

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

TUESDAY, JUNE 2, 1981

SESSION OF 1981

165TH OF THE GENERAL ASSEMBLY

No. 35

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MATTHEW J. RYAN) IN THE CHAIR

PRAYER

REV. EUGENE A. BEAM, chaplain of the House of Representatives and pastor of the Faith Evangelical Congregational Church of Harrisburg, Pennsylvania, offered the following prayer:

Let us pray:

We thank You, Lord, for this day and for each other. We petition You to give us strength to help us build a state, O Lord, which will be strong enough to know when it is weak and brave enough to face itself when it is afraid, a state that will be proud and unbending in honest defeat and humble and gentle in victory.

Build us a state whose wishbone will not be where its backbone should be, a state who will know Thee, and that to know itself is the foundation stone of knowledge.

Lead our state, I pray, not in the path of ease and comfort but under the stress and spur of difficulties and challenge. Here let it learn to stand up in the storm; here let it and its people learn compassion for those who fail. Through this, may Your will prevail everywhere. 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, June 1, 1981, will be postponed until printed. The Chair hears none.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1475 By Representatives SERAFINI, BELARDI, CAWLEY and WARGO

An Act making an appropriation to the Lackawanna County Branch of the Pennsylvania Association for the Blind for the provision of services to the blind.

Referred to Committee on APPROPRIATIONS, June 1, 1981.

No. 1476 By Representative W. W. FOSTER

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), increasing the maximum amount which may be expended annually by the commission for the payment of bear damage protection or bear damage claims.

Referred to Committee on GAME AND FISHERIES, June 1, 1981.

No. 1477 By Representatives CIVERA, MICOZZIE, DURHAM, ARTY and FREIND

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), eliminating forty per centum food requirement for special Sunday sales permit.

Referred to Committee on LIQUOR CONTROL, June 1, 1981.

No. 1478 By Representatives KOWALYSHYN, RYBAK and W. W. FOSTER

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for handicapped parking placards and providing penalties.

Referred to Committee on TRANSPORTATION, June 1, 1981.

No. 1479 By Representatives BROWN, NOYE, CAWLEY, PISTELLA, WHITE, PERZEL, GANNON, PRATT, MORRIS, CIVERA and BLAUM

An Act amending "The Landlord and Tenant Act of 1951," approved April 6, 1951 (P. L. 69, No. 20), providing for the transfer of tenants' escrow funds when residential rental property is transferred.

Referred to Committee on BUSINESS AND COMMERCE, June 1, 1981.

SENATE BILLS FOR CONCURRENCE

The clerk of the Senate, being introduced, presented the following bills for concurrence:

SB 18, PN 839

Referred to Committee on State Government, June 1, 1981.

SB 455, PN 861

Referred to Committee on State Government, June 1, 1981.

SB 601, PN 695

Referred to Committee on State Government, June 1, 1981.

**HOUSE RESOLUTION
INTRODUCED AND REFERRED**

No. 74 By Representatives KOLTER, PETRARCA, DAVIES, WILSON and CLARK

Speaker appoint a bipartisan committee to conduct a study of Off-track Betting.

Referred to Committee on RULES, June 1, 1981.

LEAVES OF ABSENCE GRANTED

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

Mr. CESSAR. Thank you, Mr. Speaker.

I request a leave of absence for the gentleman from Franklin, Mr. PUNT, for today's session.

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

The Chair recognizes the gentleman from Washington, Mr. Lescovitz, for the purpose of taking leaves of absence.

Mr. LESCOVITZ. We ask leave for the gentleman from Philadelphia, Mr. EVANS, for today.

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

MASTER ROLL CALL RECORDED

The SPEAKER. The Chair is about to take up today's master roll call. Only those members present on the floor of the House are permitted to vote. We have a very distinguished guest with us today, and all the members should have the opportunity of meeting him. Please report to the floor. Members will proceed to vote.

The following roll call was recorded:

PRESENT—197

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

ADDITIONS—3

Cohen Harper Williams, H.

NOT VOTING—0

EXCUSED—2

Evans Punt

**COMMANDANT OF UNITED STATES
MARINE CORPS PRESENTED**

The SPEAKER. The Chair at this time requests the gentleman from Greene, Mr. DeWeese, to come to the rostrum for the purpose of introducing to the members and guests of this House one of the most distinguished, if not the most distinguished, officer in the military service of the United States.

Mr. DEWEESE. Mr. Speaker, ladies and gentlemen, we have among us today a distinguished gentleman from Washington, D.C., a man who has served our flag under 9 of the 40 American Presidents. He has served from the green, sun-dappled hills of China to the war rooms of the Pentagon.

I will make my remarks quite brief by reading a citation of celebration of this 300th anniversary of the granting of the charter of the Commonwealth, this citation being introduced by those among us who were privileged to have served in the United States Marine Corps.

WHEREAS, General Robert H. Barrow, Commandant, United States Marine Corps, has journeyed to the City of Harrisburg to address the State House of Representatives; and

WHEREAS, His military and administrative expertise merit the profoundest gratitude on the part of all citizens of this Commonwealth; and

WHEREAS, He has enjoyed a long and valiant career, from his commissioning as Lieutenant of Marines amidst the Stygian darkness of the Second

World War; then travelling to war-shattered China, where he served with pro-Western Guerillas behind Japanese lines; then witnessing the unsettled aftermath of that conflict in the Far East; and then—when the Korean War burst upon our nation's consciousness—he led the Marines of A Company up the ice-encrusted wall of Hill 1081 in December, 1950 in one of the most sanguinary engagements of that conflict against a stubborn, unrelenting foe; then pitting his strength and spirit against a wily and vindictive enemy in the A Shau Valley in South Vietnam...and

WHEREAS, He has unswervingly held fast to the ageless military verities of preparedness, celerity of thought, and intrepidity of action in an increasingly unmilitary era.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania extends its felicitations to General Barrow on the occasion of his visit to Harrisburg....

Ladies and gentlemen, the Commandant of the United States Marine Corps.

GENERAL BARROW. Mr. Speaker, Mr. DeWeese, ladies and gentlemen of this distinguished body, it is a great pleasure and a privilege to be in the Commonwealth of Pennsylvania, America's Keystone State, and particularly in this year of your 300th anniversary of the charter granted to William Penn.

Clearly, I should have journeyed here earlier. I have been 10 times this spring before the House and the Senate down there in Washington. I did not receive the kind of greeting I received this morning. I like it.

Let me tell you a story, a true story. All recruits in the Marine Corps who go to Paris Island, South Carolina, come initially to Charleston by air. Then they are put aboard chartered buses if there is a large contingent, or if only a few come in, they may ride the regular bus from Charleston to Savannah which would come in to Paris Island and discharge those few. It is always at night, usually about 1 o'clock in the morning. Back about 1973, when I was commander general down there, one night about 1 o'clock in the morning the regular Charleston-to-Savannah bus run had aboard about 12 recruits who were to be discharged at Paris Island. They arrived, and I cannot adequately describe that scene. Some of these former marines that are here with you, members of your august body, would remember. The bus pulled up to this recruit receiving barracks where a drill instructor stuck his head in the door, and in that kind of commanding voice they all have, he said, all right, off the bus. The 12 recruits got off the bus and so did a young 16-year-old lad on his way from Charleston to Savannah to visit his grandmother. Three days later, had you been at Paris Island, you would have seen this individual who looked like a recruit. His hair was gone, he had a bewildered look about him, but he was riding around in my sedan being given a kind of cook's tour of the place before he was very carefully delivered to his grandmother's house in Savannah.

Clearly, there is a presumption at Paris Island that if you get off the bus, you want to be a marine. And there is a presumption on my part today that if you invite me to talk to this House of Representatives, you expect me to talk about

the Marine Corps. In any case, I like to be on safe ground, and so I will talk a little bit about your Marine Corps. You have more than full claim to it not only as taxpayers, but I can tell you that the sons and daughters of Pennsylvania have historically been disproportionately represented in your United States Marine Corps, and thank God for that. I would like to lead the applause.

When I served in China in World War II, there was a common expression—I served most of it in a province called Hunan—and there was an old Chinese saying that said, you cannot fight a war without Hunanese soldiers. I am not sure what virtues they brought to the battlefield, but I reckon one could say you would not be able to fight a war in this country without Pennsylvanians. They have been so very dedicated and patriotic and loyal in coming to the colors of all services.

I would like to give you just a kind of a how-goes-it with your Marine Corps which will necessarily touch on some other defense matters.

Your corps today is 188,000. Now that is the smallest, of course, of all four services, but it is not small, and I will give you a figure to compare it with. That 188,000 is substantially larger than the British Army. It is larger than the combined Army-Navy-Air Force of Canada, Australia, and New Zealand. So in the context of global services, we are not a small service, but more importantly, we bring to our military capability of this Nation some uniquenesses which I need to remind you about.

We have three Marine divisions, each of which is the largest of any division in the world, combining all of the combined arms and capabilities you would find in a typical infantry-type division. But it never fights alone. It has the companion Marine Corps Air Wing. And together with the Combat Service Logistics Support Troops that support them, we are talking about 45,000 to 50,000 troops, and you have three such formations, and together they represent the only truly integrated air-ground team in the world. Then it is further combined with the Navy, because while we are not under the Navy, we are in the Navy Department, but we are inextricably linked to the United States Navy. We like it that way, we want it that way, and that is the way we go to war. When you take this Marine air-ground team and then make it part of the Navy team, you in fact have embraced all the capabilities one would expect to find in any joint multiservice task force, and that team today is the busiest it has ever been in terms of exercises and training in peacetime.

On any given day you will find Marine formations of various sizes in such distant places as Australia, South Korea, throughout the Mediterranean, and even northern Norway. Just this late winter we had a unit that was 150 miles north of the Arctic Circle in Norway for over a month. So that part of our Marine hymn which says, "in every clime and place," has real meaning. We train with more different allies than any other service in the world, learning their capabilities, what they can and cannot do; perhaps teaching them something; and most especially, learning a lot about distant places that we might have to go to. In doing all of this, in a real sense we not only improve our readiness, but the fact that we do it proves our readiness, because they are not easy to do.

So you have a Marine Corps today that is sizable, versatile, and ready. What are we going to do with it? Well, I want to tell you, I hope we do not have to fight with it. I am into my 40th year of service and three wars, and while I am personally committed to your having a versatile, capable, ready Marine Corps, I think we all know that the best kind of war is the one we do not have to fight. So I would hope that your Marine Corps would do that which it does so well with the Navy and which regrettably is so little appreciated by the military analysts and some of the decisionmakers in Washington, and that is to deter - deter through strength, deter through being available and ready. It is one thing to build up the conventional forces of America as they do need to be done, but it is quite another to do it and be able to put them up near the guy who is about to make mischief. And uniquely, the Navy and Marine Corps, since the days of our forefathers, have been that one capability that is responsive like no other to distant places through the use of international waters and through not having to intrude on anyone else's sovereignty until it is required, without the dependency on bases and overflight rights, and it is beautifully represented today by the presence of the Navy forces in the Indian Ocean, with a few small formations of marines who come in and out from time to time.

That is the kind of capability that you will see being increasingly improved in the years ahead. But when you read about strengthening naval power and a 600-ship navy which is going to be terribly expensive, it is to give this country the kind of capability that we have traditionally had, historically had, and which we have sadly neglected in the last 10 or 15 years, to be able to take sea power, not only to control the sea but to place it on the distant shore if necessary, wherever, whenever - forces that are flexible, which is to say do more than one thing; mobile, which is to say go more than one place; and available, which is to say do it now.

When I speak of a growing navy, I do not want to leave you with the impression that the Marine Corps plans on expanding accordingly. We do not need a bigger Marine Corps, and we do not need a better Marine Corps, though we will be modernizing as all services must. We need to have a better way to get to where we may have to go, and while presently we have the world's best amphibious capability in our Navy and Marine Corps, the navy part of it in terms of ships needs to be improved and it will grow along with the rest of the navy forces to the 600-ship level.

Well, I have given you a little thumbnail, if you will, about our capability. Why do we need it? I think that we all in this chamber recognize how our relationship with other nations has been reduced to a kind of interplay that is unprecedented, and whether we are talking about access to resources or to marketplaces or to allies and friends, the new administration in Washington has clearly enunciated a policy that the Third World is not the Russians' playground, and if there is an intrusion against our national interest, we will answer. And I hope we answer in such a way that provides first a deterrence that I spoke of earlier, and that requires not only the courage to make a decision but to make it in a timely manner so that

the forces can be there before things go from bad to worse and not wait until the eleventh hour, and that essentially is the kind of conventional force capability that this administration is committed to achieving so that we can make responses globally with primarily and certainly initially naval forces.

Let me turn to another and my most favorite subject. In Washington there is a great attraction to talking about strategy and drawing broad arrows, and, of course, there is a great interest in the acquisition of the resources of war - new weapons, new equipment, keeping up with the technology - but there is something, ladies and gentlemen, that transcends all of that in importance, and that is people, people.

All of our services are committed in an unprecedented way to being kept up to strength, which is to say around 2 million men and women, through the all-volunteer force system. No time in the history of mankind has any nation attempted to man that size force with all volunteers. It translates into having to bring into the Army, Navy, Air Force, and Marine Corps about 1,000 people a day, recruits if you will. It is a monumental undertaking. It is, in my judgment, the most difficult of all the various jobs that one might have in any of our services, and it is very fragile, susceptible to such things as the economy.

The services are presently, within the context of the all-volunteer force, doing what they have to do. But we know that in the decade of the eighties, the qualified military available - those who are eligible to serve - is going to be in a decline of approximately 20 percent. We know that we are living in a soft economy so that some of the people who are attracted to the colors are perhaps seeking employment. We know that there is a great belief in this Nation that somehow everyone should have a college degree, so there are colleges and industry competing for the same limited numbers who are eligible to serve. So those who are out there recruiting are faced with plain old hard work.

Two years ago I made a conscious decision to put the best people we had in the Marine Corps, if one can make that definition, on recruiting duty. Some of them are here today. They are producing the results, but they still have some obstacles that they should not have to put up with.

I did not come to this great chamber to lobby you, but it was brought to my attention that this is one of the many states in our great Nation where our recruiters of all services have great difficulty in having access to the high school seniors list, which is simply a way of saying these are the names and addresses of the young men and women who are about to graduate, and it is available to you to make some kind of contact with them, and they certainly have no obligation to do any more than listen to the first few words and hang up if they want to.

I cannot reconcile in my mind or experiences the situation in which the high schools of our country have foreclosed on our recruiters who are out trying to make what the Nation has said they wanted, the all-volunteer force, and make it work. So I entreat you, I plead with you, in your deliberation of this subject, assuming you have or will, that you give it your consideration.

Today in the Marine Corps, in terms of the people side of the equation, we have made a commitment to excellence that perhaps is again unprecedented because of the all-volunteer character of the work we have to do and the difficulties encountered, but the results are encouraging. I am not a proponent or an advocate of the all-volunteer force, and ultimately we will have to face up to the draft, but we are making it and doing it very well.

Some several years ago we had in the corps an embarrassment. When the draft ended, of all the services we were the least prepared to go to the all-volunteer force concept, did not know what we were looking for, did not know how to do it, and we brought in some people who should not have been brought in. That is behind us, and I do *not mind talking about it because it has a happy ending.*

We made a policy statement and stated as an imperative that we would recruit 75 percent high school graduates, because every statistic has indicated that the high school graduate is 2 to 1 more likely to complete his first enlistment. He has a greater amenability to discipline; he is more trainable. And as an aside I will just postulate the question rhetorically, *why do you think that is so? Do you think there is some magic about a piece of paper that he gets that says he graduated from high school?* Most people, when you ask the question, what is so important about it, will give you superficial answers, such as, well, it demonstrates stick-to-itiveness or ability to get along with his peers or he is a goalsetter. Some of that may be true, but I will share with you what my belief is, *having worked with this problem for so many years. More than anything else it is the manifestation that he comes from a reasonably stable home where there was love and caring and encouragement for him to want to finish high school and that same environment has given him the kind of character-building that will make him succeed as a member of any one of our services. And the opposite is true for the youngster who is dropping out of high school. More often than not he is dropping out incidental to dropping out of the family. Well, for whatever reason, it is important that we look for the high school graduate, and we stated as an imperative 75 percent, the other 25 percent being at least 10th grade and scoring higher on the classification test. We came in last year at 78 percent, and this year with a new test that is tougher and forcing the recruiters to work harder to find people who can pass it, we are incidental there to meeting our high school objective and predict that we will come in somewhere between 82 percent and 85 percent with high school graduates, and that is an unprecedented number in this service.*

You should be encouraged that our youth today, despite what I think they have to put up with, the distractions of life and the lack of discipline in a lot of our institutions starting in the home and ranging through many of our schools, still are responsive to the kind of discipline and training that we offer them in my service. I am continuously impressed that there is a kind of thirst for it in our youth, and indeed I believe many come to the Marine Corps for that reason alone, in part to believe in something that they can in fact really believe in, which requires among other things some self-sacrifice to make

that kind of commitment, a sacrifice of giving up your hair and your funny clothes and your loud music and a few other things. I also think they want very much, in the case of the men, to prove their manliness, and I often said that self-discipline is the basis of all manliness, and if they can come to Paris Island or the recruit depot in San Diego and succeed and go home, sort of a U.S. Government-stamped man, then they have in their mind succeeded, and I think they have.

The two most important things that are learned at our recruit training which we are committed to keeping as stressful and tough as possible are not taught - the spirit of being a marine and discipline. They are nevertheless learned by the everyday environment that our youngsters are cast in. And it is important for you to realize that as you read your newspapers and see some prospect of marines going somewhere, you need not be the least bit concerned about whether they will do what needs to be done. I can assure you they will, and it rests in large part on whom we bring in, how we train them initially, and how we treat them subsequently. And you just take it from me, your Commandant, that your Marine Corps is a proud, capable, ready, manpower-quality organization that will do whatever the Nation says must be done, and I leave with you the thought that someone once said, success in battle is not a function of how many show up but who they are.

I thank you for this opportunity, Mr. Speaker. I know that I did not give you a prepared speech. I did not want to. I wanted to talk to you almost like a fellow Pennsylvanian—impossible for me to do. I know you have picked up the fact that I am from somewhere well south of here. I am a Louisianian, but I am most of all a 50-stater, because I think this is a great and wonderful country of ours, of which this state is unprecedented in the representation of all the values and virtues that we as a nation love and cherish. I came to Pennsylvania because I believe in you, and I am delighted to be here. God bless you. Thank you.

The SPEAKER. The Chair has been requested to make available a few moments so that photographs may be taken of any of the former marines who are presently members of the House with the Commandant. So if any of you who have served in the Marine Corps would like your picture taken with the Commandant, please come up to this area.

RECESS

The SPEAKER. The House will be in recess for several moments.

AFTER RECESS

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

GENERAL'S STAFF INTRODUCED

The SPEAKER. I would like at this time to mention, if for no other reason than to place it in the record, that the Commandant was accompanied here today by Lieutenant

Colonel Jaroch, Major Lendaro, Captain Clark, Captain Richards, Captain Neundorfer, and Sergeant Bethune. Will these gentlemen, members of the general's staff, please wave their hands at least to be acknowledged, because there is a crowd around them.

The Speaker, like other members who have served in the Marine Corps, was flattered and honored by the presence of the Commandant. It is one of the few times, if not the only time, any one of us ever had an opportunity to shake hands with a general.

MEMBERS' PRESENCE RECORDED

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Cohen, and the lady from Philadelphia, Mrs. Harper, who ask that their names be placed on the master roll call.

FEDERAL-STATE RELATIONS COMMITTEE MEETING

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

Mr. HASAY. I would like to announce that there will be a meeting of the House Federal-State Relations Committee at the call of the recess in room 245. Thank you.

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 418, PN 1700, and HB 560, PN 1699.

* * *

The House proceeded to second consideration of **HB 1065, PN 1184**, entitled:

An act amending the act of November 1, 1971 (P. L. 495, No. 113), entitled "An act providing for the compensation of county officers in counties of the second through eighth classes, for the disposition of fees, for filing of bonds in certain cases and for duties of certain officers," further providing for the salary of jury commissioners in second class counties.

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 1065 be recommended to the Committee on Appropriations.

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

Motion was agreed to.

* * *

The House proceeded to second consideration of **HB 1196, PN 1331**, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323, No. 130), making certain audits mandatory and making an editorial change.

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 1196 be recommended to the Committee on Appropriations.

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

* * *

The House proceeded to second consideration of **HB 1200, PN 1335**, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), increasing the maximum compensation of auditors.

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 1200 be recommended to the Committee on Appropriations.

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 1202, PN 1337; HB 1210, PN 1698; SB 132, PN 132; SB 133, PN 917; SB 134, PN 916; and SB140, PN 918.

* * *

The House proceeded to second consideration of **HB 216, PN 1683**, entitled:

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), providing for payment of the cost of burial of indigent persons in State institutions.

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 216 be recommended to the Committee on Appropriations.

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

* * *

The House proceeded to second consideration of **HB 391, PN 403**, entitled:

An Act amending "The Marriage Law," approved August 22, 1953 (P. L. 1344, No. 383), providing for an immunity test for rubella.

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 391 be recommended to the Committee on Appropriations.

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 920, PN 991; HB 964, PN 1682; and HB 1078, PN 1681.

* * *

The House proceeded to second consideration of **HB 1414, PN 1597**, entitled:

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.

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 1414 be recommended to the Committee on Appropriations.

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 1057, PN 1171; HB 1217, PN 1352; HB 1346, PN 1503; SB 12, PN 914; SB 13, PN 915; SB 105, PN 105; HB 625, PN 660; HB 1090, PN 1701; HB 1244, PN 1383; HB 1342, PN 1702; HB 1419, PN 1622; SB 343, PN 346; HB 530, PN 557; HB 945, PN 1032; and SB 135, PN 135.

* * *

The House proceeded to second consideration of **HB 315, PN 321**, entitled:

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.

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 315, PN 321, be recommended 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 1284, PN 1423; HB 617, PN 1704; HB 1408, PN 1591; HB 1351, PN 1510; and HB 571, PN 599.

* * *

The House proceeded to second consideration of **HB 1066, PN 1571**, entitled:

An Act providing for group self-insurance funds for private employers for workers' compensation liabilities; providing for the establishment of employee protections through the use of aggregate excess insurance and a guaranty fund and allowing insurance carriers to provide aggregate excess insurance for groups.

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 1066, PN 1571, be recommitted to the Committee on Appropriations for a fiscal note.

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

**BILLS AGREED TO ON
SECOND CONSIDERATION CONTINUED**

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

HB 383, PN 395.

* * *

The House proceeded to second consideration of **HB 1300, PN 1687**, entitled:

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, adding provisions relating to education in public and nonpublic schools and making repeals.

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 1300, PN 1687, be recommitted to the Committee on Appropriations.

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

PHOTOGRAPHS TAKEN

The SPEAKER. Members in their offices please report to the floor. The official photographs of this term will be taken shortly.

Members will please take their seats. Members are requested to clear their desks for the purpose of taking the photographs. Judging from the positioning of the camera, I call to the attention of any members not present on the floor of the House that the camera is positioned to take the minority side of the aisle first, so any members in their offices please report immediately to the floor.

(Official photographs were taken.)

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

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

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

On the question,
Will the House agree to the bill on third consideration?
Mr. DOMBROWSKI offered the following amendments
No. A1975:

Amend Title, page 1, line 25, by inserting after "providing" for investment of funds by the Treasury Department and
Amend Sec. 1, page 1, line 29, by striking out "Section" where it appears the second time and inserting Sections 301.1 and
Amend Sec. 1, page 1, line 30, by striking out "is" and inserting
are
Amend Sec. 1, page 2, line 1, by striking out "paragraph" and inserting
a subsection and a paragraph to read:
Amend Sec. 1, page 2, by inserting between lines 1 and 2
Section 301.1. Investment of Moneys.—* * *
(d) The Treasury Department may from time to time enter into repurchase agreements secured by Federal obligations.

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

The SPEAKER. The Chair recognizes the gentleman from Erie, Mr. Dombrowski.

Mr. DOMBROWSKI. Thank you, Mr. Speaker.

This amendment would authorize the Treasury Department to invest in repurchase agreements secured by Federal obligations. It would allow the Commonwealth to gain interest by making overnight investments. During the last session, as a bill it passed this House by a unanimous vote.

I spoke to the chief sponsor of the legislation, and he accepted the amendment and he thinks it is a good one. Thank you.

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

The following roll call was recorded:

YEAS—197

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

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

NAYS—0

NOT VOTING—3

Kanuck Noye Williams, H.

EXCUSED—2

Evans Punt

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—192

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

Colafella	Honaman	Perzel	Van Horne
Cordisco	Horgos	Peterson	Vroon
Cornell	Hutchinson, A.	Petrarca	Wachob
Coslett	Hutchinson, W.	Petrone	Wambach
Cowell	Jackson	Phillips	Wargo
DeMedio	Johnson	Piccola	Wass
DeVerter	Kanuck	Pievsky	Wenger
DeWeese	Kennedy	Pistella	Weston
Daikeler	Klingaman	Pitts	White
Davies	Kolter	Pott	Wiggins
Dawida	Kowalyszyn	Pratt	Williams, J. D.
Deal	Kukovich	Pucciarelli	Wilson
Dietz	Lashinger	Rappaport	Wogan
Dininni	Laughlin	Rasco	Wozniak
Dombrowski	Lehr	Reber	Wright, D. R.
Donatucci	Lescovitz	Richardson	Wright, J. L.
Dorr	Letterman	Rieger	Zwikl
Duffy	Levi	Ritter	
Durham	Levin	Rocks	Ryan,
Earley	Lewis	Rybak	Speaker
Emerson	Livengood		

NAYS—3

Haluska Itkin Lloyd

NOT VOTING—5

Cole Irvis Manderino Williams, H.
Cunningham

EXCUSED—2

Evans Punt

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

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

* * *

The House proceeded to third consideration of **HB 793, PN 1611**, entitled:

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.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—194

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

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

NAYS—3

Kennedy	Lewis	Rieger
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NOT VOTING—3

DeWeese	Perzel	Williams, H.
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EXCUSED—2

Evans	Punt
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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 863, PN 1522**, entitled:

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

On the question,
Will the House agree to the bill on third consideration?
Mr. PITTS offered the following amendments No. A1542:

Amend Sec. 1 (Sec. 601), page 1, line 16, by inserting after "municipality"
which does not have a fire company, ambulance corps or rescue and lifesaving squad located within its corporate limits and

Amend Sec. 1 (Sec. 601), page 1, line 17, by inserting after "services"
, ambulance services or rescue and lifesaving services

Amend Sec. 1 (Sec. 601), page 1, line 17, by inserting after "company"
, volunteer ambulance corps or volunteer rescue and lifesaving squad

Amend Sec. 1 (Sec. 601), page 2, line 1, by inserting after "company"
volunteer ambulance corps or volunteer rescue and lifesaving squad

Amend Sec. 1 (Sec. 601), page 2, line 2, by removing the period after "company" and inserting
, volunteer ambulance corps or volunteer rescue and lifesaving squad.

Amend Sec. 1 (Sec. 601), page 2, line 6, by removing the period after "company" and inserting
, volunteer ambulance corps or volunteer rescue and lifesaving squad.

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

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

Mr. PITTS. Thank you, Mr. Speaker.

This is amendment A1542, sponsored by Representative Hutchinson and myself, a clarifying amendment adding the ambulance and rescue squads along with the volunteer fire companies and also making sure that this is not interpreted as applying to mutual aid agreements.

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

The following roll call was recorded:

YEAS—198

Alden	Fee	Lewis	Rocks
Anderson	Fischer	Livengood	Rybak
Armstrong	Fleck	Lloyd	Salvatore
Arty	Foster, W. W.	Lucyk	Saurman
Barber	Foster, Jr., A.	McCall	Serafini
Belardi	Frazier	McClatchy	Seventy
Belfanti	Freind	McIntyre	Showers
Beloff	Fryer	McMonagle	Shupnik
Berson	Gallagher	McVerry	Sieminski
Bittle	Gallen	Mackowski	Sirianni
Blaum	Gamble	Madigan	Smith, B.
Borski	Gannon	Maiale	Smith, E. H.
Bowser	Geist	Manderino	Smith, L. E.
Boyes	George	Manmiller	Snyder
Brandt	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	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	Hutchinson, W.	Perzel	Wachob
Cowell	Iris	Peterson	Wambach
Cunningham	Itkin	Petrarca	Wargo
DeMedio	Jackson	Petrone	Wass
DeVerter	Johnson	Phillips	Wenger
Daikeler	Kanuck	Piccola	Weston

Davies	Kennedy	Pievsky	White
Dawida	Klingaman	Pistella	Wiggins
Deal	Kolter	Pitts	Williams, J. D.
Dietz	Kowalshyn	Pott	Wilson
Dininni	Kukovich	Pratt	Wogan
Dombrowski	Lashingner	Pucciarelli	Wozniak
Donatucci	Laughlin	Rappaport	Wright, D. R.
Dorr	Lehr	Rasco	Wright, J. L.
Duffy	Lescovitz	Reber	Zwikl
Durham	Letterman	Richardson	
Earley	Levi	Rieger	Ryan,
Emerson	Levin	Ritter	Speaker

NAYS—0

NOT VOTING—2

DeWeese Williams, H.

EXCUSED—2

Evans Punt

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

On the question,

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

Mr. LLOYD offered the following amendment No. A1966:

Amend Sec. 1 (Sec. 601), page 2, lines 5 and 6, by striking out both of said lines and inserting

that the individual municipality's population served by such volunteer fire company, volunteer ambulance corps or volunteer rescue and lifesaving squad bears to the total population served by such volunteer fire company, volunteer ambulance corps or volunteer rescue and lifesaving squad, except that the municipalities may agree to share the cost on some other basis.

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 amendment would accomplish two purposes. One, the thrust of this bill is to make municipalities which do not have a fire company or an ambulance company located within their borders to share the cost of the workers' compensation premium. This amendment would make clear the way we count the people in that municipality so that people do not get counted twice for two different fire companies or two different ambulance companies.

The second part of the amendment would say that while the bill would require that the cost be shared on the basis of population, if two municipalities wanted to agree to share the cost on some other basis, this amendment would allow them to do that. In my district, for example, I have some municipalities which simply split the cost equally without regard to population and other municipalities which want to split the cost based on things like fire calls. This amendment would allow them to do that, but if they cannot agree, it would require them to apportion the cost on the basis of population.

I believe the amendment is agreed to, Mr. Speaker.

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

Mr. PITTS. Thank you, Mr. Speaker.

This is an agreed-to amendment. It is, as Mr. Lloyd has explained, clarifying the intent on the population split, and where there are agreements, we want to honor those. So I would urge support. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—196

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

NAYS—2

Brandt Fleck

NOT VOTING—2

DeWeese Williams, H.

EXCUSED—2

Evans Punt

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

REMARKS ON VOTES

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

Mr. DeWEESE. Mr. Speaker, I would like for my name to be added in the affirmative on the votes on the Lloyd amendment A1966, the Pitts amendment A1542, and on HB 793. There is a malfunction in my switch. Thank you.

MEMBER'S PRESENCE RECORDED

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

Will the gentleman, Mr. DeWeese, check the next roll calls and indicate to the clerk which way he desires to vote.

CONSIDERATION OF HB 863 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—195

Table listing names of members who voted 'YEAS' for HB 863, including Alden, Anderson, Armstrong, Arty, Barber, Belardi, Belfanti, Beloff, Berson, Bittle, Blaum, Borski, Bowser, Boyes, Brandt, Brown, Burd, Burns, Caltagirone, Cappabianca, Cawley, Cessar, Cimini, Civera, Clark, Clymer, Cochran, Cohen, Colafella, Cole, Cordisco, Cornell, Coslett, and Cowell.

Table listing names of members who voted 'NAYS' for HB 863, including Cunningham, DeMedio, DeVerter, DeWeese, Daikeler, Davies, Dawida, Deal, Dietz, Dininni, Dombrowski, Donatucci, Dorr, Duffy, Durham, Earley, Iris, Itkin, Jackson, Johnson, Kanuck, Kennedy, Klingaman, Kolter, Kowalshyn, Kukovich, Lashinger, Laughlin, Lehr, Lescovitz, Letterman, Petrone, Phillips, Piccola, Pievsky, Pistella, Pitts, Pott, Pratt, Pucciarelli, Rappaport, Rasco, Reber, Richardson, Rieger, Ritter, Wass, Wenger, Weston, White, Wiggins, Williams, J. D., Wilson, Wogan, Wozniak, Wright, D. R., Wright, J. L., Zwikl, and Ryan, Speaker.

NAYS—0

NOT VOTING—5

Table listing names of members who did not vote for HB 863: Miller, Peterson, Petrarca, Taddonio, and Williams, H.

EXCUSED—2

Table listing names of members who were excused for HB 863: Evans and Punt.

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

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

* * *

The House proceeded to third consideration of HB 427, PN 1539, entitled:

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

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—198

Table listing names of members who voted 'YEAS' for HB 427, PN 1539, including Alden, Anderson, Armstrong, Arty, Barber, Belardi, Belfanti, Beloff, Berson, Bittle, Blaum, Borski, Bowser, Boyes, Brandt, Brown, Burd, Burns, Caltagirone, Cappabianca, Cawley, Cessar, Emerson, Fee, Fischer, Livengood, Lloyd, Lucyk, McCall, McClatchy, McIntyre, McMonagle, McVerry, Mackowski, Madigan, Maiale, Manderino, Manmiller, Marmion, Merry, Michlovic, Micozzie, Misceovich, Moehlmann, Morris, Rocks, Rybak, Salvatore, Saurman, Serafini, Seventy, Showers, Shupnik, Sieminski, Sirianni, Smith, B., Smith, E. H., Snyder, Spencer, Spitz, Stairs, Steighner, Stevens, Stewart, Stuban, Swaim, Sweet, Swift, Taylor, E. Z., Taylor, F. E., Telek, Tigue, Trello, Van Horne, Vroon, Wachob, Wambach, and Wargo.

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

NAYS—0

NOT VOTING—2

Miller Williams, H.

EXCUSED—2

Evans Punt

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

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

* * *

The House proceeded to third consideration of **HB 581, PN 610**, entitled:

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

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

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

The question is, shall the bill pass finally?

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

YEAS—196

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

Borski	Gannon	Maiale	Smith, L. E.
Bowser	Geist	Manderino	Snyder
Boyes	George	Manmiller	Spencer
Brandt	Gladeck	Marmion	Spitz
Brown	Grabowski	Merry	Stairs
Burd	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	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	Hutchinson, W.	Peterson	Wambach
Cowell	Irvis	Petrarca	Wargo
Cunningham	Itkin	Piccola	Wass
DeMedio	Jackson	Phillips	Wenger
DeVerter	Johnson	Piccola	Weston
DeWeese	Kanuck	Pievsky	White
Daikeler	Kennedy	Pistella	Wiggins
Davies	Klingaman	Pitts	Williams, H.
Dawida	Kolter	Pott	Williams, J. D.
Deal	Kowalyszyn	Pratt	Wilson
Dietz	Kukovich	Pucciarelli	Wogan
Dininni	Lashingner	Rappaport	Wozniak
Donatucci	Laughlin	Rasco	Wright, D. R.
Dorr	Lehr	Richardson	Zwikel
Duffy	Lescovitz	Rieger	
Durham	Letterman	Ritter	Ryan,
Earley	Levi	Rocks	Speaker
Emerson	Levin		

NAYS—1

NOT VOTING—3

Perzel Dombrowski Reber Wright, J. L.

EXCUSED—2

Evans Punt

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

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

* * *

The House proceeded to third consideration of **HB 838, PN 896**, entitled:

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

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—200

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	Majale	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	Mrkonc	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	Hutchinson, W.	Peterson	Wambach
Cowell	Irvis	Petrarca	Wargo
Cunningham	Itkin	Petrone	Wass
DeMedio	Jackson	Phillips	Wenger
DeVerter	Johnson	Piccola	Weston
DeWeese	Kanuck	Pievsky	White
Daikeler	Kennedy	Pistella	Wiggins
Davies	Klingaman	Pitts	Williams, H.
Dawida	Kolter	Pott	Williams, J. D.
Deal	Kowalyshyn	Pratt	Wilson
Dietz	Kukovich	Pucciarelli	Wogan
Dininni	Lashinger	Rappaport	Wozniak
Dombrowski	Laughlin	Rasco	Wright, D. R.
Donatucci	Lehr	Reber	Wright, J. L.
Dorr	Lescovitz	Richardson	Zwilk
Duffy	Letterman	Rieger	
Durham	Levi	Ritter	Ryan,
Earley	Levin	Rocks	Speaker
Emerson	Lewis		

NAYS—0

NOT VOTING—0

EXCUSED—2

Evans Punt

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

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

* * *

The House proceeded to third consideration of HB 949, PN 1540, entitled:

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

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—199

Alden	Fee	Lewis	Rybak
Anderson	Fischer	Livengood	Salvatore
Armstrong	Fleck	Lloyd	Saurman
Arty	Foster, W. W.	Lucyk	Serafini
Barber	Foster, Jr., A.	McCall	Seventy
Belardi	Frazier	McClatchy	Showers
Belfanti	Freind	McIntyre	Shupnik
Beloff	Fryer	McMonagle	Sieminski
Berson	Gallagher	McVerry	Sirianni
Bittle	Gallen	Mackowski	Smith, B.
Blaum	Gamble	Madigan	Smith, E. H.
Borski	Gannon	Maiale	Smith, L. E.
Bowser	Geist	Manderino	Snyder
Boyes	George	Manmiller	Spencer
Brandt	Gladeck	Marmion	Spitz
Brown	Grabowski	Merry	Stairs
Burd	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	Swift
Civera	Haluska	Mrkonc	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	Hutchinson, W.	Perzel	Wambach
Cowell	Irvis	Peterson	Wargo
Cunningham	Itkin	Petrarca	Wass
DeMedio	Jackson	Petrone	Wenger
DeVerter	Johnson	Phillips	Weston
DeWeese	Kanuck	Piccola	White
Daikeler	Kennedy	Pievsky	Wiggins
Davies	Klingaman	Pistella	Williams, H.
Dawida	Kolter	Pitts	Williams, J. D.
Deal	Kowalyshyn	Pott	Wilson
Dietz	Kukovich	Pratt	Wogan
Dininni	Lashinger	Pucciarelli	Wozniak
Dombrowski	Laughlin	Rasco	Wright, D. R.
Donatucci	Lehr	Reber	Wright, J. L.
Dorr	Lescovitz	Richardson	Zwilk
Duffy	Letterman	Rieger	
Durham	Levi	Ritter	Ryan,
Earley	Levin	Rocks	Speaker
Emerson			

NAYS—1

Rappaport

NOT VOTING—0

EXCUSED—2

Evans Punt

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

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

* * *

The House proceeded to third consideration of **HB 738, PN 787**, entitled:

An Act amending the "Goods and Services Installment Sales Act," approved October 28, 1966 (1st Sp. Sess., P. L. 55, No. 7), eliminating the duty of the Department of Banking to supply rate charts to retail sellers and finance agencies.

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—191

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

NAYS—6

Blaum	Fryer	Richardson	Ritter
Deal	Gray		

NOT VOTING—3

Hagarty	Nahill	Pucciarelli
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EXCUSED—2

Evans	Punt
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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.

REMARKS ON VOTES

The **SPEAKER**. For what purpose does the gentleman from Westmoreland, Mr. Petrarca, rise?

Mr. **PETRARCA**. Mr. Speaker, I was not recorded on **HB 863**. I would like to be recorded in the affirmative. Thank you.

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

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

Mr. **NOYE**. Mr. Speaker, on the Dombrowski amendment to **HB 719**, I was temporarily called from the House. I would appreciate if the record would show, had I been in my seat, I would have voted in the affirmative.

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

REQUEST FOR RECESS AND STATE GOVERNMENT COMMITTEE MEETING

The **SPEAKER**. The Chair recognizes the majority leader.

Mr. **HAYES**. Thank you, Mr. Speaker.

I suggest that we take lunch at this time and recess this House of Representatives until 2 p.m.

Mr. Speaker, the chairman of the State Government Committee, Mr. Gallen, requests that members of his committee report to room 401 immediately at the call of the recess, immediately.

ANNOUNCEMENT BY MR. COWELL

The **SPEAKER**. The Chair recognizes the gentleman from Allegheny, Mr. Cowell.

Mr. **COWELL**. Mr. Speaker, this is an announcement pertaining to those members who may have been invited to the State Department program in Washington next Friday. I believe all members 40 years of age and younger were invited.

For those who may plan to be there the day before—that would be Thursday, the 11th—we have made arrangements for a briefing on a block-grant program, or block-grant legislation, in the Washington office of Miss King, the Governor's representative in Washington. That is going to be approximately a 1-hour briefing at 3 o'clock Thursday, June 11, and

the presentation will be made by representatives from various congressional committees.

If anybody is planning to attend, I would like them to call my office. We are going to have to make arrangements for an appropriate sized room, so they should call my office no later than tomorrow.

RECESS

The SPEAKER. Does the minority whip have any further announcements? Are there any further announcements?

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

AFTER RECESS

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

CALENDAR RESUMED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of HB 1125, PN 1248, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Mr. DORR offered the following amendment No. A1293:

Amend Sec. 3, page 3, line 14, by striking out "individually owned and operated"

On the question,

Will the House agree to the amendment?

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

Mr. DORR. Mr. Speaker, this amendment is in the nature of a technical amendment. The bill as it reads covers only individually owned businesses, and we meant to cover small corporations as well, so we strike out the words "individually owned."

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—193

Table listing names of members who voted YEAS: Alden, Anderson, Armstrong, Arty, Barber, Belardi, Belfanti, Beloff, Berson, Bittle, Blaum, Borski, Bowser, Emerson, Fee, Fischer, Fleck, Foster, W. W., Foster, Jr., A., Frazier, Freind, Fryer, Gallagher, Gallen, Gamble, Gannon, Levi, Levin, Lewis, Livengood, Lloyd, Lucyk, McCall, McClatchy, McMonagle, Sirrianni, Mackowski, Madigan, Manderino, Rocks, Rybak, Salvatore, Saurman, Serafini, Seventy, Showers, Shupnik, Sieminski, Sirrianni, Smith, B., Smith, E. H., Smith, L. E.

Table listing names of members who voted NAYS: Boyes, Brandt, Brown, Burd, Burns, Caltagirone, Cappabianca, Cawley, Cessar, Cimini, Civera, Clark, Clymer, Cochran, Colafella, Cole, Cordisco, Cornell, Coslett, Cowell, Cunningham, DeMedio, DeVerter, DeWeese, Daikeler, Davies, Dawida, Deal, Dietz, Dininni, Dombrowski, Donatucci, Dorr, Duffy, Durham, Earley, Geist, George, Gladeck, Grabowski, Gray, Greenfield, Greenwood, Grieco, Gruitza, Gruppo, Hagarty, Haluska, Harper, Hasay, Hayes, Heiser, Hoeffel, Honaman, Horgos, Hutchinson, A., Hutchinson, W., Irvis, Itkin, Jackson, Johnson, Kanuck, Kennedy, Klingaman, Kolter, Kowalyszyn, Kukovich, Lashinger, Laughlin, Lehr, Lescovitz, Letterman, Manmiller, Marmion, Merry, Michlovic, Micozzie, Miller, Misceovich, Moehlmann, Morris, Mowery, Mrkonic, Mullen, Murphy, Nahill, Noye, O'Donnell, Olasz, Oliver, Pendleton, Perzel, Peterson, Petrarca, Petrone, Phillips, Piccola, Pievsky, Pistella, Pitts, Pott, Pratt, Pucciarelli, Rasco, Reber, Richardson, Rieger, Ritter, Snyder, Spencer, Spitz, Stairs, Steighner, Stevens, Stewart, Stuban, Swaim, Sweet, Swift, Taddonio, Taylor, E. Z., Taylor, F. E., Tiguel, Trello, Vroon, Wachob, Wambach, Wargo, Wass, Wenger, Weston, White, Wiggins, Williams, J. D., Wilson, Wogan, Wozniak, Wright, D. R., Wright, J. L., Zwinkl, Ryan, Speaker

NAYS—0

NOT VOTING—7

Table listing names of members who did not vote: Cohen, McIntyre, Maiale, Rappaport, Telek, Van Horne, Williams, H.

EXCUSED—2

Evans, Punt

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—194

Table listing names of members who voted YEAS: Alden, Anderson, Armstrong, Arty, Belardi, Belfanti, Beloff, Berson, Bittle, Blaum, Borski, Bowser, Boyes, Brandt, Fischer, Fleck, Foster, W. W., Foster, Jr., A., Frazier, Freind, Fryer, Gallagher, Gallen, Gamble, Gannon, Geist, George, Gladeck, Lewis, Livengood, Lloyd, Lucyk, McCall, McClatchy, McMonagle, McVerry, Mackowski, Madigan, Manderino, Manmiller, Marmion, Rocks, Rybak, Salvatore, Saurman, Serafini, Seventy, Showers, Shupnik, Sieminski, Sirrianni, Smith, B., Smith, E. H., Smith, L. E., Snyder

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

NAYS—0

NOT VOTING—6

Barber	DeMedio	Wargo	Wiggins
Cohen	McIntyre		

EXCUSED—2

Evans	Punt
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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 1126, PN 1249**, entitled:

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

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

Mr. MANDERINO offered the following amendment No. A1675:

Amend Sec. 4, page 6, line 4, by removing the period after "1982" and inserting and shall expire July 1, 1985 unless sooner reenacted or amended.

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

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, HB 1126, part of the package for small business regulation relief, is an equal access to justice permitting a reimbursement for certain costs, specifically attorneys' fees, when improper action by the Commonwealth may have precipitated the expenditure of moneys for those purposes by the small corporations.

This particular House bill was patterned after a Federal statute doing much the same thing so far as the Federal Government is concerned, and the Federal statute contained a 3-year "sunset" provision. The bill becoming effective on July 1, 1982, my amendment simply allows the bill to expire unless sooner reenacted or amended by the General Assembly. It would expire on July 1, 1985. This will give us a 3-year period of time to see how this is working and whether or not the cost to the Commonwealth has a cost benefit ratio that is desirable. Thank you, Mr. Speaker.

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

Mr. DORR. Mr. Speaker, I urge support for the amendment.

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

The following roll call was recorded:

YEAS—200

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	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	Hutchinson, W.	Peterson	Wambach
Cowell	Irvis	Petrarca	Wargo
Cunningham	Itkin	Petrone	Wass
DeMedio	Jackson	Phillips	Wenger
DeVerter	Johnson	Piccola	Weston
DeWeese	Kanuck	Pievsky	White
Daikeler	Kennedy	Pistella	Wiggins
Davies	Klingaman	Pitts	Williams, H.
Dawida	Kolter	Pott	Williams, J. D.
Deal	Kowalyshyn	Pratt	Wilson
Dietz	Kukovich	Pucciarelli	Wogan

Dininni	Lashinger	Rappaport	Wozniak
Dombrowski	Laughlin	Rasco	Wright, D. R.
Donatucci	Lehr	Reber	Wright, J. L.
Dorr	Lescovitz	Richardson	Zwikel
Duffy	Letterman	Rieger	
Durham	Levi	Ritter	Ryan,
Earley	Levin	Rocks	Speaker
Emerson	Lewis		

NAYS—0

NOT VOTING—0

EXCUSED—2

Evans Punt

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—190

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

Donatucci	Lehr	Richardson	Zwikel
Dorr	Lescovitz	Rieger	
Duffy	Levi	Ritter	Ryan,
Durham	Levin	Rocks	Speaker

NAYS—2

Hutchinson, A. Mullen

NOT VOTING—8

Barber	Lashinger	Madigan	Shupnik
Gannon	Letterman	Rappaport	White

EXCUSED—2

Evans Punt

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

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

REMARKS ON VOTES

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

Mr. PETERSON. Mr. Speaker, this morning on HB 863, PN 1522, my switch did not work, and I would like to be recorded in the affirmative.

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

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

Mr. LETTERMAN. Thank you, Mr. Speaker.

Mr. Speaker, my switch did not work on HB 1126. I would like to be recorded in the affirmative, please.

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

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 1290, PN 1524**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Mr. PIEVSKY offered the following amendments No. A1248:

Amend Sec. 1 (Sec. 3), page 5, lines 24 thru 26, by striking out both of said lines

Amend Sec. 1 (Sec. 3), page 5, lines 28 through 30, page 6, lines 1 and 2, by striking out all of said lines on said pages

Amend Sec. 1 (Sec. 3), page 6, line 6, by striking out the brackets before and after "2,010,000"

Amend Sec. 1 (Sec. 3), page 6, line 7, by striking out all of said line

Amend Sec. 1 (Sec. 3), page 6, line 13, by striking out the brackets before and after "389,000"

Amend Sec. 1 (Sec. 3), page 6, line 14, by striking out all of said line

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

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

Mr. PIEVSKY. Thank you, Mr. Speaker.

Mr. Speaker, this amendment strikes from the bill proposed increases in administrative moneys for four different programs in the Education Department:

A \$9,000 increase in adult basic education administration; a \$515,000 increase in Federal special education administration; a \$112,000 increase in ESEA - Elementary and Secondary Education Act - Title I administration; and a \$29,000 increase in educational innovation and support administration.

Mr. Speaker, when the state receives moneys for these programs, which are basically pass-through moneys to be used at the local levels, the Feds allow the state to take a certain percentage of the funds to use for administration at the state level. The moneys used by the state directly reduce the amount of funds available for program use at the local level, and I am speaking about local school districts and intermediate units.

Because it is my feeling that moneys be spent whenever possible on programs at the local level, I have introduced in the past amendments such as this to deny the increased use of funds for administration at the state level. The members of the General Assembly have concurred with this rationale in the past by supporting those amendments. Mr. Speaker, this year an amendment such as this is even more significant. We all know that these programs are being cut at the Federal level. These cuts will cause some amount of program disruption at the local level.

Not only will the administrative increases I propose to deny the department be ultimately carried over into the next year to be used as a cushion, however small they may be, against the 1981-82 cuts, but the denial of these increases will send a message, send a message to the department that it should be very careful about how much it intends to reduce the program funds for administrative use.

Additionally, Mr. Speaker, I am told that the department has already spent the increase for special education administration. The increased expenses are for six additional staff, consultant fees, and travel.

Mr. Speaker, I am appalled. In this kind of financial environment, we just cannot reinforce the department's spending of funds that have not been appropriated. If they are not given this increase, they will just have to absorb their deficit spending out of next year's budget and will just simply have to cut back in the administrative area.

Mr. Speaker, I urge support for this amendment. Thank you, Mr. Speaker.

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

Mr. McCLATCHY. Mr. Speaker, I rise to oppose the amendments. I think that the department has been put under severe fiscal restraints both last year and this year. They count

on this money for administrative purposes, and I think they need it, and I think we should deny the amendment.

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

Mr. PIEVSKY. Mr. Speaker, if we do not accept these amendments, what we are doing is building up a program that may not be around come August, because we all know that the Federal Government is going to cut those programs. Thank you.

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

The following roll call was recorded:

YEAS—99

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

NAYS—99

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

NOT VOTING—2

Kanuck Lewis

EXCUSED—2

Evans Punt

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

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, I would like to verify the roll. Mr. Wilson does not appear to be in his seat and he appeared on the roll call.

The SPEAKER. Mr. Wilson is in the rear of the hall of the House waving at you, Mr. Manderino.

Mr. MANDERINO. That may be, but he was not in his seat.

REQUEST FOR RECONSIDERATION

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

Mr. MANDERINO. Mr. Speaker, prior to running the bill on final passage, we would like to file a reconsideration motion on the amendment.

The SPEAKER. Will the gentleman send his reconsideration motion to the desk?

REMARKS ON VOTE

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

Mr. GANNON. Mr. Speaker, on final passage of HB 1126, my switch did not operate properly, and I would like to be shown as being recorded in the affirmative.

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

AMENDMENT A1248 RECONSIDERED

The SPEAKER. The Chair recognizes the minority whip, Mr. Manderino, who moves that the vote by which amendment A1248 to HB 1290 was defeated on the 2d day of June be reconsidered. The reconsideration motion is seconded by the gentleman from Philadelphia, Mr. Pievsky.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—186

Alden	Fee	Levin	Salvatore
Anderson	Fischer	Livengood	Saurman
Armstrong	Fleck	Lloyd	Serafini
Arty	Foster, W. W.	Lucyk	Seventy
Barber	Foster, Jr., A.	McCall	Showers
Belardi	Frazier	McClatchy	Sieminski
Belfanti	Freind	McMonagle	Sirianni
Beloff	Fryer	McVerry	Smith, E. H.
Berson	Gallagher	Mackowski	Smith, L. E.
Bittle	Gamble	Madigan	Snyder
Blaum	Gannon	Maiale	Spencer
Borski	Geist	Manderino	Spitz

Bowser	George	Manmiller	Stairs
Boyes	Gladeck	Marmion	Steighner
Brandt	Grabowski	Merry	Stevens
Brown	Gray	Michlovic	Stewart
Burd	Greenfield	Micozzie	Suban
Caltagirone	Greenwood	Miller	Swaim
Cappabianca	Grieco	Miscevich	Sweet
Cawley	Gruitza	Moehlmann	Swift
Cessar	Gruppo	Morris	Taddonio
Cimini	Hagarty	Mowery	Taylor, E. Z.
Civera	Haluska	Mullen	Taylor, F. E.
Clark	Harper	Murphy	Telek
Clymer	Hasay	Nahill	Tigue
Cochran	Hayes	Olasz	Trello
Colafiglia	Heiser	Oliver	Van Horne
Cole	Hoefel	Pendleton	Vroon
Cordisco	Honaman	Perzel	Wachob
Coslett	Horgos	Peterson	Wambach
Cowell	Hutchinson, A.	Petrarca	Wargo
Cunningham	Hutchinson, W.	Petrone	Wass
DeMedio	Irvis	Phillips	Wenger
DeVerter	Itkin	Piccola	Weston
DeWeese	Jackson	Pievsky	White
Daikeler	Johnson	Pistella	Wiggins
Davies	Kanuck	Pitts	Williams, H.
Dawida	Kennedy	Pott	Williams, J. D.
Deal	Klingaman	Pratt	Wilson
Dietz	Kolter	Pucciarelli	Wogan
Dininni	Kowalyshyn	Rappaport	Wozniak
Dombrowski	Kukovich	Rasco	Wright, D. R.
Donatucci	Lashingier	Reber	Wright, J. L.
Dorr	Laughlin	Rieger	Zwinkl
Duffy	Lescovitz	Ritter	
Durham	Letterman	Rocks	Ryan,
Earley	Levi	Rybak	Speaker

NAYS—4

Burns Cornell Noye Smith, B.

NOT VOTING—10

Cohen Lehr Mrkonic Richardson
Emerson Lewis O'Donnell Shupnik
Gallen McIntyre

EXCUSED—2

Evans Punt

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

On the question recurring,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the minority whip on the amendment.

Mr. MANDERINO. Mr. Speaker, the amendment offered by the gentleman, Mr. Pievsky, speaks to administrative costs—

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

Mr. McCLATCHY. Mr. Speaker, with further checking with the departments, I think it is agreeable that we can accept those amendments.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—184

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

NAYS—11

Armstrong	Cornell	Dorr	Snyder
Bowser	DeVerter	Mackowski	Telek
Brandt	Davies	Smith, L. E.	

NOT VOTING—5

Honaman	Lewis	McIntyre	Pitts
Kanuck			

EXCUSED—2

Evans	Punt
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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?

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

Mr. RITTER. Mr. Speaker, would Mr. McClatchy please stand for brief interrogation?

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

Mr. RITTER. Mr. Speaker, I have a few questions about some of these projects that we are talking about in HB 1290.

The first one, Mr. Speaker, is under Title XII, Comprehensive Planning. There is a \$48,000 increase, and these additional funds are to be used to conduct a study of the participation rate of high school graduates at Pennsylvania colleges and universities. Mr. Speaker, would you please tell me why we have to conduct a study of the participation rate of high school graduates at Pennsylvania colleges and universities? What is the purpose of that?

Mr. McCLATCHY. Would you indicate which page we are on, please?

Mr. RITTER. Mr. Speaker, I do not have the bill in front of me; I have an analysis here. If you will hold on, I will try to get a copy of the bill.

Mr. McCLATCHY. I think I know where I am now.

It is my understanding that that study is to provide our educational system with some kind of planning process as to the future growth or nongrowth or decline in college students to enable our colleges and universities to program in the future.

Mr. RITTER. Are we talking about high school graduates?

Mr. McCLATCHY. Yes.

Mr. RITTER. Pennsylvania or all across the country who come to Pennsylvania?

Mr. McCLATCHY. It is my understanding just in Pennsylvania.

Mr. RITTER. Mr. Speaker, if you can hold on 1 second while I get the bill, but let me explain to you what the other one was, and that is an appropriation to the Office of Attorney General, a \$65,000 appropriation, to do another study on odometer rollbacks occurring between the time a vehicle is initially sold at one Pennsylvania auto auction and subsequently resold at another Pennsylvania auto auction.

Why do we need these kinds of studies when it is already against the law to turn back the odometer? What is this going to prove, Mr. Speaker? What is the intent of this study?

Mr. McCLATCHY. Okay. I have got the page. What was your question again?

Mr. RITTER. What is the intent of this study, to study what happens to the odometer from the time an automobile leaves one Pennsylvania auction house until it gets to another Pennsylvania auction house? What is the purpose of that study? What are we going to prove, if anything?

Mr. McCLATCHY. I think probably how much of it is going on and whether specifically we should deal legislatively with stiffer rules and regulations to prevent, or stiffer penalties to deal with the problem.

Mr. RITTER. Mr. Speaker, we already have a law on the books to deal with the turning back of odometers. This appropriation is going to fund four current bureau employees and it is going to have a contract with Temple University. I cannot

imagine, when we are cutting back on day-care and cutting back on early intervention programs, why we can spend money for these kinds of programs which I do not think amount to a tinker's damn, but we are going to spend, between just those two studies, over \$100,000, and I understand the argument that it is Federal money.

Mr. McCLATCHY. That is not specifically the answer. I think that we have problems fitting Federal money into all these different programs. I think that is what President Reagan is talking about when he talks about block grants. Right now we have categorical grants, and we cannot always put the money that we would like to spend into child care, into day-care and so forth; you are specifically required to put it into these other things or like things, and that is why you have these kinds of things happening. I do not disagree that some of them tend to be a little frivolous. It is not quite the way I would like to spend it, but the process is one by which we apply for those funds from Washington; we send down the request, they come back, and they are approved. The only thing we can do here in the House is to disapprove it. We cannot change it from one program to the other. That is not our prerogative.

Mr. RITTER. Mr. Speaker, one further question. Where is this money coming from? What Federal department is handling this? What Federal department is providing this money to the Office of Attorney General?

Mr. McCLATCHY. I would think it comes from the Transportation Department, but I cannot exactly verify that. I would have to get a copy of the contract out.

Mr. RITTER. I thank the gentleman, Mr. Speaker.

Mr. Speaker, there is a note in my analysis, anyway, that says that this is expected to be a one-time-only grant, and I would hope that when the record is read a year from now, we are not standing back on the floor of the House either providing state money or taking additional Federal money to continue this study which I just do not believe is needed in the first instance.

Mr. Speaker, there is grant after grant of Federal money, project after project which I think have some serious questions to them. I think they solidify the argument that many of us have that this legislature should be part of the A95 review process, so that prior to these grants being awarded to this Commonwealth, this legislature has an opportunity to either say yes or no as do other departments of this state government. I think that if we can stop taking these handouts for study after study after study, there might be some additional Federal dollars available to put into the early intervention programs, into some of the other programs where we are being cut. I find it very difficult to vote for a supplemental budget which provides money to programs and to departments which I think are wasteful at the same time we have to deny some needy people an opportunity to get funds. And I suppose, Mr. Speaker, as a mark of protest I will vote "no" on this Federal augmentation budget, and hopefully when we begin to look at these things, just because the money is lying there is not necessarily any reason for us to take it. Some of these things we would have been better off without, and I

have a feeling that come next year we are going to be faced with this same program again, and this time it will require state money.

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

Mr. ITKIN. Mr. Speaker, I wonder if the chairman of the Appropriations Committee would consent to interrogation.

The SPEAKER. The gentleman consents. The gentleman, Mr. Itkin, may proceed.

Mr. ITKIN. Mr. Speaker, as I understand this particular piece of legislation, it is a Federal augmentation bill which is an amendment to the augmentation bill we passed for the fiscal year beginning July 1, 1980, and ending June 30, 1981.

Mr. McCLATCHY. That is correct.

Mr. ITKIN. And today is the 2d of June in 1981, leaving perhaps 28 days left to the fiscal year, and this bill has not yet been enacted into law.

The question that I would like to know, Mr. Speaker, is it is obvious to me that all the money that we are appropriating in this bill now will not be able to be spent or even encumbered, I would imagine, by the end of June 30, and the question I ask is why are we putting so much money in this particular Federal augmentation bill rather than holding some of it back, and when the 1981-82 augmentation bill is introduced, then augmenting those appropriations at that time?

Mr. McCLATCHY. First of all, it is under the present contract, the present year, and if we did not commit these funds, we certainly could not commit them next year. There is some doubt in our minds as to what is going to happen in Washington. I think we are trying to grab as much of these funds as we possibly can. There will be a carry-forward process. Because they have been committed, we may have to reappropriate them again sometime next year, but at least we are grabbing as much as we can.

Mr. ITKIN. It is my understanding, Mr. Speaker—perhaps the chairman can shed some light on this—that these particular appropriations are valid throughout the Federal fiscal year, which will not expire until September 30 of 1981, and, therefore, we would have anytime until September 30, 1981, to expend those moneys. It would seem to me that what we are doing is giving the administration an opportunity to spend moneys perhaps imprudently in the last 3 weeks of this particular fiscal year that could be more prudently stretched out into the next fiscal year when there may be substantial Federal cuts in our budget.

Are we not really giving the administration an awful lot of discretion now? They could spend a substantial amount of that money in the next couple of weeks that is not really necessary because the moneys are not going to be necessarily spent in that period of time.

Mr. McCLATCHY. I respectfully think that they will spend them all appropriately. Much of it is needed and I think can be committed for the programs that we have agreed upon doing throughout the past year.

There are many instances in state government accounting whereby although the program has not received this money, it has been more or less started and pumped up and counting on

the money in June, if that is as late as they get it, and it, again, will not be spent improperly. Those that are not used will be committed and will possibly be reappropriated again next year, if they cannot be spent.

Mr. ITKIN. So basically what you have done is taken all available Federal moneys that would be available to us and given the discretion to the administration, put it all in this bill and said, we are going to give you the whole bundle right now that you are entitled to, whether or not you can spend it or not; you be the monitor of these moneys rather than the legislature; spend as much as you would like in the next 3 weeks, or you may carry them over and we will reappropriate them for you in a few weeks' time if you do not spend it. Is that the attitude that is prevailing in the Appropriations Committee?

Mr. McCLATCHY. No; that is your opinion. I think that we are trying to give them money in an appropriate manner, not willy-nilly, not giving a blank check. It is programs that they have applied for. These bills have been on the calendar for a while, and I think what cannot be spent we will be reappropriating again for next year in the next few short weeks.

Mr. ITKIN. So basically it is your desire to appropriate this money to the maximum extent possible, and you are not really looking as to what fiscal period this money is given to them. You are just saying, have it; if you cannot spend it, we will be glad to give what has remained unspent in the next 3 weeks back to you again in the next Federal augmentation bill. Is that a clear understanding of what we are doing today?

Mr. McCLATCHY. Well, not quite. I think that in the next few weeks we will have another bill and there will be another reanalysis of where we are. Possibly these funds will be reduced then. But to our best knowledge, this is what we need now.

Mr. ITKIN. Well, Mr. Speaker, can I then expect in the next Federal augmentation bill to see substantial rollovers of the moneys that we are appropriating today?

Mr. McCLATCHY. That is entirely possible.

Mr. ITKIN. Thank you.

On the question recurring,
Shall the bill pass finally?

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

YEAS—182

Alden	Earley	Levin	Rybak
Anderson	Emerson	Livengood	Salvatore
Armstrong	Fee	Lucy	Saurman
Arty	Fischer	McCall	Serafini
Belardi	Foster, W. W.	McClatchy	Seventy
Belfanti	Foster, Jr., A.	McMonagle	Showers
Beloff	Frazier	Mackowski	Shupnik
Berson	Freind	Maiale	Sieminski
Bittle	Gallagher	Manderino	Sirianni
Blaum	Gallen	Manmiller	Smith, B.
Borski	Gamble	Marmion	Smith, E. H.
Bowser	Gannon	Merry	Smith, L. E.
Boyes	Geist	Michlovic	Spencer
Brandt	George	Micozzie	Spitz
Burd	Gladeck	Miller	Stairs
Burns	Grabowski	Miscevich	Steighner
Caltagirone	Gray	Moehlmann	Stevens
Cappabianca	Greenfield	Morris	Stewart
Cawley	Greenwood	Mowery	Stuban
Cessar	Grieco	Mrkonic	Sweet

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

NAYS—11

Barber	Fryer	Lloyd	Swaim
Brown	Kanuck	Ritter	Zwick
Fleck	Lewis	Snyder	

NOT VOTING—7

Cohen	Letterman	McVerry	Williams, J. D.
Hutchinson, W.	McIntyre	Madigan	

EXCUSED—2

Evans	Punt
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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 1291, PN 1436**, entitled:

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

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—185

Alden	Fischer	Livengood	Saurman
Anderson	Fleck	Lloyd	Serafini
Armstrong	Foster, W. W.	Lucy	Seventy
Arty	Foster, Jr., A.	McCall	Showers
Barber	Frazier	McClatchy	Shupnik

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

NAYS—0

NOT VOTING—15

Beloff	Dombrowski	McIntyre	Oliver
Cohen	Hutchinson, W.	McVerry	Smith, E. H.
Cole	Kanuck	Madigan	Williams, J. D.
DeWeese	Levin	O'Donnell	

EXCUSED—2

Evans Punt

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

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

* * *

The House proceeded to third consideration of **HB 753, PN 802**, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), permitting the use of certain body gripping traps for beavers in underwater sets.

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—191

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

NAYS—3

Greenwood Itkin Murphy
NOT VOTING—6

Cole	Levin	O'Donnell	Serafini
Greenfield	McIntyre		

EXCUSED—2

Evans Punt

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

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

* * *

The House proceeded to third consideration of **HB 1089, PN 1212**, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), increasing the issuing agent's fee.

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—187

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

NAYS—2

Heiser	Rappaport
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NOT VOTING—11

Barber	Irvis	McIntyre	Wenger
Beloff	Kennedy	Manderino	Wiggins
Hutchinson, A.	Levin	Moehlmann	

EXCUSED—2

Evans	Punt
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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.

REMARKS ON VOTE

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

Mr. **BARBER**. Mr. Speaker, on the vote on HB 1290, PN 1524, I made a mistake. I wanted to vote "yes" and I voted "no."

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 1092, PN 1215**, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), permitting the use of bow release devices having movable parts and expressly prohibiting the use of cross-bows.

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

Mr. LETTERMAN. Thank you, Mr. Speaker. May I speak on it?

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

Mr. LETTERMAN. Mr. Speaker, I cannot understand why people in this state continue to worry about nonresidents paying too much to hunt our animals. I cannot believe for 1 minute that we think in this state we should give the greatest trophy in the world away for absolutely nothing to these people who have nothing to do with paying our taxes, keeping our land up, or doing anything for us. And if you go to another state, out west, if you even go to West Virginia, just last year they raised their license to \$1,000 to hunt a bear. The reason is, they do not want you there. That is exactly why.

I cannot believe that people are afraid to raise the license to protect something that we are telling 900,000 other hunters in this state that they cannot even have a permit to hunt for. We are only going to allow 125,000 permits, and we are saying that 3 percent of them can be issued to nonresidents while we are going to let another 900,000 Pennsylvania hunters not even hunt the animals. I really believe that what we have done in total is just given everybody the privilege to come to Pennsylvania for some of the greatest hunting in the world at the cheapest rate in all the states, and I think it is time we get these rates up to where they belong, and I ask for a "yes" vote.

The SPEAKER. The Chair recognizes the gentleman from Wayne, Mr. Foster, for the second time on the amendment.

Mr. W. W. FOSTER. Mr. Speaker, again I would like to say that it was the feeling in the committee that a \$50 fee was entirely too high for a 1-day hunt. I want you to think about this a little bit when you talk about nonresidents: There are many instances of fathers and sons, fathers and daughters, either one lives in the state or one out of it. Many of these people still like to hunt together. If you put a fee of this type on it, it is going to prohibit that. As Mr. Letterman said, there can only be 3 percent of the allocation for nonresidents. That is not really a great amount. Now when you talk about hunting out west and so forth, this is true. Their licenses are higher, but it is not for a 1-day hunt; it is for a longer period. And it just seems to me that a \$50 fee is really unreasonable.

The second part of the amendment, as I said, is almost unenforceable. There is really no way that you can establish the fact that a person lived in this state 5 years prior to the application of this license. It would do nothing but create a nightmare for the county treasurers and all the issuing agents of this state for this license. So I hope you would bear with me and vote "no" on this amendment.

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

Mr. PETERSON. Mr. Speaker, I rise, too, to oppose the Letterman amendment for the following reasons. The maker of this amendment stated that this bear bill is going to deprive 900,000 Pennsylvania hunters from hunting bear. I do not believe that is an accurate figure, because I represent three counties that are heavy hunting counties and the majority of people who hunt small game and deer do not hunt bear. There are lots of bear hunters. I doubt if there are more than the

allotted number of licenses that will be allotted, but, of course, none of us knows for sure.

Also, the maker of this amendment says that we should sock all out-of-state hunters. In the proposal of this bill, only 3 percent of the licenses will be allowed for out-of-state hunters, and all of us who represent counties who have the hunting areas find that that is a very strong part of our economy. The hunters who come to Pennsylvania and hunt come all year long, buy groceries, buy food at the restaurants, gas stations, and it is a major part of our economy. I think if we follow the trend that has often been sponsored by the maker of this amendment, we will be like it is in Europe and only rich people will hunt. I like to hunt in other states, and I am sure other states' people like to hunt here. And as Mr. Foster said, family members who have moved away and who grew up liking to hunt in Pennsylvania like to return and hunt with their parents.

I think this bill was well worked over in committee. This amendment was turned down there, and I ask the members of this House to turn it down here.

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

The following roll call was recorded:

YEAS—63

Barber	Donatucci	Maiale	Smith, L. E.
Belfanti	Emerson	Michlovic	Stewart
Beloff	Fee	Miscevich	Stuban
Berson	Fryer	Morris	Swaim
Blaum	Gallagher	O'Donnell	Sweet
Borski	George	Olasz	Taylor, F. E.
Brown	Greenfield	Petrarca	Trello
Cappabianca	Hasay	Pievsky	Van Horne
Cawley	Hoeffel	Pistella	Wachob
Clark	Hutchinson, A.	Pratt	Wargo
Cochran	Kolter	Pucciarelli	White
Cohen	Kukovich	Rappaport	Wiggins
Coslett	Letterman	Rieger	Williams, H.
DeMedio	Livengood	Ritter	Williams, J. D.
DeWeese	Lucyk	Seventy	Wozniak
Dombrowski	McMonagle	Shupnik	

NAYS—135

Alden	Foster, W. W.	Levi	Rocks
Anderson	Foster, Jr., A.	Levin	Rybak
Armstrong	Frazier	Lewis	Salvatore
Arty	Freind	Lloyd	Saurman
Belardi	Gallen	McCall	Serafini
Bittle	Gamble	McClatchy	Showers
Bowser	Gannon	McVerry	Sieminski
Boyes	Geist	Mackowski	Sirianni
Brandt	Gladeck	Madigan	Smith, B.
Burd	Grabowski	Manderino	Smith, E. H.
Burns	Gray	Manmiller	Snyder
Caltagirone	Greenwood	Marmion	Spencer
Cessar	Gruitza	Merry	Spitz
Cimini	Gruppo	Micozzie	Stairs
Civera	Hagarty	Miller	Steighner
Clymer	Haluska	Moehlmann	Stevens
Colafella	Harper	Mowery	Swift
Cole	Hayes	Mrkonic	Taddonio
Cordisco	Heiser	Mullen	Taylor, E. Z.
Cornell	Honaman	Murphy	Telek
Cowell	Horgos	Nahill	Tigue
Cunningham	Hutchinson, W.	Noye	Vroon
DeVerter	Irvis	Oliver	Wambach
Daikeler	Itkin	Pendleton	Wass
Davies	Jackson	Perzel	Wenger
Dawida	Johnson	Peterson	Weston

Deal	Kanuck	Petrone	Wilson
Dietz	Kennedy	Phillips	Wogan
Dininni	Klingaman	Piccola	Wright, D. R.
Dorr	Kowalshyn	Pitts	Wright, J. L.
Duffy	Lashinger	Pott	Zwikl
Durham	Laughlin	Rasco	
Earley	Lehr	Reber	Ryan,
Fischer	Lescovitz	Richardson	Speaker
Fleck			

NOT VOTING—2

Grieco McIntyre

EXCUSED—2

Evans Punt

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

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. W. W. FOSTER offered the following amendments No. A1589:

Amend Sec. 7, page 11, lines 2 through 4, by striking out "on September 1 next" in line 2, all of line 3 and "June 1." in line 4 where it appears the first time, and inserting immediately if enacted prior to July 1.

Amend Sec. 7, page 11, line 5, by striking ut "June" where it appears the second time and inserting July

Amend Sec. 7, page 11, line 5, by striking out "September" and inserting January

On the question,

Will the House agree to the amendments?

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

Mr. W. W. FOSTER. Mr. Speaker, when this bill was originally drafted, it was thought that there would have been earlier consideration, and the date of June 1 was inserted. Obviously that is outdated now, so all this amendment does is change the date from June 1 to July 1, which would enable the Game Commission, if this is enacted into law, to implement this act this hunting season, this year. It is just a change in the date from June 1 to July 1. I ask for your support.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—196

Alden	Fee	Livengood	Rybak
Anderson	Fischer	Jloyd	Salvatore
Armstrong	Fleck	Lucyk	Saurman
Arty	Foster, W. W.	McCall	Serafini
Barber	Foster, Jr., A.	McClatchy	Seventy
Belardi	Frazier	McMonagle	Showers
Belfanti	Freind	McVerry	Shupnik
Beloff	Fryer	Mackowski	Sieminski
Berson	Gallagher	Madigan	Sirianni
Bittle	Gallen	Maiale	Smith, B.
Blaum	Gamble	Manderino	Smith, E. H.
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
Civiera	Haluska	Murphy	Taylor, E. Z.
Clark	Harper	Nahill	Taylor, F. E.
Clymer	Hayes	Noye	Telek
Cochran	Heiser	O'Donnell	Tigue
Cohen	Hoeffel	Olasz	Trello
Colafella	Honaman	Oliver	Van Horne
Cole	Horgos	Pendleton	Vroon
Cordisco	Hutchinson, A.	Perzel	Wachob
Cornell	Hutchinson, W.	Peterson	Wambach
Cowell	Irvis	Petrarca	Wargo
Cunningham	Itkin	Petrone	Wass
DeMedio	Jackson	Phillips	Wenger
DeVertter	Johnson	Piccola	Weston
DeWeese	Kanuck	Pievsky	White
Daikeler	Kennedy	Pistella	Wiggins
Davies	Klingaman	Pitts	Williams, H.
Dawida	Kolter	Pott	Williams, J. D.
Deal	Kowalshyn	Pratt	Wilson
Dietz	Kukovich	Pucciarelli	Wogan
Dininni	Lashinger	Rappaport	Wozniak
Dombrowski	Laughlin	Rasco	Wright, D. R.
Donatucci	Lehr	Reber	Wright, J. L.
Dorr	Lescovitz	Richardson	Zwikl
Duffy	Letterman	Rieger	
Durham	Levi	Ritter	Ryan,
Earley	Levin	Rocks	Speaker
Emerson	Lewis		

NAYS—3

Coslett Hasay Smith, L. E.

NOT VOTING—1

McIntyre

EXCUSED—2

Evans Punt

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

Mr. LETTERMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to SB 14. As usual, the Senate has now sent us another piece of legislation that was not very well thought out. I think they must have been blind when they voted for it. For one thing, this bill does not do one thing to tell us what the Game Commission is actually going to have to do to regulate who will be allowed to hunt and who will not be allowed to hunt. All this bill does is write a blank check for the Game Commission to take the authority to do whatever they want to do in their little old commission, and you and I as legislators are going to go home and we are going to be listening to people after the new rules and regulations come out on it, and we are going to be the culprits at the end

of this. They have not put anything into this piece of legislation that you can actually amend. It does not say that if you get a license this year, in this drawing, that next year you will not be allowed to. What they planned to do was to try to find out how many people really hunt bear. Well, they have already eliminated that for you because they will never find out now. They now have put a quota of 125,000 licenses on it. What they should have done is left the \$5 tag on for the entire first year. Then they would have known how many people were actually interested in hunting bear. But they did not do that. They brought it down to 125,000, and that is all we are going to be allowed to have and it is going to be a lottery drawing right here in Harrisburg.

If you own a hunting camp and you hunt with a group of men—24 people like I do—how many of those guys are going to be able to hunt with me? Probably none. Probably none, because they will not be able to get a license. So there goes my hunting camp that I pay for all year to enjoy just during a 2- or 3-week season. And they absolutely destroy the chance for a man to enjoy his hunting camp and the friends whom he has whom he hunts with. They are doing absolutely nothing to protect this whatsoever.

They are talking about dividing this state into six districts, and you will be assigned a district when your name is drawn from the lottery and told what district you are allowed to hunt in. Now I have 25 black bear in the mountain behind my home and I want to hunt there, but my license is drawn and they tell me to hunt someplace else. So I have to go there and hunt, maybe 80 miles away from my home. It does not make any sense whatsoever. And all we are doing is letting them absolutely tell us exactly what they are going to do, not what the hunters in this state want done. And I do not know how many of you really have taken a survey, but I have hardly any person in my legislative district who is in favor of this bear bill.

I will tell you what else it is going to create. They say that they need money for research, and I do not believe this because the last time that I looked there was a \$47-million balance in the Game Fund. I do not really think they need too much of anything. They are building new buildings all over the country, and they look great. They are really nice to go into, and I agree with that, but it just is not right that we use the hunters' money for this kind of purpose and then say we need more to do a little bit of bear research. This man who has been doing bear research is doing a fantastic job, and he has been doing it for approximately 5 years. He knows more about the bear than he will ever know again. And I cannot see why we would allow the Game Commission just to take a piece of legislation and add to it any regulation or rule that they want to add. You go home and go up and down your street after they come out with this stupid regulation and you are going to get into all kinds of trouble. You are going to be the one blamed for it, and you really did not have anything to do with it.

I think if you look, you will see that some of the fees and fines are absolutely ridiculous. I think this is: The failure to present a bear for examination has increased from \$25 to

\$400. That is pretty nice. And if you remove a metal tag from a dead bear, the fine has increased from \$25 to \$100. Failure to sign a bear license, \$25. I just see it as another money grab. I see this as a way for the Game Commission to eventually say to you, now we are going to license turkey. Grabowski has that stupid duck bill that is going to put another fee on us. Then you come along and we are going to have a bill that is going to say that you have got to put a license on turkey pretty soon. They already have a separate little tag. All they have to do is assign the fee to it and we are going to be paying for that soon, and that is the way it is going to run.

If you people want this, I think you had better check with your hunters because you are going to find out in districts where a lot of hunting land is owned by the farmer and owned by private concerns, you are going to see a lot of people posting their land, and we are not going to be able to hunt anywhere. I just hope that we oppose this bill. Thank you.

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

Mr. W. W. FOSTER. Mr. Speaker, I rise in support of SB 14. This bill has not been hastily drawn. As a matter of fact, there has been research done for the last 5 or 6 years. Pennsylvania is fortunate enough to have one of the most famous game biologists that we have with relation to the black bear in the name of Gary Alt. This has been talked about, talked about, and talked about, so it has not been done hastily. It is a piece of legislation that we desperately need to protect this animal in the State of Pennsylvania.

Now, to give you a little example: During the last bear season, which was a 1-day season, it was extremely inclement weather. Anybody in his right mind would have never stayed out in it. But even with the weather as it was, they killed 921 bear in this state. Had it been a good day, Lord knows how many they would have killed. And what the Game Commission wants to do and has to do and feels it is vitally necessary to do is manage this animal, and the only way they can do it is by a special bear license and regulating the hunting pressure that is exerted.

Now, as far as camps hunting together, the way that would be worked is like this: You would apply for a bear permit in any area that you wanted to hunt. You are not going to be assigned any areas to hunt. If you want to hunt in Wayne County or Pike County, that is the county that you would apply in, the same as you do now for an antlerless deer permit. If you got a bear permit, then you would be allowed to hunt in that county. Camps can hunt in groups of at least 10 and possibly more, so you are still going to have your group hunting, and you can hunt where you want to.

As far as the increase in the fines, I think that refutes the last speaker's statement when he said the Game Commission does not know what they are doing. One of the reasons they increased that fine is to make sure that when a person kills a bear, they do take it to a station and report it, because the only way they can put a handle on this thing is to know how many bear have been killed, how many hunters are in the woods, where they are hunting, and where the kill has taken place.

This is an extremely necessary piece of legislation, and I hope that every member on both sides of the aisle will give it his support and his consideration. It is not a moneymaking bill. It is something that we have to have if we are going to protect this species in the State of Pennsylvania. I would certainly appreciate your support on SB 14.

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

Mr. PETRONE. Mr. Speaker, I rise in support of this bill. I ask my colleagues to do so. It is a good bill. We need it. It will insure that the future of our bear population in the State of Pennsylvania is healthy for many generations to enjoy. I ask all of my colleagues in this House to support this bill. Thank you, Mr. Speaker.

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

Mr. GRABOWSKI. Thank you, Mr. Speaker.

Mr. Speaker, for the last 10 years I have been a very avid hunter of all game animals the state has to offer, and within that relatively short time period, I can recall the season being closed on bear on three separate occasions, and the reason it was closed was because there was an overharvest. In light of that, this piece of legislation is desperately needed, and I certainly hope that everyone would vote in the affirmative.

And as far as my waterfowl legislation, I think it is a very meritorious piece of legislation, and we will find out next week. Thank you.

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

Mr. WASS. Mr. Speaker, may I interrogate Mr. Foster, please?

The SPEAKER. The gentleman, Mr. Foster, indicates he will stand for interrogation. The gentleman may proceed.

Mr. WASS. Mr. Speaker, as we consider a special bear license, is that in addition to the regular license?

Mr. W. W. FOSTER. Yes, it is.

Mr. WASS. Mr. Speaker, it is repetitious, but I just wanted to put onto the record asking the gentleman if the bear license is in addition to the regular hunting license.

Mr. W. W. FOSTER. Yes, it is.

Mr. WASS. Thank you very much.

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

Mr. PETERSON. Thank you, Mr. Speaker.

I rise to support SB 14 for several reasons. As Mr. Grabowski stated very properly, one of the problems we have is that if the weather conditions are correct all over Pennsylvania and we have a nice, fresh tracking snow, we have three or four times as many hunters as we would under other conditions. When we have that situation, we historically kill too many bear, and then we will have 2 or 3 years when we do not have a bear season at all. Earlier someone spoke that we were depriving people of hunting bear. Under the present system we have had many seasons where we did not have a bear season. I think what they are trying to do is to make sure that we have a bear season annually and that we keep a bear population that we can stand. It is important that we control

it, because in many areas where bear are heavily populated, they also are a very damaging creature. When the population gets too high, they have to trap them and move them or kill them, because we can only handle so many bear in an area. They are a very destructive animal when they become overpopulated. I think it is important that we control the population and that we do it in a way that we can have a bear hunting season on an annual basis, and I think this is a good way to start. I support SB 14.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair interrupts this debate for a moment to advise the members that the majority leader has advised me that there will be no voting session tomorrow but rather a token session. There are still some five or six bills to be considered today, however.

CONSIDERATION OF SB 14 CONTINUED

The SPEAKER. The Chair recognizes the gentleman from Centre, Mr. Letterman, for the second time on final passage.

Mr. LETTERMAN. Thank you.

I do not understand where people say that they are going to be able to hunt in a camp. All the Game Commission said they will do is allow me to take four other licenses and put them all in the same envelope. That might guarantee me that I will get one with four other guys. That will not guarantee me that they will take care of the other 19 guys who hunt in my camp, and they have not done anything to say that if you kill a bear this year, next year your name will not be allowed to be entered for an application. That means that the same person year after year could have his name drawn, and the same person will always be hunting a bear. That means that 900,000 other ones who want to hunt bear possibly will never be able to hunt it. There are just so many things left out.

Now, they say they thought this all out real well. Well, how come I have been able to ask so many questions that all of you are wondering about then? If they thought it out so well, why was it not in the bill so we could read it and see what it is going to do? It is not there. You show it to me in this bill; it is not there anyplace. They are going to do it all themselves. They are going to tell you exactly how you are going to run the thing. They are going to bring everything down here to Harrisburg for the bear applications, and they are going to make a drawing on that, and they are going to do the regulating; you are not. So again we lose control of everything we should be keeping control of. Thank you.

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

Mr. W. W. FOSTER. Just one more comment. Historically it has always been left up to the Game Commission to set the bag limits, the seasons, and so forth. The legislature did that many, many, many years ago, and I think we could all agree that if it was left up to us here, 203 men and women, as to when your deer season was going to open, when it was going to close, who could hunt, and who could not, we would have hundreds of different ideas. Now, these people are profes-

sionals; they have studied this. They are the people who are prepared to make these decisions, so it should be left in their hands to make the very decisions that Mr. Letterman is talking about. We cannot write that in legislation. It has to change from time to time, and that is the reason for the bill, for the control of this animal.

Again, I would just like to reiterate that I would certainly appreciate your support for this legislation. Thank you.

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

Mr. NOYE. Thank you, Mr. Speaker.

I think Mr. Peterson touched upon probably the most important point of this debate. Those of you who are interested in hunting and those of you who have constituents who are interested in hunting have a choice to make on this particular issue. If they want to continue to hunt black bear in Pennsylvania, one of the few eastern states that this is possible, then it is going to be necessary to pay the additional cost for that privilege.

The black bear population in Pennsylvania at best has been holding its own. Now in certain sections of the state, it has been increasing. The statistics from last year prove that the population can withstand the 1-day hunt, but, unfortunately, last year the kill in Pennsylvania occurred in the wrong places of Pennsylvania. The hopes of the commission were that there would be a substantial kill in the northeast where the population of bear, black bear, was on the increase. Unfortunately, the bulk of the kill came in the north-central counties where the population has been pretty much stagnant over the last few years.

The purpose of this license is not additional revenues for the Pennsylvania Game Commission. The purpose of the idea of licensing is to control the amount of hunters in certain sections of Pennsylvania and to control the amount of game killed. The alternative was outlined by Representative Peterson: No hunting season for black bear whatsoever. Now, hunters may be upset that they have to pay an additional fee, but they are going to be more upset over the fact that they are not going to be able to hunt black bear at all. The Pennsylvania Federation of Sportsmen has addressed this issue. It was outlined that this bill was not speedily put together. It was well thought out; the sportsmen of Pennsylvania were heard; and the bill pretty much represents the thoughts of the research people in the Pennsylvania Game Commission and the Pennsylvania Federation of Sportsmen.

One other point. Pennsylvania has become known for the amount of research it has put into both the black bear program and the white-tailed deer program in Pennsylvania. The white-tailed deer program at Penn State University is considered one of the finest in the country. Without that kind of research, our hunters would not have the success and the program that we have in Pennsylvania. That program is in jeopardy right now because of cutbacks in Federal programs. That means that that program is going to also have to be financed by the Pennsylvania Game Commission. The black bear program to date has been financed by the Pennsylvania Game Commission. The purpose of the \$5 fee is to provide

some additional revenue to fund that research program which has already been acknowledged by everyone here on the floor as the finest in the United States. Take this into account, and I think you will come up with the reasons to support the passage of this legislation and defend it if you have to before any hunter in this Commonwealth. Thank you, Mr. Speaker.

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

Mr. GAMBLE. To close this debate, Mr. Speaker, I rise in support of SB 14. This is a question of management. If we do not manage the bear kill, there are not going to be any bears. We in Allegheny County have never seen a bear, so today, today, we are going to support SB 14 so that in future years maybe we can without having to visit the zoo. Thank you.

On the question recurring,
Shall the bill pass finally?

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

YEAS—140

Alden	Earley	Lehr	Reber
Anderson	Emerson	Levi	Ritter
Armstrong	Fischer	Lewis	Rocks
Arty	Fleck	Livengood	Salvatore
Barber	Foster, W. W.	McCall	Saurman
Belfanti	Foster, Jr., A.	McClatchy	Seventy
Bittle	Frazier	McVerry	Showers
Blaum	Freind	Mackowski	Sieminski
Bowser	Gallagher	Madigan	Sirianni
Boyes	Gallen	Maiale	Smith, B.
Brandt	Gamble	Manmiller	Smith, E. H.
Brown	Gannon	Marmion	Smith, L. E.
Burns	Geist	Merry	Snyder
Caltagirone	Gladeck	Michlovic	Spencer
Cappabianca	Grabowski	Micozzie	Spitz
Cessar	Greenwood	Miller	Stairs
Civera	Gruitza	Miscevich	Steighner
Clark	Gruppo	Moehlmann	Swift
Clymer	Hagarty	Mowery	Taddonio
Cochran	Hayes	Mrkonic	Taylor, F. E.
Cohen	Heiser	Murphy	Telek
Colafella	Hoefel	Nahill	Tigue
Cole	Honaman	Noye	Trello
Cornell	Horgos	Oliver	Vroon
Cowell	Hutchinson, A.	Pendleton	Wambach
Cunningham	Hutchinson, W.	Perzel	Wenger
DeVerter	Iris	Peterson	Weston
DeWeese	Itkin	Petrarca	Wilson
Daikeler	Jackson	Petrone	Wogan
Davies	Johnson	Phillips	Wright, D. R.
Dietz	Kennedy	Piccola	Wright, J. L.
Dininni	Klingaman	Pistella	Zwikl
Dombrowski	Kolter	Pitts	
Donatucci	Kukovich	Pott	Ryan,
Dorr	Lashingier	Rasco	Speaker
Durham	Laughlin		

NAYS—53

Belardi	Gray	Manderino	Shupnik
Beloff	Greenfield	Morris	Stevens
Berson	Grieco	Mullen	Stewart
Borski	Harper	O'Donnell	Stuban
Cawley	Hasay	Olasz	Swaim
Cimini	Kowalshyn	Pievsky	Sweet
Cordisco	Lescovitz	Pratt	Van Horne
Coslett	Letterman	Pucciarelli	Wachob
DeMedio	Levin	Rappaport	Wargo
Deal	Lloyd	Richardson	Wass
Duffy	Lucyk	Rieger	White
Fee	McIntyre	Rybak	Williams, J. D.
Fryer	McMonagle	Serafini	Wozniak

George

NOT VOTING—7

Burd Haluska Taylor, E. Z. Williams, H.
Dawida Kanuck Wiggins

EXCUSED—2

Evans Punt

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

REMARKS ON VOTE

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

Mr. HALUSKA. Mr. Speaker, I ask that the record reflect that my vote would have been in the affirmative on SB 14.

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

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of SB 512, PN 690, entitled:

An Act amending the act of December 22, 1959 (P. L. 1978, No. 728), entitled, as amended, "Pennsylvania Harness Racing Law," further providing for the number of days in a calendar year for which corporations may be licensed to conduct harness racing.

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 Fleck Livengood Rybak
Anderson Foster, W. W. Lloyd Salvatore
Armstrong Foster, Jr., A. Lucyk Saurman
Arty Frazier McCall Serafini
Barber Freind McClatchy Seventy
Belardi Fryer McMonagle Showers
Belfanti Gallagher McVerry Shupnik
Beloff Gallen Mackowski Sieminski
Berson Gamble Madigan Srianni
Bittle Gannon Maiale Smith, B.
Blaum Geist Manderino Smith, E. H.
Borski George Manmiller Smith, L. E.
Bowser Gladeck Marmion Snyder
Boyes Grabowski Merry Spitz
Brandt Gray Michlovic Stairs
Brown Greenfield Micozzie Steighner
Burd Greenwood Miller Stevens
Burns Grieco Misceovich Stewart
Caltagirone Gruitza Moehlmann Stuban

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

NAYS—3

Clymer Cunningham Dietz

NOT VOTING—2

McIntyre Spencer

EXCUSED—2

Evans Punt

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

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

The House proceeded to third consideration of HB 125, PN 1492, entitled:

An Act amending Title 9 (Burial Grounds) of the Pennsylvania Consolidated Statutes, providing for the registration of certain cemetery companies with the State Real Estate Commission, providing for investigation of cemetery companies and further providing for the filing of accounts.

On the question, Will the House agree to the bill on third consideration? Mr. DORR offered the following amendments No. A1698:

Amend Title, page 1, line 8, by removing the period after "ACCOUNTS" and inserting and reports.

Amend Sec. 1 (Sec. 304), page 2, line 11, by inserting brackets before and after "OF THIS TITLE"

Amend Sec. 1 (Sec. 304), page 2, line 13, by inserting brackets before and after "OF THIS TITLE"

Amend Sec. 1 (Sec. 308), page 3, line 8, by inserting a colon after "file"

Amend Sec. 1 (Sec. 308), page 3, lines 8 through 22, by striking out "accounts in the court of common pleas or the county" in line 8, all of lines 9 through 22, and inserting

(1) Accounts in the court of common pleas of the county in which the majority of the cemetery is situate and duplicates of such accounts with the State Real Estate Commission. The accounts shall be filed on or before January 31 of each odd-numbered year and at such other times as the court may direct. The accounts shall be audited, adjudicated and confirmed by the court upon notice to the commission and such other parties in interest as the court deems appropriate.

(2) Interim reports with the State Real Estate Commission. The interim report shall be filed on or before January 31 of each even-numbered year and shall be on a form approved by the commission. The interim report shall include a list of all contributions to the permanent lot care fund, a list of all withdrawals made from the fund and the number of lots deeded during the previous calendar year. The interim reports required under this paragraph shall be in addition to, and not in lieu of, the complete biennial account required under paragraph (1).

Amend Sec. 2 (Sec. 313), page 4, line 13, by striking out all of said line and inserting

§ 312. Engaging in cemetery business in unauthorized manner.

Amend Sec. 2 (Sec. 313), page 4, line 14, by striking out "Pennsylvania" and inserting

State

Amend Sec. 2 (Sec. 313), page 4, line 14, by striking out "is authorized to" and inserting

may

Amend Sec. 2 (Sec. 313), page 4, line 17, by striking out "to" where it appears the first time

Amend Sec. 2 (Sec. 313), page 4, line 17, by inserting after "fine"

the company

Amend Sec. 2 (Sec. 313), page 4, line 18, by inserting after "REGISTRATION"

of the company

Amend Sec. 2 (Sec. 313), page 4, line 20, by inserting a comma immediately following "Act"

Amend Sec. 2 (Sec. 313), page 4, lines 22 and 23, by striking out "of Ch. 3 (relating to the regulation of cemetery companies), or"

Amend Sec. 2 (Sec. 313), page 4, line 24, by inserting after "interment"

, or this chapter.

Amend Sec. 2 (Sec. 313), page 4, line 25, by striking out "or if" and inserting

if

Amend Sec. 2 (Sec. 313), page 4, line 25, by inserting after "cemetery"

company

Amend Sec. 2 (Sec. 313), page 4, line 26, by inserting after "business"

specified in this section

Amend Sec. 2 (Sec. 303), page 4, line 27, by inserting a comma after "suspended"

Amend Bill, page 4, by inserting between lines 29 and 30

Section 3. (a) The initial accounts required to be filed pursuant to 9 Pa.C.S. § 308(1) (relating to accounts of qualified trustee) shall be filed within 24 months of the effective date of this amendatory act and shall cover the period from January 1, 1981 through December 31, 1982. Thereafter accounts shall be filed on or before January 31 of each odd numbered year.

(b) The initial interim report required to be filed pursuant to 9 Pa.C.S. § 308(2) shall be filed on or before January 31, 1984 and shall cover the period from January 1, 1983 through December 31, 1983.

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

4.

On the question,

Will the House agree to the amendments?

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

Mr. DORR. Mr. Speaker, the amendment strikes from the bill the original language regarding reports to the court and inserts a biennial requirement for reports to courts by cemeteries which are acting as trustees of long-term perpetual care arrangements, and also calls for an off-year report of lesser degree to the Real Estate Commission.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—196

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

NAYS—4

Barber Richardson Wiggins Williams, J. D.

NOT VOTING—0

EXCUSED—2

Evans Punt

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—188

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

NAYS—8

Barber Lloyd Stewart Williams, J. D.
DeWeese Richardson Wiggins Wright, D. R.

NOT VOTING—4

EXCUSED—2

Cunningham Harper Hasay Hutchinson, A.

Evans Punt

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

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

REMARKS ON VOTE

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

Mr. LETTERMAN. Mr. Speaker, I do not know if my switch is functioning properly or not. I just checked, and I was not recorded on HB 1290, but I did vote on it. I would like to be recorded in the affirmative.

The SPEAKER. That was the bear bill?

Mr. LETTERMAN. No, that was not the bear bill. I know I am recorded on that one the way I have to be.

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 1218, PN 1353, entitled:

An Act amending the "Real Estate Licensing Act," approved February 19, 1980 (No. 9), providing for the registration of cemetery companies and providing for fees, enforcement and penalties.

On the question,

Will the House agree to the bill on third consideration?

Mr. DORR offered the following amendments No. A1246:

Amend Sec. 8 (Sec. 803), page 10, line 12, by striking out "or registrant"

Amend Sec. 8 (Sec. 803), page 10, lines 12 and 13 by striking out "or registration certificate"

Amend Sec. 8 (Sec. 803), page 10, line 15, by striking out "or registrant"

Amend Sec. 8 (Sec. 803), page 10, by inserting between lines 18 and 19

(g) Should the commission pay from the Real Estate Recovery Fund any amount in settlement of a claim as provided for in this act against a registrant the registrant shall automatically be denied the right to sell cemetery lots upon the effective date of the payment thereof by the commission. No such registrant shall be granted the right to sell cemetery lots until he has repaid in full plus interest at the rate of 6% a year, the amount paid from the Real Estate Recovery Fund.

On the question,

Will the House agree to the amendments?

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

Mr. DORR. Mr. Speaker, the bill ties the cemeteries, which are acting as trustees of perpetual care funds, into the Real Estate Recovery Fund, which was passed as a part of the Real Estate Licensing Act last year.

This amendment would provide a penalty in the event that the Real Estate Recovery Fund had to be used to recover moneys that had been lost by one of these cemeteries. It provides that the cemetery, under those circumstances, would not be able to sell any cemetery lots until the Real Estate Recovery Fund had been reimbursed for the funds which were paid out as a result of whatever might have been involved in terms of fraud or mistake.

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

The following roll call was recorded:

YEAS—193

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

NAYS—7

Barber	Lloyd	Wiggins	Wright, D. R.
DeWeese	Richardson	Williams, J. D.	

NOT VOTING—0

EXCUSED—2

Evans	Punt
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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—188

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

NAYS—9

Barber	Lloyd	Stewart	Williams, J. D.
DeWeese	Richardson	Wiggins	Wright, D. R.
Hutchinson, A.			

NOT VOTING—3

Emerson	Sirianni	White
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EXCUSED—2

Evans	Punt
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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.

REMARKS ON VOTES

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

Mr. CUNNINGHAM. Mr. Speaker, I inadvertently failed to vote for HB 125. I would like to be recorded in the affirmative, please.

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

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

Mr. DUFFY. Mr. Speaker, on SB 14 I voted "no." I made a mistake. I would like to be recorded as "yes."

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

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

Mr. HASAY. On HB 125, PN 1492, I would like to be recorded in the affirmative. Apparently my switch malfunctioned.

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

The Chair recognizes the gentleman from Adams, Mr. Cole.

Mr. COLE. Mr. Speaker, I would like to be recorded in the affirmative on HB 1291.

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 312, PN 318**, entitled:

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

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—114

Alden	Freind	McClatchy	Rasco
Anderson	Gallagher	McIntyre	Reber
Arty	Gallen	McMonagle	Rieger
Barber	Gamble	McVerry	Ritter
Beloff	Gannon	Mackowski	Rocks
Berson	Geist	Madigan	Rybak
Bittle	Gray	Maiale	Salvatore
Borski	Greenfield	Manderino	Saurman
Boyes	Gruitza	Manmiller	Shupnik
Burns	Gruppo	Marmion	Smith, E. H.
Caltagirone	Hagarty	Merry	Spencer
Civera	Honaman	Micozzie	Spitz
Clark	Horgos	Moehlmann	Stevens
Clymer	Hutchinson, A.	Mowery	Swaim
Cohen	Hutchinson, W.	Mullen	Swift
Cornell	Irviss	Nahill	Taddonio
Daikeler	Jackson	Noye	Taylor, E. Z.
Davies	Johnson	O'Donnell	Vroon
Deal	Kanuck	Oliver	Weston
Dininni	Kennedy	Pendleton	White
Dombrowski	Klingaman	Perzel	Wiggins
Donatucci	Kolter	Petrarca	Wilson
Dorr	Kowalshyn	Phillips	Wogan
Duffy	Lashinger	Piccola	Wozniak
Durham	Laughlin	Pievsky	Wright, J. L.
Earley	Lehr	Pott	Zwikk
Fleck	Letterman	Pratt	
Foster, Jr., A.	Levin	Pucciarelli	Ryan,
Frazier	McCall	Rappaport	Speaker

NAYS—82

Belardi	Dietz	Lewis	Sirianni
Belfanti	Emerson	Livengood	Smith, B.
Blaum	Fee	Lloyd	Smith, L. E.
Bowser	Fischer	Lucyk	Snyder
Brandt	Foster, W. W.	Michlovic	Stairs
Brown	Fryer	Miller	Steighner
Cappabianca	George	Miscevich	Stewart
Cawley	Gladeck	Morris	Stuban
Cessar	Grabowski	Mrkonic	Taylor, F. E.
Cimini	Greenwood	Murphy	Telek
Cochran	Grieco	Olasz	Tigue
Colafella	Haluska	Peterson	Van Horne
Cole	Harper	Petrone	Wachob
Cordisco	Hasay	Pistella	Wambach
Coslett	Hayes	Pitts	Wargo
Cowell	Heiser	Richardson	Wass
Cunningham	Hoeffel	Serafini	Wenger
DeMedio	Itkin	Seventy	Williams, H.
DeVerter	Kukovich	Showers	Williams, J. D.
DeWeese	Lescovitz	Sieminski	Wright, D. R.
Dawida	Levi		

NOT VOTING—4

Armstrong	Burd	Sweet	Trello
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EXCUSED—2

Evans	Punt
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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.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority whip.
Mr. CESSAR. Mr. Speaker, I ask that the rules be suspended to permit the immediate consideration of a resolution.

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

The following roll call was recorded:

YEAS—192

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

NAYS—0

NOT VOTING—8

DeMedio	Gray	Lewis	Nahill
Gallen	Irvis	McIntyre	Vroon

EXCUSED—2

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

RESOLUTION ADOPTED

The SPEAKER. The Chair recognizes the majority whip.
Mr. CESSAR. Mr. Speaker, I offer the following resolution.

The SPEAKER. The clerk will read the resolution.

The following resolution was read:

House Resolution No. 78

In the House of Representatives,
WHEREAS, Immediate implementation of the mandatory vehicle emissions control inspection/maintenance program will impose severe costs and burdens on Pennsylvania motorists; and
WHEREAS, Doubt exists whether the estimated benefit from the mandatory vehicle emission control program justifies the cost and burden which will be imposed upon Pennsylvania motorists by this Federal inspection requirement; and

WHEREAS, A thorough review of the Federal Clean Air Act requirements for mandatory automobile emissions control inspection/maintenance programs is both necessary and urgent; therefore be it

RESOLVED (the Senate concurring), That the General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States of America to:

(1) undertake a thorough review of the Federal Clean Air Act, insofar as it requires mandatory vehicle emissions control inspection/maintenance programs, in order to determine whether the estimated benefits of this program justify the costs and burden that this program would impose upon motorists;

(2) amend the Federal Clean Air Act to delay implementation of the vehicle emissions control inspection/maintenance program until the Congress completes its review of this program; and

(3) assure that any such delay in the implementation of the vehicle emissions control inspection/maintenance program apply to states that are subject to implementation deadlines imposed by court order or consent decree; and be it further

RESOLVED, That copies of this resolution be transmitted to the presiding officers of each House of the Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States of America.

- Richard J. Cessar
- Joseph A. Petrarca
- Frank A. Salvatore
- James J. Manderino
- Samuel E. Hayes, Jr.
- Albert Rasco
- George C. Hasay
- Edmund J. Sieminski
- Fred Belardi
- Peter R. Vroon
- Frank A. Serafini
- Leonard Q. Gruppo
- James M. Burd
- George F. Pott, Jr.
- Lee C. Taddonio
- Terrence F. McVerry
- Frank J. Marmion, Jr.
- Robert F. Frazier
- Daniel R. Fleck
- Lori Heiser
- Roger A. Madigan
- John Alden
- Roger Raymond Fischer
- Joseph M. Gladeck, Jr.
- Frank Coslett
- Paul I. Clymer
- Thomas P. Gannon
- Mario J. Civera, Jr.

Paul Wass
 Gerald J. Spitz
 Nicholas A. Micozzie
 Mary Ann Arty
 June N. Honaman
 Frances Weston
 William Telek
 Nicholas B. Moehlmann
 John M. Perzel
 Noah W. Wenger
 James R. Merry
 Karl W. Boyes
 William W. Foster
 John Kennedy
 Clarence E. Dietz
 Stephen F. Freind
 Arthur F. Earley
 Richard A. Geist
 Merle H. Phillips
 Edwin G. Johnson
 John Hope Anderson
 Stanford I. Lehr
 James J. Gallen
 Warren H. Spencer
 L. Eugene Smith
 Bruce Smith
 Donald W. Dorr
 Harold F. Mowery, Jr.
 Richard A. McClatchy, Jr.
 Bert C. Daikeler
 George E. Saurman
 Elinor Z. Taylor
 George J. Kanuck, Jr.
 Donald W. Snyder
 William D. Mackowski
 Earl H. Smith
 Joseph Levi II
 Joseph V. Grieco
 William K. Klingaman, Sr.
 John S. Davies
 Walter F. DeVerter
 Edward F. Burns, Jr.
 George W. Jackson
 A. Carville Foster, Jr.
 Joseph P. Kolter
 Brian D. Clark
 Steve Seventy
 William J. Stewart
 Victor John Lescovitz
 Nicholas A. Colafella
 Henry Livengood
 Allen G. Kukovich
 Charles P. Laughlin
 Emil Mrkonic
 John N. Wozniak
 Thomas J. McCall
 John F. Cordisco
 William Wachob
 Thomas J. Fee
 A. J. DeMedio
 David W. Sweet
 Russell P. Letterman
 Samuel W. Morris
 Richard D. Olasz
 Ronald R. Cowell
 Stephen S. Grabowski
 Ron Gamble
 Frank J. Pistella
 Michael M. Dawida
 Thomas J. Murphy

Ivan Itkin
 Thomas A. Michlovic
 Robert P. Horgos
 Joseph G. Wargo
 Fred J. Shupnik
 Thomas R. Caltagirone
 Harry Young Cochran
 Jess M. Stairs
 Thomas C. Petrone
 George Misceвич
 Ted Stuban
 Edward J. Lucyk
 Bernard J. Dombrowski
 Italo S. Cappabianca
 John R. Showers
 Fred Taylor
 Joseph A. Steighner
 David R. Wright
 Terry E. Van Horne
 Nicholas J. Maiale
 Joseph M. Hoeffel III
 Kevin Blaum
 Thomas M. Tighe
 Gaynor Cawley
 Kurt D. Zwikl
 Michael C. Gruitza
 James P. Ritter
 Harold L. Brown
 Edward J. Haluska
 Peter C. Wambach, Jr.
 Russell Kowalyshyn
 William C. Rybak
 Edward A. Wiggins
 Leland M. Beloff
 James D. Williams
 John J. Swaim
 Robert Donatucci
 William W. Rieger
 Clifford Gray, Jr.
 Frank Louis Oliver

On the question,

Will the House adopt the resolution?

The SPEAKER. The Chair recognizes the majority whip.

Mr. CESSAR. Thank you, Mr. Speaker.

I ask for immediate consideration of this resolution memorializing Congress, and I ask for concurrence for this resolution so that we may submit this to the Congress of the United States to request that they amend the Federal Clean Air Act to delay the implementation of the vehicle emission control inspection-maintenance program. We would certainly hope that they would review this program, Mr. Speaker, and we would also wish that they would assure us that any such delay in the implementation of this program would apply to states that are subject to the implementation deadlines imposed by the order of the consent decree, and we further hope that we will have unanimous consent and approval of this resolution. Thank you, Mr. Speaker.

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

Alden	Emerson	Lewis	Rybak
Anderson	Fee	Livengood	Salvatore
Armstrong	Fischer	Lloyd	Saurman
Arty	Fleck	Lucyk	Serafini
Barber	Foster, W. W.	McCall	Seventy
Belardi	Foster, Jr., A.	McClatchy	Showers
Belfanti	Frazier	McIntyre	Shupnik
Beloff	Freind	McMonagle	Sieminski
Berson	Fryer	McVerry	Sirianni
Bittle	Gallagher	Mackowski	Smith, B.
Blaum	Gallen	Madigan	Smith, E. H.
Borski	Gamble	Maiale	Smith, L. E.
Bowser	Gannon	Manderino	Snyder
Boyes	Geist	Manmiller	Spencer
Brandt	George	Marmion	Spitz
Brown	Gladeck	Merry	Stairs
Burd	Grabowski	Michlovic	Steighner
Burns	Greenfield	Micozzie	Stevens
Caltagirone	Greenwood	Miller	Stewart
Cappabianca	Gréco	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 Home
Cordisco	Horgos	Oliver	Vroon
Cornell	Hutchinson, A.	Pendleton	Wachob
Coslett	Hutchinson, W.	Perzel	Wambach
Cowell	Irvic	Peterson	Wargo
Cunningham	Itkin	Petrarca	Wass
DeMedio	Jackson	Petrone	Wenger
DeVerter	Johnson	Phillips	Weston
DeWeese	Kanuck	Piccola	White
Daikeler	Kennedy	Pievsky	Wiggins
Davies	Klingaman	Pistella	Williams, J. D.
Dawida	Kolter	Pitts	Wilson
Deal	Kowalyszyn	Pott	Wogan
Dietz	Kukovich	Pratt	Wozniak
Dininni	Lashinger	Pucciarelli	Wright, D. R.
Dombrowski	Laughlin	Rasco	Wright, J. L.
Donatucci	Lehr	Reber	Zwinkl
Dorr	Lescovitz	Richardson	
Duffy	Letterman	Rieger	Ryan,
Durham	Levi	Ritter	Speaker
Earley	Levin	Rocks	

NAYS—1

Rappaport

NOT VOTING—2

Gray Williams, H.

EXCUSED—2

Evans Punt

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

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

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the lady from Chester, Mrs. Taylor.

Mrs. TAYLOR. Mr. Speaker, it has been brought to my attention that I did not cast a vote on SB 14. I would like the record to show that I would have voted in the affirmative.

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

REPORT OF COMMITTEE ON COMMITTEES

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

Mr. ANDERSON. Mr. Speaker, I submit the following supplemental report of the Committee on Committees.

The following report was read:

SUPPLEMENTAL REPORT OF COMMITTEE ON COMMITTEES

In the House of Representatives, June 2, 1981

RESOLVED, That Harold F. Mowery, Jr., 87th District, Cumberland County, is hereby elected a member of the Transportation Committee vice Roy Wilt resigned.

Signed: John Hope Anderson,
Chairman and others

On the question,

Will the House adopt the resolution?

Resolution was adopted.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS
NONCONCURRED IN BY HOUSE

The clerk of the Senate, being introduced, informed that the Senate has insisted upon its amendments nonconcurring in by the House of Representatives to **HB 523, PN 1577**, and has appointed Senators JUBELIRER, PRICE and ROSS a Committee of Conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

MOTION INSISTING UPON NONCONCURRENCE
IN SENATE AMENDMENTS

Mr. HAYES moved that the House insist upon nonconcurrency in Senate amendments to HB 523, PN 1577, and that a committee of conference be appointed.

On the question,

Will the House agree to the motion?

Motion was agreed to.

APPOINTMENT OF
COMMITTEE OF CONFERENCE

The SPEAKER. The Chair appoints as a committee of conference on the part of the House on HB 523, PN 1577:

Messrs. NAHILL, HAYES and SHOWERS.

Ordered, That the clerk inform the Senate accordingly.

LABOR RELATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Chester, Mr. Pitts, for the purpose of an announcement.

Mr. PITTS. Mr. Speaker, the Labor Relations Committee has been scheduled to have a meeting tomorrow morning at 9:30. Since we are not in session, we will delay that meeting for 1 hour. We will begin at 10:30.

JUDICIARY COMMITTEE MEETING

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

Mr. SPENCER. Mr. Speaker, the Judiciary Committee meeting scheduled for tomorrow morning at 9:30 in the majority caucus room will still be on. I repeat, the Judiciary Committee meeting will still be held tomorrow.

STATEMENT BY MR. DAVIES

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

Mr. DAVIES. Mr. Speaker, unanimous consent for about five lines to the Commandant of the corps.

The SPEAKER. The gentleman may proceed.

Mr. DAVIES. Mr. Speaker, to the Commandant of the corps: His words were very enlightening. We realize his force is ready for fighting. His personal appearance reflects without fail, from the cut of his jib to the trim of his sail. He exhibits all the military bearing a true leader should entail. Of the House members who formerly served in that tradition, a few exhibited some need for reconditioning. Thank you, Mr. Speaker.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, on page 3 of today's tabled calendar, I would like to move that HB 532 be removed from the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I would like to move that HB 532 be placed back on the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned **HB 187, PN 1673**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

The SPEAKER. The bill will appear on the calendar.

ADDITIONS AND DELETIONS 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 and deletions of sponsors of bills.

ADDITIONS:

HB 964, Greenwood; HB 1061, Belfanti; HB 1184, Haluska; HB 1185, Cole, Haluska; HB 1186, Haluska; HB 1187, Haluska; HB 1188, Haluska; HB 1414, Arty, Mrkonic; HR 52, Johnson; HR 72, Jackson, Wargo, Itkin; HR 73, Kukovich, Belfanti, Wambach, DeWeese.

DELETIONS:

HB 326, Arty; HB 527, Petrarca; HB 1371, Boyes.

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 is pleased to welcome to the hall of the House the fourth grade class of Bangor Elementary School and their teachers, Mrs. Maureen Brown and Kay Nell, here today as the guests of Mr. Gruppo.

The Chair is pleased to welcome to the hall of the House Pat Dillen and Jean Pitman, guests here today of the gentleman from Blair, Mr. Geist.

The Chair is pleased to welcome to the hall of the House certain guests here today as guests of Representative Rudy Dininni - Novica Bulatovich of Yugoslavia; Elizabeth Gartner of West Germany; Peter Gartner and Bert Jacob, also of West Germany.

The Chair at this time is pleased to welcome to the hall of the House Betty Jolly, the state president of the Organization for Regional Action for Education Legislation, and Lynne Boorn and Mary Kay Williams, here today as the guests of Representatives Cessar, Pendleton, and Heiser.

ADJOURNMENT

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

Mr. HALUSKA. Mr. Speaker, I move that this House do now adjourn until Wednesday, June 3, 1981, at 11 a.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 4:23 p.m., e.d.t., the House adjourned.