

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

MONDAY, MAY 24, 1982

SESSION OF 1982

166TH OF THE GENERAL ASSEMBLY

No. 37

HOUSE OF REPRESENTATIVES

The House convened at 1 p.m., e.d.t.

THE SPEAKER (MATTHEW J. RYAN) IN THE CHAIR

PRAYER

REV. JAMES S. VUOCOLO, chaplain of the House of Representatives and pastor of St. Luke's United Church of Christ, Kenhorst, Reading, Pennsylvania, offered the following prayer:

Let us pray:

Almighty and merciful God, who knows our deepest needs, we ask Your blessing upon those who serve the Commonwealth of Pennsylvania in this House chamber, that their deliberations may be just and compassionate after the examples You have given and that their decisions may genuinely reflect a rule and authority which is worthy of our respect and service as we seek to glorify You, through Jesus Christ our Lord. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNALS APPROVED

The SPEAKER. The Journals of March 24, March 29, March 30, and March 31, 1982, are now in print. Are there corrections to these Journals? If not, without objection, the Journals stand approved. The Chair hears no objection.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Wednesday, May 5, 1982, will be postponed until printed. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2490 By Representative STAIRS

An Act declaring and adopting the song "The State of Independence," by Cyra G. Renwick, as the State song of the Commonwealth of Pennsylvania.

Referred to Committee on STATE GOVERNMENT, May 5, 1982.

No. 2491 By Representatives STAIRS and WASS

An Act relating to commissioners of deeds and making repeals.

Referred to Committee on STATE GOVERNMENT, May 5, 1982.

No. 2492 By Representatives COSLETT, CESSAR, TRELLO, F. E. TAYLOR, SALVATORE, DAIKELER, DEAL, LEHR, MACKOWSKI, W. W. FOSTER, SEVENTY, WARGO, SHUPNIK, PETRONE, HORGOS, DUFFY, McMONAGLE, CAWLEY, OLIVER, MARMION, BURD, RASCO, MADIGAN, BOYES, MERRY, E. H. SMITH, MANMILLER, LEVI, GRIECO, KLINGAMAN, PHILLIPS, CIVERA, MICOZZIE and CLYMER

An Act amending the act of May 29, 1956 (1955 P. L. 1804, No. 600), referred to as the Municipal Police Pension Law, further providing for cost of living increases.

Referred to Committee on LOCAL GOVERNMENT, May 5, 1982.

No. 2493 By Representatives NOYE, B. SMITH and PHILLIPS

An Act amending "The Local Tax Enabling Act," approved December 31, 1965 (P. L. 1257, No. 511), further providing for the collection of delinquent taxes and for a certain notice.

Referred to Committee on LOCAL GOVERNMENT, May 5, 1982.

No. 2494 By Representatives CIVERA, MICOZZIE, R. C. WRIGHT, DURHAM, PITTS, COSLETT, BELARDI, MARMION, HEISER and ARTY

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), further providing for entertainment permits.

Referred to Committee on LIQUOR CONTROL, May 5, 1982.

No. 2495 By Representatives CIMINI, DeMEDIO, DIETZ, SIEMINSKI, FEE, LETTERMAN, PRATT, E. H. SMITH, MANMILLER, MOWERY, WASS, FARGO, WAMBACH, GRIECO, LEVI, PETRONE, BOWSER and

An Act making an appropriation to the Department of General Services for the construction of the Pennsylvania Veterans Memorial at the Indiantown Gap Military Reservation.

Referred to Committee on APPROPRIATIONS, May 5, 1982.

**No. 2496** By Representatives TADDONIO and WILSON

An Act amending Title 13 (Commercial Code) of the Pennsylvania Consolidated Statutes, further regulating priority of money security interests.

Referred to Committee on BUSINESS AND COMMERCE, May 5, 1982.

**No. 2497** By Representatives CALTAGIRONE, PETRARCA and McINTYRE

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for bases of personal jurisdiction over persons outside the Commonwealth.

Referred to Committee on JUDICIARY, May 5, 1982.

**No. 2498** By Representatives MISCEVICH, GAMBLE, DAWIDA, TRELLO, MICHLOVIC, PISTELLA, SEVENTY, COWELL, HORGOS, MRKONIC, DUFFY, OLASZ, PETRONE, ITKIN and MURPHY

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (2nd Sp. Sess., 1937 P. L. 2897, No. 1), further providing for the active search for work requirements for extended and shareable benefits.

Referred to Committee on LABOR RELATIONS, May 5, 1982.

### SENATE BILL FOR CONCURRENCE

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

**SB 1206, PN 1904**

Referred to Committee on JUDICIARY, May 5, 1982.

### HOUSE RESOLUTION INTRODUCED AND REFERRED

**No. 193** By Representatives MICHLOVIC, DAWIDA, KUKOVICH, MISCEVICH, PISTELLA, SEVENTY, COWELL, HORGOS, PETRONE, MRKONIC, DUFFY, MURPHY, ITKIN, GAMBLE, SWEET, COLAFELLA, DeWEESE, COHEN and HARPER

House memorialize Congress extend Unemployment Compensation benefit eligibility from 39 to 65 weeks.

Referred to Committee on FEDERAL-STATE RELATIONS, May 5, 1982.

### COMMUNICATIONS FROM GOVERNOR

#### BILLS SIGNED BY GOVERNOR

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

APPROVAL OF HBs Nos. 418, 517, 936, 1814, 1943, 1997, 1998, 2011, 2081, 2083, 2199 and 2213.

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

May 5, 1982

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

I have the honor to inform you that I have this day approved and signed House Bill 418, Printer's No. 3090, entitled "AN ACT amending the act of May 31, 1933 (P.L. 1135, No. 280), entitled 'An act relating to the collection of delinquent county taxes in counties of the second class; repealing all acts or parts of acts, general, local or special, inconsistent herewith,' further providing for the rate of interest on delinquent taxes."

Dick Thornburgh  
Governor

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

May 5, 1982

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

I have the honor to inform you that I have this day approved and signed House Bill 2199, Printer's No. 2889, entitled "AN ACT amending the act of May 17, 1921 (P.L. 682, No. 284), entitled 'An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws,' REPEALING CERTAIN RIGHTS OF PERSONS REFERRED TO AS MINORS."

Dick Thornburgh  
Governor

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

May 7, 1982

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

I have the honor to inform you that I have this day approved and signed House Bill 936, Printer's No. 3104, entitled "AN ACT amending the act of December 5, 1972 (P.L. 1277, No. 283), entitled 'An act authorizing the establishment of the Pennsylvania Scenic Rivers System; defining certain terms relating thereto; imposing certain powers and duties on the Department of Environmental Resources and the secretary thereof and authorizing the use of the power of eminent domain in certain cases,' removing provisions relating to eminent domain and adding an additional classification known as pastoral rivers."

Dick Thornburgh  
Governor

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

May 7, 1982

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

I have the honor to inform you that I have this day approved and signed House Bill 1943, Printer's No. 3182, entitled "AN ACT amending the act of April 9, 1929 (P.L. 177, No. 175), entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined,' EMPOWERING THE EXECUTIVE BOARD TO SET THE SALARIES OF THE CHAIRMAN AND MEMBERS OF THE ENVIRONMENTAL HEARING BOARD, prohibiting conflicts of interest by certain employes of the Department of Environmental Resources, imposing a penalty and making a repeal."

Dick Thornburgh  
Governor

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

May 11, 1982

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

I have the honor to inform you that I have this day approved and signed House Bill 517, Printer's No. 3291, entitled "An act amending the act of March 10, 1949 (P.L. 30, No. 14), entitled 'An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto,' further providing for eligibility to the office of school director AND FOR ANNUAL REPORTS BY STATE-OWNED COLLEGES AND THE STATE-OWNED UNIVERSITY AND PROHIBITING CERTAIN REDUCED PAYMENTS FOR CERTAIN ACTIVITIES OF SCHOOL DISTRICTS."

Dick Thornburgh  
Governor

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

May 11, 1982

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

I have the honor to inform you that I have this day approved and signed House Bill 2083, Printer's No. 2597, entitled "AN

ACT amending the act of September 28, 1978 (P.L. 822, No. 161), entitled 'A supplement to the act of September 28, 1978 (P.L. 787, No. 151), entitled "An act providing for the capital budget for the fiscal year 1978-79," itemizing public improvement projects of the Department of General Services, together with their estimated financial cost, authorizing the incurring of debt for the projects without approval of the electors to complete projects in the category of public improvements by acquisition of original furniture and equipment to be acquired by the Department of General Services, stating the estimated useful life of such projects and making an appropriation,' providing for the nonlapping of certain Federal funds."

Dick Thornburgh  
Governor

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

May 12, 1982

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

I have the honor to inform you that I have this day approved and signed House Bill 1814, Printer's No. 2184, entitled "AN ACT amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for offenses against a person using a guide dog because of deafness."

Dick Thornburgh  
Governor

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

May 14, 1982

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

I have the honor to inform you that I have this day approved and signed House Bill 1997, Printer's No. 2442, entitled "AN ACT amending the act of June 20, 1947 (P.L. 733, No. 319), entitled, as amended, 'An act to provide revenue in school districts of the first class A by imposing a temporary tax upon certain classes of personal property; providing for its levy and collection; conferring and imposing powers and duties on the county assessing authority, board of revision of taxes, receiver of school taxes, school treasurer, board of public education in such districts and courts; providing for compensation to certain officers, and employes and imposing penalties,' further providing for the interest rate on delinquent taxes."

Dick Thornburgh  
Governor

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

May 14, 1982

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

I have the honor to inform you that I have this day approved and signed House Bill 1998, Printer's No. 2443, entitled "AN ACT amending the act of June 20, 1947 (P.L. 745, No. 320), entitled 'An act to provide revenue for school districts of the first class by imposing a temporary mercantile license tax on persons engaging in certain occupations and businesses therein; providing for its levy and collection; for the issuance of mercantile licenses upon the payment of fees therefor; conferring and imposing powers and duties on boards of public education, receivers of school taxes and school treasurers in such districts; saving certain

ordinances of council of certain cities, and providing compensation for certain officers, and employes and imposing penalties,' editorially revising the act and further providing for the interest rate on delinquent taxes."

Dick Thornburgh  
Governor

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

May 14, 1982

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

I have the honor to inform you that I have this day approved and signed House Bill 2011, Printer's No. 2458, entitled "AN ACT authorizing the Department of General Services, with the approval of the Governor and the Department of Environmental Resources, to convey a certain parcel of property in Manheim Township, York County acquired pursuant to the 'Project 70 Land Acquisition and Borrowing Act,' in exchange for two parcels of land located in Manheim Township, York County, Pennsylvania."

Dick Thornburgh  
Governor

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

May 14, 1982

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

I have the honor to inform you that I have this day approved and signed House Bill 2081, Printer's No. 2991, entitled "AN ACT amending the act of May 23, 1945 (P.L. 913, No. 367), entitled, as amended, 'An act relating to and regulating the practice of the profession of engineering; including civil engineering, mechanical engineering, electrical engineering, mining engineering, chemical engineering, surveying and constituent parts and combinations thereof as herein defined; providing for the licensing and registration of persons practicing said profession, and the certification of engineers in training, and the suspension and revocation of said licenses, registrations and certifications for violation of this act; prescribing the powers and duties of the State Registration Board for Professional Engineers, the Department of State and the courts; prescribing penalties; and repealing existing laws,' exempting certain activities from licensure and registration."

Dick Thornburgh  
Governor

Commonwealth of Pennsylvania  
Governor's Office  
Harrisburg

May 14, 1982

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

I have the honor to inform you that I have this day approved and signed House Bill 2213, Printer's No. 2914, entitled "AN ACT authorizing the Department of General Services, with the approval of the State Armory Board, the Department of Military Affairs and the Governor to grant and convey to the City of Philadelphia an easement and right-of-way in and over certain land in the City of Philadelphia."

Dick Thornburgh  
Governor

**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 leaves for the week for the gentleman from Allegheny, Mr. TADDONIO, and the gentleman from Delaware, Mr. ALDEN.

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

The Chair recognizes the minority leader for the purpose of taking leaves of absence.

Mr. IRVIS. Thank you, Mr. Speaker.

We ask for a leave of absence for the gentleman from Elk, Mr. WACHOB, for the week; the gentleman from Philadelphia, Mr. McINTYRE, for the day; the gentleman from Philadelphia, Mr. RAPPAPORT, for the week; the gentleman from Westmoreland, Mr. MANDERINO, for the week; and the gentleman from Philadelphia, Mr. ROCKS, for Monday and Tuesday, May 24 and 25.

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

**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—184**

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

Deal	Klingaman	Pucciarelli	Wozniak
Dietz	Kowalshyn	Punt	Wright, D. R.
Dininni	Kukovich	Rasco	Wright, J. L.
Dombrowski	Lashingner	Reber	Wright, R. C.
Donatucci	Laughlin	Richardson	Zwickl
Dorr	Lehr	Rieger	
Duffy	Lescovitz	Ritter	Ryan,
Durham	Letterman	Rybak	Speaker
Emerson	Levi		

ADDITIONS—7

DeMedio	Kolter	Lewis	Williams, H.
Fryer	Levin	Petrarca	

NOT VOTING—1

Cohen

EXCUSED—7

Alden	Manderino	Rocks	Wachob
McIntyre	Rappaport	Taddonio	

CALENDAR

BILLS AGREED TO ON SECOND CONSIDERATION

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

**SB 1283, PN 1870; and HB 1122, PN 2356.**

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2280, PN 3061**, entitled:

An Act amending the "Pennsylvania Bituminous Coal Mine Act," approved July 17, 1961 (P. L. 659, No. 339), making a repeal and prohibiting the use of internal combustion engines in underground coal mines.

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 2280 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 2281, PN 3062**, entitled:

An Act amending the "Pennsylvania Anthracite Coal Mine Act," approved November 10, 1965 (P. L. 721, No. 346), making a repeal and prohibiting the use of internal combustion engines in underground coal mines.

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 2281 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 2370, PN 3139**, entitled:

An Act amending the "Supplemental Federal Augmentation Appropriation Act of 1981," approved December 21, 1981 (P. L. 776, No. 56A), adding and changing certain Federal augmentation appropriations.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.  
Mr. HAYES. Mr. Speaker, I move that HB 2370 be recommitted to the Committee on Appropriations.

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

STATEMENT BY MR. RYBAK

TERCENTENARY COMMITTEE ON THIS DAY IN HISTORY

The SPEAKER. The Chair recognizes the gentleman from Northampton, Mr. Rybak.

Mr. RYBAK. Thank you, Mr. Speaker.

This day in history. On this day in 1798 an insurrection took place in several Pennsylvania counties which became known as the Fries Rebellion. A threatened war with France had resulted in the Federal Government enacting a direct tax upon the houses, lands, and slaves, referred to as the house tax. In Pennsylvania the tax fell mainly on the houses and lands. The value of a house was determined by counting the number and measuring the size of the windows.

John Fries, a Pennsylvania Dutchman from Montgomery County who had been a soldier in the Revolution and had helped put down the Whiskey Rebellion, harangued the people against the window tax. He was helped by the women, who poured hot water on the assessors when they attempted to measure the windows. This gave it the name "Hot Water War."

Fries gathered a force of 60 men, some of whom were arrested and held at the Sun Inn in Bethlehem by a United States marshal. In March 1799, Fries surrendered and then rescued his followers. He was tried for treason and sentenced to death. However, Mrs. Fries interceded with President John Adams for the pardon of her husband, parading her seven weeping children before him. The President became so

affected he could not refuse. The situation was too absurd, anyway. Fries was pardoned and had won fame as the leader of the Fries Rebellion.

Thus was the day in history back in 1798. Thank you, Mr. Speaker.

**MEMBERS' PRESENCE RECORDED**

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Fryer; the gentleman from Westmoreland, Mr. Petrarca; and the gentleman from Beaver, Mr. Kolter, who ask that their names be placed upon the master roll call.

**CALENDAR CONTINUED**

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1276, PN 1415**, entitled:

An Act amending the "State Public School Building Authority Act," approved July 5, 1947 (P. L. 1217, No. 498), authorizing Present Worth Method of soliciting bids for the public sale of bonds; authorizing the Authority to engage in refinancing and private sale of bonds and making a repeal.

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

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

The question is, shall the bill pass finally?

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

**YEAS—182**

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

DeVerter	Hutchinson, A.	Petrone	Wenger
DeWeese	Irvis	Phillips	Weston
Daikeler	Itkin	Piccola	Wiggins
Davies	Jackson	Pievsky	Wilson
Dawida	Johnson	Pitts	Wogan
Deal	Kennedy	Pott	Wozniak
Dietz	Klingaman	Pratt	Wright, D. R.
Dininni	Kolter	Pucciarelli	Wright, J. L.
Dombrowski	Kowalshyn	Punt	Wright, R. C.
Donatucci	Kukovich	Rasco	Zwinkl
Dorr	Lashingner	Reber	
Duffy	Laughlin	Richardson	Ryan,
Durham	Lehr	Rieger	Speaker

**NAYS—0**

**NOT VOTING—10**

Cohen	Levin	Pistella	Williams, H.
DeMedio	Lewis	Sweet	Williams, J. D.
Evans	Madigan		

**EXCUSED—7**

Alden	Manderino	Rocks	Wachob
McIntyre	Rappaport	Taddonio	

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

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

\* \* \*

The House proceeded to third consideration of **HB 1277, PN 1886**, entitled:

An Act amending "The Pennsylvania Higher Educational Facilities Authority Act of 1967," approved December 6, 1967 (P. L. 678, No. 318), removing provisions relating to term bonds and providing rights regarding the collection of subsidy payments in the event of rental payment failures.

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

Mr. FREIND offered the following amendment No. A7429:

Amend Sec. 1 (Sec. 6.2), page 2, line 18, by striking out "shall" and inserting

may

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

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

Mr. FREIND. Thank you, Mr. Speaker.

This amendment makes a one-word change in the bill. The intention of the bill is that when an institution that receives Commonwealth appropriations is in default of its loans to the Higher Educational Facilities Authority, that they be able to use those State funds as collateral. Now, the bill as drafted would require the Commonwealth to withhold those appropriations from such an institution. This change makes it "may" and allows the Department of Education some flexibility. I believe it is an agreed-to amendment. It is a good amendment, and I would appreciate your support.

**MEMBER'S PRESENCE RECORDED**

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

**CONSIDERATION OF HB 1277 CONTINUED**

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

The following roll call was recorded:

**YEAS—186**

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

**NAYS—0**

**NOT VOTING—6**

Cohen	Levin	Williams, H.	Williams, J. D.
Evans	Lewis		

**EXCUSED—7**

Alden	Manderino	Rocks	Wachob
McIntyre	Rappaport	Taddonio	

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

**YEAS—186**

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

**NAYS—0**

**NOT VOTING—6**

Cohen	Lewis	Williams, H.	Williams, J. D.
Levin	Sweet		

**EXCUSED—7**

Alden	Manderino	Rocks	Wachob
McIntyre	Rappaport	Taddonio	

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

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

\* \* \*

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

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

On the question,

Will the House agree to the bill on third consideration?

#### BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader. Mr. HAYES. Mr. Speaker, I move that HB 1635 be recommended to the Committee on Education.

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 HB 2280 and HB 2281 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.

#### RESOLUTION ADOPTED

The SPEAKER. The Chair recognizes the majority leader. Mr. HAYES. Mr. Speaker, I offer the following privileged resolution.

The following resolution was read:

In the House of Representatives,

RESOLVED (the Senate concurring), That House Bill No. 50, Printer's No. 3112, entitled "An act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for nonmedical good Samaritan civil immunity," be recalled from the Senate for the purpose of further consideration.

Samuel E. Hayes, Jr.  
K. Leroy Irvis

On the question,

Will the House adopt the resolution?

Resolution was adopted.

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

#### HOUSE RESOLUTION INTRODUCED AND REFERRED

**No. 194**

(Concurrent) By Representative WILSON

General Assembly direct Joint State Government Commission codify aviation laws of the Commonwealth.

Referred to Committee on RULES, May 24, 1982.

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

**HB 2344, PN 3046**

By Rep. BURD

An Act authorizing the Pennsylvania Milrite Council and the Pennsylvania Science and Engineering Foundation to solicit proposals and make grants to certain organizations to create jobs in applied technologies and making an appropriation.

BUSINESS AND COMMERCE.

**HB 2386, PN 3335 (Amended)**

By Rep. BURD

An Act amending "The Consumer Discount Company Act," approved April 8, 1937 (P. L. 262, No. 66), further defining capital; \*\*\*; extending the discount rate, increasing the service charge ceiling and modifying the requirement for issuance of a written receipt for payment.

BUSINESS AND COMMERCE.

**SB 448, PN 455**

By Rep. BURD

An Act amending Title 13 (Commercial Code) of the Pennsylvania Consolidated Statutes, conforming the text of the title to the current official text of the Uniform Commercial Code relating to secured transactions.

BUSINESS AND COMMERCE.

**SB 535, PN 1969 (Amended)**

By Rep. BURD

An Act amending Title 22 (Detectives and Private Police) of the Pennsylvania Consolidated Statutes, adding provisions relating to railroad and street railway police.

BUSINESS AND COMMERCE.

**SB 1284, PN 1726**

By Rep. BURD

An Act amending the act of June 28, 1947 (P. L. 1110, No. 476), entitled "Motor Vehicle Sales Finance Act," abolishing the maximum finance charges.

BUSINESS AND COMMERCE.

#### REQUEST FOR RECESS AND RULES COMMITTEE MEETING

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Thank you, Mr. Speaker.

There will be no more votes taken this afternoon. I would ask that we recess the House until 3:30 p.m. so that there can be further reports of committee. I would ask the two respective caucus chairmen to go over the active calendar in its entirety so that we can have a complete voting session tomorrow. Thank you, Mr. Speaker.



Mr. Speaker, one additional matter. I would ask that the Rules Committee meet in my office at the declaration of the recess today.

### DEMOCRATIC CAUCUS

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

Mr. O'DONNELL. Mr. Speaker, there will be a Democratic caucus immediately upon the call of the recess. We will cover the entire calendar. Thank you.

### REPUBLICAN CAUCUS

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

Mr. NOYE. Thank you, Mr. Speaker.

The same for the Republicans, immediately in the caucus room. We will cover the entire calendar.

### CRIME AND CORRECTIONS SUBCOMMITTEE MEETING

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

Mr. PICCOLA. Mr. Speaker, immediately upon the recess there will be a meeting of the Subcommittee on Crime and Corrections in B-19 of the Capitol, room B-19.

The SPEAKER. There will be immediate caucuses of both the Republican and Democratic caucuses on the declaration of the recess.

### RECESS

The SPEAKER. Without objection, this House will stand in recess until 3:30 p.m. The Chair hears no objection.

### AFTER RECESS

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

### MEMBER'S PRESENCE RECORDED

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

### BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 1350, PN 1971 (Amended) (Unanimous)

By Rep. GRIECO

An Act amending the act of July 2, 1935, (P. L. 589, No. 210), entitled, as amended, "Milk Sanitation Law," extending coverage to milk for manufacturing purposes and manufactured dairy products.

### AGRICULTURE AND RURAL AFFAIRS.

### MEMBER'S PRESENCE RECORDED

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

### REPORT FROM RULES COMMITTEE

#### BILLS REMOVED FROM TABLE FOR CALENDAR

The SPEAKER. The Chair recognizes the majority leader, who makes the following report on behalf of the Rules Committee.

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

HB 2088;  
HB 2141;  
HB 2147;  
SB 448;  
SB 1284; and  
SB 1350.

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

HB 2289;  
HB 2344;  
HB 2386;  
HB 2340;  
SB 79;  
SB 535; and  
SB 637.

On the question,

Will the House agree to the motion?

Motion was agreed to.

### RESOLUTION REPORTED FROM COMMITTEE

HR 194, PN 3336 (Concurrent)

By Rep. HAYES

General Assembly direct Joint State Government Commission codify aviation laws of the Commonwealth.

## RULES.

**SENATE MESSAGE****ADJOURNMENT RESOLUTION  
FOR CONCURRENCE**

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

In the Senate, May 24, 1982

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

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

On the question,  
Will the House concur in the resolution of the Senate?  
Resolution was concurred in.  
Ordered, That the clerk inform the Senate accordingly.

**MEMBER'S PRESENCE RECORDED**

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

**SENATE MESSAGE****SENATE CONCURRENCE  
IN HOUSE RESOLUTION**

The clerk of the Senate, being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives,

RESOLVED (the Senate concurring), That House Bill No. 50, Printer's No. 3112, entitled "An act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for nonmedical good Samaritan civil immunity," be recalled from the Senate for the purpose of further consideration.

**ADDITIONS OF SPONSORS**

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I submit for the record a list of additions of sponsors of bills.

HR 185, Sieminski; HR 190, Michlovic, Itkin; HB 2436, Salvatore; HB 2454, McIntyre, Civera; HB 2468, Snyder, Merry; HB 2469, Morris; HB 2474, Lucyk, Letterman, Cunningham, Fischer; HB 2475, Pott; HB 2477, Pott.

**RESIGNATION OF MEMBER**

The SPEAKER. The Chair acknowledges the receipt of a communication from George J. Kanuck, resigning from the House of Representatives effective May 6, 1982.

The following communication was read:

House of Representatives  
Commonwealth of Pennsylvania  
Harrisburg  
May 6, 1982

Honorable Matthew J. Ryan  
Speaker of the House  
Room 139  
Main Capitol Building  
Harrisburg, PA 17120

Sir:

I hereby resign effective immediately.

George J. Kanuck

GJK:abd

**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 939, PN 1873**, and has appointed Senators TILGHMAN, STAUFFER and LEWIS a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

**MOTION INSISTING UPON AMENDMENTS**

Mr. HAYES moved that the House insist upon its amendments nonconcurred in by the Senate to **SB 939, PN 1873**, 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 939, PN 1873**: Messrs. McCLATCHY, ANDERSON and PIEVSKY.  
Ordered, That the clerk inform the Senate accordingly.

**COMMUNICATIONS**

Westmoreland County  
Employment and Training Administration  
108 Courthouse Square  
Greensburg, PA 15601

May 20, 1982

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

Dear Mr. Seltzer:

Westmoreland County Employment and Training Administration has submitted a Modification to its FY '82 Annual Plan, to the U.S. Department of Labor, under the Comprehensive Employment and Training Act (C.E.T.A.). The Modification describes the programs and financial planning of the Summer Youth Employment Program (S.Y.E.P.) for Fiscal Year 1982.

In accordance to Federal Regulations, I am advising you of the Modification and am enclosing a copy.

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

Very truly yours,  
Carl J. Bartolomucci  
Executive Director  
Westmoreland County  
Employment and  
Training Administration

CJB/dc  
Enclosure

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

Beaver County Training  
and Employment Agency  
699 Fifth Avenue  
Beaver, Pennsylvania 15009-9986

May 13, 1982

Representative Matthew J. Ryan  
Speaker  
House of Representatives  
House Post Office  
Main Capitol Building  
Harrisburg, PA 17120

Dear Representative Ryan:

The Board of Beaver County Commissioners has submitted to the United States Department of Labor a modification of its Summer Youth Employment Program (SYEP) Annual Plan Subpart under the Comprehensive Employment and Training Act (CETA) Amendments of 1978 for fiscal year 1982. A copy of this document, Annual Plan #42-2-014, Modification 204 is available for your review upon request.

If you have any questions regarding this matter, please contact this office.

Very truly yours,  
Ann B. Mizer  
Administrator

ABM/AJB/drk  
Enclosure

**BILLS AND RESOLUTIONS PASSED OVER**

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

**ADJOURNMENT**

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

Mr. LEVIN. Mr. Speaker, I move that this House do now adjourn until Tuesday, May 25, 1982, at 11 a.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 3:43 p.m., e.d.t., the House adjourned.