovitz | Rieger | Wright, J. L. |
| Duffy | Letterman | Ritter | Zwikl |
| Durham | Levi | Rocks | |
| Emerson | Levin | Rybak | Ryan, |
| Evans | Lewis | Salvatore | Speaker |
| Fee | Livengood | | |

NAYS—0

NOT VOTING—6

- | | | | |
|--------|-----------|-------|------------|
| Berson | Gannon | Rasco | Richardson |
| Burd | Rappaport | | |

EXCUSED—4

- | | | |
|---------|--------|---------------------|
| Dininni | Earley | Hutchinson, W. Pott |
|---------|--------|---------------------|

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 163, PN 164**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Mrs. HEISER offered the following amendments No. A1490:

Amend Bill, page 13, by inserting between lines 28 and 29

Section 12. Termination of act.

Three years from the effective date of this act, the provisions of this act shall expire and shall be deemed repealed if during such three-year period the General Assembly appropriates funds into the Wild Resource Conservation Fund pursuant to the authorization provided in section 5(c).

Amend Sec. 12, page 13, line 29, by striking out "12." and inserting 13.

Amend Sec. 13, page 14, line 3, by striking out "13." and inserting 14.

On the question,

Will the House agree to the amendments?

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

Mrs. HEISER. Mr. Speaker, I offer this amendment as a "sunset" to this particular bill. I appreciate and know the merits of this particular bill, but I do have a concern that when we establish a new program, we must evaluate the cost of this program after a given length of time. I know within this piece of legislation this is a voluntary program for moneys to be checked off. However, we do not really know as to how much revenue we will secure, and within the bill there is provision made for appropriations from the General Assembly.

I would like to see this at the end of 3 years and propose this "sunset" portion of the bill. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Franklin, Mr. Bittle, on the amendment.

Mr. BITTLE. Mr. Speaker, I have to rise in opposition to the amendment offered by the lady. However well-intentioned she may be, I think that the amendment is, number one, poorly drafted, and, number two, I think it would have a disastrous effect on this legislation and also establish a really poor precedent. I do not believe that this fund, coming as it will from voluntary moneys provided by the checkoff provision, will entail the expenditure of any taxpayers' money. But aside from that, if it does, if some legislature in the future—and it could be a future legislature—should decide that they wanted to spend money for this program, I do not think that that should spell death to the program.

In addition to that, I think, having spoken to our own budgetary people in the Budget Office, that we would be establishing an exceptionally dangerous precedent if we decided that we were going to limit the abilities of future legislatures to spend money as they see fit. I would ask everyone to oppose the amendment.

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

Mr. LETTERMAN. Thank you, Mr. Speaker.

Mr. Speaker, I also rise in opposition to the amendment. We already have assigned four positions of legislators to the committee, and they will be there overseeing what happens to the money. This money is not coming from the state. It is on a voluntary contribution from the people, and I see no reason for this piece of legislation whatsoever. Thank you.

The SPEAKER. Does the lady from Allegheny, Mrs. Heiser, desire to respond?

Mrs. HEISER. Yes. I wonder if I could interrogate the sponsor of this bill, please.

The SPEAKER. The gentleman from Franklin, Mr. Bittle, agrees to interrogation. The lady may proceed.

Mrs. HEISER. Mr. Speaker, I realize this was a poorly drafted amendment, and I would wonder if perhaps you would put a hold on this bill so that we may work out a mutually agreeable amendment.

Mr. BITTLE. Mr. Speaker, I cannot do that. We are operating under some very serious time constraints as far as this legislation is concerned. Revenue has told us when they have to have the bill in order to get the checkoff provision on the returns for the coming year, and we would run out of time with the recess that we are facing. I cannot agree to that.

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

The following roll call was recorded:

YEAS—62

Alden	Frazier	McMonagle	Rasco
Belardi	Freind	Mackowski	Rieger
Belfanti	Fryer	Madigan	Rocks
Blaum	Grabowski	Manmiller	Salvatore
Bowser	Hasay	Marmion	Serafini
Brandt	Heiser	Merry	Sieminski
Burd	Hoeffel	Micozzie	Sirianni
Cessar	Honaman	Miller	Snyder

Cornell	Horgos	Mrkonic	Spitz
Daikeler	Jackson	Mullen	Stevens
Dawida	Kanuck	Nahill	Swift
Dietz	Klingaman	Pendleton	Telek
Dorr	Kukovich	Perzel	Vroom
Duffy	Lehr	Peterson	Weston
Durham	Levi	Piccola	Wogan
Fleck	Lewis		

NAYS—131

Anderson	Fischer	Lucyk	Smith, B.
Armstrong	Foster, W. W.	McCall	Smith, E. H.
Arty	Foster, Jr., A.	McClatchy	Smith, L. E.
Barber	Gallagher	McIntyre	Spencer
Beloff	Gallen	McVerry	Stairs
Bittle	Gamble	Maiale	Steighner
Borski	Gannon	Manderino	Stewart
Boyes	Geist	Michlovic	Stuban
Brown	George	Miscevich	Swaim
Burns	Gladeck	Morris	Sweet
Caltagirone	Gray	Mowery	Taddonio
Cappabianca	Greenfield	Murphy	Taylor, E. Z.
Cawley	Greenwood	Noye	Taylor, F. E.
Cimini	Grieco	O'Donnell	Tigue
Civera	Gruitza	Olasz	Trello
Clark	Gruppo	Oliver	Van Horne
Clymer	Hagarty	Petrarca	Wachob
Cochran	Haluska	Petrone	Wambach
Colafrella	Harper	Phillips	Wargo
Cole	Hayes	Pievsky	Wass
Cordisco	Hutchinson, A.	Pistella	Wenger
Coslett	Irvis	Pitts	White
Cowell	Itkin	Pratt	Wiggins
Cunningham	Johnson	Pucciarelli	Williams, H.
DeMedio	Kolter	Punt	Williams, J. D.
DeVerter	Kowalshyn	Reber	Wilson
DeWeese	Lashinger	Richardson	Wozniak
Davies	Laughlin	Ritter	Wright, D. R.
Deaf	Lescovitz	Rybak	Wright, J. L.
Dombrowski	Letterman	Saurman	Zwikl
Donatucci	Levin	Seventy	
Emerson	Livengood	Showers	Ryan,
Evans	Lloyd	Shupnik	Speaker
Fee			

NOT VOTING—5

Berson	Kennedy	Moehlmann	Rappaport
Cohen			

EXCUSED—4

Dininni	Earley	Hutchinson, W.	Pott
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The question was determined in the negative, and the amendments were not agreed to.

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

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

The question is, shall the bill pass finally?

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

YEAS—179

Anderson	Foster, Jr., A.	Lloyd	Salvatore
Armstrong	Frazier	Lucyk	Saurman
Arty	Freind	McCall	Serafini
Barber	Fryer	McMonagle	Seventy
Belfanti	Gallagher	McVerry	Showers
Bittle	Gallen	Mackowski	Shupnik
Borski	Gamble	Madigan	Smith, B.
Boyes	Gannon	Maiale	Smith, E. H.
Brandt	Geist	Manderino	Smith, L. E.

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

NAYS—12

Alden	Bowser	Kanuck	Sieminski
Belardi	Durham	Perzel	Spitz
Blaum	Fleck	Piccola	Stevens

NOT VOTING—7

Beloff	Lewis	McIntyre	Sirianni
Berson	McClatchy	Rappaport	

EXCUSED—4

Dininni	Earley	Hutchinson, W.	Pott
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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 800, PN 1147**, entitled:

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

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

BILL PLACED ON THIRD CONSIDERATION POSTPONED CALENDAR

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I move that HB 800, PN 1147, be placed on the third consideration postponed calendar.

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

* * *

The House proceeded to third consideration of **HB 143, PN 1521**, entitled:

An Act authorizing the creation of agricultural areas.

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

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

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

YEAS—192

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

Duffy	Letterman	Rieger	
Durham	Levi	Ritter	Ryan,
Emerson	Levin	Rocks	Speaker
Evans	Lewis		

NAYS—1

Geist

NOT VOTING—5

Arty	Rappaport	Saurman	Williams, H.
McIntyre			

EXCUSED—4

Dininni	Earley	Hutchinson, W. Pott
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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 clerk of the Senate returned the following **HB 210, PN 1546**, 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 "Savings Association Code of 1967," approved December 14, 1967 (P. L. 746, No. 345), requiring the cashing of checks for senior citizens, authorizing construction loans without security, issuance of credit cards, mutual capital certificates, consumer lending, granting trust powers, increasing investment and lending powers, further providing for renegotiating mortgages, authorizing withdrawals by travelers' convenience withdrawals and providing for a uniform foreclosure notice form.

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

BILL PASSED OVER

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

Mr. IRVIS. Mr. Speaker, this bill was to be passed over at the request of Mr. Laughlin. We have not caucused on it. I do not think the majority leader knew that. It was brought to my attention at the last moment.

Mr. HAYES. Pass it over, Mr. Speaker.

The SPEAKER. Without objection, the bill will be passed over. The Chair hears none.

RESOLUTION ADOPTED

Mrs. HARPER called up **HR 54, PN 1573**, entitled:

House urges the Governor to proclaim the month of May as O.I.C. month.

On the question,
Will the House adopt the resolution?

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

Mr. LETTERMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to this resolution.

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

Mr. LETTERMAN. I really see absolutely no use for this whatsoever. We do have a committee in the House of Representatives called the Joint Air and Water Pollution Control and Conservation Committee which could handle this in their own way.

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

Mr. HAYES. Mr. Speaker, those persons who put our calendar together made an error. HR 54 does not have a tad to do with what Mr. Letterman is talking about.

Mr. LETTERMAN. I can see now there has been a misprint in the calendar evidently. Right?

The SPEAKER. You had Mrs. Harper very upset, Mr. Letterman.

Mr. LETTERMAN. Mr. Speaker, are HR 63 and HR 54 just turned around?

The SPEAKER. The descriptive portion on the calendar has been inverted, yes.

Mr. LETTERMAN. Thank you.

On the question recurring,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—189

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

Dawida	Kowalyszyn	Pucciarelli	Wozniak
Deal	Kukovich	Punt	Wright, D. R.
Dietz	Lashingner	Rasco	Wright, J. L.
Dombrowski	Laughlin	Reber	Zwilk
Donatucci	Lehr	Richardson	
Dorr	Lescovitz	Rieger	Ryan,
Duffy	Letterman	Ritter	Speaker
Durham	Levi	Rocks	

NAYS—5

Fleck	Miscevich	Perzel	Wogan
Marmion			

NOT VOTING—4

Kanuck	Rappaport	Snyder	Williams, H.
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EXCUSED—4

Dininni	Earley	Hutchinson, W.	Pott
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The question was determined in the affirmative, and the resolution was adopted.

RESOLUTION ADOPTED

Mr. LEHR called up **HR 63, PN 1574**, entitled:

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

On the question,
Will the House adopt the resolution?

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

Mr. LETTERMAN. May I interrogate Mr. Lehr, please?

The SPEAKER. The gentleman indicates he is agreeable to being interrogated. The gentleman, Mr. Letterman, may proceed.

Mr. LETTERMAN. Sir, would you be willing to withdraw this resolution if I could guarantee you the kind of investigation you would want?

Mr. LEHR. Yes. For 13 years I have been trying to get the air pollution cleaned up in the West York area. In the last 4 years, we had one industry there that violated the law 410 times in the last 4 years. Now, we have been trying to get DER - Department of Environmental Resources - to do something to correct this situation in our area. We have the dirtiest air pollution in the State of Pennsylvania, and we would like to do something to clean it up.

Mr. LETTERMAN. Mr. Speaker, I think I can guarantee you more expertise in going to look at it than any five members who can be appointed by the Speaker, and I would request that you withdraw this and contact me, and I will see to it that it is investigated.

Mr. LEHR. No. I please call this up for a vote at this time. I really do.

Mr. LETTERMAN. Mr. Speaker, may I make a statement, please?

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

Mr. LETTERMAN. Mr. Speaker, I think that the Joint Air and Water Pollution Control and Conservation Committee is very well equipped to make this kind of investigation, and I think we should use the committee system which we have

established within the House of Representatives to do just this.

I would therefore request a "no" vote on this resolution, with the guarantee to the gentleman that I will see to it that it is investigated upon his request.

On the question recurring,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—132

Alden	Fischer	Lehr	Rybak
Anderson	Foster, W. W.	Lescovitz	Salvatore
Armstrong	Foster, Jr., A.	Levi	Saurman
Arty	Frazier	Lewis	Serafini
Belardi	Freind	Lucyk	Shupnik
Bittle	Gallen	McCall	Sieminski
Bowser	Gamble	McClatchy	Sirianni
Boyes	Gannon	McVerry	Smith, B.
Brandt	Geist	Mackowski	Smith, E. H.
Brown	George	Madigan	Smith, L. E.
Burd	Gladeck	Manderino	Spencer
Burns	Grabowski	Manmiller	Spitz
Caltagirone	Gray	Marmion	Stairs
Cawley	Greenfield	Merry	Steighner
Cessar	Greenwood	Micozzie	Stevens
Cimini	Grieco	Miller	Stuban
Civera	Gruppo	Miscevich	Taddonio
Clymer	Hasay	Moehlmann	Taylor, E. Z.
Cochran	Hayes	Mowery	Taylor, F. E.
Cohen	Heiser	Murphy	Telek
Cole	Hoeffel	Noye	Trello
Cordisco	Honaman	O'Donnell	Vroon
Cornell	Horgos	Perzel	Wass
Coslett	Itkin	Peterson	Wenger
Cowell	Jackson	Petrone	Weston
Cunningham	Johnson	Phillips	Wilson
DeVerter	Kanuck	Piccola	Wogan
Daikeler	Kennedy	Pistella	Wright, D. R.
Davies	Klingaman	Pitts	Wright, J. L.
Dawida	Kolter	Punt	Zwilk
Dietz	Kowalyszyn	Rasco	
Dorr	Kukovich	Reber	Ryan,
Duffy	Lashingner	Rocks	Speaker
Durham	Laughlin		

NAYS—60

Barber	Evans	Maiale	Seventy
Belfanti	Fee	Michlovic	Showers
Beloff	Fleck	Morris	Stewart
Berson	Fryer	Mrkoncic	Swaim
Blaum	Gallagher	Mullen	Sweet
Borski	Gruitza	Olasz	Swift
Cappabianca	Haluska	Oliver	Tigue
Clark	Harper	Pendleton	Van Horne
Colafella	Hutchinson, A.	Petrarca	Wachob
DeMedio	Irvic	Pievsky	Wambach
DeWeese	Letterman	Pratt	Wargo
Deal	Levin	Pucciarelli	White
Dombrowski	Livengood	Richardson	Wiggins
Donatucci	Lloyd	Rieger	Williams, J. D.
Emerson	McMonagle	Ritter	Wozniak

NOT VOTING—6

Hagarty	Nahill	Snyder	Williams, H.
McIntyre	Rappaport		

EXCUSED—4

Dininni	Earley	Hutchinson, W.	Pott
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The question was determined in the affirmative, and the resolution was adopted.

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

Mr. MANDERINO. Mr. Speaker, the resolution that we just passed provides for the majority leader to appoint three of the members, and two of the members are to be appointed by the leader. "Minority" evidently was erroneously out of the resolution. I just want to ask for the record whether the minority leader is going to suggest the two other members.

The SPEAKER. No. I would expect that Mr. Hayes will want all five.

Mr. HAYES. Do you want on the committee, Jim?

Mr. MANDERINO. No, but the resolution has a mistake in it, and I just want to acknowledge—

Mr. HAYES. The word "leader" should be added.

Mr. MANDERINO. Pardon?

Mr. HAYES. The word "leader" are you referring to?

Mr. MANDERINO. No. The word "minority" was deleted, and it just speaks to two appointments by the leader.

Mr. HAYES. The amendment that we adopted in the Rules Committee yesterday should have made that clear.

Mr. MANDERINO. I am sorry. I may be looking at the wrong printer's number.

Mr. HAYES. The Rules Committee yesterday adopted an amendment that made it very clear that the minority leader would be granted the authority to appoint.

Mr. MANDERINO. Thank you, Mr. Speaker.

RESOLUTION ADOPTED

Mr. WIGGINS called up **HR 65, PN 1575**, entitled:

House memorialize President and Congress ascertain whereabouts of servicemen missing in action in the Vietnam Conflict.

On the question,

Will the House adopt the resolution?

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

Mr. WIGGINS. Mr. Speaker, I stand before this House today with a request resolution, HR 65. This resolution was conceived by Mr. Frank Sileo, executive director of the Vietnam Veterans Committee for Better Legislation.

Mr. Speaker, at the end of this month all Americans will give recognition to Memorial Day. On Memorial Day homage is given to our country's dead war heroes, men who fought honorably and gave their lives to preserve our American heritage. As Americans we wear poppies, decorate the gravesites with flags, and attend memorial services for our fallen comrades. But, Mr. Speaker, what about our prisoners of war missing in action? During the Vietnam War nearly 3 million Americans went to Southeast Asia in order to defend the principles of our country - 57,692 paid the supreme price; 300,000 men were wounded; 75,000 men were permanently disabled.

Mr. Speaker, even though the Vietnam War officially ended in 1973, there are still 2,512 service personnel who have not been accounted for. There has been word of 450 live prisoner sightings, 900 hearsay sightings. While the government of the Socialist Republic of Vietnam claims to be searching for

our missing military personnel, the sincerity of their efforts is questionable. Recent substantiated intelligence reports indicate that this foreign power is secretly holding the remains of 400 missing Americans in a Hanoi warehouse. Mr. Speaker, we cannot allow our troops, dead or alive, to be treated in such a despicable manner.

Mr. Speaker, HR 65 also requests the wearing of the blue ribbon to show our support of the movement to bring our countrymen back home.

I now humbly ask each side of the aisle and members of the House to vote affirmatively to support HR 65, and I thank you, Mr. Speaker.

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—3

Levin McIntyre Rappaport
EXCUSED—4

Dininni Earley Hutchinson, W. Pott

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

RESOLUTION ADOPTED

Mr. GEIST called up **HR 56, PN 1428**, entitled:

General Assembly memorialize President and Congress permit Conrail to make transition from Federal support to nonsubsidized, efficient, competitive entity.

On the question,

Will the House adopt the resolution?

Mr. RITTER offered the following amendments No. A1097:

Amend Resolution, page 1, lines 9 through 15, by striking out all of said lines

Amend Resolution, page 2, line 12, by striking out "and" and inserting

therefore be it

Amend Resolution, page 2, lines 13 through 19, by striking out all of said lines

Amend First Resolved Clause, page 2, line 27, by inserting a period after "entity"

Amend Resolution, page 2, lines 27 through 30; page 3, lines 1 through 3, by striking out "; and be it further" in line 27, all of lines 28 through 30, page 2; lines 1 through 3, page 3

On the question,

Will the House agree to the amendments?

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

Mr. RITTER. Mr. Speaker, what my amendment seeks to do is to take out on page 1 the third and fourth whereas clauses and on page 2 the last whereas clause and also the last resolved clause.

What it does is it still indicates our concern about the dissolving of Conrail, and it asks that efforts be made to permit Conrail to make an orderly transition from Federal support to a nonsubsidized efficient and competitive entity. Mr. Speaker, I would ask support for the amendment.

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Geist.

Mr. GEIST. Thank you, Mr. Speaker.

We oppose this amendment and would like to keep the resolution intact. We had agreed to earlier striking out the passenger clause; otherwise, we rise in opposition to the amendment and ask for a "no" vote.

The SPEAKER. The Chair recognizes the gentleman from Lehigh, Mr. Ritter, for the second time on the amendment.

Mr. RITTER. Mr. Speaker, let me then go into more detail about what this resolution will do, and I think the members might be concerned about how they are going to vote on this. For instance, on the second page it says, "WHEREAS,

Members of the General Assembly support proposals that permit Conrail to discontinue commuter services, to reduce its current physical plant and to revise elements of Federal legislation concerning Conrail employees." Mr. Speaker, the last resolved clause that I will seek to take out says, "That the members of the Pennsylvania General Assembly implore Federal administrators, union officials, members of Congress and Conrail management to secure timely agreement on the changes necessary to fulfill these expressed goals..." et cetera.

Now, Mr. Speaker, what we are saying in effect by voting for this resolution without my amendments is that we think that the changes or the benefits that the members of the Conrail union have been able to amass over the years ought to be taken away. I am not willing to say that, and I am not willing to sit here and say to the union officials, you can go ahead and sell the members down the river if that is what you want to do and we are saying to you to go ahead and do that. Now, when the rank and file find out what agreements the union leaders are agreeing to, there are liable to be some problems. This resolution says in effect that we support taking away benefits from workers in order to satisfy a problem that Conrail may or may not have. I am not willing to do that, and I think the members ought to be concerned about that and that is why my amendment seeks to take out that kind of language, still indicating our support for efforts to keep Conrail as a viable service, encouraging efforts to help it get away from its dependency on Federal aid and to be able to operate as a profit-making corporation within the next 2 years.

I do not think we ought to be in a position to tell the Conrail management that we support their efforts to take away benefits from workers in order to bail out the system. I do not see any reference in here to taking away the fantastic salaries that the people running Conrail are getting. I only see it about benefits for workers, and I, frankly, do not want to be in a position to say that I support efforts to discontinue commuter services presently conducted by Conrail, and that is also part of what my amendment would take out. I think it is language that is superfluous. It does not do a thing to getting our point across, and my amendment will still, as I said, retain the basic premise, and that is that we support the efforts to make Conrail self-sufficient within the next 2 years. Again, Mr. Speaker, I ask support for my amendment.

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Geist.

Mr. GEIST. Thank you, Mr. Speaker.

It is a different day for me to stand on the floor of the House and defend labor, but I think I will try to do so in what we accomplish with HR 56.

The 14 brotherhoods that represent the railworkers in approximately 7,000 different jobs in my district alone have put together probably one of the greatest negotiating efforts that I have ever been witness to in the sacrifices that labor has made to keep Conrail intact. As we in this room well know, Conrail was scheduled for dissolution. There are those among us who believe that Conrail can be a profitable and viable railroad. The 14 brotherhoods that worked on this agree also.

They have made \$200 million in direct wage concessions alone and have approved the USRA - United States Railway Association - plan to give Conrail 2 years of new life, thus giving Mr. Crane the opportunity to make it a profitable rail line.

When the Ritter amendment was discussed with me, I had agreed that the rail commuter part could come out and the other part should stay in. We in this General Assembly have made an effort and have shown the people in the Federal Government that we back Conrail - our Pier 124 legislation; our SB 915 tax credits. There is a purpose to all this, Mr. Speaker, and I would ask for a "no" vote on the Ritter amendment. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Wright, on the question of the adoption of the amendment.

Mr. J. L. WRIGHT. Mr. Speaker, may I interrogate the prime sponsor of HR 56, Representative Geist?

The SPEAKER. The gentleman, Mr. Geist, indicates he agrees to be interrogated. The gentleman may proceed.

Mr. J. L. WRIGHT. Thank you.

Mr. Speaker, as I review Mr. Ritter's amendment to this resolution, it brings me back to the resolution that is before us, and I assume—and you correct me if I am wrong—that we are looking at HR 56, PN 1428. Is that correct?

Mr. GEIST. That is correct.

Mr. J. L. WRIGHT. Okay. And on page 2 of that resolution, on lines 13 through 16, there is language that would permit Conrail to discontinue commuter services?

Mr. GEIST. That is correct.

Mr. J. L. WRIGHT. And this is the language that Representative Ritter is trying to strike?

Mr. GEIST. That is part of the language he is trying to strike. We had agreed that that part of the language, lines 13 through 16, could come out.

Mr. J. L. WRIGHT. If Mr. Ritter's amendment is adopted, is there any provision on your part to put language back in to help protect commuter services?

Mr. GEIST. We have another amendment prepared to take that out. But may I add to this that the negotiating team for labor that adopted and worked with the USRA plan was headed by Mr. Fred Kroll, the president of the Brotherhood of Railroad and Airline Clerks. There is no gentleman anywhere who deserves more credit for the work that he has completed and the work that he was able to do than Mr. Kroll of the BRAC. And when you talk about passenger service and passenger service on any line, the BRAC stands to lose as much or more than anyone. If we are to have Conrail as a profitable and viable railroad, then those pieces in Pennsylvania that are profitable and viable should be allowed to stay.

REQUEST TO DIVIDE AMENDMENTS

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

Mr. J. L. WRIGHT. It is being suggested that we divide Mr. Ritter's amendment. May I move to do so? I suggest that we divide out as a separate amendment that language which says, "Amend Resolution, page 2, lines 13 through 19, by striking out all of said lines."

The SPEAKER. The gentleman, Mr. Wright, is requesting that the amendment be divided to delete the words "Amend Resolution, page 2..." and the balance of that sentence?

Mr. J. L. WRIGHT. "Amend Resolution, page 2, lines 13 through 19, by striking out all of said lines."

REQUEST TO DIVIDE AMENDMENTS WITHDRAWN

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

Mr. J. L. WRIGHT. Mr. Speaker, I withdraw my request to divide the amendment.

The SPEAKER. The Chair recognizes, for the second time on the question, the gentleman from Blair, Mr. Geist.

Mr. GEIST. Thank you, Mr. Speaker.

We have an amendment prepared that will put the language that Mr. Wright wants out of the resolution. Thank you.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, very briefly. The gentleman, Mr. Ritter, has offered an amendment, the substance of which would take out objectionable language that allows members of this General Assembly to walk away from the words that would say we agree with Conrail discontinuing commuter services and other services in Pennsylvania. Mr. Speaker, that language should come out of this resolution. None of us here agree—at least I do not believe any of us agree—that Conrail should discontinue these services. This ought to come out. I think we ought to vote for the Ritter amendment. I ask every member to vote for the Ritter amendment.

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

The following roll call was recorded:

YEAS—122

Barber	Freind	McVerry	Serafini
Belardi	Fryer	Majale	Seventy
Belfanti	Gallagher	Manderino	Showers
Beloff	Gamble	Manmiller	Shupnik
Berson	Gannon	Michlovic	Snyder
Blaum	George	Micozzie	Spencer
Borski	Grabowski	Miscevich	Spitz
Brown	Gray	Morris	Steighner
Caltagirone	Greenfield	Mrkonic	Stevens
Cappabianca	Gruitza	Mullen	Stewart
Cawley	Haluska	Murphy	Stuban
Civera	Harper	O'Donnell	Swaim
Clark	Hoeffel	Olasz	Sweet
Cochran	Horgos	Oliver	Taylor, F. E.
Cohen	Hutchinson, A.	Pendleton	Telek
Colafella	Irvic	Perzel	Tigue
Cole	Itkin	Petrarca	Trello
Cordisco	Kanuck	Petrone	Van Horne
Cowell	Klingaman	Piccola	Wachob
DeMedio	Kolter	Pievsky	Wambach
DeWeese	Kowalshyn	Pistella	Wargo
Dawida	Kukovich	Pratt	Weston
Deal	Laughlin	Pucciarelli	White
Dombrowski	Lescovitz	Reber	Wiggins
Donatucci	Letterman	Richardson	Williams, H.
Duffy	Levin	Rieger	Williams, J. D.
Durham	Livengood	Ritter	Wogan
Emerson	Lloyd	Rocks	Wozniak
Evans	Lucyk	Rybak	Wright, D. R.
Fee	McCall	Salvatore	Zwilk
Fleck	McMonagle		

NAYS—72

Anderson	Dorr	Lashinger	Saurman
Armstrong	Fischer	Lehr	Sieminski
Arty	Foster, W. W.	Levi	Sirianni
Bittle	Foster, Jr., A.	McClatchy	Smith, B.
Bowser	Frazier	Mackowski	Smith, E. H.
Boyes	Gallen	Madigan	Smith, L. E.
Brandt	Geist	Marmion	Stairs
Burd	Gladeck	Merry	Swift
Burns	Greenwood	Miller	Taddonio
Cessar	Grieco	Moehlmann	Taylor, E. Z.
Cimini	Gruppo	Mowery	Vroon
Clymer	Hagarty	Nahill	Wass
Cornell	Hasay	Noye	Wenger
Coslett	Hayes	Peterson	Wilson
Cunningham	Heiser	Phillips	Wright, J. L.
DeVerter	Honaman	Pitts	
Daikeler	Jackson	Punt	Ryan,
Davies	Johnson	Rasco	Speaker
Dietz	Kennedy		

NOT VOTING—4

Alden	Lewis	McIntyre	Rappaport
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EXCUSED—4

Dinjinni	Earley	Hutchinson, W.	Pott
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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 SPEAKER. Are there any further amendments to this resolution?

Mr. GEIST. No, Mr. Speaker. I am going to drop my amendment, but I would like to make a statement on the resolution.

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Geist, on the resolution as amended.

Mr. GEIST. Thank you, Mr. Speaker.

Mr. Manderino and Mr. Ritter have amended this resolution, and the statements that Mr. Manderino has made concerning Conrail, I think, should not go unanswered. There are many of us in this room who rely upon the rail industry, and a viable rail industry, in Pennsylvania for our goods and commerce and the livelihoods of those people who make a living within our districts.

It is imperative to me that we who feel that Conrail should be a profitable entity and kept intact, rather than having our railroad sold off so that we lose what we have built up in this state, think that labor and management have come to the best accord possible. And in passing this resolution, hopefully that message can be sent to Washington so that our people who are working very hard to keep this together can make it work.

The resolution has been written, and as was written before, detailed the USRA plan. The resolution is now weakened, but I still feel its passage is imperative, and I ask for a positive vote.

The SPEAKER. The Chair recognizes the gentleman from Lehigh, Mr. Ritter. Does the gentleman, Mr. Ritter, desire recognition on the resolution?

Mr. RITTER. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. RITTER. I disagree that my amendment has weakened the resolution. My amendment took out language which I really do not believe should have been in there. The thrust of the resolution is still there, that we recognize that Conrail has performed a valuable service, and it is an integral part of our transportation system in this Commonwealth. We are saying also, as Mr. Geist has had in the resolution, we do not believe that the Federal Government can continue to subsidize indefinitely Conrail, and we are encouraging that they be given 2 more years of operation and see if they cannot turn it around, get rid of the Federal subsidies, and become a profit-making corporation. That is what the resolution still says.

This is not a weakened resolution, Mr. Speaker. It is a lot simpler resolution and gets the main point across without a lot of this superfluous language. I think it is now a good resolution, and I ask for its support.

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

Mr. LAUGHLIN. Mr. Speaker, very briefly. I supported the Ritter amendment and I also support the resolution. I support it because the Ritter amendment made it acceptable to many of us on this side of the aisle who had voted just a few weeks ago, with a great number of our Republican colleagues, to safeguard commuter service in their areas and to deliver that same safeguard to western Pennsylvania. I think Mr. Ritter's amendment reinforced that position and made our position very clear. I do not believe that Mr. Geist is correct when he says that it weakened it in any way. Thank you very much, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Cumberland, Mr. Kennedy.

Mr. KENNEDY. Thank you, Mr. Speaker. This is my first opportunity to address this assembly. I would like to make just a brief statement on HR 56.

I believe within these walls, perhaps currently, I would be the only railroadman here, and I would just like to say that over the next 24 months this country is blessed with a good president of Conrail. Mr. Crane came formerly from the Southern Railroad, the most profitable, efficient railroad in this country, and he is bound and determined with the cooperation of labor, for a change. They are holding hands together to improve our rail system and in so doing will salvage the northeast corridor.

There is one new family that will be bred from all this if it is successful, and that is the beginning of the shortline railroads in the northeast corridor, where the Moms and the Pops can eventually take over some of these shortlines with fewer employes, even with the same labor conditions and rates and benefits. They can prevail and they can make a profit and turn the whole system around. I have seen this happen. I have firsthand information and line-of-scrimmage experience with it.

I urge that all of you would maybe take the time to address a quick note to the president of Conrail wishing him success in what he is trying to do, because all of us as citizens will gain from it. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—3

Lewis	McIntyre	Rappaport
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EXCUSED—4

Dininni	Earley	Hutchinson, W. Pott
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The question was determined in the affirmative, and the resolution as amended was adopted.

REMARKS ON VOTE

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

Mr. FRAZIER. Mr. Speaker, begging the Chair's pardon, as I understand it, my switch must have failed to operate correctly. My vote was recorded in the negative on amendment 1097 to HR 56; I would like it recorded in the affirmative. Thank you, Mr. Speaker.

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

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 675, PN 710**, entitled:

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.

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

Mr. ZWIKL offered the following amendments No. A1410:

Amend Sec. 7, page 6, line 18, by striking out "four" and inserting

seven

Amend Sec. 7, page 6, line 19, by striking out "Chairman" and inserting

The chairman and the minority chairman

Amend Sec. 7, page 6, line 20, by striking out "Chairman" and inserting

The chairman and the minority chairman

Amend Sec. 7, page 6, by inserting between lines 25 and 26

(5) The Director of the Legislative Reference Bureau or his designee.

Amend Sec. 7, page 7, by inserting between lines 2 and 3

(d) Terms.—The term of a member of the committee shall end when the member leaves his elected or appointed office.

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

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

Mr. ZWIKL. Thank you, Mr. Speaker.

This amendment A1410 makes some changes to section 7 by expanding the legislative oversight committee. We add the minority chairmen of both the House and the Senate State Government Committees and the director of the Legislative Reference Bureau or his designee. We also clarify the term of office for the members of this committee. I believe this amendment is agreed to.

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

The following roll call was recorded:

YEAS—193

Alden	Fee	Lloyd	Salvatore
Anderson	Fischer	Lucyk	Saurman
Armstrong	Fleck	McCall	Serafini
Arty	Foster, W. W.	McClatchy	Seventy
Barber	Foster, Jr., A.	McIntyre	Showers
Belardi	Frazier	McMonagle	Shupnik
Belfanti	Freind	McVerry	Sieminski

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

NAYS—0

NOT VOTING—5

Beloff	Lewis	Rappaport	Stairs
Greenfield			

EXCUSED—4

Dininni	Earley	Hutchinson, W.	Pott
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The question was determined in the affirmative, and the amendments were agreed to.

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

Mr. ZWIKL offered the following amendment No. A1520:

Amend Sec. 5, page 5, by inserting between lines 5 and 6

(c) Limitation on powers and duties of management officers of the State colleges and university.—The duties prescribed in subsection (b) shall not apply to management officers of the State colleges and university in relation to educational testing papers and forms, dissertations, matters relating to scientific research and other books, papers and publications of an educational, cultural, scientific, literary or scholarly nature.

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

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

Mr. ZWIKL. Mr. Speaker, for the clarification of the members, I will not be offering amendment 1411. In its place I will be offering amendment 1520, which does essentially the same thing but in a different section of the bill.

What we are doing here is indicating that the management officers at the state colleges and the state university will not be required to submit copies of information such as tests and examinations, masters' theses, doctoral dissertations, year-books, and school newspapers and the like. It is not the intention of this legislation to review and examine those types of materials that are being offered by our state colleges. This amendment is also agreed to, Mr. Speaker.

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

The following roll call was recorded:

YEAS—190

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

NAYS—0

NOT VOTING—8

Cohen	Harper	McIntyre	Rieger
DeWeese	Lewis	Rappaport	White

EXCUSED—4

Dininni	Earley	Hutchinson, W. Pott
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The question was determined in the affirmative, and the amendment was agreed to.

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Cohen. Does the gentleman seek recognition?

Mr. COHEN. Mr. Speaker, I just want to be recorded in the affirmative on the Zwinkl amendment A1520 to HB 675.

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

CONSIDERATION OF HB 675 CONTINUED

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—191

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

Cunningham	Jackson	Petrarca	Wenger
DeMedio	Johnson	Petrone	Weston
DeVerter	Kanuck	Phillips	Wiggins
DeWeese	Kennedy	Piccola	Williams, H.
Daikeler	Klingaman	Pievsky	Williams, J. D.
Davies	Kolter	Pistella	Wilson
Dawida	Kowalshyn	Pratt	Wogan
Deal	Kukovich	Pucciarelli	Wozniak
Dietz	Lashingar	Punt	Wright, D. R.
Dombrowski	Laughlin	Rasco	Wright, J. L.
Donatucci	Lehr	Reber	Zwinkl
Dorr	Lescovitz	Richardson	
Duffy	Letterman	Ritter	Ryan,
Durham	Levi	Rocks	Speaker
Emerson			

NAYS—0

NOT VOTING—7

Hutchinson, A.	Pitts	Rieger	White
McIntyre	Rappaport	Sirianni	

EXCUSED—4

Dininni	Earley	Hutchinson, W. Pott
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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.

FILMING PERMISSION GRANTED

The SPEAKER. The Chair has been requested to grant permission for an AP photographer and a photographer, Gary Miller, to take pictures for a period of 10 minutes. Photographers have permission of the floor to take silent films.

REPUBLICAN CAUCUS

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

Mr. NOYE. Mr. Speaker, before you move on to the supplemental calendar, it is the request of members of the Republican caucus for a recess for approximately a half an hour for a caucus.

DEMOCRATIC CAUCUS

The SPEAKER. Does the minority leader have a request for caucus?

Mr. IRVISS. Yes, Mr. Speaker. It will be necessary for us to caucus on the supplemental calendar at the same time as the Republicans.

REMARKS ON VOTE

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

Mr. PITTS. Mr. Speaker, I was not recorded on the last vote. I would like to be recorded in the affirmative on HB 675.

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

QUESTION OF INFORMATION

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

Mr. O'DONNELL. Mr. Speaker, one of the bills that is on the supplemental calendar is apparently not yet in print, which will make it impossible for us to caucus on the bill. Could the Chair advise us as to the status of that bill? It is HB 686. It has a printer's number of 1601 but the bill is not available.

BASIC EDUCATION SUBCOMMITTEE MEETING

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

Mr. BURNS. Mr. Speaker, at the appropriate time I would wish that you would recognize me. I have a very important announcement for the Education Committee members.

The SPEAKER. You may make that announcement now.

Mr. BURNS. Mr. Speaker, I would like to take this opportunity to announce to all the members of the Basic Education Subcommittee that the meeting scheduled for Thursday will be moved to tomorrow morning in the same room, we hope—that is room 22 of the Capitol Annex; if there is a change there, we will inform you—at 10 a.m. The reason for the change is that it appears that we will not be here tomorrow in session, and rather than go with the announced scheduled meeting on Thursday, we will move it up to tomorrow.

I have also been informed by the committee chairman, Representative Fischer, that there is a possibility that at the end of that meeting, that meeting will be followed by a full committee meeting so that we can conclude action on the bills that we have in front of us. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes on his 21st birthday the gentleman from Dauphin, Mr. Wambach.

Mr. WAMBACH. It is not the 21st birthday, Mr. Speaker, but I would like to reserve comments until after further recognition is made of other members. It is the 35th birthday, Mr. Speaker.

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

Mr. O'DONNELL. Mr. Speaker, as a matter of record, could you indicate what is the difference between HB 686, PN 1576, and the same bill PN 1601?

The SPEAKER. It is the understanding of the Chair, based on information received, that the difference between the two printer's numbers is the insertion of the word "Public" on line 13, page 3, which read, "To the Department of Welfare." The word "Public" is added, making it "To the Department of Public Welfare." I would suggest, however, that your staff and the Republican staff double-check this.

Mr. O'DONNELL. Mr. Speaker, that is exactly what we will do.

One further inquiry: Is the House in possession of HB 686, PN 1601?

The SPEAKER. Yes.

Mr. O'DONNELL. All right. If we can have one copy then. Thank you.

RECESS

The SPEAKER. It is the understanding of the Chair that the majority and minority leaders have requested a 30-minute recess.

Without objection, this House stands in recess until 4:55. The Chair hears none.

AFTER RECESS

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

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

Mr. DeVERTER. Mr. Speaker, I would like to, if I may, clarify a statement that was made previously by Representative Burns relative to room 22 in the Annex for 10 o'clock tomorrow morning. I understand Representative Burns is looking for another site because the Insurance Committee of the House will meet in room 22 tomorrow morning at 10 a.m., sir. Thank you.

BASIC EDUCATION SUBCOMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Burns, relative to an announcement for the meeting of the Basic Education Subcommittee.

Mr. BURNS. Thank you, Mr. Speaker.

I apologize to the members of the Basic Education Subcommittee, but as Mr. DeVerter just pointed out, we had to, because of the nonavailability of rooms, change the meeting time to 12 o'clock, and it will be in room 22 of the Annex building. That is the Basic Education Subcommittee, tomorrow morning, Wednesday, at 12 o'clock in room 22 of the Capitol Annex. Thank you.

REMARKS ON VOTES

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

Mr. FLECK. Mr. Speaker, I would like to be recorded in the negative on amendment 1097 to HR 56.

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

The Chair recognizes the gentleman from Luzerne, Mr. Stevens.

Mr. STEVENS. Mr. Speaker, on final passage of HB 163 my switch malfunctioned. I would like to be recorded in the affirmative.

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

**CALENDAR RESUMED
AMENDED HOUSE BILL RETURNED
FOR CONCURRENCE CONSIDERED**

The clerk of the Senate returned the following **HB 210, PN 1546**, 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 "Savings Association Code of 1967," approved December 14, 1967 (P. L. 746, No. 345), requiring the cashing of checks for senior citizens, authorizing construction loans without security, issuance of credit cards, mutual capital certificates, consumer lending, granting trust powers, increasing investment and lending powers, further providing for renegotiating mortgages, authorizing withdrawals by travelers' convenience withdrawals and providing for a uniform foreclosure notice form.

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—188

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

Durham	Levi	Ritter	
Emerson	Levin	Rocks	Ryan,
Evans	Lewis	Rybak	Speaker
Fee	Livengood		

NAYS—3

DeMedio	Kanuck	Wass
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NOT VOTING—7

Beloff	Greenfield	Pievsky	White
Berson	Perzel	Rappaport	

EXCUSED—4

Dininni	Earley	Hutchinson, W.	Pott
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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. The Chair recognizes the gentleman from Indiana, Mr. Wass.

Mr. WASS. Mr. Speaker, my switch malfunctioned. I would like to be recorded in the affirmative on concurrence in Senate amendments to HB 210.

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

SENATE MESSAGE

**AMENDED HOUSE BILLS
RETURNED FOR CONCURRENCE**

The clerk of the Senate returned the following House bills with amendments in which concurrence of the House is requested:

HB 523, PN 1577; and HB 686, PN 1601.

The SPEAKER. The bills will appear on the supplemental calendar.

**SUPPLEMENTAL CALENDAR A
AMENDED HOUSE BILL RETURNED
FOR CONCURRENCE CONSIDERED**

The clerk of the Senate returned the following **HB 523, PN 1577**, 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 Tax Enabling Act," approved December 31, 1965 (P. L. 1257, No. 511), further restricting the power to levy real estate transfer taxes on certain transfers between former husbands and wives and prohibiting a tax on construction.

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

The SPEAKER. The Chair recognizes the majority leader. Mr. HAYES. Mr. Speaker, I suggest that the House concur in the amendments inserted by the Senate.

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

Mr. A. C. FOSTER. Thank you, Mr. Speaker.

POINT OF ORDER

The SPEAKER. For what purpose does the gentleman from Dauphin, Mr. Piccola, rise?

Mr. PICCOLA. A point of order, Mr. Speaker.

The SPEAKER. The gentleman will state his point of order.

Mr. PICCOLA. Mr. Speaker, according to rule 30, when a House bill is amended by the Senate, it shall not be considered until it is placed on the calendar and copies are placed on the desks of the members, and to my knowledge, there have been no copies of this bill placed on the desks of the members back here.

The SPEAKER. It is the Chair's understanding that the calendars and the bills were available for distribution and was under the impression they had been distributed.

Mr. PICCOLA. The calendars have been, Mr. Speaker, but the bills have not.

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

Mr. A. C. FOSTER. Thank you, Mr. Speaker.

I do not know if I can get the attention of the members, but I hope that they would lend an ear for just a moment as I argue for nonconcurrency on this bill.

The bill went over to the other body. It is a very simple proposition which passed this House with great ease, and the other body in its wisdom saw fit to insert language abolishing the residential construction tax. And I guess the initial reaction is, hurrah; let us vote down a tax. It is a great opportunity, is it not, to vote against a tax? I would like to just bring out one point, however. We do a lot of talking in this House about the devotion that we share with our local governments. We give a lot of lip service to the beautiful job that local governments do, and then what we do with a piece of legislation like this is come in and kick the shovel right out from under their hand. We take away the tools of the job.

I would like to explain a bit to the members what the residential construction tax is all about. I happen to represent an area adjacent to the Maryland border that has had one of the greatest influxes of population in the Commonwealth. For those of you who will look at your reapportionment information, you will find that my legislative district is one of the second or third most overpopulated in the state.

What has taken place is we have many people moving in from the Baltimore suburbs. All that we ask them to do is when they move in, when they construct their new home, when they place a demand upon our school districts for services, that they put some money up front. That is all the residential construction tax is, that they immediately pay their fair share for the strain on facilities that they are producing in a residential area of this type.

I have had the tax in one of my school districts for several years now. I get complaints about a lot of things in the mail. I

have gotten about two or three complaints in 5 or 6 years on this particular tax.

Now, I guess you ask the question, how widely used is it in the state? Very few of us use the tax. Only those of us who are in heavily impacted areas.

As we stand here today, we are currently in this state considering a study on state mandates. All of us go home and say how much we will oppose any more mandates on local governments. Here we are with a negative mandate. We are taking away something that a local government has instituted. They have found a means of solving their problem back at home. They did not come up here with their hands out asking for assistance. They tried to take care of their own problem. Now, I ask you today, are you going to take the tools out of their hand?

I would beg you to nonconcur on this bill for this simple reason: We are considering legislation currently which will place a cap on the particular tax. We are going to incorporate it into tax reform legislation. I just ask you today not to act precipitously, as the other body has done, and throw this at us on a take-it-or-leave-it basis. Let us nonconcur and throw this bill into conference where we can work it out in the calm, deliberative fashion that it deserves. I ask for a "no" vote.

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

Mr. NAHILL. Thank you, Mr. Speaker.

Mr. Speaker, there are several factors in this residential construction tax which I think we must consider here today. One, I think we have to be very realistic and understand that this tax is levied for one reason, and that reason is to slow or stop growth in your district. I think anybody who says anything different is kidding themselves. Sure, it does raise revenue—there is no doubt about that—but it is still levied basically to control growth within a certain municipality.

Also, I think one of the more serious things that we should consider is the fact that this tax is paid by our new residents, but it is not paid at the rate that we are levying it upon them. It is paid at a much higher level, and let me give you an example. If indeed my community levies a residential construction tax of \$1,000 and I go to settlement and I have put aside \$10,000 to pay for a down payment for this house, this additional \$1,000, to be quite honest with you, is going to be financed over 30 years. We are not paying \$1,000; we are paying in excess of \$3,000. The school district gets \$1,000, and I pay the additional \$2,000 over 30 years. I do not care what anybody says; I do not think that is a fair tax.

This tax is also levied upon people who have not moved into a district yet. I have heard the argument that if people do not like a tax, they can go to their supervisors or commissioners, they can go to their school board, and they can complain about the tax. Well, the people who are paying this in the majority are not constituents; they do not have the right to vote for the school board; they do not have a say whether this tax is levied or not. I think that is grossly unfair. Certainly, if I live in a district and I can watch everybody else in that district being taxed except me, I am not going to complain about it. It is a terrific tax from that point of view.

Frankly, what it does is it puts an increasing burden on our beleaguered homeowners or prospective homeowners, ones who want to buy a house, are young, and it puts a terrific burden on the homebuilders, and we are all aware of how bad the building industry is here in Pennsylvania and across the United States. If this is what we want to do, if this is what we want to do and take an industry that is every bit as important to this Commonwealth as is the automobile industry or the coal industry or the steel industry and tell them we are going to tax you separately and above and beyond everybody else, then I think you vote "no" on this bill. But if you realize as I do that this tax is not fair, it is not equitable, it is not taxed across the broad base of our constituency, then you will vote "yes" for concurrence and eliminate a tax that never should have been in in the first place. Thank you, Mr. Speaker.

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

Mr. PICCOLA. Thank you, Mr. Speaker.

I would urge along with Mr. Foster a nonconcurrence for one very simple reason. I agree with much of what Mr. Nahill said about the tax, and it is probably a tax we should seriously consider getting rid of. But I point to the last page of the bill that says that this shall take effect in 30 days.

We are right in the middle of school district budget season right now. Thirty days from now we will be within 2 weeks of the date that they must have their budgets for the next year, and this is going to present serious problems for a lot of school districts that are using this tax in whatever size they are using it. I would suggest that this bill be sent to conference committee and urge that that conference committee seriously consider phasing this tax out over perhaps a year's time to make the impact less on those districts that do use the tax. So I would urge a nonconcurrence.

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

Mr. BURNS. Mr. Speaker, thank you.

The gentleman from Dauphin, Mr. Piccola, must have read my mind, because he said exactly what I had planned to say. I will not burden you with it. I will point out that the school districts in most cases throughout the Commonwealth have adopted their preliminary budgets. To hit them with this type of a change this late in the day would be disastrous in many of those areas.

So I would ask that we nonconcur, that we take this into a conference committee and work it out, because much of what Representative Nahill says is absolutely true. But the fact is it is the wrong time. The timing is so bad that it has to go to a conference committee in order to solve the problems that school districts would face if we did knock it out in the next 30 days. So I ask the members to nonconcur.

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

Mr. BRANDT. Thank you, Mr. Speaker.

I join with Mr. Foster, chairman of the Local Government Committee, on this very issue, and he could not have said any better what he said. If we are attempting to take away from local government the ability they have to raise the revenue

that is so deserving in this fashion, what are we giving them in place to raise these types of revenues? I am certainly sure that a conference committee can work out the problems that are in this bill now, and I join with others and ask for nonconcurrence.

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, like I believe a majority of the districts in this House, my district is not directly affected by this legislation. We have no tax that is banned by this legislation. However, I am deeply concerned about the pattern of taking away taxing authority from local districts and from local city councils or borough councils. Doing this seriously erodes local control of the government, and it puts us in the position of second-guessing local decisions over which we have very little interest and very little knowledge. I therefore urge a "no" vote on concurrence in this amendment.

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

Mr. TADDONIO. Thank you, Mr. Speaker.

I would just like to say one word about the manner in which this legislation has come before us. I think it is very extraordinary. It first saw the light of day last night in the Senate. It is now on our desks on a supplemental calendar, which is quite an unusual operation for this House, and I certainly do not see the point. I think there is nothing that can be gained by passing this today that could not be gained by passing it next month. I certainly think we deserve the time to consider this. Anytime something is being rushed through here, I get a little leery, and I would certainly like time to examine this, and I think putting it in a conference committee is certainly worthwhile.

I would vote for nonconcurrence.

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

Mr. CORNELL. Thank you, Mr. Speaker.

I rise and ask for your support to the Senate amendments added to HB 523. I would like to echo some of the comments that Representative Nahill has made and add a few of my own.

The individual at the time of settlement who purchases a home in an area that has levied this residential construction tax pays that tax twice. They pay that residential construction tax and they also pay the school taxes to which that municipality is entitled. Any resident within the community who desires to purchase a new home, who has been paying into that school tax system for a number of years, is being taxed again and again.

I find it interesting in the executive summary of the Tax Commission report that they call for the elimination of the residential construction tax. It is something that is needed. We have worked on it for a number of weeks, months, and years, and I think once and for all we can put this to rest. Thank you, Mr. Speaker.

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

Mr. A. C. FOSTER. Thank you, Mr. Speaker.

Just to clear up one point that was raised with respect to the high cost of building a home today, let us not lay that at the doorstep of the residential construction tax. Once we have interest rates in this Nation that make some sense and once we get them down to the point where the average would-be homeowner can afford a home, we will have no problem with the residential construction tax. Let us not lay that at its doorstep.

Once again, I am not trying to impose this in your district; I am simply asking that you do not take it away from mine after the local people have gone on record and voted in support of it. I would once again ask for a "no" vote.

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

Mr. LASHINGER. Thank you, Mr. Speaker.

Mr. Speaker, one of the previous speakers had indicated that he had some concern about the Senate amendments that were inserted because of the problem he had with our taking away the power of local government to levy such a tax. I would normally agree with that, Mr. Speaker, if it were not that this tax were in violation of all the normal standards that one would expect from such a tax.

The philosophy that usually underlies taxes such as this type, Mr. Speaker, the standards that one normally strives for when you are formulating a tax of this type are, one, that it be equitable; two, that it be uniform; and three, that it be apparent to the taxpayer. The residential construction tax does not meet any of those standards, Mr. Speaker. It is not equitable in the sense that there is no cap on the current tax, Mr. Speaker. The tax is being levied at all different levels within different school districts throughout the Commonwealth. It is not apparent, Mr. Speaker, in that not many taxpayers know that such a tax exists, nor is it levied for the purpose of what some of the opponents of the legislation have talked about, for the purpose of constructing new schools. Its major purpose, as some previous speakers have indicated, is to raise dollars to balance those budgets.

The third reason is the uniformity, the inability to levy this tax across the board in an equitable fashion. So the tax fails on all three bases, Mr. Speaker, and I would ask for that reason that we concur in the Senate amendments which repeal the residential construction tax. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes, for the second time on the question, the gentleman from Montgomery, Mr. Nahill.

Mr. NAHILL. Thank you, Mr. Speaker.

Mr. Speaker, I do have to agree to some extent with Mr. Foster that, yes, it is a chaotic market out there. Interest rates are bad; times are bad; people are unemployed—very true, very true. But any builder will tell you that an increment added to the cost of a house is going to limit your market. Every \$1,000 that you add to the cost of that house, you eliminate prospective buyers. It is not a simple thing to make up that \$1,000. It is not a simple thing for each and every one of us to reach into our savings account, to reach into our pocket, and come up with \$1,000 or \$500 or \$2,500. Every time you do this you eliminate part of your market, and we are elimi-

nating a part of a market that is almost dead at this point. Let us not put the noose around the head of our housing industry right now. Let us give them a boost. Let us try to get them back on their feet. Let us try to get Pennsylvania's economy back on its feet. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Beaver, Mr. Laughlin, for the second time on the question.

Mr. LAUGHLIN. Mr. Speaker, very briefly, I am very glad to hear Mr. Nahill say today that he is very much concerned about costs and interest rates and all the problems that home buyers have. I just wish he would have said that about 3 weeks ago when we were talking to him originally.

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—93

Alden	Emerson	Lewis	Smith, L. E.
Anderson	Fischer	Livengood	Snyder
Arty	Fleck	McCall	Spencer
Belardi	Foster, W. W.	McClatchy	Spitz
Belfanti	Freind	McVerry	Stairs
Blaum	Gallen	Maiale	Stevens
Borski	Gannon	Manmiller	Stewart
Bowser	Geist	Micozzie	Swaim
Boyes	George	Miller	Sweet
Burd	Gladeck	Mowery	Swift
Caltagirone	Grabowski	Mrkonic	Taylor, F. E.
Cappabianca	Grieco	Nahill	Telek
Cawley	Gruitza	O'Donnell	Tigue
Cessar	Hagarty	Petrone	Wargo
Cimini	Hasay	Phillips	Wass
Civera	Hayes	Pratt	Williams, H.
Cochran	Hoeffel	Rasco	Wilson
Cornell	Horgos	Reber	Wogan
Coslett	Itkin	Ritter	Wozniak
Cowell	Johnson	Rocks	Zwick
Daikeler	Kanuck	Saurman	
Dombrowski	Kennedy	Serafini	Ryan,
Donatucci	Lashinger	Sieminski	Speaker
Durham	Levin	Sirianni	

NAYS—101

Armstrong	Frazier	McMonagle	Richardson
Barber	Fryer	Mackowski	Rieger
Berson	Gallagher	Madigan	Rybak
Bittle	Gamble	Manderino	Salvatore
Brandt	Gray	Marmion	Seventy
Brown	Greenwood	Merry	Showers
Burns	Gruppo	Michlovic	Shupnik
Clark	Haluska	Miscevich	Smith, B.
Clymer	Harper	Moehlmann	Smith, E. H.
Cohen	Heiser	Morris	Steighner
Colafella	Honaman	Mullen	Stuban
Cole	Hutchinson, A.	Murphy	Taddonio
Cordisco	Irvis	Noye	Taylor, E. Z.
Cunningham	Jackson	Olasz	Trello
DeMedio	Klingaman	Oliver	Van Horne
DeVerter	Kolter	Pendleton	Vroon
DeWeese	Kowalshyn	Perzel	Wachob
Davies	Kukovich	Peterson	Wambach
Dawida	Laughlin	Petrarca	Wenger
Deal	Lehr	Piccola	Weston
Dietz	Lescovitz	Pievsky	White
Dorr	Letterman	Pistella	Wiggins
Duffy	Levi	Pitts	Williams, J. D.
Evans	Lloyd	Pucciarelli	Wright, D. R.
Fee	Lucyk	Punt	Wright, J. L.

Foster, Jr., A.

NOT VOTING—4

Beloff Greenfield McIntyre Rappaport

EXCUSED—4

Dininni Earley Hutchinson, W. Pott

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED

The clerk of the Senate returned the following **HB 686, PN 1601** with the information that the Senate has passed the same with amendments in which concurrence of the House of Representatives is requested:

A Supplement to the act of June 18, 1980 (No. 17A), entitled "An Act to provide for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal period July 1, 1980 to June 30, 1981 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1980; to provide supplemental appropriations from the General Fund to the various departments of the Commonwealth for the fiscal period July 1, 1979 to June 30, 1980," providing additional appropriations to the Governor, the Attorney General, the Pennsylvania Emergency Management Agency, the Department of Environmental Resources, the Department of Public Welfare, the Department of Revenue and the Legislative Reapportionment Commission.

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

PARLIAMENTARY INQUIRY

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

Mr. A. K. HUTCHINSON. A parliamentary inquiry, Mr. Speaker.

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

Mr. A. K. HUTCHINSON. When I suspend the rules to have an amendment to this bill, do I have the right to tell what the amendment is before I make the motion?

The SPEAKER. The gentleman is in order to move to suspend the rules for the purpose of an amendment, but any debate on that amendment would not be in order.

Mr. A. K. HUTCHINSON. May I have unanimous consent to say a few words before that then?

The SPEAKER. You would not be out of order to make a short statement with respect to the content of the amendment that you would propose to offer.

MOTION TO SUSPEND RULES

Mr. A. K. HUTCHINSON. I make a motion to suspend the rules. The reason that I want to suspend the rules is because when HB 712 was sent to the Senate, it had \$1 million for the

firemen's loan. HB 686 does not have that in, and it has everything else in it, and I would like to make a motion to suspend the rules.

The SPEAKER. The Chair recognizes the majority Appropriations Committee chairman, Mr. McClatchy.

Mr. McCLATCHY. Mr. Speaker, just a short reply. HB 686 certainly does not have the volunteer fire company money in it. It is \$1 million. It still remains in HB 712, which is before the Senate. The Senate did not take out everything in HB 712 and put it in HB 686, only those items I believe you can read right on the list of the bill.

Mr. A. K. HUTCHINSON. They also added some money for the Counsel General that we defeated.

I want everybody to vote to suspend the rules. Thank you very much. This is like voting against motherhood.

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

The following roll call was recorded:

YEAS—97

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

NAYS—91

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

Fischer

NOT VOTING—10

Donatucci	McIntyre	Rieger	Swaim
Greenfield	Pucciarelli	Serafini	Williams, H.
Lewis	Rappaport		

EXCUSED—4

Diminni	Earley	Hutchinson, W. Pott
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The question was determined in the negative, and the motion was not agreed to.

On the question recurring,

Will the House concur in Senate amendments?

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, I rise this afternoon to urge nonconcurrence in HB 686 as amended by the Senate.

HB 686 left the House with only one appropriation in it. It had the appropriation for the Reapportionment Commission. At the time that it passed the House, it was my understanding as a sponsor of the bill—and I am sure Mr. Hayes' understanding as a sponsor of the bill—that the bill was to be clean in the House and clean in the Senate without amendment. We passed the bill in the House clean, with no amendments, with just the reapportionment money.

The bill now returns to us from the Senate with any number of augmentations to last year's budget. Last year's budget the Democrats had no input in whatsoever. Had we had input, Mr. Speaker, Democrats in the House may have been able to do the work on that budget that would have made this supplemental appropriation unnecessary.

Mr. Speaker, be that as it may, this House of Representatives in its wisdom passed a supplemental appropriation bill, and in that supplemental appropriation bill many of the things that you see here today were in that bill in one form or another. Perhaps the figures differed, especially in the matter of the welfare cash grants section. Mr. Speaker, that deficiency appropriation bill was amended here in the House by votes of a majority of the members elected to this House, or by a majority of the members present and voting that day, to remove from the bill the excess moneys that were being requested by the Counsel General to put a whole host of new attorneys in position, all of which was detailed on the floor of the House, all of which was argued on the floor of the House, all of which led to a decision by this House that the Counsel General did not need the money he was asking for, and we removed that from the bill. It is back in this bill.

In addition, when we passed that supplemental appropriation bill, all the members of this House again voted on an amendment by Representative Hutchinson to supplement the volunteer firemen's 2-percent loan fund as we have done in the past when we found it necessary with General Fund moneys. We decided to add \$1 million in General Fund moneys to that particular appropriation bill, Mr. Speaker. We voted on it. Mr. Hutchinson's amendment prevailed. All of what was in HB 712 we have here, except the Counsel General money has been changed; it is included. The volunteer fire money of \$1 million has been excluded.

Mr. Speaker, there is no urgency for this bill. There is time to make whatever changes must be made because of circumstances and deficiencies recognized even if we send this bill to conference, and I suggest that we send it to conference, and I suggest we send it to conference with instructions to the conferees for the House that the \$1 million for the firemen's volunteer loan fund be replaced in the bill and the money for the Counsel General that was once deleted by this House be deleted by the conference committee.

Mr. Speaker, I urge a negative vote, because the only way we are going to get that money for the firemen that they need in that fund and the only way we are going to eliminate the unnecessary expenditure in the Counsel General's office is by voting against this bill. Mr. Speaker, we are not talking about \$150,000 that we are starting so far as the Counsel General is concerned; that is just what he is asking for the balance of this fiscal year. That is going to cost us at least \$1 million or more next year. Start the appropriation now with just a portion of the fiscal year yet to go, and you will pay the piper in 10 times the amount that is here next year and in next year's budget, because that is what the request will be.

Mr. Speaker, I urge a negative vote. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority Appropriations Committee chairman, Mr. McClatchy.

Mr. McCLATCHY. Mr. Speaker, we could wish a lot of things. We ask ourselves if, if, if, and on if. I have said it before: If a frog had wings, he would not be bumping his fanny across the ground.

We are faced with a bill today, whether we like it or not, that we have a time problem with. I am not happy with all that is in the bill. I am not happy with some of the things that are not in the bill, but the Senate has sent it to us. The rest that remains in HB 712 I am sure will be passed, that Representative Hutchinson is concerned about.

The time problem I speak about is first of all with the cash assistance program. We have been told that the welfare recipients will run out of cash payments by the 1st of June unless this is passed. If we send this back to conference, there is no way in the world we will deal with this until the beginning of June, and those people will go without their checks.

There are many of us in the House who probably are not as concerned as they should be with our cash grant recipients, but I ask you, can we look them in the eye on June 1 and say, we did this to you? It is a serious problem, Mr. Speaker. You may laugh—and I have come from that side myself—but it is a problem.

Secondly, we had the gypsy moth spraying program. Now, that program has already started. They desperately need this money, and they will not get it until June, after the program is over with.

There are many municipalities, Mr. Speaker, that are waiting for the public utility real estate tax refunds. They amount to over \$5 million; and finally, the Reapportionment Commission that we would all like to see continue operate and get paid for.

I grant you that we are not all happy with the funding for the Counsel General, but the Senate in its wisdom has reduced that amount that we passed in the House from \$200,000 to \$150,000, and whether we like it or not, we passed the law that enacted an elected Attorney General and the Counsel General. They must, somehow, sometime, be paid for. If we do not want to fully fund that office in the amount that gentleman wants it for for the entire year, we do not have to. That fight is yet to come.

Again, Mr. Speaker, we have a time problem. We cannot deal with this bill if we send it to conference committee until we get to June, and that is too late. I urge concurrence, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Northumberland, Mr. Belfanti.

Mr. BELFANTI. Mr. Speaker, while I agree that these other agencies are under the gun as far as time, so is the volunteer loan assistance program. Last Thursday one of my fire departments was awarded a \$40,000 loan for a new rescue squad building. There are other individuals sitting in this chamber who last Thursday received word that their applications were successful. Mr. Chung has also informed some of the members in this chamber on both sides of the aisle that the money is not there, that this extra \$1 million was sorely needed. I suggest that HB 712 be the vehicle to fund not only the volunteer loan assistance program but the other programs that the other gentlemen just alluded to.

Time is of the essence for all of these programs, and I fear that if this concurrence measure is passed today, HB 712 will never be passed.

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

Mr. PISTELLA. Mr. Speaker, if I may yield to Representative Hutchinson.

The SPEAKER. The Chair recognizes the gentleman from Westmoreland, Mr. Hutchinson, for the second time on the question.

Mr. A. K. HUTCHINSON. May I ask Mr. McClatchy a couple of questions?

The SPEAKER. The gentleman, Mr. McClatchy, indicates he is agreeable to being interrogated. The gentleman, Mr. Hutchinson, may proceed.

Mr. A. K. HUTCHINSON. I do not know whether I am out of order, but last year's deficiency bill went to conference committee, and they put the appropriation bill in for 1980-81 and it was not passed until late in June. So why was the hurry last year not the same as this year? You were not worried about the poor people who were not getting their relief checks then. Thank you.

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

Mr. PISTELLA. Thank you, Mr. Speaker.

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

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

Mr. PISTELLA. Thank you, sir.

Mr. Speaker, HB 686 is what is known parliamentarily as a supplemental appropriation. Is that correct, sir?

Mr. McCLATCHY. That is correct.

Mr. PISTELLA. Mr. Speaker, is this bill a supplemental appropriation to the budget we are currently operating under in the current fiscal year, 1980-81?

Mr. McCLATCHY. That is correct.

Mr. PISTELLA. Thank you, Mr. Speaker.

I have completed my interrogation, Mr. Speaker. May I make a statement, please?

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

Mr. PISTELLA. Mr. Speaker, Mr. McClatchy, as chairman of the Appropriations Committee and as a responsible legislator, has informed the House that there is a need to pass this piece of legislation within the next few weeks.

I would like to, if I could, refresh the minds and memories of a number of the members that are currently serving in this House. Mr. Speaker, I would like to talk very briefly on the question of responsibility. When I was sworn in as a legislator the first time and again this year for the second time, I took on the responsibility of upholding the Constitution. Part of my responsibility as a legislator when I came here was in my mind to have input into the budget with which the citizens of this Commonwealth have to operate on a 12-month fiscal basis. I would like to refresh the minds of a lot of the members to remind them that this budget bill that we are voting on today is for a supplemental appropriation to a budget that no one in this room, with the exception of a handful of men or women, had any input to whatsoever.

What we are doing now by voting to concur on these Senate amendments is we are sending a message to the front office. We are telling the front office that we are going to react as if we are responding to some stimulus in a Pavlovian experiment that you can take any budget you want, put it in any form you want and give it to us, and we will just eat it up. We will go for it.

I do not want to abdicate that responsibility that some people thought they were doing for the benefit of the citizens of the Commonwealth when they pushed this budget the first time. I am trying to act as a responsible legislator, not just for the men and women who are going to be the recipients of the \$43 million in cash grants. I realize their need. I would have no problem going to those people and looking them in the eye and saying, I did not put you in that position in the first place. I remember the newspaper articles and the headlines that screamed how great it was that for the first time in 17 years Pennsylvania had a budget that was passed on time. Not one person writing those newspaper articles gave a darn what was in that budget. They did not care; they went for the big ink.

So what I am asking you to do this time is to send a message to the front office, tell them that we are not going to sit here and react as if it is some Pavlovian experiment, that each time the bell rings we will jump through the hoops. Send a message that we are ready to sit down as responsible legislators no matter which side of the aisle we sit on and work on a budget.

The time has come to do it now, not next week or next fiscal year or next term, but right now. I urge you all to vote to not concur in the amendments to HB 686. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, the only reason the majority Appropriations chairman has really given us for voting in the affirmative on this bill is that we have a time constraint. Well, that time constraint, as best we have been able to determine, is a June 7 date—not June 1; June 7. Both the House and the Senate will be in session in plenty of time to come back with a conference report. And, Mr. Speaker, if that does not work, and if you think that will not work, there are two bills presently on our calendar, HB 1290 and HB 1291, that we can amend properly and send to the Senate when they come back prior to June 7. They can work on those bills. There are plenty of ways to get the job done if we really want to get the \$1 million to the firemen and if we want to take the Counsel General money back out as we once decided. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Greene, Mr. DeWeese.

Mr. DeWEESE. Mr. Speaker, just over a fortnight ago we collectively decided to eliminate funding for the General Counsel. It seems to me that the Senate of Pennsylvania has arrogated unto themselves the power to nullify our action. It seems to me that this nullification of House action takes place over and over and over again. I think that when Richard McClatchy from Montgomery County said he was unhappy with the bill, he was making an understatement when you compare the feeling of the Democratic caucus with the progress of this afternoon. We are disappointed with this measure, and most of us probably think back to the days in Sunday school when we remember what the Book of Daniel had to say.

In the Book of Daniel, Mr. Speaker, all of a sudden one day the spirit of the Lord appeared in a crowded banquet hall. The children of Israel had gone awry and caused some confusion and been naughty. And anyway, He said to the children of Israel, you have been weighed in the balance and been found wanting. Your kingdom shall be divided between the Medes and Persians.

Now we know that the Senate of Pennsylvania and Jay Waldman's office will not be divided between the Medes and the Persians, yet we do realize that they have been found wanting, and for this specific reason I affirm, I declare, I announce that we should nonconcur in this measure. Thank you.

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—88

Alden	Durham	Levi	Salvatore
Anderson	Fischer	McClatchy	Saurman
Armstrong	Foster, W. W.	McVerry	Sieminski
Arty	Foster, Jr., A.	Mackowski	Sirianni
Bittle	Frazier	Madigan	Smith, B.
Bowser	Freind	Manmiller	Smith, E. H.

Boyes	Gallen	Marmion	Smith, L. E.
Brandt	Gannon	Merry	Spencer
Burd	Geist	Micozzie	Spitz
Burns	Greenwood	Miller	Stairs
Cessar	Grieco	Moehlmann	Stevens
Cimini	Gruppo	Mowery	Taddonio
Civera	Hagarty	Nahill	Vroon
Clymer	Hasay	Noye	Wass
Cohen	Hayes	Perzel	Wenger
Cornell	Heiser	Peterson	Weston
Coslett	Honaman	Piccola	Wilson
Cunningham	Jackson	Pitts	Wogan
DeVerter	Johnson	Punt	Wright, J. L.
Daikeler	Kennedy	Rasco	
Davies	Klingaman	Reber	Ryan,
Dietz	Lashingner	Rocks	Speaker
Dorr	Lehr		

NAYS—105

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

NOT VOTING—5

Greenfield	McIntyre	Rappaport	Rieger
Lewis			

EXCUSED—4

Dininni	Earley	Hutchinson, W.	Pott
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Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the clerk inform the Senate accordingly.

PARLIAMENTARY INQUIRY

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

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

Mr. MANDERINO. Mr. Speaker, prior to the bill leaving the House and messaged to the Senate, would it be in order again to move to suspend the rules so that the bill may be amended?

The SPEAKER. It may be procedurally possible to do that. It would be necessary to first reconsider the last vote, reput

the question, at that point suspend the rules, and offer an amendment.

Does the majority leader have any further business?

Mr. HAYES. No, Mr. Speaker.

The SPEAKER. Does the minority leader have any further business?

Mr. MANDERINO. Mr. Speaker, would you indulge the leadership over here in a short conversation prior to giving you an answer to the question?

The SPEAKER. Mr. Manderino, yes, I will. I will in the meantime, though, clear the desk.

RESOLUTION ADOPTED

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

Mr. WILSON. Mr. Speaker, I offer the following resolution.

The following resolution was read:

RESOLUTION DIRECTING CHIEF CLERK TO FURNISH DUPLICATE CERTIFIED COPY OF LOST HOUSE BILL

In the House of Representatives, May 12, 1981

RESOLVED, That the Chief Clerk be directed to furnish to the Finance Committee of the House of Representatives a duplicate certified copy of House Bill No. 1208, Printer's No. 1343, entitled:

"An Act amending the 'Tax Reform Code of 1971,' approved March 4, 1971 (P. L. 6, No. 2), further providing for the disclosure of certain information."

to be substituted for the lost original thereof, which was referred to said Committee on April 21, 1981.

Benjamin H. Wilson
Chairman, Finance Committee

On the question,

Will the House adopt the resolution?

Resolution was adopted.

ADDITIONS OF SPONSORS

The SPEAKER. The Chair recognizes the majority leader.

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

HB 402, Greenwood; HB 1216, Belfanti; HR 46, Wass.

COMMUNICATION FROM SECRETARY OF LABOR AND INDUSTRY

The SPEAKER. The Chair acknowledges receipt on the 11th day of May of a communication from the Secretary of Labor and Industry, which will be made part of the record.

The following communication was read:

Commonwealth of Pennsylvania
Department of Labor and Industry
Harrisburg, Pennsylvania 17120

May 6, 1981

The Honorable Matthew Ryan
Speaker of the House
House of Representatives
139 Capitol Building
Harrisburg, PA 17120

Dear Speaker Ryan:

Section 676.12 of the Federal Register dated May 20, 1980 requires that each Prime Sponsor shall provide its Comprehensive Employment and Training Plan (CETP) for review and comment to appropriate entities.

We are enclosing one copy of modifications to subparts of Pennsylvania's Balance-of-State Comprehensive Employment and Training Plan for your review and comment.

The purpose of this modification is to adjust for the phase-out of programs funded under Titles II-D and VI of CETA by September 30, 1981 and also to include the language required by the Federal Register regarding small and minority-owned businesses.

This modification is being provided simultaneously with submittal to the Employment and Training Administration, Region III, U. S. Department of Labor, Philadelphia, Pennsylvania 19101.

Sincerely,
Charles J. Lieberth

Enclosures

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

COMMUNICATION FROM DEPARTMENT OF STATE

The SPEAKER. The Chair acknowledges receipt of a communication dated May 11, 1981, from Vernon Yingling, chairman of the State Board of Veterinary Medical Examiners, addressed to the Speaker, which will be placed on the calendar and referred to committee.

The following communication was read:

Commonwealth of Pennsylvania
Department of State
Commissioner of Professional and Occupational Affairs
Post Office Box 2649
Harrisburg, PA 17120

May 11, 1981

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

Dear Representative Ryan:

In accordance with a letter from Stephen C. MacNett to me, dated May 4, 1981, I am re-submitting for your review a regulation proposed by the State Board of Veterinary Medical Examiners which provides for a fee of \$20.00 for the administration of the examination for licensure in this Commonwealth. A fee of this nature is specifically authorized by Section 812.1(b) of the Administrative Code of 1929, the Act of April 9, 1929 (P. L. 177, No. 175) as amended by the Act of October 8, 1980, No. 1980-146.

Pursuant to Section 812.2 of the aforesaid Act, I am submitting this proposed regulation to you for review by the House of

Representatives. Please refer this regulation to the appropriate standing committee. When the House of Representatives completes its review, it is respectfully requested that the document be returned to my office at Room 618, Transportation and Safety Building, Harrisburg, PA 17120.

Your attention to this matter is greatly appreciated.

Sincerely,
Vernon R. Yingling,
V.M.D., Chairman
State Board of Veterinary
Medical Examiners

VRY/MSW/jak

cc: Mary S. Wyatte, Board Counsel
Honorable Henry G. Hager,
President Pro Tempore

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

ADMINISTRATIVE RULES REPORT NO. 3

Notice is hereby given that the Commissioner of Professional and Occupational Affairs and the State Board of Veterinary Medical Examiners propose to adopt at 49 Pa. Code, Chapter 31, subsection (g) to §31.12 (Relating to application for licensure) as set forth in Annex A attached hereto, pursuant to the authority of Section 5(1) of the Veterinary Medicine Practice Act, the Act of December 27, 1974, P.L. 995, No. 326, as amended (63 P.S. §485.5(1), Section 506 of the Administrative Code of 1929, P.L. 177, as amended (71 P.S. §186 and §§812.1(b) and 812.2 of the Act of October 8, 1980, No. 1980-146) amending the Administrative Code, supra.

ANNEX A

Chapter 31. State Board of Veterinary Medical Examiners

§31.12 Application for Licensure

(g) The administration fee for the examination for licensure shall be twenty (\$20.00) dollars.

BILL SIGNED BY SPEAKER

The Chair gave notice that he was about to sign the following bill, which was then signed:

HB 210, PN 1546

An Act amending the "Savings Association Code of 1967," approved December 14, 1967 (P. L. 746, No. 345), requiring the cashing of checks for senior citizens, authorizing construction loans without security, issuance of credit cards, mutual capital certificates, consumer lending, granting trust powers, increasing investment and lending powers, further providing for renegotiating mortgages, authorizing withdrawals by travelers' convenience withdrawals and providing for a uniform foreclosure notice form.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair advises the members that the House chambers will be used by guests on Saturday. I would suggest that the desks be cleared.

The Chair recognizes the minority leader.

Mr. IRVIS. Thank you, Mr. Speaker.

Mr. Speaker, we are content with the vote of the House on HB 686 and will not pursue the parliamentary inquiry any further.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 315, PN 321 By Rep. SPENCER

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for the powers, privileges and immunities of military or security police of the Pennsylvania National Guard.

JUDICIARY.

HB 571, PN 599 By Rep. McCLATCHY

An Act amending the act of July 11, 1980 (No. 28A), entitled "An act making appropriations to the Treasury Department *** and to adjust errors," increasing an appropriation.

APPROPRIATIONS.

HB 1284, PN 1423 By Rep. SPENCER

An Act amending the "Eminent Domain Code," approved June 22, 1964 (Sp. Sess., P. L. 84, No. 6), requiring monetary just compensation and further providing for expenses in certain cases.

JUDICIARY.

HB 1339, PN 1612 (Amended)

By Rep. SPENCER

An Act amending the act of April 28, 1978 (P. L. 202, No. 53), entitled "A supplement to the act of July 9, 1976 (P. L. 586, No. 142), entitled 'An act amending Titles 42 (Judiciary and Judicial Procedure), 15 (Corporations and Unincorporated Associations), 18 (Crimes and Offenses) and 71 (State Government) of the Pennsylvania Consolidated Statutes, adding revised, codified and compiled provisions relating to judiciary and judicial procedure, *** enacting certain related provisions of law,' making revisions, corrections and additions relating to judiciary and judicial procedure, including certain judicially enforceable rights, duties, immunities and liabilities, ***, further providing for the repeal of provisions relating to post conviction hearings.

JUDICIARY.

BILLS REREPORTED FROM COMMITTEE

HB 719, PN 768 By Rep. McCLATCHY

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

APPROPRIATIONS.

HB 793, PN 1611 (Amended)

By Rep. McCLATCHY

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, revising provisions relating to retirement for public school employees and State employees.

APPROPRIATIONS.

HB 930, PN 1208 By Rep. McCLATCHY

An Act amending the "Housing Finance Agency Law," approved December 3, 1959 (P. L. 1688, No. 621), authorizing the Pennsylvania Housing Finance Agency to issue tax-exempt mortgage subsidy bonds for certain dwellings.

APPROPRIATIONS.

REMARKS ON VOTE

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

Mr. RASCO. Mr. Speaker, my switch malfunctioned on HB 1153, and I wanted to vote in the affirmative on HB 1153.

The SPEAKER. The remarks of the gentleman will be made part of the record.

BILLS AND RESOLUTIONS PASSED OVER

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

WELCOMES

The SPEAKER. The Chair at this time welcomes to the hall of the House a group of senior citizens from Taylor, Pennsylvania, headed today by Mrs. Ann Surage, here today as the guests of Representative Frank Serafini and the Lackawanna County delegation.

The Chair welcomes to the hall of the House today Mr. Frank Sileo and Mr. Bob O'Donnell, here today as the guests of Representative Wiggins.

The Chair is pleased to welcome to the hall of the House today ninth grade students from the Red Land High School in Lewisberry, here today with their teacher, Mr. Don Cornish, who are the guests of Representative Bruce Smith of York County.

The Chair is pleased to welcome to the hall of the House today certain sixth grade students of Holy Spirit School of Mount Carmel, here today as the guests of Representative Belfanti.

The Chair is pleased to welcome to the hall of the House today Hazle Township's senior citizens, here today as the guests of Representative Corry Stevens.

The Chair is pleased to welcome to the hall of the House today a group of 14 foreign exchange students and 10 American students planning to go abroad and their advisers, headed by Mrs. Nora Torquato. These guests are from Mifflin, Centre, and Juniata Counties, here today as the guests of Representatives Walter DeVerter and Fred Noye.

The Chair is pleased to welcome to the hall of the House today Richard Dixon and Joseph Casile from the Shaler Area School District, here today as the guests of Rick Cessar of Allegheny County.

The Chair is pleased to welcome to the hall of the House Mr. Glen Pryce, the president of Precision Wire Products Company, here today as the guest of the gentleman from Indiana, Mr. Wass.

The Chair is pleased to welcome to the hall of the House today the seventh grade class of the Nativity School from Allegheny County, here today as the guests of Representative Thomas Murphy and the Allegheny County delegation.

The Chair is pleased to welcome to the hall of the House today Mr. James Cook and certain Rotary exchange students from Mount Pleasant Area High School, here today as the guests of Representative Stairs of Westmoreland County.

The Chair is pleased to welcome to the hall of the House today members of the Chambersburg Chamber of Commerce, here today from Franklin County as the guests of Representatives Punt and Bittle.

The Chair welcomes to the hall of the House today members of the Riverside High School band of Beaver County, Michael Poff, director, here today as the guests of Representatives Kolter, Burd, Laughlin, Lescovitz, and Colafella.

The Chair is pleased to welcome to the hall of the House Mary Jo Burd, wife of Representative James Burd, here today as the guest of Representative George Pott from Allegheny County.

ADJOURNMENT

The SPEAKER. The Chair recognizes the gentleman from Mercer, Mr. Gruitza.

Mr. GRUITZA. Mr. Speaker, I move that this House do now adjourn until Monday, June 1, 1981, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 6:32 p.m., e.d.t., the House adjourned.