

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

WEDNESDAY, JUNE 24, 1981

SESSION OF 1981

165TH OF THE GENERAL ASSEMBLY

No. 46

HOUSE OF REPRESENTATIVES

The House convened at 10 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:

Our Heavenly Father, though we stumble and tumble in such a tangible existence, still we dare to ask for the intangible, unreachable star. We pray for peace on earth among men, for wisdom, guidance, and strength, for joy, and hope, love, and faith.

Because You have touched our hearts, we ask this intangible dream for everyone, everywhere, every day, so that as it is in heaven, so it might be on earth, in touch with You, our Heavenly Father.

This we pray in the name of the Father and of the Son and of the Holy Spirit. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Tuesday, June 23, 1981, will be postponed until printed. The Chair hears none.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1690 By Representative WACHOB

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), further providing for the issuance of hotel, restaurant and club licenses.

Referred to Committee on LIQUOR CONTROL, June 23, 1981.

No. 1691 By Representatives SALVATORE and PIEVSKY

An Act making an appropriation to the Philadelphia Area Retarded Citizens, Philadelphia, Pennsylvania.

Referred to Committee on APPROPRIATIONS, June 23, 1981.

No. 1692 By Representatives NOYE, LIVENGOOD, BRANDT, BOWSER, VROON, MERRY, SIEMINSKI and MADIGAN

An Act amending the "Dog Law of 1965," approved December 22, 1965 (P. L. 1124, No. 437), further providing for losses to livestock, poultry and game birds caused by dogs, increasing certain fees and making an editorial correction.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, June 23, 1981.

No. 1693 By Representatives NOYE, B. SMITH, JOHNSON, PHILLIPS, PICCOLA, COCHRAN, MILLER, MERRY, BRANDT, GREENWOOD, BOWSER, SIEMINSKI, CIMINI and MADIGAN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, increasing the monetary jurisdictional limits for district justices.

Referred to Committee on JUDICIARY, June 23, 1981.

No. 1694 By Representatives NOYE, B. SMITH, HASAY, GEIST, JOHNSON, PHILLIPS, COCHRAN, BRANDT, VROON, GREENWOOD, BOWSER, JACKSON, MERRY, FISCHER, BELFANTI, CIMINI, MADIGAN and ARTY

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, adding a provision relating to labeling reproductions of antiques.

Referred to Committee on JUDICIARY, June 23, 1981.

No. 1695 By Representatives NOYE, B. SMITH, JOHNSON, PHILLIPS, DORR, MILLER, COCHRAN, VROON, MERRY, GREENWOOD, BOWSER, FISCHER, BELFANTI, CIMINI, WOGAN and MADIGAN

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for lighting of certain vehicles carrying school children.

Referred to Committee on TRANSPORTATION, June 23, 1981.

No. 1696 By Representatives NOYE, GEIST, KOWALYSHYN, DORR, HONAMAN, BRANDT, WACHOB, JACKSON, COLE, BOWSER, COCHRAN, PICCOLA, MORRIS, VROON, POTT, MERRY, FISCHER, BELFANTI, CIMINI, MADIGAN, MRKONIC, WOGAN and WASS

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for crimes of violence committed with firearms, making an editorial change and providing certain mandatory sentencing provisions for persons committing crimes of violence with deadly weapons.

Referred to Committee on JUDICIARY, June 23, 1981.

No. 1697 By Representatives CIMINI, LETTERMAN, PETRARCA, KLINGAMAN, GEIST and PETERSON

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, prohibiting any rule of court setting a maximum time period within which a criminal trial must be commenced.

Referred to Committee on JUDICIARY, June 23, 1981.

No. 1698 By Representatives TRELLO, PIEVSKY, MISCEVICH, OLASZ and SEVENTY

An Act making an appropriation to United Cerebral Palsy of Pennsylvania for adult services.

Referred to Committee on APPROPRIATIONS, June 23, 1981.

No. 1699 By Representatives COSLETT, MACKOWSKI, PHILLIPS, LEHR, STEVENS, WASS, E. H. SMITH, MADIGAN, BOWSER, SNYDER, PETERSON and CALTAGIRONE

An Act amending the "Housing Authorities Law," approved May 28, 1937 (P. L. 955, No. 265), increasing the minimum amount for which authorities may contract or purchase without bids.

Referred to Committee on STATE GOVERNMENT, June 23, 1981.

No. 1700 By Representatives PHILLIPS, MACKOWSKI, COSLETT, LEHR, STEVENS, WASS, E. H. SMITH, MADIGAN, BOWSER, SNYDER, PETERSON and CALTAGIRONE

An Act amending "The County Code," approved August 9, 1955 (P. L. 323, No. 130), further regulating contracts and purchases as to bids and advertising.

Referred to Committee on STATE GOVERNMENT, June 23, 1981.

SENATE BILLS FOR CONCURRENCE

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

SB 1, PN 1016

Referred to Committee on State Government, June 24, 1981.

SB 116, PN 1064

Referred to Committee on Business and Commerce, June 24, 1981.

SB 563, PN 994

Referred to Committee on Judiciary, June 24, 1981.

SB 681, PN 1075

Referred to Committee on Appropriations, June 24, 1981.

SB 684, PN 714

Referred to Committee on Transportation, June 24, 1981.

SB 845, PN 912

Referred to Committee on Transportation, June 24, 1981.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 106, PN 107; HB 143, PN 1521; HB 753, PN 802; and HB 757, PN 806**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned **HB 644, PN 1979**, 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.

SENATE MESSAGE

HOUSE AMENDED SENATE BILL CONCURRED IN

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 856, PN 1048**.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

The clerk of the Senate, being introduced, informed that the Senate has adopted the Report of the Committee of Conference on the subject of the differences existing between the two Houses on **HB 523, PN 1757**.

COMMUNICATION FROM GOVERNOR

BILL, WITH EXCEPTION, SIGNED BY GOVERNOR

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

APPROVAL OF HB No. 712.

Commonwealth of Pennsylvania
Governor's Office, Harrisburg

June 23, 1981

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

I have the honor to inform you that I have this day approved and signed House Bill 712, Printer's No. 1786, entitled, "A SUPPLEMENT To the act of (P. L. , No.), entitled 'An act to provide for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal period July 1, 1981 to June 30, 1982, and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1981; itemizing appropriations of the Federal Augmentation to the Executive and Judicial Departments of the Commonwealth, establishing restricted receipts accounts for the fiscal period July 1, 1981 to June 30, 1982 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1981 and to provide additional and supplemental appropriations from the General Fund and the Motor License Fund to the various departments of the Commonwealth for the fiscal period July 1, 1980 to June 30, 1981,' itemizing appropriations required from the Motor License Fund for the proper operation of the several departments of the Commonwealth authorized to spend Motor License Fund moneys." except as to the following:

To the Department of Transportation

For the salaries, wages and all necessary expenses for the administration and operation of the maintenance program for State roads, bridges, tunnels and structures, including the operation of the county maintenance district facilities..... \$517,947,000

This item is approved in the amount of \$513,447,000. I withhold my approval on the remainder of this item.

The reduction in this appropriation is necessary since, when the budget bill was prepared, it was not anticipated that the "Oil Company Franchise Tax Act" would require that Philadelphia not receive a reduction in funding as a result of the preemption by that tax measure of a similar local tax that was to take effect in that city July 1. This line item reduction will hold \$4,500,000 available to provide the funds required for that purpose.

DICK THORNBURGH
GOVERNOR

BILLS SIGNED BY SPEAKER

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

HB 106, PN 107

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

HB 143, PN 1521

An Act authorizing the creation of agricultural areas.

HB 523, PN 1757

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

HB 753, PN 802

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.

HB 757, PN 806

An Act designating a section of Route 18 (Legislative Route 115) in Washington County as the "John L. Brunner Memorial By-pass."

SB 135, PN 135

An Act amending the act of June 23, 1931 (P. L. 932, No. 317), entitled "The Third Class City Code," prohibiting fee sharing among city officers, employes and consultants or persons contracting for personal services with the city.

SB 856, PN 1048

A Supplement to the act of July 7, 1972 (P. L. 743, No. 176), entitled "Lincoln University - Commonwealth Act," making appropriations for carrying the same into effect, providing for a basis for payments of such appropriation, and providing a method of accounting for the funds appropriated.

LEAVE OF ABSENCE GRANTED

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

Mr. CESSAR. Thank you, Mr. Speaker.

I request a leave for the gentleman from Delaware, Mr. GANNON, for today's session.

The SPEAKER. Without objection, leave is granted. The Chair hears none.

The Chair recognizes the minority whip for leaves of absence.

Mr. MANDERINO. We have no requests for leaves of absence.

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

SB 277, PN 1089 (Amended)

By Rep. LEHR

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), entitled "Liquor Code," defining and further exempting privately-owned public golf courses from licensing quota and regulating sales by such golf courses and certain other liquor licensees.

LIQUOR CONTROL.

**BILL REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND
RECOMMITTED TO RULES COMMITTEE**

HB 1472, PN 1991 (Amended)

By Rep. GRIECO

An Act relating to the protection of the public from adulterated, misbranded and deleterious foods, providing for inspections of food establishments, requiring detention and destruction of food determined to be dangerous to health, providing penalties and making certain repeals.

AGRICULTURE AND RURAL AFFAIRS.

**BILL REPORTED AND REREFERRED
TO COMMITTEE ON EDUCATION**

HB 1435, PN 1638

By Rep. PITTS

An Act limiting the causes for which the employment of a professional employee of certain colleges and universities may be terminated.

LABOR RELATIONS.

**BILL REPORTED AND REREFERRED
TO COMMITTEE ON TRANSPORTATION**

HB 1440, PN 1643

By Rep. PITTS

An Act amending the "Municipality Authorities Act of 1945," approved May 2, 1945 (P. L. 382, No. 164), authorizing the adoption of rules and regulations relating to the safety of persons using airport authority facilities and providing for the enforcement of same.

LABOR RELATIONS.

MASTER ROLL CALL RECORDED

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

The following roll call was recorded:

PRESENT—197

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

ADDITIONS—2

Armstrong Williams, J. D.

NOT VOTING—0

EXCUSED—2

Gannon George

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:

SB 589, PN 893; SB 893, PN 977; SB 894, PN 978; SB 895, PN 979; SB 896, PN 980; SB 897, PN 981; SB 898, PN 982; HB 357, PN 366; HB 874, PN 945; HB 1135, PN 1764; HB 1268, PN 1407; HB 192, PN 193; HB 198, PN 1603; SB 601, PN 1025; SB 618, PN 635; SB 633, PN 650; and SB 406, PN 1073.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 854, PN 1040**, entitled:

A Supplement to the act of July 28, 1966 (3rd Sp. Sess., P. L. 87, No. 3), entitled "University of Pittsburgh - Commonwealth Act," making appropriations for carrying the same into effect, providing for a basis for payments of such appropriations, and providing a method of accounting for the funds appropriated.

On the question,

Will the House agree to the bill on third consideration?

Mr. GALLAGHER offered the following amendment No. A2573:

Amend Sec. 1, page 2, by inserting between lines 7 and 8
(6) For tuition supplement to be used solely and exclusively for the purpose of negating tuition

increases for the school year 1981-1982..... 8,800,000

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

MEMBERS' PRESENCE RECORDED

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

The Chair recognizes the gentleman from Lancaster, Mr. Armstrong, who asks that his name be added to the master roll call.

CONSIDERATION OF SB 854 CONTINUED

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

Mr. GALLAGHER. Mr. Speaker, amendment 2573 amends SB 854, which is the appropriation bill for the University of Pittsburgh. What it does is provide a tuition supplement to be used solely and exclusively for the purpose of negating tuition increases for the year 1981-82 in the amount of \$8.8 million. This again is an attempt to make sure that tuition is not increased. Tuition is being proposed by the universities because of the lack of the Governor's recognition of the problem of inflation and also because of what the Federal Government is going to do with BEOG - Basic Education Opportunity Grant - programs and student loans.

The only way we can curtail the student increase is providing exclusively and solely for the use of tuition supplements so that the universities cannot take the money and use it somewhere else. They can only use it to reduce the tuition and maintain it at the level that it is today. I urge the members to consider that and adopt this amendment.

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

Mr. McCLATCHY. Mr. Speaker, I oppose the amendment for the same reasons I opposed them yesterday on these universities and colleges.

The SPEAKER. On the amendment, the Chair recognizes the minority leader.

Mr. IRVIS. Thank you, Mr. Speaker.

Mr. Speaker, I take the microphone reluctantly. The gentleman who offers this amendment and I have long battled for public education. He is the one who brought about state relationship for the University of Pittsburgh, even though I get some credit for it, and usually he and I agree as to what we ought to do on educational funds. But I must oppose his amendment today, and I want to go on record so that the students back home understand why. I would imagine there may be others from Allegheny County and from the city of Pittsburgh who will also oppose the amendment.

We would be delighted to be able to reduce the tuition at Pitt. We would be delighted to keep the tuition no higher than it is now. We would be delighted to guarantee that to the students. But the facts of life are that there just is not that

much money available. As I said, the facts of life are simply these: We do not have that kind of money. It does not make sense to me to stand here and vote for a sum of money as a promise to the students at the University of Pittsburgh which I cannot perform. For that reason, for that reason alone, I must oppose the amendment offered by my good friend, Mr. Gallagher. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—12

Belfanti	Gallagher	Mullen	Swaim
Donatucci	Grabowski	Pratt	Trello
Fee	Lucyk	Shupnik	Wozniak

NAYS—180

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

NOT VOTING—7

Cohen	Frazier	Petrone	Wachob
Emerson	Gray	Pott	

EXCUSED—2

Gannon	George
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The question was determined in the negative, and the amendment was not agreed to.

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

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

The question is, shall the bill pass finally?

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

YEAS—189

Alden	Fee	Lucy	Salvatore
Anderson	Fischer	McCall	Saurman
Armstrong	Fleck	McClatchy	Serafini
Arty	Foster, W. W.	McIntyre	Seventy
Barber	Foster, Jr., A.	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	Geist	Manmiller	Smith, L. E.
Borski	Gladeck	Marmion	Snyder
Bowser	Grabowski	Michlovic	Spencer
Boyes	Gray	Micozzie	Spitz
Brandt	Greenfield	Miller	Stairs
Brown	Greenwood	Miscevich	Steighner
Burd	Grieco	Moehlmann	Stevens
Burns	Gruitza	Morris	Stuban
Caltagirone	Gruppo	Mowery	Swaim
Cappabianca	Hagarty	Mrkonic	Sweet
Cessar	Haluska	Mullen	Swift
Cimini	Harper	Murphy	Taddonio
Civera	Hasay	Nahill	Taylor, E. Z.
Clark	Hayes	Noye	Taylor, F. E.
Clymer	Heiser	O'Donnell	Telek
Cochran	Hoefel	Olasz	Trello
Colafella	Honaman	Oliver	Van Horne
Cole	Horgos	Pendleton	Vroon
Cordisco	Hutchinson, A.	Perzel	Wachob
Cornell	Hutchinson, W.	Peterson	Wambach
Coslett	Iris	Petrarca	Wargo
Cowell	Itkin	Phillips	Wass
Cunningham	Jackson	Piccola	Wenger
DeMedio	Johnson	Pievsky	Weston
DeVerter	Kennedy	Pistella	White
DeWeese	Klingaman	Pitts	Wiggins
Daikeler	Kolter	Pott	Williams, H.
Davies	Kowalshyn	Pratt	Williams, J. D.
Dawida	Kukovich	Pucciarelli	Wilson
Deal	Lashingier	Punt	Wogan
Dietz	Laughlin	Rappaport	Wozniak
Dininni	Lehr	Rasco	Wright, D. R.
Dombrowski	Lescovitz	Reber	Wright, J. L.
Donatucci	Letterman	Richardson	Zwinkl
Dorr	Levi	Rieger	
Duffy	Levin	Ritter	Ryan,
Durham	Livengood	Rocks	Speaker
Evans	Lloyd	Rybak	

NAYS—4

Cawley	Kanuck	Lewis	Tigue
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NOT VOTING—6

Cohen	Frazier	Petrone	Stewart
Emerson	Merry		

EXCUSED—2

Gannon	George
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The two-thirds majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

* * *

The House proceeded to third consideration of **SB 855, PN 1028**, entitled:

A Supplement to the act of November 30, 1965 (P. L. 843, No. 355), entitled "Temple University - Commonwealth Act," making appropriations for carrying the same into effect, providing for a basis for payments of such appropriation and providing a method of accounting for the funds appropriated.

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

Mr. GALLAGHER offered the following amendment No. A2576:

Amend Sec. 1, page 2, by inserting between lines 8 and 9
(6) For tuition supplement to
be used solely and exclusively for
the purpose of negating tuition
increases for the school year 1981-
1982..... 6,600,000

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

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

Mr. GALLAGHER. Thank you, Mr. Speaker.

This amendment is for SB 855, which is Temple University. It provides a tuition supplement to be used solely and exclusively for the purpose of negating tuition increases for the school year 1981-82 in the amount of \$6,600,000. It is the same concept that I have been trying to gain support for with these amendments today and Monday, for the universities to continue to keep the tuition at least at the present level. I urge the members to consider this amendment.

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

Mr. McCLATCHY. Mr. Speaker, again I oppose the amendment. I do not know why we persist in going through this effort. We have already explained that there is not money available. Certainly I, from the southeast, would love to help the students out with some kind of tuition relief. It is not possible. Hopefully next year we will do more for Temple, and they will get their fair share of any increase in the budget, but I think going through this exercise is fruitless and certainly is embarrassing to us all. Mr. Speaker, I ask for a "no" vote.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Thank you, Mr. Speaker.

Mr. Speaker, all of us on this floor would like to guarantee the students at Temple as well as all the other students in this Commonwealth that they would not be paying more in tuition. We simply do not have the funds to give that guarantee. Consequently, I am going to vote in the negative on this amendment as well as the former amendment. Thank you, Mr. Speaker.

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

Mr. RAPPAPORT. Thank you, Mr. Speaker.

Mr. Speaker, a substantial part of Temple University is in my district, the remainder being in the district represented by the gentleman, Mr. Deal. We all like to vote for more money for institutions in our districts, and especially educational institutions. However, I am assured by both the majority and the minority chairmen of the Appropriations Committee that this is the money that is available and is to be equally divided among the schools, fairly divided among the schools considering their enrollment, throughout the state. I therefore intend to vote against this amendment, being very happy with the assurance of the chairmen of the Appropriations Committee that they will try to find some more money next year. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—12

Cohen	Grabowski	Mullen	Shupnik
Deal	Greenfield	Pratt	Swaim
Gallagher	Harper	Richardson	Wozniak

NAYS—181

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

Duffy	Livengood	Rybak	Speaker
Durham	Lloyd	Salvatore	

NOT VOTING—6

Cochran	Frazier	Michlovic	Pitts
Emerson	Freind		

EXCUSED—2

Gannon	George
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The question was determined in the negative, and the amendment was not agreed to.

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

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

The question is, shall the bill pass finally?

The Chair recognizes the gentleman from Blair, Mr. Johnson.

Mr. JOHNSON. Mr. Speaker, many of my constituents have a little problem with Temple University and their law school. It has been published in our local paper that the law school forbids the use of their placement bureau by the Federal Bureau of Investigation. Many of my constituents are concerned about this. They feel that they are supporting the FBI; we are supporting Temple University.

I have written to the president of Temple University and asked for an explanation of how much of our appropriation goes to the law school. To date, I have had no reply. I am going to vote against the Temple University appropriation at the request of some of my constituents who are very much concerned about this problem. 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—187

Alden	Fischer	McIntyre	Salvatore
Anderson	Fleck	McMonagle	Saurman
Armstrong	Foster, W. W.	McVerry	Serafini
Arty	Freind	Mackowski	Seventy
Barber	Fryer	Madigan	Showers
Belardi	Gallagher	Maiiale	Shupnik
Belfanti	Gallen	Manderino	Siciminski
Beloff	Gamble	Manmiller	Sirianni
Berson	Geist	Marmion	Smith, B.
Birtle	Gladeck	Merry	Smith, L. E.
Blaum	Grabowski	Michlovic	Snyder
Borski	Gray	Micozzie	Spencer
Bowser	Greenfield	Miller	Spitz
Boyes	Greenwood	Miscevich	Stairs
Brandt	Grieco	Moehlmann	Steighner
Brown	Gruitza	Morris	Stevens
Burd	Gruppo	Mowery	Stewart
Burns	Hagarty	Mrkonic	Stuban
Caltagirone	Haluska	Mullen	Swaim
Cappabianca	Harper	Murphy	Sweet
Cessar	Hasay	Nahill	Swift
Cimini	Hayes	Noye	Taddonio
Civera	Heiser	O'Donnell	Taylor, E. Z.
Clark	Hoeffel	Olasz	Taylor, F. E.
Clymer	Honaman	Oliver	Telek
Cochran	Horgos	Pendleton	Trello
Colafella	Hutchinson, W.	Perzel	Van Horne

Cole	Irvis	Peterson	Vroon
Cordisco	Itkin	Petrarca	Wachob
Cornell	Jackson	Petrone	Wambach
Coslett	Kennedy	Phillips	Wargo
Cowell	Klingaman	Piccola	Wass
Cunningham	Kolter	Pievsky	Wenger
DeMedio	Kowalshyn	Pistella	Weston
DeVerter	Kukovich	Pitts	White
Daikeler	Lashingner	Pott	Wiggins
Davies	Laughlin	Pratt	Williams, H.
Dawida	Lehr	Pucciarelli	Williams, J. D.
Deal	Lescovitz	Punt	Wilson
Dininni	Letterman	Rappaport	Wogan
Dombrowski	Levi	Rasco	Wozniak
Donatucci	Levin	Reber	Wright, D. R.
Dorr	Lewis	Richardson	Wright, J. L.
Duffy	Livengood	Rieger	Zwinkl
Durham	Lloyd	Ritter	
Emerson	McCall	Rocks	Ryan,
Evans	McClatchy	Rybak	Speaker
Fee			

NAYS—9

Cawley	Foster, Jr., A.	Kanuck	Smith, E. H.
DeWeese	Johnson	Lucyk	Tigue
Dietz			

NOT VOTING—3

Cohen	Frazier	Hutchinson, A.
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EXCUSED—2

Gannon	George
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The two-thirds 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.

REMARKS ON VOTE

The SPEAKER. Does the lady from Montgomery, Mrs. Lewis, desire recognition?

Mrs. LEWIS. Yes, Mr. Speaker. I was recorded in the negative on SB 854. I would like to be recorded in the affirmative. Thank you.

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

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **SB 866, PN 1060**, entitled:

An Act making appropriations to the Trustees of the Berean Training and Industrial School at Philadelphia, Pennsylvania.

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

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

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

YEAS—194

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

NAYS—3

Fischer	Kanuck	Snyder
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NOT VOTING—2

Cohen	Frazier
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EXCUSED—2

Gannon	George
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The two-thirds 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.

* * *

The House proceeded to third consideration of **SB 889, PN 1038**, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of the Western Psychiatric Institute and Clinic.

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

NAYS—3

Kanuck Snyder Tigie

NOT VOTING—4

Cohen Frazier Sirianni Williams, H.

EXCUSED—2

Gannon George

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

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

* * *

The House proceeded to third consideration of **SB 892, PN 1039**, entitled:

An Act making appropriations to the Trustees of the University of Pennsylvania.

On the question,
Will the House agree to the bill on third consideration?
Mr. McCLATCHY offered the following amendments No. A2494:

- Amend Sec. 2, page 2, line 3, by inserting after "Section 2." (a)
- Amend Sec. 2, page 2, line 5, by inserting after "1," except Doctor of Medicine only,
- Amend Sec. 2, page 2, by inserting between lines 6 and 7 (b) Payments for instruction, Doctor of Medicine only, shall be made by the Secretary of Education on the basis of full-time student enrollment at a rate not to exceed \$4,400 per student.

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

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

Mr. McCLATCHY. Mr. Speaker, this is a technical amendment. It is agreed to. Without it the medical school would not be able to be paid properly. I would ask for an affirmative vote on the amendment.

The SPEAKER. The Chair recognizes the minority leader. Mr. IRVIS. Thank you.

The amendment is agreed to, Mr. Speaker.

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

The following roll call was recorded:

YEAS—196

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

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

NAYS—0

NOT VOTING—3

Fleck	Frazier	Gray
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EXCUSED—2

Gannon	George
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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—193

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

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

NAYS—5

Cawley	Kanuck	Klingaman	Tigue
Fischer			

NOT VOTING—1

Frazier

EXCUSED—2

Gannon	George
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The two-thirds 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 Centre, Mr. Cunningham.

Mr. CUNNINGHAM. Mr. Speaker, I wanted to take advantage of the small break here to note that the printout from yesterday's session indicates that I was recorded in the negative on HB 625. That is incorrect. I in fact voted in the affirmative, and I would like to be recorded as such.

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

Without objection, the Chair turns to page 19 of today's calendar and takes up SB 41, PN 1074. The Chair hears none.

FINAL PASSAGE POSTPONED
BILL CONSIDERED

Agreeable to order,

The bill having been called up from the postponed calendar by Mr. HAYES, the House resumed consideration on final passage of **SB 41, PN 1074**, entitled:

An Act amending the act of April 28, 1978 (P. L. 202, No. 53), entitled "A Supplement to the act of July 9, 1976 (P. L. 586, No. 142), entitled 'An act amending Titles 42 (Judiciary and Judicial Procedure), 15 (Corporations and Unincorporated Associations), 18 (Crimes and Offenses) and 71 (State Government) of the Pennsylvania Consolidated Statutes, adding revised, codified and compiled provisions relating to Judiciary and Judicial Procedure, including certain judicially enforceable rights, duties, immunities and liabilities and separately enacting certain related provisions of law,' making revisions, corrections and additions relating to judiciary and judicial procedure, including certain judicially enforceable rights, duties, immunities and liabilities, adding certain provisions of existing law to and making conforming and editorial changes in certain provisions of the Pennsylvania Consolidated Statutes, fixing the general effective date of the act as supplemented hereby and repealing certain acts and parts of acts supplied by the act as supplemented hereby or by other acts or otherwise obsolete," further providing for the repeal of provisions relating to post conviction hearings and further providing for disclosure of information regarding certain children.

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?

DECISION OF CHAIR REVERSED

The SPEAKER. Does the gentleman from Bucks have amendments to this bill? Does the gentleman, Mr. Wilson, have amendments?

Without objection, the Chair reverses its decision that SB 41 was agreed to on third consideration as amended. The Chair hears no objection.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. While awaiting Mr. Wilson's signature, Representative Hardy Williams asked me to announce that a meeting will take place at 12 noon with the Motivation Parents from Philadelphia and the Philadelphia delegation. I would hope, Mr. Williams, that this group will wait if we have not recessed by that time.

CONSIDERATION OF SB 41 CONTINUED

On the question recurring,

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

Mr. WILSON offered the following amendments No. A2728:

Amend Title, page 1, lines 24 and 25, by striking out "AND FURTHER PROVIDING FOR" and inserting
, for extraordinary jurisdiction of the
Supreme Court and for

Amend Bill, page 2, by inserting between lines 18 and 19

Section 2. Section 10 of the act is amended by adding a paragraph to read:

Section 10. Conforming amendments to Title 42.—Title 42, amended July 9, 1976 (P.L.586, No.142), is amended to read:

(6A) Section 726 is amended to read:

§ 726. Extraordinary jurisdiction.

Notwithstanding any other provision of law, the Supreme Court may, on its own motion or upon petition of any party, in any matter pending before any court or district justice of this Commonwealth involving an issue of immediate public importance, assume plenary jurisdiction of such matter at any stage thereof and enter a final order or otherwise cause right and justice to be done. Such plenary jurisdiction shall be exercised only by the Supreme Court and may not be delegated or transferred.

Amend Sec. 2, page 2, line 19, by striking out "2." and inserting

3.

Amend Sec. 3, page 4, line 18, by striking out "SECTION 1" and inserting

Sections 1 and 2

Amend Sec. 3, page 4, line 21, by striking out "SECTION 2" and inserting

The remainder

On the question,

Will the House agree to the amendments?

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

Mr. WILSON. Thank you, Mr. Speaker.

Mr. Speaker, the amendment that I offer to SB 41 is the same amendment that I offered yesterday. Let me explain a little bit to you.

This amendment changes a section of the Judicial Code, section 726. As it stands today, as I understand it, the Supreme Court of Pennsylvania can take plenary jurisdiction over a case from any other court under its jurisdiction, local courts and so forth. But what we have here, particularly in Bucks County, is a case where the court of common pleas has sued the county commissioners and they went to court, and the state Supreme Court has taken its plenary jurisdiction and reassigned the case to a judge, a judge, in Commonwealth Court. I do not want to take away their authority at all. I do not want to take away the authority to have this plenary jurisdiction. All I am saying is if they use it, if they use that jurisdiction, then they must hear the case, and I do not see anything wrong with that. I do not see why, if that Supreme Court decides to do that, they should not hear it. That is my amendment, and I would ask for a positive vote on this amendment. Thank you.

POINT OF ORDER

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, point of order.

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

Mr. MANDERINO. Mr. Speaker, rule 27 of the House—and this is purely in the atmosphere of trying to do business the way we should—I think the last sentence of rule 27 says, "Amendments adopted or defeated may not be considered again without first reconsidering the vote."

Mr. Speaker, this amendment was defeated yesterday. I know that we can reconsider it and he will be able to offer it, but I think we ought to go through that procedure.

The SPEAKER. It was the understanding of the Chair that Mr. Wilson said this amendment was different. Is that inaccurate?

Mr. WILSON. It would be different in the sense that it is offered to the now-reprinted bill in a different section. It would be different in that language. What I referred to when I said it was the same amendment, the one-line change is the same but the paragraph is changed from yesterday. I have no problem with the minority whip's position if we want to reconsider the vote by which it was defeated.

The SPEAKER. Mr. Manderino, it is the advice of the Parliamentarian that in this case the amendment being offered is offered to a different section and technically does not fall within the parameters of your suggested point of order.

Mr. MANDERINO. Mr. Speaker, it is the exact same amendment without change, the same amendment number—

The SPEAKER. The gentleman will yield.

The point of order is well taken.

Without objection, amendment A2728 is laid upon the table. The Chair hears none.

AMENDMENT A2478 RECONSIDERED

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Wilson, who moves that the vote by which the Wilson amendment to SB 41, PN 999, was defeated on the 23d day of June be reconsidered. This motion is seconded by Representative Dorr.

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

The following roll call was recorded:

YEAS—187

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

Cunningham	Kanuck	Pievsky	Wenger
DeMedio	Kennedy	Pitts	Weston
DeVerter	Klingaman	Pott	White
DeWeese	Kowalshyn	Pratt	Wiggins
Daikeler	Lashinger	Punt	Williams, H.
Davies	Laughlin	Rappaport	Williams, J. D.
Dawida	Lehr	Rasco	Wilson
Deal	Lescovitz	Reber	Wogan
Dietz	Levi	Richardson	Wozniak
Dininni	Levin	Rieger	Wright, D. R.
Dombrowski	Lewis	Ritter	Wright, J. L.
Donatucci	Livengood	Rocks	Zwilk
Dorr	Lloyd	Rybak	
Duffy	Lucyk	Salvatore	Ryan,
Durham	McCall	Saurman	Speaker
Evans			

NAYS—2

Kukovich	Pistella
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NOT VOTING—10

Borski	Frazier	Kolter	Merry
Bowser	Gray	Letterman	Pucciarelli
Emerson	Harper		

EXCUSED—2

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

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

AMENDMENTS WITHDRAWN

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

Mr. WILSON. Mr. Speaker, I withdraw amendment A2478.

The SPEAKER. The Chair hears no objection.

Without objection, amendment A2728 is removed from the table. The Chair hears no objection.

**CONSIDERATION OF AMENDMENT A2728
CONTINUED**

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

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

Mr. BERSON. Mr. Speaker, I oppose the amendment. This is the identical amendment that was before this House yesterday and that this House rejected. The attempt is to tell the Supreme Court how it is to conduct its plenary jurisdiction which it takes in emergency matters.

The Supreme Court is an appellate court. It consists of seven judges. It is not equipped to try cases. Where the court has taken plenary jurisdiction in emergency matters, obviously it needs a mechanism to try those cases, and it has assigned cases to courts at the trial level. The current dispute between the Bucks County judges and the Bucks County commissioners is a good example. That case has now been tried for over 2 weeks in Commonwealth Court. If the Supreme Court would, under Mr. Wilson's amendment, be required to hear that case at a trial, the whole appellate proce-

ture of this Commonwealth would be stopped while they did nothing but hear a trial of a local dispute. I do not think that is the direction we ought to go. I think the court should have the power to assign these important cases, if a trial is required, to a court where a trial can be conducted, a court that is equipped to conduct a trial, which the Supreme Court is not. It is strictly an appellate court.

Mr. Speaker, the effect of that amendment would be to simply tie up the appellate procedure of this state in a knot if they were required to hear these kinds of cases on a trial basis. I would urge the rejection of the amendment.

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

Mr. PICCOLA. Thank you, Mr. Speaker.

I concur with the remarks of Representative Berson. He is absolutely correct in the analysis that he has made of this amendment, and I would ask the members of the House to vote in the negative.

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

Mr. DORR. Mr. Speaker, the problem with the analysis of the gentlemen is that they ignore the real purpose of plenary jurisdiction. Plenary jurisdiction should be taken by the Supreme Court only in those cases where it is absolutely necessary to get an appellate decision quickly and without going through interim procedures. If there is a trial or some matter to be decided in a local court which somebody feels should not be decided in that local court, then there is the procedure of change of venue, which can send that matter then to another appropriate level of jurisdiction.

What has happened in this case is that the Supreme Court— And the members of this House know that one of the things that bothers the people of Pennsylvania most about their government is the whimsical attitude of the Supreme Court and the appellate courts of this country. The real issue here is that the Supreme Court in this particular case, which is the subject matter of this issue, got its back up because somebody one-upped them. Somebody got a better idea and decided that the Supreme Court would not have an opportunity to impose its will on the people of Bucks County, and the Supreme Court therefore said, well, we will fix him; we will take plenary jurisdiction to this issue, and we will just take it right out of that county.

Now, if the members of this House are going to be responsive, in my opinion, to the attitudes of the people of Pennsylvania about that kind of action, that kind of attitude on the part of its appellate courts, then we ought to pass the Wilson amendment.

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

The following roll call was recorded:

YEAS—81

Anderson	Dorr	Johnson	Punt
Armstrong	Durham	Kennedy	Rasco
Arty	Fischer	Klingaman	Saurman
Belardi	Fleck	Lehr	Serafini
Bittle	Foster, W. W.	Levi	Sieminski
Bowser	Foster, Jr., A.	McClatchy	Smith, B.
Boyes	Freind	Mackowski	Smith, E. H.

Brandt	Gallen	Madigan	Smith, L. E.
Burd	Geist	Marmion	Snyder
Burns	Gladeck	Merry	Spencer
Cessar	Greenwood	Micozzie	Stairs
Cimini	Grieco	Miller	Stevens
Civera	Gruppo	Moehlmann	Swift
Clymer	Harper	Mowery	Taddonio
Cornell	Hasay	Nahill	Taylor, E. Z.
Coslett	Hayes	Noye	Telek
Cunningham	Heiser	Peterson	Wass
DeVerter	Honaman	Phillips	Wenger
Daikeler	Hutchinson, W.	Pitts	Wilson
Davies	Jackson	Pott	Wright, J. L.
Dietz			

NAYS—117

Alden	Gallagher	Maiale	Showers
Barber	Gamble	Manderino	Shupnik
Belfanti	Grabowski	Manmiller	Sirianni
Beloff	Gray	Michlovic	Spitz
Berson	Greenfield	Miscevich	Steighner
Blaum	Gruitza	Morris	Stewart
Borski	Hagarty	Mrkonic	Stuban
Brown	Haluska	Mullen	Swaim
Caltagirone	Hoeffel	Murphy	Sweet
Cappabianca	Horgos	O'Donnell	Taylor, F. E.
Cawley	Hutchinson, A.	Olasz	Tigue
Clark	Irvis	Oliver	Trello
Cochran	Itkin	Pendleton	Van Horne
Cohen	Kanuck	Perzel	Vroon
Colafella	Kolter	Petrarca	Wachob
Cole	Kowalyszyn	Petrone	Wambach
Cordisco	Kukovich	Piccola	Wargo
Cowell	Lashinger	Pievsky	Weston
DeMedio	Laughlin	Pistella	White
DeWeese	Lescovitz	Pratt	Wiggins
Dawida	Letterman	Pucciarelli	Williams, H.
Deal	Levin	Rappaport	Williams, J. D.
Dininni	Lewis	Reber	Wogan
Dombrowski	Livengood	Richardson	Wozniak
Donatucci	Lloyd	Rieger	Wright, D. R.
Duffy	Lucyk	Ritter	Zwinkl
Emerson	McCall	Rocks	
Evans	McIntyre	Rybak	Ryan,
Fee	McMonagle	Salvatore	Speaker
Fryer	McVerry	Seventy	

NOT VOTING—1

Frazier

EXCUSED—2

Gannon George

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

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

Mr. STEVENS. Mr. Speaker, to clarify some confusion, I am going to withdraw the amendment which was circulated yesterday to SB 41 so as to not delay this bill and require the possible reprinting of it, but I will offer them to an appropriate bill at a later date. Thank you.

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?

The Chair recognizes the gentleman from Philadelphia, Mr. Richardson.

Mr. RICHARDSON. Mr. Speaker, I would like to interrogate the prime sponsor or someone who is knowledgeable from the judiciary side on this bill.

The SPEAKER. Will the gentleman, Mr. Piccola, consent to be interrogated? The gentleman will. The gentleman, Mr. Richardson, may proceed.

Mr. RICHARDSON. Mr. Speaker, in this attempt to change the Juvenile Act to allow in certain provisions the disclosure of the address and also the adjudication of certain cases that come before the juvenile courts for public information, what was the rationale used to arrive at disclosing the address, and why is the address so important to be disclosed?

Mr. PICCOLA. The rationale behind that portion of the bill is a protection of the public so that they will have access to the information concerning children who are adjudicated delinquent, and it is the feeling of the supporters of this legislation that the more information available to the public, the better the public will be able to protect itself against persons who may be dangerous to them in the area of the commission of crime but who are, under the law, juveniles.

Mr. RICHARDSON. What protection has there been for those particular individuals if they were victims and that public information is available and at the same time is used to harass the family of a particular juvenile?

Mr. PICCOLA. I can only repeat my previous answer in that a child who is adjudicated a juvenile under the terms of the certain offenses that are enumerated in the bill is considered under the law to be a dangerous person, and it is currently permitted to disclose information concerning that juvenile. The bill adds a few more items concerning that disclosure; namely, the age and address and the offense for which that person has been charged. It is felt that that additional information will be helpful to the public if it is available to the public for the public to protect itself against those kinds of individuals.

Mr. RICHARDSON. Was not the present law prior to that, Mr. Speaker, that only the names would be disclosed and not the address, and also the way the adjudication is read? Is it my understanding that you are trying to indicate that the language prescribed in the adjudication of a juvenile now specifically outlines what those particular cases will be involving a juvenile, as opposed to the random kind of remarks that are usually placed in the newspaper, that a child was arrested for X, Y, Z, with all of the other charges listed?

Mr. PICCOLA. Right now the name of the juvenile is to be disclosed under current law, and this bill will add additional information; namely, the whereabouts of that juvenile, his address, how old he is, which is an indication as to how dangerous he might be, and the kind of offense that he committed, which is also an indication of what he might do to persons living in that neighborhood. And that is the purpose for the legislation.

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

I would like to be recognized to speak on the bill.

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

Mr. RICHARDSON. Mr. Speaker, I rise to oppose this legislation and do so for several reasons. One is that in the city of Philadelphia where I come from, it seems to me that when we have a law that deals specifically with juvenile justice and juveniles, it seems that now we might as well throw away the juvenile code. Why have a juvenile code if we are not going to protect the children of this Commonwealth? When there are heinous crimes and crimes have been committed, I think that specifically we should outline what those kinds of heinous crimes are that deal with the particular impact on a community. But to just blatantly take the juveniles across the board from 14 years of age and older and say that now we are going to place their names, which is already a part of law, but now their address and also the specific charges, indicates to me that we have some very serious problems in dealing with the problem of juveniles. It is easy to put this kind of amendment in a bill to deal with juveniles, but at the same time I do not see us working on the prevention.

The other side to that is that we are not doing anything at all to protect the public then from those same juveniles who then may harass or be harassed by others who say that this individual was involved in a particular case. Now that his name is there, we are able to go and use this as an opportunity against that particular individual and cause more harassment. The more public information that is sought out on these juveniles creates more of a problem. Psychologically it creates a problem within the community; the stigma lasts forever. The problem is that a juvenile's record normally, after they become an adult, is not used in adult cases or in adult courts and in some cases is not even used in the promotion of hiring, but if it is disclosed to the point that it is built up and made to be a great big thing, then those individuals who are juveniles wind up in a situation where they will have that on their record for life. And even though there may have been a way to get away from their particular problems, the disclosure of that in the newspaper creates another problem down the line that an employer may not hire them.

I think that somebody has got to look at these kinds of problems, because I think that we have to go after those who really commit the serious, hard-core crimes that are being prevailed on a lot of our older persons in this Commonwealth and other innocent victims. But to go about it this way I feel is wrong. I think that already the exposure of the name in the newspaper is one thing, but then to talk about putting the address, the hardship that it is going to bring on the family, the parents of those individuals who are involved— The fact is that they are still children, and it seems to me that that is a point that is being missed. I have no problem with adults and who they are and what they are and what their addresses are, but when we start talking about children and you start talking about an offense or a problem that one of your children may get involved in, if you want that publicized, you are running up, I think, a dark path. I would only share with the members of this House my opposition as it relates to SB 41, and I ask the members to vote in the negative.

The SPEAKER. The Chair recognizes the gentleman from Elk, Mr. Wachob.

Mr. WACHOB. Thank you, Mr. Speaker.

For further clarification, in particular on SB 41 as it deals with juveniles, the bill as it was introduced in the Senate and passed the House Judiciary Committee did two things. One, currently under state law we are releasing the names of the juveniles who commit various serious offenses of rape, kidnapping, arson, burglary, and murder. What this bill would do, because there was some confusion—there may be three or four Joe Smiths in a given neighborhood—it says that now the age and the address also, along with the name, have to be released to the public if they commit and are adjudicated for one of the prior mentioned offenses.

Also, it does something that is very much needed in that it tightens up part of the Juvenile Act and says you can no longer release information solely based on charges. The prior practice has been that a juvenile could be charged with a variety of offenses, and all of those charges could be released to the public. This bill makes it much tighter in the effect that only the disposition of the case and the charge that the person is actually adjudicated for can be released, so in that regard, this bill is a much-needed improvement as it pertains to the current Juvenile Act. I would urge adoption of this bill, Mr. Speaker. Thank you.

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

Mr. LASHINGER. Thank you, Mr. Speaker.

Mr. Speaker, I would agree with the prior speaker and respectfully disagree with some of the comments of Mr. Richardson.

Adding the age and address in this section of the legislation is really a minor departure from the existing law. Some of those items just outlined by the prior speaker concerning the amendment that was added in the Judiciary Committee, which tightens up the crimes that can be identified that the juvenile has committed, I think go a long way toward cleaning up some of the complaints that Mr. Richardson had.

Mr. Speaker, the gentleman, Mr. Piccola, had indicated that adding the age and address of the juvenile will go a long way toward protecting those citizens in the community who might be affected by this juvenile living in their specific geographical location. This also cuts the other way, Mr. Speaker. There have been, in some cases where juveniles' names have been reported under the current law, cases where individual innocent juveniles have had a common name with a criminal defendant, and the common name has been reported in the paper - hypothetically a Jones or a Brown. Including the age and address I think will also go a long way toward clearly identifying the juvenile whom you are speaking about in a specific community so as to not include some other innocent juvenile in the news reporting.

Also important for the members to remember is that other, what I consider the more substantive aspect of this legislation, that we have to deal with that deadline of the Post Conviction Hearing Act, which if we do not move by June 27 will lapse, and I think touch on more substantive rights, those that

belong to prisoners, parolees, and probationers in the Commonwealth today. So we must move prior to that June 27 deadline, and I would urge support of SB 41. Thank you, Mr. Speaker.

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—179

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

NAYS—18

Barber	Evans	Hutchinson, W.	Wiggins
Cohen	Fleck	Pendleton	Williams, H.
Deal	Foster, Jr., A.	Rappaport	Williams, J. D.
Dorr	Grabowski	Richardson	Wilson
Emerson	Harper		

NOT VOTING—2

Frazier	Gray
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EXCUSED—2

Gannon	George
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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 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.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 359, PN 368**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Mr. PETRARCA offered the following amendments No. A985:

Amend Title, page 1, line 3, by removing the period after "vehicles" and inserting

and providing for the lawful operation of certain construction vehicles.

Amend Sec. 2, page 3, line 27, by striking out "a section" and inserting sections

Amend Bill, page 4, by inserting between lines 20 and 21 § 4949. Temporary provisions for certain construction vehicles.

(a) Lawful operation.—Notwithstanding any provision of this title to the contrary, it shall be lawful to operate a four-axle construction vehicle, purchased on or before the effective date of this section, which does not exceed the maximum gross weight of 73,280 pounds on any highway in the Commonwealth, regardless of the maximum axle weight provisions of section 4943 (relating to maximum axle weight of vehicle).

(b) Expiration of section.—This section shall expire May 31, 1986.

On the question,

Will the House agree to the amendments?

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

Mr. PETRARCA. Mr. Speaker, I understand this is an agreed-to amendment.

The SPEAKER. Will the gentleman explain his amendment?

Mr. PETRARCA. Okay. Thank you, Mr. Speaker. That is what you get for talking out of turn during the course of the session.

Mr. Speaker, last year we passed HB 34, which was supposed to clean up the language here. It seems when SB 10 was passed, we excluded the triaxle trucks. SB 10 raised the vehicles, the 18-wheelers, from 73,280 pounds to 80,000 pounds. We joined 43 other states. But on triaxle trucks, we did not raise them one ounce. PennDOT came in and started weighing the triaxles, and we had not weighed these triaxles for 24 years. So HB 34 was supposed to clean it up, and we put in a grandfather clause until 1986. So companies like Burrell Construction and Eidemiller back home purchased these trucks a year ago, 100 of them. They are worth \$80,000 apiece. What happened was, when they started weighing

them, they said that each axle had to be such a weight, where whenever they sent and ordered these trucks from Detroit, the specs were for 73,280.

All we did was put in a grandfather clause to take care of the industries in Pennsylvania, because without this amendment, when you pave a street you cannot use an 18-wheeler; you use triaxle trucks. So the industry wants it, and I understand Dininni and I are both in concurrence with it and would appreciate your support.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—185

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

NAYS—7

Borski	Heiser	Michlovic	Wilson
Fleck	Klingaman	Murphy	

NOT VOTING—7

Barber	Boyes	Gray	Wiggins
Beloff	Frazier	Levin	

EXCUSED—2

Gannon George

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?

Mrs. TAYLOR offered the following amendments No. A1139:

Amend Sec. 1, page 1, line 6, by inserting after "Sections" 1532, 1535(a)

Amend Sec. 1, page 1, by inserting between lines 8 and 9

§ 1532. Revocation or suspension of operating privilege.

(a) Revocation.—The department shall revoke the operating privilege of any driver for one year upon receiving a certified record of the driver's conviction of any of the following offenses:

(1) Any felony in the commission of which a court determines that a vehicle was essentially involved.

(2) Any subsequent violation of section 3731 (relating to driving under influence of alcohol or controlled substance) within three years of a prior violation.

(3) Any violation of the following provisions:
Section 3732 (relating to homicide by vehicle).
Section 3742 (relating to accidents involving death or personal injury).

Section 3755 (relating to accidents involving emergency vehicles) if the accident resulted in death or personal injury.

Section 7102(b) (relating to removal or falsification of identification number).

Section 7103(b) (relating to dealing in vehicles with removed or falsified numbers).

Section 7111 (relating to dealing in titles and plates for stolen vehicles).

Section 7121 (relating to false application for certificate of title or registration).

Section 7122 (relating to altered, forged or counterfeit documents and plates).

(b) Suspension.—

(1) The department shall suspend the operating privilege of any driver for six months upon receiving a certified record of the driver's conviction of any offense under the following provisions:

Section 3367 (relating to racing on highways).

Section 3731 (relating to driving under influence of alcohol or controlled substance).

Section 3733 (relating to fleeing or attempting to elude police officer).

Section 3734 (relating to driving without lights to avoid identification or arrest).

Section 3743 (relating to accidents involving damage to attended vehicle or property).

Section 3755 (relating to accidents involving emergency vehicles) if the accident resulted in damage to an attended vehicle or property.

(2) The department shall suspend the operating privilege of any driver for six months upon receiving a certified record of the driver's conviction of a subsequent offense under the following provisions:

Section 1501(a) (relating to drivers required to be licensed).

Section 1543 (relating to driving while operating privilege is suspended or revoked).

(3) This subsection does not effect an additional period of revocation of the operating privileges of a driver who receives an additional period of revocation for a second or subsequent violation of section 1543.

§ 1535. Schedule of convictions and points.

(a) General rule.—A point system for driver education and control is hereby established which is related to other provisions for use, suspension and revocation of the operating privilege as specified under this title. Every driver licensed in this Commonwealth who is convicted of any of the following offenses shall be assessed points as of the date of violation in accordance with the following schedule:

Section Number	Offense	Points
1512	Violation of restriction on driver's license.	2
1571	Violations concerning licenses.	3
3102	Failure to obey policeman or authorized person.	2
3112(a)(3)(i)	Failure to stop for a red light.	3
3114(a)(1)	Failure to stop for a flashing red light.	3
3302	Failure to yield half of roadway to oncoming vehicle.	3
3303	Improper passing.	3
3304	Other improper passing.	3
3305	Other improper passing.	3
3306(a)(1)	Other improper passing.	4
3306(a)(2)	Other improper passing.	3
3306(a)(3)	Other improper passing.	3
3307	Other improper passing.	3
3310	Following too closely.	3
3321	Failure to yield to driver on the right at intersection.	3
3322	Failure to yield to oncoming driver when making left turn.	3
3323(b)	Failure to stop for stop signs.	3
3324	Failure to yield when entering or crossing roadway between intersections.	3
3332	Improper turning around.	3
3341	Failure to stop for flashing red lights or gate at railroad crossing.	3
3344	Failure to stop when entering from alley, driveway or building.	3
3345(a)	Failure to stop for school bus with flashing red lights. (and 30 days suspension)	5
3361	Driving too fast for conditions.	2
3362	Exceeding maximum speed.— Over Limit:	
	6-10	2
	11-15	3
	16-25	4
	26-30	5
	31-over	5
	(and departmental hearing and sanctions provided under section 1538(d))	
3365(b)	Exceeding special speed limit in school zones.	3
3365(c)	Exceeding special speed limit for trucks on downgrades.	3
3542(a)	Failure to yield to pedestrians in crosswalk.	2
3547	Failure to yield to pedestrian on sidewalk.	3
3549(a)	Failure to yield to blind pedestrian.	3
3702	Improper backing.	3
3714	Reckless driving.	3
3745	Leaving scene of accident involving property damage only.	4
3755	<u>Emergency vehicle operator</u>	

improperly leaving scene of accident involving damage to unattended vehicle or property. 4

Amend Sec. 2 (Sec. 3755), page 3, line 29, by removing the comma after "vehicle"

Amend Sec. 2 (Sec. 3755), page 4, line 3, by removing the comma after "alarm"

Amend Sec. 2 (Sec. 3755), page 4, line 6, by striking out "inclusive"

Amend Sec. 2 (Sec. 3755), page 4, lines 14 and 15, by striking out " , except as otherwise provided in paragraph (2)," and inserting

with respect to an accident involving damage to an attended vehicle or property

Amend Sec. 2 (Sec. 3755), page 4, by inserting between lines 20 and 21

(3) Any person violating this section with respect to an accident involving damage to an unattended vehicle or property is guilty of a summary offense punishable as provided in section 6502(b) (relating to summary offenses).

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

POINT OF ORDER

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

Mr. FLECK. Point of order, Mr. Speaker.

I ask the Chair's indulgence, but we seem to be having some difficulty in getting amendments distributed to the rear of the room, and it is difficult for us to vote on these issues when we do not have them in front of us.

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

Mrs. TAYLOR. Mr. Speaker, amendment 1139 addresses the problems that are in the bill that were caused by some incorrect drafting of that bill. Actually, the amendment takes care of all previous fines and penalties that currently exist in the law. The amendment is a technical amendment, and I believe, Mr. Speaker, it is agreed to by both sides of the aisle.

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

Mr. HOFFEL. Thank you, Mr. Speaker.

The lady is correct, and I do support the amendment. Thank you.

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

The following roll call was recorded:

YEAS—196

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

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

NAYS—0

NOT VOTING—3

Frazier	Gray	Wiggins
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EXCUSED—2

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—196

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

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

NAYS—1

Murphy

NOT VOTING—2

Frazier

Gray

EXCUSED—2

Gannon

George

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 1034, PN 1136**, entitled:

An Act amending the act of May 18, 1945 (P. L. 809, No. 323), entitled "An act removing certain roads or sections of road from the State highway system; and providing for their future maintenance and construction," removing a route in Perry County.

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

NAYS—0

NOT VOTING—8

Clark	Gamble	McIntyre	Petrarca
Frazier	Gray	McMonagle	Rieger

EXCUSED—2

Gannon George

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 1118, PN 1241**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for the confiscation of certain driver's licenses.

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

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

The question is, shall the bill pass finally?

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

YEAS—197

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

NAYS—0

NOT VOTING—2

Frazier Gray

EXCUSED—2

Gannon George

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 1266, PN 1405**, entitled:

An Act amending the act of June 22, 1931 (P. L. 594, No. 203), referred to as the Township State Highway Law, amending a route in Tioga County.

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

Mr. **DININNI** offered the following amendments No. **A2603**:

Amend Sec. 1 (Sec. 59), page 1, line 22, by inserting a bracket before "a"

Amend Sec. 1 (Sec. 59), page 2, line 1, by inserting a bracket after "Borough" and inserting immediately thereafter

Highway Station 1+52 on former
Legislative Route 58122

Amend Sec. 1 (Sec. 59), page 2, lines 3 through 6, by striking out "to a point at the eastern end of Truss Bridge over" in line 3, all of lines 4 and 5 and "beginning at" in line 6 and inserting

to
Amend Sec. 1 (Sec. 59), page 2, lines 8 and 9, by striking out "thence northwesterly to Highway Station 57+02 of former Legislative Route 58122,"

Amend Sec. 1 (Sec. 59), page 2, line 10, by striking out "1.01 miles" and inserting
.07 mile

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

The **SPEAKER**. The Chair recognizes the gentleman from Dauphin, Mr. Dininni.

Mr. **DININNI**. Mr. Speaker, I am offering this amendment on behalf of Representative Spencer.

When the bill was drafted and released from our committee, it was just the opposite of what it was intended for. It is a road turnback, and the wording was wrong. This is just correcting that.

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

The following roll call was recorded:

YEAS—194

- | | | | |
|-----------|-----------------|-----------|-----------|
| Alden | Emerson | Lloyd | Rybak |
| Anderson | Evans | Lucyk | Salvatore |
| Armstrong | Fee | McCall | Saurman |
| Arty | Fischer | McClatchy | Serafini |
| Barber | Fleck | McIntyre | Seventy |
| Belardi | Foster, W. W. | McMonagle | Showers |
| Belfanti | Foster, Jr., A. | McVerry | Shupnik |
| Beloff | Freind | Mackowski | Sieminski |

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

NAYS—2

Hutchinson, A. Tigue

NOT VOTING—3

Frazier Gray Petrarca
EXCUSED—2

Gannon George

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—197

Alden	Evans	Lucyk	Salvatore
Anderson	Fee	McCall	Saurman
Armstrong	Fischer	McClatchy	Serafini
Arty	Fleck	McIntyre	Seventy
Barber	Foster, W. W.	McMonagle	Showers
Belardi	Foster, Jr., A.	McVerry	Shupnik
Belfanti	Freind	Mackowski	Sieminski
Beloff	Fryer	Madigan	Sirianni

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

NAYS—0

NOT VOTING—2

Frazier Gray
EXCUSED—2

Gannon George

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 1385, PN 1966**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for limitations on governmental immunity.

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?

For what purpose does the majority leader rise?

Mr. HAYES. Those persons who have an interest in this bill would like to discuss it over the lunch hour and possibly offer an amendment, so I would hold the bill over temporarily.

**DECISION OF CHAIR REVERSED
AND BILL PASSED OVER TEMPORARILY**

The SPEAKER. Without objection, the Chair reverses its decision that this bill was agreed to on third consideration. The Chair hears none.

Without objection, this bill will be passed over temporarily. The Chair hears none.

REQUEST FOR RECESS

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, the same will probably hold true for HB 1386, so please hold that bill over temporarily. I suggest that we break at this time for the purpose of taking lunch, and I suggest that we come back at 1:30.

BILL PASSED OVER TEMPORARILY

The SPEAKER. Without objection, HB 1386 will be passed over temporarily. The Chair hears none.

When we return from the luncheon recess, it is my understanding, Mr. Hayes, we will start on page 11, HB 1394.

Mr. HAYES. Yes, Mr. Speaker.

LOCAL GOVERNMENT COMMITTEE MEETING

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

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

I would like to call a very brief meeting of the Committee on Local Government in room 401 immediately upon the call of the recess.

**HEALTH AND WELFARE COMMITTEE
MEETING**

The SPEAKER. The Chair recognizes the gentleman from Schuylkill, Mr. Klingaman.

Mr. KLINGAMAN. Mr. Speaker, I would like to call a very brief meeting of the Committee on Health and Welfare immediately upon the break in room 245 to consider HB 1056. A very brief meeting.

REMARKS ON VOTE

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

Mr. E. H. SMITH. Thank you, Mr. Speaker.

On SB 855 I was not in my seat, and I would like to be recorded as being favorable toward this bill, SB 855, page 9.

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

APPROPRIATIONS COMMITTEE MEETING

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

Mr. McCLATCHY. Mr. Speaker, I would like to call an Appropriations Committee meeting off the floor of the House for 1 o'clock, 1 o'clock.

RECESS

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

AFTER RECESS

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

**BILLS REPORTED FROM COMMITTEES,
CONSIDERED FIRST TIME, AND
RECOMMITTED TO RULES COMMITTEE**

HB 1056, PN 1170 (Unanimous)

By Rep. KLINGAMAN

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), further providing for eligibility for and the amount of State blind pensions.

HEALTH AND WELFARE.

HB 1348, PN 2008 (Amended)

By Rep. PITTS

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

LABOR RELATIONS.

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

SB 681, PN 1075

By Rep. McCLATCHY

An Act making an appropriation from a restricted revenue account within the General Fund to the Public Utility Commission.

APPROPRIATIONS.

CALENDAR RESUMED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 356, PN 765**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Mr. SERAFINI offered the following amendments No. A2422:

Amend Title, page 1, line 2 by inserting after "Statutes," adding provisions relating to street rods and further

Amend Sec. 1, page 1, line 7 by striking out "and subsection (b) of section 4571"

Amend Sec. 1, page 1, lines 9 and 10 by striking out "subsection (b) of section 4571 amended February 15, 1980 (No. 8), are amended" and inserting

is amended and a definition is added

Amend Bill, page 2, by inserting between lines 13 and 14

"Street rod." A modified antique motor vehicle as defined by department regulations.

Section 2. Title 75 is amended by adding sections to read:

§ 1340.1. Street rod plate.

Upon submission by a vehicle owner of information satisfactory to the department that a motor vehicle is a street rod, accompanied by the appropriate fee, the department shall issue special plates for the vehicle which shall have the same force and effect as regular registration plates. The applicant shall comply with all laws and regulations pertaining to registration including the payment of any additional fees.

§ 1931.1. Street rod registration plates.

The fee for the issuance of a street rod registration plate shall be \$20 which shall be in addition to the annual registration fee. Only one payment of the issuance fee shall be charged for each street rod registration plate issued or replaced.

Section 3. Subsection (b) of section 4571 of Title 75 is amended to read:

Amend Bill, page 2, by inserting after line 30

Section 4. Section 4702 of Title 75 is amended by adding a subsection to read:

§ 4702. Requirement for periodic inspection of vehicles.

(b.1) Inspection criteria for street rods.—The department, after consultation with the National Street Rod Association and other interested groups, shall prescribe special registration criteria for vehicles registered as street rods.

Amend Sec. 2, page 3, line 1 by striking out "2" and inserting 5

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Lackawanna, Mr. Serafini.

Mr. SERAFINI. Mr. Speaker, this amendment recognizes an automobile that is currently manufactured by an individual and it is registered with the National Hot Rod Association as a street rod. Currently it must be registered under the Pennsylvania Department of Transportation with a reconstructed title. This legislation would give them their own license plate which would be termed the "street rod plate," so as to designate it for the particular type of automobile that it is. For instance, a 1932 Ford would be under a reconstructed title, perhaps registered as a 1982 Ford or a 1981 Ford or 1980 Ford, whatever year that the major part of the automobile was constructed of, and this would eliminate that problem.

That is the main purpose of the amendment. Merle Phillips and myself are very interested in it, and Senator O'Connell has approved of its being placed into SB 356.

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

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

I likewise rise in support of the amendment. There was a recent show of this type held in the York area. It was very beneficial to everyone concerned. It brought a lot of business to the community, and it was enjoyed by all. I heartily support the amendment.

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

Mr. PHILLIPS. I rise in support of this amendment. Not only would they pay a special license fee and also their regular license fee, but then each following year they still would pay their regular license fee, so it would generate some more money in the Department of Transportation. So I would ask for your support of this amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—3

Frazier Gray Sweet

EXCUSED—2

Gannon George

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?

Mrs. DURHAM offered the following amendments No. A2682:

Amend Sec. 1 (Sec. 102), page 2, line 7, by inserting after "CHIEF," or fire police captain and fire police lieutenant

Amend Sec. 1 (Sec. 4571), page 2, line 18, by striking out "and coroner or" and inserting coroner,

Amend Sec. 1 (Sec. 4571), page 2, line 18, by inserting after "examiner" or fire police

Amend Sec. 1, (Sec. 4571), page 2, line 21, by striking out "and coroner or" and inserting coroner,

Amend Sec. 1 (Sec. 4571), page 2, line 22, by inserting after "examiner" or fire police

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the lady from Delaware, Mrs. Durham.

Mrs. DURHAM. Mr. Speaker, I was asked to introduce this amendment by the fire police. It expands the definition for "emergency vehicle" to the fire police captain and lieutenant.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—194

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

Cimini Hasay Nahill Taddonio
Civera Hayes Noye Taylor, E. Z.
Clark Heiser O'Donnell Taylor, F. E.
Clymer Hoeffel Olasz Telek
Cochran Honaman Oliver Tighe
Cohen Horgos Pendleton Trello
Colafella Hutchinson, A. Perzel Van Horne
Coie Hutchinson, W. Peterson Vroon
Cordisco Irvis Petrarca Wachob
Cornell Itkin Petrone Wambach
Coslett Jackson Phillips Wargo
Cowell Johnson Piccola Wass
Cunningham Kanuck Pievsky Wenger
DeMedio Kennedy Pistella Weston
DeVerter Klingaman Pitts White
DeWeese Kolter Pott Wiggins
Daikeler Kowalyshyn Pratt Williams, H.
Davies Kukovich Pucciarelli Williams, J. D.
Dawida Lashinger Punt Wilson
Deal Laughlin Rappaport Wogan
Dietz Lehr Rasco Wozniak
Dininni Lescovitz Reber Wright, D. R.
Dombrowski Levi Richardson Wright, J. L.
Donatucci Levin Rieger Zwick
Dorr Livengood Ritter
Duffy Lloyd Rocks
Durham Lucyk Rybak
Ryan, Speaker

NAYS—1

Foster, Jr., A.

NOT VOTING—4

Frazier Gray Letterman Lewis

EXCUSED—2

Gannon George

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

BILL TABLED TEMPORARILY

The SPEAKER. Without objection, the Chair will suggest that SB 356 be laid upon the table awaiting the arrival of additional amendments. The Chair hears none, and the bill is laid temporarily on the table.

* * *

The House proceeded to third consideration of HB 418, PN 1700, entitled:

An Act amending the act of May 31, 1933 (P. L. 1135, No. 280), entitled "An act relating to the collection of delinquent county taxes in counties of the second class, ****" further providing for the rate of interest on delinquent taxes.

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 Emerson Lloyd Rocks
Anderson Evans Lucyk Rybak
Armstrong Fee McCall Salvatore
Arty Fischer McClatchy Saurman

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

NAYS—11

Belardi	Hasay	Murphy	Tigue
Cappabianca	Kukovich	Stuban	Trello
Grabowski	Morris	Taylor, F. E.	

NOT VOTING—3

Frazier	Gray	Williams, J. D.
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EXCUSED—2

Gannon	George
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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 586, PN 615**, entitled:

An Act amending the "Municipality Authorities Act of 1945," approved May 2, 1945 (P. L. 382, No. 164), further providing for the investment of Authority moneys.

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I apologize to the Chair, but I believe the gentleman from Venango, Mr. Levi, who is the prime sponsor of this legislation, would like to make a motion to recommit HB 586 to the Committee on Local Government.

BILL RECOMMENDED

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

Mr. LEVI. Mr. Speaker, I would like to have this bill, HB 586, recommitted to the Local Government Committee. We found some errors in the bill, and we would like to do some more work on it and report it later.

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

* * *

The House proceeded to third consideration of **SB 168, PN 919**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), entitled "Public School Code of 1949," limiting certain residence requirements of school employes.

On the question,
Will the House agree to the bill on third consideration?
Mr. GALLAGHER offered the following amendments No. A2746:

Amend Title, page 1, lines 5 and 6, by striking out "limiting certain residence" in line 5, and all of line 6, and inserting providing for professional employes when programs or classes are transferred.

Amend Sec. 1, page 1, line 9, by striking out "Section 1106," and inserting

The

Amend Sec. 1, page 1, line 10, by inserting after "amended" by adding a section

Amend Bill, page 1, lines 12 through 19; page 2, lines 1 through 9, by striking out all of said lines and inserting

Section 1113. Transferred Programs and Classes.—

(a) When a program or class is transferred from one or more school entities to another school entity or entities, professional employes who are suspended as a result of the transfer and who are properly certificated shall be offered employment in the program or class by the receiving entity or entities as long as there is no more senior suspended professional employe in the receiving entity who is properly certificated to fill the transferred class or program.

(b) Transferred professional employes shall be credited by the receiving entity for their sick leave accumulated in the sending entity and also for their years of service in the sending entity, the latter for purposes of sabbatical leave eligibility and placement in the salary schedule only. Such employes shall begin to accrue seniority in the receiving entity as of the effective date of their transfer.

(c) Nothing contained in this section shall be construed to supersede or preempt any provisions of a collective bargaining agreement negotiated by a school entity and an exclusive representative of the employes in accordance with the act of July 23, 1970 (P.L.563, No.195), known as the "Public Employee Relations Act."

(d) As used in this section, the term "school entity" shall mean a school district, intermediate unit or area vocational-technical school.

Section 2. This act shall take effect immediately.

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

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

Mr. GALLAGHER. Mr. Speaker, first the amendment takes out all the language that had to do with the residency of schoolteachers. It takes it all out.

Secondly, it provides that if an intermediate unit is closing down a special-ed program and the school district is picking that program up, it will allow the school district to hire those teachers who used to work for the intermediate unit to then work for the school district. The school districts that are going to pick up the special-ed programs would have the opportunity to hire those special-ed certified teachers who used to work for the intermediate unit. As long as there is no furlough list of special-ed teachers from that school district, the district could then hire them, and they would have the same privileges and benefits that they had under the IU transferred over to the school district with the agreement of the school district. All it does is provide that they may be offered employment by the school district that is going to provide the special-ed program that used to be provided by the intermediate unit, without interfering with any existing contracts or seniority list or furlough list. That is all the amendments do. I urge the members to support this amendment.

The SPEAKER. The Chair recognizes the gentleman from Franklin, Mr. Punt.

Mr. PUNT. Mr. Speaker, would Mr. Gallagher consent to brief interrogation?

The SPEAKER. The gentleman, Mr. Gallagher, indicates he will consent to interrogation. The gentleman, Mr. Punt, may proceed.

Mr. PUNT. Mr. Speaker, does your amendment allow the school district to hire those teachers or does it require the school district to hire those teachers?

Mr. GALLAGHER. No. All it says is that those teachers who are properly certified shall be offered employment in the program or class by the receiving school district—we call it an entity—as long as there are no more senior suspended professional employees in the receiving entity who are properly certified to fill that transferred class or program. In other words, if the school district has enough teachers of its own, it does not have to. If they have vacancies and they do not have a furlough list, they can hire the ones who used to do the job for the intermediate unit. It does not mandate it that they have to. It is just that they shall offer that opportunity to the teacher who worked for the intermediate unit that is being closed down, because that school district is going to do it themselves and they do not have enough teachers. They shall offer employment if they are certified special-ed teachers, but it does not say that they have to. If they have their own teachers to do it, they do not have to hire them. If they have a furlough list of senior members who are certified as special-ed teachers, they do not have to hire them, but they shall offer it to them if they do not have those facilities.

Mr. PUNT. Okay. Thank you.

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

Mr. HALUSKA. Mr. Speaker, I would like to interrogate Mr. Gallagher.

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

Mr. HALUSKA. Mr. Speaker, there seems to be a fallacy in the fact that when the programs are released from the intermediate unit or the vo-tech school, oftentimes you will have as many as 12 or 15 districts that have participated in these programs, and it is very likely that instead of one program you may have two or three set up in various districts. Now who is going to be responsible for taking these teachers? Which district is going to be responsible for hiring the teachers who were let go at the intermediate unit level?

Mr. GALLAGHER. Mr. Speaker, where their program was with the intermediate unit, we will say, for example, and it has closed down and it is going to be distributed among those school districts that were part of that program, they will receive their students back again in their own school district to be trained by them. If they do not have the teachers to do it, certified special-ed teachers, they can hire the ones who used to do the work for the IU. If they do not have a furlough list of certified special-ed teachers, then they can hire those teachers from the intermediate unit. If all of those districts that were participating in that program under the IU have their own teachers, then they will not have a place to put them, so they would not have to hire them.

Mr. HALUSKA. That does not answer my question. I said—

Mr. GALLAGHER. Who would hire them? Nobody would hire them unless the district has a need for them.

Mr. HALUSKA. What happens if there are two programs made instead of one, Mr. Speaker?

Mr. GALLAGHER. Well, if there were two programs and it required two different teachers to do it and the school district that received their students back again had the teachers on board already, they would not need those other teachers, if they had them certified.

Mr. HALUSKA. That does not answer my question. I said you have one teacher and two classes. Which district is responsible for taking that teacher?

Mr. GALLAGHER. There is no district that is responsible for taking that teacher unless under these circumstances in this amendment. If they do not have the facilities, the teachers themselves, if they do not have it themselves, then they have the opportunity to hire that teacher who used to work for the intermediate unit.

Mr. HALUSKA. It says "shall."

Mr. GALLAGHER. It says they shall offer them the employment, not hire them, offer them the employment if they do not have certified teachers on board or if they do not have a furlough list of certified teachers. If they do not have those two things, then they will hire those teachers. They would need them.

Mr. HALUSKA. That still does not answer the question. The question is, there are two programs now and neither one of the districts wants this particular teacher. Which one is responsible to take this teacher?

Mr. GALLAGHER. None of them. None of them, if they have enough teachers in their own district.

Mr. HALUSKA. If they do not have their own?

Mr. GALLAGHER. If they do not have their own, they shall offer those teachers—not just one but any of them—they shall offer them the employment. It does not say that they have to have them; they can offer it to them. If you have a particular teacher you do not want to hire, there are ways of handling that. He might be certified but not be qualified for the standards of that district. It is strictly up to the district just to offer them that opportunity, if they do not have their own or if they do not have a furlough senior list of special-ed teachers. It is just a matter of offering them the employment, not mandating or guaranteeing them the employment.

Mr. HALUSKA. Mr. Speaker, I just do not think it is that easy. I think it is confusing, and I do not think the language clarifies the situation. Thank you.

Mr. GALLAGHER. Thank you, Mr. Speaker.

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

Mr. BURNS. Mr. Speaker, I think there is some misunderstanding, because people are asking me about this bill. This bill, if Mr. Gallagher's amendment is adopted, has absolutely nothing to do with residency. The residency question was passed here by this House by concurrence in Senate amendments, and it is now on the Governor's desk. This is just a vehicle that Mr. Gallagher is using for this particular amendment. If the amendment is successful, it will strip out all of the language dealing with residency and it would only deal with the subject that Mr. Gallagher has explained. I just wanted to make that clear so that there is no misunderstanding. The residency question has been settled by this House last week; it is on the Governor's desk. This bill, even though it is entitled "residency," would be stripped, and only Mr. Gallagher's amendment would prevail. Thank you, Mr. Speaker.

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

Mr. SPITZ. Mr. Speaker, would the gentleman, Mr. Gallagher, stand for one question of interrogation?

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

Mr. SPITZ. Mr. Speaker, I am somewhat confused, and I am hoping you can straighten me out. I am not addressing residency. I think that, frankly, everybody sort of understands this takes out residency. I am addressing the rest of what your amendment does.

In response to the interrogation that has taken place already, I am understanding you to say that the school board may offer a position to these people if they do not otherwise have someone in that employment. Now, does the school board not have that power now without this being in the law?

Mr. GALLAGHER. Mr. Speaker, I think there is a misunderstanding as to whether they may or shall, whether they mandate it or not. What the amendment says—and I might have to read it, not at length but in detail— "When a program or class is transferred from one or more school entities to another school entity...professional employes who are suspended as a result of the transfer and who are properly certificated shall be offered" —shall be offered— "employment in the program or class by the receiving entity" — meaning the receiving school district— "...as long as there is no more senior suspended professional employe in the receiving entity who is properly certificated to fill the transferred class or program." So it is up to the district to do it. It is just a matter that they shall offer. What they are going to do, the school district is receiving the pupils back again from the intermediate unit. They are going to have to teach them special ed. If they do not have on board special-ed certified teachers, then they have the opportunity to offer the employment to those who used to work for the intermediate unit.

Mr. SPITZ. Mr. Speaker, what do you mean, they have the opportunity to offer? Are we not putting into the law, does your amendment not say that that receiving school district, if they do not have their own personnel now or if they do not have a furloughed list that has that certified personnel, must offer the position to that other individual, that it mandates it in the law? Is that not what we are doing? It is a mandate, is it not?

Mr. GALLAGHER. No, it is not. It says that they shall be offered the employment in the program or classes of the receiving school.

Mr. SPITZ. Well, what does that mean? You mean the teacher can turn it down and, therefore, it is not a mandate?

Mr. GALLAGHER. That is right. He could turn it down; it is not mandated. They shall offer. It does not mean shall be hired; shall offer.

The SPEAKER. The gentleman will yield.

Interrogation is to solicit information and an answer. The gentleman may proceed.

Mr. SPITZ. Mr. Speaker, my interrogation is through. I would simply like to comment on that.

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

Mr. SPITZ. Mr. Speaker, I just think that before we vote on this, we should read the bill and everyone should decide what it says, because my interpretation of it is somewhat different than Mr. Gallagher, who has offered the amendment. I believe that the amendment, if it becomes law, creates an absolute mandate with some exceptions if the professional personnel are already there, and the response we are getting would indicate that this is sort of a whimsical thing - a school district can do it if they want and not if they want; teachers can turn it down if they want, not if they want. That is not what the law is meant to do. This is meant to create a mandate on that school district to hire personnel that had not been their personnel before, and I think that we all should read it.

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

Mrs. TAYLOR. Mr. Speaker, would the sponsor yield to some interrogation?

The SPEAKER. The gentleman, Mr. Gallagher, consents to interrogation. The lady, Mrs. Taylor, may proceed.

Mrs. TAYLOR. Mr. Speaker, I think there appears to be confusion in the minds of many of us at this point, and I would just like to ask the simple question whether or not this amendment will dictate that the transferee will be hired irrespective of whatever evaluation that transferee might have.

Mr. GALLAGHER. The answer is no. Section 1113 says that they shall be offered employment. Subsection (c) says that nothing contained in this section shall be construed to supersede or preempt the provisions of a collective bargaining agreement negotiated by a school entity, et cetera, so it is not that they absolutely have to hire. It says that they shall offer employment for those teachers who are certified as special-ed teachers, who did teach in the special-ed programs that were conducted by the intermediate unit that is bringing the pupils back into the school district, that they shall offer them the employment, but they shall not supersede the existing contract or the seniority list or the furlough list, et cetera, so it is not just automatically bringing them back in.

Mrs. TAYLOR. Mr. Speaker, might I ask also that a school district in accepting this transferee, who might be at the top of the salary schedule, might not this cause an undue impact on the increase of the cost to that particular school district?

Mr. GALLAGHER. I think that is why subsection (c) is part of the amendment, that it shall not be construed to supersede or preempt the existing provisions of the collective bargaining. And to bring somebody in brand new, they have no seniority. They would not have the same salary level that they had at the intermediate unit. They would only be receiving the salary level that the school entity that is going to accept them would offer when they offer employment. There is nothing in here that says that they shall offer them employment at the same salary level as they were employed before. It just says that they shall offer employment if the employment exists.

Mrs. TAYLOR. I thought that the line that preceded that, Mr. Speaker, said that they would have to be accepted at the same salary level.

Mr. GALLAGHER. I do not see anything that says that they shall be accepted at any salary level. It just says in subsection (b), "Transferred professional employes shall be credited by the receiving entity for their sick leave accumulated in the sending entity and also for their years of service in the sending entity, the latter for purposes of sabbatical leave eligibility and placement in the salary schedule only" —placement in the salary schedule only. But they would not supersede in subsection (c) the existing collective bargaining agreement, so I do not see how they can come in there over and above what was already there.

Mrs. TAYLOR. But, Mr. Speaker, are you not still placed on that salary schedule at the level that you were in the IU?

Mr. GALLAGHER. No. I do not see that that is the way the language is written, because you do not accrue seniority over and above those already there. You are coming in as a freshman.

Mrs. TAYLOR. But, Mr. Speaker, you earn that placement by the number of years of service. Is that not correct?

Mr. GALLAGHER. You earn that placement as an employee only because you are certified as a special-ed teacher and you had experience at it. The only thing you bring with you is your accumulated sick leave, then your years of service in the sending entity, the latter for the purpose of sabbatical leave, et cetera, but nothing that is going to bring you in above what is already there. You are coming in brand new. It is not going to supersede the existing seniority.

Mrs. TAYLOR. The answer to that was they are not going to supersede anyone who would already be in the school district. Is that a correct statement?

Mr. GALLAGHER. That is correct.

Mrs. TAYLOR. The other question I have, Mr. Speaker, is, does your amendment speak to whether or not the services of that employee are needed? Mr. Speaker, my concern is whether or not the services of the employee who is seeking to have this transfer, whether or not it will be substantially noted that those services are needed. For example, in some special-ed programs there may just be a few children who could be included in a much larger regional program, and I am wondering whether or not it will be based on whether or not that service is needed or whether it is just the concern because the teacher is for some reason or other out of a job and needing to look for a transfer. Is there anything in this amendment that guarantees that we will look to see whether or not the service is needed?

Mr. GALLAGHER. Mr. Speaker, the beginning of the amendment, subsection 1113, says, "Transferred Programs and Classes.—(a) When a program or class is transferred from one or more school entities to another school entity...professional employes who are suspended as a result of the transfer...." That part points to you that the receiving school district is receiving the responsibility of maintaining those programs and classes, so that is pretty clear there what it does.

Mrs. TAYLOR. Mr. Speaker, I am sure that the sponsor understands that; I am not sure that all of us who will be voting on it will understand it, because other people who have worked on this particular concept have always included a phrase that says, "at the time that the services of the professional employe are required to sustain the program or the class transfer," and I do not see that in this amendment.

Mr. GALLAGHER. You are correct; it is not in there. It just says when a program or class is transferred from one school district to another. To do that, it has to be agreed to by both entities, so it is not mandated if they accept it.

Mrs. TAYLOR. So, therefore, that particular concern is not addressed in this amendment.

Mr. GALLAGHER. That is right.

Mrs. TAYLOR. Mr. Speaker, a transferee who has dual certification, certification in English and special education, are they going to be able to use that second certification in applying for a job in the school district? Supposing a teacher has both special education and English. Is that transferee then going to be able to move from the area they have been in,

special education, into the second area of certification, which would be English?

Mr. GALLAGHER. No. No, they would not, because they are coming over just for a special-ed program or class. If they are accepted by the new school district, they would start beginning their seniority in that district, and they would be behind all the other teachers who might have English certification, and they would not be able to bump into that because they do not have the seniority.

Mrs. TAYLOR. Mr. Speaker, I would like the record to show that I appreciate the responses from my colleague and sponsor of this particular amendment. but at this point, because of the areas that are unclear to me and I am sure must be unclear to many of my colleagues, I must urge a negative vote. Thank you, Mr. Speaker.

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

Mr. PETERSON. Thank you, Mr. Speaker.

I rise to vigorously oppose the Gallagher amendment. There has been much discussion of whether this is a mandate or not. I would assume that if someone said that some company shall offer me a job, the only decision to be made is whether I accept. In my opinion, it is a clear mandate to our school districts. It flies in the face of local control, and I urge all members who believe in local control and decide that school districts should be able to make the decision of whom they are going to hire to vote against this amendment. This is one more mandate that our school districts do not need, and we should vote it down.

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

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

I rise in opposition to the amendment on two premises. Number one, if the interpretation that I adhere to, that Mr. Spitz and Mr. Peterson adhere to, is correct, then the bill is indeed oppressive and the amendment should be defeated. On the other hand, if the interpretation is as Mr. Gallagher indicates, the amendment is totally unnecessary. After all, what type of victory is it to say to someone, you shall be offered a job but we need not accept you. Any person has the God-given right to apply for employment, so, therefore, the bill is either oppressive and undesirable or totally unnecessary, and I would urge a negative vote.

BILL AND AMENDMENTS RECOMMENDED

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Spitz, for the second time on the subject.

Mr. SPITZ. Mr. Speaker, I rise to make a motion.

The SPEAKER. The gentleman will state his motion.

Mr. SPITZ. Mr. Speaker, I would move that this bill be recommitted to the Committee on Local Government, and I would like to state my reason for the motion—with the amendment, of course, to be considered by that committee.

The SPEAKER. The question before the House is recommittal of SB 168 with amendments to the Committee on Local Government.

The Chair recognizes the gentleman, Mr. Spitz.

Mr. SPITZ. Thank you, Mr. Speaker.

Mr. Speaker, this bill, when it came out, had become a ban on residency, and it would have been an absolute ban. Between the time that it was reported from the Local Government Committee and the time it reached this floor, we passed a compromise-type residency bill which is now sitting on the Governor's desk waiting for signature, I presume. I think it is agreed by everyone that we do not need that aspect of the bill, and Mr. Gallagher's amendment in part strips the residency aspect away.

The rest of what we have in front of us is simply this new proposal that creates a mandate, in my judgment, that mandates that individuals be hired at specific salary ranges commensurate with their education, in my judgment—although that was not the response I heard—and I just think that it needs another look at. If it came from the Local Government Committee in one form and now it is going to be twisted into a totally different form, I think it might be advisable for that committee to look at it. I asked Mr. Foster, the chairman of the committee, if he had any objections. He indicated he does not, and I would strongly urge that we resubmit this thing to the Local Government Committee so it can be looked at with this amendment to see if it really has any local government aspects.

The SPEAKER. The question before the House is the recommittal motion by the gentleman from Delaware, Mr. Spitz. On that question, the Chair recognizes the gentleman from Luzerne, Mr. Blaum.

Mr. BLAUM. Thank you, Mr. Speaker.

I, too, oppose the amendment offered by my colleague, but I also oppose this motion, because I think the amendment and the bill can be voted on here today. And I am a bit miffed at the objection to changing this bill. HB 686, if we remember, came out as the bill authorizing moneys for reapportionment and became the budget. I do not think now we should object to the gutting of the bill, although I am going to vote against it anyway. I urge defeat of this motion just on the principle that it is nothing new to this House to gut a bill and put in an entirely different issue and have it voted on without a committee reviewing it.

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

Mr. BURNS. Mr. Speaker, I would recommend that we vote "no" on this recommittal motion, because if this bill should go anywhere, it should not be to Local Government; it should go to the Education Committee, if you think we have to take a look at it. If that is the case, I would urge a vote "no" on that, and maybe then a motion to go to the Education Committee would be in order. Thank you, Mr. Speaker.

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

Mr. EVANS. Mr. Speaker, I would recommend that we support this motion for recommittal to give us a fair opportunity to review this bill. I do not think that we have the proper time to sit here and to study it. Again I would urge my colleagues to support the motion for recommittal.

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

The following roll call was recorded:

YEAS—123

Alden	Fryer	McCall	Reber
Anderson	Gallen	McClatchy	Richardson
Armstrong	Geist	McIntyre	Rieger
Arty	Gladeck	McMonagle	Ritter
Barber	Grabowski	Mackowski	Rocks
Beloff	Gray	Madigan	Salvatore
Bittle	Greenwood	Maiale	Sieminski
Borski	Grieco	Manderino	Sirianni
Bowser	Gruppo	Manmiller	Smith, L. E.
Boyes	Hagarty	Marmion	Snyder
Brandt	Haluska	Merry	Spencer
Brown	Harper	Miller	Spitz
Cawley	Hasay	Miscevich	Swift
Cessar	Hayes	Moehmann	Taddonio
Cimini	Heiser	Morris	Taylor, E. Z.
Cohen	Hoeffel	Mowery	Telek
Cornell	Honaman	Mrkonic	Tigue
Coslett	Hutchinson, A.	Nahill	Vroon
Cunningham	Irvis	Noye	Wachob
DeVerter	Jackson	O'Donnell	Wass
Daikeler	Johnson	Oliver	Wenger
Deal	Kanuck	Pendleton	Weston
Dietz	Kennedy	Perzel	White
Dininni	Klingaman	Peterson	Wiggins
Donatucci	Lashingner	Petrone	Williams, H.
Duffy	Lehr	Phillips	Williams, J. D.
Durham	Letterman	Piccola	Wogan
Evans	Levi	Pitts	Zwilk
Fleck	Levin	Pucciarelli	
Foster, W. W.	Lewis	Punt	Ryan,
Foster, Jr., A.	Lloyd	Rappaport	Speaker
Freind			

NAYS—70

Belardi	Dawida	Michlovic	Smith, E. H.
Belfanti	Dombrowski	Micozzie	Stairs
Berson	Dorr	Murphy	Steighner
Blaum	Emerson	Olasz	Stevens
Burd	Fee	Petrarca	Stewart
Burns	Fischer	Pievsky	Stuban
Caltagirone	Gallagher	Pistella	Swaim
Cappabianca	Gamble	Pott	Sweet
Civera	Gruitza	Pratt	Taylor, F. E.
Clark	Horgos	Rasco	Trello
Clymer	Itkin	Rybak	Van Horne
Cochran	Kolter	Saurman	Wambach
Colafella	Kowalyshyn	Serafini	Wargo
Cordisco	Kukovich	Seventy	Wilson
Cowell	Lescovitz	Showers	Wozniak
DeMedio	Livengood	Shupnik	Wright, D. R.
DeWeese	Lucyk	Smith, B.	Wright, J. L.
Davies	McVerry		

NOT VOTING—6

Cole	Greenfield	Laughlin	Mullen
Frazier	Hutchinson, W.		

EXCUSED—2

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

CONDOLENCE RESOLUTION ADOPTED

The SPEAKER. The Chair is about to take up a privileged condolence resolution. I would ask that members of the staff

leave the floor or take seats, pages return to the area immediately in front of the Speaker, and that the members take their seats. Conversation, of course, will cease.

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

Mr. GEIST. Mr. Speaker, I offer the following condolence resolution.

The following resolution was read:

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

WHEREAS, Denny J. Bixler, a former member of the Pennsylvania House of Representatives, passed away June 19, 1981 at age forty years; and

WHEREAS, Mr. Bixler was educated at the University of Pittsburgh and was first elected to the Pennsylvania House of Representatives in 1968 and was re-elected in 1970 and 1972; and

WHEREAS, Renowned as an outstanding radio personality, Mr. Bixler was part-owner of WVAM in Altoona and served as general manager of WJAC in Johnstown. In 1967, he accompanied Vice President Hubert Humphrey to Vietnam for the inauguration of South Vietnamese President Nguyen Van Thieu and accompanied President Carter on trips to South America, Africa, Asia and Europe; and

WHEREAS, Mr. Bixler was an active member of numerous organizations including the American Red Cross of Blair County; the Citizens Advisory Council for Lakemont Park; Blair County Broadcasters; the Board of Directors of Big Brothers of Blair County; Logan Valley Grange 664; and served as executive director of the Citizens Safety Council; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to mourn the passing of this distinguished servant of the people, Denny J. Bixler; extends heartfelt condolences to his wife, Beverly and two children; and be it further

RESOLVED, That a copy of this document be transmitted to Mrs. Beverly Bixler, 38 Seneca Avenue, Altoona, Pennsylvania 16602.

We hereby certify that the foregoing is an exact copy of a Resolution introduced in the House of Representatives by the Honorable Richard A. Geist, and adopted by the House of Representatives the 23rd day of June, 1981.

Matthew J. Ryan,
Speaker
ATTEST:
John J. Zubeck,
Chief Clerk

On the question,
Will the House adopt the resolution?

The SPEAKER. All those in favor please stand and remain standing as a further mark of tribute to the memory of a former colleague.

(Members stood.)

The SPEAKER. The resolution is unanimously adopted.

**BILLS ON THIRD
CONSIDERATION CONTINUED**

The House proceeded to third consideration of **SB 568, PN 971**, entitled:

An Act amending the act of April 27, 1927 (P. L. 465, No. 299), entitled, as amended, "Fire and Panic Act," further providing for ways of egress and providing for legislative review of certain rules and regulations.

On the question,

Will the House agree to the bill on third consideration?

Mr. WENGER offered the following amendments No. A2731:

Amend Title, page 1, line 15, by inserting after "acts,""
further excluding certain farm buildings;

Amend Bill, page 1, by inserting between lines 19 and 20

Section 1. Section 2, act of April 27, 1927 (P.L.465, No.299), referred to as the Fire and Panic Act, amended August 24, 1963 (P.L.1151, No.490), is amended to read:

Section 2. Classes of Buildings.—The following are the classes of buildings and structures which it is intended that this act shall cover:

Class I Buildings.—Factories, power plants, mercantile buildings, hotels, office buildings, hospitals, asylums, public and private institutions, convalescent and nursing homes, schools, colleges, school and college auditoriums and gymnasiums when used for public assemblages, airports, airport buildings, airplane hangars, dormitories, warehouses, garages, farm buildings, except those [used to store produce prepared for market or sell farm products grown, raised or produced] farm buildings, occupied by less than ten employes, which are used for the production or storage, or both, of agricultural products, or used in the storage of farm equipment by the owner or tenant of the building, and all other buildings specified by the department, not enumerated in Classes II, III, IV, and V, wherein persons are employed, housed or assembled, except those farm buildings excluded herein.

Class II Buildings.—Theatres and motion picture theatres.

Class III Buildings.—Public halls, dance halls, banquet halls, lodge halls, churches, skating rinks, armory halls, or any other auditorium in which the public assembles, not used for any of the other purposes mentioned in this act.

Class IV Buildings.—Tenement houses, apartment houses, apartment hotels, club houses, lodging houses, and rooming houses.

Class V Buildings.—Grandstands, stadiums and amphitheatres, and summer theatres.

Amend Sec. 1, page 1, line 20, by striking out "1." and inserting

2.

Amend Sec. 1, page 1, lines 20 and 21, by striking out "act of April 27, 1927 (P. L. 465, No. 299), referred to as the Fire and Panic Act" and inserting
of the act

Amend Sec. 2, page 3, line 22, by striking out "2." and inserting

3.

Amend Sec. 3, page 4, line 22, by striking out "3. This" and inserting

4. Except for section 1 of this act which shall take effect immediately, the remainder of this

On the question,

Will the House agree to the amendments?

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

Mr. WENGER. Mr. Speaker, the amendment that I have prepared to SB 568 deals with exempting farm buildings from the requirements of the Fire and Panic Act. Under present language of the act, we do have exemptions. They are some-

what vague. The Department of Labor and Industry has been uncertain in certain instances as to which farm buildings need to come under the regulations of the Fire and Panic Act, where here it is simply spelling out that these farm buildings occupied by less than 10 employees, which are used for the production or storage or both of agricultural products or used in the storage of farm equipment by the owner or tenant of the building, would be exempt.

We use the 10 employees because when you go beyond the 10 employees, you come under the Federal provisions, and that is when OSHA - Occupational Safety and Health Administration - comes into play. But with less than 10 employees we think this would be clarifying language, and it would give *direction to Labor and Industry* as to where they needed to be involved and where they did not need to be involved. I respectfully request support for the amendment.

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

Mr. COLE. Mr. Speaker, this is an agreed-to amendment, and I would urge an affirmative vote on the amendment.

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

Mr. ITKIN. Mr. Speaker, would Mr. Wenger stand for interrogation?

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

Mr. ITKIN. Mr. Speaker, could you tell the House why you believe farm buildings with less than 10 employees should be exempt from the Fire and Panic Act?

Mr. WENGER. Yes. Up until recently there were no problems with this, because the present language in the act does give exception to certain farm buildings. But recently the Department of Labor and Industry did get into, for instance, in Lancaster County, they came onto a farm and they suggested that his poultry house, his chickenhouse, might come under the provisions and, therefore, he should have exit signs and the panic hardware on the doors to his chickenhouse. I did contact the department on that, and they did back off from that particular situation.

There have been similar situations in other counties recently where it was unclear. Did the Department of Labor and Industry have responsibility? Did they have to draw up the blueprints when they were modifying or updating their farm buildings to come under these provisions? We are simply trying to say that in these situations with the farm families who are operating these farms, if they have less than 10 employees, *the Federal Government under OSHA does not require them to come under their provisions, and we are saying that Labor and Industry would not need to get involved in those situations.*

Mr. ITKIN. Mr. Speaker, I am having trouble hearing the gentleman. Are you telling me that the reason why we should exempt these buildings from the Fire and Panic Act is because the Federal Government does not have a provision relating to 10 or fewer employees in a farm building?

Mr. WENGER. Mr. Speaker, that is one of the reasons. Another reason is the practicality of the total thing.

Out in the rural areas many of these farm buildings are still constructed by the farmers and by their neighbors and by volunteers. When there is a fire and a barn burns down out on those Amish farms, they have a barn raising. They come in there. They do not draw up architectural blueprints that can be submitted to Labor and Industry for these purposes. We are looking at buildings that are used for practical purposes out on the farms across rural Pennsylvania. Up until this time I think everybody thought they were exempt, but there is some question at this point, and I feel strongly that it needs to be clarified. This amendment would do that, and it would not cause any problem with OSHA because they do have that exemption.

Mr. ITKIN. But, Mr. Speaker, you are not clarifying; you are deleting. You are saying, if I understand you correctly, that heretofore if this amendment should become law, there is not going to be any type of governmental safeguard provided for farm employment in buildings with fewer than 10 employees as far as safety requirements go to the structure. Is that correct, or am I misinterpreting what you are saying?

Mr. WENGER. That is correct to an extent, but we are not doing something new, because if you will look at the amendment and you will see the language that we have bracketed out, the language that is in the present act already tells us that there are exceptions for those buildings that are used to store produce prepared for market or sell farm products grown, raised, or produced on these farms. Labor and Industry says that that is unclear to them, and they have generally not gone out onto these farms and done anything and yet they are not sure if they need to or not.

Now, we bracket that language out and we bring the underlined language which you will see in the amendment, which we feel is clarifying language, and it should make it, I think, clear both to the farmer who would need to comply and also to Labor and Industry who has a responsibility to enforce the law.

Mr. ITKIN. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—186

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

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

NAYS—8

Deal	Kukovich	Pistella	White
Itkin	Michlovic	Richardson	Williams, H.

NOT VOTING—5

Frazier	Harper	Oliver	Rappaport
Gray			

EXCUSED—2

Gannon	George
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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—192

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

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

NAYS—2

Itkin Misceovich

NOT VOTING—5

Frazier Murphy Rappaport Wass
Gray

EXCUSED—2

Gannon George

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.

* * *

The House proceeded to third consideration of **HB 1485, PN 1725**, entitled:

An Act amending the act of August 7, 1963 (P. L. 549, No. 290), referred to as the Pennsylvania Higher Education Assistance Agency Act, clarifying the term "resident" and providing for loan guarantees to parents of postsecondary students.

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	Rybak
Armstrong	Evans	Lloyd	Salvatore
Arty	Fee	Lucyk	Saurman
Barber	Fischer	McCall	Serafini
Belardi	Fleck	McClatchy	Seventy

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

NAYS—0

NOT VOTING—12

Anderson Gray Rappaport Ryan,
Beloff Irvis Ritter Speaker
Foster, W. W. McIntyre Wass
Frazier Mowery

EXCUSED—2

Gannon George

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 Speaker neglected to vote on that particular bill, HB 1485. Had he been paying attention, he would have voted in the affirmative.

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

Mr. **RITTER**. Mr. Speaker, I echo your comments, and had I been paying attention, I would have voted in the affirmative also.

The SPEAKER. I can hardly blame you for that.

JUDICIARY COMMITTEE MEETING

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

Mr. W. D. HUTCHINSON. Mr. Speaker, may I have the attention of the members of the Judiciary Committee? There will be a brief meeting of the Judiciary Committee immediately following the adjournment motion in the rear of the House. There is one bill that has come over to us from the Senate that because of time reasons we have to consider today. That meeting will be in the rear of the House immediately upon the call of the adjournment. Thank you.

The SPEAKER. The Chair would respectfully correct the gentleman and suggest that the Judiciary Committee meeting take place on the declaration of a recess so that we can take a report of that committee, should it see fit to report the bill out.

REMARKS ON VOTE

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

Mr. E. H. SMITH. Thank you, Mr. Speaker.

Mr. Speaker, this morning when we were working on SB 855, I was out of my seat when it came up for a vote. I would like to be recorded in favor of that bill.

The SPEAKER. The gentleman's remarks will be submitted for the record.

REMARKS SUBMITTED FOR THE RECORD

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

Mr. GALLAGHER. Mr. Speaker, I submit the following remarks for the record.

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

Mr. GALLAGHER presented the following remarks for the Legislative Journal:

Not many people remember to say thanks, to you and the other legislators who are responsible, for programs which help us all so much. Especially in these days of Republican budget cutting, I think an example such as our family, might go a long way to help people realize and appreciate decent men and women, representing them up there in Harrisburg.

Here is the oldest boy of seven children, graduating with honors, with one of his younger brothers a sophomore at the University of Pittsburgh and a younger sister a freshman at Duquesne, their father totally disabled since 1978. Due to diabetes, with the loss of his right leg, and the future forecast of the same, for his left leg.

Their mother went out to work in '79 and father stays home and runs the home. The children each, have worked each summer to help pay their way through college and high school. But, the ones that went to college could never had made it, if it wasn't for the help they have received from PHEAA and BEOG. I think the results so far, show that these programs have been a good investment for the future of all our young people.

I know we always hear about abuses and misuse of the programs, but the other side of the story—the good things these programs do—never make the headlines. So as the proud mother and father of seven children—three in college, three in catholic high school and one married, ages 22 to 14—we wish to say thank you, to you my brother Jim, who introduced these programs on education, and all the rest who either worked with you on this or voted for these programs.

So, for ourselves and all the other families, who have been helped, when help was needed, because of conditions or circumstances beyond their control, we wish to express our sincere thanks and gratitude to each and everyone of you. We also hope and pray that there will always be men and women, with the knowledge, fortitude, courage, and character, who will be willing to serve the people, in the job of Representative of all the people.

Sincerely yours,
Robert J. & Helen K. Gallagher

RESOLUTION ADOPTED

Mr. COWELL called up **HR 84, PN 1958**, entitled:

House urges all citizens participate in the International Year of Disabled Persons.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

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

Dininni	Letterman	Reber	Wright, D. R.
Dombrowski	Levi	Richardson	Wright, J. L.
Donatucci	Levin	Rieger	Zwinkl
Dorr	Lewis	Ritter	
Duffy	Livengood	Rocks	Ryan,
Durham	Lloyd	Rybak	Speaker
Emerson	Lucyk		

NAYS—0

NOT VOTING—3

Frazier	Gray	Laughlin
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EXCUSED—2

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

RESOLUTION ADOPTED

Mr. PETRARCA called up **HR 72, PN 1982**, entitled:

General Assembly memorialize Congress prevent moves planned by Department of Defense of Fort Indiantown Gap Military Reservation civilian employees.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—192

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

Donatucci	Levin	Rieger	Wright, J. L.
Dorr	Lewis	Ritter	Zwinkl
Duffy	Livengood	Rocks	
Durham	Lloyd	Rybak	Ryan,
Emerson	Lucyk	Salvatore	Speaker
Evans	McCall		

NAYS—1

Greenwood

NOT VOTING—6

Alden	Frazier	Hutchinson, A.	Pitts
Blaum	Gray		

EXCUSED—2

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

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

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 1394, PN 1968**, entitled:

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction, operation and maintenance of a turnpike extension in southwestern Pennsylvania, and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; ***.

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

Mr. KOLTER offered the following amendment No. A2753:

Amend Sec. 3, page 6, line 2, by inserting after "AUTHORIZED" , empowered and directed

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

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

Mr. KOLTER. Mr. Speaker, on behalf of Representatives Pratt and Fee, I offer this amendment, the purpose of which is to add corrective language to keep that particular portion of the bill in conformity with the other sections of the bill. We are adding two words after the word "AUTHORIZED" on line 2, page 6; two words, "empowered and directed."

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

Mr. POTT. Thank you, Mr. Speaker.

This is an agreed-to amendment.

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

Mr. ITKIN. Mr. Speaker, with respect to this amendment, what the gentleman has done is to direct the Turnpike Commission to erect a toll road when we do not know how much this whole project is going to cost. This is not a study; this is not a feasibility study to come back to this House and tell us what it is going to cost, but if this amendment and this

bill pass, it directs the Turnpike Commission to engage in building the roadway. It is erected irrespective of what the tolls might be, what inconveniences it might be to the public involved. It has no input from the various communities—

POINT OF ORDER

The SPEAKER. Will the gentleman yield?

For what purpose does the gentleman, Mr. Kolter, rise?

Mr. KOLTER. The gentleman, Mr. Itkin, is speaking about the bill. He is not talking about the amendment I have provided here. I am just adding two words to the bill.

The SPEAKER. It is the opinion of the Chair that the gentleman is speaking on the amendment. He is directing his comments to the word "directs."

The gentleman, Mr. Itkin, may proceed.

Mr. ITKIN. I am now limiting my comments strictly to the particular project which was introduced as an amendment, although my comments may be generally considered for many of the other extensions provided in the bill. But since I am restricted just to this amendment, my comments are directed to the amendment.

There has been no feasibility study provided; there has been no input by the various communities; and now we are faced with an amendment into a bill on final passage that is going to direct the Turnpike Commission to erect billions of dollars, at least \$1 billion, maybe more, of construction in western Pennsylvania. I do not believe that this is the appropriate time for us to consider such a far-reaching measure on final passage. The bill was recently reported out of the Transportation Committee. There have been no public hearings on the matter, and we are dealing with perhaps the largest transportation program since the erection of the Pennsylvania Turnpike that began in 1940.

MOTION TO RECOMMIT

Mr. ITKIN. Mr. Speaker, I would suggest that before we pass this amendment and this bill, we consider holding public hearings in the affected area. It would seem foolish to me to pass this amendment and then pass the bill to the other body so that nothing will happen over the summer. It would appear to me better to go ahead and recommit this amendment and this bill to the Transportation Committee and direct the Transportation Committee during the summer to hold public hearings, and then in the fall we will be in a much better position to consider this proposal.

Mr. Speaker, at this time I make a motion to recommit HB 1394 and the Kolter amendment to the Transportation Committee and direct that committee to hold public hearings on the bill and the amendment.

The SPEAKER. The question before the House is the motion of the gentleman, Mr. Itkin, to recommit the bill to the Committee on Transportation.

PARLIAMENTARY INQUIRY

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

Mr. A. K. HUTCHINSON. To talk on Mr. Itkin's motion.

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

Mr. A. K. HUTCHINSON. First, I would like to ask a parliamentary question. Can I amend Mr. Itkin's motion?

The SPEAKER. I am sorry. The Chair is unable to hear the gentleman.

Mr. A. K. HUTCHINSON. Can I amend Mr. Itkin's motion?

The SPEAKER. Would the gentleman advise the Chair as to the nature of the amendment he is suggesting?

Mr. A. K. HUTCHINSON. That leads to another question.

The SPEAKER. Yes, it does.

Mr. A. K. HUTCHINSON. Can I talk about another bill that I have submitted about toll roads to also have hearings on it?

The SPEAKER. I do not believe that would be proper at this time, Mr. Hutchinson.

Mr. A. K. HUTCHINSON. Okay. I agree with Mr. Itkin. There are other people who have other bills in who would like to have them studied. I agree with him 100 percent. This is too big a thing to pass with 2 days on the calendar, without anybody ready to put in any amendments. Thank you very much.

The SPEAKER. On the question of recommittal, the Chair recognizes the gentleman from Lawrence, Mr. Pratt.

Mr. PRATT. Mr. Speaker, I rise to oppose the recommittal motion. The Turnpike Commission has studied both of these projects. In fact, the project to which Representative Kolter's amendment alludes was studied 2 years ago. Three-county communities in western Pennsylvania were involved in this to a considerable extent. There are no questions left to be answered with respect to that project. I am sure that applies also to the project with respect to the bill in general. I think Mr. Itkin is alluding to dilatory tactics to delay this bill and possibly kill it. There is no need for public hearings. The Turnpike Commission can do its own consideration during the summer if we pass this and send it to the Senate. I oppose the motion, Mr. Speaker.

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

Mr. A. K. HUTCHINSON. It has only been on the calendar for 2 days. I do not care—

The SPEAKER. Will the gentleman yield? The Chair recognized Mr. Hutchinson thinking he had a point of parliamentary inquiry. I will reach the gentleman in order.

Mr. A. K. HUTCHINSON. Okay. Thank you.

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

Mr. SEVENTY. Mr. Speaker, I would like to make a comment on Mr. Itkin's motion.

The SPEAKER. On the question, the gentleman is in order and may proceed.

Mr. SEVENTY. Mr. Speaker, there are rumors that this road will go through my district, and I am not sure, and I feel we should have some input on it, so I am in favor of public hearings on the recommittal motion. I would appreciate a recommittal "yes" vote.

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

Mr. GRUITZA. Mr. Speaker, I would just briefly like to speak in opposition to the motion to recommit.

Supportive of what Representative Pratt has said, this highway has been studied on and on for the last 20 years, the feasibility studies. It is supported by the whole conglomerate of communities in northwestern Pennsylvania, and I think it is time that something be done to move this project. I vote against this motion.

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

Mr. KOLTER. Mr. Speaker, it is very unfortunate that the gentleman, Mr. Itkin, made several misleading allegations. First off, there is a feasibility report. We have been studying it for many years. Secondly, let me remind the members here there are no tax dollars being considered here. We are asking the Turnpike Commission, as it has done in the past, to issue bonds at no cost to the taxpayers. Only those people who use the road will pay for it. That is the way it has to be from here on in, a user's tax. I would urge a "no" vote on this recommendation.

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

Mr. A. K. HUTCHINSON. I think this is one heck of a railroad job. I do not care who studied it for 2 years. It has only been on the calendar 2 days. Nobody else has had any input. Let us vote "no" on it.

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

Mr. POTT. Thank you, Mr. Speaker.

I strongly oppose the motion to recommit. As Representative Kolter has said, this feasibility study has been going on for years and years. The Monongahela Valley Expressway was originally proposed in 1933. It has been on the Southwestern Pennsylvania Regional Planning Commission plans for the last 50 years. For the last 25 years the North Hills, Crosstown, and East Street Valley Expressways have been proposed. The Beaver Valley Expressway has been proposed for the last 18 years. It is about time that the people in western Pennsylvania get a toll road to meet their transportation needs. Dilatory and delaying tactics are no longer necessary. I strongly oppose the motion to recommit.

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

Mr. BURNS. Mr. Speaker, I really should not enter into a western fight, because I do not know anything about it, and I am the first to admit that.

The SPEAKER. The Chair thanks the gentleman.

Mr. BURNS. However, it is my understanding that what is happening is that the Governor is holding up those bonds for turnpike repair, both east and west. I am vitally concerned

about exit 28, which this legislature and this General Assembly passed authorization to repair, and we cannot get it done because the bonds are being held up by the Governor. Now, I have no objection to what happens in the west. I would like to support Mr. Kolter and see the western portion of the turnpike finished. But I do not want to see this General Assembly direct the Governor to do something in the west and let us in the east sit there with no proper interchanges and so forth. So I think on that basis I would have to support Mr. Itkin, at least that portion of his proposal which says hold it up, and maybe we could get together with Mr. Kolter and work it out so that the bonds would be released for all the turnpike work, not just in the west. Thank you, Mr. Speaker.

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

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

The SPEAKER. The gentleman indicates that he will. The gentleman, Mr. Lloyd, may proceed.

Mr. LLOYD. Mr. Speaker, am I correct that the intention of this motion is to send this bill back to committee with the prospect that the committee will hold hearings this summer?

Mr. ITKIN. Mr. Speaker, not with the prospect but with the mandate that the Committee on Transportation hold public hearings in the affected areas.

Mr. LLOYD. Mr. Speaker, do you know, if this bill is recommitted in its present form, whether those hearings will be limited solely to this bill or whether it is your intention to broaden those hearings to look at the concept of toll roads as a way to finish missing links across the State of Pennsylvania?

Mr. ITKIN. Mr. Speaker, I do not have any intention to go beyond what is to be considered in this particular piece of legislation. Certainly any subsequent motion can direct the Transportation Committee further, but as far as this particular motion goes, it would consider not only what is presently in the bill but also what might be acceptable for further inclusion into the bill.

Mr. LLOYD. Thank you, Mr. Speaker.

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

Mr. BOWSER. Thank you, Mr. Speaker.

I generally agree with the concept of this legislation. However, as a member of the Transportation Committee, this thing came out in the committee just a day or two ago. We have been busy here, and I do not think any member of the Transportation Committee except those involved in it have had time to study it. I do not know that we need public hearings. I wish that Representative Itkin would change that to putting it back into committee for further study until we can pass information to all members of this House and let them know what this bill involves. I would highly recommend to do it that way. Thank you.

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

Mr. MURPHY. Thank you, Mr. Speaker.

I would like to point out that we are about to vote on legislation that would equal 1 year, almost, of the PennDOT

budget, the Department of Transportation budget. We are talking about highway projects of well into a billion dollars, the completion of this. And let me point out to you that we are dealing with a system of roads that parallels, right now, plans for an interstate system. The East Street Expressway has already received over \$40 million of expenditures, state and Federal expenditures. It is the expectation that this right-of-way that we are talking about for the turnpike would use that right-of-way. There are serious questions as to whether we would lose our Federal share on the remainder of this highway if we went to a toll road. I think we want to look at the cost. We also have to look at the question of payback. If we have spent Federal money to clear a right-of-way and to do design, we are then going to have to pay that money back.

Further, let me point out to you very quickly the cost. The turnpike does not go through any urban area to speak of. The turnpike has primarily been put into rural areas. We are dealing with an urban system here going right through the heart of Pittsburgh. If I may make an analogy, the interstate system in the country is 96 percent complete right now. The last 4 percent, primarily in urban systems and urban areas, are going to cost as much to do as the entire 96 percent of the interstate systems that we have already built. So before we go ahead and approve this where we are talking about enormous expenditures, I think we had better look at it more closely. I for one like the concept, but I think we have got to look at what we might be jeopardizing in regard to Federal funds for the missing link interstate systems, the funds that we are going to have to pay back to the Federal Government, and further the disruption that we might cause in running through an urban area. I for one am well aware of that. Over 1,700 families have been moved out of my district to put a highway up that has yet to be constructed. We are talking about that kind of—

The SPEAKER. The gentleman will yield.

The Chair has attempted to be very lenient, but I believe the gentleman is straying far afield of the motion of Mr. Itkin's which is before the House.

Mr. MURPHY. Thank you, Mr. Speaker.

I urge the support of Mr. Itkin's motion. Thank you.

The SPEAKER. The Chair recognizes the minority whip, Mr. Manderino, on the question of recommittal.

Mr. MANDERINO. Mr. Speaker, I rise to oppose the recommittal motion.

I am one of the sponsors of this bill. The purpose avowed by those persons who support the recommittal motion is so that the Transportation Committee can study this project. What is proposed to be built by this particular bill, if the Turnpike Commission decides that it should be built, are pieces of roadways within this Commonwealth that the Highway Commission has passed on more than once, that this General Assembly has already passed on more than once, that we have appropriated moneys and authorized bonds for. The Mon Valley Expressway that I am interested in, the Beaver Valley Expressway - all of these have been for 20 years, and in some cases 8 years and 12 years, authorized, studied, approved, but never built. They were never built because there

just is not enough money to build all the missing links in this Commonwealth unless a tact such as this might be feasible.

Now, this particular bill speaks of authorizing, directing, and empowering the Turnpike Commission to do something. In fact, the Turnpike Commission cannot be directed by this General Assembly; it is an independent agency. It can be authorized by this General Assembly to undertake certain projects. But the language in the original bill and the language in several bills such as this that have passed since the turnpike has come into existence all use this kind of language - authorize, empower, and direct. It may carry a little more message to them that we would really like them to look into it. And all the studies that Mr. Itkin and the others have talked about that have not already been made - for instance, the financial feasibility; for instance, environmental impact - all of these things will have to be done by the Turnpike Commission, Mr. Speaker, before any such road is built, and the Turnpike Commission will not be able to sell bonds and build the road if it is not feasible.

Mr. Speaker, I can understand those members who would like to include another project, and I will support them in their areas in the same kind of an opportunity to go before the Turnpike Commission to have roads built that can be paid for by the users such as our Pennsylvania Turnpike.

Mr. Speaker, I think that those speakers who have spoken and said that the motion to recommit is a motion to delay are right, and I think we ought to approve this piece of legislation today. I think we ought to oppose the motion to recommit. Thank you, Mr. Speaker.

FILMING PERMISSION GRANTED

The SPEAKER. The Chair would remind the House that yesterday permission was granted for 10 minutes of silent filming for an instructional cable television unit. These gentlemen are back on the floor today, and the Chair has given permission for an additional 10 minutes of silent filming.

CONSIDERATION OF HB 1394 CONTINUED

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

Mr. FISCHER. Mr. Speaker, I rise to oppose recommittal and urge speedy passage of this legislation. In the time that I have been in this General Assembly, I have seen this question studied to death. There is a great need for these particular pieces of road in the Beaver Valley and the Monongahela Valley, and there are other needs, too, that could be incorporated into this. As a constant traveler of the turnpike system, I have seen them in the last few years build some things that I did not think were particularly necessary with money that I thought should go into vitally needed basic highway programs in southwestern Pennsylvania. For a long time southwestern Pennsylvania has not received fair shares, and this is one way that we can do it, and we can do it now. Let us oppose recommittal and pass this now and get this program going.

The SPEAKER. The Chair recognizes, for the second time on the subject, the gentleman from Allegheny, Mr. Itkin. The gentleman may proceed.

Mr. ITKIN. Mr. Speaker, I would like to make a pleading to the House. I very rarely ask you to do something, but I feel that the mood of the House in dealing with this particular issue is getting out of hand. I really do not believe that you understand what you are committing your vote to here today. You are asking to create a major highway expansion program in western Pennsylvania, the likes that you have never seen. You are, contrary to what Mr. Manderino is saying—in fact, the maker of the amendment wants to put in “direct” to order the Turnpike Commission to do it. Once you give the Turnpike Commission this authority, no municipality can stand in its way. It has the authority of this General Assembly to go construct; it has the authority to condemn; it has the authority to lay highway over the homes of people who care not to have such a highway built on top of them.

Now I ask you to think about this, and my request is very reasonable. Let us hold public hearings in the summer and reconsider the bill in the fall. The Senate is not going to do anything with this bill in the summer, and why would you not waste the time to get input into this particular piece of legislation? Once you do this, you are in fact conveying authority from this General Assembly to the Turnpike Commission to do that.

And the final thing is, while some of you people think it may not affect you, it may very well, because in order for the Turnpike Commission to pay those bondholders, they may have to increase the tolls on your part of the turnpike to pay for the work that cannot be compensated by tolls in the areas that we are now talking about. Mr. Speaker, the proposed roadway set forth in this bill will go right through the heart of Pittsburgh. Can you imagine if a major highway was put through your own urban area and the serious effect that that might have? All I am suggesting is to hold public hearings back in the affected areas—

The SPEAKER. Will the gentleman yield?

POINT OF ORDER

Mr. POTT. Point of order, Mr. Speaker.

The SPEAKER. What is the gentleman's point of order?

Mr. POTT. What is before the House, Mr. Speaker?

The SPEAKER. The question before the floor of the House is the motion of Mr. Itkin to recommit HB 1394 to the Committee on Transportation with certain instructions.

Mr. POTT. Would the Chair instruct the gentleman to debate the motion?

The SPEAKER. The gentleman is absolutely correct.

The gentleman, Mr. Itkin, may proceed.

Mr. ITKIN. Mr. Speaker, just finally, I hope all the members of this House will support my motion, which is a reasonable one, to allow the Transportation Committee to hold public hearings on this measure in the affected areas, and then we will be more knowledgeable in the fall on how to proceed with this legislation. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes, for the second time on the subject, the gentleman, Mr. Seventy.

Mr. SEVENTY. Thank you, Mr. Speaker.

Mr. Speaker, we are not asking for any more studies. All we want are public hearings back in Pittsburgh. I would appreciate a “yes” vote on Mr. Itkin's motion.

The SPEAKER. The Chair recognizes the gentleman, Mr. Kolter, for the second time.

Mr. KOLTER. Mr. Speaker, it is not very often I come before the microphone here, but believe me, I tell you the truth, Mr. Speaker. The Transportation Committee met. We approved the bill with three dissenting votes. It was widely discussed at our meeting, and I do urge a “no” vote on Mr. Itkin's proposal. Please vote “no.”

The SPEAKER. The Chair recognizes the lady from Susquehanna, Miss Sirianni, on the question of recommittal.

Miss SIRIANNI. Mr. Speaker, may I interrogate Mr. Pott, please?

The SPEAKER. The gentleman from Allegheny, Mr. Pott, consents to interrogation. The lady may proceed.

Miss SIRIANNI. Mr. Speaker, can you tell me where you are going to get the \$1 billion for the construction of this road? And can you tell me where you are going to get the money for the feasibility study?

Mr. POTT. Mr. Speaker, the bill authorizes the Turnpike Commission to issue bonds for the construction of the highway. The Turnpike Commission does have available funds at the present time to perform feasibility studies.

Miss SIRIANNI. Mr. Speaker, will the fees have to be raised in order to help with this?

Mr. POTT. No, they will not.

Miss SIRIANNI. Will the fees on the rest of the turnpike have to be raised in order to help with this?

Mr. POTT. No, they will not, Mr. Speaker. That is dealt with in section 15 of the legislation.

Miss SIRIANNI. Is it possible that that could occur?

Mr. POTT. It is my understanding that it is not.

Miss SIRIANNI. Are you sure?

Mr. POTT. It is my understanding that it is not.

Miss SIRIANNI. Well, is there anything in the bill that prohibits this from happening?

Mr. POTT. In section 15 of the legislation.

Miss SIRIANNI. Prohibits it from happening?

Mr. POTT. It authorizes a separate toll structure recognizing the unique and urban character of the proposed highway.

Miss SIRIANNI. I do not think that answers the question, Mr. Speaker.

Mr. POTT. The best answer I can give the lady is that the Turnpike Commission is authorized to set the tolls. The tolls on the rest of the turnpike are a consistent 2 1/4 cents a mile. The legislation as drafted authorizes the Turnpike Commission to have a separate toll structure for this separate and unique urban highway.

The turnpike toll structure is based on an interchange every 12 to 15 miles. The bill recognizes that there will be the necessity for many more interchanges. That is why we authorize a separate toll structure for this inner-urban highway.

Miss SIRIANNI. Mr. Speaker, what happens if the bond issue does not cover it?

Mr. POTT. The turnpike is authorized to issue bonds in the amount necessary to construct and maintain the highway.

Miss SIRIANNI. What happens if it does not cover it? If the bond issue—

Mr. POTT. I have faith that the turnpike, as in the past, has always issued bonds adequate enough to cover the construction of all extensions and maintenance projects on the turnpike.

Miss SIRIANNI. Mr. Speaker, I think enough legitimate questions have been asked that this bill should be re-committed.

You know, it is a 24-page bill. It was presented to the committee yesterday and voted out without giving them an opportunity to read the 24 pages. It was voted out before a fast reader could read 24 pages.

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

Mr. DeMEDIO. Mr. Speaker, there might be some merit to what the previous speakers who have spoken in favor of recommitment have argued if these roads or sections of roads had not all been previously programmed and agreed upon by the department to construct. And the only reason they have not been constructed is because of a lack of money.

This bill provides us with the means to do what the department has previously promised the people of these areas that it would do. On the Mon Valley Expressway, the studies have been performed, the promises have been made, but there has been no construction forthcoming, no work being done.

The people in the areas involved are all highly in favor of this construction, and if they want it, they should pay for it by tolls as suggested in this bill. I strongly recommend that we get on with the work that we have been trying to do for the last 15 years.

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

Mr. PETERSON. Thank you, Mr. Speaker.

I rise with mixed emotions because I support the concept of this legislation. As a member of the Transportation Committee, I saw the bill for the first time at 11 o'clock on Monday. I was one of three who voted against it because I felt I had not had time to read it, and I wanted to have a little more time to understand the process that was being used. I asked for a meeting to be held next week, but I was told that we would have time to debate and amend this bill on the floor if we had any problems with it. I was shocked today when I saw it was on the calendar and was going to be voted today, and for that reason, even though I am very supportive of the concept, I urge a vote to recommit.

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

Mr. MICHLOVIC. Mr. Speaker, I rise to support the motion of the gentleman, Mr. Itkin. I support the concept of attempting to do a project like this, but I am also very concerned with some of the issues that he has raised.

Earlier a prior speaker pointed out that the people in the affected areas are supportive of this concept. I believe that is true, but it is true to the point where that road does not come through their house. Now, how is that Mon Valley Expressway going to go down into Mr. Manderino's district? Is it coming through my district? Is it coming through Mr. Horgos' district? I submit to you that this piece of paper or this bill does not say that. We do not know where that road is going right now, and I would like to find out the answers to those questions to find out who is displaced before we give them the authorization and direction to proceed.

I ask you to support the motion so that we can find out answers to those questions before we vote on this important issue. Thank you.

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

The following roll call was recorded:

YEAS—81

Alden	Duffy	McClatchy	Rybak
Armstrong	Durham	McIntyre	Serafini
Arty	Emerson	Madigan	Seventy
Barber	Evans	Michlovic	Shupnik
Belardi	Gallen	Miller	Sirianni
Beloff	Gamble	Moehlmann	Smith, B.
Berson	Gray	Morris	Spencer
Borski	Greenwood	Mullen	Spitz
Bowser	Hagarty	Murphy	Swift
Brown	Hasay	Noye	Telek
Cawley	Hoeffel	Olasz	Tigue
Cochran	Hutchinson, A.	Oliver	Wachob
Cohen	Irvis	Peterson	Wambach
Cowell	Itkin	Petrone	Wargo
Cunningham	Klingaman	Pistella	Wiggins
Davies	Kowalshyn	Pitts	Williams, J. D.
Dawida	Kukovich	Pucciarelli	Wilson
Deal	Lehr	Reber	
Dietz	Letterman	Richardson	Ryan,
Donatucci	Levi	Rieger	Speaker
Dorr	Levin	Ritter	

NAYS—116

Anderson	Foster, W. W.	Lucyk	Saurman
Belfanti	Foster, Jr., A.	McCall	Showers
Bittle	Frazier	McMonagle	Sieminski
Blaum	Fryer	McVerry	Smith, E. H.
Boyes	Gallagher	Mackowski	Smith, L. E.
Brandt	Geist	Maiale	Snyder
Burd	Gladeck	Manderino	Stairs
Burns	Grabowski	Manmiller	Steighner
Caltagirone	Greenfield	Marmion	Stevens
Cappabianca	Grieco	Merry	Stewart
Cessar	Gruitza	Micozzie	Stuban
Cimini	Gruppo	Miscevich	Swaim
Civera	Haluska	Mowery	Sweet
Clark	Harper	Mrkonic	Taddonio
Clymer	Hayes	Nahill	Taylor, E. Z.
Colafiglia	Heiser	O'Donnell	Taylor, F. E.
Cole	Honaman	Pendleton	Trello
Cordisco	Horgos	Perzel	Van Horne
Cornell	Jackson	Petrarca	Vroon
Coslett	Johnson	Phillips	Wass
DeMedio	Kanuck	Piccola	Wenger
DeVerter	Kennedy	Pievsky	Weston
DeWeese	Kolter	Pott	White
Daikeler	Lashinger	Pratt	Williams, H.
Dininni	Laughlin	Punt	Wogan
Dombrowski	Lescovitz	Rappaport	Wozniak
Fee	Lewis	Rasco	Wright, D. R.
Fischer	Livengood	Rocks	Wright, J. L.
Fleck	Lloyd	Salvatore	Zwickl

NOT VOTING—2

Freind Hutchinson, W.

EXCUSED—2

Gannon George

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

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

The SPEAKER. Does the gentleman, Mr. Itkin, desire recognition on the question of the amendment?

Mr. ITKIN. Yes, Mr. Speaker.

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

Mr. ITKIN. Mr. Speaker, I believe it would be inappropriate at this time to amend the legislation which would direct the Turnpike Commission. Presently the language reads that the commission is authorized. I think it should stay that way and we should not mandate its consideration at this time, Mr. Speaker, because as Mr. Manderino said so eloquently, according to his judgment it has no place in the law. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, unfortunately, I do not have a copy of the bill before me, but the bill in the main, as it was originally drafted, uses the words "authorized, empowered and directed." An amendment was added in committee for a portion of I think it is the Beaver Valley Expressway that omitted the words "empowered and directed," and what Mr. Kolter is trying to do is simply have the amendment that he presented in committee conform to the main bill which uses the words "empowered and directed," which are the words that are always used in these kinds of bills, were used in the original turnpike bill, to the best of my knowledge, and I do not think it changes the law that we cannot direct them to do anything. We simply authorize them, Mr. Speaker.

The SPEAKER. Does the gentleman from Berks, Mr. Davies, desire recognition?

Mr. DAVIES. Yes, Mr. Speaker. I would like to place an inquiry to somebody on the particular effects of the amendment as far as my own situation with the unfinished roads in my district.

The SPEAKER. Is the point of your interrogation connected with this amendment?

Mr. DAVIES. I would believe so, sir, in the fact that my point of interrogation is directed to the four road-to-nowheres that I now have as to whether this amendment would then empower that same commission to come in and make a study of that segment and let us apply for the same sort of relief as they are seeking in western Pennsylvania by authorizing a completion of the turnpike into our area to resolve the same problems that we suffer that those particular districts aforementioned in the bill suffer from.

I will direct that question to Mr. Kolter, the maker of the amendment, because as I understand, I do not know whether it would be that far-reaching or not.

Mr. Speaker, would Mr. Kolter subject himself to an interrogation of that type?

The SPEAKER. It is the opinion of the Chair that the particular bill and amendment would have nothing to do with any location near the gentleman in Berks County.

Mr. DAVIES. Well, then, Mr. Speaker, this would not open the potential with this piece of legislation that I could seek the same relief in my area that the gentlemen are seeking for western Pennsylvania?

The SPEAKER. The amendment before the House deals with a section of highway in Lawrence County. If the gentleman, Mr. Kolter, feels confident that he can respond to interrogation, the Chair is not going to stop him, but wonders.

Mr. KOLTER. Well, Mr. Speaker, the gentleman, Mr. Davies' inquiry has nothing at all to do with my amendment. My amendment strictly refers to that portion of the bill dealing with the roadway going through Beaver County. In no way would this affect your area.

Mr. DAVIES. All right. Then, Mr. Speaker, as a matter of parliamentary inquiry, would I be allowed to, without the benefit of caucus on this piece of legislation, draft an amendment to this legislation which would direct the extension of the turnpike into my area and resolve the problems of the four road-to-nowheres in my particular area, just asking for the same equity as is going to be considered for the gentlemen in western Pennsylvania?

The SPEAKER. Such an amendment would, in the judgment of the Speaker, be relevant and proper. However, it is not before the House at this time.

Mr. DAVIES. Mr. Speaker, then how would I go about proceeding in a parliamentary form to get that opportunity?

The SPEAKER. At this point, Mr. Davies, it is the opinion of the Chair that you would have to successfully move to place the bill on the final passage postponed calendar or third consideration postponed calendar.

Mr. DAVIES. All right. Then since you informed me that the amendment does not have anything to do with that, I would take that direction after the action on Mr. Kolter's amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Itkin, for the second time on the amendment.

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

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

Mr. ITKIN. Mr. Speaker, I am trying to understand just what we are going to direct the commission to do. Now, with respect to that very narrow part of the legislation, it says that the commission is also authorized and this amendment would add empowered and directed to construct, operate, and maintain a further extension of the turnpike at such specific location as shall be approved by the commission. Does that mean, Mr. Speaker, once we pass this bill directing at such location approved by the commission, that we have lost any control over the route that the commission may take?

Mr. POTT. The amendment offered by Representative Kolter is a technical amendment to put it into conformity with the first section of the bill.

Mr. ITKIN. But what are we directing? As I understand it, is that—

Mr. POTT. The Kolter amendment directs the Turnpike Commission to construct a toll facility in Lawrence County in completion of what is known as the Beaver Valley Expressway. In the previous language the commission was authorized. This authorizes and directs the commission to construct, operate, and maintain an extension of the turnpike at a specific location to be approved by the commission from a point near the intersection of state Route 60 and state Route 168 in Lawrence County, thence in a general southerly direction to a point at or near the intersection of state Route 60 and state Route 51 in Beaver County.

Mr. ITKIN. So, Mr. Speaker, what we are saying is by adopting this amendment we are directing the commission to, at their carte blanche— We give two end points and we say to you boys on the commission, what you want to do from here, wherever you want to go, that is fine by us. We eliminate any responsibility for where that road may lie. Is that not what this amendment will do when added to this specific verbiage in the bill now?

Mr. POTT. I do not think so, Mr. Speaker.

Mr. ITKIN. Well, could you tell me in the bill, Mr. Speaker, just where the legislature will have a role to play in oversight in terms of where that roadway may go?

Mr. POTT. The legislature is giving the responsibility for the construction of the highway to the most successful toll road operator in the Western World, the Pennsylvania Turnpike Commission. The commission has demonstrated its ability to construct, operate, and manage toll roads in the past. It is the most successful toll commission in the country. We are authorizing them to construct another toll road.

Mr. ITKIN. Does the Turnpike Commission have condemnation powers?

Mr. POTT. The bill authorizes the turnpike to condemn necessary land to—

Mr. ITKIN. Necessary and decided by whom? The commission, right?

Mr. POTT. An independent body.

Mr. ITKIN. That is right.

Does the municipality have a right to object?

Mr. POTT. There is no provision for a municipality objection there. There is—

Mr. ITKIN. That is exactly right, Mr. Speaker. There is no power, there is no overview, there is no oversight once we pass this amendment—

Mr. POTT. Certainly the property owner himself has every legal right—

Mr. ITKIN. —and the commission can do anything it chooses to do.

The SPEAKER. The gentleman will yield.

The debate is getting out of hand. The question before the House is the adoption of the Kolter amendment.

The gentlemen are reminded in the course of debate and particularly in the course of interrogation, the questions and answers should be directed to the Chair, not to one another.

The gentleman may proceed.

Mr. ITKIN. Mr. Speaker, I object to this amendment. I object for this House to direct the Turnpike Commission to have carte blanche authority to be a czar, to decide exactly where that highway is to lie, to have the powers of condemnation, to have the municipalities in the path of the highway unable to oppose or to reject those particular types of that particular highway once it is decided by the commission. What you are doing is giving an independently constituted commission the authority to lay a highway anywhere—

PARLIAMENTARY INQUIRY

Mr. DeMEDIO. Mr. Speaker, point of parliamentary procedure.

The SPEAKER. The Chair recognizes the gentleman, Mr. DeMedio, on a point of parliamentary inquiry.

Mr. DeMEDIO. Mr. Speaker, I think the Chair should admonish the Representative to speak on the motion before us and not on the bill generally.

The SPEAKER. The Chair agrees with the gentleman. The question under discussion is the amendment of Mr. Kolter. The members are instructed to limit the debate to that question.

QUESTION OF INFORMATION

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

Mr. LETTERMAN. I ask a point of information.

The SPEAKER. The gentleman will state his point.

Mr. LETTERMAN. I would like to know what procedure I would follow if I have an amendment to this bill.

The SPEAKER. The Chair would advise the gentleman the same way he advised the gentleman from Berks, Mr. Davies, that unless the floor leaders agree that the bill be held over temporarily, at the proper time a motion should be made to place the bill on the third consideration postponed calendar.

Mr. LETTERMAN. Thank you, Mr. Speaker.

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

Mr. HAYES. Thank you, Mr. Speaker.

I have talked with the prime sponsor, Mr. Pott. We have before us at the present time the Kolter amendment. If the House would be agreeable, Mr. Pott would be most happy to take a vote on the Kolter amendment and then have the amendment and the bill held over until next week.

The SPEAKER. The gentleman, Mr. Itkin, had the floor. Has the gentleman concluded his remarks?

Mr. ITKIN. Yes, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—172

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

NAYS—19

Alden	Durham	McClatchy	Pucciarelli
Blaum	Itkin	Michlovic	Rybak
Borski	Jackson	Moehlmann	Swift
Dawida	Kowalshyn	Peterson	Wenger
Dietz	Levi	Pistella	

NOT VOTING—8

Beloff	Gray	Hoeffel	Lewis
Gamble	Harper	Letterman	Taylor, F. E.

EXCUSED—2

Gannon George

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 PLACED ON THIRD CONSIDERATION POSTPONED CALENDAR

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

Mr. POTT. Mr. Speaker, I move that HB 1394, PN 1968, be placed on the third consideration postponed calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

REMARKS ON VOTES

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

Mr. TAYLOR. Mr. Speaker, I was out of my seat temporarily on the Kolter amendment to HB 1394, 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 York, Mr. Anderson.

Mr. ANDERSON. It has been brought to my attention that my vote was not recorded on HB 1485, PN 1725. I would like to be recorded as voting in the affirmative.

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

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

Mr. WASS. It has been brought to my attention that my vote was not recorded on HB 1485. I wish 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 Cumberland, Mr. Mowery.

Mr. MOWERY. I would like to be recorded on HB 1485 in the affirmative.

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

The Chair recognizes the minority leader.

Mr. IRVIS. Thank you.

Mr. Speaker, apparently HB 1485 was a pretty fast roll call. As I recall, the Speaker had to be recorded late. The minority leader now has to be recorded late and would like his remarks to be put upon the record he would have voted in the affirmative.

The SPEAKER. The Speaker is in good company on that one. The remarks of the gentleman will be spread upon the record.

CONSIDERATION OF SB 356 RESUMED

BILL REMOVED FROM TABLE

The SPEAKER. Page 12 of today's calendar, SB 356, PN 765. Without objection, this bill will be removed from the table. The Chair hears none.

On the question recurring,

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

Mr. KANUCK offered the following amendments No. A2747:

Amend Title, page 1, line 3, by removing the period after "vehicles" and inserting

and providing for the issuance of a prisoner of war registration plate.

Amend Sec. 1, page 1, line 7, by striking out "and subsection (b) of section 4571 of Title 75"

Amend Sec. 1, page 1, lines 9 and 10, by striking out "subsection (b) of section 4571 amended" in line 9, all of line 10 and inserting

is amended to read:

Amend Bill, page 2, by inserting between lines 13 and 14

Section 2. The section heading of section 1342 of Title 75 is amended and the section is amended by adding a subsection to read:

§ 1342. [Disabled veteran plate and placard] Veteran plates and placard.

(c) Prisoner of war plate.—On the application of an ex-prisoner of war whose imprisonment while in the service of the armed forces of the United States is certified by the appropriate branch of the armed forces, the department shall issue a special registration plate designating the vehicle as belonging to an ex-prisoner of war. The registration plate shall contain the letters "POW" and such other numbers or letters as the department may determine and shall have the words "prisoner of war" in at least ten-point bold type, inscribed at the bottom of the plate. The special registration plate may be used only on one passenger vehicle or one other vehicle with a registered gross weight of not more than 9,000 pounds.

Section 3. Subsection (b) of section 4571 of Title 75 is amended to read:

Amend Sec. 2, page 3, line 1, by striking out "2." and inserting
4.

On the question,

Will the House agree to the amendments?

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

Mr. KANUCK. Thank you, Mr. Speaker.

This amendment would establish for the first time in this state a special plate for ex-prisoners of war. There is no fiscal note attached to the bill because there is no reduction in the plate fee, and some people have expressed concern over that. It is something that can be addressed at a future time. I would ask your support of this amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—191

Alden	Emerson	Lloyd	Salvatore
Anderson	Evans	Lucyk	Saurman
Armstrong	Fee	McCall	Serafini
Arty	Fischer	McClatchy	Showers
Barber	Fleck	McIntyre	Shupnik
Belardi	Foster, W. W.	McMonagle	Sieminski
Belfanti	Foster, Jr., A.	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	Geist	Marmion	Spitz
Boyes	Gladeck	Merry	Stairs

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

NAYS—3

Jackson	Kukovich	Moehlmann
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NOT VOTING—5

Frazier	Micozzie	Olasz	Seventy
Gray			

EXCUSED—2

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—195

Alden	Evans	Lucyk	Salvatore
Anderson	Fee	McCall	Saurman
Armstrong	Fischer	McClatchy	Serafini
Arty	Fleck	McIntyre	Seventy
Barber	Foster, W. W.	McMonagle	Showers
Belardi	Foster, Jr., A.	McVerry	Shupnik
Belfanti	Freind	Mackowski	Sieminski
Beloff	Fryer	Madigan	Sirianni
Berson	Gallagher	Maiale	Smith, B.
Bittle	Gallen	Manderino	Smith, E. H.
Blaum	Gamble	Manmiller	Smith, L. E.
Borski	Geist	Marmion	Snyder
Bowser	Gladeck	Merry	Spencer

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

NAYS—2

Jackson Moehlmann

NOT VOTING—2

Frazier Gray

EXCUSED—2

Gannon George

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.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

SB 333, PN 1110 (Amended)

By Rep. MILLER

An Act amending the act of July 28, 1953 (P. L. 723, No. 230), entitled, as amended, "Second Class County Code," further providing for the hotel room rental tax providing for its use; authorizing appropriations from the excise tax on hotel rooms for tourist promotion agencies and imposing restrictions on future harness racing tracks in counties of the second class.

URBAN AFFAIRS.

SB 719, PN 853

By Rep. MILLER

An Act providing that a city of the first class shall sell bonds or other securities, except as provided herein, issued by it at public sale after not less than one public notice for such price, at, above or below their par value plus accrued interest, as shall be determined by the authorities of the city and providing that such a city may sell bonds or other securities at private sale when no conforming bid has been received at a prior public sale; and providing that the provisions hereof shall apply to all borrowings and the issuance of bonds or other securities therefor, whenever authorized.

URBAN AFFAIRS.

SB 797, PN 973 (Unanimous)

By Rep. A. C. FOSTER

An Act amending the act of May 2, 1945 (P. L. 382, No. 164), entitled "Municipality Authorities Act of 1945," further defining "project" and further providing for general purposes.

LOCAL GOVERNMENT.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND RECOMMITTED TO RULES COMMITTEE

HB 554, PN 581

By Rep. MILLER

An Act establishing fees to be charged by the Register of Wills of Philadelphia County.

URBAN AFFAIRS.

HB 844, PN 902

By Rep. MILLER

An Act amending the act of June 21, 1939 (P. L. 626, No. 294), referred to as the Second Class County Assessment Law, providing for the reimbursement by the Commonwealth for extra expenses incurred in order to achieve real estate tax assessment equity.

URBAN AFFAIRS.

HB 1332, PN 1482

By Rep. MILLER

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723, No. 230), limiting certain agreements involving land not needed for airport purposes.

URBAN AFFAIRS.

HB 1333, PN 1483

By Rep. MILLER

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723, No. 230), further regulating contracts and purchases.

URBAN AFFAIRS.

HB 1334, PN 1484

By Rep. MILLER

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723, No. 230), further providing for the membership of boards of managers of houses for detention of juveniles.

URBAN AFFAIRS.

HB 1335, PN 1485

By Rep. MILLER

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723, No. 230), waiving the furnishing of performance bonds in connection with certain contracts.

URBAN AFFAIRS.

JUDICIARY COMMITTEE MEETING

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

Mr. W. D. HUTCHINSON. Thank you, Mr. Speaker.

Mr. Speaker, I would again remind the members of the Judiciary Committee that there will be a meeting of that committee in the rear of the House immediately upon the adjournment. Thank you.

ANNOUNCEMENT BY MAJORITY LEADER

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Thank you, Mr. Speaker.

A very important announcement: I would like to call everyone's attention to the memorandum which was circulated on your desks today. HB 1645 and HB 1687 are both capital budget bills. As we discussed a couple weeks ago, these bills will be before you and can be amended if you care to do so. It has been a tremendous logistical effort getting these bills on the calendar, particularly HB 1687, the highway capital budget bill. There was an expressed intent on your part to address these matters before the summer recess, but in order to do so, everybody is going to have to cooperate. And if you have an amendment, please have it prepared by Monday of next week. If we do not cooperate together, why, we will not be able to address these two bills before the spring-summer session comes to a close. So please, for yourself and everyone else, if you have an amendment to either one of these two capital budget bills, please have it prepared by Monday. Thank you, Mr. Speaker.

QUESTION OF INFORMATION

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

Mr. LETTERMAN. Mr. Speaker, do you have a reconsideration motion on HB 230?

The SPEAKER. Yes; that is accurate.

Mr. LETTERMAN. Are you going to handle that now? I understand we cannot hold it any longer than that. Unless we vote on it today, it would not be legal. It is going to be very short and very simple. Okay?

The SPEAKER. The Chair would correct the gentleman's one statement that it cannot handle it for a few more days; it can. However, we would be happy to accommodate the gentleman and reconsider it.

Mr. LETTERMAN. Thank you.

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. I support the gentleman's motion.

HB 230 RECONSIDERED

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Murphy, who moves that the vote by which HB 230 was passed on June 23, 1981, be reconsidered. The motion is seconded by the gentleman from Allegheny, Mr. Itkin.

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

The following roll call was recorded:

YEAS—192

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

NAYS—0

NOT VOTING—7

Cimini	Geist	Hutchinson, A.	Pendleton
Frazier	Gray	Micozzie	

EXCUSED—2

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

On the question recurring,
Shall the bill pass finally?

BILL PLACED ON FINAL PASSAGE POSTPONED CALENDAR

The SPEAKER. The Chair recognizes the gentleman from Centre, Mr. Letterman, who moves that HB 230 be placed on the final passage postponed calendar.

Mr. LETTERMAN. No, no, no, Mr. Speaker. No. I would like to have it done now. It is going to be very short and we can get the bill out of here. All I am going to do is withdraw the one amendment, and that will be the end of it.

The SPEAKER. The gentleman will yield.

The problem, Mr. Letterman, is that we do not have a calendar with this bill on it. It would require a supplemental calendar being prepared.

Mr. LETTERMAN. Will we do it Monday then?

The SPEAKER. It will be on the calendar on Monday, Mr. Letterman.

Mr. LETTERMAN. Thank you.

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

REMARKS ON VOTE

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

Mr. GEIST. Mr. Speaker, on the motion to reconsider HB 230, I was across the hall of the House and did not get to my switch in time to vote. I would like to be recorded in the affirmative.

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

SENATE BILLS FOR CONCURRENCE

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

SB 7, PN 1082

Referred to Committee on Appropriations, June 24, 1981.

SB 195, PN 1046

Referred to Committee on Urban Affairs, June 24, 1981.

SB 319, PN 974

Referred to Committee on Judiciary, June 24, 1981.

SB 930, PN 1051

Referred to Committee on Appropriations, June 24, 1981.

SB 931, PN 1052

Referred to Committee on Appropriations, June 24, 1981.

SENATE MESSAGE

HOUSE AMENDED SENATE BILL CONCURRED IN

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 41, PN 1074**.

SENATE MESSAGE

HOUSE AMENDED SENATE BILL CONCURRED IN

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 269, PN 1061**.

SENATE MESSAGE

HOUSE AMENDED SENATE BILL CONCURRED IN

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 316, PN 1059**.

SENATE MESSAGE

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned **HB 643, PN 1888**, and **HB 1290, PN 1988**, 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 bills will appear on the calendar.

BILL SIGNED BY SPEAKER

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

SB 41, PN 1074

An Act amending the act of April 28, 1978 (P. L. 202, No. 53), entitled "A Supplement to the act of July 9, 1976 (P. L. 586, No. 142), entitled 'An act amending Titles 42 (Judiciary and Judicial Procedure), 15 (Corporations and Unincorporated Associations), 18 (Crimes and Offenses) and 71 (State Government) of the Pennsylvania Consolidated Statutes, adding revised, codified and compiled provisions relating to Judiciary and Judicial Procedure, including certain judicially enforceable rights, duties, immunities and liabilities and separately enacting certain related provisions of law,' making revisions, corrections and additions relating to judiciary and judicial procedure, including certain judicially enforceable rights, duties, immunities and liabilities, adding certain provisions of existing law to and making conforming and editorial changes in certain provisions of the Pennsylvania Consolidated Statutes, fixing the general effective date of the act as supplemented hereby and repealing certain acts and parts of acts supplied by the act as supplemented hereby or by other acts or otherwise obsolete," further providing for the repeal of provisions relating to post conviction hearings and further providing for disclosure of information regarding certain children.

ADDITIONS AND DELETION OF SPONSORS

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I submit for the record in accordance with our House rules a list of the additions and deletions of sponsors of House bills.

ADDITIONS:

HB 252, Belfanti; HB 403, Belfanti; HB 1464, Cornell;
HB 1394, Pratt, Fee; HB 1517, Steighner.

DELETION:

HB 930, Cohen.

COMMUNICATION FROM SPEAKER**SPEAKER PRO TEMPORE APPOINTED**

The SPEAKER. The Chair is advised that there will be a nonvoting session tomorrow which will convene at 11 a.m. The Chair has appointed John Hope Anderson to act as Speaker pro tempore in accordance with the House rules. A copy of the letter is being submitted for the record.

The following letter was submitted for the record:

House of Representatives
Commonwealth of Pennsylvania
Harrisburg

June 24, 1981

Honorable John Hope Anderson
128 Main Capitol Building
Harrisburg, PA 17120

Dear John Hope:

Pursuant to House Rule 1, I hereby appoint you as Speaker Pro Tempore to act in my absence for a period not exceeding ten consecutive legislative days beginning on June 25, 1981.

Very truly yours,
Matthew J. Ryan
The Speaker

MJR:ks

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

SB 319, PN 974 By Rep. W. D. HUTCHINSON

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

JUDICIARY.

BILLS AND RESOLUTIONS PASSED OVER

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

WELCOMES

The SPEAKER. The Chair is pleased to welcome to the hall of the House Mr. and Mrs. Willis Hackenberg from Snyder County, here today as the guests of Representative John Showers and Representative Paul Wass.

The Chair is pleased to welcome to the hall of the House today Mr. Tony Franco, mayor of the borough of Colwyn, here today as the guest of Representative Donatucci and the Delaware County delegation.

The Chair is pleased to welcome to the hall of the House today Councilman Rod McNeil from Elizabeth Borough, who is also a director of the Allegheny County Boroughs Association, here today as the guest of Representatives Miscovich and Mrkonic.

The Chair is pleased to welcome to the hall of the House today Mrs. Emma Jane Denlinger, her son Ted, and a guest from Brazil, Gui Monaco, here today as the guests of Representative Armstrong.

The Chair is pleased to welcome to the hall of the House Attorney Garland McAadoo, president of the Pittsburgh Urban League. He is the guest of Representatives Irvis and Pendleton.

The Chair is pleased to welcome to the hall of the House today Mr. and Mrs. John Kolonay of Trafford, Pennsylvania, guests of Representatives Tom Michlovic and Allen Kukovich.

The Chair is pleased to welcome to the hall of the House today from West Mifflin Borough Theresa and Tom Corso and Celine Kreuter and her husband Warren. They are here today as the guests of Representative Olasz of Allegheny County.

ADJOURNMENT

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

Mr. MARMION. Mr. Speaker, I move that this House do now adjourn until Thursday, June 25, 1981, at 11 a.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 4:28 p.m., e.d.t., the House adjourned.