

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

WEDNESDAY, MARCH 3, 1982

SESSION OF 1982

166TH OF THE GENERAL ASSEMBLY

No. 19

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MATTHEW J. RYAN) IN THE CHAIR

PRAYER

REV. DEAN E. RUPE, chaplain of the House of Representatives and pastor of Holy Communion Lutheran Church, Yeagertown, Pennsylvania, offered the following prayer:

O God, our constant companion through the good and bad times, and the one whose love proves to be changeless, help us to be worthy of Your trust.

As we reach into life, our attention focuses on matters that are secondary, and those concerns that deserve our best get put aside. As we confess to our sinful ways, we ask to be led by Your kindly light, O God, and to have You as a full partner. With You, O Lord, first in our lives, we hope to build better families, stronger communities, and a Nation that will continue to provide the freedoms we all cherish. In the name of Christ, we offer this prayer. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal of Tuesday, March 2, 1982, will be postponed until printed. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2304 By Representative BRANDT

An Act providing for the establishment and maintenance of a center to provide ambulatory and inpatient services for the diagnosis,*** of persons who have physical or neuro-developmental disabilities;***.

Referred to Committee on APPROPRIATIONS, March 2, 1982.

No. 2305 By Representatives KOWALYSHYN, MORRIS, PISTELLA, RYBAK, CAWLEY and ITKIN

An Act amending "The Aeronautical Code," approved May 25, 1933 (P. L. 1001, No. 224), prohibiting the use of certain runways.

Referred to Committee on TRANSPORTATION, March 2, 1982.

No. 2306 By Representatives KOWALYSHYN, MORRIS, PISTELLA, RYBAK, CAWLEY and ITKIN

An Act amending "The Aeronautical Code," approved May 25, 1933 (P. L. 1001, No. 224), prohibiting the use of certain runways.

Referred to Committee on TRANSPORTATION, March 2, 1982.

No. 2307 By Representatives KOWALYSHYN, MORRIS, PISTELLA, RYE ' K, CAWLEY and ITKIN

An Act amending "The Aeronautical Code," approved May 25, 1933 (P. L. 1001, No. 224), providing for the regulation of certain landing areas.

Referred to Committee on TRANSPORTATION, March 2, 1982.

No. 2308 By Representatives KOWALYSHYN, MORRIS, PISTELLA, RYBAK, CAWLEY and ITKIN

An Act amending "The Aeronautical Code," approved May 25, 1933 (P. L. 1001, No. 224), providing for a public hearing prior to the issuance of a license for small airports.

Referred to Committee on TRANSPORTATION, March 2, 1982.

No. 2309 By Representatives ALDEN, DURHAM, CIVERA, RYAN, FREIND, ARTY, ARMSTRONG, TELEK, GANNON and SPENCER

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the arbitration limit for the thirty-second judicial district.

Referred to Committee on JUDICIARY, March 2, 1982.

No. 2310 By Representatives ALDEN, CIVERA, MICOZZIE, RYAN, FREIND, ARTY, ARMSTRONG, TELEK, GANNON and SPENCER

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the qualifications of arbitrators.

Referred to Committee on JUDICIARY, March 2, 1982.

No. 2311 By Representatives A. K. HUTCHINSON and DOMBROWSKI

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further providing for deductions from the purchase price for purposes of determining the sales tax derived on the sale of a vehicle.

Referred to Committee on FINANCE, March 2, 1982.

No. 2312 By Representatives DURHAM, ALDEN, SPITZ, PITTS, ARTY and RYAN

An Act amending the "Solid Waste Management Act," approved July 7, 1980 (P. L. 380, No. 97), prohibiting the issuance of a permit by the department for the dumping on land of sludge from a sanitary sewer system under certain circumstances.

Referred to Committee on CONSERVATION, March 2, 1982.

SENATE BILLS FOR CONCURRENCE

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

SB 1043, PN 1691

Referred to Committee on TRANSPORTATION, March 2, 1982.

SB 1127, PN 1334

Referred to Committee on BUSINESS AND COMMERCE, March 2, 1982.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 167 By Representatives PETRARCA, RIEGER, SPENCER, GRIECO, HAYES, OLASZ, MANDERINO, KUKOVICH, CORDISCO, KOLTER, STEIGHNER, CLARK, DeMEDIO, STAIRS, SEVENTY, GEORGE, COLE, DUFFY, TRELLO, CAPPABIANCA, TIGUE, PENDLETON and LETTERMAN

House encourages Pennsylvania Bar Association adopt a program for indigent citizens legal representation.

Referred to Committee on RULES, March 2, 1982.

LEAVES OF ABSENCE GRANTED

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

Mr. CESSAR. Thank you, Mr. Speaker.

I do request a leave for the day for the lady from Montgomery County, Mrs. LEWIS.

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

Mr. FEE. Mr. Speaker, I request a leave for the gentleman from Berks, Mr. BROWN, for today.

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

BILLS REMOVED FROM TABLE FOR CALENDAR

The SPEAKER. The Chair recognizes the majority leader, Mr. HAYES. Mr. Speaker, I move that SB 1085 and SB 1086 on page 2 of the tabled calendar be removed from the table and placed on the active calendar.

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

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—194

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

Fargo	Livengood	Rocks	Ryan,
Fee	Lloyd	Rybak	Speaker

ADDITIONS—2

Barber	Cowell
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NOT VOTING—0

EXCUSED—4

Brown	Cohen	Irvis	Lewis
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STATEMENT BY MR. COCHRAN

TERCENTENARY COMMITTEE
ON THIS DAY IN HISTORY

The SPEAKER. The Chair recognizes the gentleman from Fayette, Mr. Cochran, for the purpose of doing this day in history.

Mr. COCHRAN. On this day in 1781, Gen. George Rogers Clark, an officer of the Dominion of Virginia, arrived in the western frontier of Pennsylvania. His mission: to raise troops for an expedition in the interest of Virginia against the British post at Detroit. The effort resulted in what can be termed as the first military draft of Pennsylvanians. It was somewhat less than successful. While it brought forth some 300 men to join General Clark's small force of 140 Virginia regulars, the area was sharply divided and distressed at the means used.

General Clark first settled headquarters in a house along the Youghiogeny River on March 3, 1781. It was generally accepted knowledge that all of the Virginia county of Yohogania and much of the counties of Monongahela and Ohio, which were claimed as part of Virginia, in fact really belonged to Pennsylvania. Actual boundary lines had not been surveyed anyplace west of the Monongahela River. Clark encountered problems with his conscription of men when the settlers would not accept the general as a Pennsylvanian. They felt that Clark was a Virginia officer and had no business in Pennsylvania.

The general initially planned to raise a force of 2,000 men. After arriving in Pennsylvania, he found that the frontiers were being raided by bands of Shawnee, Delaware, and Wyandote Indians. Finding little sympathy for his plans to take a force against the British post at Detroit, Clark thought it would be much easier to enlist soldiers if they were told that the expedition would be against the raiding Indians. This he did for the immediate benefit of the Westmoreland frontier. But his real design to conquer the British at Detroit was not altered.

Many Pennsylvania officials backed the general in his efforts and, to the chagrin of those who opposed, they voted to give aid to the Virginia general to furnish 300 men from the county militia. That quota, the resolution stated, was to be raised by either "volunteer or draft."

Thus came the first effort on the Pennsylvania frontier to draft soldiers.

WELCOME

The SPEAKER. The Chair is pleased to welcome to the hall of the House today Mr. and Mrs. Harold Gibboney, Mrs. Roland Esterline, and the wife of our chaplain, Mrs. Dean Rupe. They are here today as the guests of Walter DeVerter of this House.

MEMBERS' PRESENCE RECORDED

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Cowell, and the gentleman from Philadelphia, Mr. Barber, who ask that their names be added to the master roll call.

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2083, PN 2597**, entitled:

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.

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

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

The question is, shall the bill pass finally?

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

YEAS—193

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

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

NAYS—0

NOT VOTING—3

Johnson	Vroon	Wright, J. L.
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EXCUSED—4

Brown	Cohen	Irvs	Lewis
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

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The House proceeded to third consideration of **HB 2210, PN 2843**, entitled:

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.

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

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

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

YEAS—193

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

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

NAYS—0

NOT VOTING—3

Cordisco	Greenfield	Ritter
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EXCUSED—4

Brown	Cohen	Irvs	Lewis
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

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The House proceeded to third consideration of **HB 2211, PN 2844**, entitled:

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.

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

BILL PASSED OVER TEMPORARILY

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

Mr. COWELL. Mr. Speaker, yesterday I ordered an amendment to be prepared to HB 2211. I have not received it yet. Is it possible to pass over it at least for a portion of the day if not until a time when we return?

The SPEAKER. The gentleman, Mr. Cowell, requests that HB 2211 be held over for an amendment.

The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, would you please pass over this bill temporarily? The gentleman may be able to have his amendment for this afternoon's voting session.

The SPEAKER. The Chair thanks the gentleman.

Without objection, HB 2211 will be passed over temporarily. The Chair hears no objection.

* * *

The House proceeded to third consideration of **HB 2212, PN 2845**, entitled:

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.

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

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

Davies	Kowalyshyn	Pott	Williams, H.
Dawida	Kukovich	Pratt	Williams, J. D.
Deal	Lashinger	Pucciarelli	Wilson
Dietz	Laughlin	Punt	Wogan
Dininni	Lehr	Rappaport	Wozniak
Dombrowski	Lescovitz	Rasco	Wright, D. R.
Donatucci	Letterman	Reber	Wright, J. L.
Dorr	Levi	Richardson	Wright, R. C.
Duffy	Levin	Rieger	Zwilk
Durham	Livengood	Ritter	
Emerson	Lloyd	Rocks	Ryan,
Evans	Lucyk	Rybak	Speaker
Fargo			

NAYS—0

NOT VOTING—5

Cunningham	Hutchinson, A.	Kanuck	Shupnik
Greenfield			

EXCUSED—4

Brown	Cohen	Irvis	Lewis
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

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The House proceeded to third consideration of **HB 1578, PN 1840**, entitled:

An Act amending the act of August 7, 1963 (P. L. 549, No. 290), referred to as the Pennsylvania Higher Education Agency Act, clarifying student loan repayment requirements of State employees.

On the question,

Will the House agree to the bill on third consideration?

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I move that HB 1578 be placed upon the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

* * *

The House proceeded to third consideration of **HB 1815, PN 2740**, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), providing for general powers and duties of the board of school directors in each district.

On the question,

Will the House agree to the bill on third consideration?

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I move that HB 1815 be placed upon the table.

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

* * *

The House proceeded to third consideration of **HB 1816**,
PN 2741, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), providing for institutions with day-treatment programs.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I move that HB 1816 be placed upon the table.

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

* * *

The House proceeded to third consideration of **HB 1884**,
PN 2277, entitled:

An Act providing for group self-insurance funds for State colleges for workers' compensation liabilities.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I move that HB 1884 be placed upon the table.

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

* * *

The House proceeded to third consideration of **HB 1885**,
PN 2278, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), excluding State colleges and universities from certain requirements relating to purchases of printing supplies and imposing additional limitations relating to publications.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I move that HB 1885 be placed upon the table.

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

* * *

The House proceeded to third consideration of **HB 1886**,
PN 2279, entitled:

An Act amending the act of May 8, 1923 (P. L. 161, No. 120), entitled, "An act providing for and regulating the public printing and all documents, reports, bulletins, and other publications for the use of the Commonwealth, ***; and repealing inconsistent and conflicting legislation," excluding State colleges and universities from the powers and duties imposed on the Director of Publications.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I move that HB 1886 be placed upon the table.

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

* * *

The House proceeded to third consideration of **HB 1413**,
PN 2712, entitled:

An Act amending the "Medical Practice Act of 1974," approved July 20, 1974 (P. L. 551, No. 190), further providing for the definitions of foreign medical college and clinical clerk and further establishing standards for medical training and facilities.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I move that HB 1413 be placed upon the table.

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

* * *

The House proceeded to third consideration of **HB 2081**,
PN 2865, entitled:

An Act amending the "Professional Engineers Registration Law," approved May 23, 1945 (P. L. 913, No. 367), exempting certain activities from licensure and registration.

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

Mr. DORR offered the following amendments No. A6480:

Amend Sec. 1 (Sec. 5), page 1, line 23, by inserting a period after "descriptions"

Amend Sec. 1 (Sec. 5), page 1, lines 23 and 24, by striking out "as taken from the" in line 23 and all of line 24

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

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

Mr. DORR. Thank you, Mr. Speaker.

Mr. Speaker, the intent of this bill is to exempt from the definition, in effect, of a land surveyor what you must be registered and certified as a land surveyor in order to do. Presently it includes the writing of deed descriptions. The intent of this bill is to submit an exception so that those people who normally write deed descriptions, the most prominent examples being attorneys and title insurance companies and realtors, so that those people can do so without being registered as land surveyors.

The amendment is intended to make that exception as broad as possible, drawing back the exception so that it simply will be the writing of deed descriptions and without further qualifying it.

I urge an affirmative vote.

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

The following roll call was recorded:

YEAS—191

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

Donatucci	Letterman	Reber	Wright, J. L.
Dorr	Levi	Richardson	Wright, R. C.
Duffy	Levin	Rieger	Zwilk
Durham	Livengood	Ritter	
Emerson	Lloyd	Rocks	Ryan,
Evans	Lucyk	Rybak	Speaker
Fargo			

NAYS—1

Gruitza

NOT VOTING—4

Cunningham	Hutchinson, A.	Klingaman	Williams, J. D.
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EXCUSED—4

Brown	Cohen	Irvis	Lewis
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The question was determined in the affirmative, and the amendments were agreed to.

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—191

Anderson	Fischer	Lucyk	Rybak
Armstrong	Fleck	McClatchy	Salvatore
Arty	Foster, W. W.	McIntyre	Saurman
Barber	Foster, Jr., A.	McMonagle	Serafini
Belardi	Frazier	McVerry	Seventy
Belfanti	Freind	Mackowski	Showers
Beloff	Fryer	Madigan	Shupnik
Berson	Gallagher	Maiale	Sieminski
Bittle	Gallen	Manderino	Smith, B.
Blaum	Gamble	Manmiller	Smith, E. H.
Borski	Gannon	Marmion	Smith, L. E.
Bowser	Geist	Merry	Snyder
Boyes	George	Michlovic	Spencer
Brandt	Gladeck	Micozzie	Spitz
Burd	Grabowski	Miller	Stairs
Burns	Gray	Miscevich	Steighner
Caltagirone	Greenfield	Moehlmann	Stevens
Cappabianca	Greenwood	Morris	Stewart
Cawley	Grieco	Mowery	Stuban
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
DeMedio	Jackson	Petrone	Wambach
DeVerter	Johnson	Phillips	Wargo
DeWeese	Kanuck	Piccola	Wass
Daikeler	Kennedy	Pievsky	Wenger
Davies	Klingaman	Pistella	Weston
Dawida	Kolter	Pitts	Wiggins
Deal	Kowalyszyn	Pott	Williams, H.
Dietz	Kukovich	Pratt	Wilson
Dininni	Lashinger	Pucciarelli	Wogan
Dombrowski	Laughlin	Punt	Wozniak
Donatucci	Lehr	Rappaport	Wright, D. R.

Dorr	Lescovitz	Rasco	Wright, J. L.
Duffy	Letterman	Reber	Wright, R. C.
Durham	Levi	Richardson	Zwilk
Emerson	Levin	Rieger	
Evans	Livengood	Ritter	Ryan,
Fargo	Lloyd	Rocks	Speaker
Fee			

NAYS—1

Gruitza

NOT VOTING—4

Alden	Cunningham	Sirianni	Williams, J. D.
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EXCUSED—4

Brown	Cohen	Irvis	Lewis
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair at this time would take the opportunity to apologize to the members for failing to call to their attention that when the gentleman, Mr. Gruitza, was absent last week, it was because his wife had a new baby. He and his wife are the proud parents of a new son. Would the gentleman please stand to be acknowledged?

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **SB 179, PN 1545**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Mr. SPENCER offered the following amendments No. A6594:

Amend Sec. 1 (Sec. 3532), page 2, line 5, by striking out "SUPREME COURT ADMINISTRATOR" and inserting district justices

Amend Sec. 3, page 2, line 10, by striking out all of said line and inserting

July 1, 1982

On the question,

Will the House agree to the amendments?

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

Mr. SPENCER. Thank you, Mr. Speaker.

This amendment would change the disposition of the fees for membership in the court administration from the Supreme Court fund to the district justices fund, which should be the correct one. And secondly, the effective date has been changed to July 1 of 1982, our next fiscal year. The present bill requires the effective date to be the end of last year. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—186

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

NAYS—1

Cunningham

NOT VOTING—9

Bowser	Emerson	Richardson	Stairs
Cole	Gray	Smith, L. E.	Williams, J. D.
Deal			

EXCUSED—4

Brown	Cohen	Irvis	Lewis
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The question was determined in the affirmative, and the amendments were agreed to.

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

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

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

Mr. RITTER. Mr. Speaker, I just wanted to make sure that what we are doing with the amendment that Mr. Spencer inserted is, we are taking the money, instead of from the Supreme Court administrator, we are taking that from the appropriation made to the district justices?

Mr. SPENCER. Yes, in the future. It will be effective July 1 of 1982, the fiscal year, so it is in the proper line item.

Mr. RITTER. Mr. Speaker, the reason I asked that was because I believe that the amount of money that is in the budget is simply to pay their salaries, the district justices', so you are saying that starting in July we would have to add an additional amount to take care of the registration fee. Is that correct?

Mr. SPENCER. Yes, that is correct. I was informed by the Supreme Court administrator that there were not sufficient funds in their budget to cover this, and rightfully it should be in the line item for the district justices' appropriation. And inasmuch as this will be effective in the next fiscal year, this will be included in the budget appropriation.

Mr. RITTER. Finally, Mr. Speaker, you do not intend then to take the registration fee from the salaries of the district justices, but rather to put additional funds in the budget to cover it.

Mr. SPENCER. That is correct. It will not take away from their salaries.

Mr. RITTER. Thank you, Mr. Speaker.

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Will you please hold the bill over temporarily until after lunch?

The SPEAKER. The majority leader moves that SB 179, together with amendments, be placed upon the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

* * *

The House proceeded to third consideration of **HB 1822, PN 2513**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I move that HB 1822 be placed upon the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

* * *

The House proceeded to third consideration of **HB 2110, PN 2658**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I move that HB 2110 be recommended to the Committee on State Government.

On the question,

Will the House agree to the motion?

Motion was agreed to.

* * *

The House proceeded to third consideration of **HB 65, PN 2537**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I move that HB 65 be placed upon the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

* * *

The House proceeded to third consideration of **HB 1783, PN 2115**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I move that HB 1783 be placed upon the table.

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

* * *

The House proceeded to third consideration of **SB 433, PN 838**, entitled:

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

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I move that SB 433 be placed upon the table.

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

* * *

The House proceeded to third consideration of **HB 349, PN 2302**, entitled:

An Act amending the "Pennsylvania Municipal Retirement Law," approved February 1, 1974 (P. L. 34, No. 15), providing for the payment of administration funds from excess interest earnings; authorizing increased earnings on a temporary or seasonal basis and eliminating certain offset payments.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I move that HB 349 be placed upon the table.

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

* * *

The House proceeded to third consideration of **HB 192, PN 193**, entitled:

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), providing for an exemption from the utilities gross receipts tax.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I move that HB 192 be placed upon the table.

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

* * *

The House proceeded to third consideration of **HB 198, PN 1603**, entitled:

An Act providing for the regulation of gasoline and advertising, requiring the posting of price per gallon at retail outlets and providing penalties.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I move that HB 198 be placed upon the table.

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

* * *

The House proceeded to third consideration of **HB 1191, PN 1604**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for landlord ratepayers and tenants, and for notice prior to discontinuance of service.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I move that HB 1191 be placed upon the table.

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

* * *

The House proceeded to third consideration of **HB 1380, PN 1605**, entitled:

An Act amending the "Utility Service Tenants Rights Act," approved November 26, 1978 (P. L. 1255, No. 299), further providing for landlord ratepayers and tenants, and for notice prior to discontinuance of service.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I move that HB 1380 be placed upon the table.

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

* * *

The House proceeded to third consideration of **HB 2199, PN 2889**, entitled:

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682, No. 284), repealing certain rights of persons referred to as minors.

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

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

The question is, shall the bill pass finally?

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

YEAS—194

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

Duffy	Lescovitz	Richardson	Wright, R. C.
Durham	Letterman	Rieger	Zwilk
Emerson	Levi	Ritter	
Evans	Levin	Rocks	Ryan,
Fargo	Livengood	Rybak	Speaker

NAYS—0

NOT VOTING—2

Cunningham	Michlovic
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EXCUSED—4

Brown	Cohen	Irvis	Lewis
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

* * *

The House proceeded to third consideration of **SB 1161, PN 1690**, entitled:

An Act authorizing the Department of General Services, with the approval of the Department of Environmental Resources and the Governor, to convey to the United States of America, by and through the National Park Service, United States Department of the Interior, 17 tracts of land located in Pike and Monroe Counties, Pennsylvania and to grant and convey to the Township of Delaware in Pike County an easement and right-of-way in and over certain land in George W. Childs State Park in Delaware Township, Pike County, 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—192

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

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

NAYS—0

NOT VOTING—4

Civera	Kanuck	Rocks	Williams, J. D.
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EXCUSED—4

Brown	Cohen	Irvn	Lewis
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

BILLS ON THIRD CONSIDERATION POSTPONED

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

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

On the question recurring,

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.

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

On the question,

Will the House agree to the motion?

Motion was agreed to.

* * *

The House proceeded to **SB 995, PN 1169**, on third consideration postponed, entitled:

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

On the question recurring,

Will the House agree to the bill on third consideration?

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader. Mr. HAYES. Mr. Speaker, I move that SB 995 be placed upon the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

REMARKS ON VOTE

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

Mr. CIVERA. Mr. Speaker, on SB 1161 my switch was inoperative, and I would like my vote to be shown that I would have voted "yes."

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

RESOLUTIONS ADOPTED

Mr. ANDERSON called up **HR 144, PN 2765**, entitled:

House conveys to National Broadcasting Company anger expressed by Pennsylvanians on premature ending of coverage of Fiesta Bowl football game.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—161

Alden	Fee	Lucyk	Rybak
Anderson	Fischer	McClatchy	Salvatore
Armstrong	Fleck	McVerry	Serafini
Arty	Foster, W. W.	Madigan	Seventy
Barber	Foster, Jr., A.	Manderino	Showers
Belardi	Frazier	Manmiller	Shupnik
Belfanti	Freind	Marmion	Sieminski
Berson	Fryer	Merry	Sirianni
Bittle	Gallagher	Michlovic	Smith, B.
Borski	Gamble	Micozzie	Smith, E. H.
Bowser	Gannon	Miller	Spencer
Brandt	Geist	Miscevich	Spitz
Burd	George	Moehlmann	Stairs
Burns	Gladeck	Morris	Steighner
Caltagirone	Grabowski	Mowery	Stevens
Cawley	Greenwood	Mrkonic	Stuban
Cessar	Grieco	Mullen	Swaim
Cimini	Gruitza	Murphy	Swift
Civera	Gruppo	Nahill	Taddonio
Clark	Haluska	Noye	Taylor, E. Z.
Clymer	Harper	O'Donnell	Taylor, F. E.
Cochran	Hasay	Olasz	Telek
Colafella	Hayes	Oliver	Trello
Cole	Heiser	Pendleton	Vroon
Coslett	Honaman	Perzel	Wambach
Cowell	Hutchinson, A.	Peterson	Wargo
DeMedio	Itkin	Petrarca	Wass
DeVerter	Jackson	Petrone	Wenger
Davies	Johnson	Phillips	Weston

Dawida	Kanuck	Piccola	Wiggins
Deal	Klingaman	Pievsky	Williams, H.
Dietz	Kolter	Pitts	Wilson
Dininni	Kowalyszyn	Pott	Wogan
Dombrowski	Kukovich	Pratt	Wozniak
Donatucci	Lashinger	Pucciarelli	Wright, J. L.
Dorr	Lehr	Punt	Wright, R. C.
Duffy	Lescovitz	Rasco	Zwinkl
Durham	Letterman	Reber	
Emerson	Levi	Richardson	Ryan,
Evans	Livengood	Ritter	Speaker
Fargo	Lloyd	Rocks	

NAYS—25

Blaum	Gallen	Laughlin	Stewart
Boyes	Greenfield	Maiale	Sweet
Cappabianca	Hagarty	Pistella	Tigue
Cordisco	Hoeffel	Rappaport	Van Horne
Cornell	Horgos	Saurman	Wachob
DeWeese	Kennedy	Smith, L. E.	Wright, D. R.
Daikeler			

NOT VOTING—10

Beloff	Levin	Mackowski	Snyder
Cunningham	McIntyre	Rieger	Williams, J. D.
Gray	McMonagle		

EXCUSED—4

Brown	Cohen	Irvis	Lewis
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The question was determined in the affirmative, and the resolution was adopted.

* * *

Mr. COLAFELLA called up **HR 145, PN 2779**, entitled:

House encourage United States Commerce Department move quickly on trade complaints filed against foreign steel exporting countries.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—193

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

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

NAYS—0

NOT VOTING—3

Cunningham	Kanuck	Smith, L. E.
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EXCUSED—4

Brown	Cohen	Irvis	Lewis
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The question was determined in the affirmative, and the resolution was adopted.

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Mr. MRKONIC called up **HR 160, PN 2911**, entitled:

House urges all persons recognize March 15 as "Hungarian Freedom Day."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—191

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

DeVerter	Kennedy	Pievsky	Wass
DeWeese	Klingaman	Pistella	Wenger
Daikeler	Kolter	Pitts	Weston
Davies	Kowalyshyn	Pott	Wiggins
Dawida	Kukovich	Pratt	Williams, H.
Deal	Lashingier	Pucciarelli	Wilson
Dietz	Laughlin	Punt	Wogan
Dininni	Lehr	Rappaport	Wozniak
Dombrowski	Lescovitz	Rasco	Wright, D. R.
Donatucci	Letterman	Reber	Wright, J. L.
Dorr	Levi	Richardson	Wright, R. C.
Duffy	Levin	Rieger	Zwikl
Durham	Livengood	Ritter	
Emerson	Lloyd	Rocks	Ryan,
Evans	Lucyk	Rybak	Speaker

DeWeese	Kanuck	Pievsky	Weston
Daikeler	Kennedy	Pistella	Wiggins
Davies	Klingaman	Pitts	Williams, H.
Dawida	Kolter	Pott	Williams, J. D.
Deal	Kowalyshyn	Pratt	Wilson
Dietz	Kukovich	Pucciarelli	Wogan
Dininni	Lashingier	Punt	Wozniak
Dombrowski	Laughlin	Rappaport	Wright, D. R.
Donatucci	Lehr	Rasco	Wright, J. L.
Dorr	Lescovitz	Reber	Wright, R. C.
Duffy	Letterman	Richardson	Zwikl
Durham	Levi	Rieger	
Emerson	Levin	Ritter	Ryan,
Evans	Livengood	Rocks	Speaker
Fargo			

NAYS—0

NOT VOTING—5

Alden	Hutchinson, A.	Kanuck	Williams, J. D.
Fargo			

EXCUSED—4

Brown	Cohen	Irvis	Lewis
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The question was determined in the affirmative, and the resolution was adopted.

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Mr. TADDONIO called up **HR 127, PN 2551**, entitled:

General Assembly directs Joint State Government Commission organize task force to study methods for assuring abandoned railroad right-of-ways remain available for future use.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—191

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

NAYS—0

NOT VOTING—5

Alden	Madigan	Sweet	Wachob
Frazier			

EXCUSED—4

Brown	Cohen	Irvis	Lewis
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The question was determined in the affirmative, and the resolution was adopted.

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

REMARKS ON VOTE

The SPEAKER. Does the gentleman from Mercer, Mr. Fargo, desire recognition?

Mr. FARGO. Yes, Mr. Speaker.

I was away from my seat for HR 160. I would like my vote recorded in the affirmative.

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

RESOLUTIONS ADOPTED CONTINUED

Mr. PETRARCA called up **HR 156, PN 2877**, entitled:

General Assembly extends congratulations to Republic of Italy for success in carrying out rescue of General James L. Dozier.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

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

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

NAYS—0

NOT VOTING—2

Alden Serafini

EXCUSED—4

Brown Cohen Irvis Lewis

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

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

* * *

Mr. HAYES called up **SR 225, PN 2873**, entitled:

Urging necessary steps be taken to assure safe and permanent disposal of low-level and high-level radioactive wastes.

On the question,

Will the House concur in the resolution of the Senate?

The following roll call was recorded:

YEAS—190

Anderson	Fee	Lucyk	Rybak
Armstrong	Fischer	McClatchy	Salvatore
Arty	Fleck	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, E. H.
Blaum	Gallen	Manmiller	Smith, L. E.
Borski	Gamble	Marmion	Snyder
Bowser	Gannon	Merry	Spencer
Boyes	Geist	Michlovic	Spitz
Brandt	George	Micozzie	Stairs
Burd	Gladeck	Miller	Steighner
Burns	Grabowski	Miscevich	Stevens
Caltagirone	Gray	Moehlmann	Stewart
Cappabianca	Greenwood	Morris	Stuban
Cawley	Grieco	Mowery	Swaim
Cessar	Gruitza	Mrkonic	Sweet

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

NAYS—0

NOT VOTING—6

Alden Greenfield Saurman Smith, B.
Cunningham Haluska

EXCUSED—4

Brown Cohen Irvis Lewis

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

Ordered, That the clerk inform the Senate accordingly.

REMARKS ON VOTE

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

Mr. SAURMAN. Mr. Speaker, my switch failed to operate on the last vote. I would like to be recorded in the affirmative on SR 225.

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

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED

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

An Act amending the act of July 1, 1937 (P. L. 2681, No. 537), entitled "An act relating to, and regulating the manufacture, storing, and possession of explosives; requiring permits for magazines, and prescribing permit fees; and providing penalties," exempting the storage of certain explosives from regulation by the department and requiring certain quantities of explosives in commercial establishments to be stored in specified magazines and imposing a penalty.

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 HB 617.

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—187

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

NAYS—6

Cawley	Letterman	Lucyk	Manderino
Hutchinson, A.	Lloyd		

NOT VOTING—3

Alden	Cunningham	Punt
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EXCUSED—4

Brown	Cohen	Irvis	Lewis
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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 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:

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

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

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

Mr. W. W. FOSTER. Mr. Speaker, I suggest that the House do concur in the amendments inserted by the Senate to HB 1776.

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

Mr. DOMBROWSKI. Mr. Speaker, may I interrogate the gentleman, Mr. Foster, please?

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

Mr. DOMBROWSKI. Mr. Speaker, the Senate inserted an amendment that says that any zoo that is currently funded by any governmental funds will not be subject to this legislation. Is that true?

Mr. W. W. FOSTER. Yes; it is.

Mr. DOMBROWSKI. All right. Mr. Speaker, in the future, should the city of Erie or the city of Pittsburgh or the city of Philadelphia, if their funds become a little tight and Federal funds keep drying up as they are now and there are no funds available to fund a zoo in these cities, would they then come under this legislation? Would they then have to pay a fee?

Mr. W. W. FOSTER. Well, I would assume that they would, but I could not be sure of that answer. But the way the legislation is written now, it would be my understanding that in all probability they would.

Mr. DOMBROWSKI. I believe your answer, Mr. Speaker. Now I have concern that why, after all the years that these zoos have been in existence and never had any problem, why are you going to start charging a fee if all other funds are dried up?

Mr. W. W. FOSTER. Well, at the present time we are not going to charge them any fee. As long as their expenses are augmented by some Federal funding, we are not going to charge them a fee. Now, if this should happen in the future, why, then we will have to address that matter when it arises, but for the present time they are not going to be charged anything.

Mr. DOMBROWSKI. I understand that part of it. I am talking about future years. I am talking about when these funds are dried up.

I had requested of the Game Commission that they hold the bill and try to put that amendment into the bill now, but their suggestion was that we wait until we get to that bridge and then we cross it. For example, if the Federal funds dry up, they said then we could offer an amendment to the existing law, and you know it is not always easy to get a bill such as that out of committee. It is not my intention to hold the bill up, but I am going to vote in the negative for that reason. Thank you, Mr. Speaker.

Mr. W. W. FOSTER. It would be my opinion, I do not see how we can anticipate what is going to happen in the future. And it does not necessarily have to be Federal funds; it could be any type of county funding or State funding or what have you. But to write legislation in advance of what is actually going to happen, I think it would be very difficult. This is a very important piece of legislation that we do need passed, and I would certainly encourage the members to vote in favor of the Senate amendments and to concur. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Clearfield, Mr. George, on the question of concurrence.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, I do not believe that what I am about to say will influence or deter what you have already intended to do with this bill, but I find myself not only amazed but somewhat disappointed in that I listen daily to very fine individuals who I thought had a great concern for all of the people in Pennsylvania, and then I look at a bill such as this where we continue to insist that those who have a lot of money can expect any exceptional privilege because they can afford a fee. Again I study this bill and I say that over the past 15 or 20 years, many times I have witnessed where a deer, a fawn, had been lost from its parent, and a little youngster would take that fawn into the domicile or the home, bottle-feed it, raise it, and was completely responsible for the fact that that wild animal in some ways became partly domesticated, and kept it thriving and gave it continued life. As soon as the game warden found out about that, Mr. Speaker, down to the home he would come and tell you that what you were doing by maintaining and harboring that animal was illegal and you had to give it up. Now we come along with a bill that says if you come from a family and you can afford \$300, you can keep that animal. That is what this insists upon.

Mr. Speaker, I do not know what you are going to do, but I am going to vote "no." Thank you very much.

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

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

Just in rebuttal to Representative George, he cites an example where on occasion a fawn or some young animal is taken in by somebody like that and it is nourished back to life. I think if we had the records to prove it, there would be many more instances where this is done and the animal dies because it is taken away from its mother. It is only good sense that if you find something like that out in the wild, the best thing to

do is to leave it alone, because many times that mother will be in the near proximity of the very deer or whatever they have taken and they do not see that. Once they leave, that mother takes that animal back. I think if we did have the records and so forth to prove this, why, you would see that it is just the reverse of what he says. On occasion this does happen where an animal will be stranded and some youngster or some adult takes it in and perhaps keeps it and keeps it alive, but actually, this bill is designed not to make money or to put any burden on any citizen of the State of Pennsylvania but to protect some of the wild animals that are now being kept and not being kept correctly. Actually, that is what the bill is for and that is what the bill does. There is not a thing wrong with this, and it certainly should be enacted into law. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Clearfield, Mr. George, for the second time on the question.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, it will never be my intent to try to discredit the philosophy of any other member or a statement of such, but my colleague just stood before all of you and said that the concern was exactly opposite to what I had stated. They have a legitimate concern about these animals that are harbored, and they care for them and they want them to live. I agree with him, he does, but I also ask what part of his argument could stand water, because what the bill says is that we are concerned about these animals, but if you are willing to pay \$300 for a permit, you can continue to keep them. Again I suggest that this is fastly becoming a State of where those who are affluent can do anything and those who have just a desire and a compassion but cannot afford the permit or the license are not able to do anything. Thank you very much.

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

Mr. LLOYD. Thank you, Mr. Speaker.

Since this bill was passed in the House originally, and I believe probably since this bill was amended in the Senate, we have had several unfortunate incidents in this State dealing with wildlife. One of those, with which those of us from the western part of the State are very familiar, occurred when a cougar mauled a young boy at the Civic Arena in Pittsburgh. In addition, in my county there was a problem with a lion running loose which had to be killed.

Mr. Speaker, I support the concept of this bill, but I suggest to the members that we ought to take the opportunity to put this bill into a conference committee so that we can revise this bill to take account of those recent problems and make sure that this bill will actually solve those problems.

Mr. Speaker, what this bill does now without that further action by the conference committee is increase by \$285 the annual fee which a menagerie owner has to pay in order to have a permit. Now, he already does have to have a permit, and there is no reason in the world to believe that the cost to the Game Commission of policing those permits has risen by that percentage.

Secondly, Mr. Speaker, this bill would require a wildlife possession permit of \$200, and there is substantial question, Mr. Speaker, in some people's minds as to whether certain

people ought to be able to have particular kinds of wildlife at all, and in other people's minds as to whether or not there should not be some differentiation, depending upon where those wildlife are kept and the conditions under which they are kept.

Furthermore, Mr. Speaker, there is a requirement in this bill for a \$500 fee for a wildlife trader's permit.

The SPEAKER. Will the gentleman yield.

The question before the House is concurrence in the amendments inserted by the Senate, not the bill itself.

The gentleman may proceed.

Mr. LLOYD. Thank you, Mr. Speaker.

My point, Mr. Speaker, is simply this: As the gentleman, Mr. Dombrowski, and the gentleman, Mr. George, have pointed out, it is not easy to change these laws. Here we have on the calendar a bill as amended by the Senate, which makes some changes in a law which needs some hard looking at. We have an opportunity to resolve Mr. Dombrowski's problem with the Senate amendments, to resolve the problems I have raised, and to resolve the question that Mr. George has raised and to write a bill which will really avoid those recent events and provide the right kind of deterrent and protection.

Our remedy, Mr. Speaker, is to vote to nonconcur and to send this bill to a conference committee so it can be reworked and brought back to us resolving these problems in a fair way. Thank you, Mr. Speaker.

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

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

Two things I would like to point out, one that I neglected before. To the last speaker, I have not contacted all the menagerie owners or all the zoos in the State, of course, but I have had calls from a good many of them, and the ones who run a legitimate roadside menagerie or a zoo are highly in favor of this legislation. What they are trying to stop are those places that have a bear in a cage, a lion or a tiger or something to attract business. This is the thing that they are trying to get rid of. The person who runs a legitimate roadside menagerie or our zoos that we have—and we have many fine ones in this State—are highly supportive of this legislation.

Now, to get back to Representative George—and I should have brought this out before, but I neglected to—this bill does not pertain to any natural wildlife in the State of Pennsylvania. The only animals that this includes, and I am going to read them off, are: bears, coyotes, lions, tigers, leopards, jaguars, cheetahs, cougars, and wolves. It does not pertain to deer and it does not pertain to raccoons or squirrels or rabbits, the normal animal that someone would bring in, as Representative George mentioned.

Again, I just want to reiterate that this is an extremely important piece of legislation that the Game Commission needs to control some of the inadequacies that are happening in this State today. We have lions in the city of Philadelphia that are living in apartment houses. They tie them up to a lightpost out in the street, to car bumpers and everything else, and this is what this bill is aimed at. I would certainly appreciate your consideration and a vote in the affirmative on concurrence in Senate amendments. Thank you.

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

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

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

Mr. LETTERMAN. Mr. Speaker, there is one thing that has me concerned about this bill. I realize the need for it for a lot of the animals that are being kept in Pennsylvania. The one that bothers me is, have you been able to do anything about the person who has taken a bear, when the mother was hit, and raised that bear all these years, like 4 or 5 years, and now this man is going to be forced to pay \$300 for keeping that bear?

Mr. W. W. FOSTER. Let me stop you right there, Mr. Speaker. It is not \$300 for that instance; it is \$200.

Mr. LETTERMAN. Okay, \$200 to keep that bear.

Mr. W. W. FOSTER. Right.

Mr. LETTERMAN. Now, is he allowed, by law, to release that animal?

Mr. W. W. FOSTER. Technically, probably, he is not, but I think you had the answer to that question, because you and I have talked about this before.

Mr. LETTERMAN. No, I have not. That is why I am waiting. I still have not gotten that answer. That really has me concerned. That is the only part of the bill that really has me concerned, and the bear especially, because that bear could be released and could fend for itself, because nothing else is going to attack it. But that one animal has me really concerned on this bill, because I know personally of about 50 animals like this that are kept and kept well, but people are going to want to get rid of them because they cannot afford that extra money.

Mr. W. W. FOSTER. Well, I am going to answer that question this way: If I had a bear and I had him in captivity for 5 years and I did not want to pay the \$200, I would let him go.

Mr. LETTERMAN. But you could be arrested for it. That is what I am talking about. And most of the game wardens know where these bear are.

Mr. W. W. FOSTER. Well, it would be my opinion that they are not going to go around looking for these special, unique cases to put a fine on somebody who would have an animal like that.

I cannot answer that question any way other than how I have answered it. I think we have all had experience enough with things like that to know what you would do and what you would not do.

Mr. LETTERMAN. Okay. Thank you.

May I make a statement, Mr. Speaker?

The SPEAKER. The gentleman is in order.

Mr. LETTERMAN. Mr. Speaker, I realize the need for this type of legislation to some extent, but I think that there should have been something done about several of the things that I brought to the attention of the Game Commission, and I do not think I got the proper answers to those things, and therefore, I would ask for nonconcurrence until we can get them. Thank you.

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

Mr. DOMBROWSKI. Mr. Speaker, may I ask Mr. Foster one further question, please?

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

Mr. DOMBROWSKI. Mr. Speaker, in your statement you had said that you have contacted all of the established zoos, and to a great extent they were in favor of this legislation. Did you contact them before the Senate amendments or after?

Mr. W. W. FOSTER. Most of the time it was before.

Mr. DOMBROWSKI. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the lady from Susquehanna, Miss Sirianni.

Miss SIRIANNI. Mr. Speaker, I rise in support of this bill. There are too many menageries starting up all over the State because people have decided to take wild animals as pets, and they are a threat to those who live around them. They do not keep the animals properly. I could take you to 10 places within an hour in a 50-mile radius where they are not even taking care of the animals properly, and they just have decided to have these wild animals as pets. They are a threat to all the people who live around them. How would you like to live on a farm next to a lion, or next to a bear? A turkey I can take, but not a lion or a bear.

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—140

Alden	Fleck	Mackowski	Sieminski
Anderson	Foster, W. W.	Madigan	Sirianni
Armstrong	Foster, Jr., A.	Manmiller	Smith, B.
Arty	Frazier	Marmion	Smith, E. H.
Barber	Freind	Merry	Smith, L. E.
Belardi	Gallagher	Micozzie	Snyder
Beloff	Gallen	Miller	Spencer
Berson	Gamble	Moehlmann	Spitz
Bittle	Gannon	Mowery	Stairs
Bowser	Geist	Mrkonic	Stevens
Boyes	Gladeck	Mullen	Stuban
Brandt	Grabowski	Murphy	Swift
Burd	Gray	Nahill	Taddonio
Burns	Greenwood	Noye	Taylor, E. Z.
Caltagirone	Grieco	Olasz	Taylor, F. E.
Cessar	Gruppo	Pendleton	Telek
Cimini	Hagarty	Perzel	Tigue
Civera	Hasay	Peterson	Trello
Clymer	Hayes	Petrone	Vroon
Cochran	Heiser	Phillips	Wambach
Cordisco	Hoeffel	Piccola	Wargo
Cornell	Honaman	Pievsky	Wass
Coslett	Horgos	Pott	Wenger
Cowell	Itkin	Punt	Weston
Cunningham	Jackson	Rasco	Wiggins
DeVerter	Johnson	Reber	Williams, H.
Daikeler	Kanuck	Ritter	Wilson
Davies	Kennedy	Rocks	Wogan
Dawida	Kowalyszyn	Rybak	Wright, D. R.
Dietz	Kukovich	Salvatore	Wright, J. L.
Dininni	Lashingner	Saurman	Wright, R. C.
Duffy	Lehr	Serafini	Zwikel
Durham	Levi	Seventy	
Evans	Levin	Showers	Ryan,
Fargo	McClatchy	Shupnik	Speaker
Fischer	McVerry		

NAYS—50

Belfanti	Dorr	Letterman	Petrarca
Blaum	Fee	Livengood	Pistella
Borski	Fryer	Lloyd	Pucciarelli
Cappabianca	George	Lucyk	Richardson
Cawley	Greenfield	McIntyre	Rieger
Clark	Gruitza	McMonagle	Steighner
Colafella	Haluska	Maiale	Stewart
Cole	Harper	Manderino	Swaim
DeMedio	Hutchinson, A.	Michlovic	Sweet
DeWeese	Klingaman	Morris	Van Horne
Deal	Kolter	O'Donnell	Wachob
Dombrowski	Laughlin	Oliver	Wozniak
Donatucci	Lescovitz		

NOT VOTING—6

Emerson	Pitts	Rappaport	Williams, J. D.
Miscevich	Pratt		

EXCUSED—4

Brown	Cohen	Irvis	Lewis
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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.

**ANNOUNCEMENT BY MAJORITY LEADER
REQUEST FOR RECESS**

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Thank you, Mr. Speaker.

It is my understanding that the Conference Committee on SB 1102 has met and also issued a report. I think before this House of Representatives adjourns for the next 2 weeks that we consider that conference report, if in fact the Senate passes the same. I have asked persons on our House staff to reproduce the conference report and have those reports distributed to the two respective caucuses, and I would ask the two caucus chairmen to meet on that report so that when we return this afternoon, besides those other measures which have been held over temporarily, we can also direct our attention to the Conference Report on SB 1102.

Because it will necessitate a caucus, I would suggest that we recess the House of Representatives, not only for the purpose of taking lunch but also for the purpose of caucus, until 2 p.m.

DEMOCRATIC CAUCUS

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

Mr. O'DONNELL. Mr. Speaker, we will caucus for the Democrats at 1:30 in the caucus room. The only subject will be SB 1102. Thank you.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the gentleman from Perry, Mr. Noye.

Mr. NOYE. Thank you, Mr. Speaker.

Republicans will begin caucus promptly at 1:30 on SB 1102 and on SB 179.

The SPEAKER. The members are reminded that both parties will caucus at 1:30 and that the House will return to session at 2 p.m.

REPORT OF COMMITTEE OF CONFERENCE PRESENTED

Mr. LEHR presented the Report of the Committee of Conference on **SB 277, PN 1733**.

REPORT OF COMMITTEE OF CONFERENCE PRESENTED

Mr. KLINGAMAN presented the Report of the Committee of Conference on **SB 1102, PN 1732**.

BILLS SIGNED BY SPEAKER

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

HB 617, PN 2866

An Act amending the act of July 1, 1937 (P. L. 2681, No. 537), entitled "An act relating to, and regulating the manufacture, storing, and possession of explosives; requiring permits for magazines, and prescribing permit fees; and providing penalties," exempting the storage of certain explosives from regulation by the department and requiring certain quantities of explosives in commercial establishments to be stored in specified magazines and imposing a penalty.

HB 1776, PN 2900

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

BILLS TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I move that SB 1085 and SB 1086 be placed upon the table.

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

BILLS REMOVED FROM TABLE FOR CALENDAR

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I move that the following bills be removed from the table for the active calendar:

HB 1578;
HB 1815;
HB 1816;
HB 1885;
HB 1886;
HB 1413;
HB 1822;

HB 65;
HB 1783;
SB 433;
HB 349;
HB 192;
HB 198;
HB 1191;
HB 1380;
HB 1651; and
SB 995.

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

RECESS

The SPEAKER. This House, without objection, will stand in recess until 2 p.m. The Chair hears no objection.

AFTER RECESS

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

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 1102, PN 1732**.

SUPPLEMENTAL CALENDAR A REPORT OF COMMITTEE OF CONFERENCE CONSIDERED

Mr. HAYES called up for consideration the following Report of the Committee of Conference on **SB 1102, PN 1732**, 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 adopt the report of the committee of conference?

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

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, the conference report removes from the House version of the bill the amendment which I offered last week to install on the property tax and rent rebate schedule

intermediate brackets to assure that all senior citizens would receive or would share in the increased rebate.

Mr. Speaker, as a result of this decision by the conference committee, as many as 25 percent of the senior citizens eligible for the program will not receive a higher percentage of rebate. In addition, as a result of the conference committee action, if a senior citizen moves from one income bracket to the next higher bracket, he will lose 20 percent of his rebate.

Mr. Speaker, without repeating the arguments made last week, I think that is unfair and inequitable, but, Mr. Speaker, I do not think that we can hold up the bill at this point, and so what I intend to do is introduce a bill embracing my amendment when we come back, and then it can be given consideration by the body, and we can look at all of the aspects and determine a way in which we can correct this inequity which is now contained in the conference report. So, therefore, Mr. Speaker, I urge approval of the conference report. Thank you.

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

Mr. MISCEVICH. Thank you, Mr. Speaker.

Mr. Speaker, I would like to express my disappointment in the Conference Report on SB 1102. I had inserted an amendment into the bill, and it was approved by the House unanimously, that would give the meals on wheels \$1 million to buy equipment that is not older than 2 years and/or manufactured in the United States. However, the conference committee seemed to see fit to remove this amendment from that particular piece of legislation. I, however, do recommend that we do adopt the Committee of Conference Report on SB 1102, and I do at this time have legislation being drawn up to the effect where we can supply some equipment to the meals on wheels program, and I hope that everybody would consider adding their name to that piece of legislation.

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

Mr. LAUGHLIN. Mr. Speaker, as briefly as possible, as the member of the conference committee from the Democratic side of the aisle, I wish to explain in detail to the members what exactly happened at that conference committee as it relates to the amendments.

First of all, Mr. Speaker, Mr. Manderino's amendment, which was to raise the level of reimbursement to \$200, was voted down. It was not voted down unanimously; it was voted down by a vote of 4 to 2, with the Democratic members of the conference committee supporting it.

Representative Misceovich's amendment was also voted down by a vote of 4 to 2. Representative Lloyd's amendment was also voted down by a vote of 4 to 2, and the conference committee report was signed by only four members, those present, being the members of the majority party in the House and the Senate.

Mr. Speaker, I feel personally that many of the arguments that were presented by Senator Lloyd and myself were certainly of those types that would have warranted support from our colleagues. However, they chose to ignore the need of the people at this time by stating that there is in some way a

designed shortage of funds that are available in the State lottery. Mr. Speaker, I had offered amendments as late as 4 years ago to use anticipated revenues of the lottery, which we have been utilizing for years, and so the amount of revenue that was available at the present time would have not been the determining factor, but indeed the moneys that would become available over the next year or 2 could certainly have been utilized to meet those needs.

I do not wish for the members from this side of the aisle to believe that any member whom they selected for that conference committee went there with anything but the intention of supporting the position. It is unfortunate that we were not successful in maintaining that position. However, I would hope that a number of the conferees who were there who indicated that they agree with Representative Lloyd's position, they agree that the senior citizens need the additional money, will certainly vote it after the fiscal year begins July 1 with regard to the lottery. Thank you, Mr. Speaker.

On the question recurring,

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—196

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

Dorr	Lescovitz	Richardson	Wright, R. C.
Duffy	Letterman	Rieger	Zwilk
Durham	Levi	Ritter	
Emerson	Levin	Rocks	Ryan,
Evans	Livengood	Rybak	Speaker
Fargo	Lloyd		

NAYS—0

NOT VOTING—0

EXCUSED—4

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

Ordered, That the clerk inform the Senate accordingly.

REMARKS ON VOTES

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

Mr. CUNNINGHAM. Mr. Speaker, I would like to be recorded in the affirmative on HB 2212, HB 2199, HR 144 and HR 145, SR 225, and concurrence in Senate amendments to HB 617. Thank you.

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

CALENDAR RESUMED

The SPEAKER. To explain to the members the delay, there are four bills that are to be voted on today, and amendments were not given to the amendment clerk until 2:15 to have them reprinted. Now, if the members have complaints as to delays in the session, it may very well be we should look to one another for these delays. Many of these bills have been on the calendar for 10 and 12 days.

CONSIDERATION OF HB 2211 RESUMED

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. COWELL offered the following amendments No. A6649:

Amend Title, page 1, line 14, by striking out "an"

Amend Title, page 1, line 15, by striking out all of said line and inserting projects.

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

Section 1. Clause A of section 1, act of December 22, 1981 (P.L.558, 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 the Department of General Services, and transportation assistance projects to be acquired or constructed by the Pennsylvania Department of Transportation together with their estimated financial cost; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed or acquired by the Department of

General Services or Department of Transportation, stating the estimated useful life of the projects and making appropriations," is amended to read:

Section 1. Itemization and authorization of public improvement projects.

Additional capital projects in the category of public improvement projects to be constructed or acquired by the Department of General Services, its successors or assigns, and to be financed by the incurring of debt, are hereby itemized, together with their respective estimated financial costs and the total additional amount authorized for the public improvement projects, as follows:

A. Total Project Authorization	[\$251,206,000]
	<u>\$257,206,000</u>

* * *

Section 2. The heading of subdivision III of clause B of section 1 of the act is amended and a project is added to read:

Section 1. Itemization and authorization of public improvement projects.

Additional capital projects in the category of public improvement projects to be constructed or acquired by the Department of General Services, its successors or assigns, and to be financed by the incurring of debt, are hereby itemized, together with their respective estimated financial costs and the total additional amount authorized for the public improvement projects, as follows:

* * *

B. Itemization of Public Improvement Projects:

Project	Base Project Allocation	Design & Contingency Allocation	Total Project Allocation
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* * *

III. Department of

General Services	[\$106,594,000	\$21,319,000	\$127,913,000]
	<u>\$111,594,000</u>	<u>\$22,319,000</u>	<u>\$133,913,000</u>

* * *

(L) Improvements to

<u>Pittsburgh State Office Building</u>	<u>5,000,000</u>	<u>1,000,000</u>	<u>6,000,000</u>
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Amend Sec. 1, page 1, line 18, by striking out "I" and inserting

3

Amend Sec. 1, page 1, lines 19 through 24, and page 2, lines 1 through 8, by striking out all of lines 19 through 24, page 1; and all of lines 1 through 7, and "appropriations," in line 8, page 2 and inserting

section 4 of the act

Amend Bill, page 3, line 10, by striking out all of said line and inserting

Section 4. Subsection (a) of section 6 and subsection (a) of section 9 of the act are amended to read:

Section 6. Debt authorization.

(a) The Governor, Auditor General and State Treasurer are hereby authorized and directed to borrow, from time to time, in addition to any authorization heretofore or hereafter enacted, on the credit of the Commonwealth, subject to the limitations provided in the current capital budget, money not exceeding in the aggregate the sum of [\$223,151,645] \$229,151,645 as may be found necessary to carry out the acquisition and construction of the public improvement projects specifically itemized in a capital budget.

* * *

Section 9. Appropriation.

(a) The net proceeds of the sale of the obligations herein authorized are hereby appropriated from the Capital Facilities Fund to the Department of General Services in the maximum amount of [\$223,151,645] \$229,151,645 to be used by it exclu-

sively to defray the financial cost of the public improvement projects specifically itemized in a capital budget. After reserving or paying the expenses of the sale of the obligation, the State Treasurer shall pay to the Department of General Services the moneys as required and certified by it to be legally due and payable.

Section 5. Project (c) of subdivision V of clause B of section 1, act of December 18, 1980 (P.L.1252, No.228), entitled "A supplement to the act of October 6, 1980 (No.145), entitled 'An act providing for the capital budget for the fiscal year 1980-1981,'" is repealed.

Section 6. This act shall take effect immediately.

On the question,

Will the House agree to the amendments?

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

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, this amendment deals with the State office building in Pittsburgh. As part of the 1980-81 capital budget, we appropriated approximately \$1.2 million for what were deemed to be at that time some minor repairs for that building. Upon further study by the Department of General Services, Secretary Baran has concluded that the minor repairs would not be sufficient and in fact more major work is necessary. He has recommended that a \$5-million appropriation would be required to do the necessary replacement work with the window system as well as to install a new boiler system, and he indicated those recommendations in a letter this past fall to Senator Hager, and I would simply note that the last paragraph of that letter reads, "I cannot over-emphasize the need for a positive action on this matter. Knowing the deficiencies that exist within the building and the imminent danger to the citizenry, this is a must." That was Secretary Baran.

So we ask for concurrence in this amendment, which would increase the original \$1.2-million appropriation to a \$5-million appropriation. Thank you.

The SPEAKER. The Chair recognizes the majority whip.

Mr. CESSAR. Thank you, Mr. Speaker.

I concur with the gentleman from Allegheny County, the money is needed, and I would appreciate an affirmative vote.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—188

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

Caltagirone	Grieco	Mowery	Stewart
Cappabianca	Gruitza	Mrkonic	Stuban
Cawley	Gruppo	Mullen	Swaim
Cessar	Hagarty	Murphy	Sweet
Cimini	Haluska	Nahill	Taddonio
Civera	Harper	Noye	Taylor, E. Z.
Clark	Hasay	O'Donnell	Taylor, F. E.
Clymer	Hayes	Olasz	Telek
Cochran	Heiser	Oliver	Tigue
Colafella	Hoeffel	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	Wilson
Dawida	Kukovich	Pucciarelli	Wogan
Dietz	Lashingier	Punt	Wozniak
Dininni	Laughlin	Rappaport	Wright, D. R.
Dombrowski	Lehr	Rasco	Wright, J. L.
Donatucci	Lescovitz	Reber	Wright, R. C.
Dorr	Letterman	Rieger	Zwilk
Duffy	Levi	Ritter	
Durham	Livengood	Rocks	Ryan,
Evans	Lloyd	Rybak	Speaker
Fargo	Lucyk		

NAYS—2

Fleck	Swift
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NOT VOTING—6

Deal	Gray	Richardson	Williams, J. D.
Emerson	Levin		

EXCUSED—4

Brown	Cohen	Irvis	Lewis
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The question was determined in the affirmative, and the amendments were agreed to.

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—190

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

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

NAYS—0

NOT VOTING—6

Blaum	Emerson	Wachob	Williams, J. D.
Colafella	Fargo		

EXCUSED—4

Brown	Cohen	Irvis	Lewis
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

**CONSIDRATION OF SB 179 RESUMED
BILL REMOVED FROM TABLE**

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

Mr. SPENCER. Mr. Speaker, I move that SB 179, PN 1545, be removed from the table and placed on the active calendar.

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

On the question recurring,
Shall the bill pass finally?

REMARKS ON VOTE

The SPEAKER. Does the gentleman from Mercer, Mr. Fargo, desire recognition?

Mr. FARGO. My switch failed to operate while voting for HB 2211. I would like my vote recorded in the affirmative.

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

CONSIDERATION OF SB 179 CONTINUED

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—171

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

NAYS—19

Belardi	Fryer	Marmion	Sieminski
Blaum	Hayes	Merry	Taylor, E. Z.
Brandt	Heiser	Pratt	Tigue
Burns	Johnson	Saurman	Wilson
Cawley	Kanuck	Serafini	

NOT VOTING—6

Grabowski	McIntyre	Trello	Williams, J. D.
Letterman	Taddonio		

EXCUSED—4

Brown	Cohen	Irvis	Lewis
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

**BILLS ON THIRD
CONSIDERATION CONTINUED**

The House proceeded to third consideration of **HB 1739, PN 2350**, entitled:

An Act amending the "Banking Code of 1965," approved November 30, 1965 (P. L. 847, No. 356), further providing for investment in fixed assets, purchase of acceptances, competing regulated lenders, deposits in savings banks, *** placing restrictions against a trust company holding its own stock; permitting a restricted number of trustees of a savings bank to serve as directors of trust companies; deleting certain restrictions on loans; and permitting conversion of mutual savings banks into stock savings banks.

On the question,

Will the House agree to the bill on third consideration?

Mr. L. E. SMITH offered the following amendments No. A6552:

Amend Sec. 18 (Sec. 1609), page 26, line 16, by inserting after "a"

mutual

Amend Sec. 18 (Sec. 1609), page 26, line 17, by inserting after "other"

mutual

Amend Sec. 18 (Sec. 1609), page 26, line 18, by inserting after "banks."

In the event the book value of the total assets of the acquired mutual savings bank is less than 1% in excess of the book value of the total liabilities, the resulting institution may maintain as a branch, any office operated by the acquired institution.

Amend Sec. 18 (Sec. 1609), page 26, line 20, by inserting after "more"

mutual

Amend Sec. 18 (Sec. 1609), page 26, line 21, by inserting after "a"

mutual

Amend Sec. 18 (Sec. 1609), page 26, line 22, by inserting after "new"

mutual

Amend Sec. 18 (Sec. 1609), page 26, line 27, by inserting after "more"

mutual

Amend Sec. 18 (Sec. 1609), page 26, line 29, by inserting after "a"

mutual

Amend Sec. 18 (Sec. 1609), page 27, line 1, by inserting after "new"

mutual

Amend Sec. 1 (Sec. 1609), page 27, line 3, by inserting after "a"

mutual

Amend Sec. 18 (Sec. 1609), page 27, line 9, by inserting after "a"

mutual

Amend Sec. 18 (Sec. 1609), page 27, line 11, by inserting after "a"

mutual

Amend Sec. 18 (Sec. 1609), page 27, line 16, by inserting after "a"

mutual
Amend Sec. 18 (Sec. 1609), page 27, line 21, by inserting after "a"

mutual
Amend Sec. 1 (Sec. 1609), page 27, line 25, by inserting after "Bank."

A stock savings bank shall have authority, upon compliance with the requirements of this section, to enter into a merger or consolidation with one or more other stock savings banks, banks, bank and trust companies, trust companies or stock savings and loan associations.

Amend Sec. 18 (Sec. 1609), page 36, line 16, by striking out "MARKET" and inserting

book

Amend Sec. 18 (Sec. 1609), page 36, by inserting between lines 18 and 19

(j) In the event of conversion by a mutual savings bank to a stock savings bank, all depositors shall be given a preemptive right to purchase stock. The preemptive right to depositors shall be nonassignable. The department, by regulation, shall prescribe the terms on which such preemptive rights may be exercised. In the event the book value of the total assets of the savings bank is less than one percent in excess of the book value of its total liabilities, no preemptive rights will be given depositors. A stock savings bank which has converted from a mutual savings bank may not be voluntarily liquidated for a period of ten years from the date of conversion.

On the question,

Will the House agree to the amendments?

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

Mr. L. E. SMITH. Mr. Speaker, when this bill came out of the Business and Commerce Committee last October, we had drawn language which would permit mutual savings banks to convert to stock institutions. Following the passage of similar legislation dealing with savings and loan associations, we discovered that the language that had been inserted by the committee in October was rather loosely drawn and should be tightened. This language dealing with amendment 6552 does that, and I would ask for an affirmative vote.

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

Mr. TAYLOR. Thank you, Mr. Speaker.

I rise to also support the amendment offered by the gentleman from Jefferson. It does exactly what he said, and it does tighten the rules that they will be able to sell the stock and mergers under. Therefore, I think it is a good amendment and should be supported by everybody.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—191

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

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

NAYS—2

Coslett Manderino

NOT VOTING—3

Alden Beloff Gray

EXCUSED—4

Brown Cohen Irvis Lewis

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?

The SPEAKER. The Chair recognizes the gentleman from Jefferson, Mr. Smith, who offers amendment A6672.

Mr. L. E. SMITH. Mr. Speaker, I would like to withhold this amendment temporarily pending the outcome of another amendment, which I have just seen for the first time offered by Representative Laughlin, and ask that you either consider Representative Laughlin or Representative Cappabianca's amendment.

On the question recurring,

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

Mr. LAUGHLIN offered the following amendments No. A6686:

Amend Sec. 5, page 6, line 27, by striking out "AND A SECTION IS ADDED"

Amend Sec. 5 (Sec. 319), page 7, lines 6 through 13 by striking out all of said lines

On the question,

Will the House agree to the amendments?

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

Mr. LAUGHLIN. Mr. Speaker, section 319 is proposed as the most-favored-lender clause. It has caused a great deal of difficulty within the State of Pennsylvania as it relates to the Federally chartered banks and their use and their circumvention of our interest rates within the State. What has happened, to be specific, is that whenever any rate is authorized for any State institution of lending, then any corresponding institution that utilizes the most-favored-lender principle is eligible to charge the highest rate of interest that those particular smaller institutions would charge. Now, what in effect happens is that a loan of a substantial nature that is collateralized is certainly one that the bank can make with very little risk. On the other hand, at the same time we have loans that are granted by smaller companies - building and loans, trust companies, our discount credit companies, and so on - and those other institutions that are covered by the Federal Depository Insurance Act have the effect of allowing Federally chartered banks and other banks in the State to utilize the most-favored-lender principle by which they then are able to charge a higher rate for a loan that in fact is of a lesser exposure as far as their risk is concerned.

Mr. Speaker, I ask an affirmative vote on this amendment so as to protect the interests of the people with regard to this situation. The Governor of this State and the President of this Nation have pointed out the problems that we have with regard to interest rates. I have been attempting on the floor of this House for the past 3 years to point them out, and I ask for an affirmative vote on this amendment. Thank you.

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

Mr. L. E. SMITH. Mr. Speaker, I rise in opposition to this amendment. There is not one thing we can do on the floor of this House or through the Department of Banking to control what national banks can do in Pennsylvania as far as this issue is concerned, most favored lender. National banks have it. We have granted State-chartered savings and loan associations here in this body the same concept, the most-favored-lender concept. I would ask for a negative vote.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—75

Barber	Gamble	McMonagle	Ritter
Belfanti	George	Manderino	Rocks
Berson	Grabowski	Michlovic	Rybak
Blaum	Gray	Miscevich	Seventy
Borski	Greenfield	Mrkonic	Shupnik
Caltagirone	Gruitza	Mullen	Steighner
Cawley	Haluska	Murphy	Stewart
Clark	Harper	O'Donnell	Suban
Cowell	Hoeffel	Olasz	Swaim

DeMedio	Horgos	Oliver	Tigue
DeWeese	Kolter	Pendleton	Trello
Dawida	Kowalshyn	Petrarca	Wachob
Deal	Kukovich	Petrone	Wambach
Dombrowski	Laughlin	Pievsky	Wargo
Donatucci	Lescovitz	Pistella	Wiggins
Duffy	Levin	Pratt	Williams, J. D.
Evans	Lloyd	Pucciarelli	Wozniak
Fee	Lucyk	Richardson	Zwikl
Gallagher	McIntyre	Rieger	

NAYS—116

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

NOT VOTING—5

Alden	Morris	Williams, H.	Wright, R. C.
Emerson			

EXCUSED—4

Brown	Cohen	Irvis	Lewis
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The question was determined in the negative, and the amendments were not agreed to.

On the question recurring,

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

Mr. CAPPABIANCA offered the following amendments No. A6682:

Amend Sec. 5, page 6, line 27, by striking out "A SECTION IS" and inserting sections are

Amend Bill, page 7, by inserting between lines 13 and 14 Section 320. Notice of Annual Fees and Refunds on Credit Cards of Affiliate Banks.

(a) Notice of annual fees.—A bank which is an affiliate of an institution, which is domiciled in a state whose law permits an annual fee to be charged on a credit card issued by such affiliate to Pennsylvania residents and which gives notice after the effective date of this section that such an annual fee will be charged shall, at least once in each subsequent year, give written notice to each card holder in this State of the procedure to follow if such card holder desires to terminate his account in order not to incur

such fee. Such notice shall be given not less than sixty days prior to the beginning of the annual period for which such fee is computed.

(b) Refunds.—An affiliate of an institution shall in the event of a credit balance in the account of a holder of a credit card make a cash refund of such over-payment within thirty days after demand by the card holder and in the event of failure to make a refund within such thirty days shall pay interest at the rate of five and one quarter percent on the amount of such credit balance until the refund is made.

(c) Definition.—The term "affiliate" shall have the meaning given to it in section 102(a).

On the question,

Will the House agree to the amendments?

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

Mr. CAPPABIANCA. Mr. Speaker, I believe this is an agreed-to amendment. Very simply, what it does is any out-of-town banks having credit card business in the Commonwealth would have to give due notice to Pennsylvania residents in regard to annual fees that they would have on these credit cards.

The second part is in regard to refunds. If by chance or by accident an individual should overpay his credit card and should have a credit balance, after giving due notice to the bank, if he is not given his refund within 30 days, they would have to pay a 5 1/4-percent interest. I would appreciate support, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—195

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

Daikeler	Kennedy	Pistella	Weston
Davies	Klingaman	Pitts	Wiggins
Dawida	Kolter	Pott	Williams, H.
Deal	Kowalyszyn	Pratt	Williams, J. D.
Dietz	Kukovich	Pucciarelli	Wilson
Dininni	Lashingner	Punt	Wogan
Dombrowski	Laughlin	Rappaport	Wozniak
Donatucci	Lehr	Rasco	Wright, D. R.
Dorr	Lescovitz	Reber	Wright, J. L.
Duffy	Letterman	Richardson	Wright, R. C.
Durham	Levi	Rieger	Zwilk
Emerson	Levin	Ritter	
Evans	Livengood	Rocks	Ryan,
Fargo	Lloyd	Rybak	Speaker
Fee			

NAYS—0

NOT VOTING—1

Alden

EXCUSED—4

Brown Cohen Irvis Lewis

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

On the question recurring,

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

The SPEAKER. For what purpose does the gentleman from Beaver, Mr. Laughlin, desire recognition?

Mr. LAUGHLIN. Mr. Speaker, originally Mr. Taylor, the chairman on the Democratic side of the Business and Commerce Committee, had drafted the amendment that Mr. Smith had to offer. Mr. Smith had agreed to offer it as an agreed-to amendment. It now appears that Mr. Smith has decided not to offer that amendment. Because of that, Mr. Speaker, I have had the name "Smith" removed from the amendment and have placed my name on it and would like to have the amendment considered, Mr. Speaker.

The SPEAKER. Does the gentleman from Jefferson, Mr. Smith, desire recognition?

Mr. L. E. SMITH. Mr. Speaker, you are now going to experience what I have been dealing with with this gentleman for about 3 months.

Mr. LAUGHLIN. Mr. Speaker, it will be a pleasure.

The SPEAKER. I am not so sure what that means.

On the question recurring,

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

Mr. LAUGHLIN offered the following amendments No. A6672:

Amend Sec. 5 (Sec. 319), page 7, line 8, by inserting after "ACT",
, other than loans secured by a first lien mortgage on residential real estate,

Amend Sec. 5 (Sec. 319), page 7, lines 12 and 13, by striking out "ANY STATE OR FEDERAL SUPERVISORY AUTHORITY ON" and inserting
Pennsylvania law with respect to

On the question,

Will the House agree to the amendments?

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

Mr. LAUGHLIN. Mr. Speaker, very briefly, I cannot understand the fact that I am now offering this amendment when previously it had been an agreed-to amendment.

The SPEAKER. The gentleman will yield.

If the gentleman has a statement to make in connection with the offering of the amendments on the contents of the amendments, the gentleman may make it. The gentleman may proceed.

Mr. LAUGHLIN. Thank you, Mr. Speaker.

Mr. Speaker, very briefly, what the amendment does is it covers loans secured by a first-lien mortgage on residential estate property. This, Mr. Speaker, protects the interests of those who are in fact mortgagees of the first-lien nature and in fact would protect the homeownership with regard to this provision.

It also has a change in it, Mr. Speaker. Previously the bill said "any State or Federal supervisory authority on." This is inserting "Pennsylvania law with respect to." This covers the portion dealing with the Goods and Services Act and protects our interest as it relates to the First Pennsylvania Bank's attempt to raise interest rates from 15 percent to 19.8.

AMENDMENTS DIVIDED

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

Mr. L. E. SMITH. Mr. Speaker, I do not think the gentleman ought to get into agreements, but in accordance with an agreement that I made with the minority chairman of Business and Commerce, I would like to divide this amendment.

The SPEAKER. It is the opinion of the Chair that the amendment is divisible. Would the gentleman tell me the nature of— Does he want two separate votes on the amendment?

Mr. L. E. SMITH. Yes.

The SPEAKER. Is the division to take place, as I look at the amendment, on the two "Amend" sections?

Mr. L. E. SMITH. Yes, sir.

The SPEAKER. Is the gentleman calling for a vote on the two, or is he withdrawing one?

The Chair was in error. The gentleman cannot withdraw.

Mr. L. E. SMITH. I would like to call for a vote on the first section.

The SPEAKER. The question before the House is the amendment offered by the gentleman, Mr. Laughlin, as divided.

The first vote will be on that portion of the amendment that reads "Amend Sec. 5 (Sec. 319), page 7, line 8, by inserting after" the word "Act", other than loans secured by a first-lien mortgage on residential real estate." Is that correct?

Mr. L. E. SMITH. Yes, Mr. Speaker. Could I make a brief comment about why I would like to divide this amendment?

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

Mr. L. E. SMITH. In accordance with an agreement that I made with the minority chairman, we felt that the word "terms" was perhaps just a little bit loose in this language.

We intended with this section of the amendment to tighten that so that "terms" could only apply to those loans secured by a first-lien mortgage on residential real estate. Because I have made that agreement with the minority chairman, I intend to honor it, and I would ask for an affirmative vote on this section.

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

Mr. PISTELLA. Thank you, Mr. Speaker.

Mr. Speaker, I, like a number of other members of this House, really have not yet entered into any agreements whatsoever concerning this amendment. Would I be in order, please, to ask again that that portion we are going to be voting upon of this amendment be reexplained?

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

Mr. L. E. SMITH. Mr. Speaker, if the gentleman will look on page 7, line 9, where the language reads "...rate or terms,..." it was feared by some of us that that may extend rollover or negotiable-rate mortgages, and for that reason we are attempting now to insert the tighter language.

Mr. PISTELLA. Thank you, Mr. Speaker. I think I can agree to that.

The SPEAKER. On the question of the adoption of the amendment as divided, the Chair recognizes the gentleman from Fayette, Mr. Taylor.

Mr. TAYLOR. I ask for an affirmative vote on the division.

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

Mr. LAUGHLIN. Mr. Speaker, I would not want anyone to be laboring under the misapprehension that I had agreed to the amendment previously. The amendment was agreed to by Mr. Smith and Mr. Taylor. I was told about it, and so I accept that as being a fact. There is no other intention involving myself. Thank you.

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

Mr. TAYLOR. Now, let me tell this House one thing, and I am going to tell it straight.

The SPEAKER. The gentleman will yield.

The question before the House is, will the House agree to the amendments offered by the gentleman, Mr. Laughlin, as divided? The only question before the House is the first portion of the Laughlin amendment.

The Chair recognizes the gentleman, Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Speaker.

The first portion, the second portion, and the whole amendment was Mr. Laughlin's amendment from day 1. We just had it drafted for him and put together. Thank you.

The SPEAKER. On the question, those in favor of the first portion of the Laughlin amendment will vote "aye"; opposed, "no."

On the question,

Will the House agree to Part I of the amendments?

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—4

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

The SPEAKER. The Chair recognizes the gentleman from Jefferson, Mr. Smith, in connection with the second half of the Laughlin amendment A6672. The Chair recognizes the gentleman.

Mr. L. E. SMITH. Mr. Speaker, I rise in opposition to this section. It goes right back to the issue I framed before of most favored lender. What Representative Laughlin said about goods and services is not true.

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

Mr. LAUGHLIN. Mr. Speaker, the gentleman makes the statement that he opposes this portion of the amendment, yet in fact, Mr. Speaker, under "Smith-60" he not only supported it but he sponsored it, so I ask the members of the House to vote affirmatively. Thank you.

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

The following roll call was recorded:

YEAS—81

Barber	Gamble	McMonagle	Rybak
Belfanti	George	Manderino	Seventy
Berson	Grabowski	Michlovic	Showers
Blaum	Gray	Miscevich	Shupnik
Caltagirone	Greenfield	Mrkonic	Steighner
Cappabianca	Gruitza	Mullen	Stewart
Cawley	Haluska	Murphy	Stuban
Clark	Harper	O'Donnell	Swaim
Colafella	Hoeffel	Olasz	Tigue
Cole	Horgos	Oliver	Trelo
Cowell	Kolter	Pendleton	Van Horne
DeMedio	Kowalyszyn	Petrarca	Wachob
DeWeese	Kukovich	Petrone	Wambach
Dawida	Laughlin	Pievsky	Wargo
Deal	Lescovitz	Pistella	Wiggins
Dombrowski	Levin	Pratt	Williams, H.
Duffy	Livengood	Richardson	Williams, J. D.
Emerson	Lloyd	Rieger	Wozniak
Evans	Lucyk	Ritter	Wright, D. R.
Fee	McIntyre	Rocks	Zwilk
Gallagher			

NAYS—110

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

NOT VOTING—5

Cochran	Letterman	Maiale	Sweet
Itkin			

EXCUSED—4

Brown	Cohen	Irvis	Lewis
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The question was determined in the negative, and Part II of the amendments was not agreed to.

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

Mr. GEORGE. Thank you, Mr. Speaker.

May I interrogate Representative Smith, please?

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

Mr. GEORGE. Mr. Speaker, does this bill contain a provision where shares will be able to be sold to any depositor?

Mr. L. E. SMITH. Yes. That was the amendment I offered, Mr. Speaker, dealing with preemptive rights.

Mr. GEORGE. Then, Mr. Speaker, in essence, does that make an individual who is a shareholder, if you would, would that make that individual an owner per se, or a part owner or a percentage owner?

Mr. L. E. SMITH. Mr. Speaker, at the present time they are not shareholders; they are depositors. If they bought the stock, they would be shareholders.

Mr. GEORGE. So in essence they would be owners?

Mr. L. E. SMITH. Yes.

Mr. GEORGE. Now, Mr. Speaker, making them share owners, does that automatically or would that be contingent on that they would have some say on how that bank operates?

Mr. L. E. SMITH. They would operate the same as a commercial bank presently operates. If you are a shareholder, you have a vote on who the directors are.

Mr. GEORGE. That gives you a vote on who the directors are. Is that what you said?

Being a shareholder, does that automatically give you the opportunity to become a director?

Mr. L. E. SMITH. Yes, indeed, if you can get enough votes from the shareholders.

Mr. GEORGE. But what I am saying in essence is that the little bank I have at home, I am not sure, Mr. Speaker, but I believe the rules and regulations insist that you must have a minimum of so many shares and then you can apply for membership, but then there is a composition where you are allowed so many votes for so many shares. Is that the way it operates?

Mr. L. E. SMITH. Mr. Speaker, so that there is no confusion about this amendment, this amendment only applies to mutual savings banks. There are nine in Pennsylvania. It does not affect your small banks back home that you are referring to.

Mr. GEORGE. Mr. Speaker, may I interrogate Mr. Rappaport? He seems to be second-judging Mr. Smith.

Mr. RAPPAPORT. Mr. Speaker, I am just trying to help the gentleman.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Rappaport, who substitutes himself for the

gentleman, Mr. Smith, in connection with the interrogation by the gentleman, Mr. George.

Mr. GEORGE. Mr. Speaker, does becoming a shareholder—now, you are going to have to excuse me because I really do not know how to put it this way, and since you and Mr. Smith are both experts, please be very patient with me, Mr. Speaker—does becoming a shareholder, does the fact that I am a depositor, I do not care in what institution, but according to this language, does that mean that just merely buying shares gives me a say in the operation of that institution?

Mr. RAPPAPORT. Yes, Mr. Speaker, it does.

Mr. GEORGE. And how would I have automatically, just by merely having a vote or a proxy—Is that the way it is done?

Mr. RAPPAPORT. Mr. Speaker, before the election of members of the board of directors in accordance with the bylaws of the corporation, every shareholder is sent a proxy statement where he can give somebody his proxy to vote him or he can attend the meeting of which he will have notice at that point himself and vote his shares for whomever he pleases to be a member of the board of directors, even himself.

Mr. GEORGE. Then, Mr. Speaker, that does not automatically place him as a director in which he would attend meetings every month and have a direct say on the functions or normal operation of that institution. Is that right?

Mr. RAPPAPORT. No, Mr. Speaker, no more than every citizen of Pennsylvania has the right to come here and debate and vote on laws. You have to be elected, and boards of directors are elected by the shareholders.

Mr. GEORGE. So, Mr. Speaker, if I were to buy so many shares, if I had the money in the institution that you would be involved with, and several of you people just were not too fond of me, then the chances are I would not become a director of your institution. Is that right, Mr. Speaker?

Mr. RAPPAPORT. No, Mr. Speaker, it is not.

Mr. GEORGE. Mr. Speaker, how would I become a director if you had more shares than I?

Mr. RAPPAPORT. That is the precise point, Mr. Speaker. When we run for election, we have to have 51 percent of the votes. When you try to take over a corporation, you have to have 51 percent of the votes, 1 more than 50 percent. That is the way it is. If the gentleman in his usual persuasive way would convince the other shareholders that he is the best man to run that bank, he is going to be running that bank. If by some strange reason, through their imbecility or whatever, they do not think that the gentleman is proper to run a bank, then he will not be running a bank. If you have the votes, then he will not be running a bank. If you have the votes, vote; if you do not have the votes, you are in the minority.

Mr. GEORGE. Mr. Speaker, if I were to insist that there is a difference between scratching your ear and tearing it to pieces, could I put that along with the logic that you are evading the issue? I am insisting, Mr. Speaker, that you answer me yes or no, that if I were to invest money and buy shares, would that automatically place me on the board of directors or would I have to have a sufficient number of shares or, if you would insist, a sufficient amount of pull to get on that board?

Mr. RAPPAPORT. Mr. Speaker, I have just been asked three questions. I will be happy to answer each one of them yes or no.

The SPEAKER. Start with "A."

Mr. RAPPAPORT. It would not automatically make you a director, no. Just being a shareholder does not make you a director.

The SPEAKER. "B."

Mr. RAPPAPORT. I do not remember what they were.

Mr. GEORGE. If the Speaker would further allow me some latitude.

Mr. Speaker, now, directors of any board or composition, are they the ones who sit in judgment as to the normal flow of business and exceptional flow of business; in other words, the finer decisions on who would get a loan and who would not get a loan?

Mr. RAPPAPORT. Well, Mr. Speaker, it depends on the size of the institution, obviously. If the gentleman is referring to his hometown bank, it may very well be that the board will pass on loans. In larger institutions there is a loan committee, and many officers have loan authority, depending on the size of the institution. I know of some officers who have authority up to \$100 million, but it again depends on the size of the institution. To answer the gentleman's question more directly, the board of directors is charged with the operation of the bank, and they are responsible for all decisions that are made. They have to answer for them.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, another question. The analysis insists upon, and I believe it says that with the inception and the passage of this piece of legislation, an officer of a bank or an institution could borrow money at a lesser rate of interest than what would normally be charged to each and every individual who comes in. Is that right?

Mr. RAPPAPORT. Mr. Speaker, with the gentleman's permission, I would like to yield to the gentleman from Jefferson, who may be more familiar with that provision than I am.

Mr. GEORGE. Do you mean, Mr. Speaker, certain bankers are more expert on certain matters?

Mr. RAPPAPORT. We tend to specialize, Mr. Speaker.

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

Mr. L. E. SMITH. Mr. Speaker, I believe the gentleman's question dealt with officers and directors. To answer that question directly, no, they would not have any preferential treatment on loan rate.

Mr. GEORGE. Mr. Speaker, as I look at the bill analysis in paragraph 5, it says, and I hope I read, "Currently the Banking Code requires that loans to officers, directors—"

POINT OF ORDER

The SPEAKER. Will the gentleman yield?

For what purpose does the gentleman from Allegheny, Mr. Pistella, rise?

Mr. PISTELLA. A point of order, Mr. Speaker. Mr. George has asked a question. Mr. Smith has responded to it. I would like to know if I would be in order to make a comment on that question.

The SPEAKER. The gentleman, Mr. George, has the floor.

Mr. GEORGE. Thank you, Mr. Speaker.

I yield to the gentleman, Mr. Pistella.

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

Mr. PISTELLA. Mr. Speaker, if my memory serves me correctly, I believe that I attempted to address that issue in the Business and Commerce Committee meeting in which HB 1739 was first presented to the committee. At that time, I believe there was an amendment that I had offered that would have prohibited the issuance of loans at preferred rates to all employees of the lending institutions in question. It was brought to my attention that in fact certain members of the board of directors and upper executive positions and middle management positions and clerical positions are in fact given preferential rates of treatment when seeking to acquire loans, which would appear to be in direct conflict to the point that Chairman Smith has just raised.

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

Mr. L. E. SMITH. Mr. Speaker, I am not privileged to the analysis referred to by the gentleman, Mr. George, but let me read from my analysis: "Section 1414 amends the Code to prohibit preferential interest rates on loans or deposits to any 'director, trustee, executive officer or attorney.' "

The SPEAKER. The gentleman, Mr. George, has the floor.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, are you saying then that if I were to be the president of the bank, it would be unlawful for the bank itself to loan me money at a lesser rate of interest? Is that what you are saying?

Mr. L. E. SMITH. Yes, Mr. Speaker.

Mr. GEORGE. And then, Mr. Speaker, if I were the first teller, would it be illegal to lend me money at a lesser rate?

Mr. L. E. SMITH. I am sorry, Mr. Speaker. I could not hear the question.

The SPEAKER. If you were the first teller, would it be unlawful to loan to you at a lesser rate?

Mr. L. E. SMITH. If you were not an officer or a director or a trustee or the attorney, it would be permissible for a mutual savings bank, which we are dealing with here, to approve a loan at some preferred interest rate.

Mr. GEORGE. Mr. Speaker, if you would, sir, would you explain to me why a banking institution would want to loan its head teller or its second teller money at a lesser rate, especially at a time when we have heard much dialogue on the fact that banks are finding it very difficult to keep their doors open, and that banks need a higher rate of interest on—what do you call that, Mr. Speaker, when someone is about to lose their home and they go back in again and make another deal? Refinance. With the fact that we just battled over a bill to provide an excessive and a stimulated rate of interest for someone who wants to refinance and we have been dealing for months with

banking bills to allow a higher interest rate because, Mr. Speaker, you yourself said it is very difficult for a bank to loan money for 12 percent and have to pay 14 percent to get it, why do you want to loan money to someone who works in the bank at lower interest, Mr. Speaker?

Mr. L. E. SMITH. Mr. Speaker, I have no idea what bank policy will be, but what we have to remember in the issue the gentleman is raising is that money is a commodity, the bank buys it and they sell it. I am in the tire business, and I buy tires and I sell them. I give to my employees a fringe benefit by saying to them, you can buy these tires at 5 percent over my cost. Now, if I offered that to every customer who walks through my door with an overhead of 30 percent, I am going to lose money and I am going to be out of business.

It does not require the banks to do anything. It gives them the opportunity to give that fringe benefit to an employee if they so desire.

Mr. GEORGE. Mr. Speaker, with you being quite knowledgeable in the art of finance, is it very possible then that if I were a bank employee and the directors thought that I was a very allegiant and very dedicated employee, they could loan me \$50,000 at lower-than-normal interest and I could take that money and go across the street and invest it in the money market at 13.8? Is it possible to do that?

Mr. L. E. SMITH. Mr. Speaker, without knowing the exact situation the gentleman is referring to, I cannot answer that question. Most of those types of loans are collateralized. I do not know what category of loan he is talking about, and I do not think I can answer his question.

Mr. GEORGE. Mr. Speaker, if I were to tell that to a mule, he would kick my head off. You know the answer to that, and I ask you again, Mr. Speaker, hypothetically—

The SPEAKER. The gentleman is out of order.

Does the gentleman have any further questions?

Mr. GEORGE. Yes, indeed I do, Mr. Speaker.

The SPEAKER. The gentleman is in order.

Mr. GEORGE. Hypothetically, Mr. Speaker, even though you would not be responsible for any action of a bank, would you believe that it would be possible that there could be a collusion, that the directors could, because of some friendship or some relation, loan money to an individual if this were to become law, and could that individual take that money that rightfully belongs to those shareholders that you have now placed in the law, and could they then go across the street and invest that money and make what we call a killing? Is that possible, Mr. Speaker?

Mr. L. E. SMITH. Yes, I think that is highly possible, but they will in all probability end up in jail. That is why we have the system of bank examiners in the State and national banks. They are to monitor all of those loans, and when they go into a loan portfolio, they are required to report those kinds of incidents.

Mr. GEORGE. Then, Mr. Speaker, you insist that the legality is such and that we should continue to place all of that that is good and legal above all others concerned? In other words, we should not endanger this. We should allow it to be level. Is that right?

Mr. L. E. SMITH. I do not follow the gentleman's question, Mr. Speaker.

Mr. GEORGE. Mr. Speaker, I guess I am losing it. I will only be another minute.

I look at another part of the bill, Mr. Speaker, and I see now the bill allows those who are affiliated with the State banking organization to be able to borrow money from a State-chartered organization. Again, if this is not necessary, why is the bill doing this?

Mr. L. E. SMITH. Mr. Speaker, I am having a hard time following this gentleman, because his analysis does not follow mine at all, but I think what he is referring to is employees of the State Banking Department being able to do business with a State-chartered bank, and that is permissible under this language.

Mr. GEORGE. Mr. Speaker?

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

Mr. GEORGE. Mr. Speaker, may I give a final argument against this bill?

The SPEAKER. You may indeed.

Mr. GEORGE. Mr. Speaker, I do not want to embarrass the Speaker. I thank him for the flexibility that he allowed me, and I insist to you, Mr. Speaker, that I will not belabor this much longer. There were several questions that I asked, and I know those whom I asked them of were very honorable, very knowledgeable people, yet I feel very secure that they did not answer the question, because they know what I am getting at.

I think it indeed is a fallacy to have sat here for hours and hours and have debated the facts of whether the banks needed more money to survive or whether they did not. I think it is highly improper, in a bad economic situation, that now we have placed banks in a position where they can make up their mind and pick their customers. With all of that and all that has been given to the banks, all at once we stand here on this day of March 3 under the realization that now the banks indeed can afford to loan money to their employees not at the regular rate but a reduced rate, and yet those who sponsor this piece of legislation insist that it is legal. I insist that in all practicality, Mr. Speaker, it could be legal, but it is completely immoral. I ask you to vote against this bill.

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

Mr. LAUGHLIN. Mr. Speaker, I am sorry. I was a little late getting to the mike, and I will be very brief. I know the members want to get out of here today and head home. I know there is snow out west.

Mr. Speaker, this is a constant erosion of the stability of purchase power in this State by these new banking interest rates that are being put on the floor of this House. This rate, Mr. Speaker, in the manner in which it is dealt with and the provisions that are within the bill, at the present time one section deals with a 12-percent discount rate with a 5-percent add-on, which is a total of 17 percent that is chargeable under the act. With this change, Mr. Speaker, those lending institutions are going to be able to go to 24 percent. I see no reason

to support that kind of legislation, and I ask for a negative vote.

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—150

Anderson	Fleck	Maiale	Serafini
Armstrong	Foster, W. W.	Manmiller	Seventy
Arty	Foster, Jr., A.	Marmion	Showers
Belardi	Frazier	Merry	Sieminski
Belfanti	Freind	Michlovic	Sirianni
Beloff	Gallen	Micozzie	Smith, B.
Berson	Gamble	Miller	Smith, E. H.
Bittle	Gannon	Miscevich	Smith, L. E.
Borski	Geist	Moehlmann	Snyder
Bowser	Gladeck	Morris	Spencer
Boyes	Grabowski	Mowery	Spitz
Brandt	Greenwood	Mullen	Stairs
Burd	Grieco	Murphy	Steighner
Burns	Gruitza	Nahill	Stevens
Caltagirone	Gruppo	Noye	Swaim
Cappabianca	Hagarty	Olasz	Sweet
Cessar	Hayes	Oliver	Swift
Cimini	Heiser	Pendleton	Taddonio
Civera	Honaman	Perzel	Taylor, E. Z.
Clymer	Itkin	Peterson	Taylor, F. E.
Cochran	Jackson	Phillips	Telek
Cole	Johnson	Piccola	Trello
Cordisco	Kanuck	Pievsky	Van Horne
Cornell	Kennedy	Pistella	Vroon
Coslett	Klingaman	Pitts	Wambach
Cowell	Kowalshyn	Pott	Wass
Cunningham	Lashingier	Pratt	Wenger
DeVerter	Lehr	Pucciarelli	Weston
Daikeler	Lescovitz	Punt	Wilson
Davies	Letterman	Rappaport	Wogan
Dawida	Levi	Rasco	Wozniak
Dietz	Livengood	Reber	Wright, D. R.
Dininni	Lucyk	Rieger	Wright, J. L.
Donatucci	McClatchy	Ritter	Wright, R. C.
Dorr	McMonagle	Rocks	Zwikl
Durham	McVerry	Rybak	
Fargo	Mackowski	Salvatore	Ryan,
Fischer	Madigan	Saurman	Speaker

NAYS—45

Barber	Fee	Hutchinson, A.	Petrone
Blaum	Fryer	Kolter	Richardson
Cawley	Gallagher	Kukovich	Shupnik
Clark	George	Laughlin	Stewart
Colafella	Gray	Levin	Stuban
DeMedio	Greenfield	Lloyd	Tigue
DeWeese	Haluska	McIntyre	Wachob
Deal	Harper	Manderino	Wargo
Dombrowski	Hasay	Mrkonic	Wiggins
Duffy	Hoeffel	O'Donnell	Williams, H.
Emerson	Horgos	Petrarca	Williams, J. D.
Evans			

NOT VOTING—1

Alden

EXCUSED—4

Brown	Cohen	Irvis	Lewis
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

SENATE MESSAGE

HOUSE-AMENDED SENATE
BILL CONCURRED IN

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 306, PN 1648**, except the amendments contained on, Page 5, Lines 7 through 9; Page 13, lines 7 through 16 inclusive, which the Senate has noncon-
curred.

MOTION TO RECEDE FROM AMENDMENTS

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. I move that the House recede from its amendments nonconcurrent in by the Senate to SB 306.

On the question,

Will the House recede from its amendments nonconcurrent in by the Senate?

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Just by way of explanation, the House passed SB 306 with several amendments added to that legislation by this House. When the Senate took up this legislation, they agreed to all amendments with the exception of two, and their message back to us was asking us to recede from those two provisions. They accepted all of our amendments with the exception of two amendments.

There may be a member asking whether or not the bill should appear on the calendar in a parliamentary sense. The bill does not appear on the calendar. It is not supposed to appear on the calendar, and I am sure the Speaker can further amplify on that.

The two amendments which the Senate has asked us to recede from: one, the Levi amendment; and two, one of the Laughlin amendments. At this time, Mr. Speaker, for the purpose of explanation as to the provisions of those two amendments, I would yield to the gentleman from Venango, Mr. Levi.

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

Mr. LEVI. Thank you, Mr. Speaker.

It is the old adage, haste makes waste. I had the amendment drawn, and in my haste to get it on the floor so we could vote upon it that day, I had it drawn to the wrong section of the act. Consequently, I am recommending we recede from this amendment. I am having it drawn to another piece of legislation, because I do think it is important and worthy. But with this particular bill, so we can move it along, I am recommending that we withdraw this amendment.

The SPEAKER. Does the gentleman, Mr. Laughlin, desire recognition?

Mr. LAUGHLIN. Mr. Speaker, the Senate did a rather unique thing by agreeing to a portion of the bill and dividing the question and disagreeing with the two specific amendments, Mr. Levi's and my own. I disagree with that procedure, and I certainly intend to vote against the bill that carries those additional interest rates. Thank you.

PARLIAMENTARY INQUIRY

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

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

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

Mr. RITTER. I cannot recall any instance in the years that I have been here that this situation has come up. It was either that the Senate nonconcurrent in amendments inserted by the House or they concurred. What I see now is that they have concurred in part of the amendments we inserted and nonconcurrent in the others. Would the Speaker tell me under what parliamentary procedure we can act on a proposition by the Senate in this fashion?

The SPEAKER. The Chair is advised that in 1970 the gentleman from Allegheny, Mr. Irvis, on a motion to recede, did the same thing that is being attempted here today. The same motion was put. The Chair at this time does not have that reference, but the Parliamentarian assures the Chair that he has done this research and that the information the Chair now gives the gentleman is accurate.

The gentleman may proceed.

Mr. RITTER. Mr. Speaker, along with that, I have no problem if the House would recede from all of its amendments that it inserted in the bill. That has been done before. My question is, I cannot recall when we receded from part of the amendments. It seems to me that what the procedure was, the Senate would nonconcur in our amendments, it would go to a conference committee, and the differences would be ironed out. It seems to me that that might be the proper way to go, rather than to recede from part of the amendments we put in. I do not have the amendments in front of me. I do not have the bill in front of me.

The SPEAKER. The bill, for the information of the House, SB 306 as amended by the Senate, is in the gentleman's folder.

Mr. RITTER. As amended by the Senate, Mr. Speaker? Mr. Speaker, what is the printer's number of that, please?

The SPEAKER. As amended by the House. The Chair is in error. SB 306 is in the gentleman's folder. The message read by the clerk as to the action of the Senate explains the Senate action. If the gentleman desires, I will have the clerk read again the message sent over from the Senate on SB 306.

Mr. RITTER. Mr. Speaker, just one further parliamentary inquiry.

The SPEAKER. The gentleman is in order.

Mr. RITTER. Perhaps a point of order; I am not sure, Mr. Speaker. It seems to me, as I said, I just think the procedure, again, is wrong. We are attempting to do something perhaps by a shortcut method, for whatever reasons I do not know, but I wonder, Mr. Speaker, if the Parliamentarian could—I guess you are going to run the bill today—but if the Parliamentarian, when that information is available, would see that that gets included in the Journal of today's proceedings so that in the future we would have reference to the parliamentary methods used to accomplish this.

I am not really concerned about what the Senate did; I am concerned about whether or not we are following the proper parliamentary procedure, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman. The Chair will have inserted into the record the information that the gentleman requests, although it will be inserted under the day that the Chair takes such action, rather than asking the reporters to hold this Journal open. For the benefit of the gentleman, the reference that I earlier made was to SB 1198 on February 25, 1970.

PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the gentleman from Allegheny, Mr. Cowell, rise?

Mr. COWELL. A point of parliamentary inquiry, Mr. Speaker.

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

Mr. COWELL. Mr. Speaker, I would like to inquire about the disposition of this legislation, if we should take one of the two actions that are possible at this point. Should we agree to recede from that portion of the House amendments to which the Senate apparently disagreed, what would happen with this bill then?

The SPEAKER. Mason's Manual, section 767, subsection 2, dealing with receding from amendments: "A vote to recede from amendments, by the house which made the amendments, constitutes a final passage of the bill without the amendments from which the house has receded, since both houses have then agreed to the bill in its form prior to amendment." In other words, if we recede from those amendments which the majority leader has suggested we recede from, the bill will be in a form ready for the Governor's signature.

Mr. COWELL. And should we choose not to recede, would the bill then go to a conference committee?

The SPEAKER. Will the gentleman restate his question?

Mr. COWELL. If we should choose not to recede, would the bill then go directly to a conference committee?

The SPEAKER. In the event we fail to recede, we then would be in a position that a member would move that we insist upon our amendments, at which time we would start the process toward a conference committee.

Mr. COWELL. Thank you, Mr. Speaker.

PARLIAMENTARY INQUIRY

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

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

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

Mr. RITTER. When you read from Mason's Manual, you said that if the House recedes from its amendments, if this House would, then at that point the bill is in the shape that it was before the amendments were inserted. But what we are doing here is we are not receding from all of our amendments; we are receding, apparently, only from a portion of them, so that the bill then is not in the same position it was prior to the amendment.

The SPEAKER. The amendments that the House inserted that were concurred in by the Senate would then have passed both chambers. The amendments that we inserted that the Senate has not concurred in, if receded from, would leave the bill in a position that both chambers have approved of its entire contents.

Mr. RITTER. A further inquiry, Mr. Speaker.

Would you then be notifying the Senate that the House has receded from the amendments nonconcurred in by the Senate, and, therefore, would you sign the bill then in the presence of the House, or would it have to go back to the Senate for their signature?

The SPEAKER. If we recede from the amendments, we will notify the Senate, which will then in turn prepare the bill for signature first to be signed in the Senate and sent to the House for signature in the presence of the House.

Mr. RITTER. I thank you, Mr. Speaker. And if you would, please, would someone just again tell us the two amendments that the Senate refused to concur in?

The SPEAKER. The Chair will read the extract from the Journal of the Senate, that part that is applicable to the gentleman's question. "Except the amendments contained on, Page 5, Lines 7 through 9; Page 13, lines 7 through 16 inclusive, which the Senate has nonconcurred."

The gentleman from Berks, Mr. Fryer, desires recognition. The Chair recognizes the gentleman.

Mr. FRYER. Thank you, Mr. Speaker.

Mr. Speaker, I share the concerns as expressed by Representative Ritter. It seems to me, Mr. Speaker, that we set up certain orderly procedures by which a legislative body operates. Obviously, at the time it is decided that this is the best course to take. Now, it seems to me that when the Senate submits something here to us, and the Senate likewise, to reject part and accept the other part, it sort of reminds me of sawing a woman in half, Mr. Speaker. Which half goes to whom? I will ignore those requests.

Mr. Speaker, it seems to me quite a simple process. Either you accept it or you reject it. I think it is these sorts of gymnastic tactics that disturb everyone, and we are told by the Parliamentarian that the last time that this happened was in 1970. Well, I say, hip hip hooray. We have not done it since 1970. Is that any reason, any sound reason, to do it today? How long is this going to continue? If it does, Mr. Speaker, we may as well scrap the rules and work out each day as it comes and be utterly appalled by the results. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. Tigue.

Mr. TIGUE. Thank you, Mr. Speaker.

Mr. Speaker, if I understand the legislative process correctly, the Senate sent us a bill which we did not agree with in total, so we amended it. It is nice of Mr. Levi to say he withdraws his amendment, when in fact it is no longer his amendment; it has been passed by the House. When we sent the amended bill back to the Senate, by removing it, in fact, they did not concur with our amendments. Now they are asking us to, let us forget about what you want; let us do what we want

and accept our answer alone; we do not care what you want; this is it.

Well, if in fact in the legislative process the Senate did not agree to our amendments, we should definitely not accede to recede, because if we do, we are allowing them to be a unicameral legislature. So we have a choice. They did not accept our part in the legislative process, so I would hope that we would see fit that we do not recede, and we would send it to conference as it should have gone when they changed it. Thank you.

On the question recurring,

Will the House recede from its amendments nonconcurrent in by the Senate?

The following roll call was recorded:

YEAS—109

Anderson	Fleck	McMonagle	Saurman
Arty	Foster, W. W.	McVerry	Serafini
Beloff	Foster, Jr., A.	Mackowski	Sieminski
Bittle	Frazier	Madigan	Sirianni
Borski	Freind	Majale	Smith, E. H.
Bowser	Gallen	Manmiller	Smith, L. E.
Boyes	Gannon	Marmion	Snyder
Brandt	Geist	Merry	Spencer
Burd	Gladeck	Micozzie	Spitz
Burns	Greenfield	Miller	Stairs
Cessar	Greenwood	Mochlmann	Stewart
Cimini	Grieco	Mowery	Swaim
Civera	Gruppo	Nahill	Swift
Clymer	Hagarty	Noye	Taddonio
Cochran	Hasay	Perzel	Taylor, E. Z.
Cole	Hayes	Peterson	Vroon
Cornell	Heiser	Phillips	Wachob
Coslett	Honaman	Piccola	Wenger
Cunningham	Jackson	Pitts	Weston
DeVertter	Johnson	Pott	Wilson
Daikeler	Kennedy	Pucciarelli	Wogan
Davies	Klingaman	Punt	Wright, D. R.
Dietz	Lashingier	Rappaport	Wright, J. L.
Dininni	Lehr	Rasco	Wright, R. C.
Donatucci	Levi	Reber	
Dorr	Livengood	Rieger	Ryan,
Fargo	McClatchy	Rocks	Speaker
Fischer	McIntyre	Salvatore	

NAYS—78

Belardi	Fryer	Lucyk	Seventy
Belfanti	Gallagher	Manderino	Showers
Berson	Gamble	Michlovic	Shupnik
Blaum	George	Miscevich	Smith, B.
Caltagirone	Grabowski	Morris	Steighner
Cappabianca	Gray	Mrkonic	Stevens
Cawley	Gruitza	Mullen	Stuban
Clark	Haluska	Murphy	Sweet
Colafella	Harper	O'Donnell	Telek
Cordisco	Hoeffel	Olasz	Tigue
Cowell	Horgos	Oliver	Trello
DeMedio	Itkin	Pendleton	Van Horne
DeWeese	Kolter	Petrarca	Wambach
Dawida	Kowalshyn	Petrone	Wargo
Dombrowski	Kukovich	Pievsky	Wass
Duffy	Laughlin	Pistella	Wiggins
Durham	Lescovitz	Pratt	Williams, H.
Emerson	Letterman	Ritter	Wozniak
Evans	Levin	Rybak	Zwinkl
Fee	Lloyd		

NOT VOTING—9

Alden	Deal	Kanuck	Taylor, F. E.
Armstrong	Hutchinson, A.	Richardson	Williams, J. D.
Barber			

EXCUSED—4

Brown	Cohen	Irvis	Lewis
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The SPEAKER. The majority having voted in favor of the motion, the amendments, as outlined by the clerk in reading the message of the Senate, are receded from, and the clerk will notify the clerk of the Senate accordingly.

The Chair recognizes the gentleman from Allegheny, Mr. Itkin. For what purpose does the gentleman rise?

Mr. ITKIN. Mr. Speaker, it was my, I guess, erroneous understanding that this was only a procedural motion and that another vote would be taken before the bill would be considered passed by the House with the changes under the recession motion. Now I learn that this is not the case.

I am going to file a reconsideration motion, because I think that this procedure is so confusing to the House members that many of them probably are not aware of what has transpired now.

The SPEAKER. The motion as put by the Chair dealt with the question of whether or not the House was willing to recede from its amendments as outlined by the message from the Senate; that is, those two amendments.

Mr. ITKIN. Well, Mr. Speaker, usually when we take a vote on a bill, we have the bill in front of us. Right? I think there is a requirement that every member, prior to voting, must have the bill before him.

The SPEAKER. The gentleman can check his folder. The folders contain copies of SB 306. It was explained, I thought, very adequately to, I believe, Mr. Cowell that the bills were in the folders, and I know this was true with Mr. Ritter, and that the differences were the differences as outlined by the Senate message.

Mr. ITKIN. Mr. Speaker, could you identify on the calendar where the order of business relates to SB 306?

The SPEAKER. It is not on the calendar, nor is it required to be.

Mr. ITKIN. Mr. Speaker, I will be offering a reconsideration motion on the bill.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 2037, PN 2794**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Mr. KUKOVICH offered the following amendments No. A6195:

Amend Title, page 1, line 11, by inserting after elections," " providing for filling of vacancies on county board of elections, granting expenses and

Amend Bill, page 1, by inserting between lines 14 and 15 Section 1. Subsection (c) of section 301, act of June 3, 1937 (P.L.1333, No.320), known as the "Pennsylvania Election Code," amended July 21, 1979 (P.L.189, No.63), is amended to read:

Section 301. County Boards of Elections; Membership.—
* * *

(c) Whenever a member of the board of county commissioners is a candidate for nomination or election to any public office, the President Judge of the Court of Common Pleas shall appoint a judge or an elector of the county to serve in his stead. Whenever there appears on the ballot a question relating to the adoption of a Home Rule Charter for the county or amendments to an existing county Home Rule Charter, the President Judge of the Court of Common Pleas shall appoint judges or electors of the county to serve in the stead of the county commissioners. Appointees who are not currently elected office holders shall receive compensation for such service in the amount of fifty dollars (\$50.00) per diem plus twenty cents (20¢) a mile for expenses incurred when performing election commission business.

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

2

Amend Sec. 1, page 1, lines 15 through 17, by striking out " , act of June 3," in line 15, all of line 16, and "Code," " in line 17, and inserting

of the act,

Amend Sec. 2, page 3, line 15, by striking out "2" and inserting

3

On the question,

Will the House agree to the amendments?

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

Mr. KUKOVICH. Thank you, Mr. Speaker. I will be very brief.

This amendment is not of great importance, but it clears up a slight inequity in the Election Code. Currently the county commissioners sit as the election board except in rare circumstances; that is, once every 4 years whenever they are candidates, or in the circumstance where there is a home-rule charter for a county which is being voted on, or an amendment to a county home-rule charter. In those instances the president judge of that common pleas court can appoint people in their stead. Most of the time they appoint elected officials. That would not be covered under this amendment.

What we are concerned about is that rare occasion when a nonelected official is appointed to the board. Currently there is no mechanism in the law to provide compensation for them. This amendment would simply say that those individuals who are nonelected officials who are appointed to serve on those boards would receive a per diem and mileage expense commensurate with the work that they have to do. I would appreciate an affirmative vote, Mr. Speaker.

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

Mr. FRYER. Mr. Speaker, I have no objections to the amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—185

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

NAYS—5

Blaum	Klingaman	Moehlmann	Tigue
Hasay			

NOT VOTING—6

Alden	Kanuck	Pitts	Taylor, E. Z.
Civera	Perzel		

EXCUSED—4

Brown	Cohen	Irvis	Lewis
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The question was determined in the affirmative, and the amendments were agreed to.

On the question,

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

Mr. CESSAR offered the following amendments No. A6228:

Amend Title, page 1, line 12, by inserting a period after "vote"

Amend Title, page 1, line 12, by striking out "AND THE POSTING OF THE NUMBERED LISTS."

Amend Sec. 1 (Sec. 1210), page 3, lines 10 through 13, by striking out "ONE OF THESE LISTS SHALL" in line 10 and all of lines 11 through 13

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

The SPEAKER. The Chair recognizes the majority whip.
Mr. CESSAR. Thank you, Mr. Speaker.

All this amendment would do, Mr. Speaker, is to eliminate the language which was inserted in committee calling for and requiring that after every voter came in and signed up at the polling place, a list of the names would have to be posted within the polling place. Mr. Speaker, I just do not think this is necessary. I think the original intent of the legislation is good, requiring that each and every person working in the polling place calls out the name of the elector as he is signed up.

Mr. Speaker, I think this language which is being suggested in the amended version of the bill would cause many problems for the people who do work on the polls. I would request that you consider this and eliminate this and vote in the affirmative on my amendment.

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

Mr. FRYER. Mr. Speaker, I would urge the members of the House to oppose this amendment. Mr. Speaker, the amendment strengthens the bill. It is true that we do have the name call. However, many times, as you know, in an election board it can be somewhat noisy. The person on the election board can be given that name in a faint voice and it cannot be recognized by the watchers in the polls. By having the list, Mr. Speaker, which would be within the polling place, this would insure that there would be accuracy kept of those who have voted, so that those who have not voted could be contacted by telephone by the respective party workers so that we could insure a good turnout at the polls.

So, Mr. Speaker, this amendment strengthens the bill, and in seeking to take out this amendment, in my opinion, it weakens the bill.

Mr. Speaker, I would urge a "no" vote on the amendment.

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

Mr. OLIVER. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the amendment. I think these precinct workers have enough to do as it is. I would urge a "yes" vote.

The SPEAKER. The Chair recognizes the majority whip.

Mr. CESSAR. Thank you, Mr. Speaker.

I would just caution each and every member here today that if we pass this legislation requiring that those names be posted in those voting places— As an example, if you have 800 voters registered in your district and 800 people vote, each and every one of those lists contains the names of 30 people. Those must be posted.

Now, you know and I know from working in the wards and in the polling places that many of the polling places do not allow you to hang anything on those walls, whether it be your new firehouse or your schools. Once you start to do that, Mr. Speaker, I think that you will jeopardize your polling place.

Another thing I would say, Mr. Speaker, remember this, and I have experienced it and some of you also have: We pay the princely sum of \$40 a day for workers at the polling place. By the time the voting day is done, that is not even minimum wage, and what you are doing is requiring one more obligation for those people who are working in the polling places. I submit to you, Mr. Speaker, if we do this, we will have people saying, I just do not want to become a person working on election day. Again, Mr. Speaker, I would urge that we pass my amendment.

The SPEAKER. The Chair recognizes for the second time, the gentleman, Mr. Fryer.

Mr. FRYER. Mr. Speaker, the arguments that have been presented are weak indeed. They say, do not impose extra work upon the election board. Now, I am sure the members of the House are all aware that presently every election board fills out two lists of those persons who have voted. If necessary, a carbon paper and another sheet of paper could be used. So, one, it is no additional work.

Reference is made to the posting of these notices, what a tremendous job this would be, and that they would not be permitted to post these notices. The Election Code already states that we shall post certain paraphernalia upon that election room.

So, Mr. Speaker, the argument that has been presented is weak indeed. There is no additional work for that election board. I would ask once again, Mr. Speaker, to reject the amendment.

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

The following roll call was recorded:

YEAS—138

Alden	Fischer	McIntyre	Serafini
Anderson	Fleck	McMonagle	Seventy
Armstrong	Foster, W. W.	McVerry	Sieminski
Arty	Foster, Jr., A.	Mackowski	Smith, B.
Barber	Frazier	Manmiller	Smith, L. E.
Beloff	Freind	Marmion	Snyder
Berson	Gamble	Merry	Spencer
Bittle	Gannon	Micozzie	Spitz
Blaum	Geist	Miller	Stairs
Borski	Grabowski	Miscevich	Steighner
Bowser	Gray	Moehlmann	Stevens
Boyes	Greenwood	Mowery	Swaim
Burd	Grieco	Mrkonic	Swift
Burns	Gruitza	Nahill	Taddonio
Cessar	Gruppo	Noye	Taylor, E. Z.
Cimini	Hagarty	O'Donnell	Taylor, F. E.
Civera	Haluska	Olasz	Telek
Clymer	Harper	Oliver	Tigue
Cochran	Hasay	Pendleton	Trello
Cole	Hayes	Perzel	Van Horne
Cordisco	Heiser	Peterson	Vroon
Cornell	Horgos	Petrone	Wambach
Coslett	Jackson	Phillips	Wass
Cowell	Johnson	Pievsky	Wenger
DeVerter	Kanuck	Pistella	Weston
DeWeese	Kennedy	Pott	Wiggins
Daikeler	Klingaman		Wilson

Dietz	Kukovich	Pucciarelli	Wogan
Dininni	Lashinger	Punt	Wright, D. R.
Donatucci	Laughlin	Rasco	Wright, J. L.
Dorr	Lehr	Reber	Wright, R. C.
Durham	Levin	Rieger	Zwinkl
Emerson	Lloyd	Ritter	
Evans	Lucyk	Salvatore	Ryan,
Fargo	McClatchy	Saurman	Speaker

NAYS—51

Belardi	Fee	Letterman	Rocks
Belfanti	Fryer	Levi	Rybak
Brandt	Gallagher	Livengood	Showers
Caltagirone	Gallen	Madigan	Shupnik
Cappabianca	George	Maiale	Sirianni
Cawley	Gladeck	Manderino	Stewart
Clark	Greenfield	Michlovic	Stuban
Colafella	Hoeffel	Morris	Sweet
DeMedio	Honaman	Mullen	Wachob
Davies	Hutchinson, A.	Murphy	Wargo
Dawida	Itkin	Petrarca	Williams, H.
Dombrowski	Kowalyszyn	Piccola	Wozniak
Duffy	Lescovitz	Pratt	

NOT VOTING—7

Cunningham	Kolter	Richardson	Williams, J. D.
Deal	Rappaport	Smith, F. H.	

EXCUSED—4

Brown	Cohen	Irvis	Lewis
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The question was determined in the affirmative, and the amendments were agreed to.

REMARKS ON VOTE

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

Mr. CUNNINGHAM. Mr. Speaker, despite the fact that I pushed my switch on that last vote, A6228 to HB 2037, in the affirmative, it was not recorded. I would like to be recorded thusly. Thank you.

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

CONSIDERATION OF HB 2037 CONTINUED

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—191

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

NAYS—3

Letterman	Steighner	Tigue
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NOT VOTING—2

Gray	Weston
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EXCUSED—4

Brown	Cohen	Irvis	Lewis
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. For the benefit of the members, particularly any of our members who may have a physical disability, it has been called to the attention of the Chair that there may very well be an interruption in the electrical system in the Capitol Building as of 4:45. I say that specifically for some of our members who necessarily must use the elevator system.

It is the further understanding of the Chair, having talked to the majority leader, that there will be no further votes today other than the ordinary votes that are taken as house-keeping by the Chair.

REMARKS ON VOTE

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

Mr. PENDLETON. Thank you, Mr. Speaker.

Mr. Speaker, with regard to the motion to recede from amendments to SB 306, I have withdrawn my reconsideration motion at the request of the Chair. But I do wish to be recorded in the affirmative with respect to that vote.

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

STATEMENT BY MR. KUKOVICH

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

Mr. KUKOVICH. Mr. Speaker, I ask unanimous consent to address the House.

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

Mr. KUKOVICH. Mr. Speaker, I would try to get the attention of the members, because this is an issue that will affect all of them and will affect them by the end of this month. Mr. Speaker, that has to do with the new plan by the Department of Welfare to deal with private day-care facilities and the competitive bidding process. Most of this has been done in a rather hasty fashion and rather quietly, and many of the members might be unaware, but I am sure many more of the members have been contacted by the directors and parents from those private day-care facilities.

Mr. Speaker, I had intended today to try to cope with that problem by moving to suspend the rules so that we could have immediate consideration of a resolution asking for a public hearing on this problem. I will not do so after conferring with the majority leader, but I do want the members to be aware of the problem that can be created without legislation, without even the proper regulation and rulemaking through the Pennsylvania Bulletin, but rather by administrative fiat. I would suggest to you that within a few weeks, if you have not heard from constituents, you may be hearing from them.

I believe the majority leader has a few words to say about this issue. Thank you, Mr. Speaker.

REMARKS ON VOTES

The SPEAKER. The Chair recognizes the gentleman from Lackawanna, Mr. Serafini.

Mr. SERAFINI. Mr. Speaker, I was incorrectly recorded in the positive on SB 306, the motion to recede. I would like to be recorded in the negative.

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

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

Mr. WOZNIAK. Mr. Speaker, I would like to alter my vote also on SB 306, from the negative to the affirmative. I do not agree with the Senate's recession process, but I do believe in the essence of the bill, and I would like to be recorded in the affirmative.

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

SENATE MESSAGE**HOUSE BILL
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 1153, PN 1278**, with information that the Senate has passed the same without amendment.

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

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 918, PN 1708**.

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

The clerk of the Senate, being introduced, returned **HB 2074, PN 2915**, 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.

SENATE MESSAGE**SENATE RECEDES FROM AMENDMENTS**

The clerk of the Senate, being introduced, informed that the Senate has receded from its amendments nonconcurred in by the House of Representatives to **HB 874, PN 945**.

Ordered, That the clerk return the same to the House of Representatives with the information that the Senate has passed the same without amendments.

BILLS SIGNED BY SPEAKER

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

HB 874, PN 945

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

HB 1153, PN 1278

An Act providing for cession by the Governor to the United States of jurisdiction over certain lands within Commonwealth boundaries.

SB 918, PN 1708

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for membership on the State Employees' Retirement Board.

SB 1102, PN 1732

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.

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

HB 2127, PN 3005 (Amended) (Unanimous)

By Rep. W. W. FOSTER

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), increasing the maximum purchase price per acre the commission may pay for land.

GAME AND FISHERIES.

SB 1198, PN 1735 (Amended) (Unanimous)

By Rep. W. W. FOSTER

An Act amending the act of June 3, 1937 (P. L. 1225, No. 316), entitled "The Game Law," further providing for deer-proof and elk-proof fences.

GAME AND FISHERIES.

SB 1205, PN 1460 (Unanimous)

By Rep. W. W. FOSTER

An Act amending the act of June 3, 1937 (P. L. 1225, No. 316), entitled "The Game Law," further restricting the use of personal information on the application which is required when purchasing a hunting and trapping license.

GAME AND FISHERIES.

SB 1272, PN 1578 (Unanimous)

By Rep. W. W. FOSTER

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, defining commission records.

GAME AND FISHERIES.

SENATE MESSAGE

**HOUSE AMENDMENTS
NONCONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to **SB 404, PN 1669**.

MOTION INSISTING UPON AMENDMENTS

Mr. GALLEN moved that the House insist upon its amendments nonconcurred in by the Senate to SB 404, PN 1669, 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 404, PN 1669:

Messrs. GALLEN, PICCOLA and COWELL.

Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE

**HOUSE AMENDMENTS
NONCONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to **SB 457, PN 1670**.

MOTION INSISTING UPON AMENDMENTS

Mr. DININNI moved that the House insist upon its amendments nonconcurred in by the Senate to SB 457, PN 1670, 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 457, PN 1670:

Messrs. DININNI, NOYE and KOLTER.

Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE

**HOUSE AMENDMENTS
NONCONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to **SB 1010, PN 1646**.

MOTION INSISTING UPON AMENDMENTS

Mr. L. E. SMITH moved that the House insist upon its amendments nonconcurred in by the Senate to SB 1010, PN 1646, 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 1010, PN 1646:

Messrs. L. E. SMITH, POTT and LAUGHLIN.

Ordered, That the clerk inform the Senate accordingly.

STATEMENT BY SPEAKER

The SPEAKER. The Chair, in response to a question raised by the gentleman from Lehigh, Mr. Ritter, advised the House that the date on which the House acted on SB 1198 in the year 1970 was February 25. The Chair, after discussion and conference with the gentleman, Mr. Ritter, corrects the record. The motion to recede from amendments made by the gentleman, Mr. Irvis, took place on February 26, 1970, on page 2061 of the Legislative Journal for the year 1970, Volume I.

**COMMUNICATION FROM
WESTMORELAND COUNTY EMPLOYMENT
AND TRAINING ADMINISTRATION**

The SPEAKER. The Chair acknowledges receipt from the Westmoreland County Employment and Training Administration of a communication dated February 26, 1982.

The following communication was read:

Westmoreland County
Employment and Training Administration
Courthouse Square
10 W. Pittsburgh Street
Greensburg, PA 15601

February 26, 1982

The Honorable H. Jack Seltzer
Speaker of the House
Commonwealth of Pennsylvania
House of Representatives
Main Capitol Building
Harrisburg, PA 17120

Dear Mr. Seltzer:

Westmoreland County has submitted a Modification to its Annual Plan of the Comprehensive Employment and Training Plan (C.E.T.P.) to the U.S. Department of Labor. The Modification describes the Youth Employment and Training Program and adjustments in financial planning.

In accordance with Federal Regulations, I am advising you of the Modification and have enclosed a copy.

Any comments should be forwarded, within thirty (30) days to either of the following: Mr. William J. Haltigan, Regional Administrator, Employment and Training Admin., Region III, P.O. Box 8796, Philadelphia, PA 19101; Westmoreland County Board of Commissioners, Courthouse Square, Greensburg, PA 15601.

Sincerely,
Carl J. Bartolomucci
Executive Director

CJB/dc
Enclosures

(Copy of report is on file with the Journal clerk.)

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 Erie, Mr. Boyes.

Mr. BOYES. Mr. Speaker, I move that this House do now adjourn until Monday, March 22, 1982, at 1 p.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 4:36 p.m., e.s.t., the House adjourned.