

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

TUESDAY, NOVEMBER 10, 1981

SESSION OF 1981

165TH OF THE GENERAL ASSEMBLY

No. 69

HOUSE OF REPRESENTATIVES

The House convened at 11 a.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:

Gracious God, the work of this body continues today and so does our need of Your presence. We cannot honor You nor please You in decisions that are made, unless we first please and honor You with our beings. Therefore, cause Your Spirit to enter the minds and hearts of those gathered to work, and may Your blessings rest upon the eventual results of this day's endeavor.

Make all public servants instruments of Thy peace and the human vehicles through which Your loving concern for humankind may flow and be expressed. To You, Almighty God, the one who was, and is, and forever will be; to You, the one eternal God, we pray. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Monday, November 9, 1981, will be postponed until printed. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2048 By Representatives HASAY, GREENFIELD and PITTS

An Act amending "The Pennsylvania Occupational Disease Act," approved June 21, 1939 (P. L. 566, No. 284), further providing for the award of attorneys' fees.

Referred to Committee on JUDICIARY, November 9, 1981.

No. 2049 By Representatives PETRARCA, DeMEDIO, KOLTER, MANDERINO, BELARDI, CORDISCO, STAIRS, TADDONIO, CAWLEY, CAPPABIANCA, BLAUM, KUKOVICH and LIVENGOOD

An Act providing for a study by the Department of Environmental Resources of the feasibility of establishing a Pennsylvania Youth Conservation Corps.

Referred to Committee on CONSERVATION, November 9, 1981.

No. 2050 By Representatives PUNT, KENNEDY, DININNI, KOLTER, DIETZ, A. C. FOSTER, JR., BITTLE, STEIGHNER, GEORGE, BOWSER and MOWERY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for prosecution of certain violators relating to failure to stop at railroad crossings.

Referred to Committee on TRANSPORTATION, November 9, 1981.

No. 2051 By Representatives FREIND, GLADECK, COCHRAN, E. Z. TAYLOR, HAGARTY, VROON, CORNELL, CUNNINGHAM, SIEMINSKI, MERRY and PITTS

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for binding arbitration for all public employees.

Referred to Committee on STATE GOVERNMENT, November 9, 1981.

No. 2052 By Representatives GLADECK, FREIND, COCHRAN, ARMSTRONG, E. Z. TAYLOR, NOYE, HAGARTY, VROON, CORNELL, CUNNINGHAM, SIEMINSKI, MERRY and PITTS

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), providing for minimum participation in a strike vote by school employes.

Referred to Committee on EDUCATION, November 9, 1981.

No. 2053 By Representatives FREIND, GLADECK, COCHRAN, ARMSTRONG, E. Z. TAYLOR, HAGARTY, VROON, CORNELL, CUNNINGHAM and SIEMINSKI

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), further providing for bargaining procedures for school employes, and providing penalties.

Referred to Committee on EDUCATION, November 9, 1981.

**HOUSE RESOLUTIONS
INTRODUCED AND REFERRED**

No. 125 By Representatives PETRARCA, DeMEDIO, STAIRS, MANDERINO, KOLTER, SERAFINI, BELARDI, TADDONIO, KUKOVICH, CAWLEY, CAPPABIANCA and LIVENGOOD

House memorialize Congress to enact legislation reestablishing Civilian Conservation Corps.

Referred to Committee on FEDERAL-STATE RELATIONS, November 9, 1981.

No. 126 By Representatives PETRARCA, LIVENGOOD, TADDONIO, MANDERINO, KOLTER, STAIRS, KUKOVICH, STEWART and VAN HORNE

House urges Pennsylvania Historical and Museum Commission erect a marker at site of "Tahogus Cabbin's".

Referred to Committee on RULES, November 9, 1981.

LEAVES OF ABSENCE GRANTED

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

Mr. CESSAR. Thank you, Mr. Speaker.

I request a leave for the gentleman from Lancaster, Mr. ARMSTRONG, for today's session; and also the gentleman from Schuylkill, Mr. HUTCHINSON, for today's session.

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

The Chair recognizes the minority whip, who advises the Chair that there are no requests for leaves.

MASTER ROLL CALL RECORDED

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

The following roll call was recorded:

PRESENT—196

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

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

ADDITIONS—1

Harper

NOT VOTING—2

Cohen

White

EXCUSED—4

Armstrong

Emerson Hutchinson, W. Irvis

LEAVE ADDED—1

Cohen

**REPORT OF COMMITTEE
OF CONFERENCE PRESENTED**

Mr. LEHR presented the Report of the Committee of Conference on **SB 277, PN 1437**.

REPORT FROM RULES COMMITTEE

**BILLS REMOVED FROM TABLE
FOR CALENDAR**

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. The Rules Committee has instructed me to make a motion to remove the following bills from the table and place them on the active calendar, and I so move:

- HB 1768, PN 2095;
- HB 1788, PN 2120;
- HB 1889, PN 2282;
- SB 496, PN 503;

SB 827, PN 1134;
 SB 930, PN 1407;
 HB 1066, PN 1571;
 HB 1713, PN 2460;
 HB 1875, PN 2268; and
 SB 1068, PN 1257.

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

**BILL REMOVED FROM TABLE
 FOR CALENDAR**

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. The Rules Committee has instructed me to make a motion to remove the following bill from the table and place it on the active calendar, with the understanding that it will be rereferred to the Appropriations Committee for the purpose of a fiscal note at a later date, and I so move:

SB 962, as amended.

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

RESOLUTIONS REPORTED FROM COMMITTEE

HR 49, PN 1313 (Concurrent)

By Rep. HAYES

General Assembly directs Joint Legislative Air and Water Pollution Control and Conservation committee conduct an in-depth study of air quality standards.

RULES.

SR 223 (Concurrent)

By Rep. HAYES

The General Assembly of the Commonwealth of Pennsylvania recognize November 25, 1981, and each day before Thanksgiving as "Disabled Persons Day."

RULES.

WELCOMES

The SPEAKER. The Chair is pleased to welcome to the hall of the House today a group of students and faculty members from Dover High School, in Dover, Pennsylvania, here today as the guests of Representative Dorr.

The Chair is pleased to welcome to the hall of the House today Mr. Mitch Graff, here today as the guest of Representative Daikeler of Montgomery County.

The Chair is pleased to welcome to the hall of the House today a number of guests from Chester County, here today as the guests of Representative Morris of Chester County: Mrs. Shirley Dunwoody, Mrs. Virginia Stoudt, Mr. Steven Grenz, and Mr. Michael Pintavalle.

The Chair is further pleased to welcome to the hall of the House today as the guest of Representative Peter Vroon, Mr. Robert J. Flick of East Whiteland Township, Chester County.

The Chair is pleased to welcome to the hall of the House today as the guest of Representative Karl Boyes of Erie County, Mr. Doug Benson.

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

HB 1197, PN 2523 (Amended)

By Rep. PITTS

An Act amending the "Pennsylvania Prevailing Wage Act," approved August 15, 1961 (P. L. 987, No. 442), increasing the base dollar amount of projects.

LABOR RELATIONS.

HB 1950, PN 2367

By Rep. LEHR

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

LIQUOR CONTROL.

SB 484, PN 491

By Rep. LEHR

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), entitled "Liquor Code," removing certain restrictions relating to sales on election days.

LIQUOR CONTROL.

BILL REREPORTED FROM COMMITTEE

HB 1268, PN 2524 (Amended)

By Rep. LEHR

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), authorizing special occasion permits for political organizations; providing for countywide transfers of licenses and adding definitions.

LIQUOR CONTROL.

STATEMENT BY MR. SIEMINSKI

The SPEAKER. The Chair at this time, in recognition of Veterans Day, which is celebrated tomorrow, recognizes the gentleman from Northampton, Mr. Sieminski.

Mr. SIEMINSKI. Thank you, Mr. Speaker.

Mr. Speaker, I rise today to call to the attention of the members of the House that we are celebrating Veterans Day tomorrow across this great Commonwealth, and veterans and veterans organizations and other people will pause tomorrow to pay respect to our veterans. Unfortunately, or fortunately, we will hopefully be about the constituency doing the same thing. So I would ask this morning that we will take a moment of our time to pay our collective respects to the veterans who have served this Commonwealth and this Nation in time of need.

I think it appropriate, Mr. Speaker, if I have the permission of the House, to read a poem that was written by a constituent, Miss Alice Pettit, which I think goes to this issue and would appropriately address the day. The poem is entitled "Where Have All the Veterans Gone?"

Where have all the veterans gone?
 Are they the forgotten men?
 No not by me or you, but by the multitude.

So let us pray that some day all will remember them.

Where have all the veterans gone?
Only God and his family knows.
His Buddies and friends remember
When they fought for peace and humanity.
For life and liberty.
But do you remember him?

Where have all the veterans gone?
They say that only God can make a tree
But only war can make a Veteran
Please remember him.

Where have all the veterans gone?
Those men of yesteryear,
Who fought so gallantly,
For things we hold so dear.
Life and Love and Freedom and integrity.
So I ask again,
Where have all the veterans gone
Can you answer clear?

He walks the streets
With head hung low
A beaten man with eyes so sad.
Because no one remembers him
There is no war,
There is no need for him.
Oh yes there is I say.
He's a man who's done his deed.
And served his country well
It is time we remembered Him.

Mr. Speaker, I would move that we have a moment of silence in respect for our fallen comrades.

The SPEAKER. All those recognizing this moment will please rise and remain standing until the fall of the gavel.
(Members stood.)

CALENDAR

BILLS AGREED TO ON SECOND CONSIDERATION

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

HB 1739, PN 2350; and HB 1804, PN 2410.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1476, PN 1712**, entitled:

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

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

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

The question is, shall the bill pass finally?

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

YEAS—189

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

NAYS—0

NOT VOTING—10

Beloff	Cunningham	Levin	Taddonio
Clark	Evans	McVery	White
Cohen	Harper		

EXCUSED—4

Armstrong	Emerson	Hutchinson, W.	Irvis
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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.

**MEMBER'S PRESENCE RECORDED
AND REMARKS ON VOTE**

The **SPEAKER**. The Chair recognizes the lady from Philadelphia, Mrs. Harper, who asks that her name be added to the master roll call.

The Chair recognizes the lady from Philadelphia, Mrs. Harper.

Mrs. **HARPER**. Mr. Speaker, I would also like to be recorded on that last bill, HB 1476 I believe it was.

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

**BILLS ON THIRD
CONSIDERATION CONTINUED**

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

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

On the question,
Will the House agree to the bill on 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—179

Alden	Fleck	McClatchy	Serafini
Anderson	Foster, W. W.	McIntyre	Seventy
Arty	Foster, Jr., A.	McMonagle	Showers
Barber	Frazier	McVerry	Shupnik
Belardi	Freind	Mackowski	Sieminski
Belfanti	Fryer	Madigan	Sirianni
Berson	Gallagher	Maiale	Smith, B.
Bittle	Gallen	Manmiller	Smith, E. H.
Blaum	Gamble	Marmion	Smith, L. E.
Borski	Gannon	Merry	Snyder
Bowser	Geist	Micozzie	Spencer
Boyes	George	Miller	Spitz
Brandt	Gladeck	Miscevich	Stairs
Brown	Grabowski	Morris	Steighner
Burd	Gray	Mowery	Stevens
Burns	Greenfield	Mrkonic	Stewart
Caltagirone	Greenwood	Mullen	Stuban
Cappabianca	Grieco	Murphy	Swaim
Cessar	Gruppo	Nahill	Sweet
Cimini	Hagarty	Noye	Swift
Civera	Haluska	Olasz	Taddonio
Clark	Harper	Oliver	Taylor, E. Z.
Clymer	Hasay	Pendleton	Taylor, F. E.
Cochran	Hayes	Perzel	Telek
Colafrella	Heiser	Peterson	Trello
Cole	Honaman	Petrarca	Van Horne
Cordisco	Horgos	Petrone	Vroon
Cornell	Hutchinson, A.	Phillips	Wachob
Coslett	Jackson	Piccola	Wambach
Cowell	Johnson	Pievsky	Wargo
DeMedio	Kanuck	Pitts	Wass
DeVerter	Kennedy	Pott	Wenger
Daikeler	Klingaman	Pratt	Weston
Davies	Kolter	Pucciarelli	Wiggins
Dawida	Kowafyshyn	Punt	Williams, H.

Deal	Lashing	Rappaport	Wilson
Dietz	Laughlin	Rasco	Wogan
Dininni	Lehr	Reber	Wozniak
Dombrowski	Lescovitz	Richardson	Wright, D. R.
Donatucci	Letterman	Rieger	Wright, J. L.
Dorr	Levi	Ritter	Wright, R. C.
Duffy	Lewis	Rocks	Zwkl
Durham	Livengood	Rybak	
Fargo	Lucyk	Salvatore	Ryan,
Fee	McCall	Saurman	Speaker
Fischer			

NAYS—9

Cawley	Kukovich	Michlovic	Pistella
Gruitza	Lloyd	Moehlmann	Tigue
Hoefel			

NOT VOTING—11

Beloff	DeWeese	Levin	White
Cohen	Evans	Manderino	Williams, J. D.
Cunningham	Itkin	O'Donnell	

EXCUSED—4

Armstrong	Emerson	Hutchinson, W.	Irvis
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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 758, PN 2352**, entitled:

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

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

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

The question is, shall the bill pass finally?

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

YEAS—195

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

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

NAYS—1

O'Donnell

NOT VOTING—3

Cohen Cunningham White

EXCUSED—4

Armstrong Emerson Hutchinson, W. Irvis

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 353, PN 1883**, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, excluding certain persons from the definition of "State employee."

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—192

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

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

NAYS—0

NOT VOTING—7

Bittle Gannon Spitz Wright, J. L.
Cohen Lashinger White

EXCUSED—4

Armstrong Emerson Hutchinson, W. Irvis

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.

WELCOMES

The SPEAKER. The Chair is pleased to welcome to the hall of the House today Peg Grigalonis and Marie Cunningham and students and parents of the enrichment class of the Mahanoy Area School District, here today as the guests of Representative Lucyk of Schuylkill County.

The Chair is pleased to welcome to the hall of the House today Mr. Scott Cessar, here today as the guest of the majority whip, Representative Cessar.

REMARKS ON VOTE

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

Mr. O'DONNELL. Mr. Speaker, my vote was not recorded on HB 315, PN 321. I would like to be recorded in the negative. Thank you.

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

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 893, PN 2354**, entitled:

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

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

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

The question is, shall the bill pass finally?

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

YEAS—194

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

Duffy	Letterman	Rasco	Wright, J. L.
Durham	Levi	Reber	Wright, R. C.
Evans	Levin	Rieger	Zwinkl
Fargo	Lewis	Ritter	
Fee	Livengood	Rocks	Ryan,
Fischer	Lloyd	Rybak	Speaker

NAYS—0

NOT VOTING—5

Cohen	Deal	Richardson	White
DeWeese			

EXCUSED—4

Armstrong	Emerson	Hutchinson, W.	Irvis
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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 **SB 114, PN 711**, entitled:

An Act amending the act of May 21, 1937 (P. L. 774, No. 211), entitled "Pennsylvania Turnpike Commission Act," providing for a panel of review, monitor and aid in improving ambulance service available to travelers of the Pennsylvania Turnpike and for access and exit by emergency vehicles.

On the question,
Will the House agree to the bill on third consideration?
Mr. LLOYD offered the following amendment No. A2734:

Amend Sec. 1 (Sec. 5.2), page 3, line 2, by removing the period after "objectives" and inserting
: Provided, however, That the panel shall not terminate existing commission services on any section of the turnpike unless it has entered an agreement pursuant to which ambulance services will be provided in that section by a professional or volunteer service or services in the area adjacent to the turnpike.

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

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

Mr. LLOYD. Thank you, Mr. Speaker.

Very briefly, this bill would direct the Turnpike Commission and the Health Department to set up a panel to evaluate the ambulance service on the Pennsylvania Turnpike. Additionally, it would authorize that panel to discontinue the service on parts of the turnpike. The intent is to discontinue the service by the turnpike people and substitute service from local volunteer or paid ambulance companies.

My amendment very simply would add language saying that the panel could not terminate the service in any part of the turnpike unless they had an agreement from the paid or volunteer company that would have to pick up that service, an agreement to perform the service.

The problem is, for those of us who live along the turnpike, that many of us have either volunteer companies or we have paid companies which have to go out to their members and

charge a fee. Now, if this service is abandoned by the Turnpike Commission, those people, under their ethical standards, will provide the service, but the cost, unless there can be some kind of agreement, could possibly be shifted onto local residents to have to subsidize. In addition, there can be protocol questions. Suppose my ambulance is out and not available; who takes over for me? What about access onto the turnpike? All kinds of things of that sort, which if the intent of the sponsors of this bill is to reach an agreement with the local people, my amendment simply says that they must reach that agreement, and I urge adoption of the amendment.

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

The following roll call was recorded:

YEAS—188

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

NAYS—2

Hutchinson, A. Rappaport

NOT VOTING—9

Cohen	Levin	Richardson	White
Deal	Lewis	Ritter	Williams, J. D.
Gamble			

EXCUSED—4

Armstrong	Emerson	Hutchinson, W.	Irvis
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The question was determined in the affirmative, and the amendment was agreed to.

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of this bill. I have in my legislative district the Milford Ambulance Corps. This is an outstanding organization of 24 men and women, 80 percent of whom are qualified EMT's (emergency medical technicians). The Quakertown Hospital is approximately 3 miles from their establishment. Their land abuts the Pennsylvania Turnpike Quakertown entrance. They cannot at the present time render service to any injured people who are, of course, injured and hurt on the turnpike. They have expressed to me on many occasions the fact that they could be there quicker and with their talented corps of workers provide meaningful and helpful assistance to those who are hurt.

Therefore, Mr. Speaker, I would urge my colleagues to vote affirmative on this legislation. Thank you.

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

Mr. DININNI. Mr. Speaker, I just want to call to the attention of all the members on both sides of the aisle, there is more to this bill than meets the eye, and I am not going to recommend how you vote. I know I am going to vote "no."

I think we have a good system on the Pennsylvania Turnpike. And as far as the volunteer ambulance associations, some time back I sent a memorandum around to all the members showing the contracts that are now in existence with your volunteer ambulance associations, and if they have a problem in Pottstown, they have the right to enter into a contract with the Turnpike Commission. But I want to call your attention to your rural legislators. If you read the bill, you are going to find out they are recommending a 10-minute response time. There is no way that a local ambulance association, once you leave Carlisle and head toward Pittsburgh, is going to respond in 10 minutes. And furthermore, you have a good safety program on the turnpike. They now have a helicopter service, and we are asking to give all this up only to help a few volunteer ambulance associations. I believe in helping them also, but we can use them as backup, sign contracts with them, but please consider what you are doing on this bill. Thank you.

On the question recurring,
Shall the bill pass finally?

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

YEAS—136

Alden	Fargo	Lucyk	Serafini
Arty	Fee	McCall	Showers
Barber	Fischer	McClatchy	Sieminski
Belardi	Foster, Jr., A.	McMonagle	Sirianni
Belfanti	Frazier	Mackowski	Smith, B.
Berson	Freind	Maiale	Snyder
Bittle	Gallagher	Manderino	Spitz
Blaum	Gannon	Merry	Stairs
Borski	George	Micozzie	Stevens
Bowser	Gladeck	Miller	Stewart
Boyes	Gray	Mrkonic	Stuban
Brown	Greenfield	Mullen	Swaim
Burns	Greenwood	Murphy	Sweet
Caltagirone	Grieco	Nahill	Swift
Cappabianca	Gruitza	Noye	Taddonio
Cawley	Gruppo	O'Donnell	Taylor, E. Z.
Cessar	Hagarty	Oliver	Taylor, F. E.
Cimini	Haluska	Pendleton	Telek
Civera	Hasay	Petrarca	Vroon
Clark	Hayes	Phillips	Wachob
Clymer	Horgos	Pievsky	Wass
Colafella	Itkin	Pistella	Weston
Cole	Johnson	Pitts	Wiggins
Cordisco	Kanuck	Pratt	Williams, H.
Cornell	Kennedy	Pucciarelli	Williams, J. D.
Coslett	Klingaman	Punt	Wilson
DeMedio	Kolter	Reber	Wozniak
Daikeler	Kowalshyn	Richardson	Wright, D. R.
Dawida	Kukovich	Rieger	Wright, J. I.
Deal	Lashinger	Ritter	Wright, R. C.
Dietz	Laughlin	Rocks	Zwinkl
Dombrowski	Lescovitz	Rybak	
Donatucci	Levi	Salvatore	Ryan,
Dorr	Levin	Saurman	Speaker
Evans	Lewis		

NAYS—56

Anderson	Geist	Manmiller	Rasco
Brandt	Grabowski	Marmion	Seventy
Burd	Harper	Michlovic	Shupnik
Cochran	Heiser	Miscevich	Smith, E. H.
Cowell	Hoeffel	Moehlmann	Smith, I. E.
DeVerter	Honaman	Morris	Spencer
Davies	Hutchinson, A.	Mowery	Steighner
Dininni	Jackson	Olasz	Tigue
Duffy	Lehr	Perzel	Trello
Durham	Letterman	Peterson	Van Horne
Fleck	Livengood	Petrone	Wambach
Foster, W. W.	Lloyd	Piccola	Wargo
Fryer	McVerry	Pott	Wenger
Gallen	Madigan	Rappaport	Wogan

NOT VOTING—7

Beloff	Cunningham	Gamble	White
Cohen	DeWeese	McIntyre	

EXCUSED—4

Armstrong Emerson Hutchinson, W. Irvis

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

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

**REQUEST FOR RECESS
AND RULES COMMITTEE MEETING**

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

I suggest we take lunch at this time and return promptly at 1:30 so we can conclude our work very early this afternoon.

I would like to call a meeting of the Rules Committee in my office immediately, a Rules Committee meeting in my office immediately at the declaration of recess. Thank you, Mr. Speaker.

LIQUOR CONTROL COMMITTEE MEETING

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

Mr. LEHR. Mr. Speaker, I would like to call a meeting of the Liquor Control Committee in the rear of the House, please, for just a few minutes.

The SPEAKER. At what time, Mr. Lehr?

Mr. LEHR. Immediately.

The SPEAKER. There will be an immediate meeting of the Liquor Control Committee in the rear of the House.

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

HB 1322, PN 1472 (Unanimous)

By Rep. PUNT

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining "bus."

TRANSPORTATION.

HB 1441, PN 1644 (Unanimous)

By Rep. PUNT

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the disposition of certain fines, etc. to municipal authorities.

TRANSPORTATION.

HB 1442, PN 1645 (Unanimous)

By Rep. PUNT

An Act amending the "Lethal Weapons Training Act," approved October 10, 1974 (P. L. 705, No. 235), including officers of municipal authorities within the definition of "privately employed agents."

TRANSPORTATION.

HB 1443, PN 1646 (Unanimous)

By Rep. PUNT

An Act amending "The Municipal Police Education and Training Law," approved June 18, 1974 (P. L. 359, No. 120), further defining "police officer" and "political subdivision" to include police officers of municipal authorities respectively.

TRANSPORTATION.

HB 1783, PN 2115 (Unanimous)

By Rep. PUNT

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the location of loading zones for school children.

TRANSPORTATION.

SB 433, PN 838

By Rep. PUNT

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the operation of traffic-control signals.

TRANSPORTATION.

**ADMINISTRATIVE RULES REPORT
REPORTED FROM COMMITTEE**

ARR 7 (Unanimous)

By Rep. PUNT

Resolved, That Administrative Rules Report No 7 of 1981, transmitted by the Department of Transportation under the Vehicle Code (75 PA C.S. § 101 et seq.) to the General Assembly under date of October 20, 1981 and referred to the Committee on Transportation to either approve or recommend disapproval, which is incorporated herein by reference, be approved.

TRANSPORTATION.

RECESS

The SPEAKER. Without objection, this House will stand in recess until 1:30 p.m. The Chair hears no objection.

AFTER RECESS

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

REMARKS ON VOTES

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

Mr. CUNNINGHAM. Mr. Speaker, I would like to state that I was out of my seat but on the floor of the House this morning when HB 1476, HB 315, HB 758, and SB 114 were voted. I would like to be recorded in the affirmative on all four.

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

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

HB 139, PN 140

By Rep. E. H. SMITH

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for the State Treasurer to establish a restricted account for the deposit and expenditure of maintenance fees collected from residents of State veterans' homes.

MILITARY AND VETERANS AFFAIRS.

HB 1862, PN 2249 (Unanimous)

By Rep. E. H. SMITH

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), raising the amount of payments to institutions.

MILITARY AND VETERANS AFFAIRS.

HB 2027, PN 2483 (Unanimous)

By Rep. E. H. SMITH

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

MILITARY AND VETERANS AFFAIRS.

SB 674, PN 1439 (Amended)

By Rep. E. H. SMITH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, exempting certain ex-prisoners of war and Congressional Medal of Honor winners from assessment of registration fees, and providing for special license plates for recipients of the Congressional Medal of Honor.

MILITARY AND VETERANS AFFAIRS.

WELCOMES

The SPEAKER. The Chair is pleased to welcome to the hall of the House 45 third grade students from the Ben Franklin School in Harrisburg. The students are accompanied by Claire Shoemaker and Yvonne Dutrieuille, their teachers, and by Mary Hope, a student teacher at the school. The students, teachers, and faculty members are the guests today of Representatives Wambach and Piccola of Dauphin County.

The Chair is pleased to welcome to the hall of the House today a group of students from the Wyoming Seminary in Kingston, Pennsylvania, here today with Mrs. Charlotte Levy and Herbert Quick, guests of Representative Coslett and Senator Frank O'Connell.

CALENDAR RESUMED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 514, PN 525**, entitled:

An Act amending the act of December 31, 1965 (P. L. 1257, No. 511), entitled "The Local Tax Enabling Act," excluding from the authority to levy realty transfer taxes transfers between grandparents and grandchildren or the spouse of such grandchild.

On the question,

Will the House agree to the bill on third consideration?

Mr. GREENWOOD offered the following amendments No. A4365:

Amend Title, page 1, line 24, by removing the period after "grandchild" and inserting
and excluding transfers to conservancies.

Amend Sec. 1 (Sec. 2), page 3, line 23, by inserting after "grandchild," where it appears the second time

or on a transfer to a conservancy which possesses a tax-exempt status pursuant to section 501(c)(3) of the Internal Revenue Code,

On the question,

Will the House agree to the amendments?

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

Mr. GREENWOOD. Thank you, Mr. Speaker.

This amendment provides exemption from the local share of the realty transfer tax for transfers to a conservancy which possesses a tax-exempt status pursuant to section 501(c)(3) of the Internal Revenue Code.

Under present law, individuals who donate their land to a conservancy are in effect penalized by the imposition of the tax. This amendment, in conjunction with separate legislation I have prepared to exempt the State share of the transfer tax, will remove that disincentive and further encourage preservation of open and historic properties, and I urge its adoption. Thank you.

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

Mr. FRYER. Mr. Speaker, could the gentleman inform the members of the House as to what the loss of revenue would be if this amendment were adopted?

The SPEAKER. The gentleman, Mr. Greenwood, consents to interrogation. The gentleman, Mr. Greenwood, may respond.

Mr. GREENWOOD. Thank you, Mr. Speaker.

We were unable to ascertain that figure across the Commonwealth. I can tell you in my own county of Bucks, where we have a very active conservancy, last year there was property donated to the conservancy in the value of approximately \$100,000, so we are talking under this amendment the loss to the various municipalities within that one county of \$1,000, which in my view is a small price to pay for the placement of this land in perpetuity undeveloped and therefore never requiring municipal services.

Mr. FRYER. Mr. Speaker, possibly above the din I could not hear the gentleman's reply, but did he say \$1,000 or \$100,000?

The SPEAKER. The gentleman, Mr. Greenwood, may respond.

Mr. GREENWOOD. Thank you, Mr. Speaker.

We were unable to ascertain the cost figures, the impact of this across the State, because we frankly do not know the total value of the land that is donated to conservancies in an average year. In my own county of Bucks last year, where we have a very active conservancy, there was property donated to the conservancy in the value of approximately \$100,000. Thus, the impact of this amendment would cost all of the municipalities total in the county \$1,000. I further said that that was in my view a small price to pay for land that will never require municipal services because it will be held undeveloped in perpetuity.

Mr. FRYER. Mr. Speaker, has the gentleman checked with the local elected officials as to this loss of revenue, and are they in agreement with his position on the amendment?

Mr. GREENWOOD. I have not spoken with every municipal official in my district, but I have spoken with enough of them that I feel they were a characteristic group, and they support the amendment.

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

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

Mr. MORRIS. I would like to ask one question of the maker of the amendment.

The SPEAKER. The gentleman, Mr. Greenwood, consents to interrogation. The gentleman, Mr. Morris, may proceed.

Mr. MORRIS. Mr. Speaker, I believe that most of this type of transfer consists of what is called open-space or conservation easements. Am I correct in thinking that your views are along that line?

Mr. GREENWOOD. That is correct.

Mr. MORRIS. Thank you.

I would like to say a word.

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

Mr. MORRIS. This really is going to produce no loss either to the Commonwealth or to the local municipalities. I obtained a ruling on the transfer of an open-space easement from the board of—I have forgotten the right term, but the Revenue Department anyway. A transfer of this kind had no value.

I urge an affirmative vote on the part of all members of the House. This is going to do a lot of good, and it is not going to cost anybody anything.

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

The following roll call was recorded:

YEAS—180

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

Dorr	Levi	Ritter	Zwikel
Duffy	Levin	Rocks	
Durham	Lewis	Rybak	Ryan,
Evans	Livengood	Salvatore	Speaker
Fargo	Lloyd		

NAYS—8

Clark	Fryer	Lescovitz	Stewart
Colafella	Kolter	McCall	Wozniak

NOT VOTING—11

Cohen	Hutchinson, A.	Pitts	Spitz
DeWeese	McIntyre	Punt	White
Foster, W. W.	Petrarca	Rappaport	

EXCUSED—4

Armstrong	Emerson	Hutchinson, W.	Irvis
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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. GRUITZA offered the following amendments No. A4328:

Amend Title, page 1, line 24, by removing the period after "grandchild" and inserting
and transfers from industrial development
authorities.

Amend Sec. 1 (Sec. 2), page 3, line 12, by inserting after "to"
or from

On the question,

Will the House agree to the amendments?

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

Mr. GRUITZA. Mr. Speaker, what this amendment is intended to do is to exempt the transfer tax from industrial development authorities back to the original grantor. The thing that is involved here is, under the industrial development authority law, it is required that anybody who borrows through an industrial development authority for the tax-free loan must transfer the property over to the industrial development authority. The problem that this is meant to address is the transfer tax at the tail end of this transaction. We have had a number of deals back in my district that have been soured because the prospective participant could not afford the transfer tax some 15 years down the road. The immediate impact is very hard to determine, because very few of these transactions have yet come to fruition. Most of them will be starting to mature in maybe 5, 10 years as the loans are called in. My understanding is that when the act was first implemented, it was the intent of the legislature not to tax either of the transfers, but due to a draftsmanship problem, the only thing that has been clearly exempted is the transfer to the industrial development authority.

I think this is a good amendment, and it will be very good for industrial development in Pennsylvania. As far as the local government impact is concerned, I have spoken to the local officials in my area, and they feel that the good in this far outweighs the loss of revenue that would be lost at the local level, and they support this. I would urge the adoption of the amendment. Thank you.

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

Mr. LEVIN. Mr. Speaker, would the sponsor stand for some interrogation?

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

Mr. LEVIN. If this passes, does this mean that all of the real estate transactions in the past that have gone through the industrial development program would be tax exempt when they took them back?

Mr. GRUITZA. Yes; that is my intent.

Mr. LEVIN. Well, then you are conferring a benefit upon those transactions which have already occurred?

Mr. GRUITZA. That is correct.

Mr. LEVIN. May I speak on the matter, Mr. Speaker?

The SPEAKER. The gentleman, Mr. Levin, may proceed.

Mr. LEVIN. Thank you, Mr. Speaker.

Mr. Speaker, I suggest you be very, very cautious in passing this amendment. I think you have to look at not an insignificant loss of revenue but a very significant loss of revenue. I have no idea how many transactions have occurred in the past in which this vehicle of a tax-free loan has been used. It is a little complicated transaction, but what really happens is, a prospective owner comes along and wants to buy a property or a business, and he wants to get the benefit of tax-free dollars. So the agency that we have set up gets in the way, and it gets title to the property, and it does not pay any real estate transfer tax when it takes title to it. What we really have is a deferral of that tax until such time as the actual transfer occurs to the owner some 15 or 20 years down the pike on his mortgage. What you are really doing is saying to all the people who bought buildings—and it could very well have been in the city of Philadelphia; I know one building that certainly has substantial millions of dollars' worth of value of building—that at some date in the future when that is transferred to the owner, who really bought it 5 or 10 years ago but used this tax-free vehicle, he does not have to pay any transfer tax at all.

Now, if the sponsor intended to have this act in the future as an incentive to someone to enter into a new transaction, it would make some sense, but it makes no sense to have it act retroactively on deals where that transfer tax was considered when the purchaser in fact purchased the building and deferred the transfer tax into the end of his mortgage. I do not know how much it is going to cost in your districts, but I would be very suspicious that it could be a very significant amount of money if there had been any major industrial purchase through this procedure.

I would hope you use good judgment and not pass this as an amendment.

MOTION TO TABLE

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

Mr. A. K. HUTCHINSON. Mr. Speaker, would I be in order to make a motion now to table this bill and give you the

reasons why? I am going to take them anyhow, so please give them to me.

This was a simple bill, and there were a lot of different amendments. We had a meeting this morning on Mr. Stauffer's bill and Mr. Wilson's bill, and we tabled that to have hearings. We are changing the way of tax reform, and all these amendments are going to take money from local governments. I think we ought to wait a while until we have some kind of bill. But what is going to happen to the poor taxpayer? All of this is going to wind up on somebody else's property tax, because the government needs money. I make a motion to table this bill along with the amendments.

The SPEAKER. The question before the House is the motion of the gentleman, Mr. Hutchinson, that SB 514, together with amendments, be placed upon the table.

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. What purpose will be gained by tabling the bill and amendments without any further direction?

Mr. A. K. HUTCHINSON. Well, all these amendments that are going in are going to be lost to the local tax collectors, to local governments. What is going to happen, Mr. Majority Leader, is, where are we going to wind up? What are we going to put on those people? Instead of a 3 1/2-percent tax, we will be putting on 6 or 7 percent. I think it is time now to stop taking taxes away from local government to see where the heck we are going. We are going in the wrong direction. Thank you.

This is a simple bill, but the amendments are not simple.

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I would respectfully suggest to the gentleman that the legislative remedy for bad amendments is to debate against those amendments and urge the membership to vote the amendments down so that this bill, which you yourself have recognized to be a not-too-difficult bill, SB 514, can be voted to final passage. I see no reason why you put the bill, which in all probability is a bill that can be supported by this House, on the table simply because another member of this body stands up and offers an amendment that you have some disagreement with. I think we ought to get on with the business at hand. I would oppose the motion.

The SPEAKER. The nondebatable question before the House is the question of the motion by Mr. Hutchinson that the bill, together with the amendments, be laid upon the table.

On that question, the Chair recognizes the gentleman from Berks, Mr. Fryer.

Mr. FRYER. Mr. Speaker, under restriction, I favor the motion of the gentleman, Mr. Hutchinson. We require facts to debate bills, and those facts were not forthcoming on the floor of this House. We do not know the revenue loss to local government. I say we need those facts. There should be a fiscal note on this amendment, as the majority leader well knows. Before you debate, you need facts, sir. I support the motion of Representative Hutchinson.

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

The following roll call was recorded:

YEAS—82

Barber	Evans	Livengood	Rybak
Belfanti	Fryer	Lloyd	Seventy
Beloff	Gallagher	Lucyk	Showers
Berson	Gallen	McCall	Shupnik
Blaum	Gamble	McMonagle	Stewart
Borski	George	Maiale	Stuban
Brown	Grabowski	Manderino	Swaim
Cappabianca	Gray	Miscevich	Sweet
Cawley	Greenfield	Mullen	Swift
Clark	Harper	O'Donnell	Taylor, F. E.
Colafella	Heiser	Olasz	Tigue
Cole	Hoeffel	Oliver	Trello
Cordisco	Horgos	Pendleton	Van Horne
Cowell	Hutchinson, A.	Petrarca	Wachob
DeWeese	Itkin	Petrone	Wambach
Dawida	Kolter	Pievsky	Wargo
Deal	Kowalshyn	Pistella	Wiggins
Dombrowski	Kukovich	Richardson	Williams, H.
Donatucci	Laughlin	Rieger	Williams, J. D.
Duffy	Lescovitz	Ritter	Zwikel
Durham	Levin		

NAYS—112

Alden	Fleck	Mackowski	Saurman
Anderson	Foster, W. W.	Madigan	Serafini
Arty	Foster, Jr., A.	Manmiller	Sieminski
Belardi	Frazier	Marmion	Sirianni
Bittle	Freind	Merry	Smith, B.
Bowser	Gannon	Michlovic	Smith, E. H.
Boyes	Geist	Micozzie	Smith, L. E.
Brandt	Gladeck	Miller	Snyder
Burd	Greenwood	Moehlmann	Spencer
Burns	Grieco	Morris	Spitz
Caltagirone	Gruitza	Mowery	Stairs
Cessar	Gruppo	Mrkonic	Steighner
Cimini	Hagarty	Murphy	Stevens
Civera	Haluska	Nahill	Taddonio
Clymer	Hasay	Noye	Taylor, E. Z.
Cochran	Hayes	Perzel	Telek
Cornell	Honaman	Peterson	Vroon
Coslett	Jackson	Phillips	Wass
Cunningham	Johnson	Piccola	Wenger
DeMedio	Kanuck	Pitts	Weston
DeVerter	Kennedy	Pott	Wilson
Daikeler	Klingaman	Pratt	Wogan
Davies	Lashingier	Punt	Wright, D. R.
Dietz	Lehr	Rappaport	Wright, J. L.
Dininni	Letterman	Rasco	Wright, R. C.
Dorr	Levi	Reber	
Fargo	Lewis	Rocks	Ryan,
Fee	McClatchy	Salvatore	Speaker
Fischer	McVerry		

NOT VOTING—5

Cohen	Pucciarelli	White	Wozniak
McIntyre			

EXCUSED—4

Armstrong	Emerson	Hutchinson, W.	Irvis
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The question was determined in the negative, and the motion was not agreed to.

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

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

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

During this interlude I had a chance to confer briefly with the gentleman, Mr. Gruitza. I think the difficulty that many members had with the amendment was the impression they gained that the amendment would be retroactive and would lead to refunds of taxes already paid. This is not the case. The amendment speaks to this point forward only, and I am inclined to support the gentleman, Mr. Gruitza's amendment. I think we need to do everything possible to improve the industrial climate of this Commonwealth, and I would urge an affirmative vote.

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

Mr. PRATT. Mr. Speaker, I rise in support of the amendment. I agree with Representative Foster that there is some misinterpretation of this amendment because of the remarks by Representative Levin.

The only purpose for transferring title from a borrower to the industrial development authority is because of the requirement of the law which requires that title to be transferred for security purposes only. Now, when the long-term loan is amortized completely, then that title is transferred back to the borrower. The reason for the transfer is not an out-and-out sell-for-profit motive or what have you; it is merely for security. What is happening is, a lot of prospective borrowers, business people, are looking away from this type of financing because they know in 15 or 20 years, after that piece of property has appreciated in maybe millions of dollars, in 15 or 20 years there is going to be a 2-percent transfer tax on that transfer from the industrial development authority back to the borrower, and that means a lot of dollars which, in the first place, are not anticipated. This is not going to be a loss to local government, because the local government has never anticipated this real estate tax revenue in the first place, and they should not, because it is merely a transfer for security purposes only.

I think it is a good amendment. If you are in support of business locating in Pennsylvania, expanding in Pennsylvania, and taking advantage of our PIDA (Pennsylvania Industrial Development Authority) program, I think it is a good amendment, and I think we should enact it. Thank you.

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

Mr. LEVIN. Will Mr. Pratt stand for interrogation?

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

Mr. LEVIN. Mr. Speaker, if someone 5 years ago decided to buy an industrial concern in your area and used the industrial development authority to purchase title and to hold the mortgage, which they then paid to the industrial development authority, would not this amendment relieve them from paying a transfer tax when the industrial development authority transferred it to them at the conclusion of the mortgage?

Mr. PRATT. Yes. Yes, it would.

Mr. LEVIN. Well, then is it not correct that it is acting retroactively and not just prospectively?

Mr. PRATT. No, because the transfer has not taken place yet from the industrial development authority to the borrower. It is not a retroactive application. If this amendment said that the transfer from the borrower to the industrial development authority was tax free, which it is anyway, but if this amendment were to say that and apply to previous transfers, yes, it would apply retroactively. But those transfers have not yet taken place from the IDA back to the borrower, so there is really no retroactive application.

Mr. LEVIN. Was not the original transfer to the industrial development authority tax free?

Mr. PRATT. Yes.

Mr. LEVIN. Then, in fact, did the county not anticipate that that transaction deferred a real estate transfer tax into some date in the future?

Mr. PRATT. That is possible. That is possible, but by my way of thinking, I do not believe that local municipalities should be anticipating that, because this is a transfer to really expand business, to create jobs, and it is only a transfer for security purposes.

Mr. LEVIN. May I speak now for the second time, Mr. Speaker?

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

Mr. LEVIN. The point I am trying to make is, if this act was being passed today so that any transaction entered into to induce business to locate in Pennsylvania was being affected, I would have no objection. The problem is, this amendment would confer a substantial tax benefit and a loss of revenue to local communities for something that has already occurred in the past. They have already reached their decision and purchased the building. They are not being induced by this to purchase a building; they have already bought it. And the result is that after they bought it, assuming that at the conclusion of the mortgage they would pay a tax, you are relieving them of the tax. You are giving them a gift for doing nothing because we passed this.

I would hope you use good judgment. You are going to cost your communities a lot of money.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—114

Alden	Foster, Jr., A.	McVerry	Showers
Anderson	Frazier	Mackowski	Shupnik
Belardi	Freind	Maiale	Sieminski
Berson	Gallagher	Manderino	Smith, B.
Bittle	Gamble	Merry	Smith, E. H.
Boyes	Geist	Mrkonic	Spitz
Brandt	George	Mullen	Steighner
Burns	Gladeck	Noye	Stevens
Caltagirone	Grabowski	O'Donnell	Swaim
Cappabianca	Greenwood	Olasz	Sweet
Cawley	Gruitza	Pendleton	Swift
Cessar	Gruppo	Peterson	Taddonio
Clymer	Hasay	Petrone	Taylor, E. Z.
Cochran	Hayes	Phillips	Taylor, F. E.
Colafella	Honaman	Pievsky	Telek
Cole	Horgos	Pistella	Van Horne
Cordisco	Johnson	Pitts	Wachob
Coslett	Kanuck	Pott	Wambach
Cunningham	Klingaman	Pratt	Wargo

DeVerter	Kolter	Punt	Wass
DeWeese	Kowalshyn	Rappaport	Wenger
Daikeler	Kukovich	Reber	Weston
Deal	Lashinger	Richardson	Wilson
Dombrowski	Laughlin	Ritter	Wozniak
Dorr	Lehr	Rocks	Wright, D. R.
Fargo	Levi	Rybak	Wright, J. L.
Fee	Livengood	Saurman	Wright, R. C.
Fleck	McCall	Serafini	Zwikl
Foster, W. W.	McClatchy		

NAYS—82

Arty	Durham	Lloyd	Rasco
Barber	Evans	Lucyk	Rieger
Belfanti	Fischer	McIntyre	Salvatore
Beloff	Fryer	McMonagle	Seventy
Blaum	Gallen	Madigan	Sirianni
Borski	Gannon	Manmiller	Smith, L. E.
Bowser	Gray	Marmion	Snyder
Brown	Greenfield	Michlovic	Spencer
Burd	Grieco	Micozzie	Stairs
Cimini	Hagarty	Miller	Stewart
Civera	Haluska	Miscevich	Stuban
Clark	Harper	Moehlmann	Tigue
Cornell	Heiser	Morris	Trello
Cowell	Hoeffel	Mowery	Vroon
DeMedio	Hutchinson, A.	Murphy	Wiggins
Davies	Itkin	Nabill	Williams, H.
Dawida	Jackson	Oliver	Williams, J. D.
Dietz	Kennedy	Perzel	Wogan
Dininni	Lescovitz	Petrarca	
Donatucci	Letterman	Piccola	Ryan,
Duffy	Levin	Pucciarelli	Speaker

NOT VOTING—3

Cohen	Lewis	White
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EXCUSED—4

Armstrong	Emerson	Hutchinson, W.	Irvis
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The question was determined in the affirmative, and the amendments were agreed to.

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

Mr. STEWART. Thank you, Mr. Speaker.

Would the majority chairman of the Local Government Committee stand for interrogation?

The SPEAKER. The gentleman, Mr. Foster, consents to interrogation. The gentleman, Mr. Stewart, may proceed.

Mr. STEWART. Thank you, Mr. Speaker.

This bill started off with exempting a transfer between a grandparent and a grandchild. We have since added donated land to conservancies and industrial development authorities with the last amendment. What I am concerned about, Mr. Speaker, is, because we are dealing with the realty transfer tax, a tax which is used to compute market value in school districts which is then used to compute State subsidies, do you have any idea what these exemptions, now that we are taking these particular things out of the realty transfer system, how

that is going to affect the market values of the districts as established by the Tax Equalization Board and subsequently any State subsidies to the school districts?

Mr. A. C. FOSTER. Yes, Mr. Speaker. The effect of the first amendment, which was offered by the gentleman, Mr. Greenwood, would be negligible. Mr. Morris spoke to that point. Secondly, as to the Gruitza amendment, we are talking of potential revenues, because at this point, scarcely, there have been very few of the transfers of this type made. It is impossible to calculate a precise fiscal note.

My point would be that any revenues collected prior to the adoption of such an amendment would have been revenues that should not have been collected anyhow. I would term the Gruitza amendment as comparable to the type of transfer of an automobile, where perhaps your son or daughter would buy a vehicle in your name because they were a minor. Then at the time the automobile reverts to their name upon their reaching their majority, the bureau does not charge sales tax for such a transaction. I think this is the same analogy here with the industrial development authorities. We should not be collecting those tax moneys when the property is simply reverting to its true owner.

Mr. STEWART. So you do not feel that there will be any significant change in the market value of a school district via the passage of this bill?

Mr. A. C. FOSTER. I do not think so, Mr. Speaker. If there is, I think it is revenue that they should not be collecting.

Mr. STEWART. Thank you, Mr. Speaker.

PARLIAMENTARY INQUIRY

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

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

There were a couple of amendments put in this bill, so I cannot make a motion to go to a prior printer's number because we are still on PN 525. Is there any motion that I can make just to vote on Mr. Kusse's bill, which I think is a good bill and a good thing? I do not like the amendments. I know they were voted up, but how can I make a motion to go to a prior printer's number or something?

The SPEAKER. The only parliamentary procedure available to the gentleman at this time to accomplish what he wishes would be to reconsider the vote by which the amendments were agreed to and, if successful in a later defeat of those amendments, get the bill back to the position the gentleman is interested in.

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

On the question recurring,

Shall the bill pass finally?

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

YEAS—178

Alden	Fargo	McClatchy	Salvatore
Anderson	Fee	McMonagle	Saurman
Arty	Fleck	McVerry	Serafini
Barber	Foster, W. W.	Mackowski	Seventy
Belardi	Foster, Jr., A.	Madigan	Showers
Belfanti	Frazier	Maiale	Shupnik

Berson	Freind	Manderino	Sieminski
Bittle	Gallagher	Manmiller	Sirianni
Blaum	Gannon	Marmion	Smith, B.
Borski	Geist	Merry	Smith, E. H.
Bowser	George	Michlovic	Smith, L. E.
Boyes	Gladeck	Micozzie	Snyder
Brandt	Grabowski	Miscevich	Spencer
Brown	Gray	Mochlmann	Spitz
Burd	Greenfield	Morris	Stairs
Burns	Greenwood	Mowery	Steighner
Caltagirone	Grieco	Mrkonic	Stevens
Cappabianca	Gruitz	Mullen	Stuban
Cawley	Gruppo	Murphy	Swaim
Cessar	Hagarty	Nahill	Sweet
Cimini	Haluska	Noye	Swift
Civera	Harper	O'Donnell	Taddonio
Clark	Hasay	Olasz	Taylor, E. Z.
Clymer	Hayes	Oliver	Taylor, F. E.
Colafella	Hoeffel	Pendleton	Telek
Cole	Honaman	Perzel	Van Horne
Cordisco	Horgos	Peterson	Vroon
Cornell	Jackson	Petrarca	Wachob
Coslett	Johnson	Petrone	Wambach
Cowell	Kanuck	Phillips	Wargo
Cunningham	Kennedy	Piccola	Wass
DeMedio	Klingaman	Pievsky	Wenger
DeVerter	Kolter	Pistella	Weston
DeWeese	Kowalyszyn	Pitts	Wiggins
Daikeler	Kukovich	Pott	Williams, J. D.
Davies	Lashinger	Pratt	Wilson
Deal	Laughlin	Pucciarelli	Wogan
Dietz	Lehr	Punt	Wozniak
Dininni	Lescovitz	Rappaport	Wright, D. R.
Dombrowski	Levi	Reber	Wright, J. L.
Donatucci	Levin	Richardson	Wright, R. C.
Dorr	Lewis	Rieger	Zwick
Duffy	Livengood	Ritter	
Durham	Lucyk	Rocks	Ryan,
Evans	McCall	Rybak	Speaker

NAYS—13

Dawida	Heiser	Letterman	Rasco
Fischer	Hutchinson, A.	Lloyd	Stewart
Fryer	Itkin	Miller	Tigue
Gallen			

NOT VOTING—8

Beloff	Cohen	McIntyre	White
Cochran	Gambie	Trello	Williams, H.

EXCUSED—4

Armstrong	Emerson	Hutchinson, W.	Irvis
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

WELCOMES

The SPEAKER. The Chair is pleased to welcome to the hall of the House at this time Mr. Anthony Cameron and Leo Latella from Hazleton, Pennsylvania, here today as the guests of Representative Corry Stevens.

The Chair is pleased to welcome to the hall of the House today from Allentown, Mr. Mike Lutte, cousin of Representative Kurt Zwickl.

LEAVE OF ABSENCE GRANTED

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

Mr. PIEVSKY. Mr. Speaker, could you return to leaves of absence?

The SPEAKER. Without objection, the Chair returns to leaves of absence. The Chair recognizes the gentleman, Mr. Pievsky.

Mr. PIEVSKY. Thank you, Mr. Speaker.

I ask for a leave of absence for the gentleman from Philadelphia, Mr. COHEN, for today's session. Thank you, Mr. Speaker.

The SPEAKER. Without objection, leave will be granted. The Chair hears no objection.

REMARKS ON VOTE

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

Mr. TRELLO. Mr. Speaker, I was not in my seat at the time SB 514 was voted on. If I would have been, I would have voted in the affirmative.

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

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **SB 562, PN 1351**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Mrs. TAYLOR offered the following amendments No. A4070:

Amend Bill, page 1, by inserting between lines 17 and 18

Section 1. Section 2, act of May 2, 1945 (P.L.382, No.164), known as the "Municipality Authorities Act of 1945," is amended by adding a definition to read:

Section 2. Definitions.—The following terms whenever used or referred to in this act shall have the following meanings, except in those instances where the context clearly indicates otherwise:

(m) The term "eligible educational institution" shall mean an independent institution of higher education located in and chartered by, the Commonwealth, which is neither a State-owned institution, a State-related institution nor a community college, which is operated not for profit, which is determined by the authority not to be a theological seminary or school of theology or a sectarian and denominational institution and which is approved as eligible by the authority pursuant to regulations approved by it.

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

2

Amend Sec. 1, page 1, lines 18 through 20, by striking out " , act of May 2, 1945" in line 18, all of line 19, and "1945," " in line 20 and inserting

of the act,
Amend Sec. 1 (Sec. 4), page 2, line 21, by inserting after
“universities”

which are determined by the authority to be
eligible educational institutions

Amend Sec. 2, page 4, line 30, by striking out “2” and insert-
ing

3

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

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

Mrs. TAYLOR. Mr. Speaker, just a short explanation of
the amendment.

The amendment is being offered to clarify in law exactly
what is meant by the term “eligible educational institutions.”
The language in the amendment is that which appears already
in the law known as the Institutional Assistance Grants Act of
1974, which is the one that permits our institutions of higher
learning to receive IAG’s. It is further stated, the same lan-
guage, in the regulations when the act was promulgated by
PHEAA, the Pennsylvania Higher Education Assistance
Agency, and I would request the acceptance of this amend-
ment.

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

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, I, too, would join with Representative Taylor
in urging the adoption of this amendment. It is an attempt to
clarify to make sure that the provisions of this bill will be
applicable to a maximum number of institutions, so I would
urge that we vote in the affirmative.

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

The following roll call was recorded:

YEAS—191

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

Coslett	Hutchinson, A.	Petrarca	Vroon
Cowell	Itkin	Petrone	Wachob
Cunningham	Jackson	Phillips	Wambach
DeMedio	Johnson	Piccola	Wargo
DeVerter	Kanuck	Pievsky	Wass
DeWeese	Kennedy	Pistella	Wenger
Daikeler	Klingaman	Pitts	Weston
Davies	Kolter	Pott	Wiggins
Dawida	Kowalshyn	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.
Duffy	Letterman	Richardson	Wright, R. C.
Durham	Levi	Rieger	Zwinkl
Evans	Lewis	Ritter	
Fargo	Livengood	Rocks	Ryan,
Fee	Lloyd	Rybak	Speaker

NAYS—1

O'Donnell

NOT VOTING—6

Beloff	Levin	White	Williams, H.
Frazier	McIntyre		

EXCUSED—5

Armstrong	Emerson	Hutchinson, W.	Irvis
Cohen			

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 dif-
ferent days and agreed to and is now on final passage.

The question is, shall the bill pass finally?

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

YEAS—183

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

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

NAYS—3

Saurman	Van Horne	Wright, D. R.
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NOT VOTING—12

Evans	Lehr	Pratt	Williams, H.
Gamble	McIntyre	Sweet	Williams, J. D.
Gruitza	Maiale	White	Zwilk

EXCUSED—5

Armstrong	Emerson	Hutchinson, W.	Irviss
Cohen			

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

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

* * *

The House proceeded to third consideration of **HB 242, PN 2157**, entitled:

An Act for the purpose of providing a system for the collection and recycling of used oil; defining certain terms; prohibiting certain actions; giving certain authority to the Department of Environmental Resources; providing for penalties, and generally dealing with used oil collection, storage, transportation and recycling.

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

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

The question is, shall the bill pass finally?

The Chair recognizes the gentleman from Carbon, Mr. McCall.

Mr. McCALL. Will the prime sponsor please stand for interrogation?

The SPEAKER. The gentleman, Mr. Wright, indicates he will stand for interrogation. The gentleman, Mr. McCall, may begin.

Mr. McCALL. Mr. Speaker, my concern with the bill, which I discussed in committee, was the fact that the possibil-

ity exists for these areas to be used as dumping sites for other chemicals. Can you assure me that the inspections will be made at these sites by the department in regard to hazardous chemical wastes?

Mr. J. L. WRIGHT. I can give that assurance. Act 97, the Solid Waste Management Act of 1980, by definitions and in the inspection sections, covers the possible contamination question and allows DER (Department of Environmental Resources) to conduct inspections.

Mr. McCALL. Thank you, Mr. Speaker.

On the question recurring,
Shall the bill pass finally?

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

YEAS—186

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

NAYS—9

Anderson	Kennedy	Merry	Sweet
Boyes	Lewis	Reber	Wachob
Dorr			

NOT VOTING—3

Beloff	McIntyre	White
EXCUSED—5		
Armstrong	Emerson	Hutchinson, W. Irvis
Cohen		

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 1512, PN 2158**, entitled:

An Act amending the "Pennsylvania Municipalities Planning Code," approved July 31, 1968 (P. L. 805, No. 247), providing for the promotion of energy conservation and the maximum feasible utilization of renewable energy sources.

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

Mr. J. L. WRIGHT offered the following amendments No. A4280:

Amend Title, page 1, lines 18 and 19, by striking out "MAXIMUM FEASIBLE" and inserting effective

Amend Sec. 1 (Title), page 2, line 12, by striking out "provide for maximum FEASIBLE" and inserting promote the effective

Amend Sec. 2 (Sec. 105), page 3, lines 2 and 3, by striking out "provide for maximum FEASIBLE" and inserting promote the effective

Amend Sec. 3 (Sec. 107), page 4, line 1, by striking out "FOR ENERGY PLANNING PURPOSES"

Amend Sec. 5 (Sec. 301), page 5, line 28, by striking out "provide for the maximum FEASIBLE" and inserting promote the effective

Amend Sec. 6 (Sec. 604), page 8, line 19, by striking out "MAXIMUM FEASIBLE" and inserting effective

Amend Sec. 7 (Sec. 707), page 11, line 28, by striking out "MAXIMUM FEASIBLE" and inserting effective

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

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

Mr. J. L. WRIGHT. The amendments are minor editorial changes, agreeable on both sides of the aisle.

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

The following roll call was recorded:

YEAS—193

Alden	Fleck	Lucyk	Salvatore
Arty	Foster, W. W.	McCall	Saurman
Barber	Foster, Jr., A.	McClatchy	Serafini
Belardi	Frazier	McMonagle	Seventy
Belfanti	Freind	McVerry	Showers
Beloff	Fryer	Mackowski	Shupnik
Berson	Gallagher	Madigan	Sieminski
Bittle	Gallen	Maiale	Sirianni

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

NAYS—2

Anderson Boyes

NOT VOTING—3

McIntyre	Spitz	White
EXCUSED—5		

Armstrong	Emerson	Hutchinson, W. Irvis
Cohen		

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. REBER offered the following amendments No. A4511:

Amend Sec. 9, page 13, line 7, by inserting after "TO" and amended into

Amend Sec. 9, page 13, line 7, by striking out "AND EXISTING"

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

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

Mr. REBER. Thank you, Mr. Speaker.

This amendment really goes to aid and assist our local governments. The way the proposed piece of legislation was ini-

tially drafted, it required comprehensive plans that are presently existing to be amended to include the program set forth in this legislation.

My own personal experience, working with municipal governments as an attorney for over 10 years, has brought about a feeling that comprehensive plans in many instances are not really a top-priority, necessary item within the municipality. And I frankly think that it is somewhat akin to the storm water management problems that we saw before this legislature earlier in the year, that we would be requiring local governments to do certain things, and in many instances local governments do not even have comprehensive plans, and it really would not affect them.

My amendment really goes to only those particular areas where the comprehensive plan is already in existence. This legislation as written, prior to the amendment being entered into it, would require local governments, within 1 year, to add this language to their comprehensive plan. My amendment simply states that a local government does not have to run out, spend money, develop the expertise, go through the public hearing advertising process that is necessary for an amendment to a comprehensive plan. It simply allows and requires local governments to amend the comprehensive plan, if they have one existing at the present time, sometime in the future when the next amendment process is carried out. It has absolutely no effect on municipalities that will be enacting new comprehensive plans. They still will have to carry out the program set forth in this legislation.

I frankly think to require local governments to run out, go through the amendatory process for this one particular aspect would be a waste of local municipal moneys. Additionally, I think a local government would even better be serving this legislation if this legislation were required to be enacted by an ordinance or a building code or some other type of legislative mandate. It would put more meat behind the legislation, but that is not the way the legislation is written, and that is something for another day.

So I would ask your support to allow local governments not to be harassed with some of these additional mandates from the legislature, if they already have existing comprehensive plans. Those that will be enacting new comprehensive plans must do it. They are already going to be going through the process, and it is just one additional checklist that they will have to include in that process.

I would ask for an affirmative vote. Thank you.

The SPEAKER. Does the gentleman from Washington, Mr. Sweet, desire recognition on the amendment? The gentleman is in order and may proceed.

Mr. SWEET. Thank you, Mr. Speaker.

It is my understanding that the impact of the Reber amendment is that any time a municipality will act to either amend its municipal plan or to enact a new one, they will have to take into account the dictates of this bill. While I am a little hesitant in supporting that, I think we have reduced what was originally a good idea almost to the point of memorializing local governments to take solar energy and energy conservation into account. I will agree to the Reber amendment. I can

see his point that we should not allow municipalities to misconstrue our intent, run out, hire consultants, who will merely come in and say, gee, there is not a whole lot you can do to encourage energy conservation or solar energy.

However, I do not think local government associations ought to interpret the Reber amendment as a gutting of the bill or as a complete emasculation of the requirement that they begin to think about how they can use their own land-use controls to help encourage energy conservation, solar energy, and the use of renewable energy resources. So I reluctantly, but as a practical individual, ask that you vote in favor of the Reber amendment.

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

Mr. J. L. WRIGHT. I wish to second Representative Sweet's remarks, and urge adoption of the amendment and the bill.

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

The following roll call was recorded:

YEAS—194

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

Fee	Livengood	Rocks	Speaker
		NAYS—2	
DeWeese	Saurman		
		NOT VOTING—2	
McIntyre	White		
		EXCUSED—5	
Armstrong Cohen	Emerson	Hutchinson, W.	Irvis

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

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

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

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

YEAS—187

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

Foster, W. W.			
		NAYS—9	
Anderson	Dorr	Lewis	Mowery
Boyes	Fargo	Merry	Smith, B.
Daikeler			
		NOT VOTING—2	
McIntyre	White		
		EXCUSED—5	
Armstrong Cohen	Emerson	Hutchinson, W.	Irvis

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 391, PN 403**, entitled:

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

On the question,
Will the House agree to the bill on third consideration?
Mr. O'DONNELL offered the following amendment No. A4508:

Amend Sec. 1 (Sec. 5), page 2, lines 14 and 15, by striking out "The female applicant shall be" in line 14 and all of line 15

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

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

Mr. O'DONNELL. Mr. Speaker, I have no problem with the intent of this bill, and I think it could be extremely useful to notify female applicants for marriage licenses of the potential dangers of this type of disease, and I think the bill ought to stay in an informational format.

Unfortunately, the bill also mentions the necessity for that person to sign that they have received this information. I think that is a dangerous precedent to set. I think people should be able to get a marriage license without any further bureaucratic entanglement, and I do not think that this kind of warning ought to be treated as a fifth amendment type of thing. This amendment could probably be regarded as technical, however. Thank you.

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

The following roll call was recorded:

YEAS—194

Alden	Fee	Livengood	Rocks
Anderson	Fischer	Lloyd	Rybak
Arty	Fleck	Lucy	Salvatore
Barber	Foster, W. W.	McCall	Saurman
Belardi	Foster, Jr., A.	McClatchy	Serafini
Belfanti	Frazier	McMonagle	Seventy
Beloff	Freind	McVerry	Showers
Berson	Fryer	Mackowski	Shupnik

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

NAYS—0

NOT VOTING—4

McIntyre	Sirianni	White	Williams, H.
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EXCUSED—5

Armstrong	Emerson	Hutchinson, W.	Irvis
Cohen			

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—186

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

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

NAYS—8

DeVerter	Heiser	Marmion	Noye
Daikeler	Laughlin	Moehlmann	Perzel

NOT VOTING—4

McIntyre	Madigan	White	Williams, H.
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EXCUSED—5

Armstrong	Emerson	Hutchinson, W.	Irvis
Cohen			

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.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED

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

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

On the question,

Will the House concur in Senate amendments?

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. I request the House nonconcur in the amendments added to this legislation by the Senate.

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—4

Belfanti	Fryer	Livengood	Stewart
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NAYS—189

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

NOT VOTING—5

Borski	White	Williams, H.	Wozniak
McIntyre			

EXCUSED—5

Armstrong	Emerson	Hutchinson, W.	Irvis
Cohen			

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

Ordered, That the clerk inform the Senate accordingly.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of HB 26, PN 27, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for revocation of habitual offenders licenses.

On the question,

Will the House agree to the bill on third consideration?

Mr. BOWSER offered the following amendments No. A4496:

Amend Title, page 1, line 2, by inserting after "Statutes," further providing for the definition of "motor carrier vehicle" and

Amend Bill, page 1, by inserting between lines 5 and 6

Section 1. The definition of "motor carrier vehicle" in section 102 of Title 75, act of November 25, 1970 (P.L.707, No.230), known as the Pennsylvania Consolidated Statutes, is amended to read:

§ 102. Definitions.

Subject to additional definitions contained in subsequent provisions of this title which are applicable to specific provisions of this title, the following words and phrases when used in this title shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

"Motor carrier vehicle." A truck, truck tractor or combination, except a truck, truck tractor or combination used solely for agricultural or farming purposes owned and operated by a non-resident in full compliance with the registration requirements of the place of residence of the owner, having a gross weight or registered gross weight in excess of 17,000 pounds.

Amend Sec. 1, page 1, line 6, by striking out "1" and inserting

2

Amend Sec. 1, page 1, lines 6 through 8, by striking out "act of November 25," in line 6, all of line 7 and "Statutes," in line 8

Amend Sec. 2, page 2, line 12, by striking out "2" and inserting

3

Amend Sec. 2, page 2, line 12, by inserting after "and" the amendment to 75 Pa.C.S. § 1542(b) (relating to revocation of habitual offender's license)

On the question,

Will the House agree to the amendments?

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

Mr. BOWSER. Mr. Speaker, I have already been harassed here on what I am trying to do to the farm community now.

What you are reading in this amendment is correct. We are trying to exempt out-of-State farm trucks that bring their own farm produce into Pennsylvania or come into Pennsylvania to buy farm-related items to farm with. The reason we are trying to do this is simply that our trucks going into New York State

or any of our other bordering States presently are exempt from tax in that State. New York State, I know so well, because it borders my area, is waiting to see if I can get an exemption for their trucks. If not, they are going to apply to us a fee up there that they have had for some 15 years as we go into New York State. This applies down in John Hope Anderson's district to Maryland. I am sure we can all have problems, whoever has a district that borders another State.

It is not a big amount of money. It is a \$25 sticker, the sticker that we put on last year in SB 10. In my area I hand-carried stickers back to the people who were involved coming from New York State into my territory up there. I think there were about 75 stickers.

So what we are trying to do is just keep the pig off our back by exempting them. And God knows, if they are coming in here to spend money in Pennsylvania, we should encourage that, so I ask your support of this amendment.

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

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

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

Mr. RITTER. Mr. Speaker, you are speaking now of exempting from the \$25 marker fee nonresident owners of trucks used for agricultural purposes?

Mr. BOWSER. These would be trucks owned by the farmer and hauling his product only. If he hauled a neighbor's product into the processing plant or if he came into Pennsylvania to buy a load of steaks or a load of whatever for a neighboring farmer, then we figure that would be commercial, and he would buy the stamp then. Only his own product is what we are asking, and it is just a \$25 fee.

In the case up in my area, they bring, say, grapes or tomatoes into Pennsylvania. Maybe they come into Pennsylvania with 10 or 15 loads a year, and that is it. They do not come in any more, but they still not only have to buy that \$25 sticker but they have to send in four quarterly reports per year, and that is mandated by our law. If they do not do that, then we can put a penalty on them for it.

But the main thing is that all Pennsylvania farmers in my area are going to have to turn around and buy this same thing in New York State, and it seems sort of ridiculous. We are doing the same thing, going in there very few times a year during a period of maybe 1 month.

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

Mr. Speaker, the same problem occurs with the marker fee that is paid for or purchased by any other truck operator. We have that requirement now in Pennsylvania that you have to pay a \$25 marker fee, and that, as I said, applies to any truck-owner regardless of whether he comes into this State for 1 day or 365 days. And the same argument was raised when the \$25 marker fee was imposed that other States surrounding Pennsylvania would impose a marker fee on Pennsylvania-owned trucks.

Mr. Speaker, I am just concerned that if you grant this exemption for agricultural purposes to a nonresident truck-owner, there will be exemptions asked for other trucking companies who likewise do very little business in this State but who have to pay the \$25 marker fee. And when you get to doing that, you are talking about a loss of revenue that may very well be significant.

Mr. Speaker, it is for that reason and for the reason that if we are going to have the marker fee imposed on all truck-owners and operators who come to this State, then we ought to have it on agricultural as well, and so I am going to vote in the negative on the amendment.

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

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

I rise in support of the Bowser amendment because everything that Mr. Bowser says is quite true.

We have precisely the same situation on the York County-Maryland border, and it causes great inconvenience. I made note of this fact when we adopted the original legislation, the fact that a \$25 marker fee is abnormally high for something that is purely for identification purposes.

Furthermore, there is precedent in the previous motor carrier law for this type of exemption in that prior to our acting last session in the Motor Carrier Act was an exemption which exempted those motor carriers owning and operating only one vehicle for their own use and not for hire, so we are not exactly breaking new ground here. We are much more limited in that we are restricting this to agricultural vehicles, and I would strongly urge an affirmative vote on the Bowser amendment.

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

The following roll call was recorded:

YEAS—182

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

Cowell	Hutchinson, A.	Peterson	Wargo
Cunningham	Itkin	Petrarca	Wass
DeMedio	Jackson	Petrone	Wenger
DeVerter	Johnson	Phillips	Weston
DeWeese	Kanuck	Piccola	Wiggins
Daikeler	Kennedy	Pistella	Williams, H.
Davies	Klingaman	Pott	Williams, J. D.
Dawida	Kolter	Pratt	Wilson
Dietz	Kowalyszyn	Pucciarelli	Wogan
Dininni	Kukovich	Punt	Wozniak
Dombrowski	Lashingier	Rasco	Wright, D. R.
Donatucci	Laughlin	Reber	Wright, J. L.
Dorr	Lehr	Rocks	Wright, R. C.
Duffy	Lescovitz	Rybak	Zwinkl
Durham	Levi	Salvatore	
Evans	Levin	Saurman	Ryan,
Fargo	Lewis	Serafini	Speaker

NAYS—10

Berson	Gallagher	Mullen	Richardson
Caltagirone	Letterman	Pievsky	Ritter
Deal	Manderino		

NOT VOTING—6

Greenfield	Pitts	Rieger	White
McIntyre	Rappaport		

EXCUSED—5

Armstrong	Emerson	Hutchinson, W.	Irvis
Cohen			

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—190

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

Cordisco	Heiser	O'Donnell	Van Horne
Cornell	Hoefel	Olasz	Vroon
Coslett	Honaman	Oliver	Wachob
Cowell	Horgos	Pendleton	Wambach
Cunningham	Hutchinson, A.	Perzel	Wargo
DeMedio	Itkin	Peterson	Wenger
DeVerter	Jackson	Petrarca	Weston
DeWeese	Johnson	Petrone	Wiggins
Daikeler	Kanuck	Phillips	Williams, H.
Davies	Kennedy	Pievsky	Williams, J. D.
Dawida	Klingaman	Pistella	Wilson
Deal	Kolter	Pratt	Wogan
Dietz	Kowalyszyn	Pucciarelli	Wozniak
Dininni	Kukovich	Punt	Wright, D. R.
Dombrowski	Lashingier	Rasco	Wright, J. L.
Donatucci	Laughlin	Reber	Wright, R. C.
Dorr	Lehr	Rieger	Zwinkl
Duffy	Lescovitz	Ritter	
Durham	Letterman	Rocks	Ryan,
Evans	Levi	Rybak	Speaker

NAYS—2

Piccola	Richardson
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NOT VOTING—6

McIntyre	Pott	Wass	White
Pitts	Rappaport		

EXCUSED—5

Armstrong	Emerson	Hutchinson, W.	Irvis
Cohen			

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

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

REMARKS ON VOTES

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

Mr. WASS. Mr. Speaker, my switch malfunctioned. Had it been working, I would have voted in the affirmative on HB 26, please.

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

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

Mr. PITTS. Mr. Speaker, I missed that last vote. I would like to be recorded in the affirmative on HB 26, please.

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

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

Mr. ZWIKL. Mr. Speaker, I was not recorded on SB 562 on final passage. I wish to be recorded in the affirmative.

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

SENATE MESSAGE**HOUSE BILLS
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 231, PN 232; HB 920, PN 991; and HB 1092, PN 1215**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE**HOUSE-AMENDED SENATE
BILL CONCURRED IN**

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 323, PN 1348**.

SENATE MESSAGE**AMENDED HOUSE RESOLUTION
RETURNED FOR CONCURRENCE**

The clerk of the Senate, being introduced, informed that the Senate has concurred in **HR 80, PN 2462**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

The SPEAKER. The resolution will appear on the calendar.

**BILLS REPORTED FROM COMMITTEES,
CONSIDERED FIRST TIME, AND TABLED****HB 65, PN 2537 (Amended)**

By Rep. PUNT

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the posting and operation of traffic control devices in school zones.

TRANSPORTATION.**HB 1193, PN 2538 (Amended)**

By Rep. A. C. FOSTER

An Act amending "The County Code," approved August 9, 1955 (P. L. 323, No. 130), further providing for investment of funds.

LOCAL GOVERNMENT.**HB 1194, PN 2539 (Amended) (Unanimous)**

By Rep. A. C. FOSTER

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723, No. 230), further providing for investment of funds.

LOCAL GOVERNMENT.**HB 1532, PN 2540 (Amended) (Unanimous)**

By Rep. A. C. FOSTER

An Act amending "The Borough Code," approved February 1, 1966 (1965 P. L. 1656, No. 581), further providing for the removal and imposition of limitations on certain deposits and further providing for authorizing investments.

LOCAL GOVERNMENT.**HB 1533, PN 2541 (Amended) (Unanimous)**

By Rep. A. C. FOSTER

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), further providing for the removal and imposition of limitations on certain deposits and further providing for authorized investments.

LOCAL GOVERNMENT.**HB 1534, PN 2542 (Amended) (Unanimous)**

By Rep. A. C. FOSTER

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932, No. 317), further providing for the removal and the impositions on certain deposits and further providing for authorized investments.

LOCAL GOVERNMENT.**HB 1535, PN 2543 (Amended) (Unanimous)**

By Rep. A. C. FOSTER

An Act amending the act of July 3, 1980 (P. L. 372, No. 93), entitled "An act authorizing the town council of incorporated towns to make investments of town funds and providing for the regulation of such investments," removing and imposing certain limitations on certain deposits and further providing for authorized investments.

LOCAL GOVERNMENT.**HB 1537, PN 2544 (Amended) (Unanimous)**

By Rep. A. C. FOSTER

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206, No. 331), further providing for the removal and impositions of limitations on certain deposits and further providing for authorizing investments.

LOCAL GOVERNMENT.**HB 1997, PN 2442**

By Rep. MILLER

An Act amending the act of June 20, 1947 (P. L. 733, No. 319), entitled, as amended, "An act to provide revenue in school districts of the first class A by imposing a temporary tax upon certain classes of personal property; ****" further providing for the interest rate on delinquent taxes.

URBAN AFFAIRS.**HB 1998, PN 2443**

By Rep. MILLER

An Act amending the act of June 10, 1947 (P. L. 745, No. 320), entitled "An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein;*** and imposing penalties," editorially revising the act and further providing for the interest rate on delinquent taxes.

URBAN AFFAIRS.**HB 1999, PN 2444**

By Rep. MILLER

An Act amending the act of August 24, 1961 (P. L. 1135, No. 508), entitled "An act imposing a tax for general public school purposes in school districts of the first class A on salaries, wages, commissions and other compensation earned by residents thereof, ***; providing for the administration and enforcement of the act and imposing penalties for violation thereof," further providing for the withholding procedure by employers of taxes and increasing the interest and penalties assessed for late payments.

URBAN AFFAIRS.

BILL REREPORTED FROM COMMITTEE**HB 874, PN 945** By Rep. LEHR

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), further providing for unlawful acts relative to liquor, malt and brewed beverages and licensees.

LIQUOR CONTROL.

REPORT FROM RULES COMMITTEE

**BILLS REMOVED FROM TABLE
FOR CALENDAR**

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, the Rules Committee has instructed me to make a motion to remove the following bills from the table and place them on the active calendar, and I so move:

HB 1776;
HB 1901;
HB 1902;
HB 1903;
HB 1904;
HB 1905;
HB 1906;
HB 1907;
HB 1908;
HB 1909;
HB 1910;
HB 1912;
HB 1913;
HB 1914;
HB 1915;
HB 1916;
HB 1917;
HB 1918;
HB 1919;
HB 1920;
HB 1921;
HB 1922;
HB 1923;
HB 1924;
HB 1925;
HB 1926;
HB 1927;
HB 1928;
HB 1929;
HB 1930;
HB 1931;
HB 1932;
HB 1934;
HB 1935;
HB 1936;
HB 1937;
HB 1938;
HB 1940;
HB 1941;

HB 1942;
HB 1943;
HB 1944;
SB 919;
SB 920;
HB 799; and
HB 800.

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

ADDITIONS AND DELETIONS OF SPONSORS

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I submit for the record the additions and deletions of sponsors of bills in accordance with the House rules.

ADDITIONS:

HB 1353, Zwikl; HB 1851, Weston; HB 1984, Haluska; HB 1985, Haluska; HB 1993, E. H. Smith.

DELETIONS:

HB 1732, Rasco; HB 2008, DeWeese, Belfanti.

BILLS SIGNED BY SPEAKER

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

HB 231, PN 232

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), permitting supervisors to be members of a township planning commission.

HB 920, PN 991

An Act amending the "Vital Statistics Law of 1953," approved June 29, 1953 (P. L. 304, No. 66), limiting the authority to promulgate certain regulations concerning the depth of graves.

HB 1092, PN 1215

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

SB 323, PN 1348

An Act amending the act of June 3, 1937 (P. L. 1225, No. 316), entitled "The Game Law," further providing for the appointment of hunting license issuing agents.

ANNOUNCEMENT BY MAJORITY LEADER

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Just two things: One, there will not be any more votes today. Number two, I would call the Representatives' attention to the fact that I have asked those persons who have amendments to HB 1285, the no-fault legislation, to have those amendments sent to my office by 4:30 p.m. this coming Friday afternoon, Friday the 13th, so that we can prepare ourselves for proper action on that legislation when

we schedule it for a vote. So please have your amendments to my office by 4:30 p.m. this Friday afternoon.

There will not be any more votes today. Thank you, Mr. Speaker.

RECESS

The SPEAKER. The Chair, without objection, is about to declare a recess until 4:30 p.m. for the purpose of receiving messages from the Senate. The House, when it adjourns today, will adjourn until Monday, November 16, 1981, at 1 p.m.

Without objection, this House now stands in recess until 4:30 p.m. The Chair hears no objection.

AFTER RECESS

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

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NONCONCURRED IN BY HOUSE

The clerk of the Senate, being introduced, informed that the Senate has insisted upon its amendments nonconcurring in by the House of Representatives to **HB 720, PN 2463**.

MOTION INSISTING UPON NONCONCURRENCE IN SENATE AMENDMENTS

Mr. HAYES moved that the House insist upon its nonconcurrency in Senate amendments to **HB 720, PN 2463**, and that a committee of conference on the part of the House be appointed.

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

APPOINTMENT OF COMMITTEE OF CONFERENCE

The SPEAKER. The Chair appoints as a committee of conference on the part of the House on **HB 720, PN 2463**:
Messrs. HAYES, PUNT and BARBER.
Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1090, PN 1701**, with information that the Senate has passed the same without amendment.

BILL SIGNED BY SPEAKER

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

HB 1090, PN 1701

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), further prohibiting the sale by any person of any license for a fee in excess of the fee established by law; providing penalties for violations of license fee requirements; ***.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 585, PN 1456 (Amended)

By Rep. SPENCER

An Act amending the act of June 22, 1964 (1st Sp. Sess., P. L. 84, No. 6), entitled "Eminent Domain Code," prohibiting the imposition of taxes or fees on certain condemned property.

JUDICIARY.

SB 742, PN 1132

By Rep. SPENCER

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing that certain competition between individuals and the promotion of such competition be unlawful and providing penalties.

JUDICIARY.

SB 995, PN 1169

By Rep. SPENCER

An Act amending the act of October 4, 1978 (P. L. 876, No. 169), entitled "Pennsylvania Crime Commission Act," further providing for the enforcement of subpoenas.

JUDICIARY.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

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

Mr. SNYDER. Mr. Speaker, I move that this House do now adjourn until Monday, November 16, 1981, at 1 p.m., e.s.t.

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

Motion was agreed to, and at 4:43 p.m., e.s.t., the House adjourned.