

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

MONDAY, SEPTEMBER 19, 1983

SESSION OF 1983

167TH OF THE GENERAL ASSEMBLY

No. 72

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (K. LEROY IRVIS) IN THE CHAIR

PRAYER

REV. DR. DAVID R. HOOVER, chaplain of the House of Representatives, from McConnellsburg, Pennsylvania, offered the following prayer:

Gracious Father and Blessed Lord, as humble stewards of Thine we come before Thee. We thank Thee for Thy protective care and watchful eye over the lives of each one of us. We are appreciative of Thy constant companionship in the lives of all Thine own. We desire to express our gratitude in the very lives we live, so we look to Thee for the assurance of Thy continued love and directive care.

O God, reach out to these workmen of Thine in the abundance of Thy love, touch them with the compulsive needs in the world about us, and enable them to rise to meet the situations which confront them. In Thy blest name, we pray. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNALS APPROVED

The SPEAKER. The Journals of Tuesday, June 28; Wednesday, June 29; Thursday, June 30; Friday, July 1; Tuesday, July 5; Wednesday, July 6; Thursday, July 7; Friday, July 8; Monday, July 11; Tuesday, July 12; Wednesday, July 13; Thursday, July 14; Friday, July 15; Tuesday, July 19; Wednesday, July 20; Thursday, July 21; and Friday, July 22, 1983, are all in print. Unless there be objection, the Journals will be accepted as printed. The Chair notes no objection.

REMARKS ON VOTES

The SPEAKER. The Chair recognizes at this time Representative Richard Olasz and Representative Steve Seventy, who submit a correction of the record on the vote for HB 192. Both men ask that the following statement be inserted into the record: During the July 21, 1983, session, when the vote was

taken on HB 192, each man was recorded incorrectly. The record will indicate that each man did vote in the affirmative for HB 192.

COMMUNICATIONS FROM GOVERNOR

BILLS SIGNED BY GOVERNOR

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

APPROVAL OF HBs Nos. 10, 86, 166, 189, 192, 820, 989, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1065, 1066 and 1069.

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 10, Printer's No. 1650, entitled "AN ACT AMENDING TITLE 75 (VEHICLES) OF THE PENNSYLVANIA CONSOLIDATED STATUTES, FURTHER DEFINING 'RESIDENT'; PROVIDING FOR THE BURDEN OF PROOF OF RESIDENCY IN PROCEEDINGS REGARDING DRIVING AN UNREGISTERED VEHICLE; LIMITING THE AUTHORITY OF THE DEPARTMENT TO ADOPT CERTAIN REGULATIONS WITH RESPECT TO THE EMISSION INSPECTION PROGRAM; FURTHER PROVIDING FOR INVESTIGATIONS BY POLICE OFFICERS; PROVIDING FOR THE TRANSFER OF CERTAIN ROADS AND HIGHWAYS FROM THE DEPARTMENT OF TRANSPORTATION TO MUNICIPALITIES; FURTHER PROVIDING FOR THE OIL COMPANY FRANCHISE TAX; AND IMPOSING AN ADDITIONAL TAX."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 192, Printer's No. 1651, entitled "AN ACT AMENDING THE ACT OF JULY 15, 1983 (NO. 6A), ENTITLED 'AN ACT ITEMIZING APPROPRIATIONS

REQUIRED FROM THE MOTOR LICENSE FUND FOR THE FISCAL YEAR JULY 1, 1983 TO JUNE 30, 1984 FOR THE PROPER OPERATION OF THE SEVERAL DEPARTMENTS OF THE COMMONWEALTH AUTHORIZED TO SPEND MOTOR LICENSE FUND MONEYS,' INCREASING CERTAIN APPROPRIATIONS."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 820, Printer's No. 1444, entitled "AN ACT providing for the adoption of a capital project to be financed from current revenues of the Game Fund."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1023, Printer's No. 1526 entitled "A SUPPLEMENT to the act of April 1, 1863 (P. L. 213, No. 227), entitled 'An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges,' making appropriations to Pennsylvania State University; providing for a basis for payments of the appropriations; and providing a method of accounting for the funds appropriated."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1024, Printer's No. 1527, entitled "A SUPPLEMENT to the act of July 28, 1966 (3rd Sp. Sess., P. L. 87, No. 3), entitled 'An act providing for the establishment and operation of the University of Pittsburgh as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; providing for public support and capital improvements; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the chancellor to make an annual report of the operations of the University of Pittsburgh,' making appropriations to the University of Pittsburgh; providing for a basis for payments of the appropriations; and providing a method of accounting for the funds appropriated."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1025, Printer's No. 1528, entitled "A SUPPLEMENT to the act of November 30, 1965 (P. L. 843, No. 355), entitled 'An act providing for the establishment and operation of Temple University as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; providing for public support and capital improvements; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Temple University,' making appropriations to Temple University; providing for a basis for payments of the appropriations; and providing a method of accounting for the funds appropriated."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1026, Printer's No. 1571, entitled "A SUPPLEMENT to the act of July 7, 1972 (P. L. 743, No. 176), entitled 'An act providing for the establishment and operation of Lincoln University as an instrumentality of the Commonwealth to serve as a State-related institution in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; providing for public support and capital improvements; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Lincoln University,' making appropriations to Lincoln University; providing for a basis for payments of the appropriations; and providing a method of accounting for the funds appropriated."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1027, Printer's No. 1642, entitled "AN ACT making appropriations to the Trustees of the University of Pennsylvania."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1028, Printer's No. 1548, entitled "AN ACT making appropriations to the Hahnemann Medical College and Hospital, Philadelphia, Pennsylvania."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1029, Printer's No. 1549, entitled "AN ACT making appropriations to the Thomas Jefferson University, Philadelphia, Pennsylvania."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1030, Printer's No. 1550, entitled "AN ACT making appropriations to The Medical College of Pennsylvania, East Falls, Philadelphia, Pennsylvania."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1031, Printer's No. 1551, entitled "AN ACT making an appropriation to the Philadelphia College of Osteopathic Medicine, Philadelphia, Pennsylvania."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1032, Printer's No. 1572, entitled "AN ACT making an appropriation to the Trustees of Drexel University, Philadelphia, Pennsylvania."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1033, Printer's No. 1190, entitled "AN ACT making an appropriation to the Delaware Valley College of Science and Agriculture, Doylestown, Pennsylvania."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1034, Printer's No. 1191, entitled "AN ACT making an appropriation to the Philadelphia College of Art, Philadelphia, Pennsylvania."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1035, Printer's No. 1192, entitled "AN ACT making an appropriation to the Philadelphia College of Textiles and Science."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1036, Printer's No. 1193, entitled "AN ACT making appropriations to the Trustees of the Berean Training and Industrial School, Philadelphia, Pennsylvania."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1037, Printer's No. 1573, entitled "AN ACT making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1038, Printer's No. 1195, entitled "AN ACT making an appropriation to the Johnson School of Technology, Scranton, Pennsylvania."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1039, Printer's No. 1196, entitled "AN ACT making an appropriation to the Williamson Free School of Mechanical Trades in Delaware County, Pennsylvania."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1040, Printer's No. 1197, entitled "AN ACT making an appropriation to the Philadelphia College of Performing Arts, Philadelphia, Pennsylvania."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1041, Printer's No. 1552, entitled "AN

ACT making an appropriation to the Pennsylvania College of Optometry, Philadelphia, Pennsylvania."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1042, Printer's No. 1553, entitled "AN ACT making an appropriation to the Pennsylvania College of Podiatric Medicine, Philadelphia, Pennsylvania."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1043, Printer's No. 1200, entitled "AN ACT making an appropriation to the Central Penn Oncology Group."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1044, Printer's No. 1201, entitled "AN ACT making an appropriation to the Fox Chase Institute for Cancer Research, Philadelphia."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1045, Printer's No. 1202, entitled "AN ACT making an appropriation to the Wistar Institute, Philadelphia."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1046, Printer's No. 1203, entitled "AN ACT making an appropriation to the Trustees of the University of Pennsylvania for cardiovascular studies."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1047, Printer's No. 1204, entitled "AN ACT making an appropriation to St. Francis Hospital, Pittsburgh."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1048, Printer's No. 1554, entitled "AN ACT making an appropriation to St. Christopher's Hospital, Philadelphia, Pennsylvania."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1049, Printer's No. 1555, entitled "AN ACT making an appropriation to the Lancaster Cleft Palate."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1050, Printer's No. 1556, entitled "AN ACT making an appropriation to the Pittsburgh Cleft Palate."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1051, Printer's No. 1208, entitled "AN ACT making an appropriation to the Trustees of the Jefferson Medical College and Hospital, Philadelphia, for a comprehensive program relating to Tay-Sachs disease."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1052, Printer's No. 1209, entitled "AN ACT making an appropriation to the Burn Foundation of Greater Delaware Valley."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1053, Printer's No. 1210, entitled "AN ACT making an appropriation to the Trustees of the University of Pennsylvania for the general maintenance and operation of the University of Pennsylvania Museum."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1054, Printer's No. 1557, entitled "AN ACT making an appropriation to the Carnegie Museum of NATURAL HISTORY for maintenance and the purchase of apparatus, supplies and equipment."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1055, Printer's No. 1558, entitled "AN ACT making an appropriation to the Franklin Institute SCIENCE MUSEUM."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg
July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1056, Printer's No. 1559, entitled "AN ACT making an appropriation to the Academy of Natural Sciences."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg
July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1057, Printer's No. 1560, entitled "AN ACT making an appropriation to the Trustees of the Buhl Science Center."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg
July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1058, Printer's No. 1215, entitled "AN ACT making an appropriation to the Museum of the Philadelphia Civic Center for maintenance and the purchase of apparatus, supplies and equipment."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg
July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1059, Printer's No. 1644, entitled "AN ACT making an appropriation to the Thomas Jefferson University for the Children's Heart Hospital, Philadelphia, Pennsylvania."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg
July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1060, Printer's No. 1217, entitled "AN

ACT making an appropriation to the Home for Crippled Children, Pittsburgh, Pennsylvania."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg
July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1061, Printer's No. 1218, entitled "AN ACT making an appropriation to the Arsenal Family and Children's Center."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg
July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1062, Printer's No. 1219, entitled "AN ACT making an appropriation to the Trustees of the University of Pittsburgh for the Western Psychiatric Institute and Clinic."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg
July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1063, Printer's No. 1220, entitled "AN ACT making an appropriation to the Beacon Lodge Camp."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg
July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1065, Printer's No. 1222, entitled "AN ACT making appropriations to the Department of General Services out of various funds for payment of rental charges to The General State Authority."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg
July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1066, Printer's No. 1223, entitled "AN ACT making appropriations to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 22, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 1069, Printer's No. 1645, entitled "AN ACT making an appropriation from a restricted revenue account within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 28, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 86, Printer's No. 1030, entitled "AN ACT authorizing the Department of General Services, with the approval of the Governor and the Secretary of Public Welfare, to sell and convey a certain lot or tract of land situate in the Borough of Emsworth, Allegheny County, Pennsylvania."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 28, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 166, Printer's No. 1643, entitled "AN ACT amending the act of June 3, 1937 (P. L. 1225, No. 316), entitled 'An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto,' further providing for the disturbing of traps; and providing penalties for harassment of wildlife."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 28, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 189, Printer's No. 1865, entitled "AN ACT amending the act of July 7, 1947 (P. L. 1368, No. 542), entitled, as amended, 'An act amending, revising and consolidating

the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes, providing when, how and upon what property, and to what extent liens shall be allowed for such taxes, the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except counties of the first and second class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws,' extending time for claims for unpaid taxes; and extending waiting periods."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

July 28, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 989, Printer's No. 1436, entitled "AN ACT authorizing the release of Project 70 restrictions imposed on certain lands owned by the Erie County Authority in return for the imposition of Project 70 restrictions on certain lands owned by the County of Erie and requiring certain easements."

Dick Thornburgh
Governor

COMMUNICATION FROM AUDITOR GENERAL

The SPEAKER. The Chair acknowledges the following communication from the Auditor General, Mr. Benedict. The notification will be submitted for the record.

The following communication was read:

Commonwealth of Pennsylvania
Office of the Auditor General
Harrisburg 17120

September 1, 1983

The Honorable K. Leroy Irvis
Speaker of the House
Commonwealth of Pennsylvania
Room 139 Capitol
Harrisburg, PA 17120

Dear Speaker Irvis:

In accordance with the provisions of Article VIII, Section 7 of the Constitution of the Commonwealth of Pennsylvania and Section 4 of the Capital Facilities Debt Enabling Act as amended, the Auditor General is required on or before each March 1 and September 1 to make a certification to the Governor and the General Assembly.

A duplicate original of my certification is enclosed herewith.

Sincerely,
Al Benedict
Auditor General

Enclosure

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

LEAVES OF ABSENCE GRANTED

The SPEAKER. The Chair is about to take leaves of absence.

The Chair recognizes the gentleman from Philadelphia, Mr. Pievsky. Are there any leaves to be requested?

Mr. PIEVSKY. Yes, Mr. Speaker.

I ask leave for the gentleman from Philadelphia, Mr. O'DONNELL, for today and Tuesday, September 20. Thank you, Mr. Speaker.

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

The Chair recognizes the minority whip on leaves of absence. Does the gentleman have any requests?

Mr. HAYES. Thank you, Mr. Speaker.

I request a leave of absence for the gentleman from Allegheny, Mr. CESSAR, for the week; the gentleman from Montgomery, Mr. CORNELL, for the day; and the gentleman from Montgomery, Mr. NAHILL, for the day.

The SPEAKER. Without objection, the leaves are granted. The Chair hears no objection.

STATEMENT BY SPEAKER

The SPEAKER. The Chair was given a notification by Mr. Craig Truax concerning the opening of a legislative session by the use of prayer. It may come as a shock to some of you, but we do pray to open every session of the House of Representatives. There are people, however, in the land who believe we are in violation of the separation of state and church. Some of those people took their case to the United States Supreme Court, which had the good sense to rule on the 5th day of July of this year that it was a legitimate use of prayer to open a legislative session.

The interesting thing about this, Craig Truax tells us, is that when the Chief Justice, Warren Burger, wrote these words, "From colonial times through the founding of the Republic and ever since, the practice of Legislative prayer has coexisted with the principles of...religious freedom," Pennsylvania had a peculiar interest in this, for the origin of praying to open a legislative session finds its roots in Pennsylvania. It was Benjamin Franklin at the 1787 Constitutional Convention who suggested that prayer be used to open the sessions, and from that point on, until this very day, all sessions of the General Assembly of the Commonwealth of Pennsylvania have been opened with a prayer.

It is also interesting to note, Mr. Truax points out, that Ben Franklin in 1753 procured the great Bible which all of you saw me place my right hand on when I was sworn in as

Speaker a few months ago, and that Bible was used continuously for almost 100 years to open and close the sessions of the General Assembly.

One more point Mr. Truax's research has revealed, and I think it might be wise if we listened to this for the rest of this session. Benjamin Franklin in 1787 got very tired of the wrangling and the fighting and the nit-picking and the fussing and carrying on in the Convention. He was 82 years old and he was tired, and his chief job was to try to keep that convention on an even keel. He said these words: "We are sent here to consult, not to contend...and declarations of a fixed opinion, and of determined resolution, never to change it, neither enlighten nor convince us." End of quote. End of sermon. Welcome back.

MASTER ROLL CALL RECORDED

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

The following roll call was recorded:

PRESENT—197

Afflerbach	Fargo	Lloyd	Ryan
Alderette	Fattah	Lucyk	Rybak
Angstadt	Fee	McCall	Saloom
Armstrong	Fischer	McClatchy	Salvatore
Arty	Flick	McHale	Saurman
Baldwin	Foster, W. W.	McIntyre	Scheetz
Barber	Foster, Jr., A.	McMonagle	Schuler
Battisto	Freeman	McVerry	Semmel
Belardi	Freind	Mackowski	Serafini
Belfanti	Fryer	Madigan	Seventy
Beloff	Gallagher	Maiale	Showers
Blaum	Gallen	Manderino	Sirianni
Book	Gamble	Manmiller	Smith, B.
Bowser	Gannon	Markosek	Smith, L. E.
Boyes	Geist	Marmion	Snyder, D. W.
Brandt	George	Mayermik	Snyder, G. M.
Broujos	Gladeck	Merry	Spencer
Bunt	Godshall	Michlovic	Spitz
Burd	Greenwood	Micozzic	Stairs
Burns	Grieco	Miller	Steighner
Caltagirone	Gruitza	Miscevich	Stevens
Cappabianca	Hagarty	Moehlmann	Stewart
Carn	Haluska	Morris	Stuban
Cawley	Harper	Mowery	Sweet
Cimini	Hasay	Mrkonic	Swift
Civera	Hayes	Murphy	Taylor, E. Z.
Clark	Herman	Noye	Taylor, F. E.
Clymer	Hershey	O'Brien	Telek
Cohen	Hoeffel	Olasz	Tigue
Colafella	Honaman	Oliver	Truman
Cole	Hutchinson	Perzel	Van Horne
Cordisco	Itkin	Peterson	Vroon
Coslett	Jackson	Petrarca	Wachob
Cowell	Jarolin	Petrone	Wambach
Coy	Johnson	Phillips	Wargo
Deluca	Kasunic	Piccola	Wass
DeVerter	Kennedy	Pievsky	Weston
DeWeese	Klingaman	Pistella	Wiggins
Daley	Kosinski	Pitts	Williams
Davies	Kowalshyn	Pott	Wilson
Dawida	Kukovich	Pratt	Wogan
Deal	Lashingner	Preston	Wozniak
Dietz	Laughlin	Punt	Wright, D. R.
Dininni	Lehr	Rappaport	Wright, J. L.
Dombrowski	Lescovitz	Reber	Wright, R. C.
Donatucci	Letterman	Reinard	Zwinkl
Dorr	Levi	Richardson	

Duffy	Levin	Rieger	Irvis,
Durham	Linton	Robbins	Speaker
Evans	Livengood	Rudy	

ADDITIONS—2

Gruppo Trello

NOT VOTING—0

EXCUSED—4

Cessar	Cornell	Nahill	O'Donnell
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WELCOMES

The SPEAKER. The Chair is delighted to welcome to the hall of the House the mother of Representative Robert Freeman; his brother Alan; and his friends, Denise Locaro and Robert McCormack.

The Chair is delighted to welcome to the hall of the House two guests from abroad. They are the guests of Representative Afflerbach. They are two students from Sauerbrucken, Germany, and they are visiting in Allentown. Harry Schwarz is in his 8th year of a 10-year educational program. Markus Neunheuser is in his 9th year of a 10-year educational program. They are both escorted here by Mr. Afflerbach's legislative assistant, Marie Burns.

MEMBERS' PRESENCE RECORDED

The SPEAKER. The gentleman from Northampton, Mr. Gruppo, and the gentleman from Allegheny, Mr. Trello, will be added to the master roll.

REPORTS SUBMITTED

The SPEAKER. The Speaker acknowledges receipt of the following reports, which were submitted pursuant to Act 142 of 1981, the Sunset Act.

The following reports were read:

- A. Report of Senate Labor and Industry Committee on the State Architects Licensure Board
- B. Report of Senate Consumer Protection/Professional Licensure Committee on the State Board of Auctioneer Examiners
- C. Report of Senate Consumer Protection/Professional Licensure Committee on the State Board of Funeral Directors
- D. Report of Senate Consumer Protection/Professional Licensure Committee on the State Registration Board of Professional Engineers

(Copies of reports are on file with the Journal clerk.)

STATEMENT BY MR. CLYMER

The SPEAKER. For what purpose does the gentleman from Bucks, Mr. Clymer, rise?

Mr. CLYMER. Mr. Speaker, I would like to make an announcement about a resolution that I wish to introduce tomorrow.

I wish to remind the members that I will be introducing a resolution regarding the downing of the South Korean airliner by the Soviet Union. That resolution will be introduced tomorrow. For those who wish to cosponsor it today, the resolution will be with the bill clerk so that they have accessibility to it. I will also be asking the Speaker to suspend the rules on Tuesday so that I may introduce this resolution. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

WELCOMES

The SPEAKER. The Chair is delighted to welcome to the hall of the House a former member from Allegheny County, Robert Horgos, who was, I think 3 days ago, selected to run on the Democratic ticket for judge of the court of common pleas of Allegheny County, the vacancy caused by the death of the Speaker's very good friend and former employee, Judge Thomas Harper. We recognize the gentleman, Mr. Horgos.

The Chair also welcomes, as the guest of Representative Jim Williams from Philadelphia, Mr. Curtis Clark.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 96, PN 1688 (Amended)

By Rep. OLIVER

An Act authorizing the Department of General Services, with the approval of the Governor and the Department of Environmental Resources, to convey a tract of land in Lower Yoder Township, Cambria County, acquired pursuant to the Project 70 Land Acquisition and Borrowing Act in exchange for another tract located in the same township.

STATE GOVERNMENT.

HB 128, PN 1689 (Amended)

By Rep. OLIVER

An Act requiring all State-owned vehicles to be converted to operate on natural gas.

STATE GOVERNMENT.

HB 327, PN 1690 (Amended)

By Rep. OLIVER

An Act amending the "Pennsylvania Minority Business Development Authority Act," approved July 22, 1974 (P. L. 598, No. 206), authorizing proxies of legislative and cabinet members to vote on certain matters before the board of directors.

STATE GOVERNMENT.

HB 533, PN 1691 (Amended)

By Rep. TRELLO

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

FINANCE.

HB 536, PN 1692 (Amended)

By Rep. TRELLO

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), providing for an exemption from the utilities' gross receipts tax; and granting certain credits for gross receipts tax payments to other states.

FINANCE.

HB 693, PN 1693 (Amended)

By Rep. TRELLO

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

FINANCE.

HB 724, PN 1694 (Amended)

By Rep. TRELLO

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), providing for an exemption from the utilities gross receipts tax; and exempting moneys received from municipalities from utilities' gross receipts and taxes thereon; and imposing an obligation resulting from the exemption.

FINANCE.

HB 758, PN 845

By Rep. TRELLO

An Act amending the "State Lottery Law," approved August 26, 1971 (P. L. 351, No. 91), providing for repayment of interest on money borrowed from the State Lottery Fund.

FINANCE.

HB 793, PN 1695 (Amended)

By Rep. HUTCHINSON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for suspensions for failure to stop for flashing red signals on school buses and for school bus operators to report violations to appropriate police officers.

TRANSPORTATION.

HB 843, PN 940

By Rep. TRELLO

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), deleting references to insurance in the definition of "purchase price."

FINANCE.

HB 866, PN 976

By Rep. TRELLO

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further providing for maintenance-of-way tax credits.

FINANCE.

HB 868, PN 978

By Rep. TRELLO

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further providing for maintenance-of-way tax credits.

FINANCE.

HB 962, PN 1696 (Amended)

By Rep. FRYER

An Act amending "The Borough Code," approved February 1, 1966 (1965 P. L. 1656, No. 581), further providing for the sale of land to a volunteer fire company volunteer ambulance service or volunteer rescue squad located within the borough.

LOCAL GOVERNMENT.

HB 1154, PN 1335

By Rep. McMONAGLE

An Act amending "The Dental Law," approved May 1, 1933 (P. L. 216, No. 76), further defining the practice of dentistry.

PROFESSIONAL LICENSURE.

HB 1155, PN 1336

By Rep. HUTCHINSON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for issuance of detachable anatomical donor symbols on drivers' licenses.

TRANSPORTATION.

HB 1156, PN 1697 (Amended)

By Rep. FRYER

An Act amending the act of June 21, 1939 (P. L. 626, No. 294), referred to as the "Second Class County Assessment Law," providing for the right to appeal before the board for persons suffering catastrophic loss to their property.

LOCAL GOVERNMENT.

HB 1175, PN 1363

By Rep. TRELLO

An Act amending "The Local Tax Enabling Act," approved December 31, 1965 (P. L. 1257, No. 511), excluding from the authority to levy realty transfer taxes transfers between brothers and sisters or their spouses.

FINANCE.

HB 1185, PN 1372

By Rep. FRYER

An Act amending the "Volunteer Firemen's Relief Association Act," approved June 11, 1968 (P. L. 149, No. 84) providing for coverage to paid firemen when acting as volunteer firemen during off-duty hours.

LOCAL GOVERNMENT.

HB 1194, PN 1698 (Amended)

By Rep. TRELLO

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," further providing for the powers and duties of the Department of Transportation.

FINANCE.

HB 1208, PN 1413

By Rep. TRELLO

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

FINANCE.

HB 1229, PN 1699 (Amended)

By Rep. FRYER

An Act amending the Surface Mining Conservation and Reclamation Act, approved May 31, 1945 (P. L. 1198, No. 418), exempting municipalities from the bond requirement relating to the operation of gravel pits.

LOCAL GOVERNMENT.

HB 1241, PN 1700 (Amended)

By Rep. LAUGHLIN

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for the ownership and maintenance of gas service lines.

CONSUMER AFFAIRS.

HB 1244, PN 1701 (Amended)

By Rep. HUTCHINSON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, prohibiting certain sun screening devices on windshields and windows of motor vehicles.

TRANSPORTATION.

HB 1289, PN 1702 (Amended)

By Rep. LAUGHLIN

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

CONSUMER AFFAIRS.

HB 1310, PN 1703 (Amended)

By Rep. TRELLO

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

FINANCE.

HB 1342, PN 1608

By Rep. FRYER

An Act amending the "County Pension Law," approved August 31, 1971 (P. L. 398, No. 96), providing that counties may make pickup contributions to the county employees' retirement system on behalf of county employees.

LOCAL GOVERNMENT.

SB 200, PN 1198 (Amended)

By Rep. GEORGE

An Act amending the act of July 31, 1968 (P. L. 805, No. 247), entitled, as amended, "Pennsylvania Municipalities Planning Code," further providing for the supply of water.

CONSERVATION.

SB 280, PN 299

By Rep. FRYER

An Act amending the act of August 9, 1955 (P. L. 323, No. 130), entitled "The County Code," further providing penalties for the damage to or theft of grave markers and flag holders.

LOCAL GOVERNMENT.

SB 503, PN 550

By Rep. FRYER

An Act amending the act of May 22, 1933 (P. L. 853, No. 155), entitled "The General County Assessment Law," further providing for assessments when sewer connection bans are imposed.

LOCAL GOVERNMENT.

SB 504, PN 551

By Rep. FRYER

An Act amending the act of May 21, 1943 (P. L. 571, No. 254), entitled, as amended, "The Fourth to Eighth Class County Assessment Law," further providing for assessments when sewer connection bans are imposed.

LOCAL GOVERNMENT.

SB 506, PN 553

By Rep. FRYER

An Act amending the act of June 21, 1939 (P. L. 626, No. 294), entitled "Second Class County Assessment Law," further providing for assessments when sewer bans are imposed.

LOCAL GOVERNMENT.

SB 526, PN 1199 (Amended)

By Rep. OLIVER

An Act authorizing the Adams-Croyle Recreation Authority to convey to the United States of America, by and through the National Park Service, United States Department of the Interior, five tracts of land situated in Cambria County and acquired in part with Project 70 funds.

STATE GOVERNMENT.

SB 632, PN 1200 (Amended)

By Rep. OLIVER

An Act amending the act of August 31, 1955 (P. L. 531, No. 131), entitled "Pennsylvania Athletic Code," regulating kick boxing; further regulating amateur boxing; establishing a State boxing register; providing for medical training seminars; requiring certain emergency medical equipment to be at situs of certain events; further providing for suspension; further defining referee's role in boxing contest; prohibiting tough guy contests or battle of the brawlers contests; and providing a penalty.

STATE GOVERNMENT.

SB 867, PN 1021

By Rep. GEORGE

An Act designating Octoraro Creek in Lancaster and Chester Counties, as a component of the Pennsylvania Scenic Rivers System; requiring cooperation and coordination by State agencies in implementing the purposes of the Pennsylvania Scenic Rivers Act; limiting liability; and authorizing the expenditure of moneys to further the purposes of this act.

CONSERVATION.

**BILLS REPORTED AND REREFERRED TO
COMMITTEE ON CONSUMER AFFAIRS****HB 3, PN 9**

By Rep. HUTCHINSON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for child passenger restraints and penalties.

TRANSPORTATION.

HB 927, PN 1065

By Rep. HUTCHINSON

An Act relating to the motor vehicle warranties, providing for the timely repair of defective vehicles and for legal remedies for vehicle purchasers.

TRANSPORTATION.

**BILLS REPORTED AND REREFERRED TO
COMMITTEE ON LOCAL GOVERNMENT****HB 632, PN 700**

By Rep. TRELLO

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further providing for the disposition of taxes paid by foreign fire insurance companies.

FINANCE.

HB 633, PN 701

By Rep. TRELLO

An Act amending the act of June 27, 1947 (P. L. 1046, No. 447), referred to as the "State Tax Equalization Board Law," further providing for the powers and duties of the board.

FINANCE.

ADDITIONS OF SPONSORS

The SPEAKER. The Chair recognizes the gentleman from Mifflin, Mr. DeVerter.

Mr. DeVERTER. Mr. Speaker, all I wondered, unless the prime sponsor would have an objection and/or any member, was whether all of the members of the House could be added to Mr. Clymer's resolution in support of the atrocity of the shooting down of the KL (Korean Lines) Flight 7 airliner.

The SPEAKER. The gentleman's request is well taken. It had occurred to the Speaker that there would be no one who would object to having his or her name affixed to the gentleman, Mr. Clymer's resolution. If there be anyone who has an objection, if you will inform the Speaker privately. If you have an objection to having your name affixed to Mr. Clymer's resolution of condemnation of the shooting down of the 007 air flight, Korean Air Lines, let the Speaker know privately and your name will be omitted. If the Speaker has not been informed by anyone by this time tomorrow, the Speaker will order the names of all present members of the House of Representatives affixed to Mr. Clymer's resolution. Is that clear?

Does the gentleman, Mr. Clymer, have any objection to that? You have no objection to that. Fine. Thank you, sir.

ANNOUNCEMENTS BY MR. TRELLO

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

Mr. TRELLO. Mr. Speaker, I would like to make two announcements, if I may.

The first announcement I would like to make is that the annual Democratic and Republican softball game took place in Allegheny County at 2 o'clock yesterday afternoon, and as usual, the Democrats won 10 to 1.

The second announcement I would like to make is that upon the call of the recess today, the House Finance Committee will meet in room 401.

The SPEAKER. The Chair thanks the gentleman.

FILMING PERMISSION GRANTED

The SPEAKER. Without objection, the Chair gives permission to MacKenzie Carpenter from public television to film for 10 minutes on the floor of the House.

STATEMENT BY MR. RYBAK

The SPEAKER. The gentleman from Northampton, Mr. Rybak, is recognized.

Mr. RYBAK. Thank you, Mr. Speaker.

I request unanimous consent to make a statement and a personal announcement.

The SPEAKER. Without objection, unanimous consent is granted. The Chair hears no objection. The gentleman may proceed.

Mr. RYBAK. Mr. Speaker, the members of the Rybak family and I have experienced a tragic event recently, the passing of my brother, Peter Rybak, age 60, a lawyer, a good husband, and a loving father of 11 children. It hurts. His struggles are over, his pains are over, and the Rybaks are addressing themselves to the welfare of the children that he left behind. That hurt and that pain has been minimized by the many kindnesses and courtesies of sympathy and condolences extended by this House and the floral bouquet by the House of Representatives. I want to thank you, all of you, from the bottom of my heart. Thank you.

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

STATEMENT BY MR. R. C. WRIGHT

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

Mr. R. C. WRIGHT. Thank you, Mr. Speaker.

Mr. Speaker, I would like to announce that today I will be introducing a bill to repeal Act 75, the so-called Welfare Reform Act. I feel it is clear that this act just has not worked. It has done nothing more than aggravate the unemployment situation here in the Commonwealth of Pennsylvania. So far we have not been able to get any relief from the courts, even though I am hopeful that eventually the courts will overturn this act.

Winter is coming up, and I feel that things will become more serious. Under the current law, the so-called able-bodied between the ages of 18 and 45 can only receive assistance 3 months out of the year, which means 9 months out of the year they have nothing. I would like to point out that even though bears can hibernate through the winter, people cannot hibernate through the winter, and it is therefore necessary for us to do something. I welcome all cosponsors from both sides of the aisle to sign this bill which I intend to introduce today. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair invites the gentleman to submit that bill to the Speaker so that his name may be added to the gentleman's bill.

FILMING PERMISSION GRANTED

The SPEAKER. The Chair has granted Eric Goldenberg of WPVI-TV 10 minutes for video taping on the floor of the House.

STATEMENT BY MR. RICHARDSON

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

Mr. RICHARDSON. Mr. Speaker, I would also like to have unanimous consent to address the House on this same issue.

The SPEAKER. Without objection, and the Chair hears no objection, unanimous consent is granted to the gentleman, Mr. Richardson.

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

I would like to inform the House that I am standing with my friend and colleague, Representative Wright, and other colleagues of this House of Representatives because I feel there is no longer a doubt that the welfare reform law, which I have called Thornfare from the very beginning, must be taken off the books.

This law, which has already been addressed by Mr. Wright—and I will not go through the long details of clearly outlining the unfair economic disaster perpetrated by the callous, insensitive, and coldblooded people who sit on the second floor of this building—is unacceptable at any period, because it ignores the basic rights of the citizens of this State.

The Pennsylvania Constitution declares that all citizens are born equal, free, and independent, and have certain rights, including enjoying and defending life and liberty, of acquiring, possessing, and protecting property and reputation, and of pursuing their own happiness. Thornfare, by throwing some 100,000 people out on the streets, denies them the right to eat, to have a home, and to clothe themselves. I will not even mention the pursuit of happiness. That might be too much to ask.

The courts have recognized that the legislature was wrong in adopting this so-called welfare reform bill at first. The Third Circuit Court of Pennsylvania overturned that, and presently, it is now in the Supreme Court. They have not been able to agree on other legal issues as of yet, but I do not think that we can wait for the courts to undo the damage that we have done within this building. It is time that the legislature must recognize the human tragedy of Thornfare and adopt a measure which will prevent needless misery over the coming months.

I think many of my colleagues in this House of Representatives will agree that they were grossly misled by the term "welfare reform." Welfare reform sounds good. It sounds progressive; it sounds positive and all the other things we as elected officials like to tell our voters that we stand for. Well, I think we know now that welfare reform stands for human suffering, and I do not think any of us want to come out in favor of that.

I also want to point out at this time that public assistance is not just a black people's problem or program. According to the department's own statistics, 46.7 percent of the recipients are black. That is less than half. So let us not let racism confuse this issue. People of all skin colors are hungry. They are without shelter, and they are without futures, without food. We cannot ignore this fact any longer. There are too many of us in this House under the impression that the majority of those on welfare in this Commonwealth are black. Once and for all, it must be stopped, and the truth must be told, so that we will not have the press and other persons thinking that it is a black problem.

I am not going to stand here and recite all of the other problems that are wrong with Thornfare, because we would be here all day, and you have heard them before. But I do want to say this, that the sham of community work experience only

leads people to spend 2 months, at the most, at make-work positions for a marginal income, and leaves them with no future because there is no real job.

The law does not deal with the individual needs or potentials of the people. The jobs people could do are the jobs that are not available today, and I just use as an example the newspaper that has been told to us on occasion, the Philadelphia Inquirer, dated just this past Sunday, that here in this newspaper on just one page—and we have gone through the whole paper of the want ads—that there are only two jobs that are available for the unskilled, which means that it is a lie to constantly tell people that there are plenty of jobs that exist within this Commonwealth without realizing the fact that there are no jobs and that people are suffering on a daily basis.

The bottom line is that people need income and people need jobs. If we are sincere about the efforts of truly working for those people within this Commonwealth, all citizens of this Commonwealth, then we have to also deal with its poor people.

I will not listen any longer to anyone who tries to tell me that people do not want to work. I will not listen any longer to those persons who are sitting around telling us that we have people on welfare who are lazy, shiftless, and tired and do not want to work, because that is not the majority; it is a small few and they are always categorized as if they were the majority. They just do not want to be on the public dole, and why would anyone rather collect \$172 a month rather than a living wage?

What we are working on today is a proposal, Mr. Speaker, which would create those jobs for public assistance recipients and would keep them working at the prevailing or minimum wage. This idea has been developed by the public assistance recipients themselves and should receive careful attention by this legislature.

In conclusion I want to say this, that we want to recognize the people who have been courageous enough to come to this Capitol to share in Harrisburg and demand action of this General Assembly, and as a body we have not done much to deserve their confidence. It seems to me that the least we can do is bend a little bit within our own hearts, with human compassion and concern, and recognize that the bottom line is jobs or income, and the bottom line is food, clothing, and shelter.

There is no Representative sitting in this House of Representatives who would allow his mother, his brother, his father, his daughter, his cousin, his uncle, his aunt, or anybody to go hungry within their household, within their family, and we do not want the same thing to happen to the poor people of this Commonwealth of Pennsylvania.

I say that if we are responsible young people, adults, community-minded persons and legislators—as we have been elected by the people to be—we would say that government has not acted responsibly in this matter and we would do whatever is necessary to make sure that we repeal Act 75. We are calling on you to bend in your own hearts and have a little

sympathy for those who are less fortunate and those who are oppressed.

The government in Pennsylvania should be ashamed today that we even have to stand here and discuss this issue. And as the bill receives its sponsorships—and we are asking for you to sign onto the bill—there are those who have come from all over this Commonwealth to show their anger in a coalition effort of black people, white people, Hispanic people, persons who belong to the Catholic Church Conference here in this State, those who belong to the AFL-CIO, and their main unions are in support of this, the United Steelworkers. It seems to me that if we are responsible, we should take some action immediately on this matter. I thank you very much for the time, Mr. Speaker.

ARTICLE SUBMITTED FOR THE RECORD

Mr. RICHARDSON. Mr. Speaker, there is an article that I would like to have submitted with my remarks. It deals with welfare, cutting off swelling Philadelphia's homeless.

The SPEAKER. If the gentleman will submit his printed material to the clerk, it will be printed in the record.

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

Mr. RICHARDSON submitted the following article for the Legislative Journal:

Welfare Cutoff Swelling Philadelphia's Homeless

PHILADELPHIA, Sept. 17—Willie is one of the defeated.

As dusk fell on the city and falling temperatures gave the first chill warning of another approaching winter, he sat on a bench on Independence Mall looking vaguely in the direction of the graceful spire over Independence Hall where the Liberty Bell once rang.

But for 32-year-old Willie, sitting on the bench that would be his bed overnight, as for Bernard Richards, 28, Jerome Dargan, 35, and Victor Czukoski, 41, liberty seemed a meaningless word. What they needed now, they said, was shelter and hope.

This week a Federal appeals court rejected a plea by lawyers battling a 1982 state law that removed 68,000 people from welfare rolls. Nearly half those removed are in Philadelphia.

And homeless people like Willie and some of the people who try to help them make a direct connection between the difficulty of getting regular welfare aid and the surge in the numbers of homeless people.

A Fear of What's Ahead

"I'm afraid," said Stephen Gold, a lawyer for the former welfare clients, "some of them are going to have to die before we can get people's attention."

Aimed at reducing pressures on the budget and taxpayers of a state that Gov. Dick Thornburgh said had become a welfare haven, the state's latest welfare law has saved an estimated \$89 million a year. Part of the money has been used to increase benefits to those the Governor described as "the truly needy," principally families with dependent children.

The law, passed last year, amended the state's Public Welfare Code, enacted in 1967. It divided recipients of state general assistance payments, generally receiving \$172 a month, into two classes. Those over 45 years old or under 18 were classed as chronically needy and can receive year-round assistance. Those 18 to 45 years old are classed as transitionally needy and can normally qualify for welfare payments for no more than three

months a year, though under some circumstances they can be reclassified as chronically needy.

Those circumstances include a record of employment for 48 months out of the last eight years, severe physical or mental handicaps or the necessity to care for someone at home.

A further appeal of the law is planned before the Supreme Court, but that will require a year or more.

For Willie, who declined to give his full name, that means more waiting. He does not qualify for welfare under the new law's standards.

For Mr. Richards, there was still a hard sidewalk, for Mr. Czukoski a plastic sheet on the lawn behind the Cathedral of Saints Peter and Paul and for Mr. Dargan nights on the cold marble between columns fronting the old Curtis Building.

For others among the city's homeless encountered here this week there are gratings over sidewalk steam vents such as one where a young woman, who declined to give her name, lay curled for warmth the other night.

"It's terrible to have to turn them away," said Sister Kathleen Schneider, who runs a shelter for homeless women, "especially the young women who are pregnant and homeless. It's horrible to wonder what will happen to them this winter. And this winter, I'm afraid, there won't be enough of those steam vents for everybody."

"We had to make a hard choice," said Sister Kathleen of the Sisters of Mercy, administrator of the Mercy Hospice, a shelter with beds for 28 women and about 15 children. "If we opened up to the welfare people, we would have a permanent population. We could no longer provide temporary shelter for abused women and others we need to serve."

"The saddest thing," she said, "is the people who fall through the cracks. A lot of them are simply unemployable."

In its action on the welfare law earlier this week, the United States Court of Appeals for the Third Circuit rejected a petition for a new hearing by the full court on a suit filed on behalf of welfare clients. A three-judge panel of the same court had already reversed a Federal District Court ruling here that held the law unconstitutional.

A district court judge held the age distinction unconstitutional. In overruling him, the appellate panel made it clear it acted grudgingly, noting that "in the case of one plaintiff there was a possibility that she would be forced out on the street for the entire last trimester of her pregnancy" and that many of those cut off were among the least employable. But it said, "Nowhere does the Constitution explicitly guarantee the right to receive welfare."

The welfare cutoffs and a combination of national and state economic problems have swelled the numbers of people evicted from their homes and have increased the pressures on both public and private agencies, according to their officials.

'Overwhelmed' by New Demands

Many of those agencies, accustomed to dealing with "street people," many of them elderly, many mentally disabled, many hunched between shopping bags containing all their possessions, say they now find increasing numbers of young people and the early middle-aged seeking their services.

Saying the city had been "overwhelmed" by new demands, Daniel Stone, director of the adult services division of Philadelphia's Welfare Department, added, "We could not possibly make up the difference in a program that has been cut by \$89 million." But he said his agency had never been forced "into a position to turn people away."

About 20 percent of those provided food and shelter in July were people who had been cut from state welfare rolls, Mr. Stone said.

The city provides about 500 beds for the poor in three different shelters, he said, and others are placed in private boarding homes. He said those still left on the streets were people who

either were unaware of facilities available through the city and private missions or those who have been unable to adapt to placement in shelters. Many, he contended, are alcoholics and addicts whom the private boarding homes would refuse to accept.

For Many, It's a First

But "a lot of these are people out on the streets for the first time," said Jane Malone, director of a year-old organization called the Philadelphia Committee for the Homeless.

"They are confused and they are afraid," she said on one of her group's nightly tours of city streets, distributing sandwiches among the hungry and homeless. "They call them able-bodied, but many of them are people who are unable to find or keep a job, often for personal or psychiatric reasons."

"Now we're seeing a lot more of the younger people, the people the state calls the transitionally needy," said Richard Feldman, who runs the Drop-In Center, a shelter with 60 beds operated under a contract with the city by the Diagnostic and Rehabilitation Center, a private agency established to deal with drug and alcohol addicts.

"Normally, the demand seems to drop in the summer, but there's been no relief for us this summer," said Irving Shandler, the organization's president.

"Even at our food cupboards we're getting the younger people, and that's clearly the result of the cutoffs," said Ann Ayella, who directs a food program for the Catholic Archdiocese of Philadelphia, which operates 35 such food distribution centers.

Mrs. Ayella has counted 150 food aid centers in the city, generally run by churches, but she said "I still don't think all the needs are being met."

The dispossessed include a throng that crowded an alley the other day beside St. John's Hospice, a shelter that offers 65 beds and serves meals to all comers. A steady trooping from the street kept the alley full.

"Where do I live?" said Bernard Richards, still chewing as he emerged from the front door of the brick townhouse. "There." He nodded toward the street. A prison term on an assault charge stemming from a domestic quarrel, he said, had added an obstacle to his job hunting.

"It's a Catch-22 situation," said Mr. Czukoski as he worked on a crossword puzzle under a street lamp, hunched over a bag containing his possessions. Since losing his last job as a custodian after a drinking spree, he said, he had been unable to find another and unable to get welfare aid.

"You can't get welfare without an address," he said, "and you can't get an address without money."

"I've been looking at some job ads," he continued. "But how can you get a job looking like this?" He looked down at grimy trousers and scuffed shoes.

"But I don't go hungry," he said. "There's plenty in the trashcans, if you get to them first."

LOCAL GOVERNMENT COMMITTEE MEETING

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

Mr. FRYER. Mr. Speaker, a reminder to members of the Local Government Committee. There will be a meeting tomorrow at 10 o'clock of the Local Government Committee in the majority caucus room. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

STATEMENT BY MR. KUKOVICH

The SPEAKER. For what purpose does the gentleman from Westmoreland, Mr. Kukovich, rise?

Mr. KUKOVICH. Mr. Speaker, unanimous consent to make a brief statement.

The SPEAKER. Without objection, unanimous consent is granted, and the Chair hears no objection. The gentleman may proceed.

Mr. KUKOVICH. Mr. Speaker, I am sure that the members are not excited about hearing about a bill that would repeal Act 75 on their first day back. I would just like to bring it to the members' notice and attention that this is not an issue that will go away; that it is not a racial issue; that it is an issue that I think during this spring and summer, since the inception of this bill, has worked the hardships that a lot of us debated it would work. I just want the members to know that—and I heard somewhat of a groan whenever Representative Wright mentioned it—it is something that we are going to have to address, something that will not go away.

I am just asking the members that over the course of the next few weeks or next few months that they keep their minds open, that they be willing to listen to the valid arguments as to why Act 75 should be repealed and try to do so without worrying about the political perceptions, because I think in my district and a lot of districts those perceptions are turning around. I would just plead with the members to keep an open mind until we can get a vote on this bill. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1022**, **PN 1179**, entitled:

An Act to establish the Pennsylvania Program for Recovery, Investment, Development and Education, known as Penn-PRIDE; imposing an emergency surcharge tax on personal incomes; and making appropriations.

On the question,

Will the House agree to the bill on third consideration?

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader. Mr. MANDERINO. Mr. Speaker, I move that **HB 1022**, **PN 1179**, be placed upon the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

* * *

The House proceeded to third consideration of **HB 1255**, **PN 1859**, entitled:

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further defining terms to extend the provisions of the tax; removing exclusions; taxing amusements; changing filing dates; reducing the discount; further providing for the payment of personal income tax on Pennsylvania State Lottery winnings; restricting certain deductions for corporate taxes; providing for a minimum capital stock franchise tax; increasing the rate of cigarette tax; and providing for the imposition and collection of an oil and gas severance tax.

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

BILL TABLED

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

Mr. McCLATCHY. Mr. Speaker, I move that HB 1255, PN 1859, be placed upon the table.

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

* * *

The House proceeded to third consideration of **SB 279, PN 1071**, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225, No. 316), entitled "The Game Law," further providing for applications and permits for menageries; further providing for permits to deal in and possess wildlife; and providing for refunds of certain fees.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader. Mr. MANDERINO. Mr. Speaker, I move that SB 279, PN 1071, be placed upon the table.

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

* * *

The House proceeded to third consideration of **SB 473, PN 876**, 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,
Will the House agree to the bill on third consideration?

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader. Mr. MANDERINO. Mr. Speaker, I move that SB 473, PN 876, be placed upon the table.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. MANDERINO. Mr. Speaker, I move that SB 473, PN 876, be lifted from the table and placed on the active calendar.

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

* * *

The House proceeded to third consideration of **SB 206, PN 980**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, permitting the use and possession of blackjacks by police officers, sheriffs and deputy sheriffs.

On the question,
Will the House agree to the bill on third consideration?
Mr. PICCOLA offered the following amendments No. A1894:

Amend Title, page 1, line 3, by removing period after "SHERIFFS" and inserting
; and further providing for institutional vandalism.

Amend Bill, page 2, by inserting between lines 8 and 9
Section 2. Section 3307 of Title 18 is amended to read:
§ 3307. Institutional vandalism.

(a) Offenses defined.—A person commits the offense of institutional vandalism if he knowingly desecrates, as defined in section 5509 (relating to desecration of venerated objects), vandalizes, defaces or otherwise damages:

- (1) any church, synagogue or other facility or place used for religious worship or other religious purposes;
- (2) any cemetery, mortuary or other facility used for the purpose of burial or memorializing the dead;
- (3) any school, educational facility [or], community center or juvenile detention center;
- (4) the grounds adjacent to and owned or occupied by any facility set forth in paragraph (1), (2) or (3); or
- (5) any personal property located in any facility set forth in paragraph (1), (2) or (3).

(b) Grading.—An offense under this section is a felony of the third degree if the actor causes pecuniary loss in excess of \$5,000. Pecuniary loss includes the cost of repair or replacement of the property affected. Otherwise, institutional vandalism is a misdemeanor of the second degree.

Amend Sec. 2, page 2, line 9, by striking out "2" and inserting

3

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

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

Mr. PICCOLA. Thank you, Mr. Speaker.

SB 206 amends the Crimes Code of Pennsylvania, and the members may recall that during the last session we adopted an amendment to the Crimes Code which was commonly known

as institutional vandalism, establishing certain offenses for institutional vandalism. Specifically, we authorized increased penalties when individuals committed vandalism in schools, educational facilities, and community centers. This amendment would amend the institutional vandalism act to include, in the institutions covered by the act, juvenile detention centers. The effect of this amendment would raise the act of vandalism committed within a juvenile detention center from a summary offense to a misdemeanor or a felony.

The reason for this amendment is that a summary offense charged against someone who is being held in a detention center is virtually no deterrent at all, because they are already charged with an offense for which they may be adjudicated delinquent. The summary offense is usually left and never prosecuted at all. Therefore, I am suggesting that as a way of maintaining order within juvenile detention centers within the Commonwealth of Pennsylvania, we include within the institutional vandalism section of the Crimes Code the institution of juvenile detention centers.

The SPEAKER. The Chair thanks the gentleman.

For what purpose does the gentleman from Philadelphia, Mr. Richardson, rise?

Mr. RICHARDSON. I would like to have a few moments to interrogate the prime sponsor of this amendment.

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

Mr. RICHARDSON. Could you give us the reason again for the purpose of offering the "or juvenile detention centers" amendment to this bill?

Mr. PICCOLA. As I said, Mr. Speaker, the current law provides that vandalism is merely a summary offense, and anyone who commits the crime of vandalism within a juvenile detention center is already charged with probably a very serious offense, and an additional charge of a summary offense is absolutely meaningless to that individual. Therefore, as a deterrent to prevent people from committing vandalism while being held in a juvenile detention center, this would include juvenile detention centers within the act that we passed last session known as institutional vandalism.

Mr. RICHARDSON. Does this mean that if a juvenile who is already in a detention center facility vandalizes it while he or she is in the institution, this law would apply to them inside the institution already, not someone who comes from the outside and does it?

Mr. PICCOLA. It would apply to anyone who commits vandalism to a juvenile detention center, but more than likely, it would apply to someone already incarcerated there.

Mr. RICHARDSON. That is my point. In other words, if they are incarcerated and they commit damage, then you are saying that this law would apply. You are saying those persons who are already incarcerated. What about the person who is not incarcerated but is outside and then gets arrested for this? Would this law also be applicable to that person, too? That is what I am trying to get to.

Mr. PICCOLA. Yes. It would apply to anyone who commits vandalism to a juvenile detention center, which is a public institution.

Mr. RICHARDSON. Okay. Well, there is a difference between that person who is already arrested and inside the institution, because they have already been charged. You are saying that this will be an additional charge added on to them if in fact they do something to damage property inside the institution while they are there, and that is what I am trying to get at.

Mr. PICCOLA. Yes, and the reason is, Mr. Speaker, that the person inside the institution already detained already has pending charges against him, and probably very serious charges. It is no deterrent to that person to be charged with a summary offense, and as a matter of fact, the summary offense is usually never prosecuted anyway because the person never appears for the hearing. This would raise that charge to the level of a misdemeanor so that it could be included in the more serious offenses and could be considered by the juvenile courts.

Mr. RICHARDSON. What does the Crimes Code say now to an adult who may in fact cause damage inside an institution in which they are presently incarcerated within the Commonwealth of Pennsylvania?

Mr. PICCOLA. I am sorry, Mr. Speaker. You will have to repeat the question. I did not hear you.

Mr. RICHARDSON. Somebody interrupted you while I was talking.

My question was specifically, what happens to an adult in this Commonwealth who is already arrested and is inside an institution and who may cause some State property damage to an institution of this Commonwealth while incarcerated? Will this same law apply to those persons also?

Mr. PICCOLA. Are you talking about an adult, Mr. Speaker?

Mr. RICHARDSON. Yes; that is what I said, an adult.

Mr. PICCOLA. Okay. It occurred to me to include county and State prisons in this amendment, but I decided not to, because the stay in county and State prisons is usually quite a bit longer than it is in juvenile detention centers, and there are quite a number of administrative rules and regulations and sanctions that can be applied to individuals who commit offenses within those kinds of institutions, and I felt that it was not necessary to include county and State prisons in this institutional vandalism act.

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

Mr. Speaker, I would like to now address the amendment.

The SPEAKER. The Chair recognizes the gentleman. The gentleman may speak on the amendment.

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

Mr. Speaker, I oppose the amendment. I tried to find out specifically from the gentleman whether or not this amendment would deal with those persons who are already incarcerated inside the institution as opposed to the person who is necessarily committing a crime against the juvenile detention center. He indicated that it would include both. I do not think by definition of this particular amendment that it includes both those who are incarcerated and those who are not. It just says that "...any school, educational facility or,"—and that

was taken out—"community center or juvenile detention center;"—and I note underlined "or juvenile detention center."

We already have youth being locked up and put into these juvenile detention centers for acting that way in the first place. If there is a defacing of property while inside that institution, it seems to me that the responsible parties, meaning those who are hired to work in there to make sure that young people do not do those kinds of things by giving them programs, maybe we need to be talking about more educational programs to deal with that problem or deal with our juvenile detention facilities in the same manner that we have dealt with them in the past - by creating and developing programs, educational programs, work incentive programs, that would in fact address the real need of those youngsters as opposed to just putting them in a cell and locking the door. In most of these juvenile facilities already, if they push up against a door, that is going to be damaged property. If they drop a plate on the floor and it breaks, that is going to be damage to the property of the juvenile detention center.

It is not clear to me exactly what the Representative is going after, and it does not speak to the heart of all of this bill, which deals with blackjacks anyway. I am opposed to the amendment and I am opposed to the bill.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—179

Afflerbach	Fargo	Lloyd	Robbins
Alderette	Fee	Lucyk	Rudy
Angstadt	Fischer	McCall	Ryan
Armstrong	Flick	McClatchy	Rybak
Arty	Foster, W. W.	McHale	Saloom
Baldwin	Foster, Jr., A.	McIntyre	Salvatore
Battisto	Freind	McMonagle	Saurman
Belardi	Fryer	McVerry	Scheetz
Belfanti	Gallagher	Mackowski	Schuler
Beloff	Gallen	Madigan	Semmel
Blaum	Gamble	Majale	Serafini
Book	Gannon	Manderino	Seventy
Bowser	Geist	Manmiller	Showers
Boyes	George	Markosek	Sirianni
Brandt	Gladeck	Marmion	Smith, B.
Broujos	Godshaff	Mayernik	Smith, L. E.
Bunt	Greenwood	Merry	Snyder, D. W.
Burd	Grieco	Michlovic	Snyder, G. M.
Burns	Gruiza	Micozzie	Spencer
Caltagirone	Gruppo	Miller	Spitz
Cappabianca	Hagarty	Miscevich	Stairs
Cawley	Haluska	Moehlmann	Steighner
Cimini	Hasay	Morris	Stevens
Civera	Hayes	Mowery	Stewart
Clark	Herman	Mrkonic	Stuban
Clymer	Hershey	Murphy	Sweet
Cohen	Hoeffel	Noye	Swift
Colafrella	Honaman	O'Brien	Taylor, E. Z.
Cole	Hutchinson	Olasz	Taylor, F. E.
Cordisco	Itkin	Perzel	Telek
Coslett	Jackson	Peterson	Tigue
Cowell	Jarolin	Petrarca	Van Horne
Coy	Johnson	Petrone	Vroon
DeLuca	Kasunic	Phillips	Wambach
DeVertter	Kennedy	Piccola	Wargo
Daley	Klingaman	Pievsky	Wass

Davies	Kosinski	Pistella	Weston
Dawida	Kowalshyn	Pitts	Wilson
Dietz	Lashinger	Pott	Wogan
Dininni	Laughlin	Pratt	Wozniak
Dombrowski	Lehr	Preston	Wright, D. R.
Donatucci	Lescovitz	Punt	Wright, J. L.
Dorr	Letterman	Rappaport	Wright, R. C.
Duffy	Levi	Reinard	Zwinkl
Durham	Livengood	Rieger	

NAYS—18

Barber	Fattah	Linton	Wachob
Carn	Freeman	Oliver	Wiggins
DeWeese	Harper	Reber	
Deal	Kukovich	Richardson	Irvis,
Evans	Levin	Truman	Speaker

NOT VOTING—2

Trello	Williams
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EXCUSED—4

Cessar	Cornell	Nahill	O'Donnell
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The question was determined in the affirmative, and the amendments were agreed to.

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

Mr. CLARK offered the following amendments No. A1623:

Amend Title, page 1, line 3, by inserting after "by" certain

Amend Sec. 1 (Sec. 908), page 2, by inserting between lines 8 and 9

(5) Police officers employed by the Commonwealth who have satisfactorily met the requirements of the act of June 18, 1974 (P.L.359, No.120), referred to as the Municipal Police Education and Training Law.

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

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

Mr. CLARK. My amendment merely extends the provisions of the bill to cover the Capitol Police officers employed here in the Capitol. I would emphasize that it is only the police officers and not the security officers who would be empowered. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question, will the House adopt the Clark amendment, the Chair recognizes the gentleman from Dauphin, Mr. Piccola.

Mr. PICCOLA. Mr. Speaker, would the gentleman yield to interrogation?

The SPEAKER. The gentleman, Mr. Clark, indicates he will stand for interrogation. The gentleman, Mr. Piccola, is in order and may now proceed.

Mr. PICCOLA. Is it my understanding, Mr. Speaker, that it is the intention of your amendment only to cover the Capitol Police?

Mr. CLARK. Yes.

Mr. PICCOLA. Okay. Thank you.
The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—182

Afflerbach	Fischer	Lucyk	Robbins
Alderette	Flick	McCall	Rudy
Angstadt	Foster, W. W.	McClatchy	Ryan
Armstrong	Foster, Jr., A.	McHale	Rybak
Arty	Freeman	McIntyre	Saloom
Baldwin	Freind	McMonagle	Salvatore
Battisto	Fryer	McVerry	Saurman
Belardi	Gallagher	Mackowski	Scheetz
Belfanti	Gallen	Madigan	Schuler
Blaum	Gamble	Maiale	Semmel
Book	Gannon	Manderino	Serafini
Bowser	Geist	Manmiller	Seventy
Boyes	George	Markosek	Showers
Brandt	Gladeck	Marmion	Sirianni
Broujos	Godshall	Mayernik	Smith, B.
Bunt	Greenwood	Merry	Smith, L. E.
Burd	Grieco	Michlovic	Snyder, D. W.
Burns	Gruitza	Micozzie	Snyder, G. M.
Caltagirone	Gruppo	Miller	Spencer
Cappabianca	Hagarty	Miscevich	Spitz
Cawley	Haluska	Moehlmann	Stairs
Cimini	Hasay	Morris	Steighner
Civera	Hayes	Mowery	Stevens
Clark	Herman	Mrkonic	Stewart
Clymer	Hershey	Murphy	Stuban
Cohen	Hoeffel	Noye	Sweet
Colafiglia	Honaman	O'Brien	Swift
Cole	Hutchinson	Olasz	Taylor, E. Z.
Cordisco	Itkin	Olivcr	Taylor, F. E.
Coslett	Jackson	Perzel	Telek
Cowell	Jaroin	Peterson	Tigue
Coy	Johnson	Petrarca	Trello
Deluca	Kasunic	Petrone	Van Horne
DeVerter	Kennedy	Phillips	Vroon
Daley	Klingaman	Piccola	Wachob
Davies	Kosinski	Pievsky	Wambach
Dawida	Kowalshyn	Pistella	Wargo
Dietz	Kukovich	Pitts	Wass
Dininni	Lashinger	Pott	Weston
Dombrowski	Laughlin	Pratt	Wilson
Donatucci	Lehr	Punt	Wogan
Dorr	Iescovitz	Rappaport	Wozniak
Duffy	Letterman	Reber	Wright, D. R.
Durham	Levi	Reinard	Wright, J. L.
Fargo	Livengood	Rieger	Zwikl
Fee	Lloyd		

NAYS—17

Barber	Evans	Preston	Wright, R. C.
Beloff	Fattah	Richardson	
Carn	Harper	Truman	Irvis,
DeWeese	Levin	Wiggins	Speaker
Deal	Linton	Williams	

NOT VOTING—0

EXCUSED—4

Cessar	Cornell	Nahill	O'Donnell
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The question was determined in the affirmative, and the amendments were agreed to.

On the question recurring,

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

Mr. LEVI offered the following amendments No. A2231:

Amend Title, page 1, line 3, by inserting after "SHERIFFS" where it appears the second time
; and further providing for an exception relating to antique firearms

Amend Bill, page 2, by inserting between lines 8 and 9

Section 2. Section 6118(b) of Title 18 is amended to read:
§ 6118. Antique firearms.

(b) Exception.—Subsection (a) shall not apply to the extent that such antique firearms, reproductions or replicas of firearms are concealed weapons as provided in section 6106 (relating to firearms not to be carried without a license), nor shall it apply to the provisions of section 6105 (relating to former convict not to own a firearm, etc.) if such antique firearms, reproductions or replicas of firearms are suitable for use.

Amend Sec. 2, page 2, line 9, by striking out "2" and inserting

3

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

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

Mr. LEVI. Thank you, Mr. Speaker.

This amendment would add some language to the antique firearms section of the Crimes Code.

We have had cases back in my district where felons and convicts who have been discharged from our institutions have gone into stores and bars with antique weapons and have tried to hold up the place and have held them up, and the courts have seen fit, because they were antique weapons, not to convict these people. All I am saying is that convicts cannot use an antique weapon that can be fired without having a license, and these people cannot be licensed, because they have been convicted of a felony. This changes that section of the Crimes Code. We have had one case and the court has upheld that the convict could carry these kinds of weapons and hold up an institution, so I think we need this type of language in the law. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question of the adoption of the amendment offered by the gentleman, Mr. Levi, the Chair recognizes the gentleman from Philadelphia, Mr. Rappaport.

Mr. RAPPAPORT. Thank you, Mr. Speaker.

Would the gentleman consent to brief interrogation?

Mr. LEVI. Yes.

The SPEAKER. The gentleman, Mr. Levi, indicates he will so stand for interrogation. The gentleman, Mr. Rappaport, may proceed.

Mr. RAPPAPORT. Mr. Speaker, is it the intention of the gentleman by this amendment to make the law stricter?

Mr. LEVI. Yes, sir.

Mr. RAPPAPORT. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question of the adoption of the Levi amendment, the Chair recognizes the gentleman from Somerset, Mr. Lloyd.

Mr. LLOYD. Mr. Speaker, would the gentleman, Mr. Levi, consent to interrogation?

The SPEAKER. The gentleman, Mr. Levi, indicates he will so consent. The gentleman, Mr. Lloyd, is in order and may proceed.

Mr. LLOYD. Mr. Speaker, I am concerned that we not be doing anything here that would in any way infringe upon the ability of gun collectors and sportsmen to engage in the use of guns in a way which we would all concede would be proper, and so therefore, Mr. Speaker, could you explain to me whether this language you are putting in is similar to language which already applies for nonantique firearms for people who are convicts?

Mr. LEVI. This only applies to people who are convicts, who are not allowed to flash an antique weapon or a reproduction of an antique weapon that can be fired; only convicts.

Mr. LLOYD. Mr. Speaker, I am not sure I made myself clear.

What I want to know is, if a convict wants to buy a gun which is not an antique, is there any provision in the law now which prohibits that?

Mr. LEVI. A convict cannot now get a license to carry a hand weapon under the present law, but it does not mention antiques or reproductions of antique weapons. This would put that language into the law.

Mr. LLOYD. So in other words, Mr. Speaker, this would simply be extending to antique weapons a ban on the use and sale of firearms which already exists on other weapons.

Mr. LEVI. Yes.

Mr. LLOYD. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—183

Afflerbach	Foster, W. W.	Lucyk	Ryan
Alderette	Foster, Jr., A.	McCall	Rybak
Angstadt	Freeman	McClatchy	Saloom
Armstrong	Freind	McHale	Salvatore
Arty	Fryer	McIntyre	Saurman
Baldwin	Gallagher	McMonagle	Scheetz
Battisto	Galien	McVerry	Schuler
Belardi	Gamble	Mackowski	Semmel
Belfanti	Gannon	Madigan	Serafini
Beloff	Geist	Maiale	Seventy
Blaum	George	Manderino	Showers
Book	Gladeck	Manmiller	Sirianni
Boyes	Godshall	Markosek	Smith, B.
Brandt	Greenwood	Marmion	Smith, L. E.
Bunt	Grieco	Mayernik	Snyder, D. W.
Burd	Gruitza	Merry	Snyder, G. M.
Burns	Gruppo	Michlovic	Spencer
Caltagirone	Hagarty	Micozzie	Spitz
Cappabianca	Haluska	Miller	Stairs
Cawley	Harper	Miscevich	Steighner
Cimini	Hasay	Moehlmann	Stevens
Civera	Hayes	Morris	Stewart
Clark	Herman	Mowery	Stuban
Clymer	Hershey	Mrkonic	Sweet

Cohen	Hoefel	Murphy	Swift
Colafella	Honaman	Noye	Taylor, E. Z.
Cole	Hutchinson	O'Brien	Taylor, F. E.
Cordisco	Itkin	Olasz	Telek
Coslett	Jackson	Perzel	Figue
Cowell	Jarolin	Peterson	Trello
Coy	Johnson	Petrarca	Vroon
Deluca	Kasunic	Petrone	Wachob
DeVerter	Kennedy	Phillips	Wambach
Daley	Klingaman	Piccola	Wargo
Davies	Kosinski	Pievsky	Wass
Dawida	Kowalyszyn	Pistella	Weston
Dietz	Kukovich	Pitts	Wilson
Dininni	Lashinger	Pott	Wogan
Dombrowski	Laughlin	Pratt	Wozniak
Donatucci	Lehr	Purr	Wright, D. R.
Dorr	Lescovitz	Rappaport	Wright, J. L.
Duffy	Letterman	Reber	Wright, R. C.
Durham	Levi	Reinard	Zwinkl
Fargo	Levin	Rieger	
Fee	Livengood	Robbins	Irvis,
Fischer	Llôyd	Rudy	Speaker
Flick			

NAYS—13

Barber	Evans	Oliver	Truman
Carn	Fattah	Preston	Wiggins
DeWeese	Linton	Richardson	Williams
Deal			

NOT VOTING—3

Bowser	Broujos	Van Horne
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EXCUSED—4

Cessar	Cornell	Nahill	O'Donnell
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The question was determined in the affirmative, and the amendments were agreed to.

On the question recurring,

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

BILL PASSED OVER

The SPEAKER. SB 206, PN 980, as amended, will go over for today.

* * *

The House proceeded to third consideration of **SB 300, PN 1141**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining "local authorities" to include airport authorities which are not located within counties of the first class or counties of the second class; providing for notice relating to chemical tests; and driving under the influence.

On the question recurring,

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

Mr. GREENWOOD offered the following amendments No. A2307:

Amend Title, page 1, line 4, by removing the period after "CLASS" and inserting

; and further providing for protection from civil or criminal liability for medical personnel.

Amend Bill, page 2, by inserting between lines 5 and 6

Section 2. Sections 1547(j) and 3755(b) of Title 75 are amended to read:

§ 1547. Chemical testing to determine amount of alcohol

or controlled substance.

(j) Immunity from civil liability and reports.—No physician, nurse or technician or hospital employing such physician, nurse or technician, and no other employer of such physician, nurse or technician shall be civilly liable for [properly] withdrawing blood or obtaining a urine sample and reporting test results to the police at the request of a police officer pursuant to this section. No physician, nurse or technician or hospital employing such physician, nurse or technician may administratively refuse to perform such tests and provide the results to the police officer except as may be reasonably expected from unusual circumstances that pertain at the time the request is made.

§ 3755. Reports by emergency room personnel.

(b) Immunity from civil or criminal liability.—No physician, nurse or technician or hospital employing such physician, nurse or technician and no other employer of such physician, nurse or technician shall be civilly or criminally liable for [properly] withdrawing blood or obtaining a urine sample and reporting test results to the police pursuant to this section or for performing any other duty imposed by this section. No physician, nurse or technician or hospital employing such physician, nurse or technician may administratively refuse to perform such tests and provide the results to the police officer except as may be reasonably expected from unusual circumstances that pertain at the time of admission.

Amend Sec. 2, page 2, line 6, by striking out "2. This" and inserting

3. (a) Section 1 of this

Amend Sec. 2, page 2, by inserting after line 6

(b) Section 2 of this act shall take effect immediately and shall be retroactive to January 14, 1983.

On the question,

Will the House agree to the amendments?

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

Mr. GREENWOOD. Thank you, Mr. Speaker.

Amendment 2307 amends Act 289 of last year, the drunk driving bill. In that bill it is stipulated that any personnel of a hospital - a nurse, a technician, a physician - who has probable cause to believe that an accident victim may have been operating a vehicle under the influence shall, under the provisions of Act 289, take a blood sample or a urine sample to determine blood-alcohol content. The act also eliminates from civil liability those hospital personnel.

My amendment also—

The SPEAKER. Will the gentleman yield for a moment.

The Speaker apologizes. It has just been brought to the Speaker's attention, your amendment, Mr. Greenwood, is drawn to the wrong printer's number. Your amendment is drawn to PN 1063, and the new printer's number is 1141. Does the gentleman care to withdraw his amendment and offer it tomorrow? The bill will be called up tomorrow for amendments.

Mr. GREENWOOD. That would be fine, Mr. Speaker. I think, however, in the packet I sent up, I may have inadvertently put the wrong printer's number—

The SPEAKER. I am sorry. I cannot hear the gentleman.

Mr. GREENWOOD. Mr. Speaker, I think in the packet of amendments that I sent up, it included also the amendments—

The SPEAKER. The correct amendment, you think, is there? Very well. We will try to find it.

Mr. GREENWOOD. If that is not the case, I will withdraw it until tomorrow.

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

Mr. PISTELLA. Mr. Speaker, on the Greenwood amendment, it would appear as if a number of members do not have that amendment before them.

The SPEAKER. We are trying to find out if we have the correct amendment available. Right now the amendment the Speaker has is not the correct amendment.

Mr. PISTELLA. Thank you, sir.

AMENDMENTS WITHDRAWN

The SPEAKER. The gentleman, Mr. Greenwood, has withdrawn his offered amendment, which was an incorrect amendment. He will offer the correct amendment to the bill tomorrow.

BILL TABLED

The SPEAKER. It has been called to the attention of the Chair that SB 300 is on the 15th day.

The Chair recognizes the gentleman from Bucks, Mr. Greenwood.

Mr. GREENWOOD. Mr. Speaker, I move that SB 300, PN 1141, be placed on the tabled calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL REMOVED FROM TABLE

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

Mr. GREENWOOD. Mr. Speaker, I move that SB 300, PN 1141, be removed from the tabled calendar and placed on the active calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL ON FINAL PASSAGE POSTPONED

Agreeable to order,

The bill having been called up from the postponed calendar by Mr. MANDERINO, the House resumed consideration on final passage of **HB 1021, PN 1445**, entitled:

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 1983 to June 30, 1984, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1983; and to appropriate the Federal Augmenta-

tion to the Executive and Judicial Departments of the Commonwealth; establishing restricted receipts accounts for the fiscal year July 1, 1983 to June 30, 1984 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1983.

On the question recurring,
Shall the bill pass finally?

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, Mr. MANDERINO. Mr. Speaker, I move that HB 1021, PN 1445, be placed upon the table.

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

RULES COMMITTEE MEETING

The SPEAKER. The Chair recognizes the majority leader for purposes of announcing a Rules Committee meeting.

Mr. MANDERINO. Mr. Speaker, I would like to announce a Rules Committee meeting at 2:30 p.m. this day.

The SPEAKER. The Chair thanks the gentleman.

JUDICIARY COMMITTEE MEETING

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

Mr. RAPPAPORT. Mr. Speaker, I would like to call a meeting of the Judiciary Committee off the floor at the call of the recess by the Speaker.

Is it the Speaker's pleasure to keep the Chair open this afternoon?

The SPEAKER. The Chair will be kept open for the reports of committees. The Speaker will be back here approximately between 3:30 and 4 o'clock to receive reports of committees.

Mr. RAPPAPORT. Thank you, Mr. Speaker.

FINANCE COMMITTEE MEETING

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

Mr. TRELLO. Mr. Speaker, I would like to announce again, because some of the members were not here, that there is a very important Finance meeting right after the announcement of the recess in room 401.

The SPEAKER. The Chair thanks the gentleman.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the gentleman from Perry, Mr. Noye, to make an announcement.

Mr. NOYE. Thank you, Mr. Speaker.

There will be a Republican caucus immediately on the declaration of the recess. I would ask the members to be there promptly, because we have a guest waiting for us.

The SPEAKER. The Chair thanks the gentleman.

STATEMENT BY MR. LAUGHLIN

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

Mr. LAUGHLIN. Mr. Speaker, very briefly, the members have received letters from the lumbermen's associations across the State complaining about the unfair method in which the Revenue Department collects taxes for those who accept charitable nonprofit exemption slips. I have introduced today a bill, No. 1450, and for those members who wish to sign it, it is up front at the desk. Thank you.

The SPEAKER. The Chair thanks the gentleman.

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the gentleman from Cumberland, Mr. Broujos.

Mr. BROUJOS. Mr. Speaker, I was present and neglected to vote on amendment A2231 to SB 206. Please record me in the affirmative.

The SPEAKER. The gentleman's remarks will be placed upon the record.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair announces that there will be no further active business on the floor today, but the Chair will remain open until 4 p.m. to receive reports of committees.

DEMOCRATIC CAUCUS

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

Mr. ITKIN. Mr. Speaker, I would like to announce a Democratic caucus.

The SPEAKER. Immediately on the declaration of the recess?

Mr. ITKIN. Immediately on the declaration of the recess.

The SPEAKER. A Republican caucus has been called immediately on the declaration of the recess. A Democratic caucus has been called immediately on the declaration of the recess. A Rules Committee meeting has been called at 2:30.

HOUSE BILLS

INTRODUCED AND REFERRED

No. 1402 By Representatives MURPHY, MANMILLER, WASS, MARMION, COHEN, VROON, CIMINI, JOHNSON, HERSHEY, PETRONE, PITTS, BATTISTO, McVERRY, E. Z. TAYLOR, OLASZ, WOGAN, GLADECK, SIRIANNI and FISCHER

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting distribution of obscene or indecent material through certain television systems.

Referred to Committee on JUDICIARY, September 19, 1983.

No. 1403 By Representatives TRUMAN, WILLIAMS, EVANS, CARN, PRESTON, DEAL, FATTAH, BARBER and WIGGINS

An Act amending the "Parking Authority Law," approved June 5, 1947 (P. L. 458, No. 208), repealing provisions empowering an Authority where authorized by ordinance or resolution of the municipality which created it to administer and enforce on-street parking regulations and providing that moneys collected and received by an Authority on behalf of the municipality are not subject to debts and obligations of the Authority.

Referred to Committee on STATE GOVERNMENT, September 19, 1983.

No. 1404 By Representatives TRUMAN, WILLIAMS, EVANS, CARN, PRESTON, DEAL, FATTAH, BARBER and WIGGINS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, repealing the authority of local authorities to delegate certain police powers to a parking authority.

Referred to Committee on STATE GOVERNMENT, September 19, 1983.

No. 1405 By Representatives LAUGHLIN, KUKOVICH, MANDERINO, F. E. TAYLOR, BURNS, GEORGE, STUBAN, WAMBACH, DOMBROWSKI, FEE, MISCEVICH, PRATT, ALDERETTE, FREEMAN, STEIGHNER, JAROLIN, McHALE, AFFLERBACH, WOZNIAK, VAN HORNE and DeLUCA

An Act relating to the rights of purchasers of defective new motor vehicles.

Referred to Committee on CONSUMER AFFAIRS, September 19, 1983.

No. 1438 By Representative PIEVSKY

An Act providing for the capital budget for the fiscal year 1983-1984.

Referred to Committee on APPROPRIATIONS, September 19, 1983.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 125
(Concurrent) By Representatives CLYMER, COHEN, CIMINI, SCHULER, HAYES, AFFLERBACH, ALDERETTE, ANGSTADT, ARMSTRONG, ARTY, BALDWIN, BARBER, BATTISTO, BELARDI, BELFANTI, BELOFF, BLAUM, BOOK, BOWSER, BOYES, BRANDT, BROUJOS, BUNT, BURD, BURNS, CALTAGIRONE, CAPPABIANCA, CARN, CAWLEY,

CESSAR, CIVERA, CLARK, COLAFELLA, COLE, CORDISCO, CORNELL, COSIETT, COWELL, COY, DALEY, DAVIES, DAWIDA, DEAL, DeLUCA, DeVERTER, DeWEESE, DIETZ, DININNI, DOMBROWSKI, DONATUCCI, DORR, DUFFY, DURHAM, EVANS, FARGO, FATTAH, FEE, FISCHER, FLICK, A. C. FOSTER, JR., W. W. FOSTER, FREEMAN, FREIND, FRYER, GALLAGHER, GALLEN, GAMBLE, GANNON, GEIST, GEORGE, GLADECK, GODSHALL, GREENWOOD, GRIECO, GRUITZA, GRUPPO, HAGARTY, HALUSKA, HARPER, HASAY, HERMAN, HERSHEY, HOEFFEL, HONAMAN, HUTCHINSON, IRVIS, ITKIN, JACKSON, JAROLIN, JOHNSON, KASUNIC, KENNEDY, KLINGAMAN, KOSINSKI, KOWALYSHYN, KUKOVICH, LASHINGER, LAUGHLIN, LEHR, LESCOVITZ, LETTERMAN, LEVI, LEVIN, LINTON, LIVENGOOD, LLOYD, LUCYK, MACKOWSKI, MADIGAN, MAIALE, MANDERINO, MANMILLER, MARKOSEK, MARMION, MAYERNIK, McCALL, McCLATCHY, McHALE, McINTYRE, McMONAGLE, McVERRY, MERRY, MICHLOVIC, MICOZZIE, MILLER, MISCEVICH, MOEHLMANN, MORRIS, MOWERY, MRKONIC, MURPHY, NAHILL, NOYE, O'BRIEN, O'DONNELL, OLASZ, OLIVER, PERZEL, PETERSON, PETRARCA, PETRONE, PHILLIPS, PICCOLA, PIEVSKY, PISTELLA, PITTS, POTT, PRATT, PRESTON, PUNT, RAPPAPORT, REBER, REINARD, RICHARDSON, RIEGER, ROBBINS, RUDY, RYAN, RYBAK, SALOOM, SALVATORE, SAURMAN, SCHEETZ, SEMMEL, SERAFINI, SEVENTY, SHOWERS, SIRIANNI, B. SMITH, L. E. SMITH, D. W. SNYDER, G. M. SNYDER, SPENCER, SPITZ, STAIRS, STEIGHNER, STEVENS, STEWART, STUBAN, SWEET, SWIFT, E. Z. TAYLOR, F. E. TAYLOR, TELEK, TIGUE, TRELLO, TRUMAN, VAN HORNE, VROON, WACHOB, WAMBACH, WARGO, WASS, WESTON, WIGGINS, WILLIAMS, WILSON, WOGAN, WOZNIAK, D. R. WRIGHT, J. L. WRIGHT, R. C. WRIGHT and ZWIKL

Memorializing Congress to support the condemnation of the Soviet Union relative to the Korean airliner tragedy.

Referred to Committee on RULES, September 19, 1983.

No. 128 By Representatives DeLUCA, KASUNIC, DALEY, BALDWIN, LAUGHLIN, F. E. TAYLOR, SHOWERS, JAROLIN, PETRONE, COWELL, ALDERETTE, PETRARCA, MARKOSEK, CLYMER, COHEN, PISTELLA, ARMSTRONG, CIMINI, COY, JOHNSON, MAIALE, BELOFF, COLE, SCHEETZ, FISCHER, DeWEESE, DOMBROWSKI, ANGSTADT, HERSHEY, WILSON, GLADECK, CALTAGIRONE, GRIECO, GODSHALL, SEMMEL, BELFANTI, STEVENS and SALVATORE

Urging the Liquor Control Board to stop the purchase and sale of vodka and other alcoholic beverages made in the Soviet Union.

Referred to Committee on RULES, September 19, 1983.

RECESS

The SPEAKER. This House stands in recess until 3:30.

AFTER RECESS

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

RESOLUTIONS REPORTED FROM COMMITTEE

HR 40, PN 1704 (Amended)

By Rep. MANDERINO

Requesting that the Labor Relations Committee of the House of Representatives be directed to investigate and study the Department of Labor and Industry policy relating to job retraining under the Unemployment Compensation Law.

RULES.

HR 104, PN 1347

By Rep. MANDERINO

Urging the Department of Transportation to install reflectors along a portion of Interstate 81.

RULES.

HR 105, PN 1348

By Rep. MANDERINO

Memorializing the Governor of the Commonwealth and the Secretary of General Services to maintain the Capitol Police Department at a complement sufficient to provide its services and perform its duties as required.

RULES.

HR 125, PN 1706 (Concurrent) (Amended)

By Rep. MANDERINO

Memorializing Congress to support the condemnation of the Soviet Union relative to the Korean airliner tragedy.

RULES.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 1325, PN 1583

By Rep. RAPPAPORT

An Act amending the act of July 9, 1970 (P. L. 484, No. 164), entitled "An act relating to indemnification agreements between architects, engineers or surveyors and owners, contractors, sub-contractors or suppliers," further providing for certain agreements.

JUDICIARY.

HB 1357, PN 1624

By Rep. RAPPAPORT

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), changing the date for the General primary in 1984.

JUDICIARY.

SENATE MESSAGE

SENATE INSISTS ON NONCONCURRENCE IN HOUSE AMENDMENTS

The clerk of the Senate, being introduced, informed that the Senate has insisted on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to **SB 270, PN 915**, and has appointed Messrs. O'CONNELL, CORMAN and STOUT 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.

BILLS REPORTED FROM RULES COMMITTEE PURSUANT TO HOUSE RULE 22 AND TABLED

HB 59, PN 1383

By Rep. MANDERINO

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, requiring the issuance of a receipt upon surrender of a driver's license to the Department of Transportation.

RULES.

HB 85, PN 94

By Rep. MANDERINO

An Act designating the portion of Interstate Route 95 in Bucks County as the "Vietnam Veterans' Memorial Highway."

RULES.

HB 88, PN 97

By Rep. MANDERINO

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the temporary assignment of Philadelphia Municipal Court judges.

RULES.

HB 163, PN 1587

By Rep. MANDERINO

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853, No. 155), to provide that other food storage structures not be included in determining the value of real estate used predominantly as a farm.

RULES.

HB 194, PN 1491

By Rep. MANDERINO

An Act amending the act of June 1, 1956 (1955 P. L. 1959, No. 657), referred to as the Public Official Compensation Law, further providing for the annual salary of the President Judge of the Philadelphia Traffic Court and district justices; and making a repeal.

RULES.

HB 223, PN 255

By Rep. MANDERINO

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), providing for the waiver of certain late filing fees by the board; and further providing for the surrender of club licenses.

RULES.

HB 229, PN 1509

By Rep. MANDERINO

An Act providing a limited exemption from taxation of residential real property of certain retired persons and for the reimbursement by the Commonwealth through the Department of Revenue for loss of revenues occasioned by such exemption.

RULES.

HB 256, PN 1588

By Rep. MANDERINO

An Act prohibiting the cutting, digging, removal, transportation or sale within this Commonwealth for any purpose of Christmas trees, evergreen boughs or shrubs, without a bill of sale or other proof of ownership from the owner of the land on which the same are grown; and providing a penalty.

RULES.

HB 269, PN 302

By Rep. MANDERINO

An Act amending "The Support Law," approved June 24, 1937 (P. L. 2045, No. 397), providing that no lien shall be imposed against the real property of persons receiving assistance.

RULES.

HB 291, PN 1374

By Rep. MANDERINO

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), defining and exempting privately-owned private golf courses from the licensing quota; and further regulating sales by such golf courses.

RULES.

HB 310, PN 1429

By Rep. MANDERINO

An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343, No. 176), further providing for the disposition of certain property.

RULES.

HB 312, PN 1344

By Rep. MANDERINO

An Act amending the act of November 22, 1978 (P. L. 1166, No. 274), referred to as the Pennsylvania Commission on Crime and Delinquency Law, authorizing a crime prevention program; providing for technical and financial assistance to law enforcement agencies; and making an appropriation.

RULES.

HB 346, PN 1435

By Rep. MANDERINO

An Act providing grants for projects relating to local history; providing further duties of the Historical and Museum Commission; and making an appropriation.

RULES.

HB 350, PN 1431

By Rep. MANDERINO

An Act relating to euthanasia of pet animals; prohibiting certain methods of euthanasia; and requiring certain training in the administration of drugs; and providing penalties.

RULES.

HB 353, PN 1345

By Rep. MANDERINO

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for duties and jurisdiction of the Municipal Court of Philadelphia.

RULES.

HB 355, PN 399

By Rep. MANDERINO

An Act providing authority for urban homesteading and the procedure for establishing homesteading districts; expanding local government's authority in dealing with urban blight and decay; and providing exclusions from present statutory laws.

RULES.

HB 382, PN 432

By Rep. MANDERINO

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further defining "superannuation or normal retirement age"; and further providing for contributions and the crediting of interest.

RULES.

HB 449, PN 1375

By Rep. MANDERINO

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the penalty for accidents involving damage to unattended vehicles or property.

RULES.

HB 452, PN 513

By Rep. MANDERINO

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), increasing certain penalties.

RULES.

HB 477, PN 538

By Rep. MANDERINO

An Act amending the "Motor Carriers Road Tax Act," approved June 19, 1964 (P. L. 7, No. 1), further providing for exempt vehicles.

RULES.

HB 491, PN 552

By Rep. MANDERINO

An Act amending the "Pennsylvania Labor Relations Act," approved June 1, 1937 (P. L. 1168, No. 294), prohibiting employers from discharging employes who wear certain clothing or equipment.

RULES.

HB 494, PN 555

By Rep. MANDERINO

An Act amending the act of June 28, 1935 (P. L. 477, No. 193), referred to as the Enforcement Officer Disability Benefits Law, providing for a presumption relating to heart impairment, sickness or disease.

RULES.

HB 501, PN 562

By Rep. MANDERINO

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723, No. 230), providing for the continued existence of residential finance authorities; and making a repeal.

RULES.

HB 504, PN 565 By Rep. MANDERINO

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723, No. 230), changing the date for filing financial reports with the Department of Community Affairs.

RULES.

HB 505, PN 566 By Rep. MANDERINO

An Act amending the "Second Class County Port Authority Act," approved April 6, 1956 (1955 P. L. 1414, No. 465), prohibiting smoking, eating and drinking in certain public conveyances owned or operated by a port authority created under the act; and providing a penalty.

RULES.

HB 508, PN 569 By Rep. MANDERINO

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723, No. 230), further providing for the definition of "Early Retirement"; further providing for eligibility for retirement allowances; and further providing for survivorship option benefits.

RULES.

HB 537, PN 1403 By Rep. MANDERINO

An Act amending the "Nursing Home Loan Agency Law," approved July 22, 1974 (P. L. 610, No. 207), extending the provisions of the law to include personal care boarding homes; and adding the Secretary of Aging to the membership of the agency.

RULES.

HB 539, PN 1858 By Rep. MANDERINO

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), providing for early inspection and licensing at the option of personal care boarding homes.

RULES.

HB 559, PN 1593 By Rep. MANDERINO

An Act amending the act of May 17, 1929 (P. L. 1798, No. 591), referred to as the Forest Reserves Municipal Financial Relief Law, increasing the amount paid by the Commonwealth.

RULES.

HB 569, PN 637 By Rep. MANDERINO

An Act providing for a ban on the distribution, sale and use of halogenated hydrocarbon chemicals as sewage system cleaners; requiring the disclosure of the contents of sewage system cleaners covered by this act; requiring the Department of Environmental Resources to administer and enforce certain provisions; and establishing penalties.

RULES.

HB 630, PN 1405 By Rep. MANDERINO

An Act amending the act of July 14, 1971 (P. L. 221, No. 43), entitled "An act regulating the time of payment of wages and earnings of railroad employees," further providing for the manner of the payments.

RULES.

HB 686, PN 1488 By Rep. MANDERINO

An Act amending "The Game Law," approved January 3, 1937 (P. L. 1225, No. 316), further providing for prohibited property damage; providing for civil liability for property damage; prohibiting hunting or trapping in unharvested fields; and imposing penalties.

RULES.

HB 702, PN 784 By Rep. MANDERINO

An Act amending the act of June 28, 1935 (P. L. 477, No. 193), referred to as the "Enforcement Officer Disability Benefits Law," extending benefits to mine inspectors of the Department of Environmental Resources.

RULES.

HB 760, PN 1489 By Rep. MANDERINO

An Act amending "The Local Tax Enabling Act," approved December 31, 1965 (P. L. 1257, No. 511), eliminating certain per capita and occupation taxes; increasing the rate of the occupational privilege tax; and authorizing an occupational privilege tax for school districts.

RULES.

HB 761, PN 1490 By Rep. MANDERINO

An Act providing for in lieu of tax payments to certain political subdivisions of the Commonwealth for services rendered by certain political subdivisions in which Commonwealth employees are working on Commonwealth-owned real property and where Commonwealth-owned real property is located; and making an appropriation.

RULES.

HB 778, PN 865 By Rep. MANDERINO

An Act amending the "Public Employee Retirement Study Commission Act," approved July 9, 1981 (P. L. 208, No. 66), establishing the Public Employee Retirement Study Commission as an independent agency; and adding to the membership of the Municipal Pension Advisory Committee.

RULES.

HB 863, PN 973 By Rep. MANDERINO

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), extending the reporting period to the Secretary of Revenue for personal income information.

RULES.

HB 882, PN 1003 By Rep. MANDERINO

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), prohibiting the transfer and certain distribution of moneys appropriated to the Crime Victim's Compensation Board.

RULES.

HB 910, PN 1048 By Rep. MANDERINO

An Act creating a Joint Legislative Committee to facilitate a regional light rail transit system in the Lehigh Valley; providing for a feasibility study; and making an appropriation.

RULES.

HB 946, PN 1084 By Rep. MANDERINO

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, redefining "abandoned vehicles"; and further providing for removal of vehicles.

RULES.

HB 947, PN 1085 By Rep. MANDERINO

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), further providing for the duties of the school director district reapportionment

commission and clarification of the number of the school director districts within a first class A school district.

RULES.

HB 966, PN 1109 By Rep. MANDERINO

An Act amending "The Library Code," approved June 14, 1961 (P. L. 324, No. 188), further providing for the confidentiality of library circulation records.

RULES.

HB 969, PN 1437 By Rep. MANDERINO

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), providing for the operation of vending facilities by licensed blind persons; creating a Committee of Blind Vendors; and imposing duties on Blindness and Visual Services.

RULES.

HB 1004, PN 1157 By Rep. MANDERINO

An Act mandating revocation of mercantile license issued by cities of the first class upon certain convictions.

RULES.

HB 1131, PN 1432 By Rep. MANDERINO

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

RULES.

HB 1136, PN 1305 By Rep. MANDERINO

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), further providing for supplement.

RULES.

HB 1137, PN 1306 By Rep. MANDERINO

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, adding an offense and providing a penalty.

RULES.

HB 1159, PN 1384 By Rep. MANDERINO

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for a designation on drivers' licenses for medical doctors.

RULES.

HB 1174, PN 1362 By Rep. MANDERINO

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), requiring the Department of Environmental Resources to operate and maintain a laboratory in the City of Pittsburgh.

RULES.

HB 1181, PN 1376 By Rep. MANDERINO

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), providing for mandatory programs; providing for education assessment testing as a prerequisite for receipt of diploma; and making editorial changes.

RULES.

HB 1214, PN 1419 By Rep. MANDERINO

An Act prescribing when a caboos is required in connection with the movement of locomotives and cars; and providing further duties of the Public Utility Commission.

RULES.

HB 1301, PN 1601 By Rep. MANDERINO

An Act establishing a program of pharmaceutical assistance to the aged; providing further duties of the Department of Aging; and making an appropriation.

RULES.

HB 1302, PN 1606 By Rep. MANDERINO

An Act amending the "State Lottery Law," approved August 26, 1971 (P. L. 351, No. 91), further providing certain prescription drug payments for certain persons; prohibiting funding from the General Fund; and prohibiting the transfer of certain funds.

RULES.

HB 1303, PN 1603 By Rep. MANDERINO

An Act establishing the Senior Center Grant Program; providing for grants to senior centers; imposing powers and duties on the Department of Aging; and making an appropriation.

RULES.

HB 1304, PN 1604 By Rep. MANDERINO

An Act amending the "State Lottery Law," approved August 26, 1971 (P. L. 351, No. 91), providing for funding for the Senior Center Grant Program; prohibiting funding from the General Fund; and prohibiting the transfer of certain funds.

RULES.

HB 1305, PN 1542 By Rep. MANDERINO

An Act to require the Department of Aging to provide home-based care as an alternative to nursing home or other institutional care; and making an appropriation.

RULES.

HB 1306, PN 1605 By Rep. MANDERINO

An Act amending the "State Lottery Law," approved August 26, 1971 (P. L. 351, No. 91), providing for funding in-home and community services for the elderly; prohibiting funding from the General Fund; and prohibiting the transfer of certain funds.

RULES.

HB 1307, PN 1544 By Rep. MANDERINO

An Act amending the "Senior Citizens Rebate and Assistance Act," approved March 11, 1971 (P. L. 104, No. 3), increasing the maximum amount of rebate payable.

RULES.

HB 1308, PN 1545 By Rep. MANDERINO

An Act amending the "Senior Citizens Rebate and Assistance Act," approved March 11, 1971 (P. L. 104, No. 3), increasing the inflation dividend.

RULES.

HB 1309, PN 1546 By Rep. MANDERINO

An Act amending the "Pennsylvania Urban Mass Transportation Law," approved January 22, 1968 (P. L. 42, No. 8), providing free fare services for persons 65 years of age or older for shared ride public transportation services; and reimbursing

mass transportation systems at 100% of the costs of services provided to persons 65 years of age or older.

RULES.

SENATE MESSAGE

ADJOURNMENT RESOLUTION FOR CONCURRENCE

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

In the Senate, September 19, 1983

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, September 26, 1983 unless sooner recalled by the President Pro Tempore, and when the House of Representatives adjourns this week it reconvene on Monday, September 26, 1983 unless sooner recalled by the Speaker.

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

On the question,

Will the House concur in the resolution of the Senate?

Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

BILLS PASSED OVER

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

ADJOURNMENT

The SPEAKER. The Chair recognizes the gentleman from Lancaster, Mr. Schuler.

Mr. SCHULER. Mr. Speaker, I move that this House do now adjourn until Tuesday, September 20, 1983, at 11 a.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 3:46 p.m., e.d.t., the House adjourned.