

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

WEDNESDAY, OCTOBER 28, 1981

SESSION OF 1981

165TH OF THE GENERAL ASSEMBLY

No. 67

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MATTHEW J. RYAN) IN THE CHAIR

PRAYER

REV. FRANK A. NICKEL, JR., chaplain of the House of Representatives and pastor of St. Paul's United Methodist Church, Elizabethtown, Pennsylvania, offered the following prayer:

Let us pray:

Lord God, You have set us as free persons in the midst of Your creation. You have put at our disposal tremendous resources. You have left to us to decide whether they shall be used to help or hinder, to build up or break down, to conserve or consume.

Our record has been a mixture of success and failure. We are ashamed and tired of our failure. We want to do the best we can for the present and in no way encumber the future.

We know that ultimately Your will shall be done in human history. Let it be done now through us. Draw near to us this day to purge us from all self-centeredness and fill us with Your presence that we may love righteousness, seek justice, and walk humbly with You. 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 27, 1981, will be postponed until printed. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2013 By Representatives MILLER, MANDERINO, McCALL, ARTY, SWEET, J. L. WRIGHT, CALTAGIRONE, WHITE and VAN HORNE

An Act relating to ophthalmic dispensing; requiring registration of certain persons and providing for injunctions and penalties.

Referred to Committee on PROFESSIONAL LICENSURE, October 27, 1981.

No. 2014 By Representatives COLE, DORR, A. K. HUTCHINSON, KOLTER, LIVENGOD and STAIRS

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), extending the time for the State Board of Examiners of Public Accountants to issue and accept certain applications.

Referred to Committee on PROFESSIONAL LICENSURE, October 27, 1981.

No. 2015 By Representatives LEVI, A. K. HUTCHINSON, A. C. FOSTER, JR. and DOMBROWSKI

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), providing for taxation as personal income on installment payments of real and personal property and further providing for tax returns.

Referred to Committee on FINANCE, October 27, 1981.

No. 2016 By Representatives DUFFY and PETRARCA

An Act amending the "Bingo Law," approved July 10, 1981 (P. L. 214, No. 67), authorizing senior citizen associations newly formed to conduct bingo.

Referred to Committee on STATE GOVERNMENT, October 27, 1981.

No. 2017 By Representatives WILSON, TELEK and KOWALYSHYN

An Act amending the act of November 24, 1976 (P. L. 1176, No. 261), known as the "Mobile Home Park Rights Act," further providing for sales and leases of mobile homes and authorizing the creation of Mobile Home Park Resident Boards.

Referred to Committee on BUSINESS AND COMMERCE, October 27, 1981.

No. 2018 By Representatives WILSON, BOYES, POTT, RASCO, MILLER, ALDEN, ITKIN, FARGO, MAIALE, VROON, BELARDI, MORRIS and KOWALYSHYN

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853, No. 155), providing for the periodic certification of tax exempt property.

Referred to Committee on LOCAL GOVERNMENT, October 27, 1981.

No. 2019 By Representatives WILSON, BOYES, POTT, RASCO, MILLER, ALDEN, ITKIN,

FARGO, MAIALE, VROON, BELARDI,
MORRIS and KOWALYSHYN

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571, No. 254), providing for the periodic certification of tax exempt property.

Referred to Committee on LOCAL GOVERNMENT, October 27, 1981.

No. 2020 By Representatives WILSON, BOYES, POTT, RASCO, MILLER, ALDEN, ITKIN, FARGO, MAIALE, VROON, BELARDI, MORRIS and KOWALYSHYN

An Act amending the act of June 27, 1939 (P. L. 1199, No. 404), entitled "An act relating to the assessment of real and personal property and other subjects of taxation in counties of the first class; *** and repealing existing laws," providing for the periodic certification of tax exempt real property.

Referred to Committee on LOCAL GOVERNMENT, October 27, 1981.

No. 2021 By Representatives WILSON, BOYES, POTT, RASCO, MILLER, ALDEN, ITKIN, FARGO, MAIALE, VROON, BELARDI, MORRIS and KOWALYSHYN

An Act amending the act of June 21, 1939 (P. L. 626, No. 294), referred to as the Second Class County Assessment Law, providing for the periodic certification of tax exempt real property.

Referred to Committee on LOCAL GOVERNMENT, October 27, 1981.

No. 2022 By Representatives GREENFIELD and PIEVSKY

An Act amending the "Mental Health and Mental Retardation Act of 1966," approved October 20, 1966," (3rd Sp. Sess., P. L. 96, No. 6), limiting the amount a governmental body may withhold from income of mentally disabled persons.

Referred to Committee on HEALTH AND WELFARE, October 27, 1981.

No. 2023 By Representatives RYBAK, KOWALYSHYN, WARGO, MORRIS, MRKONIC, SPENCER, SIEMINSKI, GRUPPO, MADIGAN, DEAL, SWAIM, EVANS, BORSKI, McMONAGLE, ZWIKL, WAMBACH, BROWN, WESTON, A. C. FOSTER, JR., CAWLEY, KANUCK, SNYDER and H. WILLIAMS

An Act amending the act of October 4, 1978 (P. L. 883, No. 170), referred to as the Public Official and Employee Ethics Law, further providing for the filing of statements of financial interests for county and municipal offices.

Referred to Committee on STATE GOVERNMENT, October 27, 1981.

No. 2024 By Representatives HARPER, DEAL, J. D. WILLIAMS, RICHARDSON and BARBER

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), further providing for the determination, administration and operation of a distressed school district of the first class.

Referred to Committee on EDUCATION, October 27, 1981.

No. 2025 By Representatives OLASZ, PETRARCA, CLARK, MANDERINO, DOMBROWSKI, CESSAR, HEISER, KOLTER, WARGO, McCALL, FRYER, TELEK, DeMEDIO, COCHRAN, LIVENGOOD, MRKONIC, WILSON, BELFANTI, ITKIN, MISCEVICH, TRELLO, SEVENTY, PISTELLA, TADDONIO, POTT, RASCO, BURD, MARMION, McVERRY, MICHLOVIC, PUCCIARELLI, COWELL, BELARDI, SIEMINSKI, FRAZIER, FLECK, McMONAGLE, SWAIM, BORSKI, HORGOS, DUFFY, GAMBLE, HARPER, SWEET, DeWEESE, GALLAGHER, WIGGINS, PETRONE, GEORGE, MAIALE, FEE, LAUGHLIN, H. WILLIAMS, TIGUE, COLAFELLA, PRATT, CAWLEY, CORDISCO, CAPPABIANCA, HAYES, BLAUM, STEVENS, STUBAN, LUCYK, J. D. WILLIAMS, BARBER, RIEGER, PIEVSKY, RAPPAPORT, GREENFIELD, SHOWERS, F. E. TAYLOR, STEIGHNER, D. R. WRIGHT, VAN HORNE, KUKOVICH, GRUITZA, WAMBACH, WOZNIAK, STEWART, GRABOWSKI, PENDLETON, MORRIS, LETTERMAN, SHUPNIK, HOFFEL, COHEN and A. K. HUTCHINSON

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 household income and maximum amount of rebate.

Referred to Committee on FINANCE, October 27, 1981.

No. 2026 By Representatives PETRARCA, LIVENGOOD, CLARK, TADDONIO and STAIRS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for inspections of firetrucks.

Referred to Committee on TRANSPORTATION, October 27, 1981.

No. 2027 By Representatives E. H. SMITH, WARGO, DeMEDIO, MRKONIC, CAWLEY, BELARDI and SERAFINI

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for pensions to deceased soldier's dependents.

Referred to Committee on MILITARY AND VETERANS AFFAIRS, October 27, 1981.

No. 2028 By Representatives PETRARCA, LEHR, DOMBROWSKI, DUFFY, SALVATORE and PERZEL

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), providing for the gradual phaseout of certain counter-service stores; increasing the amount of self-service stores where feasible and imposing additional duties on the board.

Referred to Committee on LIQUOR CONTROL, October 27, 1981.

No. 2029 By Representatives R. C. WRIGHT, MISCEVICH, PISTELLA, PENDLETON, MANDERINO, OLASZ, McVERRY, SHUPNIK, TADDONIO, RASCO, HEISER, FLECK, MARMION, OLIVER, BURD, CESSAR, TRELLO, HORGOS, MRKONIC, WIGGINS and FRAZIER

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

Referred to Committee on HEALTH AND WELFARE, October 27, 1981.

No. 2030 By Representatives H. WILLIAMS, BARBER, WIGGINS, EVANS, RIEGER, SALVATORE, LAUGHLIN, DEAL, J. D. WILLIAMS and FREIND

An Act amending the "Public School Code of 1949," approved March 30, 1949 (P. L. 10, No. 14), further providing for a determination as to when a school district is distressed; further providing for the special board of control and giving additional powers to the board with respect to teachers' contracts.

Referred to Committee on EDUCATION, October 27, 1981.

SENATE BILL FOR CONCURRENCE

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

SB 962, PN 1371

Referred to Committee on STATE GOVERNMENT, October 27, 1981.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 122 By Representatives HASAY, PETRARCA, NOYE, PHILLIPS and COSLETT

House memorializes President and Congress repeal section 381.31 of the Domestic Mail Manual.

Referred to Committee on FEDERAL-STATE RELATIONS, October 27, 1981.

No. 123
(Concurrent) By Representatives LESCOVITZ, KOLTER, COLAFELLA and LAUGHLIN

General Assembly honors the Borough of Midland, Beaver County on the 75th year of its founding.

Referred to Committee on RULES, October 27, 1981.

LEAVES OF ABSENCE

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

Mr. CESSAR. Thank you, Mr. Speaker.

I have no requests for leaves of absence for today.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. MANDERINO. You are not going to get one up on us. We have no leaves of absence for today either.

The SPEAKER. The Chair thanks the gentleman.

MASTER ROLL CALL RECORDED

The SPEAKER. The Chair is about to take the master roll call. Members please report to the floor of the House. Members will proceed to vote.

The following roll call was recorded:

PRESENT—196

Alden	Fargo	McCall	Salvatore
Anderson	Fee	McClatchy	Saurman
Armstrong	Fischer	McIntyre	Serafini
Arty	Fleck	McMonagle	Seventy
Barber	Foster, W. W.	McVerry	Showers
Belardi	Foster, Jr., A.	Mackowski	Shupnik
Belfanti	Frazier	Madigan	Sieminski
Beloff	Freind	Maiale	Sirianni
Berson	Fryer	Manderino	Smith, B.
Bittle	Gallagher	Manmiller	Smith, E. H.
Blaum	Gallen	Marmion	Smith, L. E.
Borski	Gamble	Merry	Snyder
Bowser	Gannon	Michlovic	Spencer
Boyes	Geist	Micozzie	Spitz
Brandt	George	Miller	Stairs
Brown	Gladeck	Miscevich	Steighner
Burd	Grabowski	Moehlmann	Stevens
Burns	Gray	Morris	Stewart
Cappabianca	Greenwood	Mowery	Sruban
Cawley	Grieco	Mrkonic	Swaim
Cessar	Gruitza	Mullen	Sweet
Cimini	Gruppo	Murphy	Swift
Civera	Hagarty	Nahill	Taddonio
Clark	Haluska	Noye	Taylor, E. Z.
Clymer	Harper	O'Donnell	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	Kennedy	Pistella	Weston
DeWeese	Klingaman	Pitts	Wiggins
Daikeler	Kolter	Pott	Williams, H.
Davies	Kowalshyn	Pratt	Williams, J. D.
Dawida	Kukovich	Pucciarelli	Wilson
Deal	Lashinger	Punt	Wogan
Dietz	Laughlin	Rappaport	Wozniak
Dininni	Lehr	Rasco	Wright, D. R.
Dombrowski	Lescovitz	Reber	Wright, J. L.

Donatucci	Letterman	Richardson	Wright, R. C.
Dorr	Levi	Rieger	Zwinkl
Duffy	Levin	Ritter	
Durham	Livengood	Rocks	Ryan,
Emerson	Lloyd	Rybak	Speaker
Evans	Lucyk		

ADDITIONS—2

Greenfield Kanuck

NOT VOTING—1

White

EXCUSED—4

Caltagirone Hutchinson, W. Irvis Lewis

WELCOME

The SPEAKER. The Chair is pleased to welcome to the hall of the House today Miss Mary Washburn, Mrs. Carol Washburn, and Ms. Gloria Spotts, here today as the guests of Representative Letterman.

CITATION

The SPEAKER. The Chair at this time recognizes the minority whip, who has asked permission to address the House in connection with a citation.

Mr. MANDERINO. Thank you, Mr. Speaker.

Mr. Speaker, I would like to offer and have read into the record and read by the reading clerk of the House a citation citing the trade unions and the labor unions of the State, who will celebrate their birthday on the 15th of November.

The moving members of the House on the citation are the majority and minority leaders, the Speaker, and the minority whip.

The SPEAKER. The Chair thanks the gentleman. The citation will be read by the clerk.

The following citation was read:

COMMONWEALTH OF PENNSYLVANIA
CITATION BY THE HOUSE OF REPRESENTATIVES

WHEREAS, The founding of the Federation of Organized Trades and Labor Unions on November 15, 1881, marked the emergence of the modern trade union movement as a major and enduring force for progress in American Society; and

WHEREAS, From the founding there came, first, the American Federation of Labor; the Congress of Industrial Organizations and the combined American Federation of Labor and Congress of Industrial Organizations (AFL-CIO); and

WHEREAS, From the time of first President Samuel Gompers, these organizations have held to the highest standards of service for the members of trade unions and the communities in which they live. Samuel Gompers, in 1893, summed up the trade union movement's goals as "more schoolhouses and less jails, more books and less arsenals, more learning and less vice, more constant work and less crime, more leisure and less greed, more justice and less revenge." From the first struggles of trade unions to organize and survive, there has grown a lengthening list of achievements on behalf of all Americans, including compulsory free public education, the improvement of working conditions and wages, the dissolving of barriers based on bias and prejudice, and the strengthening of community progress; and

WHEREAS, The trade union movement is now an acknowledged and established segment of our society, respected for its

advocacy of individual rights and defense of individual liberties on behalf of all Americans.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania commends the American trade union movement and the American Federation of Labor and Congress of Industrial Organizations on Labor's Centennial and congratulates its affiliated trade unions on one hundred years of progressive achievement on behalf of the working people and communities of this Commonwealth; and further directs that a copy of this citation be delivered to the Officers of the Pennsylvania AFL-CIO.

Submitted by:
K. Leroy Irvis
James J. Manderino
Samuel E. Hayes, Jr.
Matthew J. Ryan
Speaker
ATTEST:
John J. Zubeck
Chief Clerk

October 22, 1981

The SPEAKER. In deference to the coming Halloween season, we have a distinguished guest distributing jelly beans.

WELCOMES

The SPEAKER. The Chair is pleased to welcome to the hall of the House today a group of 37 students from Cedar Crest College in Allentown, along with their professor, Mrs. Wilma Mills. The students are here as the guests of the Lehigh County delegation.

The Chair is pleased to welcome to the hall of the House today Edward and Helen Christiano and Betty Wasko of Shamokin, Pennsylvania, here today as the guests of Representative Belfanti.

MEMBER'S PRESENCE RECORDED

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

WELCOME

The SPEAKER. The Chair is pleased to welcome to the hall of the House today Mr. Doyle and Mr. Simon of Springfield High School, Delaware County, here today as the guests of Representative Arty.

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1662, PN 2142**, entitled:

An Act amending "The Liquid Fuels Tax Act," approved May 21, 1931 (P. L. 149, No. 105), changing certain penalties and bond requirements; changing the discount for tax payments, further providing for the filing of reports and the retention of records; imposing limitations on assessment and collection and further providing for the enforcement of the act.

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

NAYS—6

Fargo	Haluska	Lloyd	McClatchy
Gruitza	Klingaman		

NOT VOTING—3

Kanuck	White	Williams, H.
--------	-------	--------------

EXCUSED—4

Caltagirone	Hutchinson, W. Irvis	Lewis
-------------	----------------------	-------

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 1664, PN 1943**, entitled:

An Act amending the "Motor Carriers Road Tax Act," approved June 19, 1964 (P. L. 7, No. 1), redefining "motor vehicle"; providing for the retention of records and the filing of a bond; and further providing for the failure to pay the tax and making determinations and redeterminations.

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

NAYS—1

Fargo

NOT VOTING—8

Hagarty	Rocks	Weston	Williams, H.
Kanuck	Salvatore	White	Wogan

EXCUSED—4

Caltagirone	Hutchinson, W.	Irvis	Lewis
-------------	----------------	-------	-------

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 1667, PN 2143**, entitled:

An Act amending the "Fuel Use Tax Act," approved January 14, 1952 (1951 P. L. 1965, No. 550), redefining the word "use"; further providing for bonds, the imposition and payment of the tax and the retention of records; imposing limitations and providing for enforcement and rewards.

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—183

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

Daikeler	Kowalyszyn	Pott	Wiggins
Davies	Kukovich	Pratt	Wilson
Dawida	Lashingier	Pucciarelli	Wogan
Deal	Laughlin	Punt	Wozniak
Dietz	Lehr	Rappaport	Wright, D. R.
Dininni	Lescovitz	Richardson	Wright, J. L.
Dombrowski	Letterman	Rieger	Wright, R. C.
Donatucci	Levi	Ritter	Zwicl
Dorr	Levin	Rocks	
Duffy	Livengood	Rybak	Ryan,
Durham	Lucyk	Salvatore	Speaker
Emerson			

NAYS—6

Fargo	Haluska	Lloyd	McClatchy
Gruitza	Klingaman		

NOT VOTING—10

Armstrong	Kanuck	Reber	Williams, H.
Belfanti	O'Donnell	White	Williams, J. D.
Jackson	Rasco		

EXCUSED—4

Caltagirone	Hutchinson, W.	Irvis	Lewis
-------------	----------------	-------	-------

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. and Mrs. Basil Myers and their daughter Kathie, here today as the guests of the gentleman from Allegheny, Mr. Trello.

REMARKS ON VOTE

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

Mr. BELFANTI. Mr. Speaker, on HB 1667 I was not in my seat. Had I been in my seat, I would have voted in the affirmative.

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

For what purpose does the gentleman from Lehigh, Mr. Ritter, rise?

Mr. RITTER. Mr. Speaker, I just think the record ought to note that many Republicans this morning have put their hands not in the cookie jar but in the jelly bean jar, and I think that is a very interesting observation.

The SPEAKER. You would not want me to comment on the distinction, would you?

Mr. RITTER. No, Mr. Speaker. He has not even come over on this side yet, so we will take care of that when he comes over here.

The SPEAKER. We will send him over with the cookie jar.

REMARKS ON VOTE

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

Mr. REBER. Mr. Speaker, on HB 1667 I was in my seat; I did vote, but it did not record. Had it recorded, it would have been 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 **SB 814, PN 1346**, entitled:

An Act amending the act of August 7, 1963 (P. L. 549, No. 290), entitled, as amended, "Pennsylvania Higher Education Assistance Agency Act," further providing for loan servicing and adding limited subpoena powers in the investigation of fraud or breach of fiduciary obligation.

On the question,
Will the House agree to the bill on third consideration?
Mr. MANDERINO offered the following amendments No. A4162:

Amend Sec. 1 (Sec. 4), page 3, line 8, by inserting brackets before and after "and"

Amend Sec. 1 (Sec. 4), page 3, lines 15 through 18, by striking out "and the power to issue an order of subpoena duces tecum" in line 15 and all of lines 16 through 18 and inserting

; and
(iii) present to the board of directors of the agency, evidence of probable violations of criminal statutes related to fraud or a breach of fiduciary obligation and request the board to issue an order of subpoena duces tecum to obtain original documents submitted by individuals for the purpose of obtaining loans or loan guarantees or other moneys from the agency. The board of directors shall have the power to issue a subpoena duces tecum for such purposes under the hand of its chairman upon a majority vote of its membership of a finding that a probable violation of such criminal statutes has occurred.

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

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, amendment A4162 to SB 814 deals with the power of subpoena which is being granted to the agency PHEAA (Pennsylvania Higher Education Assistance Agency) in regard to enforcement procedures.

In consultation with the chairman of the Subcommittee on Higher Education, Mrs. Taylor, we have worked out an amendment that restricts the subpoena power being given so as to apply only in cases where fraud or a breach of a fiduciary relationship is alleged and probable cause for such is presented to the board of PHEAA, and the board of PHEAA would designate that the subpoena should be issued, rather than have the subpoena in the hands of an investigator who makes the decision whether or not to use it without board action.

I think the amendment is agreed to.

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

Mrs. TAYLOR. Mr. Speaker, this amendment is agreed to and, in my opinion, will strengthen the bill that is before us today, and I would urge an affirmative vote.

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

The following roll call was recorded:

YEAS—193

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

NAYS—1

Johnson

NOT VOTING—5

Freind	McIntyre	White	Williams, H.
Kanuck			

EXCUSED—4

Caltagirone	Hutchinson, W.	Irvis	Lewis
-------------	----------------	-------	-------

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. A4278:

Amend Sec. 1 (Sec. 4), page 2, line 16, by striking out "INDIVIDUALS,"

Amend Sec. 1 (Sec. 4), page 2, lines 19 through 27, by striking out all of said lines and inserting

Any such contract of the agency to service student loans shall not be subject to the provisions of the act of June 21, 1957 (P.L. 390, No. 212), referred to as the Right-to-Know Law. For purposes of this clause, contract shall include schedules or exhibits relating to pricing or schedules relating to equipment, time charges, service charges or other charges pertinent to an agency contract to service student loans. Any citizen of the Commonwealth of Pennsylvania who desires to examine, inspect or copy any such contract shall apply to the Attorney General. Upon receipt of any such application, the Attorney General shall cause a review of the contract to determine if the disclosure of the contents of the contract could cause a loss of revenue to any Commonwealth fund or to the agency. If the Attorney General determines that it is unlikely that a loss of revenue to any Commonwealth fund or the agency could occur, the Attorney General may grant the application and order the agency to permit the citizen to examine, inspect or copy the contract. Otherwise, the Attorney General shall deny the application. The Attorney General shall also have the power to determine that portions of the contract may be examined, inspected or copied and other portions may not. The agency may adopt and enforce reasonable rules, subject to the approval of the Attorney General, governing the examination, inspection or copying of any such contracts. The Attorney General shall make a determination for any application within thirty days of receipt thereof.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, again this is an amendment that I believe is agreed to, after consultations with the staff and the subcommittee chairman, Mrs. Taylor.

It speaks to that portion of the bill which creates an exception to the Commonwealth Right-to-Know Act, making certain contracts of the agency - the Pennsylvania Higher Education Assistance Agency - confidential. It limits the confidentiality of their contracts to those contracts wherein the Attorney General of the Commonwealth can decide that certain proprietary information is contained in the contract, the revelation or the public knowledge of which would cause economic loss to the Commonwealth. All other contracts would remain subject to the documents law of public access.

Mr. Speaker, I urge an adoption of the amendment.

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

Mrs. TAYLOR. Mr. Speaker, again I think this amendment is speaking in the best interest of the taxpayers and also of the agency, and I would urge its adoption.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—194

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

NAYS—0

NOT VOTING—5

Duffy	Kanuck	McIntyre	White
Frazier			

EXCUSED—4

Caltagirone	Hutchinson, W.	Irvis	Lewis
-------------	----------------	-------	-------

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—194

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

NAYS—1

Evans

NOT VOTING—4

Frazier Kanuck McIntyre White

EXCUSED—4

Caltagirone Hutchinson, W. Irvis Lewis

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

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

REMARKS ON VOTE

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

Mr. FREIND. Thank you, Mr. Speaker.

On the first Manderino amendment to SB 814, I was not in my seat. I would have voted 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 970, PN 1057**, entitled:

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.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader. Mr. HAYES. Mr. Speaker, I move that **HB 970** be recommitted to the Committee on Transportation.

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

* * *

The House proceeded to third consideration of **HB 677, PN 2128**, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), providing for limited township reimbursement in certain circumstances.

On the question,
Will the House agree to the bill on third consideration?
Mr. VROON offered the following amendment No. A4076:

Amend Sec. 1 (Sec. 503), page 1, line 15, by inserting brackets before and after "five per centum" and inserting immediately thereafter

ten per centum

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

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

Mr. VROON. Mr. Speaker, this bill makes it possible for 5 percent of the electorate to petition the court to cause a township official to show reason why he should not be dismissed from office by virtue of being negligent in office and not doing his work. I have no objection to the idea whatsoever, but some of our people in Chester County were very much concerned about the number required to petition the court. Consequently, I have introduced this amendment which raises that number from 5 percent of the electors to 10 percent, with

the idea that by so doing, we do not close off the opportunities that are offered to the people out there to call some of their township officials to task when it is necessary, but mainly to make it a little bit more difficult for them to do so, to eliminate the frivolous activity which could be brought about as a result of this. So this amendment only raises from 5 percent to 10 percent the amount of citizens required to petition the court to call any so-called negligent official to account.

Since there is also the rest of the bill, which is really the most important part of it having to do with legal fees and who is responsible to pay the legal fees, this would soften the blow as far as the legal fees are concerned; it would cut down the number of contests that would occur. Consequently, it would do away with a lot of so-called frivolous activity on the part of people who really do not have an ax to grind after all. I urge favorable consideration of this amendment.

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

The following roll call was recorded:

YEAS—173

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

NAYS—16

Berson	Durham	Manderino	Richardson
Cappabianca	Kukovich	Miscevich	Swaim
Cohen	Lloyd	Oliver	Van Horne
Cowell	Lucyk	Pievsky	Williams, H.

NOT VOTING—10

Beloff	Kanuck	O'Donnell	Sweet
DeWeese	McIntyre	Pratt	White
Emerson	Maiale		

EXCUSED—4

Caltagirone	Hutchinson, W.	Irvis	Lewis
-------------	----------------	-------	-------

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—193

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

Dorr	Letterman	Rieger	
Duffy	Levi	Ritter	Ryan,
Durham	Levin	Rocks	Speaker
Emerson	Livengood	Rybak	

NAYS—1

Steighner

NOT VOTING—5

Gray	McIntyre	Petrarca	White
Kanuck			

EXCUSED—4

Caltagirone	Hutchinson, W.	Irvis	Lewis
-------------	----------------	-------	-------

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 678, PN 2129**, entitled:

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206, No. 331), imposing additional requirements relating to complaints seeking the removal of township officers and providing for limited township reimbursement in certain circumstances.

On the question,

Will the House agree to the bill on third consideration?

Mr. VROON offered the following amendment No. A4075:

Amend Sec. 1 (Sec. 604), page 1, line 17, by striking out "FIVE" and inserting ten

On the question,

Will the House agree to the amendment?

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

Mr. VROON. Mr. Speaker, this is just a repeat of the prior amendment which we just approved on HB 677. I would ask your favor in approving this amendment as well.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—169

Alden	Fee	Levin	Saurman
Anderson	Fleck	Livengood	Serafini
Armstrong	Foster, W. W.	McCall	Seventy
Arty	Foster, Jr., A.	McClatchy	Showers
Barber	Frazier	McMonagle	Shupnik
Belardi	Freind	McVerry	Sieminski
Belfanti	Fryer	Mackowski	Sirianni
Beloff	Gallagher	Madigan	Smith, B.
Bittle	Gallen	Manmiller	Smith, E. H.
Blaum	Gamble	Marmion	Smith, L. E.
Borski	Gannon	Merry	Snyder
Brandt	Geist	Michlovic	Spencer
Brown	George	Micozzie	Spitz
Burd	Gladeck	Miller	Steighner
Burns	Gray	Moehlmann	Stevens
Cawley	Greenfield	Morris	Stewart
Cessar	Greenwood	Mowery	Stuban
Cimini	Grieco	Mrkonjic	Swift
Civera	Gruitza	Mullen	Taddonio

Clark	Gruppo	Murphy	Taylor, E. Z.
Clymer	Hagarty	Nahill	Taylor, F. E.
Cochran	Haluska	Noye	Telek
Colafella	Harper	O'Donnell	Tigue
Cole	Hasay	Olasz	Trello
Cordisco	Hayes	Pendleton	Vroon
Cornell	Heiser	Perzel	Wachob
Coslett	Hoeffel	Peterson	Wambach
Cunningham	Honaman	Petrone	Wargo
DeMedio	Horgos	Phillips	Wass
DeVerter	Hutchinson, A.	Piccola	Wenger
Daikeler	Itkin	Pistella	Wiggins
Davies	Jackson	Pitts	Williams, J. D.
Dawida	Johnson	Pott	Wilson
Dietz	Kennedy	Pratt	Wogan
Dininmi	Klingaman	Pucciarelli	Wozniak
Dombrowski	Kolter	Punt	Wright, D. R.
Donatucci	Kowalshyn	Rappaport	Wright, J. L.
Dorr	Lashinger	Rasco	Wright, R. C.
Duffy	Laughlin	Reber	Zwickl
Durham	Lehr	Rieger	
Emerson	Lescoviz	Ritter	Ryan,
Evans	Letterman	Rybak	Speaker
Fargo	Levi	Salvatore	

NAYS—19

Berson	Fischer	Maiale	Richardson
Cappabianca	Grabowski	Manderino	Swaim
Cohen	Kukovich	Miscevich	Van Horne
Cowell	Lloyd	Oliver	Williams, H.
Deal	Lucyk	Pievsky	

NOT VOTING—11

Bowser	Kanuck	Rocks	Weston
Boyes	McIntyre	Stairs	White
DeWeese	Petrarca	Sweet	

EXCUSED—4

Caltagirone	Hutchinson, W.	Irvis	Lewis
-------------	----------------	-------	-------

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—193

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

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

NAYS—1

Steighner

NOT VOTING—5

Emerson	McIntyre	Petrarca	White
Kanuck			

EXCUSED—4

Caltagirone	Hutchinson, W.	Irvis	Lewis
-------------	----------------	-------	-------

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 972, PN 1059**, entitled:

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

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?

Does the gentleman from Montgomery, Mr. Lashingner, desire recognition on this bill?

Mr. LASHINGER. Yes, Mr. Speaker.

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

Mr. LASHINGER. Thank you, Mr. Speaker.

Would the prime sponsor just stand for brief interrogation?
The SPEAKER. The gentleman, Mr. Mackowski, subjects himself to interrogation. The gentleman, Mr. Lashingner, may proceed.

Mr. LASHINGER. Thank you, Mr. Speaker.

Mr. Speaker, just in an effort to clarify some sections of the bill, the retail liquor license that would be used to replace the hotel license that was destroyed by natural disaster, would that be issued despite the existing quota system? If there were no vacancies in the quota, would a license still be issued?

Mr. MACKOWSKI. Mr. Speaker, yes, actually it would.

The intention of this bill is really to solve a particular hardship that has occurred in my district and probably has occurred in many others over, of course, a few years. The intention here is not to try and break the quota system or anything of that nature, but when a hotel burns or is destroyed by some other natural disaster and it is found uneconomically feasible for them to reconstruct a hotel because of the high cost and the restrictions that have been placed on by the communities at this point, at the same time you are putting a business out of existence by not permitting them to continue operating the liquor side of that business.

Mr. LASHINGER. Thank you, Mr. Speaker.

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

Mr. LASHINGER. Just another question, Mr. Speaker.

The SPEAKER. The gentleman is in order.

Mr. LASHINGER. Mr. Speaker, is it your intent also to allow this person who has a retail liquor license in lieu of the original hotel license to be able to transfer that license as a retail liquor license after the new issuance?

Mr. MACKOWSKI. I have given serious consideration and I can see what you are addressing yourself to here, but on the other hand, I do not think we can very clearly restrict this. Suppose the owners die and there would be a transfer of the license at that point. There can be a number of situations - disabilities, not only death, whatever - that maybe would take some rights away from the person. It certainly is not my intention, nor do I think the LCB (Liquor Control Board) wants to see something happen that would change a hotel license to a restaurant license and then automatically be peddled at a high price. Certainly that is a concern, but I think it would be pretty limited, and certainly the Liquor Control Board would thoroughly investigate anything of that nature.

Mr. LASHINGER. Thank you, Mr. Speaker.

Mr. Speaker, leave just to make a brief comment?

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

Mr. LASHINGER. Thank you, Mr. Speaker.

Mr. Speaker, Mr. Mackowski and I had a brief conversation about this. I understand the need for HB 972, and I support his efforts because of a special problem back home.

It would be my hope that the Liquor Control Board would take a look at the legislative debate today and use that in determining this legislative intent before it promulgates regulations in this new area for this new type of issuance that will take place. I think Representative Mackowski's comments

indicate that despite a lack of any vacancy in the retail liquor license quota, the board could still issue a license. But most importantly, I hope that the board would seriously consider not allowing this new licensee to transfer such a license, since it is a special category license, as a retail liquor license.

Again, I am supportive of HB 972, but I hope the board will not give unfair leverage to this new licensee over existing retail liquor licensees, who in some cases have paid considerable amounts of money to protect their licenses. Thank you, Mr. Speaker.

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

Mr. RITTER. Thank you, Mr. Speaker.

I appreciate the problem that the sponsor has in his district, but I am concerned about what we are doing with the Liquor Code. For instance, this bill says that if the board finds that the cost of reconstructing a hotel structure for use as a hotel is economically unfeasible, it can then allow the transfer. I did not know that the Liquor Board was in the business of determining whether or not construction was feasible or not feasible economically, and I think we are putting them in an untenable position.

I am concerned about the fact that if the building was destroyed by fire— We have a tremendous increase, Mr. Speaker, in arson in this Commonwealth of about 200 percent, and I am afraid that in some of the downtown sections of some of our urban areas this may very well be a convenient weapon to get rid of a dilapidated hotel - have a convenient fire - and go to the board and say, it does not pay us to build a hotel in this part of town, but we want to transfer that license now to a restaurant liquor license.

I think, as I said, I appreciate Mr. Mackowski's problem. I wish there was some other way to do it. But I do not think that opening up the code to this degree, giving that kind of discretion to the Liquor Board or any other board to determine whether or not construction of a building will be economically feasible or unfeasible, I think that is not within the purview of the board. I would be opposed to it on that basis, and I am going to vote against it on that basis, not because I do not like Mr. Mackowski. I wish I could help what he wants to solve, but I do not believe this bill will do it, and I intend to vote in the negative.

MEMBER'S PRESENCE RECORDED

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

CONSIDERATION OF HB 972 CONTINUED

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—115

Alden	Dorr	Lashinger	Sieminski
Anderson	Fargo	Laughlin	Smith, B.
Arty	Fleck	Lehr	Smith, E. H.
Barber	Foster, W. W.	Letterman	Snyder
Belardi	Frazier	Levi	Spencer
Belfanti	Freind	Levin	Spitz
Beloff	Gallagher	McClatchy	Stairs
Bittle	Gallen	McVerry	Steighner
Blaum	Gannon	Mackowski	Stevens
Borski	Geist	Marmion	Stewart
Bowser	Gladeck	Merry	Swift
Boyes	Gray	Mowery	Taddonio
Brandt	Greenfield	Mrkonic	Taylor, E. Z.
Burd	Greenwood	Nahill	Taylor, F. E.
Burns	Grieco	Noye	Telek
Cawley	Gruppo	O'Donnell	Trello
Cessar	Hagarty	Perzel	Wachob
Cimini	Haluska	Petrone	Wargo
Clymer	Hasay	Phillips	Weston
Cochran	Hayes	Piccola	Williams, J. D.
Colafella	Heiser	Pucciarelli	Wilson
Cole	Honaman	Punt	Wogan
Cordisco	Horgos	Rasco	Wozniak
Cornell	Hutchinson, A.	Reber	Wright, D. R.
Coslett	Johnson	Rocks	Wright, J. L.
Cunningham	Kanuck	Salvatore	Wright, R. C.
DeVerter	Kennedy	Saurman	
Daikeler	Klingaman	Serafini	Ryan,
Davies	Kukovich	Shupnik	Speaker
Donatucci			

NAYS—73

Armstrong	Foster, Jr., A.	Manmiller	Rieger
Berson	Fryer	Michlovic	Ritter
Brown	Gamble	Micozzie	Rybak
Cappabianca	George	Miller	Seventy
Civera	Grabowski	Miscevich	Showers
Clark	Gruitza	Moehlmann	Sirianni
Cohen	Hoeffel	Morris	Smith, L. E.
Cowell	Jackson	Murphy	Stuban
DeMedio	Kolter	Olasz	Swaim
Dawida	Kowalshyn	Oliver	Tigue
Deal	Lescovitz	Pendleton	Van Horne
Dietz	Livengood	Petrarca	Vroon
Dininni	Lloyd	Pievsky	Wambach
Dombrowski	Lucyk	Pistella	Wass
Duffy	McCall	Pitts	Wenger
Durham	McMonagle	Pott	Wiggins
Evans	Maiale	Pratt	Williams, H.
Fee	Manderino	Richardson	Zwikel
Fischer			

NOT VOTING—11

DeWeese	Itkin	Mullen	Sweet
Emerson	McIntyre	Peterson	White
Harper	Madigan	Rappaport	

EXCUSED—4

Caltagirone	Hutchinson, W.	Irvis	Lewis
-------------	----------------	-------	-------

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

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

REMARKS ON VOTES

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

Mr. MADIGAN. On HB 972, PN 1059, I was not in my seat. Had I been in my seat, I would have voted in the affirmative.

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

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

Mr. ITKIN. Mr. Speaker, on HB 972 I was not recorded on the vote. If it had been recorded, it would have been in the affirmative.

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

**COURT RULES REPORT NO. 2,
RESOLUTION A**

Mr. HAYES called up for consideration Court Rules Report No. 2, Resolution A, entitled:

In the House, May 1, 1981.

Resolved That Court Rules Report No. 2 of 1981 transmitted to the General Assembly under date of May 1, 1981 which is incorporated herein by reference be approved.

On the question,

Will the House adopt Court Rules Report No. 2, Resolution A?

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I suggest that the House adopt Resolution A of Court Rules Report No. 2.

On the question recurring,

Will the House adopt Court Rules Report No. 2, Resolution A?

The following roll call was recorded:

YEAS—192

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

Coslett	Jackson	Phillips	Wargo
Cowell	Johnson	Piccola	Wass
Cunningham	Kanuck	Pievsky	Wenger
DeMedio	Kennedy	Pistella	Weston
DeVerter	Klingaman	Pitts	Wiggins
DeWeese	Kolter	Pott	Williams, H.
Daikeler	Kowalshyn	Pratt	Williams, J. D.
Davies	Kukovich	Pucciarelli	Wilson
Dawida	Lashinger	Punt	Wogan
Deal	Laughlin	Rappaport	Wozniak
Dietz	Lehr	Rasco	Wright, D. R.
Dininni	Lescovitz	Reber	Wright, J. L.
Dombrowski	Letterman	Richardson	Wright, R. C.
Donatucci	Levi	Ritter	Zwikl
Dorr	Levin	Rocks	
Duffy	Livengood	Rybak	Ryan,
Durham	Lloyd	Salvatore	Speaker
Emerson	Lucyk		

NAYS—0

NOT VOTING—7

Fleck	Gruitza	McIntyre	White
Grieco	Hutchinson, A.	Rieger	

EXCUSED—4

Caltagirone	Hutchinson, W.	Irviss	Lewis
-------------	----------------	--------	-------

A constitutional majority of the duly elected members of the House having voted in favor of Court Rules Report No. 2, Resolution A, the question was determined in the affirmative and the resolution was adopted.

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

**REORGANIZATION PLAN NO. 8,
RESOLUTION A**

Mr. HAYES called up for consideration Reorganization Plan No. 8, Resolution A, entitled:

In the House, September 14, 1981.

Resolved That Reorganization Plan No. 8 of 1981 transmitted to the General Assembly under date of September 14, 1981 which is incorporated herein by reference be approved.

On the question,

Will the House adopt Reorganization Plan No. 8, Resolution A?

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I suggest that the House adopt Reorganization Plan No. 8, Resolution A.

On the question recurring,

Will the House adopt Reorganization Plan No. 8, Resolution A?

The following roll call was recorded:

YEAS—193

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.	McMonagle	Shupnik
Belfanti	Frazier	McVerry	Sieminski
Beloff	Freind	Mackowski	Sirianni
Berson	Fryer	Madigan	Smith, B.
Bittle	Gallagher	Maiale	Smith, E. H.
Blaum	Gallen	Manderino	Smith, L. E.

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

NAYS—0

NOT VOTING—6

Cornell	Miller	White	Wright, J. L.
McIntyre	Nahill		

EXCUSED—4

Caltagirone	Hutchinson, W.	Irvis	Lewis
-------------	----------------	-------	-------

The majority required by the Constitution having voted in the affirmative on Reorganization Plan No. 8, Resolution A, the question was determined in the affirmative and the resolution was adopted.

Ordered, That the clerk inform the Senate and His Excellency, the Governor, accordingly.

HB 1307 RECONSIDERED

The SPEAKER. The Chair recognizes the lady from Allegheny, Mrs. Heiser, who moves that the vote by which HB 1307, PN 2464, was defeated on the 27th day of October be reconsidered. The reconsideration motion is seconded by the gentleman from Allegheny, Mr. McVerry.

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

The following roll call was recorded:

YEAS—195

Alden	Fargo	Lloyd	Salvatore
Anderson	Fee	Lucyk	Saurman
Armstrong	Fischer	McCall	Serafini
Arty	Fleck	McClatchy	Seventy

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

NAYS—0

NOT VOTING—4

Kanuck	McIntyre	Miscevich	White
--------	----------	-----------	-------

EXCUSED—4

Caltagirone	Hutchinson, W.	Irvis	Lewis
-------------	----------------	-------	-------

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

On the question recurring,
Shall the bill pass finally?

BILL PLACED ON FINAL PASSAGE POSTPONED CALENDAR

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

Mrs. HEISER. I move that HB 1307, PN 2464, be placed on the final passage postponed calendar.

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

Motion was agreed to.

HB 972 RECONSIDERED

The SPEAKER. The Chair recognizes the gentleman from Mercer, Mr. Gruitza, who moves that the House reconsider the vote on HB 972, PN 1059, which was passed on the 28th day of October, 1981, the motion being seconded by the gentleman from Westmoreland, Mr. Kukovich.

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

The following roll call was recorded:

YEAS—188

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

NAYS—2

Fleck Miscevic

NOT VOTING—9

Clark	McIntyre	Salvatore	Taylor, E. Z.
Dorr	Olasz	Smith, B.	White
Kanuck			

EXCUSED—4

Caltagirone Hutchinson, W. Irvis Lewis

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

On the question recurring,
Shall the bill pass finally?

**BILL PLACED ON FINAL PASSAGE
POSTPONED CALENDAR**

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

Mr. GRUITZA. I move that HB 972 be placed on the final passage postponed calendar.

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

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the chairman of the Appropriations Committee, the gentleman from Montgomery, Mr. McClatchy.

Mr. McCLATCHY. Mr. Speaker, I would like to call a meeting of the Appropriations Committee off the floor of the House for 1:30 p.m. in the Appropriations Committee office. Thank you, Mr. Speaker.

STATEMENT BY MR. H. WILLIAMS

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

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

Mr. Speaker, yesterday I wanted to address the House on the emergency problem which we all knew existed in Philadelphia relative to the schools. As all of you know, a court decision was rendered last night or yesterday, and the schools are open and the teachers are going back to school. So I might not need to make the urgent comments that I was going to make, but I want to make an observation that we were and still are as Pennsylvanians and parents and children in Philadelphia under a very serious and permanent threat of a danger to a constitutional and moral right that children have in this Commonwealth. And I do not think the court order is going to do much to make something happen for two things in Philadelphia; that is, fiscal and accountable responsibility, and also accountable and quality education, to which we have a right.

I was offering, and did offer, legislation yesterday on one point, which I would hope that you all would join me in at some point, and that is, when the statutory requirements of 180 days are being threatened and the children are not going to get what they are entitled to, at that point the State is permitted to step in under distress, and the bill goes to that. It goes to the power to make sure that we take the responsibility for that State function.

Finally, I just want to encourage all of you to work with us from Philadelphia, because indeed we have not done enough to correct and make this problem right. I know of no other matter in Philadelphia County which is of equal importance and of greater danger to every area that we are concerned about. It affects children, and the charade in Philadelphia County, with all the areas, the union, the mayor, the school board, the city council, was an irresponsible mess. It is our responsibility as Pennsylvanians; it is our responsibility as a State legislature connected with the fundamental question of education. And so I make my remarks 1 day late in order that we may, in the months ahead, translate something constructive and coherent that will help the children of Philadelphia and take over the central responsibility that we have. Thank you, Mr. Speaker.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the gentleman from Perry, Mr. Noye, for the purpose of making an announcement.

Mr. NOYE. Thank you, Mr. Speaker.

The Republicans will caucus immediately upon the adoption of the recess. It is an important caucus. We ask that all of our members be there promptly so we can keep it to a minimum. As soon as the announcement of the recess, we will begin.

HOUSE SCHEDULE

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Thank you, Mr. Speaker.

By way of announcement, it is my hope that we can conclude the rest of today's voting calendar and adjourn at a very reasonable hour today. That is my hope. It will take the cooperation of everyone.

It will be necessary for both caucuses to meet on HB 720 and HB 1687, and that is the purpose of our caucuses at this time.

I would ask that we come back promptly at 2 o'clock and continue our voting. There are a couple of bills on the calendar which I presume will necessitate some debate, but if we cooperate, we will get out of here at a good hour, and there will be absolutely no need for session tomorrow. Many of you have asked, are we in session tomorrow? I hope I can answer by midafternoon, absolutely not, but it will take everybody's cooperation, and I think we can achieve our goal. Thank you, Mr. Speaker.

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. O'Donnell, for the purpose of making an announcement.

Mr. O'DONNELL. Mr. Speaker, there will be an immediate caucus on the call of the recess, and it will be on the highway capital budget and on the welfare bill, HB 720. It is extremely important that you attend. We will get started right away and get you out of there.

STATEMENT ON LEGISLATION INTRODUCED

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

Mr. WAMBACH. Mr. Speaker, today on behalf of 25 fourth grade students at Ben Franklin School, I am introducing a bill designating coal as the State mineral, and I will ask the desk clerk to keep the bill on his desk for additional sponsors, if necessary.

SENATE MESSAGE

HOUSE BILLS

CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1089, PN 1212**; and **HB 1519, PN 1770**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED HOUSE BILL

RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned **HB 418, PN 2384**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

The SPEAKER. The bill will appear on the calendar.

SENATE MESSAGE

HOUSE 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 333, PN 1129**, and has appointed Senators PECORA, SHAFFER and SCANLON a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

BILLS SIGNED BY SPEAKER

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

HB 1089, PN 1212

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

HB 1519, PN 1770

An Act amending the act of August 23, 1961 (P. L. 1068, No. 484), entitled, as amended, "An act to provide for the creation and administration of a Coal and Clay Mine Subsidence Insurance Fund within the Department of Environmental Resources for the insurance of compensation for damages to subscribers thereto; *** allowing the excess of premiums over disbursements to be allocated to the cost of administering the fund.

RECESS

The SPEAKER. The members are reminded that there are immediate caucuses of both the minority and majority sides.

Without objection, this House will now stand in recess until 2 p.m. The Chair hears no objection.

AFTER RECESS

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

CALENDAR RESUMED
BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 725, PN 1168**, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for mandatory and optional membership and termination of annuities and for the administration, management and investment of certain funds.

On the question,

Will the House agree to the bill on third consideration?

Mr. PISTELLA offered the following amendment No. A4190:

Amend Sec. 2 (Sec. 5902), page 3, by inserting between lines 28 and 29

(o) Additional semiannual report.—The board shall submit a written semiannual investment report to the General Assembly based on the December 31 - June 30 and July 1 - December 31 periods. The investment report shall state specific board investments which have or are expected to have a direct impact on economic development in the Commonwealth. The report shall list the specific investment, the regional location of the investment and the extent of the financial impact on the affected region. In addition, the report shall contain summary statistics on all investments and their impact in the Commonwealth for the previous 12 months and the previous 24 months.

On the question,

Will the House agree to the amendment?

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

Mr. PISTELLA. Thank you, Mr. Speaker.

Mr. Speaker, this amendment, A4190, requests that the State Employees' Retirement System prepare a semiannual report to be presented to the General Assembly. The information contained in such report shall be as follows: The report shall indicate any direct or indirect impact on economic development in the Commonwealth of investments that have been made by the retirement system. It will further break down those investments made within the State in certain instances on a regional basis. In addition, there will be information indicating the financial impact on those same regions. Thirdly, we are requesting summary statistics on all investments that have been made for the previous 12 months and the previous 24 months.

I respectfully request the support of the members of the assembly on this amendment. Thank you.

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

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

The need for a semiannual report, I think, certainly has an awful lot of merit, because I think the more we potentially understand the investment program, probably the happier we are all going to be. However, currently under the law as it is now written, there is an annual report currently prepared, which is distributed to the House of Representatives once a year. I do not know how the rest of you feel, but I know that I believe that the degree of concern by the membership is appropriate. My concern, however, is our ability to interpret the reports, and my suggestion is that rather than make more cumbersome a detailed report of this type, we should first concentrate on the one we are now getting each year, which I understand, after delving into some of this material myself personally, very few of the members have ever taken the time to read or attempt to understand.

For that reason I would ask for a "no" vote on the amendment, simply because I think it would be adding a lot of work for the board, with very little result or benefit to us as members.

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

Mr. PISTELLA. Thank you, Mr. Speaker.

I appreciate the concern the previous speaker has indicated about the possibility of our being overburdened with an inordinate amount of information concerning the Employees' Retirement System.

I would like to stress the following points that I think that each and every one of the members of this assembly not only as members of the assembly, but as actual participants within the State Employees' Retirement System, should be aware of. We all are concerned with and we all read the annual report that is given to us by the State Employees' Retirement System. But there has been expressed in various circles, be they investment circles, be they pension circles, participation by private citizens, that there seems to be very little knowledge or understanding of how public or private pensions, or how pensions for participating union groups and other such organizations, are being invested, particularly in their own community. That is the gist of this amendment that I am presenting today. The attempt is not to double the amount of information being presented to the membership of the Employees' Retirement System or the assembly but to key into where the actual investments are being made within relationship to the Commonwealth of Pennsylvania. Let me try to exemplify this a little bit better.

The State Employees' Retirement System participates in various bond programs in which they buy into bonds to be used for mortgages on a wide-ranging basis. The Employees' Retirement System does have available with their hardware and software computer programming to determine in a general sense how much money is actually being invested in a given region within the Commonwealth of Pennsylvania. I

think we should know that. I think we should know it not as members of the General Assembly that makes policy on such issues as economic development but also as participants within the program.

We are giving, with this piece of legislation, SB 725, a broader range of investment availability to the Employees' Retirement System. I think we should know what corporations, what stock and bond purchases are being made within the State of Pennsylvania and just what the economic impact would be.

I am not the only person who feels this way. The Governor's recent task force in developing choices for Pennsylvania's department of planning program in item number 24 indicated that there should be more of a consciousness effort made on the part of pensions, be they private or public; an investment within the community, the community being the Commonwealth of Pennsylvania. So I do not want you to misunderstand the intent of the amendment, that we are duplicating information. We are trying to key that information into more of a perception of the community of the Commonwealth in relationship with the overall investment.

I would appreciate your support on this amendment.

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

Mr. MOWERY. I would just like to once more affirm the fact that it is not necessary, I do not believe, to have a breakout to the detail that is being asked in this amendment on a 6-month basis. I think that it is very proper to have an annual report, which we are currently doing. I see no need to add to the costs currently involved in the administration of the fund.

Finally, I think that the investments are basically made by investment advisers to the board, and for that reason it is not something that I would think that you and I as legislators should get involved in directly. I think we have a board for that sole purpose of making these investments, and I would hope that the annual report would be sufficient. Therefore, I would ask for a "no" vote on the amendment.

The SPEAKER. Under the House rules, the gentleman is entitled to speak twice on the issue.

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

Mr. PISTELLA. Thank you, Mr. Speaker.

This will be my final time. I did not understand that I was included in that in my explanation of the amendment.

Mr. Speaker, it boils down to one thing. Let us be very, very honest and very frank about this. I feel that I have a right to know where my money is being invested. Everyone here has a right to know where that money is being invested.

Repeated questioning of the State Employees' Retirement System by various members has indicated that the board is a bit reluctant to answer the specifics as to whether or not they are investing State employees' money in the State of Pennsylvania. Now, you may trust the board and I may trust the board, but the basic point, Mr. Speaker, is each and every one of us has the right to know. This amendment is not forcing the board to invest in any particular investment, not forcing them to purchase any particular bonds, not forcing them to pur-

chase any particular stocks. All we are saying is, as members of the assembly but primarily as participating members of the retirement system, we have the right to know. I am asking you to exercise that right today and support amendment No. 4190. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Cumberland, Mr. Mowery, for the third and last time.

Mr. MOWERY. Thank you, Mr. Speaker.

I would not disagree with any of the comments that were made except for one, and that is that currently every member of the State Retirement System—that includes you and me as well as all the other State employees—may at any time that they desire go to the State Retirement Board and its executive director and obtain any information.

The insinuation that we have a right to know is absolutely true. My only point is, if you particularly have an interest in how money is being invested and you are inclined to want to understand it all and have this information available, you have every right to do it today. My only point is, why make it something that is again additional bureaucracy, additional costs to the program, when today we have it available when and if you want it? Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—95

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

NAYS—98

Alden	Fischer	McClatchy	Sieminski
Anderson	Fleck	McVerry	Sirianni
Armstrong	Foster, W. W.	Mackowski	Smith, B.
Arty	Foster, Jr., A.	Madigan	Smith, E. H.
Belardi	Frazier	Manmiller	Smith, L. E.
Bittle	Freind	Marmion	Snyder
Bowser	Gallen	Merry	Spencer
Brandt	Geist	Micozzie	Spitz
Burd	George	Miller	Stairs
Burns	Gladeck	Mochlmann	Stevens
Cessar	Greenwood	Mowery	Swift
Cimini	Grieco	Noye	Taddonio
Civera	Gruppo	Perzel	Taylor, E. Z.
Clymer	Hasay	Peterson	Telek
Cochran	Hayes	Phillips	Vroon

Cornell	Heiser	Piccola	Wass
Coslett	Honaman	Pitts	Wenger
Cunningham	Jackson	Pott	Weston
DeVerter	Johnson	Punt	Wilson
Daikeler	Kanuck	Rasco	Wogan
Davies	Kennedy	Reber	Wright, J. L.
Dietz	Klingaman	Rocks	Wright, R. C.
Dininni	Lashingier	Salvatore	
Dorr	Lehr	Saurman	Ryan,
Fargo	Levi	Serafini	Speaker

NOT VOTING—6

Beloff	Hagarty	Nahill	White
Grabowski	McIntyre		

EXCUSED—4

Caltagirone	Hutchinson, W.	Irvis	Lewis
-------------	----------------	-------	-------

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

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. O'DONNELL offered the following amendment No. A4171:

Amend Sec. 2 (Sec. 5931), page 4, line 11, by inserting after "investments."

The board shall when possible and consistent with the terms, conditions, limitations, responsibilities and restrictions imposed by this subsection or other law, invest in any project or business which promotes employment of Pennsylvania residents.

On the question,

Will the House agree to the amendment?

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

Mr. O'DONNELL. Mr. Speaker, as has been made clear by the debate in this House on various welfare measures, joblessness in Pennsylvania has reached a crisis. It is obvious that we have to take steps to deal with that problem. The most significant area of job development throughout the country and including Pennsylvania is in small businesses and in new businesses. Unfortunately, in Pennsylvania there is a lack of venture capital available for the development of those businesses. It has also been documented that the single biggest source of equity capital in this country is pension funds.

If we are going to turn around the jobs picture in Pennsylvania, we are going to have to begin looking at pension funds as a source for that kind of investment. It seems to me that SB 725 begins to open those doors by giving the public employees' pension fund an opportunity for a wider range of investments, investments that are going to bring a greater yield but are also going to have the opportunity to promote new jobs in Pennsylvania.

It is probably not appropriate at this time to come forward with a full-blown program which would restrict the board and substitute legislative judgment at this point for how they might best invest in jobs in Pennsylvania, but I do think it is appropriate that we urge them, by legislation in the context of this bill, consistent with their obligations and duties and restrictions under the bill, to invest in companies that will promote jobs in Pennsylvania. And that is the exact language

of the amendment - consistent with those duties and responsibilities under the act and under the law, that they invest in any project or business which promotes employment for Pennsylvania residents. Thank you.

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

Mr. MOWERY. Representative O'Donnell, I think, has a very fine amendment, and I am certainly willing to accept that and feel that it would certainly enhance, at least to the board, what our feelings are at this time of Pennsylvania investments. But I would just like to take a moment and read from the investment portfolio already outlined by the board now on their investments. "Where investment characteristics, including yield, risk, and liquidity, are equivalent, the Board's policy favors investments which will have a positive impact on the economy of Pennsylvania."

So along that line, I think all this is reaffirming what is already the board's policy. I accept the amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—195

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

Emerson Livengood Rocks Ryan,
Evans Lloyd Rybak Speaker
Fargo

NAYS—1

George

NOT VOTING—3

Cohen McIntyre White

EXCUSED—4

Caltagirone Hutchinson, W. Irvis Lewis

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

REMARKS ON VOTES

The SPEAKER. The Chair recognizes the gentleman from Clearfield, Mr. George, who mistakenly voted in the negative, I bet.

Mr. GEORGE. Mr. Speaker, it must be static electricity, because that happened on that vote, and also I would like the record to show that on the Pistella amendment the same thing happened. With your permission, if it happens again, could I be recorded by voice vote?

The SPEAKER. Certainly.

Mr. GEORGE. Thank you.

CONSIDERATION OF SB 725 CONTINUED

BILL TABLED

On the question,

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

The SPEAKER. Are there any further amendments to SB 725?

Mr. HAYES. Yes, Mr. Speaker. The gentleman, Mr. Rappaport, does have an amendment, and he will have it in his possession momentarily. I would pass the bill over temporarily, please.

The SPEAKER. Without objection, this bill, together with the amendments, will be laid temporarily on the table. The Chair hears no objection.

* * *

The House proceeded to third consideration of **HB 1394, PN 2290**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Mr. A. K. HUTCHINSON offered the following amendments No. A3820:

Amend Title, page 1, line 3, by striking out "a turnpike extension" and inserting
turnpike extensions

Amend Title, page 1, line 10, by striking out "turnpike" and inserting
turnpikes

Amend Title, page 1, line 14, by striking out "turnpike" and inserting
turnpikes

Amend Title, page 1, line 19, by striking out "turnpike" and inserting
turnpikes

Amend Table of Contents, page 2, line 3, by striking out "extension" and inserting
extensions

Amend Sec. 1, page 2, line 28, by striking out "Extension" and inserting
Extensions

Amend Sec. 2, page 3, line 9, by striking out "turnpike" and inserting
turnpikes

Amend Sec. 2, page 3, line 10, by striking out "turnpike" and inserting
turnpikes

Amend Sec. 2, page 3, line 23, by striking out "turnpike" and inserting
turnpikes

Amend Sec. 2, page 4, line 9, by striking out "turnpike" and inserting
turnpikes

Amend Sec. 2, page 4, line 19, by striking out "turnpike." The turnpike" and inserting
turnpikes." The turnpikes

Amend Sec. 2, page 4, line 22, by striking out "turnpike" and inserting
turnpikes

Amend Sec. 3, page 4, line 27, by striking out "extension" and inserting
extensions

Amend Sec. 3, page 5, lines 4 and 5, by striking out "a turnpike" and inserting
turnpikes

Amend Sec. 3, page 5, line 5, by striking out "location" and inserting
locations

Amend Sec. 3, page 5, line 7, by striking out all of said line and inserting
commission as follows:

(1) From a point at the intersection of the western

Amend Sec. 3, page 5, line 24, by striking out "In addition, upon" and inserting
(2) Upon

Amend Sec. 3, page 5, line 25, by inserting after "extension" set forth in paragraph (1)

Amend Sec. 3, page 6, line 3, by striking out "The" and inserting
(3) The

Amend Sec. 3, page 6, line 10, by inserting after "County."

(4) The commission is also authorized and empowered to construct, operate and maintain a turnpike at such specific locations as shall be approved by the commission along T.R.119 in the Borough of Youngwood in Westmoreland County in a northerly direction along T.R.119, T.R.66 and T.R.22 to the Indiana County line.

Amend Sec. 5, page 7, line 17, by striking out "turnpike" and inserting
turnpikes

Amend Sec. 6, page 8, line 9, by striking out "turnpike" and inserting
turnpikes

Amend Sec. 6, page 8, line 13, by striking out "turnpike" and inserting
turnpikes

Amend Sec. 6, page 8, line 20, by striking out "turnpike" and inserting
turnpikes

Amend Sec. 6, page 8, line 27, by striking out "turnpike" and inserting
turnpikes

Amend Sec. 6, page 9, line 10, by striking out "turnpike" and inserting
turnpikes

Amend Sec. 8, page 11, line 17, by striking out "turnpike" and inserting
turnpikes

Amend Sec. 8, page 11, line 26, by striking out "turnpike" and inserting
turnpikes

Amend Sec. 11, page 15, line 2, by striking out "turnpike" and inserting
turnpikes

Amend Sec. 11, page 16, line 20, by striking out "turnpike" and inserting
turnpikes

Amend Sec. 11, page 16, line 25, by striking out "turnpike" and inserting
turnpikes

Amend Sec. 11, page 17, line 2, by striking out "turnpike" and inserting
turnpikes

Amend Sec. 11, page 18, line 3, by striking out "turnpike" and inserting
turnpikes

Amend Sec. 12, page 19, line 12, by striking out "turnpike" and inserting
turnpikes

Amend Sec. 13, page 19, line 25, by striking out "turnpike" and inserting
turnpikes

Amend Sec. 13, page 20, line 4, by striking out "turnpike" and inserting
turnpikes

Amend Sec. 13, page 20, line 21, by striking out "turnpike" and inserting
turnpikes

Amend Sec. 15, page 21, line 7, by striking out "extension" and inserting
extensions

Amend Sec. 15, page 21, line 9, by striking out "turnpike" and inserting
turnpikes

Amend Sec. 15, page 21, line 20, by striking out "turnpike" and inserting
turnpikes

Amend Sec. 15, page 21, line 22, by striking out "turnpike" and inserting
turnpikes

Amend Sec. 15, page 22, line 1, by striking out "turnpike" and inserting
turnpikes

Amend Sec. 15, page 22, line 2, by striking out "turnpike" and inserting
turnpikes

Amend Sec. 17, page 23, line 27, by striking out "turnpike" and inserting
turnpikes

On the question,

Will the House agree to the amendments?

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

Mr. A. K. HUTCHINSON. Thank you, Mr. Speaker.

I would just like to have an affirmative vote to add a little bit more to this bill to help my constituents and Joe Petrarca's constituents. Thank you very much.

The SPEAKER. Does the gentleman, Mr. Fryer, from Berks, rise at this time to speak on the amendment?

Mr. FRYER. Yes, Mr. Speaker. I have a parliamentary question.

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

Mr. FRYER. Mr. Speaker, some of the members here are in a quandary. They would very much like to support Representative Hutchinson; however, there is a difference of opinion in regards to Representative Petrarca.

My question is, is it possible to divide the question?

The SPEAKER. It would seem to the Chair that the gentleman's point of parliamentary inquiry is incorrect. The gentleman I suspect would rather ask if it is possible to divide those two members.

Mr. FRYER. That, Mr. Speaker, is mission impossible.

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

Mr. POTT. Thank you, Mr. Speaker.

I support the Hutchinson amendment.

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Alden, on the question of the adoption of the Hutchinson amendment.

Mr. ALDEN. Mr. Speaker, in deference to Mr. Hutchinson, I do not believe he explained what the amendment does. It is a three-page amendment, and I am not sure what it does do. If he would not mind explaining it to me, I would appreciate it.

The SPEAKER. Will the gentleman, Mr. Hutchinson, kindly explain the amendments that help his constituents?

Mr. A. K. HUTCHINSON. If he has an hour tonight, I would be glad to explain it to him, if he would call me on the telephone.

It adds about 35 to 40 miles of road from the New Stanton interchange at Route 119 where Volkswagen Drive is up to the Indiana County borderline at the Blairsville bridge.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—185

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

Boyes	Gladeck	Miscevich	Steighner
Brandt	Grabowski	Moehlmann	Stevens
Brown	Gray	Morris	Stewart
Burd	Greenfield	Mowery	Stuban
Cappabianca	Grieco	Mrkoncic	Swaim
Cawley	Gruitza	Mullen	Sweet
Cessar	Gruppo	Murphy	Swift
Cimini	Hagarty	Nahill	Taddonio
Civera	Haluska	Noye	Taylor, E. Z.
Clark	Harper	O'Donnell	Taylor, F. E.
Clymer	Hasay	Olasz	Telek
Cochran	Hayes	Oliver	Tigue
Colafella	Heiser	Pendleton	Trello
Cole	Hoeffel	Perzel	Van Horne
Cordisco	Honaman	Peterson	Vron
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	Pott	Wiggins
Daikeler	Klingaman	Pratt	Williams, H.
Davies	Kolter	Pucciarelli	Williams, J. D.
Dawida	Kowalshyn	Punt	Wogan
Deal	Kukovich	Rappaport	Wozniak
Dietz	Lashinger	Rasco	Wright, D. R.
Dombrowski	Laughlin	Reber	Wright, J. L.
Donatucci	Lehr	Richardson	Wright, R. C.
Dorr	Lescovitz	Rieger	Zwikl
Duffy	Letterman	Ritter	
Emerson	Levin	Rocks	Ryan,
Evans	Livengood	Rybak	Speaker
Fargo	Lloyd	Salvatore	

NAYS—10

Burns	Gannon	Merry	Spitz
Dininni	Greenwood	Pitts	Wilson
Durham	Levi		

NOT VOTING—4

Cohen	McIntyre	Madigan	White
-------	----------	---------	-------

EXCUSED—4

Caltagirone	Hutchinson, W.	Irvis	Lewis
-------------	----------------	-------	-------

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. COCHRAN offered the following amendments No. A4297:

Amend Sec. 3, page 4, line 28, by inserting before "In"

(a)

Amend Sec. 3, page 6, by inserting between lines 22 and 23

(b) The commission is also authorized, empowered and directed to construct, operate and maintain a turnpike at such specific location and according to such schedule as shall be deemed feasible and approved by the commission beginning at a point on U.S. Route 40 at Brownsville in Fayette County; thence in a southeasterly direction along U.S. Route 40 to Uniontown; thence in a southerly direction along State Route 857 to the West Virginia border.

On the question,

Will the House agree to the amendments?

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

Mr. COCHRAN. Thank you, Mr. Speaker.

Mr. Speaker, amendment A4297 simply extends the Pennsylvania Turnpike, the southwest extension, from Brownsville, Pennsylvania, to Uniontown, Pennsylvania, and from Uniontown down along Route 857 to the West Virginia line.

I would like to remind the members that Fayette County is the only county on the southern border of this Commonwealth that does not have a major four-lane highway either intersecting it north to south or east to west. We desperately need a highway through our county to intersect it, and this turnpike toll road would serve that purpose.

I urge the support of the amendment. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—179

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

NAYS—17

Belfanti	Fryer	Pievsky	Spitz
Blaum	Grabowski	Pitts	Trello
Burns	Heiser	Rappaport	Wachob
Dininni	Miscevich	Ritter	Wilson

Durham

NOT VOTING—3

Cohen

McIntyre

White

EXCUSED—4

Caltagirone

Hutchinson, W. Irvis

Lewis

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. FRAZIER offered the following amendment No. A4298:

Amend Sec. 3, page 5, line 15, by inserting after "Pittsburgh" so as to include such ramps, pylons, road surface and base, and other structures added to the southern terminus of said existing Crosstown Expressway providing complete interchanges of said Crosstown Expressway (I-579) portion of the turnpike extension with the Boulevard of the Allies, the Penn-Lincoln Parkway (I-376), the Liberty Bridge thereby providing ingress and egress to the City of Pittsburgh from the areas south of the City of Pittsburgh

On the question,

Will the House agree to the amendment?

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

Mr. FRAZIER. Thank you, Mr. Speaker.

Mr. Speaker, this amendment provides for a very important interchange at the southern end of the Crosstown Expressway. Without the interchange it would be impossible for there to be any further construction south of Pittsburgh along any imagined corridor, let alone construction of the Mon Valley Expressway and any other future expressways to the West Virginia border.

This is an interchange which had originally been planned as part of the interstate system. The moneys for this interchange were partially expended. A partial interchange was built, and then the moneys were transferred out to other projects. This interchange, if completed, will provide for feasibility for the entire southwestern extension of the Pennsylvania Turnpike. I would also urge that— In the Governor's statement this morning, there was really no mention of this, and this particular interchange will be very helpful in moving the turnpike along. I thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—184

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

Boyes	Grabowski	Micozzie	Spencer
Brandt	Gray	Miller	Stairs
Brown	Greenfield	Miscevich	Steighner
Burd	Greenwood	Moehlmann	Stevens
Burns	Grieco	Morris	Stewart
Cappabianca	Gruitza	Mowery	Stuban
Cawley	Gruppo	Mrkonic	Sweet
Cessar	Hagarty	Mullen	Swift
Cimini	Haluska	Nahill	Taddonio
Civera	Harper	Noye	Taylor, E. Z.
Clark	Hasay	O'Donnell	Taylor, F. E.
Clymer	Hayes	Olasz	Telek
Cochran	Heiser	Oliver	Tigue
Colafrilla	Hoeffel	Pendleton	Trello
Cole	Honaman	Perzel	Van Horne
Cordisco	Horgos	Peterson	Vroon
Cornell	Hutchinson, A.	Petrarca	Wachob
Coslett	Itkin	Petrone	Wambach
Cowell	Jackson	Phillips	Wargo
Cunningham	Johnson	Piccola	Wass
DeMedio	Kanuck	Pievsky	Wenger
DeVerter	Kennedy	Pistella	Weston
DeWeese	Klingaman	Pott	Wiggins
Daikeler	Kolter	Pratt	Williams, H.
Davies	Kowalshyn	Pucciarelli	Williams, J. D.
Deal	Kukovich	Punt	Wilson
Dietz	Lashinger	Rappaport	Wogan
Dombrowski	Laughlin	Rasco	Wozniak
Dorr	Lehr	Reber	Wright, D. R.
Duffy	Lescovitz	Richardson	Wright, J. L.
Emerson	Letterman	Rieger	Wright, R. C.
Evans	Levi	Ritter	Zwinkl
Fargo	Levin	Rocks	
Fee	Livengood	Rybak	Ryan,
Fischer	Lloyd	Salvatore	Speaker
Fleck	Lucyk		

NAYS—11

Belfanti	Dininni	Michlovic	Spitz
Blaum	Donatucci	Murphy	Swaim
Dawida	Durham	Pitts	

NOT VOTING—4

Cohen	Gannon	McIntyre	White
-------	--------	----------	-------

EXCUSED—4

Caltagirone	Hutchinson, W. Irvis	Lewis	
-------------	----------------------	-------	--

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. DeMEDIO offered the following amendment No. A3792:

Amend Sec. 3, page 5, line 19, by inserting after "River," including the unfinished portions of the Mon-Valley Expressway south of Interstate 70 to U.S. Route 40, plus entrances and exits and any spurs called for in the original plan, and

On the question,

Will the House agree to the amendment?

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

Mr. DeMEDIO. Mr. Speaker, this amendment merely adds language that more precisely describes the extent of the Mon Valley Expressway that this bill intends to construct.

I ask for an affirmative vote.

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

The following roll call was recorded:

YEAS—188

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

NAYS—5

Dininni	Piccola	Pitts	Spitz
Durham			

NOT VOTING—6

Beloff	Cole	McIntyre	White
Cohen	DeWeese		

EXCUSED—4

Caltagirone	Hutchinson, W.	Irvis	Lewis
-------------	----------------	-------	-------

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. POTT offered the following amendment No. A3963:

Amend Sec. 3, page 6, line 5, by inserting after "location" and according to such schedule deemed feasible and

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

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

Mr. POTT. Thank you, Mr. Speaker.

This is a technical amendment designed to conform the Beaver Valley Expressway portion of the bill to the same language that is in the rest of the legislation, and the sponsor of that original amendment is in agreement with this.

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

The following roll call was recorded:

YEAS—191

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

NAYS—1

Dininni

NOT VOTING—7

Beloff	DeWeese	McIntyre	White
Cohen	Greenfield	Rappaport	

EXCUSED—4

Caltagirone	Hutchinson, W.	Irvis	Lewis
-------------	----------------	-------	-------

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. A2940:

Amend Sec. 3, page 6, line 10, by inserting after "COUNTY."

The commission is further authorized to construct, operate and maintain an additional extension of the turnpike, at such specific location as shall be approved by the commission, from a point or near the intersection of State Route 65 and Crows Run Road in Beaver County, in a southeasterly direction to a point at or near the Perry Highway interchange of the Pennsylvania Turnpike.

Amend Sec. 3, page 6, line 13, by striking out "route" and inserting routes

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, this project would enable the industries of Beaver County to have access to Route 79, the turnpike, and Route 80, by a midvalley expressway, which would be of minimal cost because of the short distance of 12 miles that is involved with the distance between the two connecting points. Unfortunately, because of present circumstances, a road of only two lanes in width is available for this transportation. It presents a hazard to the area as well as an expensive and inconvenient circumstance of going around for the industries.

I ask for your consideration.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—184

Anderson	Foster, W. W.	McClatchy	Salvatore
Armstrong	Foster, Jr., A.	McMonagle	Saurman
Arty	Frazier	McVerry	Serafini
Barber	Freind	Mackowski	Seventy
Belardi	Fryer	Madigan	Showers
Belfanti	Gallagher	Maiale	Shupnik
Berson	Gallen	Manderino	Sieminski
Bittle	Gamble	Manmiller	Sirianni
Blaum	Gannon	Marmion	Smith, B.
Borski	Geist	Merry	Smith, E. H.
Bowser	George	Michlovic	Smith, L. E.
Boyes	Gladeck	Micozzie	Snyder
Brandt	Grabowski	Miller	Spencer
Brown	Gray	Miscevich	Stairs
Burd	Greenfield	Moehlmann	Steighner

Cappabianca	Greenwood	Morris	Stevens
Cawley	Grieco	Mowery	Stewart
Cessar	Gruitza	Mrkonjc	Stuban
Cimini	Gruppo	Mullen	Swaim
Civera	Hagarty	Murphy	Sweet
Clark	Haluska	Nahill	Swift
Clymer	Harper	Noye	Taddonio
Cochran	Hasay	O'Donnell	Taylor, E. Z.
Colafella	Hayes	Olasz	Taylor, F. E.
Cole	Heiser	Oliver	Telek
Cordisco	Hoeffel	Pendleton	Tigue
Cornell	Honaman	Perzel	Trello
Coslett	Horgos	Peterson	Van Horne
Cowell	Hutchinson, A.	Petrarca	Vroon
Cunningham	Itkin	Petrone	Wachob
DeMedio	Jackson	Phillips	Wambach
DeVerter	Johnson	Piccola	Wargo
Daikeler	Kanuck	Pievsky	Wass
Davies	Kennedy	Pistella	Wenger
Dawida	Klingaman	Pott	Weston
Deal	Kolter	Pratt	Wiggins
Dietz	Kowalyszyn	Pucciarelli	Williams, J. D.
Dombrowski	Kukovich	Punt	Wogan
Donatucci	Lashinger	Rappaport	Wozniak
Dorr	Laughlin	Rasco	Wright, D. R.
Duffy	Lehr	Reber	Wright, J. L.
Emerson	Lescovitz	Richardson	Wright, R. C.
Evans	Levin	Rieger	Zwikl
Fargo	Livengood	Ritter	
Fee	Lloyd	Rocks	Ryan,
Fischer	Lucyk	Rybak	Speaker
Fleck	McCall		

NAYS—8

Alden	Dininni	Levi	Spitz
Burns	Durham	Pitts	Wilson

NOT VOTING—7

Beloff	DeWeese	McIntyre	Williams, H.
Cohen	Letterman	White	

EXCUSED—4

Caltagirone	Hutchinson, W.	Irvis	Lewis
-------------	----------------	-------	-------

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. CLARK offered the following amendment No. A4316:

Amend Sec. 3, page 6, line 10, by inserting after "COUNTY."

The commission is also authorized to construct, operate and maintain a further extension of the turnpike, at such specific location as shall be approved by the commission, from a point at or near Exit 5 of the turnpike northerly to Brookville, Jefferson County, to a point of intersection with Interstate Route 80.

On the question,

Will the House agree to the amendment?

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

Mr. CLARK. Mr. Speaker, this would permit the Turnpike Commission to construct a highway from exit 5 of the current turnpike to Interstate 80 at Brookville. It would give the people from Pittsburgh and the industrial Allegheny Valley a direct route to Interstate 80 and the northeast business. Thank you.

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

The following roll call was recorded:

YEAS—183

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

NAYS—10

Alden	Durham	Miller	Spitz
Burns	Heiser	Pitts	Wilson
Dininni	Levi		

NOT VOTING—6

Cohen	Deal	Richardson	White
DeWeese	McIntyre		

EXCUSED—4

Caltagirone	Hutchinson, W.	Irvis	Lewis
-------------	----------------	-------	-------

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. STEWART offered the following amendment No. A4275:

Amend Sec. 3, page 6, line 10 by inserting after "County." The commission is also authorized, empowered and directed to construct, operate and maintain a further extension of the turnpike, at such specific location and according to such schedule as shall be deemed feasible and which shall be approved by the commission, from a point in the vicinity north of Bradford at the New York border; thence in a generally southerly direction following and coincident where feasible, with existing Route 219 to the vicinity south of Salisbury at the Maryland border, together with connecting roads, storm water management systems, tunnels and bridges.

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

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

Mr. STEWART. Thank you, Mr. Speaker.

This amendment authorizes the Turnpike Commission, if feasible, to construct the unfinished portions of Route 219. I would appreciate your support.

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

The following roll call was recorded:

YEAS—187

Alden	Fischer	Lucyk	Salvatore
Anderson	Fleck	McCall	Saurman
Armstrong	Foster, W. W.	McClatchy	Serafini
Arty	Foster, Jr., A.	McMonagle	Seventy
Barber	Frazier	McVerry	Showers
Belardi	Freind	Mackowski	Shupnik
Belfanti	Fryer	Madigan	Sieminski
Berson	Gallagher	Maiale	Sirianni
Bittle	Gallen	Manderino	Smith, B.
Blaum	Gamble	Manmiller	Smith, E. H.
Borski	Gannon	Marmion	Smith, L. E.
Bowser	Geist	Merry	Snyder
Boyes	George	Michlovic	Spencer
Brandt	Gladeck	Micozzie	Stairs
Brown	Grabowski	Miscevich	Steighner
Burd	Gray	Moehlmann	Stevens
Burns	Greenfield	Morris	Stewart
Cappabianca	Greenwood	Mowery	Stuban
Cawley	Grieco	Mrkoncic	Swaim
Cessar	Gruitza	Mullen	Sweet
Cimini	Gruppo	Murphy	Swift
Civera	Hagarty	Nahill	Taddonio
Clark	Haluska	Noye	Taylor, E. Z.
Clymer	Harper	O'Donnell	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	Itkin	Petrone	Wambach
Cowell	Jackson	Phillips	Wargo
Cunningham	Johnson	Piccola	Wass
DeMedio	Kanuck	Pievsky	Wenger
DeVerter	Kennedy	Pistella	Weston
Daikeler	Klingaman	Pott	Wiggins
Davies	Kolter	Pratt	Williams, H.
Dawida	Kowalyshyn	Pucciarelli	Williams, J. D.
Deal	Kukovich	Punt	Wilson
Dietz	Lashinger	Rappaport	Wogan
Dombrowski	Laughlin	Rasco	Wozniak
Donatucci	Lehr	Reber	Wright, J. L.
Dorr	Lescovitz	Richardson	Wright, R. C.

Duffy	Letterman	Rieger	Zwinkl
Emerson	Levin	Ritter	
Evans	Livengood	Rocks	Ryan,
Fargo	Lloyd	Rybak	Speaker
Fee			

NAYS—6

Dininni	Levi	Pitts	Spitz
Durham	Miller		

NOT VOTING—6

Beloff	Hutchinson, A.	White	Wright, D. R.
DeWeese	McIntyre		

EXCUSED—4

Caltagirone	Hutchinson, W.	Irvis	Lewis
-------------	----------------	-------	-------

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. DAVIES offered the following amendment No. A4274:

Amend Sec. 6, page 10, by inserting between lines 17 and 18 (13) Conduct a feasibility study to extend the Pennsylvania Turnpike System into various areas of Berks County in order to complete the construction of the Inner Loop System and Outer Loop System of highways surrounding the City of Reading and to complete the missing links on Routes 222 to 422 to 1035.

On the question,

Will the House agree to the amendment?

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

Mr. DAVIES. Mr. Speaker, this does not call for the actual construction of a road but merely a feasibility study for the potential of extending the turnpike system into all of the unfinished links that are on Routes 422, 222, 1035, the inner and outer loops in and around the area of the city of Reading and the county of Berks. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—188

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

Cimini	Hagarty	Nahill	Taddonio
Civiera	Haluska	Noye	Taylor, E. Z.
Clark	Harper	O'Donnell	Taylor, F. E.
Clymer	Hasay	Olasz	Telek
Cochran	Hayes	Oliver	Tigue
Colafrella	Heiser	Pendleton	Trello
Cole	Hoefel	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
Daikeler	Kennedy	Pitts	Wiggins
Davies	Klingaman	Pott	Williams, H.
Dawida	Kolter	Pratt	Williams, J. D.
Deal	Kowalshyn	Pucciarelli	Wilson
Dietz	Kukovich	Punt	Wogan
Dombrowski	Lashinger	Rappaport	Wozniak
Donatucci	Laughlin	Rasco	Wright, D. R.
Dorr	Lehr	Reber	Wright, J. L.
Duffy	Lescovitz	Richardson	Wright, R. C.
Durham	Letterman	Rieger	Zwinkl
Emerson	Levin	Ritter	
Evans	Livengood	Rocks	Ryan,
Fargo	Lloyd	Rybak	Speaker
Fee	Lucyk		

NAYS—4

Dininni	Levi	Miller	Spitz
---------	------	--------	-------

NOT VOTING—7

Beloff	DeWeese	McIntyre	White
Cohen	Grabowski	Saurman	

EXCUSED—4

Caltagirone	Hutchinson, W.	Irvis	Lewis
-------------	----------------	-------	-------

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. STEVENS offered the following amendments No. A2911:

Amend Sec. 11, page 14, line 29, by inserting after "tolls" collected solely from users of the southwestern extension

Amend Sec. 15, page 20, line 30; page 21, lines 1 through 9, by striking out "the" in line 30, page 20, where it appears the last time, and all of lines 1 through 9, page 21, and inserting that portion of the turnpike. Tolls collected from users of portions of the turnpike not within the southwestern extension shall not be raised so as to subsidize construction, operation or maintenance of the southwestern turnpike.

Amend Sec. 15, page 21, lines 20 and 21, by striking out "Tolls shall not be subject to supervision or regulation by any other State commission, board, bureau or agency."

On the question,

Will the House agree to the amendments?

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

Mr. STEVENS. Thank you, Mr. Speaker.

The purpose of this amendment is merely to ensure that tolls in other portions of the turnpike would not be raised to

subsidize the construction, operation, or maintenance of this particular roadway.

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

Mr. PIEVSKY. Mr. Speaker, I have an amendment in front of me, and it is to the wrong printer's number. It has PN 1968.

The SPEAKER. Does the gentleman, Mr. Stevens, have another set of amendments drawn to the proper printer's number?

Mr. STEVENS. No, sir. This is the only one I have.

AMENDMENTS WITHDRAWN

The SPEAKER. Does the gentleman, Mr. Stevens, withdraw his amendments at this time?

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

Mr. STEVENS. Mr. Speaker, the problem raised in my amendment has been corrected, so I withdraw the amendment totally.

The SPEAKER. It is the understanding of the Chair that the amendment was placed in the bill in committee.

Mr. STEVENS. That is correct.

On the question recurring,

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

Mr. SEVENTY offered the following amendments No. A4234:

Amend Bill, page 24, by inserting between lines 12 and 13
Section 19. Municipal approval.

Each municipality shall have the power by ordinance to approve and disapprove the construction and location of highway construction within its municipal territorial limits, the provisions of sections 8, 9 and 10 of this act to the contrary notwithstanding.

Amend Sec. 19, page 24, line 13, by striking out "19" and inserting
20

Amend Sec. 20, page 24, line 22, by striking out "20" and inserting
21

Amend Sec. 21, page 24, line 25, by striking out "21" and inserting
22

On the question,

Will the House agree to the amendments?

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

Mr. SEVENTY. Mr. Speaker, what I am trying to do with this amendment is to give the municipalities the right to approve or disapprove construction. I think it is a reasonable approach to the bill. I can only hope for a "yes" vote from all of you.

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

Mr. POTT. Thank you, Mr. Speaker.

I must oppose the Seventy amendment as offered to HB 1394.

In essence, the Seventy amendment would destroy HB 1394. It appears to be quite simple in its language. However, it would permit any municipality through which the turnpike extensions are authorized to be constructed to disapprove that construction. Any small municipality, any county, any borough, township, or even any school district, could stop the construction of this highway. I do not think that is to the overall interest of the Commonwealth of Pennsylvania.

I think this bill provides for a transportation system so necessary for the continued economic development of this Commonwealth that the Seventy amendment would destroy that opportunity. I oppose the amendment.

The SPEAKER. The Chair recognizes the gentleman from Lawrence, Mr. Pratt.

Mr. PRATT. Mr. Speaker, thank you.

I rise to oppose the amendment mainly because this amendment, if enacted, would abrogate the authority of State agencies like PennDOT and the Turnpike Commission to decide whether or not highways should be built in this Commonwealth.

Secondly, Mr. Speaker, this amendment would delegate to local municipalities the authority to tell the people of Pennsylvania as to whether or not any highway should be built in that particular locality.

I think it is a bad precedent, and I think that at least the members on this side of the aisle ought to vote "no" on this amendment. Thank you.

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

Mr. GRUITZA. Mr. Speaker, I also rise to oppose the amendment. I think it is a dangerous precedent, and it is not in the best interest of this legislation.

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

Mr. DAWIDA. Mr. Speaker, in order to understand the Seventy amendment properly, we have to understand what this bill is going to do. All it authorizes is the Turnpike Commission to make a feasibility study, and in so doing, they will determine whether these roads can be built. That is why it is easy for us to vote for all these many roads we have all voted for in the last few minutes. All this bill does is it says to the Turnpike Commission, investigate what roads we have asked them to build are feasible.

The Seventy amendment very properly tells communities and localities that they can have some say-so in that process, and it most specifically deals with the problem in the south side of Pittsburgh where this road would have to intersect. It would appear through most people's eyes that this road will destroy a city neighborhood and some neighborhoods in the boroughs nearby. That is something that we in Allegheny County, and I know Mr. Seventy in particular, would like to avoid.

So in voting for this amendment, you are not destroying the entire project; you are only saying that in this feasibility study you go talk to those local people and do not destroy neighborhoods that have been established and been in the same place, consistent neighborhoods for the past 100 years, for the sake of a highway.

So I would urge you to vote "yes" on the Seventy amendments and give those local people a chance to have some input as to where these roads are being built. Thank you.

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

Mr. MURPHY. Thank you, Mr. Speaker.

If ever the State House bought a pig in a poke, this is the time we are doing it without this amendment. We are giving the power to the Turnpike Commission, and I quote the bill: "The commission is...authorized, empowered and directed to construct, operate and maintain a further extension of the turnpike...." We are giving the Turnpike Commission free reign to run superhighways through our municipalities, through our neighborhoods, particularly in the city of Pittsburgh and Allegheny County, a densely populated area of this Commonwealth. We are giving the Turnpike Commission absolute free reign to decide where they are going to put their highway. Now, I am not against the concept of a highway, but I am against the idea of giving a commission that power, a commission that we have no control over.

Commission members are appointed to 10-year terms. We are completely abrogating our responsibility for deciding where the roads in this Commonwealth are constructed. Why, even in the Federal Highway Administration, local municipalities have an opportunity, with a lot of impact in the environmental impact statement process and in the whole process, to veto a highway and change its right-of-way design. In fact, if the Commonwealth Department of Transportation and the Federal Highway Administration want to withdraw an interstate highway from a local municipality, they cannot without its veto power; they cannot withdraw that money. So even in the laws that govern the Department of Transportation and the Federal highway construction project, we provide for local municipal input. We do not in this legislation.

I think this is a dangerous precedent to give that kind of power to the commission, and I urge your affirmative vote on this legislation. Thank you.

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

Mrs. DURHAM. Thank you, Mr. Speaker.

I rise today to support the Seventy amendment. I agree with the prior speaker when he spoke about our abrogating our responsibilities. The Turnpike Commission is not an elected body. The municipalities do elect their officials, and I think that it is quite appropriate that we give our local elected officials the right to choose whether or not they want the people from their towns uprooted and moved without any say whatsoever.

I therefore support the Seventy amendment.

The SPEAKER. The Chair recognizes, for the second time on the issue, the gentleman from Lawrence, Mr. Pratt.

Mr. PRATT. Mr. Speaker, I would like to interrogate the gentleman, Mr. Dawida, please.

The SPEAKER. Whom does the gentleman desire to interrogate?

Mr. PRATT. Mr. Dawida.

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

Mr. PRATT. Mr. Speaker, in your testimony before this House, are you saying that this amendment would not allow or would not provide the authorization for local municipalities to veto a highway construction project which may traverse that municipality?

Mr. DAWIDA. No. I am saying they would have that power.

Mr. PRATT. In other words, if the Turnpike Commission decided after months of study that the extension would be feasible financially—they could raise the money for it—and they decided to design it through municipality X, that municipality's governing body could pass an ordinance disapproving it, and they would either have to stop the project or go around the municipality. Is that correct?

Mr. DAWIDA. Mr. Speaker, I believe that the people in those municipalities—

Mr. PRATT. You are not answering my question.

The SPEAKER. The gentleman will yield.

The gentleman, Mr. Dawida, may answer the interrogation.

Mr. DAWIDA. The people in those communities are more important than highways.

The SPEAKER. Do you care to respond to that, Mr. Pratt?

Mr. PRATT. I do not believe the gentleman answered my question.

The SPEAKER. Evidently that is the answer the gentleman has given. Has the gentleman, Mr. Pratt, concluded his interrogation?

Mr. PRATT. No. No, I have not, Mr. Speaker.

The SPEAKER. The gentleman may continue.

Mr. PRATT. Mr. Speaker, under this provision of this amendment, if the municipality would enact an ordinance opposing a certain project authorized under HB 1394, would that disapproval through an ordinance of that municipality prohibit the Turnpike Commission from proceeding with that project?

Mr. DAWIDA. Yes, sir.

Mr. PRATT. In other words, Mr. Speaker, you are giving local municipalities a veto power over highway projects in this Commonwealth.

Mr. DAWIDA. Absolutely.

Mr. PRATT. Thank you.

I would like to submit several comments, Mr. Speaker. I am through with my interrogation.

The SPEAKER. The gentleman is in order to make a statement on the amendment.

Mr. PRATT. Mr. Speaker, as well as the intentions may be of Mr. Dawida, I think that this provision would basically make null and void HB 1394. It would also, in my opinion, make null and void any future construction projects that the Turnpike Commission may or may not proceed with. I think it is a bad precedent. I do not think that the local municipalities should have the veto power. Yes, they should have input. They should be able to present their feelings, their opinions, on particular highway projects which may be proposed by the Turnpike Commission or even PennDOT, but I do not believe

that this legislature should be abrogating the authority of State agencies or delegating the authority on decisions as to whether or not we build or not build highway projects in this Commonwealth.

Second of all, Mr. Speaker, I would like to rebut some testimony that was given by several previous speakers, particularly Representative Murphy. Before the Turnpike Commission can proceed with any of these projects, this body, this House, must approve by legislation all bond issues to proceed with those projects. Secondly, the Governor must also approve those bond issues. So this legislature does have the final approval as to whether or not these projects proceed. So I think Mr. Murphy has been providing some misinformation. This bill does not give carte blanche approval to the Turnpike Commission to proceed any way it sees fit to build highways anyplace in this Commonwealth, and I believe the members should take that into consideration. Let us proceed with this bill; let us turn down this amendment, and let us get on with passing HB 1394. Thank you.

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

Mr. TRELLO. Mr. Speaker, I rise to support the Seventy amendment. I think the only thing that the Seventy amendment speaks to is to proceed with caution, and I think we are all for that, and I urge your affirmative vote.

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

Mr. FRAZIER. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the Seventy amendment in that it is a restrictive amendment; it is destructive of the bill. It applies a standard of law far more restrictive than any other standard of law that applies to highway construction anywhere in the Commonwealth. Furthermore, it denies equal protection under the law in that previous expressway and turnpike construction was not held to adhere to a standard whereby every municipality could conduct this type of blocking of the particular construction, and the particular municipality in question, which Mr. Dawida refers to, is a municipality wholly contiguous, known as the city of Pittsburgh.

The communities that he refers to would not be helped by the Seventy amendment, because they are not separate municipalities. The city of Pittsburgh comprises almost one-third of the county of Allegheny, the second class. The county of Allegheny already has a remedy through its common pleas court system under the Eminent Domain Code. The Eminent Domain Code calls for hearings of condemnation, assessment of damages. In 1979 the Eminent Domain Code was amended. It is no longer the type of a code which is confiscatory. It was amended to have language in it which would allow for the proper assessment of damages. Now the Eminent Domain Code, under its procedures to condemn under the act of 1979 and the determination of damages and, furthermore, just compensation, provides for fair market value. Those are terms that have never been in the Eminent Domain Code before 1979.

I would urge defeat of this amendment, not only on the specifics that I brought up dealing with really the procedural defects in dealing with the city of Pittsburgh, but also on the constitutional point that it would deny the citizens of the Commonwealth who are currently existing equal protection under the law vis-a-vis citizens of the Commonwealth who have enjoyed expressway construction in the past. Thank you, Mr. Speaker.

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

Mr. RITTER. Mr. Speaker, would the gentleman, Mr. Pratt, consent to interrogation?

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

Mr. RITTER. Mr. Speaker, where in the bill does it say that before any bonds are issued there has to be approval by the Governor and the legislature?

Mr. PRATT. Mr. Speaker, as I understand it, this is in the general turnpike law. We acted on similar legislation, I think, several years ago for some major improvement projects along the current turnpike system. This legislature did in fact vote to approve those bond issues.

Mr. RITTER. I thank the gentleman, Mr. Speaker. That is the end of the interrogation, Mr. Speaker.

The SPEAKER. Does the gentleman have a statement on the amendment?

Mr. RITTER. Yes. Mr. Speaker, I support the amendment. I do not find anything in this bill which says that they have to come back to this legislature for approval or that the Governor has to approve the bonds. I find in here that turnpike revenue bonds, notes, or other obligations, et cetera, shall not be deemed to be a debt of the Commonwealth or a pledge of the faith and credit of the Commonwealth, but that such bonds, et cetera, shall be payable solely from the revenues of the commission, et cetera.

Mr. Speaker, I agree with Mr. Murphy. This bill does not talk about a feasibility study. This bill says that the Turnpike Commission shall construct the southwest extension and that the schedule shall be set when it is determined feasible by the commission, and that means the schedule of construction. I think if you were going by the premise that you can put all these amendments in and not have to worry about paying for them because the commission probably will not do it, you ought to read the bill again. It seems to me this bill says that the Turnpike Commission shall construct the southwest extension. You take the Seventy amendment and you put it in and you are at least going to have some protection that the Turnpike Commission is not going to run roughshod and decide to put an extension of the turnpike right through the heart of a city or a borough or a township without at least the officials in that area being involved and having an opportunity to have some input. I support the Seventy amendment, and I think we ought to put it in the bill.

The SPEAKER. The Chair recognizes the gentleman, Mr. Dawida, for the second time on the question.

Mr. DAWIDA. Very briefly, Mr. Speaker, I believe that the Seventy amendment would actually facilitate the building

of this highway if it is truly needed and is feasible, because if you do not adopt this amendment, those communities are going to fight this thing in court for years. Our experience has been in this country, with the building of our superhighway system, that it has been highly destructive of communities. In the last few years, communities have begun to fight back, and those communities that you would destroy potentially with this bill are going to fight back. So instead of waiting until after the fact, let us go and talk to them first before we build this highway.

This is the first highway that the Pennsylvania Turnpike would build through a highly populated city neighborhood. I do not know that they have the expertise to do that, but if they do have the expertise, let them come to the communities and show it, and we will be 100 percent behind them, because we do need better roads in western Pennsylvania. You have heard that enough from us the last few years to know that we are not against just building per se, but it is where they want to build. So I would highly urge everyone to consider voting "yes" for the Seventy amendment.

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

Mr. POTT. Thank you, Mr. Speaker.

I would like to address myself to two points. First, I believe that there are adequate protections in HB 1394, PN 2290. If those who support the Seventy amendment would draw their attention to page 9 of the bill, line 10: "In such cases, the plan of such reconstruction and restoration or vacation shall be submitted to the governing body of the appropriate municipality for approval...." I think the municipalities do have input. They must approve any intersections with existing highways. I feel that the Seventy amendment would insert the municipalities with a veto power and that one municipality could destroy this entire proposal, any proposal that the Turnpike Commission may address.

For those of you who are concerned that roadways disrupt the lives of people and so forth, I would like to call your attention to many communities in western Pennsylvania, especially in the Monongahela, Youghiogeny, and Beaver Valleys, where you can see every day devastated communities. And why are these communities so devastated? Why is there so much unemployment and lack of economic development in these communities? The reason is because there is not a roadway there. This bill provides the Turnpike Commission the opportunity to construct these highways in the vitally needed areas, especially in the Monongahela and Beaver Valleys and through the heartland of the coal country of Pennsylvania. I certainly hope that we defeat the Seventy amendment and support the legislation. This legislation will provide for the preservation of communities and the improvement of communities, the development of communities. The Seventy amendment will destroy that opportunity.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Murphy, for the second and last time on the question. The gentleman may proceed.

Mr. MURPHY. Thank you, Mr. Speaker.

Very briefly, I just want to make it very clear we are talking about a condition of local control. Representative Pott just recently pointed out that there is the opportunity for approval by a local municipality. Well, if the local municipality, as the legislation reads, "...in the event of failure of the governing body to approve the plan, then it shall be submitted to the Department of Transportation for final approval."

What we have successfully done in this legislation is remove all elected officials from having any say in whether the highway is built or not. We have given the power to the Turnpike Commission to make a decision. We have given the power to the Department of Transportation to overrule a local municipality, but we have ignored the people of this Commonwealth and their elected officials in giving them any opportunity to control the construction and the right-of-way of these highways. I think that is poor legislation and urge your support of this amendment. Thank you.

The SPEAKER. The Chair recognizes the gentleman, Mr. Frazier, for the second and last time on the question.

Mr. FRAZIER. Mr. Speaker, very briefly, the reasoning here is very fallacious. Again I reiterate to the members that this amendment will kill the bill. This is not a good amendment. What Mr. Murphy proposes is a standard of law more restrictive than any current standard of law. To have the project referred to PennDOT as the bill already indicates is precisely the standard of law currently used for expressway construction. Furthermore, for the affected municipalities that they are speaking of, which is one dominant municipality, there is a county court system, the second largest in the Commonwealth, with an eminent domain code. I urge the rejection of a very bad amendment. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—53

Barber	Gamble	Morris	Rybak
Beloff	George	Mrkonic	Saurman
Blaum	Gray	Mullen	Seventy
Bowser	Haluska	Murphy	Shupnik
Brown	Horgos	Noye	Spitz
Cappabianca	Itkin	O'Donnell	Swift
Cawley	Jackson	Olasz	Telek
Dawida	Kowalshyn	Oliver	Trello
Dombrowski	Levin	Petrone	Wachob
Dorr	McIntyre	Pistella	Wargo
Duffy	McMonagle	Pucciarelli	Wiggins
Durham	Michlovic	Rieger	Williams, H.
Fryer	Miscevich	Ritter	Zwilk
Gallagher			

NAYS—141

Alden	Fee	Livengood	Showers
Anderson	Fischer	Lloyd	Sieminski
Armstrong	Fleck	Lucyk	Sirianni
Arty	Foster, W. W.	McCall	Smith, B.
Belardi	Frazier	McClatchy	Smith, E. H.
Belfanti	Freind	McVerry	Smith, L. E.
Berson	Gallen	Mackowski	Snyder
Bittle	Gannon	Madigan	Spencer
Borski	Geist	Maiale	Stairs
Boyes	Gladeck	Manderino	Steighner
Brandt	Grabowski	Manmiller	Stevens
Burd	Greenfield	Marmion	Stewart
Burns	Greenwood	Merry	Suban

Cessar	Grieco	Micozzie	Swaim
Cimini	Gruitza	Miller	Sweet
Civera	Gruppo	Moehlmann	Taddonio
Clark	Hagarty	Mowery	Taylor, E. Z.
Clymer	Harper	Nahill	Taylor, F. E.
Cochran	Hasay	Pendleton	Tigue
Colafella	Hayes	Perzel	Van Horne
Cole	Heiser	Peterson	Vroon
Cordisco	Hoeffel	Petrarca	Wambach
Cornell	Honaman	Phillips	Wass
Coslett	Hutchinson, A.	Piccola	Wenger
Cowell	Johnson	Pievsky	Weston
Cunningham	Kanuck	Pitts	Williams, J. D.
DeMedio	Kennedy	Pott	Wilson
DeVerter	Klingaman	Pratt	Wogan
Daikeler	Kolter	Punt	Wozniak
Davies	Kukovich	Rappaport	Wright, D. R.
Deal	Lashinger	Rasco	Wright, J. L.
Dietz	Laughlin	Reber	Wright, R. C.
Dininni	Iehr	Richardson	
Donatucci	Lescovitz	Rocks	Ryan,
Emerson	Letterman	Salvatore	Speaker
Fargo	Levi	Serafini	

NOT VOTING—5

Cohen	Evans	Foster, Jr., A.	White
DeWeese			

EXCUSED—4

Caltagirone	Hutchinson, W.	Irvis	Lewis
-------------	----------------	-------	-------

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 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?

Does the gentleman from Allegheny, Mr. Itkin, desire to be recognized?

Mr. ITKIN. Mr. Speaker, where are we on the bill?

The SPEAKER. We are on final passage. For what purpose does the gentleman, Mr. Itkin, rise?

Mr. ITKIN. To debate the bill.

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

Mr. ITKIN. Mr. Speaker, I think we enjoyed our legislative activities in dealing with HB 1394. There has been an air of frivolity about all of these amendments. These additional extensions have been added to the bill. We now have in the bill probably 250 miles of extension possibilities, probably divided among eight or nine different projects, which we are requesting that the Turnpike Commission shall construct.

It is not clear to me upon reading the actual verbiage in the bill whether or not the Turnpike Commission has the authority to construct without first determining its feasibility or whether, as Representative Ritter had said, the feasibility is only in the schedule time to complete the project. Consequently, I cannot really look at this bill without a great deal of trepidation. There seems to be an attitude in this House that this bill will not go anywhere in the Senate, and I pray that that is true. On the other hand, I do not think that we as

responsible legislators should allow the Senate to have it in the first instance, because many times I have been disappointed in the responsible nature of that body.

At the very minimum, what this bill will cause to happen is that the Pennsylvania Turnpike Commission will be directed by this General Assembly to at least perform feasibility studies for toll-road construction on hundreds of miles of new roads in the Commonwealth. I would not feel so badly about it if I felt that the commission would deal with this particular bill like we deal on legislation and give it 5 minutes of our time and then vote one way or the other. But in my conversation with the chairman of the Turnpike Commission, he indicated to me that a feasibility study for any one of these projects can run into several hundred thousand dollars, and he was very surprised to learn from me that there was no appropriation contained in the measure and that all of the costs for these feasibility studies are going to have to be borne by the Turnpike Commission. Now, if you take eight or nine projects and you add \$300,000, \$400,000— And I really do not know what the cost is going to be. Certainly a highway study, not only just a feasibility of constructing a highway but then the whole economic study of the feasibility of bonding and tolls, could run that type of money - \$300,000, \$400,000 - and if you multiply it by 9 or 10, you are talking about several million dollars coming out of the Turnpike Commission for this purpose. I doubt whether the Turnpike Commission will be in a position to construct few if any of these items that we have listed in the bill.

In terms of today's construction costs, I would like you to reflect on what the toll charges now are on the Pennsylvania Turnpike, and we are dealing with a system that was built in 1940 at the cost of construction in 1940, at the interest charges of 1940. Look at the cost of construction in the year 1981 or 1982 and beyond and ask yourself the basic question, what would these tolls have to be in order for them to be feasible? And although I have not really performed a study on this, my suspicion is and fear is that these types of tolls are going to be phenomenal and therefore are going to inhibit the utility and therefore jeopardize the turnpike system from being able to deal with its bondholders and paying its financing. It would seem to me that we are acting with great haste here.

In fact, in today's Post-Gazette there is an article that says that the Governor has already approved the Pennsylvania Department of Transportation going ahead and building a large portion of what we call the southwestern turnpike extension. Now, why would we with any sense of reason and rationality go ahead and delete that flexibility that we now have of having 90-10 funding for a highway system that has already been committed, committed by the Federal Government, committed by PennDOT, to go ahead and say, put that aside now; we do not want the 90 percent Federal funding; what we want to do is build our own toll road; not only do we want to do that, but, Mr. Federal Government, we want to return to you all of the millions upon millions of dollars you have given to us for the original study for the relocation, the acquisition of the land, and all of the initial things that must take place before construction. That is what we will have to do. If this

bill is approved and the Turnpike Commission deems it feasible, then we will basically reject Federal support.

Now, I think that after voting for that 3 1/2-percent petroleum increase for the explicit purpose that PennDOT did not have enough money for doing these construction projects—we gave them the vote, the bill has passed, the income is coming in—why should we not now begin initial construction using that money and then at some future time examine what we still need and then make some prudent decisions at that time? It seems to me that we are putting the cart before the horse, and at the very least we are going to cost an agency of this Commonwealth, the Pennsylvania Turnpike Commission, several million dollars to perform feasibility studies so that we can all get a copy of them and put them on our bookshelves. Thank you very much, Mr. Speaker.

I would suggest that the members of the House use good judgment and not vote for this measure. Thank you.

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

Mr. STEVENS. Thank you, Mr. Speaker.

May I very briefly interrogate Mr. Pott?

The SPEAKER. The gentleman, Mr. Pott, indicates he will stand for interrogation. The gentleman, Mr. Stevens, may begin.

Mr. STEVENS. I would just like this clarified: Can the Turnpike Commission raise its tolls in other portions of the State to subsidize this new roadway?

Mr. POTT. There are two protections for that, Mr. Speaker. First, in all of the existing indenture agreements on outstanding bonds on the existing turnpike, the prohibition is in those indenture agreements that those tolls can only be used for that portion of the highway. They cannot be used to finance new construction until they are paid off. We provide that same language on page 6 and again on page 14 in PN 2290. The Turnpike Commission legal staff is in full accord with this language, as they suggested it, and there is no way that they would be permitted without incurring a condition of default on the existing bonds outstanding. Bonds will be outstanding, I believe it is, for the next 30 to 40 years because of the new construction going on on the turnpike at the present time. So, therefore, the whole toll system on the existing turnpike cannot be mortgaged for this until those bonds are paid off, and that is 30 to 40 years, and I do not think that you will have the same fears at that time.

Mr. STEVENS. Thank you.

Mr. Speaker, may I comment on the bill?

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

Mr. STEVENS. I will support this bill under those provisions that the Turnpike Commission cannot raise tolls in other portions of the State to finance this roadway. Thank you.

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

Mr. DeMEDIO. Mr. Speaker, I have in my district a number of industrial parks and many other prime industrial sites which are begging for industrial employers who would revitalize our valley towns by affording employment to our

many unemployed. The borough of Donora, where I was born and presently reside, was once the site of the largest zinc plant in the whole world, and a steel plant was situated there that employed more than 6,500 employees. Today Donora must survive without these lucrative sources of employment, the zinc mill and steel plant having left the area long ago. The completion of the Mon Valley Expressway years ago may well have permitted us to avoid that terrible blow to our area.

Donora, as well as the borough of Allenport, the site of a Wheeling-Pittsburgh Steel plant, the city of Monongahela, Charleroi, Speers, Stockdale, Roscoe, California, and other communities in my district resting along the Monongahela River and adjacent to railroad facilities, linking us with the rest of this great Nation of ours, are transportation opportunities which, although extremely important, do not adequately serve the people of my district. The reason for this is that the highway system in my district is lacking in several very important respects.

First, our highway system is in dire need of the completion of the Mon Valley Expressway in order to give ingress and egress to our industrial plants so as to make them competitive. Our highway system, too, like that of our entire southwestern Pennsylvania, has suffered from a lack of maintenance and repair which we are finally starting to remedy. It is therefore imperative, if we are to revitalize the economic climate of southwestern Pennsylvania and allow it to regain its position of industrial leadership, one of the great steel centers of the United States, that we pass HB 1394. The passage of this legislation will revive the Monongahela Valley industrially and allow the reemployment of thousands of willing workers. This may be accomplished without one cent of expense to the taxpayers of our Commonwealth. The entire burden of the cost of this highway system would be placed where it justly belongs - on the users of the system by the imposition of tolls. We are confident that this system would be self-supporting and pay for itself.

Therefore, in closing, I want to implore the members on both sides of the aisle to allow the completion of this highway system, which has been merely a promise for so many, many years, by voting affirmatively for this legislation. Thank you.

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

Mr. MICHLOVIC. Thank you, Mr. Speaker.

I rise to oppose HB 1394. I oppose it. I have heard a lot of arguments today in favor of economic development and helping communities further down the Mon Valley. I want you to realize that this highway has got to go through somebody's home; it has got to go through somebody's backyard. It is going to go through the homes and the backyards in the urban areas, and those are the areas that are poor and those are the areas that are already deteriorated and blighted, and you think that that is the reason why we should continue to go ahead - they are blighted already; let us just wipe them out. Well, that is what can happen with this bill.

I think this is in a way a very cruel bill. It pits the suburban communities against the urban communities and the people in them. The people in the urban areas are going to be making

one heck of a sacrifice to run a road so that a cement truck can get on it down in another section of the Commonwealth. Mr. Speaker, for those reasons I ask that you oppose the bill.

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

Mr. POTT. Thank you, Mr. Speaker.

In no way does this bill pit rural, suburban legislators against urban legislators. This bill will provide many jobs for people in Pennsylvania through the construction of the highway and through permanent jobs in maintenance and toll collection facilities and in security functions on the Pennsylvania Turnpike.

I want to point out to the House of Representatives that last year the Pennsylvania Turnpike Commission had a \$35-million profit on \$120 million of revenue. They do have the resources out of existing revenues to finance the feasibility studies. The bond market will ultimately determine the feasibility of building these highways. If the Turnpike Commission cannot sell the bonds, the turnpikes obviously will not be built. The bond market will be the ultimate determination.

I certainly hope that we can have the support of the majority of the members of this House of Representatives for this legislation so vital for the continued economic, social, and cultural development of western Pennsylvania. Thank you, Mr. Speaker.

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

Mr. SEVENTY. Thank you, Mr. Speaker.

Mr. Speaker, earlier fair market value for our homes that the Turnpike Commission would disrupt was mentioned. I would like to just say that in my area, probably the highest amount that these people would get for their homes would probably be \$20,000. Now, where could anyone go and buy a new home for \$20,000 now? And there may be a lot of my homes that will be disrupted. I urge you to vote against this bill. 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—164

Alden	Emerson	Letterman	Ritter
Anderson	Evans	Levin	Rocks
Armstrong	Fargo	Livengood	Rybak
Arty	Fee	Lloyd	Salvatore
Barber	Fischer	Lucyk	Saurman
Belardi	Fleck	McCall	Serafini
Belfanti	Foster, W. W.	McClatchy	Showers
Beloff	Foster, Jr., A.	McMonagle	Sieminski
Berson	Frazier	McVerry	Smith, B.
Bittle	Freind	Mackowski	Smith, E. H.
Borski	Gallagher	Madigan	Smith, L. E.
Boyes	Gamble	Maiale	Snyder
Brandt	Gannon	Manderino	Spencer
Brown	Geist	Marmion	Stairs
Burd	George	Merry	Steighner
Cappabianca	Gladeck	Micozzie	Stevens
Cawley	Grabowski	Miscevich	Stewart
Cessar	Gray	Morris	Stuban
Cimini	Greenfield	Mowery	Swaim
Civera	Greenwood	Mrkonic	Sweet
Clark	Grieco	Mullen	Taylor, E. Z.
Clymer	Gruitza	Nahill	Taylor, F. E.

Cochran	Gruppo	Noye	Telek
Cohen	Hagarty	O'Donnell	Trello
Colafella	Haluska	Olasz	Van Horne
Cole	Harper	Oliver	Vroon
Cordisco	Hayes	Pendleton	Wachob
Cornell	Heiser	Petzel	Wambach
Coslett	Honaman	Petrarca	Wass
Cowell	Horgos	Petrone	Wenger
Cunningham	Hutchinson, A.	Phillips	Weston
DeMedio	Johnson	Pievsky	Wiggins
DeVerter	Kanuck	Pott	Williams, J. D.
DeWeese	Kennedy	Pratt	Wogan
Daikeler	Klingaman	Pucciarelli	Wozniak
Davies	Kolter	Punt	Wright, D. R.
Deal	Kowalyszyn	Rappaport	Wright, J. L.
Dombrowski	Kukovich	Rasco	Zwilk
Donatucci	Lashingner	Reber	
Dorr	Laughlin	Richardson	Ryan,
Duffy	Lehr	Rieger	Speaker
Durham	Lescovitz		

NAYS—31

Blaum	Hasay	Moehlmann	Sirianni
Bowser	Hoeffel	Murphy	Spitz
Burns	Itkin	Peterson	Swift
Dawida	Jackson	Piccola	Taddonio
Dietz	Levi	Pistella	Tigue
Dininni	Manmiller	Pitts	Wargo
Fryer	Michlovic	Seventy	Wilson
Gallen	Miller	Shupnik	

NOT VOTING—4

McIntyre	White	Williams, H.	Wright, R. C.
----------	-------	--------------	---------------

EXCUSED—4

Caltagirone	Hutchinson, W.	Irvis	Lewis
-------------	----------------	-------	-------

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. Frank O'Hara and Mr. Sal Gambone, here today as the guests of the delegation from Montgomery County.

REMARKS ON VOTE

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

Mr. H. WILLIAMS. Mr. Speaker, I was not in my seat on the last vote, HB 1394. I would like to be recorded in the affirmative.

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

CONSIDERATION OF SB 725 RESUMED

BILL REMOVED FROM TABLE

The SPEAKER. Without objection, SB 725 is removed from the table. The Chair hears no objection.

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

Mr. RAPPAPORT offered the following amendments No. A4325:

Amend Sec. 2, page 1, line 18, page 2, line 1, by striking out "SUBSECTION (e) of section 5901,"

Amend Sec. 2, page 2, line 1, by removing the comma after "(b)" and inserting
and

Amend Sec. 2, page 2, line 1, by striking out "and (h)"

Amend Sec. 2 (Sec. 5901), page 2, lines 23 through 28, by striking out all of said lines

Amend Sec. 2 (Sec. 5902), page 3, line 5, by striking out "General Counsel" and inserting

Attorney General

Amend Sec. 2 (Sec. 5902), page 3, lines 18 through 25, by striking out all of said lines

On the question,

Will the House agree to the amendments?

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

Mr. RAPPAPORT. Thank you, Mr. Speaker.

Mr. Speaker, the bill in its present form makes the General Counsel the chief legal officer of the pension board, the employees' pension fund.

My amendment reverts to the prior statute by making the Attorney General of Pennsylvania the chief legal adviser of the State employees' pension fund. I, however, have not included in this amendment the provisions of the Attorney General act which we passed recently, so that the General Counsel remains an adviser to the pension board. I think the Governor should have input into the State employees' pension fund management; however, the chief legal officer should be independent. We now have an independent elected Attorney General, and I think that is the proper place to repose this responsibility. My amendment does no more than that. Thank you, Mr. Speaker.

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

Mr. MOWERY. Thank you, Mr. Speaker. I rise to oppose the amendment.

Back in 1979 when we deliberated in this room on major issues, including the election of an Attorney General, we also passed the Commonwealth Attorneys Act, which very clearly provides that groups and agencies such as this are to have the legal counsel from the general office of the Governor. I see at this point no reason to vary from that. The Pennsylvania Housing Assistance Act, the Parole Board, and you can go on and on. The intent of that was to stabilize and to outline exactly who was to be General Counsel.

If in effect we are to change that, and if it is not right to have the General Counsel as the adviser, it is my recommendation that we go back to that act and address that in its own right rather than going piecemeal and changing it on different bills as they come through. For that reason, Mr. Speaker, I would recommend that we vote "no" and get on with the passage of the bill. Thank you.

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

The following roll call was recorded:

YEAS—99

Alden	Fischer	Levin	Rieger
Barber	Fleck	Livengood	Ritter
Belfanti	Foster, Jr., A.	Lloyd	Rybak
Beloff	Fryer	Lucyk	Seventy
Berson	Gallagher	McCall	Showers
Blaum	Gamble	McMonagle	Shupnik
Borski	Gannon	Maiale	Steighner
Brown	George	Manderino	Stewart
Cappabianca	Grabowski	Michlovic	Stuban
Cawley	Gray	Miscevich	Swaim
Clark	Greenfield	Morris	Taylor, F. E.
Colafella	Gruitza	Mrkonic	Telek
Coie	Haluska	Mullen	Tigue
Cordisco	Harper	Murphy	Trello
Cowell	Hoefel	Olasz	Van Horne
DeMedio	Horgos	Oliver	Wachob
DeWeese	Hutchinson, A.	Pendleton	Wambach
Dawida	Itkin	Petrarca	Wargo
Deal	Kanuck	Petrone	Wiggins
Dombrowski	Kolter	Pievsky	Williams, H.
Donatucci	Kowalyshyn	Pistella	Williams, J. D.
Duffy	Kukovich	Pratt	Wozniak
Durham	Laughlin	Pucciarelli	Wright, D. R.
Emerson	Lescovitz	Rappaport	Zwilk
Fee	Letterman	Richardson	

NAYS—91

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

NOT VOTING—9

Cohen	O'Donnell	Spitz	Sweet
Evans	Pitts	Stairs	White
McIntyre			

EXCUSED—4

Caltagirone	Hutchinson, W.	Irvis	Lewis
-------------	----------------	-------	-------

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—192

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

NAYS—3

Blaum	Lloyd	Tigue
-------	-------	-------

NOT VOTING—4

Freind	McIntyre	Stairs	White
--------	----------	--------	-------

EXCUSED—4

Caltagirone	Hutchinson, W.	Irviss	Lewis
-------------	----------------	--------	-------

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with

amendment in which the concurrence of the Senate is requested.

REMARKS ON VOTE

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

Mr. FREIND. I missed voting on the final passage of SB 725, Mr. Speaker. I would like to be recorded in the affirmative.

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

FINAL PASSAGE POSTPONED
BILL CONSIDERED

Agreeable to order,

The bill having been called up from the postponed calendar by Mr. GRUITZA, the House resumed consideration on final passage of **HB 972, PN 1059**, entitled:

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

On the question recurring,
Shall the bill pass finally?

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

Mr. GRUITZA. I would like to speak on the bill, Mr. Speaker.

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

Mr. GRUITZA. Mr. Speaker, I will be brief.

I understand Representative Mackowski's problem with his local hotel. I am concerned, and the reason I filed a motion to reconsider this bill was because of the haste in which it went through this House.

My local office has been contacted by hotel liquor license holders who are no longer desirous of being in the hotel business. It seems that through the years their businesses might have dropped in the area of the hotel revenues and they are predominantly liquor establishments, taverns.

I am very concerned that, particularly in some of the urban areas, this bill will provide many of these types of owners of these establishments a way out of the hotel business. I think that at a time when arson for profit has become such a critical problem across this Commonwealth, we should be taking a very serious look at this particular piece of legislation.

Now, I wish that there was some way of addressing Representative Mackowski's problem here, but I am afraid we are going to create problems far more intense and far more serious in attempting to address his problem. So I filed a motion to reconsider this simply because I feel that the members of the House should take a closer look than what was taken this morning when we voted on it. I think that particularly in our urban areas we are opening up a real can of

worms and we are going to be tempting many individuals and professionals into doing things that we do not want to see happen. I would strongly urge the Representatives here to take another look at this piece of legislation and to consider the ramifications that may result from passing this piece of legislation.

Again, I wish there was something we could do to address this critical problem, but I do not believe this bill will do it. I believe this bill will create us far many more problems. Thank you, Mr. Speaker.

On the question recurring,
Shall the bill pass finally?

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

YEAS—101

Alden	Fleck	Lehr	Sieminski
Anderson	Foster, W. W.	Levi	Sirianni
Arty	Foster, Jr., A.	McClatchy	Smith, B.
Belardi	Frazier	McVerry	Smith, E. H.
Bittle	Freind	Mackowski	Smith, L. E.
Bowser	Gallagher	Madigan	Snyder
Boyes	Gallen	Marmion	Spencer
Brandt	Gannon	Merry	Spitz
Burd	Geist	Miller	Stairs
Burns	Gladeck	Moehlmann	Stevens
Cessar	Greenwood	Mowery	Swift
Cimini	Grieco	Mrkonic	Taddonio
Civera	Gruppo	Nahill	Taylor, E. Z.
Clymer	Hagarty	Noye	Taylor, F. E.
Cochran	Hasay	Perzel	Telek
Cordisco	Hayes	Peterson	Vroon
Cornell	Heiser	Perrone	Wachob
Coslett	Honaman	Phillips	Weston
Cunningham	Horgos	Pott	Wilson
DeVerter	Hutchinson, A.	Punt	Wogan
Daikeler	Jackson	Rasco	Wright, J. L.
Davies	Johnson	Reber	Wright, R. C.
Dietz	Kanuck	Rocks	
Dorr	Kennedy	Salvatore	Ryan,
Durham	Klingaman	Saurman	Speaker
Fargo	Lashingner	Serafini	

NAYS—97

Armstrong	Fee	McIntyre	Rieger
Barber	Fischer	McMonagle	Ritter
Belfanti	Fryer	Maiale	Rybak
Beloff	Gamble	Manderino	Seventy
Berson	George	Manmiller	Showers
Blaum	Grabowski	Michlovic	Shupnik
Borski	Gray	Micozzie	Steighner
Brown	Greenfield	Miscevich	Stewart
Cappabianca	Gruitza	Morris	Stuban
Cawley	Haluska	Mullen	Swaim
Clark	Harper	Murphy	Sweet
Cohen	Hoeffel	O'Donnell	Tigue
Colafella	Itkin	Olasz	Trello
Cole	Kolter	Oliver	Van Horne
Cowell	Kowalshyn	Pendleton	Wambach
DeMedio	Kukovich	Petrarca	Wargo
DeWeese	Laughlin	Piccola	Wass
Dawida	Lescovitz	Pievsky	Wenger
Deai	Letterman	Pistella	Wiggins
Dininni	Levin	Pitts	Williams, H.
Dombrowski	Livengood	Pratt	Williams, J. D.
Donatucci	Lloyd	Pucciarelli	Wozniak
Duffy	Lucyk	Rappaport	Wright, D. R.
Emerson	McCall	Richardson	Zwikel
Evans			

NOT VOTING—1

White

EXCUSED—4

Caltagirone Hutchinson, W. Irvis Lewis

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

The SPEAKER. The Chair recognizes the gentleman from McKean, Mr. Mackowski.

Mr. MACKOWSKI. Mr. Speaker, perhaps I should have debated the bill, but because I knew everybody was tired and so forth, I chose not to.

I would like a reconsideration so I can fully explain the problems that exist, not only in my district but in others, because of fire, natural disaster, floods, on many occasions. I would like to have a reconsideration, please.

The SPEAKER. The procedure for reconsideration is to file a motion, seconded by another member. The majority whip has such forms as are required.

REMARKS ON VOTE

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

Mr. CUNNINGHAM. Mr. Speaker, I very mistakenly voted in the affirmative on that bill and intended to vote in the negative.

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

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED

The clerk of the Senate, being introduced, returned the following **HB 720, PN 2463**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), further providing for the expedited implementation of regulations governing Federally subsidized programs; limiting the amount of assistance granted to persons under age 21 and to families containing strikers; requiring cooperation with the department in verifying eligibility; eliminating the continuation of public assistance pending appeal to court in certain cases; allowing abbreviated hearings in certain cases; changing the limits on property holdings; eliminating the maximum withholding exemptions; changing the method of determining need; providing for consideration of the income of stepparents and other individuals; changing the employment, training and manpower services exemptions; amending the law regarding recoupment of overpayments and correction of underpayments; making technical corrections; authorizing the department to conform the assistance program to Federal law so as to insure the continued receipt of Federal funding for assistance programs and providing for the use of net savings arising from conforming State law.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Thank you, Mr. Speaker.

I recommend that the House nonconcur in those amendments submitted into HB 720 by the Senate of Pennsylvania, and without belaboring the House with a very long litany of reasons why, I think that there are a few reasons which typify the reasons why I believe this House of Representatives should nonconcur in this legislation on this day.

As we all know, the House of Representatives spent a great deal of time when it first considered HB 720, which was then referred to as welfare reform. At the present time we have HB 720 before us with Senate amendments. The bill numbers approximately 46 pages in length; 34 of those pages strip from the legislation welfare reform. I do not believe that this House of Representatives should take lightly that action by the Senate of Pennsylvania. This House of Representatives, not on one occasion but other occasions as well, has expressed its legislative concern to bring about welfare reform, and as majority leader, I do not take lightly the fact that 34 pages of welfare reform have been stripped from HB 720.

The legislation comes to us today as a bill which will bring Pennsylvania into conformity with Federal law, and those of us who have worked the last 24 hours to ascertain whether or not the various provisions placed into HB 720 are absolutely necessary for Federal conformity, we have a lot of questions. We are not sure that all of the provisions contained in HB 720 are necessary to conform with Federal law and Federal rules and regulations. For sure, there is sufficient reason for us to raise that question as a House of Representatives and take a few days to see whether or not all of those provisions placed in this bill with regard to conformity are absolutely necessary for this House of Representatives and the General Assembly to enact.

In the Senate's haste to achieve conformity, which is something we must do and we will do, in its haste to adopt a conformity bill, I believe that they have placed language in the legislation which should cause us in this House of Representatives to raise a very serious question.

On page 45 of the legislation, there is a complete grant of authority to the Federal Government of this Nation. This General Assembly would cede away its constitutional authority to appropriate funds and to make policy decisions to the Federal Congress and to the Federal bureaucracy.

On page 45 there is language which states that if there is a conflict between State law and Federal regulation, Federal regulation shall prevail. I do not believe that we should turn our welfare system over to the auspices of the Federal bureaucracy, regardless of who may be in charge in Washington, D.C. If there is some requirement with regard to conformity in the light of those words placed in this bill by the Senate of Pennsylvania, we, this House of Representatives, can take the time over the next week or so to identify just where we must go with regard to conforming to Federal law and Federal regulation. But there is a serious ceding of authority from this General Assembly to the Federal bureaucracy on page 45.

There are some similar examples of this General Assembly ceding its authority even to our own Department of Welfare and certain persons who serve in the executive branch. I am not sure we want to do that. This General Assembly will speak for the people and the taxpayers of this Commonwealth, and I do not believe we should cede our constitutional authority away with some of the provisions which are contained in this conformity bill.

There have been expressions as to when we must conform, and through the night last evening and then again this morning, there was some question as to when we must absolutely conform to the Federal law and Federal regulations. Without a doubt, we must conform, but after consultation with our Secretary of Welfare, it leads me to believe that this Commonwealth is not going to lose any Federal dollars in the next few days, and I respectfully suggest, when considering the long view and the long term, that we should take those few days that it is going to be necessary for this House of Representatives to decide as to what direction it believes is best with regard to Federal conformity.

On the basis of those very serious reasons, the fact that they have taken 34 pages of House legislation and stripped them completely, after we worked long and hard on welfare reform, and the fact that there have been some other provisions added which cause serious concern, we should take a few days, a week or two, through nonconcurrence so that we can decide what is the best course for this Commonwealth to take.

Therefore, Mr. Speaker, I urge nonconcurrence. Thank you, Mr. Speaker.

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

Mr. WACHOB. Thank you, Mr. Speaker.

I agree with the majority leader that this House should nonconcur in the Senate amendments to HB 720. The majority leader is quite correct that the bill in front of us today is radically different and in fact entirely different than the piece of legislation that this House passed some 4 or 5 months ago. Not only are we dealing not with welfare reform, but we are dealing with some very questionable areas and some very important areas that this legislature, and in particular this body, the House of Representatives, should have time to study.

Once again we are faced with a decision that we must relinquish some of our authority as a body to the Senate of Pennsylvania without adequate time to review the consequences of our actions. There are some sections in here that grant expanded powers to the Department of Public Welfare. There are some sections in here that, while they do bring us into conformity with Federal law, the way in which we do that is a way in which we are getting much tougher in the requirements of AFDC (aid for dependent children) programs. There are also some provisions in this piece of legislation that have nothing to do with what is going on in Washington and are really changes, very drastic changes, in general assistance, not AFDC. There are sections in here that make it much tougher in regard to strikers, would remove strikers from being able to collect benefits.

For some of the reasons that the majority leader mentioned, I would recommend nonconcurrency, and point out that in many areas in this piece of legislation, this House of Representatives, and indeed the Senate of Pennsylvania, is relinquishing its responsibilities to the people of Pennsylvania and gives that responsibility and that power to the Federal Government. I believe that this body and the Senate of Pennsylvania should speak for the people here, and in many cases we are not doing that if we pass this piece of legislation. So I would urge nonconcurrency as well, Mr. Speaker.

FILMING PERMISSION GRANTED

The SPEAKER. The Chair advises the House that United Press International has requested permission to photograph general activity in the House for a period of 10 minutes.

Mr. Mannino has the prior approval of Mr. Grotevant, and the Chair also grants its permission for 10 minutes.

QUESTION OF PERSONAL PRIVILEGE

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

Mr. LAUGHLIN. A point of personal privilege, Mr. Speaker.

The SPEAKER. The gentleman will state his point of personal privilege.

Mr. LAUGHLIN. Mr. Speaker, anything that Bob Grotevant recommends in this House I seriously want to question.

CONSIDERATION OF HB 720 CONTINUED

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

Mr. RITTER. Mr. Speaker, just briefly.

I agree with the majority leader that the Senate amendment is clearly an unconstitutional delegation of power both to the Federal Government and to agencies and departments of this State Government, Mr. Speaker, particularly on page 38, beginning on line 14; page 44, beginning on line 26; page 45, beginning on line 7; and page 45, beginning on line 23. There is no question in my mind that the Senate has gone way too far. There are court cases as recent as March of this year in Cumberland County that specifically point out that these areas of delegation of powers cannot be allocated to either the Federal Government or a State department by simply making some reference to them in law. So the majority leader is absolutely correct, and it is for that reason, Mr. Speaker, that I am going to vote also for nonconcurrency.

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—0

NAYS—197

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

NOT VOTING—2

McIntyre White

EXCUSED—4

Caltagirone Hutchinson, W. Irvis Lewis

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

Ordered, That the clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED

The clerk of the Senate, being introduced, returned the following **HB 1687, PN 2383**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act providing for adoption of capital projects to be financed from current revenues of the Motor License Fund.

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

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Thank you, Mr. Speaker.

I urge concurrence on HB 1687, PN 2383.

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

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

YEAS—187

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

NAYS—1

Gallen

NOT VOTING—11

Borski	Gladeck	McIntyre	White
Clark	Gray	Pratt	Williams, J. D.
Cohen	Levin	Pucciarelli	

EXCUSED—4

Caltagirone Hutchinson, W. Irvis Lewis

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

Ordered, That the clerk inform the Senate accordingly.

HB 972 RECONSIDERED

The SPEAKER. The Chair recognizes the gentleman from McKean, Mr. Mackowski, who moves that the vote by which HB 972, PN 1059, was defeated on the 28th day of October be reconsidered, the motion being seconded by the gentleman from Allegheny, Mr. Fleck.

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

The following roll call was recorded:

YEAS—191

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

NAYS—2

Misceovich Pistella

NOT VOTING—6

Civera Freind McIntyre White
Cohen Gray

EXCUSED—4

Caltagirone Hutchinson, W. Irvis Lewis

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 REVERSED

The SPEAKER. Without objection, the Chair reverses its decision as to HB 972, PN 1059, having been agreed to on third reading. The Chair hears none.

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

BILL PLACED ON THIRD CONSIDERATION POSTPONED CALENDAR

The SPEAKER. The Chair recognizes the gentleman from McKean, Mr. Mackowski.

Mr. MACKOWSKI. Mr. Speaker, I move that HB 972, PN 1059, be placed on the third reading postponed calendar.

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

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NONCONCURRED IN BY HOUSE

The clerk of the Senate, being introduced, informed that the Senate has insisted upon its amendments nonconcurring in by the House of Representatives to **HB 1645, PN 2258**, and has appointed Senators TILGHMAN, MANBECK and LYNCH a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

MOTION INSISTING UPON NONCONCURRENCE IN SENATE AMENDMENTS

Mr. McCLATCHY moved that the House insist upon its nonconcurrence in Senate amendments to **HB 1645, PN 2258**, 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 **HB 1645, PN 2258**: Messrs. McCLATCHY, MANMILLER and PIEVSKY. Ordered, That the clerk inform the Senate accordingly.

BILL REMOVED FROM TABLE FOR CALENDAR

The SPEAKER. The Chair recognizes the majority leader. Mr. HAYES. Mr. Speaker, I move that **SB 784, PN 1141**, be removed from the table and placed on the active calendar.

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

BILLS REREPORTED FROM COMMITTEE

HB 315, PN 321 By Rep. McCLATCHY
An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for the powers, privileges and immunities of military or security police of the Pennsylvania National Guard.

APPROPRIATIONS.

HB 391, PN 403 By Rep. McCLATCHY
An Act amending "The Marriage Law," approved August 22, 1953 (P. L. 1344, No. 383), providing for an immunity test for rubella.

APPROPRIATIONS.

HB 1476, PN 1712 By Rep. McCLATCHY
An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), increasing the maximum amount which may be expended annually by the commission for the payment of bear damage protection or bear damage claims.

APPROPRIATIONS.

HB 1799, PN 2155 By Rep. McCLATCHY
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.

APPROPRIATIONS.

SB 562, PN 1351 By Rep. McCLATCHY
An Act amending the act of May 2, 1945 (P. L. 382, No. 164), entitled "Municipality Authorities Act of 1945," further providing for the purposes and powers of authorities.

APPROPRIATIONS.

BILL SIGNED BY SPEAKER

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

HB 1687, PN 2383

An Act providing for adoption of capital projects to be financed from current revenues of the Motor License Fund.

ADDITIONS AND DELETIONS OF SPONSORS

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I submit for the record the additions and deletions of sponsors of bills, in accordance with the House rules.

ADDITIONS:

HB 264, Olasz, Fee; HB 565, Greenwood; HB 1796, Punt; HB 1797, Punt; HB 1798, Punt; HB 1973, Johnson; HR 115, Cohen; HR 118, Cohen.

DELETIONS:

HB 1732, Fleck; HB 2002, Letterman; HB 2003, Letterman.

SENATE MESSAGE**RESOLUTION RECALLING SB 1056**

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate, October 21, 1981

RESOLVED (the House of Representatives concurring), That Senate Bill No. 1056, Printer's No. 1241, entitled "An act authorizing and directing the Department of General Services, with the approval of the Governor, to convey to the Plymouth Fire Company No. 1, of the Township of Plymouth, 1.437 acres of land, situate in Plymouth Township, Montgomery County, Pennsylvania," be recalled from the House of Representatives for the purpose of further consideration.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

REMARKS ON VOTE

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

Mr. GLADECK. I was out of my seat on the vote on HB 1687, and I wish to be recorded in the affirmative. Thank you.

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

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

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

Mr. REBER. Mr. Speaker, I move that this House do now adjourn until Monday, November 9, 1981, at 1 p.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 4:19 p.m., e.s.t., the House adjourned.