

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

TUESDAY, FEBRUARY 9, 1982

SESSION OF 1982

166TH OF THE GENERAL ASSEMBLY

No. 11

HOUSE OF REPRESENTATIVES

The House convened at 10 a.m., e.s.t.

THE SPEAKER (MATTHEW J. RYAN) IN THE CHAIR

PRAYER

HON. RICHARD A. GEIST, member of the House of Representatives and guest chaplain, offered the following prayer:

Lord, as we the members of the General Assembly gather here today to receive Governor Thornburgh's fourth budget address, we would ask that You show him and us the mercy of Your way. If it would be possible, a bipartisan attempt at solving rather than creating problems would be a nice idea in these hard economic times. Also, we would ask Your special help in an area that really needs it, that being the redistricting of the 23 congressional districts.

At this time I would ask that each and every one of you join me in a moment of silent prayer, each in your own way. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNAL APPROVED

The SPEAKER. The Journal of Monday, December 14, 1981, is now in print. If there are no corrections to the Journal, the Journal will stand approved. The Chair hears no objection.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Monday, February 8, 1982, will be postponed until printed. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2221 By Representatives LUCYK, RYAN, MANDERINO, KLINGAMAN, HAYES, DININNI, PIEVSKY, KOLTER, WARGO, SHUPNIK, CALTAGIRONE, CESSAR, STUBAN, SHOWERS, COLE and FRYER

An Act designating the Lehighon-Weissport Bridge, Route 209, Carbon County as the Thomas J. McCall Memorial Bridge.

Referred to Committee on TRANSPORTATION, February 8, 1982.

No. 2222 By Representative A. K. HUTCHINSON

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), dedicating a portion of the revenue raised by the personal income tax to provide additional funds for the basic instructional subsidy to public schools.

Referred to Committee on FINANCE, February 8, 1982.

No. 2223 By Representative A. K. HUTCHINSON

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further providing for exclusions from personal income taxation.

Referred to Committee on FINANCE, February 8, 1982.

No. 2224 By Representatives DAWIDA, MICHLOVIC, MURPHY, PISTELLA, GAMBLE, SEVENTY, KUKOVICH, WAMBACH, BELFANTI, WACHOB, COHEN and MISCEVICH

An Act amending the "Civil Service Act," approved August 5, 1941 (P. L. 752, No. 286), further providing for the political activities of individuals covered by civil service.

Referred to Committee on STATE GOVERNMENT, February 8, 1982.

No. 2225 By Representatives HARPER, DEAL, BARBER, WIGGINS, EVANS, J. D. WILLIAMS, RICHARDSON, RIEGER, McINTYRE, OLIVER, EMERSON and DeWEESE

An Act making an appropriation to the Office of Attorney General for the payment of certain moral claims against the Commonwealth.

Referred to Committee on APPROPRIATIONS, February 8, 1982.

SENATE BILLS FOR CONCURRENCE

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

SB 495, PN 1652

Referred to Committee on STATE GOVERNMENT, February 8, 1982.

SB 1205, PN 1460

Referred to Committee on GAME AND FISHERIES, February 8, 1982.

**HOUSE RESOLUTION
INTRODUCED AND REFERRED**

No. 155 By Representatives CESSAR, KUKOVICH, PETERSON, SIEMINSKI, DAWIDA and WACHOB

House establish a Legislative Office for Research Liaison; to provide a source of information having scientific, technologic or technical components.

Referred to Committee on RULES, February 8, 1982.

SENATE RESOLUTION FOR CONCURRENCE

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

SR 225

Referred to Committee on FEDERAL-STATE RELATIONS, February 8, 1982.

COMMUNICATION FROM GOVERNOR

REQUEST FOR JOINT SESSION

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

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

January 11, 1982

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

If it meets with the approval of the General Assembly, I should like to address the Members in Joint Session on Tuesday, February 9, 1982, at a time convenient to the General Assembly.

Dick Thornburgh
Governor

SENATE MESSAGE

JOINT SESSION

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, January 25, 1982

RESOLVED, (the House of Representatives concurring), That the Senate and House of Representatives meet in Joint Session at 10:45 o'clock A.M., on Tuesday, February 9, 1982 for the purpose of hearing an address by His Excellency, the Governor of the Commonwealth; and be it further

RESOLVED, That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives to escort His Excellency, the Governor of the Commonwealth to the Hall of the House of Representatives.

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.

**COMMITTEE TO ESCORT
GOVERNOR APPOINTED**

The SPEAKER. The Chair appoints as a committee on the part of the House to escort the Governor to the hall of the House, the lady from Delaware, Mrs. Arty; the gentleman from Delaware, Mr. Wright; and the gentleman from Allegheny, Mr. Itkin.

RESOLUTION

COMMITTEE TO ESCORT SENATE

Mr. FARGO offered the following resolution, which was read, considered and adopted:

In the House of Representatives, February 9, 1982

RESOLVED, That the Speaker appoint a committee of two to escort the members and officers of the Senate to the Hall of the House for the purpose of attending the Joint Session of the General Assembly.

**COMMITTEE TO ESCORT
SENATE APPOINTED**

The SPEAKER. The Chair appoints as a committee to wait upon the Senate, the lady from Philadelphia, Mrs. Weston, and the gentleman from Bucks, Mr. Gallagher.

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 8, 1982

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, February 22, 1982 unless sooner recalled by the President Pro Tempore, and when the House of Representatives adjourns this week it reconvene on Monday, February 22, 1982 unless sooner recalled by the Speaker of the House of Representatives.

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.

LEAVES OF ABSENCE GRANTED

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

Mr. CESSAR. Thank you, Mr. Speaker.

I do request leaves for the day for the gentleman from Allegheny, Mr. FRAZIER, and also the gentleman from Luzerne, Mr. STEVENS.

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

The Chair understands from the gentleman from Philadelphia, Mr. Pievsky, there are no requests for leave of absence from the minority side.

ANNOUNCEMENT BY MR. MISCEVICH

The SPEAKER. Does the gentleman, Mr. Miscevic, from Allegheny, desire recognition?

Mr. MISCEVICH. Yes, Mr. Speaker, for the purpose of an announcement.

The SPEAKER. The gentleman state his announcement.

Mr. MISCEVICH. Several weeks ago I submitted a bill, HB 2185, to prohibit transit authorities from purchasing foreign-made transit cars. This would affect the whole State of Pennsylvania. At the time that I was passing the bill around, several members were of the opinion that these cars could not be made in Pennsylvania. Upon some digging, we found out that there in fact was a firm that bid from Germany, three from Canada, three from Japan, one from Hungary, and one from Pennsylvania, namely the Budd Company, which in fact will build these cars. I was of the opinion that we could always even get another company interested in building these cars, because I know for a fact that Westinghouse Corporation in Pittsburgh has built transit cars when the city of Pittsburgh was testing the skybus. Some of the other members have informed me that in their constituency there are other manufacturers that make certain different hardwares that are applicable to these cars.

I would like to again ask the members to look into this bill, HB 2185, which is now in the Transportation Committee, and submit their names for the record so that it can be applied to the bill, and we should have this bill out of committee and passed very shortly so that we could stop these seven or eight firms from the foreign countries coming in here and building a car that could be built in such a destitute area as Philadelphia. Thank you.

The SPEAKER. The committees appointed to escort the Senate and the Governor will kindly proceed with their duties.

REPORT OF COMMITTEE TO ESCORT SENATE

The SPEAKER. The Senate is now entering the hall of the House. Members and guests please rise.

The Chair recognizes the sergeant at arms of the House.

The SERGEANT AT ARMS. Mr. Speaker, the committee on the part of the House escorting the Senate.

The SPEAKER. The Chair recognizes the chairlady of the committee of the House escorting the Senate, the lady from Philadelphia, Mrs. Weston.

Mrs. WESTON. Mr. Speaker, your committee appointed to wait upon the Senate and escort them to the hall of the House has performed that duty and reports that the Senate is in attendance.

The SPEAKER. The committee is discharged with the thanks of the House.

LIEUTENANT GOVERNOR WILLIAM W. SCRANTON III REQUESTED TO PRESIDE

The SPEAKER. The Chair requests the Lieutenant Governor, the Honorable William W. Scranton III, to preside over the proceedings of the Joint Session of the General Assembly.

The President pro tempore of the Senate, the Honorable Henry G. Hager, is invited to be seated on the rostrum.

The members of the Senate will please be seated.

The Chair is pleased to welcome the Lieutenant Governor, the Honorable William W. Scranton III, and invite him to preside over this Joint Session. Governor Scranton.

JOINT SESSION OF THE GENERAL ASSEMBLY LIEUTENANT GOVERNOR WILLIAM W. SCRANTON III PRESIDING

The LIEUTENANT GOVERNOR. This being the day and time agreed upon by a concurrent resolution of the Senate and the House of Representatives to hear an address by His Excellency, the Governor, the Honorable Dick Thornburgh, this Joint Session will please come to order.

The General Assembly will be at ease while it awaits the arrival of His Excellency, the Governor.

This assembly will come to order.

REPORT OF COMMITTEE TO ESCORT GOVERNOR

The LIEUTENANT GOVERNOR. The Chair recognizes the chairman of the committee to escort the Governor, the gentleman from Warren County, Senator Kusse.

SENATOR KUSSE. Mr. President, as chairman of the committee to escort the Governor, I wish to report that His Excellency, the Governor, is present and is prepared to address this Joint Session.

The LIEUTENANT GOVERNOR. Members of the General Assembly, I have the honor and the privilege of presenting His Excellency, the Governor, the Honorable Dick Thornburgh, who will now address this Joint Session.

**FISCAL YEAR 1982-83 BUDGET
ADDRESS OF
GOV. DICK THORNBURGH**

Mr. President, Mr. Speaker, and members of the General Assembly: Three years ago I recommended that this body approve a "no-frills" budget, one that would mark a renewed commitment to fiscal responsibility in Pennsylvania. You did so in timely fashion, and State Government has vastly improved in the eyes of its beholders.

Two years ago I recommended that this body adopt another budget, one that would "deny inflation the pleasure of our company" and "accomplish more with less than we have ever accomplished before." You did so, again in timely fashion, and State Government was again improved in the eyes of its beholders.

One year ago I recommended that you adopt a third budget that would get tough on spending, recognizing that "a tight fist today could spare our people an empty hand tomorrow." Once again you acted in timely fashion, and all of Pennsylvania was improved in the eyes of its beholders.

Today there is a hurricane of fiscal reform sweeping across America, and the Pennsylvania that might once have become a national disgrace seems to be setting instead the national pace for change that is both necessary and profound.

We appear, for example, to be the only State in the Nation to have achieved real spending reductions in each of our last two budget years. We appear to be conspicuous by our refusal to resort to massive tax increases in order to survive. We appear to be surprising ourselves as well as others with our ability to stabilize tax rates and reduce the bureaucracy while providing essential service to our people. We appear to be stirring at last from our long national nightmare of inflation here in Pennsylvania. To dwell on how far we have come, however, is to forget how far we have yet to go.

The budget that I am submitting to you today recognizes that the present rate of unemployment in Pennsylvania is unacceptable and that our drive for jobs and economic development must remain the personal imperative of everyone in this chamber.

This budget recognizes that national economic recovery cannot be achieved if taxing, borrowing, or spending sprees at the State and local levels are allowed to replace those that are being harnessed, at last, at the Federal level.

This budget recognizes that responsible choice, creative reform, and careful management continue to represent our best hope for mastering a future of limited resources. It recognizes that 3 years of balance and restraint are not nearly enough to reverse a long legacy of indulgence. It recognizes that this may indeed be the decisive year for us in Pennsylvania, and that a loss of resolve today could be devastating to our future.

For the fourth consecutive year, I am recommending that we defy the national rate of inflation by holding the growth of our General Fund spending to less than 5 percent. For the fourth consecutive year, I am recommending that we spare our people the burden of a General Fund tax increase. For the fourth consecutive year, I am recommending that we draw the

line on spending, hold the line on taxes, and toe the line on bureaucratic waste and inefficiency in Pennsylvania. For the fourth consecutive year, I suggest that we can do this while preserving once more the quality of our government and the quality of life for our people.

I

And for the fourth consecutive year, I suggest we begin with the matter of jobs and our economy.

It is true, of course, that far too many Pennsylvania jobs have fallen victim to national and international economic forces. These forces are beyond the means of any Governor or State legislature to control, yet we have a responsibility to do whatever we can to respond to this situation, not only as Pennsylvanians but as Americans, for it is also true that such forces cannot be tamed within the few short months in which the President's program for economic recovery has been in place.

While I cannot guarantee the President's programs will work, I can guarantee that they will fail if they are not given a chance to work. Surely most Pennsylvanians as well as most Americans are willing to give them that chance, for we gave government a matter of decades to spend us out of our difficulties, and government failed.

Private enterprise has now been challenged to invest our country back to economic health, and certainly all of us hope it will move swiftly to do so.

Our three previous Pennsylvania budgets anticipated that new emphasis on public thrift and private investment, for it was our only real alternative to the unproductive policies of the past.

The budget I present to you today reaffirms the kind of grassroots support such an emphasis needs on a continuing basis, in order to succeed on a truly national scale.

In the meantime, we must preserve, strengthen, and make even better use of those tools that are within our control here in Pennsylvania so that we are in a position to take full advantage of the national economic resurgence we all hope to see.

The loan program of the Pennsylvania Industrial Development Authority has been a truly productive partner in our quest for new and expanded businesses, especially small businesses, and especially in areas of high unemployment, and this budget would continue its support at the levels to which we raised it 3 years ago.

The Pennsylvania Minority Business Development Authority has helped us to make significant gains in minority participation in our Commonwealth economy, and this budget would continue its support at the levels to which we restored it 2 years ago.

Our travel and tourism industry hit record levels over the past 2 years, and this budget would maintain the "You've Got a Friend in Pennsylvania" campaign in the crucial months ahead.

Our industrial advertising effort, our Small Business Action Center, our employer tax reforms - all of these familiar elements of Pennsylvania's new climate for business investment would be continued under this budget.

We have also become a national leader in attracting foreign manufacturing investments to our borders since we established overseas trade promotion offices and took other steps to tell the Pennsylvania story abroad, and this budget would continue those efforts.

Pennsylvania coal continues to offer great promise in our bid for new foreign trade as well as our hope for energy independence. Thanks to legislation which you approved, we already have taken a major step forward in aiding the resurgence of our coal industry. I refer, of course, to the ongoing tripling of capacity at ConRail's coal exporting facility, Pier 124 in Philadelphia.

Less familiar, because it contemplates opening an entirely different chapter in the robust industrial saga of Pennsylvania, is a new bid for diversification of our economy, one that seeks to cushion our work force against the "boom or bust" employment cycles of our traditional manufacturing base.

First, I am proposing and this budget would inaugurate a new consortium of our academic, governmental, and private sector resources to establish Pennsylvania as a true competitor in advanced technology enterprises, such as advanced computers, medical and health technology, robotics, and fiber optics science.

I would propose to call this effort the "Ben Franklin Partnership," after that great and ingenious Pennsylvanian who most clearly embodied the balance of scientist, educator, pragmatist, and political economist we seek in this endeavor. The Franklin Partnership would be armed with \$1.5 million in seed money to stimulate Pennsylvania research, development, and training in the indicated industries, an idea that embraces the concept supported by the MILRITE Council.

Secondly, I am proposing that we consolidate and redirect several job training efforts in a \$7.5-million response next year to the specific hiring needs of specific companies interested in expanding or locating here. This "customized" approach to job training has been highly successful in other States and on a pilot basis here in Pennsylvania, and I believe it can be of even further benefit to us in the months ahead.

Numerous surveys have made it clear that small business offers the greatest potential for economic growth and diversification in the remainder of this century. I believe it is also true that the most spectacular gains in small business will be in the advanced technology fields of the future.

We can ill afford to forfeit our place in that future through our failure to recognize, understand, and prepare for it now. We can also ill afford to surrender certain other opportunities that you and I did recognize, did understand, and did prepare for through legislative and executive reform of our transportation effort here in Pennsylvania.

I am speaking, of course, of our endeavor to rebuild our highways and bridges, to put more than 20,000 people to work on that massive task, and to stimulate the employment of countless thousands of others through industries that depend on transportation for their expansion and survival.

When you paid the ultimate compliment to the new PennDOT last year, by approving the predictable funding

base it needed to put Pennsylvania on the road again, I had assumed that this would be one familiar topic that we would not need to discuss here today. But a Federal judge has held the State in contempt; yet another legacy of the past has come back to haunt our transportation effort, and thousands of jobs and \$400 million in Federal aid could be lost if that legacy is allowed to prevail.

I do not like the auto emissions inspection program any more than you do, and I have said so on many occasions. I do not like the consent decree that we inherited with that program any more than you do, and I have said so on many occasions. But I also do not like the idea of losing thousands of jobs, millions of Federal dollars, and a linchpin of Pennsylvania's economic comeback to a confrontation with the Federal courts, and I said so in two consecutive veto messages on this issue.

We are attempting, through the appeals process, to regain our right to Federal highway assistance without defying the law you passed last year. I cannot predict the outcome of that process today. Should it fail, however, we will have no choice but to seek your help in obtaining remedial legislation from this assembly, and I would hope you would treat such a request as the economic emergency it surely will have become.

Less of an emergency but certainly a problem is the annual siphoning of more and more State dollars into local and regional public transit systems. This administration always has regarded mass transit as a valuable ally in energy conservation and community vitality, as well as an irreplaceable alternative in our national general transportation mix. This is why I propose yet another 10-percent raise in our subsidies to public transit systems in the coming year. Upon your approval of this particular appropriation, State aid to public transit systems will have grown by 72 percent since I became Governor.

At the same time, Federal cutbacks and our own fiscal constraints make it clear that the State cannot continue to absorb larger and larger shares of the total cost of running these systems. Obviously, we must limit future growth in State aid in this area, and I believe it is reasonable to limit it to the future growth of actual operating costs of our various transit systems. Just as obviously, we should be receptive to requests from local officials for greater flexibility and authority in determining on their own the ultimate destiny of their own transit systems.

Perhaps the greatest service we can provide at this point is to free local officials to make funding decisions as their transit users and their taxpayers see fit.

II

Much has been said in recent months of the need for a resurgence of federalism in America, the concept that those powers and responsibilities best left to the States ought to be returned to them by our National Government. There is nothing new or partisan about that concept. It is rooted in the Constitution, and Governors and legislators of both political parties have welcomed and encouraged a resurgence of interest in its fundamental wisdom.

If it is true, however, that our States have seldom been allowed to serve as the "laboratories of democracy" that Justice Brandeis and others once envisioned them to be, it is also true that creativity within our own counties, cities, townships, boroughs, and school districts too often has been smothered by the heavy hand of the State itself.

Your debate regarding the local tax structure in Pennsylvania is a timely and commendable recognition of this problem, and that debate should be continued.

While the situation with regard to financing transit systems is an obvious case in point, the problems clearly are broader than that.

In one particular area, I suggest that the need for corrective action is especially appropriate. Perhaps nowhere would our removal of State paternalism promise a greater return on limited tax dollars than in the management of our public schools.

With this budget, I propose that we begin to return crucial decisions regarding our schools to those who live with the results of those decisions on a daily basis - the parents, school boards, teachers, and taxpayers in each of our local school districts.

Of the \$357 million in new funding proposed in this entire budget, one-half would be devoted to education, and the largest portion of that would be devoted to a new approach to helping our local school districts.

I propose that \$127 million be freed of the bureaucratic strings and restrictions of a dozen traditional State subsidy programs. I propose that it be placed instead in a single local education block grant, or "learning grant," which could be allocated with greater flexibility at the grassroots level.

I propose that a number of State-imposed mandates on the running of our school systems also be dropped or altered in favor of local judgment.

I propose, in short, that we recognize that every community has different needs, that no one has found the ultimate truth about the learning experience, and that each of our school districts, each of our schools, indeed, each of our teachers, parents, and students, should be given greater freedom and responsibility to continue that search.

This Commonwealth has been a national leader in its level of funding to local schools, and that will continue to be the case. Under the provisions of this budget, the State would be paying 58 percent of the current cost of operating our local public schools.

Reducing burdensome mandates and adopting the learning grant would help assure that we invest more of that money in our students themselves and less of it on administrative spending and bureaucratic overhead.

As the dream of a college education, meanwhile, becomes more difficult for increasing numbers of young people to pursue, it is incumbent upon us to take what limited measures we can, with the resources available, to keep that dream alive for those who would be our leaders of tomorrow.

One of the measures would be the consolidation of our 14 State colleges and university into a coordinated system, and I urge you to act on that needed reform. Another would be the

maintenance of our position of leadership among the States in our level of aid to deserving students - a level that ranks us at the top of the Nation this year, providing more than \$73 million in support through State grants.

The budget I am proposing today raises that support by another \$6.6 million, or 9 percent, and it provides for the first increase in 10 years in State support for medical education.

In this latter connection, we have both a nursing shortage and a job shortage in Pennsylvania, and our response to that should be obvious.

Along with the 6-percent increase in funding for State-related and State-aided medical schools, I propose that we earmark \$250,000 for the training of nurses in our State-owned college system.

Total aid to institutions of higher education, including community colleges, would increase at an average of 6 percent under this budget to a new level of \$658 million.

III

While I believe that a new day of flexibility for Pennsylvania's school districts can make our education dollars go further than is presently the case, other vital programs of human service really cannot survive this decade without some form of cost containment. Chief among these is general assistance.

To come as close as we have to enactment of welfare reform, yet to fail in the end, would be a tragedy of enormous consequence to thousands of Pennsylvanians who have neither the time nor the means to demonstrate on demand in our Capitol rotunda.

I am talking about the laid-off steelworker, whose family would have gained a 12-percent increase in benefits had welfare reform been passed in 1979.

I am talking about the disabled longshoreman, whose checks also would have grown by 12 percent if welfare reform had passed in 1980.

I am talking about the abandoned mother, whose children might soon be a little warmer and a little better fed if welfare reform had passed last year.

On the other hand, I am talking about the law school graduate from Pittsburgh who went on general assistance rather than take a job he considered beneath him.

And I am talking about the Spring City foundry operator who lost a "good worker" because the man found welfare more attractive than staying on the job.

I also am talking about what the system has encouraged this worker to do to himself and to those who really need the help that he could have gone without.

And finally, I am talking about the overwhelming majority of Pennsylvanians who support this proposal, who recognize that it is balanced, effective, and absolutely necessary, and who cannot help but wonder why it has not been passed.

In nearly 3 years of debate, the facts have not changed; they have merely grown more compelling. Our general assistance costs have more than tripled during the past decade, soaring to more than \$350 million in 1981. Ours is the costliest program per capita in the Nation, nearly five times the national average. While Pennsylvania has just over 5 percent

of the Nation's population, we have 20 percent of all general assistance cases. And perhaps most telling of all, the general assistance caseload has constantly grown faster than the ranks of our unemployed.

It is inescapably clear that Pennsylvania has become a welfare haven, and one need not lose a Pennsylvania job or even become much of a Pennsylvania resident to exploit that haven. The harder times get in States with tougher standards, the more attractive a haven we are sure to become, until our system literally collapses of its own weight.

I suggest, once again, that we stop making welfare a more attractive way of life to former "good workers," that we start phasing future "good workers" out of welfare and into decent jobs, and that we give the truly helpless among us a belated measure of relief from the ravages of inflation.

That is, and always has been, the essence of this proposal. But I must tell you now, we have passed the point of prophecy and reached the road to calamity in our general assistance crisis.

If the comprehensive and balanced approach we have attempted to take in this matter cannot be achieved, I will be left with no choice in meeting my fiscal responsibilities but to consider administrative action, action that would produce necessary savings without, regrettably, providing the corresponding benefits that require your approval.

Something must be done. The time to do it is now, and the obligation to do it is ours.

Something must also be done about the budget-busting growth of our medical assistance program, a disturbingly impersonal system in which costs have soared by almost 280 percent during the last decade, consuming 11 cents out of every General Fund dollar this year.

We have made significant progress in attacking those portions of our health care costs that can be attributed to waste, fraud, and abuse.

With your support, the installation of a computerized claims processing system already has saved us \$12 million in bogus medical payments, and our criminal and administrative actions against fraudulent health care providers last year were more than double those of 1978.

As necessary and effective as these efforts may be, however, they simply are not enough to match our dreams with our means in the field of health care support. Federal action to reduce the rate of growth in medicaid reimbursement to the States makes the problem even more acute.

For the long term, I have empanelled a Cabinet-level Health Care Cost Containment Task Force, including participation by labor, business, and health care professionals, to examine ways in which we can continue to deliver essential health care services to the needy at prices we can continue to afford.

In the interim, however, I am proposing an 8-percent cap on the growth of medical assistance reimbursement for in-patient hospital services.

I also propose that we come to grips with State-supported "overcare" in our nursing homes by redefining those services that are legitimately health related and those that are not.

I also recommend a \$2-million increase in our reimbursements for a variety of community health care services and a special appropriation of \$3.2 million to help older patients stay with their families, friends, and communities, and out of our institutions, for as long as they reasonably can.

This is more than cost containment, of course, though it is also that. What we really are talking about is life and how to sustain it in terms of quality as well as time.

We have dedicated close to 200 million new State dollars to the medical assistance program since 1979. This budget would provide another \$36-million increase in the coming year.

We have raised our support for the mentally ill and mentally retarded by almost 150 million new dollars since 1979, and this budget would provide another \$41-million increase in the coming year.

Our entire human services commitment, including health, education, and welfare, has grown, in fact, by more than 1 billion new State dollars during this administration.

The challenge before us now is to see that these dollars, as well as the funds we expect to receive under Federal block-grant programs next year, are put to the most effective and compassionate use on behalf of all of our people while, again, containing administrative costs.

We have formed a Human Resources Committee of the Cabinet to help us meet that challenge. We have held community meetings around the State, and we intend to hold others to help us meet that challenge. And we are advancing major provisions in this budget to help us meet that challenge.

I urge your support, seek your advice, and invite your participation in this important process.

* * *

Our recognition of older Pennsylvanians as the thoughtful, independent, yet very special people they are should not be limited, of course, to the way in which we structure our health care services. It should be reflected as well in our stewardship of the Pennsylvania lottery funds on which so many of them rely for help in their struggle against inflation.

Two years ago we moved swiftly to preserve the integrity of the lottery in the wake of a cynical criminal assault. Its operations have since then become more secure and more profitable than ever before.

I have proposed an expansion of property tax and rent rebates, increased aid for mass transit and rural transportation services, and a flat \$100 grant to be used as our eligible senior citizens see fit.

This is a responsible and respectful approach: responsible in that it preserves the fiscal integrity of the Lottery Fund; respectful in that it recognizes that older Pennsylvanians are fully capable of making decisions for themselves about their own personal expenditures.

I applaud the swift action already accorded this package, and I look forward to its final approval.

I also propose, consistent with recent action by the Senate, the use of lottery revenues to preserve important services provided through the various Area Agencies on Aging, services that might otherwise be strapped by Federal spending cuts.

* * *

This budget also provides for special assistance to another group of citizens to whom we owe a debt we can never fully repay - Pennsylvania's veterans.

I am proposing a \$7.4-million appropriation to complete the tripling of the capacity of our Hollidaysburg Veterans Home and to continue the ongoing renovations at the Erie Soldiers and Sailors Home. I also propose that we continue funding the veterans outreach and assistance centers we have opened in five cities across the Commonwealth.

IV

As we seek to help our people pursue their dreams on a personal level, we cannot neglect the spirit of community on which many of those dreams must ultimately depend.

Our emphasis on community conservation in Pennsylvania is based on that premise, and it would be continued under the budget I propose to you today.

The same proportion of this budget is committed to government operations and services at the local level as was the case with its predecessors.

Despite our loss of revenue sharing under President Carter and new constraints on Federal spending under President Reagan, I propose to continue to return about 45 cents out of every State tax dollar to our local governments.

This budget would provide for a continued focus on housing finance and rehabilitation and on revitalization of our urban and commercial centers. The legislation you passed and I signed 2 months ago authorizing the sale of tax-exempt bonds for low-cost mortgages should be of significant assistance in this regard, especially to citizens for whom the dream of homeownership seems more and more remote.

Our various community revitalization efforts must not be allowed to operate in a vacuum, however. To more effectively coordinate our housing effort with our tax credits for neighborhood assistance, our PIDA (Pennsylvania Industrial Development Authority) loan activities, and our job training and small business and other assistance projects, I propose the designation of a series of "Enterprise Development Areas" in Pennsylvania.

While these areas will mesh with similar plans at the Federal level, Pennsylvania can and should begin its own concentrated public and private sector approach to the restoration of our distressed urban and rural areas.

As an initial investment in this strategy, I propose an appropriation of \$3 million.

* * *

No effort to restore our communities as suitable places in which to live and to learn can be truly effective, of course, if it fails to address the matter of crime.

Your approval of my request last year for more prison space certainly sends the appropriate signal to those who would deny us the right to freedom from fear in our homes and on our streets.

I urge you to move just as firmly now on the other elements of our proposed assault on crime and the criminal: on

minimum mandatory sentences for those convicted of violent crimes, particularly for violent repeat offenders; on reform of the existing parole system to assure that a sentence given is a sentence served in Pennsylvania; and on elevation of the Bureau of Correction to Cabinet-level status.

If we can spare just one innocent Pennsylvanian the trauma of a rape or robbery or other criminal violence with these measures, surely it is our obligation to do so.

* * *

If we can also spare thousands of Pennsylvanians the loss of health, home, or peace of mind through appropriate environmental action, that, too, will represent community conservation deserving of the name.

Our 2-year crackdown on illegal dumping of hazardous and toxic waste already represents significant progress in this regard, but we now are in a position to do much more than that, thanks to the creation of the Federal "superfund" to finance the cleanup of those abandoned dumping sites that are the shameful residue of past abuse.

This budget includes a request for \$1 million in State funds, with which we can now qualify for \$9 million in Federal funds, to help finance the removal of dangerous chemicals and poisons from our threatened communities. I urge you to give it your approval.

* * *

While the gypsy moth is a product of nature, it also has become an environmental abomination in many of our communities and a clear and present danger to our priceless Pennsylvania forests.

This budget would provide nearly \$3 million on top of the \$4 million already appropriated to help us contain this menace with environmentally sound methods of spraying.

The existence of the gypsy moth is a matter beyond our control, but we must do what we can to minimize its damage to our communities, our forests, and the quality of life of our people.

* * *

This brings us to the continuing impasse on the cleanup of Three Mile Island and the role I believe we are obliged to play in its ultimate resolution. Nearly 3 years after the accident there, dangerous levels of radiation continue to contaminate that facility, continue to threaten an escape into our environment, and continue to pose a serious health and safety hazard to our people.

It is nothing short of incredible that this contamination has been allowed to remain at our doorstep simply for the lack of funding commitments for its safe, timely, and total removal.

When it became clear to me that no single institution or entity was prepared to make such a commitment, I felt the time had come for someone to propose a balanced and realistic framework for moving this problem off dead center. I suggested last summer that TMI cleanup costs be broadly shared among a variety of national and local resources, including the Federal Government, the utility industry, the company, and the governments of Pennsylvania and New Jersey. In subse-

quent months we obtained a pledge from the industry to raise \$192 million in cleanup funds, and we obtained a commitment from the White House to a 3-year, \$123-million program of research and development which is expected to substantially reduce cleanup costs.

Clearly we have moved closer than ever before to a resolution of this problem, and I believe the time has come for the Commonwealth to make its own good-faith commitment to that process. I urge you, therefore, to approve in this budget a \$5-million appropriation as the first of six installments representing our State share in the decontamination of Three Mile Island.

I recognize that each of the prospective participants in this effort has a persuasive argument for placing the entire cleanup burden on one or more of the others. That has not worked, however, and there is no indication that it ever will. Cost sharing represents, in fact, the only approach that has inspired tangible commitments of support from outside of Pennsylvania. We can ill afford to let those commitments slip away through failure to respond in kind on our own behalf.

* * *

Now, Mr. President, Mr. Speaker, and members of the General Assembly, let me share something with you in closing.

We have worked together for 3 consecutive years in adopting balanced budgets in timely and responsible fashion. Surely no one in this chamber is unaware of the special challenge we face in repeating that achievement in the context of an election year, yet I know and you know that there are enough legitimate differences to be discussed in any election year without reverting to the needless budget crises that once made our government an object of ridicule in the eyes of its people.

Let us resolve on this occasion that the swift and orderly discharge of our constitutional responsibilities is in all of our interests and should not be deterred by the political contest of ideas in which we are about to engage.

Let us resolve on this occasion that the spirit of responsible self-government in which this Commonwealth was established 300 years ago will be the spirit in which we consider, debate, and ultimately chart its course at the threshold of its fourth century, for we should remember that despite all of our problems with unemployment, aging resources, and outside pressures beyond our control, we enjoy a wonderful heritage here in Pennsylvania.

It is a heritage of lakes, mountains, and forests that are among the Nation's grandest; of hunting, fishing, and other wildlife resources among its richest; of farms and factories and ports among its busiest; of parks, theaters, colleges, and symphonies among its finest; and of cities and towns and out-of-the-way hamlets among the Nation's hardest.

It is a heritage of people from all over the world who know what freedom means, for they are not far removed from the memory of its denial; people among whom the work ethic is very much alive, for millions of them have been on the job in record numbers, even as too many others continue to search for work; people who know that the sun also shines on the Northeast and that even our winter can offer moments of deep and quiet content.

Perhaps this is why Houston did not make the top 10 most livable American cities list in a recent national survey, yet Philadelphia did. Perhaps this is why Miami did not rank among the top 10 cities, yet Pittsburgh did. Perhaps this also means that other Pennsylvania places will be rediscovered tomorrow if we but keep faith with our past today, for ours is also a heritage of leadership and responsibility, one of triumph, not of despair.

If we join together now, as did those generations who faced even greater challenges in each of our earlier centuries, we will have our triumph again.

And the Pennsylvania of tolerance, patience, hard work, and free and enlightened self-government not only will endure; we will prevail.

Thank you.

LIEUTENANT GOVERNOR THANKS GOVERNOR

The LIEUTENANT GOVERNOR. The Chair thanks the Governor and commends him for an excellent and challenging message.

JOINT SESSION ADJOURNED

The LIEUTENANT GOVERNOR. The Chair asks that the members of the House and visitors remain seated for just a moment while the members of the Senate leave the hall of the House.

The members of the Senate will please reassemble in the Senate chamber at 1:30 this afternoon.

The Chair would also like to thank the Speaker of the House and the members of the House of Representatives for their hospitality on this occasion as always.

The business for which the Joint Session has been assembled having been transacted, this session is now adjourned.

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

PRINTING PROCEEDINGS OF JOINT SESSION

Mr. DAIKELER offered the following resolution, which was read, considered and adopted:

In the House of Representatives, February 9, 1982

RESOLVED, That the proceedings of the Joint Session of the Senate and House of Representatives held this 9th day of February, 1982, be printed in full in this day's Legislative Journal.

REQUEST FOR RECESS

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Thank you, Mr. Speaker.

I do not believe that we should start on today's voting schedule at this time. It is the hour of lunch, and I suggest that we recess until 1:30 p.m.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, prior to the recess, I have a response to the Governor's budget message that I would like to make.

The SPEAKER. Did the gentleman say prior to the recess?

Mr. MANDERINO. Yes, Mr. Speaker.

STATEMENT BY MINORITY WHIP

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, we have been given, as I am sure you all are aware, a budget message by the Governor this morning, with about as much advance notice as we usually get, which will in some manner limit the kind of response that can be given to the budget message. But there are a number of things that ought to be observed by this General Assembly in what the Governor said to us this morning.

He started out by telling us that in the eyes of the beholder, we have done well in passing three budgets on time. In the eyes of this beholder, Mr. Speaker, and many others, we would hope that in the fourth budget we would get something to work on besides a conference committee report that we could vote "yes" or "no" on. Three years running, we have had budgets by conference committee in this General Assembly.

I am kind of glad that the Governor said that there are no taxes this year. We extended the personal income tax twice. When he was running for office, he said that this he did not think would be necessary. We extended the corporate net income tax to 10.5 percent twice during his administration when he did not think this would be necessary when he was running for office. We have given him two very substantial increases in the Motor License Fund. We have given him a very substantial fee increase, and we have given him the right to sell the property of the Commonwealth in order to balance the budget. He has asked for and received substantial increases in the funds coming into the Commonwealth. Just the moneys that he projects will come in this coming fiscal year over what came in this fiscal year is over \$500 million, a half a billion dollars in increased revenues that obviously will be spent in the budget.

Mr. Speaker, we have difficulties, however, in some of the specifics in this particular budget. We have been saying on this side of the aisle for some time that there is no way that this Governor, without the use of mirrors and gimmicks, can balance his fourth-year budget at the rate he has been spending money in his favorite programs, and indeed he has given us a combination of mirrors and gimmicks to balance the budget.

Let us talk about specifics. This morning at a budget briefing, Secretary Wilburn informed leaders of the General Assembly that we presently—presently, right now—are \$154 million short in our tax collections, \$154 million short. This particular budget document that you have before you on your desk predicts that of that \$154 million, we are going to recover \$100 million in increased collection in taxes from now until

the end of the fiscal year. Now, that is ridiculous. In order to project that kind of a pickup from now until the end of the fiscal year, we were told this morning that they were predicting a more than vigorous upturn in the economy of Pennsylvania, when we are at 11.2 percent unemployment by the latest figures. The administration, in order to balance its budget, is predicting a vigorous upturn in the next 4 months of this fiscal year so that we can make up \$100 million of the \$154 million that we are now short in tax collections. Well, I do not expect that to happen. I expect that we are going to be that \$100 million short by the end of the fiscal year.

Now, let us go to some of the things we pay for in the budget. This new budget talks about a new kind of block grant to education. Well, if you take the act that the General Assembly has passed that says that educational costs ought to increase 7 percent per year—and that is what we said; we enacted that into law—and you apply a 7-percent increase to the basic instruction subsidy formula, you will find that it will spend \$108 million. He is proposing a \$127-million increase to basic education, so that leaves the balance of \$19 million to be an increase in all other programs over the basic instruction subsidy. All other programs in education cost us about \$1 billion - school transportation, special education, and about 10 other items. Aside from the basic educational subsidy, a 7-percent increase would be \$70 million. His increase is \$19 million, a shortage of \$51 million in basic education as to legislation that we have enacted saying that that ought to increase 7 percent. What he is doing is shorting the educational line items of the budget by some \$71 million and calling this new concept of block grant to the school districts the reason. What he is really doing is shorting the budget \$71 million in an election year in an educational line item.

Let us move to welfare, and I really have compassion, as the Governor does, for that laid-off steelworker whose family would have gained 12 percent if you people would have passed welfare reform in 1979, and that disabled longshoreman whose checks would have grown 12 percent if we had passed welfare reform in 1980, and the abandoned mother whose children might be a little warmer and a little better fed if we had passed it last year. That is one section of the speech. Then in another section of the speech he threatened us. If we did not soon do it, he was going to do it himself. Why did he not do it in 1979 if he really cared? You know, the whole concept that he has been preaching to this General Assembly is that we are going to be able to raise the cash grants for those other recipients who are really truly needy; we are going to raise their grants as soon as you enact this welfare reform that I am talking about. And we all know it is not reform; it is welfare elimination for a whole segment of persons. But he is going to be able to raise cash grants. I cannot raise cash grants—although he has the power to do that, too; it has been done by executive order before—I cannot raise it unless the savings are within the department. Well, we just enacted savings mandated by the Federal Government in AFDC (aid for dependent children) of over \$41 million. And just coincidentally, that is what the cash-grant increase would cost at 5 percent, \$41 million. So if he would not steal that \$41 million for his

bloated bureaucracy, he would have enough money to grant the 5-percent increase to the welfare recipients. Let us face it, he is not serious. It is election-year rhetoric again.

Mr. Speaker, in the last three budgets presented by the Thornburgh administration, medical assistance has increased, because of hospital costs and medical costs in this Commonwealth, about 15 percent. In each of the budgets, it went up 15 percent from the year before. I have concern about the way medical assistance continues to grow. Governor Shapp—that is the fellow who preceded Governor Thornburgh—had a cost-containment program for hospitals in his administration, and we did our darndest to get some of the Republicans to vote for that program, and we could not get any votes for that cost-containment program for hospitals. But this Governor has now decided in an election year that we are going to be able to keep those hospital costs down. It would have cost \$150 million, \$150 million, to continue at the same rate of increase. He says we are going to limit them to half that, \$75 million, and I say, God bless this Governor, this General Assembly, if we really get down to the task and business of hospital cost containment. We have never done it before. The last three budgets did not even make an attempt at it. The last real attempt at hospital cost containment was in the Shapp administration, and you can review the records—you can have your researchers, Mr. Majority Leader, look at the records—and find out how the votes went on that, almost on party lines, my recollection is. We could not get hospital cost containment's first step here in the General Assembly for the hospital costs, the programs that the State paid for. Mr. Speaker, I think it is unrealistic for this Governor to think that he is going to save that \$75 million. What he is really doing is simply, in that election year again, shorting that particular line item \$75 million, and he is calling it cost containment. We will wait to see whether that becomes a reality.

In October and November, the Secretary of Budget and Administration, Mr. Wilburn, was telling the press that there was no shortfall, which this morning he announced was \$154 million. There were no difficulties that he was aware of. Mr. McClatchy, in December when I asked specifically about deficiencies that we thought were present in the budget, indicated there were no deficiencies that he was aware of. I read into the record in December about \$70 million in deficiencies that we saw arising in the present fiscal year. All 70 are contained in that budget document that Mr. McClatchy was not aware of. All 70 are there.

Mr. Speaker, what I see is a shortage in basic education of about \$50 million; about \$75 million in cash assistance in the welfare field; about \$100 million in shortfall already existing in tax collections, so we are now at \$250 million just in those items, and when we get a chance to look at this budget harder, I am sure we are going to find more problems with the budget. But you know, we are putting this in the next budget, so at the end of that budget year, someone is going to be looking at not only that \$250 million in shortages, but if you remember, we enacted just a few weeks ago some Reaganomics program to phase in depreciation for corporate net income in Pennsylvania, and we also enacted a few things, one of which is called

loss carry-forward for corporations, all of which, by the Budget Secretary and by the people who wrote fiscal notes, is expected to cost in the next budget—not this one, not the one that is being adopted at this time, but in the next budget—another \$250 million to the Treasury of Pennsylvania. We are talking about a half a billion dollars, \$500 million. The last time I heard that figure in relationship to a shortfall was when Governor Shafer left office. That was the last time I heard that kind of a figure. I heard half of that figure when Governor Thornburgh was running for office. He predicted it; it never materialized. He took over with a surplus.

Mr. Speaker, there are some other things that bother me at first glance in the budget. I am troubled that the Governor again this year is promising the senior citizens that he will contribute \$4.1 million to the Triple-A programs, the Area Agencies on the Aging. Now, I am not bothered, because I do not think they ought to get that \$4.1 million. I support giving the \$4.1 million to them, but the Governor is only proposing giving it to them if we pay another \$14 million out of the Lottery Fund for his bureaucracy. Now, three times he has proposed that; twice we have denied him that, and he is proposing it again, and it bothers me that he wants to raid the Lottery Fund for the bureaucracy, the administration. I say, let us pay the \$4.1 million for the Area Agencies on the Aging and maybe double that if it is necessary, but not one penny of that money to support the Governor's budget.

I was glad that the Governor also talked about the TMI (Three Mile Island) costs. That is a major problem, and the Governor does have a program on tap, and he proposes that we pay \$5 million at this time. Now, that is the first of a number of payments that his program outlines that we make for the TMI cleanup. Although you and I never participated—I do not think—in the decision to build a nuclear plant, I think that there is probably some obligation upon the General Assembly, upon the State of Pennsylvania, to share in the costs of cleanup, and there are tremendous costs of cleanup. I think the total commitment that he wants out of State dollars is somewhere around \$35 million over a period of time, and even maybe that is reasonable. But I will tell you what is unreasonable. It is unreasonable for us to spend one dime of that money, one dime of that money, for any kind of cleanup until all of the other people in the plan—the Federal Government, the ratepayers in New Jersey, the ratepayers across these United States who must necessarily contribute to the cleanup costs for them to be totally defrayed—put their money in the pot, too. And I think that that is the approach we ought to have to just that particular item.

Mr. Speaker, I was glad that the Governor referred to the City of Brotherly Love, Philadelphia, and the city of Pittsburgh as two of the cities in this Commonwealth that rank well above other cities that you would think would rank above them in livability, in desire of people to maintain their homes there, and I would like to remind the Governor that for a good many years, both of those municipalities have had Democratic administrations. Thank you, Mr. Speaker.

STATEMENT BY MAJORITY LEADER

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

The gentleman indicated that the Governor's budget message today was election-year rhetoric. I respectfully suggest that the gentleman himself just gave us another example of his every-year rhetoric. He does not limit himself to just every 4 years, but rather once every 12 months.

At the very outset of his retort, the gentleman took issue with the fact that this General Assembly has passed a budget on time 3 consecutive years. I realize that Jimmynomics does not call for that type of governmental process; a record of this is very clear. There have been times when this General Assembly was not able to pass a budget on time, and I respectfully suggest that the record is replete with the reason why. I say it again, it was Jimmynomics; Jimmy Manderino's Jimmynomics. There is nothing wrong with this General Assembly passing a budget on time. We ought to pass a budget on time, and the people of Pennsylvania believe we should pass a budget on time, and in the eyes of the beholder, the taxpayer of this Commonwealth, I believe it is safe to say that that beholder believes we should pass a budget on time and not put it through the excruciating pain of years like 1977.

As far as checking roll-call votes and then another reference to welfare reform and the scattered applause I heard given when the gentleman, Mr. Manderino, said, why did he not do it in 1979, Mr. Speaker, this House of Representatives did pass welfare reform in the last session of this General Assembly, and most of the "no" votes came from right over there - those who were applauding, those who were urging the Governor to do it, I presume, in 1979, but when you had a chance to vote for it, you voted against it. Not every one but most of the "no" votes came from right over there, and again this year from right over there. Evidently the gentleman, Mr. Manderino, is satisfied with Pennsylvania becoming known nationwide as a haven for those persons coming from other States who have no intention of making the quality of life any better here in Pennsylvania for those who settled and remain here, but rather to take advantage of a welfare system. Maybe they should get their job, Mr. Petrarca, in another State and quit leaching off the Pennsylvania taxpayer. That is my response to your answer.

Now, I guess I could go through the Governor's speech and note all those things that Mr. Manderino left out of his and assume that Mr. Manderino is on the opposite side of the Governor. For instance, hold the line on taxes. The gentleman, Mr. Manderino, and his party people continue to try to fashion a party position that says taxes have been increased every year, every year. The General Fund taxes have not been increased every year. The last time that there was a General Fund tax increase where the rate of taxation increased from 2.0 to 2 point something else was in 1977 - Jimmynomics. That was the last time. Try to color that book any way you want to, and if there are those who want to write your story, fine. But the facts are, the rate of taxation, personal income tax, sales tax, are at the same level. Now, you cannot tax less and spend more. I realize that that is difficult for the gentle-

man, but if you do not want to tax as high as you are taxing, then you cannot come back in the next breath and say, but we want to spend more.

I could take the Governor's speech and what was just offered by Mr. Manderino and assume that since the Governor, through management, has been able to reduce the number of State employees by thousands, the gentleman, Mr. Manderino, is in favor of increasing the State payroll by thousands. Since the Governor made reference to care for veterans, I guess Mr. Manderino is not for that particular care. Since the Governor made mention of the crime package, which would bring about more severe penalties for those who are inflicting pain upon the innocent citizens of this Commonwealth, Mr. Manderino is for softness in that area.

The gypsy moth ravages over 40 counties out of 67 counties. I presume since Mr. Manderino went through this speech and took exception here and there, he is against doing anything about the gypsy moth. Now, obviously that is not quite right, but just to take a helter-skelter approach to a budget document that is hundreds and hundreds of pages long and start just rambling through it, making off-the-cuff statements, is not serving any good public purpose.

I respectfully suggest we ought to get back now to the drawing boards of the legislature and look at the Governor's budget and not give that every-year speech. The Governor has given a budget message; it has been construed as an election-year speech, but do we have to endure every 12 months the same old hash? And on that note, Mr. Speaker, hash, I think we ought to take lunch. Thank you.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, just very briefly, it was Jimmynomics that said that Governor Thornburgh was lying to the people of Pennsylvania when he said there was going to be a quarter-of-a-billion-dollar deficit for him to take over. It was Jimmynomics that said we would be in a surplus, as we were. It was Jimmynomics that told Mr. McClatchy in December—and you read the record—that there was going to be \$70 million in shortfalls, in expenditures that would have to be made in the programs of this Commonwealth that were not accounted for, and it is Jimmynomics, I guess, that put those \$70 million in deficiencies in that book there, because I have a lot of control over that book.

Let us not assume anything about where I stand, but let us not criticize me for looking at where the Governor stands and trying to understand what it is the Governor is saying to this General Assembly and what it is he is saying in that budget document.

Yes, Mr. Speaker, many of us on this side of the aisle do not agree with Thornfare, which we have called it—that is our name—and Thornscooge, which some of our members have called it. Mr. Speaker, we do not agree with that, and many of us opposed it because of that. But the Governor evidently does agree with it. He does agree with it. He thinks that is what we ought to do in this Commonwealth, and if he thinks that, he is threatening us that he is going to do it himself if we do not soon do it. Well, if he thinks that is where the public opinion polls are, then he ought to do it. He ought to have done it in 1979.

You know, I think up in Huntingdon where the unemployment is not 11.2 percent, Mr. Speaker, but is probably 18 percent, I do not think any of those people came in from out of State; I think they are all local. I think they all belong in your constituency. I do not think any of them came in from Brazil or New Jersey or Georgia, not in Huntingdon County they did not anyway.

Mr. HAYES. Jimmy Carter came up and we still voted against him, 3 to 1.

Mr. MANDERINO. I think those people are all local. And I think that in times when we have that kind of unemployment, in times that the least able among us to fend for themselves ought not to be given the shaft that the Governor wants to give them, that is time to be compassionate. That is time for those of us who collect a paycheck every week—and there are more of us who collect a paycheck every week than do not—to think about those who do not collect a paycheck and what our obligation to them is as a society, and that is what I am suggesting to you, Mr. Majority Leader. I am suggesting to you that there is thinking on this side of the aisle, and I am sure on that side of the aisle, that what we ought to be talking about is how do we tackle 11.2 percent unemployment, the highest in the northeastern States? What do we do?

I am happy that the Governor is talking about a \$3-million program for technical development of technology industries. I think that is a direction we ought to go. I would like to see \$15 million, \$20 million perhaps once that program gets going, if it is working. I am not sure that we ought to be spending \$15 million in PIDA when every study has told us that we are not creating jobs.

There are many things, Mr. Speaker, that I think are right in the budget, many things that we Democrats and we Republicans together put into the law of Pennsylvania. When we put things into the law that are good and beneficial to the people, those are the kinds of things that I think ought to be continued and ought to be funded. I think we ought to be looking for ways to do things about the problems that are most eminent in Pennsylvania today, and unemployment is one of the largest problems.

I think we ought to be looking at not only how can we create more jobs, but what do we do for the people whom we have not been able to create jobs for? How are they going to live? How do they pay their rent? How do they buy their food? They do not all fit the category of persons to whom we can simply say, go back to Georgia. Many of them belong to us, born and raised here; most of them do. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. I think it is time to take lunch.

QUESTION OF INFORMATION

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

Mr. DEAL. Mr. Speaker, I am not going to attempt to comment on the Governor's speech, but I do raise a question of why that speech could not be placed on the desks of each of

the Representatives. I just think that a speech of that magnitude, anytime the Governor is making a speech with such profound statements that have such effect, we ought to be able to follow the Governor's speech while we are sitting here. I have some problems with it. I have talked to people and I understand it probably has never been done, but it seems unreasonable that we would not have his speech so that we could follow it. I would like to ask the Speaker if it is possible that it can be done.

The SPEAKER. The Speaker is unable to answer the gentleman's question inasmuch as the printed material is the property of the Governor.

Mr. DEAL. Mr. Speaker, may I humbly request that the Speaker of the House, who ably represents all of us if this is the request of a member of the House, would the Speaker indulge me with adhering to the request of one who represents a small segment of this Commonwealth?

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, to be somewhat helpful, it is my understanding that that speech is going to be distributed to the desks over the recess.

Mr. DEAL. Mr. Speaker, I had hoped that the majority leader would have understood what I said. I am requesting that the speech be on the desks so that we can follow the Governor as he speaks. I am certain there will be plenty of copies around someplace. I just think it is appropriate while he is speaking that we may follow so that we can adequately comment after his speech.

BILL SIGNED BY SPEAKER

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

SB 919, PN 1636

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

STATEMENT BY MR. DAVIES

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

Mr. DAVIES. I request unanimous consent for one remark, Mr. Speaker.

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

Mr. DAVIES. Thank you, Mr. Speaker.

I think that the minority whip should take note of this, that people do not have to reside in either Huntingdon County or Dauphin County or Philadelphia County or Allegheny County; the record clearly shows that they do not even have to reside in Pennsylvania to qualify for some of our welfare benefits. It has been found that even hitchhikers have been afforded some of the benefits of our generous program in Pennsylvania, and I think that if there are reforms to take place, those are a few of the reforms that we had better closely look at. Thank you, Mr. Speaker.

RECESS

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

AFTER RECESS

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

SENATE MESSAGE

AMENDED HOUSE BILLS
RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned **HB 125, PN 2857; HB 230, PN 2744; HB 1218, PN 2858; and HB 1889, PN 2787**, 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 bills will appear on the calendar.

SENATE MESSAGE

REPORT OF COMMITTEE
OF CONFERENCE RECOMMITTED

The clerk of the Senate, being introduced, informed that the Senate has recommitted to Committee of Conference **SB 805, PN 1653**.

SENATE MESSAGE

HOUSE-AMENDED SENATE
BILL CONCURRED IN

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 838, PN 1589**.

BILL SIGNED BY SPEAKER

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

SB 838, PN 1589

An Act amending the act of July 19, 1979 (P. L. 130, No. 48), entitled "Health Care Facilities Act," changing the definition of "home health care agency" and further providing for the effective date.

SESSION SCHEDULE

The SPEAKER. The Chair gives notice that it is about to insert into the record the sunshine notice for session on February 11, 12, and 13 at 11 a.m., which the clerk will read.

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 11, 1982
February 12, 1982
February 13, 1982

John J. Zubeck
Chief Clerk

February 9, 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 9, 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 9, 1982

CALENDAR

**BILL AGREED TO
ON SECOND CONSIDERATION**

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

HB 689, PN 2801.

* * *

The House proceeded to second consideration of **HB 1122, PN 2356**, entitled:

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

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I move that **HB 1122** be placed upon the table.

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

**BILLS AGREED TO ON
SECOND CONSIDERATION CONTINUED**

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

HB 1806, PN 2830; SB 1081, PN 1515; HB 2023, PN 2864; HB 2087, PN 2601; HB 2213, PN 2849; SB 846, PN 922; SB 1027, PN 1664; and HB 2066, PN 2567.

* * *

The House proceeded to second consideration of **HB 2085, PN 2599**, entitled:

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.

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

BILL RECOMMITTED

The **SPEAKER**. The Chair recognizes the majority leader. Mr. **HAYES**. Mr. Speaker, I move that HB 2085 be recommended to the Committee on Appropriations for a fiscal note.

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

WELCOME

The **SPEAKER**. The Chair is pleased to welcome to the hall of the House today Mr. Jeffrey Russell, here today as the guest of Representative Taddonio and Representative Paul Wass.

MASTER ROLL CALL RECORDED

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

The following roll call was record:

PRESENT—191

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

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

ADDITIONS—4

Cohen	Kanuck	Mowery	Salvatore
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NOT VOTING—1

Lewis

EXCUSED—4

Frazier	Irvis	Rasco	Stevens
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STATEMENT BY MR. CLYMER

**TERCENTENARY COMMITTEE
ON THIS DAY IN HISTORY**

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

Mr. **CLYMER**. On this day in history, February 9, 1795, John Penn, grandson of William Penn and the last proprietary Governor of Pennsylvania, died in Bucks County.

At the age of 35, John Penn came to Pennsylvania to assume the position of Deputy Governor. The day he arrived there was an earthquake which the superstitious interpreted as an evil omen to his administration.

The superstitious seem to have been correct, because the administration of John Penn began when the province was in the throes of the Pontiac War. Soon after he took office, some Moravian Indians were murdered at Conestoga, and in 1765 John Penn had to send troops to Fort Pitt to subdue the Shawnee and Iroquois Indians.

In March of the same year, the Stamp Act was adopted and the Penn administration was once again besieged with problems. As we all know, the troubles for John Penn, the British representative, were just beginning.

Additional Indian hostilities and other harsh measures adopted by the British Parliament against the colonies prompted John Dickinson and Thomas Willing to preside

over a meeting to urge the convening of a Continental Congress.

While Governor Penn was believed to sympathize with the colonies, he took no stand. On September 28, 1776, the assembly which had existed for nearly a century under the organic law of William Penn ceased to exist and John Penn lost his job as proprietary Governor of Pennsylvania.

Although Penn was taken into custody, he was soon released and continued to reside in Bucks County until his death on February 9, 1795. Thank you, Mr. Speaker.

MEMBER'S PRESENCE RECORDED

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 118, PN 2710**, entitled:

An Act amending the "Lethal Weapons Training Act," approved October 10, 1974 (P. L. 705, No. 235), exempting certain retired police officers from certain requirements.

On the question,

Will the House agree to the bill on third consideration?

Mr. MURPHY offered the following amendment No. A6014:

Amend Sec. 1 (Sec. 8.1), page 2, lines 13 through 23, by striking out all of said lines and inserting

Section 8.1. Retired Police Officer.—(a) A retired police officer of a municipality, a township or the State Police shall be certified under this act, and need not meet the training and qualification standards or physical and mental qualifications hereunder, if he was a full-time officer for twenty years, retired in good standing and has assumed the duties of a privately employed agent on or before three years from the date of his retirement. If a retired police officer commences his duties as a privately employed agent after three years from the date of his retirement he must meet the physical and mental requirements of this act for certification under this section.

(b) A retired police officer certified under this section shall not be required to pay the application fee but shall pay the certification fee.

On the question,

Will the House agree to the amendment?

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

Mr. MURPHY. Thank you, Mr. Speaker.

This amendment has two parts. The first part requires that if a police officer has been retired and not active in police work for at least 3 years after that retirement, that he or she meet the requirements of the physical and mental testing that is required under the act.

The second part of the amendment exempts police officers from having to pay the application fee of \$35 that would be required for any other person applying to be a security guard.

It is an agreed-to amendment, Mr. Speaker, as far as I know. Thank you.

MEMBER'S PRESENCE RECORDED

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

CONSIDERATION OF HB 118 CONTINUED

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—189

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

NAYS—1

Rappaport

NOT VOTING—6

Cohen	Kanuck	Williams, H.	Wogan
Gray	Lewis		

EXCUSED—4

Frazier Irvis Rasco Stevens

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?

Does the gentleman from Philadelphia, Mr. Rappaport, desire recognition?

Mr. RAPPAPORT. Yes, Mr. Speaker.

The SPEAKER. The gentleman is in order.

Mr. RAPPAPORT. Would the prime sponsor of the bill consent to interrogation, Mr. Speaker?

The SPEAKER. The gentleman from Lancaster, Mr. Miller, indicates he will stand for interrogation. The gentleman, Mr. Rappaport, may proceed.

Mr. RAPPAPORT. Mr. Speaker, could the gentleman from Lancaster inform the House as to whether this bill would exempt retired police officers from taking an examination in proficiency in firearms?

Mr. MILLER. Mr. Speaker, I was just reviewing the Murphy amendment when the question on interrogation came up, and that notwithstanding, the bill itself would exempt them from the firearms examination.

Mr. RAPPAPORT. Mr. Speaker, I thank the gentleman and would be grateful for further recognition.

The SPEAKER. The gentleman, Mr. Rappaport, is in order and may proceed.

Mr. RAPPAPORT. Thank you, Mr. Speaker.

Mr. Speaker, the basic assumption of this bill is that police officers know how to use firearms. I would suggest to the House that the experience of various police departments is to the contrary. Even in urban areas, allegedly high-crime areas, a policeman on the average draws his gun with the intent to fire it 1.5 times in a 20-year career; one and a half times in 20 years. Therefore, the assumption that a police officer knows how to use a firearm is not a valid one. It is true some departments insist on requalification at least every year, but there are a lot of departments that do not.

In addition, we have a number of part-time policemen in this State who do not qualify, and therefore, I would urge that this bill not be passed. We are assuming a proficiency here which does not exist.

There is also another problem. A sworn police officer has the right to use a weapon under certain circumstances - to defend the life or property of another, for instance. The ability of a security guard, the legal right of a security guard, to use a weapon is very much less than that of a sworn police officer, and therefore, police officers in particular are in need of training before they become a private security guard so that they know what they may do and what they may not do. The jobs are just not the same. Thank you, Mr. Speaker.

MEMBER'S PRESENCE RECORDED

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

CONSIDERATION OF HB 118 CONTINUED

The SPEAKER. The Chair recognizes the gentleman from Lancaster, Mr. Miller, on the question of final passage. The gentleman may proceed.

Mr. MILLER. I thank you, Mr. Speaker, and rise to stand behind the language of HB 118 as currently drafted with the Murphy amendment.

To clarify the gentleman, Mr. Rappaport's question that I rose to respond to earlier, the 3-year hiatus language in the Murphy amendment is in concert with the legislation that is currently before you.

I secondarily rise just to rebut the remarks that it is a rather spurious assumption that the only training most municipal police officers receive is that 1.5 times they are privileged to draw their weapon in the line of duty. Most police officers, indeed all those now coming and retiring who have performed the work required in the municipal police officers' training section, have indeed been trained in the handling of firearms. That is no great mystery.

Finally, if there is one group of citizens that does understand and respect the use of firearms in the protection of public property and in the performance of civic duty, it is retired police officers, and those above all classes of citizenry in this State certainly understand the difference between the performance of those public duties and their new proprietary endeavor as security guards, which this bill would permit them to use their training and their former good offices to a good societal benefit. I urge final passage. Thank you, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

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

YEAS—190

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

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

NAYS—2

Foster, Jr., A. Rappaport

NOT VOTING—4

Cohen Gray Lewis Williams, H.

EXCUSED—4

Frazier Irvis Rasco Stevens

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

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

* * *

The House proceeded to third consideration of **HB 983, PN 2589**, entitled:

An Act making corrections and revisions to the Pennsylvania Consolidated Statutes by amending Titles 1 (General Provisions), 2 (Administrative Law and Procedure), 9 (Burial Grounds) and 45 (Legal Notices) of the Pennsylvania Consolidated Statutes, making corrections relating to the regulation of cemeteries associated with any bona fide church or religious congregation, making editorial and conforming changes, transferring certain provisions of existing law to the Pennsylvania Consolidated Statutes and repealing certain obsolete acts and parts of acts.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I move that HB 983, PN 2589, be placed upon the table.

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

* * *

The House proceeded to third consideration of **HB 1734, PN 2569**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, permitting the use and possession of blackjacks by police officers.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I move that HB 1734 be placed upon the table.

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

* * *

The House proceeded to third consideration of **HB 1635, PN 1914**, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), increasing the amount of work of any nature which can be performed on property owned by any school district without advertising and without competitive bids and further providing for contracts.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I move that HB 1635 be placed upon the table.

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

* * *

The House proceeded to third consideration of **HB 1991, PN 2793**, entitled:

An Act authorizing the Borough of Warren in the County of Warren and Commonwealth of Pennsylvania to sell and convey certain Project 70 lands containing 6.826 acres more or less in said borough and county belonging to the Borough of Warren subject to certain conditions.

On the question,
Will the House agree to the bill on third consideration?
Mr. PETERSON offered the following amendments No. A5996:

- Amend Sec. 2, page 4, line 4, by striking out "nine" and inserting eight
- Amend Sec. 2, page 6, lines 14 through 28, by striking out all of said lines
- Amend Sec. 2, page 7, line 18, by striking out "7" and inserting

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

7

Amend Sec. 2, page 8, line 11, by striking out "9" and inserting

8

On the question,

Will the House agree to the amendments?

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

Mr. PETERSON. Thank you, Mr. Speaker.

This amendment removes a small parcel of land from this piece of legislation that should not have been included. It was land that was acquired by the Warren borough but not through Project 70.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—192

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

NAYS—0

NOT VOTING—4

Cohen Gray Lewis Williams, H.

EXCUSED—4

Frazier Irvis Rasco Stevens

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

Mr. WAMBACH. Mr. Speaker, will Mr. Peterson consent to interrogation on this bill?

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

Mr. WAMBACH. Mr. Speaker, I understand that this is a land bill that will give the borough of Warren some Project 70 lands. Is that correct?

Mr. PETERSON. No. This bill gives them the right to sell approximately 7 acres of land. Half of the money will go back into the Project 70 Fund; the other half of the money will be used within the borough for recreational purposes.

The reason for the request is that the land is desperately needed for a housing development there. The community is in complete agreement that they have all of the recreational facilities that they need. It is not really needed for recreational purposes, and they have asked for this relief.

Mr. WAMBACH. Well, my question is, I guess, the land in question, is it part of the Project 70 Land Acquisition and Borrowing Act currently?

Mr. PETERSON. Yes; 6.8 acres of land that was originally purchased through Project 70 funds.

Mr. WAMBACH. All right. And those funds under Project 70 were State funds. Is that correct?

Mr. PETERSON. That is correct.

Mr. WAMBACH. And then you are asking the General Assembly to approve this land transaction that would give the borough not only the land but also 50 percent of the proceeds from the sale?

Mr. PETERSON. The borough presently has deed to the land. They are supposed to use it for recreational purposes. They are asking for relief. Half of the proceeds from the sale would be returned to the Project 70 Fund, which has been a process that has been utilized by this General Assembly before.

Mr. WAMBACH. That has been a process, you are correct, Mr. Speaker, but I do not think land conveyance bills were used in the past by this General Assembly that did not get, number one, compensation totally for the Project 70 Land Acquisition and Borrowing Act, and number two, either a

switch of lands, if you will, by a municipality. But the way I read this bill is that the land in question will be used not for recreational purposes but for housing purposes, but with no replacement of Project 70 lands that are going to come out of it for the borough of Warren. Is that correct?

Mr. PETERSON. That is correct.

Mr. WAMBACH. I think this is one of the first examples I have seen, particularly with Project 70 lands, that there is not an exchange of lands or a compensation for the land sold to the Project 70 Fund. Why would you go for this exception?

Mr. PETERSON. Well, the borough of Warren and the community of Warren feel that they have an excessive amount of recreational land at this time, more land that could be developed that they already own. They really do not have a need for this property for recreational purposes, and in the community as a whole and in the county as a whole, this process was supported totally by all people understanding, recreational authorities. Everyone was in agreement that this land was not needed and could be better used by the community, and probably the amount of money that would go back to the Project 70 Fund will exceed what they paid for it because of inflation.

Mr. WAMBACH. Well, I do not see that as a problem, Mr. Speaker. I see it as what should be done with lands that belong in the Project 70 Land Fund, either exchanged for or the money and the proceeds from the sale of the land go into the fund. I think if we get away from that, what we are doing is selling off, basically, Project 70 lands that were earmarked for something. I can see if you were coming to the General Assembly to change the designation of use, but you are also asking for 50 percent of the profits to be taken by the borough of Warren when in fact they have no money "invested" into these lands as well. I think they belong in the Project 70 Land Fund. I do not think it should come back and benefit a community that is going to derive benefit out of changing designation of Project 70 lands as well. Do you agree with that or disagree with that?

Mr. PETERSON. Well, I am asking the members to support the bill.

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

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

Mr. WAMBACH. Mr. Speaker, when I was with the Department of General Services, as many members in this House know, the Department of General Services is the curator, if you will, of State lands. The department is obligated under the rules of the House of Representatives, rule 32, to comply, and this is where my interface came with the General Assembly primarily on land conveyance bills. I have never seen a bill under land conveyance of the General Assembly that came to my desk in my 4 years in the department that did not exchange lands under Project 70 or did not put the funds derived out of a sale of land because of a change of designation back into the Project 70 Land and Borrowing Act.

I think it is a bad precedent to set here. What we are doing is selling the land to take care of a problem in the borough of

Warren. I have no problem with that. I have a problem with taking the proceeds, 50 percent of which will go back to the borough, and I think the Commonwealth should benefit from the land that is sold under Project 70 so it can go back into the fund, number one, and number two, replace the land, if it is not in the borough of Warren, in some other aspect of the Commonwealth for Project 70. I think that was the purpose why this General Assembly created Project 70, to set lands aside for recreational purposes and green space in this Commonwealth.

I would only ask that the General Assembly look upon HB 1991 in a fair approach to what has been done with land conveyances in the past in regard to the fund. They were either exchanged or the proceeds went into the Borrowing Act Fund, and they did not go back to the borough from which the lands were derived in regard to Project 70. I think it is unfair to the taxpayers of this Commonwealth to put up with this piece of legislation. I feel for the borough of Warren in regard to their need, but I think what the borough of Warren can do also is take the proceeds from the sale of that land and put them back in the Borrowing Act and still have their lands in regard to the housing that is critically needed in the borough. Thank you very much, Mr. Speaker.

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

Mr. LETTERMAN. May I interrogate Mr. Wambach, please?

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

Mr. LETTERMAN. Mr. Speaker, since you worked in the Department of Property and Supplies, did not each county or township that had Project 70 money in it have to put up a certain amount of funds in order to have that land? Was it not 70-30 or something like that?

Mr. WAMBACH. I would not know the answer to that, Mr. Speaker. What I was talking about, my work in the department came into play when in fact a land conveyance bill came before the General Assembly under rule 32.

Mr. LETTERMAN. Thank you.

Mr. Speaker, I would like to make a statement, please.

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

Mr. LETTERMAN. Mr. Speaker, I would like to be fair to Mr. Peterson, and I would like to give the town of Warren an opportunity to have what they want. I am not sure how this operates, and I do not think anyone else on this floor does, but I do think that we have a matching fund on Project 70 moneys. I would suggest that we hold this bill until we have that answer, because if they do not put any money in, then I do not think it is fair that they get 50 percent of that fund. So I am asking for a hold to be put on this bill until I have time to get the proper answer.

The SPEAKER. Is it the gentleman's intention to move that the bill be placed on the final passage postponed calendar?

Mr. LETTERMAN. Yes, Mr. Speaker. I will have the answer tomorrow.

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I wonder if it would be possible to put the bill over temporarily. We do have some other bills to vote. During that voting session, maybe the gentlemen who have concerns about this bill can discuss it privately. If those difficulties cannot be reconciled, well, then we will put the bill over later today. But right now, I think we could put the bill over temporarily.

Mr. LETTERMAN. That is satisfactory.

The SPEAKER. The gentleman, Mr. Letterman, withdraws his motion.

Without objection, HB 1991 will be laid upon the table. The Chair hears no objection.

MR. ANDERSON REQUESTED TO PRESIDE

The SPEAKER. The Chair asks the gentleman from York, Mr. Anderson, to temporarily preside.

**THE SPEAKER PRO TEMPORE
(JOHN HOPE ANDERSON) IN THE CHAIR
BILLS ON THIRD
CONSIDERATION CONTINUED**

The House proceeded to third consideration of **HB 2011, PN 2458**, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor and the Department of Environmental Resources, to convey a certain parcel of property in Manheim Township, York County acquired pursuant to the "Project 70 Land Acquisition and Borrowing Act," in exchange for two parcels of land located in Manheim Township, York County, Pennsylvania.

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

The SPEAKER pro tempore. 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 Dauphin, Mr. Wambach.

Mr. WAMBACH. Mr. Speaker, thank you.

I would just like to point out to the membership that in this particular case there is an exchange of lands, and it is under Project 70 on HB 2011. I have no objection to it, but I want to point out to the members that it is an exchange.

On the question recurring,
Shall the bill pass finally?

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

YEAS—190

Alden	Emerson	Levin	Rocks
Anderson	Evans	Livengood	Rybak
Armstrong	Fargo	Lloyd	Salvatore
Arty	Fee	Lucyk	Saurman

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

NAYS—0

NOT VOTING—6

Cohen	Lewis	Spitz	Williams, H.
Gray	Pitts		

EXCUSED—4

Frazier	Irvis	Rasco	Stevens
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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 373, PN 1628**, entitled:

An Act authorizing the Borough of Bridgeville, County of Allegheny, to convey a certain parcel of property located in Upper St. Clair Township, Allegheny County, free of the restrictions imposed by "Project 70 Land Acquisition and Borrowing Act."

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

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—191

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

NAYS—0

NOT VOTING—5

Cohen	Hutchinson, A.	Lewis	Williams, J. D.
Gray			

EXCUSED—4

Frazier	Irviss	Rasco	Stevens
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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 **SB 404, PN 410**, entitled:

An Act amending the act of August 26, 1971 (P. L. 351, No. 91), entitled "State Lottery Law," abolishing the State Lottery Commission.

On the question,

Will the House agree to the bill on third consideration?

Mr. RITTER offered the following amendments No. A6199:

Amend Title, page 1, line 7, by striking out all of said line and inserting

eliminating the commission, making certain permissive actions mandatory and further providing for certain stockholder interests and rules, regulations and orders.

Amend Sec. 1, page 1, lines 10 and 11, by striking out "The definition of "commission" in section 3 and sections 4 and 5," and inserting

The title and sections 3, 4, 5, clause (8) of subsection (a) of section 6, section 7 and subsection (a) of section 9,

Amend Sec. 1, page 1, by inserting between lines 12 and 13

AN ACT

Providing for a State Lottery and administration thereof; authorizing the [creation of a State Lottery Commission; prescribing its powers and duties;] disposition of funds; violations and penalties therefor; exemption of prizes from State and local taxation and making an appropriation.

Amend Sec. 1 (Sec. 3), page 1, line 16, by striking out all of said line and inserting

(2) "Division" shall mean the Division of the State Lottery created by this act.

(3) "Lottery" or "State lottery" shall mean the lottery established and operated pursuant to this act.

(4) "Director" shall mean the Director of the Division of the State Lottery.

(5) "Secretary" shall mean the Secretary of Revenue.

Amend Sec. 1 (Sec. 4), page 1, line 17, by striking out the bracket before "Section"

Amend Sec. 1 (Sec. 4), page 1, line 17, by inserting brackets before and after "Commission; Chairman" and inserting immediately thereafter

Division

Amend Sec. 1 (Sec. 4), page 1, line 19, by inserting a period after "Lottery"

Amend Sec. 1 (Sec. 4), page 1, line 19, by inserting a bracket before "which"

Amend Sec. 2, page 3, lines 3 and 4, by striking out both of said lines

Amend Bill, page 3, lines 13 through 16, by striking out all of said lines and inserting

(8) The method to be used in selling tickets or shares except that no transaction involving tickets or shares shall be conducted via a telephone and no transaction involving tickets or shares shall be conducted unless the agent receives payment in cash from the purchaser at the time of the transaction.

* * *

Section 7. Lottery Sales Agents; Qualifications; Prohibitions.—(a) No license as an agent to sell lottery tickets or shares

shall be issued to any person to engage in business exclusively as a lottery sales agent. Before issuing such license the secretary shall consider such factors as:

- (1) The financial responsibility and security of the person and his business or activity;
- (2) The accessibility of his place of business or activity to the public;
- (3) The sufficiency of existing licenses to serve the public convenience; and
- (4) The volume of expected sales.

For the purposes of this section, the term "person" shall be construed to mean and include an individual, association, corporation, club, trust, estate, society, company, joint-stock company, receiver, trustee, assignee, referee, or any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination of individuals. "Person" shall also be construed to mean and include all departments, commissions, agencies and instrumentalities of the State, including counties and municipalities and agencies and instrumentalities thereof.

(b) If the secretary shall find that the experience, character and general fitness of the applicant are such that the participation of such person as a lottery sales agent will be consistent with the public interest, convenience and necessity, it may thereupon grant a license.

Without limiting the generality of the foregoing, the secretary [may] shall refuse to issue a license pursuant to this section, [or may] and shall suspend or revoke a license so issued if it shall find that the applicant or licensee:

- (1) Has been convicted of a crime involving moral turpitude.
- (2) Has engaged in bookmaking or other form of illegal gambling.
- (3) Has been found guilty of any fraud or misrepresentation in any connection.
- (4) Has violated any published rule, regulation or written order of the secretary.

(c) The secretary [may] shall refuse to grant a license [or may] and shall suspend or revoke a license issued pursuant to this section to a corporation, if it shall determine that:

(1) Any officer, director, member or stockholder of such corporation applying for a license or of any corporation which owns stock in or shares in the profits, or participates in the management of the affairs of such applicant: (i) has been convicted of a crime involving moral turpitude, (ii) has engaged in bookmaking or other forms of illegal gambling, (iii) has been found guilty of any fraud or misrepresentation in any connection, or (iv) has violated any published rule, regulation or written order of the secretary.

(2) The experience, character, or general fitness of any officer, director, or stockholder of any of the aforesaid corporations is such that the participation of such person as a lottery sales agent would be inconsistent with the public interest, convenience or necessity, but if the secretary determines that the interest of any stockholder referred to in this clause or in clause (1) of this subsection is [sufficient] insufficient, in the opinion of the secretary, to affect adversely the conduct of a lottery sales agency by such corporation in accordance with the provisions of this act, the secretary may disregard such interest in determining whether or not to grant a license to such corporation.

(3) The applicant is not the owner or the lessee of the business at which it will conduct a lottery sales agency pursuant to the license applied for, or that any person, firm, association, or corporation other than the applicant shares, or will share, in the profits of the applicant, other than by dividends as a stockholder, or participates, or will participate, in the management of the affairs of the applicant.

(d) Pending final determination of any question under this section, the secretary may issue a temporary license upon such terms and conditions as it may deem necessary, desirable or proper to effectuate the provisions of this act.

Amend Sec. 3 (Sec. 9), page 3, line 20, by striking out "department" and inserting

secretary

Amend Sec. 3 (Sec. 9), page 3, lines 21 through 28, by striking out all of said lines and inserting

* * *

Amend Sec. 4, page 3, line 29, by striking out "4" and inserting

2

Amend Sec. 5, page 4, line 17, by striking out "5" and inserting

3

Amend Sec. 5, page 4, line 17, by striking out "in 60 days" and inserting

immediately

On the question,

Will the House agree to the amendments?

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

Mr. RITTER. Mr. Speaker, thank you.

While it looks rather extensive, much of the amendment is some technical changes in SB 404. My amendment still would abolish the Lottery Commission. It does not disturb that portion of the bill. What it does, Mr. Speaker, is that some months ago an investigative reporter did a study about the lottery and found out that there were some transactions being accepted over the telephone, that lottery tickets were being sold without the seller actually having the cash in his possession, and so part of my amendment puts a prohibition that no transaction can take place over the telephone and that no tickets shall be sold unless the agent actually receives payment at the time of the sale.

Then further, Mr. Speaker, we have a problem also that the department issues rules and regulations or they have orders of the Secretary, but a lot of times those orders are verbal. They are not published, they are not put down in writing, and yet the licensee could have his license suspended because he violated that rule or that order. My amendment simply says that that shall be published, the rule or regulation shall be published, and the order shall be a written order on the part of the Secretary.

Then finally, Mr. Speaker, again as we did a couple of weeks ago on another bill, I want to remove the discretion from the Secretary of Revenue. There is a list of violations, that if a licensee, for instance, has been engaged in bookmaking, been convicted of a crime involving moral turpitude, been found guilty of fraud, et cetera, that the Secretary has the discretion to suspend that license. My amendment simply says, Mr. Speaker, that in those events, after one of those violations, one or more, the Secretary shall suspend the license. Mr. Speaker, I would therefore ask support for the amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—191

Alden	Fargo	Lucyk	Salvatore
Anderson	Fee	McClatchy	Saurman
Armstrong	Fischer	McIntyre	Serafini
Arty	Fleck	McMonagle	Seventy

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

NAYS—0

NOT VOTING—5

Civera	Gray	Hutchinson, A.	Lewis
Cohen			

EXCUSED—4

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

On the question,

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

Bill as amended was agreed to.

The SPEAKER pro tempore. 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—181

Alden	Durham	Lloyd	Rybak
Anderson	Emerson	Lucyk	Salvatore
Armstrong	Evans	McClatchy	Saurman
Arty	Fargo	McIntyre	Serafini

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

NAYS—11

Dombrowski	Hasay	Richardson	Wachob
George	Hutchinson, A.	Shupnik	Wargo
Greenfield	Rappaport	Smith, E. H.	

NOT VOTING—4

Cohen	Gray	Harper	Lewis
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EXCUSED—4

Frazier	Irvis	Rasco	Stevens
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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.

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The House proceeded to third consideration of **SB 1147, PN 1359**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," providing an exemption from Article XXIV-A for certain conveyances.

On the question,

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

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

The question is, shall the bill pass finally?

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

YEAS—191

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

NAYS—2

Dombrowski	Hutchinson, A.
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NOT VOTING—3

Cohen	Gray	Lewis
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EXCUSED—4

Frazier	Irviss	Rasco	Stevens
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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.

* * *

The House proceeded to third consideration of **SB 457, PN 464**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for exceptions to vehicle registration and inspection requirements.

On the question,

Will the House agree to the bill on third consideration?

Mr. WILSON offered the following amendments No. A5999:

Amend Title, page 1, line 3, by removing the period after "requirements" and inserting
and changing the period allowed for temporary permits.

Amend Bill, page 2, by inserting between lines 1 and 2 Section 2. Subsection (d) of section 2102 of Title 75 is amended to read:

§ 2102. Identification markers required.

* * *

(d) Operation without identification marker unlawful.—It shall be unlawful to operate or to cause to be operated in this Commonwealth any motor carrier vehicle unless the vehicle bears the identification marker required by this section.

(1) The Secretary of Revenue may by regulation exempt from the requirement to display the identification marker motor carrier vehicles which in his opinion are clearly identifiable such that effective enforcement of this chapter will not suffer thereby.

(2) For a period not exceeding [five] 25 days as to any one motor carrier, the Secretary of Revenue by letter or telegram may authorize the operation of a motor carrier vehicle or vehicles without the identification marker required when the enforcement of this section for that period would cause undue delay and hardship in the operation of such motor carrier vehicle or vehicles:

(i) The fee for such permits shall be \$5 for each motor carrier vehicle.

(ii) Conditions for the issuance of such permits shall be set forth in regulations promulgated by the Department of Revenue.

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

3

Amend Sec. 3, page 2, line 15, 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 Bucks, Mr. Wilson.

Mr. WILSON. Thank you, Mr. Speaker.

This amendment is really a technical amendment. Currently the department has 5 days in which they may exempt or provide for a temporary tag, if you would, identification marker for trucks. They find that they cannot do it in the 5 days, and they have to reissue these every 5 days for a series of times, which is excessive work. This would simply amend it from 5 to 25 days.

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

The following roll call was recorded:

YEAS—191

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

NAYS—1

Ritter

NOT VOTING—4

Cohen Geist Gray Lewis

EXCUSED—4

Frazier Irvis Rasco Stevens

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. NOYE offered the following amendments No. A6130:

Amend Title, page 1, line 3, by removing the period after "requirements" and inserting providing for the admissibility of breath or blood test refusal.

Amend Bill, page 2, by inserting between lines 1 and 2 Section 2. Section 1547(b) of Title 75 is amended and a subsection is added to read:

§ 1547. Chemical test to determine amount of alcohol.

(b) Suspension for refusal.—

(1) If any person placed under arrest for driving under the influence of alcohol is requested to submit to a chemical test and refuses to do so, the test shall not be given but upon notice by the police officer, the department shall:

(i) suspend the operating privilege of the person for a period of six months; or

(ii) revoke the operating privilege of the person for a period of one year for a second or subsequent refusal within a period of three years.

(2) It shall be the duty of the police officer to inform the person that the person's operating privilege will be suspended or revoked upon refusal to submit to a chemical test and that this refusal may also be used as evidence against him at trial.

(3) Any person whose operating privilege is suspended under the provisions of this section shall have the same right of appeal as provided for in cases of suspension or revocation for other reasons.

(k) Test refusal admissible in evidence.—In any summary proceeding or criminal proceeding in which the defendant is charged with driving a motor vehicle while under the influence of alcohol, the defendant's refusal to allow a breath or blood test shall be admissible in evidence as an inference of guilt.

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

3

Amend Sec. 3, page 2, line 15, 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 Perry, Mr. Noye.

Mr. NOYE. Thank you, Mr. Speaker.

This amendment restores to the Vehicle Code a section that was in the code for years and was omitted during the last recodification, approximately a year and a half ago. This allows that in a case that is before the judge on driving under the influence, it allows them to submit into the record as evidence the fact that the driver, charged with driving under the influence, refused a Breathalyzer test.

Under the present Vehicle Code, that item is not admissible as evidence. After talking with several judges, they feel that it should remain a part of the Vehicle Code and be reinserted, and that is what this amendment does.

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 one or two questions of interrogation?

The SPEAKER pro tempore. The gentleman, Mr. Noye, indicates that he will. The gentleman from Berks, Mr. Davies, may proceed.

Mr. DAVIES. By the same token, Mr. Speaker, if an individual would submit to other types of testing other than the Breathalyzer test, in that same purported violation or test of that violation in a judicial proceeding, would that also be made a part of the record? Would that information be made available, or would this place a restriction upon that additional information being submitted for the record?

Mr. NOYE. Mr. Speaker, I would see no barrier to submitting that into the record.

Mr. DAVIES. In other words, there would be no prohibition against that if he submitted to some other form of testing or a medical process testing method?

Mr. NOYE. As I understand it, you are correct, sir.

Mr. DAVIES. All right. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—188

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

NAYS—4

McVerry Moehlmann Spitz Wright, R. C.

NOT VOTING—4

Cohen Emerson Gray Lewis

EXCUSED—4

Frazier Irvis Rasco Stevens

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

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. Does the gentleman from Clearfield, Mr. George, have amendments to this bill? The calendar is not so marked, but we understood there was a possibility.

Mr. GEORGE. Mr. Speaker, a personal inquiry, please.

The SPEAKER pro tempore. The gentleman may state his personal inquiry.

Mr. GEORGE. The amendment is now in my possession and needs to be circulated. Could we go over this bill temporarily until the amendment is circulated, Mr. Speaker?

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

Mr. GEORGE. Mr. Speaker, I have been advised by the Parliamentarian and by you and by the majority leader that possibly my amendment should insist upon a fiscal note. Personally, Mr. Speaker, if that be the case on most of these types of amendments, we would not have had a bill run this year. But because of the expediency and because I wish to be cooperative, I intend to get a fiscal note on the same type of amendment and put it into another bill next week. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman for withdrawing his amendment.

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER pro tempore. 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?

REMARKS ON VOTE

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

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

On HB 118, PN 2710, my face is as red as my light evidently was. I find myself recorded in the negative; I would like to be recorded in the affirmative.

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

CONSIDERATION OF SB 457 CONTINUED

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

Mr. DEAL. Mr. Speaker, I hate to annoy my colleagues by raising this question, but if the prime sponsor would stand for interrogation, I would like to ask a question.

Mr. VROON. Mr. Speaker, I will answer the question.

The SPEAKER pro tempore. Since it is a Senate bill, the sponsor is not available, but Mr. Vroon, from Chester, will consent to be interrogated.

Mr. DEAL. Mr. Speaker, the question that I have is, am I to understand that in SB 457 the vehicle would not have to be inspected at all? Is that the impression I am to get from this bill?

Mr. VROON. That is right, Mr. Speaker. The vehicle would not have to be registered, and it would follow therefore that it would not have to be inspected either, because of the fact that this vehicle is used very little. It is only used in cases of parades, and it is maintained by the mechanics department of the school.

Mr. DEAL. Mr. Speaker, now that I have received the information, may I speak against the bill?

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

Mr. DEAL. Mr. Speaker, I believe it is inconsistent for us. At one time we talked of vehicles being inspected twice a year, and some of us groaned and moaned when we decided that a vehicle should only be inspected once a year. I was under the impression our deep concern was because we were concerned about the safety of a vehicle being on the highway. It raises serious problems in my mind that you could feel that vehicles ought to be inspected, but because a vehicle happens to be used at a military institution of education it would not have to be inspected.

It would appear to me that the University of Pennsylvania, if it had a military school, though it has part of the university on both sides of Walnut Street—one of the most heavily traveled streets in the State—or Temple University, where it borders both sides of Broad Street, could drive for 1 mile with a vehicle that would not have to be inspected. What you are saying to me is that a vehicle would not necessarily have to have brakes; it would not necessarily have to have lights. You could just drive anything on the highway for a mile because it was used for military training.

Mr. Speaker, I think this is unfair for the members in the legislature to disregard the safety of the rest of the people who may happen to travel on our streets. I think people have entrusted some responsibility in us to protect them, and protecting them means that we ought to protect them from any vehicle that might be on our highways that could create a safety hazard.

I would hope— And I know you have the votes, and I hear some of you now saying run it. That is all right, Mr. Speaker, run it if you may, but you will be the first one to run to the funeral home when there is an accident out there or to the hospital or to the cemetery. Mr. Speaker, I oppose this bill. Thank you.

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

Mr. VROON. Mr. Speaker, I am sorry that my colleague from Philadelphia does not agree with this bill, but let me explain how innocent this bill really is. This bill exempts military institutions and only military institutions. A small number of vehicles are involved. They have a parade maybe two, maybe three or four times a year, and all of the roads on which these vehicles ride total less than a mile. Both sides of the road are owned by the military educational institution. It would be absolutely ridiculous to think that you would have to register those vehicles and get them inspected two times a year, which this now calls for, when those vehicles are used so little. And they are definitely watched, because it is part of the training program to maintain the vehicles. So there is no possibility of any accidents, and this is just an accommodation for a mighty good military institution known as the Valley Forge Military Academy. I would hope that you would all see fit to vote for this bill.

On the question recurring,
Shall the bill pass finally?

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

YEAS—137

Alden	Dorr	Lehr	Salvatore
Anderson	Durham	Lescovitz	Saurman
Armstrong	Fargo	Lloyd	Serafini
Arty	Fee	Lucyk	Showers
Belardi	Fischer	McClatchy	Sieminski
Belfanti	Fleck	McVerry	Sirianni
Bittle	Foster, W. W.	Mackowski	Smith, B.
Borski	Foster, Jr., A.	Madigan	Smith, E. H.
Bowser	Freind	Maiale	Smith, L. E.
Boyes	Fryer	Manderino	Snyder
Brandt	Gallen	Manmiller	Spencer
Burd	Gamble	Marmion	Spitz
Burns	Gannon	Merry	Stairs
Caltagirone	Geist	Micozzie	Stuban
Cawley	George	Miller	Swaim
Cessar	Gladeck	Morris	Sweet
Cimini	Grabowski	Mowery	Swift
Civera	Greenfield	Mrkonjic	Taddonio
Clymer	Greenwood	Nahill	Taylor, E. Z.
Cochran	Grieco	Noye	Taylor, F. E.
Cole	Gruitza	Perzel	Telek
Cornell	Gruppo	Peterson	Tigue
Coslett	Hagarty	Petrone	Vroon
Cowell	Hasay	Phillips	Wachob
Cunningham	Hayes	Piccola	Wass
DeMedio	Heiser	Pievsky	Wenger
DeVerter	Honaman	Pitts	Weston
DeWeese	Horgos	Pott	Wilson
Daikeler	Jackson	Pratt	Wogan
Davies	Johnson	Pucciarelli	Wright, J. L.
Dawida	Kanuck	Punt	Zwilk
Dietz	Kennedy	Reber	
Dininni	Klingaman	Ritter	Ryan,
Dombrowski	Kowalyshyn	Rocks	Speaker
Donatucci	Lashinger	Rybak	

NAYS—55

Barber	Haluska	Michlovic	Seventy
Beloff	Harper	Miscevich	Shupnik
Berson	Hoeffel	Moehlmann	Steighner
Blaum	Hutchinson, A.	Mullen	Stewart
Brown	Itkin	Murphy	Trello
Cappabianca	Kolter	O'Donnell	Van Horne
Clark	Kukovich	Olasz	Wambach

Colafella	Laughlin	Oliver	Wargo
Cordisco	Letterman	Pendleton	Wiggins
Deal	Levi	Petrarca	Williams, J. D.
Duffy	Levin	Pistella	Wozniak
Emerson	Livengood	Rappaport	Wright, D. R.
Evans	McIntyre	Richardson	Wright, R. C.
Gallagher	McMonagle	Rieger	

NOT VOTING—4

Cohen	Gray	Lewis	Williams, H.
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EXCUSED—4

Frazier	Irvis	Rasco	Stevens
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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 **SB 592, PN 1026**, entitled:

An Act requiring certain passenger restraint systems and providing for a penalty.

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

BILL TABLED

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I move that SB 592 be placed upon the table.

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

* * *

The House proceeded to third consideration of **HB 2036, PN 2586**, entitled:

An Act amending the "Secondary Mortgage Loan Act," approved December 12, 1980 (P. L. 1179, No. 219), changing the maximum rate of interest permitted to be charged by licensees.

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

The SPEAKER pro tempore. 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 Philadelphia, Mr. Richardson.

Mr. RICHARDSON. I would like to interrogate the prime sponsor of the bill, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Franklin, Mr. Bittle, indicates that he will consent to interrogation. The gentleman, Mr. Richardson, may proceed.

Mr. RICHARDSON. Thank you, Mr. Speaker.

I would like to know whether or not the gentleman can share with us—the bill now is increasing the interest rate to a maximum of 1.85 percent per month—what it was before it was 1.85 percent.

Mr. BITTLE. The rate at the present time is 1.45 percent a month. It is going to 1.85 percent a month, maximum allowable. That is an increase from 17.4 percent to 22.2 percent.

Mr. RICHARDSON. What is the purpose of the increase, Mr. Speaker?

Mr. BITTLE. The purpose of the increase is at the present time there are no secondary mortgage lenders making money available to people in Pennsylvania who are desirous of obtaining money on a secondary mortgage loan. The purpose of the bill is to free up the secondary mortgage lenders and enable them to make those loans when people are desirous of making the loans.

Mr. RICHARDSON. Okay, Mr. Speaker. Thank you very much for your explanation.

Now, Mr. Speaker, I would like to have a few moments to speak on the bill.

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

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

I rise to oppose HB 2036, and I do so, Mr. Speaker, with the ever-growing need and necessity of trying to explain to our consumers, at least in our area, that these increases are going to take place, particularly when it falls in a period of time when people are suffering probably the most damaging season of the year in terms of these winter months when they have to pay such high utility bills, electric and gas. To ask for an extension in the increase in the interest rate to a maximum of 1.85 percent per month is another indication of the suffering that takes place when it relates to those who are less fortunate.

There are some people in this Commonwealth, Mr. Speaker, who are not even allowed to get a mortgage, let alone a second mortgage, and to raise the interest rates on this it seems to me is going to hurt us tremendously. I ask the members to vote in opposition to this bill.

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

Mr. LAUGHLIN. Mr. Speaker, would the gentleman please stand for brief interrogation?

The SPEAKER pro tempore. The gentleman, Mr. Bittle, indicates that he will. The gentleman from Beaver, Mr. Laughlin, may proceed.

Mr. LAUGHLIN. Mr. Speaker, very briefly, you are familiar with the rates in some of the surrounding States on this particular legislation, are you not?

Mr. BITTLE. I believe so, Mr. Speaker.

Mr. LAUGHLIN. Mr. Speaker, would you kindly give me the rate at the present time in Maryland based on that?

Mr. BITTLE. The rate at the present time in Maryland is 16 percent plus 2 percent, but I think that the speaker ought to know that Governor Hughes in Maryland has already endorsed a plan advanced by the Attorney General, Stephen Sachs, asking that the interest ceiling be lifted completely in

Maryland, limited only by what is known as an unconscionable rate of 36 percent.

Mr. LAUGHLIN. Mr. Speaker, you and I are both aware that the Governor of any State can make any pronouncement he wishes, but the legislature is charged with the responsibility of setting that rate. Is that not correct, Mr. Speaker?

Mr. BITTLE. I would assume that is correct.

Mr. LAUGHLIN. Mr. Speaker, then I do not believe that the Governor's preference on any legislation really has any effect on what we are doing here in the State of Pennsylvania, nor does it in Maryland, unless, in fact, his party is in control of both Houses, as we have here in the State of Pennsylvania.

Mr. Speaker, are you also familiar with the rate in West Virginia, another one of our neighboring States?

Mr. BITTLE. Yes, I am, Mr. Speaker.

Mr. LAUGHLIN. Mr. Speaker, that rate is set at 21 percent. Is that correct?

Mr. BITTLE. I believe that is correct, Mr. Speaker.

Mr. LAUGHLIN. Mr. Speaker, I am also aware that New York and New Jersey have rates in excess of what Pennsylvania's are, whereas Delaware at the present time has an unlimited one. I do not know if that is in excess of our present rate or not. And we are always debating in this House as to whether or not Pennsylvania is a leader or a follower, and it seems that when people want to increase interest rates, we become followers, and whenever they want to change the rules with regard to giving away money and benefits to large corporations and organizations, it seems to me that we are a leader there.

Mr. Speaker, I have no further questions of the gentleman. I would like to make a few brief remarks.

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

Mr. BITTLE. Mr. Speaker, was that a question?

Mr. LAUGHLIN. No, Mr. Speaker. I said I had finished the interrogation.

Mr. Speaker, am I in order to make the remarks, please?

The SPEAKER pro tempore. The Chair so stated.

Mr. LAUGHLIN. Mr. Speaker, in the secondary mortgage market as it presently exists in the State of Pennsylvania, we are told that they are not making money available because of the 17-percent rate. Mr. Speaker, these are the same people who came to us and said, would you kindly raise mortgage interest rates on homes, which is the first mortgage, and we did that. They said money would be available and there would certainly be building and the opportunity for homeownership. Today there is no possibility of anyone of an average income in this State borrowing money for a first mortgage at 15, 16, and 17 percent, depending on what you can get it at. And so, in effect, by those high interest rates we have dried up the homebuilding market in this State.

We were faced then with the prospect of raising interest rates for the purchase of automobiles in this State, Mr. Speaker, and earlier this year there was an attempt through SB 409 to abolish rates in this State. At the present time, Mr. Speaker, those same interest rates are deterring the people in this State from buying vehicles. The end result is we have

people unemployed, and we have a lessening of the purchasing power of the people of this State.

Mr. Speaker, I can certainly say that I believe the secondary mortgage market deserves some consideration from this House and from the members of this House. However, Mr. Speaker, I believe this rate is above what would be acceptable and is going to further deteriorate the purchasing power of the people of this State. I would ask, for that reason, for a negative vote and possibly a reintroduction of legislation at a lower, more reasonable rate, Mr. Speaker. I thank you.

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

Mr. LLOYD. Thank you, Mr. Speaker.

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

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

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, I was unable to hear the interrogation of the gentleman, Mr. Richardson, and the answers to it, and perhaps some of the questions I have might have been answered before, but my question is, at the present time under the Secondary Mortgage Loan Act, does the 1.45-percent-per-month interest ceiling apply to all loans regardless of the size, or is there a differentiation based on the size of the loan?

Mr. BITTLE. I am not sure I can answer that, Mr. Speaker.

Mr. LLOYD. Mr. Speaker, is there anyone on the floor from the Business and Commerce Committee who might know the answer to that question as to whether we are raising the interest rates across the board? It has been suggested on this side of the aisle informally that loans over \$5,000 on secondary mortgages are already subject to the higher interest rate, and I am trying to find out whether that is correct or not.

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

Mr. RAPPAPORT. Perhaps I could help the gentleman.

Under present law, second mortgages secured upon homes, residences, carry a maximum interest rate of 17.45 percent per year. At the present time, first mortgages on homes have no interest rate limitations whatsoever.

Mr. LLOYD. Okay. Then, Mr. Speaker, there is no differentiation on the secondary mortgage loan ceiling under present law based on the amount of the loan.

Mr. RAPPAPORT. If it is below \$5,000, I believe the Consumer Discount Act may apply, but I am not sure. And, of course, if it is over \$50,000, any loan in excess of \$50,000 has no rate limitation whatsoever in Pennsylvania.

Mr. LLOYD. Well, Mr. Speaker, I would like to understand what happens to loans under \$5,000. When you say that the Consumer Discount Act might apply, when this bill passes, Mr. Speaker, would all loans under \$5,000 secured by a second mortgage have a maximum interest rate of 1.85 percent per month?

Mr. RAPPAPORT. I do not believe so. Only second loans secured on residential real estate. There are lots of other consumer-type loans that are not second mortgages secured upon residential real estate - auto loans, for instance, and other types of consumer paper.

Mr. LLOYD. Okay, Mr. Speaker, but really my question is, if I understand correctly, you are saying at the present time that there is something in the Consumer Discount Act which might apply to loans secured by mortgages on real estate, which is residential real estate, which would have a different interest rate than 1.45 percent per month?

Mr. RAPPAPORT. I do not believe so, but I would not like to give the gentleman the impression, Mr. Speaker, that I speak with any authority on that. I do not.

Mr. LLOYD. But, Mr. Speaker, after this bill passes, if there is any such other conflicting statute, there is no longer going to be that conflict. Is that right?

Mr. RAPPAPORT. No, Mr. Speaker. This bill narrowly speaks to second mortgages on residential real estate, nothing else.

Mr. LLOYD. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Franklin, Mr. Bittle.

Mr. BITTLE. Mr. Speaker, very briefly, I think I ought to call to the members' attention that at the present rate there are persons who are seeking to borrow money on secondary mortgages, and the money is not being made available to them because of the interest ceiling. No borrower would be forced to borrow money, but if they were desirous of borrowing money, the lifting of the interest ceiling as called for in this legislation would at least make the money available to those persons who are interested in making the loans for whatever purpose they choose to make that loan.

I would ask the members for an affirmative vote.

On the question recurring,
Shall the bill pass finally?

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

YEAS—101

Alden	Durham	Letterman	Punt
Anderson	Fargo	Levi	Rappaport
Armstrong	Fleck	Livengood	Reber
Arty	Foster, W. W.	McClatchy	Salvatore
Bittle	Foster, Jr., A.	McIntyre	Saurman
Bowser	Freind	McVerry	Serafini
Boyes	Fryer	Mackowski	Sieminski
Brandt	Gallen	Madigan	Sirianni
Burd	Gannon	Maiale	Smith, B.
Burns	Geist	Manmiller	Smith, E. H.
Caltagirone	Gladeck	Marmion	Smith, L. E.
Cessar	Greenfield	Merry	Snyder
Cimini	Greenwood	Micozzie	Spencer
Civera	Grieco	Miller	Sweet
Clymer	Gruppo	Moehlmann	Swift
Cornell	Hagarty	Morris	Taddonio
Coslett	Hayes	Mowery	Taylor, E. Z.
Cowell	Heiser	Mullen	Vroon
Cunningham	Honaman	Nahill	Wachob
DeVerter	Jackson	Noye	Wenger
DeWeese	Johnson	Perzel	Wright, J. L.
Daikeler	Kanuck	Peterson	Wright, R. C.
Davies	Kennedy	Phillips	
Dietz	Klingaman	Piccola	
Dininni	Lashinger	Pitts	Ryan,
Dorr	Lehr	Pott	Speaker

NAYS—92

Barber	Fee	Manderino	Spitz
Belardi	Fischer	Michlovic	Stairs
Belfanti	Gallagher	Miscevich	Steighner
Beloff	Gamble	Mrkonic	Stewart
Berson	George	Murphy	Stuban
Blaum	Grabowski	O'Donnell	Swaim
Borski	Gruitza	Olasz	Taylor, F. E.
Brown	Haluska	Oliver	Telek
Cappabianca	Harper	Pendleton	Tigue
Cawley	Hasay	Petrarca	Trello
Clark	Hoeffel	Petrone	Van Horne
Cochran	Horgos	Pievsky	Wambach
Colafella	Hutchinson, A.	Pistella	Wargo
Cole	Itkin	Pratt	Wass
Cordisco	Kolter	Pucciarelli	Weston
DeMedio	Kowalshyn	Richardson	Wiggins
Dawida	Kukovich	Rieger	Williams, H.
Deal	Laughlin	Ritter	Williams, J. D.
Dombrowski	Lescovitz	Rocks	Wilson
Donatucci	Levin	Rybak	Wogan
Duffy	Lloyd	Seventy	Wozniak
Emerson	Lucyk	Showers	Wright, D. R.
Evans	McMonagle	Shupnik	Zwikl

NOT VOTING—3

Cohen	Gray	Lewis
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EXCUSED—4

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

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The House proceeded to third consideration of **HB 2074, PN 2644**, entitled:

An Act amending the "Savings Association Code of 1967," approved December 14, 1967 (P. L. 746, No. 345), providing Statewide savings bank branches and further providing for interest rates, finance charges or terms of loans.

On the question,

Will the House agree to the bill on third consideration?

BILL PASSED OVER

The SPEAKER pro tempore. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, my understanding is that there is an amendment to this bill that is, in my opinion, a very extensive amendment which we have not caucused on. We were unaware for sure that it was going to be offered, and I had spoken to the majority leader about it beforehand. We did not think there was an amendment. Now there is an amendment. We would respectfully ask for some time to caucus on the amendment to HB 2074.

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. HAYES. That is fine, Mr. Speaker. The bill goes over today.

The SPEAKER pro tempore. Without objection, this bill will be passed over. The Chair hears none.

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

RESOLUTIONS ADOPTED

Mr. JOHNSON called up **HR 146, PN 2780**, entitled:

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

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—188

Alden	Fargo	Lloyd	Saurman
Anderson	Fee	Lucyk	Serafini
Armstrong	Fischer	McClatchy	Seventy
Arty	Fleck	McIntyre	Showers
Barber	Foster, W. W.	McMonagle	Shupnik
Belardi	Foster, Jr., A.	McVerry	Sieminski
Belfanti	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	Merry	Spencer
Boyes	Geist	Michlovic	Spitz
Brandt	George	Micozzie	Stairs
Brown	Gladeck	Miller	Steighner
Burd	Grabowski	Miscevich	Stewart
Burns	Greenfield	Moehlmann	Stuban
Caltagirone	Greenwood	Morris	Swaim
Cappabianca	Grieco	Mowery	Sweet
Cawley	Gruitza	Mrkonic	Swift
Cessar	Gruppo	Mullen	Taddonio
Cimini	Hagarty	Murphy	Taylor, E. Z.
Civera	Haluska	Nahill	Taylor, F. E.
Clark	Harper	Noye	Telek
Clymer	Hasay	Olasz	Tigue
Cochran	Hayes	Oliver	Trello
Colafella	Heiser	Pendleton	Van Horne
Cole	Hoeffel	Peterson	Vroon
Cordisco	Honaman	Petrarca	Wachob
Cornell	Horgos	Petrone	Wambach
Coslett	Hutchinson, A.	Phillips	Wargo
Cowell	Itkin	Piccola	Wass
Cunningham	Jackson	Pievsky	Wenger
DeMedio	Johnson	Pistella	Weston
DeVerter	Kanuck	Pitts	Wiggins
DeWeese	Kennedy	Pott	Williams, H.
Daikeler	Klingaman	Pratt	Williams, J. D.
Davies	Kolter	Pucciarelli	Wilson
Dawida	Kowalshyn	Punt	Wogon
Deal	Kukovich	Rappaport	Wozniak
Dininni	Lashingier	Reber	Wright, D. R.
Dombrowski	Laughlin	Richardson	Wright, J. L.
Donatucci	Lehr	Rieger	Wright, R. C.
Dorr	Lescovitz	Ritter	Zwikel
Duffy	Letterman	Rocks	
Durham	Levi	Rybak	Ryan,
Emerson	Levin	Salvatore	Speaker
Evans	Livengood		

NAYS—0

NOT VOTING—8

Beloff	Dietz	Lewis	O'Donnell
Cohen	Gray	Marmion	Perzel

EXCUSED—4

Frazier Irvis Rasco Stevens

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

* * *

Mr. CLARK called up **HR 149, PN 2828**, entitled:

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

On the question,
Will the House adopt the resolution?

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

Mr. CLARK. Mr. Speaker, I introduced this resolution because of a growing problem in not only Pennsylvania but the United States. I would ask the passage of this resolution to urge the Federal Government to take immediate action to stem the flow of imports of specialty steel products into Pennsylvania and into the United States.

Currently foreign governments that are subsidizing their steelmakers are exporting their unemployment to Pennsylvania and to the United States itself. Currently we have about a 30-percent rate of unemployment in the specialty steel industry and a 28-percent penetration by foreign steelmakers.

Not only would I urge the immediate adoption of this resolution, but I would urge each of you to contact your Congressmen. Thank you, Mr. Speaker.

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

Mr. MORRIS. Thank you, Mr. Speaker.

I think this resolution speaks for itself. I very strongly urge the members to vote in support of this resolution.

Many of us have steel companies in our areas which qualify under this particular resolution. The largest employer in Chester County is one of such, and it happens to be in my district. I would thank you all for a "yes" vote.

REMARKS ON VOTE

The SPEAKER. Does the gentleman from Allegheny, Mr. Marmion, desire recognition?

Mr. MARMION. Thank you, Mr. Speaker.

My switch did not operate on HR 146. I wish to be voted in the affirmative.

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

CONSIDERATION OF HR 149 CONTINUED

On the question recurring,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—192

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

NAYS—0

NOT VOTING—4

Beloff	Cohen	Gray	Lewis
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EXCUSED—4

Frazier	Irvis	Rasco	Stevens
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The question was determined in the affirmative, and the resolution was adopted.

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

HB 118 RECONSIDERED

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Richardson, who moves that the vote by which HB 118 passed on February 9, 1982, be reconsidered. The motion is seconded by the gentleman from Philadelphia, Mr. Rappaport.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—189

Alden	Emerson	Levin	Rybak
Anderson	Evans	Livengood	Salvatore
Armstrong	Fargo	Lloyd	Saurman
Arty	Fee	Lucyk	Serafini
Barber	Fischer	McClatchy	Seventy
Belardi	Fleck	McIntyre	Showers
Belfanti	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	Smith, L. E.
Boyes	Gamble	Manmiller	Snyder
Brandt	Gannon	Marmion	Spencer
Brown	Geist	Merry	Spitz
Burd	George	Micozzie	Stairs
Burns	Gladeck	Miller	Steighner
Caltagirone	Grabowski	Miscevich	Stewart
Cappabianca	Greenfield	Mochlmann	Stuban
Cawley	Greenwood	Morris	Swaim
Cessar	Grieco	Mowery	Sweet
Cimini	Gruitza	Mrkonic	Taddonio
Civera	Gruppo	Mullen	Taylor, E. Z.
Clark	Hagarty	Nahill	Taylor, F. E.
Clymer	Haluska	Noye	Telek
Cochran	Harper	O'Donnell	Tigue
Colafella	Hasay	Olasz	Trello
Cole	Hayes	Oliver	Van Horne
Cordisco	Heiser	Pendleton	Vroon
Cornell	Hoefel	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	Kanuck	Pistella	Williams, J. D.
Davies	Kennedy	Pitts	Wilson
Dawida	Klingaman	Pott	Wogan
Deal	Kolter	Pratt	Wozniak
Dietz	Kowalshyn	Pucciarelli	Wright, D. R.
Dininni	Kukovich	Punt	Wright, J. L.
Dombrowski	Lashinger	Rappaport	Wright, R. C.
Donatucci	Laughlin	Reber	Zwilk
Dorr	Lehr	Richardson	
Duffy	Lescovitz	Rieger	Ryan,
Durham	Letterman	Ritter	Speaker
	Levi	Rocks	

NAYS—0

NOT VOTING—7

Cohen	Lewis	Murphy	Williams, H.
Gray	Michlovic	Swift	

EXCUSED—4

Frazier	Irvis	Rasco	Stevens
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The question was determined in the affirmative, and the motion was agreed to.

On the question recurring,
Shall the bill pass finally?

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

Mr. RICHARDSON. Thank you, Mr. Speaker.

I would like to ask if I could interrogate the prime sponsor.

The SPEAKER. The Chair recognizes the gentleman from Lancaster, Mr. Miller, who agrees to be interrogated.

Mr. RICHARDSON. Mr. Speaker, I would like to try and find out exactly what the gentleman is trying to do here in relationship to retired police officers. Earlier it was stated on the floor of this House that there was some concern about retired police officers going through the normal process of training in every other area except for the firearms act, which means going to the range and pulling a trigger and then qualifying after he has pulled the trigger there.

I am wondering whether or not the gentleman can clarify for me why it is so important that they go through the other qualifications and standards of the act, but for shooting a weapon, a retired police officer, although he may have been on the force for some 20 years or more, would not have to go to the range and fire a pistol. I do not understand the inconsistency.

Mr. MILLER. Thank you, Mr. Speaker.

In response to the gentleman's question, we view the inconsistency the fact that a man who has retired after 20 years in good standing and who is now taking the job of a security guard versus a police officer is required to go through all the training that is designed for someone who has never had the municipal police officers training course in the first place.

A local man goes off the city police force in the city of Lancaster after 20 years; he knows how to handle a weapon. It is part of his regular training over the 20-year period of his tenure on that department. He is retired in good standing as an honorable officer who served his community well and has his training documents to support that. He turns around and wants to become a security guard at the local hospital emergency room, and now the Lethal Weapons Training Act says he has to go through all that training all over again.

Now, we do not give him a blanket waiver under this bill. We give him a 3-year period where he is grandfathered under the act or under the language of this bill wherein he can spin right in and do his security guard training which may be part time. But by and large, we are just saying he does not have to duplicate training he already has. We are removing the obstacle from a natural pool of individuals, retired municipal police officers, who now can perform security guard work.

Mr. RICHARDSON. Mr. Speaker, is it not your understanding that presently in the system that is presently set up for those who are police officers and even those civilians who do get weapons and have the right to carry weapons, that each and every year, even though they were trained the year before and even though they have shot a weapon, they have to go back to reregister in order to be qualified to shoot a gun and they have to pass that firearms test?

Mr. MILLER. Mr. Speaker, I cannot speak to the specific requirements of the Lethal Weapons Training Act. I do know that municipal police officers have met that requirement, and we are only asking a waiver for that requirement once they retire and go into security-field business.

If you or I as nontrained police officers have not yet met that requirement, as we have not, we would still under the law have to go receive the training. We are merely suggesting an exemption for someone who has already had it.

Mr. RICHARDSON. Thank you, Mr. Speaker.

I would like to ask a few moments to speak on the bill.

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

Mr. RICHARDSON. Thank you, Mr. Speaker.

While I have gotten the intent of the bill and also the gentleman from Lancaster's comments concerning HB 118, I am concerned primarily with the fact that already, at least in our city—and I am not speaking now of Lancaster—but at least in our city, the city of Philadelphia, it is required that every police officer every year still go back for the Lethal Weapons Training Act to be required to shoot a gun at least while they are on that firearms testing grounds to be at least eligible to be able to again, the next year, be certified to carry that weapon. The same thing applies to those who are civilians, that the civilian has to also go back each and every year to be qualified and certified to be able to carry that gun by in fact taking the firearms test that is given to every civilian.

It seems to me that we are giving latitude to an officer who we say is retired in good standing, that at the end of 3 years of retirement, if they want to apply for a job as a security officer, they do not have to go through that part of the training but in every other aspect they do. It seems to me to be inconsistent not to be able to have that training of shooting a gun, but just because they may be mentally balanced or because they may have had some other training requirements, all of those are necessary in order to get that person's license again but not to shoot a gun.

In the city of Philadelphia it is a very dangerous precedent for anyone to be able to carry a firearm after they retire regardless of whether they are working for a security agency or not. In some of these security agencies, if you have an individual who would just go out and shoot a gun without having the knowledge and information concerning that regard, you may wind up in a situation that would be detrimental to the citizenry of the city of Philadelphia. If everyone else is required to go to the range and shoot his pistol, then it seems to me that if you are retired and have been on the force for 20 years, you would have no problem to go back and shoot a pistol just to make sure that you qualify.

In some instances you have those who may be 60 or 70 years of age who have retired, who may now want to go back after 3 years, according to this act, without having to go through that any longer, and it seems to me to create a dual system of justice.

I would ask the members of this House to reconsider their vote on this last bill that we feel has a tremendous impact on how other folks will react. For an example, if you open up Pandora's box on HB 118 to give latitude to those who have been officers for 20 years, the next thing that will come up will be to allow them to carry guns while they are off duty because of the fact they have been in good standing. I think that it sets a dangerous precedent, and we would not want to get into that area.

I understand what the gentleman is trying to do, and I in no way would want to take that away from him. But I think that at least in the city of Philadelphia where we have a serious

problem already with the number of homicides by police officers on civilians, and also the high rate of police brutality that we have in the city of Philadelphia, this would just open up another door and not allow us to get to the heart or the crux of the problem. I would ask for a negative vote on HB 118.

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—175

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

NAYS—13

Barber	Greenfield	Rappaport	Williams, H.
Emerson	Oliver	Richardson	Williams, J. D.
Evans	Pievsky	Wiggins	Wright, R. C.
Fleck			

NOT VOTING—8

Bcloff	Cochran	Deal	Levin
Berson	Cohen	Gray	Lewis

EXCUSED—4

Frazier	Irvis	Rasco	Stevens
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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.

HB 2036 RECONSIDERED

The SPEAKER. The Chair recognizes the gentleman from Franklin, Mr. Bittle, who moves that the vote by which HB 2036, PN 2586, was defeated on the 9th day of February be reconsidered, the motion being seconded by the gentleman from Allegheny, Mr. Cessar.

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

The following roll call was recorded:

YEAS—190

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

NAYS—0

NOT VOTING—6

Beloff	Gamble	Lewis	Michlovic
Cohen	Gray		

EXCUSED—4

Frazier Irvis Rasco Stevens

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

On the question recurring,
Shall the bill pass finally?

MOTION TO PLACE BILL ON FINAL PASSAGE POSTPONED CALENDAR

The SPEAKER. The Chair recognizes the gentleman from Beaver, Mr. Laughlin, on the question of final passage of HB 2036.

Mr. LAUGHLIN. Mr. Speaker, earlier I had mentioned the fact that I wanted to have a bill drafted that would more equitably treat the circumstance of secondary mortgages. Instead, I have ordered an amendment to this bill to be drafted and it should be down in a few minutes. Would you be kind enough to pass HB 2036 over and place it on the final passage postponed calendar, Mr. Speaker?

The SPEAKER. The gentleman from Beaver, Mr. Laughlin, moves that HB 2036 be put on the final passage postponed calendar.

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

The SPEAKER. The Chair recognizes the gentleman from Franklin, Mr. Bittle.

Mr. BITTLE. Mr. Speaker, I oppose the motion. If the gentleman's amendment will be down in a few minutes, then I would suggest we wait. If it will not be down in a few minutes, then I object to the motion. The bill is on its 15th day on the calendar. The bill is in the form in which it came from the Business and Commerce Committee some considerable time ago. There is no reason for the amendment not being here now.

The SPEAKER. The question before the House is the motion of the gentleman from Beaver, Mr. Laughlin, that the bill be placed on the final passage postponed calendar.

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

Mr. LAUGHLIN. Mr. Speaker, consideration for an amendment to be offered to the bill is usually honored in this House. I would ask the membership to support that position. Thank you.

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

The following roll call was recorded:

YEAS—92

Barber	Emerson	Lucyk	Rocks
Belfanti	Evans	McIntyre	Rybak
Beloff	Fee	McMonagle	Seventy
Berson	Foster, Jr., A.	Maiale	Showers
Blaum	Fryer	Manderino	Shupnik
Borski	Gallagher	Michtovic	Steighner
Boyes	Gamble	Miscevich	Stewart
Brown	George	Mrkonic	Stuban
Caltagirone	Grabowski	Mullen	Swaim
Cappabianca	Gruitza	Murphy	Taylor, F. E.

Cawley	Haluska	O'Donnell	Tigue
Clark	Harper	Olasz	Trello
Colafella	Hoeffel	Oliver	Van Horne
Cole	Horgos	Pendleton	Wachob
Cordisco	Itkin	Petrarca	Wambach
Cowell	Kolter	Petrone	Wargo
DeMedio	Kowalyshyn	Pievsky	Wiggins
DeWeese	Kukovich	Pistella	Williams, H.
DeWida	Laughlin	Pratt	Williams, J. D.
Deal	Lescovitz	Pucciarelli	Wozniak
Dombrowski	Levin	Richardson	Wright, D. R.
Donatucci	Livengood	Rieger	Wright, R. C.
Duffy	Lloyd	Ritter	Zwikl

NAYS—97

Alden	Fargo	Levi	Serafini
Anderson	Fischer	McClatchy	Sieminski
Armstrong	Fleck	McVerry	Sirianni
Arty	Foster, W. W.	Mackowski	Smith, B.
Belardi	Freind	Madigan	Smith, E. H.
Bittle	Gallen	Manmiller	Smith, L. E.
Bowser	Gannon	Marmion	Snyder
Brandt	Geist	Merry	Spencer
Burd	Gladeck	Micozzie	Spitz
Burns	Greenwood	Miller	Stairs
Cessar	Grieco	Moehlmann	Swift
Cimini	Gruppo	Morris	T'addonio
Civera	Hagarty	Mowery	Taylor, E. Z.
Clymer	Hasay	Nahill	Telek
Cochran	Hayes	Noye	Vroon
Cornell	Heiser	Perzel	Wass
Coslett	Honaman	Peterson	Wenger
Cunningham	Jackson	Phillips	Weston
DeVertter	Johnson	Piccola	Wilson
Daikeler	Kanuck	Pitts	Wogan
Davies	Kennedy	Pott	Wright, J. L.
Dietz	Klingaman	Punt	
Dininni	Lashingier	Reber	Ryan,
Dorr	Lehr	Salvatore	Speaker
Durham	Letterman	Saurman	

NOT VOTING—7

Cohen	Greenfield	Lewis	Sweet
Gray	Hutchinson, A.	Rappaport	

EXCUSED—4

Frazier Irvis Rasco Stevens

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

On the question recurring,
Shall the bill pass finally?

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

Mr. LAUGHLIN. Mr. Speaker, the gentleman, Mr. Bittle, did say that if the amendments were down, he would wait, and they are coming down.

The SPEAKER. It is the thought of the Chair—and the Chair will stand corrected if he is wrong—that the vote on the motion made by the gentleman, Mr. Laughlin, was an indication of whether or not the members desired to wait for the amendments to be sent down.

Mr. LAUGHLIN. Mr. Speaker, it was my understanding that that was a vote on whether we would do it right now or wait until tomorrow, rather than allow the time for the amendment to be sent down.

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—94

Alden	Dorr	Letterman	Punt
Anderson	Fargo	Levi	Rappaport
Armstrong	Fleck	Livengood	Reber
Arty	Foster, W. W.	McClatchy	Rocks
Bittle	Foster, Jr., A.	McVerry	Salvatore
Bowser	Freind	Mackowski	Saurman
Boyes	Gallen	Madigan	Showers
Brandt	Gannon	Maiale	Sieminski
Burd	Geist	Manmiller	Sirianni
Burns	Gladeck	Marmion	Smith, B.
Caltagirone	Greenfield	Merry	Smith, E. H.
Cessar	Greenwood	Micozzie	Smith, L. E.
Cimini	Grieco	Miller	Snyder
Civera	Gruppo	Moehlmann	Spencer
Clymer	Hagarty	Morris	Swift
Cole	Hayes	Mowery	Taddonio
Cornell	Heiser	Mullen	Taylor, E. Z.
Cowell	Honaman	Nahill	Vroon
Cunningham	Jackson	Noye	Wenger
DeVerter	Johnson	Perzel	Wilson
Daikeler	Kanuck	Peterson	Wright, J. L.
Davies	Kennedy	Phillips	
Dietz	Lashingner	Piccola	Ryan,
Dininni	Lehr	Pott	Speaker

NAYS—97

Barber	Fischer	McMonagle	Spitz
Belardi	Fryer	Manderino	Stairs
Belfanti	Gallagher	Michlovic	Steighner
Berson	Gamble	Miscevich	Stewart
Blaum	George	Mrkonic	Stuban
Borski	Grabowski	Murphy	Swaim
Brown	Gruitza	O'Donnell	Taylor, F. E.
Cappabianca	Haluska	Olasz	Telek
Cawley	Harper	Oliver	Tigue
Clark	Hasay	Pendleton	Trello
Cochran	Hoeffel	Petrarca	Van Horne
Colafella	Horgos	Petrone	Wachob
Cordisco	Hutchinson, A.	Pievsky	Wambach
Coslett	Itkin	Pistella	Wargo
DeMedio	Klingaman	Pitts	Wass
DeWeese	Kolter	Pratt	Weston
Dawida	Kowalyshyn	Pucciarelli	Wiggins
Deal	Kukovich	Richardson	Williams, H.
Dombrowski	Laughlin	Rieger	Williams, J. D.
Donatucci	Lescovitz	Ritter	Wogan
Duffy	Levin	Rybak	Wozniak
Durham	Lloyd	Serafini	Wright, D. R.
Emerson	Lucyk	Seventy	Wright, R. C.
Evans	McIntyre	Shupnik	Zwinkl
Fee			

NOT VOTING—5

Beloff	Gray	Lewis	Sweet
Cohen			

EXCUSED—4

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

CONSIDERATION OF HB 1991 RESUMED

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. HAYES. Mr. Speaker, I move that HB 1991 be removed from the table.

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

On the question recurring,
Shall the bill pass finally?

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

Mr. PETERSON. Thank you, Mr. Speaker.

I apologize to the House for not being sure on how the land was purchased, when it was questioned by Representative Wambach and Representative Letterman. It was my opinion that it was purchased in the same manner that we are selling it and distributing the funds, 50-50. I have checked and that is correct. It was purchased with 50 percent Project 70 funds and 50 percent local funds, and that is how the money is being distributed when the property is sold.

I want to assure the gentleman from Dauphin that I would not take advantage of the Commonwealth. I ask for an affirmative vote.

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

Mr. LETTERMAN. Mr. Peterson is telling you exactly the way I heard it is also, and I intend to vote for the bill. Thank you.

On the question recurring,
Shall the bill pass finally?

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

YEAS—187

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

Cordisco	Horgos	Peterson	Wachob
Cornell	Itkin	Petrarca	Wambach
Coslett	Jackson	Petrone	Wargo
Cowell	Johnson	Phillips	Wass
Cunningham	Kanuck	Piccola	Wenger
DeMedio	Kennedy	Pievsky	Weston
DeVerter	Klingaman	Pistella	Wiggins
DeWeese	Kolter	Pitts	Williams, H.
Daikeler	Kowalyszyn	Pott	Williams, J. D.
Davies	Kukovich	Pratt	Wilson
Dawida	Lashingner	Pucciarelli	Wogan
Deal	Laughlin	Punt	Wozniak
Dietz	Lehr	Rappaport	Wright, D. R.
Dininni	Lescovitz	Reber	Wright, J. L.
Dombrowski	Letterman	Richardson	Wright, R. C.
Donatucci	Levi	Rieger	Zwinkl
Dorr	Levin	Ritter	
Duffy	Livengood	Rocks	Ryan,
Durham	Lloyd	Rybak	Speaker
Emerson			

NAYS—0**NOT VOTING—9**

Beloff	Hagarty	Hutchinson, A.	Maiale
Cohen	Harper	Lewis	Taylor, E. Z.
Gray			

EXCUSED—4

Frazier	Irvis	Rasco	Stevens
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

BILLS REMOVED FROM TABLE FOR CALENDAR

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I move that the following bills be removed from the table and placed back on the active calendar:

HB 1122;
HB 983;
HB 1734; and
HB 1635.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL REMOVED FROM TABLE FOR CALENDAR

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I further move that SB 592 be removed from the table and placed on the active calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

REMARKS ON VOTE

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

Mrs. TAYLOR. Mr. Speaker, my switch failed to work on HB 1991. Had it been working, I would have voted in the affirmative.

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

ADDITIONS AND DELETION OF SPONSORS

The SPEAKER. The Chair recognizes the majority leader.

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

ADDITIONS:

HR 149, Morris; HB 1806, Caltagirone; HB 2186, Mullen, Lucyk; HB 2191, Itkin; HB 2192, Itkin; HB 2193, Kowalyszyn; HB 2206, Pott, E. Z. Taylor, Freind; HB 2208, Mullen; HB 2209, Itkin.

DELETION:

HB 2194, Pott.

POINT OF ORDER

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

Mr. LETTERMAN. A point of order, Mr. Speaker.

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

Mr. LETTERMAN. Mr. Speaker, on page 1 of the calendar, HB 182 and HB 1182, what happened to them?

The SPEAKER. They were not called up.

Mr. LETTERMAN. Will they progress another day?

The SPEAKER. The gentleman should consult with the majority leader and the minority whip.

Mr. LETTERMAN. Thank you.

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

Mr. LAUGHLIN. For the edification of Mr. Letterman, Mr. Speaker, I have already asked the majority leader to consider HB 1182 as soon as possible.

The SPEAKER. The Chair thanks the gentleman.

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.

DEMOCRATIC CAUCUS

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

Mr. O'DONNELL. Mr. Speaker, immediately after the adjournment of the House, there will be a Democratic caucus on the subject of the Smith amendment to HB 2074. Thank you.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned **HB 1030, PN 2846**, 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.

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 Westmoreland, Mr. Van Horne.

Mr. VAN HORNE. Mr. Speaker, I move that this House do now adjourn until Wednesday, February 10, 1982, at 11 a.m., e.s.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 3:42 p.m., e.s.t., the House adjourned.