

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

TUESDAY, FEBRUARY 2, 1982

SESSION OF 1982

166TH OF THE GENERAL ASSEMBLY

No. 9

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MATTHEW J. RYAN)
IN THE CHAIR

PRAYER

REV. GEORGE E. ZEIDERS, chaplain of the House of Representatives and pastor of Stewartstown United Methodist Church, Stewartstown, Pennsylvania, offered the following prayer:

Let us pray:

Unto Thee, O Gracious God, we give thanks for the safety of Vice President Bush following the attempt on his life this morning, and we pause for a moment of gratitude. We pray that You would quiet his anxiety and the anxiety of his family with the assurance of Your great presence.

Help us during this day to be especially sensitive toward those who hurt, and enable us to lift the well-being of our citizens above the all-too-common tendency to inflict injury for personal gain.

May our decisions here, our debates, and our offices serve to enrich the lives of our people with dignity and hope. 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, February 1, 1982, will be postponed until printed. The Chair hears no objection.

STATEMENT BY MR. WAMBACH

TERCENTENARY COMMITTEE
ON THIS DAY IN HISTORY

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

Mr. WAMBACH. Thank you, Mr. Speaker.

On this day in history on Tuesday, February 2, 1897, the clock in the dome of the Capitol struck 12 o'clock noon, but when it struck again at 1 o'clock, the fire that destroyed the historic building had already encircled the dome. The fire broke out in the room of the Lieutenant Governor shortly

before 1 o'clock, and in 20 minutes the halls of the Senate and the House were in flames.

Owing to a stiff northeast wind and the fall of snow, the firemen were very much at a disadvantage when they arrived. The fire leaped the rotunda and went through the dome and back into the State Library addition. A burst of flames swept through the doors into the chamber of the House, which the legislative body had adjourned just in time to depart in order. At 2:45 the entire building was in ruins, and all that remained standing were the walls of the main structure and the great pillars of the two porticoes.

And that is the way it was 85 years ago today, February 2, 1897.

The SPEAKER. The Chair thanks the gentleman.

ANNOUNCEMENT BY MR. PITTS

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

Mr. PITTS. Thank you, Mr. Speaker.

The House Tercentenary Committee is pleased to have on display in the post office room at the rear of the chamber some artifacts, books, and drawings of the fire that took place 85 years ago, and we have as a guest Mr. Evan Miller, who will talk about the display to any members interested, whose father actually turned in the fire alarm at that incident. Thank you, Mr. Speaker.

The SPEAKER. The Chair calls to the attention of the members the gentleman referred to by Mr. Pitts, standing at the rear of the chamber.

WELCOME

The SPEAKER. The Chair is pleased to welcome to the hall of the House today the president of the Pennsylvania Jaycees, Mr. James S. Clark, here today as the guest of Representatives Cessar, Brandt, and DeVerter.

STATEMENT BY MR. L. E. SMITH

The SPEAKER. Does the gentleman from Jefferson, Mr. Smith, desire recognition to make a report on the weather?

Mr. L. E. SMITH. No, Mr. Speaker. If I am in order, I would like to add an appropriate "this day in history" into the record of the House.

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

Mr. L. E. SMITH. Mr. Speaker, your caution is well taken. This is a very serious note in the history of Pennsylvania.

In 1886 the Punxsutawney Groundhog Club was formed, and on February 2, 1887, a group of about 20 faithful followers of Punxsutawney Phil made their first trek to Gobbler's Knob, and it was there that Mr. Clymer Freas, who headed the group, placed the weather works on Gobbler's Knob in 1887. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair expects that when there is greater attendance in the House, the gentleman from Jefferson, Mr. Smith, will make a full report on the weather for the next 6 weeks.

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

Mr. RAPPAPORT. At that subsequent time, I would ask leave to interrogate the gentleman from Jefferson.

The SPEAKER. The Chair, with great reluctance and some hesitation, recognizes the gentleman from Lancaster, Mr. Miller, in full expectation of a rebuttal to the gentleman, Mr. Smith.

Mr. MILLER. Mr. Speaker, with due regard to the Chair's insistence that this is a matter worthy of the full House, I would just like to stand and join with the gentleman, Mr. Rappaport, for the purpose of interrogation with Representative Smith.

You see, sir, at 6:51 this morning, Octoraro Orphie, the Marmota monax of the great southern end, south of the Refton shale belt in the great united county of Lancaster, made a weather prognostication that for the 73d consecutive year remains the faithful byword of all weather watchers that we will indeed have 6 more weeks of winter, however mild. The gentleman from that other lodge, where they dress up the local squirrel for the purposes of weather prognostication, should indeed, sir, stand for interrogation before the full House. I thank you.

The SPEAKER. The Chair thanks the gentleman. The Chair should know better, after all these years, than to recognize you two.

The Chair urges the members to report immediately to the floor so that they, too, will hear firsthand the weather forecast for the next 6 weeks.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2200 By Representatives ARTY, MAIALE, MICOZZIE, CORNELL, O'DONNELL, COLE, CIVERA, KOLTER, NAHILL, GANNON and WAMBACH

An Act amending the "Bureau of Professional and Occupational Affairs Fee Act," approved July 1, 1978 (P. L. 700, No. 124), further providing for the disposition of funds.

Referred to Committee on PROFESSIONAL LICENSURE, February 1, 1982.

No. 2201 By Representatives COCHRAN, SWEET, DeWEESE, DeMEDIO, FISCHER, LESCOVITZ, F. E. TAYLOR and STAIRS

An Act to apportion the Commonwealth of Pennsylvania into congressional districts in conformity with constitutional requirements, providing for the nomination and election of Congressmen and making a repeal.

Referred to Committee on STATE GOVERNMENT, February 1, 1982.

No. 2202 By Representative COHEN

An Act repealing certain provisions of the act of August 9, 1963 (P. L. 643, No. 341), known as the "First Class City Public Education Home Rule Act," relating to the regulation of public education in first class cities.

Referred to Committee on URBAN AFFAIRS, February 1, 1982.

No. 2203 By Representative COHEN

An Act repealing certain provisions of the act of April 21, 1949 (P. L. 665, No. 155), known as the "First Class City Home Rule Act," relating to the regulation of public education in first class cities.

Referred to Committee on URBAN AFFAIRS, February 1, 1982.

No. 2204 By Representative SHOWERS
(BY REQUEST)

Requiring insurance companies to offer replacement coverage for mobile home tenants contents.

Referred to Committee on INSURANCE, February 1, 1982.

No. 2205 By Representatives VROON, DININNI, E. H. SMITH, CORNELL and PITTS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the expiration and renewal of drivers' licenses and learners' permits.

Referred to Committee on TRANSPORTATION, February 1, 1982.

No. 2206 By Representatives BOYES, A. K. HUTCHINSON, MILLER, WILSON, IRVIS, DOMBROWSKI, MAIALE, COCHRAN, DAIKELER, SWAIM, CAPPABIANCA, PERZEL, GREENWOOD, BLAUM, O'DONNELL, PISTELLA, SALVATORE, WESTON, L. E. SMITH, DAVIES, SHUPNIK, RYBAK, KOWALYSHYN, FISCHER, MICOZZIE, CIVERA, VAN HORNE, GRUPPO, CORDISCO, GANNON, J. L. WRIGHT, JACKSON, FARGO, SAURMAN, PETRONE, FLECK, A. C. FOSTER, JR., CALTAGIRONE, MARMION, MORRIS, ARTY, SIEMINSKI, PRATT, RICHARDSON, W. W. FOSTER, MADIGAN, EVANS, WOZNIAK, PUNT, McVERRY, BELOFF and MRKONIC

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No.2), providing for an amusement device tax.

Referred to Committee on FINANCE, February 1, 1982.

- No. 2207** By Representatives HORGOS, WARGO, PETRONE, PISTELLA, E. H. SMITH, COCHRAN, CIMINI, DeWEESE, CUNNINGHAM, DUFFY, CALTAGIRONE, SHUPNIK, MARMION, McVERRY, MRKONIC, BELFANTI, ROCKS, PETRARCA, MICHLOVIC, OLASZ, SEVENTY, TRELLO, MISCEVICH, GRABOWSKI, CLARK, FEE, DeMEDIO, VAN HORNE, LUCYK, MULLEN, CORDISCO, GAMBLE, WOZNIAK, McMONAGLE, A. K. HUTCHINSON, GEORGE, LEVIN, LAUGHLIN, ITKIN, PIEVSKY, LESCOVITZ, RAPPAPORT, HAYES, LEVI and DOMBROWSKI

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the issuance of a prisoner of war registration plate.

Referred to Committee on TRANSPORTATION, February 1, 1982.

- No. 2208** By Representatives HALUSKA, DOMBROWSKI, MANDERINO, O'DONNELL, CAWLEY, TIGUE, BLAUM, KOWALYSHYN, STEWART, WOZNIAK, PETRONE, TELEK, COCHRAN, BROWN, WILSON, LLOYD, MORRIS, COWELL, FRYER, LUCYK, D. R. WRIGHT, ZWIKL, LAUGHLIN, RITTER, GEIST, A. K. HUTCHINSON, MILLER, MERRY, PRATT, MRKONIC, ALDEN and McINTYRE

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, allowing a homestead exemption for owner occupied residences.

Referred to Committee on JUDICIARY, February 1, 1982.

- No. 2209** By Representatives LIVENGOOD, L. E. SMITH, KOLTER, PETRARCA, ARMSTRONG, POTT, VAN HORNE, GRIECO, BELFANTI, FLECK, KUKOVICH, WOGAN, HOFFEL, OLASZ, MERRY, MORRIS, SNYDER, PISTELLA, SIEMINSKI, RYBAK, LETTERMAN, PENDLETON, CLARK, JOHNSON, A. K. HUTCHINSON, PRATT, SWEET, LESCOVITZ, MRKONIC, FEE, McINTYRE, E. Z. TAYLOR, GREENWOOD and WACHOB

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, changing the periods of license suspension and revocation and the penalties for driving under the influence of alcohol or a controlled substance.

Referred to Committee on TRANSPORTATION, February 1, 1982.

- No. 2210** By Representative McCLATCHY

An Act amending the act of November 27, 1970 (P. L. 773, No. 256), entitled "A supplement to the act of November 25, 1969 (P. L. 310, No. 133), entitled 'An act providing for the capital budget for the fiscal year 1969-1970,' itemizing public improvement projects to be acquired or constructed by the General State Authority, together with their estimated financial costs," harmonizing provisions of conflicting amendments and providing additional funds for a project.

Referred to Committee on APPROPRIATIONS, February 1, 1982.

- No. 2211** By Representative McCLATCHY

An Act amending the act of December 22, 1981 (No. 166), entitled "A supplement to the act of July 1, 1981 (P. L. 142, No. 47), entitled 'An act providing for the capital budget for the fiscal year 1981-1982,' itemizing public improvement and furniture and equipment projects to be constructed or acquired by this Department of General Services, ***, stating the estimated useful life of the projects and making appropriations," adding an additional project for furniture and equipment.

Referred to Committee on APPROPRIATIONS, February 1, 1982.

- No. 2212** By Representative McCLATCHY

An Act amending the act of December 18, 1980 (P. L. 1252, No. 228), entitled "A supplement to the act of October 6, 1980 (P. L. 784, No. 145), entitled 'An act providing for the capital budget for the fiscal year 1980-1981,' itemizing public improvement and furniture and equipment projects, ***, providing for the adoption of capital projects to be financed from current revenues of the Boating Fund and the Fish Fund and making an appropriation," reducing a project and adding a project in the Department of Public Welfare.

Referred to Committee on APPROPRIATIONS, February 1, 1982.

SENATE BILLS FOR CONCURRENCE

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

SB 994, PN 1587

Referred to Committee on EDUCATION, February 1, 1982.

SB 1019, PN 1597

Referred to Committee on URBAN AFFAIRS, February 1, 1982.

SB 1198, PN 1446

Referred to Committee on GAME AND FISHERIES, February 1, 1982.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 152

(Concurrent) By Representatives PIEVSKY, DeMEDIO, BERSON, MULLEN, RIEGER, McMONAGLE, RAPPAPORT, GREENFIELD and BORSKI

General Assembly memorialize the President and Congress establish a National Veterans Cemetery in the City of Philadelphia.

Referred to Committee on FEDERAL-STATE RELATIONS, February 1, 1982.

LEAVES OF ABSENCE GRANTED

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

Mr. CESSAR. Thank you, Mr. Speaker.

I do request a leave for the gentleman from Philadelphia, Mr. SALVATORE, for today's session.

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

Mr. PIEVSKY. Thank you, Mr. Speaker.

I request a leave for the gentleman from Allegheny, Mr. IRVIS, for the balance of the week.

The SPEAKER. Without objection, the requested leaves will be granted. The Chair hears no objection.

WELCOME

The SPEAKER. The Chair is pleased to welcome to the hall of the House today as the guests of Representative Peck Foster of York County, Paul Neal, Richard Neal, and Charles Costa.

MASTER ROLL CALL RECORDED

The SPEAKER. The Chair is about to take the master roll call. Members will proceed to vote.

The following roll call was recorded:

PRESENT—190

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

Clark	Hagarty	Mullen	Taylor, F. E.
Clymer	Haluska	Murphy	Telek
Cochran	Harper	Nahill	Tigue
Colafella	Hasay	Noye	Trello
Cole	Hayes	O'Donnell	Van Horne
Cordisco	Heiser	Olasz	Vroon
Cornell	Hoeffel	Oliver	Wachob
Coslett	Honaman	Pendleton	Wambach
Cowell	Horgos	Perzel	Wargo
Cunningham	Hutchinson, A.	Peterson	Wass
DeMedio	Itkin	Petrarca	Wenger
DeVerter	Jackson	Petrone	Weston
DeWeese	Johnson	Phillips	Williams, H.
Daikeler	Kanuck	Piccola	Williams, J. D.
Davies	Kennedy	Pievsky	Wilson
Dawida	Klingaman	Pistella	Wogan
Dietz	Kolter	Pitts	Wozniak
Dininni	Kowalshyn	Pott	Wright, D. R.
Dombrowski	Kukovich	Pucciarelli	Wright, J. L.
Donatucci	Lashingier	Punt	Wright, R. C.
Dorr	Lehr	Rappaport	Zwilk
Duffy	Lescovitz	Reber	
Durham	Letterman	Rieger	Ryan,
Emerson	Levi	Ritter	Speaker

ADDITIONS—7

Cohen	Laughlin	Richardson	Wiggins
Deal	Pratt	Stewart	

NOT VOTING—0

EXCUSED—3

Irvis	Rasco	Salvatore
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EAGLE SCOUT PRESENTED

The SPEAKER. The Chair requests the gentlemen from Northumberland, Mr. Phillips and Mr. Belfanti, to come to the rostrum, together with their guest.

The Chair at this time recognizes the gentleman, Mr. Belfanti.

Mr. BELFANTI. Thank you, Mr. Speaker.

Mr. Speaker, ladies and gentlemen of the House of Representatives, and guests: February is Boy Scout Month, and we in the House are certainly supportive of the Scouting movement. It pleases me today to welcome to the floor of the House a young man who has distinguished himself throughout his life. He is an Eagle Scout, and not just an Eagle but the recipient of three Eagle Palms. Each Palm becomes more and more difficult to obtain, and only one in every thousand Eagle Scouts ever is awarded all three Palms.

Among other achievements, this young man placed second in the Nation in speech competition in 1981, and fifth in the Nation in 1980, and was Eagle Scout of the Year of the National Eagle Scout Association in 1978. Harry has received citations from the VFW (Veterans of Foreign Wars), American Legion, various local governmental agencies, the Valley Forge National Freedom Foundation, the Rotary, the Kiwanis, the Chamber of Commerce, and the AFL-CIO, as well as Reader's Digest and the Pennsylvania Senate. In 1978 Harry was invited to the White House by President Carter and issued a report to the Nation to the Congress of the United States.

Ladies and gentlemen, it is indeed a privilege to have with us today Harry Strausser III of Elysburg, Pennsylvania, located in Northumberland County.

Prior to his introduction, I would like to yield the microphone to Representative Merle Phillips.

Mr. PHILLIPS. Thank you, Mr. Speaker.

Mr. Speaker, ladies and gentlemen of the House, I am also honored to welcome Harry Strausser III to the House of Representatives. While Representative Belfanti spoke of Harry's Scouting achievements, I would like to talk for a minute about his personal achievements.

Harry is a junior at Bloomsburg State College, where he is lieutenant governor of Pi Kappa Delta Fraternity, president of Bloomsburg State College Forensic Society, and one of three student members of the campus planning commission. Harry is no stranger to voluntarism. Five years ago he began a project to assist the Salvation Army in their annual Christmas drive to secure canned goods for needy families. He set a goal of 10,000 cans but collected 15,000. Each year since, he has set a goal of an additional 3,000 cans. The second year he collected 20,000; his third, 23,000. A grateful Salvation Army gave a banquet in his honor, and the mayor proclaimed a special day in Harry's honor.

Again, ladies and gentlemen, as a Representative of Northumberland County, I am proud that young men like Harry are Pennsylvania citizens. *It certainly makes our job a lot easier.* Thank you.

Mr. BELFANTI. Before I introduce this fine young man, I would like to welcome his parents, who have accompanied *him today, Mr. and Mrs. Harry Strausser II.* It also gives me great pleasure to introduce his grandfather, who is 73 years old, Harry Strausser, Sr.

Ladies and gentlemen of the House, the most decorated Eagle Scout from Pennsylvania, Harry Strausser III.

Mr. STRAUSSER. Thank you very much.

Mr. Speaker and honorable members of the House of Representatives of Pennsylvania, I am deeply honored to have the opportunity to address such a distinguished group of individuals on this, the eve of the 72d anniversary of the Scouting movement, 72 years of devotion to youth, growth and advancement, learning and understanding. Over seven decades of progress - the development of the Philmont Scout Reservation in New Mexico, a hiking, camping, and backpacking haven for Scouting enthusiasts; and the conception of national and international jamborees where thousands of Scouts and Scouters gather to exchange ideas and cultures. In 1910 we had several hundred members in the Scouting movement; today, in 1982, over 4 million. It is indeed a realization of a dream for Lord Baden Powell, founder of the Scouting movement, for Scouting has turned into one of the largest youth organizations in the United States and in the world.

I have often compared Scouting to that of a tree, a tree whose foundation, whose roots are in American soil, and whose basis is the freedoms and liberties we so joyfully share. The trunk of this tree, its main strength, its support, is found in that of the volunteer, those willing to give freely of their time and energies towards the betterment of the youth of our Nation. The volunteer - over 37 million people working an average 9 hours per week, more than 17 billion hours a year, or an estimated \$34 billion worth of time - an intricate part of our society.

This tree, this trunk, branches off into many, many areas. From the basics of camping and hiking to the high technology of aeronautics and electronics, no matter what the interest of a youth, you can find it in the Scouting program. And this is a special feature of Scouting, for Scouting is indeed for everyone. Whether you are 8 or 98 years old, there is a place for you. Whether you are red or yellow, black or white, Protestant, Catholic or Jewish, wealthy or poor, physically normal or physically handicapped, mentally brilliant or mentally retarded, there is indeed a place for you within Scouting. But there is a question: *Is there a place for Scouting within you?*

One of my favorite quotes: "Life is God's gift to you, but what you do with that life is your gift to God." Now with Scouting in mind, would you like to make that a small gift or a large gift? *Would you like to give a little or a lot? My philosophy is, make that gift as big as you can, wrap it with sincerity, tie it up with devotion, and top it off with a bow of service to mankind. For there is indeed no greater gift than service to your fellow man, than by being a volunteer, donating your time and energy.* Wilfred T. Grenfell once said that "Real joy comes not from ease or riches or from the praise of men, but from doing something worthwhile." Perhaps being a volunteer, helping the youth of America.

But what if there were no volunteers? Enter with me for a moment into a future America, an America with no Salvation Army, with no Red Cross, with no Rotary, with no Kiwanis and no Jaycees, and with no Scouting program. At the hospital the children's wing holds no clowns, no laughter. The blind listen for a voice that never comes. Wheelchairs never move. The flowers on church altars wither and die. No more cubbing, Scouting, or exploring. Children in day-care nurseries lift their arms, but there is no one to hold them in love. The future is indeed quite grim without the volunteer.

Kahlil Gibran best described the need of the volunteer, an individual, by an organization when he wrote, "You have helped me in my work and in myself, and I have helped you in your work and in yourself. And I am grateful to heaven for this you and me."

I have talked about the physical aspects of Scouting, how its roots are in American soil and our freedoms and liberties, how the volunteer is the main support and strength of the organization. I have talked of leaders and members and in physical encampments. But there is something often misunderstood by those not directly involved with the Scouting movement. It is something we refer to as the spirit of Scouting, the spirit of Scouting. To some the spirit may be the satisfaction when a young Cub Scout comes up to you and says thank you for a task with which you have helped him. To others it might be the heartwarming chill when "The Star-Spangled Banner" is played. Yet to others it may be the tear that rolls down your cheek as a Scout attains the rank of Eagle, the highest rank in Scouting, *after he has worked with you for many years.*

Scouting has been good to me and I have tried my best to be good to Scouting. As I look back, I notice that there is a force that has followed me throughout my Scouting career. It greeted me when I entered Cub Scouting; it stood proudly

beside me when I became an Eagle; it waved freely atop the highest mountain I struggled to climb in Philmont; and it stood magnificently as I gazed upon it in the Oval Office of the White House. It is in fact to me the spirit of Scouting; it is the symbol of our Nation; it is the American flag. For without this flag we would not have a Nation; without this Nation we would lose our precious freedoms and liberties; and without these freedoms and liberties the roots of Scouting, the Scouting movement, could never exist. This is the spirit of Scouting. This is my flag; this is your flag; but most importantly, this is our flag. It is indeed the key to the future of the Scouting movement.

Wendell Willkie, a great American freedom fighter, once said, "I believe in America because in it we are free because we have great dreams, and because we have the opportunity to make those dreams come true." Lord Baden Powell's dream has certainly become a reality, a genuine dream come true.

But the ultimate test of Scouting's effectiveness takes place in early adulthood after years of growth, learning, and achievement, when a Scouter like myself standing before you today reaches an important realization when he states, Mr. Speaker and honorable members of the House of Representatives of Pennsylvania, this is my country, and I am proud to be an American. Thank you.

MEMBERS' PRESENCE RECORDED

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Deal; the gentleman from Beaver, Mr. Laughlin; and the gentleman from Cambria, Mr. Stewart, who ask that their names be added to the master roll call.

WELCOME

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guests of Representative Greenwood of Bucks County, Robert and Connie Day.

RESOLUTIONS REPORTED FROM COMMITTEE

HR 146, PN 2780 (Unanimous)

By Rep. HASAY

House memorializes Congress enact legislation granting permanent residency to Vaschenko and Chmykhalov families emigrating from Soviet Union.

FEDERAL-STATE RELATIONS.

HR 149, PN 2828 (Amended) (Unanimous)

(Concurrent)

By Rep. HASAY

General Assembly memorialize President and Congress impose specialty steel import limitations under provisions of the Trade Act of 1974.

FEDERAL-STATE RELATIONS.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 2066, PN 2567 (Unanimous)

By Rep. DORR

An Act amending "The Dental Law," approved May 1, 1933 (P. L. 216, No. 76), prohibiting the licensing of certain dental students as dental hygienists.

PROFESSIONAL LICENSURE.

HB 2085, PN 2599 (Unanimous)

By Rep. DORR

An Act providing for the appointment of notaries public and the revocation or suspension of their commissions; requiring them to maintain registers; establishing their powers and duties and providing penalties.

PROFESSIONAL LICENSURE.

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1349, PN 2742**, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), reducing the term of secretary of school districts of the second, third and fourth class from four to two years.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—190

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

Cornell	Hoeffel	Olasz	Van Horne
Coslett	Honaman	Oliver	Vroon
Cowell	Horgos	Pendleton	Wachob
Cunningham	Hutchinson, A.	Perzel	Wambach
DeMedio	Itkin	Peterson	Wargo
DeVerter	Jackson	Petrarca	Wass
DeWeese	Johnson	Petrone	Wenger
Daikeler	Kanuck	Phillips	Weston
Davies	Kennedy	Piccola	Williams, H.
Dawida	Klingaman	Pievsky	Williams, J. D.
Deal	Kolter	Pistella	Wogan
Dietz	Kowalyszyn	Pitts	Wozniak
Dininni	Kukovich	Pott	Wright, D. R.
Dombrowski	Lashinger	Pucciarelli	Wright, J. L.
Donatucci	Laughlin	Punt	Wright, R. C.
Dorr	Lehr	Rappaport	Zwikl
Duffy	Lescovitz	Reber	
Durham	Letterman	Rieger	Ryan,
Emerson	Levi	Ritter	Speaker

NAYS—0

NOT VOTING—7

Alden	Greenfield	Richardson	Wilson
Cohen	Pratt	Wiggins	

EXCUSED—3

Irvis	Rasco	Salvatore
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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 1878, PN 2271**, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), extending the reporting period to the Secretary of Revenue for personal income information.

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

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

The question is, shall the bill pass finally?

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

YEAS—190

Anderson	Evans	Levin	Rocks
Armstrong	Fargo	Lewis	Rybak
Arty	Fee	Livengood	Saurman
Barber	Fischer	Lloyd	Serafini
Belardi	Fleck	Lucyk	Seventy
Belfanti	Foster, W. W.	McClatchy	Showers
Beloff	Foster, Jr., A.	McIntyre	Shupnik
Berson	Frazier	McMonagle	Sieminski
Bittle	Freind	McVerry	Sirianni
Blaum	Fryer	Mackowski	Smith, B.
Borski	Gallagher	Madigan	Smith, E. H.
Bowser	Gallen	Maiale	Smith, L. E.
Boyes	Gamble	Manderino	Snyder
Brandt	Gannon	Manmiller	Spencer
Brown	Geist	Marmion	Spitz
Burd	George	Merry	Stairs
Burns	Gladeck	Michlovic	Steighner
Caltagirone	Grabowski	Micozzie	Stevens

Cappabianca	Gray	Miller	Stewart
Cawley	Greenfield	Miscevich	Stuban
Cessar	Greenwood	Moehlmann	Swaim
Cimini	Grieco	Morris	Sweet
Civera	Gruitza	Mowery	Swift
Clark	Gruppo	Mrkonic	Taddonio
Clymer	Hagarty	Mullen	Taylor, E. Z.
Cochran	Haluska	Murphy	Taylor, F. E.
Colafella	Harper	Nahill	Telek
Cole	Hasay	Noye	Tigue
Cordisco	Hayes	O'Donnell	Trello
Cornell	Heiser	Olasz	Van Horne
Coslett	Hoeffel	Oliver	Vroon
Cowell	Honaman	Pendleton	Wachob
Cunningham	Horgos	Perzel	Wambach
DeMedio	Hutchinson, A.	Peterson	Wargo
DeVerter	Jackson	Petrarca	Wass
DeWeese	Johnson	Petrone	Wenger
Daikeler	Kanuck	Phillips	Weston
Davies	Kennedy	Piccola	Williams, H.
Dawida	Klingaman	Pievsky	Wilson
Deal	Kolter	Pistella	Wogan
Dietz	Kowalyszyn	Pitts	Wozniak
Dininni	Kukovich	Pott	Wright, D. R.
Dombrowski	Lashinger	Pucciarelli	Wright, J. L.
Donatucci	Laughlin	Punt	Wright, R. C.
Dorr	Lehr	Rappaport	Zwikl
Duffy	Lescovitz	Reber	
Durham	Letterman	Rieger	Ryan,
Emerson	Levi	Ritter	Speaker

NAYS—0

NOT VOTING—7

Alden	Itkin	Richardson	Williams, J. D.
Cohen	Pratt	Wiggins	

EXCUSED—3

Irvis	Rasco	Salvatore
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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 **SB 680, PN 707**, entitled:

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, providing for return to school service during emergency.

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—176

Anderson	Fargo	Livengood	Rybak
Armstrong	Fee	Lucyk	Saurman
Arty	Fischer	McClatchy	Serafini
Belardi	Fleck	McIntyre	Seventy
Belfanti	Foster, W. W.	McMonagle	Showers
Berson	Foster, Jr., A.	McVerry	Shupnik
Bittle	Frazier	Madigan	Sieminski
Blaum	Freind	Maiale	Sirianni

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

NAYS—5

Clymer	Kennedy	Lloyd	Marmion
Heiser			

NOT VOTING—16

Alden	Emerson	Mackowski	Wiggins
Barber	Gannon	Pratt	Williams, J. D.
Beloff	Kanuck	Richardson	Wright, D. R.
Cohen	Lehr	Snyder	Wright, R. C.

EXCUSED—3

Irvis	Rasco	Salvatore
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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 without amendment.

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The House proceeded to third consideration of **HB 1190, PN 2711**, entitled:

An Act amending "The C.P.A. Law," approved May 26, 1947 (P. L. 318, No. 140), providing exceptions for certain prohibitions relating to the use of fictitious names.

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

Mr. VROON offered the following amendment No. A5864:

Amend Sec. 1 (Sec. 12), page 3, lines 2 and 3, by striking out "FOR AT LEAST TWENTY YEARS PRIOR TO DECEMBER 30, 1974." and inserting

, whether registered, recorded, unregistered or unrecorded, at any time prior to January 1, 1962.

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

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

Mr. VROON. Mr. Speaker, this bill is a very simple little bill, and it takes care of the welfare of a small number of small public accounting firms who many years ago, more than 20 years ago, established a business and used a very good fictitious name for purposes of their own, never dreaming that some day 20 years later they would be forbidden to use that fictitious name in their business. Now, these people have built up a great deal of goodwill on the basis of the use of a business name, and we are all familiar with the importance of that. This bill does nothing but grandfather in all of those people who were using this fictitious name for 20 years or more.

The amendment in question is merely a technical amendment to pin it to a point in time; namely, January 1, 1962. I think this is a good amendment. It helps a small number of people, and all of these firms will be phased out in due course as public accounting firms, and we will not have any problem once they are phased out.

Everybody whom I have spoken to on this particular point in the department involved is perfectly agreeable with this particular amendment, and I urge your support for this and for the bill as well. Thank you.

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

The following roll call was recorded:

YEAS—185

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

DeMedio	Jackson	Peterson	Wargo
DeVerter	Johnson	Petrarca	Wass
Daikeler	Kanuck	Petrone	Wenger
Davies	Kennedy	Phillips	Weston
Dawida	Klingaman	Piccola	Williams, H.
Deal	Kolter	Pievsky	Wilson
Dietz	Kowalyszyn	Pistella	Wogan
Dininni	Kukovich	Pitts	Wozniak
Dombrowski	Lashingner	Pott	Wright, D. R.
Donatucci	Laughlin	Pucciarelli	Wright, J. L.
Dorr	Lehr	Punt	Zwinkl
Duffy	Lescovitz	Rappaport	
Durham	Letterman	Reber	Ryan,
Emerson	Levi	Rieger	Speaker
Evans	Levin	Ritter	

NAYS—3

Boyes	DeWeese	Horgos
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NOT VOTING—9

Alden	Pratt	Sirianni	Williams, J. D.
Cohen	Richardson	Wiggins	Wright, R. C.
Gannon			

EXCUSED—3

Irvis	Rasco	Salvatore
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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?

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

YEAS—174

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

Daikeler	Kanuck	Pievsky	Wass
Davies	Kennedy	Pistella	Wenger
Dawida	Klingaman	Pitts	Weston
Deal	Kolter	Pott	Williams, H.
Dietz	Kowalyszyn	Pucciarelli	Williams, J. D.
Dininni	Kukovich	Punt	Wilson
Donatucci	Lashingner	Rappaport	Wogan
Dorr	Laughlin	Reber	Wozniak
Duffy	Lehr	Ritter	Wright, D. R.
Durham	Lescovitz	Rocks	Wright, J. L.
Emerson	Levi	Rybak	Zwinkl
Evans	Levin		

NAYS—16

Boyes	Fargo	Lloyd	O'Donnell
Brown	Gruitza	McMonagle	
Cappabianca	Horgos	Merry	Ryan,
DeWeese	Hutchinson, A.	Mrkonic	Speaker
Dombrowski	Letterman		

NOT VOTING—7

Alden	Pratt	Rieger	Wright, R. C.
Cohen	Richardson	Wiggins	

EXCUSED—3

Irvis	Rasco	Salvatore
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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 935, PN 2774**, entitled:

An Act amending the act of March 30, 1811 (P. L. 145, No. 99), entitled "An act to amend and consolidate the several acts relating to the settlement of the public accounts and the payment of the public monies, and for other purposes," further providing for deferral of compensation.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—191

Anderson	Fargo	Levin	Rocks
Armstrong	Fee	Lewis	Rybak
Arty	Fischer	Livengood	Saurman
Barber	Fleck	Lloyd	Serafini
Belardi	Foster, W. W.	Lucyk	Seventy
Belfanti	Foster, Jr., A.	McClatchy	Showers
Beloff	Frazier	McIntyre	Shupnik
Berson	Freind	McMonagle	Sieminski
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	Hoeffel	Olasz	Vroon
Coslett	Honaman	Oliver	Wachob
Cowell	Horgos	Pendleton	Wambach
Cunningham	Hutchinson, A.	Perzel	Wargo
DeMedio	Itkin	Peterson	Wass
DeVerter	Jackson	Petrarca	Wenger
DeWeese	Johnson	Petrone	Weston
Daikeler	Kanuck	Phillips	Williams, H.
Davies	Kennedy	Piccola	Williams, J. D.
Dawida	Klingaman	Pievsy	Wilson
Deal	Kolter	Pistella	Wogan
Dietz	Kowalshyn	Pitts	Wozniak
Dininni	Kukovich	Pott	Wright, D. R.
Dombrowski	Lashinger	Pucciarelli	Wright, J. L.
Donatucci	Laughlin	Punt	Wright, R. C.
Dorr	Lehr	Rappaport	Zwinkl
Duffy	Lescovitz	Reber	
Durham	Letterman	Rieger	Ryan,
Emerson	Levi	Ritter	Speaker
Evans			

NAYS—0

NOT VOTING—6

Alden	Pratt	Sirianni	Wiggins
Cohen	Richardson		

EXCUSED—3

Irvis	Rasco	Salvatore
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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 1813, PN 2183**, entitled:

An Act amending the "Pennsylvania Human Relations Act," approved October 27, 1955 (P. L. 744, No. 222), providing for the use of guide dogs because of deafness of the user.

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

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

The question is, shall the bill pass finally?

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

YEAS—187

Anderson	Fee	Livengood	Rybak
Armstrong	Fischer	Lloyd	Saurman
Arty	Fleck	Lucyk	Serafini
Belardi	Foster, W. W.	McClatchy	Seventy
Belfanti	Foster, Jr., A.	McIntyre	Showers
Berson	Frazier	McMonagle	Shupnik
Bittle	Freind	McVerry	Sieminski
Blaum	Fryer	Mackowski	Smith, B.

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

NAYS—0

NOT VOTING—10

Alden	Cohen	Pratt	Sirianni
Barber	Letterman	Richardson	Wiggins
Beloff	Levin		

EXCUSED—3

Irvis	Rasco	Salvatore
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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 635, PN 1274**, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, clarifying certain provisions relating to spouses' elections; providing for payment from a patient's care account to decedent's family; authorizing the payment of proceeds from insurance policies to decedent's family; providing for the apportionment of death taxes; changing certain provisions relating to gifts to minors; clarifying provisions relating to distributions of income and principal made during incompetency; adding provisions concerning powers of attorney; authorizing the termination of certain trusts; clarifying certain provisions relating to compensation to a fiduciary; making technical and editorial changes; and making a repeal.

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

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

The question is, shall the bill pass finally?

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

YEAS—189

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

NAYS—0

NOT VOTING—8

Alden	Cohen	Pratt	Sirianni
Beloff	Lewis	Richardson	Wiggins

EXCUSED—3

Irvis	Rasco	Salvatore
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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 without amendment.

HOUSE SCHEDULE

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

A very important announcement: As we all came to Harrisburg this week, we had visions of being here 5 days and 5 nights. It seems to me that it would be well if this House completes its voting agenda today and then adjourns at the call of the Chair. That is not to say that it will not be necessary to return later this week, but there does not seem to be good purpose served by having everyone here in wait of a prospective conference report on SB 805, congressional reapportionment. So, therefore, it is my intention to ask the House today to adjourn at the call of the Chair, not at this time but rather after we have completed our voting calendar for today.

At this time I would suggest that the House now recess until the hour of 1:30 p.m. for the purpose of taking lunch. Thank you, Mr. Speaker.

The SPEAKER. The Chair would request prior to the recess that the gentleman from Jefferson, Mr. Smith, make his annual report. The gentleman, Mr. Rappaport, desires recognition, and the gentleman, Mr. Miller, desires recognition.

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

Mr. A. K. HUTCHINSON. Point of order, Mr. Speaker.

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

Mr. A. K. HUTCHINSON. Why do we not finish the business at hand and then adjourn? If we fool around, you never know, we might be here until 6 or 7 o'clock, and there are only four more bills.

The SPEAKER. In the judgment of the Chair, it is not a point of order. The Chair suggests that the gentleman, Mr. Hutchinson, discuss the matter with the leadership.

GROUNDHOG DAY REMARKS

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

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

I want to report to the members of the House that at 7:26 this morning Punxsutawney Phil emerged from his burrow on Gobbler's Knob, and the shadow, I am sorry to say, was very sharp, which indicates that the 6 weeks of weather we have ahead of us will be of a severe nature.

Mr. Speaker, I might add that when Willard Scott was interviewed on national TV this morning about the accuracy of Punxsutawney weather forecasting, he stated that Punxsutawney Phil's record was as good as his. Thank you.

The SPEAKER. The Chair thanks the gentleman.

DEMOCRATIC CAUCUS

The SPEAKER. The Chair cannot believe that any of the members would leave the hall of the House during this very important debate. Should some of the members, however, be called to emergency session, Mr. O'Donnell has asked me to advise the members of the minority side that there will be a Democratic caucus at 1 o'clock.

GROUNDHOG DAY REMARKS CONTINUED

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

Mr. RAPPAPORT. Mr. Speaker, could my friend from Jefferson consent to interrogation?

The SPEAKER. The gentleman indicates he will consent to interrogation.

Mr. RAPPAPORT. Could the gentleman inform the House as to whether his particular entry in the groundhog contest was greeted with due libation this morning at 7 o'clock by the gentleman's constituents?

Mr. L. E. SMITH. Mr. Speaker, I am sorry; there is a little too much noise here. I could not hear the gentleman's question.

Mr. RAPPAPORT. Mr. Speaker, could the gentleman inform us as to whether Jefferson County's pride was welcomed this morning with due libation? Otherwise, I am afraid that perhaps he went back into his hole without having enjoyed the hospitality of the good citizens of Jefferson County.

Mr. L. E. SMITH. Well, I can assure you it was a festive occasion. Punxsutawney Phil was entertained in the usual delightful manner, and I am certain that as he continues his hibernation for the next 6 weeks, he was very happy with the occasion.

I might also add, Mr. Speaker, that since the gentleman is from Philadelphia, he might be interested to know that one of the Philadelphia radio stations was on hand at Gobbler's Knob with a live broadcast of the activities there back to Philadelphia, and I do not recall the call letters of the station, but if they are important to him, I will get it to him.

Mr. RAPPAPORT. Mr. Speaker, I would like to thank the gentleman. I assure the gentleman that those of us in Philadelphia County have a great feeling of warmth toward the citizens in Jefferson County, and we have tremendous interest in what occurs in Jefferson County. I hope that statement will not affect the gentleman's reelection.

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

Mr. MILLER. I thank the Speaker for his diligence in recognizing a member from the county from which the true and accurate weather prognostications have been forthcoming for the last 73 years.

Mr. Speaker, Octoraro Orphie, that distinguished member of the Marmota monax species, has indeed made a weather prognostication at 6:51 in the morning, to which Representative Armstrong will elaborate. However, it is important for

me to stand and correct the record once again, as I have each year of my legislative service, for there is a pretender among us, a pretender toward the great and honored science of weather prognostication. Need I remind you that just last year, Punxsutawney Phil, that squirrel masquerading as a groundhog, hiding in a tree pretending to see the sun, predicted a long and hard winter. The day after Groundhog Day the National Weather Service records will indicate a high of 58 degrees. Once again, this year, with the seeing of the sun, Octoraro Orphie has indicated indeed we will have a longer winter for a period of 6 weeks, but it will be a mild winter. I stand to buy coffee for any member of this General Assembly tomorrow morning if by 11 o'clock the temperature is not at least 50 degrees.

I thank you, Mr. Speaker, and yield my time to the gentleman from Lancaster, Mr. Armstrong.

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

Mr. ARMSTRONG. Thank you, Mr. Speaker.

I was there also this morning and saw the ceremony in which the hibernating governor stood atop the proclamary platform of peerless prognostication. To the untrained eye this looks very much like a New Holland manure spreader, but as Representative Miller said last year, the Quarryville groundhog told everyone that we would have spring very quickly, and sure enough we did. In western Pennsylvania we think it is a prairie dog, but that prairie dog saw its shadow, and prairie dog Phil said we will have winter, when we know that is not the case. In fact, I understand the Consumer Advocate is out there this morning checking out prairie dog Phil.

I also understand that spies have been sent into southern Lancaster County in my legislative district, and we apprehended one of those spies this morning. What they were trying to do was relay the information back to Punxsutawney, because we have never been wrong, and they felt if they did exactly the same thing we did that they could finally be right.

A sidelight: The slumbering groundhog this morning helped us out tremendously. They actually buried the national debt. They call this hogonomics, and starting today you will see our economy in an upturn immediately. And as Representative Miller said, at 6:51 a.m., e.g.t., which stands for eastern groundhog time, the groundhog did see its shadow, and we will have 6 more weeks of winter. Thank you, Mr. Speaker.

The SPEAKER. In rebuttal, the Chair recognizes the gentleman, Mr. Smith.

Mr. L. E. SMITH. Mr. Speaker, I do not intend to dignify the remarks of these two previous speakers. They constantly refer to Punxsutawney Phil as an imitator, as a pretender. I established in the record of the House this morning when the weather works on Gobbler's Knob was first established. The one thing that always bothers me when people like Representative Miller refer to Punxsutawney Phil as a squirrel dressed up in a groundhog costume and so forth, the one thing that always comes to mind is back about 10 years ago one of our members visited the Slumbering Lodge in Lancaster County and discovered that as the sun hit the back of that impostér, there were two very faint white lines visible on his back, and

as a result, I do not think we should give any further notoriety to whatever that slumbering thing is in Lancaster County.

MEMBER'S PRESENCE RECORDED

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

REMARKS ON VOTES

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

Mr. RICHARDSON. Mr. Speaker, I would like to have my votes recorded on the following bills: on HB 1349, PN 2742, I would like to be recorded in the affirmative; on HB 1878, PN 2271, I would like to have my vote recorded in the affirmative; on SB 680, PN 707, I would like to have my vote recorded in the affirmative; on HB 1190, PN 2711, I would like to have my vote recorded in the negative; on HB 935, PN 2774, and HB 1813, PN 2183, I would like to have my votes recorded in the affirmative; on SB 1010, PN 1574, I would like to have my vote recorded in the negative; and on SB 635 I would like to have my vote recorded in the affirmative. Thank you very much, Mr. Speaker.

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

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

Mr. LAUGHLIN. Mr. Speaker, I do not want to address the House right now, but I would like to have your consideration for an opportunity for unanimous consent when we return this afternoon.

SENATE MESSAGE

ADJOURNMENT RESOLUTION FOR CONCURRENCE

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

In the Senate, February 1, 1982

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, February 8, 1982 and when the House of Representatives adjourns this week it reconvene on Monday, February 8, 1982.

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

On the question,

Will the House concur in the resolution of the Senate?

Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

RECESS

The SPEAKER. Without objection, the 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.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 1806, PN 2830 (Amended)

By Rep. SPENCER

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for crimes against race, color, ancestry or national origin, creed or religion by prohibiting certain acts.

JUDICIARY.

SB 1081, PN 1515

By Rep. SPENCER

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the imposition of certain mandatory sentences.

JUDICIARY.

BILL REPORTED AND REREFERRED TO COMMITTEE ON TRANSPORTATION

HB 1877, PN 2270

By Rep. SPENCER

An Act amending the act of November 26, 1975 (P. L. 454, No. 126), entitled "An act regulating the practices of suppliers, distributors and dealers of gasoline, petroleum products and accessories for motor vehicles and providing remedies for violations," prohibiting the sale of certain gasoline and providing a penalty.

JUDICIARY.

MEMBER'S PRESENCE RECORDED

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

REMARKS ON VOTE

The SPEAKER. For what purpose does the gentleman from Chester, Mr. Vroon, rise?

Mr. VROON. Mr. Speaker, I was recorded in the affirmative on SB 680, and I wish to be recorded in the negative instead. Thank you, sir.

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

CALENDAR RESUMED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 937, PN 1605**, entitled:

An Act establishing fees which shall be charged by a prothonotary in a county of the second class.

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

NAYS—1

Rybak

NOT VOTING—7

Civera	Cohen	Evans	Wiggins
Cochran	Durham	Telek	

EXCUSED—3

Irvis	Rasco	Salvatore
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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.

* * *

The House proceeded to third consideration of **HB 926, PN 997**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the use of helmets by operators and riders of certain motorcycles and motor-driven cycles.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I move that HB 926 be recommended to the Health and Welfare Committee.

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

WELCOMES

The SPEAKER. The Chair is pleased at this time to welcome to the hall of the House Barbara Moore, a member of the Pennsylvania Travel Council, here today as the guest of Representative Bert Daikeler of Montgomery County.

The Chair is pleased to welcome to the hall of the House today Thomas DeMartini, president of the Deer Lakes School Board; Anthony Marsico, superintendent of the school district; and William Harper, the business manager, here today as the guests of Representative Brian Clark of Allegheny County.

BASIC EDUCATION SUBCOMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Burns. For what purpose does the gentleman rise?
Mr. BURNS. Mr. Speaker, I would like to announce a change in the date of a committee meeting.

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

Mr. BURNS. Mr. Speaker, originally we had planned that the Subcommittee on Basic Education would meet on Thursday. However, due to the changing circumstances in the legislature, I would like to announce now that the meeting will be held tomorrow, Wednesday, at 11:15 a.m. in the minority caucus room; that is Wednesday, tomorrow, at 11:15 in the minority caucus room.

REMARKS ON VOTE

The SPEAKER. For what purpose does the lady from Delaware, Mrs. Durham, rise?

Mrs. DURHAM. Mr. Speaker, please let the record show that if I had been in my seat, I would have voted in the affirmative on SB 937.

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

WELCOME

The SPEAKER. The Chair is pleased to welcome to the hall of the House today Margaret Foran, the president, and Diane Shissler, executive director of the West Shore Council of Governments.

MEMBER'S PRESENCE RECORDED

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

REPORT OF COMMITTEE OF CONFERENCE CONSIDERED

Mrs. TAYLOR called up for consideration the following Report of the Committee of Conference on **SB 562, PN 1585**, 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 adopt the report of the committee of conference?

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

YEAS—190

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

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

NAYS—0

NOT VOTING—7

Alden	Beloff	Levin	Williams, J. D.
Anderson	Kanuck	Wiggins	

EXCUSED—3

Irvis	Rasco	Salvatore
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the committee of conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

REMARKS ON VOTE

The SPEAKER. For what purpose does the gentleman from Philadelphia, Mr. Rappaport, seek recognition?

Mr. RAPPAPORT. Mr. Speaker, on SB 562, the conference report, I inadvertently voted in the affirmative. I would like to be recorded in the negative, please.

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

CONFERENCE COMMITTEE MEETING

The SPEAKER. The Chair recognizes the majority leader for the purpose of making an announcement.

Mr. HAYES. Thank you, Mr. Speaker.

There will be an organizational meeting of the Conference Committee on HB 720 tomorrow, February 3, in the House majority caucus room; an organizational meeting. Thank you, Mr. Speaker.

MEMBER'S PRESENCE RECORDED

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

GAME AND FISHERIES COMMITTEE MEETING

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

Mr. W. W. FOSTER. Thank you, Mr. Speaker.

I would like to make an announcement to the Game and Fisheries Committee that due to our change in schedule, I have rescheduled our meeting which was going to be held Thursday morning for tomorrow morning at 9:30. That is a meeting of the Fish and Game Committee for tomorrow morning at 9:30.

ADDITIONS OF SPONSORS

The SPEAKER. The Chair recognizes the majority leader.

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

HB 118, Mrkonic; HB 699, Grabowski; HB 892, Grabowski; HB 1370, Grabowski; HB 1814, Arty; HB 2097, Emerson; HB 2131, Mrkonic; HB 2136, Cole, Mrkonic; HB 2162, H. Williams; HB 2175, Coslett, Perzel.

SESSION SCHEDULE

The SPEAKER. The Chair gives notice that it is inserting as part of the record a notice in connection with the Sunshine Act, giving notice that the House may be called back in on February 4, 5, or 6.

The following communication was read:

House of Representatives
Commonwealth of Pennsylvania
Harrisburg

NOTICE SESSION TIME FOR HOUSE OF REPRESENTATIVES

Notice is hereby given, in accordance with the Act of July 19, 1974, P.L. 486, No. 175, that the House of Representatives will convene in open session in the Hall of the House at 11:00 a.m. on the following dates:

February 4, 1982
February 5, 1982
February 6, 1982

John J. Zubeck
Chief Clerk

February 2, 1982

House of Representatives
Commonwealth of Pennsylvania
Harrisburg

I hereby certify that thirty copies of the foregoing notice were delivered to the Supervisor of the Newsroom of the State Capitol Building in Harrisburg on February 2, 1982, and a copy was also posted on the bulletin board outside the main entrance to the Chief Clerk's Office on the same date.

John J. Zubeck
Chief Clerk
House of Representatives

February 2, 1982

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned **HB 1384, PN 2792**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

The SPEAKER. The bill will appear on the calendar.

BILL SIGNED BY SPEAKER

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

SB 1156, PN 1376

An Act amending the act of June 3, 1937 (P. L. 1225, No. 316), entitled "The Game Law," providing for the issuance of antlerless deer licenses to certain qualifying landowners.

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

Mr. GRABOWSKI. Mr. Speaker, a few minutes ago Chairman Foster made an announcement to the Game and Fisheries Committee members that there would be a meeting at 9:30, but he failed to indicate in what room. I would appreciate that information.

The SPEAKER. Will the gentleman from Wayne, Mr. Foster, indicate where the Game and Fisheries Committee meeting will take place?

Mr. W. W. FOSTER. There is a notice in your mailbox, but for your information, it will be held in room B-11.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the majority leader.

Mr. HAYES. Again, Mr. Speaker, the Conference Committee on HB 720 will meet tomorrow in the House majority caucus room, commencing at 2 p.m.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **SB 1010, PN 1574**, entitled:

An Act amending the act of April 9, 1929 (P. L. 343, No. 176), entitled "The Fiscal Code," further providing for investment of funds by the Treasury Department.

On the question,

Will the House agree to the bill on third consideration?

Mr. LAUGHLIN offered the following amendments No. A6104:

Amend Title, page 1, line 26, by removing the period after "Department" and inserting

and for the deposit of funds in certain State depositories.

Amend Bill, page 2, by inserting between lines 1 and 2

Section 1. Section 301, act of April 9, 1929 (P.L.343, No.176), known as "The Fiscal Code," is amended by adding a paragraph to read:

Section 301. Deposit of Moneys.—***

Unless there are other State depositories alternatively available in this Commonwealth for the deposit of State funds and which are properly approved by the Board of Finance and Revenue and capable of adequately collateralizing and servicing Commonwealth funds and instruments the State Treasurer shall not deposit any Commonwealth funds in any State depository so long as such depository:

(1) charges or collects a service charge which unlawfully exceeds the limitations established by sections 501 and 904 of the act of October 28, 1966 (1st Sp.Sess. P.L.55, No.7), known as the "Goods and Services Installment Sales Act," with respect to credit card or other transactions involving the purchase of goods or services; or

(2) has an affiliated credit card operation located or domiciled outside Pennsylvania and does not have an affiliated credit card operation located or domiciled in Pennsylvania. For purposes of this clause, "affiliated credit card operation" means a credit card operation which is operated as a branch, a division or corporate subsidiary of the banking institution, or one which is operated as a branch, division or corporate subsidiary of a holding company which owns or holds directly or indirectly twenty per centum or more of the voting stock or securities of such banking institution or of another corporation or institution which owns or holds directly or indirectly twenty per centum or more of the voting stock or securities of such banking institution.

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

2

Amend Sec. 1, page 2, lines 2 and 3, by striking out "act of April 9, 1929 (P.L. 343, No. 176), known as "The Fiscal Code,"" and inserting

of the act,

Amend Sec. 2, page 6, line 11, by striking out "2" and inserting

3

On the question,

Will the House agree to the amendments?

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

Mr. LAUGHLIN. Mr. Speaker, in response to the problems that we have had in the State of Pennsylvania dealing with banks attempting to circumvent usury and the deposit of State funds within those banks, I have contacted the Treasurer of the State of Pennsylvania, the Honorable Budd Dwyer, and he has concurred in this amendment which will provide him the opportunity to make a selective depository situation of those banks involved and will also give him the ability, through the Board of Finance and Revenue, to make an appropriate consideration as to whether those banks can handle the amount of funds that the State has available for deposit and in addition covering the credit card situation.

I ask for an affirmative vote.

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

Mr. L. E. SMITH. Mr. Speaker, if I could, I would like to interrogate the gentleman.

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

Mr. L. E. SMITH. Mr. Speaker, this amendment is already in HB 1889, which we passed in the House, but my question is, the second part of this amendment I do not believe Representative Laughlin explained.

Mr. LAUGHLIN. Mr. Speaker, I explained it in this fashion, that those credit card organizations within the State, financial institutions, that are willing to move their operations out of the State of Pennsylvania shall not be eligible for the deposit of State funds within this State, Commonwealth funds.

Mr. L. E. SMITH. Mr. Speaker, I oppose this amendment. I really think this is a very bad precedent we are setting here, and just as an example, we have, by failing to deregulate our interest rates during this interest crisis, forced those banks out of the State. We have forced them to take their credit card operations to Delaware, which I stood here and told this body many times we were going to do. Now, suppose all of the large banks which are in a position to handle the investments of the Treasury have a credit card operation out of the State. We are tying our own hands, because we are going to be putting those Treasury moneys into smaller institutions which are not able to return the rate that we would be forcing into the small banks. I think this is a very bad precedent, and I would ask for the defeat of this amendment.

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

Mr. RAPPAPORT. Mr. Speaker, I, too, rise to oppose this amendment.

On several occasions this General Assembly has refused to recognize the reality that interest rates are set by the impersonal laws of economics than we can neither amend nor repeal. We have now driven 3,000 jobs out of Pennsylvania into the State of Delaware. Most of those jobs would come from my district. We are now about to drive even more jobs out of our State. We bend over backwards to keep auto jobs here, steel jobs, and we must do so. I do not say we are wrong in doing so, but when it comes to computer jobs and high-technology jobs which are the future of this Commonwealth, we turn a blind eye.

I spoke with one of the leading bankers in Philadelphia this morning about this amendment and others that will come up later on, and he said, Sam, we are going to do what we have to do; we are a financial institution. And I said to him, I understand. They are not charitable institutions. They do not pretend to be charitable institutions. I personally feel what the Feds are doing is wrong. I think the Federal monetary policy is wrong. I think the Federal Reserve policy is wrong. However, that is what is being promulgated, and if we are to survive, we are going to have to adjust to it.

Mr. Speaker, the water is rising, and we are either going to have to learn how to swim or we are going to drown, and this amendment will cause us to drown. I ask for a "no" vote. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes, for the second time on the amendment, the gentleman, Mr. Laughlin.

Mr. LAUGHLIN. Mr. Speaker, the gentleman from Philadelphia makes an impassioned plea, certainly, for the concerns of his banking interests in that area. However, Mr. Speaker, I did not hear that same impassioned plea when First Pennsylvania in Philadelphia attempted to circumvent the usury rates in this State and raised the rate to 19.8 and took

unto themselves approximately \$250 million in profits from that particular direction. I did not hear him voice any complaints about that. It took the action of the consumer committee and the Attorney General to get action.

So I certainly understand the gentleman's concern for jobs in the area. I certainly understand all of the other impacts that would occur in the Philadelphia area. However, we must look at the interest of State tax dollars being deposited in banks that are not in line with State usury in this State, as opposed to those banking interests in this State that are presently abiding by those statutes and those rates.

Mr. Speaker, the plain and simple fact of the matter is this, that the gentleman, Mr. Smith, the chairman of the Business and Commerce Committee, said, what would happen if all of the banks were in violation of that rate? Well, Mr. Speaker, it is obvious he did not read the amendment, because it says very clearly that the Board of Finance and Revenue and those capable of adequate collateralization, those banks that are capable of handling it, will do so; otherwise, there would be no action taken, Mr. Speaker. The Treasurer has that discretion and he has accepted this amendment to the bill that he would have that leeway. So that argument is really hollow. There is no content to that argument.

Mr. Speaker, I certainly ask for an affirmative vote on this amendment.

I did not hear anyone other than a few of us get up and speak against the fact that the Governor of this State, through his purchasing agents in General Services, went out and spent \$3 million for vehicles produced in Canada, and I certainly feel for the steelworkers, the glassworkers, and everyone else who lost those jobs. Mr. Speaker, we are concerned about the economy of this State as well as anyone is. We want the people to have purchase power to buy goods, and if the interest rates are raised in this area, they will not have that power. Thank you, Mr. Speaker.

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

Mr. RAPPAPORT. Thank you, Mr. Speaker.

I believe the previous speaker alluded to the fact that he did not hear me complaining about First Pennsylvania, and perhaps I did not on the floor, but they surely knew my views on what they did, avoiding this legislature. However, let me point out to the gentleman that First Pennsylvania was the object of a rescue operation. It was losing money. It is still losing money and is in serious danger of going out of business. If they do go down the drain, they are going to be acquired, and they are going to be acquired by Citibank or Chase Manhattan or somebody like that. Our choice is, are we going to be charged outrageous interest rates by a Pennsylvania institution or are we going to be charged outrageous interest rates by a New York bank or a Chicago bank or a California bank? I would rather be charged by a Pennsylvania bank, where dividends go to Pennsylvania stockholders. Thank you, Mr. Speaker.

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

Mr. LLOYD. Thank you, Mr. Speaker.

Very briefly, the chairman of the Business and Commerce Committee has argued, Mr. Speaker, that we must reject this amendment because somehow we are going to be forced into depositing State funds in banks which cannot handle them. My response to that, Mr. Speaker, is that the local bankers who talked to me about their credit card operations have said that, while they do not like the current interest rate in Pennsylvania and they would like to change it, they will be able to tough it out, perhaps, if it were not for the fact that they look down to the other end of the State and see banks going across the State line. I suspect, Mr. Speaker, that many of those banks in the western and central parts of the State which are not fleeing the State would be more than happy and able to deal with State funds. It seems to me, Mr. Speaker, that this amendment builds into it a safeguard to make sure that we do not put State funds anyplace where they are going to be endangered.

Furthermore, Mr. Speaker, the sponsor of this amendment indicates that the State Treasurer, who is the official constitutionally and statutorily responsible for making those kinds of judgments, believes that this is a reasonable amendment.

Mr. Speaker, one final point, and that is that we have heard from the two people opposing this amendment that the legislature has not been realistic in the area of interest rates, and maybe there is a modicum of truth to what they say. But by inaction this legislature has said that we want the usury ceilings to remain as they are, and presumably by that same inaction we are saying we want the law to be enforced. Now, there are constitutional problems if we try to pass a statute prohibiting some company from going out of State, but we can, through this amendment, enforce that usury ceiling by providing the carrot to those operations which are considering whether or not they should go out of State. We are holding out to them the carrot of State deposits if they stay in Pennsylvania and comply with Pennsylvania usury laws.

Mr. Speaker, I think that is what we should infer the will of the General Assembly has been, from the failure to pass legislation like SB 409, not the inference which the gentleman, Mr. Smith, wants to draw. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, very briefly. The previous speaker, Mr. Lloyd, outlined many of the things that I wanted to say, but I do want to reiterate and reemphasize that many of us in this General Assembly who have, as it has been put, refused to vote for higher interest rates in many areas where borrowers must pay a price for money have done so deliberately and by choice that we do not think that our constituents ought to pay those high interest rates or we do not think that the State should allow the law of the Commonwealth to permit the charging of interest rates that we think are exorbitant under all of the circumstances. As Mr. Rappaport says, we do not agree necessarily with the Federal Reserve Board policy, and this—in contradistinction to the conclusion that he comes to—is the way we can let it be known that we do not agree with those policies and we are going to hold to reasonable interest rates, and those outfits

and those organizations and those banks and those savings institutions that will live within the usury laws that we deem are proper will have a chance at the State business.

Yes, there are banks that will find it necessary to tell us that it is the fact of life that they must leave, and if they must leave, they must leave. I do not for a moment believe Mr. Rappaport's 3,000-job loss. He pulled that figure out of the air. There is no question in my mind that maybe when a credit card operation changes their base of operation to the State of Delaware or the State of New Jersey or wherever, there are going to be a few jobs lost. There is no question in my mind that that is so. The figure that he is using is just not a figure that I will accept.

Mr. Speaker, I think we would do our constituents a service by voting for the Laughlin amendment. Those of us who believe that interest rates are too high, those of us who believe that interest rates do not always, in the marketplace, arrive at a level that they should be at but arrive at a level that the law permits, do not want to permit higher interest rates.

I just received my Visa card in the mail not too long ago, a couple of days ago, and I was told that in all the States of the Union except three—Pennsylvania being one—they were going to charge a yearly, annual fee, but they could not charge it in Pennsylvania because we had not permitted it to be charged.

Every month when I get my gasoline credit card bill, on the back of the bill I notice there is one State of the Union that still pays only 12 percent, because that is what the law of that State says that they will pay. The cost of money seeks, in my opinion, the limit that the State allows, and when you allow 18 percent, the cost of money will find that 18 percent. If you allow 22, the cost of money will find 22. What we are simply saying is that if we have, as Mr. Lloyd said, if we have a carrot, if we have a reward, if we have moneys to deposit, let us deposit them with those institutions that are living with the usury rate that we as a General Assembly have set into law, and let us not allow the State Treasurer to deposit moneys to those outfits who have sought to either skirt the law or in some other manner avoid the usury limit we set.

I ask for an affirmative vote on the amendment, Mr. Speaker.

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

Mr. L. E. SMITH. Mr. Speaker, we could argue the rest of the day about whether credit card jobs are leaving and why. The cold, hard facts are that when we force our banking institutions into nonprofitable credit card operations, if they cannot move them, they will sell them. And when every credit card held by Pennsylvania residents is controlled by an out-of-State, you will have the service charge, you will have the monthly charge, and you will have the high rate of interest, because then they will really have us where they want us.

AMENDMENTS DIVIDED

Mr. L. E. SMITH. Mr. Speaker, I do not have any objection to the first part of this amendment, even though it is presently incorporated in HB 1889. Therefore, I move to divide this amendment.

The SPEAKER. The gentleman, Mr. Smith, indicates he wants the first part divided out. Might the Chair assume the gentleman is referring to section 301 (1)?

Mr. L. E. SMITH. Mr. Speaker, it can be done either way; (2) can be removed. It can be divided there.

The SPEAKER. It is the understanding of the Chair that the question has been divided. The first vote, which the Chair understands is agreed to by the gentleman, Mr. Smith, would be approximately the first half of the printed amendment, down to but excluding the subparagraph (2). Is that correct?

Mr. MANDERINO. Mr. Speaker, what is the question?

The SPEAKER. The question before the House is the first half of the amendment offered by the gentleman, Mr. Laughlin, which the gentleman, Mr. Smith, indicates is agreed to, which would include section 301, down to and including subsection (1) but excluding subsection (2).

On the question,

Will the House agree to Part I of the amendments?

The following roll call was recorded:

YEAS—192

Anderson	Fischer	Lloyd	Rybak
Armstrong	Fleck	Lucyk	Saurman
Arty	Foster, W. W.	McClatchy	Serafini
Barber	Foster, Jr., A.	McIntyre	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	Moehimann	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	Wachob
Coslett	Hutchinson, A.	Peterson	Wambach
Cowell	Itkin	Petrarca	Wargo
Cunningham	Jackson	Petrone	Wass
DeVerter	Johnson	Phillips	Wenger
DeWeese	Kanuck	Piccola	Weston
Daikeler	Kennedy	Pievsky	Wiggins
Davies	Klingaman	Pistella	Williams, H.
Dawida	Kolter	Pitts	Williams, J. D.
Deal	Kowalyshyn	Pott	Wilson
Dietz	Kukovich	Pratt	Wogan
Dininni	Lashingier	Pucciarelli	Wozniak
Dombrowski	Laughlin	Punt	Wright, D. R.
Donatucci	Lehr	Rappaport	Wright, J. L.
Dorr	Lescovitz	Reber	Wright, R. C.
Duffy	Letterman	Richardson	Zwilk
Durham	Levi	Rieger	
Evans	Levin	Ritter	Ryan,
Fargo	Lewis	Rocks	Speaker
Fee	Livengood		

NAYS—1

Vroon

NOT VOTING—4

Alden Cohen DeMedio Emerson

EXCUSED—3

Irviss Rasco Salvatore

The question was determined in the affirmative, and Part I of the amendments was agreed to.

The SPEAKER. The question recurs, will the House agree to the second portion of the amendment offered by the gentleman, Mr. Laughlin?

On that question, the Chair recognizes the gentleman from Jefferson, Mr. Smith.

Mr. L. E. SMITH. Mr. Speaker, let me say, now that we have this question divided, that this is really not an antibank vote; it is an antitresury vote, because we are going to be crippling the deposits of the State Treasury if we eliminate the large banks from that possibility. I would ask for a "no" vote on this section of the amendment.

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

Mr. LAUGHLIN. Mr. Speaker, Mr. Smith's argument that we will be crippling the Treasurer of this State is certainly foolish in light of the fact that the Treasurer of this State accepted the amendment as such. I cannot understand Mr. Smith's idea that he somehow can conjure up a vision that the Treasurer does not know his job and that Mr. Smith knows it better. Mr. Speaker, I do not understand that kind of logic, and certainly you are not right. There is no way that you can say that we are crippling the Treasurer of this State. We are not. The matter of the money to be deposited is certainly crucial, because those large banks—as a matter of fact, the largest place of deposit in this State is one of those who are considering moving out of the State.

Mr. Speaker, I see no logic for having separated the amendment, and I certainly ask for an affirmative vote on the second portion.

The SPEAKER. The Chair recognizes the gentleman from Mifflin, Mr. DeVerter.

Mr. DeVERTER. Mr. Speaker, may I interrogate the maker of the amendment, Mr. Laughlin, please?

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

Mr. DeVERTER. Mr. Speaker, is it my understanding that the Treasurer of this Commonwealth has read this second section, has seen this amendment, and agrees to it?

Mr. LAUGHLIN. Mr. Speaker, I can tell you that the staff of my committee spoke directly with the Treasurer's office. I spoke to Mr. Dwyer about the consideration early on, and then they followed up with a communication in the affirmative.

Mr. DeVERTER. But they have not seen the actual language.

Mr. LAUGHLIN. Yes, Mr. Speaker, they saw the actual language.

The SPEAKER. The question before the House is, will the House agree to the second portion of the amendment as offered by the gentleman, Mr. Laughlin?

On the question,
Will the House agree to Part II of the amendments?

The following roll call was recorded:

YEAS—89

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

NAYS—104

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

NOT VOTING—4

Alden Cohen Kanuck Sweet

EXCUSED—3

Irviss Rasco Salvatore

The question was determined in the negative, and Part II of the amendments was not 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 Berks, Mr. Gallen.

Mr. GALLEN. Mr. Speaker, the amendment which we just inserted into the bill, I think, is faulty in that there is a very important word missing on the first line where it says, "Unless there are other State depositories...." I think the word "no" is missing from that line. I think it is the intention of the sponsor of the amendment to say, unless there are no other State depositories.

I would like the offerer of that amendment to respond as to whether or not my criticism is well founded.

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

Mr. LAUGHLIN. Mr. Speaker, I am sorry; I was not paying attention to the gentleman. I was reading something else. Would he kindly—

The SPEAKER. Will the gentleman, Mr. Gallen, please repeat his point of inquiry?

Mr. GALLEN. Yes. Mr. Speaker, I think in the line just under section 301 it reads, "Unless there are other State depositories...." I think the word "no" is missing. It should read, unless there are no other State depositories. I think that is the intention of the sponsor. Is that not right?

Mr. LAUGHLIN. No, Mr. Speaker. In reviewing it, the Treasurer of the State informed me that he had to have available any consideration for a depository in that area. In the event that there were no available ones, then the Board of Finance and Revenue would direct where those deposits were to be made as long as they were to be collateralized, as long as the bank was of sufficient size that it could handle the deposits.

Mr. GALLEN. Well, Mr. Speaker, I think the gentleman is concurring that the amendment is faulty, but run the bill.

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—183

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

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

NAYS—7

Belardi	Duffy	Laughlin	Manderino
Cawley	Hutchinson, A.	Lucyk	

NOT VOTING—7

Alden	Emerson	McIntyre	Stuban
Cohen	Kanuck	O'Donnell	

EXCUSED—3

Irvis	Rasco	Salvatore
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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.

PARLIAMENTARY INQUIRY

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

Mr. RICHARDSON. Point of parliamentary inquiry, Mr. Speaker.

The SPEAKER. Will the gentleman state his point of inquiry.

Mr. RICHARDSON. On page 7 of today's calendar, Mr. Speaker, and perhaps this has already been discussed, but unbeknownst to myself, because I was absent earlier, I asked to be voted in the negative on SB 1010, PN 1574. Is it my understanding that SB 1010 is another Senate bill, or does this happen to have the same number?

The SPEAKER. It may be the gentleman is confusing it with HB 1010, which was on the calendar.

Mr. RICHARDSON. No, I am not, Mr. Speaker. Mr. Speaker, if you—

The SPEAKER. There is only one SB 1010, to the Speaker's knowledge.

Mr. RICHARDSON. Mr. Speaker, that is why I asked for a point of parliamentary inquiry. On page 7 of today's calendar, Mr. Speaker, earlier upon my absence, I indicated that I would like to have my vote recorded in the negative on SB 1010. I then turned to page 15, and I am trying to clarify for the Speaker whether or not this is the same bill. The bill was then passed over, Mr. Speaker.

The SPEAKER. There is no SB 1010 on page 15.

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

The SPEAKER. I suspect that what happened to the gentleman is he read from the summary list of what we were voting on.

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

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the gentleman from Columbia, Mr. Stuban.

Mr. STUBAN. My switch malfunctioned on that last vote on SB 1010. I would like to be recorded in the affirmative.

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

WELCOME

The SPEAKER. The Chair at this time is pleased to welcome to the hall of the House the members of the Law and Politics Explorer Post sponsored by the Lancaster County Bar Association, here today with their adviser, Harry Mazaheri. They are here today as the guests of the Lancaster County delegation.

REMARKS ON VOTES

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

Mr. SNYDER. Mr. Speaker, I would like to have the record show that on SB 680, PN 707, I would have voted in the affirmative.

The SPEAKER. The gentleman's remarks will be spread upon the record.

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

Mr. CUNNINGHAM. Mr. Speaker, the record from yesterday incorrectly records me as having voted in the affirmative on HB 1759. I would like to correct that; that should be a negative vote.

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 306, PN 1496**, entitled:

An Act amending the act of October 28, 1966 (1st Sp. Sess., P. L. 55, No. 7), entitled "Goods and Services Installment Sales Act," further providing for the contents of contracts, for a certain notice of claims or defenses, for judgments, for service charges and certain fees and eliminating the duty of the Department of Banking to supply rate charts to retail sellers and finance agencies.

On the question,

Will the House agree to the bill on third consideration?

Mr. STEWART offered the following amendments No. A6103:

Amend Bill, page 8, by inserting between lines 4 and 5

Section 2. The act is amended by adding a section to read:

Section 1102. A seller or holder may not accelerate the maturity of a retail installment contract, commence any legal action or repossess without legal process unless the buyer is in default and unless the seller or holder shall provide the buyer with notice, sent by certified mail, to the buyer's last known address or delivered personally to the residence of the buyer, informing the buyer (1) of his right to cure the default upon payment of the amount in default plus delinquency or deferral charges within twenty-one (21) days of the date of receipt of such notice, (2) the name, address and telephone number of the seller or holder, (3) total amount due, including amount of delinquency charges, (4) exact date by which the amount due must be paid, (5) name, address and telephone number of the person to whom payment must be made, and (6) other performance necessary to cure a default arising from other than nonpayment herein and the buyer is given the rights so specified. The seller or holder shall not be required to provide such notice more than once in any twelve (12) month period. The act of curing a default restores to the buyer his rights under the retail installment contract as though no default had occurred.

Amend Sec. 2, page 8, line 5, by striking out "2" and inserting

3

Amend Sec. 3, page 8, line 8, by striking out "3" and inserting

4

On the question,

Will the House agree to the amendments?

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

Mr. STEWART. Thank you, Mr. Speaker.

This amendment adds a new section on page 8 of the bill, section 1102, which requires the sellers in a retail purchase installment contract agreement to notify the purchaser by certified mail of his right to cure the default if that installment contract is in fact in default. The consumer must be notified that he has 21 days to cure the default and sets out the procedures by which he can do that.

This is one of a series of amendments, Mr. Speaker, that in my discussions with the labor organizations they wish to have inserted into the bill, and I would appreciate your support.

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

Mr. L. E. SMITH. Mr. Speaker, as I look over this package of amendments, I have to think that they are not as much proconsumer as they are antibusiness, because most of them just add burdensome new language that is going to cost the business community more money. Although I cannot violently oppose the amendment, I just disagree with it.

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

Mr. STEWART. Thank you, Mr. Speaker.

Mr. Speaker, I just cannot buy the argument from Mr. Smith about the undue cost. I believe this is a fair exchange between the retailer and the purchaser, and in many cases even if they are not notified, they incur costs anyway through court action because of the purchaser defaulting and the retailer not selling.

I would urge the House to consider this amendment. It is not a burden that great on business, and it does make this bill a lot better.

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

Mr. TAYLOR. Thank you, Mr. Speaker.

I rise in support of this amendment. If anyone in the House remembers, several months ago there was a program on "60 Minutes," the contents of which described adequately what we are about to do here, the right to cure. Many people living in the State whom they interrogated that evening showed that those people did not have that right and found out that they, somewhere along the line, could lose their home and their other assets.

I think that it is a good amendment. I think it is time that the State of Pennsylvania takes care of that problem, and I would urge the adoption of the amendment.

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

Mr. KUKOVICH. Thank you, Mr. Speaker.

I rise to support the amendment, and I would suggest that rather than view all these amendments as a package and try to label them as a former speaker did, antibusiness, proconsumer, would be a mistake. I think we will have to take each amendment individually.

I think this amendment is a good one. I think it just instills the element of fairness into SB 306. I think actually it will probably help business, because if you are allowed to give the consumer that right to cure, if you provide adequate notice under law, you are going to avoid lawsuits; you are going to avoid confrontations down the road. I think business as well as consumers would be eager to do that.

There is one other element that I think we have to keep in our minds whenever we vote on this amendment and many others, and that is because of a lot of budget cuts, especially at the county levels, a lot of the county consumer affairs bureaus, which used to mediate these disputes, no longer exist in Pennsylvania, and it is this type of amendment and this type of language in SB 306 which will avoid the need for that mediation. For all those reasons I would ask for your support of the Stewart amendment.

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

The following roll call was recorded:

YEAS—156

Barber	Evans	Lescovitz	Rieger
Belardi	Fargo	Letterman	Ritter
Belfanti	Fee	Levi	Rocks
Beloff	Fischer	Levin	Rybak
Berson	Fleck	Livengood	Saurman
Blaum	Frazier	Lloyd	Serafini
Borski	Fryer	Lucyk	Seventy
Bowser	Gallagher	McIntyre	Showers
Boyes	Gallen	McMonagle	Shupnik
Brandt	Gamble	McVerry	Sieminski
Brown	Gannon	Maiale	Smith, E. H.
Burd	Geist	Manderino	Spitz
Burns	George	Marmion	Stairs
Caltagirone	Grabowski	Michlovic	Steighner
Cappabianca	Gray	Miscevich	Stewart
Cawley	Greenfield	Moehlmann	Stuban
Cimini	Greenwood	Morris	Swaim
Clark	Grieco	Mrkonic	Sweet
Cochran	Gruitza	Mullen	Swift
Cohen	Gruppo	Murphy	Taylor, E. Z.
Colafella	Hagarty	Nahill	Taylor, F. E.
Cole	Haluska	Noye	Telek
Cordisco	Harper	O'Donnell	Tigue
Cornell	Hasay	Olasz	Trello
Cowell	Hayes	Oliver	Van Horne
Cunningham	Heiser	Pendleton	Wachob
DeMedio	Hoefel	Peterson	Wambach
DeVertter	Honaman	Petrarca	Wargo
DeWeese	Horgos	Petrone	Wass
Daikeler	Hutchinson, A.	Phillips	Weston
Davies	Itkin	Pievsky	Wiggins
Dawida	Johnson	Pistella	Williams, H.
Deal	Kennedy	Pitts	Williams, J. D.
Dietz	Klingaman	Pott	Wilson
Dombrowski	Kolter	Pratt	Wogan
Donatucci	Kowalshyn	Pucciarelli	Wozniak
Duffy	Kukovich	Rappaport	Wright, D. R.
Durham	Lashinger	Reber	Wright, J. L.
Emerson	Laughlin	Richardson	Zwilk

NAYS—34

Anderson	Freind	Merry	Snyder
Armstrong	Gladeck	Micozzie	Spencer
Arty	Jackson	Miller	Taddonio
Bittle	Lehr	Mowery	Vroon
Cessar	Lewis	Piccola	Wenger
Civera	McClatchy	Punt	Wright, R. C.
Clymer	Mackowski	Sirianni	
Foster, W. W.	Madigan	Smith, B.	Ryan,
Foster, Jr., A.	Manmiller	Smith, L. E.	Speaker

NOT VOTING—7

Alden	Dininni	Kanuck	Stevens
Coslett	Dorr	Perzel	

EXCUSED—3

Irvis	Rasco	Salvatore
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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. STEWART offered the following amendments No. A6102:

Amend Bill, page 2, by inserting between lines 6 and 7 Section 1. Section 201, act of October 28, 1966 (1st Sp.Sess., P.L.55, No.7), known as the "Goods and Services Installment Sales Act," is amended by adding clauses to read:

Section 201. Unless the context or subject matter otherwise requires, the definitions given in this article govern the construction of this act.

(17) "Purchase money loan" means a cash advance which is received by a customer in return for a service charge, time-price differential, finance charge or interest which is applied, in whole or substantial part, to a purchase of goods or services from a seller who is affiliated with the creditor by common control or business arrangement.

(18) "Purchase money lender" means any creditor or financing agency who makes or extends purchase money loans.

Amend Sec. 1, page 2, line 7, by striking out "1" and inserting

2

Amend Sec. 1, page 2, lines 8 through 10, by striking out "ACT OF OCTOBER 28, 1966 (1ST)" in line 8, all of line 9 and "INSTALLMENT SALES ACT," in line 10 and inserting of the act,

Amend Sec. 1 (Sec. 402), page 4, by inserting between lines 15 and 16

No purchase money lender shall take or receive any instrument which evidences or embodies a debt arising from a purchase money loan nor shall any seller accept as full or partial payment for such sale the proceeds of any purchase money loan, unless any instrument which evidences or embodies a debt made in connection with such purchase money loan contains the following provision in at least ten-point bold face type:

NOTICE

ANY HOLDER OF THIS CONSUMER CREDIT CONTRACT IS SUBJECT TO ALL CLAIMS AND DEFENSES WHICH THE DEBTOR COULD ASSERT AGAINST THE SELLER OF GOODS OR SERVICES OBTAINED WITH THE PROCEEDS HEREOF. RECOVERY HEREUNDER BY THE DEBTOR SHALL NOT EXCEED AMOUNT PAID BY THE DEBTOR HEREUNDER.

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

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

Mr. STEWART. Thank you, Mr. Speaker.

On page 3 of the bill, there is a notice that is required in a retail sales installment contract which states that the debtor could assert against the seller of goods and services any claims and defenses as well as assert them against the holder of the consumer credit contract. It is unclear either in that section or anywhere else in the bill as to what happens if there is a third party involved with money for that purchase. This amendment simply adds that notice again, only in the context of what is termed "a purchase money loan" in conjunction with a purchase money lender. That would be the third party, so that if a third party is involved in a transaction, that same notice that is already in SB 306 that appears to the originator of the contract must travel with that contract if a third party becomes involved in the sale, and I urge its adoption.

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

Mr. L. E. SMITH. Mr. Speaker, I guess I will have to reconsider. This is an exception to the statement I made before. I think this is a good amendment.

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

The following roll call was recorded:

YEAS—194

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

NAYS—2

Dorr Vroon

NOT VOTING—1

Alden

EXCUSED—3

Irvis Rasco Salvatore

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?

Mrs. WESTON offered the following amendment No. A6098:

Amend Bill, page 7, by inserting between lines 24 and 25 Section 914. In the event that the Congress of the United States enacts any law or authorizes any regulation which:

(1) preempts the laws of the Commonwealth governing maximum interest rates, service charges or finance charges permitted to be charged by any institution, seller or creditor in the Commonwealth; and

(2) permits the General Assembly to thereafter enact laws establishing permissible rates, the rates authorized under this act shall become effective at the earliest date permitted under such Federal law and without the need for further action by the General Assembly.

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

The SPEAKER. The Chair recognizes the lady from Philadelphia, Mrs. Weston.

Mrs. WESTON. Thank you, Mr. Speaker.

I will try to explain this best in layman's terms. The best way to explain this amendment is to say that if this bill is enacted and the Federal Congress decides to pass a law which preempts all of our interest rates set in every State and tells us to reset them, what we are doing is preempting that by saying, in Pennsylvania we still want to stick with whatever interest rate we have at the time. So we are in effect by passing this amendment preempting any congressional attempt to reset or tell us to reset our interest rates.

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

Mr. PISTELLA. Thank you, Mr. Speaker.

Will the lady stand for very brief interrogation?

The SPEAKER. The lady indicates she will stand for interrogation. The gentleman, Mr. Pistella, may begin.

Mr. PISTELLA. Am I to understand, Mr. Speaker, that under your proposed amendment this pertains only to laws and regulations enacted by the Congress of the United States?

Mrs. WESTON. Yes.

Mr. PISTELLA. Would this amendment also cover any regulation issued by the Comptroller of the Currency or by the President?

Mrs. WESTON. I do not know.

Mr. PISTELLA. I have completed my interrogation, Mr. Speaker.

Mr. Speaker, I think I have an idea of what the speaker would wish to attempt through legislative intent. I think that merely addressing this to the Congress of the United States and preempting the inclusion of the Comptroller of the Currency or Executive order by the President would be a flaw in the drafting of the amendment. To my recollection, I do not think that issue was addressed in the current language of SB 306 and would suggest that if this amendment could be redrafted to include that.

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

Mr. TAYLOR. Thank you, Mr. Speaker.

I would just like to rise to bring to the attention of the House that this amendment could have serious consequences. We have done a little research, and we have come up with the position that it is quite questionable whether this legislature

can be prospective in preempting a Federal law that has not been effective yet. Congress has not passed any laws doing away with the usury.

If this amendment would go in, you could conceivably have, and in all probability will have, a court action. If the court sustains this position, this amendment would be beneficial, but if the court decides that the State Government does not have the right of preemption, then this could be disastrous, because the clock would start running as of the time of this bill being passed today and, Congress not acting for a year or maybe 2 years, then the 3-year limitation would be gone before we would have time to react again, and in effect, we would have defeated our own selves. So I bring to your attention, be awful careful about this amendment.

I have very serious doubts as to the beneficial aspect of an amendment such as this on the Federal Congress and the Federal laws of the United States. Thank you.

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

Mr. RAPPAPORT. Mr. Speaker, will the lady consent to interrogation?

The SPEAKER. The lady, Mrs. Weston, indicates she will stand for interrogation. The gentleman may proceed.

Mr. RAPPAPORT. Mr. Speaker, could the lady inform us as to whether this amendment applies only to goods and services or applies to all interest rates set by the Commonwealth of Pennsylvania?

Mrs. WESTON. Mr. Speaker, I believe it is all interest rates.

Mr. RAPPAPORT. Mr. Speaker, could the lady inform us as to what would happen if the Federal Government would set a rate below that set by the Commonwealth of Pennsylvania? If we enact this amendment, this would mean that we would permit the Federal Government to set lower rates than we set in Pennsylvania. Would that be a fact?

Mrs. WESTON. I believe you are correct.

Mr. RAPPAPORT. I thank the lady, Mr. Speaker.

May I be recognized?

THE SPEAKER PRO TEMPORE (JOHN HOPE ANDERSON) IN THE CHAIR CONSIDERATION OF SB 306 CONTINUED

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

Mr. RAPPAPORT. Mr. Speaker, what we are doing here is perhaps binding every future legislature as to what we are going to do or they will do—if any of us are here, considering the turnover in the House—if the Federal Government should in any way preempt. I do not think it is wise. We do not know what the Federal Government is going to do in the future, and, if I can strike a partisan note, I do not think the Federal Government knows what it is going to do in the future, which is why the interest rate markets are so upset at the present time. To enact this amendment, binding ourselves and binding our successors, would be very poor policy, and I would ask for a "no" vote.

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

Mr. L. E. SMITH. Mr. Speaker, I, too, have some serious reservations about the adoption of this amendment. I think we would be making a very serious mistake if we were to pass this amendment, and I ask for a "no" vote.

The SPEAKER pro tempore. The Chair recognizes the lady from Philadelphia, Mrs. Weston.

Mrs. WESTON. Thank you, Mr. Speaker.

Just to respond to a couple of fears, what this amendment does, in my opinion, is set into place just the opposite of what Representative Rappaport said, that if the Federal Government sets a higher rate, Pennsylvania is ensured of a lower rate. Should the Federal Government set a lower rate, Pennsylvania always has the option to lower the rate to the same as the Federal rate. I urge support of the amendment.

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

Mr. LEVIN. Thank you, Mr. Speaker.

I think Representative Weston is absolutely correct. This amendment adds protection to the citizens of Pennsylvania. In the event that the Federal Government chooses to deregulate, we at least have put some ceiling on if we adopt her amendment. If we fail to adopt her amendment and they deregulate, we could find ourselves in a position with no effective barrier to higher interest rates.

I would suggest that we accept her amendment as part of this bill.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware, Mr. Gannon.

Mr. GANNON. Mr. Speaker, I rise in support of the Weston amendment.

I believe that contrary to what Representative Rappaport has said, I cannot envision where the Federal Government would enact interest rates lower than we have here in the Commonwealth, although, of course, that is a possibility, however remote. I believe this amendment offers some minimum protection to the consumers of the Commonwealth, that perhaps they would not be confronted with a higher interest rate enacted at the Federal level, and does give the State some minimum control. Also, if the General Assembly in the future was unsatisfied with what the result was, they certainly could enact new legislation to supersede this. So although I do not think necessarily it would be engraved in granite what we are doing here, I think we should have something in the law that does offer some protection for the citizens as to what would happen at the Federal level, and I support the amendment. Thank you, Mr. Speaker.

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

Mr. RITTER. Mr. Speaker, I rise to oppose the amendment.

It seems to me that there are two parts to this amendment that must be taken together. First, we are talking about if the Congress preempts. I think to answer Mr. Pistella's question, it also would affect regulation, so that if there is a regulation proposed which deals with the usury rate, it affects us. But

first Congress has to preempt our right to set those rates and then at some later date permit State Governments to set the interest rate, at which point then we would have to take some action. What this amendment seeks to do is say at that later date, if Congress says we have preempted your interest-setting rates but now we are going to give them back to you, what this amendment says is at that point the rates we are talking about in this bill become effective. That could be 3 or 4 or 5 years from now, and it seems to me that once those interest rates—and I am hoping they are not—but if they are preempted by the Federal Government, it seems to me that we ought to then, if later they give us back the power to set our own rates, it seems to me at that point we ought to sit down and look at what rates we want to establish and not automatically go to a prescribed rate.

It is for that reason, Mr. Speaker, because I think two things have to happen, two complicated procedures, I think we ought to reject the amendment.

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

The following roll call was recorded:

YEAS—79

Barber	Evans	Levin	Serafini
Belardi	Fischer	Livengood	Seventy
Belfanti	Freind	Lloyd	Shupnik
Beloff	Gamble	McIntyre	Spitz
Blaum	Gannon	McMonagle	Steighner
Borski	Grabowski	Mackowski	Stewart
Boyes	Gray	Miscevich	Swaim
Caltagirone	Greenfield	Morris	Swain
Cawley	Gruitza	Mrkoncic	Tigue
Civiera	Haluska	O'Donnell	Trello
Cochran	Hasay	Olasz	Van Horne
Cole	Hoeffel	Pendleton	Wachob
Cordisco	Horgos	Perzel	Wass
Cowell	Itkin	Pistella	Weston
DeWeese	Jackson	Pitts	Wiggins
Deal	Klingaman	Pratt	Williams, J. D.
Donatucci	Kukovich	Pucciarelli	Wogan
Dort	Lashinger	Richardson	Wozniak
Duffy	Laughlin	Rieger	Wright, R. C.
Durham	Letterman	Rocks	

NAYS—114

Anderson	Fee	McClatchy	Saurman
Armstrong	Fleck	McVerry	Showers
Arty	Foster, W. W.	Madigan	Sieminski
Berson	Foster, Jr., A.	Maiiale	Sirianni
Bittle	Frazier	Manderino	Smith, B.
Bowser	Fryer	Manmiller	Smith, E. H.
Brandt	Gallagher	Merry	Smith, L. E.
Brown	Gallen	Michlovic	Snyder
Burd	Geist	Micoozie	Spencer
Burns	George	Miller	Stairs
Cappabianca	Gladeck	Moehlmann	Stevens
Cessar	Greenwood	Mowery	Stuban
Cimini	Grieco	Mullen	Sweet
Clark	Gruppo	Murphy	Taddonio
Clymer	Hagarty	Nahill	Taylor, E. Z.
Cohen	Harper	Noye	Taylor, F. E.
Colafella	Hayes	Oliver	Telek
Cornell	Heiser	Peterson	Vroon
Coslett	Honaman	Petrarca	Wambach
Cunningham	Hutchinson, A.	Petrone	Wargo
DeMedio	Johnson	Phillips	Wenger
DeVertter	Kennedy	Piccola	Williams, H.
Daikeler	Kolter	Pievsky	Wilson
Davies	Kowalshyn	Pott	Wright, D. R.

Dawida	Lehr	Punt	Wright, J. L.
Dietz	Lescovitz	Rappaport	Zwinkl
Dininni	Levi	Reber	
Dombrowski	Lewis	Ritter	Ryan,
Fargo	Lucy	Rybak	Speaker
NOT VOTING—4			
Alden	Emerson	Kanuck	Marmion
EXCUSED—3			
Irvis	Rasco	Salvatore	

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

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

Mrs. WESTON offered the following amendment No. A5375:

Amend Bill, page 7, lines 21 through 24, by striking out all of said lines

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

The SPEAKER pro tempore. The Chair recognizes the lady from Philadelphia, Mrs. Weston.

Mrs. WESTON. Thank you, Mr. Speaker.

What this amendment does is strike out a section of the bill which requires, should this bill pass, that creditors only be regulated by the Federal Truth in Lending Act. By striking this out, we keep it in Pennsylvania the way it is right now, which requires creditors to comply with the Federal Truth in Lending and also the State Goods and Services Act. I think this is a good consumer safeguard and urge your support.

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

Mr. TAYLOR. Thank you, Mr. Speaker.

I rise to concur with the lady. SB 306 already has those provisions in it, and we ought to do away with this. We ought to agree with her amendment, because there is no need for the double standards. Thank you, Mr. Speaker.

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

Mr. LAUGHLIN. Mr. Speaker, I concur in Representative Taylor's statements and ask that the membership concur.

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

The following roll call was recorded:

YEAS—188

Anderson	Fee	Lucy	Rybak
Armstrong	Fischer	McClatchy	Saurman
Arty	Fleck	McIntyre	Serafini
Barber	Foster, W. W.	McMonagle	Seventy
Belardi	Foster, Jr., A.	McVerry	Showers
Belfanti	Frazier	Mackowski	Shupnik
Berson	Freind	Madigan	Sieminski
Bittle	Fryer	Maiale	Sirianni
Blaum	Gallagher	Manderino	Smith, B.
Borski	Gallen	Manmiller	Smith, E. H.
Bowser	Gamble	Marmion	Snyder
Boyes	Gannon	Merry	Spitz
Brandt	Geist	Michlovic	Stairs
Brown	George	Micozzie	Steighner

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

NAYS—3

Gladeck	Smith, L. E.	Spencer
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NOT VOTING—6

Alden	Civera	Kanuck	Levin
Beloff	Emerson		

EXCUSED—3

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

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

Mrs. WESTON offered the following amendments No. A6099:

Amend Sec. 1, page 2, line 7, by inserting after "501," 603,

Amend Bill, page 5, by inserting between lines 9 and 10

Section 603. (a) Notwithstanding the provisions of any contract to the contrary, any buyer may pay the contract in full at any time before maturity and in so paying it shall receive a refund credit thereon for such anticipation. In addition, pursuant to any contract provision so stating and subject to the restrictions of this act, as amended, a seller or holder may accelerate the balance due on an installment sales contract, but shall provide a refund credit thereon calculated as of the date of the acceleration. The amount of any such refund credit shall [represent at least as great a proportion of the service charge or, if the contract has been extended, deferred or refinanced, of the additional charge therefor, as the sum of the periodic monthly time balances under the schedule of installments in the contract, or, if the contract has been extended, deferred or refinanced, as so extended, deferred or refinanced.] be computed pursuant to the actuarial method. Actuarial method means the method of allocating payments

made on a debt between the amount financed and the finance charge pursuant to which a payment is applied first to the accumulated finance charge and any remainder is subtracted from the unpaid balance of the amount financed. Where the amount of the credit for anticipation of payment is less than one dollar (\$1) no refund need be made. Where the earned service charge amounts to less than the minimum service charge, there may be retained an amount equal to the minimum service charge applicable.

(b) As used in this section "actuarial method" deems the method of allocating payments made on a debt between the amount financed and the finance charge at the interest rate stated in the contract, as defined in regulation z, appendix j, adopted under the Federal Truth in Lending Act.

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

The SPEAKER pro tempore. The Chair recognizes the lady from Philadelphia, Mrs. Weston.

Mrs. WESTON. Thank you, Mr. Speaker.

This amendment is very technical in nature, but what it basically says is that right now creditors in Pennsylvania use the Rule of 78 to calculate the amount of finance charge that consumers are assessed with. This amendment says that creditors will have to use at least the actuarial method, which is a more accurate way of assessing finance charge or service charge, that or better. This is definitely a good consumer amendment, and I urge your support.

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

Mr. TAYLOR. Thank you, Mr. Speaker.

I rise again to concur with the lady. Her description is quite accurate. We should do away with the Rule of 78, and I would urge adoption of the amendment.

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

Mr. RAPPAPORT. Mr. Speaker, would the lady consent to interrogation?

The SPEAKER pro tempore. The lady indicates that she will. The gentleman may proceed.

Mr. RAPPAPORT. Mr. Speaker, would the abolition of the Rule of 78 apply just to retail installment contracts?

Mrs. WESTON. I am not sure, Mr. Speaker.

Mr. RAPPAPORT. Mr. Speaker, could I be recognized, please?

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

Mr. RAPPAPORT. Mr. Speaker, the sponsor of this particular amendment has been unable to tell this House—

Mrs. WESTON. Excuse me, Mr. Speaker.

Mr. RAPPAPORT. I yield to the lady, Mr. Speaker.

Mrs. WESTON. Thank you.

The SPEAKER pro tempore. The gentleman, Mr. Rappaport, consents to yield to Mrs. Weston. She may continue.

Mrs. WESTON. Thank you, Mr. Speaker.

I was just informed that the answer to Representative Rappaport's question is yes.

Mr. RAPPAPORT. Mr. Speaker, could the lady clarify it? Does it apply just to sales of goods and services and not to other kinds of transactions?

Mrs. WESTON. Yes; it does.

Mr. RAPPAPORT. It is limited?

Mrs. WESTON. Yes.

Mr. RAPPAPORT. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—190

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

NAYS—3

Lewis	Smith, L. E.	Spencer
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NOT VOTING—4

Alden	Frazier	Kanuck	Rybak
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EXCUSED—3

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

REMARKS ON VOTES

The SPEAKER pro tempore. For what purpose does the gentleman from Lawrence, Mr. Pratt, rise?

Mr. PRATT. To get some votes recorded on some bills that were considered earlier that I missed.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. PRATT. Mr. Speaker, I would like to be recorded in the affirmative on HB 1349, HB 1878, SB 680, HB 1190, HB 935, HB 1813, and SB 635. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman's remarks will be spread upon the record.

The Chair recognizes the gentleman from Delaware, Mr. Wright.

Mr. R. C. WRIGHT. Mr. Speaker, on the Stewart amendment No. A6103 my switch malfunctioned. I was incorrectly recorded in the negative. I would like to have my vote recorded in the affirmative.

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

CONSIDERATION OF SB 306 CONTINUED

On the question recurring,

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

Mrs. WESTON offered the following amendments No. A6101:

Amend Bill, page 2, by inserting between lines 6 and 7

Section 1. Clause (6) of section 201, act of October 28, 1966 (1st Sp.Sess., P.L.55, No.7), known as the "Goods and Services Installment Sales Act," is amended to read:

Section 201. Unless the context or subject matter otherwise requires, the definitions given in this article govern the construction of this act.

(6) "Retail installment contract" or "contract" means any contract for a retail installment sale between a buyer and a seller which provides for repayment in installments, whether or not such contract contains a title retention provision, and in which a time price differential is computed upon and added to the unpaid balance at the time of sale or where no time price differential is added but the goods or services are available at a lesser price if paid by cash or where the buyer, if he had paid cash, would have received any additional goods or services or any higher quality goods or services at no added cost over the total amount he pays in installments. When taken or given in connection with a retail installment sale, the term includes but is not limited to a security agreement and a contract for the bailment or leasing of goods by which the bailee or lessee contracts to pay as compensation for their use a sum substantially equivalent to or in excess of their value and by which it is agreed that the bailee or lessee is bound to become, or has the option of becoming, the owner of the goods upon full compliance with the terms of the contract. The term also includes any contract, obligation or agreement in the form of bailment or lease if the bailee or lessee has the option to renew the contract by making the payments specified in the contract, the contract obligates the bailor or lessor to transfer ownership of the property to the bailee or lessee for no other or a nominal consideration upon full compliance by the bailee or lessee with his obligations under the contract, including any obligation incurred with respect to the exercise of an option by the bailee or lessee to renew the contract, and the payments contracted for by bailee or

lessee, including those payments pursuant to the exercise of an option by the bailee or lessee to renew the contract, are substantially equivalent to or in excess of the aggregate value of the property and services involved. With respect to a sale described in the previous sentence, the disclosures required under this title shall be calculated on the assumption that the bailee or lessee will exercise all of his options to renew the contract, make all payments specified in the contract, and become the owner of the property involved.

Amend Sec. 1, page 2, line 7 by striking out "1" and inserting
2

Amend Sec. 1, page 2, lines 8 through 10 by striking out "ACT OF OCTOBER 28, 1966 (1ST)" in line 8, all of line 9, and "INSTALLMENT SALES ACT," in line 10 and inserting
of the act

Amend Sec. 2, page 8, line 5 by striking out "2" and inserting
3

Amend Sec. 3, page 8, line 8 by striking out "3" and inserting
4

On the question,

Will the House agree to the amendments?

AMENDMENTS DIVIDED

The SPEAKER pro tempore. On page 2 of the amendment, section 1, page 2, lines 8 through 10, those four lines have already been amended into this bill by an amendment that was offered by Mr. Stewart under amendment 6102. Will the lady agree to divide the amendment and take out the section that was just quoted?

Mrs. WESTON. Sure.

The SPEAKER pro tempore. The Chair thanks the lady.

On the amendment, the Chair recognizes the lady from Philadelphia, Mrs. Weston.

Mrs. WESTON. This is a very important amendment. To put it into layman's terms again, which I am a little better at than technical terms, what this amendment does is regulate the kinds of operations like operations that rent TV's or merchandise like TV's and stereos. Those people are not regulated by the interest rates set in Pennsylvania, and what this amendment does is make those types of rental operations comply with the same interest rates and regulations that retail creditors have to comply with.

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

Mr. TAYLOR. Thank you, Mr. Speaker.

Let me bring to the attention of the House that over the past history of the Goods and Services Installment Sales Act, there have been arguments on both sides that the act does include lease purchase agreements now. There have also been held arguments that it does not. The only thing this amendment will do is make it absolutely clear that it does include lease purchase agreements. I agree it should be in there, and we should support it wholeheartedly. I ask for an affirmative vote. Thank you, Mr. Speaker.

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

Mr. LAUGHLIN. Mr. Speaker, I had intended to concur in the lady's amendments. Since Mr. Taylor has done that, I will just pass then.

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

The following roll call was recorded:

YEAS—192

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

NAYS—1

Smith, L. E.

NOT VOTING—4

Alden Beloff Kanuck Levin

EXCUSED—3

Irvis Rasco Salvatore

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

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

Mrs. WESTON offered the following amendments No. A6100:

Amend Sec. 1, page 2, lines 7 and 8, by striking out "SECTIONS 303, 402, 501, 904, CLAUSE (D) OF SECTION 905 AND SECTION 1002," and inserting

Section 303,

Amend Sec. 1, page 2, line 10, by striking out "ARE AMENDED AND SECTIONS ARE ADDED" and inserting
is amended

Amend Bill, page 3, by inserting between lines 25 and 26

Section 2. Section 401 of the act is amended by adding clauses to read:

Section 401. No contract, [or] obligation or agreement shall contain any provision by which:

(j) The seller or holder of the contract or any person acting on his behalf is given authority to execute upon a judgment by confession.

(k) The seller or holder of the contract or any person acting on his behalf is given authority to take a mortgage or other security against residential real estate of the buyer or any other obligee to the contract.

Section 3. Sections 402 and 501 of the act are amended to read:

Amend Bill, page 5, by inserting between lines 9 and 10

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

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

Section 5. Section 904 and clause (d) of section 905 of the act are amended to read:

Amend Bill, page 7, by inserting between lines 9 and 10

Section 6. The act is amended by adding sections to read:

Amend Bill, page 7, by inserting between lines 24 and 25

Section 7. Section 1002 of the act is amended to read:

Amend Sec. 2, page 8, line 5, by striking out "2." and inserting

8.

Amend Sec. 3, page 8, line 8, by striking out "3." and inserting

9.

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

The SPEAKER pro tempore. The Chair recognizes the lady from Philadelphia, Mrs. Weston.

Mrs. WESTON. Thank you, Mr. Speaker.

Another good consumer safeguard amendment. What this amendment does is say that no contract— Let me see if I can better explain this. No longer will a creditor be able to waive due process of law. A creditor will have to go through the courts, say, to repossess something that they have contracted with a consumer, and that is basically what it does.

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

Mr. TAYLOR. Thank you, Mr. Speaker.

I concur with the lady. Presently SB 306 contains provisions prohibiting the execution based on a confessed judgment, but this amendment would provide that no contract could contain a provision permitting an execution upon a judgment by confession. In addition to that, it would prohibit a contract to contain a provision permitting the taking of a mortgage or other type of security against residential real estate owned by the buyer or obligee to the contract.

I think it is a good amendment. It is a good consumer-oriented amendment, and we should support it unanimously.

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

Mr. DAVIES. Mr. Speaker, would the maker of the amendment stand for a brief question or two?

The SPEAKER pro tempore. The lady indicates that she will. The gentleman may proceed.

Mr. DAVIES. Mr. Speaker, in the event of a wholesale building contractor selling to a contractor on the basis of, let us say, roofing materials and the like, of those particular materials, would this again remove his ability to take that type of action short of the courts?

Mrs. WESTON. Mr. Speaker, I cannot answer that question. I would be happy to yield to anyone with more legal expertise than myself.

The SPEAKER pro tempore. Does anyone volunteer to assist the lady in answering the question?

Mr. DAVIES. In other words, Mr. Speaker, would this deter the current potentials of the person who sold the goods from going the regular lien route to make recovery on that particular sale?

Mrs. WESTON. I am sorry, Mr. Speaker. I did not even hear that one.

Mr. DAVIES. In other words, Mr. Speaker, again the question is, would this preclude the current method which a wholesaler could seek through liens and mechanics liens and the other methods of recovery that now exist for that individual? Would this preclude and remove those particular courses of recourse for those individuals?

Mrs. WESTON. No, Mr. Speaker.

The SPEAKER pro tempore. For what reason does the gentleman from Cambria, Mr. Stewart, rise?

Mr. STEWART. To respond to the gentleman, if I can.

The SPEAKER pro tempore. The gentleman, Mr. Stewart, will respond to the question by the gentleman from Berks, Mr. Davies.

Mr. STEWART. Thank you, Mr. Speaker.

You seem to be talking about a sale or contract agreement that was originally made outside under a different act, not the Goods and Services Installment Act, and I think that sale would not fall under the provisions of this act.

Mr. DAVIES. I am not sure, Mr. Speaker, because I was led to believe by other people who had questioned me on this particular issue just a few days ago that they did have great concerns about the fact that this type of amendment would, of course, seriously jeopardize their right to recovery, and that is why I placed the question. I was led to believe that it would come under the act, so therefore, the nature of the question or why I stated that question is I am seeking those assurances from the makers of the amendment.

Mr. STEWART. Mr. Speaker, I believe the facts are that the types of contractual arrangements that you are speaking of were made under other acts, contractual acts, and therefore, I do not believe they would fall under the provisions of the act that this bill amends.

Mr. DAVIES. Thank you, Mr. Speaker.

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

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

I am not sure I understand the full impact of this amendment, but as described by the author of the amendment, the method of repossession would be through a court proceeding. If that be the case, I strongly oppose the amendment, because I can only see this as leading to excessive costs which will be distributed back upon other consumers. I have voted for the other protection amendments protecting the rights of the consumers, but at this point I see costs being imposed on the people who pay their bills and do not have their goods repossessed. Therefore, I think it is in order to protect these consumers, and I would ask for a negative vote on the amendment.

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

Mr. REBER. Thank you, Mr. Speaker.

I reluctantly rise to oppose this amendment of Representative Weston's. It seems to me that at least paragraph (k) in the amendment already is in place in law, if you will, to the extent of providing due process notification requirements to the consumer. What I am alluding to there is the fact that as I understand Act 6 of 1974, before any residential real estate can be executed upon pursuant to a mortgage taken back by a lending institution, regardless of what type of contract it is, appropriate remedial due process is now afforded under the laws of the Commonwealth to the consumer. Accordingly, I think there is some nebulous language, frankly contradictory language and conflicting language, in the amendment that is presently pending before us today, A6100, and accordingly, I must reluctantly oppose that because of the ambiguity that exists thereon.

Again, I must emphasize that I think, as Representative Foster has just alluded to, there certainly are appropriate protections at the present time. I am concerned about the excess costs that this will bring about to consumers in relationship to these types of lending contracts. Accordingly, I would urge a negative vote on this particular amendment. Thank you.

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

Mr. TAYLOR. Thank you, Mr. Speaker.

Maybe I will be able to shed a little light on the subject. The question Mr. Davies presented, I think, if I have it straight now, he was talking about a commercial type of debt owed in place of a retail debt owed by a consumer. This does not affect that. The Uniform Credit Act would take care of that.

As far as the execution under this, you would still be able to get your judgment. The only thing different is that what you would have to do to execute on that judgment is then you are going to have to go to court and get the court to issue the order of execution so that the sheriff may then take the property or execute in a fashion to get the money back.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Westmoreland, Mr. Kukovich.

Mr. KUKOVICH. Thank you, Mr. Speaker.

I would like to see an affirmative vote on this amendment. I think Mr. Taylor just explained it adequately. About 2 years ago in this chamber we tried to abolish confession of judgment outright. It is a rather archaic and outmoded practice that most States have already abolished. The Weston amendment is more or less a compromise between an outright abolition and maintaining it in its entirety. I think the way Mr. Taylor explained it, it was fair. The only thing is that the seller would not be able to execute without at least giving that consumer his or her day in court.

I think this is an equitable compromise. Frankly, I would like to see it go even further, but I think we should accept this amendment and vote in the affirmative.

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

Mr. DORR. Thank you, Mr. Speaker.

I have a contrary view to that of Mr. Stewart and Mr. Taylor to the response to Mr. Davies' interrogatory. The intention of the writers of the amendment may very well have been as the gentlemen responded; however, as it is drafted, it appears to me that it may give some authority to the courts of the Commonwealth to indicate that no seller in contracts which do have to do with retail sales of services and goods has any authority to carry a collection proceeding to execution. The amendment in both of its subsections speaks of giving authority. The intent of that, the logical extension of that, it appears to me, is to deny the authority, regardless of where it appears, to carry a collection proceeding to its logical extension.

As has been pointed out already, we have in fact in the law in various places in the Commonwealth statutes a protection against anything drastic happening to the consumer without his notice, without his opportunity to participate in a hearing on the issue. It appears to me that the intent, or the language at least, of the amendment as it is before us will do great havoc to the system of justice which is already established in law, by denying the logical extension of that system to the sellers under these circumstances. At the very least, the language in the amendment, it seems to me, is ambiguous enough to create the very thing that Mr. Foster and Mr. Reber both alluded to, and that is excessive legal costs being imposed not only on the consumer who ultimately might be found to owe the money, but also on the entire range of those of us who consume goods and in fact pay our bills.

Further, since much of the retail installment sales contracts under normal financial circumstances are discounted to banks, the amendment in subsection (k), it appears to me, denies the banks of the Commonwealth an opportunity to refinance those situations which would in many cases be a great benefit to the consumer. What you will have now is, where the consumer has difficulty paying his bill on a retail installment sales contract because of the high payments but has some equity in his home, in a normal financial market where mortgage money is available, what the bank may well do, rather than lose the contract and have to go into an execution proceeding or a court proceeding in order to collect,

would be to refinance that contract on a mortgage, lowering the payments, extending them out over a longer period of time. The language present in this amendment will deny the banks the opportunity to do that and therefore deny the consumers in many cases the opportunity to refinance those contracts.

It seems to me, Mr. Speaker, that the amendment as drafted at least is not what really is intended in accordance with the answers given to earlier questions and certainly would not be good policy for us to adopt. I urge a negative vote.

AMENDMENTS DIVIDED

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

Mr. REBER. Mr. Speaker, I spoke to the prime sponsor of this amendment while Representative Dorr was speaking on the amendment, and the prime sponsor has no objection to the motion that I am about to make, and that is to divide out paragraph (k) of the amendment.

The SPEAKER pro tempore. The section the gentleman is referring to is paragraph (k), which is about two-thirds of the way down and starts, "The seller or holder of the contract or any person acting on his behalf." Is that the section the gentleman is referring to?

Mr. REBER. That is correct, Mr. Speaker.

The SPEAKER pro tempore. It is the opinion of the Chair that it is divisible. We can either vote this separately or, if the lady wishes to withdraw this section, she may do that.

Mrs. WESTON. Mr. Speaker, I would like to vote separately on the divided amendment.

The SPEAKER pro tempore. It will be necessary to divide the amendment, so the question now is on that part of the amendment which does not include section (k).

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

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

The explanation rendered by the gentleman from Fayette, Mr. Taylor, confirmed my fears on the amendment as offered by the lady, Mrs. Weston, and I find both sections of the amendment really difficult to deal with.

PARLIAMENTARY INQUIRY

Mr. A. C. FOSTER. Point of parliamentary inquiry, Mr. Speaker.

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

Mr. A. C. FOSTER. Are we about to vote on section (k) at this time?

The SPEAKER pro tempore. We will be voting on all of the amendment but section (k). It will be voted on later, just by itself.

Mr. A. C. FOSTER. I thank the Speaker.

As I said, I have grave reservations and doubts on both sections of the amendment, and I think that the cost of this will be borne by all of the consumers of the Commonwealth, and I think it is time that we give protection to those consumers who

are indeed paying their bills. I do not think the consumer can afford the protection offered by this amendment. I would ask for a negative vote.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware, Mr. Gannon.

Mr. GANNON. Mr. Speaker, I rise in support of the amendment. In carefully reading it, it does not prohibit the filing of a confession of judgment; it simply prohibits execution, I guess it would be implied, without some due process.

A while back one of the speakers expressed some concern about increased costs as a result of this provision being put into the bill. However, my recollection is, sometime back the county of Philadelphia prohibited confession of judgment execution at certain income levels, and my recollection is there was not any great increase in the cost of consumer goods as a result of that prohibition. I do not see any problem with adopting a policy statewide. I think we can think of many instances where there has been abuse of the acceleration and confession of judgment clause by some unscrupulous creditors, and I think this will give some minimum protection to those consumers who have been confronted, or potentially confronted, with that type of a problem. I urge an affirmative vote on amendment (j). Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tioga, Mr. Spencer.

Mr. SPENCER. Would the sponsor of the amendment consent to brief interrogation?

The SPEAKER pro tempore. The lady indicates that she will agree to interrogation. The gentleman may proceed.

Mr. SPENCER. Mr. Speaker, subsection (j), how does that match with section 605 (a) on page 5 of the bill?

Mrs. WESTON. Mr. Speaker, would the Representative please read the section he is talking about?

Mr. SPENCER. The section I am talking about is section 605 (a), which states:

A judgment by confession shall not serve as the basis for a levy, execution or garnishment in any action by a seller, holder or assignee arising out of a retail installment sale, contract or account. To enforce a judgment entered by confession, plaintiff shall file an appropriate proceeding and proceed against defendant as in any original proceeding. A judgment entered by confession may be amended or modified by the court in a proceeding filed for the purpose of enforcing the judgment entered by confession; however, the priority of any lien based on the confessed judgment shall not be affected thereby. The parties to the enforcement proceeding shall have the same rights as parties in other original proceedings.

Mr. Speaker, I do not see where subsection (j) of section 401 of your amendment does anything that that does not do.

Mrs. WESTON. Yes, Mr. Speaker. This amendment simply precludes the execution of a judgment of confession in a contract.

Mr. SPENCER. Well, section 605 does likewise. I really, in all due respect to the maker of the amendment, do not fully

understand the impact of this amendment to this bill, and I do not know what it would do to it. I would respectfully request that if anybody is as uninformed as I am as to what this really does, vote against the amendment. Thank you.

The SPEAKER pro tempore. It is understood the part of the amendment that we are voting upon now is the entire amendment with the exception of section (k).

On the question,

Will the House agree to Part I of the amendments?

The following roll call was recorded:

YEAS—106

Barber	Fischer	Maiale	Shupnik
Belardi	Fryer	Manderino	Spitz
Belfanti	Gallagher	Michlovic	Stairs
Berson	Gamble	Morris	Steighner
Blaum	Gannon	Mrkoncic	Stevens
Borski	George	Mullen	Stewart
Brown	Grabowski	Murphy	Suban
Burns	Gray	O'Donnell	Swaim
Caltagirone	Greenfield	Olasz	Sweet
Cappabianca	Greenwood	Oliver	Taylor, F. E.
Cawley	Gruitza	Pendleton	Telek
Clark	Harper	Perzel	Tigue
Cohen	Hoeffel	Petrarca	Trello
Colafella	Horgos	Petrone	Van Horne
Cole	Itkin	Pievsky	Wachob
Cowell	Kolter	Pitts	Wambach
DeMedio	Kowalshyn	Pratt	Wargo
DeWeese	Kukovich	Pucciarelli	Weston
Dawida	Laughlin	Rappaport	Wiggins
Deal	Lescovitz	Richardson	Williams, J. D.
Dombrowski	Letterman	Rieger	Wilson
Donatucci	Levin	Ritter	Wogan
Duffy	Livengood	Rocks	Wozniak
Durham	Lloyd	Rybak	Wright, D. R.
Emerson	Lucyk	Serafini	Wright, R. C.
Evans	McMonagle	Seventy	Zwikel
Fee	Mackowski		

NAYS—81

Anderson	Fargo	Lehr	Reber
Armstrong	Fleck	Levi	Saurman
Arty	Foster, W. W.	Lewis	Showers
Bittle	Foster, Jr., A.	McClatchy	Sieminski
Bowser	Frazier	McVerry	Sirianni
Boyes	Gallen	Madigan	Smith, B.
Brandt	Geist	Manmiller	Smith, E. H.
Burd	Gladeck	Marmion	Smith, L. E.
Cessar	Grieco	Merry	Snyder
Cimini	Gruppo	Micozzie	Spencer
Clymer	Hagarty	Miller	Swift
Cochran	Hasay	Miscevich	Taddonio
Cornell	Hayes	Moehlmann	Taylor, E. Z.
Coslett	Heiser	Mowery	Vroon
Cunningham	Honaman	Nahill	Wass
DeVerter	Hutchinson, A.	Noye	Wenger
Daikeler	Jackson	Peterson	Wright, J. L.
Davies	Johnson	Phillips	
Dietz	Kanuck	Piccola	Ryan,
Dininni	Kennedy	Pott	Speaker
Dorr	Klingaman	Punt	

NOT VOTING—10

Alden	Cordisco	Lashingier	Pistella
Beloff	Freind	McIntyre	Williams, H.
Civera	Haluska		

EXCUSED—3

Irvis	Rasco	Salvatore
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The question was determined in the affirmative, and Part I of the amendments was agreed to.

The SPEAKER pro tempore. The question now is on the second part of the amendment, which is just section (k) on page 1.

On the question,
Will the House agree to Part II of the amendments?

The following roll call was recorded:

YEAS—118

Table listing names of members who voted 'YEAS' (118 total). Includes Barber, Belardi, Belfanti, Beloff, Berson, Blaum, Borski, Brandt, Brown, Burns, Caltagirone, Cappabianca, Cawley, Clark, Cohen, Colafella, Cole, Cordisco, Coslett, Cowell, DeMedio, DeWeese, Dawida, Deal, Dininni, Dombrowski, Donatucci, Duffy, Durham, Emerson, Evans, Fee, Fischer, Frazier, Fryer, Gallagher, Gamble, Gannon, George, Grabowski, Gray, Greenfield, Greenwood, Gruitza, Harper, Hoefel, Horgos, Hutchinson, A., Itkin, Kolter, Kowalyszyn, Kukovich, Laughlin, Lescovitz, Letterman, Levin, Livengood, Lloyd, Lucy, McMonagle, Mackowski, Maiale, Manderino, Marmion, Michlovic, Micozzie, Miller, Morris, Mrkonic, Mullen, Murphy, O'Donnell, Olasz, Oliver, Pendleton, Perzel, Petrarca, Petrone, Pievsky, Pitts, Pratt, Pucciarelli, Rappaport, Richardson, Rieger, Ritter, Rocks, Rybak, Serafini, Seventy, Showers, Shupnik, Sirianni, Steighner, Stevens, Stewart, Stuban, Swaim, Sweet, Taylor, E. Z., Taylor, F. E., Telek, Tigie, Trello, Van Horne, Wachob, Wambach, Wargo, Weston, Wiggins, Williams, H., Williams, J. D., Wilson, Wogan, Wozniak, Wright, D. R., Wright, R. C., Zwick.

NAYS—73

Table listing names of members who voted 'NAYS' (73 total). Includes Anderson, Armstrong, Arty, Bittle, Bowser, Boyes, Burd, Cessar, Cimini, Clymer, Cochran, Cornell, Cunningham, DeVerter, Daikeler, Davies, Dietz, Dorr, Fargo, Fleck, Foster, W. W., Foster, Jr., A., Gallen, Geist, Gladeck, Grieco, Gruppo, Hagarty, Hasay, Hayes, Heiser, Honaman, Jackson, Johnson, Kanuck, Kennedy, Klingaman, Lashinger, Ichr, Levi, Lewis, McClatchy, McVerry, Madigan, Manmiller, Merry, Misceovich, Moehlmann, Mowery, Nahill, Noye, Peterson, Phillips, Piccola, Pott, Punt, Reber, Saurman, Sieminski, Smith, B., Smith, E. H., Smith, L. E., Snyder, Spencer, Spitz, Stairs, Swift, Taddonio, Vroon, Wass, Wenger, Wright, J. L., Ryan, Speaker.

NOT VOTING—6

Table listing names of members who did not vote (6 total). Includes Alden, Civera, Freind, Haluska, McIntyre, Pistella.

EXCUSED—3

Table listing names of members who were excused (3 total). Includes Irvis, Rasco, Salvatore.

The question was determined in the affirmative, and Part II of the amendments was agreed to.

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

Mr. LEVI offered the following amendment No. A6011:

Amend Sec. 1 (Sec. 303), page 3, line 8, by inserting after "MADE." "J"

No service charge shall be computed on any purchase until the end of the current billing cycle.

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

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

Mr. LEVI. This amendment would prohibit any service charges to be computed during the period of a billing cycle. Most companies, primarily the larger companies, cycle your billing maybe from the 10th of the month to the 10th of the following month. Presently some of the larger companies with sophisticated computer systems figure out your daily average balance after every purchase, so your daily average balance for your service charges could go up with the purchases. All I am saying, to help the consumer and to help the small businessman, is that we flatten this out, that your average is figured at the beginning of a billing period and it stays flat until the beginning of the next billing period.

I think it helps the small businessman who is not sophisticated enough to change daily, and it would help the consumer to save a little interest on the large revolving accounts. I would ask for an affirmative vote, please.

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

The following roll call was recorded:

YEAS—183

Table listing names of members who voted 'YEAS' (183 total). Includes Anderson, Armstrong, Arty, Barber, Belardi, Belfanti, Berson, Bittle, Blaum, Bowser, Boyes, Brandt, Brown, Burd, Burns, Caltagirone, Cappabianca, Cawley, Cessar, Cimini, Civera, Clark, Clymer, Cochran, Cohen, Colafella, Cole, Cordisco, Cornell, Coslett, Cowell, Cunningham, Fargo, Fee, Fischer, Fleck, Foster, W. W., Foster, Jr., A., Frazier, Freind, Fryer, Gallagher, Gallen, Gamble, Gannon, Geist, George, Gladeck, Grabowski, Gray, Greenfield, Greenwood, Grieco, Gruitza, Gruppo, Hagarty, Haluska, Harper, Hayes, Heiser, Honaman, Horgos, Hutchinson, A., Levin, Lewis, Livengood, Lloyd, Lucyk, McClatchy, McVerry, Mackowski, Madigan, Manderino, Manmiller, Marmion, Merry, Michlovic, Micozzie, Miller, Misceovich, Moehlmann, Morris, Mowery, Mrkonic, Murphy, Noye, O'Donnell, Olasz, Oliver, Pendleton, Perzel, Peterson, Petrarca, Petrone, Serafini, Seventy, Showers, Shupnik, Sieminski, Sirianni, Smith, B., Smith, E. H., Smith, L. E., Snyder, Spencer, Spitz, Stairs, Steighner, Stevens, Stewart, Stuban, Sweet, Swift, Taddonio, Taylor, E. Z., Taylor, F. E., Telek, Tigie, Trello, Van Horne, Wachob, Wambach, Wargo, Wass, Wenger.

DeMedio	Itkin	Phillips	Weston
DeVerter	Jackson	Piccola	Wiggins
DeWeese	Johnson	Pievsky	Williams, H.
Daikeler	Kennedy	Pitts	Williams, J. D.
Davies	Klingaman	Pott	Wilson
Dawida	Kolter	Pratt	Wogan
Deal	Kowalyshyn	Punt	Wozniak
Dietz	Kukovich	Rappaport	Wright, D. R.
Dininni	Lashinger	Reber	Wright, J. L.
Dombrowski	Laughlin	Richardson	Wright, R. C.
Dorr	Lehr	Ritter	Zwinkl
Duffy	Lescovitz	Rocks	
Durham	Letterman	Rybak	Ryan,
Emerson	Levi	Saurman	Speaker
Evans			

NAYS—9

Beloff	Hasay	Mullen	Rieger
Borski	McMonagle	Pucciarelli	Swaim
Donatucci			

NOT VOTING—5

Alden	McIntyre	Nahill	Pistella
Kanuck			

EXCUSED—3

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

On the question recurring,

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

Mr. MURPHY offered the following amendments No. A5522:

Amend Bill, page 8, by inserting between lines 7 and 8

Section 3. The amendment to the rates in subsections (a) and (b) of section 501 and to subsection (a) of section 904 shall revert automatically to rates effective prior to this act unless specifically reenacted within three years of the effective date of this act.

Amend Sec. 3, page 8, line 8, by striking out "3" and inserting

4

On the question,

Will the House agree to the amendments?

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

Mr. MURPHY. Thank you, Mr. Speaker.

This amendment sunsets the rates after 3 years; it reverts the rates back to the original 15 percent. My rationale with this amendment is twofold. One, if you look at the history, particularly of retail credit, it has not responded to the market. Retail credit, with very few exceptions, remained at 18 percent until the legislature early in the 1970's reverted it back to 15 percent. Since that point the interest rates have remained at 15 percent. There are very few places in this Commonwealth where you can find a retail creditor with interest rates below 15 percent. So the argument that if we move it up to 18 percent and the interest rate on which the retail people have to borrow money drops, that the interest rate would drop, I think history will show that is simply not true.

Secondly—and I guess this is a judgment call—I have always looked at retail credit, and I believe it is advertised as

such, not as a profit center in and of itself, but it is a cost of doing business. Like advertising, like sales, like a whole variety of other things creditors do to sell their products, credit is also a cost of doing business. So my expectation is that it is not a cost that should make a profit on its own. For that reason and particularly because the expectation is that if you listen to our President and the economic leaders of this country, they indicate that their expectation is the interest rates will decline; if that happens, then it is reasonable that we should also revert the interest rates we are charging on consumers. So I urge your support of this amendment. Thank you.

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

Mr. VROON. Mr. Speaker, I oppose this amendment because it runs contrary to the natural forces of economics. If the interest rate does go down in 3 years, that is what you are going to be paying. If your interest rate goes down to 15 percent, that is what you are going to be paying. If it goes down to 10 percent, that is what you are going to be paying. And if it is still running at 18 percent as the cost of money, that is what you are going to have to pay, too. So I think we ought to get away from this idea that we automatically raise the ceiling, so the interest rate is going to go up there and stay there, and then 3 years from now we are going to let the ceiling go down again, so it is automatically going to go down there; and people are going to get the same amount of credit and the same consideration from lenders. That is all incorrect, and it does not work that way, and it will not work that way. I think we ought to get very, very practical about this thing and let this thing go to 18 percent, and you will find, when the market starts working, if money is not worth 18 percent, you are going to be able to bargain for your credit.

I strongly urge rejection of this amendment.

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

Mr. EVANS. Mr. Speaker, I rise to support the Murphy amendment. I think, after listening to my colleague, Representative Vroon, that in the particular case if interest rates were to rise to 18 to 20 percent, it would be something that I have never seen, the interest rates suddenly go down. I would express that in this particular case we would need this catchall that Representative Murphy is offering, trying to safeguard the consumers of this State. I would hope that all my colleagues would strongly consider his amendment.

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

Mr. LAUGHLIN. Mr. Speaker, I would like to have a clarification from Mr. Murphy. Would he please stand for interrogation?

The SPEAKER pro tempore. The gentleman indicates that he will. The gentleman may proceed.

Mr. LAUGHLIN. Mr. Speaker, the previous gentleman, Mr. Vroon, stated that within a period of 3 years it would revert back to the present 15-percent rate. Is it my understanding of your amendment that that in fact would not happen unless the legislature took specific action?

Mr. MURPHY. Mr. Speaker, my amendment would revert the rates back to 15 percent unless we specifically reenacted the higher rates.

Mr. LAUGHLIN. So, in effect, Mr. Speaker, what Mr. Vroon had said is not true. There would not be a reversion back in 3 years. The legislature would have the say on that just as they have today. Is that not true?

Mr. MURPHY. The rates would revert back to 15 percent in 3 years unless the legislature specifically reenacted the 18 percent.

Mr. LAUGHLIN. Mr. Speaker, no more interrogation. Would you please let me make a few remarks?

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

Mr. LAUGHLIN. Mr. Speaker, I believe that Mr. Murphy is correct in his amendment. I believe that the legislature today is making a change in rates, or not making a change, based on the membership here present, and I do not think there is anything wrong with the consideration of this legislation under a sunset provision 3 years down the road. I ask for an affirmative vote, Mr. Speaker.

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

Mr. DAWIDA. Mr. Speaker, on the credit cards I carry in my wallet, I have been paying, and was paying, 18 percent. I am now paying 15 percent. We paid that rate, everybody in this room paid that rate, even when the prime rate was 6 percent. So the argument that the market forces will bring it back down is totally fallacious. It does not exist in history, and it will not exist. You were paying that high rate when they were getting 6 percent on their money; you were paying 18 percent.

This amendment is needed so that we go back to the 15 percent, and if indeed the prime rate is very high in 3 years, then the legislature can easily reenact this increase. So I would urge support of the Murphy amendment.

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

The following roll call was recorded:

YEAS—104

Barber	Emerson	Levin	Serafini
Belardi	Evans	Lloyd	Seventy
Belfanti	Fee	Lucyk	Showers
Beloff	Fischer	McIntyre	Shupnik
Berson	Fryer	Mackowski	Smith, B.
Blaum	Gamble	Manderino	Snyder
Brown	Geist	Michlovic	Steighner
Burns	George	Miscevich	Stevens
Caltagirone	Grabowski	Moehlmann	Stewart
Cappabianca	Gray	Morris	Suban
Cawley	Greenfield	Mrkonic	Sweet
Cimini	Greenwood	Murphy	Taylor, F. E.
Clark	Grieco	O'Donnell	Tigue
Cohen	Gruitza	Olasz	Trello
Colafella	Haluska	Oliver	Van Horne
Cordisco	Harper	Pendleton	Wachob
Cowell	Horgos	Petrarca	Wambach
Cunningham	Hutchinson, A.	Petrone	Wargo
DeMedio	Itkin	Pievsky	Wass
DeWeese	Klingaman	Pistella	Wiggins
Davies	Kolter	Pratt	Williams, J. D.
Dawida	Kowalyszyn	Reber	Wilson
Deal	Kukovich	Richardson	Wozniak

Dombrowski	Laughlin	Rieger	Wright, D. R.
Duffy	Lescovitz	Ritter	Wright, R. C.
Durham	Letterman	Rybak	Zwikl

NAYS—87

Anderson	Foster, Jr., A.	Livengood	Punt
Arty	Frazier	McClatchy	Rappaport
Bittle	Freind	McMonagle	Rocks
Borski	Gallagher	McVerry	Saurman
Bowser	Gallen	Madigan	Sieminski
Boyes	Gannon	Maiale	Sirianni
Brandt	Gladeck	Manmiller	Smith, L. E.
Burd	Gruppo	Marmion	Spencer
Cessar	Hagarty	Merry	Spitz
Civera	Hasay	Micozzie	Stairs
Clymer	Hayes	Miller	Swaim
Cole	Heiser	Mowery	Swift
Cornell	Hoeffel	Mullen	Taddonio
Coslett	Honaman	Nahill	Taylor, E. Z.
DeVerter	Jackson	Noye	Vroon
Daikeler	Johnson	Perzel	Wenger
Dietz	Kanuck	Peterson	Weston
Dinianni	Kennedy	Phillips	Wogan
Donatucci	Lashingier	Piccola	Wright, J. L.
Dorr	Lehr	Pitts	
Fargo	Levi	Pott	Ryan,
Fleck	Lewis	Pucciarelli	Speaker
Foster, W. W.			

NOT VOTING—6

Alden	Cochran	Telek	Williams, H.
Armstrong	Smith, E. H.		

EXCUSED—3

Irvis	Rasco	Salvatore
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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?

Mr. LAUGHLIN offered the following amendments No. A5237:

Amend Title, page 1, line 7, by inserting after "PROVIDING"

for applicability of the act,

Amend Sec. 1, page 2, lines 7 and 8, by striking out "SECTIONS 303, 402, 501, 904, CLAUSE (D) OF SECTION 905 AND SECTION 1002," and inserting

The

Amend Sec. 1, page 2, line 10, by striking out "ARE" and inserting
is

Amend Sec. 1, page 2, line 10, by striking out "AND SECTIONS ARE ADDED" and inserting
by adding a section

Amend Bill, page 2, by inserting between lines 11 and 12

Section 104. Application.—Notwithstanding any other act, this act shall exclusively govern and regulate the terms and conditions of all extensions of credit by the means of credit cards or credit card operations for the purchase of goods and services within this Commonwealth but excluding cash advances.

Section 2. Sections 303, 402 and 501 of the act are amended to read:

Amend Bill, page 5, by inserting between lines 9 and 10

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

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

Section 4. Section 904 and clause (d) of section 905 of the act are amended to read:

Amend Bill, page 7, by inserting between lines 9 and 10

Section 5. The act is amended by adding sections to read:

Amend Bill, page 7, lines 25 through 30; page 8, lines 1 through 4, by striking out all of said lines and inserting

Section 6. Section 1002 of the act is repealed.

Amend Sec. 2, page 8, line 5, by striking out "2" and inserting

7

Amend Bill, page 8, by inserting between lines 7 and 8

Section 8. (a) The following acts and parts of acts are repealed insofar as they are inconsistent herewith:

Sections 13 and 17.1, act of April 8, 1937 (P.L. 262, No. 66), known as the "Consumer Discount Company Act."

Sections 309 and 506, act of November 30, 1965 (P.L. 847, No. 356), known as the "Banking Code of 1965."

Sections 701 and 919, act of December 14, 1967 (P.L. 746, No. 345), known as the "Savings Association Code of 1967."

(b) All other acts and parts of acts are repealed insofar as they are inconsistent herewith.

Amend Sec. 3, page 8, line 8, by striking out "3" and inserting

9

On the question,

Will the House agree to the amendments?

AMENDMENTS DIVIDED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Laughlin.

The Chair has been informed that part of the amendment, "Amend Sec. 1, page 2, lines 7 and 8, by striking out 'SECTIONS 303, 402, 501, 904, CLAUSE (D) OF SECTION 905 AND SECTION 1002,' " has been included in the bill by prior amendments. The Chair asks the gentleman if he would have any objection to dividing the amendment by taking out that particular section of the amendment.

Mr. LAUGHLIN. None whatsoever, Mr. Speaker. I was aware of that.

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

Mr. LAUGHLIN. Mr. Speaker, very briefly, the Goods and Services Installment Act was passed by this legislature to govern the terms and conditions of consumer credit purchased through the use of credit cards. While I believe the act still governs credit card transactions, various banks and other institutions across the State have attempted to circumvent the usury acts within the State of Pennsylvania by their various legal ploys, including a suit filed in the Federal courts that our Attorney General, Mr. Zimmerman, had to go in to defend on behalf of the people of this State.

Mr. Speaker, this amendment merely clarifies the situation by making it very clear that the provisions of the Goods and Services Installment Act do and shall continue to govern all credit card transactions within the Commonwealth. I ask for an affirmative vote.

On the question,

Will the House agree to the amendments as divided?

The following roll call was recorded:

YEAS—138

Arty	Fee	McClatchy	Rybak
Barber	Fischer	McIntyre	Seventy
Belardi	Foster, Jr., A.	McMonagle	Showers
Belfanti	Freind	Mackowski	Shupnik
Berson	Fryer	Maiale	Sieminski
Blaum	Gallagher	Manderino	Sirianni
Borski	Gamble	Manmiller	Smith, B.
Brown	Gannon	Michlovic	Spitz
Burns	Grabowski	Micozzie	Stairs
Caltagirone	Gray	Miscevich	Steighner
Cappabianca	Greenfield	Morris	Stevens
Cawley	Greenwood	Mrkonic	Stewart
Cimini	Grieco	Mullen	Stuban
Civera	Gruitza	Murphy	Swaim
Clark	Gruppo	O'Donnell	Sweet
Cohen	Haluska	Olasz	Taylor, F. E.
Colafella	Harper	Oliver	Telek
Cole	Hasay	Pendleton	Tigue
Cordisco	Hayes	Peterson	Trello
Cowell	Hoeffel	Petrarca	Van Horne
Cunningham	Horgos	Petrone	Wachob
DeMedio	Hutchinson, A.	Phillips	Wambach
DeVerter	Itkin	Piccola	Wargo
DeWeese	Johnson	Pievsky	Wass
Davies	Klingaman	Pistella	Weston
Dawida	Kolter	Pitts	Wiggins
Deal	Kowalyshyn	Pratt	Williams, H.
Dietz	Kukovich	Pucciarelli	Williams, J. D.
Dininni	Laughlin	Punt	Wilson
Dombrowski	Lescovitz	Rappaport	Wogan
Donatucci	Letterman	Richardson	Wozniak
Duffy	Levi	Rieger	Wright, D. R.
Durham	Levin	Ritter	Wright, R. C.
Emerson	Lloyd	Rocks	Zwikl
Evans	Lucyk		

NAYS—56

Anderson	Fleck	Livengood	Serafini
Armstrong	Foster, W. W.	McVerry	Smith, E. H.
Bittle	Frazier	Madigan	Smith, L. E.
Bowser	Gallen	Marmion	Snyder
Boyes	Geist	Merry	Spencer
Brandt	George	Miller	Swift
Burd	Gladeck	Moehlmann	Taddonio
Cessar	Hagarty	Mowery	Taylor, E. Z.
Clymer	Heiser	Nahill	Vroon
Cochran	Honaman	Noye	Wenger
Cornell	Jackson	Perzel	Wright, J. L.
Coslett	Kennedy	Pott	
Daikeler	Lashinger	Reber	Ryan,
Dorr	Lehr	Saurman	Speaker
Fargo	Lewis		

NOT VOTING—3

Alden	Beloff	Kanuck
		EXCUSED—3
Irvis	Rasco	Salvatore

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

On the question recurring,

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

Mr. LAUGHLIN offered the following amendments No. A5258:

Amend Sec. 1, page 2, line 8, by striking out "AND SECTION 1002," and inserting
 , sections 1002 and 1201,

Amend Bill, page 8, by inserting between lines 4 and 5

Section 1201. (a) Any person who wilfully and intentionally violates, or shall direct or consent to the violation of, any provision of this act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than one thousand dollars (\$1,000) or by imprisonment for not more than one year, or both.

(b) In addition, any violation of this act is hereby declared to be an unfair or deceptive act or practice as defined in section 2 of the act of December 17, 1968 (P.L.1224, No.387), known as the "Unfair Trade Practices and Consumer Protection Law."

On the question,

Will the House agree to the amendments?

AMENDMENTS DIVIDED

The SPEAKER pro tempore. The Chair would like to inform the gentleman that we have been told that the first three lines of this amendment have already been included. Does the gentleman have any objections to striking out the first three lines of the amendment?

Mr. LAUGHLIN. No, Mr. Speaker. I have no objections.

The SPEAKER pro tempore. The amendment then will be divided, and the first three lines of the amendment will be deleted. The amendment will start, "Amend Bill, page 8, by inserting between lines 4 and 5."

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

Mr. LAUGHLIN. Mr. Speaker, very briefly, as you know, the State of Pennsylvania has had difficulty with upholding our Goods and Services Installment Act in court and on occasions when the circumvention of these laws was attempted by banks and financial institutions across the State.

This amendment would also make the violation of the Goods and Services Installment Act a violation of the unfair or deceptive practices law. In this way, Mr. Speaker, it would give the Attorney General of this State standing and also the district attorneys of the local communities in order to go in and to get an injunction against those involved in these illegal practices and would prevent their reoccurrence. I ask for an affirmative vote.

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

Mr. DORR. Mr. Speaker, may I interrogate the gentleman, Mr. Laughlin?

The SPEAKER pro tempore. The gentleman indicates that he will agree to be interrogated. The gentleman, Mr. Dorr, may proceed.

Mr. DORR. Mr. Speaker, would the gentleman indicate to us whether the language contained in the amendment will in any way affect the degree of penalty that might be imposed by reason of the inclusion of the violation of the other act?

Mr. LAUGHLIN. Mr. Speaker, as I have been told by the legal staff with regard to the violations, they are similar and yet the restrictions and the opportunities for the Attorney General and the district attorney will be enhanced by the inclusion of the wording that will also include the unfair and deceptive practices trade act.

Mr. DORR. Mr. Speaker, would the gentleman indicate, under circumstances of a violation being charged, whether a person would in effect be subject to double the penalty by reason of having violated two different laws since he has now violated by reason of this language in the amendment not only the Goods and Services Installment Sales Act but also the Unfair Trade Practices Act?

Mr. LAUGHLIN. Mr. Speaker, as you know, the present act provides for a \$1,000 fine and imprisonment of up to 1 year or both for violations of the act presently. It would be entirely up to the courts to decide in that particular issue, and I am sure that any judge who would rule on that case would rule in such a fashion as to decide whether or not it was a deliberate attempt to circumvent the law, to what degree it was, and all the other ingredients to making up a judicial decision on any case, Mr. Speaker.

Mr. DORR. Mr. Speaker, may I comment on the amendment, please?

The SPEAKER pro tempore. The gentleman, Mr. Dorr, is in order and may proceed.

Mr. DORR. Mr. Speaker, I think the answer to the last question was yes, if I interpreted the gentleman's remarks correctly. What in effect I think he is saying is that we should leave it up to the courts to determine what penalty someone should have. We are in fact indicating a double-penalty possibility for someone who violates the act, if we insert this amendment. Now, that may not be a bad thing in some circumstances, but what you have to remember is the effect upon Pennsylvania's economy by reason of loading up this bill, including this amendment, with things which make it that much more difficult. The guy down the street who sells bubble gum or whatever, when he is deciding whether or not to increase his business, when he is deciding whether to stay in business, all of the things that we do to him in the nature of putting him in jeopardy add to the burden of doing business and in some cases may put him on the edge of deciding not to go into business or not to stay in business.

Mr. Speaker, I think the penalties contained in the act are a sufficient deterrent and would be sufficient punishment without adding an additional double-jeopardy sort of penalty by the insertion of this amendment. I recommend a negative vote.

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

Mr. LAUGHLIN. Mr. Speaker, in all honesty, the gentleman alludes to the fact that there would be double jeopardy, but in fact if the gentleman would examine under section 201.8 of the civil penalties related to the act of unfair and deceptive practices, he would find that there is no double jeopardy there, Mr. Speaker. It in fact is civil penalties as opposed to a criminal act that is within the body of the Goods and Services Installment Act, Mr. Speaker, so it does not have double jeopardy. It has a civil as well as a criminal penalty.

The SPEAKER pro tempore. The Chair wishes to inform the House that this amendment that you are now voting upon has been divided to omit the first three lines of the amendment.

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

The following roll call was recorded:

YEAS—94

Barber	Emerson	Lucyk	Seventy
Belardi	Evans	McIntyre	Showers
Belfanti	Fee	Manderino	Shupnik
Berson	Fischer	Michlovic	Stairs
Blaum	Fryer	Miscevich	Steighner
Brown	Gallagher	Morris	Stewart
Burns	Gamble	Mrkonjic	Stuban
Caltagirone	George	Mullen	Swaim
Cappabianca	Grabowski	Murphy	Sweet
Cawley	Gray	O'Donnell	Taylor, F. E.
Clark	Greenfield	Olasz	Tigue
Cohen	Gruitza	Oliver	Trello
Colafella	Haluska	Pendleton	Van Horne
Cole	Harper	Petrarca	Wachob
Cordisco	Hoeffel	Petrone	Wambach
Cowell	Horgos	Pievsky	Wargo
DeMedio	Itkin	Pistella	Wiggins
DeWeese	Kolter	Pratt	Williams, H.
Dawida	Kowalshyn	Pucciarelli	Williams, J. D.
Deal	Kukovich	Richardson	Wilson
Dombrowski	Laughlin	Rieger	Wozniak
Donatucci	Lescovitz	Ritter	Wright, D. R.
Duffy	Levin	Rybak	Zwikl
Durham	Lloyd		

NAYS—98

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

NOT VOTING—5

Alden	Kanuck	Lewis	Wright, R. C.
Hutchinson, A.			

EXCUSED—3

Irvis	Rasco	Salvatore
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The question was determined in the negative, and the amendments as divided were not agreed to.

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

Mr. LAUGHLIN offered the following amendments No. A5478:

Amend Sec. 1, page 2, lines 7 through 11, by striking out all of said lines and inserting

Section 1. Clauses (6), (13) and (16) of section 201, act of October 28, 1966 (1st Sp.Sess., P.L.55, No.7), known as the "Goods and Services Installment Sales Act," are amended and a clause is added to read:

Section 201. Unless the context or subject matter otherwise requires, the definitions given in this article govern the construction of this act.

(6) "Retail installment contract" or "contract" means any contract for a retail installment sale between a buyer and a seller which provides for repayment in installments, whether or not such contract contains a title retention provision, and in which a time price differential is computed upon and added to the unpaid balance at the time of sale or where no time price differential is added but the goods or services are available at a lesser price if paid by cash or where the buyer, if he had paid cash, would have received any additional goods or services or any higher quality goods or services at no added cost over the total amount he pays in installments. When taken or given in connection with a retail installment sale, the term includes but is not limited to any loan, any purchase money loan, a security agreement and a contract for the bailment or leasing of goods by which the bailee or lessee contracts to pay as compensation for their use a sum substantially equivalent to or in excess of their value and by which it is agreed that the bailee or lessee is bound to become, or has the option of becoming, the owner of the goods upon full compliance with the terms of the contract and any other form of contract which has a similar purpose or effect.

(13) "Holder" means the retail seller who acquires a retail installment contract or installment account executed, incurred or entered into by a retail buyer, or if the contract or installment account is purchased by a financing agency or other assignee, the financing agency or other assignee, or a purchase money lender who extends credit in connection with a retail sale. The term does not include the pledgee of or the holder of a security interest in an aggregate number of such contracts or installment accounts to secure a bona fide loan thereon.

(16) "Financing agency" means a person engaged in this Commonwealth in whole or in part in the business of purchasing retail installment contracts, or installment accounts from one or more retail sellers, or is in the business of extending purchase money loans. The term includes but is not limited to a bank, bank and trust company, private banker, or investment company.

(17) "Purchase money loan" means a cash advance which is received by a consumer in return for a service charge, time-price differential, or a finance charge including any interest discount or other consideration, paid or payable by the consumer, which is applied, in whole or substantial part, to a purchase of goods or services from a seller who refers consumers to the creditor or is affiliated with the creditor by common control, contract, or business arrangement. A referral by a seller within the meaning of this definition occurs when a seller engages in cooperative or concerted conduct with a lender to channel consumers to a particular lender on a continuing basis. The mere fact that a seller may suggest credit sources to his customers or otherwise provide information in this regard does not constitute a referral of consumers by the seller within the meaning of this definition. A pattern of referrals of consumers by the seller to a particular creditor shall be prima facie evidence of cooperative and concerted conduct between the seller and lender within the meaning of this section. Formal consideration need not pass between the seller and lender to constitute a referral. The fact that a seller and lender are cooperatively engaged in an effort which is mutually beneficial to their separate business interests is sufficient.

Section 2. Sections 303, 304, 305, 307, clause (a) of section 401, sections 402, 501, 904, clause (d) of section 905 and section 1002 of the act are amended and sections are added to read:

Amend Bill, page 3, by inserting between lines 25 and 26

Section 304. The seller or holder shall not obtain the signature of the buyer to a contract when it contains blank spaces to be filled in after it has been signed.

Section 305. If the cost of any insurance is included in the contract and a separate charge is made to the buyer for such insurance, the seller or holder and the buyer shall comply in all respects with the act of September 2, 1961 (P.L.1232, No.540), known as the "Model Act for the Regulation of Credit Life Insurance and Credit Accident and Health Insurance."

Section 307. The seller or holder shall deliver to the buyer, or mail to him, at his address shown on the contract, a legible copy thereof completed in accordance with the provisions of this act. Until the seller or holder does so, the buyer shall be obligated to pay only the cash sale price. Any acknowledgment by the buyer of delivery of a copy of the contract shall be printed or written in a size equal to at least ten-point bold type and, if contained in the contract shall also appear directly above the space reserved for the buyer's signature. The buyer's written acknowledgment, conforming to the requirements of this section of delivery of a copy of a contract shall be a rebuttable presumption of such delivery and of compliance with this section and section 304, in any action or proceeding by or against an assignee of the contract without knowledge to the contrary when he purchases the contract. If the holder furnishes the buyer a copy of the contract, or a notice containing the items required by section 303 and stating that the buyer should notify the holder in writing within fifteen (15) days if he was not furnished a copy of the contract, and no such notification is given, it shall be conclusively presumed in favor of the third party that a copy was furnished as required by sections 304 and 307.

Section 401. No contract or obligation shall contain any provision by which:

(a) The buyer agrees not to assert against a seller or holder a claim or defense arising out of the sale or agrees not to assert against an assignee such a claim or defense other than as provided in section 402.

Amend Sec. 1 (Sec. 402), page 3, line 26, by striking out "NO RIGHT OF ACTION OR DEFENSE ARISING OUT OF A" and inserting

All retail installment sales contracts shall be subject to the following condition regarding assignments:

(a) No right of action or defense arising out of a

Amend Sec. 1 (Sec. 402), page 4, by inserting between lines 15 and 16

(b) All legal defenses arising out of the transaction which are available against the seller are also available against a holder or assignee.

(c) No retail installment contract or any separate instrument executed in connection therewith shall contain any provision waiving any legal remedies or defenses which a buyer may have had against the seller, nor shall said contract or instrument contain any provision relieving the holder or assignee from defenses available to the buyer against the seller.

Amend Sec. 1 (Sec. 501), page 4, line 16, by inserting after "SELLER"

or purchase money lender

On the question,

Will the House agree to the amendments?

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

Mr. LAUGHLIN. Mr. Speaker, this amendment deals with those transactions within the business community with cus-

tomers and financial institutions that are not at arm's length. This deals with the fact that quite often when we go in to purchase goods from a retailer and the credit is in question, we have a retailer who is directing the person to a specific financial institution that will provide him with credit. Unfortunately, that credit is at 24 percent rather than the present 15 percent that is available under the Goods and Services Act.

This does not, Mr. Speaker, restrict any retailer from suggesting any number of possible outlets for the accomplishment of credit rating or the availability of credit to any of his customers. It merely restricts specifically those areas where the retailer and the financial institution have a direct relationship businesswise and prevents them from utilizing the higher interest rate against the consumer. It makes available the Goods and Services Act with regard to the interest as well as the provisions of the law, and I ask for an affirmative vote.

The SPEAKER pro tempore. The Chair recognizes the gentleman from York, Mr. Dort.

Mr. DORR. Mr. Speaker, I rise to oppose the amendment.

I am sure many of the members have been contacted as I have in the last 6 months or year by retailers. I can remember, for example, one of the larger snowmobile dealers in my district—when I say "large," I mean he probably employs six or eight people and sells snowmobiles alongside the State park down here, 15 or 20 miles below Harrisburg—who contacted me about 6 or 8 months ago inquiring about this and other similar legislation, because in fact his consumers, or his potential consumers, had been denied the opportunity to purchase goods from him particularly in this field of the larger purchases of snowmobiles—I am assuming the same would apply to and have been contacted in fact by appliance dealers and similar people—because credit in fact has dried up in Pennsylvania along the lines that the gentleman, Mr. Laughlin, was talking about. The normal financing of those transactions is either a discounting operation or a situation where the retailer himself even supplies the service, for the financial institution, in many cases a loan company, providing the application, filling out, and that sort of thing for the consumer. Those companies have in effect denied credit to Pennsylvania buyers because of the interest rate situation in Pennsylvania today.

We are attempting to address that in this bill. To then deny the further application of the normal kind of economic transaction to say you must be limited to the credit-card type of thing in effect is going to deny those people who are already denied credit because of the lowering of interest rates at the finance company level the opportunity to get back into that market whenever the finance-company-level type of transaction opens up again. What we are going to say to him is, no longer can you use that route; you must get your transaction financed by the local retailer at 18 percent. Our small retailers, you and I both know, in our small towns in Pennsylvania, the smaller businessmen, simply cannot finance those kinds of purchases, and therefore, there is no money available for them. We are going to say you cannot even use the finance company route, because obviously the finance companies are not going to finance at that rate either.

Mr. Speaker, I think we have to be realistic about the imposition of interest rates. We cannot limit interest rates in this General Assembly. If we attempt to limit interest rates artificially, what we do is in effect limit credit. Money goes where it will earn the most money, and if the money is not able to earn enough here in Pennsylvania, then it is used elsewhere. We cannot say the money in Pennsylvania stops at Pennsylvania State lines. It does not work that way.

I think it is unrealistic, and I think that this particular amendment is bad policy for the consumers of Pennsylvania who cannot afford to go in and pay cash for any item they wish to buy. I recommend a negative vote.

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

Mr. LAUGHLIN. Mr. Speaker, I fully understand the gentleman's problem with the drying up of credit as he indicates. I am not dealing with the drying up of credit in this amendment, Mr. Speaker. What I am dealing with specifically is those financial institutions that are tied directly through a business transaction, an arrangement, with a retailer where their credit is recommended directly to that financial institution, and so there is no arm's length transaction. They are being set up to be taken advantage of by the amount of approximately 9 percent, the difference between a 24-percent interest rate and 15 percent.

I sympathize with those who have difficulty with getting credit, Mr. Speaker, but we are not speaking of getting credit here; we are speaking of the fact that there is a situation where the consumers in this State, your people as well as mine, go in to make a transaction of some large amount and are directed to a financial institution that will charge credit ratings in excess of what they would get normally. I am asking only for that consideration, Mr. Speaker.

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

Mr. DORR. Mr. Speaker, I do not want to belabor the point. The gentleman says "what they would get normally." The point is, they will not get it normally, so if the gentleman's amendment passes, they will not get it at all. They will not get the purchase, because they cannot get the credit.

Mr. Speaker, I would just like to point out what I think is the case—my amendments have come apart—but I believe the gentleman's amendment also contains a section dealing with holder-in-due-course language. If that is the case, I also doubly recommend opposition to the amendment, because in effect what we are again doing is piling on another layer of regulation onto the economy of Pennsylvania when in fact the situation is already regulated by the Federal Government through the Federal Trade Commission.

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

The following roll call was recorded:

YEAS—93

Barber	Evans	Lloyd	Rybak
Belardi	Fee	Lucyk	Seventy
Belfanti	Fischer	McIntyre	Showers
Berson	Fryer	McMonagle	Shupnik
Blaum	Gallagher	Manderino	Stairs

Borski	Gamble	Michlovic	Steighner
Brown	George	Miscevich	Stuban
Burns	Grabowski	Morris	Swaim
Caltagirone	Gray	Mrkonc	Sweet
Cappabianca	Greenfield	Murphy	Taylor, F. E.
Cawley	Gruitza	O'Donnell	Tigue
Clark	Haluska	Olasz	Trello
Cohen	Harper	Oliver	Van Horne
Colafella	Hoeffel	Pendleton	Wachob
Cole	Horgos	Petrarca	Wambach
Cordisco	Itkin	Petrone	Wargo
Cowell	Kolter	Pievsky	Wiggins
DeMedio	Kowalshyn	Pistella	Williams, H.
DeWeese	Kukovich	Pucciarelli	Williams, J. D.
Dawida	Laughlin	Rappaport	Wilson
Deal	Lescovitz	Richardson	Wozniak
Dombrowski	Letterman	Rieger	Wright, D. R.
Duffy	Levin	Ritter	Zwilk
Emerson			

NAYS—97

Anderson	Foster, W. W.	McClatchy	Serafini
Armstrong	Foster, Jr., A.	McVerry	Sieminski
Beloff	Frazier	Mackowski	Sirianni
Bittle	Freind	Madigan	Smith, B.
Bowser	Gallen	Maiale	Smith, E. H.
Boyes	Gannon	Manmiller	Smith, L. E.
Brandt	Geist	Marmion	Snyder
Burd	Gladeck	Merry	Spencer
Cessar	Greenwood	Micozzie	Spitz
Cimini	Grieco	Miller	Stevens
Civera	Gruppo	Moehlmann	Stewart
Clymer	Hagarty	Mowery	Swift
Cochran	Hasay	Mullen	Taddonio
Cornell	Hayes	Nahill	Taylor, E. Z.
Coslett	Heiser	Noye	Telek
Cunningham	Honaman	Perzel	Vroon
DeVerter	Jackson	Peterson	Wass
Daikeler	Johnson	Phillips	Wenger
Davies	Kennedy	Piccola	Weston
Dietz	Klingaman	Pitts	Wogan
Dininni	Lashingier	Pott	Wright, J. L.
Donatucci	Lehr	Punt	
Dorr	Levi	Reber	Ryan, Speaker
Fargo	Lewis	Rocks	
Fleck	Livengood	Saurman	

NOT VOTING—7

Alden	Durham	Kanuck	Wright, R. C.
Arty	Hutchinson, A.	Pratt	

EXCUSED—3

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

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

The SPEAKER. The Chair thanks the gentleman, Mr. Anderson, for presiding.

AMENDMENT A5258 RECONSIDERED

The SPEAKER. The Chair recognizes the gentleman from Beaver, Mr. Laughlin, who moves that the vote by which the amendment to SB 306, being amendment A5258, was defeated on February 2, 1982, be reconsidered. The motion is seconded by the gentleman from Philadelphia, Mr. Pievsky.

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

The following roll call was recorded:

YEAS—187

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

NAYS—0

NOT VOTING—10

Alden	Gamble	Stairs	Wilson
Burd	Hutchinson, A.	Wiggins	Wright, R. C.
Fleck	Kanuck		

EXCUSED—3

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

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

The clerk read the following amendment No. A5258:

Amend Bill, page 8, by inserting between lines 4 and 5 Section 1201: (a) Any person who wilfully and intentionally violates, or shall direct or consent to the violation of, any

provision of this act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than one thousand dollars (\$1,000) or by imprisonment for not more than one year, or both.

(b) In addition, any violation of this act is hereby declared to be an unfair or deceptive act or practice as defined in section 2 of the act of December 17, 1968 (P.L.1224, No.387), known as the "Unfair Trade Practices and Consumer Protection Law."

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

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

Mr. LAUGHLIN. Mr. Speaker, as I said earlier, there was some confusion about what the gentleman said with regard to double jeopardy. I believe some of the members may have been confused by that. There is no double jeopardy in that the one section deals with civil penalties; the other section, Mr. Speaker, deals with criminal penalties. I would ask an affirmative vote.

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

The question before the House is amendment A5258 as divided, the division taking place with the words "Amend Bill, page 8, by inserting between lines 4 and 5," down to the end of that page.

Mr. DORR. Mr. Speaker, again, I just urge a negative vote. I think we are already imposing enough regulation and enough burden on the economy of Pennsylvania in this bill. To in effect double the penalty by saying, if you violate this act, you are violating another act also, does not seem to make a lot of sense to me. I think that those people who are making decisions about investing in Pennsylvania should not have the imposition of this additional penalty on them by simple act of the legislature.

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

The following roll call was recorded:

YEAS—93

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

NAYS—98

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

NOT VOTING—6

Alden	Kanuck	Wilson	Wright, R. C.
Beloff	Spitz		

EXCUSED—3

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

On the question recurring,

Will the House agree to the bill on third consideration 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, on the question of final passage, the gentleman from Beaver, Mr. Laughlin.

Mr. LAUGHLIN. Mr. Speaker, I will be very brief. I know it has been a long day for the members.

Mr. Speaker, the amendments that were to be offered today to correct the problems within this bill have not passed. As a result, I would certainly request the membership to vote in the negative with regard to increasing these rates because of the effect it has on the consumers of this State, their ability to purchase, the related unemployment that affects us, and all of the other problems with our economy. Raising interest rates at this time is certainly not in our best interest, and I would ask a negative vote.

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

Mr. DORR. Mr. Speaker, would the gentleman consent to interrogation?

The SPEAKER. The gentleman, Mr. Laughlin, will consent to interrogation. The gentleman, Mr. Dorr, may proceed.

Mr. DORR. Mr. Speaker, I just wanted to clarify something. The implication of what the gentleman was saying was

that the General Assembly, if this bill passes, is raising interest rates. Is that what the gentleman is indicating?

Mr. LAUGHLIN. Mr. Speaker, if this bill passes, the availability of an 18-percent rate on goods and services will be there as opposed to the present 15 percent.

Mr. DORR. So is the gentleman saying no then?

Mr. LAUGHLIN. I think you could draw your own conclusion from that, Mr. Speaker.

Mr. DORR. Mr. Speaker, may I make a comment?

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

Mr. DORR. I understand the gentleman's zeal to support his position in regard to the bill, Mr. Speaker, but I do not think it is fair to the people of the Commonwealth of Pennsylvania and it is certainly not fair to the members of the legislature to say that the passage of this bill raises interest rates. What raises interest rates is a whole gamut of financial considerations having very little to do with this particular piece of legislation, as I indicated before. We do not control interest rates in this General Assembly, whether we like to think it or not.

My suggestion, Mr. Speaker, is that while we are all aware of the fact that this bill does in fact raise the permissible maximum interest rate, it certainly does not raise the rates.

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

Mr. GRUITZA. Thank you, Mr. Speaker.

Very briefly, I am rising in opposition to this bill. Back in the Shenango Valley, people are being asked to make concessions in their contracts, the steelworkers. Our auto workers who work over at Lordstown are being asked to make concessions in their contracts. The general state of the economy is asking the people to make concessions. The only concessions that are not being made are concessions on issues before the PUC (Public Utility Commission), issues concerning insurance rates and interest rates.

It seems like there have been two schools of economic thought thrown around the House today. One is those who believe that the market will seek its own level and that really we should not even be controlling these rates at all because supply and demand will dictate the proper level of interest. And then there is another school of thought that Mr. Manderino touched on earlier, that the powers-to-be and those who are in control will in effect control these rates, and they will continue to climb upward. I think that at a time when the economy of this State, when the powers-to-be in this State are asking the consumers, the working people, to tighten their belts, to demand less over negotiating tables, at a time when people are already in a difficult position as far as making ends meet, we should be very reluctant and hesitant to pass any increase for interest rates.

So I would request that the members think very seriously about this vote. I think it is anticonsumer. It has not been justified to me that it is necessary, and I think the timing is very poor at this time. Thank you.

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

Mr. RICHARDSON. Mr. Speaker, I would like to know if I can interrogate Mr. Dorr.

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

Mr. RICHARDSON. Thank you, Mr. Speaker.

I would like to know if the gentleman can tell us whether or not SB 306 will in fact guarantee us not an increase from 15 to 18 percent in the interest rate.

Mr. DORR. Mr. Speaker, I could not hear the gentleman. I am sorry.

The SPEAKER. Would the gentleman, Mr. Richardson, repeat his question to Mr. Dorr?

Mr. RICHARDSON. Yes, Mr. Speaker. I would be more than happy to.

I would like to ask the gentleman whether or not SB 306 will in fact guarantee us members of this House that the interest rates will not rise from 15 to 18 percent.

Mr. DORR. No.

Mr. RICHARDSON. No, you will not what? You will not guarantee us that, or no, it will not?

Mr. DORR. Mr. Speaker, I understood the gentleman's question to be whether the bill guarantees us that interest rates will not rise from 15 to 18 percent. The answer to that is no.

Mr. RICHARDSON. I asked you specifically whether or not you can guarantee the members of this House whether or not that increase will not take place as a result of the passage of this bill.

Mr. DORR. Mr. Speaker, I cannot guarantee you anything.

Mr. RICHARDSON. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Lycoming, Mr. Grieco.

Mr. GRIECO. Mr. Speaker, I rise, and I am not going to ask my colleagues to vote "yes" or "no" on this bill. I will leave it up to your discretion. But I want to say this: Interest rates are set by the Federal Reserve Board, not by the House in Harrisburg or the House in New York City or New York State.

Now, yesterday they raised the prime rate from 15 3/4 percent up to 16 1/2 percent. Now, can you tell me where you are going to borrow money at 15 percent when the prime rate is going to be 16 3/4? We want to help our people in Pennsylvania, and we can make money available at 15, 16, 17, or 18 percent. It is up to the local banks to decide what price they are going to put on their money, but you cannot ask people to borrow money at 15 percent when there is no money available at 15 percent, when the prime rate now is 16 1/2 percent, and it may go higher. Thank you.

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

Mr. PETERSON. Thank you, Mr. Speaker.

I know it has been long, and I will try to be brief. I remember back 2 years ago when we debated this same issue, I heard most of the same arguments. The arguments then were as they are now, that we are holding down interest rates to protect our consumers. That sounds good. That sounds wonderful for the consumers. But what was predicted by many who came to the

Mike then, and what has happened? It was predicted then that we would limit credit to only those who probably could get along without it, and that is what has happened in Pennsylvania. The credit cards of most credit card companies in Pennsylvania are only available today to people who have equity, to people who have property that is paid for, to people who could probably get along without it if they had to. We have taken away a very fine form of credit, a credit that people can afford, by restricting the price cheaper than it dare to be. I do not like high interest rates. No one likes high interest rates, but the interest rates, the artificial rate that we have set in Pennsylvania, have taken this form of credit away from the exact people whom we are claiming to protect and represent.

I think we made a mistake then, and I think we are going to make a mistake today if we do not pass SB 306. It was never popular. It never will be, but if we are realistic about it, what we will do if we do not pass SB 306 today, we will continue to drive the workingmen of this Commonwealth to higher forms of credit, and you know what they are. They are a lot higher than 15 percent. That will be the only kind of credit that those people can have. Credit cards are not available to many working people today unless they have a lot of equity, and they will not be in the future unless we pass a realistic rate. Thank you.

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I have held several conferences with my local businessmen in upper Bucks on this very issue on the deregulation of interest rates, and they have complained to me that they are losing sales simply because the paper that they generate as a credit no one is picking up. The banks do not want to pick up the loan, and the consumer finance corporations are having problems, as the previous speaker mentioned, in borrowing money at a higher rate and then charging it back at 15 percent. They have lost sales. Many of them are hurting as far as their profit-and-loss margins are concerned.

The four chambers of commerce in Bucks County have written to me asking that we try to do something regarding this particular issue. The Pennsylvania Retailers Association, PenJerDel, another retail organization in the tristate area, have also asked that we try to bring interest relief to the business community. There is no question in my mind that if we are to protect jobs, if we are to help the small businessman, as I am addressing that particular issue, we must vote in a positive aspect on this bill. I ask that my colleagues support this bill, which is very critical and important to the business people of Pennsylvania. Thank you very much.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, very briefly, 2 years ago one of the previous speakers indicated that we failed to pass a raise in the permitted limits for interest from 15 to 18 or from 15 to some other figure, and said that was a mistake. I do not think it was a mistake to have saved the people of Pennsylvania who have dealt in this kind of credit for 2 years the 3 percent that we saved them, and we saved them that 3 percent

by simply not passing the act. I have not had one letter, and I venture to say none of you have had letters from any constituents telling you, please raise the permissible rate of interest so I can get credit that I cannot get now. I have not heard from one constituent who said, please make credit available to me.

The fact is, and you all know it, credit is available at the 15-percent rate. Credit cards are being issued just as they were before by the retail sales outfits. No one is limiting to any large extent the persons using the credit cards. To buy the argument that the only people who are getting credit in the retail area today are those people who can afford to pay cash just simply is not the case. Certainly the higher we get the interest rate, the less likely people who are able to afford to buy everything cash, the less likely they will be to use credit, and I am sure that is not the object of this bill.

Mr. Speaker, not one constituent has written to me, probably not written to any of the members on this side. We did accomplish something 2 years ago when we refused to pass this legislation. We will accomplish something today if we refuse to pass the legislation. We simply will not permit persons who want to charge more than 15 percent interest to charge 15 percent interest on the sale of goods and services.

Mr. Speaker, the gentleman, Mr. Dorr, says we are not raising interest rates. Well, Mr. Speaker, you are begging the question. None of us has any doubt that in Pennsylvania on the effective day of this act, should it pass in the form that it is in, every retail outlet in Pennsylvania will be at 18 percent interest. Every retail outlet charging interest will seek the level that the law allows. You do not doubt it, Mr. Speaker; I do not doubt it; and anybody who doubts it in here has not seen the way interest rates seek the level of the State statute, and they do, and they will, especially in times of economic inflation spiraling.

Mr. Speaker, national government leaders tell us that until we cool the economy, we are going to continue to have high interest rates. As long as we continue to make money available at higher and higher interest rates, the excess of purchasing power will continue to chase too few goods, and we will continue having high interest rates, high inflation, and hard times for the blue-collar worker and the average taxpayer, the average credit user, in Pennsylvania.

I would urge a negative vote on the bill before us. Thank you, Mr. Speaker.

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

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, I am told that some years ago there were three fine gentlemen huddled together discussing in their minds and in their honest opinions what the greatest inventions were that were bestowed upon the human race. The first said, electric lights, of course, is the most important invention; and the second said, no, it would be the telephone; and the third, who was just as wise, said, no, my friends, it was interest; that is the most important invention that was bestowed upon mankind. I daresay, Mr. Speaker, we sit here continually making all three of these important inventions just too costly for the working men and women to be able to afford. I say to

some of these people, because I dare not and I want not to embarrass any colleague, that for them to stand up and say that these big, high, vested, important interests are not going to raise their rates when the green light shows on the standard, then they are being either facetious or they are trying to throw somebody a curve ball.

Now, it is true that I have heard from some—and they were business—that they would like to see this bill pass, but as the former speaker said, I do not know any of those constituents of mine who are knocking down the doors in order to buy a commodity that already the individual or the retailer has discussed and made a profit on and yet they want to pay a higher interest. I think slowly and surely we sit here maybe with good intent, and we have priced the working men and women right out of the commodity market.

Now, it is okay for some of you who have never had to find yourselves in a position where you have had to finance something or where you found the cost was too great because of the interest. I am quite embarrassed to say to you and to stand here and tell you that I am neither a money expert nor ever dream of being so, but I know when a person is hurting, and you will continue to make them hurt if you pass this bill today. Thank you.

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

Mr. SIEMINSKI. Thank you, Mr. Speaker.

Briefly, the comment was made that we have not heard from our constituents on this issue. Well, Mr. Speaker, I have heard from my constituents both by telephone calls and by letters, and by "constituents" I mean the working men and women of the district that I represent. They have been very concerned and have passed their concern on to me saying that they cannot get the money they need to live on, and they have asked me to do something about it. I have also observed in the district that I represent that a number of loan companies that used to be there to provide that kind of service to my constituents are no longer there. They have gone out of business.

Mr. Speaker, I submit that by not passing this bill today, what we are going to really do is drive the working men and women of Pennsylvania to go to the loan sharks for the money they need to survive, and I would urge passage of this bill. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Mifflin, Mr. DeVerter.

Mr. DeVERTER. Thank you, Mr. Speaker.

It was not my intention to speak on this legislation, but I note with interest some of the remarks made by the minority whip. I just wonder how he probably feels about those consumers of mine who were employees of such firms as Montgomery Ward, K Mart, Joe The Motorists', and a whole host of other smaller retailers who no longer have their doors open. The reason they do not have their doors open is because they could not borrow at 18 and 20 percent from the banks to stock their shelves and then put it out to the consumer at 15 percent. Now, I think all of us have had enough commonsense mathematics in our lives to understand that it is just not very practical to do business that way. When we look at those

interest rates, we look at them not only from the standpoint of the variance in those interest rates but also the cost of those business persons taking care of those what are called accounts receivable, and that today is a very high price tag.

I think we do wrong and do ill to our business community, to the people whom they employ. I would remind this body that the small business people of this State still employ about 80 percent of the people who are employed in this Commonwealth, and I think they deserve some recognition for a change. Thank you, Mr. Speaker.

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

Mr. MARMION. Thank you, Mr. Speaker.

Before I came to this exalted institution, I spent 30 years in the lumber business. Selling lumber, I always had to make a profit. You are going to have to face the fact that cash, money, or credit is a commodity just like my two-by-fours. If they are going to sell their cash or their credit, they have to make a profit. Use your head.

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

Mr. FLECK. Thank you, Mr. Speaker.

There is a point here that I think we have to understand about the interest rates. If anybody does not like high interest rates, it is me, because in my business we have to borrow money to finance inventories and to build buildings and so forth. I do not like them any better than anybody else does. But if you are really on top of this bill, you are going to look at one particular aspect of it that I think holds a lot of harm. Has anybody heard of Hill's Department Store? Does anybody have them in their area? What does Hill's advertise? We do not accept credit cards, right, and our prices are lower, and that is exactly what is happening.

If you will accept only the plain facts, that the prime rate of interest is 16 1/2 percent, that this bill mandates a cap that you can charge of 15 percent, and that a business will and must earn a profit, then the only way they can do that is by increasing the selling price of their goods, and they sell those goods at the same price to those who use credit cards and those who pay cash. Now, if what you want to do is subsidize those who would use a credit card by those who are prudent enough to pay cash, then hold the cost of credit below its real price in this Commonwealth, and that is what you are doing. Everybody who is prudent enough to save his money and buy when he has the hard dollars to lay on the line, which are the people I represent, they pay more so that we can subsidize those who go out and run up their credit card at an artificially low rate.

Now, there is no way to get around the economics of it. If it costs 16 1/2 or 17 percent to borrow the money in the first place, they have to get it from somewhere. If you only let them charge 15 percent to those who use it, then you are transferring that cost to everybody who is prudent enough, saves their money and buys only when they have the cash to pay for it. Thank you.

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

Mr. DUFFY. Thank you, Mr. Speaker.

You know, it was not too long ago on this floor that I heard the same rhetoric about automobile sales, that we should increase the credit rating on the borrowing to purchase cars, that every State on the eastern seaboard had much higher rates than we did, and it would make more money available to the people of this State to purchase automobiles. We raised the rates, and what happened? The sales of automobiles fell like a lead balloon. So we have to bear in mind that in the future here, you might have some problems selling the goods that are on the shelves if you raise the interest rates too high, because basically today the reason people do not buy is they cannot handle the payment.

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

Mr. TIGUE. Thank you, Mr. Speaker.

Mr. Speaker, we have sat here all afternoon listening back and forth, but I think the main line was said by Mr. Manderino when he said that in fact credit is available.

If you would set your minds back to the number-one season for retailers, the season of Christmas, the holiday season, you will find that most retailers deferred payments on credit purchases until sometime in February. Now, if this is the case, that they are in such dire need of a raise in the interest rate, then I ask, how can they defer payments for up to 3 months?

It is my contention that people are not buying not because credit is not available but because of the fact they have less spendable income. When we solve the problem of spendable income, we will solve the problem of buying goods and services. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, the gentleman who spoke just a few minutes ago, Mr. Duffy, talked about when we allowed someone else to raise interest rates by raising the limit on auto dealers' sales. I can remember further back than that. I can remember when we raised the interest rate on home mortgages, or excuse me, we did not raise the interest rates; what we did was allow the interest rate to seek a higher level, and I can remember arguing with the Homebuilders Association at that time that they would rue the day that they came to us not once but several times and asked us to raise that limit so credit was available, so that people could buy and build houses. We did. I voted against those bills. Many of us voted against those bills. We let the credit get up there so that now you have to pay 18 and 19 percent for a mortgage to buy a home, to build a home, and those homebuilders are not working. Homes are not being built. Homes are not being bought or sold on the open market because people will not pay that kind of interest. They are not going to pay it on home mortgages, they are not going to pay it on automobiles, and they are not going to pay it on goods and services purchases. You are going to price yourself out of the market. You are going to raise the permissible rate of interest to the point that there are going to be a lot more— And I do not feel sorry for K Mart, by the way, Mr. Speaker. Somehow I just cannot feel sorry for K Mart. There are some people in these economic times in the retail business who are going under, and I predict

when you raise this interest rate, there are going to be a lot more going under, not because of what we did but because people will not pay the interest rate that somebody else sets at the higher level that we permit.

Again, as Mr. Duffy, I saw it with automobile dealers who asked, please, we cannot sell cars; we cannot find the credit. Well, it is up there, and people are looking at the price that they have to pay for the money to buy a car, and they will not buy the car. The steelworkers are not working and the auto workers are not working and a whole host of allied industries are not working and a whole host of service industries are not working. I will admit to you, I have opposed every interest raise that ever came through the floor of this House. In philosophy, I am a Wright Patman man. When we paid more than 4 percent on savings and charged more than 6 percent on borrowing, that is when we made our first mistake. But we have made many mistakes since then, and this is another one that is going to be made today if we pass this bill.

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

Mr. RICHARDSON. Mr. Speaker, I would like to rise in opposition to SB 306, and I would like to share a different perspective than all of the other perspectives that have been spoken on thus far.

Part of the district that I represent indicates to me very strongly that those persons who are poor and do not fit within the realm of even being able to be given an opportunity to pay an interest rate are those persons who do not fall into that category at all. For example, they cannot even get credit, so let alone not being able to fall into that area at all, they would not be able to get any of the benefits that are reaped by many of those who are discussing reaping benefits because of the declining market in the economy.

It would seem to me that we should also reflect those poor consumers in the Commonwealth who do not fall into a category at all and ask these same banks and loan institutions whether or not they are willing to at least give some relief to those who are poor in being able to allow them to go into a bank or lending institution and receive some type of relief or credit because of the fact that these institutions recognize the problems that do occur. But in my district and also in dealing with these loans in banks and other institutions that do lending, that has not been a top priority or concern. So it seems to me that the bill that is in front of us only is going to benefit the rich and the superrich and not deal at all with taking care of any of those who are poor and disenfranchised. For that reason, Mr. Speaker, and on behalf of those poor persons in the Commonwealth of Pennsylvania, I ask for a negative vote.

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

Mr. SAURMAN. Thank you, Mr. Speaker.

We have heard a good deal about allowing interest rates to go to a higher rate, and I think that we have heard the accusation that perhaps these higher interest rates have caused some businesses to fall in terms of volume. I think we have to remember that when we allow the higher interest rates, we are

not putting a gun to anyone's head. If lower interest rates were indeed the answer to the business problem, every businessman would reduce those interest rates and thereby profit by that opportunity. What we are doing is allowing them to make a choice so that they can deal and be competitive. We are not forcing interest rates up. We are not forcing anyone out of business because interest rates take a higher level. We are giving them an opportunity to deal competitively. Thank you.

The SPEAKER. Does the gentleman from Chester, Mr. Vroon, desire recognition?

Mr. VROON. Yes, Mr. Speaker.

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

Mr. VROON. Mr. Speaker, I have heard a lot of interesting comments in debate here this afternoon, and I am very much amused by the argument that you go to a department store around Christmastime and they will allow you to defer your payments for 2 or 3 months. There is one important factor overlooked. Around Christmastime, you know, I know, we all know, you pay substantially more for your merchandise because of the Christmas demand, so that is reflected in the price. They are not giving you a thing. It has nothing whatsoever to do with interest rates.

It was also said very loud and clear by the minority whip and others that when you raise this ceiling, you are automatically raising the rate. All right, let us forget semantics. It is going to go up automatically from 15 to 18 percent. I will tell you why that happens, because our ceiling has been so low for such a long time that even raising it up to 18 percent is still a low ceiling.

Now, let us call attention to the fact that some time ago we raised the permissible rate on automobiles. What happened? The point was made that we did not sell more automobiles. Oh, but we forgot the real cause of that. The reason why we did not sell more automobiles is because foreign competition was beating us to the punch. They were selling automobiles a whole lot lower than we were. Why? Because their costs are lower, because their labor costs are way below ours, and now we are watching the process go on day after day of renegotiating labor contracts to try to bring down our automobile prices. That is the villain, not the interest rate we charge on financing. But we are also demonstrating as the result of what we did on automobiles that when the money became cheaper, we did find it cheaper to finance automobiles, and we proved a point. That interest rate went up and down with the market. There is no disputing that fact.

Money is the most competitive commodity in the United States. Money is not a monopoly of anyone. When a commodity like money, which is not a monopoly, is allowed to float with the market, it seeks its best level of earnings. There are no disputes about this.

I would just ask one more question in conclusion. When you say, can you guarantee that this interest rate will not go immediately to 18 percent, I will retort with this question: Can you guarantee that that rate will not go down when the money rate goes down? I will daresay of a certainty that when the market rate goes down, that rate will go down, too.

Mr. Speaker, we have a duty to perform here today to safeguard the interests of our citizens and those who provide goods and services to our citizens. Our department stores and other people who are doing business and selling to the consumer today are actually suffering because of the lack of a proper interest ceiling. The fact of the matter is, we would sell a lot more and we would be doing a whole lot more business.

In response to what the minority whip said when he stated, all right, when you have 15 percent, you are still getting all the credit you need, I am just stating this particular observation about that statement: If that is true, then why does Pennsylvania not have a much larger degree of prosperity than those States around us who do not have this interest ceiling? That is the proof of it. The truth of the matter is, we should be attracting a whole lot more business to our State if all the credit we need is available, but we certainly are not. We do not compare favorably with our sister States in the neighborhood. When all is said and done, I think we are denying some very essential facts, and that is that this will seek its own level. We do not even need a ceiling. We are kidding ourselves. We are not protecting consumers. We will be doing them the favor.

Let me also remind you of the fact that when gasoline became very plentiful, what happened to the price? That is another competitive commodity. Right now you can go around and shop for gasoline. There are price wars all over the place. The same thing will happen when money becomes more plentiful and is allowed to go free. When it is all said and done, I do not see how we can deny the authenticity of this bill, and I urge everybody to vote for it for the good of our consumers and not to their detriment.

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—112

Anderson	Fleck	McVerry	Saurman
Armstrong	Foster, W. W.	Mackowski	Showers
Arty	Foster, Jr., A.	Madigan	Sieminski
Beloff	Frazier	Maiale	Sirianni
Berson	Freind	Manmiller	Smith, E. H.
Bittle	Gallen	Marmion	Smith, L. E.
Borski	Gannon	Merry	Snyder
Bowser	Geist	Micozzie	Spencer
Boyes	Gladeck	Miller	Spitz
Brandt	Greenwood	Moehlmann	Stairs
Burd	Grieco	Mowery	Stewart
Burns	Gruppo	Mullen	Swaim
Caltagirone	Hagarty	Murphy	Swift
Cessar	Haluska	Nahill	Taddonio
Cimini	Hayes	Noye	Taylor, E. Z.
Civera	Heiser	Pendleton	Vroon
Clymer	Honaman	Perzel	Wachob
Cochran	Hutchinson, A.	Peterson	Wenger
Cole	Itkin	Phillips	Weston
Cornell	Jackson	Piccola	Wilson
Coslett	Johnson	Pitts	Wogan
DeVerter	Klingaman	Pott	Wozniak
Daikeler	Kukovich	Pucciarelli	Wright, D. R.
Davies	Lashinger	Punt	Wright, J. L.
Dietz	Levi	Rappaport	Zwikl
Dininni	Lewis	Reber	
Donatucci	Livengood	Ritter	Ryan,
Dorr	McClatchy	Rocks	Speaker

Fargo McMonagle

NAYS—79

Barber	Emerson	Lehr	Rybak
Belardi	Evans	Lescovitz	Seventy
Belfanti	Fee	Letterman	Shupnik
Blaum	Fischer	Lloyd	Smith, B.
Brown	Fryer	Lucyk	Steighner
Cappabianca	Gallagher	Manderino	Stevens
Cawley	Gamble	Michlovic	Stuban
Clark	George	Miscevich	Sweet
Cohen	Grabowski	Morris	Taylor, F. E.
Colafella	Gray	Mrkonic	Telek
Cordisco	Greenfield	O'Donnell	Tigue
Cowell	Gruitza	Olasz	Trello
Cunningham	Harper	Oliver	Van Horne
DeMedio	Hasay	Petrarca	Wargo
DeWeese	Hoeffel	Petrone	Wass
Dawida	Horgos	Pievsy	Wiggins
Deal	Kennedy	Pistella	Williams, H.
Dombrowski	Kolter	Pratt	Williams, J. D.
Duffy	Kowalshyn	Richardson	Wright, R. C.
Durham	Laughlin	Rieger	

NOT VOTING—6

Alden	Levin	Serafini	Wambach
Kanuck	McIntyre		

EXCUSED—3

Irvis	Rasco	Salvatore
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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.

REMARKS ON VOTE

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

Mr. WAMBACH. Mr. Speaker, I thought I had voted in the negative on that bill, and when I looked up— Could I have a confirmation of that right now? It was not recorded.

The SPEAKER. Will the gentleman wait a moment?

Mr. WAMBACH. Thank you, Mr. Speaker.

The SPEAKER. The gentleman is listed as not voting.

Mr. WAMBACH. I want the record to reflect that I am voting in the negative, if you can include that in your vote total, Mr. Speaker.

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

WELCOME

The SPEAKER. The Chair is pleased to welcome to the hall of the House today as the guest of Representatives Cawley and Belardi, the new mayor of the city of Scranton, the Honorable James McNulty.

BILL REMOVED FROM TABLE AND RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I move that SB 409 be removed from the table and recommitted to the Committee on Business and Commerce.

On the question,

Will the House agree to the motion?

Motion was agreed.

STATEMENT BY MR. MULLEN

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Mullen, who asks unanimous consent of the House to make a brief statement. The gentleman is in order and may proceed.

Mr. MULLEN. Mr. Speaker, I rise to express great concern about the economic future of Pennsylvania.

Recently, because of funding cuts from the Federal and State Governments, the State Office of Employment Security at 56th and Woodland Avenues in Philadelphia was closed. This office provided aid to over 100,000 people in this area. It provided information to the unemployed, and here these unfortunate people came to sign up for benefits. Here, too, was the job placement service. This office was an important service to the people in my district. But this is not the only office to be shut down in this State. Three offices providing full services to the unemployed and job-seeking people have been closed down. Three job placement services have been shut down. Twenty-one smaller offices in rural Pennsylvania are closed, and many other such services have been reduced to 1 or 2 days a week.

These facts combined with a statewide unemployment rate of 9.8 percent should frighten any reasonable person. We cannot ignore how bad the State's economy is. We must open our eyes and begin to look to better solutions. I for one stand here today to tell you that I deplore the economic policies of Dick Thornburgh and Ronald Reagan. We cannot wait for solutions to trickle down. We must solve this problem now. Thank you.

STATEMENT BY MR. SIEMINSKI

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

Mr. SIEMINSKI. Thank you, Mr. Speaker.

Mr. Speaker, after the crises in the House of Representatives today, I would indulge the members for a brief moment to talk about the crisis in Poland that is on many of our minds. On that point, I am going to distribute to the members an article written by Miss Wasilewska, who is an assistant professor at Lafayette College, which I think will provide some very fine insights—

WELCOME

The SPEAKER. If the gentleman would yield.

The Chair is pleased to welcome to the hall of the House a former member, Dennis O'Brien, from Philadelphia.

The Chair would also request Mr. O'Brien to go to the outer chamber so all of our members will not distract the balance of the membership.

Will the gentleman, Mr. Sieminski, please continue.

Mr. SIEMINSKI. Thank you, Mr. Speaker.

Again, Mr. Speaker, I am going to distribute to the members an article written by Anita Wasilewska, who is an assistant professor of mathematics at Lafayette College. She is an emigre from Poland, and I think she provides some very, very fine insights into the origin of the situation in Poland. I would hope that the members would take time to read this article, Mr. Speaker.

On that same subject of showing our support for the people of Poland, I understand that Saturday this week in Harrisburg at 2 p.m. there is going to be a meeting of citizens to show their support for the people of Poland. In fact, I am going to participate as a member of that delegation. We may be here this weekend, and if we are, I would recommend to the members who are in the area that they might come out and also show their support. Thank you very much, Mr. Speaker.

REMARKS ON VOTES

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

Mr. MACKOWSKI. Mr. Speaker, I was not in my seat at the time SB 680 was voted upon. I would like to have the record show I would have voted in the affirmative. Thank you, Mr. Speaker.

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

Does the gentleman from York, Mr. Dorr, care to be recognized?

Mr. DORR. Thank you, Mr. Speaker.

A check of the record indicates that my voting system apparently malfunctioned on the Stewart amendment No. A6102 to SB 306. I would like the record to indicate that my vote on that amendment was in the affirmative.

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

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

Mr. SERAFINI. Mr. Speaker, I would like to be recorded as having voted in the negative on SB 306.

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

WELCOME

The SPEAKER. The Chair is pleased to welcome to the hall of the House as the guest of the Representative from Westmoreland, Mr. Petrarca, Mr. Bill McGinley.

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

The clerk of the Senate, being introduced, returned **HB 641, PN 2679**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

The **SPEAKER**. The bill will appear on the calendar.

BILL SIGNED BY SPEAKER

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

SB 562, PN 1585

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.

The **SPEAKER**. I would ask the various members to be sure that their offices know where they might be located between now and Monday, should it become necessary to call the House back into session.

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 Berks, Mr. Davies.

Mr. **DAVIES**. Mr. Speaker, I move that this House do now adjourn until Monday, February 8, 1982, at 1 p.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 5:45 p.m., e.s.t., the House adjourned.