

# COMMONWEALTH OF PENNSYLVANIA

## Legislative Journal

WEDNESDAY, OCTOBER 14, 1981

SESSION OF 1981

165TH OF THE GENERAL ASSEMBLY

No. 61

### HOUSE OF REPRESENTATIVES

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

**THE SPEAKER (MATTHEW J. RYAN)  
IN THE CHAIR**

#### PRAYER

REV. DR. VICTOR BAER, chaplain of the House of Representatives and pastor of the historic Donegal Presbyterian Church, Mount Joy, Pennsylvania, which dates from 1721, offered the following prayer:

Let us pray:

Almighty God, who in Thy providence hast made us citizens of a land great in privilege and great in opportunity, we give Thee thanks for the country which we love and which we are called in our generation to serve. We thank Thee for the ideals of faith and freedom which brought our fathers to these shores, for those who through the years have striven to maintain those ideals and faith untarnished, for all who have sought to preserve the Nation's soul, and make us as a nation an instrument of Thy service. Make us today true to the best in our past, eager for a still larger future, and above all, loyal to Thee.

Defend, O Lord, this gracious land from misuse of power, distrust of neighbor and stranger, corruption of the marketplace, the illusions of wealth. And give unto those allowed to govern us a due respect for Thy sovereign rule over all nations including our own, that they may be guided always by Thy *compassion for all peoples, Thy vision of the peaceable towns and cities everywhere, Thy claim upon us to be a servant nation for the sake of all the world.* Then by Thy strength enable us to enact in our lives a patriotism whose first allegiance is to Thy laws and Thy ways. And we pray through the Lord of the nations, the Lord God Almighty. 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, October 13, 1981, will be postponed until printed. The Chair hears none.

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 1899** By Representatives BOYES, LEHR, FEE, MACKOWSKI, COSLETT, HASAY, DOMBROWSKI, CAPPABIANCA and CALTAGIRONE

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), further providing for transfers of certain retail licenses.

Referred to Committee on LIQUOR CONTROL, October 13, 1981.

**No. 1900** By Representatives GALLEN, MULLEN, HONAMAN, SIRIANNI, DORR, COWELL and FRYER

An Act repealing the act of April 20, 1876 (P. L. 45, No. 34), entitled "An act to prevent fraud and fraudulent practices upon or by hotel keepers, inn keepers and boarding house keepers."

Referred to Committee on STATE GOVERNMENT, October 13, 1981.

**No. 1901** By Representatives GALLEN, MULLEN, HONAMAN, SIRIANNI, DORR, COWELL and FRYER

An Act repealing the act of June 16, 1872 (P. L. 300, No. 230), entitled "An act to relieve employes from certain prosecutions and punishments for conspiracy, under common law or under the criminal laws of this Commonwealth."

Referred to Committee on STATE GOVERNMENT, October 13, 1981.

**No. 1902** By Representatives GALLEN, MULLEN, HONAMAN, SIRIANNI, DORR, COWELL and FRYER

An Act repealing the act of June 14, 1872 (P. L. 1175, No. 1105), entitled "An act to relieve laborers, workingmen and journeymen from certain prosecutions and indictments for conspiracy under the criminal laws of this commonwealth."

Referred to Committee on STATE GOVERNMENT, October 13, 1981.

**No. 1903** By Representatives GALLEN, MULLEN, HONAMAN, SIRIANNI, COWELL and FRYER

An Act repealing the act of June 23, 1917 (P. L. 637, No. 221), entitled "An act to prescribe the conditions under which public or private vaults, crypts, or mausoleums for the interment of human bodies may be constructed and maintained."

Referred to Committee on STATE GOVERNMENT,  
October 13, 1981.

**No. 1904** By Representatives GALLEN, MULLEN,  
HONAMAN, SIRIANNI, DORR, COWELL  
and FRYER

An Act repealing the act of February 18, 1873 (P. L. 35, No. 9), entitled "An act in relation to writs of estropement."

Referred to Committee on STATE GOVERNMENT,  
October 13, 1981.

**No. 1905** By Representatives GALLEN, MULLEN,  
HONAMAN, SIRIANNI, DORR, COWELL  
and FRYER

An Act repealing the act of February 10, 1807 (P. L. 23, No. 17), entitled "An act to enable aliens in certain cases to purchase and hold real estate within this commonwealth."

Referred to Committee on STATE GOVERNMENT,  
October 13, 1981.

**No. 1906** By Representatives GALLEN, MULLEN,  
HONAMAN, SIRIANNI, DORR, COWELL  
and FRYER

An Act repealing the act of April 28, 1899 (P. L. 95, No. 78), entitled "An act to authorize the topographic and geological survey of the State in co-operation with the United States Geological Survey."

Referred to Committee on STATE GOVERNMENT,  
October 13, 1981.

**No. 1907** By Representatives GALLEN, MULLEN,  
HONAMAN, SIRIANNI, DORR, COWELL  
and FRYER

An Act repealing the act of April 3, 1866 (P. L. 418, No. 382), entitled "An act to prevent the maintenance, or location, of bone boiling establishments in the Twenty-fourth ward of the city of Philadelphia."

Referred to Committee on STATE GOVERNMENT,  
October 13, 1981.

**No. 1908** By Representatives GALLEN, MULLEN,  
HONAMAN, SIRIANNI, DORR, COWELL  
and FRYER

An Act repealing the act of March 17, 1865 (P. L. 410, No. 397), entitled "An act relative to apprentices."

Referred to Committee on STATE GOVERNMENT,  
October 13, 1981.

**No. 1909** By Representatives GALLEN, MULLEN,  
HONAMAN, SIRIANNI, DORR, COWELL  
and FRYER

An Act repealing the act of April 11, 1799 (3 Sm. L. No. 2074), entitled "A supplement to the act, entitled 'An act for the regulation of apprentices.'"

Referred to Committee on STATE GOVERNMENT,  
October 13, 1981.

**No. 1910** By Representatives GALLEN, MULLEN,  
HONAMAN, SIRIANNI, DORR, COWELL  
and FRYER

An Act repealing the act of June 7, 1911 (P. L. 677, No. 267), entitled "An act to require fire drills in factories and industrial establishments, where women or girls are employed; providing for the promulgation of rules in respect thereto, and providing penalties for the violation thereof."

Referred to Committee on STATE GOVERNMENT,  
October 13, 1981.

**No. 1911** By Representatives HONAMAN, GALLEN,  
FRYER, PICCOLA, GLADECK, KOLTER,  
CORNEILL, PRATT, STAIRS, BROWN and  
ZWIKL

An Act providing for a Statewide emergency telephone number "911" system, establishing a Telecommunications Unit within the Department of General Services, providing for funding of the system and making a repeal.

Referred to Committee on STATE GOVERNMENT,  
October 13, 1981.

**No. 1912** By Representatives GALLEN, MULLEN,  
HONAMAN, SIRIANNI, DORR, COWELL  
and FRYER

An Act repealing the act of June 10, 1907 (P. L. 523, No. 329), entitled "An act extending and defining the liability of employers, in actions for negligence, for injury or death of their employes; \*\*\*."

Referred to Committee on STATE GOVERNMENT,  
October 13, 1981.

**No. 1913** By Representatives GALLEN, MULLEN,  
HONAMAN, SIRIANNI, DORR, COWELL  
and FRYER

An Act repealing the act of February 6, 1731 (1 Sm. L. No. 322), entitled "An act for the better prevention of accidents that may happen by fire in the city of Philadelphia, by bake-houses, and coopers shops."

Referred to Committee on STATE GOVERNMENT,  
October 13, 1981.

**No. 1914** By Representatives GALLEN, MULLEN,  
HONAMAN, SIRIANNI, DORR, COWELL  
and FRYER

An Act repealing the act of May 27, 1897 (P. L. 112, No. 95), entitled "An act to regulate the manufacture of flour and meal food products."

Referred to Committee on STATE GOVERNMENT,  
October 13, 1981.

**No. 1915** By Representatives GALLEN, MULLEN,  
HONAMAN, SIRIANNI, DORR, COWELL  
and FRYER

An Act repealing the act of June 7, 1911 (P. L. 673, No. 264), entitled "An act requiring foundries to be provided with toilet-room and water-closet; regulating same; and providing a penalty for violation thereof."

Referred to Committee on STATE GOVERNMENT,  
October 13, 1981.

**No. 1916** By Representatives GALLEN, MULLEN,  
HONAMAN, SIRIANNI, DORR, COWELL  
and FRYER

An Act repealing the act of June 3, 1893 (P. L. 276, No. 244), entitled "An act to regulate the employment and provide for the safety of women and, \*\*\* other acts providing for the safety or regulating the employment of said persons."

Referred to Committee on STATE GOVERNMENT, October 13, 1981.

**No. 1917** By Representatives GALLEN, MULLEN, HONAMAN, SIRIANNI, DORR, COWELL and FRYER

An Act repealing the act of May 8, 1869 (P. L. 1260, No. 1242), entitled "An act to authorize mechanics, journeymen, tradesmen and laborers to form societies and associations for their mutual aid, benefit and protection."

Referred to Committee on STATE GOVERNMENT, October 13, 1981.

**No. 1918** By Representatives GALLEN, MULLEN, HONAMAN, SIRIANNI, DORR, COWELL and FRYER

An Act repealing the act of May 8, 1878 (P. L. 46, No. 63), entitled "An act to regulate the sale of articles of traffic or merchandise within one mile of any camp meeting held for religious worship within this Commonwealth."

Referred to Committee on STATE GOVERNMENT, October 13, 1981.

**No. 1919** By Representatives GALLEN, MULLEN, HONAMAN, SIRIANNI, DORR, COWELL and FRYER

An Act repealing the act of April 24, 1843 (P. L. 359, No. 173), entitled "An act to incorporate the Butler County Mutual Insurance Company, and for other purposes."

Referred to Committee on STATE GOVERNMENT, October 13, 1981.

**No. 1920** By Representatives GALLEN, MULLEN, HONAMAN, SIRIANNI, DORR, COWELL and FRYER

An Act repealing the act of June 13, 1907 (P. L. 539, No. 347), entitled "An act giving the Board of Public Charities,—\*\*\* and making an appropriation for carrying into effect the provisions of this act."

Referred to Committee on STATE GOVERNMENT, October 13, 1981.

**No. 1921** By Representatives GALLEN, MULLEN, HONAMAN, SIRIANNI, DORR, COWELL and FRYER

An Act repealing the act of April 6, 1802 (P. L. 178, No. 85), entitled "An act for laying out, making and keeping in repair, the public roads and highways within this Commonwealth, and for laying out private roads."

Referred to Committee on STATE GOVERNMENT, October 13, 1981.

**No. 1922** By Representatives GALLEN, MULLEN, HONAMAN, SIRIANNI, DORR, COWELL and FRYER

An Act repealing the act of May 1, 1879 (P. L. 44, No. 40), entitled "An act to regulate the price of permits for removing the contents of privy wells, in cities of the first class."

Referred to Committee on STATE GOVERNMENT, October 13, 1981.

**No. 1923** By Representatives GALLEN, MULLEN, HONAMAN, SIRIANNI, DORR, COWELL and FRYER

An Act repealing the act of March 31, 1881 (P. L. 8, No. 7), entitled "An act to authorize the councils of cities, having less than ten thousand population, to limit the number of street commissioners and tax collectors."

Referred to Committee on STATE GOVERNMENT, October 13, 1981.

**No. 1924** By Representatives GALLEN, MULLEN, HONAMAN, SIRIANNI, DORR, COWELL and FRYER

An Act repealing the act of May 11, 1901 (P. L. 168, No. 134), entitled "An act relating to the police in the several cities of the Commonwealth, and providing penalties and imprisonments for violation of city ordinances."

Referred to Committee on STATE GOVERNMENT, October 13, 1981.

**No. 1925** By Representatives GALLEN, MULLEN, HONAMAN, SIRIANNI, DORR, COWELL and FRYER

An Act repealing the act of March 19, 1789 (2 Sm. L. No. 1389), entitled "A supplement to the several acts of General Assembly respecting public Auctions and Auctioneers."

Referred to Committee on STATE GOVERNMENT, October 13, 1981.

**No. 1926** By Representatives GALLEN, MULLEN, HONAMAN, SIRIANNI, DORR, COWELL and FRYER

An Act repealing the act of April 2, 1790 (2 Sm. L. No. 1498), entitled "A further supplement to the act, entitled 'An act to incorporate the city of Philadelphia.'"

Referred to Committee on STATE GOVERNMENT, October 13, 1981.

**No. 1927** By Representatives GALLEN, MULLEN, HONAMAN, SIRIANNI, DORR, COWELL and FRYER

An Act repealing the act of March 31, 1876 (P. L. 13, No. 15), entitled "An act to carry into effect section five, of article fourteenth, of the constitution, relative to the salaries of county officers and the payment of fees received by them into the state or county treasury, in counties containing over one hundred and fifty thousand inhabitants."

Referred to Committee on STATE GOVERNMENT, October 13, 1981.

**No. 1928** By Representatives GALLEN, MULLEN, HONAMAN, SIRIANNI, DORR, COWELL and FRYER

An Act repealing the act of September 26, 1951 (P. L. 1494, No. 367), entitled "An act authorizing the capture or destruction of unprotected birds in any city or borough in certain cases."

Referred to Committee on STATE GOVERNMENT, October 13, 1981.

**No. 1929** By Representatives GALLEN, MULLEN, HONAMAN, SIRIANNI, DORR, COWELL and FRYER

An Act repealing the act of June 10, 1881 (P. L. 95, No. 101), entitled "An act to amend part of an act, entitled 'An act to amend and consolidate the several acts relating to game and game fish.'"

Referred to Committee on STATE GOVERNMENT, October 13, 1981.

**No. 1930** By Representatives GALLEN, MULLEN, HONAMAN, SIRIANNI, DORR, COWELL and FRYER

An Act repealing the act of May 8, 1907 (P. L. 186, No. 149), entitled "An act to provide for the better protection and preservation of song and insectivorous birds, \*\*\*."

Referred to Committee on STATE GOVERNMENT, October 13, 1981.

**No. 1931** By Representatives GALLEN, MULLEN, HONAMAN, SIRIANNI, DORR, COWELL and FRYER

An Act repealing the act of November 9, 1973 (P. L. 331, No. 110), referred to as the Endangered Species Articles Sale Law.

Referred to Committee on STATE GOVERNMENT, October 13, 1981.

**No. 1932** By Representatives GALLEN, MULLEN, HONAMAN, SIRIANNI, DORR, COWELL and FRYER

An Act repealing the act of July 30, 1971 (P. L. 270, No. 66), entitled "An act prohibiting the sale of certain wild animals or wild animal products."

Referred to Committee on STATE GOVERNMENT, October 13, 1981.

**No. 1933** By Representatives GALLEN, MULLEN, HONAMAN, SIRIANNI, DORR, COWELL and FRYER

An Act amending "The Clinical Laboratory Act," approved September 26, 1951 (P. L. 1539, No. 389), adding and changing certain definitions, \*\*\* exemptions and unlawful conduct and otherwise making the act applicable to blood banks and making a repeal.

Referred to Committee on HEALTH AND WELFARE, October 13, 1981.

**No. 1934** By Representatives GALLEN, MULLEN, HONAMAN, SIRIANNI, DORR, COWELL and FRYER

An Act repealing the act of June 23, 1931 (P. L. 1204, No. 330), entitled "An act providing for the acquisition by the Commonwealth of property in Wharton Township, Fayette County, for the establishment of Fort Necessity Park, and for the manage-

ment thereof by the Department of Forests and Waters; and making an appropriation."

Referred to Committee on STATE GOVERNMENT, October 13, 1981.

**No. 1935** By Representatives GALLEN, MULLEN, HONAMAN, SIRIANNI, DORR, COWELL and FRYER

An Act repealing the act of May 8, 1917 (P. L. 156, No. 88), entitled "An act authorizing the Department of Forestry to purchase surface rights to lands for use as State forests."

Referred to Committee on STATE GOVERNMENT, October 13, 1981.

**No. 1936** By Representatives GALLEN, MULLEN, HONAMAN, SIRIANNI, DORR, COWELL and FRYER

An Act repealing the act of May 25, 1897 (P. L. 86, No. 69), entitled "An act to secure State Forestry reservations, and providing for the expenses thereof."

Referred to Committee on STATE GOVERNMENT, October 13, 1981.

**No. 1937** By Representatives GALLEN, MULLEN, HONAMAN, SIRIANNI, DORR, COWELL and FRYER

An Act repealing the act of June 14, 1911 (P. L. 938, No. 760), entitled "An act making an appropriation for the improvement of the State canal basins at the port of Erie by dredging the said basins; \*\*\* and providing for regulating the manner in which said basin shall be used by the public, and kept in repairs."

Referred to Committee on STATE GOVERNMENT, October 13, 1981.

**No. 1938** By Representatives GALLEN, MULLEN, HONAMAN, SIRIANNI, DORR, COWELL and FRYER

An Act repealing the act of May 3, 1864 (P. L. 725, No. 621), entitled "An act relating to certain canals."

Referred to Committee on STATE GOVERNMENT, October 13, 1981.

**No. 1939** By Representatives GALLEN, MULLEN, HONAMAN, SIRIANNI, DORR, COWELL and FRYER

An Act repealing the act of April 9, 1856 (P. L. 292, No. 306), entitled "An act relating to Wharves upon the Canals of the Commonwealth."

Referred to Committee on STATE GOVERNMENT, October 13, 1981.

**No. 1940** By Representatives GALLEN, MULLEN, HONAMAN, SIRIANNI, DORR, COWELL and FRYER

An Act repealing the act of March 19, 1830 (P. L. 118, No. 63), entitled "A Supplement to the act entitled 'An act to protect the public in the full benefit and enjoyment of the works constructed for the purposes of inland navigation.'"

Referred to Committee on STATE GOVERNMENT,  
October 13, 1981.

**No. 1941** By Representatives GALLEN, MULLEN,  
HONAMAN, SIRIANNI, DORR, COWELL  
and FRYER

An Act repealing the act of April 10, 1826 (P. L. 301, No. 101), entitled "An act to protect the public in the full benefit and enjoyment of the works constructed for the purpose of inland navigation."

Referred to Committee on STATE GOVERNMENT,  
October 13, 1981.

**No. 1942** By Representatives GALLEN, MULLEN,  
HONAMAN, SIRIANNI, DORR, COWELL  
and FRYER

An Act repealing the act of May 23, 1893 (P. L. 115, No. 68), entitled "An act relative to a Forestry Commission and providing for the expenses thereof."

Referred to Committee on STATE GOVERNMENT,  
October 13, 1981.

**No. 1943** By Representatives GALLEN, MULLEN,  
HONAMAN, SIRIANNI, DORR, COWELL  
and FRYER

An Act repealing the act of December 21, 1959 (P. L. 1967, No. 722), entitled "An act providing for creation of an Oil and Gas Inspectors Examining Board in the Department of Mines and Mineral Industries; \*\*\* providing for the qualifications, examination, appointment, term of office, removal and salaries of Oil and Gas Inspectors; and providing penalties.

Referred to Committee on STATE GOVERNMENT,  
October 13, 1981.

**No. 1944** By Representatives GALLEN, MULLEN,  
HONAMAN, SIRIANNI, DORR, COWELL  
and FRYER

An Act repealing the act of February 29, 1872 (P. L. 21, No. 7), entitled "An act enabling married women to purchase sewing machines."

Referred to Committee on STATE GOVERNMENT,  
October 13, 1981.

**No. 1945** By Representative ALDEN

An Act amending "The Landlord and Tenant Act of 1951," approved April 6, 1951 (P. L. 69, No. 20), further providing for landlord administrative expenses relating to escrow accounts.

Referred to Committee on BUSINESS AND COM-  
MERCE, October 13, 1981.

**No. 1946** By Representatives W. W. FOSTER,  
SPENCER, KOWALYSHYN, SERAFINI,  
KLINGAMAN, SIRIANNI and HASAY

An Act amending Title 22 (Detectives and Private Police) of the Pennsylvania Consolidated Statutes, authorizing private police for condominiums and planned community developments.

Referred to Committee on BUSINESS AND COM-  
MERCE, October 13, 1981.

**No. 1947** By Representatives LETTERMAN and  
GEIST

An Act authorizing and directing the Department of General Services, with the approval of the Department of Environmental Resources and the Governor, to convey to the Catholic Diocese of Altoona-Johnstown 1.6952 acres of land situate in Noyes Township, Clinton County, Pennsylvania.

Referred to Committee on STATE GOVERNMENT,  
October 13, 1981.

**No. 1948** By Representatives WILSON and BURNS

An Act amending the act of June 18, 1941 (P. L. 137, No. 74), entitled, as amended, "An act providing for the appointment, powers and control of members of volunteer fire companies as special fire police, and conferring powers on them at fires attended by their fire companies in any city, borough, town, township or home rule municipality," authorizing fire police to carry night sticks under certain conditions.

Referred to Committee on LOCAL GOVERNMENT,  
October 13, 1981.

**No. 1949** By Representatives D. R. WRIGHT,  
COWELL, E. Z. TAYLOR, COLAFELLA,  
LESCOVITZ, PISTELLA, OLASZ,  
COHEN, LASHINGER, DAVIES, NOYE,  
BURD, KUKOVICH, DeWEESE, MERRY,  
BOYES, GALLAGHER, MILLER,  
STEIGHNER, DOMBROWSKI,  
F. E. TAYLOR, STUBAN, LUCYK, COLE,  
CAPPABIANCA, SHOWERS, SWEET,  
WACHOB, DeMEDIO, FEE,  
A. K. HUTCHINSON, LETTERMAN,  
MORRIS, SEVENTY, PENDLETON,  
LAUGHLIN, STEWART, PRATT,  
CAWLEY, TIGUE, BLAUM, PUNT,  
GRUITZA, O'DONNELL, ARMSTRONG,  
FARGO, ARTY, W. W. FOSTER, BITTLE  
and LEVI

An Act amending "The Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), establishing the State System of Higher Education and designating its institutions; \*\*\* and making certain repeals.

Referred to Committee on EDUCATION, October 13,  
1981.

**No. 1950** By Representatives LEHR, COSLETT,  
BOYES, VROON, ARTY, CALTAGIRONE,  
SALVATORE and COLE

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), removing the board's powers to grant additional licenses in resort areas.

Referred to Committee on LIQUOR CONTROL,  
October 13, 1981.

**No. 1951** By Representatives LEHR, VROON,  
A. C. FOSTER, JR., ARTY,  
CALTAGIRONE, STEVENS,  
SALVATORE, TRELLO, ARMSTRONG,  
BOYES, COLE, MORRIS, PRATT, FEE,

PETERSON, W. W. FOSTER, MADIGAN  
and GALLAGHER

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the penalty of driving under the influence of alcohol or controlled substances.

Referred to Committee on JUDICIARY, October 13, 1981.

**No. 1952** By Representatives LEHR, VROON,  
A. C. FOSTER, JR., ARTY,  
CALTAGIRONE, STEVENS,  
SALVATORE, TRELLO, ARMSTRONG,  
BOYES, COLE, MORRIS, PRATT, FEE,  
PETERSON, W. W. FOSTER, MADIGAN  
and GALLAGHER

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the definition of "delinquent act."

Referred to Committee on JUDICIARY, October 13, 1981.

**No. 1953** By Representatives PERZEL, WOGAN,  
SWAIM, SALVATORE, J. L. WRIGHT  
and KUKOVICH

An Act amending the act of August 5, 1932 (1st Sp. Sess., P. L. 45, No. 45), referred to as the Sterling Act, authorizing the exemption of senior citizens from personal property taxes.

Referred to Committee on URBAN AFFAIRS, October 13, 1981.

**No. 1954** By Representatives PERZEL, FARGO,  
GANNON, SWAIM, REBER, COHEN,  
HALUSKA, CORNELL, KUKOVICH,  
GAMBLE, J. L. WRIGHT, ZWIKL,  
SALVATORE, SWEET, TELEK and  
BLAUM

An Act amending the "Senior Citizens Property Tax or Rent Rebate and Older Persons Inflation Needs Act," approved March 11, 1971 (P. L. 104, No. 3), further providing for an entitlement for certain disabled persons.

Referred to Committee on HEALTH AND WELFARE, October 13, 1981.

**No. 1955** By Representatives PERZEL, GANNON,  
SALVATORE, ALDEN, J. L. WRIGHT,  
ZWIKL and BLAUM

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), exempting interest on certificates of deposit from the State income tax.

Referred to Committee on FINANCE, October 13, 1981.

**No. 1956** By Representatives PERZEL, GANNON,  
FRAZIER, SALVATORE, J. L. WRIGHT,  
SWAIM, PRATT, COHEN and TELEK

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for consecutive sentencing for crimes committed while on bail.

Referred to Committee on JUDICIARY, October 13, 1981.

**No. 1957** By Representatives PERZEL, GANNON,  
TELEK, SALVATORE, KUKOVICH,  
MILLER, ALDEN, MORRIS,  
J. L. WRIGHT, COLE, BLAUM, WOGAN,  
BOWSER, ZWIKL, COHEN and FARGO

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

Referred to Committee on FINANCE, October 13, 1981.

**No. 1958** By Representatives PERZEL, GANNON,  
SALVATORE, MORRIS, J. L. WRIGHT,  
SWEET and COHEN

An Act amending the "Real Estate Licensing Act," approved February 19, 1980 (P. L. 15, No. 9), providing for negotiable commissions.

Referred to Committee on BUSINESS AND COMMERCE, October 13, 1981.

**No. 1959** By Representative PERZEL

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), providing for a fee for ocular prosthesis.

Referred to Committee on HEALTH AND WELFARE, October 13, 1981.

**No. 1960** By Representatives A. C. FOSTER, JR.,  
FRYER, LEVI, HALUSKA, SIRIANNI,  
DORR, MOEHLMANN, CALTAGIRONE,  
KLINGAMAN, J. L. WRIGHT,  
DAIKELER, DIETZ, BELFANTI,  
WOZNIAC, REBER, MADIGAN,  
KOWALYSHYN, BOWSER, WENGER,  
SAURMAN, JACKSON, MACKOWSKI,  
CAPPABIANCA, SALVATORE, FARGO,  
CLYMER, WAMBACH, DOMBROWSKI  
and PETERSON

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for the limited regulation of municipal corporations furnishing public utility services outside of the corporate limits of the municipal corporations.

Referred to Committee on LOCAL GOVERNMENT, October 13, 1981.

## HOUSE RESOLUTIONS INTRODUCED AND REFERRED

**No. 104** By Representatives LLOYD, MORRIS,  
FARGO, HALUSKA, PISTELLA,  
CALTAGIRONE, WACHOB,  
GREENWOOD, WARGO, BELFANTI,  
KOWALYSHYN, ALDEN, LETTERMAN,  
COLE, COHEN, PRATT, ARMSTRONG  
and DEAL

House direct Committee on Conservation investigate gypsy moth suppression program.

Referred to Committee on RULES, October 13, 1981.

**No. 105**

(Concurrent) By Representatives LLOYD, FARGO, MORRIS, HALUSKA, PISTELLA, CALTAGIRONE, WACHOB, WARGO, BELFANTI, KOWALYSHYN, ALDEN, LETTERMAN, COLE, COHEN, PRATT, ARMSTRONG and DEAL

General Assembly urges Pennsylvania Congressional Delegation seek additional funds for gypsy moth suppression.

Referred to Committee on FEDERAL-STATE RELATIONS, October 13, 1981.

**No. 106**

(Concurrent) By Representatives LEHR, FEE, COSLETT, PETRARCA, DUFFY, HASAY, McINTYRE, ANDERSON, DAVIES, TELEK and CALTAGIRONE

General Assembly appoint a committee to join with surrounding States' committees to study laws establishing drinking age.

Referred to Committee on RULES, October 13, 1981.

**No. 107** By Representatives WILSON, GREENWOOD, BURNS and J. L. WRIGHT

House requests Governor proclaim second Sunday of August, Family Day.

Referred to Committee on RULES, October 13, 1981.

**No. 114** By Representatives PERZEL, WOGAN, SALVATORE, J. L. WRIGHT, SWAIM, COHEN and CALTAGIRONE

House directs Urban Affairs Subcommittee on First Class Cities investigate charges by gas companies.

Referred to Committee on RULES, October 13, 1981.

**No. 115** By Representatives PERZEL, GANNON, McMONAGLE, McCALL, SALVATORE, BROWN, GRAY, CAWLEY and WOGAN

House requests Congress investigate Bureau of Immigration and Naturalization in the case of Michael O'Rourke.

Referred to Committee on RULES, October 13, 1981.

**SENATE BILLS FOR CONCURRENCE**

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

**SB 535, PN 1298**

Referred to Committee on BUSINESS AND COMMERCE, October 13, 1981.

**SB 600, PN 1277**

Referred to Committee on PROFESSIONAL LICENSURE, October 13, 1981.

**SB 674, PN 1077**

Referred to Committee on MILITARY AND VETERANS AFFAIRS, October 13, 1981.

**SB 915, PN 1011**

Referred to Committee on TRANSPORTATION, October 13, 1981.

**SB 918, PN 1311**

Referred to Committee on STATE GOVERNMENT, October 13, 1981.

**SB 929, PN 1045**

Referred to Committee on APPROPRIATIONS, October 13, 1981.

**SB 965, PN 1122**

Referred to Committee on TRANSPORTATION, October 13, 1981.

**SB 1006, PN 1278**

Referred to Committee on LABOR RELATIONS, October 13, 1981.

**SENATE RESOLUTION FOR CONCURRENCE**

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

**SR 219**

Referred to Committee on FEDERAL-STATE RELATIONS, October 13, 1981.

**ADMINISTRATIVE RULES  
REPORT NO. 6 REFERRED**

ANNEX A

§27.27. Examination Fees.

A fee in the amount of thirty-five dollars (\$35.00) to cover the administration and costs of each pharmacy examination shall be charged in addition to the twenty-five dollars (\$25.00) fee for application for examination given to pharmacy interns upon graduation from an accredited college of pharmacy pursuant to the Act of July 1, 1978, (P.L. 700, No. 124), known as the Bureau of Professional and Occupational Affairs Fee Act. The total fee for the pharmacy examination shall be sixty dollars (\$60.00).

Referred to Committee on PROFESSIONAL LICENSURE, October 13, 1981.

**LEAVES OF ABSENCE GRANTED**

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

Mr. CESSAR. Thank you, Mr. Speaker.

I request a leave for the gentleman from Schuylkill, Mr. HUTCHINSON, for today's session.

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

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

Mr. MANDERINO. Mr. Speaker, we ask for a leave of absence for the gentleman from Philadelphia, Mr. O'DONNELL, for today's session; a leave for the gentleman from Chester, Mr. MORRIS, for today's session; and a leave for the gentleman from Allegheny, Mr. CLARK, for today's session.

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

### MASTER ROLL CALL RECORDED

The SPEAKER. The Chair is about to take up today's master roll call. The members will proceed to vote.

The following roll call was recorded:

#### PRESENT—177

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

#### ADDITIONS—19

Armstrong	Gallen	Kanuck	Spencer
Arty	Gannon	Lashinger	Telek
Cochran	Gray	Lehr	Williams, H.
Emerson	Gruitza	Letterman	Wright, R. C.
Foster, W. W.	Hutchinson, A.	Mullen	

#### NOT VOTING—2

White Williams, J. D.

#### EXCUSED—5

Clark Morris O'Donnell Rappaport  
Hutchinson, W.

### WELCOMES

The SPEAKER. The Chair is pleased to welcome to the hall of the House today Mr. and Mrs. McCann from Springfield, Delaware County, here today as the guests of Representative Mary Ann Arty.

The Chair is pleased to welcome to the hall of the House today Mr. Joseph Cheddar of Mount Carmel, here today as the guest of Representative Belfanti.

The Chair is pleased to welcome to the hall of the House today a councilman from the borough of Albion, Erie County, Mr. Rod Steinheiser, and Mr. George Dahlin of Erie County, the president of that borough council, here today as the guests of Representative Merry of Erie County.

The Chair is pleased to welcome to the hall of the House today Mr. James Parr, here today as the guest of Representative Karl Boyes.

### CALENDAR

#### BILLS AGREED TO ON SECOND CONSIDERATION

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

**HB 1039, PN 1963; HB 1040, PN 1142; HB 641, PN 2126; HB 642, PN 2127; HB 677, PN 2128; HB 678, PN 2129; HB 960, PN 2131; HB 1302, PN 2133; HB 1582, PN 1844; SB 624, PN 641; HB 904, PN 1885; HB 1168, PN 2295; HB 1623, PN 1902; HB 1624, PN 2296; HB 1625, PN 1904; and HB 1626, PN 1905.**

#### FILMING PERMISSION GRANTED

The SPEAKER. The Chair has given permission to the Department of Commerce to do silent filming for a period of 10 minutes.

#### MEMBERS' PRESENCE RECORDED

The SPEAKER. The Chair recognizes the lady from Delaware, Mrs. Arty; the gentleman from Wayne, Mr. Foster; the gentleman from Berks, Mr. Gallen; the gentleman from Lehigh, Mr. Kanuck; the gentleman from Montgomery, Mr. Lashinger; the gentleman from York, Mr. Lehr; the gentleman from Tioga, Mr. Spencer; the gentleman from Westmoreland, Mr. Hutchinson; the gentleman from Centre, Mr. Letterman; the gentleman from Lancaster, Mr. Armstrong; and the gentleman from Cambria, Mr. Telék, who ask that their names be added to the master roll call.



### BILLS AGREED TO ON SECOND CONSIDERATION CONTINUED

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

**HB 1627, PN 1906; HB 1628, PN 2297; HB 1629, PN 2298; HB 1630, PN 2299; HB 1631, PN 1910; HB 1632, PN 1911; HB 1633, PN 1912; HB 1634, PN 1913; HB 1635, PN 1914; HB 1636, PN 1915; HB 1637, PN 1916; HB 1638, PN 1917; HB 1639, PN 1918; HB 1640, PN 1919; HB 1641, PN 1920; HB 1642, PN 1921; HB 1699, PN 2005; HB 1700, PN 2300; HB 1857, PN 2244; SB 108, PN 1350; HB 50, PN 2259; HB 1384, PN 1758; HB 1458, PN 1661; HB 1459, PN 2260; HB 1812, PN 2179; SB 814, PN 1346; HB 453, PN 474; HB 772, PN 2235; HB 794, PN 852; HB 1601, PN 1867; SB 323, PN 1348; and HB 1575, PN 2147.**

\* \* \*

The House proceeded to second consideration of **HB 1799, PN 2155**, entitled:

An Act amending the "Pennsylvania Cigarette Tax Act," approved July 22, 1970 (P. L. 513, No. 178), increasing the tax on the sale or possession of cigarettes and making an appropriation.

On the question,

Will the House agree to the bill on second consideration?

### BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I move that HB 1799, PN 2155, be recommitted to the Committee on Appropriations for the purpose of a fiscal note.

On the question,

Will the House agree to the motion?

Motion was agreed to.

### MEMBERS' PRESENCE RECORDED

The SPEAKER. The Chair recognizes the gentleman from Mercer, Mr. Gruitza; the gentleman from Fayette, Mr. Cochran; and the gentleman from Philadelphia, Mr. Hardy Williams, who ask that their names be added to the master roll call.

### BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 532, PN 559**, entitled:

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further providing for filing of documents and payment of taxes with respect to taxes imposed for education, personal income taxes and corporate net income 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—187

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

### NAYS—0

### NOT VOTING—11

Belfanti	Gray	Mullen	Williams, J. D.
Emerson	Letterman	Pratt	Wright, R. C.
Gannon	Livengood	White	

### EXCUSED—5

Clark	Morris	O'Donnell	Rappaport
Hutchinson, W.			

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.

### MEMBER'S PRESENCE RECORDED

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

### REMARKS ON VOTES

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

Mr. BELFANTI. Mr. Speaker, I was not in my seat for the last vote. I apologize. I would like to have my vote cast in the affirmative on HB 532.

The SPEAKER. The Chair acknowledges that it was a fast roll call in hopes that the members would take their seats.

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

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

Mr. R. C. WRIGHT. On HB 532, had I been in my seat, I would have recorded a vote of affirmative on that bill.

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

The Chair recognizes the gentleman from Armstrong, Mr. Livengood.

Mr. LIVENGOOD. Mr. Speaker, if we had a vote on HB 532, I would like to be recorded in the affirmative.

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

### BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 1395, PN 1962**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

### BILL REVERTED TO PRIOR PRINTER'S NUMBER

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

Mr. McCLATCHY. I would like to make a motion to revert to the prior printer's number.

The SPEAKER. It is the understanding of the Chair that the gentleman from Montgomery, Mr. McClatchy, has moved that HB 1395 revert to its prior printer's number, which the Chair understands to be PN 1578. Is that accurate?

Mr. McCLATCHY. That is correct.

On the question,

Will the House agree to the motion?

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

Mr. McCLATCHY. Mr. Speaker, I am moving to a prior printer's number, and all that does is change the effective date of the act to 1978 instead of 1980.

The purpose of this legislation was to permit ministers to become private contractors. The Department of Revenue had classified them as employees of their churches, and that meant that they would have to have withholding tax. Most of the clergymen who have contacted us would rather not have withholding taxes; they would rather pay it as independent contractors. This is what has been done in the past. They have paid their taxes; it is not that they have not paid their taxes. The problem that the department has presented them with is the fines, and the fines go back to the year 1978. The Appropriations Committee staff is determined that the amount of money that would be lost with not collecting these fines is minimal, and, therefore, I feel that we ought to wipe the book clean and make this act effective back to 1978 so that our ministers throughout the State are not harassed any more than they have been.

I would appreciate an affirmative vote, Mr. Speaker.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

#### YEAS—189

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

DeWeese	Kennedy	Pitts	Williams, H.
Daikeler	Klingaman	Pott	Wilson
Davies	Kolter	Pucciarelli	Wogan
Dawida	Kowalyshyn	Punt	Wozniak
Deal	Kukovich	Rasco	Wright, D. R.
Dietz	Lashinger	Reber	Wright, J. L.
Dininni	Laughlin	Richardson	Wright, R. C.
Dombrowski	Lehr	Rieger	Zwinkl
Donatucci	Lescovitz	Ritter	
Dorr	Letterman	Rocks	Ryan,
Duffy	Levi	Rybak	Speaker
Durham	Levin	Salvatore	

NAYS—2

Harper Manderino

NOT VOTING—7

Emerson	Gray	Pratt	Williams, J. D.
Gannon	Mullen	White	

EXCUSED—5

Clark	Morris	O'Donnell	Rappaport
Hutchinson, W.			

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—190

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

DeVerter	Johnson	Piccola	Wenger
DeWeese	Kanuck	Pievsky	Weston
Daikeler	Kennedy	Pistella	Wiggins
Davies	Klingaman	Pitts	Williams, H.
Dawida	Kolter	Pott	Wilson
Deal	Kowalyshyn	Pucciarelli	Wozniak
Dietz	Kukovich	Punt	Wright, D. R.
Dininni	Lashinger	Rasco	Wright, J. L.
Dombrowski	Laughlin	Reber	Wright, R. C.
Donatucci	Lehr	Richardson	Zwinkl
Dorr	Lescovitz	Rieger	
Duffy	Letterman	Ritter	Ryan,
Durham	Levi	Rocks	Speaker

NAYS—0

NOT VOTING—8

Emerson	Gray	Pratt	Williams, J. D.
Gannon	Mullen	White	Wogan

EXCUSED—5

Clark	Morris	O'Donnell	Rappaport
Hutchinson, W.			

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 517, PN 544**, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), further providing for eligibility to the office of school director.

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

Clymer	Harper	Olasz	Tigue
Cochran	Hasay	Oliver	Trello
Cohen	Hayes	Pendleton	Van Horne
Colafella	Heiser	Perzel	Vroon
Cole	Hoeffel	Peterson	Wachob
Cordisco	Honaman	Petrarca	Wambach
Cornell	Hutchinson, A.	Phillips	Wargo
Coslett	Irviss	Piccola	Wass
Cowell	Jackson	Pievsky	Wenger
DeMedio	Johnson	Pistella	Weston
DeVerter	Kanuck	Pitts	Wiggins
DeWeese	Kennedy	Pott	Williams, H.
Daikeler	Klingaman	Pratt	Wilson
Davies	Kolter	Pucciarelli	Wogan
Dawida	Kowalyszyn	Punt	Wozniak
Deal	Kukovich	Rasco	Wright, D. R.
Dietz	Lashinger	Reber	Wright, J. L.
Dininni	Laughlin	Richardson	Wright, R. C.
Dombrowski	Lehr	Ritter	Zwinkl
Donatucci	Lescovitz	Rocks	
Dorr	Letterman	Rybak	Ryan,
Duffy	Levi	Salvatore	Speaker
Durham	Levin	Saurman	

## NAYS—4

Cunningham	Horgos	Mrkoncic	Petrone
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## NOT VOTING—9

Emerson	Itkin	Mullen	White
Gannon	McIntyre	Rieger	Williams, J. D.
Gray			

## EXCUSED—5

Clark	Morris	O'Donnell	Rappaport
Hutchinson, W.			

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 942, PN 2198**, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), further providing for the payment of tuition of out-of-state medically indigent children hospitalized in certain exclusively charitable childrens hospitals and making an appropriation.

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

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

The question is, shall the bill pass finally?

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

## YEAS—189

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

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

## NAYS—1

Lewis

## NOT VOTING—8

Emerson	Gray	Mullen	White
Gannon	Hutchinson, A.	Pratt	Williams, J. D.

## EXCUSED—5

Clark	Morris	O'Donnell	Rappaport
Hutchinson, W.			

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

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

## REMARKS ON VOTE

The SPEAKER. Does the gentleman from Philadelphia, Mr. Wogan, desire recognition?

Mr. WOGAN. Mr. Speaker, I was out of my seat on the roll call on HB 1395. If I were in my seat, I would have voted in the affirmative and wish to be recorded as such.

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

### BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 1159, PN 2181**, entitled:

An Act amending the act of April 6, 1980 (No. 39), entitled "An act restricting the acquisition by certain aliens of an interest in agricultural lands," further providing limitations on aliens and providing a definition of alien and person.

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

#### NAYS—0

#### NOT VOTING—6

Emerson	Gray	White	Williams, J. D.
Gannon	Mullen		

#### EXCUSED—5

Clark	Morris	O'Donnell	Rappaport
Hutchinson, W.			

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 **SB 276, PN 609**, entitled:

An Act prohibiting political subdivisions or agencies of the Commonwealth from imposing certain quotas on the issuance of citations for certain offenses.

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?

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

Mr. **HOEFFEL**. Thank you, Mr. Speaker.

I rise in opposition to this bill, Mr. Speaker. At first glance this bill seems to have a lot of merit. It would outlaw the issuance of quotas, the enforcement of quotas by law enforcement agencies. Now, I do not think anybody is in favor of traffic quotas; no one likes to get a traffic ticket; and this bill has a lot of appeal, I think, at first glance.

The reason I stand in opposition to it, essentially, is because of the views expressed to me by the administration in my local police department. They are afraid that this bill goes way too far in dealing with what may or may not be a problem in this Commonwealth, which would be traffic ticket quotas. They are afraid that the language of this bill—and I have to agree with them—would prohibit the supervisors and administrators of police departments from ever saying to a police officer, ever calling him forward before them and saying, why have you not given a ticket in the last month? I do not think the bill intends to do that. The bill speaks to what is perceived to be a problem which people have complained about in this Commonwealth for years, about local police departments having quotas to meet and officers giving unwarranted tickets as a result to meet their quotas. Certainly nobody can be in favor of that. But the language of the bill, if you look at it, seems to go an awful lot further than that. It talks about no political subdivision being permitted in any manner, directly or indirectly, from suggesting to any police officer that he issue a certain number of traffic citations during a certain period. And I do think that that would prevent a police chief

or police captain from asking one of his patrolmen why that individual had not issued any traffic citations, for example, in the past quarter when all of the individual's coworkers might have given out 10 or 15 or 20 traffic tickets during that same period.

I think the bill goes too far. I think it is an overreaction to what may or may not be a problem in the State. I considered offering an amendment, but I could not figure out any way to improve this bill, so I ask for a negative vote. Thank you.

### MEMBER'S PRESENCE RECORDED

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

### CONSIDERATION OF SB 276 CONTINUED

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

Mr. NAHILL. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support the position that Representative Hoeffel just espoused. My police department also has exactly the same concerns, and I know that these concerns are echoed throughout the State. I, too, understand what we are trying to say in the bill, but I do not think we say it properly. I am concerned, and I would therefore ask for a negative vote on this bill. Thank you, Mr. Speaker.

### MOTION TO RECOMMIT

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

Mr. LLOYD. Mr. Speaker, I, too, rise to echo the sentiments of Mr. Hoeffel and Mr. Nahill. This bill is well intended, but I think that it has some ramifications about which we have not really thought very carefully. If you look at the second page of the bill, Mr. Speaker, in section 2 it says that any tickets or citations issued in violation of this act—in other words, the act banning quotas—shall be unenforceable, null and void. What that means is, Mr. Speaker, that because someone got a traffic ticket or a parking ticket or some other kind of a ticket or citation, he may very well be guilty, but because he got one in excess or because there was a quota system in operation, he is going to get off the hook. I do not understand how that is consistent with the law-and-order philosophy that many of us in this chamber believe we ought to be following.

Now, I think maybe this bill has some merit and maybe it can be cleaned up, and I think that the proper thing to do then, Mr. Speaker, is to give the committee a chance to look at this again and to take account of the situation that was outlined by a number of people here on the floor this morning. So, Mr. Speaker, I move that this bill be recommitted to the House Committee on Local Government.

On the question,

Will the House agree to the motion?

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

Mr. VROON. Mr. Speaker, I really cannot see any good reason to take a simple, little bill like this and put it back into another committee. The fact of the matter is that I cannot see a thing wrong with this bill at all. There is no fear of this thing at all as far as I am concerned. I think we ought to debate it and vote on it. Let us not put it back in committee and in effect bury it. I think it is a darn good bill. It is needed.

The SPEAKER. Does the gentleman, Mr. Lloyd, desire recognition?

Mr. LLOYD. Yes, Mr. Speaker.

I would just remind the members or ask them to look at the second page of the bill which says that somebody who is guilty of a violation is going to get off scot-free just because there was a quota system in operation. Mr. Speaker, I think that is the wrong method—

### POINT OF ORDER

Mr. VROON. Mr. Speaker, point of order.

The SPEAKER. The question before the House is the question of recommittal.

Mr. VROON. Yes; that is the point. I do not think we are debating the bill at this point. I think we ought to just talk about recommittal and that is all.

The SPEAKER. Did the gentleman, Mr. Lloyd, conclude?

Mr. LLOYD. Yes, Mr. Speaker.

The SPEAKER. Thank you.

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

Mr. DEAL. Mr. Speaker, I, too, have had an opportunity to read this bill. I think the bill is very clear, and I see no reason why this bill ought to be recommitted. I hope that you will vote "no" so that this bill can get to the floor and we can take care of this bill. I would ask my colleagues to vote "no" to recommittal.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

### YEAS—59

Blaum	Gamble	Merry	Shupnik
Boyes	George	Micozzie	Smith, B.
Brown	Hagarty	Miscevich	Steighner
Burd	Hoeffel	Nahill	Stewart
Cappabianca	Horgos	Olasz	Sweet
Cawley	Irviss	Pendleton	Tigue
Civera	Itkin	Petrone	Trello
Cordisco	Kowalyszyn	Pistella	Van Horne
DeMedio	Kukovich	Pott	Wachob
Dawida	Laughlin	Pratt	Wargo
Dombrowski	Livengood	Rasco	Weston
Duffy	Lloyd	Rocks	Wogan
Fee	Madigan	Rybak	Wozniak
Freind	Maiale	Salvatore	Wright, D. R.
Gallagher	Manderino	Seventy	

## NAYS—134

Alden	Dorr	Lehr	Rieger
Anderson	Durham	Lescovitz	Ritter
Armstrong	Evans	Letterman	Saurman
Arty	Fargo	Levi	Serafini
Barber	Fischer	Levin	Showers
Belardi	Fleck	Lewis	Sieminski
Belfanti	Foster, W. W.	Lucyk	Sirianni
Beloff	Foster, Jr., A.	McCall	Smith, E. H.
Berson	Frazier	McClatchy	Smith, L. E.
Bittle	Fryer	McIntyre	Snyder
Borski	Gallen	McMonagle	Spencer
Bowser	Gannon	McVerry	Spitz
Brandt	Geist	Mackowski	Stairs
Burns	Gladeck	Manmiller	Stevens
Caltagirone	Grabowski	Marmion	Stuban
Cessar	Greenfield	Michlovic	Swaim
Cimini	Greenwood	Miller	Swift
Clymer	Grieco	Moehlmann	Taddonio
Cochran	Gruitza	Mowery	Taylor, E. Z.
Cohen	Gruppo	Mrkonic	Taylor, F. E.
Colafella	Haluska	Murphy	Telek
Cole	Harper	Noye	Vroon
Cornell	Hasay	Oliver	Wambach
Coslett	Hayes	Perzel	Wass
Cowell	Heiser	Peterson	Wenger
Cunningham	Honaman	Petrarca	Wiggins
DeVerter	Hutchinson, A.	Phillips	Williams, H.
DeWeese	Jackson	Piccola	Wilson
Daikeler	Johnson	Pievsky	Wright, J. L.
Davies	Kanuck	Pitts	Wright, R. C.
Deal	Kennedy	Pucciarelli	Zwikl
Dietz	Klingaman	Punt	
Dininni	Kolter	Reber	Ryan,
Donatucci	Lashinger	Richardson	Speaker

## NOT VOTING—5

Emerson	Mullen	White	Williams, J. D.
Gray			

## EXCUSED—5

Clark	Morris	O'Donnell	Rappaport
Hutchinson, W.			

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

On the question recurring,  
Shall the bill pass finally?

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

Mr. VROON. Mr. Speaker, this is a rather simple bill, and as I said before, I really do not see anything wrong with this.

All of the objections that I have heard so far carry very little water. If somebody has a ticket and wants to challenge it on the basis that it is part of a quota that the policeman was given, the burden of proof is on that individual. And I do not see that this bill is that bad that you are going to prevent this individual from going if he wants to and challenging this ticket on the basis that it is part of a quota. If he wants to do that, he can do that. And if he is right, then he has to be recognized for being right.

I want to point out the other side of the coin here. We all know and we have all had experience time after time after time of police departments having quotas to fill on tickets. I will tell you one thing, Mr. Speaker: As far as I am concerned, I would much rather have my policemen patrolling my own street during the daytime where there are burglaries going on

all the time rather than sitting at a corner trapping motorists and filling a quota. I think that is our big need today, not trying to gain a quota of tickets to raise a little paltry money for the police department and for the township.

I strongly urge that this bill be approved and appreciate your vote.

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

Mr. DEAL. Mr. Speaker, I rise to support SB 276. I support that bill based on experience.

For 25 years I served in the Philadelphia Police Department. For 1 year I served as director of public safety in the city of Fayette, Mississippi. I am aware that there are supervisors in police departments who do put undue pressure on police officers to get quotas. They do it in many ways. So often when the police officer does not write enough tickets, he is moved from an area where he may have been working over a period of time, or he may be changed to different shifts. In some areas funds from tickets are used to help support the economy of some subdivisions.

I think in all fairness to police officers so that other persons who are included in this bill may do their job and do it well, we ought to support this bill. I would hope all of you here today would join in supporting SB 276. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Hardy Williams.

Mr. H. WILLIAMS. Thank you, Mr. Speaker.

I am very proud to rise in support of Mr. Vroon's position. It is a very rare occasion for me, and I am tickled to death. It so happens that we law-and-order technicians are working together.

It is no joke. With crime the way it is, it is inefficient to have an emphasis on tickets and that sort of thing when our people are closed in their houses.

Mr. Speaker, I am most proud to do this today, and I am hoping that we will continue it and repeat it. 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—169

Alden	Durham	Levi	Salvatore
Anderson	Evans	Levin	Saurman
Armstrong	Fargo	Lewis	Seventy
Arty	Fee	Livengood	Shupnik
Barber	Fischer	Lucyk	Sirianni
Belfanti	Fleck	McCall	Smith, B.
Beloff	Foster, W. W.	McClatchy	Smith, E. H.
Berson	Foster, Jr., A.	McMonagle	Smith, L. E.
Bittle	Frazier	McVerry	Snyder
Blaum	Fryer	Mackowski	Spencer
Borski	Gallagher	Madigan	Spitz
Bowser	Gallen	Maiale	Stairs
Boyes	Gamble	Manmiller	Steighner
Brandt	Gannon	Marmion	Stevens
Brown	Geist	Merry	Stewart
Burd	George	Michlovic	Stuban
Burns	Gladeck	Micozzie	Swaim
Caltagirone	Greenfield	Miller	Swift
Cessar	Greenwood	Miscevich	Taddonio
Cimini	Grieco	Moehlmann	Taylor, E. Z.

Civera	Gruitza	Mrkonjic	Taylor, F. E.
Clymer	Gruppo	Murphy	Telek
Cochran	Hagarty	Noye	Trello
Cohen	Haluska	Olasz	Van Horne
Colafella	Harper	Oliver	Vroon
Cole	Hasay	Perzel	Wachob
Cordisco	Hayes	Peterson	Wambach
Cornell	Heiser	Petrarca	Wass
Coslett	Honaman	Petrone	Wenger
Cowell	Horgos	Phillips	Weston
Cunningham	Itkin	Piccola	Wiggins
DeVerter	Jackson	Pievsky	Williams, H.
DeWeese	Johnson	Pistella	Wilson
Daikeler	Kanuck	Pitts	Wogan
Davies	Kennedy	Pott	Wozniak
Dawida	Klingaman	Pucciarelli	Wright, D. R.
Deal	Kolter	Punt	Wright, J. L.
Dietz	Kowalshyn	Rasco	Wright, R. C.
Dininini	Lashinger	Reber	Zwikl
Dombrowski	Laughlin	Richardson	
Donatucci	Lehr	Rieger	Ryan,
Dorr	Lescovitz	Ritter	Speaker
Duffy	Letterman	Rybak	

## NAYS—24

Belardi	Hoeffel	Manderino	Serafini
Cappabianca	Hutchinson, A.	Mowery	Showers
Cawley	Irviss	Nahill	Sieminski
DeMedio	Kukovich	Pendleton	Sweet
Freind	Lloyd	Pratt	Tigue
Grabowski	McIntyre	Rocks	Wargo

## NOT VOTING—5

Emerson	Mullen	White	Williams, J. D.
Gray			

## EXCUSED—5

Clark	Morris	O'Donnell	Rappaport
Hutchinson, W.			

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

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

\* \* \*

The House proceeded to third consideration of **SB 532, PN 1203**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for confidential communications to counselors of sexual assault victims.

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?

### STATEMENT SUBMITTED FOR THE RECORD

The SPEAKER. Does the gentleman from Delaware, Mr. Alden, desire recognition?

Mr. ALDEN. Mr. Speaker, may I put some words into the record? I have a speech written out. I will just make it a part of the record.

The SPEAKER. The gentleman desires to submit a statement for the record. Send the statement to the desk with the page.

Mr. ALDEN submitted the following statement for the Legislative Journal:

Mr. Speaker, I rise today in support of SB 532. The original SB 532 is actually HB 1160 which we amended in in committee. The bill provides absolute privilege for a rape crisis counselor regarding any information acquired in the course of counseling a rape action. It provides that all communications between a rape counselor and the rape victim shall be confidential.

Mr. Speaker, this is a very important piece of legislation and one that should receive the unanimous approval of this House of Representatives.

In January, in a 5-to-1 decision, the State Supreme Court ruled that conversations between a counselor and a rape victim are not confidential, that the rapist's defense counsel may use portions of a victim's statement to a counselor to attack her credibility in a trial.

There are several compelling reasons to reverse the court's ruling and to provide complete confidentiality for rape victims and counselors. One is to protect the victim from the devastating effects of a rape. As Supreme Court Justice Rolf Larsen eloquently pointed out in his dissenting opinion to the court's decision, a rape or other sexual assault triggers intense personal and unsettling reactions in the victim, including bodily violation, shock, fear, disgust, anger, guilt and shame. Recognition of these reactions, known as the rape-trauma syndrome, and the professional attention only recently provided to rape victims may be severely limited unless confidentiality is guaranteed. There must be a full and satisfactory relationship between victim and counselor, a relationship that should be fostered by community opinion. No such relationship is possible when the threat of a breach of privacy exists.

This bill would also preclude the discrimination against sexual assault victims that may occur as a result of the court's decision. Women who can afford private psychiatric help may do so with no fear of disclosure. Those not so well off who must seek help from rape crisis centers are not afforded the protection of confidentiality. That is a double and an unfair standard.

Third is the detrimental effect the court's decision has already had on rape crisis and counseling centers. The rape crisis center, founded in 1977 using Federal Law Enforcement Assistance Agency funds, is an umbrella organization for 27 other groups. Since 1977, the number of clients who utilize the centers has risen from 140 clients to over 500 in 1980, an increase of more than 300 percent.

In developments immediately following the court decision, however, several rape victims have asked for all of their records back. Several have stopped all counseling sessions, not because they had completed treatment or did not desire to continue, but because of the fear that their private, personal conversations with their counselors would be revealed in open court. Anonymous calls to counseling centers have risen dramatically.

In short, the court decision has severely undermined the effectiveness of rape counseling centers. As an attorney for the organization Pittsburgh Action Against Rape pointed out to the court, "There is no question that if the relationship is not confidential, the relationship will fall apart."

I believe we have an overwhelming public interest in helping rape victims cope with their trauma. We also should encourage sexual assault victims to come forward to prosecute their assailants. To do so, we must protect their rights, including the right of confidentiality with these trained counselors. To do less would be to plunge the rape victim back into the Dark Ages, from where they have only recently begun to emerge.



I believe this legislation is the way to do all of that. I have worked closely on this bill with attorneys for the Coalition Against Rape and with A. Catherine Power, executive director of the Pennsylvania Coalition Against Rape. I believe that this bill would meet any court challenge.

We have the opportunity here today to right a grievous wrong, to restore rights that I believe were improperly stripped from victims of sexual assault and from people working to help them. As Henry Clay, that great statesman, said in 1829, "Government is a trust, and the officers of government are trustees; and both are created for the benefit of the people."

Let us show today that we are competent and sympathetic trustees who can and will act for the greatest benefit of the people. The rights of the victim clearly outweigh the rights of the accused in these cases. They are counting on us to uphold their legal, moral, and philosophical rights.

Mr. Speaker, I call for adoption of SB 532.

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—191

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

#### NAYS—2

Levin

Reber

#### NOT VOTING—5

Emerson  
Gray

Mullen

White

Williams, J. D.

#### EXCUSED—5

Clark  
Hutchinson, W.

Morris

O'Donnell

Rappaport

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.

#### WELCOME

The SPEAKER. The Chair is pleased to welcome to the hall of the House today Senator William Owens of the 2d Suffolk District of the Commonwealth of Massachusetts, here today as the guest of Representative Dave Richardson.

#### REMARKS ON VOTE

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

Mr. H. WILLIAMS. Mr. Speaker, on SB 532 I erroneously pulled the wrong switch. I would like to be recorded in the negative, if you would spread that upon the record.

The SPEAKER. That was SB 532? That was the bill you supported Mr. Vroon in?

Mr. H. WILLIAMS. SB 276 will be forever remembered, Mr. Speaker, but SB 532 had to do with a more sensitive matter.

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

#### BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 704, PN 2135**, entitled:

An Act amending the "Solicitation of Charitable Funds Act," approved August 9, 1963 (P. L. 628, No. 337), further providing investigations, audits or reviews of certain charitable organizations and changing registration procedures.

On the question,

Will the House agree to the bill on third consideration?

Mr. PHILLIPS offered the following amendment No. A3364:

Amend Sec. 3 (Sec. 4), page 9, line 18, by striking out "or" where it appears the first time and inserting  
and

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

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

Mr. PHILLIPS. Mr. Speaker, this is just a technical amendment which changes page 9, line 18, by striking out "or" where it appears the first time and inserting "and".

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

The following roll call was recorded:

## YEAS—190

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

## NAYS—1

Miscevich

## NOT VOTING—7

Emerson	Gray	Petrarca	Williams, J. D.
Evans	Mullen	White	

## EXCUSED—5

Clark	Morris	O'Donnell	Rappaport
Hutchinson, W.			

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

(Members proceeded to vote.)

The SPEAKER. For what purpose does the gentleman from Beaver, Mr. Laughlin, rise?

Mr. LAUGHLIN. Mr. Speaker, would you kindly give me an opportunity to offer an amendment and hold this bill over for today?

Mr. Speaker, if you wish, I have the amendment here.

The SPEAKER. There is nothing in order now but the taking of the vote.

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—188

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

Daikeler	Kanuck	Pistella	Weston
Davies	Kennedy	Pott	Wiggins
Dawida	Klingaman	Pratt	Wilson
Deal	Kolter	Pucciarelli	Wogan
Dietz	Kowalyshyn	Punt	Wright, D. R.
Dininni	Kukovich	Rasco	Wright, J. L.
Dombrowski	Lashinger	Reber	Wright, R. C.
Donatucci	Laughlin	Richardson	Zwinkl
Dorr	Lehr	Rieger	
Duffy	Lescovitz	Ritter	Ryan,
Durham	Letterman	Rocks	Speaker
Evans	Levi		

## NAYS—3

Cohen	Miscevich	Wozniak
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## NOT VOTING—7

Emerson	Mullen	White	Williams, J. D.
Gray	Pitts	Williams, H.	

## EXCUSED—5

Clark	Morris	O'Donnell	Rappaport
Hutchinson, W.			

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 554, PN 581**, entitled:

An Act establishing fees to be charged by the Register of Wills of Philadelphia 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	Fargo	Lewis	Salvatore
Anderson	Fee	Livengood	Saurman
Armstrong	Fischer	Lloyd	Serafini
Arty	Fleck	Lucyk	Seventy
Barber	Foster, W. W.	McCall	Showers
Belardi	Foster, Jr., A.	McClatchy	Shupnik
Belfanti	Frazier	McIntyre	Sieminski
Beloff	Freind	McMonagle	Sirianni
Berson	Fryer	McVerry	Smith, B.
Bittle	Gallagher	Mackowski	Smith, E. H.
Blaum	Gallen	Madigan	Smith, L. E.
Borski	Gamble	Maiale	Snyder
Bowser	Gannon	Manmiller	Spencer
Boyes	Geist	Marmion	Spitz
Brandt	George	Merry	Stairs
Brown	Gladeck	Michlovic	Steighner
Burd	Grabowski	Micozzie	Stevens
Burns	Greenfield	Miller	Stewart
Caltagirone	Greenwood	Miscevich	Struban
Cappabianca	Grieco	Moehlmann	Swaim
Cawley	Gruitza	Mowery	Sweet
Cessar	Gruppo	Mrkonie	Swift
Cimini	Hagarty	Murphy	Taddonio
Civera	Haluska	Nahill	Taylor, E. Z.
Clymer	Harper	Noye	Taylor, F. E.

Cochran	Hasay	Olasz	Telek
Cohen	Hayes	Oliver	Tigue
Colafella	Heiser	Pendleton	Trello
Cole	Hoeffel	Perzel	Van Horne
Cordisco	Honaman	Peterson	Vroon
Cornell	Horgos	Petrarca	Wachob
Coslett	Hutchinson, A.	Petrone	Wambach
Cowell	Itkin	Phillips	Wargo
Cunningham	Jackson	Piccola	Wass
DeMedio	Johnson	Pievsky	Wenger
DeVerter	Kanuck	Pistella	Weston
DeWeese	Kennedy	Pitts	Wiggins
Daikeler	Klingaman	Pott	Williams, H.
Davies	Kolter	Pratt	Wilson
Dawida	Kowalyshyn	Pucciarelli	Wogan
Deal	Kukovich	Punt	Wozniak
Dietz	Lashinger	Rasco	Wright, D. R.
Dininni	Laughlin	Reber	Wright, J. L.
Dombrowski	Lehr	Richardson	Wright, R. C.
Donatucci	Lescovitz	Rieger	Zwinkl
Dorr	Letterman	Ritter	
Duffy	Levi	Rocks	Ryan,
Durham	Levin	Rybak	Speaker
Evans			

## NAYS—0

## NOT VOTING—7

Emerson	Irvis	Mullen	Williams, J. D.
Gray	Manderino	White	

## EXCUSED—5

Clark	Morris	O'Donnell	Rappaport
Hutchinson, W.			

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

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

## REQUEST FOR RECESS

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Thank you, Mr. Speaker.

I suggest that we recess the House at this time for the purpose of taking lunch, and return to voting session commencing at 1:30 p.m. Thank you.

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

Mr. RICHARDSON. I would like to yield, Mr. Speaker, to Representative Marvin Miller, the chairman of the Urban Affairs Committee, for a brief announcement.

## URBAN AFFAIRS COMMITTEE MEETING

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

Mr. MILLER. Mr. Speaker, I rise to announce the continuation of the House Urban Affairs Committee meeting to be held immediately in the annex to the main Capitol room in back of the floor. Thank you.

### BUSINESS AND COMMERCE COMMITTEE MEETING

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

Mr. L. E. SMITH. I want to alert the members of the Business and Commerce Committee that our meeting from Monday will be continued at the lunch break in room 401. There is a good possibility that we are going to further consider HB 1889, and I would urge the members to be there. Lunch will be served.

### REQUEST TO HOLD BILL

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

Mr. LAUGHLIN. Mr. Speaker, would you be kind enough to hold HB 704 on the table and not sign it and send it out so that I can make a request for appropriate reconsideration of that passage?

Another Representative has told me that he also has an amendment from the other side of the aisle and would like to offer it also.

The SPEAKER. Is it the understanding that the gentleman is going to submit a reconsideration motion?

Mr. LAUGHLIN. Yes, Mr. Speaker.

The SPEAKER. That will be in order when we come back from the luncheon recess.

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

**HB 31, PN 32** By Rep. SPENCER

A Joint Resolution proposing an amendment to the Constitution of Pennsylvania, changing the terms of members of the General Assembly.

JUDICIARY.

**HB 752, PN 2351 (Amended)**

By Rep. SPENCER

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, extending direct criminal contempt of court powers to district justices.

JUDICIARY.

**HB 758, PN 2352 (Amended)**

By Rep. SPENCER

An Act amending Title 18 (Crimes and Offenses), of the Pennsylvania Consolidated Statutes, making it illegal to destroy a vehicle by fire or explosion; defining "another person" and providing a defense.

JUDICIARY.

**SB 496, PN 503** By Rep. SPENCER

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, permitting the use of suppressed voluntary admissions or confessions to impeach a defendant's credibility.

### JUDICIARY.

**SB 795, PN 843**

By Rep. SPENCER

An Act amending the act of November 22, 1978 (P. L. 1166, No. 274), entitled "Pennsylvania Commission on Crime and Delinquency Law," revising the membership, quorum, powers and duties of the commission, further providing for advisory committees, further providing for the termination of the commission and making a repeal.

### JUDICIARY.

**SB 921, PN 1032**

By Rep. SPENCER

An Act providing for the recording of certain affidavits affecting the title to real estate and for their admissibility into evidence.

### JUDICIARY.

### SENATE MESSAGE

#### HOUSE BILL CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 945, PN 2025**, with information that the Senate has passed the same without amendment.

### 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 780, PN 1228**.

### 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 781, PN 1229**.

### BILLS SIGNED BY SPEAKER

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

**HB 945, PN 2025**

An Act amending the act of May 31, 1933 (P. L. 1108, No. 272), entitled as amended, "An act providing for the appointment, promotion, reduction, removal and reinstatement of paid officers, firemen and employes of fire departments \*\*\*," extending the probationary period for appointments to fire departments.

**SB 780, PN 1228**

An Act amending the act of February 1, 1966 (1965 P. L. 1656, No. 581), entitled "The Borough Code," further providing for reductions in force.

**SB 781, PN 1229**

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), entitled "The Second Class Township Code," further providing for appointment of secretary and treasurer.

### RECESS

The SPEAKER. Without objection, this House will now 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.

### REMARKS ON VOTE

The SPEAKER. The Chair recognizes the lady from Montgomery, Mrs. Lewis.

Mrs. LEWIS. I was recorded in the negative on HB 942 and would like to be recorded in the affirmative.

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

Mrs. LEWIS. Thank you.

### MEMBERS' PRESENCE RECORDED

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

### CALENDAR RESUMED

### BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1423, PN 1626**, entitled:

An Act authorizing the Township of Springettsbury, York County, to convey a certain parcel of property acquired pursuant to the "Project 70 Land Acquisition and Borrowing Act" in exchange for a parcel to be used by the Township of Springettsbury for Project 70 purposes.

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—182

Alden	Fargo	Levin	Rieger
Anderson	Fee	Lewis	Ritter
Armstrong	Fischer	Livengood	Rocks
Arty	Fleck	Lloyd	Rybak
Barber	Foster, Jr., A.	Lucyk	Salvatore
Belfanti	Frazier	McCall	Saurman
Beloff	Freind	McClatchy	Seventy
Berson	Fryer	McIntyre	Shupnik
Bittle	Gallagher	McMonagle	Sieminski
Blaum	Gallen	McVerry	Sirianni

Borski	Gamble	Mackowski	Smith, B.
Bowser	Gannon	Madigan	Smith, E. H.
Boyes	Geist	Maiale	Snyder
Brandt	George	Manderino	Spencer
Brown	Gladeck	Manmiller	Spitz
Burd	Grabowski	Marmion	Stairs
Burns	Gray	Merry	Steighner
Caltagirone	Greenfield	Michlovic	Stevens
Cappabianca	Greenwood	Micozzie	Suban
Cawley	Grieco	Miller	Swaim
Cessar	Gruitza	Miscevich	Swift
Cimini	Gruppo	Moehlmann	Taddonio
Civera	Hagarty	Mowery	Taylor, E. Z.
Clymer	Haluska	Mrkonic	Taylor, F. E.
Cochran	Hasay	Mullen	Telek
Colafella	Hayes	Murphy	Tigue
Cole	Heiser	Noye	Trello
Cordisco	Hoeffel	Olasz	Van Horne
Cornell	Honaman	Oliver	Vroon
Coslett	Horgos	Pendleton	Wambach
Cowell	Hutchinson, A.	Perzel	Wargo
Cunningham	Irvs	Peterson	Wass
DeMedio	Itkin	Petrarca	Wenger
DeVerter	Jackson	Petrone	Weston
Daiker	Johnson	Phillips	Wiggins
Davies	Kanuck	Piccola	Williams, H.
Dawida	Kennedy	Pievsky	Wilson
Deal	Klingaman	Pistella	Wogan
Dietz	Kolter	Pitts	Wozniak
Dininni	Kowalshyn	Pott	Wright, D. R.
Dombrowski	Kukovich	Pratt	Wright, J. L.
Donatucci	Lashinger	Pucciarelli	Wright, R. C.
Dorr	Lehr	Punt	Zwikel
Duffy	Lescovitz	Rasco	
Durham	Letterman	Reber	Ryan,
Evans	Levi	Richardson	Speaker

### NAYS—0

### NOT VOTING—16

Belardi	Foster, W. W.	Serafini	Sweet
Cohen	Harper	Showers	Wachob
DeWeese	Laughlin	Smith, L. E.	White
Emerson	Nahill	Stewart	Williams, J. D.

### EXCUSED—5

Clark	Morris	O'Donnell	Rappaport
Hutchinson, W.			

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.

### MEMBER'S PRESENCE RECORDED

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

### BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **SB 608, PN 1230**, entitled:

An Act amending the act of May 17, 1921 (P. L. 682, No. 284), entitled "The Insurance Company Law of 1921," allowing policyholders at least ten days in which to examine certain contracts before being bound thereby and requiring a certain notice be a part thereof.

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

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

The question is, shall the bill pass finally?

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

#### YEAS—190

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

#### NAYS—0

#### NOT VOTING—8

Cohen	Harper	Lewis	Williams, H.
DeWeese	Letterman	White	Williams, J. D.

#### EXCUSED—5

Clark	Morris	O'Donnell	Rappaport
Hutchinson, W.			

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.

#### WELCOME

The SPEAKER. The Chair is pleased to welcome to the hall of the House today Mr. John Bossett of the Robert Morris College, here today as the guest of Representatives Pott and Colafella.

#### BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 930, PN 1208**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

#### BILL PASSED OVER TEMPORARILY

The SPEAKER. Without objection, HB 930, PN 1208, will be temporarily passed over. The Chair hears no objection.

#### REMARKS ON VOTES

The SPEAKER. Does the lady from Philadelphia, Mrs. Harper, desire recognition?

Mrs. HARPER. Yes. Thank you, Mr. Speaker.

Mr. Speaker, I was out of my seat on HB 1423 and SB 608. Had I been in my seat, I would have voted in the positive. 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 **HB 1135, PN 1764**, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), further providing for package or case quantity of containers of malt or brewed beverages.

On the question,

Will the House agree to the bill on third consideration?

Mr. CALTAGIRONE offered the following amendments No. A3324:

Amend Title, page 1, line 18, by removing the period after "beverages" and inserting

providing for certain licensees to conduct games of chance utilizing punchboards, 50-50 raffles and strip sheets.

Amend Bill, page 7, by inserting between lines 6 and 7

Section 3. The act is amended by adding a section to read:

Section 472.4. Permits for Punchboards, 50-50 Raffles and Strip Sheets.—(a) As used in this section:

(1) "Game of chance" shall mean a game that utilizes the sale of chances which are punched out of a punchboard to award prizes of money or other valuable things or 50-50 raffles and strip sheets.

(2) "Licensee" shall mean any person, corporation, organization, association or other entity holding a license pursuant to section 404 or section 432.

(b) Every licensee to which a permit has been issued under the provisions of this section may conduct games of chance for the purpose of raising funds for the legitimate purposes and activities of the licensee.

(c) There shall be a maximum limit on any individual prize or winning offered or provided by a licensee under this section of one hundred dollars (\$100).

(d) The board shall have the duty to:

(1) provide for permits to hold, operate and conduct games of chance;

(2) prescribe the form of applications for permits and for the permits;

(3) issue permits authorizing the holding of games of chance;

(4) prescribe rules and regulations for the supervision, conduct and type of games of chance;

(5) suspend and revoke permits for violations of this section or the rules and regulations thereunder;

(6) hold hearings on request in cases of refusal of a permit; and

(7) prescribe such other rules and regulations as may be necessary to carry out the provisions of this section.

(e) Permits to conduct games of chance shall be issued to licensees in any calendar year and the fee therefor shall be one hundred dollars (\$100).

(f) Permits shall be renewable each calendar year unless revoked under the provisions of this section.

(g) The board shall not issue a permit to and shall revoke the license of any licensee.

(1) compensation, salary or fees are paid to anyone for setting up or conducting the games of chance;

(2) any of the funds derived from the operation of games of chance are used for any purpose other than for the legitimate purposes and activities of the licensee; or

(3) any provision of this section has been violated.

(h) Notwithstanding the provisions of any other law of the Commonwealth or ordinance or resolution of any political subdivision thereof, such gaming shall not constitute any crime or public nuisance.

(i) The permittee shall keep such records and books as the board shall prescribe.

(j) The permittee shall submit an annual report to the board containing such information as it shall prescribe.

(k) Whoever conducts games of chance without a license as provided in this section shall, upon conviction in a summary proceeding, be sentenced to pay a fine of one thousand dollars (\$1,000) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not less than thirty (30) nor more than one hundred twenty (120) days.

(l) Whoever sells or causes to be sold any game of chance to any person under the age of twenty-one years shall, upon conviction in a summary proceeding, be sentenced to pay a fine of one thousand dollars (\$1,000) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not less than thirty (30) nor more than one hundred twenty (120) days.

Amend Sec. 3, page 7, line 7, by striking out "3" and inserting

On the question,

Will the House agree to the amendments?

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

Mr. CALTAGIRONE. Mr. Speaker, this amendment would legalize the operation of punchboards, 50-50's, and strip sheets for all licensees licensed by the LCB (Liquor Control Board). The severity of Pennsylvania's fiscal crisis cries out for help. Taxation is not the answer. Today Pennsylvania has legalized bingo, horse racing, lottery, and the daily number. As a matter of fact, the daily number takes in approximately \$6 million a week. Why legalize punchboards, 50-50's, or raffles? It means money and it means jobs for Pennsylvania, and it also means that you can thwart organized crime and nudge people into an illegal activity and make it legal and earn some of that money for the State.

This is an unenforceable crime. Those of you who belong to clubs or taverns that sponsor different activities worthwhile in your community, such as Little League football teams, baseball teams, even, I daresay, at political rallies—

We waste an awful lot of manpower, and for a point of information, we have 225 liquor agents to police 21,000 liquor establishments in this State. Policing this type of gambling is almost a waste of time and money.

As I indicated earlier, there is not a political rally that probably does not take place in some county in this State that does not utilize some type of gambling activity that I mention in this amendment. At the present time, that is illegal. You can be cited and fined through the LCB laws for that in any of these establishments.

If we take all of the negatives and turn them into positives, the Federal, the State, the local cuts that are affecting everyone, this is one method to raise the funds that are needed for the State, because these boards and these other games of chance will be sold and licensed by the LCB.

I do have a letter that I would like to read from the Pennsylvania Tavern Association.

It is our understanding that you will offer an amendment to H.B. 1135. We would like to make the following comments:

This amendment will allow taverns and clubs to conduct a restricted form of gambling. Punchboards, 50-50 raffles and strip sheets will be permitted provided that the licensees adhere to the rules and regulations that will be set down by the LCB. A yearly permit of \$100.00 must be issued by the Board.

In Pennsylvania today, all kinds of illegal gaming devices are being utilized by some licensed and unlicensed places. A real problem exists because there is selective enforcement and this puts the legitimate licensed club and taverns under unfair competition. Moreover, the overlicensing of clubs and bars in many communities has rendered normal competition useless and some licensees (clubs and taverns) are constantly using illegal gimmicks to make a buck. In addition, it is very likely that all monies made on the gambling devices yield no revenue for specific charities or Pa.

We therefore ask that you and your fellow members approve this limited type of gambling so that everyone is operating under the same set of rules and thus put an end to selective enforcement.

Sincerely,  
Max A. McCombs  
President

I also have a fiscal note which had indicated in the second paragraph that "It is anticipated that the revenue from the licenses should cover any additional costs that would be attributable to enforce this amendment. Existing personnel could probably handle the additional enforcement."

I would hope that you would consider this amendment seriously and vote in the affirmative. Thank you.

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

Mr. BELFANTI. Mr. Speaker, I rise in full support of this amendment.

Last month in Northumberland County, the Pennsylvania State Police raided 19 volunteer fire companies, VFW's, and American Legions for minor gambling devices, which occurs in every single volunteer fire company and every single service club and other fraternal organization in not only Northumberland County but in probably every single county in this Commonwealth.

I feel that it is a disservice to have this law on the books. These games of chance do not hurt anyone. They are strictly voluntary. If you do not want to play them, you are not forced to, and it is a waste of the taxpayers' money to have the Pennsylvania State Police and the Liquor Control Board wasting their time on such petty nonsense as punchboards.

I urge my colleagues to vote in favor of this amendment.

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

Mr. STEVENS. May I interrogate the sponsor briefly?

The SPEAKER. The gentleman, Mr. Caltagirone, agrees to be interrogated. The gentleman, Mr. Stevens, may proceed.

Mr. STEVENS. I was unable to hear if this did apply to taverns, and I wanted to know if this would also apply to taverns.

Mr. CALTAGIRONE. Yes.

Mr. STEVENS. Okay. Thank you.

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

Mr. VROON. Mr. Speaker, this is obviously another gambling bill. That is a very clever observation, is it not?

In keeping with the tradition of the State, I would say this is another one of those attempts to loosen up the whole area of gambling, and if we continue to consider and to approve these little, innocent gambling devices, it will not be long before we will be approving casino gambling in the Poconos to match casino gambling in Atlantic City.

Needless to say, I think gambling is something which the people of Pennsylvania have let us all know is undesirable. I judge from past performances and from past votes that have been made on this type of bill that this, too, is an undesirable feature of gambling which we do not want to get started in, and I would therefore appreciate very much all of you cooperating and again voting down this attempt to start some more gambling in our State. Thank you.

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

Mr. LEHR. Mr. Speaker, I hate to oppose this amendment of my good colleague, Mr. Caltagirone, but I think if this amendment were to pass, allowing gambling in all of our taverns—there are 17,000 taverns, approximately, in Pennsylvania—then the man on the way home from work with his paycheck could stop in these taverns and gamble half of his money away, therefore affecting his whole family. So I definitely do oppose this amendment.

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

Mr. PERZEL. Mr. Speaker, I would like to oppose the amendment on the basis that this type of amendment would directly affect the Pennsylvania lottery system for the senior citizens as we have it today, and that revenue, as we all know, goes to our senior citizens, and I would not want to see anything take any of the money away from the Lottery Commission. So, therefore, I oppose the amendment.

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

Mr. PETRONE. Thank you, Mr. Speaker.

I rise in support of the Caltagirone amendment. I think it is time that we become realistic about our way of life and quit trying to hide our eyes about the way the world is.

The gentleman who referred to the man on the way home from work spending his money neglects to realize that the same man spends his money on the lottery, the racetrack, and many other games of chance in this Commonwealth of Pennsylvania. So I think this would only legalize and make honest what is already going on and relieve a tremendous burden of the Liquor Control Board of trying to enforce these situations. It would also generate a great deal of funds, and we all know we are looking for ways to do that. So I would appreciate an honest commitment from my colleagues on this amendment. Thank you, Mr. Speaker.

## WELCOMES

The SPEAKER. The Chair is pleased to welcome to the hall of the House today Nan Walters of South Hills, Allegheny County, here today as the guest of Representative Frazier.

The Chair is pleased to welcome to the hall of the House today as the guests of the Representatives from Butler and Beaver Counties, Jean Majors, Buck Majors, Ron Rape, and Bev Rape.

## CONSIDERATION OF HB 1135 CONTINUED

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

Mr. PETERSON. Thank you, Mr. Speaker.

I rise to oppose the Caltagirone amendment. Recently I was reviewing a study that was done in one of the national periodicals on who gambles. It is not the rich; it is not the middle class. There are exceptions, but it is basically the poor hoping to change their lot, hoping to change their luck. Many people who have studied gambling and who gambles and what effect



it has consider it one of the cruelest taxes on the poor that we can impose. When we have 17,000 licensees out there that we are going to say can start gambling games, I think that would be a drastic mistake and I think would be a tax on the poor. I do not think we should be supporting a tax on the poor, and that is what it really will amount to be. I urge you to defeat the Caltagirone amendment.

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

Mr. SAURMAN. Thank you, Mr. Speaker.

I rise, too, to oppose this amendment. In listening to the debate in favor of the amendment, it would seem to me that we can effect a tremendous economic reform in the Commonwealth of Pennsylvania. All of those activities which now are unlawful, simply legalize them and we can do away with our enforcement agencies. Thank you.

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

Mr. CALTAGIRONE. Thank you.

Mr. Speaker, just to point one thing out, if you members did take the time to look at the State legislature's September issue of legalized gambling, our director of State lotteries, Lynn Nelson, made a statement which I would like to read to you. According to Nelson, Pennsylvania's lottery customers are largely middle income, \$10,000 to \$25,000 a year, and middle aged, 34 to 55 years old. Thank you.

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

Mr. DEAL. Mr. Speaker, I rise in opposition to the amendment. I am disturbed at society when people talk about legislating wrong because it is a way of life. I believe in this world stream of mediocrity, there ought to be someplace and somebody, some institution that stands up and says, this is the right way to go.

I would not attempt to attack selling alcoholic beverages. I think there are enough problems in taprooms now, but to compound it with gambling where people in many instances are drinking so much that they cannot even drive home, you are now having them sit in taprooms, and when they get somewhat intoxicated, they almost become victims of some of the establishments. I can well understand that there are firehouses and there are some other institutions that you would like to see this bill pass for their protection, but we are talking about these places that dispense alcoholic beverages. I tend to believe here in Pennsylvania that our people will not support that kind of legislation, though some of us as individuals may have our own personal feelings about them. I would hope that we defeat the amendment for the protection of those who may not be able to protect themselves when they already are under the influence of alcoholic beverages on many of the premises in our area.

I think it is a misnomer to say that we are to legalize something that is wrong so that we will not have to tax our law enforcement agencies. That is what the agencies are for. Many persons who drive automobiles certainly would like to drive faster than 50 miles an hour since that is the way of life. We have been driving 70, 75 and over. Then now, if we follow the

same reasoning as some of the arguments, we would just take all of our police officers off the highways and send them to do some other things. I think that is a poor argument. I think that we here in the legislature ought to help those who cannot help themselves by voting this amendment down.

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

Mr. BELFANTI. Mr. Speaker, in deference to the remarks by the previous speaker, I just wish to remind my colleagues here that the 19 volunteer fire companies and service clubs could have been in any one of our districts. The bartenders who were on duty—now get this, they were employees of the club and only on duty at the wrong time and the wrong place—are all facing criminal charges because there happened to be a punchboard or a sign-in pool on the premises. I do not feel that the law is meant to be this restrictive, and I am not apologizing or asking that the members here vote in favor of the amendment to right a wrong. I personally do not feel that punchboards are wrong. We are not talking about multiple-coin gambling devices where someone can drop their entire paycheck on a Friday. We are talking about nickel and dime and quarter items. And once again, they are all voluntary. I urge a positive vote on this amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

#### YEAS—41

Belardi	Grabowski	Michlovic	Reber
Belfanti	Gruitza	Miscevich	Serafini
Beloff	Hasay	Moehlmann	Seventy
Blaum	Kanuck	Murphy	Steighner
Caltagirone	Kukovich	Nahill	Stevens
Cappabianca	Lashinger	Petrone	Stewart
Cawley	Letterman	Pistella	Swaim
Dawida	Levin	Pott	Tigue
Dombrowski	McCall	Pratt	Van Horne
Donatucci	McMonagle	Pucciarelli	Williams, H.
Duffy			

#### NAYS—155

Alden	Fee	Lescovitz	Salvatore
Anderson	Fischer	Levi	Saurman
Armstrong	Fleck	Lewis	Showers
Arty	Foster, W. W.	Livengood	Shupnik
Barber	Foster, Jr., A.	Lloyd	Sieminski
Berson	Frazier	Lucyk	Sirianni
Bittle	Freind	McClatchy	Smith, B.
Borski	Fryer	McIntyre	Smith, E. H.
Bowser	Gallagher	McVerry	Smith, L. E.
Boyes	Gallen	Mackowski	Snyder
Brandt	Gamble	Madigan	Spencer
Brown	Gannon	Maiale	Spitz
Burd	Geist	Manderino	Stairs
Burns	George	Manmiller	Stuban
Cessar	Gladeck	Marmion	Sweet
Cimini	Gray	Merry	Swift
Civera	Greenfield	Micozzie	Taddonio
Clymer	Greenwood	Miller	Taylor, E. Z.
Cochran	Grieco	Mowery	Taylor, F. E.
Cohen	Gruppo	Mrkonc	Telek
Colafella	Hagarty	Mullen	Trello
Cole	Haluska	Noye	Vroon
Cordisco	Harper	Olasz	Wachob
Cornell	Hayes	Oliver	Wambach
Coslett	Heiser	Pendleton	Wargo
Cowell	Hoeffel	Perzel	Wass
Cunningham	Honaman	Peterson	Wenger

DeMedio	Horgos	Petrarca	Weston
DeVerter	Hutchinson, A.	Phillips	Wiggins
DeWeese	Irviss	Piccola	Wilson
Daikeler	Itkin	Pievsky	Wogan
Davies	Jackson	Pitts	Wozniak
Deal	Johnson	Punt	Wright, D. R.
Dietz	Kennedy	Rasco	Wright, J. L.
Diminni	Klingaman	Richardson	Wright, R. C.
Dorr	Kolter	Rieger	Zwinkl
Durham	Kowalyszyn	Ritter	
Emerson	Laughlin	Rocks	Ryan,
Evans	Lehr	Rybak	Speaker
Fargo			

## NOT VOTING—2

White Williams, J. D.

## EXCUSED—5

Clark Morris O'Donnell Rappaport  
Hutchinson, W.

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

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. RITTER offered the following amendments No. A3066:

Amend Sec. 1 (Sec. 431), page 2, line 10, by inserting brackets before and after "twenty-four" and inserting immediately thereafter

twelve

Amend Sec. 1 (Sec. 431), page 2, lines 11 and 12, by striking out "or a case of twenty containers, each container holding sixteen fluid ounces"

Amend Sec. 1 (Sec. 431), page 2, line 12, by inserting a bracket before "or" where it appears the last time

Amend Sec. 1 (Sec. 431), page 2, line 14, by inserting a bracket after "more,"

Amend Sec. 1 (Sec. 431), page 3, line 23, by inserting brackets before and after "twenty-four" and inserting immediately thereafter

twelve

Amend Sec. 1 (Sec. 431), page 3, lines 24 and 25, by striking out "or twenty" in line 24 and all of line 25

Amend Sec. 1 (Sec. 431), page 3, line 26, by inserting a bracket before "or"

Amend Sec. 1 (Sec. 431), page 3, line 27, by inserting a bracket after "more,"

Amend Sec. 2 (Sec. 440), page 6, line 11, by inserting brackets before and after "twenty-four" and inserting immediately thereafter

twelve

Amend Sec. 2 (Sec. 440), page 6, lines 13 and 14 by striking out all of line 13 and "fluid ounces" in line 14

Amend Sec. 2 (Sec. 440), page 6, line 14, by inserting a bracket before "or" where it appears the last time

Amend Sec. 2 (Sec. 440), page 6, line 15, by inserting a bracket after "more,"

Amend Sec. 2 (Sec. 441), page 6, line 26, by inserting brackets before and after "twenty-four" and inserting immediately thereafter

twelve

Amend Sec. 2 (Sec. 441), page 6, lines 27 and 28, by striking out "or a case of twenty containers, each container holding sixteen fluid ounces"

Amend Sec. 2 (Sec. 441), page 6, line 28, by inserting a bracket before "or"

Amend Sec. 2 (Sec. 441), page 6, line 30, by inserting a bracket after "more,"

On the question,

Will the House agree to the amendments?

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

Mr. RITTER. Thank you, Mr. Speaker.

While I believe it is an agreed-to amendment, I will try to explain briefly the purpose of the amendment. Every time we have a special bottle or a special container to be sold in this Commonwealth, we have to change the liquor law in order to do that. That is the purpose of the bill in the first instance, that there is a brewery that produces a 16-ounce bottle and has only 20 bottles in the case. What my amendment seeks to do is remove the necessity for changing the law every time a brewery, whether it be a foreign brewery or a domestic brewery, has a special container or a special number of bottles in the container. It will simply say that as long as the carton has at least 12 containers or more and each container has at least 7 ounces or more, it can be sold in this Commonwealth.

Mr. Speaker, I think, as I said, it eliminates the necessity for changing the law. It removes the problem that we have with foreign beers that are on the metric system where the container is a little less than 12 ounces. Some beer distributors have been arrested because the containers did not have 12 fluid ounces and those kinds of things. I think this amendment will correct that. It will make Pennsylvania be in step with just about all of our sister States, and I would ask support for the amendment, Mr. Speaker.

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

Mr. LEHR. Mr. Speaker, I hate to oppose this amendment of my good friend, Mr. Ritter, but he did not state that his amendment would allow a beer distributor to sell a half a case of beer, two packs of six, and I believe that this would hurt our taverns tremendously. Today the distributors sell the beer to the taverns. Now they are going to turn around and take half of that business by selling a half a case. And I believe, too, at this point, if we would do that, we should allow the taverns to sell cases of beer, so I am opposing the amendment. Thank you.

The SPEAKER. Does the gentleman from Lehigh, Mr. Ritter, desire recognition?

Mr. RITTER. Yes, Mr. Speaker.

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

Mr. RITTER. As I pointed out, in just about every other State in this country, you can go into a beer distributor or a package store—call it what you want—and you can buy what is known as a 12-pack case. Now, the people who go to the distributor to buy that 12-pack case are the same people who are reluctant to walk into a tavern to get two 6-packs to take home. They are people who probably do not drink that much beer, but they have some company coming over, and they want to have some beer because the company drinks it. This is not going to put the taverns out of business by any means. First of all, the distributors are not open at the hours that the taverns are. It is a matter of convenience, it is a matter of what every other State in this country allows, and I think it is

just bringing us into step and into line with all of the other States in terms of how we handle alcoholic beverages. But, Mr. Speaker, it does enable us to be able to handle other kinds of packages from other breweries without having to stand on the floor of this House or the Senate and change the law every time we want to do that.

I see nothing wrong with it. I think it is a good amendment, and I think it will benefit the industry in this Commonwealth. It will certainly benefit the beer distributors and the consuming public, and I again ask for support for the amendment.

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

Mr. HASAY. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to this amendment, and the reason I rise in opposition to this amendment is the fact of what effect this amendment will have on my small Mom and Pop taverns. I have a great deal of small Mom and Pop taverns in my district, the 117th. The majority of their business in Mom and Pop taverns is takeout sales. It is approximately 70 percent those businesses. The Mom and Pop businesses are 70 percent takeouts, which is the two six-packs takeout provision. Now, if you allow the beer distributors to sell by the six-pack, it will probably destroy the business that my small neighborhood Mom and Pop taverns have had over the years, and what keeps them in existence are the takeout packages.

That is why I rise in opposition to this amendment, and I ask my colleagues on both sides of the aisle to vote "no" on this for the destruction and harm it will do to the Mom and Pop taverns. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

#### YEAS—34

Berson	Hoeffel	Pott	Swaim
Colafella	Kukovich	Pratt	Sweet
DeWeese	Laughlin	Ritter	Tigue
Dawida	Lescovitz	Salvatore	Van Horne
Duffy	Letterman	Seventy	Wachob
Foster, Jr., A.	Lloyd	Showers	Wozniak
Gamble	Maiale	Steighner	Wright, D. R.
Grabowski	Mullen	Stewart	Zwikel
Haluska	Pendleton		

#### NAYS—160

Alden	Durham	Levi	Reber
Anderson	Emerson	Levin	Richardson
Armstrong	Evans	Lewis	Rieger
Arty	Fargo	Livengood	Rocks
Barber	Fee	Lucyk	Rybak
Belardi	Fischer	McCall	Saurman
Belfanti	Fleck	McClatchy	Serafini
Beloff	Foster, W. W.	McIntyre	Shupnik
Bittle	Frazier	McMonagle	Sieniński
Blaum	Freind	McVerry	Sirianni
Borski	Fryer	Mackowski	Smith, B.
Bowser	Gallagher	Madigan	Smith, E. H.
Boyes	Gallen	Manderino	Smith, L. E.
Brandt	Gannon	Manmiller	Snyder
Brown	Geist	Marnion	Spencer
Burd	George	Merry	Spitz
Burns	Gladeck	Michlovic	Stairs
Caltagirone	Gray	Micozie	Stevens
Cappabianca	Greenfield	Miller	Stuban

Cawley	Greenwood	Miscevich	Swift
Cessar	Grieco	Moehlmann	Taddonio
Cimini	Gruitza	Mowery	Taylor, E. Z.
Civera	Gruppo	Mrkoncic	Taylor, F. E.
Clymer	Hagarty	Murphy	Telek
Cochran	Harper	Nahill	Trello
Cohen	Hasay	Noye	Vroom
Cole	Hayes	Olasz	Wambach
Cordisco	Heiser	Oliver	Wargo
Cornell	Honaman	Perzel	Wass
Coslett	Horgos	Peterson	Wenger
Cowell	Hutchinson, A.	Petrarca	Weston
Cunningham	Irvis	Petrone	Wiggins
DeMedio	Itkin	Phillips	Williams, H.
DeVerter	Johnson	Piccola	Wilson
Daikeler	Kanuck	Pievsky	Wogan
Davies	Kennedy	Pistella	Wright, J. L.
Deal	Klingaman	Pitts	Wright, R. C.
Dietz	Kolter	Pucciarelli	
Diminni	Kowalyszyn	Punt	Ryan,
Dombrowski	Lashingner	Rasco	Speaker
Dorr	Lehr		

#### NOT VOTING—4

Donatucci	Jackson	White	Williams, J. D.
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#### EXCUSED—5

Clark	Morris	O'Donnell	Rappaport
Hutchinson, W.			

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

On the question recurring,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

The Chair recognizes the gentleman from Berks, Mr. Fryer.

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

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

Mr. FRYER. Mr. Speaker, would the gentleman state to the members of the House the purpose behind this bill?

Mr. PERZEL. Grolsch beer, which is made in Holland, has a case consisting of twenty 16-ounce bottles with a porcelain top. Because of the weight of the bottles, they only make a 20-bottle case. Currently it is not sold in Pennsylvania. It is sold in New Jersey, Maryland, New York, all the surrounding States. Many of the taprooms in my neighborhood quite illegally go across the river and buy the beer in New Jersey and sell it here in Pennsylvania, so my attempt is to make it legal to buy this beer in the Commonwealth of Pennsylvania.

Mr. FRYER. Then, Mr. Speaker, one of the purposes that the bill would serve would be to accommodate a foreign brewer, namely from Holland. Am I correct in that statement?

Mr. PERZEL. I would imagine that it would in part be helping a foreign brewer. But as I am sure you understand, as I understand, certain percentages of the beer market go to foreign imports; certain percentages go to domestics. I do not believe we are going to be having a million-case-a-year flow into Pennsylvania. It will be a few thousand cases.

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

The SPEAKER. Does the gentleman, Mr. Fryer, desire recognition on the bill?

Mr. FRYER. Yes, Mr. Speaker.

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

Mr. FRYER. Mr. Speaker, what we have before us is a bill basically to accommodate a brewer from Europe, namely Holland. This brewer puts out a package and then the laws of the Commonwealth of Pennsylvania conflict, so then this bill passes through the legislature and becomes law. Now, Mr. Speaker, I cannot help but think that if an American brewer ran in conflict with the laws in Holland, do you suppose that that nation would pass legislation which would basically benefit an American brewer? Oh, are we not accommodating. Mr. Speaker, if we keep that in mind, consider the fact that as you add packages, what you have before you then is a situation in which you have basically a new package, and then the competition would dictate that this would produce similar packages by American brewers to meet this challenge. Now what this does, while granting a possible convenience to the consumer, is add costs for that brewer, so that in fact then would add to the cost of that brewer's product on the market.

So, Mr. Speaker, it seems to me that for two of the reasons I have illustrated, it is my belief and opinion that this bill should be defeated. We, namely to accommodate a foreign brewer, have this legislation, and, two, we are producing competition with our American brewers, with our Pennsylvania brewers, which only will mean additional costs for our consumer, that beloved drinker of American beer. Thank you, Mr. Speaker.

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

Mr. LETTERMAN. Thank you, Mr. Speaker.

Mr. Speaker, I oppose this bill, and the reason I oppose it is it is another piecemeal piece of legislation.

I have been working for about 2 1/2 weeks now with the Liquor Control Board trying to eliminate all quantities on packaging for everybody. All they are is an entrapment to our people. We have a small tavern; it says in the book you cannot sell more than 144 ounces of beer to one person to take out. Well, a lot of the small tavern owners are not aware that that word "sell" means you cannot even sell the three packs and make him carry two packs out at a time. And then if he comes in and takes the other package out, you are still arrested because you sold more than 144 ounces at one time.

These are complete entrapment bills for our Liquor Control Board to go out and make fools of the people in our communities doing business, and I am working very hard toward a bill to eliminate the quantity of sales on everybody. There is no reason why I have to walk into a distributorship and say to them that I would like to have two six-packs of UC (Utica Club) and two six-packs of Pabst, and I cannot have it; I have to take full case lots. I think that is ridiculous, and there is just no reason why we should piecemeal this kind of legislation. We should work on it. The Liquor Control Committee should work on this and should come out with a bill to do it com-

pletely for the entire State, and I oppose the piecemeal piece of legislation before us today. Thank you.

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

Mr. LEHR. Mr. Speaker, to shed more light on this piece of legislation, this beer is being bootlegged into Pennsylvania now, and we are missing the taxes on those sales of beer. This particular beer has a fancy cap on it, the old-fashioned clip-type beer lid, and in some cases it could be a collector's item. We were told it is even sold at yard sales, and a guy can get maybe 50, 75 cents a bottle on the sale of the bottle. So you can use your own judgment, but that is what is happening today. It is being bootlegged; we are missing the taxes on that beer.

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

Mr. PERZEL. Mr. Speaker, I just want to clarify one or two things. First off, I put this bill in as an accommodation to the people in my legislative district, to the taverns in my district, and to the beer distributors in my district. If we were to say that by not importing this we are going to stop import sales, it is a little bit ridiculous. If we want to, we should stop all the imports from coming in. But I believe to just exclude this one is not fair, and that is why the bill is in. I would appreciate a "yes" vote.

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

Mr. DAVIES. Mr. Speaker, would Mr. Fryer stand for just one short question of interrogation?

The SPEAKER. The gentleman, Mr. Fryer, indicates that he will stand for interrogation. The gentleman, Mr. Davies, may begin.

Mr. DAVIES. Mr. Speaker, would it be proper to paraphrase your former attempt relative to the old Dutch story about the boy who put his thumb in the dike and saved Holland? In your efforts, sir, are you endeavoring to place a thumb in our dike to prevent the U.S. from becoming flooded with Dutch beer? Thank you, Mr. Speaker.

Mr. FRYER. 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—103

Alden	Gannon	McVerry	Serafini
Anderson	Gladeck	Mackowski	Showers
Belardi	Gray	Madigan	Shupnik
Berson	Greenfield	Maiale	Sieminski
Bittle	Greenwood	Marmion	Smith, B.
Borski	Gruitza	Merry	Snyder
Bowser	Gruppo	Michlovic	Spencer
Boyes	Hagarty	Micozzie	Spitz
Brandt	Hasay	Moehlmann	Stairs
Burd	Hayes	Mowery	Swaim
Burns	Heiser	Murphy	Sweet
Cawley	Hoeffel	Nahill	Swift
Cessar	Honaman	Perzel	Taddonio
Civera	Hutchinson, A.	Phillips	Taylor, E. Z.
Cole	Itkin	Piccola	Telek
Cornell	Jackson	Pievsky	Van Horne
Coslett	Kanuck	Pott	Wargo
Daikeler	Kennedy	Pratt	Weston

Dawida	Klingaman	Pucciarelli	Wilson
Dinihi	Kukovich	Punt	Wogan
Donatucci	Lashinger	Rasco	Wright, D. R.
Dorr	Lehr	Reber	Wright, J. L.
Durham	McCall	Rieger	Wright, R. C.
Fleck	McClatchy	Ritter	
Foster, Jr., A.	McIntyre	Rocks	Ryan,
Frazier	McMonagle	Salvatore	Speaker
Gallen			

## NAYS—91

Armstrong	Duffy	Lescovitz	Richardson
Arty	Emerson	Letterman	Rybak
Barber	Evans	Levi	Saurman
Belfanti	Fargo	Levin	Seventy
Beloff	Fee	Lewis	Smith, E. H.
Blaum	Fischer	Livengood	Smith, L. E.
Brown	Foster, W. W.	Lloyd	Steighner
Caltagirone	Freind	Lucyk	Stevens
Cappabianca	Fryer	Manderino	Stewart
Cimini	Gallagher	Manmiller	Stuban
Clymer	Gamble	Miller	Taylor, F. E.
Cohen	Geist	Miscevich	Tigue
Colaella	George	Mrkonc	Trello
Cordisco	Grabowski	Mullen	Vroon
Cowell	Grieco	Noye	Wachob
Cunningham	Haluska	Olasz	Wambach
DeMedio	Harper	Oliver	Wass
DeVerter	Horgos	Pendleton	Wenger
DeWeese	Irviss	Peterson	Wiggins
Davies	Johnson	Petrarca	Williams, H.
Deal	Kolter	Petrone	Wozniak
Dietz	Kowalshyn	Pistella	Zwinkl
Dombrowski	Laughlin	Pitts	

## NOT VOTING—4

Cochran	Sirianni	White	Williams, J. D.
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## EXCUSED—5

Clark	Morris	O'Donnell	Rappaport
Hutchinson, W.			

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.

## WELCOME

The SPEAKER. The Chair is pleased to welcome to the hall of the House today Mr. John Peteraf of the Philadelphia Fire Department, here today as the guest of Representative Frances Weston.

### BILLS ON THIRD CONSIDERATION CONTINUED

## BILL PASSED OVER TEMPORARILY

The SPEAKER. The Chair returns to HB 930, PN 1208.

The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, it has become necessary for the amendment to be redrafted because the instructions given to Reference Bureau were not followed as the sponsor wanted, and we will have to hold the bill, HB 930, over temporarily, and I suggest we continue with the calendar.

The SPEAKER. Without objection, HB 930 will be passed over temporarily. The Chair hears no objection.

\* \* \*

The House proceeded to third consideration of **HB 1546, PN 1808**, entitled:

An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343, No. 176), further providing for the refund of moneys erroneously paid to agencies under the Governor's jurisdiction.

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

## NAYS—1

Gamble

## NOT VOTING—3

Gruitza

White

Williams, J. D.

## EXCUSED—5

Clark

Morris

O'Donnell

Rappaport

Hutchinson, W.

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 1429, PN 1879**, entitled:

An Act relating to noxious weeds; creating a Noxious Weed Control Committee and defining its powers and duties; imposing powers and duties on the Secretary of Agriculture and municipalities; providing penalties; and making a repeal.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

## YEAS—190

Alden	Emerson	Letterman	Rocks
Anderson	Evans	Levi	Rybak
Armstrong	Fargo	Levin	Salvatore
Arty	Fee	Lewis	Saurman
Barber	Fischer	Livengood	Serafini
Belardi	Fleck	Lloyd	Seventy
Belfanti	Foster, W. W.	Lucy	Showers
Beloff	Foster, Jr., A.	McCall	Shupnik
Berson	Frazier	McClatchy	Sieminski
Bittle	Freind	McIntyre	Sirianni
Blaum	Fryer	McMonagle	Smith, B.
Borski	Gallagher	McVerry	Smith, E. H.
Bowser	Gallen	Mackowski	Smith, L. E.
Boyes	Gamble	Manderino	Snyder
Brandt	Gannon	Manmiller	Spencer
Brown	Geist	Marmion	Spitz
Burd	George	Merry	Stairs
Burns	Gladeck	Michlovic	Steighner
Caltagirone	Grabowski	Micozzie	Stevens
Cappabianca	Gray	Miller	Stewart
Cawley	Greenfield	Miscevich	Stuban
Cessar	Greenwood	Moehlmann	Swaim
Cimini	Grieco	Mowery	Swift
Civera	Gruitza	Mrkonic	Taylor, E. Z.
Clymer	Gruppo	Mullen	Taylor, F. E.
Cochran	Hagarty	Murphy	Telek
Cohen	Haluska	Nahill	Tigue
Colafrilla	Harper	Noye	Trello
Cole	Hasay	Olasz	Van Horne
Cordisco	Hayes	Oliver	Vroon
Cornell	Heiser	Pendleton	Wachob
Coslett	Hoefel	Perzel	Wambach
Cowell	Honaman	Peterson	Wargo
Cunningham	Horgos	Petrarca	Wass
DeMedio	Irvic	Petrone	Wenger
DeVerter	Itkin	Phillips	Weston

DeWeese	Jackson	Piccola	Wiggins
Daikeler	Johnson	Pievsy	Williams, H.
Davies	Kanuck	Pistella	Wilson
Dawida	Kennedy	Pitts	Wogan
Deal	Klingaman	Pott	Wozniak
Dietz	Kolter	Pratt	Wright, D. R.
Dininni	Kowalshyn	Pucciarelli	Wright, J. L.
Dombrowski	Kukovich	Punt	Wright, R. C.
Donatucci	Lashinger	Rasco	Zwikl
Dorr	Laughlin	Reber	
Duffy	Lehr	Richardson	Ryan,
Durham	Lescovitz	Ritter	Speaker

## NAYS—2

Hutchinson, A. Taddonio

## NOT VOTING—6

Madigan  
MaialeRieger  
Sweet

White

Williams, J. D.

## EXCUSED—5

Clark  
Hutchinson, W.

Morris

O'Donnell

Rappaport

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 541, PN 568**, entitled:

An Act reenacting the act of July 22, 1969 (P. L. 176, No. 73), entitled "An act to validate certain proceedings for municipal improvements, \*\*\*.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

## YEAS—195

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

Clymer	Haluska	Murphy	Taylor, E. Z.
Cochran	Harper	Nahill	Taylor, F. E.
Cohen	Hasay	Noye	Telek
Colafella	Hayes	Olasz	Tigue
Cole	Heiser	Oliver	Trello
Cordisco	Hoeffel	Pendleton	Van Horne
Cornell	Honaman	Perzel	Vroon
Coslett	Horgos	Peterson	Wachob
Cowell	Hutchinson, A.	Petrarca	Wambach
Cunningham	Irvis	Petrone	Wargo
DeMedio	Itkin	Phillips	Wass
DeVerter	Jackson	Piccola	Wenger
DeWeese	Johnson	Pievsky	Weston
Daikeler	Kanuck	Pistella	Wiggins
Davies	Kennedy	Pitts	Williams, H.
Dawida	Klingaman	Pott	Wilson
Deal	Kolter	Pratt	Wogan
Dietz	Kowalyszyn	Pucciarelli	Wozniak
Dininni	Kukovich	Punt	Wright, D. R.
Dombrowski	Lashinger	Rasco	Wright, J. L.
Donatucci	Laughlin	Reber	Wright, R. C.
Dorr	Lehr	Richardson	Zwikel
Duffy	Lescovitz	Rieger	
Durham	Lettermann	Ritter	Ryan,
Emerson	Levi	Rocks	Speaker
Evans			

## NAYS—1

Marmion

## NOT VOTING—2

White Williams, J. D.

## EXCUSED—5

Clark	Morris	O'Donnell	Rappaport
Hutchinson, W.			

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

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

## REMARKS ON VOTE

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

Mr. GAMBLE. Mr. Speaker, I voted in the negative on HB 1546 inadvertently, and I would like to be recorded as a "yes" vote.

The SPEAKER. The Chair thanks the gentleman.

## RESOLUTIONS ADOPTED

Mr. SWEET called up **HR 82, PN 1856**, entitled:

Mines and Energy Management Committee investigate incidents occurring at Beaver Valley Power Station Nuclear Plant.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

## YEAS—192

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

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

## NAYS—0

## NOT VOTING—6

Bittle	Lashinger	White	Williams, J. D.
Fryer	Seventy		

## EXCUSED—5

Clark	Morris	O'Donnell	Rappaport
Hutchinson, W.			

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

\* \* \*

Mr. DIETZ called up **HR 80, PN 1854**, entitled:

General Assembly memorialize Congress to designate a day, to be known as "Family Day."

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

## YEAS—192

Alden	Evans	Lewis	Rocks
Anderson	Fargo	Livengood	Rybak
Armstrong	Fee	Lloyd	Salvatore
Arty	Fischer	Lucyk	Saurman
Barber	Fleck	McCall	Serafini
Belardi	Foster, W. W.	McClatchy	Seventy
Belfanti	Foster, Jr., A.	McIntyre	Showers
Beloff	Frazier	McMonagle	Shupnik

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

## NAYS—0

## NOT VOTING—6

Gannon	Stuban	Williams, H.	Williams, J. D.
Kolter	White		

## EXCUSED—5

Clark	Morris	O'Donnell	Rappaport
Hutchinson, W.			

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

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

\* \* \*

Mr. HAYES called up **SR 201**, entitled:

Memorializing President and Congress to support the people of Poland.

On the question,

Will the House concur in the resolution of the Senate?

The following roll call was recorded:

## YEAS—191

Alden	Evans	Letterman	Ritter
Anderson	Fargo	Levi	Rocks
Armstrong	Fee	Levin	Rybak
Arty	Fischer	Lewis	Salvatore
Barber	Fleck	Livengood	Saurman
Belardi	Foster, W. W.	Lloyd	Serafini
Belfanti	Foster, Jr., A.	Lucyk	Seventy

Beloff	Frazier	McCall	Showers
Berson	Freind	McClatchy	Shupnik
Bittle	Fryer	McIntyre	Sieminski
Blaum	Gallagher	McMonagle	Smith, B.
Borski	Gallen	McVerry	Smith, E. H.
Bowser	Gamble	Mackowski	Smith, L. E.
Boyes	Gannon	Madigan	Snyder
Brandt	Geist	Maiale	Spencer
Brown	George	Manderino	Spitz
Burd	Gladeck	Manmiller	Stairs
Burns	Grabowski	Merry	Steighner
Caltagirone	Gray	Michlovic	Stevens
Cappabianca	Greenfield	Micozzie	Stewart
Cawley	Greenwood	Miller	Swaim
Cessar	Grieco	Miscevich	Sweet
Cimini	Gruitza	Moehlmann	Swift
Civera	Gruppo	Mowery	Taddonio
Clymer	Hagarty	Mrkonic	Taylor, E. Z.
Cochran	Haluska	Mullen	Taylor, F. E.
Cohen	Harper	Murphy	Telek
Colafella	Hasay	Nahill	Tigue
Cole	Hayes	Noye	Trello
Cordisco	Heiser	Olasz	Van Horne
Cornell	Hoeffel	Oliver	Vroon
Coslett	Honaman	Pendleton	Wachob
Cowell	Horgos	Perzel	Wambach
Cunningham	Hutchinson, A.	Peterson	Wargo
DeMedio	Irviss	Petrarca	Wass
DeVerter	Itkin	Petrone	Wenger
DeWeese	Jackson	Phillips	Weston
Daikeler	Johnson	Piccola	Wiggins
Davies	Kanuck	Pievsky	Williams, H.
Dawida	Kennedy	Pistella	Wilson
Deal	Klingaman	Pitts	Wogan
Dietz	Kolter	Pott	Wozniak
Dininni	Kowalyshyn	Pratt	Wright, D. R.
Dombrowski	Kukovich	Pucciarelli	Wright, J. L.
Donatucci	Lashinger	Rasco	Wright, R. C.
Dorr	Laughlin	Reber	
Duffy	Lehr	Richardson	Ryan,
Durham	Lescovitz	Rieger	Speaker
Emerson			

## NAYS—2

## NOT VOTING—5

Marmion	Punt		
Sirianni	White	Williams, J. D.	Zwinkl
Stuban			

## EXCUSED—5

Clark	Morris	O'Donnell	Rappaport
Hutchinson, W.			

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

Ordered, That the clerk inform the Senate accordingly.

\* \* \*

Mr. HAYES called up **SR 222**, entitled:

Proclaiming October 16, 1981 as "World Food Day".

On the question,

Will the House concur in the resolution of the Senate?

The following roll call was recorded:

## YEAS—195

Alden	Fargo	Levin	Rocks
Anderson	Fee	Lewis	Rybak
Armstrong	Fischer	Livengood	Salvatore
Arty	Fleck	Lloyd	Saurman
Barber	Foster, W. W.	Lucyk	Serafini
Belardi	Foster, Jr., A.	McCall	Seventy
Belfanti	Frazier	McClatchy	Showers



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

## NAYS—0

## NOT VOTING—3

Sirianni      White      Williams, J. D.

## EXCUSED—5

Clark      Morris      O'Donnell      Rappaport  
Hutchinson, W.

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

Ordered, That the clerk inform the Senate accordingly.

## REMARKS ON VOTES

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

Mr. ZWIKL. Mr. Speaker, I was not recorded on SR 201. 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 Bradford, Mr. Madigan.

Mr. MADIGAN. Thank you, Mr. Speaker.

On HB 1429, PN 1879, my switch malfunctioned. 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 Mercer, Mr. Gruitza.

Mr. GRUITZA. Mr. Speaker, on HB 1546, PN 1808, I was not recorded, and 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 Beaver, Mr. Laughlin.

Mr. LAUGHLIN. Mr. Speaker, I was out of my seat when HB 1423, PN 1626, was run. Would you please record me in the affirmative. Thank you.

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

## RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, the gentleman from Chester, Mr. Smith, would like to move that the rules be suspended so he can have a resolution considered immediately.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

## YEAS—191

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

Dietz	Kowalyszyn	Pucciarelli	Wright, D. R.
Dininni	Lashinger	Punt	Wright, J. L.
Dombrowski	Laughlin	Rasco	Wright, R. C.
Donatucci	Lehr	Reber	Zwikl
Dorr	Lescovitz	Richardson	
Duffy	Letterman	Ritter	Ryan,
Durham	Levi	Rocks	Speaker
Emerson			

## NAYS—1

Kukovich

## NOT VOTING—6

Gray	Rieger	White	Williams, J. D.
McIntyre	Wachob		

## EXCUSED—5

Clark	Morris	O'Donnell	Rappaport
Hutchinson, W.			

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

## RESOLUTION ADOPTED

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

Mr. E. H. SMITH. Mr. Speaker, I submit the following resolution.

The SPEAKER. The clerk will read the resolution.

The following resolution was read:

## House Resolution No. 117

In the House of Representatives,

WHEREAS, The Disabled American Veterans, Department of Pennsylvania, is an organization consisting of distinguished former members of the armed forces of the United States who have aided in maintaining the honor, integrity and supremacy of our country; and

WHEREAS, The Disabled American Veterans hold in common remembrances and sacrifices made for our country and are drawn together by strong bonds of respect and mutual suffering; and

WHEREAS, The Disabled American Veterans have declared their supreme allegiance to the United States of America, its Constitution and its laws; and

WHEREAS, The Disabled American Veterans hold aloft the torch of true patriotism, strive for a better understanding between nations so that peace and goodwill may prevail, cherish and preserve the memories of their military association and aid and assist worthy wartime disabled veterans, their widows, orphans and dependents; therefore be it

RESOLVED, That the House of Representatives commends the Disabled American Veterans, Department of Pennsylvania, for its service to veterans and veterans' families in this the fifty-first year of its charter and extends congratulations to the Disabled American Veterans, Department of Pennsylvania on the occasion of the official opening, to be celebrated by a ribbon cutting ceremony by Governor Dick Thornburgh, of the Douglas Building Complex, 4219 Trindle Road, Camp Hill, on October 16, 1981.

Earl H. Smith  
Anthony J. Cimini  
Edwin G. Johnson  
Edmund J. Sieminski  
Harry E. Bowser  
A. J. DeMedio  
Joseph G. Wargo  
Emil Mrkoncic

Peter C. Wambach, Jr.  
Gaynor Cawley  
Kenneth J. Cole  
Samuel E. Hayes, Jr.  
Donald W. Dorr  
Bruce Smith  
Fred C. Noye  
Merle H. Phillips  
William K. Klingaman, Sr.  
Correale F. Stevens  
George C. Hasay  
Italo S. Cappabianca  
John F. Cordisco  
Bernard J. Dombrowski

On the question,

Will the House adopt the resolution?

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

Mr. E. H. SMITH. Mr. Speaker, thank you very much.

This resolution has to do with the ground-breaking ceremonies that will be carried out over here in Camp Hill. The Disabled American Veterans are building a new home, and they have asked for this resolution so they may have it present at the time of the ground-breaking ceremonies. The ground will be broken this Friday.

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

## YEAS—195

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

Dawida	Klingaman	Pott	Wilson
Deal	Kolter	Pratt	Wogan
Dietz	Kowalshyn	Pucciarelli	Wozniak
Dininni	Kukovich	Punt	Wright, D. R.
Dombrowski	Lashinger	Rasco	Wright, J. L.
Donatucci	Laughlin	Reber	Wright, R. C.
Dorr	Lehr	Richardson	Zwinkl
Duffy	Lescovitz	Rieger	
Durham	Letterman	Ritter	Ryan,
Emerson	Levi	Rocks	Speaker
Evans			

NAYS—0

NOT VOTING—3

Micozzie	White	Williams, J. D.
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EXCUSED—5

Clark	Morris	O'Donnell	Rappaport
Hutchinson, W.			

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

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

#### HB 893, PN 2354 (Amended) (Unanimous)

By Rep. PUNT

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for removal of points and suspension of operating privileges based on points, for suspensions, for reports by issuing authorities and courts and for the inspection of certain records.

TRANSPORTATION.

#### HB 970, PN 1057 (Unanimous)

By Rep. PUNT

An Act amending the "State Highway Law," approved June 1, 1945 (P. L. 1242, No. 420), prohibiting the charging of a fee to certain organizations for the erection of a sign in a right-of-way.

TRANSPORTATION.

#### HB 1079, PN 2355 (Amended)

By Rep. L. E. SMITH

An Act regulating self-service storage and providing for owners' liens and the enforcement thereof.

BUSINESS AND COMMERCE.

#### HB 1122, PN 2356 (Amended)

By Rep. SPENCER

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further prohibiting spousal relationships from interfering with certain prosecutions.

JUDICIARY.

#### HB 1256, PN 2357 (Amended)

By Rep. PUNT

An Act providing an exemption from the imposition of points under Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, to certain persons for certain violations in cities of the first class.

TRANSPORTATION.

#### HB 1478, PN 2359 (Amended) (Unanimous)

By Rep. PUNT

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

TRANSPORTATION.

#### HB 1619, PN 1898 (Unanimous)

By Rep. PUNT

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining "local authorities" to include airport authorities.

TRANSPORTATION.

#### HB 1689, PN 2360 (Amended)

By Rep. PUNT

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, requiring the carrying and exhibition of an insurance identification card by certain persons.

TRANSPORTATION.

#### HB 1741, PN 2361 (Amended) (Unanimous)

By Rep. PUNT

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), providing for a Deputy Secretary for Aviation within the Department of Transportation and making editorial changes.

TRANSPORTATION.

#### HB 1766, PN 2093

By Rep. PUNT

An Act requiring retail motor vehicle service stations to have air pumps for the public and providing penalties and civil remedies.

TRANSPORTATION.

#### HB 1768, PN 2095 (Unanimous)

By Rep. PUNT

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, repealing provisions relating to the vehicle equipment safety compact.

TRANSPORTATION.

#### HB 1889, PN 2282

By Rep. L. E. SMITH

An Act amending the "Banking Code of 1965," approved November 30, 1965 (P. L. 847, No. 356), relating to and regulating bank holding companies; \*\*\*; conferring additional powers on the Department of Banking, and making repeals.

BUSINESS AND COMMERCE.

#### SB 831, PN 1370 (Amended)

By Rep. PUNT

An Act providing for a capital project in Berks County to be financed from the current revenues of the Motor License Fund.

TRANSPORTATION.

#### SB 1006, PN 1278

By Rep. PITTS

An Act amending the act of December 5, 1936 (2nd Sp. Sess., 1937 P. L. 2897, No. 1), entitled "Unemployment Compensation Law," making changes required by the Federal Government to conform to Federal law.

LABOR RELATIONS.

### BILL REPORTED AND REREFERRED TO COMMITTEE ON URBAN AFFAIRS

**HB 731, PN 780**

By Rep. L. E. SMITH

An Act authorizing the Commonwealth to impose certain requirements on all municipalities in the Commonwealth prior to the issuance of municipal street vendor licenses or permits.

BUSINESS AND COMMERCE.

### BILL REREPORTED FROM COMMITTEE

**HB 1440, PN 2358 (Amended) (Unanimous)**

By Rep. PUNT

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

TRANSPORTATION.

### MEDALS DISTRIBUTED

The SPEAKER. At this time there will be a distribution of certain sterling silver medals to each of the members of the House of Representatives.

I would ask that the gentleman from Chester, Mr. Pitts, explain exactly what went into the effort that is resulting in this and in other ceremonial matters this coming week.

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

Mr. PITTS. Thank you, Mr. Speaker.

On Monday, October 19, during the ceremonies in the rotunda in celebration of the tercentenary and the 75th anniversary of the Capitol dedication, presentations of commemorative medals, which have been minted in the Franklin Mint in Delaware County - the largest private mint in the world - will be presented to the Governor, the Lieutenant Governor, the members of the House, and the members of the Senate.

The Franklin Mint has also minted a solid gold medal for the people of the United States. Mr. Speaker, the gold medallion which has been struck to be presented to the people of the United States and to the President will be presented at the ceremony along with the silver medallions.

Beginning Monday, going through the end of the year, silver and bronze medallions will be available to the public for purchase. All the proceeds of the sale of these medallions will go into a historic preservation trust fund, the moneys to be used in the restoration of certain things here in the Capitol, namely some of the 352 Civil War flags in the cases in the rotunda.

The Franklin Mint has expressed a desire to present each of the members of the House and Senate with a silver medal, free of charge, in commemoration of this event. So that is what is being distributed here today, the silver medallion to the members.

If you wish to purchase additional medals, a form which they have provided us will be circulated to all of you or to your constituents, whoever would wish to purchase a bronze or silver medallion, and that money, the profits from those sales, will go for restoration here in the Capitol Building. Thank you, Mr. Speaker.

The SPEAKER. Because the Speaker does not intend to continue to bear the responsibility of holding these medals in his office, it was determined that I would distribute them here on the floor today.

Without objection, I will call the House at ease for a period of 10 minutes and ask by section that the members come up to the front. Representative Zwikl and Steve Thompson will take care of sections 3 and 4; Mr. Pitts and Frank from my office will take care of the first two sections.

This is going to be cumbersome, but I am going to ask that the members initial the seating chart by their name, that they take none for their friends or their comrades who perhaps have left the House floor, but rather anyone who does not receive one today can come to my office and pick one up at a later date.

### QUESTION OF INFORMATION

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

Mr. WAMBACH. Mr. Speaker, I am sure you will be able to enlighten the members of the House on the invitation that we received for the rededication ceremonies. Could you tell us what time that will be?

The SPEAKER. The Speaker yields to the gentleman, Mr. Pitts.

Mr. PITTS. Mr. Speaker, at 1:45 the Penn State Chamber Choir will begin the ceremony with their singing on the steps. At 2 o'clock promptly the ceremony will take place in the rotunda with the Governor, Lieutenant Governor, Mr. Kermit Roosevelt, the grandson of President Teddy Roosevelt, who will be making the rededication address, and other dignitaries.

Mr. WAMBACH. Thank you very much.

The SPEAKER. You will note when you receive your silver medallion that it is done with perfection. The Speaker cast the first whatever, stamping.

The House will be at ease.

I would ask the members to cooperate in this so that it may be done in as orderly and as quickly a manner as possible. Do it by sections.

### STATEMENT BY MR. DAVIES

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

Mr. DAVIES. Unanimous consent, Mr. Speaker, to just make a few remarks to the House?

The SPEAKER. Will the gentleman yield?

Any of the members of the House who did not receive a medallion because they were off the floor of the House at the time of distribution can pick theirs up by going to my office during the usual working day, which is 7 days a week.

The Chair recognizes the gentleman, Mr. Davies.

Mr. DAVIES. Thank you, Mr. Speaker.

On behalf of myself, I want to thank you for the coin. You must have done a perfect job in your striking, and, of course, I could add to that, to coin a phrase, it was perfection as usual.

However, there is one other concern that I have today, and that is, at 1:30 today I appeared in front of the Insurance Commission to protest a 49-percent increase in the 65 special for elderly citizens, as well as a 28-percent increase that they are asking for in the Blue Shield rates. I will not go into the details of the nature of my protest, nor will I read into the record that protest that I submitted with the Insurance Commission. However, if anyone is interested in a copy of what I had to say to them or the essence of the increase, I would be glad to share it with them, because I think it is of concern to everybody in the Commonwealth because of the magnitude of the increase and the inflationary spiral that it is going to add to the problems that we already have with that problem right now. Thank you, Mr. Speaker.

### CONSIDERATION OF HB 930 RESUMED

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. ROCKS offered the following amendments No. A3765:

Amend Title, page 2, lines 8 to 10, by striking out "authorizing" in line 8, all of lines 9 and 10 and inserting  
providing for the issuance of tax-free mortgage revenue bonds to encourage housing within the Commonwealth.

Amend Sec. 1 (Sec. 102.1), page 2, line 30, by striking out "(Public Law 96-499)" and inserting  
(94 Stat. 2599)

Amend Sec. 1 (Sec. 102.1), page 2, line 34, by striking out "26 U.S.C. § 103, et. seq.," and inserting

Public Law 96-499, 94 Stat. 2660, Title XI,

Amend Sec. 1 (Sec. 102.1), page 3, line 3, by inserting after "The"

General Assembly hereby finds that it is appropriate for the

Amend Sec. 1 (Sec. 102.1), page 3, line 3, by striking out "has a moral responsibility"

Amend Sec. 3, page 3, line 19, by striking out "articles" and inserting  
an article

Amend Bill, page 3, lines 22 through 30; page 4, lines 1 through 30; page 5, lines 1 through 30; page 6, lines 1 through 30; page 7, lines 1 and 2, by striking out all of said lines on said pages and inserting

Section 401-B. Allocation of Loans.—(a) The agency shall geographically allocate the proceeds of any qualified mortgage bond issue, authorized by section 501-A.1, in the following manner:

(1) Fifty (50) percent of the proceeds shall be allocated among municipalities, except for municipalities electing local issuance pursuant to section 501-A.1, in a manner reasonably proportional to the distribution of the population of housing units.

(2) Fifty (50) percent of the proceeds shall be allocated among municipalities, except for municipalities electing local issuance pursuant to section 501-A.1, in a manner reasonably proportional to the distribution of the market value of residential property.

(3) Municipalities to which proceeds shall be allocated include counties, groups of counties, and cities of fifty thousand (50,000) or greater population.

(4) Municipalities electing local issuance pursuant to section 501-A.1, shall be allocated a portion of the State ceiling for aggregate annual issuance, determined pursuant to the Mortgage Subsidy Bond Tax Act of 1980, equivalent to the portion of the proceeds of any qualified mortgage bond issue which would be allocated to such municipalities, under this section, if they did not elect local issuance: Provided, That any municipality which issued mortgage subsidy bonds prior to January 1, 1981 shall be allocated a portion of the State ceiling in an amount as described herein, or in an amount equal to the average yearly amount of mortgage subsidy bonds issued in the municipality during the three (3) years immediately prior to the enactment of this act, whichever is greater. The annual ceilings for municipalities electing local issuance shall be recommended by the agency and proclaimed by the Governor.

(5) If twelve (12) months following issuance of any qualified mortgage bonds, the agency determines that it cannot distribute the proceeds in the manner set forth in this subsection, the agency may reallocate the proceeds in a manner designed to meet State housing policy objectives.

(b) The agency shall annually, by resolution adopted by the board, allocate the aggregate borrowing authority assigned to the agency pursuant to the Mortgage Subsidy Bond Tax Act of 1980, into the following categories of loans:

(1) Sixty (60) percent of the proceeds shall be used to purchase mortgages for newly constructed homes and existing homes.

(2) Thirty-five (35) percent of the proceeds shall be used to purchase mortgages to rehabilitate residences.

(3) Five (5) percent of the proceeds shall be used for home energy efficiency improvement including, but not limited to, solar hot water heating and home weatherization. The distribution of proceeds into these categories need not be made separately for each municipality allocated loans pursuant to this section.

(c) The agency shall develop appropriate standards and procedures to ensure that all loans made with the proceeds of any qualified mortgage bond issued by the agency are made in a manner which encourages community conservation and promotes local land use planning objectives.

(d) The agency shall develop appropriate standards and procedures to ensure that at least twenty (20) percent of loans made with the proceeds of any qualified mortgage bond issued by the agency are within "qualified census tracts," or within areas of "chronic economic distress" as defined by the Mortgage Subsidy Bond Tax Act of 1980.

(e) The agency shall specify standards, criteria and procedures to be employed in selecting eligible mortgagors for loans made with the proceeds of any qualified mortgage bond issued by the agency.

(f) The agency may enter into agreements with county or city housing authorities, redevelopment authorities, or other suitable governmental entities to assist in the administration of this article with respect to loans allocated to the municipality within the jurisdiction of the authority or governmental entity.

(g) The agency and any municipality electing local issuance shall contract with lending institutions to make loans with the proceeds of qualified mortgage bonds. The agency and any municipality electing local issuance may acquire and contract and enter into advance commitments to acquire by assignment or otherwise, loans secured by mortgages made by lending institutions or participations therein. The agency and any municipality electing local issuance shall make and execute contracts with lending institutions for the origination and servicing of such loans and pay the value of services rendered under such contracts.

Section 4. The act is amended by adding a section to read:

Section 501-A.1. Qualified Mortgage Bonds.—(a) The agency shall have the power and is hereby authorized from time to time by resolution of the members, and subject to the written approval by the Governor, to issue qualified mortgage bonds and notes, pursuant to the Mortgage Subsidy Bond Tax Act of 1980, and subsequent amendments, in such principal amounts, as is permitted by Federal law and is in the opinion of the agency, necessary to provide sufficient funds for the Owner Occupied Residential Mortgage Program authorized by Article IV-B. These bonds and notes shall be issued, to the extent permitted by the Mortgage Subsidy Bond Tax Act of 1980, in conformity with all other provisions of Article V-A.

(b) In determining the limitation on the aggregate amount of qualified mortgage bonds issued during any calendar year, as provided by section 103(g) of the Mortgage Subsidy Bond Tax Act of 1980, the total State ceiling shall be completely allocated to the agency for its programs under Article IV-B, except for amounts allocated to municipalities electing local issuance.

(c) Cities of the first, second and second class A, cities of the third class with a population of fifty thousand (50,000) or greater, counties of the second class, and any other municipality, which prior to January 1, 1981, issued mortgage subsidy bonds may elect to locally issue mortgage subsidy bonds upon notification of the agency.

Amend Sec. 4, page 7, line 3, by striking out "4" and inserting

5

On the question,

Will the House agree to the amendments?

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

Mr. ROCKS. Thank you, Mr. Speaker.

Mr. Speaker, to paraphrase the words of the Governor regarding this bill, the bill is an attempt—and I will be speaking on the amendment—to help alleviate the severe shortage of mortgages and mortgage funds in Pennsylvania, which is being caused currently, as we all know, by high interest rates.

The bond sales addressed in this bill will assist home purchasers, financial institutions, homebuilders, and realtors, and will help to revitalize and preserve Pennsylvania's communities. The amendment that is before you is a compromise amendment that has been worked on for a matter of some long months. The compromise involves the question of local issuance and the opt-out provisions to be contained in HB 930.

I would like to run over, briefly, the points that are contained in the amendment. The first page of the amendment substantially is technical in nature and basically is a language cleanup.

In section 401, as you see it in the amendment, in subsections (1) and (2), we will provide for geographical allocations of the proceeds of the bond issue - 50 percent to municipalities, except for those which elect local issuance, that is to be done in a manner which is reasonably proportional to the distribution of the population of housing units, and 50 percent in a manner reasonably proportional to the distribution of the market value of residential property.

The next part of the amendment permits municipalities electing local issuance to be allocated a portion of the State ceiling, which is equivalent to the portion of the proceeds of the bond issue if they do not elect for the local issuance, or an

amount which is equal to the average yearly amount of bonds issued during the previous 3 years if they are issued. In that case, it is whichever amount would be greater.

The next section of 401 of the bill which you see in the amendment provides that if 1 year after issuance of the bonds the agency, PHFA (Pennsylvania Housing Finance Agency), determines that it cannot distribute the proceeds as provided, PHFA may reallocate the proceeds in a manner designed to meet the State housing policy objective.

The next section which is amended is the allocation of aggregate agency borrowing authority. This was an area of very serious compromise and one which I would hope you would listen to carefully. Of the total allocation, 60 percent would be used for newly constructed homes and existing homes; 35 percent, which is a percentage critically important to the more urban areas of this State, will be used to purchase mortgages to rehabilitate residences; and 5 percent would be used for home energy efficiency improvements.

Section 5(d) in the amendment provides that PHFA is to develop standards to insure that at least 20 percent of the loans are made within qualified census tracts or areas of chronic economic distress.

The next section, 5(e), requires that the agency establish standards and criteria for selecting eligible mortgagors. If you are following, section 5(f) provides that PHFA may enter into agreements with local government entities for administration of the loans.

Section 5(g) requires the agency and municipalities electing local issuance to contract with lending institutions to make loans with proceeds of the bonds. The institutions servicing loans are to be paid for services rendered.

Section 501-A.1 provides authority for PHFA to float bonds. 501-A.1, section (c), the next to the last part of the amendment in front of you, provides for local issuance of bonds by cities of the first, second, second class A, cities of the third class with populations greater than 50,000, counties of the second class, and any pre-January 1, 1981, issuers.

And the final line of amendment A3765 states that it is the sunset provision, and it follows what we are permitted today by Federal authority, that the authority expires December 31, 1983.

Mr. Speaker, that is the amendment to HB 930. As I have previously mentioned, there are some very long months of very serious negotiation, and in the true spirit of compromise, that amendment is brought before you today. Thank you, Mr. Speaker.

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

Mr. GEIST. Thank you, Mr. Speaker.

I rise in support of the Rocks amendments. I have a few questions for the prime sponsor of the legislation at this time, though.

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

Mr. GEIST. Thank you, Mr. Speaker.

It is my understanding that if in the bond the total amount of moneys are not issued, the local municipalities will have the option to still come back in and get the moneys. Is that correct?

Mr. BURD. Yes, that is correct.

Mr. GEIST. Thank you, Mr. Speaker.

At this time I would ask for an affirmative vote on the Rocks amendment and also an affirmative vote on the legislation as is. It is a very good piece of legislation, very good for the third-class city which I represent and all of Pennsylvania. Thank you.

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

Mr. SIEMINSKI. Would the prime sponsor stand for brief interrogation?

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

Mr. SIEMINSKI. I note in the legislation it talks about municipalities having issued bonds in the past. Are we not talking also of the agencies in the municipalities? For example, in the past in the city of Easton the redevelopment authority, as an actuality, has issued the bonds. Is that your interpretation?

Mr. BURD. That is correct.

Mr. SIEMINSKI. Thank you. That concludes my interrogation.

I have a brief statement, Mr. Speaker.

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

Mr. SIEMINSKI. Thank you, Mr. Speaker.

I, too, rise to support the Rocks amendment and the bill that is before us today. Thank you.

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

Mr. WASS. Mr. Speaker, may I interrogate the maker of the amendment?

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

Mr. WASS. Mr. Speaker, coming from a sixth-class county, with the largest municipality having 15,000 people, how does this amendment impact on my county?

Mr. ROCKS. Mr. Speaker, the opt-out provision obviously would not apply to the gentleman's county. However, he should be aware that those of us who have worked long and hard on not just the amendment but the whole concept of HB 930 believe that PHFA themselves would be the best issuing authority in his case. The reasons for that, I would hope, become obvious. They are, first of all, given a city of 15,000 people, you would be talking about a small issuance. A small issuance on today's marketplace is difficult to sell. You have a great problem with the cost of bond counsel today. You have administrative costs, and frankly, given the smallness of the entity as described by the gentleman, there is a history of what might be inefficiencies in that kind of a program for local issuance. So it is my contention, and that of many others who are deeply committed to the needs today in this Commonwealth, that PHFA themselves would provide the best possible service in his situation.

Mr. WASS. Thank you, Mr. Speaker.

## WELCOME

The SPEAKER. The Chair at this time is pleased to welcome to the hall of the House Mr. Colin Appleton, of Sharon, Pennsylvania, here today as the guest of the majority whip, Mr. Cessar, and Representative Mike Gruitza.

## CONSIDERATION OF HB 930 CONTINUED

The SPEAKER. The Chair recognizes the gentleman from Butler, Mr. Burd.

Mr. BURD. Mr. Speaker, this is an agreed-to amendment.

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

Mr. LLOYD. Would the maker of the amendment consent to brief interrogation, Mr. Speaker?

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

Mr. LLOYD. Mr. Speaker, I was very interested in the colloquy that went on between Mr. Wass and the maker of the amendment with regard to the effect of this amendment on rural counties, and I am still not entirely sure that I understand.

Mr. Speaker, am I correct that if this amendment is adopted, instead of putting 80 percent of the mortgage money into new housing, only 60 percent of the mortgage money will go into new housing? Is that correct?

Mr. ROCKS. That is correct, Mr. Speaker.

Mr. LLOYD. And so in addition, this amendment will have as one of its consequences, shifting money out of new housing and money into rehabilitation. Is that correct, Mr. Speaker?

Mr. ROCKS. Mr. Speaker, the compromise, as I described it—and I use that word very straightforwardly—was that 60 percent of the money would go to new housing, 35 percent to rehabilitation, and 5 percent for energy efficiencies.

Mr. LLOYD. Okay, Mr. Speaker. My confusion is with regard to the opt-out. This particular allocation of the funding is going to occur regardless of who does the issuing for my county. Is that correct, Mr. Speaker?

Mr. ROCKS. That would be correct.

Mr. LLOYD. So then, Mr. Speaker, would not one of the effects of this be to make it difficult for people in rural areas, where we do not have a lot of rehabilitation work to be done, to make it difficult for us to utilize our full allocation of the mortgage subsidy money available?

Mr. ROCKS. No, Mr. Speaker. I believe that it is quite the opposite of that. I believe that since the suggestion that becomes obvious in this amendment, that if you are describing a municipality of under 50,000, you would be going through the Pennsylvania Housing Finance Agency, and as the issuing body, the Housing Agency would be in the best possible position to be assuring you of your fullest allocation for what sounds like your concern, new housing.

Mr. LLOYD. Mr. Speaker, I guess I still do not understand what difference it makes who issues the bonds. If the law says

that only 60 percent of the total amount of money can be allocated to new housing and the bill now says 80 percent, it seems to me that there is going to be less money allocated to new housing, and that sounds like less money for new housing in my county. Why is that not correct, Mr. Speaker?

Mr. ROCKS. That is correct; there is no doubt about that. You are absolutely right. Maybe, though, I am hearing one thing that is important for you to understand, Mr. Speaker, and that is that the 60 percent is an aggregate figure.

Mr. LLOYD. For the whole State, Mr. Speaker?

Mr. ROCKS. Yes.

Mr. LLOYD. Now, Mr. Speaker, I seem to remember—and maybe it is the bill or maybe it was an earlier version of this amendment—some language was suggested that if a county did not use up its entire allocation, that money could be allocated to other places in the State. Is there anything in this amendment which would permit if my county cannot use all that rehabilitation money, that that money is going to be shifted someplace else in the State?

Mr. ROCKS. As I described in section 401, if you will look at the amendment, subsection B, number (5), provides that if 1 year after issuance of the bonds the agency determines that it cannot distribute the proceeds as provided, PHFA may reallocate the proceeds in a manner designed to meet the State housing policy objective, which is obviously language I am using. But if I hear your question clearly, I would say that the answer would be yes, that the amendment would allow for that reallocation of funds.

Mr. LLOYD. So then, Mr. Speaker, if those of us from rural areas vote for this amendment and it becomes law, and we earmark a greater portion of money for rehabilitation than we can use, and we could be using that money for new housing but it is not available, this amendment could result in money leaving the rural areas and going to the urban and suburban areas. Is that correct, Mr. Speaker?

Mr. ROCKS. That would be correct, but I would have to remind the gentleman that in the spirit of compromise, the percentage in this amendment is 60 percent for new housing and 35 percent for rehabilitation.

Mr. LLOYD. Mr. Speaker, I guess I am a little troubled by the question of compromise. Was there someone involved in this compromise who represented the interests of the rural part of the State?

Mr. ROCKS. Absolutely, Mr. Speaker.

Mr. LLOYD. Who was involved, Mr. Speaker? I am not sure if this is correct interrogation or not, but who was involved in the compromise? This is the first that many of us, on this side of the aisle at least, have seen this amendment.

Mr. ROCKS. Mr. Speaker, I will answer that as an individual member whose name has been attached to this amendment for some number of months, and say to the gentleman that colleagues of mine who are from rural parts of Pennsylvania have spoken with me, and I with them, on any number of occasions about the arrived-at percentages. That does not mean that everybody is happy with what is in front of us, but I think that is what a compromise in fact entails.

Mr. LLOYD. Thank you, Mr. Speaker.

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

Mr. LAUGHLIN. Mr. Speaker, would the maker of the amendment stand for brief interrogation?

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

Mr. LAUGHLIN. Mr. Speaker, on page 3 of your amendment, at the very top of the page, carrying over, "made with the proceeds of any qualified mortgage bond issued by the agency are within 'qualified census tracts,' or within areas of 'chronic economic distress'..." in which you are actually spending and appropriating approximately and exactly 20 percent of the loan value. What exactly are you speaking of when you say "qualified census tracts" or "chronic economic distress"? What is your definition there, sir?

Mr. ROCKS. Mr. Speaker, my definition may be completely meaningless, since that is a Federal guideline that we are required to abide by.

Mr. LAUGHLIN. I thank you, Mr. Speaker. I was aware of the Federal guidelines, but the State guidelines are not necessarily those that we should incorporate with the Federal.

The other question I have for you is with regard to the area of the use of single-family housing. The Federal guidelines clearly point out the fact that one-, two-, three-, and four-housing units can be covered by such bond financing. You do not utilize anything other than the single-family homeowner occupied. Is that correct?

Mr. ROCKS. For what, Mr. Speaker, if I may?

Mr. LAUGHLIN. For the purpose of issuing a mortgage to an individual by any one of the qualified institutions that would be receiving money that is distributed from the bond issue, sir. The purchasing factor in the Federal guidelines says housing units of one, two, three, and four are eligible. Within your guidelines, sir, you are clearly pointing out single-family homeowner occupied.

Mr. ROCKS. That is correct.

Mr. LAUGHLIN. Mr. Speaker, I agree with a great deal of what you have in your amendment, with a few exceptions. However, what has happened is, if this in fact is adopted, then some of the amendments that I have ready to be presented would not be appropriate. And when you say this is a consensus of opinions that is gathered in one direction or another, I can understand that also, but for those of us who had an interest in it, I wish you had taken the time to consult us so that we could have had some input with you.

For that reason, Mr. Speaker, I am going to have to vote against it and point out one further item and question you on that. That is on page 3, at the bottom of the list, (c), cities of the first class, second, and second class A, cities of the third class with a population of 50,000 or greater, counties of the second class and other municipalities, and I will stop there, because beyond that you state those that have sold bonds prior to January 1, 1981, and I am sure that you are aware that only the urban areas of this State, such as Philadelphia and Pittsburgh, had the capability of doing that in the past.



Mr. ROCKS. Just Pittsburgh, Mr. Speaker.

Mr. LAUGHLIN. Now with that in mind, Mr. Speaker, I would like to ask you why we should exclude a county of the fourth class, such as the one I represent and many other members in this House represent, or a third-class county, for that matter, with a population far in excess of 50,000, and deprive them of an opportunity to function within these guidelines.

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

Mr. ROCKS. Thank you, Mr. Speaker.

As I have attempted to answer this once, I will try again. There is no sense of this amendment that is attempting to exclude. There became, however, some very practical consideration in this amendment. The practical consideration that is in front of you is that for municipalities under 50,000, it did not appear to be practical for those size political subdivisions to be in the business of local issuance; that they would best be served with the existing State agency, the Pennsylvania Housing Finance Agency; that all of the market criteria that we have dealt with today - the fact that a small issuance is difficult to market; the fact that bond counsel is extremely expensive and, in the size municipality that I understand your concern over, Mr. Speaker, might be cost prohibitive - that the whole area of administrative costs involved for that size municipality would make it not only prohibitive, but it would make it much more sensible for those persons in Pennsylvania to be served through PHFA, as they are fully geared up to help this Commonwealth deal with a terrible mortgage money shortage.

Mr. LAUGHLIN. Mr. Speaker, as I listened to your response, you stated that those municipalities or areas that are below 50,000 in population would have difficulty in floating a bond issue of a sizable nature to secure a reasonable interest rate for the benefit of the people who are going to ultimately receive the mortgage money. Is that your response?

Mr. ROCKS. That is part of it, yes, Mr. Speaker.

Mr. LAUGHLIN. Well, Mr. Speaker—

The SPEAKER. The gentleman will yield.

I remind the gentleman that the purpose of interrogation is to elicit information, which usually requires only a short response. The gentleman may proceed.

Mr. LAUGHLIN. Mr. Speaker, I never challenge the ability of the Speaker of this House to mention anything like that to a member. However, this is a very, very complicated piece of legislation, and sometimes I am sure Mr. Rocks needs a little more time to explain that answer. I was certainly satisfied with his answer. The only trouble is, with that answer comes the question that in fact counties of the fourth class have within them 200,000 people and not 50,000, which is far in excess of the 50,000 the gentleman mentioned that is—

The SPEAKER. The gentleman will yield. The gentleman is debating the bill. If the gentleman has a question, ask a question.

Mr. LAUGHLIN. Mr. Speaker, I am not debating the bill. I am debating the amendment. The gentleman has within the amendment 50,000—

The SPEAKER. The Chair is in error. The gentleman is debating an amendment, which he is not permitted to do under interrogation.

Mr. LAUGHLIN. Well, Mr. Speaker, that is the basis of the interrogation.

Mr. Speaker, I can only say this: If the Rocks amendment passes, those of us who live in counties of the fourth class or the third class are going to be deprived of that opportunity that he is extending in fact by his amendment to those cities with 50,000 and above. I would ask the members to consider this and think of your own home districts that are going to be deprived of this opportunity to have some home consideration and home rule within the distribution of these funds. Mr. Rocks' amendment certainly does deal with a goodly portion of the mistakes that were drafted in the original bill, but I ask you to consider the ultimate results of the Rocks amendment, and I ask that you vote "no." Thank you.

## WELCOMES

The SPEAKER. The Chair is pleased at this time to welcome to the hall of the House members of the Huntingdon County Historical Society, here today as the guests of the majority leader, Mr. Hayes.

The Chair is also pleased to welcome to the hall of the House Mr. William Krochka, from Sharon, Pennsylvania, here today as the guest of Representative Gruitza of Mercer County.

## CONSIDERATION OF HB 930 CONTINUED

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

Mr. RITTER. Mr. Speaker, would the gentleman, Mr. Rocks, consent to interrogation?

The SPEAKER. The gentleman, Mr. Rocks, indicates that he will, and the gentleman, Mr. Ritter, may proceed.

Mr. RITTER. Mr. Speaker, I have heard talk about this compromise, and frankly, I am at a loss to understand who was party to what compromise. For instance, Mr. Speaker, was the League of Cities a part of that compromise?

Mr. ROCKS. Yes; they were, Mr. Speaker.

Mr. RITTER. Was the Pennsylvania Home Builders Association part of that compromise?

Mr. ROCKS. Yes; they were, Mr. Speaker.

Mr. RITTER. And the Pennsylvania Realtors?

Mr. ROCKS. Yes; they were, Mr. Speaker.

Mr. RITTER. Were there any lending institutions as part of that compromise?

Mr. ROCKS. I do not know of any specific lending institutions, but I know as the dialogue has gone on for some long months over the bill that certainly the institutionalized lenders in this State have made their input.

Mr. RITTER. Okay. Mr. Speaker, on page 6 of the bill, not your amendment, there is a proposal that all the loans that we are talking about shall be made to lending institutions in Pennsylvania. I cannot find that language in your amendment. Do you make any reference to that?

Mr. ROCKS. That is eliminated from the bill, Mr. Speaker, by the amendment.

Mr. RITTER. It is eliminated.

Mr. Speaker, finally in your amendment you talk about on page 3, 501-A.1(c), "Cities of the first, second and second class A, cities of the third class with a population of fifty thousand (50,000) or greater, counties of the second class, and any other municipality,..." Mr. Speaker, those are the ones that have issued mortgage revenue bonds prior to January 1 of 1981. Do you know of any other municipalities other than Philadelphia, Pittsburgh, and the city of Allentown for instance?

Mr. ROCKS. Philadelphia in fact was not one, Mr. Speaker. Pittsburgh was and Easton was.

Mr. RITTER. Allentown was, too, Mr. Speaker.

But we are not making this money available to counties other than county redevelopment authorities or county housing authorities, if we have such agencies. Is that correct?

Mr. ROCKS. That is correct, Mr. Speaker.

Mr. RITTER. But we are making it available to municipalities such as cities - Allentown, Easton, Harrisburg - over 50,000. Cities over 50,000 are eligible to do it on their own.

Mr. ROCKS. I am not sure I understand the question. I mean, it is not to the cities. Certainly, it is to the issuing authority in the city.

Mr. RITTER. Well, if the city has, prior to January 1, 1981, issued those bonds, they can continue to do that.

Mr. ROCKS. Yes, Mr. Speaker.

Mr. RITTER. Okay. Mr. Speaker, was the reason for the change from 80 percent of the proceeds for newly constructed homes and existing homes, the reason for the reduction from 80 to 60, to satisfy a particular problem in the city of Philadelphia?

Mr. ROCKS. No, Mr. Speaker. I think anyone today who is concerned about this kind of legislation as it is going to impact on a State as diversified in its areas, be it rural, suburban, or urban, as Pennsylvania is, has looked at those percentages. And, frankly, this was not a Philadelphia concern, Mr. Speaker. Regretfully I have to say this as a Philadelphian: They are about the least along the road to take advantage of this legislation that is in front of us. But the other urban areas of this Commonwealth, where the concern is much more rehabilitation, are what impacted on the change in those percentage figures.

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

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

Mr. PISTELLA. Thank you, Mr. Speaker.

Would the gentleman, Mr. Rocks, stand for brief interrogation, please?

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

Mr. PISTELLA. Mr. Speaker, as I understand the language contained within this amendment, the previous formula—I would like to draw your attention to HB 930, PN 1208—the previous formula set forth in this bill was that 80 percent of the bond money was to be used for new construc-

tion and 20 percent for rehabilitation. Of the 80 percent, 20 percent of that money was to be used for targeted areas. Is that correct, sir? If I may reiterate, the formula as it would stand is 80 percent new construction, 20 percent rehabilitation. Of the 80 percent, 20 percent for targeted areas. Is that correct, sir?

Mr. ROCKS. Chronic economic distressed areas. Yes, Mr. Speaker.

Mr. PISTELLA. According to the formula that you are setting down in your amendment, the formula as I understand it would be 50 percent to the municipalities that wish to participate, 50 percent to those that wish to opt out.

Mr. ROCKS. No, Mr. Speaker. There is no way those percentages are included in this.

Mr. PISTELLA. It is then—am I correct?—that portion of the amendment that says 60 percent to be used for newly constructed homes, 35 percent for rehabilitation, and 5 percent for energy efficiency. That is the breakdown now, sir?

Mr. ROCKS. That is correct. Mr. Speaker, that has nothing to do with what you seem to be perceiving as 50 percent of it to municipalities and 50 percent of it for local opt-out. It does not work that way.

Mr. PISTELLA. All right. My main concern, Mr. Speaker, is that within the 20 percent in section (d), page 2, to my understanding as I read that, sir, I have trouble envisioning 20 percent of what figure. Twenty percent of the 60 percent for new homes? Twenty percent for all categories?

Mr. ROCKS. If you were looking at the bill without the amendment in front of you, the 20 percent would be 20 percent of the total. The amendment changes that 20 percent to 35 percent for the purpose of rehabilitation.

Mr. PISTELLA. I am concerned, Mr. Speaker, with the language of the 20 percent for the targeted areas. Eighty percent of the bond money in PN 1208 is to be used for new homes. That is subdivided in the category of 20 percent for targeted areas. I am having trouble following where that 20-percent figure that you put down, sir, on pages 2 and 3 falls into the category in relation to the targeted areas. The language says, "The agency shall develop appropriate standards and procedures to ensure that at least twenty (20) percent of loans made with the proceeds of any qualified mortgage bond issued by the agency are within 'qualified census tracts,' or within areas of 'chronic economic distress' as defined by the Mortgage Subsidy Bond Tax Act of 1980." My question, sir, is, under what category? The 60 percent, the 35 percent, the 5 percent, all of them, or none of them?

Mr. ROCKS. I understand now the speaker's interrogation, and the problem was, we were talking about two different 20 percents. The 20 percent in the amendment is 20 percent of any bond issue.

Mr. PISTELLA. Am I then to understand it is 20 percent of 60 percent, 20 percent of 35 percent, and 20 percent of 5 percent?

Mr. ROCKS. Whatever the bond issue would be.

Mr. PISTELLA. Okay. Thank you very much, Mr. Speaker.

I have no further questions, Mr. Speaker. I appreciate the indulgence of the House.

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

Mr. CUNNINGHAM. To speak to the amendment, Mr. Speaker.

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

Mr. CUNNINGHAM. Mr. Speaker, as I read the amendment and look at the bill, I think it is very clear that the amendment favors the urban areas over the rural areas. I think that is true, because functionally the amount of money that will go for rehabilitation and weatherization is virtually doubled from 20 percent up to 35 percent plus 5 percent, which is 40 percent.

Also, in the original language of the bill, the criterion that is used to determine the disbursal of money is the average mortgage value of the homes in a given area. Under the Rocks amendment, the criteria that are used are population density, which clearly favors the urban areas, and market value. And since, at least in my judgment, market values have risen more quickly in the urban areas than the rural areas, that disbursement factor favors the urban areas.

Despite the fact, Mr. Speaker, that I am a rural legislator, I am going to support the Rocks amendment, and I would urge the House to support the Rocks amendment, because I think our most serious housing problems are in the urban areas. That is not to say we do not have difficult problems in the rural areas; we clearly do, and I think that the bill provides, along with the Rocks amendment, for the needs of the rural areas. But I think it is important that we try to focus our concerns on the areas of the State in which the greatest housing problems exist, and those are clearly the urban areas, so I would urge support of the amendment.

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

Mr. TAYLOR. Would Mr. Rocks stand for further interrogation?

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

Mr. TAYLOR. Thank you, Mr. Speaker.

Mr. Speaker, under the previously drafted administrative bill, it was pointed out that 5,000 to 6,000 new housing starts would be coming out of this money. Under your amendment, how many new housing starts do you project Pennsylvania will be getting out of this?

Mr. ROCKS. Mr. Speaker, I was not in the business of making the 5,000 to 6,000 projection, but it is my understanding that this amendment would hope for about the same.

Mr. TAYLOR. In other words, under the administration's original concept and yours, there is really no addition of new housing starts for Pennsylvania under this concept; just the redistribution of the funds will be different.

Mr. ROCKS. The distribution obviously is different. However, housing starts, as I am told at sidebar, would be hopefully about the same as initially conceived by the admin-

istration, with the bill going forward with the amendment in front of us.

Mr. TAYLOR. I thank the gentleman.

I rise in support of the Rocks amendment. I think that the time has come that Pennsylvania must do something to help the new buildings and homebuilding in Pennsylvania and rehabilitation of those dwellings in the cities that need it. I think this is the only approach that is available to us, and I urge that we support it. Thank you, Mr. Speaker.

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

Mr. LAUGHLIN. Mr. Speaker, at the present time the cities of Philadelphia and Pittsburgh are permitted under Federal law to finance housing for their local municipalities in many ways, in ways of giving short interest benefits to them, ways of improvement and updates to housing, weatherization. Every conceivable way has been granted to the urban areas, and I certainly agree with that, knowing what their problems are.

Mr. Speaker, when Mr. Rocks clearly defines in his amendment the fact that municipalities of 50,000 can take part on an individual basis and then deprive those areas in excess of 200,000 in a county of doing the same thing, there is obviously a deficiency in this amendment. If we pass the amendment, our counties are going to continue to be removed from the opportunity of helping our people. I just do not believe that we should pass an amendment under those circumstances that is clearly going to benefit those urban areas and is not going to benefit to any large degree those of us who have housing in such condition that it needs updated and improved. I ask for a "no" vote on the amendment.

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

Mr. ITKIN. Mr. Speaker, I rise to disagree with my colleague from Beaver County. Months of effort have gone into this particular amendment. There have been a lot of compromises, and a lot of groups that had differing opinions on how to proceed with the use of this type of mortgage financing agreed that this seemed to be the balance point that we could all come together on.

Contrary to what my colleague from Beaver County states, this money is not going to go just to Philadelphia and to Allegheny County; most of it is going to go to all the other areas of the State. It is going to be administered in substantial measure by the Pennsylvania Housing Finance Agency under the amendment, but those moneys are going to flow into every county and into every municipality in the Commonwealth. This is not money that is just going into a couple of urban areas; it is going throughout the entire State. Where we may be getting confused is at the point of who actually goes out and raises the money, whether it be the Housing Finance Agency that raises the money and then uses it or makes it available for distribution throughout the State or whether in a few selective cases where they have the expertise to go on their own and float bonds for this purpose, to allow them to continue. I do not want to get this particular issue clouded with a feeling that all of this money is going into a couple of areas.

All of this money is going throughout Pennsylvania into every county and to every city. Only in the cases of the smaller communities is the issuing authority for the bonds and the guidelines going to be set forth by the Housing Finance Agency.

There is \$340 million available annually for this purpose. We have witnessed the procrastination that has gone on on this particular bill for too long. In fact, the Governor had to take the initiative and pass an executive order because we were unable or unwilling to bite the bullet and go forward. His executive order only goes until December 31 of this year, and unless we have a statute in place, then we are going to come under the onerous requirements of the Federal Government, which is going to deprive our own financial institutions and our own communities of adequate housing starts.

I would like to put this thing aside. It is a good amendment; it is a good bill. Representative Rocks and Representative Burd on the other side of the aisle have worked very diligently on this particular amendment, and I think it deserves our prompt support. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Carbon, Mr. McCall.

Mr. McCALL. Mr. Speaker, will Mr. Rocks stand for interrogation?

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

Mr. McCALL. Mr. Speaker, on page 4 of your amendment, paragraph (h), you say the plan may provide for the targeting of loans to areas of chronic economic distress. The bill provides that it shall be allocated. Will you tell me why it was changed from "shall" to "may"?

Mr. ROCKS. Mr. Speaker, I frankly am not sure of the difference. I know the difference between the words "shall" and "may," but it is my understanding as the author of the amendment that that is a Federally mandated provision which certainly this Commonwealth would come under in providing the 20 percent for the economically depressed areas.

Mr. McCALL. You do not see any problem then with the word "may" in your amendment?

Mr. ROCKS. I do not see a problem with it, no. I do not know at this point in drafting the amendment why we went from the word "shall" to the word "may," but I do not see that there is a problem, because I understand that with the watchful eye of the Federal Government, it is very much a "shall" provision as the Commonwealth implements the program.

Mr. McCALL. Thank you, Mr. Speaker.

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

Mr. L. E. SMITH. Mr. Speaker, I want to just clear up one point that was raised here by two speakers earlier. I was one of the rural legislators who participated in these negotiations over the past 6 months, and most of you who have been around here any length of time are already aware of the fact that nobody gets everything they want. I would have some druthers about this amendment, but I have to tell you that I feel it is the best we could get under the circumstances, and I urge your support for the Rocks amendment.

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

Mr. DORR. Mr. Speaker, I think the debate has drawn the lines fairly clearly here, and I would just like to finally draw them for you because of the conclusions which were reached by my colleagues from central Pennsylvania. Nobody, except perhaps the gentleman, Mr. Itkin, has argued the point that this amendment provides greater funding in the urban areas of Pennsylvania than does the bill in its original form. In other words, the split is going to be greater into the urban areas if the amendment is adopted than it would be if the bill was adopted in its original form. Now, I congratulate my colleagues for their charitable nature, and perhaps they are right that there are problems in the urban areas—I do not disagree with that—but I think there are sufficient problems in my area of Pennsylvania that all of the funds that would be available under the system in the original bill, which is more than would be available under the amendment, can readily be used and should be used in that area of Pennsylvania that those of us in the central part represent.

So I would recommend and urge my colleagues to vote against the amendment, vote "no" on the amendment, and deal with the bill in its original form, which is based, as I understand it, on historical mortgage experience rather than on simple numbers of people and numbers of houses.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

#### YEAS—136

Alden	Frazier	McIntyre	Rybak
Arty	Freind	McMonagle	Salvatore
Barber	Gallagher	McVerry	Saurman
Beloff	Gallen	Mackowski	Seventy
Berson	Gamble	Maiale	Showers
Blaum	Gannon	Manderino	Sieminski
Borski	Geist	Marmion	Sirianni
Bowser	Gladeck	Michlovic	Smith, E. H.
Boyes	Grabowski	Micozzie	Smith, L. E.
Brandt	Greenfield	Miller	Snyder
Brown	Greenwood	Miscevich	Spencer
Burd	Grieco	Moehlmann	Spitz
Caltagirone	Gruitza	Mowery	Stairs
Cappabianca	Gruppo	Mrkoncic	Steighner
Cawley	Hagarty	Mullen	Swaim
Cessar	Harper	Murphy	Taddonio
Civera	Hayes	Nahill	Taylor, E. Z.
Cochran	Heiser	Olasz	Taylor, F. E.
Cohen	Hoeffel	Oliver	Telek
Cornell	Honaman	Pendleton	Tigue
Cowell	Horgos	Perzel	Trello
Cunningham	Irviss	Petrone	Vroon
Daikeler	Itkin	Phillips	Wambach
Davies	Jackson	Pievsky	Wass
Dawida	Johnson	Pistella	Weston
Deal	Kanuck	Pitts	Wiggins
Dombrowski	Kennedy	Pott	Williams, H.
Donatucci	Kowalyszyn	Pucciarelli	Wogan
Duffy	Kukovich	Punt	Wright, J. L.
Durham	Lashinger	Rasco	Wright, R. C.
Emerson	Lehr	Reber	Zwinkl
Evans	Levin	Richardson	
Fargo	Lewis	Ritter	Ryan,
Fleck	Lucyk	Rocks	Speaker
Foster, Jr., A.	McClatchy		

## NAYS—57

Anderson	Dininni	Letterman	Shupnik
Armstrong	Dorr	Levi	Smith, B.
Belardi	Fee	Livengood	Stevens
Belfanti	Fischer	Lloyd	Stewart
Bittle	Foster, W. W.	McCall	Stuban
Burns	Fryer	Madigan	Sweet
Cimini	George	Manmiller	Swift
Clymer	Haluska	Merry	Van Horne
Cole	Hasay	Noye	Wachob
Cordisco	Hutchinson, A.	Peterson	Wargo
Coslett	Klingaman	Petrarca	Wenger
DeMedio	Kolter	Piccola	Wilson
DeVerter	Laughlin	Pratt	Wozniak
DeWeese	Lescovitz	Serafini	Wright, D. R.
Dietz			

## NOT VOTING—5

Colafella	Rieger	White	Williams, J. D.
Gray			

## EXCUSED—5

Clark	Morris	O'Donnell	Rappaport
Hutchinson, W.			

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

On the question,

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

Mr. MANDERINO offered the following amendments No. A3852:

Amend Sec. 3 (Sec. 501-B), page 6, by inserting between lines 27 and 28

(b) The agency shall not sell bonds if the effective annual rate of interest paid on the bonds shall exceed thirteen (13) percent.

Amend Sec. 3 (Sec. 501-B), page 6, line 28, by striking out “(b)” and inserting

(c)

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, the amendment that I offer affects the Pennsylvania Housing Finance Agency in those bonds that will be issued by the agency. It will not affect the bonds that will be issued by municipalities and the moneys allocated to the municipalities. The agency, by my amendment, would be restricted from selling bonds if the effective rate of interest paid annually is greater than 13 percent.

Mr. Speaker, the reason for this amendment: We all envision a program that is very broad-based and where all income groups in the Commonwealth will be able to participate in the program. As best I can determine from talking to people who are more knowledgeable in this field than I, once we get above a 14-percent mortgage on a home or a rehabilitation project, we are closing the number of people that can participate in the program very rapidly, because income limitations of the population would prohibit them in many cases from participating in mortgage repayments that are above the 14-percent level.

I have been told by people interested in the passage of this bill that there is no intention at the present time of going out

into the market, because the market is calling for interest rates on State bonds of this type that seem to be above what I am asking the limit be. But just to make sure that we do not go out in a market and sell bonds that will cut off a significant portion of our population who will not be able to participate, we are asking for what I think is a reasonable limitation on the sale, a limitation which the sponsor of the bill has indicated to me that he is agreeable to at the rate of 13 percent.

I ask adoption of the amendment, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Butler, Mr. Burd.

Mr. BURD. Mr. Speaker, this is an agreed-to amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

## YEAS—194

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

## NAYS—0

## NOT VOTING—4

Arty                      Gallen                      White                      Williams, J. D.

## EXCUSED—5

Clark                      Morris                      O'Donnell                      Rappaport  
Hutchinson, W.

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?

Mr. MANDERINO offered the following amendment No. A3838:

Amend Sec. 3, page 6, by inserting between lines 13 and 14  
Section 403-B. Prohibition Against Subsidy.—No  
fees, charges or other costs attributable to the mortgages  
made pursuant to this article or to the bonds issued under  
Article V-B shall be subsidized by the agency.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, again, the amendment that I now offer affects only the Pennsylvania Housing Finance Agency in the bonds that will be issued by them and the program that will be run by the Housing Finance Agency. The Federal legislation which exempts these revenue bonds from taxation and makes the possible purchase of them attractive to bond purchasers will be invalidated if the mortgages, when they go into the hands of the buyer, are sold or are rated at more than 1 percent above what the bonds sell for for the agency, which means that if the bonds sell at 12 or 13 percent, the mortgage interest to the borrower, your and my constituent, would be 1 percent above that, either 14 percent or 13 percent as the case may be.

My amendment prohibits the Pennsylvania Housing Finance Agency in any manner from subsidizing the placing of those mortgages except for the 1 percent, which the Federal Government has indicated will be the spread between the bond and the mortgage that is issued.

In all of the hearings, Mr. Speaker, and all of the negotiations on this particular legislation, it is my understanding that there was no discussion of any leverage or any subsidy that would be applied by the Housing Finance Agency, and that being the case, I do not think that this does any damage to the bill. In the event that such subsidy became necessary in order for the lending institutions to participate in the program, I would then think that the agency could come back to the legislature and let us look at what it is they would like to do in the way of leverage or subsidy, because it is the money of the people of this Commonwealth that we are talking about in the program.

Mr. Speaker, I ask adoption of the amendment.

The SPEAKER. The Chair recognizes the gentleman from Butler, Mr. Burd.

Mr. BURD. Mr. Speaker, this is an agreed-to amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

## YEAS—194

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

## NAYS—0

## NOT VOTING—4

Gray                      Ritter                      White                      Williams, J. D.

## EXCUSED—5

Clark                      Morris                      O'Donnell                      Rappaport  
Hutchinson, W.

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

On the question recurring,

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

Mr. LAUGHLIN offered the following amendments No. A1315:

Amend Sec. 3 (Sec. 402-B), page 5, line 1, by striking out "newly constructed"

Amend Sec. 3 (Sec. 402-B), page 5, line 19, by striking out "newly constructed"

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

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

Mr. LAUGHLIN. Mr. Speaker, very briefly, the language in HB 930 is somewhat ambiguous in the reference to the proceeds of the bond issue being utilized to finance newly constructed single-family residences and resale units, raising the question of whether resale units means existing housing or some other possible type of housing. A1315 removes this ambiguity by removing the words "newly constructed" and thus makes it clear that the proceeds can be used to finance either newly constructed or existing housing, which is improvements.

The SPEAKER. The Chair recognizes the gentleman from Butler, Mr. Burd.

Mr. BURD. Mr. Speaker, this is not an agreed-to amendment.

### POINT OF ORDER

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

Mr. RITTER. Mr. Speaker, point of order.

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

Mr. RITTER. We adopted the Rocks amendment which in effect gutted the whole bill. Now we have amendments referring to pages on the bill, language that is not in the Rocks amendment, that is no longer there apparently. How are we going to be considering amendments to something which is not there? Should we not have the bill reprinted with the Rocks amendment in it and then go on from there?

The SPEAKER. Will the gentleman yield?

### AMENDMENTS WITHDRAWN

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

Mr. LAUGHLIN. Mr. Speaker, I withdraw amendment A1315.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

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

Mr. LAUGHLIN offered the following amendments No. A3447:

Amend Title, page 2, line 9, by inserting after "Agency"  
and electing issuing authorities of counties  
of the fourth class

Amend Sec. 3 (Sec. 401-B), page 3, line 22, by striking out "is" and inserting  
and electing issuing authorities of counties

of the fourth class are

Amend Sec. 3 (Sec. 401-B), page 3, line 23, by striking out "entity" and inserting  
entities

Amend Sec. 3 (Sec. 401-B), page 3, line 27, by inserting after "agency"

and electing issuing authorities of counties  
of the fourth class

Amend Sec. 3 (Sec. 401-B), page 4, line 1, by striking out "the agency" and inserting  
they

Amend Sec. 3 (Sec. 401-B), page 4, lines 1 and 2, by striking out "The agency" and inserting  
They

Amend Sec. 3, page 6, by inserting between lines 13 and 14

Section 403-B. Counties of the Fourth Class.—All mortgage loans made by an electing issuing authority of a county of the fourth class shall be made in accordance with the provisions of the Mortgage Subsidy Bond Tax Act of 1980.

Amend Sec. 3 (Sec. 501-B), page 7, line 1, by striking out "completely"

Amend Sec. 3 (Sec. 501-B), page 7, lines 1 and 2, by striking out "for" in line 1 and all of line 2 and inserting

and electing issuing authorities of counties of the fourth class in accordance with the following formula: Each county of the fourth class shall be allocated a percentage of the total State allocation of qualified mortgage bonds equal to the ratio which the average annual aggregate principal amount of mortgages executed during the immediately preceding three calendar years for single family owner occupied residences located within each county bears to the average determined in the same way for the entire State. The remainder of the total State allocation shall be allocated to the agency.

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

### AMENDMENTS WITHDRAWN

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

Mr. LAUGHLIN. Mr. Speaker, I withdraw amendment A3447.

Mr. Speaker, as a clear indication as to why that amendment was withdrawn and the other amendments also withdrawn, it is only because there are members here in the House who are going to possibly delay the action of the House on the bill. That is not my intent. The original bill and the amendments were drafted correctly. I had no knowledge of Mr. Rocks offering his amendment prior to my opportunity. So I am withdrawing them on that basis, and I will present them to both sides to be considered in that conference committee. Thank you, Mr. Speaker.

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—189

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

## NAYS—3

Armstrong DeVerter Dorr

## NOT VOTING—6

Gray Rieger White Williams, J. D.  
McMonagle Smith, E. H.

## EXCUSED—5

Clark Morris O'Donnell Rappaport  
Hutchinson, W.

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

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

The SPEAKER. The Chair recognizes the gentleman from Butler, Mr. Burd.

Mr. BURD. Mr. Speaker, as prime sponsor of HB 930, I would like to thank the membership for their affirmative vote on what I feel is very important legislation to help the housing

industry in the State of Pennsylvania, and I do not feel they will be sorry for it. Thank you, Mr. Speaker.

## HB 704 RECONSIDERED

The SPEAKER. The Chair recognizes the gentleman from Beaver, Mr. Laughlin, who moves that the vote by which HB 704, PN 2135, was passed on the 14th day of October 1981, be reconsidered. The motion is seconded by the gentleman, Mr. Manderino.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

## YEAS—192

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

## NAYS—0

## NOT VOTING—6

McClatchy Smith, E. H. White Williams, J. D.  
McMonagle Stevens



## EXCUSED—5

Clark                      Morris                      O'Donnell                      Rappaport  
Hutchinson, W.

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

On the question recurring,  
Shall the bill pass finally?

## DECISION OF CHAIR WITHDRAWN

The SPEAKER. Without objection, the Chair withdraws its decision as to the bill having been agreed to on third consideration as amended. The Chair hears none.

On the question recurring,  
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 majority leader.  
Mr. HAYES. Mr. Speaker, I move that HB 704 be placed upon the third reading postponed calendar.

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

BILLS REPORTED FROM COMMITTEES,  
CONSIDERED FIRST TIME, AND TABLED

## HB 1224, PN 2386 (Amended)

By Rep. MILLER

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for duties and jurisdiction of the Municipal Court of Philadelphia.

## URBAN AFFAIRS.

## HB 1225, PN 1360

By Rep. MILLER

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for duties and jurisdiction of the Municipal Court of Philadelphia.

## URBAN AFFAIRS.

## HB 1226, PN 2387 (Amended)

By Rep. MILLER

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for duties and jurisdiction of the Municipal Court of Philadelphia.

## URBAN AFFAIRS.

## HB 1227, PN 1362

By Rep. MILLER

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the selection of the Prothonotary of Philadelphia.

## URBAN AFFAIRS.

## HB 1228, PN 1363

By Rep. MILLER

An Act amending the act of June 1, 1956 (1955 P. L. 1959, No. 657), referred to as the Public Official Compensation Law, further providing for the salary of the President Judge and associate judges of the Philadelphia Municipal Court.

## URBAN AFFAIRS.

## HB 1739, PN 2350 (Amended)

By Rep. L. E. SMITH

An Act amending the "Banking Code of 1965," approved November 30, 1965 (P. L. 847, No. 356), further providing for investment in fixed assets, purchase of acceptances, competing regulated lenders, deposits in savings banks, \*\*\* placing restrictions against a trust company holding its own stock; permitting a restricted number of trustees of a savings bank to serve as directors of trust companies; deleting certain restrictions on loans and permitting conversion of mutual savings banks into stock savings banks.

## BUSINESS AND COMMERCE.

## HB 1801, PN 2159

By Rep. MILLER

An Act amending the act of June 1, 1956 (1955 P. L. 1959, No. 657), referred to as the Public Official Compensation Law, increasing salaries of Philadelphia Traffic Court judges.

## URBAN AFFAIRS.

## SENATE MESSAGE

HOUSE AMENDMENTS  
NONCONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to SB 618, PN 1182.

## MOTION INSISTING UPON AMENDMENTS

Mr. McCLATCHY moved that the House insist upon its amendments nonconcurred in by the Senate to SB 618, PN 1182, and that a committee of conference on the part of the House be appointed.

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

APPOINTMENT OF  
COMMITTEE OF CONFERENCE

The SPEAKER. The Chair appoints as a committee of conference on the part of the House on SB 618, PN 1182:

Messrs. McCLATCHY, ANDERSON and PIEVSKY.

Ordered, That the clerk inform the Senate accordingly.

## REMARKS ON VOTES

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

Mr. BELARDI. Thank you, Mr. Speaker.

Mr. Speaker, on HB 1423 I was not recorded, and had I been in my seat, I would like the record to show I would have voted in the affirmative.

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

The Chair recognizes the lady from Delaware, Mrs. Arty.

Mrs. ARTY. Mr. Speaker, I was out of my seat when the vote was taken on HB 930, amendment 3852. Had I been in my seat, I would like to have been recorded as voting in the affirmative.

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

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

Mr. RITTER. Mr. Speaker, I would request of you that sometime next week at a more appropriate time, you recognize me under a question of personal privilege so that I may address the House on an issue that concerns us. Thank you.

#### **BILLS AND RESOLUTIONS PASSED OVER**

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

#### **ADJOURNMENT**

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

Mr. EMERSON. Mr. Speaker, I move that this House do adjourn until Monday, October 19, 1981, at 1 p.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 5:21 p.m., e.d.t., the House adjourned.