

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, SEPTEMBER 14, 1982

SESSION OF 1982

166TH OF THE GENERAL ASSEMBLY

No. 47

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MATTHEW J. RYAN) IN THE CHAIR

PRAYER

REV. DARWYN J. NACE, chaplain of the House of Representatives and pastor of Felton Bethany United Methodist Church, Felton, Pennsylvania, offered the following prayer:

Let us pray:

Our kind Heavenly Father, we thank You for this new day of life that You have blessed us with. We thank You for its opportunities, and we appreciate its privileges. Bless us as we take on our various responsibilities of life and keep us mindful of the needs of others, for we pray in the Master's name. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Monday, September 13, 1982, will be postponed until printed. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2621 By Representatives GALLAGHER, GRIECO, PRATT, KOWALYSHYN, MERRY, E. Z. TAYLOR and MRKONIC

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania restricting the power of the Governor to grant and the Board of Pardons to recommend pardons and commutation of sentences for persons sentenced to life imprisonment.

Referred to Committee on JUDICIARY, September 13, 1982.

No. 2622 By Representative McCLATCHY

An Act amending the act of July 11, 1980 (P. L. 626, No. 130), entitled "A supplement to the act of _____, entitled 'An act providing for the capital budget for the fiscal year 1979-1980,' itemizing emergency public improvement projects to be constructed by the Department of General Services together with

their estimated financial cost; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects, stating the estimated useful life of the projects and making an appropriation," amending the title of the act, deleting projects and increasing a project in the Department of Public Welfare.

Referred to Committee on APPROPRIATIONS, September 13, 1982.

No. 2623 By Representative McCLATCHY

An Act amending the "Vietnam Herbicides Information Act," approved April 29, 1982 (P. L. 355, No. 99), extending the lapse date of the appropriation.

Referred to Committee on APPROPRIATIONS, September 13, 1982.

No. 2624 By Representatives SPENCER and STEVENS

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for divisions of the Court of Common Pleas of Philadelphia County.

Referred to Committee on JUDICIARY, September 13, 1982.

No. 2625 By Representatives CLYMER, GRUPPO, PUNT, JOHNSON and VROON

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

Referred to Committee on FINANCE, September 13, 1982.

No. 2626 By Representatives LLOYD, KUKOVICH, PRATT, D. R. WRIGHT, WACHOB, HALUSKA, GANNON, GRUITZA, MORRIS, WOZNIAC and TIGUE

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for receipt and processing of applications and fees within maintenance districts.

Referred to Committee on TRANSPORTATION, September 13, 1982.

No. 2627 By Representative A. K. HUTCHINSON

An Act amending the "County Pension Law," approved August 31, 1971 (P. L. 398, No. 96), further providing for the county retirement board.

Referred to Committee on LOCAL GOVERNMENT, September 13, 1982.

No. 2628 By Representatives JOHNSON, WASS, VROON, CIMINI, WOGAN, CIVERA,

LUCYK, PENDLETON, E. Z. TAYLOR, LEHR, CALTAGIRONE, PETRARCA, MORRIS, MAIALE, RYBAK, GRUITZA, MRKONIC, BOWSER, PUCCIARELLI and COLAFELLA

An Act prohibiting the imposition of per capita taxes on certain elderly and disabled persons.

Referred to Committee on LOCAL GOVERNMENT, September 13, 1982.

No. 2629 By Representatives WAMBACH and KUKOVICH

An Act providing for payments in lieu of taxes to municipalities for Commonwealth real property.

Referred to Committee on STATE GOVERNMENT, September 13, 1982.

No. 2630 By Representatives MAIALE and BELOFF

An Act amending the "Lethal Weapons Training Act," approved October 10, 1974 (P. L. 705, No. 235), clarifying the application of the act to specifically include privately employed agents employed by out-of-state firms.

Referred to Committee on JUDICIARY, September 13, 1982.

No. 2631 By Representatives POTT, WILSON, RYBAK, RASCO, HEISER, WOZNIAK, PISTELLA, MORRIS, MICHLOVIC and FRAZIER

An Act amending the "Lobbying Registration and Regulation Act," approved September 30, 1961 (P. L. 1778, No. 712), providing for the taking of a photograph of each lobbyist, and for the publication and distribution of a directory of lobbyists.

Referred to Committee on STATE GOVERNMENT, September 13, 1982.

No. 2632 By Representative BORSKI

An Act redesignating the Bridesburg Bridge in Philadelphia County as the W. Bruce Beaton Memorial Bridge.

Referred to Committee on TRANSPORTATION, September 13, 1982.

No. 2633 By Representative STEIGHNER

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for public notices under certain circumstances.

Referred to Committee on CONSUMER AFFAIRS, September 13, 1982.

No. 2634 By Representative STEIGHNER

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), increasing the penalties for serving liquor, malt or brewed beverages to a minor.

Referred to Committee on LIQUOR CONTROL, September 13, 1982.

No. 2635 By Representative STEIGHNER

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the fine to be imposed for the acquisition, possession or consumption of intoxicating beverages by a minor.

Referred to Committee on JUDICIARY, September 13, 1982.

No. 2636 By Representatives PETRARCA, MANDERINO, HASAY, VAN HORNE, KOLTER and STAIRS

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, requiring the purchase of natural gas produced from Pennsylvania wells.

Referred to Committee on CONSUMER AFFAIRS, September 13, 1982.

No. 2637 By Representatives PETRARCA, STAIRS, TADDONIO, VAN HORNE, OLASZ and KOLTER

An Act requiring the Department of General Services to purchase certain motor vehicles during a limited period of time.

Referred to Committee on FINANCE, September 13, 1982.

No. 2638 By Representatives PETRARCA, STAIRS, DOMBROWSKI, OLASZ, VAN HORNE and KOLTER

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), excluding from the sales tax motor vehicles manufactured within the Commonwealth.

Referred to Committee on FINANCE, September 13, 1982.

No. 2639 By Representatives TRELLO, CESSAR, ITKIN, GEORGE, LETTERMAN, FEE, FRYER, PETRONE, PISTELLA, GRABOWSKI, DAWIDA, DUFFY, MRKONIC, HORGOS, MICHLOVIC, COWELL, SEVENTY, OLASZ, KOLTER, McVERRY, MARMION, BURD and FISCHER

An Act relating to public utility gas rates, freezing these rates at the pre-September 1, 1982 level and creating a joint committee to investigate rates.

Referred to Committee on CONSUMER AFFAIRS, September 13, 1982.

No. 2640 By Representative DONATUCCI

An act establishing a program of pharmaceutical assistance to the aged.

Referred to Committee on HEALTH AND WELFARE, September 13, 1982.

No. 2641 By Representative DONATUCCI

An Act amending the "State Lottery Law," approved August 26, 1971 (P. L. 351, No. 91), further providing for the use of moneys in the State Lottery Fund.

Referred to Committee on STATE GOVERNMENT, September 13, 1982.

No. 2642 By Representatives FREIND, CIVERA, MICOZZIE, ARTY and SPITZ

An Act amending the act of October 30, 1981 (P. L. 321, No. 114), entitled "An act prohibiting political subdivisions or agencies of the Commonwealth from imposing certain quotas on the issuance of citations for certain offenses," providing that certain evaluations of officers shall not be prohibited, further providing for the enforcement of tickets or citations, creating an offense and imposing a penalty.

Referred to Committee on JUDICIARY, September 13, 1982.

No. 2643 By Representatives HASAY and LEHR

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), authorizing special occasion permits for veteran's organizations.

Referred to Committee on LIQUOR CONTROL, September 13, 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 leaves for the gentleman from Delaware, Mr. FREIND, for today's session; and also the lady from Montgomery, Mrs. LEWIS, for today's session.

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

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

The Chair is advised there are no requests for leaves from the minority.

STATEMENT BY MR. DEAL

**TERCENTENARY COMMITTEE
ON THIS DAY IN HISTORY**

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

Mr. DEAL. Mr. Speaker, on this day in history, 96 years ago this week, Alain Leroy Locke, black philosopher and educator, was born in Philadelphia.

After graduating from Philadelphia Teacher's School, Locke went to Harvard, where he studied philosophy and English. While there, he won many awards and prizes and was elected Phi Beta Kappa. In 1907 he became the first black Rhodes scholar, and graduated from Oxford University in 1910.

Following graduate work at the Berlin and Vienna Universities, he was named assistant professor of philosophy and education at Howard University in Washington. In 1918 he received a Ph.D. from Harvard and was named chairman of Howard University's philosophy department. He remained at Howard until 1953.

Locke wrote such scholarly works as "Plays of Negro Life," "The New Negro," "The Negro and His Music," "Negro Art: Past and Present," and "The Negro in Art."

His most important contribution to philosophy was probably his essay "Values and Imperatives," which appeared in "American Philosophy Today and Tomorrow" in 1935.

As a philosopher, Locke rejected all absolutes and embraced the theory of pluralism which holds that no single explanatory system or view of life can account for all the phenomena of life.

In 1945 he was elected the first black president of the American Association of Adult Education. Locke once described himself as "more of a philosophical mid-wife to a generation of younger Negro poets, writers and artists than a professional philosopher."

Mr. Speaker, this occurred 96 years ago. Thank you.

WELCOME

The SPEAKER. The Chair is pleased to welcome to the hall of the House today as the guests of Representative Lori Heiser, Joan O'Brien, a member of the Board of School Directors of the North Hills School District, here today with her husband Jack and her sons, Dan and Brendan.

MASTER ROLL CALL RECORDED

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

The following roll call was recorded:

PRESENT—190

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

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

ADDITIONS—0

NOT VOTING—3

Alden	Borski	Frazier
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EXCUSED—6

Fleck	Honaman	Lewis	Mackowski
Freind	Levi		

LEAVES ADDED—3

Borski	Frazier	Williams, J.
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VFW STATE COMMANDER PRESENTED

The SPEAKER. The Chair is pleased at this time to invite the most senior member of this House to temporarily preside for the purpose of introducing certain guests.

Will the gentleman, Mr. Wargo, come to the rostrum?

Mr. WARGO. I waited a long time to do that. Thank you, Mr. Speaker.

Mr. Speaker and members of the House, it is a pleasure for me, on behalf of the members of Lackawanna County, to present to you Thomas J. Dougherty of Dunmore in Lackawanna County, who was elected commander of the largest Veterans of Foreign Wars in the Nation during the 63d Annual Department Convention held in Pittsburgh in June of 1982.

Commander Dougherty has been active in the VFW at the local, district, State, and national levels for the past 21 years, earning the coveted title of "All-American District Commander" during 1977-78.

At the State level he served as assistant sergeant at arms for 10 years and was a member of the Loyalty Day, Voice of Democracy, and the Bicentennial Committees. He was elected department junior vice commander in 1980 and became senior vice commander of the department in 1981.

He was also named a national aide-de-camp for 3 years and served on national VFW committees concerning general resolutions, Americanism, and national security and foreign affairs.

Dougherty has also been actively involved in his home post, McHugh Bushweller Post 3474, Dunmore, where he has served as post commander. He helped to form the post's Life Membership Club and was post membership coordinator for 15 years. He is also past president and trustee of the past's Home Association.

Commander Dougherty served as treasurer of Dunmore Borough for 8 years. His full-time job is an operating engineer with local 542. He served in the Korean Conflict in the 153d

Transport Company, 7th medical port, 8th Army in Korea, where he earned the Korean Service Medal with three bronze campaign stars. He is a member of various fraternal and other veterans organizations including the American Legion and the Operating Engineers Social Club. He graduated from Dunmore High School and attended the University of Scranton, and is married and the father of five children. He has been a lifelong friend of mine, and certainly in his community in all levels he participates actively in both the political, social and civic background.

It is a pleasure and privilege for me to present to you today the State Commander of the Veterans of Foreign Wars of the Commonwealth of Pennsylvania, Thomas "Beacon" Dougherty.

COMMANDER DOUGHERTY. Mr. Wargo, my very, very good friend, a person who has served the 115th Legislative District, which is located in Lackawanna County, who has done so much for the people of the 115th Legislative District and for the people of the great Commonwealth of Pennsylvania, I want to thank you for your introduction.

Mr. Speaker and members of the House of Representatives, I thank you for this opportunity to speak to you today. As most of you probably know, the Veterans of Foreign Wars, the Department of Pennsylvania, is the largest State VFW organization in the Nation, with more than 170,000 members, and we are proud of the fact that our ladies' auxiliary now numbers nearly 40,000 members. We are proud of these numbers because in order to attract and sustain the interest of the thousands of veterans for more than 60 years, we must be doing something right.

One of those right things was to organize the Veterans of Foreign Wars around a theme of honoring the dead by serving the living. Every day throughout the Commonwealth, members of the Veterans of Foreign Wars live out that slogan by organizing youth activities in their communities and by sponsoring the "Voice of Democracy" contest, Americanism programs, parades, "lite-a-bike" days, and dozens of other activities that build up and improve our communities.

We are not only a large veterans organization; we are an active organization, vitally involved in making our communities and our country a better place to live in.

Today I have only two points to make. First, I want to congratulate you on the job that you have done. During the past 2 years this legislature has passed into law several milestones for the veterans of Pennsylvania and the veterans organizations. You enacted the Vietnam Herbicides Information Commission, which is an extremely important step towards aiding these veterans who were suffering adverse health effects from exposure to the herbicides used in Vietnam. You passed a bingo bill that legalized the game for nonprofit organizations such as ours, and you passed HB 1527, which exempted our posts from the Liquor Board's quota system. Both of these actions strengthen our posts and help us to finance the costs of our community service programs and the veterans service work that we do so ably in the Veterans of Foreign Wars.

But you also honored the prisoner of war with a special license plate. You remembered the disabled veteran with a

special deer license and the blind veteran with an increased pension.

Major innovations at the Erie Soldiers' and Sailors' Home and the Hollidaysburg Veterans' Home have greatly improved the facilities and provided the kind of nursing care and the domiciliary care that we are proud to offer to our aging veteran.

This session of the legislature has remembered the veteran in many ways, and we are very grateful for this. But we have not yet accomplished all of our goals on behalf of the veterans of Pennsylvania.

My second point is to express to you the VFW's goals for 1982-83. Pennsylvania's veterans' preference laws have been on the books for many, many years. Applying those laws is another matter. Our hope is that as legislators you will insist that the State fully enforce the provisions of the law. Veterans' preference, as with all veterans' entitlements, we believe were earned by the veteran. When he left his home, he set his career aside, left his family, and responded to this Nation's call to action. We ask that you continue to support the veterans' homes at Hollidaysburg and at Erie, and we would also like for you to establish a third home in the southeastern region of the Commonwealth, where a large number of our veterans live.

Also, we have long supported the Scotland School for Veterans' Children, and we urge you to continue to meet the needs of the home and its children.

In terms of specific legislation, we urge the adoption of a bill which would return Memorial Day in Pennsylvania to the traditional day of May 30. Celebrating this solemn occasion as a holiday on the last Monday of May obscures the true meaning of the day. Memorial Day is a time to remember the Nation's military dead of all wars and to pay tribute to those who paid the supreme sacrifice. You have regularly supported us on this bill, but it has been the Senate which has failed to act. We hope that you will use whatever power of persuasion you may have with your colleagues in the Senate to see that this bill becomes law.

Another bill would establish a mortgage fund for veterans, a loan fund for veterans. For many of our younger veterans, owning a home is an impossible dream without such assistance.

Finally, you have recently passed a bill which would provide the names of high school students for the Armed Forces recruiters under certain conditions. We support that bill, and we urge you to let the Senate know of our strong support for HB 1599.

Again, I want to thank you for the opportunity to speak. I want to thank you for remembering the veteran in the past, and we look forward to working with you this year and in the next session of the General Assembly.

Immediately after this I will be up in Mr. Wargo's office. If any of you have any questions, I will be very happy to answer them. Thank you for having me with you today.

I would like to introduce to you some very dedicated people from the Veterans of Foreign Wars who have put so many years into our cause. With us we have Joseph Vicites, who is a

past national commander in chief of this great organization. Joe, would you stand up, and as I call you, would you please stand? Al Palumbo, who is a past commander of the State of Pennsylvania and a member of our National Council of Administration; Tavo Angelo, our State junior vice commander; Clement Plisiewicz, who is our State quartermaster; Terry Hertzler, our State adjutant; Floyd Rouser, who is a past 23d district commander, one of our large districts in the State of Pennsylvania; John Miller, an aide-de-camp for the Veterans of Foreign Wars; and, of course, Ken Quigley, our department of public relations consultant. Thank you.

BRISTOL BOROUGH LITTLE LEAGUE GIRLS' ALL STAR TEAM PRESENTED

The SPEAKER. The Chair at this time is pleased to ask the gentleman from Bucks County, Mr. Cordisco, to temporarily preside for the purpose of introducing to the House the *Bristol Borough Little League Girls' All Star Softball Team*. These girls are members of a team who are the State champions and recently competed in worldwide competition. I will leave this, however, to Mr. Cordisco to explain. Mr. Cordisco.

Our guests should understand that the boos were intended to be and directed to Mr. Cordisco and not our guests.

Mr. CORDISCO. I was going to say thank you, Mr. Speaker, but I will refrain at this time.

It is indeed an honor to be here today and to present to you the Bristol Senior Little League Girls' Softball Team. The Bristol Little League Girls' All Star Team, under the leadership and guidance of Manager Michael Lalli and Coach Eleanor Stevens, placed third in the World Series held in Kalamazoo, Michigan, and was the only team to defeat the now-reigning world champions.

The team, which is before you now, I will introduce to you: Patty Adamson, Cindi Baker, Karen Delaney, Oretha Green, Michelle Manto, Paula Mendick, Dawn Miller, Denise Marchese, Tracey Niccols, Kim Peabody, Stacey Spadaccino, Kim Spatafore, Lynn Stevens, and Susan Miller.

At this time I would like to ask Mr. Persichetti, Mr. Lalli, and Mrs. Stevens to come to the rostrum. (Reading:)

WHEREAS, The Bristol Borough Little League Girls' All Star Team, under the leadership and guidance of Manager Michael Lalli; Coach Eleanor Stevens; League President Louis A. Persichetti, Jr.; and Agent Ralph Di Guiseppe, Jr., placed third in the World Series held in Kalamazoo, Michigan; and

WHEREAS, The team, comprised of Patty Adamson, Cindi Baker, Karen Delaney, Oretha Green, Michelle Manto, Paula Mendick, Dawn Miller, Denise Marchese, Tracey Niccols, Kim Peabody, Stacey Spadaccino, Kim Spatafore, Lynn Stevens, and Susan Miller, captured the District 21, Section 4, Eastern Pennsylvania, Eastern United States and Pennsylvania State Championships.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania extends hearty congratulations to the Bristol Borough Little League Girls' All Star Team and their coaching staff on completing a highly successful season and extends best wishes for continued success in future seasons; and

further directs that a copy of this citation be delivered to the Bristol Borough Little League Girls' All Star Team.

Submitted by:
John F. Cordisco
Sponsor
Matthew J. Ryan
Speaker
ATTEST:
John J. Zubeck
Chief Clerk

One other note: We do have with us from Bristol Borough today the mayor of Bristol Borough, the Honorable Margaret Stakenas, as well as the vice president of council, Mr. Gary Tosti, who is 35 years old today.

Thank you, Mr. Speaker, and thank you, girls. It is a pleasure having you here.

WELCOME

The SPEAKER. The Chair is pleased to welcome to the hall of the House today as the guests of Representative Peter Vroon, Mr. and Mrs. E. F. Mallott of Cottam, Ontario, and Mr. and Mrs. Michael Getzey of Mont Clare, Pennsylvania.

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 2474**, **PN 3441**, entitled:

An Act creating the Agricultural Development Authority as a governmental instrumentality and as a body corporate and politic; prescribing the rights, powers and duties of such authority; authorizing such authority to acquire by gift or purchase; ***; and making an appropriation.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader. Mr. HAYES. Mr. Speaker, I move that HB 2474 be recommitted to the Committee on Appropriations for a fiscal note.

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

BILLS AGREED TO ON SECOND CONSIDERATION

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

SB 1124, **PN 1834**; **HB 2483**, **PN 3316**; and **HB 2378**, **PN 3525**.

* * *

The House proceeded to second consideration of **HB 2597**, **PN 3529**, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), establishing different budget procedures for the Office of Consumer Advocate and making a repeal.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader. Mr. HAYES. Mr. Speaker, I move that HB 2597 be recommitted to the Committee on Appropriations for a fiscal note.

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

* * *

The House proceeded to second consideration of **HB 2598**, **PN 3530**, entitled:

An Act establishing an act regulating dental plan organizations.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader. Mr. HAYES. Mr. Speaker, I move that HB 2598 be recommitted to the Committee on Appropriations for a fiscal note.

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

* * *

The House proceeded to second consideration of **HB 2617**, **PN 3531**, entitled:

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, further providing for professional dental health service corporations and for the liability of professional health service corporations.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader. Mr. HAYES. Mr. Speaker, I move that HB 2617 be recommitted to the Committee on Appropriations for a fiscal note.

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

* * *

The House proceeded to second consideration of **HB 1207, PN 1342**, entitled:

An Act amending the act of May 16, 1923 (P. L. 207, No. 153), referred to as the Municipal Claim and Tax Lien Law, extending the period for revival of suggestions and averments of nonpayment and default and the time for filing and renewal of all taxes and municipal claims to twenty years and further providing for satisfaction of liens.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I move that HB 1207 be recommended to the Committee on Appropriations for a fiscal note.

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

BILLS AGREED TO ON SECOND CONSIDERATION CONTINUED

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

SB 171, PN 2124; SB 1186, PN 1967; HB 1055, PN 1169; HB 2461, PN 3269; HB 2462, PN 3270; HB 2463, PN 3271; HB 2464, PN 3272; HB 2465, PN 3273; HB 2466, PN 3274; HB 2467, PN 3275; and HB 2487, PN 3320.

* * *

The House proceeded to second consideration of **HB 2559, PN 3457**, entitled:

An Act amending the act of June 27, 1947 (P. L. 1046, No. 447), referred to as the State Tax Equalization Board Law, further prescribing its powers and duties to provide for a common level ratio.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I move that HB 2559 be recommended to the Committee on Appropriations for a fiscal note.

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

BILLS AGREED TO ON SECOND CONSIDERATION CONTINUED

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

HB 2560, PN 3527; HB 2561, PN 3459; HB 2562, PN 3460; HB 2563, PN 3461; HB 2564, PN 3462; HB 2565, PN 3463; SB 1119, PN 1326; and SB 1120, PN 1327.

* * *

The House proceeded to second consideration of **HB 2577, PN 3528**, entitled:

An Act providing for the historic preservation of the State Capitol Building, establishing a Capitol Preservation Committee and establishing the Capitol Restoration Trust Fund.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I move that HB 2577 be recommended to the Committee on Appropriations for a fiscal note.

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

BILLS AGREED TO ON SECOND CONSIDERATION CONTINUED

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

SB 1091, PN 1995.

* * *

The House proceeded to second consideration of **SB 1279, PN 2122**, entitled:

An Act amending the act of December 17, 1981 (P. L. 435, No. 135), entitled "Race Horse Industry Reform Act," further providing for the distribution of moneys retained from pari-mutuel pools.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I move that SB 1279 be recommended to the Committee on Appropriations for a fiscal note.

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

BILLS AGREED TO ON SECOND CONSIDERATION CONTINUED

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

HB 2114, PN 3534.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1309, PN 1640**, entitled:

An Act amending the act of April 9, 1929 (P. L. 343, No. 176), entitled "The Fiscal Code," further providing for audits of requisitions, issuance of warrants and payments.

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—184

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

NAYS—1

Lloyd

NOT VOTING—8

Alden	Cornell	Frazier	Gray
Borski	Emerson	Gamble	Gruitza

EXCUSED—6

Fleck	Honaman	Lewis	Mackowski
Freind	Levi		

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

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

WELCOME

The SPEAKER. The Chair is pleased to welcome to the hall of the House today as the guests of Representative Paul Clymer of Bucks County, Leon and Rose Stover from Perkasie.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **SB 739, PN 2053**, entitled:

An Act amending the act of May 5, 1933 (P. L. 284, No. 104), entitled, as reenacted and amended, "Malt Beverage Tax Law," extending the emergency malt or brewed beverage tax credits.

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—179

Anderson	Foster, W. W.	Madigan	Showers
Arty	Foster, Jr., A.	Maiale	Shupnik
Barber	Fryer	Manderino	Sieminski
Belardi	Gallagher	Manmiller	Sirianni
Belfanti	Gallen	Marmion	Smith, B.
Berson	Gamble	Merry	Smith, E. H.
Bittle	Gannon	Michlovic	Smith, L. E.
Blaum	Geist	Micozzie	Snyder
Bowser	George	Miller	Spencer
Boyes	Gladeck	Miscevich	Spitz
Brandt	Grabowski	Moehlmann	Stairs
Brown	Greenfield	Morris	Steighner
Burd	Greenwood	Mowery	Stevens
Burns	Grieco	Mrkonic	Stewart
Caltagirone	Gruppo	Mullen	Suban
Cappabianca	Hagarty	Murphy	Swaim
Cawley	Haluska	Nahill	Sweet
Cessar	Harper	Noye	Swift
Cimini	Hasay	O'Donnell	Taddonio
Civera	Hayes	Olasz	Taylor, E. Z.
Clark	Heiser	Oliver	Taylor, F. E.
Clymer	Hoeffel	Pendleton	Telek
Cochran	Horgos	Perzel	Tigue

Cohen	Hutchinson, A.	Peterson	Trello
Colafella	Irvis	Petrarca	Van Horne
Cole	Itkin	Petrone	Vroon
Cordisco	Jackson	Phillips	Wachob
Cornell	Johnson	Piccola	Wambach
Coslett	Kennedy	Pievsky	Wargo
Cowell	Klingaman	Pistella	Wass
Cunningham	Kolter	Pott	Wenger
DeMedio	Kowalshyn	Pratt	Weston
DeVerter	Kukovich	Pucciarelli	Wiggins
DeWeese	Lashingner	Punt	Williams, H.
Daikeler	Laughlin	Rappaport	Williams, J. D.
Davies	Lehr	Rasco	Wilson
Dawida	Lescovitz	Reber	Wogan
Deal	Letterman	Richardson	Wozniak
Dietz	Livengood	Rieger	Wright, D. R.
Dombrowski	Lloyd	Ritter	Wright, J. L.
Donatucci	Lucyk	Rocks	Wright, R. C.
Dorr	McClatchy	Rybak	Zwikel
Duffy	McIntyre	Saurman	
Evans	McMonagle	Serafini	Ryan,
Fargo	McVerry	Seventy	Speaker
Fec			

NAYS—3

Armstrong	Fischer	Pitts
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NOT VOTING—11

Alden	Dininni	Frazier	Levin
Beloff	Durham	Gray	Salvatore
Borski	Emerson	Gruitza	

EXCUSED—6

Fleck	Honaman	Lewis	Mackowski
Freind	Levi		

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.

RECESS

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

I suggest the House take lunch at this time and return to voting session at 1 p.m.

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

AFTER RECESS

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

ANNOUNCEMENT BY SPEAKER

SESSION SCHEDULE

The SPEAKER. Notice is given, in accordance with the act of July 19, 1974, that the House of Representatives will convene in open session in the hall of the House on Wednesday, September 15, 1982, at 11 a.m. This notice is posted in accordance with the Sunshine Law.

WELCOME

The SPEAKER. The Chair welcomes to the hall of the House today as the guests of Representative Len Gruppo, a group from Bangor Borough - George Shook, Joseph DiOrio, Jack Hamm, Bob Wisniewski, and Mike Pohronezny.

STATEMENT BY MR. WACHOB

The SPEAKER. The Chair at this time recognizes the gentleman from Elk, Mr. Wachob, who asks unanimous consent to make a brief statement. The gentleman may proceed.

Mr. WACHOB. Thank you, Mr. Speaker.

Mr. Speaker, during the summer recess Commonwealth Court handed down a decision that could have a financial impact on every county in the State. I am referring, Mr. Speaker, to the court's August 11 decision regarding county child welfare reimbursements during fiscal year 1980-81.

Briefly, the decision handed down by Commonwealth Court made two very important points: First, that the Department of Public Welfare had knowingly requested a 1980-81 State fund appropriation for county child welfare services that, in the words of the court, "was far below what it knew the counties would require"; secondly, that the substantive language included in the general appropriations bill for 1980-81 that attempted to limit or cap child welfare payments to counties was in fact not a legal means of limiting such reimbursements.

In short, Mr. Speaker, the court said that State statute—in this case, Act 148 of 1977—could not be amended by language included in the 1980-81 general appropriations bill and that counties were entitled to additional reimbursements for providing child welfare services up to the time the cap language was actually added to the Public Welfare Code by Act 239 of 1980. The opinion further directed, Mr. Speaker, that the Department of Public Welfare submit a request to the General Assembly for a supplemental appropriation sufficient to reimburse all counties for all child welfare costs to which they were entitled under Act 148.

This decision is very important for a variety of reasons, including the fact that the court found that a State agency had abused its discretion in requesting funds to pay for important direct services provided at the local level; in addition, had clearly violated its obligation under State statute enacted by this General Assembly.

The decision is more important in my mind, however, because it highlights an error in decisionmaking by this General Assembly that directly resulted from passing the 1980-81 State budget in a conference report without allowing the members an opportunity to amend. Had the language capping child welfare reimbursements stood alone as an individual amendment, my guess is that it would not have been adopted because it clearly did not belong in a general appropriations bill. However, given that the members were forced to vote on an entire spending package that had not first been made available for amendment on an item-by-item basis, it is not surprising that this error in decisionmaking had to finally be corrected by the courts.

Mr. Speaker, I believe that the court's decision, and its implications about how we had allocated the people's money over the past 4 years, is sufficient justification to continue insisting that all members be allowed the opportunity to amend all spending bills that reach this floor of the House. I hope that when the additional request for funding required by the court to correct the child welfare funding appropriation error is presented to this House, it is not again part of a massive and confusing conference report that no one is able to amend.

I look forward to reviewing that request since, like many members on this side of the aisle, I support adequate funding of child welfare services. However, if the request presented is, in my judgment, insufficient or not in agreement with the court's directive, I also, like all members on this side of the aisle, expect to be able to offer amendments to correct those deficiencies before the appropriation finally passes this House.

I hope the majority party agrees with me and will see to it that the amendment process is immediately restored to the general appropriation process carried out on this floor of this House of Representatives. Thank you, Mr. Speaker.

CALENDAR RESUMED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1335, PN 1777**, entitled:

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), entitled "Liquor Code," further providing for licenses for certain performing arts facilities.

On the question,

Will the House agree to the bill on third consideration?

Mr. KOWALYSHYN offered the following amendments No. A8612:

Amend Title, page 1, line 18 by removing the period after "facilities" and inserting
and for certain unlawful acts.

Amend Bill, page 5, by inserting between lines 21 and 22
Section 2. Clause (1) of section 491 of the act is amended to read:

Section 491. Unlawful Acts Relative to Liquor, Alcohol and Liquor Licenses.—

It shall be unlawful—

(1) Sales of Liquor. For any person, by himself or by an employe or agent, to expose or keep for sale, or directly or indirectly, or upon any pretense or upon any device, to sell or offer to sell any liquor within this Commonwealth, except in accordance with the provisions of this act and the regulations of the board. This clause shall not be construed to prohibit hospitals, physicians, dentists or veterinarians who are licensed and registered under the laws of this Commonwealth from administering liquor in the regular course of their professional work and taking into account the cost of the liquor so administered in making charges for their professional service, or a pharmacist duly licensed and registered under the laws of this Commonwealth from dispensing liquor on a prescription of a duly licensed physician, dentist or veterinarian, or selling medical preparations containing alcohol, or using liquor in compounding prescriptions or medicines and making a charge for the liquor used in such medicines, or a manufacturing pharmacist or chemist from using liquor in manufac-

turing preparations unfit for beverage purposes and making a charge for the liquor so used. All such liquor so administered or sold by hospitals, physicians, dentists, veterinarians, pharmacists or chemists shall conform to the Pharmacopoeia of the United States, the National Formulary, or the American Homeopathic Pharmacopoeia. This clause shall not be construed to prohibit an executor or an administrator of a decedent's estate from selling privately or at public auction liquor which was an asset of the decedent. The board shall establish regulations to ensure that State taxes from the sales will be paid by the estate from the proceeds of the sale. The board may not prohibit a sale of liquor for the reason that it was not lawfully acquired prior to January 1, 1934 or has not been purchased from a Pennsylvania liquor store or in compliance with Pennsylvania law.

Amend Sec. 2, page 5, line 22 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 Northampton, Mr. Kowalyszyn.

Mr. KOWALYSHYN. Thank you, Mr. Speaker.

The amendment before the House is intended to fill a gap in the present Liquor Code. The problem is that if a person who has accumulated a private supply of liquor dies, there is no way at the present time to legally dispose of that liquor. The result is that a personal representative, an executor or an administrator, is at a loss as to how to dispose of liquor that has been accumulated in such a way.

What this amendment does simply is to authorize the Liquor Control Board to make regulations so that such liquor can be sold by the executor or administrator and, in so doing, the State sales tax on the liquor can be paid. In this way the liquor can be lawfully disposed of and the State will realize some revenue, which under the present situation it cannot receive. So I urge that the House consider approving this amendment and, in so doing, fill in this serious gap in the present Liquor Code. Thank you, Mr. Speaker.

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

Mr. RYBAK. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the amendment on the floor. I do so because I feel that unless this amendment is passed, there will continue in existence a situation where the sales tax is avoided by unscrupulous citizens who have amassed a supply of liquor over the years either by gift or from their travels overseas. I think it is a good piece of legislation, and I urge all members to support it. Thank you.

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

Mr. VROON. Mr. Speaker, I am asking the members of this House if they will please consider voting against this amendment and every other amendment that is going to be offered on this bill, by reason of the fact that this bill came over clean from the Senate and the only chance of our getting it passed this session is by having it passed without amendment. So I would ask you to please consider helping us to get this bill passed without amendment and vote against this and subsequent amendments that are offered. Thank you.

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

The following roll call was recorded:

YEAS—114

Anderson	Evans	Lehr	Richardson
Arty	Fee	Lescovitz	Rieger
Barber	Fischer	Leterman	Ritter
Belardi	Foster, W. W.	Levin	Rocks
Belfanti	Fryer	Livengood	Rybak
Beloff	Gallagher	Lucyk	Serafini
Berson	Gallen	McIntyre	Showers
Blaum	Gamble	McMonagle	Sieminski
Brown	Gannon	Maiale	Snyder
Burns	Gladeck	Manderino	Spencer
Caltagirone	Greenfield	Manmiller	Steighner
Cappabianca	Greenwood	Michlovic	Stewart
Cawley	Gruitza	Micozzie	Suban
Civera	Gruppo	Miscevich	Swaim
Clark	Haluska	Moehlmann	Sweet
Cohen	Harper	Mowery	Taylor, F. E.
Colafella	Heiser	Mrkonic	Tigue
Cole	Hoeffel	Mullen	Van Horne
Cowell	Horgos	Murphy	Wachob
Cunningham	Hutchinson, A.	O'Donnell	Wambach
DeMedio	Iris	Oliver	Wargo
DeWeese	Irkin	Petrarca	Wiggins
Dawida	Jackson	Petrone	Williams, H.
Deal	Johnson	Pievsky	Williams, J. D.
Dombrowski	Kolter	Pistella	Wilson
Donatucci	Kowalshyn	Pratt	Wozniak
Duffy	Kukovich	Pucciarelli	Wright, D. R.
Durham	Lashinger	Rappaport	Zwinkl
Emerson	Laughlin		

NAYS—64

Armstrong	Foster, Jr., A.	Nahill	Stairs
Bittle	Geist	Noye	Stevens
Bowser	George	Perzel	Swift
Boyes	Grieco	Peterson	Taddonio
Brandt	Hagarty	Phillips	Taylor, E. Z.
Cessar	Hasay	Pitts	Telek
Cimini	Hayes	Pott	Vroon
Clymer	Kennedy	Punt	Wass
Cochran	Klingaman	Reber	Wenger
Cornell	Lloyd	Salvatore	Weston
Coslett	McClatchy	Saurman	Wogan
DeVerter	McVerry	Shupnik	Wright, J. L.
Daikeler	Madigan	Sirianni	Wright, R. C.
Davies	Marmion	Smith, B.	
Dietz	Merry	Smith, L. E.	Ryan,
Dorr	Miller	Spitz	Speaker
Fargo	Morris		

NOT VOTING—15

Alden	Dininni	Olasz	Seventy
Borski	Frazier	Pendleton	Smith, E. H.
Burd	Grabowski	Piccola	Trello
Cordisco	Gray	Rasco	

EXCUSED—6

Fleck	Honaman	Lewis	Mackowski
Freind	Levi		

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. CAPPABIANCA offered the following amendments No. A8642:

Amend Title, page 1, line 18, by removing the period after "facilities" and inserting
and stadium or arena permits.

Amend Bill, page 5, by inserting between lines 21 and 22
Section 2. Subsection (a) of section 433.1 of the act, amended July 9, 1976 (P.L.924, No.173), is amended to read:

Section 433.1. Stadium or Arena Permits.—(a) The board is hereby authorized to issue, in cities of the first, second and third class, [and] in counties of the third class and in school districts in counties of the third class, special permits allowing the holders thereof to make retail sales of malt or brewed beverages in shatterproof containers at all events on premises principally utilized for competition of professional and amateur athletes and other types of entertainment having an available seating capacity of twelve thousand or more in cities of the first and second class and seven thousand or more and owned by the city in cities of the third class and four thousand two hundred or more and owned by counties of the third class and two thousand five hundred or more in school districts in counties of the third class: Provided, however, That in cities of the second class this section shall be applicable only to premises owned, leased or operated by any authority created under the act of July 29, 1953 (P.L.1034, No.270), known as the "Public Auditorium Authorities Law." Such sales may be made only to adults and only on days when the premises are so used and only during the period from one hour before the start of and ending one-half hour after the close of the event on the premises: Provided, however, That in school districts in counties of the third class sales may be made only during professional athletic competition.

Amend Sec. 2, page 5, line 22, by striking out "2" and inserting

3

Amend Sec. 2, page 5, line 22, by striking out "in 60 days" and inserting
immediately

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, the amendment is rather simple. The city of Erie has a professional baseball team which leases a stadium which is owned by the school district of the city of Erie, and due to that technicality and the technicality of the seating arrangements being less than 7,200, they are prevented from selling beer. All this amendment would allow is that this professional team during professional events could sell beer. I am asking for support of the amendment, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—126

Arty	Durham	McMonagle	Serafini
Barber	Emerson	Maiale	Seventy
Belardi	Evans	Manderino	Showers
Belfanti	Fee	Merry	Shupnik
Beloff	Fryer	Michlovic	Sieminski
Berson	Gallagher	Miscevich	Smith, B.
Blaum	Gallen	Moehimann	Stairs
Bowser	Gamble	Morris	Steighner
Boyes	Gladeck	Mrkonic	Stevens
Brown	Grabowski	Mullen	Stewart
Burd	Greenfield	Murphy	Suban
Burns	Greenwood	O'Donnell	Swaim
Caltagirone	Gruitza	Olasz	Sweet

Cappabianca	Gruppo	Oliver	Swift
Cawley	Haluska	Pendleton	Taylor, F. E.
Clark	Harper	Perzel	Telek
Cochran	Hoeffel	Petrarca	Tigue
Cohen	Horgos	Petrone	Trello
Colafrella	Hutchinson, A.	Pievsky	Van Horne
Cole	Irviss	Pistella	Wachob
Cordisco	Itkin	Pott	Wambach
Coslett	Kolter	Pratt	Wargo
Cowell	Kowalyshyn	Pucciarelli	Weston
DeMedio	Kukovich	Rappaport	Wiggins
DeWeese	Lashingier	Rasco	Williams, H.
Davies	Laughlin	Reber	Williams, J. D.
Dawida	Lescovitz	Richardson	Wilson
Deal	Letterman	Rieger	Wogan
Dombrowski	Levin	Ritter	Wozniak
Donatucci	Lloyd	Rocks	Wright, D. R.
Dorr	Lucyk	Salvatore	Zwikl
Duffy	McIntyre		

NAYS—60

Anderson	Foster, Jr., A.	McVerry	Smith, E. H.
Armstrong	Gannon	Madigan	Smith, L. E.
Bittle	Geist	Manmiller	Snyder
Brandt	George	Marmion	Spencer
Cessar	Grieco	Micozzie	Spitz
Cimini	Hagarty	Miller	Taddonio
Civera	Hasay	Mowery	Taylor, E. Z.
Clymer	Hayes	Nahill	Vroon
Cornell	Heiser	Peterson	Wass
Cunningham	Jackson	Phillips	Wenger
DeVerter	Johnson	Piccola	Wright, J. L.
Daikeler	Kennedy	Pitts	Wright, R. C.
Dietz	Klingaman	Punt	
Fargo	Lehr	Rybak	Ryan,
Fischer	Livengood	Saurman	Speaker
Foster, W. W.	McClatchy		

NOT VOTING—7

Alden	Dininni	Gray	Sirianni
Borski	Frazier	Noye	

EXCUSED—6

Fleck	Honaman	Lewis	Mackowski
Freind	Levi		

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

On the question recurring,

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

Mr. DOMBROWSKI offered the following amendments No. A8676:

Amend Title, page 1, line 18, by removing the period after "facilities" and inserting

and providing for trade show and convention licenses in cities of the third class.

Amend Bill, page 5, by inserting between lines 21 and 22

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

Section 408.8. Trade Shows and Convention Licenses; Cities of the Third Class.—(a) The board is authorized to issue a restaurant liquor license to a nonprofit corporation or to a concessionaire selected by such nonprofit corporation in any city of the third class for the retail sale of liquor and malt or brewed beverages by the glass, open bottles or other container or in any mixture for consumption on any city-owned premises customarily used or available for use for trade shows and conventions with a capacity within the premises for one thousand people or more: Provided, however, That no sale or consumption of such beverages shall take place on any portions of such premises other than service areas approved by the board.

(b) An application for the issuance may be filed at any time by a nonprofit corporation operating such a facility for trade shows or conventions or by a concessionaire selected by such nonprofit corporation. Any such license granted under these provisions need not conform to the requirements of the act relating to restaurant liquor licenses, except as provided herein. Applicant shall submit such other information as the board may require. Applications shall be in writing on forms prescribed by the board and shall be signed and submitted to the board by the applicant. The filing fee which shall accompany the license application shall be thirty dollars (\$30).

(c) Upon receipt of the application in proper form and the application fee and upon being satisfied that the applicant is of good repute and financially responsible and that the proposed place of business is proper, the board shall issue the restaurant liquor license for the trade show or convention facility.

(d) The license shall be issued for the same period of time as provided for restaurant licenses and shall be renewed as provided in section 402. The license shall terminate upon revocation by the board or upon termination and nonrenewal of the contract between the concessionaire and such nonprofit corporation.

(e) The annual fee for a trade show or convention facility shall be as provided in section 405 and shall accompany the application for the license. Whenever and if a concessionaire's contract terminates and is not renewed the license shall be returned to the board for cancellation but the board may issue a restaurant liquor license to a subsequent application.

(f) The penal sum of the bond which shall be filed by an applicant for a trade show or convention facility pursuant to section 465 shall be two thousand dollars (\$2,000).

(g) Sales by the holder of a trade show or convention facility license may be made except to those persons prohibited under clause (1) of section 493 on board-approved service areas of the premises of such a facility for trade shows or conventions during the hours in which the trade show or convention is being held and up to one hour before the scheduled opening and one hour after the scheduled closing, but such sales may not be made beyond the hours expressed in the code for the sale of liquor and malt or brewed beverages by restaurant licensees: Provided, however, That such sales may be made on Sunday between the hours of one o'clock postmeridian and ten o'clock postmeridian, irrespective of the volume of food sales.

(h) Whenever a contract with a concessionaire is terminated prior to the expiration date provided in the contract between such nonprofit corporation and the concessionaire and is not renewed, such nonprofit corporation may apply to the board for the issuance of a restaurant liquor license or may select and certify to the board a different concessionaire which concessionaire shall apply to the board for issuance of a restaurant liquor license. If the applicant meets the requirements of the board as herein provided, the issuance shall thereupon occur. If any such trade show or convention license is revoked, the board shall issue a new license to any qualified applicant without regard to the prohibition in section 471, against the grant of a license at the same premises for a period of at least one year.

(i) Licenses issued under the provisions of this section shall not be subject to the quota restrictions of section 461.

(j) Trade show or convention licenses shall not be subject to the provisions of section 404 except insofar as they relate to the reputation of the applicant not to the provisions of sections 461 and 463, nor to the provisions of clause (10) of section 493.

(k) Sales under such licenses (including food sales) may be limited by the licensee to patrons of the events scheduled in the facility for trade shows or conventions. Provided food is offered for sale when sales are made under the license, such food may be catered from off the premises.

Amend Sec. 2, page 5, line 22, by striking out "2" and inserting

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

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

Mr. DOMBROWSKI. Thank you, Mr. Speaker.

This amendment would allow a liquor license in cities of the third class for trade shows and convention programs. Currently we are in the process of building a civic center, and if one faction of it does not have a liquor license, it would be this building here. It is a rather restrictive license; it only allows the sale of liquor on the days when there is a trade show or an exhibition. It is also limited in hours, where it is allowed only an hour before, during, and an hour after the show. I urge your support for the amendment.

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

The following roll call was recorded:

YEAS—112

Arty	Emerson	McMonagle	Serafini
Barber	Evans	McVerry	Seventy
Belardi	Fee	Maiale	Showers
Belfanti	Fryer	Manderino	Shupnik
Beloff	Gallagher	Merry	Sieminski
Berson	Gallen	Michlovic	Steighner
Blaum	Gamble	Miscevich	Stevens
Bowser	Grabowski	Morris	Stewart
Boyes	Greenfield	Mrkoncic	Stuban
Burns	Greenwood	Mullen	Swaim
Caltagirone	Gruitza	Murphy	Sweet
Cappabianca	Gruppo	O'Donnell	Swift
Cawley	Haluska	Olasz	Taylor, F. E.
Clark	Harper	Oliver	Telek
Cohen	Hoeffel	Pendleton	Trello
Colafella	Horgos	Perzel	Van Horne
Cole	Hutchinson, A.	Petrarca	Wachob
Cordisco	Irvis	Petrone	Wambach
Cowell	Itkin	Pievsy	Wargo
DeWeese	Jackson	Pistella	Weston
Davies	Kolter	Pratt	Wiggins
Dawida	Kukovich	Pucciarelli	Williams, H.
Deal	Laughlin	Rappaport	Williams, J. D.
Dombrowski	Lescovitz	Richardson	Wilson
Donatucci	Letterman	Rieger	Wogan
Dorr	Levin	Ritter	Wozniak
Duffy	Lucyk	Rocks	Wright, J. L.
Durham	McIntyre	Salvatore	Zwikl

NAYS—70

Anderson	Fischer	Lloyd	Saurman
Armstrong	Foster, Jr., A.	McClatchy	Sirianni
Bittle	Gannon	Madigan	Smith, B.
Brandt	Geist	Manmiller	Smith, L. E.
Brown	George	Marmion	Snyder
Burd	Gladeck	Micozzie	Spitz
Cessar	Grieco	Miller	Stairs
Cimini	Hagarty	Moehlmann	Taddonio
Civera	Hasay	Mowery	Taylor, E. Z.
Clymer	Hayes	Nahill	Tigue
Cochran	Heiser	Noye	Vroon
Cornell	Johnson	Peterson	Wass
Coslett	Kennedy	Phillips	Wenger
Cunningham	Klingaman	Piccola	Wright, D. R.
DeVerter	Kowalshyn	Pitts	Wright, R. C.
Daikeler	Lashingier	Pott	
Dietz	Lehr	Punt	Ryan,
Fargo	Livengood	Rybak	Speaker

NOT VOTING—11

Alden	Dininni	Gray	Smith, E. H.
Borski	Foster, W. W.	Rasco	Spencer
DeMedio	Frazier	Reber	

EXCUSED—6

Fleck	Honaman	Lewis	Mackowski
Freind	Levi		

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

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

Mr. PRATT offered the following amendments No. A8462:

Amend Title, page 1, line 18, by removing the period after "facilities" and inserting
and defining and exempting privately-owned public golf courses from licensing quota and further regulating sales by such golf courses.

Amend Bill, page 1, by inserting between lines 20 and 21
Section 1. Section 102, act of April 12, 1951 (P.L.90, No.21), known as the "Liquor Code," is amended by adding a definition to read:

Section 102. Definitions.—The following words or phrases, unless the context clearly indicates otherwise, shall have the meanings ascribed to them in this section:

"Golf course" shall mean a course having a minimum of nine holes and a total length of at least twenty-five hundred yards.

Section 2. Subsection (a) of section 406 of the act, amended February 18, 1982 (P.L.40, No.24), is amended to read:

Section 406. Sales by Liquor Licensees; Restrictions.—
(a) (1) Every hotel, restaurant or club liquor licensee may sell liquor and malt or brewed beverages by the glass, open bottle or other container, and in any mixture, for consumption only in that part of the hotel or restaurant habitually used for the serving of food to guests or patrons, or in a bowling alley that is immediately adjacent to and under the same roof as a restaurant when no minors are present in the bowling alley, and in the case of hotels, to guests, and in the case of clubs, to members, in their private rooms in the hotel or club. No club licensee nor its officers, servants, agents or employes, other than one holding a catering license, shall sell any liquor or malt or brewed beverages to any person except a member of the club. In the case of a restaurant located in a hotel which is not operated by the owner of the hotel and which is licensed to sell liquor under this act, liquor and malt or brewed beverages may be sold for consumption in that part of the restaurant habitually used for the serving of meals to patrons and also to guests in private guest rooms in the hotel. For the purpose of this paragraph, any person who is an active member of another club which is chartered by the same state or national organization shall have the same rights and privileges as members of the particular club. For the purpose of this paragraph, any person who is an active member of any volunteer firefighting company, association or group of this Commonwealth, whether incorporated or unincorporated, shall upon the approval of any club composed of volunteer firemen licensed under this act, have the same social rights and privileges as members of such licensed club. For the purposes of this paragraph, the term "active member" shall not include a social member.

(2) Hotel and restaurant liquor licensees, airport restaurant liquor licensees [and], municipal golf course restaurant liquor licensees, and privately-owned private golf course licensees may sell liquor and malt or brewed beverages only after seven o'clock

antemeridian of any day until two o'clock antemeridian of the following day, except Sunday, and except as hereinafter provided, may sell liquor and malt or brewed beverages on Sunday between the hours of twelve o'clock midnight and two o'clock antemeridian.

(3) Hotel and restaurant liquor licensees, airport restaurant liquor licensees [and], municipal golf course restaurant liquor licensees, and privately-owned private golf course licensees whose sales of food and nonalcoholic beverages are equal to forty per centum or more of the combined gross sales of both food and alcoholic beverages may sell liquor and malt or brewed beverages on Sunday between the hours of one o'clock postmeridian and two o'clock antemeridian Monday upon purchase of a special annual permit from the board at a fee of two hundred dollars (\$200.00) per year, which shall be in addition to any other license fees.

(4) Hotel and restaurant liquor licensees, airport restaurant liquor licensees [and], municipal golf course restaurant liquor licensees, and privately-owned private golf course licensees which do not qualify for and purchase such annual special permit, their servants, agents or employes may sell liquor and malt or brewed beverages only after seven o'clock antemeridian of any day and until two o'clock antemeridian of the following day, and shall not sell after two o'clock antemeridian on Sunday. No hotel, restaurant and public service liquor licensee which does not have the special annual permit for Sunday sales shall sell liquor and malt or brewed beverages after two o'clock antemeridian on any day on which a general, municipal, special or primary election is being held until one hour after the time fixed by law for closing the polls, except, that, in the case of a special election for members of the General Assembly or members of the Congress of the United States, when such special election is held on other than a primary, municipal or general election day, licensees in those Legislative or Congressional Districts may make such sales, as though the day were not a special election day. No club licensee or its servants, agents or employes may sell liquor or malt or brewed beverages between the hours of three o'clock antemeridian and seven o'clock antemeridian on any day. No public service liquor licensee or its servants, agents, or employes may sell liquor or malt or brewed beverages between the hours of two o'clock antemeridian and seven o'clock antemeridian on any day.

(5) Any hotel, restaurant, club or public service liquor licensee may, by giving notice to the board, advance by one hour the hours herein prescribed as those during which liquor and malt or brewed beverages may be sold during such part of the year when daylight saving time is being observed generally in the municipality in which the place of business of such licensee is located. Any licensee who elects to operate his place of business in accordance with daylight saving time shall post a conspicuous notice in his place of business that he is operating in accordance with daylight saving time.

(6) Notwithstanding any provisions to the contrary, whenever the thirty-first day of December falls on a Sunday, every hotel or restaurant liquor licensee, their servants, agents or employes may sell liquor and malt or brewed beverages on any such day after one o'clock postmeridian and until two o'clock antemeridian of the following day.

Amend Sec. 1, page 1, line 21, by striking out "1" where it appears the first time and inserting

3

Amend Sec. 1, page 1, lines 21 and 22, by striking out " of April 12, 1951 (P.L.90, No.21), known as the "Liquor Code,"" and inserting

of the act,

Amend Bill, page 5, by inserting between lines 21 and 22

Section 4. Subsection (a) of section 461 of the act, amended December 12, 1980 (P.L.1195, No.221), is amended and a subsection is added to read:

Section 461. Limiting Number of Retail Licenses To Be Issued In Each Municipality.—(a) No licenses shall hereafter be granted by the board for the retail sale of malt or brewed beverages or the retail sale of liquor and malt or brewed beverages in excess of one of such licenses of any class for each two thousand inhabitants in any municipality, exclusive of licenses granted to airport restaurants, municipal golf courses, [and] hotels, and privately-owned private golf course licensees, as defined in this section, and clubs; but at least one such license may be granted in each municipality and in each part of a municipality where such municipality is split so that each part thereof is separated by another municipality, except in municipalities where the electors have voted against the granting of any retail licenses and except in that part of a split municipality where the electors have voted against the granting of any retail licenses. Nothing contained in this section shall be construed as denying the right to the board to renew or to transfer existing retail licenses of any class notwithstanding that the number of such licensed places in a municipality shall exceed the limitation hereinbefore prescribed; but where such number exceeds the limitation prescribed by this section, no new license, except for hotels, municipal golf courses, [and] airport restaurants, and privately-owned private golf course licensees, as defined in this section, shall be granted so long as said limitation is exceeded.

(e.1) "Privately-owned private golf course" as used in this section shall mean the restaurant facilities at any privately-owned golf course open for private membership accommodations only.

Section 5. Section 472 of the act, amended July 11, 1980 (P.L.558, No.117), is amended to read:

Section 472. Local Option.—In any municipality or any part of a municipality where such municipality is split so that each part thereof is separated by another municipality, an election may be held on the date of the primary election immediately preceding any municipal election, but not oftener than once in four years, to determine the will of the electors with respect to the granting of liquor licenses to hotels, restaurants [and], clubs and privately-owned private golf courses, not oftener than once in four years, with respect to the granting of licenses to retail dispensers of malt and brewed beverages, not oftener than once in four years with respect to granting of licenses to wholesale distributors and importing distributors, or not more than once in four years with respect to the establishment, operation and maintenance by the board of Pennsylvania liquor stores, within the limits of such municipality or part of a split municipality, under the provisions of this act: Provided, however, Where an election shall have been held at the primary preceding a municipal election in any year, another election may be held under the provisions of this act at the primary occurring the fourth year after such prior election: And provided further, That an election on the question of establishing and operating a State liquor store shall be initiated only in those municipalities, or that part of a split municipality that shall have voted against the granting of liquor licenses; and that an election on the question of granting wholesale distributor and importing distributor licenses shall be initiated only in those municipalities or parts of split municipalities that shall have at a previous election voted against the granting of dispenser's licenses. Whenever electors equal to at least twenty-five per centum of the highest vote cast for any office in the municipality or part of a split municipality at the last preceding general election shall file a petition with the county board of elections of the county for a referendum on the question of granting any of said classes of licenses or the establishment of Pennsylvania liquor stores, the said county board of elections shall cause a question to be placed on the ballots or on the voting machine board and submitted at the primary immediately preceding the municipal election. Separate petitions must be filed for each question to be voted on. Said proceedings shall be in the manner and subject to the provisions of the election laws which relate to the signing,

filing and adjudication of nomination petitions, insofar as such provisions are applicable.

When the question is in respect to the granting of liquor licenses, it shall be in the following form:

Do you favor the granting of liquor licenses for the sale of liquor in Yes of? No

When the question is in respect to the granting of liquor licenses, for privately-owned private golf courses, it shall be in the following form:

Do you favor the granting of liquor licenses, for privately-owned private golf courses for the sale of liquor in by Yes of? No

When the question is in respect to the granting of licenses to retail dispensers of malt and brewed beverages, it shall be in the following form:

Do you favor the granting of malt and brewed beverage retail dispenser licenses for consumption on premises where sold in the Yes of? No

When the question is in respect to the granting of licenses to wholesale distributors of malt or brewed beverages and importing distributors, it shall be in the following form:

Do you favor the granting of malt and brewed beverage wholesale distributor's and importing distributor's licenses not for consumption on premises where sold in the Yes of? No

When the question is in respect to the establishment, operation and maintenance of Pennsylvania liquor stores it shall be in the following form:

Do you favor the establishment, operation and maintenance of Pennsylvania liquor stores in the Yes of? No

In case of a tie vote, the status quo shall obtain. If a majority of the voting electors on any such question vote "yes," then liquor licenses shall be granted by the board to hotels, restaurants, [and] clubs and privately-owned private golf courses, or malt and brewed beverage retail dispenser licenses or wholesale distributor's and importing distributor's license for the sale of malt or brewed beverages shall be granted by the board, or the board may establish, operate and maintain Pennsylvania liquor stores, as the case may be, in such municipality or part of a split municipality, as provided by this act; but if a majority of the electors voting on any such question vote "no," then the board shall have no power to grant or to renew upon their expiration any licenses of the class so voted upon in such municipality or part of a split municipality; or if the negative vote is on the question in respect to the establishment, operation and maintenance of Pennsylvania liquor stores, the board shall not open and operate a Pennsylvania liquor store in such municipality or part of a split

municipality, nor continue to operate a then existing Pennsylvania liquor store in the municipality or part of a split municipality for more than two years thereafter or after the expiration of the term of the lease on the premises occupied by such store, whichever period is less, unless and until at a later election a majority of the voting electors vote "yes" on such question.

Amend Sec. 2, page 5, line 22, by striking out "2" and inserting

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

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

Mr. PRATT. Thank you, Mr. Speaker.

Mr. Speaker, at the present time there are numerous municipalities which are dry in Pennsylvania, and in order to permit the retail sale of alcohol, the question to that effect must appear for referendum on the ballot. The Liquor Code so provides. My amendment would add an additional question which can be placed on the ballot for the voters to decide in dry municipalities as to whether or not liquor could be sold on a retail level with respect to privately-owned private golf courses. Bear in mind, Mr. Speaker, this in no way gives any special privilege to privately-owned private golf courses but merely allows the sole question to be placed on the ballot in those dry municipalities as to whether or not such and such privately-owned private golf course, do you favor granting that golf course a license to sell liquor on a retail level? It would be up to the voters to decide "yes" or "no" on that question on the ballot.

We are leaving it up to the voters, Mr. Speaker, and I ask that the membership support this amendment, because I believe there are numerous such golf courses throughout the Commonwealth which presently, Mr. Speaker, are selling liquor unlawfully or which in the near future will probably go out of business for the lack of such a license in those areas which are dry. Thank you, Mr. Speaker.

The SPEAKER. Does the gentleman from Montgomery, Mr. Lashinger, desire recognition on the question?

Mr. LASHINGER. Yes, Mr. Speaker.

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

Mr. LASHINGER. Would the gentleman, Mr. Pratt, stand for brief interrogation?

The SPEAKER. The gentleman from Lawrence indicates he will stand for interrogation. Mr. Lashinger may proceed.

Mr. LASHINGER. Thank you, Mr. Speaker.

Mr. Speaker, if there were a privately-owned public golf course in a dry community, how would that be treated?

Mr. PRATT. They are not included in this bill; only privately-owned private golf courses.

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

Permission to make a brief comment?

The SPEAKER. The gentleman is in order.

Mr. LASHINGER. Mr. Speaker, this is part of the concern that we had—and I hope I am correct—in dealing with SB 277

and part of the rationale as to why that bill went to a conference committee and recurred on this floor twice and was sent back by a decent margin by the House to a conference committee, because of the special privilege we seemed to be granting privately-owned private golf courses. I am not sure that that is what this body wants to be doing. If we are going to grant an exemption, be it on the ballot or through the code without it being a ballot question, then it is my belief that these courses should be open to the public and not private. It goes back to the discussion that we had on SB 277 about some of the exclusionary practices of some of these courses and how some people are unable to participate or play golf at some of these golf courses. I do not think we want to be singling out, especially—and now I am surprised to hear it is just for dry communities—privately-owned private golf courses. If it were privately-owned public golf courses, I think Mr. Pratt would gain the agreement of the House, and that is what we were trying to do in SB 277.

For those reasons, Mr. Speaker, I would urge the membership to vote against the amendment.

The SPEAKER. The Chair recognizes the gentleman, Mr. Pratt, on the question.

Mr. PRATT. Mr. Speaker, it is very difficult to buy that argument. If the gentleman, Mr. Lashinger, is concerned about privately-owned public golf courses, then let the gentleman submit a similar amendment. I would support that amendment. I support that idea. It just so happens that my interest happens to fall with privately-owned private golf courses. Let the voters decide whether or not a particular municipality should be wet with respect to a privately-owned private golf course within that municipality. If the majority of voters feel that not only privately-owned private golf courses should have a license but also public golf courses, then, of course, they would vote the referendum down. But I think if the gentleman, Mr. Lashinger, has a problem with this amendment, he is free to offer a similar amendment dealing with public golf courses, and I think that is the route that he should go instead of opposing this amendment, which I think is what the members here should want - allow the voters to decide. Thank you.

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

Mr. LASHINGER. Thank you, Mr. Speaker.

I can only reiterate, we had this discussion on SB 277. That is why, for that particular reason and some other funding reasons as to what to do with some alcohol funds, that bill went back to conference committee. This problem of privately-owned public golf courses will be dealt with in the Conference Committee Report on SB 277. The membership voted against a similar concept in SB 277. That is why the bill failed, and I would suggest to the membership that that is the reason this amendment should fail. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—95

Barber	Evans	McIntyre	Saurman
Belardi	Fargo	McMonagle	Serafini
Belfanti	Fee	Maiale	Seventy
Beloff	Fryer	Manderino	Showers
Berson	Gallagher	Merry	Shupnik
Blaum	Gamble	Michlovic	Sieminski
Burd	Grabowski	Miscevich	Steighner
Burns	Greenwood	Morris	Stevens
Caltagirone	Gruitza	Mullen	Stewart
Cappabianca	Gruppo	Murphy	Stuban
Cawley	Haluska	O'Donnell	Swaim
Clark	Harper	Olasz	Sweet
Cohen	Heiser	Oliver	Taylor, F. E.
Colafella	Hoeffel	Pendleton	Trello
Cole	Horgos	Perzel	Van Horne
Cordisco	Hutchinson, A.	Petrarca	Wachob
Cowell	Irvis	Petrone	Wargo
DeMedio	Kolter	Pievsky	Wiggins
DeWeese	Kukovich	Pistella	Williams, H.
Dawida	Lehr	Pratt	Williams, J. D.
Dombrowski	Lescovitz	Pucciarelli	Wilson
Donatucci	Letterman	Reber	Wozniak
Duffy	Levin	Rieger	Wright, J. L.
Durham	Lucyk	Rocks	

NAYS—90

Anderson	Foster, W. W.	McVerry	Smith, B.
Armstrong	Foster, Jr., A.	Madigan	Smith, L. E.
Arty	Gallen	Manmiller	Snyder
Bittle	Gannon	Marmion	Spencer
Bowser	Geist	Micozzie	Spitz
Boyes	George	Miller	Stairs
Brandt	Gladeck	Moehmann	Swift
Brown	Greenfield	Mowery	Taddonio
Cessar	Grieco	Mrkonc	Taylor, E. Z.
Cimini	Hagarty	Nahill	Telek
Civera	Hasay	Noye	Tigue
Clymer	Hayes	Peterson	Vroon
Cochran	Itkin	Phillips	Wambach
Cornell	Jackson	Piccola	Wass
Coslett	Johnson	Pitts	Wenger
Cunningham	Kennedy	Pott	Weston
DeVerter	Klingaman	Punt	Wogan
Daikeler	Kowalshyn	Rappaport	Wright, D. R.
Davies	Lashinger	Richardson	Wright, R. C.
Deal	Laughlin	Ritter	Zwilk
Dietz	Livengood	Rybak	
Dorr	Lloyd	Salvatore	Ryan,
Fischer	McClatchy	Sirianni	Speaker

NOT VOTING—8

Alden	Dininni	Frazier	Rasco
Borski	Emerson	Gray	Smith, E. H.

EXCUSED—6

Fleck	Honaman	Lewis	Mackowski
Freind	Levi		

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

On the question recurring,

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

Mr. GALLEN offered the following amendments No. A8582:

Amend Title, page 1, line 18, by removing the period after "facilities" and inserting
and tourist areas.

Amend Bill, page 5, by inserting between lines 21 and 22
Section 2. Subsection (b) of section 461 of the act is amended to read:

Section 461. Limiting Number of Retail Licenses To Be Issued In Each Municipality.—***

(b) The board shall have the power to increase the number of licenses in any such municipality which in the opinion of the board is located within a resort or other tourist area.

Amend Sec. 2, page 5, line 22, 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 Berks, Mr. Gallen.

Mr. GALLEN. Mr. Speaker, when the Liquor Code was amended in 1939, there was a provision put in the code to allow the board to grant additional licenses, those above quota, in resort areas. In 1939 the Commonwealth did not have the phenomena that we have today. I think the resort area provision was put in the code in order to allow especially the Poconos to receive licenses above quota because they had a substantial influx of people enjoying that resort area.

We have this situation today, Mr. Speaker: We have areas in the State of Pennsylvania—and I know particularly Berks County and Lancaster County—where you have a tremendous influx of tourists into the area, especially those people shopping at outlet stores and so on. We have almost a million people coming into Berks County each year to enjoy the outlet centers. Absolutely, Mr. Speaker, these people come from out of State - New Jersey, New York, Maryland, and even places farther away. We have busload after busload of people coming in. The tourist influx is especially heavy prior to the Christmas and Easter seasons and prior to September when children are going back to school.

Mr. Speaker, I feel this amendment is worthy, and it just extends the definition. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—115

Table listing names of members who voted 'YEAS' (Anderson, Barber, Belardi, Belfanti, Beloff, Berson, Blaum, Bowser, Brandt, Brown, Burd, Burns, Caltagirone, Cappabianca, Cawley, Cessar, Cimini, Clark, Cohen, Cole, Cordisco, Cornell, DeWeese, Daikeler, Davies, Evans, Foster, Fryer, Gallagher, Gallen, Gladeck, Grabowski, Greenwood, Grieco, Gruppo, Haluska, Harper, Hasay, Heiser, Hoeffel, Horgos, Hutchinson, Irvis, Itkin, Klingaman, Kolter, Kukovich, Lashingner, Letterman, Levin, Madigan, Maiale, Marmion, Merry, Morris, Mrkonic, Murphy, O'Donnell, Pendleton, Perzel, Petrarca, Petrone, Pievsky, Pott, Pratt, Pucciarelli, Rappaport, Rasco, Reber, Richardson, Rieger, Ritter, Rocks, Salvatore, Saurman, Smith, Snyder, Spencer, Steighner, Stevens, Stewart, Stuban, Swaim, Sweet, Swift, Taddonio, Taylor, Tighe, Trello, Wachob, Wargo, Weston, Wiggins, Williams, Williams, Wilson, Wogan, Wozniak, Wright, etc.)

Table listing names of members who were present or absent (Deal, Dombrowski, Donatucci, Duffy, Durham, Lucyk, McClatchy, McIntyre, McVerry, Serafini, Showers, Shupnik, Sieminski, Zwiki, Ryan, Speaker)

NAYS—65

Table listing names of members who voted 'NAYS' (Armstrong, Bittle, Boyes, Civera, Clymer, Cochran, Colafella, Cowell, Cunningham, DeMedio, DeVerter, Dawida, Dietz, Dorr, Fargo, Fee, Fischer, Foster, Jr., Gamble, Gannon, Geist, George, Greenfield, Gruitza, Hagarty, Hayes, Jackson, Kennedy, Kowalyszyn, Laughlin, Lehr, Lescovitz, Livengood, Lloyd, Manderino, Manmiller, Micozzie, Miller, Misceovich, Moehlmann, Mowery, Mullen, Nahill, Noye, Olasz, Peterson, Phillips, Piccola, Pistella, Pitts, Punt, Rybak, Seventy, Sirianni, Smith, Spitz, Stairs, Taylor, Telek, Van Horne, Vroon, Wambach, Wass, Wenger, Wright)

NOT VOTING—13

Table listing names of members who did not vote (Alden, Arty, Borski, Coslett, Dininni, Emerson, Frazier, Gray, Johnson, McMonagie, Michlovic, Oliver, Smith)

EXCUSED—6

Table listing names of members who were excused (Fleck, Freind, Honaman, Levi, Lewis, Mackowski)

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

On the question recurring,

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

Mr. WAMBACH offered the following amendments No. A8682:

Amend Title, page 1, line 18, by removing the period after "facilities" and inserting and appropriating funds to the Department of Health for the study of problems and promotion of programs relating to alcoholism and the rehabilitation and treatment of alcoholics.

Amend Bill, page 5, by inserting between lines 21 and 22

Section 2. Section 802 of the act, amended September 28, 1961 (P.L.1728, No.702), is amended to read:

Section 802. Moneys Paid Into The State Stores Fund for Use of the Commonwealth.—(a) All moneys, except fees to be paid into the Liquor License Fund as provided by the preceding section, collected, received or recovered under the provisions of this act for license fees, permit fees, filing fees and registration fees, from forfeitures, sales of forfeited property, compromise penalties and sales of liquor and alcohol at the Pennsylvania Liquor Stores shall be paid into the State Treasury through the Department of Revenue into a special fund to be known as "The State Stores Fund."

(b) One-half of all application filing and transfer fees shall be credited to a special account designated as the Enforcement Officers' Retirement Account. The moneys credited to this account shall be paid, annually, by the board to the State [Employees'] Employees' Retirement Board to be paid into the State [Employees'] Employees' Retirement Fund and credited to the Enforcement Officers' Benefit Account.

(c) Two per centum of the net revenue of the Pennsylvania Liquor Control Board as shown on the operating statement in its annual report is hereby appropriated to the Department of

Health for the Council on Drug and Alcohol Abuse to be used for the:

- (1) study of the problem of alcoholism;
- (2) treatment and rehabilitation of persons addicted to the excessive use of alcoholic beverages; and
- (3) promotion of preventive and educational programs designed to eliminate alcoholism.

(d) All other moneys in such fund shall be available for the purposes for which they are appropriated by law.

Amend Sec. 2, page 5, line 22, 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 Dauphin, Mr. Wambach.

Mr. WAMBACH. Thank you, Mr. Speaker.

This amendment would appropriate 2 percent of the net Liquor Control Board revenues to the Department of Health, Office of Drug and Alcohol Programs. Since 1978 the funding for grants for treatment and prevention of drug and alcohol problems has increased only 8 percent, less than 2 percent per year. During that same period of time, inflation has increased prices over 50 percent.

Better than 25,000 people die annually on America's highways as a result of drunk driving. In Pennsylvania 77 percent of drunk drivers are determined to be problem drinkers.

Alcohol abuse by our school-age children is reaching epidemic proportions. It is no longer startling to find 14- or 15-year-old children in treatment for alcoholism in Pennsylvania. Teenagers with cirrhosis? It is happening in Pennsylvania today.

Alcohol involvement is a major factor in the majority of suicides, drownings, spousal abuse, child abuse, and many other problems of our times. We have recently addressed and will continue to address the problems of domestic violence, child abuse, and drunk drivers. If we address these problems in a vacuum and continue to underfund the treatment of the major cause of these problems, we are doing our constituents no service. We might as well not address these problems at all.

This amendment would provide for additional funding for the identification, treatment, and prevention of the problem of alcoholism with the funds coming directly from the sale of alcohol. By making this connection, when the problem grows, so will the additional funding. It is time to stop being shocked by the problems we see and try to solve some of them at their source.

Thank you very much, Mr. Speaker. I urge an affirmative vote.

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

Mr. PRATT. May I interrogate the prime sponsor of the amendment?

The SPEAKER. The gentleman indicates he will stand for interrogation. The gentleman, Mr. Pratt, may begin.

Mr. PRATT. Mr. Speaker, as I read the amendment, it would provide that 2 percent of the annual net revenues of the LCB would be earmarked for the Department of Health to be used for the Council on Drug and Alcohol Abuse for certain programs dealing with alcoholism. Is that correct?

Mr. WAMBACH. That is correct.

Mr. PRATT. Mr. Speaker, do you happen to know what the annual appropriations have been over the last several years for this line item dealing with the Council on Drug and Alcohol Abuse?

Mr. WAMBACH. I know up until this past budget season, Mr. Speaker, that there has not been any significant increase since 1978 for this program. That is why I had increased my figures to 8 percent when I talked just now, because of the additional \$1.8 million.

Mr. PRATT. Mr. Speaker, do you know what the amounts have been?

Mr. WAMBACH. Do I know what, Mr. Speaker? I am sorry.

Mr. PRATT. Do you know what has been appropriated by this General Assembly for such programs over the past several years? Do you know the amounts?

Mr. WAMBACH. In 1980-81 it was \$21.1 million; 1981-82, \$21.56 million; 1982-83, \$23.5 million.

Mr. PRATT. Mr. Speaker, do you anticipate that the next General Fund budget will include that amount?

Mr. WAMBACH. That is currently in this past budget, \$23 million.

Mr. PRATT. So in other words, Mr. Speaker, what your amendment would do is add additional amounts of money to that appropriation to be used for the program?

Mr. WAMBACH. That is correct, Mr. Speaker.

Mr. PRATT. Is there anything in this amendment or in current law in Pennsylvania which would prohibit the Governor from decreasing the General Fund appropriation by the amount that this amendment would appropriate or earmark if it were to become law?

Mr. WAMBACH. The only thing there would be, Mr. Speaker, is the good conscience of the Governor to include the funding as an augmentation.

Mr. PRATT. In other words, the Governor could reduce his proposed and this General Assembly could reduce its enacted appropriation for drug and alcohol abuse by the amount that this amendment provides if it were to become law.

Mr. WAMBACH. That is an option to him. I would work against that option, and I would hope I would have your support and your conscience with me as well.

Mr. PRATT. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—164

Armstrong	Fargo	Maiiale	Showers
Arty	Fee	Manderino	Shupnik
Barber	Fischer	Manmiller	Sieminski
Belardi	Foster, W. W.	Marmion	Sirianni
Belfanti	Foster, Jr., A.	Michlovic	Smith, E. H.
Beloff	Gallagher	Micozzie	Spitz
Berson	Gallen	Miller	Stairs
Bittle	Gamble	Miscevich	Steighner
Blaum	Gannon	Morris	Stevens
Bowser	George	Mowery	Stewart
Brandt	Grabowski	Mrkonic	Stuban
Brown	Greenfield	Mullen	Swaim

Burd	Greenwood	Murphy	Sweet
Burns	Grieco	Nahill	Swift
Caltagirone	Gruitza	Noye	Taddonio
Cappabianca	Gruppo	O'Donnell	Taylor, E. Z.
Cawley	Hagarty	Olasz	Taylor, F. E.
Cessar	Haluska	Oliver	Telek
Cimini	Harper	Pendleton	Tigue
Civera	Hasay	Perzel	Trello
Clark	Hoeffel	Peterson	Van Horne
Clymer	Horgos	Petrarca	Vroon
Cochran	Hutchinson, A.	Petrone	Wachob
Cohen	Irvic	Piccola	Wambach
Colafella	Itkin	Pievsky	Wargo
Cole	Kennedy	Pistella	Wass
Cordisco	Klingaman	Pott	Wenger
Cornell	Kolter	Pratt	Weston
Coslett	Kowalyszyn	Pucciarelli	Wiggins
Cowell	Kukovich	Punt	Williams, H.
DeMedio	Lashingner	Rappaport	Williams, J. D.
DeWeese	Laughlin	Reber	Wilson
Davies	Lescovitz	Richardson	Wogan
Dawida	Letterman	Rieger	Wozniak
Dietz	Levin	Ritter	Wright, D. R.
Dininni	Livengood	Rocks	Wright, J. L.
Dombrowski	Lloyd	Rybak	Wright, R. C.
Donatucci	Lucyk	Salvatore	Zwinkl
Duffy	McIntyre	Saurman	
Durham	McMonagle	Serafini	Ryan,
Emerson	McVerry	Seventy	Speaker
Evans	Madigan		

NAYS—22

Anderson	Fryer	Lehr	Pitts
Boyes	Geist	McClatchy	Rasco
Cunningham	Hayes	Merry	Smith, B.
DeVerter	Heiser	Moehlmann	Smith, L. E.
Daikeler	Jackson	Phillips	Spencer
Dorr	Johnson		

NOT VOTING—7

Alden	Deal	Gladeck	Snyder
Borski	Frazier	Gray	

EXCUSED—6

Fleck	Honaman	Lewis	Mackowski
Freind	Levi		

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?

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?

REMARKS ON VOTE

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

Mr. CUNNINGHAM. Mr. Speaker, I was incorrectly recorded in the negative on the last vote, amendment 8682. That should have been an affirmative vote.

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

CONSIDERATION OF SB 1335 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—145

Anderson	Gamble	Manmiller	Sieminski
Arty	Gannon	Marmion	Sirianni
Belardi	Geist	Merry	Smith, B.
Beloff	Gladeck	Michlovic	Smith, E. H.
Berson	Grabowski	Miscevich	Snyder
Blaum	Greenwood	Morris	Spencer
Bowser	Grieco	Mowery	Steighner
Boyes	Gruitza	Mullen	Stevens
Brandt	Gruppo	Murphy	Stewart
Burd	Hagarty	Nahill	Suban
Caltagirone	Haluska	O'Donnell	Swaim
Cappabianca	Harper	Olasz	Sweet
Cawley	Hayes	Oliver	Swift
Cessar	Heiser	Pendleton	Taddonio
Cimini	Hoeffel	Perzel	Taylor, E. Z.
Clark	Horgos	Peterson	Taylor, F. E.
Cohen	Hutchinson, A.	Petrarca	Trello
Colafella	Irvic	Petrone	Van Horne
Cole	Itkin	Phillips	Vroon
Cornell	Johnson	Piccola	Wachob
Coslett	Kennedy	Pievsky	Wambach
Cowell	Klingaman	Pistella	Wargo
DeMedio	Kolter	Pott	Wass
DeWeese	Kowalyszyn	Pratt	Weston
Daikeler	Kukovich	Pucciarelli	Wiggins
Davies	Lashingner	Rasco	Williams, H.
Dawida	Lehr	Reber	Wilson
Dininni	Lescovitz	Rieger	Wogan
Dombrowski	Letterman	Ritter	Wozniak
Donatucci	Levin	Rocks	Wright, D. R.
Dorr	Lucyk	Rybak	Wright, J. L.
Duffy	McClatchy	Salvatore	Wright, R. C.
Durham	McIntyre	Saurman	Zwinkl
Fargo	McMonagle	Serafini	
Fee	McVerry	Seventy	Ryan,
Foster, W. W.	Maiale	Showers	Speaker
Gallen	Manderino	Shupnik	

NAYS—39

Armstrong	Deal	Laughlin	Punt
Bittle	Dietz	Livengood	Rappaport
Brown	Evans	Lloyd	Richardson
Burns	Fischer	Madigan	Smith, L. E.
Civera	Foster, Jr., A.	Micozzie	Spitz
Clymer	Fryer	Miller	Stairs
Cochran	Gallagher	Moehlmann	Telek
Cordisco	George	Mrkoncic	Tigue
Cunningham	Greenfield	Noye	Wenger
DeVerter	Jackson	Pitts	

NOT VOTING—9

Alden	Borski	Frazier	Hasay
Barber	Emerson	Gray	Williams, J. D.
Belfanti			

EXCUSED—6

Fleck	Honaman	Lewis	Mackowski
Freind	Levi		

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.

WELCOME

The SPEAKER. The Chair is pleased to welcome to the hall of the House today from Sewickley, Allegheny County, Mr. Frank Stoner, here today as the guest of Representative George Pott.

REMARKS ON VOTE

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

Mr. SALVATORE. Mr. Speaker, I ask that my vote be recorded "aye" on SB 739.

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

LEAVES OF ABSENCE GRANTED

The SPEAKER. For what purpose does the gentleman from Philadelphia, Mr. Pievsky, rise?

Mr. PIEVSKY. Mr. Speaker, could you return to leaves of absence?

The SPEAKER. Without objection, the Chair returns to leaves of absence.

The Chair recognizes the gentleman, Mr. Pievsky.

Mr. PIEVSKY. Thank you, Mr. Speaker.

I ask leave of absence for the gentleman from Philadelphia, Mr. BORSKI, for today's session.

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

The Chair recognizes the majority whip.

Mr. CESSAR. Mr. Speaker, thank you.

Since you are on leaves of absence, I would like to put Mr. FRAZIER from Allegheny County on leave for today.

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

REMARKS ON VOTES

The SPEAKER. For what purpose does the gentleman from Luzerne, Mr. Hasay, rise?

Mr. HASAY. Mr. Speaker, on SB 1335 on final passage my switch apparently malfunctioned. I would like to be recorded in the affirmative.

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

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

Mr. SNYDER. On amendment 8682 to SB 1335 I would like to be recorded in the affirmative.

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

The Chair recognizes the gentleman from Northumberland, Mr. Belfanti.

Mr. BELFANTI. Mr. Speaker, I would like to be recorded in the affirmative on SB 1335.

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

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **SB 448, PN 455**, entitled:

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.

On the question,

Will the House agree to the bill on third consideration?

Mr. TADDONIO offered the following amendments No. A8311:

Amend Title, page 1, line 4, by removing the period after "transactions" and inserting
and further regulating priority of purchase money security interests.

Amend Sec. 1 (Sec. 9301), page 36, line 18, by inserting brackets before and after "ten" and inserting immediately thereafter
20

Amend Sec. 1 (Sec. 9312), page 50, line 28, by inserting brackets before and after "ten" and inserting immediately thereafter
20

On the question,

Will the House agree to the amendments?

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

Mr. TADDONIO. Mr. Speaker, this is a simple amendment. All it does is extend the grace period for the filing of purchase money security interests and commercial transactions from 10 days to 20 days. I understand that 10 States have already done this, and it has become very much of a problem with the mails and everything else. These companies are losing their security position by not getting these things filed purely because of mechanical problems. I would appreciate the consideration of the House.

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

Mr. TAYLOR. Thank you, Mr. Speaker.

I rise to also ask support for the Taddonio amendment. Since the embodiment of the bill itself is to bring the State of Pennsylvania up with the others States in the Uniform Commercial Code, this amendment has been adopted by other States, and we should adopt it also so that we will not have to address this problem at a later date. I would ask for an affirmative vote.

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

Mr. McVERRY. Yes.

The SPEAKER. The gentleman is in order.

Mr. McVERRY. Mr. Speaker, I would respectfully request a negative vote on the Taddonio amendment. In fact, the 10-day requirement that is in SB 448 is in conformance with the

law as it exists in 35 States. The purpose of SB 448 is to bring our Uniform Commercial Code into compliance with States that have adopted the 1972 American Bar Association recommendations with respect to the UCC (Uniform Commercial Code). So therefore, although the Taddonio amendment would bring us into compliance with 9 States, we would be out of compliance with 35. The uniform practice is a 10-day time period within which to record your security interests, and so, therefore, I would request that you vote against this amendment so we would be uniform.

Secondly, I would point out that this is a Senate bill that has already been passed by the Senate. If we reject this amendment and pass SB 448, it will be able to go to the Governor and be signed into law irrespective of whether the Senate returns to session or not.

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

The following roll call was recorded:

YEAS—113

Anderson	Fischer	Manderino	Sieminski
Armstrong	Foster, Jr., A.	Marmion	Sirianni
Arty	Fryer	Miller	Smith, E. H.
Belardi	Gallagher	Miscevich	Smith, L. E.
Belfanti	Gallen	Morris	Snyder
Berson	Gannon	Mrkonic	Spencer
Bittle	Gladeck	Mullen	Stairs
Blaum	Greenwood	Noye	Steighner
Brown	Grieco	Olasz	Stevens
Burns	Gruppo	Perzel	Stewart
Caltagirone	Haluska	Peterson	Sweet
Cawley	Harper	Petrarca	Taddonio
Cimini	Hasay	Petrone	Taylor, E. Z.
Clark	Hoeffel	Piccola	Taylor, F. E.
Cochran	Hutchinson, A.	Pievsky	Telek
Cole	Irvis	Pistella	Trello
Cordisco	Itkin	Pott	Van Horne
Cornell	Kolter	Pratt	Vroon
Coslett	Kowalshyn	Punt	Wachob
Cunningham	Kukovich	Richardson	Wargo
DeMedio	Lashingner	Rieger	Wass
DeVerter	Laughlin	Rocks	Weston
Davies	Lehr	Rybak	Williams, H.
Deal	Lescovitz	Salvatore	Wilson
Duffy	Letterman	Saurman	Wogan
Durham	Livengood	Serafini	Wozniak
Emerson	McIntyre	Seventy	Wright, D. R.
Fargo	Maiale	Shupnik	Wright, J. L.
Fee			

NAYS—68

Barber	Evans	McVerry	Rasco
Bowser	Gamble	Madigan	Reber
Boyes	Geist	Manmiller	Ritter
Brandt	George	Merry	Showers
Burd	Grabowski	Michlovic	Smith, B.
Cappabianca	Gruitza	Micozzie	Spitz
Cessar	Hagarty	Moehlmann	Swaim
Civera	Hayes	Mowery	Swift
Clymer	Heiser	Murphy	Tigue
Colafella	Horgos	Nahill	Wambach
Cowell	Jackson	O'Donnell	Wenger
DeWeese	Johnson	Oliver	Wiggins
Daikeler	Kennedy	Pendleton	Wright, R. C.
Dawida	Klingaman	Phillips	Zwikl
Dietz	Levin	Pitts	
Dombrowski	Lloyd	Pucciarelli	Ryan,
Donatucci	McClatchy	Rappaport	Speaker
Dorr	McMonagle		

NOT VOTING—10

Alden	Dininni	Greenfield	Stuban
Beloff	Foster, W. W.	Lucyk	Williams, J. D.
Cohen	Gray		

EXCUSED—8

Borski	Frazier	Honaman	Lewis
Fleck	Freind	Levi	Mackowski

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—186

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

NAYS—0

NOT VOTING—5

Alden	Gray	Miscevich	Williams, J. D.
Beloff			

EXCUSED—8

Borski	Frazier	Honaman	Lewis
Fleck	Freind	Levi	Mackowski

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

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

* * *

The House proceeded to third consideration of **HB 1764, PN 2974**, entitled:

An Act amending the "County Pension Law," approved August 31, 1971 (P. L. 398, No. 96), providing for credit for former employes of school districts.

On the question,

Will the House agree to the bill on third consideration?

Mr. BOWSER offered the following amendment No. A8665:

Amend Sec. 1 (Sec. 13.1), page 2, line 8, by inserting after "DISTRICT."

This section shall apply only where the transfer of employment from the public school district to the county, was not voluntary on the part of the employe.

On the question,

Will the House agree to the amendment?

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

Mr. BOWSER. Thank you, Mr. Speaker.

We had a problem in caucus. What this amendment does is simply state that these employees were not voluntarily going over from State employees to county employees. This is an involuntary situation. In order to make this apply only to Erie County, we felt that we should put this wording in. Thank you.

The SPEAKER. On the question of the adoption of the amendment, the Chair recognizes the gentleman from Erie, Mr. Dombrowski.

Mr. DOMBROWSKI. Thank you, Mr. Speaker.

This is an agreed-to amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—183

Anderson	Fargo	McIntyre	Saurman
Armstrong	Fee	McMonagle	Serafini
Arty	Fischer	McVerry	Seventy
Barber	Foster, W. W.	Madigan	Showers
Belardi	Foster, Jr., A.	Maiale	Shupnik
Belfanti	Fryer	Manderino	Sieminski

Berson	Gallagher	Manmiller	Sirianni
Bittle	Gallen	Marmion	Smith, B.
Blaum	Gamble	Merry	Smith, E. H.
Bowser	Geist	Michlovic	Smith, L. E.
Boyes	George	Micozzie	Snyder
Brandt	Gladeck	Miller	Spitz
Brown	Grabowski	Moehlmann	Stairs
Burd	Greenfield	Morris	Steighner
Burns	Greenwood	Mowery	Stevens
Caltagirone	Grieco	Mrkonic	Stewart
Cappabianca	Gruitza	Mullen	Suban
Cawley	Gruppo	Murphy	Swaim
Cessar	Hagarty	Nahill	Sweet
Cimini	Haluska	Noye	Swift
Civera	Harper	O'Donnell	Taddonio
Clark	Hasay	Olasz	Taylor, E. Z.
Clymer	Hayes	Oliver	Taylor, F. E.
Cochran	Heiser	Pendleton	Telek
Cohen	Hoeffel	Perzel	Tigue
Colafella	Horgos	Peterson	Trello
Cole	Hutchinson, A.	Petrarca	Van Horne
Cordisco	Iris	Petrone	Vroon
Cornell	Itkin	Phillips	Wachob
Coslett	Jackson	Piccola	Wambach
Cowell	Johnson	Pievsky	Wargo
Cunningham	Kennedy	Pistella	Wass
DeMedio	Klingaman	Pitts	Wenger
DeVerter	Kolter	Pott	Weston
DeWeese	Kowalyshyn	Pratt	Wiggins
Daikeler	Kukovich	Pucciarelli	Williams, H.
Davies	Lashingier	Punt	Wilson
Dawida	Laughlin	Rappaport	Wogan
Deal	Lehr	Rasco	Wozniak
Dietz	Lescovitz	Reber	Wright, D. R.
Dininni	Letterman	Richardson	Wright, J. L.
Dombrowski	Levin	Rieger	Wright, R. C.
Donatucci	Livengood	Ritter	Zwilk
Dorr	Lloyd	Rocks	
Duffy	Lucyk	Rybak	Ryan,
Durham	McClatchy	Salvatore	Speaker
Evans			

NAYS—0

NOT VOTING—8

Aiden	Emerson	Gray	Spencer
Beloff	Gannon	Miscevich	Williams, J. D.

EXCUSED—8

Borski	Frazier	Honaman	Lewis
Fleck	Freind	Levi	Mackowski

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—184

Anderson	Fischer	McVerry	Seventy
Armstrong	Foster, W. W.	Madigan	Showers
Arty	Foster, Jr., A.	Maiale	Shupnik
Barber	Fryer	Manderino	Sieminski
Belardi	Gallagher	Manmiller	Sirianni
Belfanti	Gallen	Marmion	Smith, B.
Berson	Gamble	Merry	Smith, E. H.
Bittle	Gannon	Michlovic	Smith, L. E.

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

NAYS—0

NOT VOTING—7

Aiden	DeMedio	Emerson	Miller
Beloff	Dininni	Gray	

EXCUSED—8

Borski	Frazier	Honaman	Lewis
Fleck	Freind	Levi	Mackowski

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 2226, PN 2879**, entitled:

An Act amending the "Real Estate Tax Sale Law," approved July 7, 1947 (P. L. 1368, No. 542), further providing for Tax Claim Bureau notices to the Department of Revenue and making editorial changes.

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

Mr. LAUGHLIN offered the following amendments No. A6946:

Amend Title, page 1, line 27, by inserting after "laws," " " authorizing deputy sheriffs, constables and deputy constables to make personal service of certain notices;

Amend Sec. 1, page 2, line 1, by inserting after "Subsection" (a) of section 601 and subsection
Amend Sec. 1, page 2, line 3, by striking out "is" and inserting

are
Amend Bill, page 1, by inserting between lines 4 and 5

Section 601. Date of Sale.—(a) Commencing on the second Monday of September of each year or for the first year any county is operating under the provisions of this act, at the bureau's discretion, commencing on the second Monday of October, and for the first sale conducted under this act by a bureau, where claims have been validated in accordance with the provisions of this act, at the bureau's discretion, commencing on the second Monday of October, following the expiration of the redemption period, or on any day to which a sale may be adjourned, or readjusted, such adjournment not to be for a longer period than sixty (60) days, or any day to which a sale may be continued, the bureau shall sell such property (except where the property is essential to the business of quasi-public corporations), or where held by the bureau under article seven as agent for the various taxing districts, the premises remain occupied by one or more persons in the family of the previous owner who are, or within the sixty (60) days immediately preceding were, receiving assistance from a public agency, against which a tax claim has become absolute, and the period of redemption has expired (without the property having been redeemed), or against which a tax judgment has heretofore been entered under any other law, which judgment has not been satisfied and on which a sale has not been stayed by agreement, in the manner hereinafter provided, and where the property subject to the claim or judgment is not or no longer remains in possession of the sequestrator. Owner occupied property shall not be sold until at least ten (10) days after the owner occupant as defined in section 102 is personally notified of the sale by the sheriff or his [designee] deputy or by a constable or his deputy; but, if personal notice cannot be served within twenty-five (25) days, the bureau may petition the court of common pleas to waive the requirement of personal notice for good cause shown. Personal service of notice on one of the owners shall be deemed personal service on all owners. The bureau may for convenience and because of the number of properties involved, schedule sales of property in various taxing districts or wards thereof on different dates, but all sales, except as herein otherwise provided, shall be held by the bureau by the end of the said calendar year. Taxing districts shall notify the bureau of tax judgments which have, prior to the effective date of this act, been entered under any other law in order that properties be subject to the lien of such judgments may be included in the sale.

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, I had discussed this amendment earlier with Representative Foster. All it really does is include the constable and the deputy constable as being able to serve the notice that is involved with the tax claim bureau throughout the counties of the State, Mr. Speaker.

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

The following roll call was recorded:

YEAS—185

Anderson	Fargo	McMonagle	Serafini
Armstrong	Fee	McVerry	Seventy
Arty	Fischer	Madigan	Showers
Barber	Foster, Jr., A.	Maiale	Shupnik

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

NAYS—0

NOT VOTING—6

Alden	Dininni	Gray	Williams, J. D.
Beloff	Foster, W. W.		

EXCUSED—8

Borski	Frazier	Honaman	Lewis
Fleck	Freind	Levi	Mackowski

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. LAUGHLIN offered the following amendments No. A6961:

Amend Title, page 1, line 27, by inserting after "laws," " " providing for payment for service of certain notices;

Amend Sec. 1, page 2, line 1, by inserting after "Subsection" (a) of section 601 and subsection

Amend Sec. 1, page 2, line 3, by striking out "is" and inserting

are

Amend Bill, page 2, by inserting between lines 4 and 5

Section 601. Date of Sale.—(a) Commencing on the second Monday of September of each year or for the first year any county is operating under the provisions of this act, at the

bureau's discretion, commencing on the second Monday of October, and for the first sale conducted under this act by a bureau, where claims have been validated in accordance with the provisions of this act, at the bureau's discretion, commencing on the second Monday of October, following the expiration of the redemption period, or on any day to which a sale may be adjourned, or readjusted, such adjournment not to be for a longer period than sixty (60) days, or any day to which a sale may be continued, the bureau shall sell such property (except where the property is essential to the business of quasi-public corporations), or where held by the bureau under article seven as agent for the various taxing districts, the premises remain occupied by one or more persons in the family of the previous owner who are, or within the sixty (60) days immediately preceding were, receiving assistance from a public agency, against which a tax claim has become absolute, and the period of redemption has expired (without the property having been redeemed), or against which a tax judgment has heretofore been entered under any other law, which judgment has not been satisfied and on which a sale has not been stayed by agreement, in the manner hereinafter provided, and where the property subject to the claim or judgment is not or no longer remains in possession of the sequestrator. Owner occupied property shall not be sold until at least ten (10) days after the owner occupant as defined in section 102 is personally notified of the sale by the sheriff or his designee but, if personal notice cannot be served within twenty-five (25) days, the bureau may petition the court of common pleas to waive the requirement of personal notice for good cause shown. Personal service of notice on one of the owners shall be deemed personal service on all owners. The bureau may for convenience and because of the number of properties involved, schedule sales of property in various taxing districts or wards thereof on different dates, but all sales, except as herein otherwise provided, shall be held by the bureau by the end of the said calendar year. Taxing districts shall notify the bureau of tax judgments which have, prior to the effective date of this act, been entered under any other law in order that properties be subject to the lien of such judgments may be included in the sale.

Sheriffs or their deputies and constables or their deputies shall receive the following fees for service of personal notice:

(1) Fifteen dollars (\$15) per notice served plus mileage at the rate authorized by the Internal Revenue Service.

(2) Ten dollars (\$10) per nulla bona return plus mileage at the prevailing rate authorized by the Internal Revenue Service.

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, this amendment is merely a followup of the previous amendment that sets the amount of fee that is involved with the service on such notice and the per capita amount that is to be paid to the constable for service.

The SPEAKER. Does the gentleman from Lancaster, Mr. Brandt, desire recognition on this question?

Mr. BRANDT. Yes.

I apologize to the Chair, but I do not have this amendment, Mr. Speaker. Could Mr. Laughlin tell us what those figures are in there?

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

Mr. LAUGHLIN. Mr. Speaker, as the amendment defines on the second page, the amount is \$15 per notice served plus mileage at the rate authorized by the Internal Revenue

Service, and \$10 per mile upon return for that particular service. It is not an exorbitant figure in any way, shape, or form, Mr. Speaker.

Mr. BRANDT. Was that \$10 per notice plus the IRS fee for mileage?

Mr. LAUGHLIN. The mileage, sir, is only paid for any travel outside the area in serving that notice. For instance, if you are at one end of the county and you pick up the notice at the courthouse, you are compensated at the IRS rate for service for that mileage traveled.

Mr. BRANDT. Mr. Speaker, I have no qualms with the dollar amounts that you are stating there, but I really feel that we are going far beyond what we should be doing in setting rates of what the county should be paying to serve notices. I am certainly sure that we would agree that those rates would change from county to county, and when we look at what we have been doing for counties in past legislation by allowing them to even set their salaries, I think this goes far afield from the intent of what the original tax claim sale should be, and I oppose the amendment.

Mr. LAUGHLIN. Mr. Speaker, very briefly, I do not wish to correct the gentleman other than to point out the fact that it is no cost to the county whatsoever. The cost is paid on the service to the particular person being served and is made a portion of that particular claim when it is closed, and it is no cost whatsoever to our counties, sir.

Mr. BRANDT. Well, you are absolutely right, Mr. Speaker, but the situation still is that somebody is paying these fees. Nobody is not paying them; somebody is paying them. We had long discussions in this hall about what the rate of interest should be, because somebody is paying those rates. If we are concerned about the people who have a problem paying their taxes, we should allow that to be stated at the county level rather than us dictating what mileage and what the rate should be from here. I continue to oppose the amendment.

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

Mr. LAUGHLIN. With regard to the gentleman's response, I agree with him that interest rates certainly are a matter that this House discussed, and I voted against them quite often, as you may recall. However, in this circumstance, Mr. Speaker, we are merely applying the cost where it belongs; that is, the cost is applied to those who in fact are delinquent. The cost is applied in fact to those who have in some way held off the amount of time which they have utilized to pay their legitimate taxes. The tax claim bureau provides approximately 1 year from the date on which they become delinquent until the date of that notice and foreclosure. So I do not think that we are putting any exorbitant cost on anyone, Mr. Speaker, and I ask for an affirmative vote. Thank you.

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

Mr. BRANDT. The point is still there, Mr. Speaker, that the word in here is "shall." We are telling the counties that the sheriffs shall receive the following. Now, the way I know

these notices operate, the sheriffs go in and they pick up the notices and they may deliver 10, 15, or 20 of them in 1 day. I really believe that we should leave that discretion up to the counties of what those fees should be, and I continue to oppose the amendment.

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

The following roll call was recorded:

YEAS—106

Barber	Fee	Maiale	Serafini
Belardi	Fischer	Manderino	Seventy
Belfanti	Foster, Jr., A.	Michlovic	Showers
Berson	Gallagher	Miller	Shupnik
Blaum	Gamble	Miscevich	Steighner
Brown	Grabowski	Morris	Stewart
Burns	Greenfield	Mrkonic	Stuban
Caltagirone	Gruitza	Mullen	Swaim
Cappabianca	Haluska	Murphy	Sweet
Cawley	Harper	O'Donnell	Taylor, F. E.
Clark	Hoeffel	Olasz	Telek
Cochran	Horgos	Oliver	Tigue
Cohen	Hutchinson, A.	Pendleton	Trello
Colafella	Irvic	Petrarca	Van Horne
Cole	Itkin	Petrone	Wachob
Cordisco	Kolter	Pievsky	Wambach
Cowell	Kowalyszyn	Pistella	Wargo
DeMedio	Kukovich	Pratt	Wass
DeWeese	Laughlin	Pucciarelli	Weston
Dawida	Lescovitz	Rappaport	Wiggins
Deal	Letterman	Richardson	Williams, H.
Dombrowski	Levin	Rieger	Wogan
Donatucci	Livengood	Ritter	Wozniak
Dorr	Lloyd	Rocks	Wright, D. R.
Duffy	Lucyk	Rybak	Wright, J. L.
Durham	McIntyre	Salvatore	Zwinkl
Evans	McMonagle		

NAYS—74

Armstrong	Fryer	Madigan	Sieminski
Arty	Gannon	Manmiller	Sirianni
Bittle	Geist	Marmion	Smith, B.
Bowser	George	Merry	Smith, E. H.
Boyes	Gladeck	Micozzie	Smith, L. E.
Brandt	Greenwood	Mochlmann	Snyder
Burd	Grieco	Mowery	Spencer
Cessar	Gruppo	Nahill	Spitz
Cimini	Hagarty	Noye	Stairs
Civera	Hasay	Perzel	Stevens
Clymer	Hayes	Peterson	Swift
Cornell	Heiser	Phillips	Taylor, E. Z.
Coslett	Jackson	Piccola	Vroon
Cunningham	Johnson	Pitts	Wenger
DeVerter	Kennedy	Pott	Wilson
Daikeler	Klingaman	Punt	Wright, R. C.
Dietz	Lashingier	Rasco	
Fargo	McClatchy	Reber	Ryan,
Foster, W. W.	McVerry	Saurman	Speaker

NOT VOTING—11

Alden	Davies	Gallen	Taddonio
Anderson	Diminni	Gray	Williams, J. D.
Beloff	Emerson	Lehr	

EXCUSED—8

Borski	Frazier	Honaman	Lewis
Fleck	Freind	Levi	Mackowski

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

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

Mr. FRYER offered the following amendments No. A7728:

Amend Title, page 1, line 27, by inserting after "laws,""
increasing the rate of interest charged for late
payment of taxes;

Amend Bill, page 2, by inserting before line 1

Section 1. Subsection (a) of section 306, act of July 7, 1947
(P.L.1368, No.542), known as the "Real Estate Tax Sale Law,"
amended April 6, 1981 (P.L.7, No.3), is amended to read:

Section 306. Return of Property and Delinquent Taxes;
Interest; Settlements by Tax Collectors.—

(a) It shall be the duty of each receiver or collector of any
county, city, borough, town, township, school district or institu-
tion district taxes, to make a return to the county bureau on or
before the first Monday of May of each year, a list of all proper-
ties against which taxes were levied, the whole or any part of
which were due and payable in the calendar year immediately pre-
ceding which remain unpaid, giving the description of each such
property, as it appears in the tax duplicate, together with the
amount of such unpaid taxes, penalties and interest due to but
not including the first Monday of May of the year of return.
Interest shall be charged on taxes so returned from and after the
first Monday of May of the year of return at [the rate of six per
centum (6%)] a rate established by the county commissioners
which may not exceed twelve per centum (12%) per annum.

Amend Sec. 1, page 2, line 1, by striking out "1." and insert-
ing

2.

Amend Sec. 1, page 2, line 1, by removing the comma after
"602" and inserting
of the

Amend Sec. 1, page 2, lines 1 through 3, by striking out "of
July 7," in line 1, all of line 2 and "Law,"" in line 3

Amend Sec. 2, page 2, line 27, by striking out "2." and insert-
ing

3.

Amend Sec. 3, page 3, line 24, by striking out "3." and insert-
ing

4.

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

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

Will the gentleman, Mr. Fryer, come to the rostrum?

REMARKS ON VOTE

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

Mr. DAVIES. Mr. Speaker, I was out of my seat when we
voted on Mr. Laughlin's amendment A6961 to HB 2226. I
would like to be recorded in the negative.

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

Mr. DAVIES. Thank you, Mr. Speaker.

**CONSIDERATION OF HB 2226 CONTINUED
BILL AND AMENDMENTS TABLED**

The SPEAKER. Without objection, HB 2226 will be laid
upon the table with amendments. The Chair hears no objec-
tion.

* * *

The House proceeded to third consideration of **HB 1765,
PN 2092**, entitled:

An Act amending Title 24 (Education) of the Pennsylvania
Consolidated Statutes, providing for the transfer of employer
contributions to certain other public pension systems.

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

Mr. BOWSER offered the following amendment No.
A8666:

Amend Sec. 1 (Sec. 8502), page 2, line 1, by inserting after
"account."

This subsection shall apply only where the transfer of employ-
ment from the public school district to the county was not volun-
tary on the part of the employee.

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

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

Mr. BOWSER. This is a companion bill to the other bill
that we passed, and we want to put the same wording into this
bill to allow these employees to transfer their pension funds
from the State pension fund to the county pension fund, and
it again shows that it was not a voluntary transfer. Thank
you.

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

The following roll call was recorded:

YEAS—185

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

Cordisco	Iris	Petrone	Vroon
Cornell	Itkin	Phillips	Wachob
Coslett	Jackson	Piccola	Wambach
Cowell	Johnson	Pievsky	Wargo
Cunningham	Kennedy	Pistella	Wass
DeMedio	Klingaman	Pitts	Wenger
DeVerter	Kolter	Pott	Weston
DeWeese	Kowalshyn	Pratt	Wiggins
Daikeler	Kukovich	Pucciarelli	Williams, H.
Davies	Lashinger	Punt	Wilson
Dawida	Laughlin	Rappaport	Wogan
Deal	Lehr	Rasco	Wozniak
Dietz	Lescovitz	Reber	Wright, D. R.
Dombrowski	Letterman	Richardson	Wright, J. L.
Donatucci	Levin	Rieger	Wright, R. C.
Dorr	Livengood	Ritter	Zwinkl
Duffy	Lloyd	Rocks	Ryan, Speaker
Durham	Lucyk	Rybak	
Evans	McClatchy	Salvatore	
Fargo	McIntyre	Saurman	

NAYS—0

NOT VOTING—6

Alden	Dininni	Gray	Williams, J. D.
Beloff	Emerson		

EXCUSED—8

Borski	Frazier	Honaman	Lewis
Fleck	Freind	Levi	Mackowski

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—185

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

Coslett	Jackson	Piccola	Wambach
Cowell	Johnson	Pievsky	Wargo
Cunningham	Kennedy	Pistella	Wass
DeMedio	Klingaman	Pitts	Wenger
DeVerter	Kolter	Pott	Weston
DeWeese	Kowalshyn	Pratt	Wiggins
Daikeler	Kukovich	Pucciarelli	Williams, H.
Davies	Lashinger	Punt	Wilson
Dawida	Laughlin	Rappaport	Wogan
Deal	Lehr	Rasco	Wozniak
Dietz	Lescovitz	Reber	Wright, D. R.
Dombrowski	Letterman	Richardson	Wright, J. L.
Donatucci	Levin	Rieger	Wright, R. C.
Dorr	Livengood	Ritter	Zwinkl
Duffy	Lloyd	Rocks	
Durham	Lucyk	Rybak	Ryan, Speaker
Evans	McClatchy	Salvatore	
Fargo	McIntyre	Saurman	

NAYS—0

NOT VOTING—6

Alden	Dininni	Gray	Williams, J. D.
Beloff	Emerson		

EXCUSED—8

Borski	Frazier	Honaman	Lewis
Fleck	Freind	Levi	Mackowski

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 2353, PN 3131**, entitled:

An Act amending the "Real Estate Tax Sale Law," approved July 7, 1947 (P. L. 1368, No. 542), increasing the rate of interest charged for late payment of taxes.

On the question,

Will the House agree to the bill on third consideration?

Mr. FRYER offered the following amendments No. A8647:

Amend Sec. 1 (Sec. 306), page 2, line 19, by inserting a bracket before "the"

Amend Sec. 1 (Sec. 306), page 2, line 19, by striking out the bracket before "RATE"

Amend Sec. 1 (Sec. 306), page 2, line 19, by inserting a bracket after "(6%)" and inserting immediately thereafter a rate established by the county commissioners which may not exceed twelve per centum (12%)

Amend Sec. 1 (Sec. 306), page 2, line 19, by inserting a period after "ANNUM"

Amend Sec. 1 (Sec. 306), page 2, lines 19 through 21, by striking out "J average" in line 19, all of lines 20 and 21

On the question,

Will the House agree to the amendments?

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

Mr. FRYER. Mr. Speaker, this amendment is cosponsored by Representative Cornell and myself. The amendment deals with delinquent taxes, and it amends page 2, line 19, by inserting a bracket after 6 percent and inserting "a rate established by the county commissioners which may not exceed twelve per centum."

Mr. Speaker, this would be in accordance with the legislation that was passed for Allegheny County, which means that there is a cap of 12 percent and the rate is to be established by the county commissioners, which we felt was the fairest approach to the problem. Mr. Speaker, I would urge the adoption of the amendment.

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

Mr. BURNS. Mr. Speaker, after months of talking with the Local Government Committee people, especially the minority chairman, Mr. Fryer, we have agreed to go along with what he suggests in this case, and I would urge support for the amendment.

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

The following roll call was recorded:

YEAS—181

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

NAYS—2

George	Vroon
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NOT VOTING—8

Alden	Dininni	Levin	Snyder
Beloff	Gray	Moehlmann	Williams, J. D.

EXCUSED—8

Borski	Frazier	Honaman	Lewis
Fleck	Freind	Levi	Mackowski

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—171

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

NAYS—14

Boyes	Hasay	Lucyk	Suban
Cole	Hutchinson, A.	Showers	Taylor, F. E.
George	Letterman	Smith, E. H.	Van Horne
Gruitza	Livengood		

NOT VOTING—6

Alden Dininni O'Donnell Williams, J. D.
Beloff Gray

EXCUSED—8

Borski Frazier Honaman Lewis
Fleck Freind Levi Mackowski

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 327, PN 3035**, entitled:

An Act prohibiting the cutting, digging, removal, transportation or sale within this Commonwealth for any purpose of Christmas trees, *** and providing a penalty.

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

BILL TABLED

The SPEAKER. The Chair recognizes the gentleman from Indiana, Mr. Wass.

Mr. WASS. Mr. Speaker, I rise to suggest that we place HB 327 on the table. We find that in the Christmas Tree Association of Pennsylvania we have a conflict as it pertains to the amendments of Representative Lloyd, and in my discussions with the Pennsylvania Tree Growers members, they are suggesting that we table the bill until they clear that conflict within their own organization.

The SPEAKER. The Chair recognizes the gentleman, Mr. Wass, who moves that HB 327 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 1803, PN 3195**, entitled:

An Act amending the act of August 6, 1941 (P. L. 861, No. 323), referred to as the Pennsylvania Board of Probation and Parole Law, further providing for a Pennsylvania Revocation Board and defining its powers and duties with regard to post-release supervision and making repeals.

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

Mr. PICCOLA offered the following amendments No. A7587:

Amend Sec. 11 (Sec. 17), page 8, line 28, by striking out the bracket after "forth:"

Amend Sec. 11 (Sec. 17), page 8, line 28, by striking out the bracket before " , except"

Amend Sec. 11 (Sec. 17), page 9, line 1, by striking out the bracket after "and"

Amend Sec. 11 (Sec. 17), page 9, line 1, by inserting a bracket after "nothing" and inserting immediately thereafter

Nothing

Amend Sec. 11 (Sec. 17), page 9, line 4, by inserting a bracket before " : And"

Amend Sec. 11 (Sec. 17), page 9, line 4, by striking out the bracket before "That"

Amend Sec. 11 (Sec. 17), page 9, line 5, by inserting a period after "the]"

Amend Sec. 15 (Sec. 21.1), page 16, line 11, by inserting a bracket before "Recommitment."

Amend Sec. 15 (Sec. 21.1), page 16, line 11, by striking out the bracket before "Technical"

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

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

Mr. PICCOLA. Mr. Speaker, this is a technical amendment that is making some corrections to certain errors that were made in the bill. I think it is agreed to.

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

The following roll call was recorded:

YEAS—183

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

NAYS—0

NOT VOTING—8

Alden	Dininni	Gray	O'Donnell
Beloff	Emerson	Levin	Taddonio

EXCUSED—8

Borski	Frazier	Honaman	Lewis
Fleck	Freind	Levi	Mackowski

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. GALLAGHER offered the following amendments No. A8652:

Amend Sec. 14 (Sec. 21), page 11, line 7, by inserting after "DATE"

, excluding life sentences for murder,

Amend Sec. 14 (Sec. 21), page 11, line 17, by inserting after "eligible"

as provided for in section 34.3

Amend Sec. 20 (Sec. 34.3), page 21, line 4, by inserting after "offender"

, excluding offenders serving life sentences for murder,

Amend Sec. 20 (Sec. 34.3), page 22, line 13, by inserting a period after "time"

Amend Sec. 20 (Sec. 34.3), page 22, lines 13 through 17, by striking out "unless the sentence is reduced by" in line 13, all of lines 14 through 16 and "of the total time the offender has been incarcerated." in line 17

Amend Sec. 22, page 23, line 25, by inserting a period after "commutation"

Amend Sec. 22, page 23, lines 25 and 26, by striking out "minus any good time for" in line 25 and all of line 26

On the question,

Will the House agree to the amendments?

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

Mr. GALLAGHER. Mr. Speaker, the amendment deals with one exemption, making it very clear in this bill that the gentlemen are not trying to make a good time for a life sentence for murder. It puts the words in there "excluding life sentences for murder" to participate in the good-time counting of reducing the amount of time they serve, and that is what the amendment does. I do not think that is their intention. They do speak of that, but we want to make it very clear that we are not dealing with persons who have been sentenced to life for murder.

I urge the adoption of the amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—181

Anderson	Fargo	McIntyre	Serafini
Armstrong	Fee	McMonagle	Seventy
Arty	Fischer	McVerry	Showers
Barber	Foster, W. W.	Madigan	Shupnik
Belardi	Foster, Jr., A.	Maiale	Sieminski
Belfanti	Fryer	Manderino	Sirianni

Berson	Gallagher	Manmiller	Smith, B.
Bittle	Gallen	Marmion	Smith, E. H.
Blaum	Gamble	Merry	Smith, L. E.
Bowser	Gannon	Michlovic	Snyder
Boyes	Geist	Micozzie	Spencer
Brandt	George	Miller	Spitz
Brown	Gladeck	Miscevich	Stairs
Burd	Grabowski	Moehlmann	Steighner
Burns	Greenfield	Morris	Stevens
Caltagirone	Greenwood	Mowery	Stewart
Cappabianca	Grieco	Mrkonic	Stuban
Cawley	Gruitza	Mullen	Swaim
Cessar	Gruppo	Murphy	Swift
Cimini	Hagarty	Nahill	Taddonio
Civera	Haluska	Noye	Taylor, E. Z.
Clark	Harper	Olasz	Taylor, F. E.
Clymer	Hasay	Oliver	Telek
Cochran	Hayes	Pendleton	Tigue
Cohen	Heiser	Perzel	Trello
Colafrella	Hoeffel	Peterson	Van Horne
Cole	Horgos	Petrarca	Vroon
Cordisco	Hutchinson, A.	Petrone	Wachob
Cornell	Irvis	Phillips	Wambach
Coslett	Itkin	Piccola	Wargo
Cowell	Jackson	Pievsky	Wass
Cunningham	Johnson	Pistella	Wenger
DeMedio	Kennedy	Pitts	Weston
DeVerter	Klingaman	Pott	Wiggins
DeWeese	Kolter	Pratt	Williams, H.
Daikeler	Kowalyshyn	Pucciarelli	Wilson
Davies	Kukovich	Punt	Wogan
Dawida	Lashinger	Rasco	Wozniak
Deal	Laughlin	Reber	Wright, D. R.
Dietz	Lehr	Richardson	Wright, J. L.
Dininni	Lescovitz	Rieger	Wright, R. C.
Dombrowski	Letterman	Ritter	Zwikl
Donatucci	Livengood	Rocks	
Dorr	Lloyd	Rybak	Ryan,
Duffy	Lucyk	Salvatore	Speaker
Durham	McClatchy	Saurman	

NAYS—1

Evans

NOT VOTING—9

Alden	Gray	O'Donnell	Sweet
Beloff	Levin	Rappaport	Williams, J. D.
Emerson			

EXCUSED—8

Borski	Frazier	Honaman	Lewis
Fleck	Freind	Levi	Mackowski

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?

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—182

Anderson	Fee	McIntyre	Serafini
Armstrong	Fischer	McMonagle	Seventy
Arty	Foster, W. W.	McVerry	Showers
Barber	Foster, Jr., A.	Madigan	Shupnik
Belardi	Fryer	Maiale	Sieminski
Belfanti	Gallagher	Manderino	Sirianni

Berson	Gallen	Manmiller	Smith, B.
Bittle	Gamble	Marmion	Smith, E. H.
Blaum	Gannon	Merry	Smith, L. E.
Bowser	Geist	Michlovic	Snyder
Boyes	George	Micozzie	Spencer
Brandt	Gladeck	Miller	Spitz
Brown	Grabowski	Miscevich	Stairs
Burd	Greenfield	Moehlmann	Steighner
Burns	Greenwood	Morris	Stevens
Caltagirone	Grieco	Mowery	Stewart
Cappabianca	Gruitza	Mrkonic	Suban
Cawley	Gruppo	Mullen	Swaim
Cessar	Hagarty	Murphy	Sweet
Cimini	Haluska	Nahill	Swift
Civera	Harper	Noye	Taddonio
Clark	Hasay	Olasz	Taylor, E. Z.
Clymer	Hayes	Oliver	Taylor, F. E.
Cochran	Heiser	Pendleton	Telek
Cohen	Hoeffel	Perzel	Tigle
Colafella	Horgos	Peterson	Trello
Cole	Hutchinson, A.	Petrarca	Van Horne
Cordisco	Irvic	Petrone	Vroon
Cornell	Itkin	Phillips	Wachob
Coslett	Jackson	Piccola	Wambach
Cowell	Johnson	Pievsky	Wargo
Cunningham	Kennedy	Pistella	Wass
DeMedio	Klingaman	Pitts	Wenger
DeVerter	Kolter	Pott	Weston
DeWeese	Kowalyszyn	Pratt	Wiggins
Daikeler	Kukovich	Pucciarelli	Williams, H.
Davies	Lashinger	Punt	Wilson
Dawida	Laughlin	Rappaport	Wogan
Deal	Lehr	Rasco	Wozniak
Dietz	Lescovitz	Reber	Wright, D. R.
Dombrowski	Letterman	Rieger	Wright, J. L.
Donatucci	Levin	Ritter	Wright, R. C.
Dorr	Livengood	Rocks	Zwikl
Duffy	Lloyd	Rybak	
Durham	Lucyk	Salvatore	Ryan,
Fargo	McClatchy	Saurman	Speaker

NAYS—1

Richardson

NOT VOTING—8

Alden	Dininni	Evans	O'Donnell
Beloff	Emerson	Gray	Williams, J. D.

EXCUSED—8

Borski	Frazier	Honaman	Lewis
Fleck	Freind	Levi	Mackowski

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.

REMARKS ON VOTE

The SPEAKER. For what purpose does the gentleman from Clarion, Mr. Wright, seek recognition?

Mr. D. R. WRIGHT. Mr. Speaker, I inadvertently voted in the affirmative on HB 2353. I would like to be recorded in the negative. Thank you.

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

For what purpose does the gentleman from Lawrence, Mr. Pratt, rise?

Mr. PRATT. At the appropriate time, Mr. Speaker, would you recognize me for permission to make a few remarks?

HOUSE SCHEDULE

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Thank you, Mr. Speaker.

We will move the other bills on the calendar, but there will not be any more votes taken today.

Tomorrow's session will be a token session which will have as its only purpose the moving of bills to third reading. We will return to active voting session next Monday, commencing at 1 p.m. Thank you, Mr. Speaker.

PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the gentleman from Lehigh, Mr. Ritter, rise?

Mr. RITTER. A parliamentary inquiry, Mr. Speaker.

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

Mr. RITTER. Earlier today one of the members mentioned that if we would pass a Senate bill without amendments, it would go immediately to the Governor's desk whether or not the Senate came back in session. My inquiry is, is that a correct statement or does the Senate in fact have to be in session before the bill can go to the Governor? The bill has to be signed by the President of the Senate.

The SPEAKER. It is the understanding of the Chair that the President pro tem of the Senate must sign the bill in the presence of the Senate.

Mr. RITTER. Thank you, Mr. Speaker.

In other words then, the Senate must come back in session before any bill that we pass can go to the Governor for his signature. Thank you, Mr. Speaker.

STATEMENT ON LEGISLATION TO BE INTRODUCED

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

Mr. PRATT. Thank you, Mr. Speaker.

Mr. Speaker, HB 1394, the so-called turnpike bill, was enacted by this General Assembly on June 9, 1982, but was vetoed by the Governor on June 25, 1982. Today Representative Joe Kolter and I will be reintroducing HB 1394 as a new bill with modifications to satisfy the objections of the Governor. The language change has been approved by officials of the Turnpike Commission and the Federal Highway Administration.

The Governor objected to the bill because the Federal Highway Administration informed the State that under Federal law, no funding for highways could be provided by the Federal Government without assurances that tolls would not be imposed on projects involving Federal money. Thus, the Governor felt that the State could lose millions of dollars of Federal funding if HB 1394 were to become law.

That bill was the subject of numerous public hearings and debate in the House and the Senate. The projects authorized by the bill are badly needed for the various areas of Pennsylvania and to the entire State in general and its economy.

I urge the Speaker and leadership of the House and Senate to expedite this new bill through the General Assembly prior to final adjournment on November 30, 1982, and urge the Governor to meet his responsibility of helping to eliminate the unemployment in this Commonwealth and to revitalize its economy by supporting this bill and assisting its passage through the General Assembly.

I urge all members who want to cosponsor this bill. I will have it on my desk for several minutes, and then we will introduce it prior to adjournment today. Thank you.

SESSION SCHEDULE

The SPEAKER. The Chair instructs the clerk to insert into the record the notice for the session time for the House tomorrow.

The following communication was read:

*House of Representatives
Commonwealth of Pennsylvania
Harrisburg*

**NOTICE
SESSION TIME FOR
HOUSE OF REPRESENTATIVES**

Notice is hereby given, in accordance with the Act of July 19, 1974, P.L. 486, No. 175, that the House of Representatives will convene in open session in the Hall of the House on the following date and time:

Wednesday, September 15, 1982 at 11:00 a.m.

John J. Zubeck
Chief Clerk
House of Representatives

September 14, 1982

*House of Representatives
Commonwealth of Pennsylvania
Harrisburg*

I hereby certify that thirty copies of the foregoing notice were delivered to the Supervisor of the Newsroom of the State Capitol Building in Harrisburg on September 14, 1982, and a copy was also posted on the bulletin board outside the main entrance to the Chief Clerk's Office on the same date.

John J. Zubeck
Chief Clerk
House of Representatives

September 14, 1982

LEAVE OF ABSENCE GRANTED

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

Mr. PIEVSKY. Mr. Speaker, I ask that the leave of absence list be amended to include the gentleman from Philadelphia, Mr. J. D. WILLIAMS, for yesterday's and today's sessions.

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

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 lady from Allegheny, Mrs. Heiser.

Mrs. HEISER. Mr. Speaker, I move that this House do now adjourn until Wednesday, September 15, 1982, at 11 a.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 2:42 p.m., e.d.t., the House adjourned.