

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

TUESDAY, NOVEMBER 16, 1982

SESSION OF 1982

166TH OF THE GENERAL ASSEMBLY

No. 58

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MATTHEW J. RYAN) IN THE CHAIR

PRAYER

REV. EUGENE A. BEAM, chaplain of the House of Representatives and pastor of Faith Evangelical Congregational Church, Harrisburg, Pennsylvania, offered the following prayer:

Let us pray:

To the God who is everlasting, from the people as precarious as the autumn leaves; to the creator who is omnipotent, from creatures whose frame is dust; to the Father whose name is love, from a world harassed by hate. We pause to appreciate our humanness - yesterday's mistakes turned into wisdom for today; the miracle of maturing from childhood to adolescence to adulthood.

We thank You for allowing us the joy of exploring this infinite creation with our meager intelligence, and we pause to celebrate Your presence and love in our lives. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal of Monday, November 15, 1982, will be postponed until printed. The Chair hears no objection.

HOUSE BILLS, INTRODUCED AND REFERRED

No. 2728 By Representative PISTELLA

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the carrying of concealed firearms by private detectives.

Referred to Committee on JUDICIARY, November 15, 1982.

No. 2729 By Representatives BURNS, CLYMER, J. L. WRIGHT, GALLAGHER, NOYE, ARTY and MAIALE

An Act amending the "Health Care Facilities Act," approved July 19, 1979 (P. L. 130, No. 48), providing for hemodialysis services.

Referred to Committee on HEALTH AND WELFARE, November 15, 1982.

SENATE BILLS FOR CONCURRENCE

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

SB 1366, PN 2166

Referred to Committee on CONSUMER AFFAIRS, November 15, 1982.

SB 1370, PN 1783

Referred to Committee on CONSERVATION, November 15, 1982.

SB 1500, PN 1998

Referred to Committee on APPROPRIATIONS, November 15, 1982.

SB 1533, PN 2059

Referred to Committee on APPROPRIATIONS, November 15, 1982.

LEAVE 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 request no leaves for today.

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

Mr. COLE. Mr. Speaker, the gentleman from Beaver, Mr. KOLTER, requests leave of absence for Tuesday and Wednesday of this week.

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

STATEMENT BY MR. COLE

TERCENTENARY COMMITTEE ON THIS DAY IN HISTORY

The SPEAKER. The Chair recognizes the gentleman from Adams, Mr. Cole, for the purpose of doing "This Day in History."

Mr. COLE. Thank you, Mr. Speaker.

This week on Friday, November 19, marks the anniversary of Lincoln's famous Gettysburg Address.

"Four score and seven years ago" is the way it began, and this week in history marks the 119th year since it was given by President Abraham Lincoln at the dedication of the Soldier's National Cemetery on the battlefield of Gettysburg.

The Gettysburg Address has only 20 lines, but the origination of those mere lines has been the subject of much speculation.

As one popular tale has it, President Lincoln was notified he was expected to speak at the dedication while traveling from Washington to Gettysburg the night before the ceremony. He supposedly then picked up some brown wrapping paper and an old pencil stub and proceeded to write this famous speech while on the train ride to Gettysburg.

Another story limits the President's time even further. As supposedly related by the Governor of Pennsylvania, Andrew Curtin, Mr. Lincoln did not write the address until after he arrived at Gettysburg, saying that he would retire for the night and "see if he could write out something."

Then there is the unexciting story that Mr. Lincoln did indeed know he would be speaking and was fully prepared beforehand. This version, almost sadly, is true.

But fact or fiction notwithstanding, these 20 lines have come to be known as one of the finest speeches ever delivered in American history. The Gettysburg Address, delivered November 19, this week, in 1863.

WELCOME

The SPEAKER. The Chair is pleased to welcome to the hall of the House today Mr. Henry Kaminsky of Shamokin, here today as the guest of Representative Belfanti.

CALENDAR

BILLS AGREED TO ON SECOND CONSIDERATION

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

SB 636, PN 2190; SB 671, PN 2175; HB 2663, PN 3696; HB 2664, PN 3592; SB 1092, PN 2192; SB 77, PN 2191; and SB 1487, PN 2193.

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The clerk of the Senate, being introduced, returned the following **HB 1885, PN 3417**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

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

On the question,

Will the House concur in Senate amendments?

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. I move that HB 1885 be placed upon the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

MASTER ROLL CALL RECORDED

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

The following roll call was recorded:

PRESENT—187

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

ADDITIONS—8

Fleck	Gallen	Maiale	Sirianni
Frazier	Greenfield	Rappaport	Sweet

NOT VOTING—2

Alden	Gray
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EXCUSED—2

Kolter	Pievsky
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WELCOME

The SPEAKER. The Chair is pleased to welcome to the hall of the House today as the guest of Representatives Rybak and Kowalyszyn, Mr. John J. Zolomij, the executive director of the United Cerebral Palsy of Lehigh Valley.

MEMBER'S PRESENCE RECORDED

The SPEAKER. For what purpose does the lady from Susquehanna, Miss Sirianni, rise?

Miss SIRIANNI. To add my name to the master roll call.

JAY SIGEL PRESENTED

The SPEAKER. The Chair at this time is requesting that the gentleman from Montgomery, Mr. Nahill, temporarily preside for the purpose of introducing a guest to the members of the House, and for the further purpose of making the presentation of a citation.

The Chair suggests that a number of you would-be golfers might be particularly interested in this particular guest, and if you show the proper courtesy toward this man, maybe he will come out and straighten out your games.

The Chair at this time requests the gentleman, Mr. Nahill, to take the rostrum.

Mr. NAHILL. Thank you, Mr. Speaker.

I really appreciate this opportunity to be in front of you on the rostrum and to introduce to you today who I consider to be one of the great golfers not only of Pennsylvania but one of the great golfers of the United States.

It is rare in today's world that you see somebody in any sporting field doing it not for the money but for the enjoyment of it. We all know of people who are excellent golfers, and once they reach a certain level of proficiency, what do they do? They try to go out on the tour. Money is always the object.

For this gentleman today, that has never been the object. Obviously, as an amateur, he is not allowed to accept money. Trophies, possibly; whatever else possible, but not money, not remuneration. I am speaking specifically about a gentleman by the name of Jay Sigel. Those of us more particularly in the southeast are well aware of his achievements. Hardly a week goes by that we cannot pick up a newspaper and see Jay doing something, whether it is in Pennsylvania, the Northeast, or the entire United States.

We are today honoring Jay as the U.S. Amateur Champion of this year, and I think that is quite an honor. It is quite an

honor for the State of Pennsylvania, and it is quite an honor for Jay, and I would like to read a citation and let you know some of the things that he has accomplished besides this. It reads as:

WHEREAS, Jay Sigel, vice president of the John Hancock CLU Association, is an avid golfer and champion whose recent achievement was the 1982 U.S. Amateur Championship title; and

WHEREAS, Ranked fifth in the country by Golf Digest magazine, the Narberth native has ranked in the top ten for the last seven years and has performed on worldwide television. The 1979 British Amateur Champion, Mr. Sigel was low amateur at both the 1980 and 1981 Masters Tournaments and low amateur at the 1980 British Open as well as Pennsylvania Amateur Champion eleven times. Saluted by Philadelphia Sportswriters as Amateur Athlete of the Year in 1979, Mr. Sigel was a member of the 1978, 1980 and 1982 World Amateur Teams, helping the United States to remain number one.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania extends hearty congratulations to Jay Sigel on capturing the 1982 United States Amateur Championship and wishes him continued success in future endeavors; and further directs that a copy of this citation be delivered to Jay Sigel, 1511 Leopard Way, Berwyn, Pennsylvania 19312.

Ladies and gentlemen, I would like to introduce to you now Mr. Jay Sigel.

Mrs. TAYLOR. Just a short remark to say that all of us in the Commonwealth of Pennsylvania, especially those of us in the 156th District, are certainly very proud of Jay Sigel, and we salute him today.

The SPEAKER. The Chair is pleased to welcome this gentleman to the House and would hope that some tips will be forthcoming on how to straighten out a couple of your hooks.

Mr. SIGEL. Thank you very much, Representative Nahill, Representative Taylor.

It is a pleasure for me to be here this morning, and I want to assure you that my family and myself have never been recognized by such a powerful group. Amateur golf many times gets pushed aside. I just want you to know very much that my family and I and all my friends deeply appreciate the recognition that you have given us this morning. Thank you.

Mr. NAHILL. We talked about Jay's family. His wife and two daughters and friends are here, and I would like them please to stand up and get a nice round of applause.

MEMBERS' PRESENCE RECORDED

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Fleck; the gentleman from Berks, Mr. Gallen; the gentleman from Philadelphia, Mr. Greenfield; the gentleman from Philadelphia, Mr. Maiale; the gentleman from Washington, Mr. Sweet; and the gentleman from Philadelphia, Mr. Rappaport, who ask that their names be added to the master roll call.

WELCOMES

The SPEAKER. The Chair is pleased to welcome to the hall of the House today as the guests of Representative Elinor Taylor, Lucey and Tom Fillippo, Jane Liberato, Joyce McLean, Doris Boden, and Sue Ellen Katancik.

The Chair is pleased to welcome to the hall of the House today a former distinguished member of this House and a distinguished member of the United States Congress, the Honorable Austin Murphy.

You will notice that I made no reference to the short stay he had in the other chamber.

HOUSE SCHEDULE

The SPEAKER. The Chair recognizes the majority leader for the purpose of advising the House of today's schedule.

Mr. HAYES. Thank you, Mr. Speaker.

I would like to do today what we did yesterday. I would like to ask the two caucus chairmen to take the calendar as it is marked today, go to their respective caucuses, meet on those bills, and then all of us can return to the floor later today to have a good voting session. I believe the two caucuses can complete their work and have everyone returning to the floor, to include having had lunch, by 1:30 p.m.

The SPEAKER. Has the majority leader concluded his remarks?

Mr. HAYES. Yes, Mr. Speaker.

I would ask the caucus chairmen to meet on those bills I have marked on their calendars, and I would ask all Representatives to return to the floor at 1:30 p.m.

STATE GOVERNMENT COMMITTEE MEETING

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

Mr. GALEN. Mr. Speaker, there will be an immediate, very brief meeting of the State Government Committee in room 401. It will be extremely brief. Thank you, Mr. Speaker.

DEMOCRATIC CAUCUS

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

Mr. O'DONNELL. Mr. Speaker, immediately on the call of the recess—immediately on the call of the recess—we will have a Democratic caucus. Thank you.

REPUBLICAN CAUCUS

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

Mr. NOYE. Thank you, Mr. Speaker.

We will caucus immediately in the majority caucus room. I ask the members to be prompt so they can get lunch.

LOCAL GOVERNMENT COMMITTEE MEETING

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

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

Immediately on the call of the recess, there will be a meeting of the Local Government Committee in the rear of the House. All members of the Local Government Committee.

RECESS

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

AFTER RECESS

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

SENATE MESSAGE**HOUSE BILLS
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 1671, PN 2099; HB 2066, PN 2567; HB 2351, PN 3068; 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**, with information that the Senate has passed the same without amendment.

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

The clerk of the Senate, being introduced, returned **HB 1207, PN 3665; HB 1595, PN 3667; HB 2088, PN 3702;** and **HB 2304, PN 3717**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

The SPEAKER. The bills will appear on the calendar.

SENATE MESSAGE**HOUSE AMENDMENTS
NONCONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to **SB 831, PN 2082**, and has appointed Senators **MANBECK, O'CONNELL** and **SINGEL** a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

SENATE MESSAGE**ADJOURNMENT RESOLUTION
FOR CONCURRENCE**

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

In the Senate, November 15, 1982

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

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

On the question,
Will the House concur in the resolution of the Senate?
Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

**BILL REMOVED FROM TABLE
FOR CALENDAR**

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I move that HB 1885 be removed from the table and placed on the active calendar.

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

COMMUNICATION FROM SPEAKER**SPEAKER PRO TEMPORE APPOINTED**

The SPEAKER. The Chair inserts in the record a letter addressed to the Honorable John Hope Anderson from the Speaker of the House pursuant to House rule 1.

The following communication was read:

House of Representatives
Commonwealth of Pennsylvania
Harrisburg

November 16, 1982

Honorable John Hope Anderson
128 Main Capitol Building
Harrisburg, PA 17120

Dear John Hope:

Pursuant to House Rule 1, I hereby appoint you as Speaker Pro Tempore to act in my absence for a period not exceeding ten consecutive legislative days beginning on November 17, 1982.

Very truly yours,
Matthew J. Ryan
The Speaker

MJR:ks

WELCOME

The SPEAKER. The Chair is pleased to welcome to the hall of the House today Mrs. Louise Parisi, the mother of one of our court reporters, the former Ann-Marie Parisi, now Ann-Marie Sweeney—good Irish name—Joyce Mowrer, and Emily Ewing, here today as the guests of Representative Paul Clymer of Bucks County.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. While we have the attention of the House, if the members will recall, approximately a week or 2 weeks ago we congratulated Ann-Marie on her recent marriage, and we made the comment that our other court reporter was then away on her honeymoon. She has returned to us - Karen Koup, formerly Karen Hughes.

WELCOME

The SPEAKER. The Chair is pleased to welcome to the hall of the House a newly elected member from the 14th District of Beaver County, Mr. Barry Alderette, here today as the guest of the Beaver County delegation.

MEMBER'S PRESENCE RECORDED

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

**BILLS REPORTED FROM COMMITTEES,
CONSIDERED FIRST TIME, AND TABLED****HB 2727, PN 3709 (Unanimous)**

By Rep. A. C. FOSTER

An Act amending the act of April 26, 1935 (P. L. 90, No. 39), entitled "An act to promote uniformity in the assessment and taxation of properties and persons within the territorial limits of cities of the second class A, *** and regulating the discounts therefrom and penalties thereon," further providing for discounts and penalties.

LOCAL GOVERNMENT.**SB 796, PN 2216 (Amended) (Unanimous)**

By Rep. GALLEN

An Act amending Title 2 (Administrative Law and Procedure) of the Pennsylvania Consolidated Statutes, providing interpreters for deaf persons in administrative proceedings.

STATE GOVERNMENT.**CALENDAR RESUMED****BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **SB 622, PN 639**, entitled:

An Act amending the act of May 14, 1915 (P. L. 524, No. 227), entitled "An act creating a fund for the purpose of rebuilding, restoring, and replacing buildings, structures, equipment, or

other property of the Commonwealth of Pennsylvania, damaged or destroyed by fire or other casualty, and regulating the placing of insurance thereon, and providing penalties for any violation of the provisions of this act," specifically including damage or destruction from flood and flood-related hazards, providing for additional revenues for the fund, increasing the amount which may be retained by the fund before the excess is transferred to the General Fund and making certain editorial changes.

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—190

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

NAYS—0

NOT VOTING—7

Alden	Gray	Miscevich	Rappaport
Clark	Greenfield	Petrarca	

EXCUSED—2

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

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

* * *

The House proceeded to third consideration of SB 1015, PN 1719, entitled:

An Act conferring limited residency status on military personnel and their dependents assigned to an active duty station in Pennsylvania.

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

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

The question is, shall the bill pass finally?

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

YEAS—189

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

Deal	Kowalyszyn	Rasco	Wozniak
Dietz	Kukovich	Reber	Wright, D. R.
Dininni	Lashingner	Richardson	Wright, J. L.
Dombrowski	Laughlin	Rieger	Wright, R. C.
Donatucci	Lehr	Ritter	Zwinkl
Dorr	Lescovitz	Rocks	
Duffy	Letterman	Rybak	Ryan,
Durham	Levi	Salvatore	Speaker
Emerson	Levin	Saurman	

NAYS—1

O'Donnell

NOT VOTING—7

Alden	Gray	Petrarca	Rappaport
Clark	Miscevich	Pistella	

EXCUSED—2

Kolter Pievsky

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.

REMARKS ON VOTE

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

Mr. PISTELLA. Thank you, Mr. Speaker.

I was not recorded on that last roll-call vote for SB 1015. I want to be recorded in the affirmative. Thank you.

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 705, PN 2176**, entitled:

An Act amending the act of June 22, 1931 (P. L. 594, No. 203), entitled "Township State Highway Law," deleting a portion of a route in Cumberland County.

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—187

Anderson	Fargo	Livengood	Saurman
Armstrong	Fee	Lloyd	Serafini
Arty	Fischer	Lucyk	Seventy
Barber	Fleck	McClatchy	Showers
Belardi	Foster, W. W.	McIntyre	Shupnik
Belfanti	Foster, Jr., A.	McMonagle	Sieminski
Beloff	Frazier	McVerry	Sirianni
Berson	Freind	Mackowski	Smith, B.
Bittle	Fryer	Madigan	Smith, E. H.

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

NAYS—0

NOT VOTING—10

Alden	Gray	Miscevich	Rappaport
Clark	Greenfield	Petrarca	Telek
Cohen	Maiale		

EXCUSED—2

Kolter Pievsky

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

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

* * *

The House proceeded to third consideration of **SB 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 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—189

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

NAYS—0

NOT VOTING—8

Alden	Cohen	Greenfield	Petrarca
Clark	Gray	Miscevich	Sirianni

EXCUSED—2

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

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

* * *

The House proceeded to third consideration of **HB 2166, PN 2763**, entitled:

An Act declaring the commercial exploitation of explicit sexual conduct to be a public nuisance within a city of the first class and providing for injunctive relief and other legal remedies.

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—189

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

NAYS—0

NOT VOTING—8

Alden	Cohen	Miscevich	Petrarca
Clark	Gray	O'Donnell	Williams, H.

EXCUSED—2

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

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

* * *

The House proceeded to third consideration of **SB 195, PN 1046**, entitled:

An Act amending the act of June 30, 1965 (P. L. 153, No. 103), entitled "Delaware Valley Urban Area Compact," providing for the appointment of legislative members to the commission.

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—189

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

Dininni	Lashinger	Rappaport	Wright, D. R.
Dombrowski	Laughlin	Rasco	Wright, J. L.
Donatucci	Lehr	Reber	Wright, R. C.
Dorr	Lescovitz	Richardson	Zwinkl
Duffy	Letterman	Rieger	
Durham	Levi	Ritter	Ryan,
Emerson	Levin	Rocks	Speaker
Evans	Lewis	Rybak	

NAYS—0

NOT VOTING—8

Alden	Clark	Miscevich	Williams, H.
Barber	Gray	Petrarca	Williams, J. D.

EXCUSED—2

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

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

* * *

The House proceeded to third consideration of **HB 2180, PN 2786**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, increasing the number of judges of the Commonwealth Court and providing for their appointment.

On the question,
Will the House agree to the bill on third consideration?
Mr. DIETZ offered the following amendments No. A9056:

Amend Title, page 1, line 4, by removing the period after "appointment" and inserting
; and providing for dividing the thirty-ninth judicial district into two separate judicial districts.

Amend Bill, page 2, by inserting between lines 6 and 7 Section 3. Sections 901 and 911 of Title 42 are amended to read:

§ 901. Judicial districts.

(a) General rule.—The Commonwealth is divided into [60] 61 judicial districts, numbered and composed as follows:

First.—City and County of Philadelphia.

Second.—County of Lancaster.

Third.—County of Northampton.

Fourth.—County of Tioga.

Fifth.—County of Allegheny.

Sixth.—County of Erie.

Seventh.—County of Bucks.

Eighth.—County of Northumberland.

Ninth.—County of Cumberland.

Tenth.—County of Westmoreland.

Eleventh.—County of Luzerne.

Twelfth.—County of Dauphin.

Thirteenth.—County of Greene.

Fourteenth.—County of Fayette.

Fifteenth.—County of Chester.

Sixteenth.—County of Somerset.

Seventeenth.—Counties of Snyder and Union.

Eighteenth.—County of Clarion.

Nineteenth.—County of York.

Twentieth.—County of Huntingdon.

Twenty-first.—County of Schuylkill.

Twenty-second.—County of Wayne.

Twenty-third.—County of Berks.

Twenty-fourth.—County of Blair.
 Twenty-fifth.—County of Clinton.
 Twenty-sixth.—Counties of Columbia and Montour.
 Twenty-seventh.—County of Washington.
 Twenty-eighth.—County of Venango.
 Twenty-ninth.—County of Lycoming.
 Thirtieth.—County of Crawford.
 Thirty-first.—County of Lehigh.
 Thirty-second.—County of Delaware.
 Thirty-third.—County of Armstrong.
 Thirty-fourth.—County of Susquehanna.
 Thirty-fifth.—County of Mercer.
 Thirty-sixth.—County of Beaver.
 Thirty-seventh.—Counties of Forest and Warren.
 Thirty-eighth.—County of Montgomery.
 Thirty-ninth.—[Counties of Franklin and Fulton]
 County of Franklin.
 Fortieth.—County of Indiana.
 Forty-first.—Counties of Juniata and Perry.
 Forty-second.—County of Bradford.
 Forty-third.—County of Monroe.
 Forty-fourth.—Counties of Sullivan and Wyoming.
 Forty-fifth.—County of Lackawanna.
 Forty-sixth.—County of Clearfield.
 Forty-seventh.—County of Cambria.
 Forty-eighth.—County of McKean.
 Forty-ninth.—County of Centre.
 Fiftieth.—County of Butler.
 Fifty-first.—County of Adams.
 Fifty-second.—County of Lebanon.
 Fifty-third.—County of Lawrence.
 Fifty-fourth.—County of Jefferson.
 Fifty-fifth.—County of Potter.
 Fifty-sixth.—County of Carbon.
 Fifty-seventh.—County of Bedford.
 Fifty-eighth.—County of Mifflin.
 Fifty-ninth.—Counties of Cameron and Elk.
 Sixtieth.—County of Pike.
 Sixty-first.—County of Fulton.

(b) Change in number or boundaries.—Except as otherwise provided therein, any statute amending subsection (a) so as to change the number or boundaries of the judicial districts of this Commonwealth shall take effect 30 days after the entry of an order of the Supreme Court evidencing the advice and consent of the court to the amendment pursuant to section 11 of Article V of the Constitution of Pennsylvania.

§ 911. Courts of common pleas.

(a) General rule.—There shall be one court of common pleas for each judicial district of this Commonwealth consisting of the following number of judges:

Judicial District	Number of Judges
First	81
Second	6
Third	5
Fourth	1
Fifth	39
Sixth	6
Seventh	10
Eighth	2
Ninth	3
Tenth	8
Eleventh	7
Twelfth	6
Thirteenth	1
Fourteenth	4
Fifteenth	7
Sixteenth	2
Seventeenth	1
Eighteenth	1

Nineteenth	6
Twentieth	1
Twenty-first	5
Twenty-second	1
Twenty-third	6
Twenty-fourth	3
Twenty-fifth	1
Twenty-sixth	1
Twenty-seventh	5
Twenty-eighth	1
Twenty-ninth	3
Thirtieth	2
Thirty-first	6
Thirty-second	14
Thirty-third	1
Thirty-fourth	1
Thirty-fifth	3
Thirty-sixth	5
Thirty-seventh	1
Thirty-eighth	15
Thirty-ninth	2
Fortieth	2
Forty-first	1
Forty-second	1
Forty-third	2
Forty-fourth	1
Forty-fifth	5
Forty-sixth	1
Forty-seventh	4
Forty-eighth	1
Forty-ninth	2
Fiftieth	3
Fifty-first	1
Fifty-second	3
Fifty-third	2
Fifty-fourth	1
Fifty-fifth	1
Fifty-sixth	1
Fifty-seventh	1
Fifty-eighth	1
Fifty-ninth	1
Sixtieth	1
Sixty-first	1

(b) Single county districts.—In single county judicial districts the court of common pleas of the district shall be known as the “Court of Common Pleas of (the respective) County.”

(c) Multicounty districts.—In multicounty judicial districts the court of common pleas of the district shall be known as the “Court of Common Pleas of the (respective) Judicial District.” There shall be a separate branch of the court in each county comprising the judicial district.

Section 4. The new judgeship created by this act shall be deemed a vacancy and shall be filled pursuant to 42 Pa.C.S. § 3132 (relating to vacancies in office).

Amend Sec. 3, page 2, line 7, by striking out “3” and inserting

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Amend Sec. 3, page 2, line 7, by striking out “immediately.” and inserting
 as follows:

(1) The amendment to section 561 of Title 42 and section 2 of this act shall take effect immediately.

(2) The amendments to sections 901 and 911 of Title 42 and section 4 of this act shall take effect 30 days after the advice and consent of the Supreme Court of Pennsylvania is given by order of the court pursuant to section 11 of Article V of the Constitution of Pennsylvania.

(3) This section shall take effect immediately.

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

The SPEAKER. The Chair recognizes the gentleman from Bedford, Mr. Dietz.

Mr. DIETZ. Thank you, Mr. Speaker.

At the present time the courts of the people of Fulton County come under the jurisdiction of Franklin County courts. The Franklin County courts are serving a population in their own right of about 120,000 people. Fulton County is a satellite of those courts. It is necessary for those people in many instances, for hearings and what have you, to travel approximately 30 miles over the rugged Tuscarora Mountain during the bad winter months, about 6 months out of the year. So this would set forth a 61st Judicial District strictly for the people of Fulton County.

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

The following roll call was recorded:

YEAS—188

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

NAYS—1

Livengood

NOT VOTING—8

Alden	George	Honaman	Petrarca
Cohen	Gray	Miscevich	Williams, H.

EXCUSED—2

Kolter Pievsky

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—173

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

NAYS—15

Brown	Duffy	Livengood	Murphy
Cawley	Gruitza	Lloyd	Tigue
Cowell	Haluska	Lucyk	Wozniak
Dawida	Letterman	Mrkonic	

NOT VOTING—9

Alden	Gray	O'Donnell	Vroon
Clark	Miscevich	Petrarca	Wright, J. L.
Cohen			

EXCUSED—2

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

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

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

The clerk of the Senate, being introduced, informed that the Senate has adopted the Report of the Committee of Conference on the subject of the differences existing between the two Houses on **SB 404, PN 2189**.

REPORT OF COMMITTEE OF CONFERENCE CONSIDERED

Mr. HAYES called up for consideration the following Report of the Committee of Conference on **SB 404, PN 2189**, entitled:

An Act amending the act of August 26, 1971 (P. L. 351, No. 91), entitled "State Lottery Law," abolishing the State Lottery Commission and further providing for transportation assistance grants for area agencies on aging to operate vehicles for use in senior citizens transportation.

On the question,

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

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

YEAS—190

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

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

NAYS—0

NOT VOTING—7

Alden	Clark	Miller	Petrarca
Berson	Gray	Miscevich	

EXCUSED—2

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

Ordered, That the clerk inform the Senate accordingly.

RESOLUTION ADOPTED

Mr. CESSAR called up **HR 220, PN 3650**, entitled:

House approve The State System of Higher Education as a LORL participating organization, for the purpose of House Resolution 155.

On the question,

Will the House adopt the resolution?

Resolution was adopted.

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The clerk of the Senate, being introduced, returned the following **HB 1655, PN 3672**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending the "Motor Vehicle Manufacturer's, Dealer's and Salesmen's License Act," approved September 9, 1965 (P. L. 499, No. 254), further providing for the powers and duties of the State Board of Motor Vehicle Manufacturers, Dealers and Salesmen.

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

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

Mr. WILSON. Mr. Speaker, I suggest that the House do concur in the amendments inserted by the Senate to HB 1655.

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

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

YEAS—179

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

NAYS—3

Burns	Cordisco	Greenwood
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NOT VOTING—15

Alden	Gray	Manderino	Petrarca
Clark	Greenfield	Miscevich	Seventy
Cohen	Hagarty	Olasz	Trello
Grabowski	Irvis	Pendleton	

EXCUSED—2

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

Ordered, That the clerk inform the Senate accordingly.

STATEMENT BY MR. RITTER

The SPEAKER. The Chair recognizes the gentleman from Lehigh, Mr. Ritter, who asks unanimous consent to make a brief statement.

Mr. RITTER. Mr. Speaker, first, let me say that I appreciate the courtesy of the members in allowing me a few minutes to make my last speech on the floor of this House.

Just about 1 year ago I knew that I was going to leave this distinguished body, although, quite frankly, Mr. Speaker, I believed I was only going to go to the other side of the rotunda. However, a funny thing happened to me on the way to the Senate: I forgot to get enough votes. For the record, Mr. Speaker, my margin of defeat was 181 votes out of 65,000 votes that were cast.

It is difficult to sum up 18 years of friendships, accomplishments, and disappointments in just a few minutes. There have been many friendships over the years, and a list of men and women whom I have served with whom I consider friends reads like a virtual Who's Who of nice people in this world. While there have been some accomplishments that I have achieved in this chamber, none of them would have been possible without the support of many of my colleagues over the years, and I am grateful for that support.

Obviously there have been a few regrets and disappointments, and except for one, they really have been too few to mention. Mr. Speaker, that one regret that I have about my years of service as a State Representative is that I did not spend enough time with my family. Frankly, for most of those years, whenever the demands of my constituents and the demands of my family were in conflict, I gave preference to my constituents. Therefore, over the years I was not the husband and father that I should have been, and I do regret that now. Throughout my life, including my career here, I have done it my way, at least for the most part. Right or wrong or good or bad, it was my way, and I feel a particular sense of gratification in that.

While I was reminiscing the other day, I thought about my first inauguration and the tremendous, almost overwhelming, feeling of inadequacy that I had. I remember thinking, am I capable of handling this new responsibility? Will I be able to properly represent the best interests of my constituents? Well, Mr. Speaker, thanks to my parents and the confidence that they instilled in me since I was a young man, and thanks to my wife and children who gave me the encouragement and support and who put up with the extended and repeated absences from home over these many years, I believe I have answered those questions in the affirmative. I have a quotation in my office that reads, "Those who never do more than what they get paid for never get paid for more than what they do." During my years in office I have always tried to give more than I received. So while I was somewhat hurt and dis-

appointed over the election results, I am nevertheless proud of my record of service to my constituents, to my State, and to my party.

Mr. Speaker, one thing I am especially proud of is the fact that during my 18 years as a State Representative, I have used the kitchen of my home as my district office at no cost to the taxpayers, and my wife has performed thousands of notary functions and acted as my home office secretary, all without pay. We never had so-called regular hours, and if the only time a constituent could come to see me was a Saturday afternoon or a Sunday evening or during mealtime, we were there to talk with him or her. In our own way, Mr. Speaker, I like to believe that we returned State Government to the people. We were receptive, responsive, and informal as heck, but my constituents knew that their Representative in State Government was one of them. If that is the only accomplishment I have achieved during these past 18 years, I would be content with that.

Mr. Speaker, if I can leave this chamber with some constructive criticism, it would be that as good as we are, we could be better. There is too much partisanship, too much bending of the rules, too many decisions being made without the input and/or knowledge of the rank-and-file members. I ask each of you who will remain and those new members coming next month to put aside those petty partisanship that have divided us for far too long and work together on a legislative program that will benefit all the people of this great State. The problems that our people face require practical solutions, not political ones. Our people need their elected Representatives to be representative of all the people, not just of the Republicans or just of the Democrats. I urge the leaders on both sides and in both chambers to come together, reason collectively, and utilize the enormous talent that is in both chambers to solve those pressing issues still facing us. If we do that, Mr. Speaker, there will be time enough for the political battles. But surely, surely men and women who have the ability that we have can do better than we have to date. The late Vince Lombardi had a quotation that goes like this: "The quality of a person's life is in direct proportion to his or her commitment to excellence, regardless of the chosen field of endeavor." On behalf of the people of Pennsylvania, I ask each of you to make that commitment to excellence. For those of you who have that commitment, I ask you then to reaffirm it. Not only will you feel good about it, but the people of Pennsylvania will be better served because of it.

Mr. Speaker, it has always been my intention to leave this State a better place than it was when I found it. Whether or not I have been successful is up to others to judge. As for me, I can only hope that people will say that, yes, Pennsylvania is a better place, a little bit better today, thanks to Jim Ritter's contributions along the way.

I want to place on the record, Mr. Speaker, my deep appreciation for the opportunity to serve my constituents these past 18 years. My family and I will be forever grateful to the voters for the honor they have bestowed on me. I will miss this beautiful chamber and the men and women who serve here as well as the supportive staff that makes our jobs that much easier,

especially my staff. One cannot spend 18 years of one's life as a member of this distinguished body and not miss it, but the decision to leave was mine, and I leave with no regrets. There have not been nor will there be any second thoughts about my decision to run for the State Senate. Che sara, sara, Mr. Speaker; what will be, will be. Yesterday is already just a memory; tomorrow has not yet arrived. That leaves only today, and today, my friends, I am a happy, contented, and proud man who has been honored much more than I deserve. The privilege to serve, which comes to only a few of us, really, was mine for 18 years.

So, Mr. Speaker, as I take leave of this prestigious place, this most august chamber, I say to you, please, do not play any sad songs for me nor shed any tears for me, but please, if you will, remember me. God bless each and every one of you.

STATEMENT BY MR. MULLEN

The SPEAKER. The Chair recognizes another long-term distinguished member of this House who will be retiring this year, the Honorable Martin Mullen from the city of Philadelphia.

Mr. MULLEN. Thank you, Mr. Speaker.

It certainly is a pleasure to be with you once again. I would like to tell you about my experience over the years.

I think I grew up with State Government. When I first came here 28 years ago— We only have one man left who was with me - Joe Wargo. Joe Wargo came here in 1948. So in point of years we are still young, but the legislature changes rapidly. Nearly every year we lose, either through retirement or promotion or what have you, we always have a changeover of anywhere from 40 to 60 members, but one of the gratifying things about being a member of the legislature is meeting the wonderful people whom we have met. We have met people with all kinds of different views, and it helps you a lot. You know, when I first came here I only had one point of view, but I leave with many points of view because I have learned to realize that there are other points of view besides your own, and I think that is one of the gratifying experiences of being with the legislature.

I remember when I first came here we used to have a budget once every 2 years. The total budget, I believe, in our first session was something like \$263 million for 2 years. Now if you add up all your budgets put together, you are talking about \$14 billion for 1 year. We went through the sales tax and the income tax and all the other taxes throughout the years, but one thing that we did do, we did impose an awful lot of taxes, but we did provide many, many benefits for many people, because when we first came to the legislature, there was no such thing as senior citizen benefits, aid for children attending school, or mental health and mental retardation budgets or things like that. We did not have things like that in those days because we did not have the money. We were a very conservative body.

I remember when I first came here I was just out of law school and I was very young, and the only reason why I was able to get elected to the legislature was because nobody else

wanted to come up here, because our salary in those days was only \$1,500 a year. Now, most of the Republican members—and I am not just saying this in any derogatory manner—most of them were elderly gentlemen. I would say that the average age of the Republicans in those days would be pretty close to 70 years old. They were really elderly, and all of them were on the payrolls of different lobbyists. They had to be, because we were only paid \$1,500 a year. Now, we were not that bad on this side. Most of the fellows from Pittsburgh and Allegheny County were on the Westinghouse payroll or they worked for the county government, because one thing about the western part of the State, especially Allegheny County, they used to in those days take care of the legislators. Every legislator had a job in the county courthouse back there. They had to, because, you know, \$1,500 a year was pretty low wages, and as I said before, the only reason I got the nomination was because nobody else wanted it. Well, you could not do much with \$1,500 a year, so those of us who were in the legislature in the early part of our careers had to participate in some type of work privately or we would never have been able to stay in the legislature.

But I think we have come a long way. I am not going to give you any advice. I do not think any of you need advice. I think all of you have to do the job that you think has to be done as we did when we were here in our prime. And I am sure you will do a good job, because one thing has happened since we came to the legislature - the old television has played a significant part in shaping not only the legislature but the Federal Congress. When we came up here, television was just new and it had not developed to the point that it has today, but today it plays a significant part. Radio and television has really, to a large extent, governed many of the decisions that we made in the legislature and it will continue to do that, and rightfully so, because it conveys to the voters many of the impressions that they otherwise had no opportunity of finding out before. For example, the educational television stations which we set up throughout the State—and I played a very significant part in that, I am proud to say—have been very beneficial, especially to children attending high school and college. It has given them some concept of what government is all about, and this is why we will be successful in the future, because many of our young people who are coming up from the colleges and the universities and even the high schools have a greater concept of what legislation is all about and what a great and significant part it plays in their lives. They are taking more of an interest in government, which is good, and I think that that spells good for the legislature in the future.

Again, as I said, it was a pleasure meeting all of you people and all of the wonderful people, both living and dead, that I have met in the past. It was a wonderful experience, something that I will never forget. I hope that when I do come up here again, I will have the opportunity to visit with many of you and thank you for the wonderful memories.

STATEMENT BY MR. ANDERSON

The SPEAKER. The Chair has interrupted or permitted to be interrupted today's proceedings to allow two of the more senior members from the Democratic side to make remarks. I sent Steve down to check the senior Republican to see if he cared to make a few remarks, and he said no. I think John Hope Anderson should be forced to make some remarks.

The Chair recognizes the gentleman from York, Mr. Anderson, who will not forgive me for this, I am sure.

Mr. ANDERSON. You are right. Thank you, Mr. Speaker.

I cannot come up with the years that Marty came up with, his 28 years of service, but I have put in 22 years. He can look around on his side and see one at least who was here when he came; I cannot do that. I happen to be the senior member on this side.

But it has been a great 22 years. I am not too sure it was not a lot more fun 20 years ago, Marty, than it is now, but a lot of improvements have been made. Marty did not say anything about the fact that we never had a desk. We did not have an office. We did not have a telephone. The only desk we had was the one here on the floor of the House. There was a secretarial pool, if you were lucky enough to find somebody in there to take your dictation and do the work for you. So to a great many of you people who do not remember those days, we have come a long way in providing services for the members.

I was just thinking yesterday, one of the most senior members of this House was Norman Wood from Lancaster County who served 21 consecutive terms, 42 years. I am willing to bet that in his 42 years, he was not in Harrisburg, although he was here every time he was needed to be here, but I am sure he was not here as much as a great many of us who have a few years' service have been in our short time, because as Marty said, they came in once every 2 years, they were not in too long, and they went home. As most of you know, that is not the case today.

But it has been quite rewarding. I have often said that if the press, the news media, who seems to object to our getting any salary increases or even the salary which we now get, could put a monetary value on the friendships that we have made here in Harrisburg, they would insist we serve for nothing, I am sure, because we have made those friendships over the years. I hope to live to see the day when sometime we have a reunion, Marty, and get a lot of those fellows back and just have a good old-time reunion and reminisce and go over the things as they once were.

People say, you are going to miss it, and I know I am going to miss it; I am going to miss it a great deal, but my remark to them is that I will miss it a great deal more than Harrisburg will miss me. It will continue just the same as it always has, so that does not worry me a bit. But I do want to thank all my many friends here for the things that they have done for me, for the friendships that we have made, and once again, yes, I am going to miss it, but it has been a wonderful experience. Thank you, Mr. Speaker.

CALENDAR CONTINUED
REPORT OF COMMITTEE
OF CONFERENCE CONSIDERED

Mr. J. L. WRIGHT called up for consideration the following Report of the Committee of Conference on **HB 50, PN 3669**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for nonmedical good Samaritan civil immunity.

On the question,

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

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

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. The clerk will strike the vote.

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

Mr. O'DONNELL. Mr. Speaker, thank you for striking that vote and recognizing me. I am very unhappy to receive that preliminary indication, but let me waste a few words on the record, if I may, and perhaps get the attention of some of those green lights.

The words "Good Samaritan" have been used in connection with this bill, and I do not think it is an appropriate use of the words. In Pennsylvania, suppose you are driving home tonight and it is late, and you start to fall asleep and you drive off the side of the road and your car turns over and you are injured; a doctor comes on the scene, and seeing that situation, he steps in as a volunteer to help you out. If when he helps you out he is negligent and you suffer some injury as a result of his negligence, you have no recovery in Pennsylvania. You have no recovery. Now, that may not strike you as commonsensical; it may not strike you as fair, but it is a decision that we have made here because we want that doctor to be available to step in without hesitation, so we have lifted the prospect of liability from that doctor. The second reason is that the risk is not so overwhelming that we feel it is inappropriate to do that. The risk is to one individual occasionally.

What this bill in its present form seeks to do is to apply that concept to a different kind of injury altogether. We are not talking about an automobile accident here; we are talking about a spill of a hazardous substance. The definition of "hazardous substance" includes the materials that are being shipped out of Three Mile Island, not too distant from here. It includes all those nightly shipments of the most deadly kinds of materials through the major cities in this State. If there is a spill of such material and somebody comes in under the provisions of this bill and tries to clean it up and they are negligent, the question before us is, who bears the responsibility for the injuries that are caused by that person's negligence? Under this bill, make no mistake, the answer is no one. That is the heart of the Good Samaritan concept. Just like the doctor who steps in, this Good Samaritan when he steps in would not only bear no responsibility; nobody would.

I think there is the prospect that sometime before this session closes, perhaps even this afternoon, we are going to take a look at product liability reform. The reason why that is such a very difficult subject for us to cope with is that it departs from certain well-founded rules of law, certain well-founded rules of common sense. One of the rules of common sense that you can use to guide you in judging the legal effect of any of these bills is, if you caused the injury, you have a good chance of bearing the liability. Under product reform, the reason why that is so difficult for us is, people bear the legal responsibility even though they have not caused the injury.

In a hazardous substance spill, if the Good Samaritan is negligent and causes an injury, he would be liable. If we remove that liability, the question recurs, who will be liable? Who caused the injury? The answer is not the people who caused the spill originally; the answer is that Good Samaritan. Now, if you take him off the hook, what theory of law is it that puts somebody else on? The answer is that there is none. I am quite confident about that, not just based on my own research but based on the proceedings of this conference committee, of which I was a member. At every turn and in every discussion with every person who is interested in this bill, I advanced the idea that if the state of the law is that somebody is going to have to pay for that injury, let us put it in the bill. There was never a time that that was even seriously considered.

I think that what we ought to do is if somebody is injured as a result of the negligence of this Good Samaritan and we want to protect that Good Samaritan as a way of inducing him to be involved, then I think the people who caused the accident should bear the liability or the people who do the shipping or transporting of these hazardous substances should bear the liability, but clearly somebody has to bear the liability.

The critical question in this bill is not so much the legal business so much as it is the fundamental question which recurs in so much of the legislation we deal with. The question is very clear: Who is protected and who is vulnerable? Under this bill it is clear who is protected. It is the employers who are the chemical companies who employ these folks whom we are now calling Good Samaritans. Who is not protected? There are two categories of people who are not protected under this bill. The one person is the guy who gets injured, and the other person can be found under the exclusionary section, if you care to look, where it says anybody who is under a duty to respond to this accident is not—repeat, not—covered. I want you to scan in your mind all those people who have some duty to respond to the spill of that hazardous substance, and I want you to realize that they are not, specifically not, covered by this bill. That is the question before us: Whom do you want to cover and whom do you not? I suggest we vote "no" and give some measure of protection to the people who are obliged to respond and give some measure of protection to the person who is injured and care a little bit less about that Good Samaritan and his chemical company employer.

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

Mr. LASHINGER. Thank you, Mr. Speaker.

Mr. Speaker, I also rise to urge the members to vote against the Conference Committee Report on HB 50.

I would like to remind the members that on two previous occasions—I believe it has been two previous occasions—the membership has decided to either vote against a bill that was designed in a similar way or against an amendment to another piece of legislation that carried a similar intent. You are not to be confused by the legal arguments which could confuse the subject, and as Representative O'Donnell indicated, this legislation is improperly framed as Good Samaritan legislation. It is a simple public policy decision that has to be made on the part of the membership, and that is whether you want to protect those people who might be injured as a result of some negligent act on the part of a so-called Good Samaritan or you want to protect those companies who should, in my estimation, be bearing the cost—and this is a cost of doing business—the cost of cleaning up and acting in a responsible fashion when dealing with these chemical waste spills or natural gas explosions or leaks that might occur.

It is interesting that there is a rush on in the Commonwealth and this appears to be such an important piece of legislation, as has been indicated by various sectors of industry. In other States that have promoted this type of legislation, only two of the nine that have been promoting this type of legislation have offered such a broad definition for "hazardous waste." The Conference Committee Report on HB 50 does not use a definition of "hazardous waste"; instead it just uses that language, "hazardous waste," so it is important for the membership to understand that they are not only talking about toxic chemicals, all hazardous waste, but they are also talking about natural gas, LP (liquefied petroleum) gas, which might be shipped through your respective districts. So it is all-encompassing.

The purpose of Good Samaritan legislation when we have examined it for doctors and emergency medical personnel has been for us to determine whether a benefit is being bestowed upon the public and then to balance the benefit against the cost or the risk to our constituents. Well, I would like to say that the risk in this case, when you are offering it to hazardous waste transporters, manufacturers, far outweighs the benefit that industry indicates will be bestowed upon our constituents. Instead, I have been unable to identify any benefit - one, because industry still reacts to hazardous waste, chemicals spills, gas leaks; they have not stopped reacting to that. Two, as I have indicated in previous debate on this matter, the Department of Environmental Resources got into this business about 2 years ago and put together a hazardous waste response team and built a hazardous waste response trailer at large expense to the taxpayers of the Commonwealth. That trailer and its laboratory and its personnel still sit in Northampton County unused to this date by various segments of industry who continue to claim that there is a problem in reacting to chemical waste spills and gas leaks and the like, so apparently the resources that the State has offered have not been used by industry. I suggest that they should be used, and instead of waiving this liability as industry is asking us to do, I

suggest that the State continue to carry on its responsibility and fill that void that industry says exists out there in reacting to hazardous waste spills and the like.

Representative O'Donnell painted a scenario, and I did in previous debate, where it is possible that the transporter, the manufacturer, can remain judgmentproof, not immune but at least judgmentproof, through a litigation on this issue. People could die; there could be major property loss; your constituents might be involved; your family might be involved; you might be attempting to recover against a transporter or a manufacturer, and you might not be able to because the negligent act which was performed by the so-called Good Samaritan resulted in the damage. And I can assure you that that manufacturer, despite current case law, will defend an action by saying it was that Good Samaritan, it was that person from the other part of the State who rushed out to help in the accident, who caused the damage or the death or the injury, and therefore, your person is left holding the bag, and the full cost is borne by your constituent, your family, and your friends. So I say to you, much like the previous speaker, when you balance the benefit that has been suggested under this legislation against the risk or the loss that your constituents will suffer, you should be balancing in behalf of your constituents and not the proponents of this legislation.

For those reasons, Mr. Speaker, I would urge a vote against the Conference Committee Report on HB 50. Thank you.

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

Mr. LLOYD. I will yield to the gentleman, Mr. Spencer.

The SPEAKER. He yielded to you.

Mr. LLOYD. Well, then I guess we will have to go through it twice, Mr. Speaker.

Mr. Speaker, maybe we can cut through all the legal mumbo jumbo and think of one practical example of how this bill would affect our constituents. Let us assume that a truck full of chemicals—let us pick chlorine—is going through your town, and a drunk driver who does not have any insurance pulls out of a side alley and rams into the side of the truck, causing a slight amount of damage, cracking the truck, and some of the chlorine begins to escape. Somebody has to do something about that chlorine. The truckdriver talks to the firemen, and they call the company whose chlorine it is, and they call some network of volunteers and they say, hey, can you go out there to that town and show those people how to take care of the problem? And this so-called volunteer goes out, and in the course of taking care of the problem he does something wrong, and instead of solving the problem, he lets more chlorine escape, and now you have people, like down in Louisiana a couple of months ago, get driven out of their homes for a couple of weeks.

Now, the question is, in that case, who is going to pay for anybody who gets sick, maybe anybody who dies, the moving expenses, the living expenses, the lost profits of all the merchants? Who is going to pay that? Well, obviously the guy who caused the damage was the fellow, the drunk driver without insurance, who pulled out of the side alley. He does not have any money, so that is no remedy for your constitu-

ents at all. Well, they could look to the truckdriver, but he did not cause the accident, so therefore, the way this bill is written, he apparently does not have any responsibility. We can look to the chemical company, but under this bill it does not have any particular responsibility either, at least that is very debatable, and we are going to immunize the volunteer who did the thing wrong. So what happens is that in that case, all your constituents who had all those expenses get nothing.

Now, there may be some instances in which we have to do that, Mr. Speaker, but this does not happen to be one of those cases. Like Mr. O'Donnell and Mr. Lashinger, I have met with the people who are for this bill, and we talked about some changes in this bill that might solve those problems. They made one of them. We made some additional changes, and they were going to come back with some language, and like Mr. O'Donnell, I am still waiting; I have not seen that language. Nobody has presented any evidence, to the best of my knowledge, to show why we have to pass this bill this year or to show that there was one chemical accident in this State which could have been cleaned up faster and with less damage had this immunity for volunteers been in place. In the absence of that kind of evidence, it seems to me, Mr. Speaker, that the appropriate thing to do is to defeat this conference report, and let us try again next year. Thank you, Mr. Speaker.

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

Mr. SPENCER. Thank you, Mr. Speaker.

I will try to put this bill back on its proper track.

Number one, the first speaker stated that if an individual came in with the immunity, the Good Samaritan, and was negligent and caused further damage to a person who was already damaged by the negligent act of the first party, that he could not recover. That is not so, and the Supreme Court decision so stated that a negligent act by a third person does not absolve the party whose original negligence caused the situation in the first place. So the causal effect of the first person who was negligent continues on regardless of what the Good Samaritan does. He is not off the hook.

Number two, as to the argument of Mr. Lashinger that when a transporter picks up the hazardous materials— And do not forget, this bill only has to do with the picking up, transportation, and delivering of hazardous substances. Now, the minute he picks that material up from the source, he, the transporter, becomes liable and must carry 1 million dollars' worth of liability insurance. So there is insurance there to handle that situation.

Also, as to the other argument that Mr. Lashinger made to the effect that why are these guys not certified, well, that is adequately covered in the bill itself, where it says that this immunity will not be granted to those individuals who do not possess the skill, training, or knowledge with regard to the safe handling of hazardous substances. So that does away with that.

Next, the issue raised by Mr. Lloyd— And this is interesting, because Mr. Lloyd's prior arguments were to the effect that the bill did not cover fire departments, ambulance associations, and so on. Let me just quote Mr. Lloyd from the June

7, 1982, Legislative Journal. This is Mr. Lloyd talking: "As the gentleman, Mr. Lashinger, pointed out, there is language in this bill which could have the effect of removing immunity from firemen and policemen who respond to hazardous waste accidents. I do not think anybody intends that. There are some people who think that the language would not lead to that interpretation. I think it would, and I think it is at least ambiguous. The problem could be resolved very simply by the addition of one sentence simply saying that nothing in this bill takes away immunity granted under any other provision of law." And then he went on to say that if it went into conference committee and this would be put in, that would remove his objections.

The conference committee in subsection (c) on page 2 has very plainly set this forth. "This section shall not be construed to affect any immunity otherwise granted by statute to any police agency, fire department, rescue or emergency squad, or any other governmental agency." It cannot be plainer than that, and, Mr. Speaker, it really boggles my mind to find that there are objections, and objections which I am sure are sincere from the parties but have no merit, in my opinion, as to the bill. It boggles my mind that when you have out there companies that are experts in the hazardous substance field and are willing to donate the services of these experts to help clear up a problem in either the environment or the safety of the persons, that we do not allow them to do so.

Now, DER (Department of Environmental Resources) is in favor of this conference committee report. PEMA (Pennsylvania Emergency Management Agency), the ambulance association people, emergency services, are in favor of it, and other industry groups and even the Trial Lawyers Association—the trial lawyers are those who like to sue—are in favor of this conference committee report. Based on all that, I urge the members to support this bill. Thank you.

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

Mr. LLOYD. Mr. Speaker, just to set the record straight with regard to my friend, Mr. Spencer, he is right with regard to the argument that was made in June that that was one of the problems with the bill. However, I did not today in my statement suggest at all that that problem was still remaining. In fact, I said that one of the problems that I had with this bill had been resolved.

Mr. Speaker, I do not know at what point we laid out or I laid out what I thought were the problems with this bill, but my recollection is that the day after we voted it in June, I made a little note for one of the members on our side of the aisle of three things that I thought were problems with the bill. I do not see why that is relevant to how people ought to vote today or not. Those second two problems I also subsequently discussed, together with the first one, with the lobbyist from U.S. Steel and the lawyer who was drawing up this bill. They took care of one of the three, and they were supposed to come back with additional language and they, frankly, have not done that. I do not think that is relevant, but I just want the record to be set straight.

Also, Mr. Speaker, my concern— And maybe Mr. Spencer is right; I do not know. But my understanding is, in the hypothetical situation I put, in which the trucker did not cause the accident, that the trucker would probably be relieved of liability if the negligence were caused by the third party coming out of the alleyway drunk without insurance. If that is not so, if that evidence can be presented, then obviously that argument is incorrect. But until I am shown something in black and white to the effect that that argument is not so, Mr. Speaker, I will stick by it and ask the members to vote “no.”

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

Mr. LASHINGER. Thank you, Mr. Speaker.

In closing and just very briefly, for all the members, I am sure, in their respective districts, I think it is fair to say the biggest problem in dealing with your constituents on the issue of hazardous waste, either being transported through your districts, possibly site locating within your districts, dump sites in your respective districts, has been gaining public confidence, instilling confidence in the public that we are dealing with the problem and we are attempting to protect their interests.

In voting for HB 50, I can assure you that when you go home and when all the legal arguments are sorted out and this issue is diluted, your constituents will understand one thing, and that is that we have not given them anything that would assure them or give them further confidence that we are concerned about their interests - their interests meaning protecting them in case there is any major property loss, loss of life, loss of limb, whatever - and protecting their interests in that fashion by voting for HB 50. So if anything, in voting for it, we are taking a step backward in instilling new confidence that we are dealing with this hazardous waste problem adequately here in Harrisburg.

The picture that Mr. Lloyd painted for you about individuals being displaced is not such an unreal incident. Back in August in Montgomery County, in another part of Montgomery County, there was just an incident where literally thousands of people were displaced overnight. In that incident it was not the negligent action of the Good Samaritan that caused that displacement. Had it been, Mr. Lloyd would have been correct in saying, who would have borne the costs for those individuals being displaced, losing work? Who knows what was lost in personal belongings?

In passing HB 50—and I am in disagreement with Mr. Spencer on this issue—had no one else been negligent of the three parties involved and it was just the simple negligence on the part of the Good Samaritan, no one would be able to recover for those lost earnings or whatever other losses were suffered. So if we are going to instill confidence in our constituents that we are dealing with this problem correctly, I would suggest that we do come back, we attempt to formulate new language and deal with this problem in the next legislative session. Thank you, Mr. Speaker.

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

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, we will not debate this for any considerable time. I just want to make a point clear to those of you who may not have been paying direct attention to the debate. Now, this bill has been before us on a couple of different occasions and still the question exists, not only in a hypothetical but a true meaning of what could happen.

Now, I listened to these fine people who are insisting that this bill is proper and there are no problems, and I say to most of you who live in a rural area where this sludge or this material or whatever it is is going to be put or transported, an example I give is if a truck should break down and a chemical spill should occur on the highway near your area, and right away the volunteer fire company is called out to either get that off the highway or contain it, and there may not be anybody around who has the knowledge of how to handle that material, and maybe the mixing of that water might cause some toxic condition and we might lose people strictly because there was someone there who did not know how to handle it. Then, of course, you know what is going to happen. The conveyer of that material is going to insist that he did not call the people out and that he was trying to get somebody who appropriately could handle it, but still in all we have a terrible accident.

I think this bill will come back to haunt you if you vote “yes” today. I say that we should vote “no” and we should put this aside, because I do not believe we are being completely honest with this matter. I think the chemical companies are paid very well to haul this material all over our State. I think they should be held responsible, and I think they are trying to shove the monkey on somebody else’s back. Thank you very much.

On the question recurring,

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

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

YEAS—112

Anderson	Fleck	Mackowski	Shupnik
Armstrong	Foster, W. W.	Madigan	Sieminski
Arty	Frazier	Maiale	Sirianni
Belardi	Freind	Manmiller	Smith, B.
Bittle	Gallen	Marmion	Smith, E. H.
Bowser	Gannon	Merry	Smith, L. E.
Boyes	Geist	Micozzie	Snyder
Brandt	Gladeck	Moehlmann	Spencer
Burd	Greenwood	Mowery	Spitz
Burns	Grieco	Murphy	Stairs
Cessar	Gruppo	Nahill	Stevens
Cimini	Hagarty	Noye	Swift
Civiera	Hasay	Pendleton	Taddonio
Clymer	Hayes	Perzel	Taylor, E. Z.
Cochran	Heiser	Peterson	Taylor, F. E.
Coslett	Honaman	Petrone	Telek
Cunningham	Horgos	Piccola	Trello
DeVerter	Itkin	Pistella	Vroon
Daikeler	Jackson	Pitts	Wambach
Davies	Johnson	Pott	Wenger
Dawida	Kennedy	Pratt	Weston
Dietz	Klingaman	Punt	Wilson
Dininni	Laughlin	Rappaport	Wogan
Dombrowski	Lehr	Rasco	Wright, J. L.
Dorr	Levi	Salvatore	Wright, R. C.
Duffy	Lewis	Saurman	
Durham	Lucyk	Serafini	Ryan,

Fargo
Fischer

McClatchy
McVerry

Seventy

Speaker

NAYS—79

Barber	Emerson	Levin	Rocks
Belfanti	Evans	Livengood	Rybak
Beloff	Fee	Lloyd	Showers
Berson	Foster, Jr., A.	McIntyre	Steighner
Blaum	Fryer	McMonagle	Stewart
Borski	Gallagher	Manderino	Stuban
Brown	Gamble	Michlovic	Swaim
Caltagirone	George	Miller	Sweet
Cappabianca	Grabowski	Morris	Tigue
Cawley	Gruitza	Mrkonic	Van Horne
Clark	Haluska	Mullen	Wachob
Cohen	Harper	O'Donnell	Wargo
Colafella	Hoeffel	Olasz	Wass
Cole	Hutchinson, A.	Oliver	Wiggins
Cordisco	Irvis	Petrarca	Williams, H.
Cornell	Kowalyszyn	Phillips	Williams, J. D.
Cowell	Kukovich	Pucciarelli	Wozniak
DeMedio	Lashingner	Reber	Wright, D. R.
DeWeese	Lescovitz	Rieger	Zwikl
Donatucci	Letterman	Ritter	

NOT VOTING—6

Alden	Gray	Miscevich	Richardson
Deal	Greenfield		

EXCUSED—2

Kolter Pievsky

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

Ordered, That the clerk inform the Senate accordingly.

REMARKS ON VOTE

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

Mr. DEAL. Mr. Speaker, while those votes were on the board, I was continuously mashing that "no" button and it did not register. I just think that is uncalled for, and I would like to see that vote done over again, Mr. Speaker. I would like to ask for a reconsideration.

Mr. Speaker, rather than prolong this session, I would like to have it put on the record that had I been able to vote on the Conference Committee Report on HB 50, I would have voted "no," Mr. Speaker.

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

SB 1015 RECONSIDERED

The SPEAKER. The Chair recognizes the gentleman from Greene, Mr. DeWeese, who moves that the vote by which SB 1015, PN 1719, was passed on the 16th day of November 1982 be reconsidered, the motion being seconded by the gentleman from Chester, Mr. Earl Smith.

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

The following roll call was recorded:

YEAS—181

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

NAYS—1

Wright, J. L.

NOT VOTING—15

Alden	Greenfield	Micozzie	Vroon
Blaum	Lescovitz	Miscevich	Williams, H.
Civera	Letterman	Mullen	Williams, J. D.
Gray	McVerry	Spencer	

EXCUSED—2

Kolter Pievsky

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

On the question recurring,
Shall the bill pass finally?

DECISION OF CHAIR WITHDRAWN

The SPEAKER. The Chair withdraws its decision that SB 1015 has been agreed to on third reading.

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

Mr. DeWEESE offered the following amendments No. A9129:

Amend Sec. 1, page 1, line 6, by striking out “(A)”

Amend Sec. 1, page 1, line 11, by removing the period after “Pennsylvania” and inserting
and who reside in Pennsylvania.

Amend Sec. 1, page 1, lines 12 through 16, by striking out all of said lines

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

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

Mr. DeWEESE. Mr. Speaker, amendment A9129, introduced by myself and Representative Cimini, has been discussed by several of us on both sides of the aisle involved with military and veterans affairs. The measure attempts to rectify certain inadequacies within the bill. We would like to make certain that only children of military personnel living in Pennsylvania, living in Pennsylvania, would be eligible for the benefits of going to school and being helped; and number two, that PHEAA (Pennsylvania Higher Education Assistance Agency) transactions would be applicable to these people and these people only.

The way the bill is currently structured, the Department of Education and PHEAA will come into difficulties with Federal conformance unless this amendment is adopted. I am under the firm impression that it is noncontroversial and agreed to, and Mr. Cimini might be able to add some illumination to my own comments.

The SPEAKER. The Chair recognizes the gentleman from Lycoming, Mr. Cimini.

Mr. CIMINI. Mr. Speaker, this is an agreed-to amendment between Mr. DeWeese and me at least, and I would ask all my colleagues on this side of the aisle to support this amendment. Thank you.

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

The following roll call was recorded:

YEAS—186

Anderson	Fee	Lloyd	Saurman
Armstrong	Fischer	Lucyk	Serafini
Arty	Fleck	McClatchy	Seventy
Barber	Foster, W. W.	McIntyre	Showers
Belardi	Foster, Jr., A.	McMonagle	Shupnik
Belfanti	Frazier	McVerry	Sieminski
Beloff	Freind	Mackowski	Sirianni
Bittle	Fryer	Madigan	Smith, B.
Blaum	Gallagher	Maiale	Smith, E. H.
Bowser	Gallen	Manderino	Smith, L. E.
Boyes	Gamble	Manmiller	Snyder
Brandt	Gannon	Marmion	Spencer
Brown	Geist	Merry	Spitz
Burns	George	Michlovic	Stairs
Caltagirone	Gladeck	Micozzie	Steighner
Cappabianca	Grabowski	Miller	Stevens
Cawley	Greenwood	Moehlmann	Stewart
Cessar	Grieco	Morris	Stuban
Cimini	Gruitza	Mrkonic	Swaim
Civera	Gruppo	Mullen	Sweet
Clark	Hagarty	Murphy	Swift

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

NAYS—0

NOT VOTING—11

Alden	Burd	Greenfield	Pucciarelli
Berson	Donatucci	Miscevich	Williams, J. D.
Borski	Gray	Mowery	

EXCUSED—2

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—190

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

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

NAYS—0

NOT VOTING—7

Alden	Gray	Miscevich	Williams, J. D.
Bowser	Greenfield	Stairs	

EXCUSED—2

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

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

WELCOMES

The SPEAKER. The Chair is pleased to welcome to the hall of the House today Mr. Andrew J. Carn, a newly elected member of this House from the city of Philadelphia, here today as the guest of the Philadelphia delegation.

The Chair is pleased to welcome to the hall of the House today the West Shore Chamber of Commerce members and some of their guests, here today as the guests of the Cumberland County delegation.

The Chair is pleased to welcome to the hall of the House today Representative-elect Paul McHale from the 133d Legislative District in Bethlehem, Lehigh County, here today as the guest of Representative Rybak.

REMARKS ON VOTES

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

Mr. MISCEVICH. Mr. Speaker, on the last three votes I think that my vote was not recorded; my switch was inoperative. On The Conference Committee Report on HB 50, I

would like to be recorded in the affirmative; on the DeWeese amendment to SB 1015, I would like to be recorded in the affirmative; and on the final vote on SB 1015, 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 Westmoreland, Mr. Stairs.

Mr. STAIRS. Mr. Speaker, I would like to be recorded on SB 1015 as voting in the affirmative. Thank you.

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

BILL ON THIRD CONSIDERATION POSTPONED

The House proceeded to SB 1101, PN 2121, on third consideration postponed, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225, No. 316), entitled "The Game Law," removing the requirements to obtain special permits for the possession and sales of ferrets or fitches, further defining unlawful hunting with ferrets or fitches and providing penalties.

On the question recurring,

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

The SPEAKER. To remind the members of the House with respect to SB 1101, when it was last considered it was placed upon the postponed calendar with the Grabowski amendments pending. So the question before the House now is, will the House agree to the amendments offered by the gentleman, Mr. Grabowski?

On that question, I would ask first for the clerk to read the Grabowski amendments.

The clerk read the following amendments No. A8741:

Amend Title, page 1, line 13, by inserting after "FITCHES," further providing for drawings for antlerless deer licenses,

Amend Bill, page 13, by inserting between lines 27 and 28

Section 6. Subsection (c) of section 501 of the act, amended February 11, 1982 (P.L.33, No.21), is amended to read:

Section 501. Open Seasons.—* * *

(c) Hunters' Licenses and Tags for Antlerless Deer.—If in any year the commission declares an open season for antlerless deer, it shall issue antlerless deer licenses and tags to hunt for or kill such deer, at a fee of three dollars thirty-five cents under such rules and regulations governing the issuance of such licenses and tags as it may deem necessary to limit the number of persons who may hunt for such deer in any county of the Commonwealth and to regulate the issuance of such licenses generally. Except as otherwise provided in this subsection, no applications for antlerless deer licenses received from nonresidents of the Commonwealth shall be approved or licenses issued in advance of thirty days prior to the opening date of such antlerless deer season. Such licenses and tags shall be issued without restriction or regard to the county of residence of the Pennsylvania applicant and may be issued only to holders of resident or nonresident hunting licenses, and such licenses and tags shall not be transferable from one person to another nor shall they be refunded or reissued to anyone. Notwithstanding the provisions of any regulation limiting the number of licenses and tags, the commission shall issue

antlerless deer licenses and tags without effecting any quota established by the commission for a particular county: (1) to members of Armed Forces who are residents of Pennsylvania and who are on full time active duty; (2) to residents who were honorably discharged from the Armed Forces within sixty days of the date of the application upon substantial proof of their military status; and (3) to disabled veterans as defined in section 302 upon submission of the information required by section 302.

Licenses and tags for antlerless deer shall be issued only by the county treasurers or by any person carrying out the duties and responsibilities of a county treasurer in counties functioning under a Home Rule Charter in counties where such deer may be hunted and killed, who, for that purpose, are hereby made agents of the commission. An impartial random public drawing shall be conducted by the county treasurer or person carrying out the duties and responsibilities of a county treasurer in counties functioning under a Home Rule Charter to select successful applicants for the issuance of antlerless deer licenses in accordance with rules and regulations adopted by the commission.

For services rendered in collecting and paying over fees and issuing licenses and tags, by mail or otherwise, such agents may retain the sum of thirty-five cents from the amount paid by each licensee, which amount shall be paid into the county treasury.

When such licenses are issued to restrict the number of persons who may hunt antlerless deer in any county of the Commonwealth, certain qualifying landowners who own eighty or more contiguous acres of land within any county where they desire to hunt antlerless deer shall be entitled to one antlerless deer license for that county, at the prescribed fee, to one and only one person whose name appears on the deed. These antlerless deer licenses shall be allocated in advance of their availability to the general public from the quota established by the commission for the county where such land is situated to persons who meet all of the following requirements:

(i) the eighty or more contiguous acres of land are owned by a natural person individually or as tenants by the entirety, or by a corporation of four or fewer shareholders, or by tenants in common of four or fewer natural persons;

(ii) the eighty or more contiguous acres of land are open to public hunting and trapping and shall remain open to hunting and trapping during the hunting license year for which the antlerless deer license is issued;

(iii) the applicant for an antlerless deer license shall furnish proof of ownership of eighty or more contiguous acres of land to the county treasurer within the county where such land is situated.

Any resident of Pennsylvania residing within the Commonwealth who is a bona fide owner or lessee of lands which lie within the county declared open to the hunting of antlerless deer, or any member of the family or household, or regularly hired help of such owner or lessee who are so employed on a full-time basis, if such person is a resident of the Commonwealth, actually residing upon and cultivating such lands for general farm crop purposes, is hereby declared eligible to hunt antlerless deer without a resident hunters' license or an antlerless deer license upon said property, and, by and with the written consent of the owner or lessee thereof, upon the lands immediately adjacent and connected with his own lands, other than publicly-owned lands.

The terms "antlerless deer" and "deer without visible antlers," as used in this subsection or any other provision of the Game Law which this act amends, are hereby defined to mean a deer without an antler sometimes called horn, or a deer with antlers both of which are less than three inches long, the term "antler," as herein used or in any other provision of the Game Law which this act amends, meaning the bony growth on the head of a deer regardless of its size or development.

When the commission adopts and promulgates such rules and regulations relative to hunters' licenses and tags for antlerless deer, it is unlawful for any person other than a landowner or

lessee of the county or a member of his household, as hereinbefore enumerated, to hunt for antlerless deer without a hunters' license and tag for antlerless deer, or to take such deer contrary to the rules and regulations adopted by the commission.

The antlerless deer license tag issued with an antlerless deer license shall be displayed on the outer garment immediately below the regular resident or nonresident hunting license tag. Any person who fails to display the antlerless deer license tag herein required shall, upon conviction, be sentenced to pay a fine of twenty-five dollars (\$25) and costs of prosecution, provided it shall be determined the person has purchased a license; otherwise, a penalty of fifty dollars (\$50) and costs of prosecution shall be imposed. Any person who shall give false information in obtaining or attempting to obtain an antlerless deer license as relates to certain qualifying landowners shall, upon conviction, be sentenced to pay a fine of two hundred dollars (\$200) and costs of prosecution and shall be denied the right to hunt or trap anywhere in this Commonwealth, with or without a license, for a period of three years. Any other person who shall give false information in obtaining or attempting to obtain an antlerless deer license shall, upon conviction, be sentenced to pay a fine of fifty dollars (\$50) and costs of prosecution.

* * *

Section 7. Section 506 of the act, amended June 24, 1981 (P.L.111, No.37) and November 20, 1981 (P.L.340, No.125), is amended to read:

Section 506. Penalties.—Any person violating any of the provisions of this article shall, upon conviction, be sentenced to pay the following fines and costs of prosecution for each offense:

For taking, killing, wounding, possessing, concealing, transporting or for hunting for or attempting to take, kill, or wound any game, fur-bearing animals, nongame birds, or any other wild birds or wild animals contrary to this article or any rule or regulation adopted hereunder by the commission:

(a) Each elk, four hundred dollars (\$400), and in the discretion of the court, six months imprisonment.

(b) Each deer, two hundred dollars (\$200).

(c) Each bear, which shall include failure to deliver any bear to a designated bear check station within twenty-four hours from time of killing for examination, four hundred dollars (\$400).

(d) Each wild turkey fifty dollars (\$50); and each ruffed grouse, ringneck pheasant, quail, partridge, or woodcock, swan, wild goose, brant or wild duck, twenty-five dollars (\$25).

(e) Each raccoon, twenty-five dollars (\$25).

(f) Each bobcat or wildcat, fifty dollars (\$50).

(g) For each other bird or animal, ten dollars (\$10).

(h) Failure of lawful holder of muzzleloading Firearms Deer Season license to sign his full name in ink diagonally across its face, two dollars (\$2).

(i) Failure to carry the required Muzzleloading Firearms Deer Season license on his person while hunting for deer during such season, ten dollars (\$10).

(j) Hunting for deer during the Muzzleloading Firearms Deer Season, or for aiding or assisting any person in any manner to hunt for deer during such season without first having obtained the required license, or for using a license belonging to another person, twenty dollars (\$20).

(k) Failure of lawful holder of bear license to sign his first name, middle initial and last name in ink across the face of the license, twenty-five dollars (\$25) plus forfeiture of the bear license to the Commonwealth.

(l) Hunting for bear or for aiding or assisting any person in any manner to hunt for bear during the open bear season without first having lawfully obtained a bear license, or for using a bear license belonging to another person, or for any person to lend a bear license to another person, or to alter a bear license in any manner, one hundred dollars (\$100) plus forfeiture of the bear license to the Commonwealth.

(m) Removing the metal tag attached to the head of a bear by an officer of the commission contrary to the provisions of this article, one hundred dollars (\$100) plus forfeiture of the bear or any part thereof to the Commonwealth.

(n) For the sale or attempted sale of any antlerless deer hunting license, any archery hunting license, or any Muzzleloading Firearms Deer Season license for a monetary fee in excess of the fees prescribed by this article, the sum of twenty dollars (\$20) for each sale or attempted sale and the costs of prosecution.

(o) Failure of any county treasurer or any person carrying out the duties and responsibilities of a county treasurer in counties functioning under a Home Rule Charter to conduct an impartial random public drawing to select successful applicants for the issuance of antlerless deer licenses as required under the provisions of section 501(c) of this article, one thousand dollars (\$1,000).

For violating any of the provisions of this article not above provided for, or for violating any of the rules and regulations of the commission adopted under the provisions of this article, and not above provided for, twenty-five dollars (\$25) and costs of prosecution for each offense.

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution, he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution.

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution, and in addition thereto shall, in the discretion of the court, suffer imprisonment one day for each dollar of fine imposed.

Amend Sec. 6, page 13, line 28, by striking out "6" and inserting

8

Amend Sec. 7, page 14, line 22, by striking out "7" where it appears the first time and inserting

9

Amend Sec. 8, page 15, line 6, by striking out all of said line and inserting

Section 10. (a) Sections 1, 2, 3, 4, 5, 8 and 9 shall take effect immediately.

(b) Section 6 and 7 shall take effect January 1, 1983.

On the question recurring,

Will the House agree to the amendments?

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

Mr. GRABOWSKI. Thank you, Mr. Speaker.

Since last week I have done a little research on this amendment, and I also took a look at the roll call, and I was surprised to see that many of the legislators voting in opposition have this system in effect in their counties right now. I would like to name the 28 counties, and please pay attention if one of these counties is yours: Allegheny, Armstrong, Berks, Blair, Cambria, Carbon, Clearfield, Cumberland, Dauphin, Fayette, Franklin, Fulton, Huntingdon, Indiana, Jefferson, Lackawanna, Lancaster, Lebanon, Lehigh, Mercer, Mifflin, Northampton, Schuylkill, Snyder, Somerset, Venango, Washington, and Westmoreland. Then, of course, in Elk and Potter Counties there is a drawing there, because the Game Commission revoked the county treasurer's license.

But to those legislators who represent those counties, I cannot see why you are voting against this. Essentially what you are doing is putting your sportsmen at a disadvantage. Your county treasurer is saying, okay, we are going to

conduct this lottery legitimately and everyone is going to take their chance. Say the counties of Allegheny and Armstrong, if you guys want to hunt in Allegheny or Armstrong County, you take your chances along with all the other Allegheny County and Armstrong County hunters. But if you want to hunt in McKean County where there is no such system, you are going to be at somewhat of a disadvantage, and I really cannot see that. All we are doing here is asking that all the county treasurers be placed on a par as far as how they administer this system, and let us be fair to everyone. Please support this amendment.

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

Mr. NOYE. Thank you, Mr. Speaker.

The list the gentleman just read is accurate, but the fact of the matter is that the county treasurers in those counties have decided that that is the best system that works in those counties. That is their choice; that is their option. Now, if you adopt this amendment, you have taken the option from them. It may not work that well in all counties, and as long as we are only paying those county treasurers 25 cents a license issuing fee—or 35 cents, whatever it is, that little amount that we are doing—I do not think we should be dictating to them a certain way in which they should issue their licenses. Some can do it one way better or more cheaply than others; others cannot do it that same way, and it does not work that well in those other counties. I do not think we should be obligating future county treasurers to one particular way of issuing these licenses, and that is what we will be doing if you adopt this amendment. I think we made the right choice last week in rejecting it. I ask the members of the House to reject it again this week.

MR. ANDERSON REQUESTED TO PRESIDE

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

CONSIDERATION OF SB 1101 CONTINUED

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

Mr. W. W. FOSTER. Mr. Speaker, I rise to oppose this amendment. This amendment was considered in the Game and Fisheries Committee several months ago in the form of HB 2301, and it was the committee's decision that it should not be considered.

As Representative Noye says, the county treasurers in this State now have the option to have a lottery if they so choose. I see no reason why we here in the legislature should dictate to them and tell them that they have to have a lottery. If the people in their county want a lottery badly enough or in the surrounding areas, they are going to contact that treasurer, and he will have a lottery. I think this is a fair way to do it, the way they are doing it now, and it has been mentioned that many of the counties do have lotteries, and that is their choice, and that is the way the law is presently written.

Now, there are a lot of sportsmen's groups that oppose this legislation; they want it left exactly the way it is, and I would strongly urge a "no" vote on this amendment. Thank you.

**THE SPEAKER PRO TEMPORE
(JOHN HOPE ANDERSON) IN THE CHAIR
CONSIDERATION OF SB 1101 CONTINUED**

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

Mr. WASS. Mr. Speaker, I stand in objection to the amendment by Mr. Grabowski. I believe the county treasurers made that decision that they want to go to a lottery, and they can change their minds and do away with the lottery. I say leave the decision up to the county treasurers.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Gamble.

Mr. GAMBLE. Mr. Speaker, I rise in favor of this amendment.

The County Treasurers' Association of Pennsylvania is in favor of this amendment. They want the pressure taken off them for favors. They want to do it right; they want to do it fairly. They would not have come to Harrisburg and told us they were in favor of this piece of legislation if they were not. It is the only fair thing to do.

We heard a couple of our colleagues here today give a farewell speech. I would like you to give my good friend and colleague, Steve Grabowski, a big sendoff and pass this amendment today. Thank you.

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

Miss SIRIANNI. Mr. Speaker, I rise in opposition to this amendment.

I have four county treasurers since you people reapportioned me that way, and none of my four county treasurers wants a lottery. They have been doing it by the first come, first served. They have not been doing favors for people. You people ought to know they have not, because a lot of you have asked me for favors and I have not given them to you.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—100

Arty	Emerson	McMonagle	Richardson
Barber	Evans	McVerry	Rieger
Belardi	Fee	Maiale	Ritter
Belfanti	Fleck	Manderino	Rocks
Beloff	Frazier	Manmiller	Saurman
Berson	Gallagher	Marmion	Serafini
Blaum	Gamble	Merry	Seventy
Borski	Gannon	Michlovic	Shupnik
Brown	Gladeck	Micozzie	Smith, L. E.
Caltagirone	Grabowski	Miscevich	Snyder
Cappabianca	Gruitza	Mowery	Swaim
Cawley	Haluska	Mrkonic	Sweet
Cessar	Harper	Murphy	Taddonio
Clark	Heiser	O'Donnell	Telek
Cohen	Hoeffel	Olasz	Tigue
Colafiglia	Horgos	Oliver	Trello
Cordisco	Irvis	Pendleton	Wambach
Cowell	Itkin	Perzel	Weston
DeMedio	Kennedy	Petrarca	Wiggins
Daikeler	Kukovich	Petrone	Williams, H.
Dawida	Lescovitz	Piccola	Williams, J. D.
Deal	Levin	Pistella	Wilson
Donatucci	Lewis	Pott	Wogan
Duffy	Lucyk	Pratt	Wozniak

Durham	McIntyre	Pucciarelli	Zwinkl
NAYS—90			
Anderson	Fischer	Levi	Smith, E. H.
Armstrong	Foster, W. W.	Livengood	Spencer
Bittle	Foster, Jr., A.	Lloyd	Spitz
Bowser	Freind	McClatchy	Stairs
Boyes	Fryer	Mackowski	Steighner
Brandt	Gallen	Madigan	Stevens
Burd	Geist	Miller	Stewart
Cimini	George	Moehlmann	Stuban
Civera	Greenwood	Morris	Swift
Clymer	Grieco	Nahill	Taylor, E. Z.
Cochran	Gruppo	Noye	Taylor, F. E.
Cole	Hagarty	Peterson	Van Horne
Cornell	Hasay	Phillips	Vroon
Coslett	Hayes	Pitts	Wachob
Cunningham	Honaman	Punt	Wargo
DeVerter	Jackson	Rappaport	Wass
DeWeese	Johnson	Rasco	Wenger
Davies	Klingaman	Reber	Wright, D. R.
Dietz	Kowalshyn	Rybak	Wright, J. L.
Diminni	Lashingier	Showers	Wright, R. C.
Dombrowski	Laughlin	Sieminski	
Dorr	Lehr	Sirianni	Ryan,
Fargo	Letterman	Smith, B.	Speaker

NOT VOTING—7

Alden	Gray	Hutchinson, A.	Salvatore
Burns	Greenfield	Mullen	

EXCUSED—2

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

STATE GOVERNMENT COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Berks, Mr. Gallen.

Mr. GALLEN. Mr. Speaker, there will be a meeting right now of the State Government Committee in the room to the rear of the House. Thank you, Mr. Speaker.

REMARKS ON VOTES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Rasco.

Mr. RASCO. Mr. Speaker, on the Grabowski amendment 8741 to SB 1101, my switch malfunctioned. I want to be recorded as a "yes" vote.

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

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

Mr. BOWSER. Mr. Speaker, I failed to be recorded on SB 1015, and I would like to be recorded in the affirmative.

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

CONSIDERATION OF SB 1101 CONTINUED

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

The Chair recognizes the gentleman from Perry, Mr. Noye. Mr. NOYE. Thank you, Mr. Speaker.

I ask the members to vote "no" on the bill. I think the question really is very clear as to whether or not we are going to dictate once again to local elected officials what they can and they cannot do without using their good judgment and knowing their own particular circumstances at their own county level.

I urge the members to vote "no" on final passage.

On the question recurring,
Shall the bill pass finally?

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

YEAS—116

Arty	Donatucci	McIntyre	Rasco
Barber	Duffy	McMonagle	Richardson
Belardi	Durham	McVerry	Rieger
Beloff	Emerson	Maiale	Ritter
Berson	Evans	Manderino	Rocks
Blaum	Fee	Manmiller	Salvatore
Borski	Fleck	Marmion	Serafini
Brown	Frazier	Merry	Seventy
Burns	Freind	Michlovic	Shupnik
Caltagirone	Fryer	Micozzie	Snyder
Cappabianca	Gallagher	Miscevich	Spitz
Cawley	Gamble	Mowery	Stevens
Cessar	Gannon	Mrkonic	Swaim
Civera	Gladeck	Mullen	Sweet
Clark	Grabowski	Murphy	Taddonio
Clymer	Greenwood	O'Donnell	Telek
Cochran	Gruitza	Olasz	Tigue
Cohen	Harper	Oliver	Trello
Colafella	Hoeffel	Pendleton	Wambach
Cole	Honaman	Perzel	Wargo
Cordisco	Horgos	Petrarca	Weston
Coslett	Irviss	Petrone	Wiggins
Cowell	Itkin	Piccola	Williams, H.
DeMedio	Kukovich	Pistella	Williams, J. D.
DeWeese	Lashingier	Pitts	Wilson
Daikeler	Lescovitz	Pott	Wogan
Dawida	Levin	Pratt	Wright, J. L.
Deal	Lucyk	Pucciarelli	Wright, R. C.
Dininni	McClatchy	Rappaport	Zwikl

NAYS—77

Anderson	Gallen	Livengood	Smith, L. E.
Armstrong	Geist	Lloyd	Spencer
Belfanti	George	Mackowski	Stairs
Bittle	Grieco	Madigan	Steighner
Bowser	Gruppo	Miller	Stewart
Boyes	Hagarty	Moehlmann	Stuban
Brandt	Haluska	Morris	Swift
Burd	Hasay	Nahill	Taylor, E. Z.
Cimini	Hayes	Noye	Taylor, F. E.
Cornell	Hutchinson, A.	Peterson	Van Horne
Cunningham	Jackson	Phillips	Vroon
DeVerter	Johnson	Punt	Wachob
Davies	Kennedy	Reber	Wass
Dietz	Klingaman	Rybak	Wenger
Dombrowski	Kowalshyn	Saurman	Wozniak
Dorr	Laughlin	Showers	Wright, D. R.
Fargo	Lehr	Sieminski	
Fischer	Letterman	Sirianni	Ryan,
Foster, W. W.	Levi	Smith, B.	Speaker

Foster, Jr., A.	Lewis	Smith, E. H.	
NOT VOTING—4			
Alden	Gray	Greenfield	Heiser
EXCUSED—2			
Kolter	Pievsky		

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.

CONFERENCE COMMITTEE APPOINTMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Wayne, Mr. Foster, and understands that he has resigned as a conferee on SB 685. In his place the Chair appoints the gentleman from Allegheny, Mr. Cessar.

REPUBLICAN CAUCUS

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

Mr. NOYE. Thank you, Mr. Speaker.

I would like to ask the Republican members to report to the caucus room immediately. We have a few matters to discuss, and we will return as soon as possible. Caucus immediately.

RECESS

The SPEAKER pro tempore. Without objection, the House will be in recess until 4:45 p.m. The Chair hears no objection.

AFTER RECESS

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

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

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

SB 1281, PN 2219 (Amended) (Unanimous)

By Rep. GALLEN

An Act providing for adoption of capital projects to be financed from current revenues of the Game Fund.

STATE GOVERNMENT.

SB 1101 RECONSIDERED

The SPEAKER. The Chair recognizes the gentleman from Perry, Mr. Noye, who moves that the vote by which SB 1101, PN 2121, passed on the 16th day of November 1982 be reconsidered, the motion being seconded by the gentleman from Butler, Mr. Burd.

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

The following roll call was recorded:

YEAS—184

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

NAYS—1

Rocks

NOT VOTING—12

Alden	Cohen	Gray	McIntyre
Beloff	Cole	Greenfield	McMonagle
Borski	Donatucci	Lewis	Rieger

EXCUSED—2

Kolter Pievsky

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

On the question recurring,
Shall the bill pass finally?

**BILL PLACED ON FINAL PASSAGE
POSTPONED CALENDAR**

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

Mr. NOYE. I move that SB 1101 be placed on the final passage postponed calendar.

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

CONSUMER AFFAIRS COMMITTEE MEETING

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

Mr. TADDONIO. Mr. Speaker, I would like to call a meeting of the Consumer Affairs Committee for tomorrow morning at 10 o'clock in the majority caucus room for the purpose of considering SB 1366.

The SPEAKER. Does the majority leader have any further business?

Mr. HAYES. There will be no more votes today, Mr. Speaker. The House will return to session at 11 a.m. tomorrow morning.

BILLS SIGNED BY SPEAKER

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

HB 1655, PN 3672

An Act amending the "Motor Vehicle Manufacturer's, Dealer's and Salesmen's License Act," approved September 9, 1965 (P. L. 499, No. 254), further providing for the powers and duties of the State Board of Motor Vehicle Manufacturers, Dealers and Salesmen.

HB 1671, PN 2099

An Act amending the act of July 11, 1980 (P. L. 643, No. 133), entitled "An act fixing the fees to be received by the prothonotary of Philadelphia County," further providing for the fee to commence or execute upon a Commonwealth tax lien.

HB 2066, PN 2567

An Act amending "The Dental Law," approved May 1, 1933 (P. L. 216, No. 76), prohibiting the licensing of certain dental students as dental hygienists.

HB 2351, PN 3068

An Act amending the "Pharmacy Act," approved September 27, 1961 (P. L. 1700, No. 699), providing for deletion of the one year licensure requirement prior to licensure by reciprocity.

HB 2461, PN 3269

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571, No. 254), changing provisions relating to exemptions from per capita taxes, occupation taxes and occupational privilege taxes.

HB 2462, PN 3270

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853, No. 155), increasing the level for exemption from the per capita tax, occupation tax and occupational privilege tax.

HB 2463, PN 3271

An Act amending the act of June 21, 1939 (P. L. 626, No. 294), referred to as the Second Class County Assessment Law, increasing the level for exemption from the occupation tax.

HB 2464, PN 3272

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932, No. 317) raising the authorized level for exemption from the per capita tax.

HB 2465, PN 3273

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), raising the authorized level for exemption from the per capita tax.

HB 2466, PN 3274

An Act amending "The County Code," approved August 9, 1955 (P. L. 323, No. 130), authorizing exemptions from the per capita tax.

HB 2467, PN 3275

An Act amending "The Local Tax Enabling Act," approved December 31, 1965 (P. L. 1257, No. 511), raising the authorized level for exemption from the per capita tax.

HB 2487, PN 3320

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), authorizing appropriations for insect, pest and vector control programs.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. The Chair recognizes the gentleman from Schuylkill, Mr. Lucyk.

Mr. LUCYK. Mr. Speaker, I move that this House do now adjourn until Wednesday, November 17, 1982, at 11 a.m., e.s.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 5:15 p.m., e.s.t., the House adjourned.