

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

TUESDAY, FEBRUARY 23, 1982

SESSION OF 1982

166TH OF THE GENERAL ASSEMBLY

No. 15

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MATTHEW J. RYAN)
IN THE CHAIR

PRAYER

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

Let us pray:

Almighty Lord, we thank You for Your great love and kindness toward all Your people. We are pleased to have the gift of life, to know it in all of its fullness, especially through Christ. Help us now to confirm all that is good and to have courage to confront all that is evil. Enable us to see our families and friends and colleagues as real human beings with real needs, while helping us to avoid using them as pawns to our own ends. Bless our children with hope for a secure future; bless our families with peace and love for each other; be in our work that it, too, might be a witness to Your holy intentions for all of us. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

LEAVE OF ABSENCE GRANTED

The SPEAKER. The Chair recognizes the majority whip. Mr. CESSAR. Mr. Speaker, I have no requests for leaves for today.

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

Mr. FEE. Mr. Speaker, I request leave of absence for the gentleman from Philadelphia, Mr. EMERSON, for today's session.

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal of Monday, February 22, 1982, will be postponed until printed. The Chair hears none.

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of HB 355, PN 364, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for spending limitations on the State and its political subdivisions.

On the question,

Will the House agree to the bill on second consideration?

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader. Mr. HAYES. Mr. Speaker, I move that HB 355 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.

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 423, PN 2859.

* * *

The House proceeded to second consideration of HB 1587, PN 2860, entitled:

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), excluding from income the gain from the sale of the principal residence by an individual age fifty-five or over.

On the question,

Will the House agree to the bill on second consideration?

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader. Mr. HAYES. Mr. Speaker, I move that HB 1587 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.

* * *

The House proceeded to second consideration of **HB 2015, PN 2862**, entitled:

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

On the question,

Will the House agree to the bill on second consideration?

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader. Mr. HAYES. Mr. Speaker, I move that HB 2015 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.

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 2199, PN 2889; SB 710, PN 1679; and SB 712, PN 748.

* * *

The House proceeded to second consideration of **SB 348, PN 1688**, entitled:

An Act amending the act of November 26, 1975 (P. L. 438, No. 124), entitled "Child Protective Services Law," changing certain definitions; creating cause of action for employment discrimination; authorizing certain reports to be made to the agency; changing reporting, investigating, information and notice requirements; requiring cooperation from school districts; and making certain editorial changes.

On the question,

Will the House agree to the bill on second consideration?

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader. Mr. HAYES. Mr. Speaker, I move that SB 348 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.

BILLS AGREED TO ON SECOND CONSIDERATION CONTINUED

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

SB 685, PN 715.

* * *

The House proceeded to second consideration of **SB 1102, PN 1689**, entitled:

An Act amending the act of March 11, 1971 (P. L. 104, No. 3), entitled, as reenacted and amended, "Senior Citizens Property Tax or Rent Rebate and Older Persons Inflation Needs Act," increasing eligibility under the property tax or rent rebate and inflation dividend; adjusting rebate and dividend schedule; increasing the maximum rebate; and providing for transportation assistance grants and grants to area agencies on aging for services to older persons.

On the question,

Will the House agree to the bill on second consideration?

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader. Mr. HAYES. Mr. Speaker, I move that SB 1102 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.

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:

SB 144, PN 1408; SB 1161, PN 1690; and HB 2081, PN 2865.

The SPEAKER. The Chair recognizes the majority leader. Mr. HAYES. Mr. Speaker, the Appropriations chairman would like to make an announcement at this time.

APPROPRIATIONS COMMITTEE MEETING

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

Mr. McCLATCHY. Mr. Speaker, I would like to call a meeting of the Appropriations Committee off the floor immediately, and it would be in room B-11. This is changed from yesterday. It is immediately off the floor in B-11, and that is down in the basement to the right of the cafeteria. If we would all get there as quickly as possible, I would appreciate it. Thank you, Mr. Speaker.

The SPEAKER. Members of the Appropriations Committee report immediately to room B-11 in the basement portion of the complex for an immediate Appropriations Committee meeting. Appropriations Committee members please report immediately to B-11.

URBAN AFFAIRS COMMITTEE MEETING

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

Mr. **MILLER**. Mr. Speaker, I rise to make a brief announcement as well on a continued committee meeting.

The **SPEAKER**. The gentleman is in order and may proceed with his announcement.

Mr. **MILLER**. Mr. Speaker, at the first call of the recess, the House Urban Affairs Committee will finish its roll-call vote on HB 731. Thank you, Mr. Speaker.

EDUCATION COMMITTEE MEETING

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

Mr. **FISCHER**. Mr. Speaker, I would like to call a meeting of the Education Committee in room B-11, after the Appropriations Committee has finished, at the first call of the recess to consider the legislation concerning the Philadelphia School Board.

WELCOMES

The **SPEAKER**. The Chair is pleased to welcome to the hall of the House today as the guests of Representative Wenger of Lancaster County, Mrs. Jean Witwer, Mrs. Loretta Hill, and Mrs. Doris Huddell.

The Chair welcomes to the hall of the House today Mr. Andy Walker of the Fox Chapel School, who is here as a participant in the Youth in Government Seminar, here today as the guest of Representative Cessar of Allegheny County.

The Chair is pleased to welcome to the hall of the House today Mr. Mike Zdan, a senior at Coughlin High School in Wilkes-Barre, here today as the guest of Representative Blaum.

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 recorded:

PRESENT—192

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

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

ADDITIONS—0

NOT VOTING—3

Alden	Cohen	Gray
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EXCUSED—5

Emerson	Irvic	Lashinger	Snyder
Gruitza			

PITT FOOTBALL COACH PRESENTED

The **SPEAKER**. The Chair is about to ask Representative Trello of Allegheny County to introduce a guest that will be of particular interest to those of you who are of a Penn State persuasion in the regular football season.

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

Mr. Trello. Thank you, Mr. Speaker.

It is with great pleasure today that I bring a guest from my hometown, Coraopolis, who has been appointed the head coach of the Golden Panthers of the University of Pittsburgh.

You know, Coach Fazio and I have an awful lot in common. We both played for the same high school coach, who was a former member of this House in the name of Fred Milanovich.

Really, I bring to you a guy with an awful lot of talent, and his lifelong dream became a reality when he became the head coach of the University of Pittsburgh. He was a standout football player for his hometown of Coraopolis. Joe Paterno, the great coach of Penn State, sought Serafino Fazio actively, but he decided to go to his hometown and the University of Pittsburgh. He became an outstanding center linebacker, went on to play 2 years for the Boston Patriots, and then became the coach at Harvard, Boston University, and then at

Cincinnati. He brought to Pittsburgh the number one defense of the 1980-81 season, and I can assure you that he will bring to Pittsburgh the number one team in the country next year.

Along with myself and the ladies and gentlemen of the House of Representatives and the Speaker, Matt Ryan, I would like to present to you one of the most outstanding citizens in western Pennsylvania, Serafino Fazio, head coach of the Golden Panthers of Pittsburgh.

Mr. FAZIO. For not being an elected official, thank you.

My job may be a lot like yours. You have to get elected every 2 years; my job is on the line every Saturday afternoon in October.

I want to thank the Honorable Fred Trello, my neighbor, for allowing me this opportunity to meet a lot of you individually and have this opportunity to speak here in front of you. The main reason why I am here, though, is because you know that when Jackie Sherrill left to go to Texas A. & M., the chancellor of the university offered me the job, and he asked me how much money I wanted. I told him I wanted the same contract Jackie Sherrill got at Texas A. & M., so he told me to come up here and try to get some more money for the University of Pittsburgh. That was not too funny, Fred.

Anyway, for all you Penn State people, you can go back and tell Coach Paterno, yesterday was Allegheny County; tomorrow is the whole State of Pennsylvania for Pitt.

Thank you very much for having me here.

The SPEAKER. Representative Trello was so nervous at the opportunity of presiding with the coach that he neglected to do what he asked permission to do, and that was to present the coach with a citation. I would ask the nervous neighbor of the Pitt coach to come back up here to the rostrum.

Mr. TRELLO. From the Commonwealth of Pennsylvania House of Representatives, it is my pleasure to present this to Coach Fazio and his very, very lovely family from the University of Pittsburgh, a citation from this prestigious House. It says:

WHEREAS, Serafino Dante Fazio was appointed Head Football Coach at the University of Pittsburgh on January 20, 1982. As Pitt's defensive coordinator, Mr. Fazio molded the number one defense in the nation in 1980 and 1981. Prior to serving as defensive coordinator, Mr. Fazio was instrumental in building a solid defense at the University of Cincinnati and served a brief apprenticeship as a graduate assistant at the University of Pittsburgh following an outstanding career as a Panther linebacker.

Now therefore, The House of Representatives of the Commonwealth of Pennsylvania, extends hearty congratulations to Serafino Dante Fazio on being named Head Football Coach of the University of Pittsburgh Panthers; extends best wishes for success and happiness in his new endeavor; and further directs that a copy of this citation be delivered to Serafino Dante Fazio, 108 Robson Drive, Coraopolis, Pennsylvania 15108.

On behalf of the House of Representatives and the Italian Caucus, I want to present this citation to you.

Mr. FAZIO. Not only to the Italian Caucus but all you other Americans out there, thank you.

STATEMENT BY MR. PENDLETON

TERCENTENARY COMMITTEE ON THIS DAY IN HISTORY

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Pendleton, for the purpose of reciting the facts of this day in history some years ago. Mr. Pendleton.

Mr. PENDLETON. Thank you, Mr. Speaker.

This is a Tercentenary Committee comment on this day in history. It was researched by Mrs. Ruthann Snook and prepared by Mr. Leonard Bennett.

On this day in history, February 23, 1779, a band of Indians attacked troops from Fort Laurens near the Ohio-Pennsylvania border.

Gen. Lachlan McIntosh planned construction of the fort as part of an effort to restore peace in the harried frontier. Before the fort was finished, General McIntosh realized he could not get a sufficient amount of supplies for the troops stationed there. The little garrison at Fort Laurens experienced a terrible winter. They were short of food and clothing. The troops hunted until driven out of the woods by hostile Indians.

The erection of this fort in the very heart of the Indian country caused a great deal of animosity. The Wyandot, Miami, and Mingo Indians plotted the destruction of Fort Laurens. Early in 1779 they began to prowl about the post. Capt. John Clark of the 8th Pennsylvania Regular Army was sent by McIntosh with 15 men to protect pack horses loaded with flour and meat for the post. The detail reached the fort on January 21, and 2 days later set out on its return. Three miles from the fort the party was attacked from ambush by 17 Mingo Indians under the leadership of Simon Girty, the renegade British Tory, and Capt. Henry Bird. Col. John Gibson was able to send a messenger through the lines to carry the distressing news to General McIntosh.

Then on February 23, 1779, a wagon was sent from the fort under an escort of 18 soldiers to pick up firewood which had been cut by the troops. About a half mile from the fort, the little party was attacked by a band of Indians. The toll was 16 soldiers killed, and the remaining 2 were taken captive. The Indians later laid siege on the fort itself. On March 23, 1779, General McIntosh finally rescued the fort, Fort Laurens, from the Indians with a contingent of 300 regulars and 200 militiamen. And that is the way it was today, February 23, 1779, 203 years ago.

The SPEAKER. The Chair thanks the gentleman.

WESTINGHOUSE HIGH SCHOOL CONCERT CHOIR PRESENTED

The SPEAKER. The Chair at this time asks the Representative from Allegheny County, Mr. Pendleton, to serve as the toastmaster, I suppose, in lieu of the distinguished gentleman, K. Leroy Irvis, who is not with us today, for the purpose of introducing an award-winning choir from Pittsburgh.

Mr. PENDLETON. Thank you, Mr. Speaker.

I am pleased, indeed proud, to introduce our young guests from the famous Westinghouse High School from the 24th Legislative District on the eastern tip of the city of Pittsburgh, the city of champions, and the home of the Panthers of the University of Pittsburgh.

This award-winning concert choir has traveled and performed in concerts before television, churches, colleges, civic and governmental functions. Its most recent tour took them to Toronto, Canada, where they competed in and won first place in the National/International Choral Music Festival.

Mr. Speaker, fellow members, and friends of this General Assembly, please join me in a standing welcome of Miss Linda Ross, the director, and the Westinghouse High School Concert Choir.

Miss ROSS. Mr. Speaker, and to the House of Representatives, I bring you greetings from the George Westinghouse High School and from our principal, Dr. W. L. Nicholson, in Pittsburgh, Pennsylvania. We are very glad to be here today, and we are going to entertain you with three selections - first with "The Voice of Singing," followed by "He Ain't Heavy, He's My Brother," and a spiritual, "Hold On."

(A musical program was presented.)

Mr. PENDLETON. Thank you, Miss Ross, very much. That was very, very lovely. And now I would like for the choir to do an about-face—that means face me—and I would like for Director Ross and the principal and officials from Westinghouse High School to join me in a citation here at the Speaker's platform.

We have a little surprise for the choir. This is a citation being offered to you. I am going to paraphrase it because it is long.

It simply extends the congratulations and best wishes of this House to you on your outstanding achievements and performance and wishes you the very best for the future. And, Dr. Lightfoot, on behalf of the House and the cosponsor of this resolution, Mr. Irvis, and the Speaker, Mr. Matt Ryan, whom you have just met, I want to offer our heartiest congratulations to you and the school for its performance.

Dr. LIGHTFOOT. To Speaker Ryan and the House of Representatives, thank you.

WELCOMES

The SPEAKER. The Chair is pleased to welcome to the hall of the House today Mr. Alfred Peteraf, the father of Representative Frances Weston.

I think it is interesting to note that when Fran Weston sent this notice to the Speaker's rostrum, it had red stars all over the "my father." She is very proud of her father, as well she should be, and he of her. We are very pleased to have him with us today.

The Chair is also pleased to welcome to the hall of the House the Central Bucks County Chamber of Commerce, here today as the guests of Representative Greenwood and the entire Bucks County delegation.

KEITH HENDRICKS PRESENTED

The SPEAKER. Some time ago Representative David Richardson of Philadelphia County asked permission of the Chair in further commemoration of Black History Month to present a young man who I am pleased to say is with Representative Richardson today. Would Representative Richardson please come to the rostrum?

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

It is indeed an honor to stand here this morning to be here in honor of Black History Month. Because of the fact that we are celebrating this month as Black History Month, I would like to take this opportunity to invite every member of the House of Representatives this afternoon to share in the rotunda in our black history commemoration program. In honor of that, I would like to say it is a pleasure to be able to introduce Mr. Keith Hendricks, who has been involved in the Philadelphia Freedom Choir for about 2 years now. Already he has achieved the distinction of program demonstrator in drama and in dance. He is an A student presently at the Masterman School in Philadelphia, and he is 12 years old.

Mr. John Allen, the director of the Freedom Theatre in Philadelphia, of which he is directly the manager and also responsible for Mr. Keith Hendricks, is here. I would like for him to stand now and be recognized. Mr. John Allen, director of the Philadelphia Freedom Theatre.

Also accompanying Mr. Keith Hendricks this morning is his grandmother, Mrs. Ethel Hendricks, and Keith's mother, Mrs. Brenda Hendricks. Would they both please stand at this time?

Without any further delay, I would like to present Mr. Keith Hendricks to the rostrum, who will be performing his drama rendition of "I Have A Dream," by the late great Dr. Martin Luther King, Jr. Mr. Keith Hendricks.

Mr. HENDRICKS. The assassination of Dr. Martin Luther King, Jr., in May of 1968 was an event which shocked the world. In its violent aftermath the flames of racial fury flared again in more than 200 American cities. Had all that the world's foremost apostle of nonviolence stood for been forgotten? People feared so, but not for long.

The grandson of a slave, Martin Luther King grew up in a world which regarded all blacks as second-class citizens with segregation in buses, schools, cafes, and most public places. Would this ever change? Many thought it would, but only with terror, bloodshed, and revolution.

King, too, believed in revolution, but of a different kind. Combining his Christian principles with that of nonviolent political action, the peaceful demonstration, the sit-in, Martin Luther King inspired a movement which would revolutionize black-white relationships throughout America. He gave his people something they had never known, hope for the future, and it was because of this hope that a widespread black revolt did not follow his death. That is the real tribute to his greatness.

I say to you today, though we face the difficulties of today and tomorrow, I still have a dream. It is a dream deeply rooted in the American dream. I have a dream that this Nation will one day rise up and live out the true meaning of its

creed - we hold these truths to be self-evident, that all men are created equal.

I have a dream that one day on the Red Hills of Georgia the sons of former slaves and the sons of former slaveowners will be able to sit down together at the table of brotherhood.

I have a dream that one day even the State of Mississippi will be transformed into an oasis of freedom and justice.

I have a dream that my four little children will one day live in a Nation where they will not be judged by the color of their skin but by the content of their character. This will be the day when all of God's children will sing with new meaning, let freedom ring.

So let freedom ring from the prodigious hilltops of New Hampshire; let freedom ring from the mighty mountains of New York; but not only that, let freedom ring from every hill and molehill in Mississippi, from every mountainside. When we allow freedom to ring in every town and every hamlet, every State and every city, we will be able to speed up that day when all of God's children, black men, white men, Jews and Gentiles, Protestants and Catholics, will be able to join hands and sing the words of that old Negro spiritual - free at last, free at last; Great God Almighty, we are free at last. Thank you.

The SPEAKER. How would you like to have him running against you in a few years?

ANNOUNCEMENT BY SPEAKER

The SPEAKER. It has been called to the Chair's attention that the amendments for HB 2000, PN 2713, are not yet prepared. I would take this opportunity to remind the members that when they are intending to offer amendments to a bill on the calendar, it is their responsibility to see that their amendments are deposited with the amendment clerk and that they are printed and distributed.

REQUEST FOR RECESS

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I request that we recess at this time for the purpose of taking lunch until 1:30 p.m.

EDUCATION COMMITTEE MEETING

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

Mr. FISCHER. Mr. Speaker, I just want to remind the members of the Education Committee of our meeting in B-11.

TRANSPORTATION COMMITTEE MEETING

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

Mr. DININNI. Mr. Speaker, I would like to call an immediate meeting of the Transportation Committee down in B-11; that is on the basement floor, immediately.

The SPEAKER. Would the gentleman, Mr. Fischer, advise the Chair whether or not his meeting is in B-11? At the

moment we have two meetings scheduled for B-11. Would the gentleman, Mr. Dininni, and the gentleman, Mr. Fischer, get together on this?

Mr. DININNI. Well, Mr. Speaker, I will change that and call the meeting at the rear of the floor immediately.

The SPEAKER. The Chair thanks the gentleman, Mr. Dininni.

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.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 2083, PN 2597

By Rep. ARTY

An Act amending the "Capital Budget Act for Fiscal Year 1978-1979, Public Improvement Project Itemization Supplement - Department of General Services," approved September 28, 1978 (P. L. 822, No. 161), providing for the nonlapsing of certain Federal funds.

APPROPRIATIONS.

HB 2210, PN 2843

By Rep. ARTY

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

APPROPRIATIONS.

HB 2211, PN 2844

By Rep. ARTY

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

APPROPRIATIONS.

HB 2212, PN 2845

By Rep. ARTY

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

APPROPRIATIONS.

BILLS REREPORTED FROM COMMITTEES

HB 865, PN 2130 By Rep. ARTY

An Act amending the "Pennsylvania Human Relations Act," approved October 27, 1955 (P. L. 744, No. 222), further providing for the payment of reasonable expenses, hearing examiners and making editorial changes.

APPROPRIATIONS.

SB 831, PN 1696 (Amended) (Unanimous)
By Rep. DININNI

An Act providing for additional capital projects in Allegheny, Beaver, Berks, Clearfield, Lackawanna, Lawrence, Luzerne, Mercer and Washington Counties to be financed from the current revenues of the Motor License Fund.

TRANSPORTATION.

SB 1102, PN 1689 By Rep. ARTY

An Act amending the act of March 11, 1971 (P. L. 104, No. 3), entitled, as reenacted and amended, "Senior Citizens Property Tax or Rent Rebate and Older Persons Inflation Needs Act," increasing eligibility under the property tax or rent rebate and inflation dividend; adjusting rebate and dividend schedule; increasing the maximum rebate; and providing for transportation assistance grants and grants to area agencies on aging for services to older persons.

APPROPRIATIONS.

SENATE MESSAGE

HOUSE BILLS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1632, PN 1911**; and **HB 1850, PN 2671**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED HOUSE BILL
RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned **HB 617, PN 2866**, 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 SIGNED BY SPEAKER

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

HB 1632, PN 1911

An Act amending the "Second Class County Port Authority Act," approved April 6, 1956 (1955 P. L. 1414, No. 465), further providing for the awarding of contracts and making of purchases.

HB 1850, PN 2671

An Act amending the "Volunteer Firemen's Relief Association Act," approved June 11, 1968 (P. L. 149, No. 84), providing for purchase of liability insurance for volunteer firemen by volunteer firemen relief associations.

COMMUNICATIONS FROM GOVERNOR

BILLS SIGNED BY GOVERNOR

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

APPROVAL OF HBs Nos. 641 and 1384.

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

February 20, 1982

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

I have the honor to inform you that I have this day approved and signed House Bill 641, Printer's No. 2679, entitled "AN ACT amending the act of June 24, 1931 (P.L. 1206, No. 331), entitled 'An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto,' providing for the manufacture AND SALE of electricity by townships of the first class."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

February 20, 1982

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

I have the honor to inform you that I have this day approved and signed House Bill 1384, Printer's No. 2792, entitled "AN ACT amending the act of October 10, 1974 (P.L. 705, No. 235), entitled 'An act providing for the training and licensing of watch guards, protective patrolmen, detectives and criminal investigators, carrying and using lethal weapons in their employment; imposing powers and duties on the Commissioner of the Pennsylvania State Police; and providing penalties,' defining 'full-time police officer', providing for certain exemptions from testing and fees AND FURTHER PROVIDING FOR APPLICATIONS."

Dick Thornburgh
Governor

SESSION SCHEDULE

The SPEAKER. The Chair is about to place in the record the sunshine notice for the House schedule for the month of March.

The following communication was read:

House of Representatives
Commonwealth of Pennsylvania
Harrisburg

NOTICE
SESSION SCHEDULE
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 on the following dates:

March 1, 2, 3, 22, 23, 24, 29, 30, 31

The time of convening on the first day of each session week shall be 1:00 p.m., prevailing time (as per House Rules), and on each other session day at 11:00 a.m., prevailing time, unless a different time is previously announced by the Speaker in open session in the House.

John J. Zubeck
Chief Clerk

February 23, 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 23, 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

February 23, 1982

SENATE MESSAGE

HOUSE AMENDMENTS
NONCONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has nonconcurrred in the amendments made by the House of Representatives to **SB 937, PN 1605**, and has appointed Senators FISHER, CORMAN and ZEMPRELLI a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

MOTION INSISTING UPON AMENDMENTS

Mr. McVERRY moved that the House insist upon its amendments nonconcurrred in by the Senate to **SB 937, PN 1605**, and that a committee of conference on the part of the House be appointed.

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

**APPOINTMENT OF
COMMITTEE OF CONFERENCE**

The SPEAKER. The Chair appoints as a committee of conference on the part of the House on **SB 937, PN 1605**:
Messrs. McVERRY, POTT and ITKIN.

Ordered, That the clerk inform the Senate accordingly.

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 22, 1982

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, March 1, 1982 unless sooner recalled by the President Pro Tempore, and when the House of Representatives adjourns this week it reconvene on Monday, March 1, 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.

CALENDAR RESUMED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2000, PN 2713**, entitled:

An Act regulating the practice of architecture in the Commonwealth of Pennsylvania; providing for the examination and licensure of architects by a State Architects Licensure Board and providing penalties.

On the question,
Will the House agree to the bill on third consideration?
Mr. DORR offered the following amendments No. A6243:

Amend Sec. 6, page 5, line 20, by striking out "such" and inserting

reasonable

Amend Sec. 6, page 5, lines 21 and 22, by striking out all of line 21 and "as it deems appropriate." in line 22 and inserting to carry out the provisions of this act.

Amend Sec. 6, page 5, line 26, by striking out "30" and inserting

60

Amend Sec. 6, page 5, line 27, by striking out "five" and inserting

ten

Amend Sec. 6, page 6, lines 1 and 2, by striking out "within 30 calendar days or five legislative days, whichever is later,"

Amend Sec. 6, page 7, line 23, by striking out all of said line and inserting

hearing examiners.

Amend Sec. 8, page 8, line 28, by inserting after "of" where it appears the last time

or under the direct supervision of

Amend Sec. 8, page 9, line 6, by inserting after "of" where it appears the first time

or under the direct supervision of

Amend Sec. 8, page 9, line 9, by inserting after "of"
or under the direct supervision of

Amend Sec. 8, page 9, line 10, by striking out "or as part of the applicant's" and inserting which may include

Amend Sec. 13, page 13, lines 19 and 20, by striking out "Architects in Pennsylvania may practice architecture in" in line 19, all of line 20 and inserting

An individual architect or a group of architects in Pennsylvania may practice architecture in one of the following forms of architectural firms:

Amend Sec. 13, page 13, line 21, by removing the comma after "proprietorship" and inserting a period

Amend Sec. 13, page 13, lines 21 through 25, by striking out "INCLUDING, BUT NOT LIMITED TO," in line 21, and all of lines 22 through 25

Amend Sec. 13, page 14, line 25, by striking out "provided that it complies with"

Amend Sec. 13, page 15, by inserting between lines 2 and 3

(f) A partnership, professional association or corporation engaged in the practice of architecture having fewer than three partners, governors, shareholders or directors under this section shall have at least one partner, governor, shareholder or director who is an individual duly certified to practice architecture in the Commonwealth pursuant to this act.

Amend Sec. 13, page 15, line 3, by striking out "(f)" and inserting

(g)

Amend Sec. 13, page 15, line 3, by inserting after "firm" engaged in the practice of architecture

Amend Sec. 13, page 15, line 13, by striking out "(g)" and inserting

(h)

Amend Sec. 13, page 15, line 25, by striking out "(h)" and inserting

(i)

Amend Sec. 13, page 15, by inserting between lines 27 and 28

(j) Nothing in this section shall be construed to prevent the practice of architecture by an individual as an employee of a person, partnership or corporation which is not an architectural firm, provided such individual holds a certificate to practice architecture in the Commonwealth in conformity with the provisions of this act and the architect's seal is affixed to all documents prepared by him or under his personal supervision for use in this Commonwealth.

On the question,

Will the House agree to the amendments?

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

Mr. DORR. Mr. Speaker, the amendment offered is fairly extensive, but it basically is a technical amendment. I can go over the amendment in some detail if it is required. I prefer, however, to simply answer questions regarding the amendment if there are any.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—174

Anderson	Fee	Mackowski	Salvatore
Armstrong	Fischer	Madigan	Saurman
Arty	Fleck	Maiale	Serafini
Barber	Foster, W. W.	Manderino	Seventy
Belardi	Foster, Jr., A.	Manmiller	Showers
Belfanti	Frazier	Marmion	Shupnik
Beloff	Fryer	Merry	Sieminski

Berson	Gallagher	Michlovic	Sirianni
Bittle	Gallen	Micozzie	Smith, B.
Borski	Gamble	Miller	Smith, E. H.
Bowser	Gannon	Miscevich	Smith, L. E.
Boyes	Geist	Moehlmann	Spencer
Brandt	George	Morris	Spitz
Brown	Gladeck	Mowery	Stairs
Burd	Grabowski	Mrkonic	Steighner
Burns	Greenfield	Mullen	Stevens
Caltagirone	Greenwood	Murphy	Stewart
Cappabianca	Grieco	Nahill	Stuban
Cessar	Gruppo	Noye	Swaim
Cimini	Hagarty	O'Donnell	Swift
Clark	Haluska	Olasz	Taddonio
Clymer	Hasay	Oliver	Taylor, E. Z.
Cochran	Hayes	Pendleton	Taylor, F. E.
Colafella	Heiser	Perzel	Telek
Cole	Honaman	Peterson	Trello
Cordisico	Horgos	Petrarca	Vroon
Cornell	Itkin	Petrone	Wachob
Coslett	Jackson	Phillips	Wambach
Cowell	Johnson	Piccola	Wargo
Cunningham	Kanuck	Pievskey	Wass
DeMedio	Klingaman	Pistella	Wenger
DeVerter	Kolter	Pitts	Weston
Daikeler	Kowalyszyn	Pott	Wiggins
Dawida	Kukovich	Pratt	Williams, H.
Deal	Laughlin	Pucciarelli	Williams, J. D.
Dietz	Lescovitz	Punt	Wilson
Dininni	Levi	Rappaport	Wogan
Dombrowski	Levin	Rasco	Wozniak
Donatucci	Lewis	Reber	Wright, D. R.
Dorr	Lucyk	Richardson	Wright, J. L.
Duffy	McClatchy	Rieger	Wright, R. C.
Durham	McIntyre	Ritter	
Evans	McMonagle	Rocks	Ryan,
Fargo	McVerry	Rybak	Speaker

NAYS—11

Blaum	Hutchinson, A.	Livengood	Tigue
Cawley	Kennedy	Lloyd	Van Horne
Hoefel	Letterman	Sweet	

NOT VOTING—10

Alden	DeWeese	Gray	Zwikl
Civera	Davies	Harper	
Cohen	Freind	Lehr	

EXCUSED—5

Emerson	Irvis	Lashingier	Snyder
Gruitza			

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. MACKOWSKI offered the following amendments No. A5976:

Amend Sec. 7, page 8, lines 6 through 16, by striking out all of lines 6 through 15 and "(c)" in line 16 and inserting

(b)

Amend Sec. 7, page 8, line 20; by striking out "(d)" and inserting

(c)

Amend Sec. 11, page 11, line 27, by striking out "after consultation with" and inserting with the approval of

Amend Sec. 11, page 12, lines 6 and 7, by striking out "after consultation with" and inserting with the approval of

Amend Sec. 11, page 12, line 12, by striking out "after consultation with" and inserting with the approval of

Amend Sec. 11, page 12, line 16, by striking out "after consultation with" and inserting with the approval of

On the question,

Will the House agree to the amendments?

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

Mr. MACKOWSKI. Mr. Speaker, I think what the committee has done is come up with a very excellent bill. However, there are a couple parts of it that disturb me, and what I intend to do with the passage of my amendment is attempt to save some money for the taxpayer in the State of Pennsylvania by eliminating the report that would be published every 5 years and then updated yearly. The reason I say this is because as we all know, our own Pennsylvania Manual is outdated before it is in print, and the same thing would occur with this type of report. It is only as good as the day it actually is reported. Now, you can obtain this list for a very minor fee. All these architects' names and addresses and so forth are already on the computer, and anybody interested in obtaining that list would simply go to the bureau and ask for a copy of that and pay simply for the printout. So it is readily available. It would save the department a great deal of money in the long run and serve a more useful purpose by using the present method rather than going to the expense of a publication.

The other part of the bill that I take exception to is the fact that the board sets the fees. Now, you understand this is an architectural bureau with five architects setting their fees based on their determination, regardless of whether the commissioner himself approves or disapproves. The bill simply addresses the fact that the board will set the fees after consultation with the commissioner. But on the other hand, the Administrative Code looks to the commissioner to administer all the details within the bureau. Now remember, he has about 18 of these things under him, and he does have the expertise of an accounting staff and auditing staff which the board essentially does not have. They meet in an executive capacity, and they act on fees that may not be something that the commissioner himself could live with.

There are two things that could be damaging if it does not have his firm approval. Number one is that the fee might be in excess of the actual cost of administering the necessity for such a fee, and as a result, the excess would then be considered a tax which, as I understand, would be unlawful. Therefore, you do need the expertise of the department within the commissioner's jurisdiction. The commissioner also is charged with the responsibility of preparing the budget and determining the cash flow, and there again, that is why I feel that the importance of his expertise in determining the fair fee should have his approval rather than have the board set one whether or not he agrees with it.

I would appreciate passage of this amendment. I think it makes the bill a better bill, and it also will save the taxpayers some money. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Geist.

Mr. GEIST. Thank you, Mr. Speaker.

This is the same amendment that was brought before the Professional Licensure Committee, and it is now being offered by my friend, Bill Mackowski, for the secretary. I rise to oppose the amendment.

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

Mr. DORR. Mr. Speaker, I would like the members to give some attention to this amendment. It provides the members of this House with an opportunity to speak on what seems to me to be a rising philosophical issue.

The administration of the Bureau of Professional and Occupational Affairs believes that they should have the opportunity to override the decisions which are made by the various boards and commissions making up a part of that bureau. Frankly, it seems to me that the boards and commissions, which are persons who are in large part members of that profession, in some part consumer representatives, and are appointed by the Governor of this State, should be the ones who have the say on matters such as determining the fee, for example, for their annual registration. This amendment provides the House the opportunity to speak on that issue—should it be the commissioner of Professional and Occupational Affairs who makes the decision as to what the fee should be or should it be the appointed members of that board which is involved?

The second issue involved in this particular amendment has to do with the annual roster or roster of members of the profession. Again, there seems to be a conflict between the administration and many of the boards and commissions in that the profession wants to have these rosters made available to them. The commissioner does not think it is necessary, and the same sort of conflict is set up. Therefore, I wanted to call that to the attention of the members of the House when they are voting on this amendment, because a precedent may be set here on other issues of like import.

I personally recommend a negative vote on the amendment, because I believe myself that the members of that board and profession appointed by the Governor should be the ones acting together who make these decisions, but I think the members of the House ought to be aware that there is a basic philosophical issue involved in the amendment which may go beyond the particular issue at hand today. I would urge the members to vote in the negative on the amendment.

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

Mr. MACKOWSKI. Thank you, Mr. Speaker.

In rebuttal to Representative Dorr's remarks, I simply am pointing out the fact that these lists are available. They are on computer. Any publication becomes outdated within 24 hours, and it is an unnecessary expense. Anybody who wants a list of the current architects or addresses and so forth may do so by simply requesting it from the department. They will run it through the computer, and for a minor fee it becomes available to them. So it is not a disagreement about availabil-

ity; it is the cost of a publication that quickly becomes out-dated.

Now, as far as setting the fees, remember, this board is composed of eight members, five of whom are architects. The architects are going to set their fees on the basis of how they feel about it, regardless of whether the commissioner can function properly with that fee. And certainly if the occasion would arise that the fees were excessive, then he is the one who is responsible to answer because of the unlawful act of a tax being passed which is not taking care of the administrative fees. That is why I urge passage of this amendment. There has to be fiscal responsibility involved, and I think these amendments will tighten that up. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from York, Mr. Dorr, for the second time on the issue.

Mr. DORR. Thank you, Mr. Speaker.

One thing I failed to point out in my initial discussion is the fact that the money involved here is not tax money. It is not taxpayers' funds. It is in fact a part of an augmentation account, which is developed by the fees of the profession. There is not one tax dollar involved. Therefore, it seems to me that if the profession wants to spend its funds in that fashion, to have part of its annual registration fee go to the preparation of a roster, the profession ought to have that privilege when the board in fact supports that.

The matter of the annual fee, it seems to me again, is something that the profession has a right to have its say on. The fact is that in the augmentation account today, there is a balance of, I believe, over \$2 million, which indicates that with rare exception—and the Architects Board is not an exception—all of the boards and professions of the Commonwealth are building up money more than the money that is spent in the operation of that bureau. The effect of that is that the funds are lying and not being used by and for the operation of that bureau, which would benefit those professional people who are paying those fees.

I do not know what the commissioner or the administration or other people who may be involved are intending to do with that money. They cannot do anything with it except spend it for that board's operation. The only thing that I can suggest to you is that the interest does go into the General Fund, and that may be a motive for the commissioner or whoever else wants to make that decision leaving those fees at high levels. I think the members of the profession are in fact able to make a decision responsibly on the issue, and therefore, we ought to vote in the negative.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—42

Belardi	Fryer	Micozzie	Smith, E. H.
Bowser	Gallen	Mrkonic	Spitz
Brandt	George	Mullen	Stairs
Cawley	Greenfield	Perzel	Stevens
Cessar	Horgos	Peterson	Taylor, E. Z.
Civera	Hutchinson, A.	Petrarca	Tigue
Coslett	Jackson	Petrone	Wachob
Cowell	Klingaman	Pitts	Wass
Daikeler	Levi	Salvatore	Weston

Dawida	McClatchy	Saurman	Wright, R. C.
Fargo	Mackowski		

NAYS—147

Anderson	Fee	McIntyre	Rybak
Armstrong	Fischer	McMonagle	Serafini
Arty	Fleck	McVerry	Seventy
Barber	Foster, W. W.	Madigan	Showers
Belfanti	Foster, Jr., A.	Maiiale	Shupnik
Beloff	Frazier	Manderino	Sieminski
Berson	Gallagher	Manmiller	Sirianni
Bittle	Gamble	Marmion	Smith, B.
Blaum	Gannon	Merry	Smith, L. E.
Borski	Geist	Michlovic	Spencer
Boyes	Gladeck	Miller	Steighner
Brown	Grabowski	Miscevich	Stewart
Burd	Greenwood	Mochlmann	Suban
Burns	Grieco	Morris	Swaim
Caltagirone	Gruppo	Mowery	Sweet
Cappabianca	Hagarty	Murphy	Swift
Cimini	Haluska	Nahill	Taddonio
Clark	Harper	Noye	Taylor, F. E.
Clymer	Hasay	O'Donnell	Telek
Cochran	Hayes	Olasz	Trello
Colafella	Heiser	Oliver	Van Horne
Cole	Hoeffel	Pendleton	Vroon
Cordisco	Honaman	Phillips	Wambach
Cornell	Irkin	Piccola	Wargo
Cunningham	Johnson	Pievsky	Wenger
DeMedio	Kennedy	Pistella	Wiggins
DeVerter	Kolter	Pott	Williams, H.
DeWeese	Kowalshyn	Pratt	Williams, J. D.
Davies	Kukovich	Pucciarelli	Wilson
Deal	Laughlin	Punt	Wogan
Dietz	Lehr	Rappaport	Wozniak
Dininni	Lescovitz	Rasco	Wright, D. R.
Dombrowski	Letterman	Reber	Wright, J. L.
Donatucci	Levin	Richardson	Zwikl
Dorr	Livengood	Rieger	
Duffy	Lloyd	Ritter	Ryan,
Durham	Lucyk	Rocks	Speaker
Evans			

NOT VOTING—6

Alden	Freind	Kanuck	Lewis
Cohen	Gray		

EXCUSED—5

Emerson	Irvis	Lashingner	Snyder
Gruitza			

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

WELCOMES

The SPEAKER. The Chair at this time would like to welcome to the hall of the House Mr. John Buscarini, the assistant superintendent of the North Pocono School District, and Mr. Thomas O'Donnell, the superintendent of the Lakeland School District, here today as the guests of Representatives Belardi and Cawley.

The Chair is pleased to welcome to the hall of the House today as the guests of Representatives Bruce Smith and Colafella, Miss Beth Schartner and Ken Hogue, members of the Youth and Government Seminar of the Presbyterian Church.

From Lincoln University, here today as the guests of Representative Dwight Evans, to the left of the Speaker are Derek Ware, Kathy Smith, Gerard Bingham, Darryl Martin, Jayne

Musonye, Thomas Mayfield, Jesse Collins, Ingrid Keil, and Oscar Jones.

The Chair is also pleased to welcome to the hall of the House today as the guests of Representative Michlovic of Allegheny County, Mr. Joseph Capo, Mr.—it appears to be—Ed Hussey, Mr. Jim McGartland, and Mr. Jeff Flohr, from the township of North Versailles in Allegheny County.

The Chair would explain to the guest, Mr. Hussey, that the Chair's lawyer and the chief counsel for the Republican House members is a Mr. Ed Hussie, and that is the occasion for that remark.

The Chair is pleased to welcome all of these various guests to the House.

CONSIDERATION OF HB 2000 CONTINUED

On the question recurring,

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

Mr. GEIST offered the following amendment No. A6434:

Amend Sec. 13, page 15, by inserting between lines 2 and 3

(3) At least two-thirds of all classes of voting stock issued and outstanding at any one time shall be owned by an individual or individuals licensed under the laws of any state to practice architecture, engineering or landscape architecture.

(4) At least one-third of all classes of voting stock issued and outstanding at any one time shall be owned by an individual or individuals licensed to the laws of any state to practice architecture.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Geist.

Mr. GEIST. Thank you, Mr. Speaker.

This is an agreed-to amendment among the architects. It changes the language in section 13, page 15, and it changes it to two-thirds and one-third ownership. I would urge a "yes" vote on the amendment.

PARLIAMENTARY INQUIRY

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

Mr. MURPHY. Thank you, Mr. Speaker.

A parliamentary inquiry. Representative Dorr's amendment also amended the same section. I am curious as to whether Representative Geist's amendment will delete the effects of Representative Dorr's amendment, particularly the part of Representative Dorr's amendment on page 2, in the middle of the page, amending section 13, page 15, inserting between lines 2 and 3.

The SPEAKER. Will the gentleman yield?

It is the opinion of the Chair that there is no conflict.

Mr. MURPHY. Thank you, Mr. Speaker.

I would like to interrogate the sponsor of this amendment, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Geist, will stand for interrogation. The gentleman may proceed.

Mr. MURPHY. Mr. Speaker, in Mr. Dorr's amendment on the second page, the middle of the page, the amendment deals with the situation where there are only two people in a partnership or corporation, one of whom is an architect and the other is not, and they only have a 50-50 ownership of the partnership or the corporation. My concern is, in your amendment you require in that case that the architect would be required to control at least two-thirds of the stock. It seems to me that that presents a problem for small firms that only have one architect.

Mr. GEIST. I do not see any conflict with the small firms with only one or two members. It is when you get associates and other parts of ownership that you have to clarify ownership, and this amendment clarifies that ownership.

Mr. MURPHY. Mr. Speaker, I could not hear the gentleman's answer.

The SPEAKER. Will the gentleman, Mr. Geist, repeat his statement?

Mr. GEIST. Thank you, Mr. Speaker.

I see no conflict. This amendment simply clears up in the multidiscipline firms with many members the definition of "ownership," and I do not see any conflict at all with the Dorr amendment.

Mr. MURPHY. Mr. Speaker, if I may continue. The problem I am having is that in small firms where there is just one architect and the other owner of the firm is an interior designer or an urban planner or has some other profession, you are requiring that the architect control two-thirds of the stock. It seems to me that that presents a problem of ownership to the urban planner or to whoever might be the other partner if they would have to relinquish control of the company or the partnership to the architect.

Mr. GEIST. Mr. Speaker, that point was addressed by the Architects Board, and this is the amendment that was agreed to by the architects for clarity of ownership.

Mr. MURPHY. Mr. Speaker, may I make a statement?

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

Mr. MURPHY. My concern, Mr. Speaker, is that the Architects Board might not be worrying about the small architect with an individual firm, with a small firm, but just might be concerned with the larger architectural firms. I happen to know of a number of instances in this Commonwealth and in Pittsburgh where there is a small architect, a small firm with one architect and one other person not with an architectural degree who own the firm. In that particular situation you are going to put them in a situation of having very serious problems of who owns the firm, because you are requiring the architect to control two-thirds of the stock. Now, that is essentially saying that the other person is going to have to give up a one-third controlling interest of that corporation. I am not so sure that we want to do that. I assumed that Mr. Dorr's amendment had taken care of that situation, and it does, in fact, on line 2, when we say that in firms with fewer than three partners and having only one partner, the one partner could

then have a 50-percent ownership rather than a two-thirds ownership.

I guess my question is, what section will be prevailing, Mr. Geist's amendment or Mr. Dorr's amendment in this particular case, because they seem to be contradictory.

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

Mr. DORR. Mr. Speaker, for what it is worth, I would like to offer my opinion as to what happens in the circumstance described by the gentleman from Allegheny.

Since both sections - that is, the section proposed by Mr. Geist, if the amendment prevails, and the section inserted as subsection (f), about which the gentleman, Mr. Murphy, is concerned - would be a part of the legislation in the event that both amendments have been adopted, it seems to me that the obvious reading of that law where there are two persons who own a corporation is that in that circumstance, because a person may not be divided into parts, we are speaking specifically to that kind of situation in subsection (f), and therefore, for that limited circumstance, that is, the less-than-three-person corporation, the one-half ownership would prevail. That is, one of those persons must be a licensed architect but not both of them. It seems to me that the two sections can be read together and answer the gentleman's question in that respect.

Mr. MURPHY. Mr. Speaker, my concern is that Mr. Geist's amendment does not permit that kind of discretion. It uses "shall" in its requirement that two-thirds of the stock be controlled by architects.

Mr. DORR. Mr. Speaker, it would be my opinion that with the insertion of subsection (f) as a part of the legislation, since, as I indicated, people cannot be divided into parts, obviously the intent of the Geist amendment is to allow less than all of the persons to be licensed architects. In a situation where you have two persons involved, then we have to choose a different number than thirds, and in that circumstance, by inserting subsection (f), we have chosen half and half, and I think that answers the gentleman's problem. That would be my opinion for what it is worth; that would be the legislative intent of the sponsor of the legislation and the committee chairman.

Mr. MURPHY. Thank you, Mr. Speaker. I will trust your interpretation of this and hope you are correct.

Mr. DORR. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—178

Anderson	Fargo	McIntyre	Serafini
Armstrong	Fee	McMonagle	Seventy
Arty	Fischer	McVerry	Showers
Barber	Fleck	Mackowski	Shupnik
Belardi	Foster, W. W.	Madigan	Sieminski
Belfanti	Foster, Jr., A.	Majale	Sirianni
Beloff	Frazier	Manderino	Smith, B.
Berson	Freind	Manmiller	Smith, E. H.
Bittle	Fryer	Marmion	Smith, L. E.
Blaum	Gallagher	Merry	Spencer
Borski	Gallen	Michlovic	Spitz
Bowser	Gamble	Micozzie	Stairs

Boyes	Gannon	Miller	Steighner
Brandt	Geist	Miscevich	Stevens
Brown	Gladeck	Moehlmann	Stewart
Burd	Grabowski	Mowery	Stuban
Burns	Greenwood	Mrkonic	Sweet
Caltagirone	Grieco	Mullen	Swift
Cappabianca	Gruppo	Murphy	Taddonio
Cawley	Hagarty	Nahill	Taylor, E. Z.
Cessar	Hasay	Noye	Taylor, F. E.
Cimini	Hayes	O'Donnell	Telek
Civera	Heiser	Olasz	Tigue
Clark	Hoeffel	Oliver	Trello
Clymer	Honaman	Pendleton	Van Horne
Cochran	Horgos	Perzel	Vroon
Cole	Hutchinson, A.	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
Daikeler	Kolter	Pitts	Williams, H.
Davies	Kowalyshyn	Pott	Williams, J. D.
Dawida	Kukovich	Pratt	Wilson
Deal	Laughlin	Pucciarelli	Wogan
Dietz	Lehr	Punt	Wozniak
Dininni	Lescovitz	Rasco	Wright, D. R.
Dombrowski	Letterman	Reber	Wright, J. L.
Donatucci	Levi	Richardson	Wright, R. C.
Dorr	Levin	Rieger	Zwinkl
Duffy	Livengood	Ritter	
Durham	Lucyk	Rybak	Ryan,
Evans	McClatchy	Saurman	Speaker

NAYS—10

Colafella	Greenfield	Lloyd	Salvatore
DeWeese	Haluska	Morris	Swaim
George	Harper		

NOT VOTING—7

Alden	Cordisco	Lewis	Rocks
Cohen	Gray	Rappaport	

EXCUSED—5

Emerson	Irvis	Lashingner	Snyder
Gruitza			

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

On the question recurring,

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

Mr. JOHNSON offered the following amendments No. A6353:

Amend Sec. 13, page 14, line 24, by striking out "Provided, That it complies with"

Amend Sec. 13, page 14, line 28, by striking out "directors" and inserting

proprietary owners

Amend Sec. 13, page 15, line 1, by striking out "directors" and inserting

proprietary owners

Amend Sec. 13, page 15, line 7, by striking out "director" and inserting

proprietary owner

Amend Sec. 13, page 15, line 17, by striking out "directors" and inserting

proprietary owners

On the question,

Will the House agree to the amendments?

WELCOME

The SPEAKER. The Chair is pleased to welcome to the hall of the House today as the guests of Representatives Zwinkl and Ritter, Mayor Joseph Daddona of Allentown; Karl Kercher, a cabinet director; and Susan Focht, director of information and services, all seated to the Speaker's left.

CONSIDERATION OF HB 2000 CONTINUED

AMENDMENTS DIVIDED

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Johnson, who moves that the amendment A6353 be divided and that the first portion, which begins "Amend Sec. 13" on the first line of the amendment, together with the second line, ending with "That it complies with," be divided away from the balance of the amendment and that a vote be taken on the balance of that amendment. With respect to the first portion, the first two lines, the gentleman, Mr. Johnson, withdraws that from consideration.

The question before the House is the amendment offered by the gentleman, Mr. Johnson, as divided. On that question, the Chair recognizes the gentleman, Mr. Johnson.

Mr. JOHNSON. Mr. Speaker, the purpose of this amendment is to substitute "proprietary owners," someone with an investment in the company, for the word "directors."

Many of my constituents who are knowledgeable in this area are concerned that there are directors without any investment in the architect firm, and they would like to see, and I would like to see, someone who has an investment involved in this rather than only a director who may not have any money invested.

The SPEAKER. On the question of the adoption of the Johnson amendments, the Chair recognizes the gentleman from York, Mr. Dorr.

Mr. DORR. Mr. Speaker, I reluctantly rise to oppose the amendment. I am in sympathy with the problem suggested by the gentleman, but, in fact, we have just taken care of that problem by the adoption of the Geist amendment. Furthermore, the terminology used in Mr. Johnson's amendment, in my opinion, is inappropriate. If you are talking about owners in the case of corporations, you should be talking about shareholders and not utilizing the term "proprietary owners."

But in any event, Mr. Speaker, it is my opinion that the Geist amendment has done the exact thing that Mr. Johnson is attempting to do with his amendment, and therefore, I recommend that we let the matter rest with the Geist amendment and vote negatively on Mr. Johnson's amendment.

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

The following roll call was recorded:

YEAS—57

Armstrong	Fleck	Levi	Rasco
Bittle	Foster, W. W.	McVerry	Rocks
Bowser	Frazier	Madigan	Saurman
Brandt	Freind	Merry	Sieminski

Burd	Fryer	Miller	Stairs
Burns	George	Miscevich	Swaim
Cawley	Gladeck	Morris	Taddonio
Cessar	Haluska	Mowery	Taylor, E. Z.
Civera	Hayes	Peterson	Telek
Clymer	Johnson	Petrarca	Wenger
Cochran	Kennedy	Pitts	Wilson
Daikeler	Klingaman	Pott	Wright, J. L.
Dietz	Kolter	Punt	Wright, R. C.
Durham	Kukovich	Rappaport	Zwinkl
Fischer			

NAYS—127

Anderson	Evans	McIntyre	Shupnik
Arty	Fargo	McMonagle	Sirianni
Barber	Fce	Mackowski	Smith, B.
Belardi	Foster, Jr., A.	Maiale	Smith, E. H.
Belfanti	Gallagher	Manderino	Smith, L. E.
Beloff	Gamble	Manmiller	Spencer
Berson	Gannon	Marmion	Spitz
Blaum	Geist	Micozzie	Steighner
Borski	Grabowski	Mrkonic	Stevens
Boyes	Greenfield	Mullen	Stewart
Brown	Greenwood	Murphy	Stuban
Caltagirone	Grieco	Noye	Sweet
Cappabianca	Gruppo	O'Donnell	Swift
Cimini	Hagarty	Olasz	Taylor, F. E.
Clark	Harper	Oliver	Tigue
Colafella	Hasay	Pendleton	Trello
Cole	Heiser	Petrone	Van Horne
Cordisco	Hoeffel	Phillips	Vroon
Cornell	Honaman	Piccola	Wachob
Coslett	Horgos	Pievsky	Wambach
Cowell	Itkin	Pistella	Wargo
Cunningham	Jackson	Pratt	Wass
DeMedio	Kowalshyn	Pucciarelli	Weston
DeVerter	Laughlin	Reber	Wiggins
DeWeese	Lehr	Richardson	Williams, H.
Davies	Lescovitz	Rieger	Williams, J. D.
Dawida	Letterman	Ritter	Wogan
Deal	Levin	Rybak	Wozniak
Dininni	Livengood	Salvatore	Wright, D. R.
Dombrowski	Lloyd	Serafini	
Donatucci	Lucyk	Seventy	Ryan,
Dorr	McClatchy	Showers	Speaker
Duffy			

NOT VOTING—11

Alden	Gray	Michlovic	Nahill
Cohen	Hutchinson, A.	Moehlmann	Perzel
Gallen	Kanuck	Lewis	

EXCUSED—5

Emerson	Irvis	Lashinger	Snyder
Gruitza			

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

On the question recurring,

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

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 Philadelphia, Mr. Rappaport.

Mr. RAPPAPORT. Mr. Speaker, would the gentleman, Mr. Geist, consent to interrogation?

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

Mr. RAPPAPORT. Mr. Speaker, I am rather curious about one provision of the bill, and that is permitting architects to practice in business corporations as well as professional corporations. Could the gentleman perhaps give us an explanation of the reason for that, since most other professions only permit the practice in professional corporations?

Mr. GEIST. Mr. Speaker, it gives them more flexibility and they can practice and conduct their business either way.

Mr. RAPPAPORT. Mr. Speaker, could the gentleman inform us as to whether the architects are relieved there by doing this from personal liability from malpractice?

Mr. GEIST. No, I do not believe they are.

Mr. RAPPAPORT. Thank you, Mr. Speaker.

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

Mr. GEORGE. Mr. Speaker, for the reason that I do not wish to pursue the matter to try to embarrass Mr. Geist, could I ask if I should be allowed to interrogate an attorney who would be somewhat more knowledgeable of business law and business corporation law?

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

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

Mr. GEORGE. Mr. Speaker, this will be the very first time I ever got an answer off an attorney and there was not any charge involved.

Mr. BERSON. You have not got it yet.

The SPEAKER. Neither the answer nor the bill.

Mr. GEORGE. Mr. Speaker, just a while ago the prime sponsor of HB 2000 was asked a question of whether we should allow, under this measure, architectural firms to venture into business corporations. If this were to be allowed in some manner because of the business corporation setup, would that alleviate per se, in some financial manner, any responsibility that the architectural firm might be involved in if they were guilty? Would that alleviate some financial responsibility?

Mr. BERSON. Without being familiar with the bill, to put it mildly, I would have to say that a business corporation under Pennsylvania's business corporation law, the individual stockholders in such a corporation are immune from liability for the debts of the corporation except to the extent of their investment in the corporation. So I would again, not having carefully studied the bill, have to say that if an architectural firm was permitted to incorporate under the business corporation law and they were guilty of some form of malpractice, any suit that was brought could not be brought against the individual architects but would have to be brought against the corporate entity as such, like any other suit against a business corporation.

Mr. GEORGE. That answers my question, Mr. Speaker. Thank you.

The SPEAKER. Is the gentleman, Mr. George, satisfied with the legal services of the gentleman, Mr. Berson?

Mr. GEORGE. As long as the Honorable Speaker insists that there be no charge for that service, for one valid point that it was answerable but not well understood.

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

Mr. GEORGE. Mr. Speaker, as was just suggested a moment ago, for the average constituent within your district, this will not be an earth-shattering piece of legislation. Therefore, with most laypeople, such as myself, there would not be any keen interest. And in order not to defame my colleague from Altoona, I would just give my reason why I am not going to vote for this measure as the Speaker has allowed.

We consistently mention technical format, responsibilities of architectural firms, and we place them in a category called errors of omission. It has been insisted upon over the years that each and every time that a job is tendered or manifested by an engineering or architectural firm, that there is no possible way, if there was a default, that there could not be a recoup or some way for the individual or the community to garnish or gather up moneys in answer to this default.

What I am saying is, Mr. Speaker, that a problem has been with me for years which I have never been able to understand, that when an engineering firm supposedly quite proficient and knowledgeable of the law and rules and regulations adopted by the State proceeds to put into plan or format some job, some venture, and then the moneys are provided either by personal effort or by grant from the government, that for some unsuspectible reason, halfway through the project we find that something has been lost or something has been overlooked, and therefore, Mr. Speaker, the job is either stalled or the cost has become excessive. And this is called error of omission. Now I find out where this is increasingly happening, and I look around and I see a magnificent piece of verbiage geared toward one point, where before if you did not know enough to try to recoup, now you had better not recoup because if this law passes, you will not be able to take on that individual because he will have the protection of business corporate law.

If I cannot get you quiet enough to listen to this last argument, then I guess I had better try, because I can tell you, Mr. Speaker, that in a community of mine, I had an architectural firm that went into the community and said, we know all about these grants; we all know all about these rules; we know all about these regulations and you are in good hands. The money was provided by the Federal Government, and we now have 16 miles of pipeline around the community and not one drop of water in it, Mr. Speaker. And that is what I am trying to prevent.

I will not delay this any further. I ask that we not allow this bill to become law, because, Mr. Speaker, I insist that even though this has been a year for big business and professionalism, I think we ought to get back to protecting the consumer, and many of those are our local governments. Thank you very much.

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—162

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

NAYS—25

Barber	Fryer	Letterman	Shupnik
Brown	George	Lloyd	Tigue
Cordisco	Greenfield	Manderino	Trello
DeWeese	Haluska	Morris	Wargo
Deal	Harper	Oliver	Wiggins
Dombrowski	Kowalyszyn	Richardson	Williams, J. D.
Evans			

NOT VOTING—8

Alden	Gray	Lewis	Noye
Cohen	Kanuck	Miscevich	Rappaport

EXCUSED—5

Emerson	Irvis	Lashingner	Snyder
Gruitza			

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 1081, PN 1515**, entitled:

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

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

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

The question is, shall the bill pass finally?

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

YEAS—185

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

NAYS—3

Kukovich	Wachob	Williams, H.
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NOT VOTING—7

Alden	Cohen	Hutchinson, A.	Lewis
Armstrong	Gray	Kanuck	

EXCUSED—5

Emerson	Irvis	Lashingner	Snyder
Gruitza			

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 **HB 2087, PN 2601**, entitled:

An Act authorizing the Department of General Services, ***, to convey the right, *** to Gilbert McCormick, Jr., in a certain tract of land situate in the Village of Laurelton, Township of Hartley, Union County, Commonwealth of Pennsylvania.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—191

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

NAYS—0

NOT VOTING—4

Alden Cohen Gray Wright, R. C.

EXCUSED—5

Emerson Irvis Lashinger Snyder
Gruitza

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.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

The clerk of the Senate, being introduced, informed that the Senate has adopted the Report of the Committee of Conference on the subject of the differences existing between the two Houses on **SB 16, PN 1673**.

REPORT OF COMMITTEE OF CONFERENCE CONSIDERED

Mr. HAYES called up for consideration the following Report of the Committee of Conference on **SB 16, PN 1673**, entitled:

An Act amending the act of June 1, 1945 (P. L. 1242, No. 428), entitled "State Highway Law," further providing for traffic control devices, and for permits to open driveways and highway occupancy.

On the question,

Will the House adopt the report of the committee of conference?

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

YEAS—190

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

Cochran	Hayes	O'Donnell	Taylor, F. E.
Colafella	Heiser	Olasz	Telek
Cole	Hoeffel	Oliver	Tigue
Cordisco	Honaman	Pendleton	Trello
Cornell	Horgos	Perzel	Van Horne
Coslett	Hutchinson, A.	Peterson	Vroon
Cowell	Itkin	Petrarca	Wachob
Cunningham	Jackson	Petrone	Wambach
DeMedio	Johnson	Phillips	Wargo
DeVerter	Kanuck	Piccola	Wass
DeWeese	Kennedy	Pievsky	Wenger
Daikeler	Klingaman	Pistella	Wiggins
Davies	Kolter	Pitts	Williams, H.
Dawida	Kowalyszyn	Pott	Williams, J. D.
Deal	Kukovich	Pratt	Wilson
Dietz	Laughlin	Pucciarelli	Wogan
Dininni	Lehr	Punt	Wozniak
Dombrowski	Lescovitz	Rappaport	Wright, D. R.
Donatucci	Letterman	Rasco	Wright, J. L.
Dorr	Levi	Reber	Zwikl
Duffy	Levin	Richardson	
Durham	Lewis	Rieger	Ryan,
Evans	Livengood	Ritter	Speaker

NAYS—1

Wright, R. C.

NOT VOTING—4

Alden	Cohen	Gray	Weston
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EXCUSED—5

Emerson	Irvis	Lashingner	Snyder
Gruitza			

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

Ordered, That the clerk inform the Senate accordingly.

ANNOUNCEMENT BY MAJORITY LEADER

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

Before we go any further on today's calendar, I would like to advise the members that the antiarson legislation is going to be introduced today. If there is by chance someone who did not sponsor the legislation and would like to do so, the three-bill package will be right here with Miss Debbie Robinson at her desk. They will be introduced today. I think just about everyone has sponsored the bills, but in case we missed someone and you want to sponsor the bills, they will be right here with Miss Debbie Robinson. Thank you, Mr. Speaker.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED

The clerk of the Senate, being introduced, returned the following **HB 125, PN 2857**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending Title 9 (Burial Grounds) of the Pennsylvania Consolidated Statutes, providing for the registration of certain cemetery companies with the State Real Estate Commission, providing for investigation of cemetery companies and further providing for the filing of accounts and reports.

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

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

Mr. DOMBROWSKI. Mr. Speaker, I suggest that the House concur in the amendments inserted by the Senate.

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

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

YEAS—185

Anderson	Fee	Lucyk	Salvatore
Armstrong	Fischer	McClatchy	Saurman
Arty	Fleck	McIntyre	Serafini
Barber	Foster, W. W.	McMonagle	Seventy
Belardi	Foster, Jr., A.	Mackowski	Showers
Belfanti	Frazier	Madigan	Shupnik
Beloff	Freind	Maiale	Sieminski
Berson	Fryer	Manderino	Sirianni
Bittle	Gallagher	Manmiller	Smith, B.
Blaum	Gallen	Marmion	Smith, E. H.
Bowser	Gamble	Merry	Smith, L. E.
Boyes	Gannon	Michlovic	Spencer
Brandt	Geist	Micozzie	Spitz
Brown	George	Miller	Stairs
Burd	Gladeck	Miscevich	Steighner
Burns	Grabowski	Moehlmann	Stevens
Caltagirone	Greenfield	Morris	Stewart
Cappabianca	Greenwood	Mowery	Stuban
Cawley	Grieco	Mrkonic	Swaim
Cessar	Gruppo	Mullen	Sweet
Cimini	Hagarty	Murphy	Swift
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
Daikeler	Kennedy	Pistella	Wiggins
Davies	Klingaman	Pitts	Williams, H.
Dawida	Kolter	Pott	Williams, J. D.
Deal	Kowalyszyn	Pratt	Wilson
Dietz	Kukovich	Punt	Wogan
Dininni	Laughlin	Rappaport	Wozniak
Dombrowski	Lehr	Rasco	Wright, D. R.
Donatucci	Lescovitz	Reber	Wright, J. L.
Dorr	Letterman	Richardson	Zwikl
Duffy	Levi	Rieger	
Durham	Levin	Ritter	Ryan,
Evans	Lewis	Rocks	Speaker
Fargo	Livengood	Rybak	

NAYS—2

DeWeese
Lloyd

NOT VOTING—8

Alden	Cohen	Mcverry	Taddonio
Borski	Gray	Pucciarelli	Wright, R. C.

EXCUSED—5

Emerson	Irvis	Lashingner	Snyder
Gruitza			

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

Ordered, That the clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED

The clerk of the Senate, being introduced, returned the following **HB 230, PN 2744**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, repealing provisions prohibiting the transfer of registration to evade certain financial responsibility requirements, further providing for registration, further providing for suspension for nonpayment of judgments, further providing for financial responsibility, and further providing for mobile and modular housing.

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

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

Mr. DININNI. First, I believe Representative Dorr explained this bill thoroughly when it was before us before. It pertains to titles where the department has a judgment against that individual or that vehicle. If an individual would buy that vehicle and the other individual, the seller, would skip town, there was no way the department could issue a title. So what this did was authorize the department to issue titles.

Now, the Senate has amended it, and most of the amendments that the Senate put in were corrections to some of the amendments that we put in when it was over here in the House, except one pertaining to the farm industry, which extends for farm equipment the 50-mile radius to 100 miles. I would recommend that we concur in Senate amendments.

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

Mr. RITTER. Mr. Speaker, I just now got a copy of the bill. I had no idea what the Senate amendments did. It is a somewhat important bill. Could we just pass it over temporarily? At least let me look at the Senate amendments, Mr. Speaker. I just now got a copy of the bill. It was not in my folder.

The SPEAKER. Is the gentleman from Lehigh, Mr. Ritter, prepared to vote this bill?

Mr. RITTER. Mr. Speaker, I would like to possibly pass the bill over today. I have some great concern about the amendments that the Senate put in. It seems to me it would be a brand new concept about judgment creditors and judgment debtors. I would like to have an opportunity either to discuss it further in caucus or try to get some answers today, but I would prefer, Mr. Speaker, that we pass it over for today so that we can get some better answers on what the Senate really did. They did more than just make some technical amendments.

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

Mr. DININNI. Mr. Speaker, I have no objections to going over the bill if he has a legitimate reason, but the reason that Representative Ritter is bringing up before this House—Really, it went over to the Senate the way it is. It has nothing to do with that. Now, if he does not like the provisions of the bill, we sent it over to the Senate that way.

MOTION TO PLACE BILL ON POSTPONED CALENDAR

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

Mr. RITTER. In reading the bill, it seems to me that the Senate amendments appear—

The SPEAKER. It would seem to the Chair, unless the gentleman, Mr. Ritter, is prepared to debate the question of the Senate amendments, that the appropriate step for the gentleman to take would be to move that the bill be placed on the postponed calendar.

Mr. RITTER. Mr. Speaker, I so move.

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

The SPEAKER. The Chair recognizes the gentleman from Centre, Mr. Letterman, on the question of the motion of the gentleman, Mr. Ritter, that HB 230, PN 2744, be placed on the postponed calendar.

Mr. LETTERMAN. Mr. Speaker, would this mean then that the bill could be brought out tomorrow again?

The SPEAKER. That is correct.

Mr. LETTERMAN. I really object to it. I have worked for 5 years trying to get this piece of legislation, and I do not see anything wrong with it. I am sure it has been through hearing after hearing. It has been around here 5 years now until they finally have done something to help this industry, and it is needed very badly at this time. I would certainly not like to see the bill sent back to any committee or anything else. I want to see it voted today.

The SPEAKER. The question before the House is the motion of the gentleman, Mr. Ritter, to place the bill on the postponed calendar.

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

The following roll call was recorded:

YEAS—45

Berson	Gallagher	Lucyk	Richardson
Blaum	Gamble	Manderino	Ritter
Brown	Grabowski	Michlovic	Rocks
Cappabianca	Greenfield	Murphy	Rybak
Cawley	Haluska	O'Donnell	Showers
Clark	Hoeffel	Olasz	Stuban
Cole	Itkin	Pendleton	Tigue
Cordisco	Kowalshyn	Petrarca	Trello
DeWeese	Kukovich	Pievsky	Wambach
Deal	Lescovitz	Pratt	Wargo
Foster, Jr., A.	Lloyd	Rappaport	Zwickl
Fryer			

NAYS—137

Anderson	Evans	McMonagle	Sieminski
Armstrong	Fargo	Mackowski	Sirianni
Arty	Fee	Madigan	Smith, B.
Barber	Fischer	Maiale	Smith, E. H.
Belardi	Foster, W. W.	Manmiller	Smith, L. E.
Belfanti	Frazier	Marmion	Spencer
Beloff	Gallen	Merry	Spitz
Bittle	Gannon	Micozzie	Stairs
Bowser	Geist	Miller	Steighner
Boyes	George	Miscevich	Stevens
Brandt	Gladeck	Moehlmann	Stewart
Burd	Greenwood	Morris	Swaim
Burns	Grieco	Mowery	Sweet
Cessar	Gruppo	Mrkonic	Swift
Cimini	Hagarty	Mullen	Taylor, E. Z.
Civera	Hasay	Nahill	Taylor, F. E.
Clymer	Hayes	Noye	Telek
Cochran	Heiser	Oliver	Van Horne
Colafrilla	Honaman	Perzel	Vroon
Cornell	Horgos	Peterson	Wachob
Coslett	Jackson	Petrone	Wass
Cowell	Johnson	Phillips	Wenger
Cunningham	Kanuck	Piccola	Weston
DeMedio	Kennedy	Pistella	Wiggins
DeVerter	Klingaman	Pitts	Williams, H.
Daikeler	Kolter	Pott	Williams, J. D.
Davies	Laughlin	Punt	Wilson
Dawida	Lehr	Rasco	Wogan
Dietz	Letterman	Reber	Wozniak
Dininni	Levi	Rieger	Wright, D. R.
Dombrowski	Levin	Salvatore	Wright, J. L.
Donatucci	Lewis	Saurman	
Dorr	Livengood	Serafini	Ryan,
Duffy	McClatchy	Seventy	Speaker
Durham	McIntyre	Shupnik	

NOT VOTING—13

Alden	Fleck	Harper	Pucciarelli
Borski	Freind	Hutchinson, A.	Taddonio
Caltagirone	Gray	McVerry	Wright, R. C.
Cohen			

EXCUSED—5

Emerson	Irvis	Lashingner	Snyder
Gruitza			

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

On the question recurring,

Will the House concur in Senate amendments?

The SPEAKER. The Chair recognizes the gentleman from Lehigh, Mr. Ritter, on the question of concurrence.

Mr. RITTER. Mr. Speaker, will the gentleman, Mr. Dininni, consent to interrogation?

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

Mr. RITTER. Mr. Speaker, would the gentleman tell me what the Senate's logic was in extending the time for replacement of a registration card, driver's license, learner's permit, et cetera, from 45 days to 90 days?

Mr. DININNI. They needed the worktime, Mr. Speaker, number one. Number two, it was in HB 556, I believe, and it passed this House also, so they included it in on this bill.

Mr. RITTER. Mr. Speaker, did the Senate amend this bill to add a provision that deals with military vehicles, that they could be operated without a certificate of inspection, pro-

vided they were "...used for training by a private," —and I am not sure I understand what this is— "nonprofit, tax exempt military educational institution when such vehicle does not travel on public roads in excess of one mile and the property on both sides of the public road is owned by the institution"? What institution or institutions are we talking about?

Mr. DININNI. The first one that comes to mind would be Valley Forge.

Mr. RITTER. And they will not need an inspection certificate?

Mr. DININNI. That is correct. And that also is in the same bill that I was referring to before, HB 556, and I believe just within the last few days we did pass a Senate bill and sent it back over to them doing the same thing.

Mr. RITTER. Mr. Speaker, another point of inquiry.

On page 10 of the bill, there is a provision in the present law which says that dealing with farm and farm implements or implements of husbandry, that they apparently will not have to have registration. If you will just hold on one second, I will get the section.

Mr. DININNI. Do you want to know why they went from 50 to 100 miles?

Mr. RITTER. Yes.

Mr. DININNI. The reasoning behind that?

Mr. RITTER. Yes, Mr. Speaker.

Mr. DININNI. Well, in the last few years a lot of your small shops that work on this equipment have gone out of business, bankrupt or for other reasons, and they feel that this is a necessity for the distance that they have to travel to repair their equipment. That was their reasoning behind it, and I concur with that reasoning.

Mr. RITTER. Mr. Speaker, would you tell me what that section deals with? Is this that one that would exempt them from registration?

Mr. DININNI. That would be on page 9, section 10.

Mr. RITTER. Mr. Speaker, we are talking now about implements of husbandry, are we not?

Mr. DININNI. Yes.

Mr. RITTER. All right. And what this will do will be to allow them to operate, instead of 50 miles from the farm to the place of a repair shop, you are saying it is going to be 100 miles?

Mr. DININNI. That is right.

Mr. RITTER. Well, I am saying, what does this exemption cover? Does this mean they will not have to be registered, or that the load can be wider than is permitted for any other vehicle? We are dealing now, it seems to me, with the width of the load.

Mr. DININNI. Yes; that is right.

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

The SPEAKER. Has the gentleman concluded his interrogation?

Mr. RITTER. Yes, Mr. Speaker.

The SPEAKER. Does the gentleman desire recognition to make a remark on the bill?

Mr. RITTER. Yes, Mr. Speaker.

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

Mr. RITTER. Mr. Speaker, I do not doubt for a minute that Mr. Letterman has a problem and the bill will seek to correct that. I am concerned, frankly, that I think the Senate added some amendments to this bill which really ought to be more fully debated.

For instance, I talked earlier about the judgment creditor and the judgment debtor, that we can enter into an agreement that if, Mr. Speaker, you and I were involved in an automobile accident and you were at fault, and I had secured a judgment against you and you did not pay that, under the present law I could ask Harrisburg or the department over here not to suspend your driver's license or your registration, even though you owe me that money and the law says that in that case they will suspend. That is the present law, but the Senate amendment, it seems to me, took part of that out. They said that you and I can enter into an agreement that your driver's license, your operating privileges, will not be suspended, but not your registration. I just do not understand that. Why on one hand would we say that you may keep your operating privileges but not your registration privileges? If the intent was that you could continue to work and therefore earn money to pay off my judgment, I could understand that. But if they are going to take your registration privileges away, how are you going to use your vehicle to get to work? So I do not know why the Senate did that. It seems to me it was not necessary, and I have not been able, frankly, to get an answer as to why that was done, and that appears in a number of instances in this bill. I am just concerned primarily about that.

I will probably vote to concur, but I really believe that we ought to have a further explanation of why the Senate thought it was advisable to only suspend the registration privileges and not the operating privileges when two people make an agreement that no matter what the law says, we are asking the department not to suspend. As I said, I wish I had an answer for that. I would feel much more comfortable with the bill. I know what Mr. Letterman is concerned about is not at issue here. It is just that Senate amendment. I am probably going to vote to concur, Mr. Speaker, but that section does bother me.

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—188

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

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

NAYS—3

Deal	Harper	Richardson
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NOT VOTING—4

Alden	Cohen	Gray	Wright, R. C.
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EXCUSED—5

Emerson	Jrvis	Lashingner	Snyder
Gruitza			

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

Ordered, That the clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED

The clerk of the Senate, being introduced, returned the following **HB 642, PN 2680**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), providing for the manufacture and sale of electricity by townships of the second class.

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

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

Mr. LAUGHLIN. Mr. Speaker, I suggest that the House concur in the amendments inserted by the Senate.

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

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

YEAS—186

Anderson	Evans	Lucyk	Salvatore
Armstrong	Fee	McClatchy	Saurman
Arty	Fischer	McIntyre	Serafini
Barber	Fleck	McMonagle	Seventy
Belardi	Foster, W. W.	McVerry	Showers
Belfanti	Frazier	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	Spencer
Boyes	Geist	Michlovic	Spitz
Brandt	George	Micozzie	Stairs
Brown	Gladeck	Miller	Steighner
Burd	Grabowski	Miscevich	Stevens
Burns	Greenfield	Moehlmann	Stewart
Caltagirone	Greenwood	Morris	Stuban
Cappabianca	Grieco	Mowery	Swaim
Cawley	Gruppo	Mrkonic	Sweet
Cessar	Hagarty	Mullen	Swift
Cimini	Haluska	Murphy	Taddonio
Civiera	Harper	Nahill	Taylor, E. Z.
Clark	Hasay	Noye	Taylor, F. E.
Clymer	Hayes	O'Donnell	Telek
Cochran	Heiser	Olasz	Tigue
Colafella	Hoefel	Oliver	Trello
Cole	Honaman	Pendleton	Van Horne
Cordisco	Horgos	Perzel	Vroon
Cornell	Hutchinson, A.	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	Kowalshyn	Pott	Williams, J. D.
Dawida	Kukovich	Pratt	Wilson
Deal	Laughlin	Pucciarelli	Wogan
Dietz	Lehr	Rasco	Wozniak
Dininni	Lescovitz	Reber	Wright, D. R.
Dombrowski	Letterman	Richardson	Wright, J. L.
Donatucci	Levi	Rieger	Zwikel
Dorr	Lewis	Ritter	
Duffy	Livengood	Rocks	Ryan,
Durham	Lloyd	Rybak	Speaker

NAYS—3

Fargo	Levin	Rappaport
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NOT VOTING—6

Alden	Foster, Jr., A.	Punt	Wright, R. C.
Cohen	Gray		

EXCUSED—5

Emerson	Irvis	Lashinger	Snyder
Gruitza			

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

Ordered, That the clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED

The clerk of the Senate, being introduced, returned the following **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:

An Act amending the "Co-operative Agricultural Association Corporate Net Income Tax Act," approved May 23, 1945 (P. L. 893, No. 360), further providing for the imposition of the tax.

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

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

Mr. FREIND. Mr. Speaker, I suggest that the House concur in the amendments inserted by the Senate.

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

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

YEAS—189

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

NAYS—2

Fleck Peterson

NOT VOTING—4

Alden Cohen Gray Taylor, F. E.

EXCUSED—5

Emerson Irvis Lashinger Snyder
Gruitza

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

Ordered, That the clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED

The clerk of the Senate, being introduced, returned the following **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:

An Act amending the "Banking Code of 1965," approved November 30, 1965 (P. L. 847, No. 356), limiting deposits of Commonwealth funds; providing for a fixed holiday on January 15; relating to and regulating bank holding companies; ***; providing procedures; conferring additional powers on the Department of Banking, and making repeals.

On the question,

Will the House concur in Senate amendments?

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

Mr. L. E. SMITH. Mr. Speaker, I suggest that the House concur in the amendments inserted by the Senate.

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

Mr. MOWERY. I would like to interrogate the sponsor, please.

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

Mr. MOWERY. Mr. Speaker, could you tell me, when this bill went over to the Senate, I believe there was a provision in the bill to provide that before a merger could take place, two-thirds of the stockholders had to approve the merger as well as a majority of the board of directors. I believe that this was removed by the Senate. Is that correct, Mr. Speaker?

Mr. L. E. SMITH. Mr. Speaker, the gentleman is getting into the substance of the bill, and I believe we are dealing here with the amendments inserted by the Senate. The answer to his question, however, is no. The Senate did consider that amendment, but it was not passed.

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

Mr. MOWERY. Mr. Speaker, I would just like a further point of clarification. Am I led to believe that it was in the bill when we sent it to the Senate but that it was taken out by the Senate? I do not understand what the gentleman said.

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

Mr. L. E. SMITH. Mr. Speaker, what I said was, you are getting into the substance of the bill, and that is not the issue before the House. However, the answer to your question is no.

Mr. MOWERY. No, it is not in the current bill?

Mr. L. E. SMITH. It was not in the bill when it left the House, and it is not in the bill at this time.

Mr. MOWERY. I have one other question, Mr. Speaker.

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

Mr. MOWERY. Under the way the bill is presented, there is a phase-in over a period, I believe, of approximately 8 years in order to allow for the complete merger of banks throughout the State of Pennsylvania. I am led to believe that there is now an opportunity for the banks, through the holding-company route, to allow for holding companies of these banks to purchase banks in other locations throughout the State, and once these banks are purchased, then through the contiguous county proposal, almost immediately have statewide banking in Pennsylvania. Is that correct?

Mr. L. E. SMITH. Mr. Speaker, I appeal to you to rule on what the issue is before the House. This bill was debated—

The SPEAKER. Will the gentleman yield.

The issue before the House is, will the House concur in the amendments that were inserted in HB 1889 by the Senate? There is no other issue before the House other than the question of adopting or rejecting the amendments put into the bill by the Senate.

Mr. MOWERY. Mr. Speaker, I understand that. I guess my question is, were there any amendments put in by the Senate that would in any way affect the question that I previously asked?

Mr. L. E. SMITH. No, Mr. Speaker.

Mr. MOWERY. Thank you, Mr. Speaker.

The SPEAKER. Does the lady from Philadelphia, Mrs. Harper, desire recognition on this question?

Mrs. HARPER. Yes, Mr. Speaker.

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

Mrs. HARPER. Mr. Speaker, I rise to ask for nonconcurrency in HB 1889, because the Senate removed my amendment from the bill, which is the most important part of the bill. My amendment asked for 50 percent of the assets to remain in the counties.

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

Mr. L. E. SMITH. I would like to respond to the lady. I realize that the Senate did remove an amendment that she inserted in the bill in the House. The subject matter which she tried to cover in her amendment is very adequately provided for in the Federal Community Redevelopment Act. And the Federal act goes much further than her amendment, because it requires a community reinvestment statement to be made to the public and all branch applications invite the public to participate, with emphasis on the Community Redevelopment Act. Now, I have here, for the benefit of anyone who wants to

look at it, an article from the Patriot of July 11, 1980, where the Dauphin Deposit Bank in Harrisburg was refused two branches in this area because they had not adequately complied with the Federal Community Redevelopment Act.

Now furthermore, I would like to explain to the lady, with all due respect, that what she attempted to do in HB 1889 probably was not going to happen anyway, because I think her concern would be with center-city Philadelphia, and those large banks in the Philadelphia area are not headquartered in Philadelphia; they are headquartered in the surrounding counties. So she probably would have hurt the inner city if that amendment had stayed in the law.

The SPEAKER. The Chair recognizes the lady from Philadelphia, Mrs. Harper, on the question of concurrence in the Senate amendments.

Mrs. HARPER. Mr. Speaker, my intent was for assets to remain in the city where the bank is located, not where it is owned, where the owner is located, but where the particular bank is located. Say, for instance, in my neighborhood where I bank my money, I can get only X thousands of dollars that I have in the bank. That is all the money that I can borrow, and it should not be that way. And others who do not have but a small amount of assets, they cannot borrow money for mortgage loans and personal loans or loans to fix up their property, and I think where these banks are located, they should loan money for people to purchase homes and not send our money overseas for other people to use.

The SPEAKER. Does the gentleman from Somerset, Mr. Lloyd, desire recognition?

Mr. LLOYD. Yes, Mr. Speaker.

The SPEAKER. The gentleman is in order to debate the question of concurrence.

Mr. LLOYD. Thank you, Mr. Speaker.

This is a very important bill, Mr. Speaker. For the benefit of some people who might have been a little surprised with the rapidity with which this bill was put up on the board, this is the statewide banking bill which we debated at great length.

The issue today is whether we are going to concur with the decision by the Senate to strike from that bill what I think is really a truth-in-packaging amendment offered by the lady, Mrs. Harper. The intent of that amendment is to assure that the big banks do not take assets out of the rural areas of this State and either send them out of State or send them overseas. Now, we have heard a number of explanations as to why that protection is not necessary in this bill. I would like to deal with those in turn.

First, the suggestion is that the amendment is not very artfully drafted. Mr. Speaker, there is a remedy for that, if that really is the problem, and that is to send this bill to conference and have the amendment language cleaned up to adhere to the intent of Mrs. Harper, which was agreed to by a majority of the members of this House, and which, at least arguably, was a strong condition in many people's minds as to whether or not they ought to vote for HB 1889.

The second argument is that, well, we do not need this because some Federal law already does this. I am always very puzzled by that, Mr. Speaker, because if we do not need it

because a Federal law already covers it, then the banks should have no problem putting into State law the language which the gentleman, Mr. Smith, says is already in Federal law. And then we can tie that down, and if the Federal law changes, we have provided a protection in Pennsylvania which according to Mr. Smith the Pennsylvania banks have no problem with. If this is already covered by Federal law, there should be no objection. The question is just getting the right language and putting it in to protect.

Now, we have been assured by the big banks that they do not really intend to come into rural areas of this State and take over our banks and to take our assets and send them someplace else. Now is the time for them to demonstrate that, to show they really mean that, by agreeing to an amendment along the lines that Mrs. Harper has suggested, and their failure to do that and their insistence on stripping that amendment out in the Senate suggests that that is not their motivation at all, that they intend to do exactly what those of us who oppose the bill suggested, and that is to take resources out of the rural areas of this State and send them someplace else.

Now, Mr. Speaker, apropos of the amendment made by the Senate, there was recently sent around to all members a letter from the Independent Bankers Association, which sent a copy of a newspaper article from the Tuesday, February 18, issue of the Pittsburgh Post-Gazette, and that article, I think, probably touches on what is really behind this bill. That article dealt with the investment practices of Mellon Bank and Pittsburgh National Bank, and it talked about their activities in Asia, Hong Kong, Singapore, Taiwan, Australia, and they are forecasting a steady increase in lending in that region, and one can only surmise that one of the sources of funds that they want to channel into that—

The SPEAKER. Will the gentleman yield.

The question before the House is concurrence in the Senate amendments.

Mr. LLOYD. That is correct, Mr. Speaker. And my argument, Mr. Speaker, is that we need that amendment which we put in in the Senate, because there is a danger that without that amendment the big banks intend to channel the funds out of State. Mr. Speaker, some people may not agree with that argument, but I think logically that is the reason why we need the amendment, and I would like to be able to proceed.

The SPEAKER. The gentleman may proceed.

Mr. LLOYD. Thank you, Mr. Speaker.

One can only surmise that the reason the big banks do not want this amendment is so that they can finance some of this increased investment in Asian development out of money from the rural areas of this State, and I note also that one of the kinds of investments they want to make, and which they are making now, as a matter of fact, is in coal mining in Australia. And it puzzles me, Mr. Speaker, when coal operators in rural Pennsylvania are having a hard time getting money for their own mines, why we ought to take this amendment out of this bill and remove from them the protection of access to credit in this country so that that money can be taken over to Australia and invested in mines over there.

Mr. Speaker, the Harper amendment may not have been perfect, but we need something like the Harper amendment. The world is not going to end if this bill goes to conference and we put the big banks to the test to see whether they really mean what they say and we work out some language which will take care of the problem that the lady, Mrs. Harper, sought to correct.

I urge nonconcurrency. Thank you, Mr. Speaker.

The SPEAKER. On the question of concurrence, the lady, Mrs. Harper, has debated twice on this subject.

Mrs. HARPER. Once, Mr. Speaker. Only once.

The SPEAKER. The Chair recognizes the lady, Mrs. Harper.

Mrs. HARPER. Thank you, Mr. Speaker.

Mr. Speaker, that is why I would like for this bill to go to a conference committee so that my amendment will be very clear to everyone, because some bankers are saying to our members, this amendment does not affect Philadelphia. Well, my intent was for this amendment to affect Philadelphia—in fact, all of Pennsylvania—because we all have the same need, and that is money. We need money in our communities. We want 50 percent of our money to remain in Philadelphia as well as the rural counties. We need money for mortgages, for loans. We need part of our money.

The SPEAKER. The Chair recognizes the gentleman from Adams, Mr. Cole.

Mr. COLE. Thank you, Mr. Speaker.

I also agree with the remarks made by Representative Lloyd. I think when we passed this bill several months ago, the thrust of the Harper amendment at that time from the rural legislators was the fact that we were concerned about our moneys going from those areas into the city, and I think after several months of more information, I think that our main concern by this body should be exactly what Mr. Lloyd said, and that is the multimillion dollars that are going out from our larger banks into foreign investments. So I think that is a very significant factor that we should remember when we are voting here today, so I ask you to nonconcur and send this back to conference committee so that we can maintain 50 percent of the moneys in the local banks, mainly in our rural areas. Thank you, Mr. Speaker.

The SPEAKER. Does the gentleman from Berks, Mr. Davies, still desire recognition?

Mr. DAVIES. Yes, Mr. Speaker.

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

Mr. DAVIES. I certainly want to thank those gentlemen and ladies who did give me encouragement to speak.

I think first of all, in reflecting on the motivations of the original interrogator, I thought we had a standing rule of conduct in the House that did at least explain those amendments, and that courtesy was to be extended to the members of just what was removed or what changes did occur in the Senate so that we did have knowledge of just what we were voting on, either for concurrence or not for concurrence.

As the lady has very well stated, the Federal law is not only pertinent to the city of Philadelphia but State laws as well as

far as the rural areas of Pennsylvania. I do not know whether you realize it or not, but many of you may not have three surviving small banks in your area. I just happen to be blessed with those three. Thank God that I am blessed with those three, because someplace along the line I never would have had either one of my mortgages, because the big boys never even looked at me as far as those mortgages were concerned, and I would hate like the dickens to see that source dry up to the individual.

The other aspect of it, I think, is very important because it speaks to the rural areas and those farmers of Pennsylvania who have to deal with their very existence with many of those small banks. For that reason again I would support sending this back so that there is not any chance that those small banks and their survival become a question as to whether it is a matter of motivation of the bill or the wishes of those big bankers who support the bill.

How can the originator avoid those very changes that the Senate made in either the Harper or the Laughlin amendments when, of course, they are needed for the very survival of those small banks? I do not think that one of those small banks that is seeking survival, as far as this piece of legislation is concerned, is asking for one more inch than the larger banking institutions are asking for in protection against out-of-State banks and their rating on banks in Pennsylvania. So I would ask you to seriously consider sending this back for reconsideration and putting in some of those restraints that at least we had some control over in the former piece of legislation. Thank you, Mr. Speaker.

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

Mr. TAYLOR. Thank you, Mr. Speaker.

I rise to strongly urge a concurrence in Senate amendments. The question of the Harper amendment that was put in in the House and taken out in the Senate really reminds me of a story of a guy who has two horses and is trying to ride them both at the same time. The Federal law is very clear, very explicit that under the United States Code, 2001, it is absolutely a mandate; the Community Reinvestment Act requires that a lending institution in a community meet the credit needs of the local community to which they are chartered. The House amendment would limit it to the county where the bank is located, while the Federal community standard encompasses a much broader area if the bank has more than one county branch network.

The Federal law is more than adequate. It is broader; it is better; and we should concur in the Senate amendments, because this piece of legislation is a monumental piece of legislation. We have had arguments pro and con here in the House over this type of legislation. I think we have now reached a point that it is in good shape and deserves an affirmative vote, and we should concur and get it on the books. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Somerset, Mr. Lloyd, for the second time on the question.

Mr. LLOYD. Mr. Speaker, very briefly, if the Federal law is so adequate and is so clear, then there should be no objec-

tion on the part of anybody in this House to sending this bill to conference and having the language of the Federal law written into State law in case Federal law gets changed somewhere down the road. I ask for a "no" vote.

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

Mr. EVANS. Mr. Speaker, I rise to support concurrence of HB 1889. I feel very strongly that the issues and the arguments that were expressed by Representative Taylor are very clear that statewide banking is needed in the Commonwealth of Pennsylvania. I would hope that all of my colleagues would strongly consider and look at it closely that statewide banking would benefit the Commonwealth of Pennsylvania.

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

Mr. McVERRY. Mr. Speaker, I urge concurrence in Senate amendments to HB 1889. I disagree with the Representative from Somerset County that because we have a Federal law that deals with the issue, we should therefore enact a Pennsylvania law, and no one should have any objection thereto.

If we have an overriding Federal standard, we should adhere to the overriding Federal standard. The Community Reinvestment Act takes care of the issue that we have to be dealing with. If, in fact, the Federal law changes, we will be a continuous body, and we can come into session and change our law if we deem it to be appropriate. At this point in time, however, the Community Reinvestment Act covers that issue with respect to all States in the United States, and we need not enact a redundant amendment to HB 1889. I urge your concurrence in Senate amendments as it now stands.

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—118

Anderson	Durham	McVerry	Serafini
Arty	Evans	Maiale	Seventy
Barber	Fischer	Marmion	Showers
Beloff	Fleck	Merry	Sieminski
Berson	Frazier	Micozzie	Smith, E. H.
Bittle	Freind	Miller	Smith, L. E.
Blaum	Gallen	Mowery	Spencer
Borski	Gannon	Mullen	Spitz
Bowser	Gladeck	Murphy	Stairs
Boyes	Grabowski	Nahill	Stevens
Brandt	Greenwood	O'Donnelli	Sweet
Brown	Grieco	Olasz	Schwartz
Burd	Gruppo	Oliver	Swift
Burns	Hagarty	Pendleton	Taddonio
Caltagirone	Heiser	Perzel	Taylor, E. Z.
Cappabianca	Hoefel	Peterson	Taylor, F. E.
Cessar	Honaman	Petrone	Trello
Cimini	Horgos	Piccola	Van Horne
Civera	Itkin	Pistella	Vroon
Clymer	Jackson	Pott	Wambach
Colafella	Kennedy	Pucciarelli	Weston
Cordisco	Laughlin	Rappaport	Wiggins
Cornell	Lehr	Rasco	Williams, J. D.
Cowell	Lescovitz	Reber	Wogan
DeMedio	Levi	Richardson	Wozniak
Daikeler	Levin	Rieger	Wright, J. L.
Dawida	Lucyk	Rocks	Zwikel
Deal	McClatchy	Rybak	
Dombrowski	McIntyre	Salvatore	Ryan,
Donatucci	McMonagle	Saurman	Speaker

NAYS—70

Armstrong	Foster, W. W.	Livengood	Punt
Belardi	Foster, Jr., A.	Lloyd	Ritter
Belfanti	Fryer	Mackowski	Shupnik
Cawley	Gallagher	Madigan	Sirianni
Clark	Geist	Manderino	Smith, B.
Cochran	George	Manmiller	Steighner
Cole	Greenfield	Michlovic	Stewart
Coslett	Haluska	Miscevich	Stuban
Cunningham	Harper	Moehlmann	Telek
DeVerter	Hasay	Morris	Tigue
DeWeese	Hayes	Mrkonic	Wachob
Davies	Hutchinson, A.	Noye	Wargo
Dietz	Johnson	Petrarca	Wass
Dininni	Klingaman	Phillips	Wenger
Dorr	Kolter	Pievsy	Williams, H.
Duffy	Kowalyszyn	Pitts	Wilson
Fargo	Kukovich	Pratt	Wright, D. R.
Fee	Letterman		

NOT VOTING—7

Alden	Gamble	Kanuck	Wright, R. C.
Cohen	Gray	Lewis	

EXCUSED—5

Emerson	Irvis	Lashinger	Snyder
Gruitza			

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

Ordered, That the clerk inform the Senate accordingly.

AMENDED HOUSE RESOLUTION RETURNED FOR CONCURRENCE CONSIDERED

The clerk of the Senate, being introduced, returned the following **HR 87, PN 2752**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

General Assembly establish a bipartisan committee to adopt rules and proceedings for restoration of the Capitol and surrounding landscape during its 75th Anniversary.

On the question,

Will the House concur in Senate amendments?

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

Mr. PITTS. Mr. Speaker, I suggest that the House do concur in the amendments inserted by the Senate to HR 87.

On the question recurring,

Will the House concur in Senate amendments?

The following roll call was recorded:

YEAS—185

Anderson	Fargo	McClatchy	Serafini
Armstrong	Fee	McIntyre	Seventy
Arty	Fischer	McMonagle	Showers
Barber	Fleck	McVerry	Shupnik
Belardi	Foster, W. W.	Mackowski	Sieminski
Belfanti	Foster, Jr., A.	Madigan	Sirianni
Beloff	Frazier	Maiale	Smith, B.
Bittle	Freind	Manderino	Smith, E. H.
Blaum	Fryer	Manmiller	Smith, L. E.
Borski	Gallagher	Merry	Spencer
Bowser	Gallen	Michlovic	Spitz
Boyes	Gamble	Micozzie	Stairs
Brandt	Gannon	Miller	Steighner

Brown	Geist	Miscevich	Stevens
Burd	George	Moehlmann	Stewart
Burns	Gladeck	Morris	Stuban
Caltagirone	Grabowski	Mowery	Swaim
Cappabianca	Greenfield	Mrkonic	Sweet
Cawley	Greenwood	Mullen	Swift
Cessar	Grieco	Murphy	Taddonio
Cimini	Gruppo	Nahill	Taylor, E. Z.
Civera	Hagarty	Noye	Taylor, F. E.
Clark	Haluska	Olasz	Teick
Clymer	Harper	Oliver	Tigue
Cochran	Hasay	Pendleton	Trello
Colafella	Hayes	Perzel	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	Kennedy	Pitts	Wiggins
DeWeese	Klingaman	Pott	Williams, H.
Daikeler	Kolter	Pratt	Williams, J. D.
Davies	Kowalyshyn	Pucciarelli	Wilson
Dawida	Kukovich	Punt	Wogan
Deal	Laughlin	Rasco	Wozniak
Dietz	Lehr	Reber	Wright, D. R.
Dininni	Lescovitz	Richardson	Wright, J. L.
Dombrowski	Letterman	Rieger	Wright, R. C.
Donatucci	Levi	Ritter	Zwikl
Dorr	Levin	Rocks	
Duffy	Livengood	Rybak	Ryan,
Durham	Lloyd	Salvatore	Speaker
Evans	Lucyk	Saurman	

NAYS—2

Heiser Marmion

NOT VOTING—8

Alden	Cohen	Kanuck	O'Donnell
Berson	Gray	Lewis	Rappaport

EXCUSED—5

Emerson	Irvis	Lashingier	Snyder
Gruitza			

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

Ordered, That the clerk inform the Senate accordingly.

**SUPPLEMENTAL CALENDAR A
BILL AGREED TO
ON SECOND CONSIDERATION**

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

SB 1102, PN 1689.

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

HB 548, PN 2909 (Amended)

By Rep. SPENCER

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing a procedure for access by an adoptee or his adoptive parent or legal guardian to certain information concerning his natural parents, imposing penalties and making certain repeals.

JUDICIARY.

HB 731, PN 780 By Rep. MILLER

An Act authorizing the Commonwealth to impose certain requirements on all municipalities in the Commonwealth prior to the issuance of municipal street vendor licenses or permits.

URBAN AFFAIRS.

HB 1157, PN 1282 By Rep. FISCHER

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), providing for the election of school directors in school districts of the first class;*** and granting powers and duties to both such boards.

EDUCATION.

HB 2097, PN 2910 (Amended)

By Rep. FISCHER

An Act relating to the public school system in cities of the first class; creating a new school district to be operated and managed pursuant to the provisions of the home rule charter of the city of the first class; *** and making certain repeals under certain terms and conditions.

EDUCATION.

SB 439, PN 1697 (Amended)

By Rep. SPENCER

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for criminal history record information.

JUDICIARY.

ADDITIONS AND DELETIONS OF SPONSORS

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

ADDITIONS:

HB 1417, Sieminski; HB 1806, Borski; HB 2158, Merry; HB 2186, Olasz; HB 2206, Merry, Spitz, Harper.

DELETIONS:

HB 2118, Olasz; HB 2206, Morris; HB 2209, Sieminski, Armstrong, Merry.

HOUSE SCHEDULE

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, we have no more votes today, but before the members leave the hall of the House, I would like them to understand that we will be in voting session tomorrow.

We also have on our desks at the present time a supplemental calendar which has on it SB 1102. I would like to move SB 1102 from second reading to third reading for tomorrow's consideration. I do not believe that we should leave Harrisburg this week without giving final consideration to this legislation. This is the bill which will, once passed, allow the applications for property tax and rent rebates to be sent out to senior citizens, and I would like to take up as a special order of business the supplemental calendar and SB 1102. Thank you, Mr. Speaker.

CONFERENCE COMMITTEE MEETING

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

Mr. SPENCER. Mr. Speaker, I would like to announce that the Conference Committee on HB 671 will meet tomorrow in room B-19 at 10:30 a.m. Thank you.

QUESTION OF INFORMATION

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

Mr. GALLAGHER. Mr. Speaker, the majority leader just spoke of SB 1102 being moved up for third consideration tomorrow.

The SPEAKER. For the information of the gentleman, the House has already moved it up—

Mr. GALLAGHER. Yes.

The SPEAKER. —and it is in a position to be voted finally tomorrow.

Mr. GALLAGHER. Mr. Speaker, the question is, will amendments be accepted for SB 1102 tomorrow?

The SPEAKER. For the information of the gentleman, the bill will be on third consideration. If the gentleman has amendments to be offered, they should be prepared today—

Mr. GALLAGHER. They are being prepared now, sir.

The SPEAKER. —and distributed, because the majority leader has indicated that he would like to make this a special order of business tomorrow.

Mr. GALLAGHER. Thank you, Mr. Speaker. The amendments are being prepared.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The Chair recognizes the gentleman from Greene, Mr. DeWeese.

Mr. DeWEESE. Mr. Speaker, I would like to submit the following for the record. This is the 37th anniversary of the American victory at Iwo Jima, and I would like to submit this for the record. Thank you.

The SPEAKER. The gentleman will send his remarks to the desk.

Mr. DeWEESE submitted the following remarks for the Legislative Journal:

Imagine the scene, as fire-hardened American warriors plunged up the jet black slopes of Mt. Suribachi, their lungs seared by the stench of burning sulphur that hung omnipresent in the air...the rip and tear of machine gun fire blazing about them as they unfurled the Stars and Stripes upon the crater-covered crest of Japanese imperialism. As Joe Rosenthaw's famous photograph flashed around the world, from Melbourne to Minneapolis, from Boston to Berlin, the entire world, and especially the Nipponese high command, finally realized that the god of war no longer smiled on the Land of the Rising Sun.

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

The clerk of the Senate, being introduced, returned **HB 1776, PN 2900**, 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 SIGNED BY SPEAKER

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

HB 125, PN 2857

An Act amending Title 9 (Burial Grounds) of the Pennsylvania Consolidated Statutes, providing for the registration of certain cemetery companies with the State Real Estate Commission, providing for investigation of cemetery companies and further providing for the filing of accounts and reports.

HB 230, PN 2744

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, repealing provisions prohibiting the transfer of registration to evade certain financial responsibility requirements, further providing for registration, further providing for suspension for nonpayment of judgments, further providing for financial responsibility, and further providing for mobile and modular housing.

HB 642, PN 2680

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), providing for the manufacture and sale of electricity by townships of the second class.

HB 1030, PN 2846

An Act amending the "Co-operative Agricultural Association Corporate Net Income Tax Act," approved May 23, 1945 (P. L. 893, No. 360), further providing for the imposition of the tax.

HB 1889, PN 2787

An Act amending the "Banking Code of 1965," approved November 30, 1965 (P. L. 847, No. 356), limiting deposits of Commonwealth funds; providing for a fixed holiday on January 15; relating to and regulating bank holding companies; ***; providing procedures; conferring additional powers on the Department of Banking, and making repeals.

WELCOME

The SPEAKER. The Chair is pleased to welcome to the hall of the House today as the guests of the delegation from Westmoreland County, the Westmoreland County Extension Service representatives of Penn State University: Mena Giaquinto, Pearl Orient, Jim Schenek, and Graydon Long.

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 Philadelphia, Mr. Wiggins.

Mr. WIGGINS. Mr. Speaker, I move that this House do now adjourn until Wednesday, February 24, 1982, at 11 a.m., e.s.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 3:34 p.m., e.s.t., the House adjourned.