

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

MONDAY, NOVEMBER 9, 1981

SESSION OF 1981

165TH OF THE GENERAL ASSEMBLY

No. 68

HOUSE OF REPRESENTATIVES

The House convened at 1 p.m., e.s.t.

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

REV. CHARLES NEISWENDER, JR., chaplain of the House of Representatives and pastor of Tulpehocken Trinity United Church of Christ, Richland, Lebanon County, Pennsylvania, offered the following prayer:

Let us pray:

Almighty God, we pause to invoke Your blessing upon this, the opening of another week of legislative deliberations. In doing so, we remind ourselves of the need of guidance beyond ourselves. No human is sufficient in himself. Therefore, we beseech Your visitation among us.

Give to those who have the responsibility of governing our State wisdom like that of Solomon; endow those same individuals with compassion like that of the Good Samaritan; supply them with vision and foresight of a King David, so that all of those qualities working together will produce the most good for the most people. And to Thee be honor and glory now and forevermore. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Wednesday, October 28, 1981, will be postponed until printed. The Chair hears no objection.

JOURNALS APPROVED

The SPEAKER. The Journals of Tuesday, October 6, and Tuesday, October 13, 1981, are now in print. Are there corrections to the Journals? If not, without objection, the Journals stand approved. The Chair hears no objection.

HOUSE BILLS
INTRODUCED AND REFERRED

No. 2031 By Representatives BURNS and A. C. FOSTER, JR.

An Act amending the act of January 14, 1952 (1951 P. L. 2016, No. 561), entitled "An act providing for supplementing the police forces of cities, boroughs, towns and townships, *** and police equipment thereof," further providing for the powers of mayors and commission chairmen.

Referred to Committee on LOCAL GOVERNMENT, October 28, 1981.

No. 2032 By Representatives COLE, GRIECO, STUBAN, MORRIS, PHILLIPS, SHOWERS, MADIGAN, HALUSKA, BROWN, LLOYD, WENGER, BOWSER and HONAMAN

An Act providing for an annual survey of agricultural land transfers; imposing powers and duties on the Department of Agriculture and county assessors.

Referred to Committee on CONSERVATION, October 28, 1981.

No. 2033 By Representatives GRIECO, LETTERMAN, MADIGAN, CIMINI, SPENCER, SIRIANNI, TRELLO, SHUPNIK, WARGO, PETERSON, MACKOWSKI, MERRY, BOYES, W. W. FOSTER, GRUPPO, STAIRS, BOWSER, A. C. FOSTER, JR., PUNT, L. E. SMITH, BURD and RASCO

An Act amending "The Liquid Fuels Tax Act," approved May 21, 1931 (P. L. 149, No. 105), providing for tax on fuels used in snowmobiles to be paid into the snowmobile restricted receipts fund.

Referred to Committee on TRANSPORTATION, October 28, 1981.

No. 2034 By Representatives STEIGHNER, DININNI and KOLTER

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the operation of vehicle without official certificate of inspection.

Referred to Committee on TRANSPORTATION, October 28, 1981.

No. 2035 By Representatives CORDISCO, A. C. FOSTER, JR., CLYMER, CORNELL, BURNS, GREENWOOD, J. L. WRIGHT, WILSON, DeMEDIO, FRYER and GALLAGHER

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853, No. 155), further providing for conditions relating to reassessment.

Referred to Committee on LOCAL GOVERNMENT, October 28, 1981.

No. 2036 By Representatives BITTLE, RYAN, LASHINGER, BURD, GEIST, CESSAR, GLADECK, MORRIS, COLE, RAPPAPORT, LETTERMAN and McCALL

An Act amending the "Secondary Mortgage Loan Act," approved December 12, 1980 (P. L. 1179, No. 219), permitting licensees to charge any interest rate allowed under the laws of this Commonwealth.

Referred to Committee on BUSINESS AND COMMERCE, October 28, 1981.

No. 2037 By Representatives FRYER, GALLEN, MULLEN, MACKOWSKI, DUFFY, LESCOVITZ and CLARK

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), further providing for the manner of applying to vote.

Referred to Committee on STATE GOVERNMENT, October 28, 1981.

No. 2038 By Representatives WAMBACH, WARGO, RYAN, IRVIS, NOYE, J. L. WRIGHT, McVERRY, McCALL, DeMEDIO, LIVENGOOD, HALUSKA, COWELL, PICCOLA, SIRIANNI, BLAUM, DUFFY, KUKOVICH, COCHRAN, DAWIDA, BELFANTI, GEIST, STUBAN, B. SMITH, PISTELLA, KLINGAMAN, WOZNIAK, POTT, PRATT, DeWEESE, RICHARDSON, LLOYD, OLASZ, HORGOS, LETTERMAN, CIVERA, PETRARCA, FARGO, MARMION, RASCO, JOHNSON, CORDISCO, SEVENTY, ITKIN, BORSKI, MRKONIC, BURD, LUCYK, WOGAN, FISCHER, MANMILLER, KOWALYSHYN, RYBAK, STEWART, BROWN, CAWLEY, RITTER, DEAL, GRUITZA, TIGUE and VAN HORNE

An Act selecting, designating and adopting coal as the official mineral of the Commonwealth of Pennsylvania.

Referred to Committee on STATE GOVERNMENT, October 28, 1981.

No. 2039 By Representatives SAURMAN, CLYMER, CORDISCO, HASAY, PETRARCA, DeMEDIO, JACKSON, BRANDT, BOYES, PENDLETON, WOZNIAK, STEWART, COLAFELLA, BELARDI, SERAFINI, SHUPNIK, MRKONIC, FEE, WARGO, CAWLEY, COSLETT, H. WILLIAMS, CLARK, MERRY, SNYDER, HORGOS, PETRONE, MICOZZIE, SPITZ, DAIKELER, HAGARTY, CORNELL, NAHILL, DeWEESE, MACKOWSKI,

REBER, LASHINGER, CESSAR, SALVATORE, HEISER, FARGO, WASS, CIVERA, COCHRAN, McCLATCHY and R. C. WRIGHT

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), imposing a temporary tax on individuals and providing for payment of the proceeds into the Vietnam Veterans' Herbicide Assistance Fund.

Referred to Committee on FEDERAL-STATE RELATIONS, October 28, 1981.

No. 2040 By Representatives SAURMAN, CLYMER, CORDISCO, HASAY, PETRARCA, DeMEDIO, JACKSON, BRANDT, BOYES, PENDLETON, WOZNIAK, STEWART, COLAFELLA, BELARDI, SERAFINI, SHUPNIK, MRKONIC, FEE, WARGO, CAWLEY, COSLETT, H. WILLIAMS, CLARK, MERRY, SNYDER, HORGOS, PETRONE, MICOZZIE, SPITZ, DAIKELER, HAGARTY, CORNELL, NAHILL, DeWEESE, MACKOWSKI, REBER, LASHINGER, CESSAR, SALVATORE, HEISER, FARGO, WASS, CIVERA, COCHRAN, McCLATCHY and R. C. WRIGHT

An Act establishing the Vietnam Veterans' Herbicide Assistance Fund, providing for the administration of the fund, providing for assistance for eligible veterans and providing for cooperation among departments.

Referred to Committee on FEDERAL-STATE RELATIONS, October 28, 1981.

No. 2041 By Representative DAWIDA

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of statutory rape.

Referred to Committee on JUDICIARY, October 28, 1981.

No. 2042 By Representatives GRIECO, PUNT, CIMINI, LAUGHLIN and SHUPNIK

An Act amending "The Borough Code," approved February 1, 1966 (1965 P. L. 1656, No. 581), raising expenditure limit on personal interest.

Referred to Committee on LOCAL GOVERNMENT, October 28, 1981.

No. 2043 By Representatives GRIECO, A. C. FOSTER, JR., CIMINI and SHUPNIK

An Act amending "The Pennsylvania Workmen's Compensation Act", approved June 2, 1915 (P. L. 736, No. 338), excluding family members of sole proprietor.

Referred to Committee on INSURANCE, October 28, 1981.

No. 2044 By Representatives SHUPNIK, DAIKELER, WARGO, DAVIES, BORSKI, DONATUCCI and SWAIM

An Act amending Title 22 (Detectives and Private Police) of the Pennsylvania Consolidated Statutes, adding provisions relating to detectives and private police and making an appropriation and repeals.

Referred to Committee on STATE GOVERNMENT, October 28, 1981.

No. 2045 By Representatives D. R. WRIGHT, MANDERINO, STEWART, PISTELLA, IRVIS and TADDONIO

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (2nd Sp. Sess., 1937 P. L. 2897, No. 1), providing for benefits for a shared work program.

Referred to Committee on LABOR RELATIONS, October 28, 1981.

No. 2046 By Representatives MOWERY, KENNEDY, CESSAR, DOMBROWSKI, DeMEDIO and TRELLO

An Act amending the "Public Employee Retirement Study Commission Act," approved July 9, 1981 (P. L. 208, No. 66), adding to the membership of the Municipal Pension Advisory Committee.

Referred to Committee on STATE GOVERNMENT, October 28, 1981.

No. 2047 By Representatives ZWIKL, E. Z. TAYLOR, NOYE, D. R. WRIGHT, COWELL, WACHOB, PITTS, BROWN, SWIFT, COCHRAN, HONAMAN, MANMILLER, BURNS, GALLAGHER, COLAFELLA and CORDISCO

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), requiring the inclusion of alumni association presidents on the boards of trustees of the State Colleges and University.

Referred to Committee on EDUCATION, October 28, 1981.

SENATE BILLS FOR CONCURRENCE

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

SB 144, PN 1408

Referred to Committee on CONSERVATION, October 28, 1981.

SB 942, PN 1409

Referred to Committee on JUDICIARY, October 28, 1981.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 124

(Concurrent) By Representatives PRATT, STEIGHNER, LIVENGOOD, GRUITZA, DAWIDA, BORSKI, MICHLOVIC, KUKOVICH,

SEVENTY, DOMBROWSKI, PETRARCA, H. WILLIAMS and MERRY

General Assembly memorialize President and Congress repeal the Natural Gas Policy Act of 1978.

Referred to Committee on FEDERAL-STATE RELATIONS, October 28, 1981.

WELCOME

The SPEAKER. The Chair is pleased to welcome to the hall of the House today Mr. Brett Taylor, a student representative on the Governmental Relations Committee at the University of Pittsburgh, here today as the guest of Representative Mrkonic.

LEAVES OF ABSENCE GRANTED

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

Mr. CESSAR. Thank you, Mr. Speaker.

I have no requests for leaves of absence for today.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Pievsky, for the purpose of taking leaves of absence.

Mr. PIEVSKY. Thank you, Mr. Speaker.

I ask for leave for the gentleman from Philadelphia, Mr. EMERSON, for the week; the gentleman from Philadelphia, Mr. MAIALE, for today; the gentleman from Chester, Mr. MORRIS, for today; and the gentleman from Allegheny, Mr. IRVIS, for the week. Thank you, Mr. Speaker.

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

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 1738, PN 2065

By Rep. GALLEN

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), further providing for membership on and the duties of the Board of Pennsylvania Science and Engineering Foundation.

STATE GOVERNMENT.

HB 1759, PN 2086

By Rep. GALLEN

An Act amending the act of April 25, 1929 (P. L. 723, No. 315), entitled "An act regulating the investment of funds by administrative departments, boards, commissions and officers of the State Government," increasing the investment powers of State administrative departments, boards, commissions or officers.

STATE GOVERNMENT.

HB 1776, PN 2512 (Amended)

By Rep. W. W. FOSTER

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), further providing for special permits, further providing for roadside menageries, providing for permits, to deal in and possess wildlife and further providing for penalties.

GAME AND FISHERIES.

HB 1822, PN 2513 (Amended)

By Rep. GALLEN

An Act requiring the Commissioner of the Pennsylvania State Police to hire and promote persons without regard to race, religion, sex or imposed "quota systems."

STATE GOVERNMENT.

HB 1900, PN 2305

By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1901, PN 2306

By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1902, PN 2307

By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1903, PN 2308

By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1904, PN 2309

By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1905, PN 2310

By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1906, PN 2311

By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1907, PN 2312

By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1908, PN 2313

By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1909, PN 2514 (Amended)

By Rep. GALLEN

An Act repealing the act of April 11, 1799 (3 Sm. L. 385, Ch.), entitled "A supplement to the act, entitled 'An act for the regulation of apprentices.'"

STATE GOVERNMENT.

HB 1910, PN 2315

By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1912, PN 2317

By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1913, PN 2318

By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1914, PN 2319

By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1915, PN 2320

By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1916, PN 2321

By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1917, PN 2322

By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1918, PN 2323

By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1919, PN 2324 By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1920, PN 2325 By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1921, PN 2326 By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1922, PN 2327 By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1923, PN 2328 By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1924, PN 2329 By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1925, PN 2515 (Amended)

By Rep. GALLEN

An Act repealing the act of March 19, 1789 (2 Sm. L. 480, Ch.), entitled "A supplement to the several acts of General Assembly respecting public Auctions and Auctioneers."

STATE GOVERNMENT.

HB 1926, PN 2516 (Amended)

By Rep. GALLEN

An Act repealing the act of April 2, 1790 (2 Sm. L. 526, Ch.), entitled "A further supplement to the act, entitled 'An act to incorporate the city of Philadelphia.'"

STATE GOVERNMENT.

HB 1927, PN 2517 (Amended)

By Rep. GALLEN

An Act repealing sections 1 through 16, act of March 31, 1876 (P. L. 13, No. 15), entitled "An act to carry into effect section five, of article fourteenth, of the constitution, relative to the salaries of county officers and the payment of fees received by them into the state or county treasury, in counties containing over one hundred and fifty thousand inhabitants."

STATE GOVERNMENT.

HB 1928, PN 2333 By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1929, PN 2334 By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1930, PN 2335 By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1931, PN 2336 By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1932, PN 2337 By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1934, PN 2339 By Rep. GALLEN

An Act repealing the act of June 23, 1931 (P. L. 1204, No. 330), entitled "An act providing for the acquisition by the Commonwealth of property in Wharton Township, Fayette County, for the establishment of Fort Necessity Park, and for the management thereof by the Department of Forests and Waters; and making an appropriation."

STATE GOVERNMENT.

HB 1935, PN 2340 By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1936, PN 2341 By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1937, PN 2342 By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1938, PN 2343 By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1940, PN 2345 By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1941, PN 2346 By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1942, PN 2347 By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1943, PN 2348 By Rep. GALLEN

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

STATE GOVERNMENT.

HB 1944, PN 2349 By Rep. GALLEN

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

STATE GOVERNMENT.

SB 962, PN 1431 (Amended) By Rep. GALLEN

An Act providing for the regulation of pari-mutuel thoroughbred horse racing and harness horse racing activities; imposing certain taxes and providing for the disposition of funds from pari-mutuel tickets.

STATE GOVERNMENT.

SB 1068, PN 1257 By Rep. GALLEN

An Act authorizing the Department of General Services, with the approval of the Governor and the Department of Environmental Resources, to convey two tracts of land partly in Saltlick Township, Fayette County, Pennsylvania, and in Middlecreek Township, Somerset County, Pennsylvania, and a right-of-way in Middlecreek Township, Somerset County, Pennsylvania, in exchange for a tract of land in Donegal Township, Westmoreland County, Pennsylvania, and a right-of-way in Westmoreland, Somerset and Fayette Counties, Pennsylvania.

STATE GOVERNMENT.

WELCOMES

The SPEAKER. The Chair is pleased to welcome here today as the guests of Representative Harry Bittle, his wife, Mary Jane Bittle, Marie O'Leary, and Joyce DiBlasio, instructors with the Jackie Sorenson Aerobic Dancing group. These ladies are here today for picture-taking ceremonies with

the Governor in connection with a danceathon for the benefit of the Special Olympics for handicapped.

The Chair is pleased to welcome to the hall of the House today Ms. Emma C. Chappell, vice president of the Continental Bank, here today as the guest of Representative Deal and the Philadelphia delegation.

MASTER ROLL CALL RECORDED

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

The following roll call was recorded:

PRESENT—189

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

ADDITIONS—7

Clymer	Jackson	Phillips	Williams, H.
Coslett	McClatchy	Wachob	

NOT VOTING—3

Alden	Gray	White
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EXCUSED—4

Emerson Irvis Maiale Morris

MEMBERS' PRESENCE RECORDED

The SPEAKER. The Chair recognizes the following members who ask that their names be added to the master roll call:

The gentleman from Luzerne, Mr. Coslett; the gentleman from Bucks, Mr. Clymer; the gentleman from Northumberland, Mr. Phillips; the gentleman from Lebanon, Mr. Jackson; the gentleman from Montgomery, Mr. McClatchy; and the gentleman from Elk, Mr. Wachob.

CALENDAR**BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 682, PN 2134**, entitled:

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further providing for the definition of "utility realty" and the payment of taxes.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I move that HB 682 be placed upon the table.

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

* * *

The House proceeded to second consideration of **HB 1585, PN 1847**, entitled:

An Act amending the "Pennsylvania Municipalities Planning Code," approved July 31, 1968 (P. L. 805, No. 247), further providing for the definition of a "subdivision".

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I move that HB 1585 be placed upon the table.

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

**BILL AGREED TO
ON SECOND CONSIDERATION**

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

SB 562, PN 1351.

* * *

The House proceeded to second consideration of **HB 726, PN 1964**, entitled:

An Act requiring the installation and maintenance of smoke detectors in certain hotels and motels; conferring powers and imposing duties on the local fire departments and fire companies.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I move that HB 726 be placed upon the table.

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

**BILLS AGREED TO ON
SECOND CONSIDERATION CONTINUED**

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

HB 315, PN 321; HB 391, PN 403; HB 1799, PN 2155; and HB 1476, PN 1712.

WELCOME

The SPEAKER. The Chair is pleased to welcome to the hall of the House today the husband of Representative Elinor Taylor, Mr. Bill Taylor, here today with Dr. and Mrs. Poole and Mr. and Mrs. Hoffman.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1647, PN 2096**, entitled:

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), setting forth legislative findings and declaration of purpose; providing that the taxes imposed by Article VII and VIII are privilege taxes measured by actual value of capital stock; ***; making provisions with respect to certain tax credits and refunds.

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

Mr. DOMBROWSKI offered the following amendments No. A3840:

Amend Title, page 1, line 13, by inserting after "stock;" defining "valuation reserve for loan losses" and providing for its use in determining the actual value of certain stock;

Amend Sec. 2 (Sec. 701.1), page 3, line 18, by striking out "HOWEVER, IN ASCERTAINING THE VALUE OF EACH SHARE OF" and inserting

Section 701.2. Reserve for Loan Losses.—In ascertaining the value of each share of

Amend Sec. 2 (Sec. 701.1), page 3, line 25, by striking out "OF" where it appears the second time and inserting

or

Amend Sec. 3, page 4, line 16, by inserting after "section 2" , adding sections 701.1 and 801.1,

Amend Sec. 3, page 4, line 26, by inserting after "the" said

Amend Sec. 4, page 5, line 7, by inserting after "illegal" or in the case of taxes due prior to the effective date of this act upon the basis of the inclusion in the law of section 701.2

Amend Sec. 4, page 5, line 16, by inserting after "upon" any

Amend Sec. 6, page 5, line 25, by striking out "and the" and inserting

and shall apply as follows:

(1) The

Amend Sec. 6, page 5, line 26, by inserting after "section 2" , adding sections 701.1 and 801.1,

Amend Sec. 6, page 5, by inserting after line 27

(2) The provision of section 2, adding section 701.2, shall apply to taxable years beginning January 1, 1982.

On the question,

Will the House agree to the amendments?

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

Mr. DOMBROWSKI. Thank you, Mr. Speaker.

This amendment takes away the retroactivity clause in the legislation and makes the effective date January 1, 1982. The prime sponsor is in agreement with the amendment.

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

Mr. WILSON. Mr. Speaker, I would urge concurrence in Representative Dombrowski's amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—193

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

Cawley	Grieco	Mrkonic	Swaim
Cessar	Gruitzza	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	Hoefel	Perzel	Van Horne
Cordisco	Honaman	Peterson	Vroon
Cornell	Horgos	Petrarca	Wachob
Coslett	Hutchinson, A.	Petrone	Wambach
Cowell	Hutchinson, W.	Phillips	Wargo
Cunningham	Irkin	Piccola	Wass
DeMedio	Jackson	Pievsky	Wenger
DeVerter	Johnson	Pistella	Weston
DeWeese	Kanuck	Pitts	Wiggins
Daikeler	Kennedy	Pott	Williams, J. D.
Davies	Kolter	Pratt	Wilson
Dawida	Kowalshyn	Pucciarelli	Wogan
Deal	Kukovich	Punt	Wozniak
Dierz	Lashinger	Rappaport	Wright, D. R.
Dininni	Laughlin	Rasco	Wright, J. L.
Dombrowski	Lehr	Reber	Wright, R. C.
Donatucci	Lescovitz	Richardson	Zwikl
Dorr	Letterman	Rieger	
Duffy	Levi	Ritter	Ryan,
Durham	Levin	Rocks	Speaker
Evans	Livengood	Rybak	

NAYS—0

NOT VOTING—6

Alden	Klingaman	White	Williams, H.
Gray	Lewis		

EXCUSED—4

Emerson	Irvis	Maiale	Morris
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The question was determined in the affirmative, and the amendments were agreed to.

On the question,

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

Mr. WILSON offered the following amendment No. A4301:

Amend Sec. 2 (Sec. 801.1), page 4, line 15, by removing the period after "801" and inserting

: Provided, That the act is not intended to, and shall not, affect or repeal any deduction or exclusion heretofore applicable in measuring the actual value of each share of capital stock (except obligations of the United States) and shall not affect or repeal any exemption from other State or local taxations heretofore in effect.

On the question,

Will the House agree to the amendment?

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

Mr. WILSON. Mr. Speaker, this amendment is an insurance amendment to simply be sure that anything that is presently not being taxed will not be taxed in the future. I would urge its adoption.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—193

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

NAYS—0

NOT VOTING—6

Alden	Kanuck	White	Williams, H.
Gray	Vroon		

EXCUSED—4

Emerson	Irvis	Maiale	Morris
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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?

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—191

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

NAYS—0

NOT VOTING—8

Alden	Kanuck	McMonagle	White
Gray	McIntyre	Rieger	Williams, H.

EXCUSED—4

Emerson	Irvis	Maiale	Morris
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

WELCOME

The SPEAKER. The Chair is pleased to welcome to the hall of the House today a group of nurses from the Pennsylvania Nurses Association representing the Politically Responsible Nurses of Pennsylvania. They are here today as the guests of Representative Mary Ann Arty.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 1649, PN 2097**, entitled:

An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343, No. 176), further providing for reviews, refunds, settlements and resettlements.

On the question,

Will the House agree to the bill on third consideration?

Mr. WILSON offered the following amendments No. A4000:

Amend Sec. 5 (Sec. 803.1), page 7, line 19, by inserting after "Department.—"

(a)

Amend Sec. 5 (Sec. 803.1), page 8, line 2, by inserting before "Whenever"

(b)

Amend Sec. 5 (Sec. 803.1), page 8, line 7, by inserting before "The"

(c)

Amend Sec. 5 (Sec. 803.1), page 8, line 7, by inserting after "resettlement"

of corporate taxes

Amend Sec. 6 (Sec. 1102), page 8, line 14, by inserting after "Resettlement"

, Reassessment or Redetermination

Amend Sec. 6 (Sec. 1102), page 8, line 14, by inserting after "Resettlement.—"

(a)

Amend Sec. 6 (Sec. 1102), page 8, line 15, by inserting after "settlement"

, assessment or determination

Amend Sec. 6 (Sec. 1102), page 8, line 18, by removing the period after "resettlement" and inserting

, reassessment or redetermination.

Amend Sec. 6 (Sec. 1102), page 8, line 19, by inserting before "Every"

(b)

Amend Sec. 6 (Sec. 1102), page 8, line 21, by removing the period after "resettlement" and inserting

, reassessment or redetermination.

Amend Sec. 6 (Sec. 1102), page 8, line 22, by inserting before "It"

(c)

Amend Sec. 6 (Sec. 1102), page 9, line 10, by inserting before "In"

(d)

Amend Sec. 6 (Sec. 1102), page 9, line 23, by inserting before "In"

(e)

Amend Sec. 6 (Sec. 1102), page 9, line 27, by inserting before "In"

(f)

Amend Sec. 6 (Sec. 1102), page 10, line 2, by inserting before "Notice"

(g)

Amend Sec. 6 (Sec. 1103), page 10, line 7, by inserting after "Review.—"

(a)

Amend Sec. 6 (Sec. 1103), page 10, line 15, by inserting before "Every"

(b)

Amend Sec. 6 (Sec. 1103), page 10, line 26, by inserting before "The"

(c)

Amend Sec. 6 (Sec. 1103), page 11, line 2, by inserting before "Notwithstanding"

(d)

Amend Sec. 6 (Sec. 1103), page 11, line 16, by inserting before "The"

(e)

Amend Sec. 6 (Sec. 1103), page 11, line 19, by inserting before "Notice"

(f)

On the question,

Will the House agree to the amendments?

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

Mr. WILSON. Mr. Speaker, this is a technical amendment that includes language on reassessment and redetermination which was included in the bill, and it clarifies the section of the bill that refers to corporative taxes. I would urge its adoption.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—192

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

Dawida	Kukovich	Pucciarelli	Wilson
Deal	Lashingner	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	Ryan,
Durham	Lewis	Rocks	Speaker
Evans	Livengood	Rybak	
Fargo	Lloyd		

NAYS—0

NOT VOTING—7

Alden	Gladeck	Kanuck	Williams, H.
DeWeese	Gray	White	

EXCUSED—4

Emerson	Irvis	Maiale	Morris
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The question was determined in the affirmative, and the amendments were agreed to.

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—187

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

Dawida	Lashingner	Punt	Wozniak
Dietz	Laughlin	Rappaport	Wright, D. R.
Dininni	Lehr	Rasco	Wright, J. L.
Dombrowski	Lescovitz	Reber	Wright, R. C.
Donatucci	Letterman	Richardson	Zwinkl
Dorr	Levi	Rieger	
Duffy	Levin	Ritter	Ryan,
Durham	Lewis	Rocks	Speaker
Evans			

NAYS—4

NOT VOTING—8

Deal	Gallagher	Manderino	Mullen
Alden	Gray	Sweet	White
Gladeck	Kanuck	Weston	Williams, H.

EXCUSED—4

Emerson	Irvis	Maiale	Morris
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

* * *

The House proceeded to third consideration of **HB 1654, PN 2138**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for additional procedures for the payment, collection, administration and enforcement of motor vehicle sales taxes, and prescribing additional offenses and penalties.

On the question,

Will the House agree to the bill on third consideration?

Mr. WILSON offered the following amendments No. A4445:

Amend Sec. 1 (Sec. 1109), page 2, line 24, by striking out "SUCH PAYMENT" and inserting payment to such a person

Amend Sec. 1 (Sec. 1109), page 3, line 6, by striking out "SUCH PAYMENT" and inserting payment to such a person

Amend Sec. 1 (Sec. 1118), page 5, line 24, by striking out "SUCH PAYMENT" and inserting payment to such a person

Amend Sec. 1 (Sec. 1306), page 6, line 11, by striking out "SUCH PAYMENT" and inserting payment to such a person

Amend Sec. 1 (Sec. 1335), page 6, lines 26 through 28, by striking out "VEHICLES BEARING SPECIAL REGISTRATION PLATES SHALL" in line 26 and all of lines 27 and 28

Amend Bill, page 6, line 30; page 7, lines 1 through 21, by striking out all of said lines

Amend Sec. 3, page 7, line 22, by striking out "3." and inserting

2.

Amend Sec. 3 (Sec. 1373), page 8, line 6, by striking out "SUCH PAYMENT" and inserting payment to such a person

Amend Sec. 4, page 8, line 25, by striking out "4." and inserting

3.

Amend Sec. 4 (Sec. 1374), page 9, line 4, by striking out "FOR" and inserting or

Amend Sec. 4 (Sec. 1374), page 9, line 5, by inserting brackets before and after "LICENSING AS A"

Amend Sec. 4 (Sec. 1374), page 9, line 5, by inserting a bracket before "TO"

Amend Sec. 4 (Sec. 1374), page 9, line 6, by striking out the bracket before "THE"

Amend Sec. 4 (Sec. 1374), page 9, line 6, by striking out "A"

Amend Sec. 4 (Sec. 1374), page 9, line 7, by inserting brackets before and after "CLASS." and inserting immediately thereafter registration plates.

Amend Sec. 4 (Sec. 1374), page 10, line 6, by inserting brackets before and after "REGISTERED" and inserting immediately thereafter

licensed

Amend Sec. 4 (Sec. 1374), page 10, lines 17 through 22, by striking out all of lines 17 through 21 and "(D)" in line 22 and inserting

(c)

Amend Sec. 5, page 10, line 29, by striking out "5." and inserting

4.

Amend Sec. 6, page 11, line 8, by striking out "6." and inserting

5.

Amend Sec. 6, page 11, line 8, by striking out "and subsection (c) of section 7502"

Amend Sec. 6, page 11, line 9, by striking out "are" and inserting

is

Amend Sec. 6 (Sec. 1957), page 11, line 13, by striking out the brackets before and after "department"

Amend Sec. 6 (Sec. 1957), page 11, line 13, by striking out "COMMONWEALTH"

Amend Sec. 6 (Sec. 1957), page 11, line 17, by striking out the bracket before "department"

Amend Sec. 6 (Sec. 1957), page 11, line 17, by striking out "COMMONWEALTH"

Amend Sec. 6 (Sec. 1957), page 11, line 19, by inserting after "WHICHEVER"

in each instance

Amend Sec. 6 (Sec. 7502), page 11, lines 27 through 30; page 12, lines 1 through 7, by striking out all of said lines

Amend Sec. 7, page 12, line 8, by striking out "7." and inserting

6.

Amend Sec. 7, page 12, line 8, by striking out "January" and inserting

July

On the question,

Will the House agree to the amendments?

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

Mr. WILSON. Mr. Speaker, this again is a clarification amendment. This amendment clarifies the language used in this bill to indicate the type of report or receipt that would be issued by the automobile dealer who would be issuing to the taxpayer a receipt for the sales tax paid when he purchases an automobile. I would urge its adoption.

The SPEAKER. The Chair recognizes the gentleman from Lehigh, Mr. Ritter. The question before the House is the adoption of the Wilson amendment.

Mr. RITTER. Mr. Speaker, we just got this amendment now. Can we have just a couple of minutes to take a look at it?

Mr. HAYES. Put the bill over temporarily, Mr. Speaker.

The SPEAKER. Is the gentleman, Mr. Ritter, prepared to take the amendment now?

Mr. RITTER. No, Mr. Speaker, but that is all right. I had some amendments I was trying to get prepared for this bill and I have not had the time to do that either, so—

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—194

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

NAYS—0

NOT VOTING—5

Alden	Kanuck	White	Williams, H.
Gray			

EXCUSED—4

Emerson	Irvis	Maiale	Morris
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The question was determined in the affirmative, and the amendments were agreed to.

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

Mr. RITTER. Mr. Speaker, this bill, as well as the next few following it, are important bills. As I said, I have not had the time to get amendments together for these bills, although I think they should be amended. I just want to, if I can for one minute, interrogate the gentleman, Mr. Wilson, if he will stand for interrogation.

The SPEAKER. The gentleman, Mr. Wilson, indicates he will stand for interrogation. The gentleman, Mr. Ritter, may begin.

Mr. RITTER. Mr. Speaker, on page 10 of the bill, starting on line 22, "Suspension by department upon revocation or suspension of license.—The department may suspend special registration plates issued to dealers or manufacturers licensed by the State Board of Motor Vehicle Manufacturers, Dealers and Salesmen"—and this is the part I do not understand—"of the Department of State...." I do not quite understand that, Mr. Speaker. Could you tell me why that is in there?

Mr. WILSON. Yes. In answer to the gentleman's question, that has just been removed in that amendment.

Mr. RITTER. What amendment is that, Mr. Speaker?

Mr. WILSON. The one you just voted for.

On page 2 of the amendment, down near the bottom, it says, under the word underlined, "licensed," amend section 4, section 1374, page 10, lines 17 through 22, by striking out all of said lines.

Mr. RITTER. No, Mr. Speaker, that is not the part I am talking about. It begins on line 22, but the part I am talking about starts on line 25 and reads, "...Dealers and Salesmen of the Department of State...." I do not think that that belongs in here.

Mr. WILSON. You are right. I am sorry; we have the wrong lines in there.

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

The reason I interrogated Mr. Wilson on that one particular point was to illustrate that there are some other areas in this bill, maybe not similar to that but other areas in this bill, which really ought to be corrected before we go any further with it.

I realize the bill is on the 15th day. I have been attempting to try to work out amendments. There are various reasons why I have not been able to, but I nevertheless have not been able to. I am ready now to send them to the Legislative Reference Bureau, but as I said, I realize the bill is on the 15th day.

Mr. Speaker, these bills are important, and I do not think that we ought to be passing them without an opportunity to

fully explore some other possibilities of collecting the revenue that is due us to insure that our constituents are getting their titles and everything else when they are due. And, Mr. Speaker, I guess I have a parliamentary inquiry.

PARLIAMENTARY INQUIRY

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

Mr. RITTER. That would be, with the bills on the 15th day, these and several others to follow, what procedure would I use or could I use so that we can hold these bills so that I can get the amendments prepared and be ready to deal with them tomorrow?

The SPEAKER. The appropriate motion would be a motion to place the bill on the tabled calendar.

MEMBER'S PRESENCE RECORDED

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

CONSIDERATION OF HB 1654 CONTINUED

BILL TABLED

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

Mr. RITTER. Mr. Speaker, then I so move to place HB 1654 on the tabled calendar.

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

Mr. WILSON. Mr. Speaker, I have no real objection to putting on the table. The bills are important, as the gentleman pointed out. They are consumer oriented; they are necessary. I am just sorry he did not take the opportunity to point this out to us sooner. We will cure that as soon as we can.

The SPEAKER. Is it the understanding of the Chair that the prime sponsor of the bills, Mr. Wilson, believes this is true of more than this bill?

Mr. WILSON. It is part of a package.

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I believe the gentleman, Mr. Ritter, is referring to HB's 1654, 1655, 1656, and 1657?

Mr. RITTER. HB 1658, Mr. Speaker, not HB 1657. HB 1658.

Mr. HAYES. Would you indicate to the Speaker exactly which bills you would like to have an amendment prepared to, so we can move forward with the rest of the calendar?

The SPEAKER. Would both gentlemen yield, please?

Suppose we take them by the numbers.

There is a motion before the House that HB 1654 be placed upon the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

* * *

The House proceeded to third consideration of **HB 1655**, **PN 2139**, entitled:

An Act amending the "Motor Vehicle Manufacturer's, Dealer's and Salesmen's License Act," approved September 9, 1965 (P. L. 499, No. 254), further providing for the powers and duties of the State Board of Motor Vehicle Manufacturers, Dealers and Salesmen.

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

BILL TABLED

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

Mr. RITTER. Mr. Speaker, I move that HB 1655 be placed on the table.

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

* * *

The House proceeded to third consideration of **HB 1656**, **PN 2140**, entitled:

An Act amending the "Motor Vehicle Sales Finance Act," approved June 28, 1947 (P. L. 1110, No. 476), providing for additional unlawful acts and penalties.

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

BILL TABLED

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

Mr. RITTER. Mr. Speaker, I move that HB 1656 be placed on the table.

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

* * *

The House proceeded to third consideration of **HB 1657**, **PN 2098**, entitled:

An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343, No. 176), providing additional procedures for the settlement, assessment, collection, and lien for taxes, bonus, and all other accounts due the Commonwealth.

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

MOTION TO TABLE

The SPEAKER. Is it the Chair's understanding that the gentleman is moving that HB 1657 be tabled?

Mr. RITTER. Yes, Mr. Speaker.

MOTION WITHDRAWN

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

Mr. RITTER. Mr. Speaker, I withdraw my motion to table HB 1657.

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

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

The question is, shall the bill pass finally?

Does the gentleman from Lehigh, Mr. Ritter, desire recognition on final passage?

Mr. RITTER. Yes, Mr. Speaker.

Would the gentleman, Mr. Wilson, consent to interrogation?

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

Mr. RITTER. Mr. Speaker, this bill now calls for a notice to be mailed to the taxpayer with a demand for immediate payment of the tax or the deficiency that is declared to be in jeopardy, including the interest penalties and additions thereto. My question, Mr. Speaker, is, is the department required, at the same time they issue the notice or the demand for payment, to also notify the taxpayer that he has the right to file a petition for reassessment?

I know that the taxpayer has that right; what I am saying is, is the department required to notify the taxpayer that he has that right to file a petition for a reassessment?

Mr. WILSON. In answer to the gentleman, I understand that is the custom but not the law.

Mr. RITTER. You say it is the custom but not the law?

Mr. WILSON. I understand that is the custom to notify the petitioner of that right, but it is not the law.

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

A further question. There was some language inserted, apparently by the committee, that says, "...providing that any jeopardy assessment for corporation taxes shall be subject to audit and approval by the Department of the Auditor General." Why, Mr. Speaker, are we just requiring that audit and approval for corporation taxes instead of individuals? Should they not be entitled to the same protection?

Mr. WILSON. It has always been the Auditor General's duty to do as this bill requires, to approve of any jeopardy assessment. However, as far as what I think the gentleman suggests, with personal income tax, there would be far too many cases. I do not think he would ever get to any of them.

Mr. RITTER. Mr. Speaker, I am not so sure that that is correct. We are talking about only when the department determines that there is sufficient reason to request immediate payment, that the payment itself may be in jeopardy, or that the receipt of the taxes may be in jeopardy. That would not happen in every case.

The reason for the interrogation, Mr. Speaker—and I thank the gentleman—is again to illustrate that I think that these bills should require some further amendments to clarify

what the intent of this legislature is. And so, barring an amendment, I would like to state for the record that it is this legislator's understanding that the department will, when they mail out a notice of demand of payment in a jeopardy assessment, they will at the same time notify the taxpayer that the taxpayer is entitled to file a petition for a reassessment; and that further, Mr. Speaker, when there is a tax deficiency notice sent out by the department, they will notify the taxpayer that they have the right to file a petition of protest, which would in effect negate the filing of the lien until such time as the department conducts a hearing into whether or not the taxes are due and payable. If that is the understanding, Mr. Speaker—and that is my understanding—then I will vote for the package, but I would much prefer that the bill itself would have carried with it that clarifying language.

On the question recurring,
Shall the bill pass finally?

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

YEAS—191

Anderson	Fargo	Livengood	Rybak
Armstrong	Fee	Lloyd	Salvatore
Arty	Fischer	Lucyk	Saurman
Barber	Fleck	McCall	Serafini
Belardi	Foster, W. W.	McClatchy	Seventy
Belfanti	Foster, Jr., A.	McIntyre	Showers
Beloff	Frazier	McMonagle	Shupnik
Berson	Freind	McVerry	Sieminski
Bittle	Fryer	Mackowski	Siriani
Blaum	Gallagher	Madigan	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
Caltagirone	Greenfield	Miscevich	Stevens
Cappabianca	Greenwood	Moehlmann	Stewart
Cawley	Grieco	Mowery	Stuban
Cessar	Gruitza	Mrkonic	Swaim
Cimini	Gruppo	Mullen	Sweet
Civera	Hagarty	Murphy	Swift
Clark	Haluska	Nahill	Taddonio
Clymer	Harper	Noye	Taylor, E. Z.
Cochran	Hasay	O'Donnell	Taylor, F. E.
Cohen	Hayes	Olasz	Telek
Colafella	Heiser	Oliver	Tigue
Cole	Hoeffel	Pendleton	Trello
Cordisco	Honaman	Perzel	Van Horne
Cornell	Horgos	Peterson	Vroon
Coslett	Hutchinson, A.	Petrarca	Wambach
Cowell	Hutchinson, W.	Petrone	Wargo
Cunningham	Itkin	Phillips	Wass
DeMedio	Jackson	Piccola	Wenger
DeVerter	Johnson	Pievsky	Weston
DeWeese	Kennedy	Pistella	Wiggins
Daikeler	Klingaman	Pitts	Williams, H.
Davies	Kolter	Pott	Wilson
Dawida	Kowalyshyn	Pratt	Wogan
Deal	Kukovich	Pucciarelli	Wozniak
Dietz	Lashingner	Punt	Wright, D. R.
Dininni	Laughlin	Rappaport	Wright, J. L.
Dombrowski	Lehr	Rasco	Wright, R. C.
Donatucci	Lescovitz	Reber	Zwilk
Dorr	Letterman	Rieger	
Duffy	Levi	Ritter	Ryan,
Durham	Lewis	Rocks	Speaker
Evans			

NAYS—1

Williams, J. D.

NOT VOTING—7

Alden Gray	Kanuck Levin	Richardson Wachob	White
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EXCUSED—4

Emerson	Irvis	Maiale	Morris
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair is pleased, as are the members, to recognize the election of one of our fellow members, William Hutchinson, to the Supreme Court of Pennsylvania, a coequal branch of government with us.

Representative Hutchinson.

Mr. A. K. HUTCHINSON. Mr. Speaker, was that clapping for me, too?

The SPEAKER. It certainly was.

Mr. A. K. HUTCHINSON. Thank you. You ought to thank me, Bill.

The SPEAKER. For the benefit of the spectators and visitors, that is the other distinguished member of this body with the same surname, Mr. Amos Hutchinson, who was getting into the act.

STATEMENT BY MR. W. D. HUTCHINSON

The SPEAKER. Mr. Justice-elect Hutchinson.

Mr. W. D. HUTCHINSON. Mr. Speaker, in a light moment, may I thank my cousin, Mr. Amos Hutchinson, for the benefit of his name in Westmoreland County.

Seriously, Mr. Speaker, I am not certain of this, but I believe that you, in a telephone call, mentioned to me that there has never been anyone who has gone from the House of Representatives to the Supreme Court of Pennsylvania. To all of the members of this House, on both sides of the aisle, I wish to say that Representative William Hutchinson could not have gone to the Supreme Court of Pennsylvania and been elected to that office without the kindness, the courtesy, and the good speech that I had from all of you.

I have loved my service in the House of Representatives, and the Speaker referred to the fact that the court is a coequal branch of government, and I wish to state to the members of the House who have heard me many times on the floor discuss those problems, that that is precisely the way I see it, coequal, but with each acting within their own sphere. There are certain prerogatives to this institution which are reserved solely to it, and I will strive to protect them; and there are, of course, certain prerogatives which are solely those of the judiciary, and I will strive to honor them.

But I do wish to thank you all from the bottom of my heart. To my fellow Republicans, both those who are here now and those who have been here, who worked and actively campaigned for me and gave me an organization in every county in this State, my deep appreciation. And to my Democratic colleagues, also my deep appreciation, because although in the exigencies of our political system—and as you know, I believe very strongly that our political parties are important parts of that system, and indeed essential parts—within those exigencies and that partisanship, throughout this campaign and as I was receiving calls last week from various media, newspapers, and so on, I know that there was not one word that came back to me from any of the Democratic members who were contacted with respect to my integrity, my fairness, and my ability which was a bad word, and I deeply thank you for that.

I have tried during my 9 years here, almost 9 years now, to conduct myself fairly, to conduct myself intelligently, and, where we had partisan differences, never to permit them to become personal differences.

My deep thank you to all of you and my appreciation from my family.

And finally, and particularly, I would like to expressly thank one person who is a staff member here in the House of Representatives and who was my campaign coordinator, and without whose perception, intelligence, and good sense, I would have fallen apart in the middle of the campaign, and that is Jane Laffey. Thank you very much, everybody.

The SPEAKER. The making of those remarks by Justice-elect Hutchinson is not to be construed as an application for a leave of absence for the balance of this year.

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

Mr. W. D. HUTCHINSON. Mr. Speaker, point of personal privilege.

Mr. Speaker, I fully understand, and I understand there may be difficult votes coming up, and it has been said to me, Hutchinson, since you are now secure, we expect your vote up there on all of the tough ones.

The SPEAKER. I know that was said.

REMARKS ON VOTE

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

Mr. J. D. WILLIAMS. Mr. Speaker, on HB 1657 I was recorded as voting negative. I would like to be recorded in the affirmative, please. Thank you.

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

The Chair recognizes the distinguished member of the House of Representatives from Westmoreland, Mr. Hutchinson.

Mr. A. K. HUTCHINSON. Thank you for the flowery speech.

I always understood that you Republicans played hardball; well, now I know you do. Thank you.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 1658, PN 2141**, entitled:

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), making further provision for collection of tax on vehicles.

On the question,

Will the House agree to the bill on third consideration?

BILL TABLED

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

Mr. RITTER. Mr. Speaker, I move that HB 1658, PN 2141, be placed upon the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

* * *

The House proceeded to third consideration of **HB 1663, PN 1942**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, changing the period allowed for temporary permits.

On the question,

Will the House agree to the bill on third consideration?

Mr. GEORGE offered the following amendments No. A3847:

Amend Title, page 1, line 2, by removing the period after "permits" and inserting
and providing for surveys of school bus
loading zones.

Amend Bill, page 2, line 14, by striking out all of said line and inserting

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

§ 6115. Surveys of school bus loading zones.

At the request of any citizen the department shall conduct a survey of any school bus walking route to determine whether or not such route is hazardous and should have a loading zone. The survey should consider inclement weather or any circumstance which would alter the width of the roadway during the school year.

Section 3. This act shall take effect immediately.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Clearfield, Mr. George.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, the amendment that I offer at this time is for the reason that I believe that this body has placed into law a procedure that will enable the Department of Transportation, whenever there is a legitimate concern, that we might look into the matter of whether or not a bus route might possibly be considered hazardous.

As all of you who have been here long enough to have faced this issue several times would most agree, we did in fact place this wording in the law, and it is law, but I found out several months ago, in fact in September, that the Department of Transportation and the bureau of pupil safety have on their own instituted a regulation that removes completely the benefit that applies and the intent of the legislature that was presented in the law that whenever there was a legitimate concern, any individual having this concern could first approach the school board and ask them to look into the matter. If it was felt that the school board showed a lack of concern, the individual could go to the department of pupil transportation within the Department of Transportation and then ask them to have their department, which is given this responsibility, look into the matter to decide whether or not this route is actually hazardous. There is not a member of this body, I would insist, who knew that in the Pennsylvania Bulletin of September 1, all of this well-meaning intent was completely wiped out by pupil transportation and that committee.

I ask you to look at this. I ask you to do only what you have done before, which is put in the words that insist that if someone has a legitimate concern, we legislators have insisted that the matter should be looked into just in case it might be legitimate and we could eliminate the possibility of some youngster being maimed or killed.

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

Mr. COWELL. Thank you, Mr. Speaker.

Would Mr. George submit to interrogation, please?

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

Mr. COWELL. Mr. Speaker, I just want to clarify, or have you clarify, where this language would be applicable and where it would not. As I read it, you are referring only to school bus walking zones, which would mean those routes that youngsters walk on their way to the school bus loading area. Is that correct?

Mr. GEORGE. That is right.

Mr. COWELL. Would your language have any applicability for those routes that youngsters follow simply walking from their home to school, where in some of those cases parents may allege there is a dangerous or hazardous route and a bus ought to be used instead of walking or requiring the kids to walk?

Mr. GEORGE. Mr. Speaker, I would hope that the language inserted in this amendment, that Mr. Speaker would agree that this is the natural language that had been applied in the law at the time that we had insisted upon this protection. But the truth of the matter is that from the time that a youngster leaves his home, from the point that he commences his walk and goes from private property to public property, from that point this amendment insists upon his protection.

Mr. COWELL. Well, Mr. Speaker, if I can pursue that with another question, I am still seeking clarification, because we have, I believe, a couple sections of law that address this issue.

Is it your intent, Mr. Speaker, that this kind of protection, this right for a parent to ask for a survey of the route would apply not only to those routes that are used to get from home to a school bus loading zone, but also those routes that are used to get from home to the school building itself, where youngsters right now are walking and do not have the benefit of a school bus? Is that your intent?

Mr. GEORGE. Mr. Speaker, I must apologize, because I simply do not understand what you are asking me. The amendment alludes to a walking route. The amendment insists upon the fact that some years ago we said as a body that if it was determined or there was some substantiation of fear that the route that the youngster was walking upon was in some way dangerous, and that this danger preempted, and that the law that we had placed into effect read specifically that this danger was within that concept, that the school board must place a bus route on that walking route. It is no different than what was there before. I am not trying to change the law as it seems, Mr. Speaker; I am trying to say that a couple of years ago we said this would be law, and the Department of Transportation now, by adopting its own regulations, has really ripped out the language that we inserted, because they are saying that only a school board can ask for a survey. I am insisting that if the school board wanted a survey, they would ask for a survey without the mother or the father having any concern, and we would not need this law.

Mr. COWELL. Thank you, Mr. Speaker.

If I may make a comment then, please.

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

Mr. COWELL. Mr. Speaker, I would urge that we adopt the George amendment and that it be interpreted—and I believe this is the intent of the gentleman, Mr. George, as he explained the amendment—that it be interpreted in a broad sense so that the words “school bus walking route” might apply not only to that route that is now being used to get to the school bus loading zone, but also in cases where a bus may not presently be available to the youngsters, that it apply to that route where children are walking from home to the school building itself and from the school building itself back to their home without benefit currently of the bus. Thank you.

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

Mr. L. E. SMITH. Mr. Speaker, I am not sure if I am in favor of this amendment or not. Perhaps an interrogation of Representative George might clarify that. But I want to caution the members before we consider this amendment that in most rural counties—I am sure this is true of northern Indiana County and Jefferson County—if this were to actually become law in this wording, it is conceivable to me that if those surveys were taken in the wintertime during a heavy snow when the snow is not plowed off the berm of the highway, we could end up busing every student in a rural area, and that might become very costly.

I would like to now ask Representative George a question, please.

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

Mr. L. E. SMITH. Mr. Speaker, is this the exact language that was in the law that the department overruled?

Mr. GEORGE. Mr. Speaker, the speaker, my fine colleague, is absolutely accurate in his question. The only change is, and he so ably insisted upon the merit, I believe, which is exactly what we are trying to find, Mr. Speaker. You asked whether or not this was identical. No, it is not identical on that last paragraph. The last paragraph insists on what you suggested, and it would do this, if I may, Mr. Speaker. If a group of your constituents insisted that a school route was hazardous and they asked for a survey, and the survey insisted on not more than three multiwheeled vehicles during the time of embarkation and disembarkation, or if that were so, the route would be considered hazardous. But what I am insisting upon, the reason I installed this in here was that it happened to me, Mr. Speaker. A lady and a group of people within that area had asked for a survey—you are absolutely correct—and the survey was taken at the time when there was a strike. When the survey team went up there, naturally there were no trucks whatsoever on this immediate mile area and, therefore, when the survey team came back, they insisted—and they were truthful—that there were no trucks during the time of embarkation and disembarkation. But the truth of the matter is, had they waited just 9 more days to conduct that survey, they would have found out that there would have been 16 trucks on there on every given hour in that 8-hour period, and that is why the language was inserted, only to carry out really what we had intended.

Now, if you are talking about snow removal, I will not try to circumvent your question; I will answer this for you very honestly.

Again, the law says that a hazardous route must have 17 feet if there are no sidewalks. I insist, Mr. Speaker, that you and I come from the rural area, and when we get a hard winter, it is very possible that the snow is piled up that you only have 14 feet and no place for that youngster to jump if a truck is coming down the road, and I would believe that you would be standing there echoing my concern, not interrogating me, Mr. Speaker. Thank you.

Mr. L. E. SMITH. Mr. Speaker, I am sorry if the gentleman misunderstood me. I am only looking for some information.

Beyond that, Mr. Speaker, I would like to know what provision, if this amendment is adopted, is being made for the school districts for reimbursement for their additional transportation costs?

The SPEAKER. The gentleman is in order.

Mr. GEORGE. Mr. Speaker, as you are aware, not in every specific case will there be reimbursement, but in some instances there will be Federal reimbursement. The fact remains that I, too, share your concern. Unfortunately, I share the concern over the possibility that nine children were killed last year, and the cost to me does not matter that much when in fact the school board does not have the vision to go out and look at this on their own. You and I will stand here in

the coming months and insist that all that is done back home in these schools in actuality benefits all concerned, and without your concern and my concern, we will have more children killed and we will still worry about a dollar.

Mr. L. E. SMITH. Mr. Speaker, I am sorry. I still did not hear the answer to the question regarding reimbursement to the school districts for additional miles that they would be required to bus in the event this amendment is passed.

Mr. GEORGE. Mr. Speaker, you know and I know that the reimbursement is not forthcoming any more than the bills we pass here every day that we are in session, that we expect those taxpayers, whom we insist that we are going to protect, that we can look around the corner and see it coming. You and I will both stand here in the coming years, hopefully, and we will vote on measures that will spend dollar after dollar in order to protect these young people whom this amendment shows concern for.

As far as the reimbursement is concerned, I could not honestly believe that you would ask your colleagues as well as mine to really eliminate our concern because I cannot show you where the school board is going to save the money. I am sure that if it is a matter of balancing a dollar over a dollar, maybe you should talk to some of your school boards.

Mr. L. E. SMITH. Mr. Speaker, in view of the fact that there apparently is not any answer for my question, I would just like to caution the members once again, particularly in rural areas, that this amendment could prove very costly to your local school boards unless you are assured in some way that the reimbursement for those additional miles will be forthcoming.

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

Mr. MICOZZIE. Mr. Speaker, I rise to support the George amendment. In the past year I have had many problems with the hazardous route regulation.

Recently my constituents contacted my office and requested if I would look into the possibility of having a route declared hazardous. Since the change in the regulation as far as school districts, I actually had a school district refuse to give the information to PennDOT so they could determine whether the route was hazardous.

I think in order to serve our constituents, to be responsive to their needs, I think the George amendment addresses that type of situation, and I wholeheartedly ask that you vote "yes" for the George amendment. Thank you.

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

Mr. HALUSKA. Mr. Speaker, may I interrogate Mr. George, please?

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

Mr. HALUSKA. Mr. Speaker, do you think it is proper to say that at the request of any citizen this survey should be conducted? Do you not think it would be more proper if we would say six or more people, because this can cause havoc in a school district when one individual can get up and demand that a survey be taken just for his own particular child and this also can be costly?

I would like to ask your opinion as to whether or not you would consider saying that the petition should be presented with a minimum of six or more people.

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

Mr. GEORGE. Mr. Speaker, for the sake of the fact that just one life might be saved, there would be no need for me to refuse to agree upon any other type of an amendment being applied here. But I insist to you, Mr. Speaker, that this wording is exactly as the law has been from the first day that you took the position as a school board member *within your* fine school board. There is absolutely no change with the *exception* that some of the schools have been playing games on the 17 feet, multiwheeled vehicles, absence of sidewalks, and if the school boards had the compassion and the insistence that they wanted to do right, we would not have had to 10 years ago come down here in the legislature and pass a bill that took the authority away from them so we could save these children.

Mr. HALUSKA. Mr. Speaker, I do not question the necessity for the amendment; I am only asking about the initiation of the amendment.

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

Mr. SALVATORE. Mr. Speaker, can I interrogate Mr. George?

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

Mr. SALVATORE. Mr. Speaker, the amendment that Mr. George is trying to insert, I think, is a worthwhile amendment.

However, do you not think that this amendment should be part of the School Code, because the School Code addresses itself to hazardous routes?

Mr. GEORGE. Mr. Speaker, I waited a long time for someone to ask me that question. I thank you, because I am not changing the code. All that I am attempting to do is, some years ago you yourself were part of the vote that enabled the School Code to insist that the Department of Transportation should be the entity or the department that would oversee this, and this was all fine and good until just September 1 when they in their own wisdom, they claim, adopted a set of regulations, not the legislation that you had voted on some years ago, and *literally tore this out to say that only a school board could ask for a survey*. There is no difference in what you had voted on several years ago. The only change in the language is I say "citizen" and the old one said "parent"; that is all. It is no different. All we are doing is saying to the Department of Transportation by this amendment, years ago we placed this into law, you still have it in law, but you published in the Bulletin a different set of regs that you are going to adopt that circumvents the need and what we insisted upon in our law. That is all it does.

Mr. SALVATORE. Thank you, Mr. Speaker.

That is all I wanted to ask the gentleman.

If I am not going too far astray, Mr. Speaker, I would just like to say to the gentleman that I have an amendment prepared and he probably ought to prepare his amendment to a different bill which addresses itself to hazardous routes, which will be offered when HB 1635 comes before us.

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

Mr. BURD. Mr. Speaker, I wonder if the maker of the amendment would consent to interrogation?

The SPEAKER. You wish to interrogate the gentleman, Mr. George?

Mr. BURD. Yes, Mr. Speaker.

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

Mr. BURD. Thank you, Mr. Speaker.

Mr. Speaker, in the language of your amendment you refer to the department. Would you tell me what department you are referring to?

Mr. GEORGE. Yes, Mr. Speaker.

The law as is has given this obligation to the Department of Transportation. At one time this was all done from the central office here in Harrisburg. Several years ago they shifted this obligation or this prerogative to the local district offices because that is where they have ongoing survey teams, and it is the same as it has been; it is the Department of Transportation that must oversee these surveys.

Mr. BURD. Mr. Speaker, in the language of your amendment, you refer to a walking zone and a need for a loading zone in a walking zone. If it is a walking zone, why is there a need for a loading zone?

Mr. GEORGE. I would assume, Mr. Speaker, that from the point that the kid hits his heels because there are no wheels, that is the walking zone.

Mr. BURD. Is that a reason for making a walking zone a loading zone though? I am having a little trouble with the language, Mr. Speaker, and I would wonder if you could clarify that for me.

Mr. GEORGE. Mr. Speaker, this amendment, I insist, is basically in line with the thinking that if the school district can insist that they need not provide transportation if the walking route or the walking zone is less than 1.5 miles, the *only* reason that we can insist that there be a bus—then we will call that the bus zone where they stop—that we can insist there should be a bus picking these youngsters up, would be if it is proven that that walking route or walking zone is hazardous. So I would insist honestly that it would be from the point where a youngster commences walking on public ground or public area or on a highway to the point where he is now being picked up by the bus; that will be the walking zone.

Mr. BURD. Mr. Speaker, also in your language you make reference to altering the width of the road. At whose cost? Where would the money come from for any alterations that could be made for altering the width of the road? Is there an economic statement on that?

Mr. GEORGE. Mr. Speaker, I do not want to drag this out any further. I sometimes find myself—I guess you would not believe this—at a complete loss, when just last week there was

\$445 million spent for improvements to roads in this State and I must stand here in order to protect children and you ask me where the money is coming from. I insist that there has been no provision. I told our fine colleague that. I guess the decision that you and I and everyone here will have to make is whether or not we feel whatever the cost is, whether it would be worth it if it would save one life. That is all I can tell you, Mr. Speaker.

Mr. BURD. Mr. Speaker, I wonder if the maker of the amendment could give me a history of accidents incurred across the State of Pennsylvania that he is trying to alleviate by the use of this language in the bill?

Mr. GEORGE. Mr. Speaker, I am sorry; I did not understand the gentleman.

Mr. BURD. Do you have an accident history of actual accidents in the State of Pennsylvania for putting this language into the bill?

Mr. GEORGE. There is, and I do not have it at my fingertips.

And again, I must qualify one thing, Mr. Speaker. I am not changing the law; I am insisting that PennDOT adhere to the law. I am not doing anything. If you felt that there was something wrong and it is costly, I would have suspected that you would have come forth years ago and wiped the law out. What I am trying to do is insist that the law is there and that PennDOT has an obligation, according to the words that we put on paper, to uphold the law. That is all I am trying to do. I am not building new roads. There had not been a rash of new bus roads under the old law. The only thing I am concerned about is the same thing that you would be if your constituents told you that now the law has been changed; that before a route can be looked into, the school must do it. I insist that if the school wanted to do it, you would not need this law. There is nothing concrete.

Mr. BURD. Well, what I am really trying to do, Mr. Speaker, is find out the intent of your language in your amendment, and I thought maybe it was because you do have a history of accidents across the State, and we might have a real problem here.

Would you say that accident rate would be 10 a year or 100 a year, or can you give us a guesstimate?

Mr. GEORGE. Mr. Speaker, do you really expect an answer to that? Would you believe that I would stand here in the guise of trying to protect and help children, the same as you, and be facetious and give you a figure? Mr. Speaker, why do you not just pick a figure out that will make you happy?

Mr. BURD. Well, Mr. Speaker, that is not the intent of my interrogation. The intent of my interrogation is to try to justify in my mind if you have good language for a bill, which I do not think the bill you are trying to amend is germane to the language that you have in the first place.

Mr. Speaker, may I make a few comments?

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

Mr. BURD. Mr. Speaker, coming from a rural area, there are five school districts in the county that I represent, and

four of those districts are in my district. They are all bused, and it has been my past experience at the beginning of a school year that we always have a rash of phone calls from parents wanting to know why their child cannot be picked up here or why their child cannot be picked up at a different place or why a bus stop could not be changed.

I have called the school directors, I have called the superintendent, and I have talked with the State Police, and I have found through interrogating them that the problem would be that to change a school bus stop in a rural area, you could cause a rippling effect like you cannot believe. It would be worse than the reapportionment we just went through.

Mr. Speaker, the language of this bill says any citizen can cause this survey to happen. Any citizen. If you stop and think about that, for heaven's sake, you would have more harassment going on in this State over where a child is going to be picked up. I think the language is much too broad. I think that it is a local matter. It is a matter that should be taken up with the local school board, the superintendent of schools, and, above all, by the contract hauler, who has to go out and design a route and stops to pick up the children whom he is going to pick up and haul to school in the best manner.

These problems that I have pointed out to you, I think, should be taken care of on the local level, and I do not think this House of Representatives has any business poking our nose into local government issues. So, therefore, Mr. Speaker, I ask my colleagues to vote "no" on this amendment. Thank you, Mr. Speaker.

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

Mr. DAVIES. Mr. Speaker, would the maker of the amendment stand for one or two questions of interrogation?

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

Mr. DAVIES. Mr. Speaker, it is not that I do not share some of the maker's concerns relative to the children's safety as far as the various conditions that he points out. However, in asking questions, Mr. Speaker, would you be satisfied with language which would say the parent or guardian or their duly authorized representative, rather than any citizen?

Mr. GEORGE. Mr. Speaker, the reason they felt that the word "citizen" would best serve what we in this House would want is it would allow a concerned minister or a policeman who was not a parent, who could see this situation before his eyes, and he could then send in a letter with his heading saying, now look, I think we have a bad situation; please come out and look at it; if your investigation finds that it does not meet the letter of the law, there is nothing we can do about it. I have no reservation in changing that one word, but then that would say that responsible people who maybe look out the window and see a youngster almost struck down by a runaway truck would not be able to show that concern because they were not the parent or the guardian. Mr. Speaker, I do not believe that would be the way you would want it.

Mr. DAVIES. Well, the only problem that I foresee, Mr. Speaker, is that I have had requests from great aunts, I have

had it from godparents, I have had requests at the beginning of the year from neighbors, and in many instances some of those concerns were not genuine concerns, and all I am trying to do is to eliminate those concerns. I believe, sir, that if you address it and say their duly authorized representative, that if someone did express that concern, would that language not satisfy your concerned citizen or concerned policeman or whatever it may be, because of the simple fact that I have seen abuses on people who really have intervened on the part of children in my district that have been what I would consider to be excessive. All I am trying to do is put a safeguard in there so that we are not spending \$30 an hour and 22 cents a mile to check out something that really is going to be an excessive cost on the department without due need.

The other question, essentially, is also, should this not be after the fact, Mr. Speaker? Should there not be language which would say that after a local school board or intermediate unit in due course refused to take action upon the request of the parent, guardian, or their legal representative, because I think there has to be a fair— What I am trying to do is get equity and fairness and yet at the same time not place an undue burden upon the department. How would you feel about that, sir?

Mr. GEORGE. Mr. Speaker, that is exactly what the problem is. The rules and regulations that were adopted insisted that it should be the school board, and if the school board had that genuine concern that they wanted to abide by the law as was, we would not need to be here today arguing this point. The fact remains that a parent would not have to go to a school board if a school board, while riding one of the routes, would agree that there was a hazard and at least want it investigated.

Mr. DAVIES. Mr. Speaker, I think you have missed the essence of what I am saying. I am saying that if they do, sir, if they refuse to take the action that you are seeking here by the citizen in reference to the child's safety, either in the matter of getting to the point or traveling to the point or in the zone itself, that if that is exhausted and that course is exhausted, then we say that then it is the citizen's right or the parent's right or the guardian's right or their duly authorized individual, to go to the department directly and then seek that recourse. Otherwise, I would have some of those great aunts and some of those supposedly interested citizens in safety in what I would consider to be placing an undue burden upon the department. We could avoid that by essentially cleaning up that type of language. I think that seems to be the point of concern with this, and at the same time not placing upon that individual any extra responsibility.

Mr. GEORGE, Mr. Speaker?

PARLIAMENTARY INQUIRY

The SPEAKER. The question before the House is, will the House agree to the amendments offered by the gentleman, Mr. George? Is the gentleman debating the amendment?

Mr. GEORGE. A personal inquiry, Mr. Speaker.

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

Mr. GEORGE. May I ask the indulgence of the Chair to hold this bill over until I have that one part of the amendment corrected, Mr. Speaker?

The SPEAKER. Unfortunately, it is not a question of the indulgence of the Chair. If the gentleman wants the bill held over, the gentleman could move to table the bill, or if the amendments would be forthcoming shortly, it could be passed over temporarily.

Mr. GEORGE. Thank you, Mr. Speaker, if you would.

BILL AND AMENDMENTS TABLED

The SPEAKER. Does the gentleman care to make a motion?

Mr. GEORGE. Mr. Speaker, I move that we pass over temporarily this bill, if you will.

The SPEAKER. The Chair recognizes the gentleman, Mr. George, who moves that the bill, together with the amendments, be laid upon the table.

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

Mr. WILSON. I have no objection to holding it over temporarily.

The SPEAKER. The motion is to place the bill on the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

* * *

The House proceeded to third consideration of **HB 1668, PN 1947**, entitled:

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), changing a provision relating to State tax reporting on a fiscal year basis.

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—193

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

Burns	Greenfield	Miscevich	Stewart
Caltagirone	Greenwood	Moehlmann	Stuban
Cappabianca	Grieco	Mowery	Swaim
Cawley	Gruitza	Mrkonic	Sweet
Cessar	Gruppo	Mullen	Swift
Cimini	Hagarty	Murphy	Taddonio
Civera	Haluska	Nahill	Taylor, E. Z.
Clark	Harper	Noye	Taylor, F. E.
Clymer	Hasay	O'Donnell	Telek
Cochran	Hayes	Olasz	Tigue
Cohen	Heiser	Oliver	Trello
Colafella	Hoeffel	Pendleton	Van Horne
Cole	Honaman	Perzel	Vroon
Cordisco	Horgos	Peterson	Wachob
Cornell	Hutchinson, A.	Petrarca	Wambach
Coslett	Hutchinson, W.	Petrone	Wargo
Cowell	Itkin	Phillips	Wass
DeMedio	Jackson	Piccola	Wenger
DeVerter	Johnson	Pievsky	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	Lashinger	Rappaport	Wozniak
Dininni	Laughlin	Rasco	Wright, D. R.
Dombrowski	Lehr	Reber	Wright, J. L.
Donatucci	Lescovitz	Richardson	Wright, R. C.
Dorr	Letterman	Rieger	Zwikl
Duffy	Levi	Ritter	
Durham	Levin	Rocks	Ryan,
Evans	Lewis	Rybak	Speaker
Fargo	Livengood	Salvatore	

NAYS—0

NOT VOTING—6

Alden	Gray	Pistella	White
Cunningham	Kanuck		

EXCUSED—4

Emerson	Irvis	Maiale	Morris
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

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The House proceeded to third consideration of **HB 1669, PN 1948**, entitled:

An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343, No. 176), changing a provision relating to State tax reporting on a fiscal year basis.

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—193

Anderson	Fargo	Livengood	Saurman
Armstrong	Fee	Lloyd	Serafini
Arty	Fischer	Lucyk	Seventy
Barber	Fleck	McCall	Showers
Belardi	Foster, W. W.	McClatchy	Shupnik

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

NAYS—0

NOT VOTING—6

Alden	Kanuck	Oliver	White
Gray	McIntyre		

EXCUSED—4

Emerson	Irvis	Maiale	Morris
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

REMARKS ON VOTE

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

Mr. **CUNNINGHAM**. Mr. Speaker, I voted in the affirmative on HB 1668, and it did not register. I would like the record to reflect that. Thank you.

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

The Chair recognizes the majority leader.

Mr. HAYES. The next bill, Mr. Speaker, HB 1675, pass it over.

Mr. MANDERINO. Mr. Speaker, there is an objection to the passing over of HB 1675. I did not understand from the majority leader that this was to be passed over. It is on the list of bills to be voted for today, and I had not discussed with him that it be passed over. It is on the 15th day, and passing it over kills the bill, so I would object to that.

Mr. HAYES. We can put it on the table.

Mr. MANDERINO. Pardon?

Mr. HAYES. We can put it on the table like we did the other bills. You have an amendment to it?

Mr. MANDERINO. Yes; the amendment is here.

Mr. HAYES. Yes; but we are not going to vote that particular amendment today.

Mr. MANDERINO. Well, that may be, but— Mr. Speaker, I objected to the passing over of the bill—

Mr. HAYES. If the gentleman is concerned about it going back to committee, I can understand that concern, so we can place it on the table.

The SPEAKER. Does the gentleman, Mr. Manderino, have any objection to a motion to place HB 1675 upon the table?

Mr. MANDERINO. Mr. Speaker, I circulated an amendment to HB 1675. I would like the bill called up for a vote, Mr. Speaker.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 1675, PN 2145, entitled:**

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), redefining certain terms; providing for the time of filing employers' returns and making payments of taxes withheld; ***; imposing penalties on certain employers; providing for extensions of time and making editorial changes.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I move that HB 1675, PN 2145, be placed upon the table.

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

The following roll call was recorded:

YEAS—102

Anderson	Fischer	Lewis	Serafini
Armstrong	Fleck	McClatchy	Sieminski
Arty	Foster, W. W.	McVerry	Sirianni
Belardi	Foster, Jr., A.	Mackowski	Smith, B.
Bittle	Frazier	Madigan	Smith, E. H.
Bowser	Freind	Manmiller	Smith, L. E.
Boyes	Gallen	Marmion	Snyder
Brandt	Gannon	Merry	Spencer
Burd	Geist	Micozzie	Spitz
Burns	Gladeck	Miller	Stairs

Cessar	Greenwood	Moehlmann	Stevens
Cimini	Grieco	Mowery	Swift
Civera	Gruppo	Nahill	Taddonio
Clymer	Hagarty	Noye	Taylor, E. Z.
Cochran	Hasay	Perzel	Telek
Cornell	Hayes	Peterson	Vroon
Coslett	Heiser	Phillips	Wass
Cunningham	Honaman	Piccola	Wenger
DeVerter	Hutchinson, W.	Pitts	Weston
Daikerler	Jackson	Pott	Wilson
Davies	Johnson	Punt	Wogan
Dietz	Kennedy	Rasco	Wright, J. L.
Dininni	Klingaman	Reber	Wright, R. C.
Dorr	Lashingier	Rocks	
Durham	Lehr	Salvatore	Ryan,
Fargo	Levi	Saurman	Speaker

NAYS—93

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

NOT VOTING—4

Alden	Gray	Kanuck	White
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EXCUSED—4

Emerson	Irvis	Maiale	Morris
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The question was determined in the affirmative, and the motion was agreed to.

* * *

The House proceeded to third consideration of **HB 1362, PN 2137, entitled:**

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), further providing for the affidavits of candidates and prohibiting the filing of certain nomination papers or petitions.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I move that HB 1362 be placed upon the table.

On the question,

Will the House agree to the motion?
Motion was agreed to.

* * *

The House proceeded to third consideration of **HB 1741, PN 2361**, entitled:

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

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I move that HB 1741, PN 2361, be recommitted to the Committee on Appropriations for a fiscal note.

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

* * *

The House proceeded to third consideration of **HB 902, PN 1763**, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), providing for county wide transfer of licenses.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I move that HB 902, PN 1763, be placed upon the table.

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

BILL ON THIRD CONSIDERATION POSTPONED

The House proceeded to **HB 972, PN 1059**, on third consideration postponed, 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,
Will the House agree to the bill on third consideration?

Mr. MACKOWSKI offered the following amendments No. A4407:

Amend Title, page 1, lines 17 and 18, by striking out "the exchange of certain licenses in certain cases." and inserting special provisions for renewals of hotel liquor licenses.

Amend Bill, page 1, lines 23 through 26; page 2, lines 1 through 7, by striking out all of said lines on said pages and inserting

Section 470.1. Renewal of Hotel Liquor Licenses; Special Provisions.—Upon receipt, from a hotel liquor licensee, of an application for renewal of a hotel liquor license together with the appropriate fees and bond and upon a finding of the board that such licensee cannot comply with the provisions of subsection (c) of section 461 because: (1) the premises for which said license was issued was destroyed by fire or natural disaster; and (2) the cost of reconstruction of the structure for the use as a hotel would be economically unfeasible, the board shall renew said licensee's hotel liquor license. The hotel liquor license of such licensee may be transferred from person to person without complying with the requirements of subsection (c) of section 461 but shall not be transferred to any other place which does not meet all the requirements of the act.

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

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

Mr. MACKOWSKI. Mr. Speaker, I wish to call to your attention the amendment to the bill that was previously defeated in a reconsideration vote. I would like to take just a moment to review the purpose of the bill as it was originally intended, and I would say, by virtue of the discussion that took place, I think it has finally been improved substantially and probably better fits the circumstances that I have been trying to correct.

What has happened, there have been two occasions that I know of and very currently where there have been hotels destroyed by fire. In one instance, renewal of the hotel license has been denied, because it would require 16 rooms to be in operation—and those are bedrooms—and it is very costly in order to provide that. In the borough of Smethport, a hotel was totally destroyed. The mayor of the town came to me and asked me if something could be done, because the Liquor Control Board denied these people a restaurant-type license because of the quota. They absolutely cannot afford to build a 16-room hotel, because they had about \$50,000 in insurance on the building. It was an attractive building; it has been handed down through the family for 60 or 70 years. Now these people are totally out of business.

I did originally ask that we approve a restaurant license being exchanged for a hotel license because of these circumstances. There was opposition on the floor, and rightfully so, that this would probably be getting into the quota system, disrupting it if the person would receive a restaurant license and be permitted to sell it to another buyer at a later point. This might encourage arson; it might encourage some misuse of the ability to exchange a hotel license for a restaurant license. Therefore, what my amendment will do is simply permit the Liquor Control Board to permit a renewal of a hotel license, not a restaurant license, a hotel license to the owner if his place is destroyed by either fire or natural disaster, flood, windstorm, cyclone, whatever it may be, and he would be able to operate without the room requirement. It would also define the use of that license at the existing location so that there would be no transfer, no value in the sale of the license, but

would permit this man to continue in a business which he is losing through no fault of his own.

I hope that you will support the amendment, because I think it corrects a situation that creates a hardship, and I think it is not trying to expand the quota system or anything of that nature. I would appreciate a "yes" vote on the amendment.

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

Mr. LETTERMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to this amendment. I think that this does affect the quota system. I think that somebody else who has had their eyes in a district where there is a possible liquor license coming up because of the growing population would be put out of business also, because this man would then get a regular liquor license, so anybody else who had any plans for anything in the future would be wiped out until the population increased to where he could get one.

I think also this might be unconstitutional since we are doing this for one case. I would question the constitutionality of that because we are doing it for one particular place, and I do not think we are allowed to do that. I believe also that these people who had this license given to them without the quota system to operate for the motel, for the hotel, for the people who lived in that, they were not given that license to operate for the entire community or anybody else, and I would not like to see this pass. Thank you.

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

Mr. GRUITZA. Mr. Speaker, I am just very briefly rising to support the amendment. Just on the issue of the amendment, Mr. Speaker, I think it does improve the bill. It does not improve the bill enough for me to support the bill, but I think it is a better bill with this amendment, so I am going to support the amendment.

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

Mr. MACKOWSKI. In reply to Representative Letterman's objection to the bill, I wish to repeat that this will in no way create a new license. If a person cannot acquire a restaurant license because of the quota and has held a hotel license and has complied in every way in securing that hotel license and is suddenly put out of business because of a condition beyond his control, all we are doing is permitting him to continue in operation with the type of license he has, and we are waiving the room requirement. And it would not be just an individual situation. There are several existing today that have the same need for an extension of their business, not by a requirement of a new type of license but simply to continue under the license they had.

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

Mr. LETTERMAN. Thank you, Mr. Speaker.

Mr. Speaker, I have another objection also. If we allow this to happen, this could mean that we have a small community that will have no motel and no hotel service, and this absolutely eliminates that. I think that we should let this the way it

is. If people had insurance on the building, which they should have properly carried, they would have been able to build at least those 10 or 16 rooms. Mr. Mackowski says 16 rooms; I think you will find it is 10 rooms. I think we could afford to put up a 10-room motel in order to have that license if that is truly what we wanted it for, but I think in this case they want to just run another gin mill, and we have plenty of them. Thank you.

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

Mr. H. WILLIAMS. Mr. Speaker, I rise to support the amendment. In response to the question of special legislation raised by Representative Letterman, it is my understanding that this bill, this law, would apply to anybody in similar circumstances, and it is clearly not a constitutional question in my view.

Secondly, I strongly support the amendment because everybody is not rich. Maybe you have a workingman who runs an enterprise, a certain situation. I think we have a responsibility to recognize that and support that. I do not think what the gentleman is asking is anything inordinate that will damage anybody. I think we have a responsibility to recognize that hard work and to support it, so I support the amendment.

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

Mr. CUNNINGHAM. Mr. Speaker, would you inquire as to the gentleman, Mr. Mackowski's willingness to answer a question on this bill?

The SPEAKER. The gentleman would be pleased to stand for interrogation. The gentleman, Mr. Cunningham, may proceed.

Mr. CUNNINGHAM. Mr. Speaker, am I correct in understanding that if the proprietor of a hotel had that structure burned and turned that hotel license in on a restaurant liquor license, that there would then be a hotel license that could be acquired by someone at a future time, thereby giving rise to a net gain of one liquor license?

Mr. MACKOWSKI. No; that is incorrect, Mr. Speaker. Hotel licenses are not bought and sold as a restaurant license is. You can get a hotel license as long as you have the room requirements in a locality. For example, in a locality of less than 3,000 people, if you have a 16-room hotel, you can get a hotel license. You do not have to go through the same routine. You do not have to buy it under the quota system as you would a restaurant license. That is why this amendment is being offered, because had my original bill permitted a hotel license to be exchanged for a restaurant license, then you would have had a salable product and would have also disrupted the quota system. This will not. This simply says, this man who has been a victim of circumstances—a victim—may now continue to operate with a liquor license, simply waiving the room requirement. It has not changed hands. He is not going to sell it. It cannot even move from the locality where the structure was before it was destroyed.

Mr. CUNNINGHAM. Thank you, Mr. Speaker.

The SPEAKER. Does the gentleman from Lehigh, Mr. Ritter, desire to be recognized on the amendment?

Mr. RITTER. Yes, Mr. Speaker.

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

Mr. RITTER. Mr. Speaker, I rise also to support the amendment. I was one who objected last week to the language and to the exchange of a hotel liquor license for a restaurant license. Mr. Mackowski's amendment today really strips everything out of the bill, and it does not allow the transfer of a hotel liquor license for a restaurant license. I think, as Representative Gruitza pointed out, it makes the bill a great deal better. I think it does narrow it down. I think all of us are concerned about trying to help Mr. Mackowski in the peculiar problem he has, but Representative Letterman was wrong. It is not worded just for Mr. Mackowski's constituents, but it would affect any other situation that might occur either through a fire or a natural disaster. I think the amendment, as I said, is much better than the bill was last week, and on that basis I would ask that we support the amendment.

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

The following roll call was recorded:

YEAS—188

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

Evans Lucyk

NAYS—4

Fischer George Letterman Rappaport

NOT VOTING—7

Alden Gray Kanuck White
DeWeese Greenfield Mullen

EXCUSED—4

Emerson Irvis Maiale Morris

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—164

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

NAYS—29

Cole	George	Lloyd	Richardson
DeVerter	Gruitza	Lucyk	Sirianni
Deal	Kukovich	Manmiller	Smith, L. E.
Dietz	Lescovitz	O'Donnell	Wambach
Dininni	Letterman	Peterson	Wass
Fischer	Levi	Piccola	Wenger
Foster, Jr., A.	Livengood	Pratt	Wozniak
Fryer			

NOT VOTING—6

Alden	Gray	Kanuck	White
Barber	Greenfield		

EXCUSED—4

Emerson	Irvis	Maiale	Morris
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 1650, PN 2165**, entitled:

An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343, No. 176), establishing a uniform interest rate for all taxes due the Commonwealth, requiring the Commonwealth to pay interest on money due taxpayers and providing for the payment of cash refunds by the Department of Revenue.

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

BILL TABLED

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

Mr. WILSON. Mr. Speaker, I move that HB 1650 be placed upon the table.

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

* * *

The House proceeded to third consideration of **HB 1651, PN 1930**, entitled:

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), redefining the word "taxpayer"; providing for the suspension or revocation of licenses; changing certain filing dates and further providing for refunds.

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

BILL TABLED

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

Mr. WILSON. Mr. Speaker, I move that HB 1651 be placed upon the table.

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

RULES COMMITTEE MEETING

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

We have completed the calendar for today. There will not be any need for us to return to voting session. I would like to call a meeting of the Rules Committee immediately after we adjourn the House in my office for the purpose of having a meeting, and there are some other announcements, I believe, in that regard.

STATE GOVERNMENT COMMITTEE MEETING

The SPEAKER. Are there any further announcements?

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

Mr. GALLEN. Mr. Speaker, there will be a brief meeting of the State Government Committee in room 401 immediately.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, we have a reconsideration motion filed on HB 1668 which I would like to take up, and I would like the members to know that they should not leave because there will probably be additional voting.

We also would like to make a motion, Mr. Speaker, before we close session today, to remove the bill that Mr. Hayes placed on the table so that I could not amend. We would like to take that from the table, Mr. Speaker, and we would like to make that motion at the proper time.

HB 1668 RECONSIDERED

The SPEAKER. The Chair recognizes the minority whip, who moves that the vote by which HB 1668, PN 1947, was passed on November 9, 1981, be reconsidered. The gentleman from Philadelphia, Mr. Pievsky, seconds the reconsideration motion.

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

The following roll call was recorded:

YEAS—190

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

Brown	Geist	Marmion	Spencer
Burd	George	Merry	Spitz
Burns	Gladeck	Michlovic	Stairs
Caltagirone	Grabowski	Micozzie	Steighner
Cappabianca	Greenfield	Miller	Stevens
Cawley	Greenwood	Miscevich	Stewart
Cessar	Grieco	Moehlmann	Stuban
Cimini	Gruitza	Mowery	Swaim
Civera	Gruppo	Mrkonic	Sweet
Clark	Hagarty	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	Hutchinson, W.	Petrarca	Wambach
DeMedio	Itkin	Petrone	Wargo
DeVertter	Jackson	Phillips	Wass
DeWeese	Johnson	Piccola	Wenger
Daikeler	Kennedy	Pievsky	Wiggins
Davies	Klingaman	Pistella	Williams, H.
Dawida	Kolter	Pitts	Williams, J. D.
Deal	Kowalshyn	Pott	Wilson
Dietz	Kukovich	Pratt	Wogan
Dininni	Lashingier	Pucciarelli	Wozniak
Dombrowski	Laughlin	Punt	Wright, D. R.
Donatucci	Lehr	Rappaport	Wright, J. L.
Dorr	Lescovitz	Reber	Zwinkl
Duffy	Letterman	Richardson	
Durham	Levi	Rieger	Ryan,
Evans	Levin	Ritter	Speaker

NAYS—1

Wright, R. C.

NOT VOTING—8

Alden	Gray	Rasco	Weston
Beloff	Kanuck	Rocks	White

EXCUSED—4

Emerson	Irvis	Maiale	Morris
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The question was determined in the affirmative, and the motion was agreed to.

On the question recurring,
Shall the bill pass finally?

**BILL PLACED ON FINAL PASSAGE
POSTPONED CALENDAR**

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I move that HB 1668, PN 1947, be placed on the final passage postponed calendar.

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

The SPEAKER. The House will be at ease until I get a list of the bills that Mr. Manderino made reference to.

Mr. MANDERINO. The bill that I have reference to is the one that I had an amendment to. I think it was HB 1675, Mr. Speaker.

The SPEAKER. It is the understanding of the Chair that a motion was going to be made in connection with all the bills that had been tabled.

Mr. MANDERINO. HB 1675, Mr. Speaker. I do not know; maybe Mr. Hayes does not have any objection to placing it back on the calendar. I understand that Mr. Hayes wants to caucus on the amendment which I propose to offer, and I have no objections to that. I would like to get the bill back on the calendar so that we know that tomorrow we will be handling the matter.

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. I have no problem taking the bill off the table, but I would not suggest that by merely doing that we are going to consider it tomorrow.

Mr. MANDERINO. No; but so long as it is on the calendar, it can be called up. Should that motion prevail to call it up, then it would be handled. If a motion to pass over should prevail, then it will not be taken up tomorrow.

Mr. HAYES. That is right, so I am not marking tomorrow's calendar. It will be my inclination to walk carefully as to the amendment referred to by the gentleman. I am not sure you do that in a 15-minute caucus.

Mr. MANDERINO. I understand the gentleman's position.

**BILL REMOVED FROM TABLE
FOR CALENDAR**

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I move that HB 1675, PN 2145, be removed from the table and placed on the third consideration calendar.

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

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I move that the rules of the House be suspended for the purpose of immediately considering a resolution.

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

The following roll call was recorded:

YEAS—194

Anderson	Fee	Lloyd	Salvatore
Armstrong	Fischer	Lucyk	Saurman
Arty	Fleck	McCall	Serafini
Barber	Foster, W. W.	McClatchy	Seventy
Belardi	Foster, Jr., A.	McIntyre	Showers
Belfanti	Frazier	McMonagle	Shupnik
Berson	Freind	McVerry	Sieminski
Bittle	Fryer	Mackowski	Sirianni
Blaum	Gallagher	Madigan	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
Caltagirone	Greenfield	Miscevich	Stevens
Cappabianca	Greenwood	Moehlmann	Stewart
Cawley	Grieco	Mowery	Stuban
Cessar	Gruitza	Mrkonic	Swaim

Cimini	Gruppo	Mullen	Sweet
Civera	Hagarty	Murphy	Swift
Clark	Haluska	Nahill	Taddonio
Clymer	Harper	Noye	Taylor, E. Z.
Cochran	Hasay	O'Donnell	Taylor, F. E.
Cohen	Hayes	Olasz	Telek
Colafella	Heiser	Oliver	Tigue
Cole	Hoeffel	Pendleton	Trello
Cordisco	Honaman	Perzel	Van Horne
Cornell	Horgos	Peterson	Vroon
Coslett	Hutchinson, A.	Petrarca	Wachob
Cowell	Hutchinson, W.	Petrone	Wambach
Cunningham	Itkin	Phillips	Wargo
DeMedio	Jackson	Piccola	Wass
DeVerter	Johnson	Pievsky	Wenger
DeWeese	Kennedy	Pistella	Weston
Daikeler	Klingaman	Pitts	Wiggins
Davies	Kolter	Pott	Williams, H.
Dawida	Kowalyszyn	Pratt	Williams, J. D.
Deal	Kukovich	Pucciarelli	Wilson
Dietz	Lashinger	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	Zwikl
Durham	Levin	Ritter	
Evans	Lewis	Rocks	Ryan,
Fargo	Livengood	Rybak	Speaker

NAYS—0

NOT VOTING—5

Alden	Gray	Kanuck	White
Beloff			

EXCUSED—4

Emerson	Irvis	Maiale	Morris
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The question was determined in the affirmative, and the motion was agreed to.

RESOLUTION ADOPTED

The SPEAKER. The Chair recognizes the majority leader. Mr. HAYES. Mr. Speaker, I offer the following resolution.

The following resolution was read:

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

In the House of Representatives, November 9, 1981

RESOLVED, That the Chief Clerk be directed to furnish to the *Liquor Control Committee of the House of Representatives* a duplicate certified copy of House Bill 1268, Printer's No. 1407, entitled:

“An Act amending the “Liquor Code”, approved April 12, 1951 (P.L. 90, No. 21), providing for county-wide transfers of licenses and adding definitions.”

to be substituted for the lost original thereof, which was rereferred to said Committee on July 1, 1981.

Stanford I. Lehr
Chairman,
Liquor Control Committee

On the question,
Will the House adopt the resolution?

Resolution was adopted.

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 a Democratic caucus beginning at 3:30. We will cover the items we are going to vote on tomorrow, and we will be out of there by 5. Thank you.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the Republican caucus chairman, Mr. Noye.

Mr. NOYE. Thank you, Mr. Speaker.

There will be a Republican caucus convening at 3:30.

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

HB 1823, PN 2521 (Amended)

By Rep. GRIECO

An Act protecting agricultural operations from nuisance suits and ordinances under certain circumstances.

AGRICULTURE AND RURAL AFFAIRS.

SB 919, PN 1434 (Amended) (Unanimous)

By Rep. GRIECO

An Act amending the act of May 22, 1933 (P. L. 853, No. 155), entitled “The General County Assessment Law,” excluding certain in-ground and above-ground structures and containments in determining farm values.

AGRICULTURE AND RURAL AFFAIRS.

SB 920, PN 1435 (Amended) (Unanimous)

By Rep. GRIECO

An Act amending the act of May 21, 1943 (P. L. 571, No. 254), entitled, as amended, “The Fourth to Eighth Class County Assessment Law,” excluding certain in-ground and above-ground structures and containments in determining farm values.

AGRICULTURE AND RURAL AFFAIRS.

SENATE MESSAGE

**HOUSE AMENDMENTS
NONCONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to **SB 532, PN 1203**, and has appointed Senators HOWARD, GEKAS and SCANLON 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 AMENDMENTS

Mr. SPENCER moved that the House insist upon its amendments nonconcurrent in by the Senate to SB 532, PN 1203, and that a committee of conference on the part of the House be appointed.

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

APPOINTMENT OF
COMMITTEE OF CONFERENCE

The SPEAKER. The Chair appoints as a committee of conference on the part of the House on SB 532, PN 1203:

Messrs. SPENCER, PICCOLA and LEVIN.

Ordered, That the clerk inform the Senate accordingly.

PARLIAMENTARY INQUIRY

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

Mr. RITTER. Mr. Speaker, a parliamentary inquiry.

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

Mr. RITTER. The House rule—although I cannot find it—dealing with bills that are on the calendar for 15 days, do they automatically go back to committee or are they just placed on the table?

The SPEAKER. The Chair calls to the attention of the gentleman House rule 71 found on page 65 of the House rule book: "At the end of the fifteenth consecutive legislative day the said bill or non-privileged resolution shall be automatically recommitted to the committee from which it was reported to the floor of the House."

Mr. RITTER. I thank you, Mr. Speaker.

COMMUNICATIONS FROM GOVERNOR

BILLS SIGNED BY GOVERNOR

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

APPROVAL OF HBs Nos. 357, 530, 557, 560 and 769.

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

October 29, 1981

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

I have the honor to inform you that I have this day approved and signed House Bill 557, Printer's No. 584, entitled "AN ACT amending the act of June 3, 1937 (P.L. 1225, No. 316), entitled 'An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto,' further providing for overnight camping on State Game Lands."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

October 29, 1981

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

I have the honor to inform you that I have this day approved and signed House Bill 560, Printer's No. 1960, entitled "AN ACT amending the act of May 16, 1923 (P.L. 207, No. 153), entitled 'An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly,' changing the interest rate on unpaid claims."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

November 5, 1981

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

I have the honor to inform you that I have this day approved and signed House Bill 357, Printer's No. 366, entitled "AN ACT amending the act of April 12, 1951 (P.L. 90, No. 21), entitled 'An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws,' further providing for retail outlets for limited wineries."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

November 5, 1981

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

I have the honor to inform you that I have this day approved and signed House Bill 530, Printer's No. 2404, entitled "AN ACT amending the act of July 28, 1953 (P.L. 723, No. 230), entitled, as amended, 'An act relating to counties of the second class and second class A; amending, revising, consolidating and changing the laws relating thereto,' providing for the publication of audit summaries AND PROVIDING FOR THE CREATION OF RESIDENTIAL FINANCE AUTHORITIES, GRANTING

POWERS AND IMPOSING DUTIES, PROVIDING FOR GOVERNING BODIES OF SUCH AUTHORITIES AND GRANTING THE AUTHORITIES THE POWER TO ISSUE BONDS TO PROVIDE FUNDS FOR RESIDENTIAL FINANCING BY OWNERS.”

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

November 7, 1981

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

I have the honor to inform you that I have this day approved and signed House Bill 769, Printer's No. 2405, entitled "AN ACT authorizing and directing the Department of General Services, with the approval of the Department of Public Welfare and the Governor, to convey to the Abington Area Line Officers Association, 27 acres of land, more or less, situate in Newton Township, Lackawanna County, Pennsylvania."

I have approved this legislation despite my opposition to the conveyance of state-owned land for less than fair consideration because this bill was introduced prior to the announcement of this policy by the Office of Budget and Administration and the Department of General Services, and because the proposed conveyance was acted upon by the House of Representatives prior to the formulation of our first Surplus Land Disposition Plan. In the future, I will recommend that proposed conveyances be consolidated into the annual Surplus Land Disposition Plan. In these times of severe fiscal austerity for state government it is neither fair nor prudent to convey lands purchased with taxpayers' dollars without the receipt of fair and reasonable consideration.

Dick Thornburgh
Governor

COMMUNICATION FROM BEAVER COUNTY TRAINING AND EMPLOYMENT AGENCY

The SPEAKER. The Chair acknowledges receipt of a communication from the Beaver County Training and Employment Agency dated October 29, 1981, which will become part of the record.

The following communication was read:

Beaver County
Training and Employment Agency
699 Fifth Street
Beaver, PA 15009

October 29, 1981

Representative Matthew Ryan
Speaker, House of Representatives
House Post Office
Main Capitol Building
Harrisburg, PA 17120

Dear Representative Ryan:

The Board of Beaver County Commissioners has submitted to the United States Department of Labor, Modification Number 201 to Annual Plan Number 42-2-014-PP, Subpart C, under the Comprehensive Employment and Training Act (CETA) Amendments of 1978. A copy of this document is available for your review upon request.

A previous submission of Modification 201, sent earlier this month, was rescinded due to the adjustments made by the Department of Labor in the required benchmarks.

This modification reflects more accurate carry-over funds in addition to meeting the prescribed performance benchmarks. Should you have any questions, please call this office.

Very truly yours,
Ann B. Mizer
Administrator

ABM/dmh

SENATE MESSAGE

ADJOURNMENT RESOLUTION FOR CONCURRENCE

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, November 9, 1981

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, November 16, 1981 and when the House of Representatives adjourns this week it reconvene on Monday, November 16, 1981.

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.

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 Allegheny, Mr. Olasz.

Mr. OLASZ. Mr. Speaker, I move that this House do now adjourn until Tuesday, November 10, 1981, at 11 a.m., e.s.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 3:28 p.m., e.s.t., the House adjourned.