

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

TUESDAY, SEPTEMBER 27, 1983

SESSION OF 1983

167TH OF THE GENERAL ASSEMBLY

No. 76

HOUSE OF REPRESENTATIVES

The House convened at 11 a.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:

O God, we know that with Thee there is no variation or shadow due to change. Thou art the same yesterday, today, and forever. Yet we realize that the world around us is constantly changing; it does not remain the same. We are also conscious that all change is not progress, and in the society about us we need to move forward and better the lot of all those with whom we associate.

Heavenly Father, bring us to the realization that all things do not need to be changed, but instill within each of us the keenness of understanding and discernment to know the difference. Help us to use our best talents to change what needs to be changed as well as working concertedly for that which needs to remain constant. In Thy blest name, we pray. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal of Monday, September 26, 1983, will be postponed until the Journal is in print. The Chair hears no objection.

COMMUNICATION FROM WAYNE COUNTY COMMISSIONERS

The SPEAKER. The Chair acknowledges receipt of a communication from the Wayne County Commissioners announcing their opposition to all legalized forms of gambling, including slot machines and other casino-type gambling, in the Poconos.

The following communication was read:

At the regularly scheduled meeting of September 6, 1983, the Wayne County Commissioners made the following official announcement opposing all legalized forms of gambling, includ-

ing slot machines and other casino-type gambling in the Poconos:

WHEREAS, The Wayne County Commissioners propose to the state legislation to require a mandatory provision for a local referendum in Wayne County prior to implementation of gambling in the Poconos,

WHEREAS, The Wayne County Commissioners have requested from the Wayne County Board of Elections the placement of a referendum on the November 1983 ballot opposing legalized gambling,

WHEREAS, The Wayne County Commissioners respectfully request from the Wayne County Township Supervisors Association, Wayne County Church organizations, and also County Boroughs to adopt similar type resolutions in order to have a uniform resolution requiring local options,

WHEREAS, The Wayne County Commissioners would be guaranteed municipal funding for the improvements needed for roads, security, etc., that would be needed if legalized gambling was approved.

NOW THEREFORE, on this 6th day of September, 1983, in consideration of the statements aforementioned by the resolution that the Commissioners of Wayne County have officially adopted the above stated posture, and further that Wayne County requests the Pennsylvania legislature to request an Environmental Impact Statement as described under the National Environmental Policy Act, on the likely effects incurred on the social, economic, and environmental climate upon the implementation of these gambling devices within the Poconos, and that this become a part of the resolution and incorporated into the records of Wayne County.

s/ Earl J. Simons, Chairman

s/ Donald Olsommer

s/ Robert V. Carmody

Attest:

Reg Wayman, Chief Clerk

Date 9/6/83

HOUSE BILLS INTRODUCED AND REFERRED

No. 1472 By Representatives LEVI, BARBER, KLINGAMAN and DOMBROWSKI

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), providing for payment of the cost of burial of indigent persons in State institutions.

Referred to Committee on HEALTH AND WELFARE, September 27, 1983.

**No. 1473** By Representatives REINARD, MORRIS, MICHLOVIC, J. L. WRIGHT, D. W. SNYDER, COLAFELLA, E. Z. TAYLOR, BOYES, BUNT, ANGSTADT, SCHEETZ and FISCHER

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for concurrence of three-fifths of all members of each House for the passage of measures imposing new taxes or license fees.

Referred to Committee on FINANCE, September 27, 1983.

**No. 1474** By Representatives HONAMAN, OLASZ, POTT, FISCHER, BOWSER, MADIGAN, BRANDT, AFFLERBACH, JACKSON, VROON and DeLUCA

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, requiring motorcycles to be operated with lights on; and permitting special lighting equipment for motorcycles.

Referred to Committee on TRANSPORTATION, September 27, 1983.

**No. 1475** By Representatives HONAMAN, OLASZ, SCHULER, FISCHER, BOWSER, MADIGAN, AFFLERBACH, JACKSON, VROON, BELFANTI, GREENWOOD, E. Z. TAYLOR and SEMMEL

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (2nd Sp. Sess., 1937 P. L. 2897, No. 1), requiring written notices of termination.

Referred to Committee on LABOR RELATIONS, September 27, 1983.

**No. 1476** By Representative CLARK

An Act amending "The Local Tax Enabling Act," approved December 31, 1965 (P. L. 1257, No. 511), prohibiting the levying of tax on amusement devices.

Referred to Committee on FINANCE, September 27, 1983.

**No. 1477** By Representative CLARK

An Act amending the "Sterling Act," approved August 5, 1932 (Sp. Sess., P. L. 45, No. 45), prohibiting the levying of certain amusement taxes.

Referred to Committee on FINANCE, September 27, 1983.

**No. 1478** By Representative FISCHER

An Act establishing the Pennsylvania Conservation Corps; and providing for employment and training of persons 18 to 25 years of age and for the conservation and preservation of the Commonwealth urban and rural environment.

Referred to Committee on STATE GOVERNMENT, September 27, 1983.

**No. 1479** By Representative DeVERTER

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (2nd Sp. Sess., 1937 P. L. 2897, No. 1), further defining "base year" for certain employees with work-related injuries.

Referred to Committee on LABOR RELATIONS, September 27, 1983.

**No. 1480** By Representatives MORRIS, PITTS, E. Z. TAYLOR, VROON, FLICK and HERSHEY

An Act amending "The Controlled Substance, Drug, Device and Cosmetic Act," approved April 14, 1972 (P. L. 233, No. 64), further providing for forfeiture.

Referred to Committee on JUDICIARY, September 27, 1983.

**No. 1481** By Representatives MORRIS, COHEN, DeLUCA, NOYE, WARGO, F. E. TAYLOR, SWEET, PISTELLA, ITKIN, McVERRY, JOHNSON, DALEY, BOWSER, OLIVER, E. Z. TAYLOR, PETRARCA and SALOOM

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, authorizing school bus drivers to straddle the centerline of a two-lane highway.

Referred to Committee on TRANSPORTATION, September 27, 1983.

#### SENATE RESOLUTION FOR CONCURRENCE

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

**SR 69, PN 1201**

Referred to Committee on RULES, September 27, 1983.

#### LEAVES OF ABSENCE GRANTED

The SPEAKER. The Chair now turns to leaves of absence. Does the majority whip have any further requests for leaves for this week?

Mr. O'DONNELL. Mr. Speaker, I would request a leave for today for the gentleman from Philadelphia, Mr. RAPPAPORT; and for today for the lady from Centre, Mrs. RUDY, due to a death in her family.

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

The Chair recognizes the minority whip, Mr. Hayes, who indicates there are no further requests for leaves.

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

**HB 347, PN 391** By Rep. OLIVER

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for six-year terms for Senators and four-year terms for members of the House of Representatives.

STATE GOVERNMENT.

**HB 552, PN 619** By Rep. OLIVER

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), further providing for the salaries of the chairman and members of the Environmental Hearing Board.

STATE GOVERNMENT.

**HB 728, PN 810** By Rep. GALLAGHER

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, authorizing the board to establish the valuation interests used in actuaries' annual valuations; and further providing for a cost-of-living increase to annuitants.

EDUCATION.

**HB 822, PN 1789 (Amended)**  
By Rep. OLIVER

An Act authorizing the Department of General Services, with the approval of the Governor, to sell and convey a certain lot or tract of land situate in the City of Erie, Erie County, Pennsylvania.

STATE GOVERNMENT.

**HB 830, PN 927** By Rep. GALLAGHER

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), limiting the number of pupils per school nurse.

EDUCATION.

**HB 903, PN 1031** By Rep. GALLAGHER

An Act providing for the creation of a multipurpose program for displaced homemakers; further providing for powers and duties of the Department of Education; and making an appropriation.

EDUCATION.

**HB 980, PN 1790 (Amended)**  
By Rep. GALLAGHER

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), providing college education for certain Vietnam veterans.

EDUCATION.

**HB 1445, PN 1793 (Amended)**  
By Rep. RIEGER

An Act amending "The C. P. A. Law," approved May 26, 1947 (P. L. 318, No. 140), creating the State Board of Accountancy and granting it powers and duties; further providing for education and experience requirements and permits to practice; and providing for injunctions and penalties.

PROFESSIONAL LICENSURE.

**HB 1446, PN 1794 (Amended)**  
By Rep. RIEGER

An Act amending the "Bureau of Professional and Occupational Affairs Fee Act," approved July 1, 1978 (P. L. 700, No. 124), further providing for the Professional Licensure Augmentation Account and for budget preparation.

PROFESSIONAL LICENSURE.

**HB 1448, PN 1795 (Amended)**  
By Rep. RIEGER

An Act amending the "Real Estate Licensing and Registration Act," approved February 19, 1980 (P. L. 15, No. 9), adding and amending definitions; creating, empowering and governing a

commission; eliminating confidentiality requirements; changing hours of study and specifying areas of study for applicants; eliminating fee requirements; imposing reporting duties on the Pennsylvania Human Relations Commission; adding a prohibition; broadening the scope of regulation of promotional sales and requiring public accounting for promotional sales; requiring contractual disclosures; regulating reinstatement of revoked licenses; changing limits of liability and increasing assessments for the recovery fund; making editorial changes; and making repeals.

PROFESSIONAL LICENSURE.

**SB 199, PN 1245 (Amended)**  
By Rep. OLIVER

An Act regulating contractors, subcontractors and suppliers in dealings with governmental agencies; making certain activities unlawful; and providing penalties.

STATE GOVERNMENT.

**SB 298, PN 1246 (Amended)**  
By Rep. LAUGHLIN

An Act providing for the inspection of amusement rides and attractions; granting powers and imposing duties on the Department of Labor and Industry; creating the Amusement Ride Safety Advisory Board; and imposing civil and criminal penalties.

CONSUMER AFFAIRS.

**BILL REREPORTED FROM COMMITTEE**

**HB 1181, PN 1791 (Amended)**  
By Rep. GALLAGHER

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.

EDUCATION.

**BILL REPORTED AND REREFERRED TO  
COMMITTEE ON PROFESSIONAL LICENSURE**

**HB 440, PN 501** By Rep. GALLAGHER

An Act relating to the openness of standardized tests used for occupational licensing; and imposing powers and duties on the Department of Education.

EDUCATION.

**BILL REPORTED AND REREFERRED TO  
COMMITTEE ON LOCAL GOVERNMENT**

**HB 1365, PN 1632** By Rep. GALLAGHER

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), eliminating the occupation tax; and providing for equalization of alternative tax levies among certain school districts.

EDUCATION.

**ANNOUNCEMENT BY MR. NOYE**

The SPEAKER. For purposes of making an announcement, the Chair recognizes the gentleman from Perry, Mr. Noye.

Mr. NOYE. Thank you, Mr. Speaker.

I would like to make an announcement for the entire membership. Next Wednesday—that is tomorrow a week, October 5, I believe it is—we will have the honor of a visit by 13 visiting German state legislators. They are coming to this country through an exchange program of an organization known as the American Council of Young Political Leaders through the support and direction of the U.S. State Department. They are coming here in conjunction with the German tercentenary celebration that is occurring in this country this year, and in particular, in Philadelphia next week. They will be in Harrisburg on Wednesday; they will be in Philadelphia on Thursday; and they will be in Lancaster County on Friday.

I would invite all the members to meet them when they arrive next Wednesday at about 8:20. They will have a few moments to intermingle. We have a little bit of a program put together for them, and then they will be touring some of the different things here in central Pennsylvania. So you are all welcome to join with us on the Capitol steps to welcome them at 8:20 next Wednesday. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

**GAME AND FISHERIES  
COMMITTEE MEETING**

The SPEAKER. For purposes of making an announcement, the Chair recognizes the gentleman from Centre, Mr. Letterman.

Mr. LETTERMAN. Thank you, Mr. Speaker.

Mr. Speaker, I would like to have a meeting of the Game and Fisheries Committee members in the back of the room immediately, please.

The SPEAKER. The Chair thanks the gentleman.

**STATE GOVERNMENT  
COMMITTEE MEETING**

The SPEAKER. For purposes of making an announcement, the Chair recognizes the gentleman from Philadelphia, Mr. Oliver.

Mr. OLIVER. Thank you, Mr. Speaker.

There will be a brief meeting of the State Government Committee at the rear of the House at the call of the recess. Thank you.

The SPEAKER. The Chair thanks the gentleman.

**FILMING PERMISSION GRANTED**

The SPEAKER. The Chair announces that permission has now been granted to WNEP-TV from Scranton to shoot television pictures for a period of 10 minutes on the floor of the House beginning now.

**MINES AND ENERGY MANAGEMENT  
COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the gentleman from Westmoreland, Mr. Petrarca, for purposes of making an announcement.

Mr. PETRARCA. Mr. Speaker, at the recess of the House, I would like to call a meeting of the Mines and Energy Management Committee at the rear of the House. Thank you.

The SPEAKER. The Chair thanks the gentleman.

**CONSUMER AFFAIRS COMMITTEE MEETING**

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

Mr. LAUGHLIN. Mr. Speaker, I would like to be recognized to call a meeting of the Consumer Affairs Committee immediately following the action today on the floor.

The SPEAKER. The Chair thanks the gentleman.

**CITATIONS PRESENTED**

The SPEAKER. Will the gentleman, Mr. Fitzpatrick, who is the vice president of the Franklin Mint, step up here to the podium? And would the personal friend of the Speaker, the former Speaker of the House, Matthew Ryan, step up here to the podium? Do not worry, Matt, it is a very nice thing that is happening. It has nothing to do with welfare reform whatsoever.

The Chair now turns the podium over to the gentleman from Chester, Mr. Pitts.

Mr. PITTS. Thank you, Mr. Speaker.

It gives me great pleasure today to recognize the first two contributors to the Capitol Restoration Trust Fund - the first corporate contributor and the first individual contributor. At the last meeting of the Capitol Preservation Committee, which is a joint House-Senate committee, which I chair, I was directed to issue and present these citations to recognize their contributions.

The Franklin Mint, in 1981, volunteered to serve as the official Commonwealth minter of a special medallion to commemorate our 300th birthday and the 75th birthday of the State Capitol Building. You will recall that the Franklin Mint generously gave each of the members a silver medallion. They also gave a gold medallion to the people of the United States through the President.

More important was the Franklin Mint's contribution at production-cost-only of a large number of silver and bronze medallions which were put on sale to the public. They were sold to the public with all profits dedicated to the Capitol Restoration Trust Fund. Therefore, the Franklin Mint entered the record as the first corporate contributor of over \$26,000 to the Capitol Restoration Trust Fund.

Representative Ryan earlier this year caused a significant personal contribution to be made to the fund, and thus he entered the record as the first individual contributor. These contributions will go towards the restoration and preservation

efforts of our magnificent artwork and objects here in the State Capitol.

It is appropriate to note that Representative Ryan's strong interest in the Capitol, its art and its architecture, is of long standing, as is that of our Speaker, Leroy Irvis. On September 1, 1965, Representatives Ryan and Irvis joined in sponsoring and causing to be adopted HR 126, which directed the Historical and Museum Commission to compile and disseminate information regarding the wealth of art objects and architecture in our Capitol and around our Commonwealth. It has been the good fortune of this Commonwealth that these two gentlemen not only remained in service but were elected to positions of authority, and they have continued to lend assistance and influence to all the efforts to see that this generation begins to formally meet its duty of restoring, preserving, and caring for the Pennsylvania Capitol, its art, and other treasures of our heritage.

Representative Ryan and Frank Fitzpatrick, vice president of the Franklin Mint, it is my pleasure, on behalf of the General Assembly and the Capitol Preservation Committee, and really the Commonwealth, to present you with these special citations. They are issued to you with deep respect and appreciation of your generous service to the Commonwealth, and I have here two citations framed, which I will present to Representative Ryan and Frank Fitzpatrick, for the Franklin Mint, at this time.

**CALENDAR**

**BILL AGREED TO  
ON SECOND CONSIDERATION**

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

**HB 1155, PN 1336.**

**MASTER ROLL CALL RECORDED**

The SPEAKER. The Speaker will now place before the House the master roll for the day. Members will proceed to vote.

The following roll call was recorded:

**PRESENT—200**

Afflerbach	Evans	Livengood	Ryan
Alderette	Fargo	Lloyd	Rybak
Angstadt	Fattah	Lueyk	Saloom
Armstrong	Fee	McCall	Salvatore
Arty	Fischer	McClatchy	Saurman
Baldwin	Flick	McHale	Scheetz
Barber	Foster, W. W.	McIntyre	Schuler
Battisto	Foster, Jr., A.	McMonagle	Semmel
Belardi	Freeman	McVerry	Seralini
Belfanti	Freind	Mackowski	Seventy
Beloff	Fryer	Madigan	Showers
Blaum	Gallagher	Maiale	Sirianni
Book	Gallen	Manderino	Smith, B.
Bowser	Gamble	Manmiller	Smith, I. E.
Boyes	Gannon	Markosek	Snyder, D. W.
Brandt	Geist	Marmion	Snyder, G. M.
Broujos	George	Mayernik	Spencer

Bunt	Gladeck	Merry	Spitz
Burd	Godshall	Michlovic	Stairs
Burns	Greenwood	Micozzie	Steighner
Caltagirone	Grieco	Miller	Stevens
Cappabianca	Gruitza	Miscevich	Stewart
Carn	Gruppo	Moehlmann	Suban
Cawley	Hagarty	Morris	Sweet
Cessar	Haluska	Mowery	Swift
Cimini	Harper	Mrkonic	Taylor, E. Z.
Civera	Hasay	Murphy	Taylor, F. E.
Clark	Hayes	Nahill	Telek
Clymer	Herman	Noye	Tigue
Cohen	Hershey	O'Brien	Trello
Colafella	Hoefel	O'Donnell	Truman
Cole	Honaman	Olasz	Van Horne
Cordisco	Hutchinson	Oliver	Vroon
Cornell	Itkin	Perzel	Wachob
Coslett	Jackson	Peterson	Wambach
Cowell	Jarolin	Petrarca	Wargo
Coy	Johnson	Petrone	Wass
DeLuca	Kasunic	Phillips	Weston
DeVerter	Kennedy	Piccola	Wiggins
DeWeese	Klingaman	Pistella	Williams
Daley	Kosinski	Pitts	Wilson
Davies	Kowalshyn	Pott	Wogan
Dawida	Kukovich	Pratt	Wozniak
Deal	Lashinger	Preston	Wright, D. R.
Dietz	Laughlin	Punt	Wright, J. L.
Dininni	Lehr	Reber	Wright, R. C.
Dombrowski	Lescovitz	Reinard	Zwilk
Donatucci	Letterman	Richardson	
Dorr	Levi	Rieger	Irvis,
Duffy	Levin	Robbins	Speaker
Durham	Linton		

**ADDITIONS—0**

**NOT VOTING—1**

Pievsky

**EXCUSED—2**

Rappaport

Rudy

**LEAVE CANCELED—1**

Rudy

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 256, PN 1588**, entitled:

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.

On the question,

Will the House agree to the bill on third consideration?

Mr. WASS offered the following amendments No. A2789:

Amend Sec. 8, page 4, line 2, by inserting after "shall"  
not

Amend Sec. 8, page 4, line 3, by striking out "three or more" and inserting  
less than three

Amend Sec. 8, page 4, line 4, by striking out "December 31 of the same year" and inserting  
January 7 of the following year

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

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

Mr. WASS. Thank you, Mr. Speaker.

Mr. Speaker, amendment A2789 is designed to further clarify a deep concern of the members of the House of Representatives. It further clarifies that you do not need a sales slip when hauling one or two trees. I would appreciate support of the amendment.

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

The following roll call was recorded:

YEAS—196

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

NAYS—1

Fryer

NOT VOTING—4

Barber Pievsky Wiggins Williams

EXCUSED—2

Rappaport Rudy

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—191

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

NAYS—6

Beloff           Cawley           Lloyd           Tigue  
Blaum           Levin

NOT VOTING—4

Pievsky        Reber           Saurman        Swift

EXCUSED—2

Rappaport     Rudy

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

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

\* \* \*

The House proceeded to third consideration of **HB 1174, PN 1362**, entitled:

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.

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

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

The question is, shall the bill pass finally?

On final passage, the Chair recognizes the gentleman from Chester, Mr. Vroon.

Mr. VROON. Mr. Speaker, this may not be a big material bill in the minds of most people, but our Department of Environmental Resources and our administration decided this was an economy move, that this laboratory was not needed. When such a thing is done in the interest of good government and efficiency in government, I do not think that it is in order for us to nullify the good work that is being done by DER. I think that we ought to think seriously before we vote "yes" for this bill.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny, Mr. Petrone.

Mr. PETRONE. Thank you, Mr. Speaker.

The fact is that we do need this bill desperately. In June of 1983 the DER laboratory ceased to exist in the Pittsburgh region. Shortly after that, there was an unfortunate explosion at a Beaver County sewage plant that did a tremendous amount of damage, and without the laboratory's being there, water testing samples from the wells in the area were delayed in reaching the Harrisburg lab, which made them unable to be tested effectively for a coliform bacteria.

It is vital that the DER lab function in the city of Pittsburgh and Allegheny County. I think we have a responsibility to our citizens of that area to insure that their safety and health and well-being are protected. The passage of this legislation will help insure that. Thank you, Mr. Speaker.

On the question recurring,  
Shall the bill pass finally?

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

YEAS—120

Afflerbach	Dombrowski	Livengood	Richardson
Alderette	Donatucci	Lloyd	Rieger
Baldwin	Duffy	Lucyk	Rybak
Barber	Evans	McCall	Saloom
Battisto	Fattah	McHaie	Seventy
Belfanti	Fee	McIntyre	Showers
Beloff	Fischer	McMonagle	Smith, B.
Blaum	Foster, Jr., A.	McVerry	Steighner
Book	Freeman	Maiale	Stewart
Boyes	Gallagher	Manderino	Stuban
Broujos	Gamble	Manmiller	Sweet
Burd	Gannon	Markosek	Taylor, F. E.
Caltagirone	George	Marmion	Telek
Cappabianca	Godshall	Mayernik	Tigue
Carn	Gruitza	Michlovic	Trello
Cawley	Haluska	Micoozie	Truman
Cessar	Harper	Miscevich	Van Horne
Clark	Hasay	Morris	Wachob
Cohen	Hoefel	Mrkonic	Wambach
Colafrella	Hutchinson	Murphy	Wargo
Cole	Itkin	O'Donnell	Weston
Cordisco	Jarolin	Olasz	Wiggins
Cowell	Kasunic	Oliver	Williams
Coy	Kosinski	Petrarca	Wilson
Deluca	Kowalshyn	Petrone	Wright, D. R.
DeWeese	Kukovich	Piccola	Wright, R. C.
Daley	Laughlin	Pistella	Zwinkl
Davies	Lescovitz	Pott	
Dawida	Letterman	Pratt	Irvis,
Deal	Levin	Preston	Speaker
Dininni	Linton		

NAYS—75

Angstadt	Fryer	McClatchy	Saurman
Armstrong	Gallen	Mackowski	Scheetz
Belardi	Geist	Madigan	Schuler
Bowser	Gladeck	Merry	Semmel
Brandt	Greenwood	Miller	Serafini
Bunt	Grieco	Moehlmann	Sirianni
Burns	Gruppo	Mowery	Smith, L. E.
Cimini	Hagarty	Nahill	Snyder, D. W.
Civera	Hayes	Noye	Spencer
Clymer	Herman	O'Brien	Stairs
Cornell	Hershey	Perzel	Stevens
Coslett	Honaman	Phillips	Swift
DeVerter	Jackson	Pitts	Taylor, E. Z.
Dietz	Johnson	Punt	Vroon
Dorr	Kennedy	Reber	Wass
Fargo	Klingaman	Reinard	Wogan
Hick	Lashinger	Robbins	Wozniak
Foster, W. W.	Lehr	Ryan	Wright, J. I.
Freind	Levi	Salvatore	

NOT VOTING—6

Arty           Peterson        Snyder, G. M.   Spitz  
Durham        Pievsky

EXCUSED—2

Rappaport     Rudy

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

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

**HOUSE SCHEDULE**

The SPEAKER. The Chair is about to declare a recess of this House which may extend until 3 o'clock this afternoon. There are a number of votes to be taken in this day's session. Members are urged to be prepared for either an extension of time at 3 o'clock or an immediate report to the floor at 3 o'clock.

**REPUBLICAN CAUCUS**

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

Mr. NOYE. Thank you, Mr. Speaker.

The Chair is about to declare a recess, and I would ask that all of our members report to the caucus room immediately upon the announcement of the recess. We will caucus immediately in the minority caucus room. Thank you.

The SPEAKER. The Chair thanks the gentleman.

**CONSUMER AFFAIRS  
COMMITTEE MEETING**

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

Mr. LAUGHLIN. Mr. Speaker, the meeting that I had asked for the Democratic members of the Consumer Affairs Committee is to be held in room 401 immediately upon the recess.

Mr. Speaker, I would also ask that you return to the call for reports from committees.

The SPEAKER. The Chair will do that at a later time. There are some controversial bills which must be reported from committee, but in the confusion the Chair does not want to mislead anyone, so it will not return at this point to reports of committees, but the Chair will be returning to that report.

**NO DEMOCRATIC CAUCUS**

The SPEAKER. Does the majority caucus chairman wish to announce a caucus? Is there any request for it on the majority part?

Mr. ITKIN. Mr. Speaker, there is no need for a Democratic caucus at this time.

The SPEAKER. The Chair thanks the gentleman.

**RECESS**

The SPEAKER. This House will stand in recess until 3 p.m.

**RECESS EXTENDED**

The time of recess was extended until 4 p.m.; further extended until 5 p.m.; further extended until 6 p.m.; further extended until 6:30 p.m.

**AFTER RECESS**

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

**BILLS AND RESOLUTIONS PASSED OVER**

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

**HOUSE RESOLUTIONS  
INTRODUCED AND REFERRED**

**No. 131** By Representatives IRVIS, SWEET and MOWERY

Urging all Pennsylvanians to become involved in the Statewide and Nationwide Chemical People Project to combat school-age drug and alcohol abuse.

Referred to Committee on RULES, September 27, 1983.

**No. 132** By Representatives IRVIS, MANDERINO, RYAN and HAYES

Urging the Governor to proclaim the week of October 2, 1983 through October 8, 1983 as "Pennsylvania Housing Week."

Referred to Committee on RULES, September 27, 1983.

**BILLS REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader. Mr. MANDERINO. Mr. Speaker, I move that the following bills be removed from the tabled calendar and placed on the active calendar:

HB 21;  
HB 96;  
HB 327;  
HB 533;  
HB 536;  
HB 724;  
HB 758;  
HB 854;  
HB 962;  
HB 1154;  
HB 1156;  
HB 1175;  
HB 1185;  
HB 1194;  
HB 1200;  
HB 1201;  
HB 1208;  
HB 1229;  
HB 1241;  
HB 1244;  
HB 1310;  
HB 1342;  
HB 1438;  
SB 200;



SB 279;  
SB 526;  
SB 632;  
SB 867; and  
SB 879.

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

#### **ANNOUNCEMENT BY SPEAKER**

The SPEAKER. The majority leader and minority leader have indicated that there is no further business to be brought before the House today. The members are advised that the House will be in full voting session tomorrow beginning at 11 o'clock, and the Chair would advise the members to be present on time, as it may be necessary for both parties to call immediate caucuses.

#### **LEAVE CANCELED**

The SPEAKER. The Chair notes the presence in the hall of the House of Mrs. Rudy, who was given leave for the morning session. Her name will be added to the master roll for the afternoon session.

#### **ADJOURNMENT**

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

Mr. FLICK. Mr. Speaker, I move that this House do now adjourn until Wednesday, September 28, 1983, at 11 a.m., e.d.t.

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

Motion was agreed to, and at 6:39 p.m., e.d.t., the House adjourned.