

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

MONDAY, OCTOBER 3, 1983

SESSION OF 1983

167TH OF THE GENERAL ASSEMBLY

No. 78

### HOUSE OF REPRESENTATIVES

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

#### THE SPEAKER PRO TEMPORE (LESTER K. FRYER) IN THE CHAIR

#### PRAYER

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

Eternal and ever-vigilant Father, as we approach the beginning of this week's session, we invoke Thy blessing upon the members of this House and the work they bring to maturity. We pray that Thou wilt bestow upon them the counsel and strength of Thy presence so that they may successfully complete the gargantuan task they face to the honor and glory of Thy blest name.

O God, enable them to enact legislation which will be for the betterment of the people of this great Commonwealth, and challenge them to faithfully serve the constituency they represent. This we ask that Thy name may be praised and Thy will may be done on earth as it is in heaven. Amen.

#### PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

#### COMMUNICATION FROM SPEAKER

##### SPEAKER PRO TEMPORE APPOINTED

The SPEAKER pro tempore. The Chair acknowledges receipt of the following communication, which the clerk will read.

The following communication was read:

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

Pursuant to House Rule 1, this is to advise that I have appointed Honorable Lester K. Fryer as Speaker Pro Tempore for the period October 3 - 5, 1983.

K. Leroy Irvis

### JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, approval of the Journal for Wednesday, September 28, 1983, will be postponed until printed. The Chair hears no objection.

### JOURNALS APPROVED

The SPEAKER pro tempore. The Journals are in print for Monday, September 19, and Tuesday, September 20, 1983. Without objection, the Journals will be approved. The Chair hears no objection.

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 1487** By Representatives FARGO, POTT, HALUSKA, KLINGAMAN, BOWSER, GRIECO, MERRY, BOOK, KUKOVICH, SCHEETZ, WILSON, E. Z. TAYLOR, FISCHER and TELEK

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), changing the dates for the Municipal and General primaries; and making related changes.

Referred to Committee on STATE GOVERNMENT, October 3, 1983.

**No. 1488** By Representatives FARGO, POTT, LETTERMAN, KLINGAMAN, BOWSER, GRIECO, MERRY, BOOK, JOHNSON, WILSON, E. Z. TAYLOR and TELEK

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), further restricting electioneering at polling places.

Referred to Committee on STATE GOVERNMENT, October 3, 1983.

**No. 1489** By Representatives FARGO, POTT, KLINGAMAN, BOWSER, GRIECO, MERRY, BOOK, KUKOVICH, WILSON, E. Z. TAYLOR and TELEK

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), further providing for the form of the official primary ballot.

Referred to Committee on STATE GOVERNMENT, October 3, 1983.

**No. 1490** By Representatives CIMINI, LETTERMAN and SALOOM

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing a minimum mandatory sentence for using armor-piercing ammunition in committing certain crimes.

Referred to Committee on JUDICIARY, October 3, 1983.

**No. 1491** By Representatives CIMINI, LETTERMAN and SALOOM

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), excluding the imposition of sales taxes on Federal excise taxes on the sale of tires.

Referred to Committee on FINANCE, October 3, 1983.

**No. 1492** By Representatives CIMINI, LETTERMAN and SALOOM

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, increasing the statute of limitations for arson and related offenses.

Referred to Committee on JUDICIARY, October 3, 1983.

**No. 1493** By Representatives CIMINI, LETTERMAN and SALOOM

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21) requiring able-bodied recipients to assist others in emergencies and disasters.

Referred to Committee on HEALTH AND WELFARE, October 3, 1983.

**No. 1494** By Representatives CIMINI, LETTERMAN and SALOOM

An Act relating to the State correctional institutions and the care and maintenance of prisoners therein; and to provide for the reimbursement of the Commonwealth on account thereof in certain cases.

Referred to Committee on JUDICIARY, October 3, 1983.

**No. 1495** By Representatives CIMINI, LETTERMAN and SALOOM

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the public availability of the law enforcement records of certain children.

Referred to Committee on JUDICIARY, October 3, 1983.

**No. 1496** By Representatives CIMINI, LETTERMAN and SALOOM

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, including farms.

Referred to Committee on FINANCE, October 3, 1983.

**No. 1497** By Representatives CIMINI, LETTERMAN and SALOOM

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the use of previous judicial determinations in subsequent judicial proceedings relating to certain children.

Referred to Committee on JUDICIARY, October 3, 1983.

**No. 1498** By Representatives CIMINI, LETTERMAN and SALOOM

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, permitting any person to see the court files and records of a child charged with committing certain offenses.

Referred to Committee on JUDICIARY, October 3, 1983.

**No. 1499** By Representatives CIMINI, LETTERMAN and SALOOM

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, making the registration number prima facie evidence that the owner was operating the vehicle.

Referred to Committee on JUDICIARY, October 3, 1983.

**No. 1500** By Representatives CIMINI, LETTERMAN and SALOOM

An Act requiring certain agencies and departments to pay the increased costs of certain projects when their delaying actions are found to be unjustified.

Referred to Committee on STATE GOVERNMENT, October 3, 1983.

**No. 1501** By Representatives CIMINI, LETTERMAN and SALOOM

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, extending a police officer's power of arrest and custody beyond the limits of the officer's political subdivision.

Referred to Committee on JUDICIARY, October 3, 1983.

**No. 1502** By Representatives CIMINI, LETTERMAN and SALOOM

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for fines, recognizance and other forfeitures for certain violations of the Vehicle Code to be paid to municipalities.

Referred to Committee on JUDICIARY, October 3, 1983.

**No. 1503** By Representatives CIMINI, LETTERMAN and SALOOM

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting the injuring of or tampering with a municipal vehicle.

Referred to Committee on JUDICIARY, October 3, 1983.

**No. 1504** By Representatives CIMINI, LETTERMAN and SALOOM

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing a penalty for certain offenses concerning investigations by police officers.

Referred to Committee on TRANSPORTATION, October 3, 1983.

**No. 1505** By Representatives CIMINI, LETTERMAN and SALOOM

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, requiring the Department of Transportation to furnish licensing information to local police.

Referred to Committee on TRANSPORTATION, October 3, 1983.

**No. 1506** By Representatives CIMINI, LETTERMAN and SALOOM

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), requiring the Department of General Services to first offer used State Police automobiles to local police departments.

Referred to Committee on STATE GOVERNMENT, October 3, 1983.

**No. 1507** By Representatives CIMINI, LETTERMAN and SALOOM

An Act amending "The Local Tax Enabling Act," approved December 31, 1965 (P. L. 1257, No. 511), further providing for exemptions from taxation.

Referred to Committee on FINANCE, October 3, 1983.

**No. 1508** By Representatives CIMINI, LETTERMAN and SALOOM

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571, No. 254), restricting reassessments on property of certain senior citizens.

Referred to Committee on LOCAL GOVERNMENT, October 3, 1983.

**No. 1509** By Representatives BUNT, KOSINSKI, MORRIS, BOOK, PISTELLA, SCHULER, COY, MADIGAN, BOWSER, CIMINI, ARMSTRONG, NOYE, JOHNSON, FISCHER, SCHEETZ, SIRIANNI, DORR, HASAY, LETTERMAN, LASHINGER, DeLUCA, POTT, BELFANTI, GODSHALL, SALOOM, E. Z. TAYLOR, SEMMEL and PETRARCA

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), excluding sales to 4-H clubs from the sales tax.

Referred to Committee on FINANCE, October 3, 1983.

**No. 1510** By Representatives GRIECO, STUBAN and MADIGAN

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), establishing time limitations regarding the keeping of records and the making of assessments.

Referred to Committee on FINANCE, October 3, 1983.

**No. 1511** By Representatives WOGAN, WESTON, SALVATORE, O'BRIEN, PERZEL, KOSINSKI, VROON, CLYMER, GODSHALL, GLADECK, KLINGAMAN, NOYE, PHILLIPS, ANGSTADT, POTT, BOOK, MARMION and SEMMEL

An Act prohibiting the Commonwealth and its departments, boards and commissions from imposing obligations or responsibilities upon school boards with respect to pupil assignment and transportation.

Referred to Committee on STATE GOVERNMENT, October 3, 1983.

**No. 1512** By Representatives RYBAK, KOWALYSHYN, FEE, McINTYRE, CAWLEY, DUFFY, JAROLIN, McCALL, TIGUE, HASAY, MISCEVICH, FREEMAN, McHALE, ZWIKL, GRUPPO, SEMMEL, COLAFELLA, HALUSKA, DeLUCA, DeWEESE, KOSINSKI, SWEET, SALOOM, BLAUM, TELEK, O'BRIEN and MACKOWSKI

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), changing the time period for an exemption.

Referred to Committee on LIQUOR CONTROL, October 3, 1983.

**No. 1513** By Representatives DeWEESE, BLAUM, LLOYD, WOZNIAK, STEWART and PISTELLA

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing that the transportation costs of coal shall not be included in the computation of the fuel cost adjustment.

Referred to Committee on CONSUMER AFFAIRS, October 3, 1983.

**No. 1514** By Representatives PETRONE, TRELLO, MARMION, BOOK, SEVENTY, DeWEESE, DALEY, STEWART, COWELL, CIVERA, PUNT, CIMINI, BARBER, MISCEVICH, PHILLIPS, COLAFELLA, DeLUCA, DORR, KASUNIC, BELFANTI, WOGAN, MORRIS, KOSINSKI, HERMAN, BALDWIN, SCHULER, FISCHER, BATTISTO, MAYERNIK, PRESTON, LETTERMAN and SEMMEL

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for special plates for members of the National Guard.

Referred to Committee on MILITARY AND VETERANS AFFAIRS, October 3, 1983.

**No. 1515** By Representatives CIVERA, FREIND, MICOZZIE, ARTY, FLICK, R. C. WRIGHT, JAROLIN, SPITZ, BELARDI and GANNON

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

Referred to Committee on JUDICIARY, October 3, 1983.

- No. 1516** By Representatives MRKONIC, WARGO, SEVENTY, BATTISTO, MISCEVICH, CALTAGIRONE, DAWIDA, GAMBLE, OLASZ, BROUJOS, MICHLOVIC, WOZNIAK, KASUNIC, DeLUCA, MARKOSEK, KOSINSKI, DUFFY and RAPPAPORT

An Act amending the "Fraternal Benefit Society Code," approved July 29, 1977 (P. L. 105, No. 38), further providing where meetings of domestic societies may be held and the effect of such meetings; extending the time during which domestic societies may defer loans; further providing for the investment of assets; and extending the time during which the department must visit and examine domestic societies.

Referred to Committee on INSURANCE, October 3, 1983.

- No. 1517** By Representatives WOZNIAK, FREEMAN, BELFANTI, CLARK, PETRARCA, VAN HORNE, LETTERMAN, PISTELLA, WARGO, ALDERETTE, MRKONIC, DeLUCA, KOSINSKI, GRUITZA, BLAUM, JAROLIN, STEWART, PRESTON, E. Z. TAYLOR, DeWEESE, SEMMEL, OLASZ, HALUSKA, MISCEVICH, GAMBLE, TELEK, GRUPPO, ANGSTADT, WOGAN, BOYES, PUNT, GEIST and O'BRIEN

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), requiring the Department of Transportation to do certain work on manhole covers, drains and other devices at the time a road is repaired or resurfaced.

Referred to Committee on TRANSPORTATION, October 3, 1983.

- No. 1518** By Representatives CAWLEY, DUFFY, CORDISCO, DOMBROWSKI, HALUSKA, JAROLIN, TIGUE, KOSINSKI, RICHARDSON, CAPPABIANCA, VAN HORNE, MISCEVICH, LETTERMAN, STEWART, DeLUCA, WOZNIAK, BURNS, OLASZ, TRELLO, PISTELLA, CALTAGIRONE, KASUNIC and LESCOVITZ

An Act providing for the licensing, operating and placement of coin-operated gaming machines within this Commonwealth; creating the Gaming Commission; providing powers and duties; providing for enforcement; prohibiting use by minors; providing for local option; providing for distribution of revenues to be used for specified purposes; and providing penalties.

Referred to Committee on BUSINESS AND COMMERCE, October 3, 1983.

- No. 1519** By Representatives TIGUE, HARPER, PISTELLA, CAPPABIANCA, VAN HORNE, OLASZ and CLARK

An Act authorizing the establishment of gambling casinos in the Commonwealth; providing for the licensing, regulation and taxation thereof; creating the Commonwealth Gambling Control Commission and the Bureau of Gambling Enforcement; prescribing the powers, duties and functions of the commission and bureau; and making an appropriation.

Referred to Committee on BUSINESS AND COMMERCE, October 3, 1983.

- No. 1520** By Representatives CIMINI, MRKONIC, BATTISTO, WARGO, GRIECO, MANMILLER, PICCOLA, JOHNSON, B. SMITH, DeWEESE and WASS

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, changing provisions relating to the State Veterans' Commission.

Referred to Committee on MILITARY AND VETERANS AFFAIRS, October 3, 1983.

- No. 1521** By Representatives SPENCER and McVERRY

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for payment by the Commonwealth of the salaries and benefits of the personal staffs of common pleas judges.

Referred to Committee on JUDICIARY, October 3, 1983.

- No. 1522** By Representatives HASAY, STUBAN, TIGUE, CAPPABIANCA and MADIGAN

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), further providing for the prohibition of nuisances.

Referred to Committee on LOCAL GOVERNMENT, October 3, 1983.

- No. 1523** By Representatives WILSON, PISTELLA, HALUSKA, J. L. WRIGHT, GODSHALL, BOWSER, PETRONE, HASAY, CLARK, LASHINGER, PHILLIPS, SWEET, MADIGAN, HERSHEY, KUKOVICH, DORR, KASUNIC, BELFANTI, WOGAN, MORRIS, E. Z. TAYLOR, SCHULER, FREIND, MILLER, FARGO, NOYE, SEMMEL, BATTISTO, ITKIN, POTT, ALDERETTE and MAYERNIK

An Act amending the "Constable Fee Law," approved July 20, 1917 (P. L. 1158, No. 401), further providing for reimbursement of mileage expenses actually incurred.

Referred to Committee on JUDICIARY, October 3, 1983.

- No. 1524** By Representatives BELFANTI, PUNT, BALDWIN, LASHINGER, HALUSKA, SCHULER, CALTAGIRONE, GRUPPO, STEIGHNER, TELEK, MILLER, DALEY, LUCYK, SEMMEL, AFFLERBACH, FISCHER, BLAUM, KUKOVICH, MICOZZIE, D. W. SNYDER, STEVENS, FATTAH, PRESTON, WACHOB,

KASUNIC, DeWEESE, FREEMAN,  
DeLUCA, McCALL, PETRARCA,  
STUBAN and SHOWERS

An Act amending the "Pennsylvania Industrial Development Authority Act," approved May 17, 1956 (1955 P. L. 1609, No. 537), further defining the term "industrial development project."

Referred to Committee on BUSINESS AND COMMERCE, October 3, 1983.

**No. 1525** By Representatives IRVIS, MANDERINO, O'DONNELL, ITKIN, WARGO, D. R. WRIGHT, DOMBROWSKI, DUFFY, COLE, BATTISTO, PISTELLA, ZWIKL, OLASZ, AFFLERBACH, McHALE, DeWEESE, COY, GALLAGHER, VAN HORNE, EVANS, RYBAK, BELFANTI, KUKOVICH, F. E. TAYLOR, BALDWIN, MORRIS, CALTAGIRONE, FATTAH, CARN, STEIGHNER, DeLUCA, PETRARCA, DAWIDA, ALDERETTE and LINTON

An Act amending "The First Class City Permanent Registration Act," approved March 30, 1937 (P. L. 115, No. 40), authorizing reproduction of voter registration application cards.

Referred to Committee on STATE GOVERNMENT, October 3, 1983.

**No. 1526** By Representatives IRVIS, MANDERINO, O'DONNELL, ITKIN, WARGO, D. R. WRIGHT, DOMBROWSKI, DUFFY, COLE, BATTISTO, PISTELLA, ZWIKL, OLASZ, AFFLERBACH, McHALE, DeWEESE, COY, GALLAGHER, VAN HORNE, EVANS, RYBAK, BELFANTI, KUKOVICH, F. E. TAYLOR, BALDWIN, MORRIS, CALTAGIRONE, FATTAH, CARN, STEIGHNER, DeLUCA, PETRARCA, DAWIDA, ALDERETTE and LINTON

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships," approved April 29, 1937 (P. L. 487, No. 115), authorizing reproduction of voter registration application cards.

Referred to Committee on STATE GOVERNMENT, October 3, 1983.

**No. 1527** By Representative BURNS

An Act amending the act of April 30, 1943 (P. L. 145, No. 73), entitled, as amended, "An act providing for and regulating the accumulation, investment and expenditure by counties, cities, boroughs, incorporated towns, townships and school districts of funds for post war projects," providing for the compilation of certain lists of capital projects by school boards.

Referred to Committee on EDUCATION, October 3, 1983.

**No. 1528** By Representative BURNS

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, granting the commission power to designate economic incentive areas.

Referred to Committee on CONSUMER AFFAIRS, October 3, 1983.

**No. 1529** By Representative BURNS

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for the provision of taxicab service within cities of the first class.

Referred to Committee on CONSUMER AFFAIRS, October 3, 1983.

**No. 1530** By Representative BURNS

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736, No. 338), exempting the Commonwealth and its political subdivisions from the requirement that coverage be provided by the fund or an insurance company; and making editorial changes.

Referred to Committee on LABOR RELATIONS, October 3, 1983.

**No. 1531** By Representatives FRYER, GALLEN, DeLUCA, GAMBLE, A. C. FOSTER, JR., SALOOM, HUTCHINSON, LIVENGOOD, PETRARCA, LEVI, PRATT and MARMION

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, abolishing judicial retention; and forbidding Supreme Court rules or canons from inhibiting judicial expression of opinions on legal and political issues.

Referred to Committee on JUDICIARY, October 3, 1983.

**No. 1532** By Representatives FRYER, GALLEN, DeLUCA, GAMBLE, A. C. FOSTER, JR., SALOOM, HUTCHINSON, LIVENGOOD, PETRARCA, LEVI, PRATT and MARMION

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, eliminating judicial retention of judges of courts of common pleas; and forbidding Supreme Court rules or canons from inhibiting judicial expression of opinions on legal and political issues.

Referred to Committee on JUDICIARY, October 3, 1983.

**No. 1533** By Representatives FRYER, GALLEN, DeLUCA, GAMBLE, A. C. FOSTER, JR., SALOOM, HUTCHINSON, LIVENGOOD, PETRARCA, LEVI, PRATT and BELFANTI

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, eliminating judicial retention for appellate court judges; and forbidding Supreme Court rules or canons from inhibiting judicial expression of opinions on legal and political issues.

Referred to Committee on JUDICIARY, October 3, 1983.

### HOUSE RESOLUTION INTRODUCED AND REFERRED

**No. 135**

(Concurrent) By Representatives HERSHEY, PITTS, SCHULER, VROON, BOYES, GEIST, PETRONE, BOOK, FLICK, GALLAGHER, HERMAN, SAURMAN, GRUPPO, CLYMER, JOHNSON, ARMSTRONG, BALDWIN, SCHEETZ, ALDERETTE, POTT, RUDY and McHALE

Urging voluntary refrainment from the use of alcohol during National Family Week.

Referred to Committee on RULES, October 3, 1983.

### SENATE BILLS FOR CONCURRENCE

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

**SB 403, PN 1240**

Referred to Committee on STATE GOVERNMENT, October 3, 1983.

**SB 763, PN 1247**

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, October 3, 1983.

**SB 808, PN 937**

Referred to Committee on LOCAL GOVERNMENT, October 3, 1983.

**SB 950, PN 1241**

Referred to Committee on BUSINESS AND COMMERCE, October 3, 1983.

**SB 966, PN 1248**

Referred to Committee on BUSINESS AND COMMERCE, October 3, 1983.

**SB 967, PN 1249**

Referred to Committee on STATE GOVERNMENT, October 3, 1983.

**SB 968, PN 1250**

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, October 3, 1983.

### LEAVES OF ABSENCE GRANTED

The SPEAKER pro tempore. Are there any requests for leaves of absence?

The Chair recognizes the majority whip.

Mr. O'DONNELL. Thank you, Mr. Speaker.

We request a leave for the gentleman from Philadelphia, Mr. PIEVSKY, for the entire week; for the gentleman from

Chester, Mr. MORRIS, for today; and for the gentleman from Allegheny, Mr. IRVIS, for the week. Thank you.

The SPEAKER pro tempore. Without objection, leaves of absence are granted. The Chair hears no objection.

The Chair recognizes the minority whip. The minority whip states that he has no requests for leaves of absence.

### MASTER ROLL CALL RECORDED

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

The following roll call was recorded:

#### PRESENT—198

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

#### ADDITIONS—2

Gruitza                      Zwikl

NOT VOTING—0

EXCUSED—3

Morris Irvis,  
Pievsky Speaker

**WELCOME**

The SPEAKER pro tempore. The Chair is pleased to welcome Herman Zettle, Mr. and Mrs. Clarence Noecker, and Mr. and Mrs. Paul Dietz, who are the guests of Representatives Paul Wass and John Davies.

**MEMBER'S PRESENCE RECORDED**

The SPEAKER pro tempore. The gentleman from Mercer, Mr. Gruitza, is hereby added to the master roll call.

**BILLS REMOVED FROM TABLE**

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that the following bills be moved from the tabled calendar to the active calendar:

- HB 400;
- HB 538;
- HB 552;
- HB 707; and
- SB 21.

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

**WELCOME**

The SPEAKER pro tempore. The Chair is pleased to announce the presence of Joseph and Dorothy Paglia, Bob Morabito, Lou Dorn, and Joe and Justine Lehn, who are the guests of the Representatives from Lawrence and Beaver Counties.

**CALENDAR**

**BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **SB 298, PN 1246**, entitled:

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.

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

**BILL RECOMMITTED**

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that SB 298, PN 1246, be recommitted to the Appropriations Committee for the purpose of a fiscal note.

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

\* \* \*

The House proceeded to second consideration of **HB 728, PN 810**, entitled:

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.

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

**BILL RECOMMITTED**

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

Mr. PRATT. Mr. Speaker, I move that HB 728, PN 810, be recommitted to the Appropriations Committee for the purpose of a fiscal note.

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

\* \* \*

The House proceeded to second consideration of **HB 830, PN 927**, entitled:

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.

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

**BILL RECOMMITTED**

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that HB 830, PN 927, be recommitted to the Appropriations Committee for a fiscal note.

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

### BILLS AGREED TO ON SECOND CONSIDERATION

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

**HB 903, PN 1031; and SB 280, PN 299.**

\* \* \*

The House proceeded to second consideration of **HB 1445, PN 1793**, entitled:

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.

On the question,

Will the House agree to the bill on second consideration?

### BILL RECOMMITTED

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that HB 1445, PN 1793, be recommitted to the Appropriations Committee for a fiscal note.

On the question,

Will the House agree to the motion?

Motion was agreed to.

\* \* \*

The House proceeded to second consideration of **HB 1446, PN 1794**, entitled:

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.

On the question,

Will the House agree to the bill on second consideration?

### BILL RECOMMITTED

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that HB 1446, PN 1794, be recommitted to the Appropriations Committee for a fiscal note.

On the question,

Will the House agree to the motion?

Motion was agreed to.

\* \* \*

The House proceeded to second consideration of **HB 1448, PN 1795**, entitled:

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.

On the question,

Will the House agree to the bill on second consideration?

### BILL RECOMMITTED

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that HB 1448, PN 1795, be recommitted to the Appropriations Committee for a fiscal note.

On the question,

Will the House agree to the motion?

Motion was agreed to.

### BILLS AGREED TO ON SECOND CONSIDERATION CONTINUED

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

**HB 822, PN 1789; and SB 199, PN 1245.**

### MEMBER'S PRESENCE RECORDED

The SPEAKER pro tempore. The gentleman from Lehigh, Mr. Zwinkl, is added to the master roll call.

### BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 310, PN 1429**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Mr. BOYES offered the following amendments No. A2888:

Amend Sec. 2 (Sec. 1301.9), page 3, lines 19 and 20, by striking out "OPENING OF BIDS ON WHICH ALL PERSONAL PROPERTY WILL BE AUCTIONED," and inserting disposition of all personal property.

Amend Sec. 2 (Sec. 1301.9), page 3, line 27, by striking out "THE OPENING OF BIDS," and inserting the disposition of all personal property.

Amend Sec. 2 (Sec. 1301.9), page 3, line 30, by striking out "AT A DULY ADVERTISED" and inserting by either sealed bids or a

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

The SPEAKER pro tempore. The Chair recognizes the gentleman from Erie, Mr. Boyes.

Mr. BOYES. Thank you, Mr. Speaker.

This amendment, I believe, is an agreed-to amendment that provides language for purposes of clarification of the private sealed bidding as addressed in the bill and a public auction. It clarifies the difference. I urge an affirmative vote. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—190

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

NAYS—0

NOT VOTING—10

Carn	Madigan	Pott	Swift
Lashingner	Miscevich	Sirianni	Telek
Levin	Mowery		

EXCUSED—3

Morris	Irvis,
Pievsky	Speaker

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

The question is, shall the bill pass finally?

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

YEAS—197

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

Donatucci	Letterman	Reber	Wright, R. C.
Dorr	Levi	Reinard	Zwilk
Duffy			

NAYS—0

NOT VOTING—3

Lashinger	Swift	Telek
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EXCUSED—3

Morris	Irvis,
Pievsky	Speaker

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.

### WELCOME

The SPEAKER pro tempore. The Chair is pleased to introduce constituents from Bethlehem - Fred Stair, Michael McFadden, and Eugene Gonzalez - who are the guests of Representative William Rybak and Representative Russell Kowalshyn.

### BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 882, PN 1003**, entitled:

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.

On the question,

Will the House agree to the bill on third consideration?

Mr. DORR offered the following amendments No. A2908:

Amend Title, page 1, line 22, by removing the period after "Board" and inserting

; establishing the Pennsylvania Academic Commission on Technological Development; and providing for its powers and duties.

Amend Bill, page 2, by inserting between lines 9 and 10

Section 2. Section 448 of the act is amended by adding a subsection to read:

Section 448. Advisory Boards and Commissions.—The advisory boards and commissions, within the several administrative departments, shall be constituted as follows:

\*\*\*

(n.1) There is hereby created the Pennsylvania Academic Commission on Technological Development as an advisory body to the Board of the Ben Franklin Partnership Fund, which shall consist of the Chairman of the Ben Franklin Partnership Fund, or his designee, who shall serve as chairman of the commission, the Secretary of Education, or his designee, three representatives from universities within the Pennsylvania State System of Higher Education to be appointed by the chancellor of the system, and one representative from each of the following institutions, to be appointed by the chief executive officer of the institution:

The Pennsylvania State University  
The University of Pittsburgh  
Temple University

Lincoln University  
The University of Pennsylvania  
Hahnemann Medical College  
Thomas Jefferson University  
The Medical College of Pennsylvania  
The Philadelphia College of Osteopathic Medicine  
Drexel University  
The Pennsylvania College of Optometry  
The Pennsylvania College of Podiatric Medicine  
The Lancaster Cleft Palate  
The Pittsburgh Cleft Palate  
The Franklin Institute  
The Academy of Natural Sciences  
Buhl Science Center  
The Pittsburgh Home for Crippled Children  
Carnegie-Mellon University, so long as the institution is participating in the Ben Franklin Partnership Fund Program as an advanced technology center.  
Lehigh University, so long as the institution is participating in the Ben Franklin Partnership Fund Program as an advanced technology center.

In addition, the chairman of the commission may accept for membership representatives from any other educational, scientific or research institution located within the Commonwealth, to be appointed by the respective chief executive officer thereof.

The Chairman of the Ben Franklin Partnership Fund and the Secretary of Education shall serve for the duration of their tenure of office. If designees are chosen, such designees shall serve at the pleasure of the Chairman of the Ben Franklin Partnership Fund or the Secretary of Education, whichever appointed said designee. Members from the State System of Higher Education shall serve at the pleasure of the chancellor of the system. The remaining members shall serve at the pleasure of the chief executive officer of their respective institutions.

Members shall receive no compensation for their services, but shall be reimbursed for expenses actually incurred by them in the performance of their duties by the Ben Franklin Partnership Fund in the case of the Chairman of the Ben Franklin Partnership Fund or his designee, by the Department of Education in the case of the Secretary of Education or his designee and by the respective institutions in the case of other members. Technical, managerial and other assistance required by the commission in the performance of its powers and duties shall be provided by the Ben Franklin Partnership Fund staff. Actual and necessary expenses incurred by the commission shall be paid from the Ben Franklin Partnership Fund Program.

\*\*\*

Section 3. The act is amended by adding a section to read:

Section 2502-C. Powers and Duties of Pennsylvania Academic Commission on Technological Development.—The function of the Pennsylvania Academic Commission on Technological Development shall be to establish a Statewide network of inter-institutional communication on technological innovation and development for dissemination of information on such matters to the Pennsylvania business community and others who may use such information for new business and job development in Pennsylvania. To further these purposes, the commission shall have the following powers and its duties shall be to:

(1) Meet at least quarterly at locations designated by the chairman.

(2) Keep minutes and records of its meetings and other activities and to make such minutes and records available to the public through publication and broadcast in newspapers, trade journals, business magazines, radio, television and other appropriate media sources.

(3) Receive and accept grants, appropriations, aid or contributions from any source, of money, property or labor or other things of value to be held, used and applied to carry out the pur-

poses of this act, subject to the conditions upon which such grants and contributions may be made, including but not limited to gifts or grants from any department or agency of the United States or the Commonwealth.

(4) Collect and disseminate information on technological innovation, new product and process development and implementation, industrial and commercial development and such other information which may encourage or stimulate new business or job growth in Pennsylvania.

(5) Do all things necessary and proper to carry out the powers, duties, purposes and functions stated herein.

Amend Sec. 2, page 2, line 10, by striking out "2" and inserting

3

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. The Chair recognizes the gentleman from York, Mr. Dorr.

Mr. DORR. Thank you, Mr. Speaker.

Mr. Speaker, the members will remember amendments that we put into each of the nonpreferred appropriation bills which related to various colleges and universities and other institutions of higher learning with regard to the attendance by those institutions at a committee of persons designed to increase the use of technology in Pennsylvania and to disperse the knowledge that is generated in those research institutions for use by the general public in an effort to increase jobs in Pennsylvania. This amendment would provide the vehicle and create the committee which was involved in those amendments and to which those persons of those various institutions would then be a part.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—197

Afflerbach	Durham	Levin	Richardson
Alderette	Evans	Linton	Rieger
Angstadt	Fargo	Livengood	Robbins
Armstrong	Fattah	Lloyd	Rudy
Arty	Fee	Lucyk	Ryan
Baldwin	Fischer	McCaill	Rybak
Barber	Flick	McClatchy	Saloom
Battisto	Foster, W. W.	McHale	Salvatore
Belardi	Foster, Jr., A.	McIntyre	Saurman
Belfanti	Freeman	McMonagle	Scheetz
Beloff	Freind	McVerry	Schuler
Blaum	Fryer	Mackowski	Semmel
Book	Gallagher	Madigan	Serafini
Bowser	Gallen	Majale	Seventy
Boyes	Gamble	Manderino	Showers
Brandt	Gannon	Manmiller	Sirianni
Broujos	Geist	Markosek	Smith, B.
Bunt	George	Marmion	Smith, L. E.
Burd	Gladeck	Mayermik	Snyder, D. W.
Burns	Godshall	Merry	Snyder, G. M.
Caltagirone	Greenwood	Michlovic	Spencer
Cappabianca	Grieco	Micozzie	Spitz
Carn	Gruitza	Miller	Stairs
Cawley	Gruppo	Miscevich	Steighner
Cessar	Hagarty	Moehlmann	Stevens
Cimini	Haluska	Mowery	Stewart
Civera	Harper	Mrkonic	Stuban
Clark	Hasay	Murphy	Sweet
Clymer	Haycs	Nahill	Taylor, E. Z.
Cohen	Herman	Noye	Taylor, F. E.

Colafella	Hershey	O'Brien	Tigue
Cole	Hoeffel	O'Donnell	Trello
Cordisico	Honaman	Olasz	Truman
Cornell	Hutchinson	Oliver	Van Horne
Coslett	Itkin	Perzel	Vroon
Cowell	Jackson	Peterson	Wachob
Coy	Jarolin	Petrarca	Wambach
DeLuca	Johnson	Petrone	Wargo
DeVerter	Kasunic	Phillips	Wass
DeWeese	Kennedy	Piccola	Weston
Daley	Klingaman	Pistella	Wiggins
Davies	Kosinski	Pitts	Williams
Dawida	Kowalshyn	Pott	Wilson
Deal	Kukovich	Pratt	Wogan
Dietz	Laughlin	Preston	Wozniak
Dininni	Lehr	Punt	Wright, D. R.
Dombrowski	Lescovitz	Rappaport	Wright, J. L.
Donatucci	Letterman	Reber	Wright, R. C.
Dorr	Levi	Reinard	Zwikl
Duffy			

NAYS—0

NOT VOTING—3

Lashinger Swift Telek

EXCUSED—3

Morris Irvis,  
Pievsky Speaker

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 PASSED OVER

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

Mr. RAPPAPORT. Mr. Speaker, is it the intention of the Chair to run the bill on final passage today?

The SPEAKER pro tempore. Unless the gentleman objects.

Mr. RAPPAPORT. I am chairman of the Judiciary Committee, as the Speaker knows. I would be grateful if the bill could go over for today.

The SPEAKER pro tempore. Without objection, the bill will go over for today's session. The Chair hears no objection.

\* \* \*

The House proceeded to third consideration of **HB 1137, PN 1306**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Mr. LINTON offered the following amendments No. A1944:

Amend Sec. 1 (Sec. 4107.2), page 2, by inserting between lines 17 and 18

"Control." The exclusive or ultimate and sole control of the business including, but not limited to, capital investment and all other financial, property, acquisition, contract negotiation, legal matters, officer-director-employee selection and comprehensive

hiring, operating responsibility, cost-control matters, income and dividend matters, financial transactions and rights of other shareholders or joint partners.

Amend Sec. 1 (Sec. 4107.2), page 2, lines 18 through 25, by striking out "A small business concern" in line 18, all of lines 19 through 25, and inserting

A small business concern which is:

(1) A sole proprietorship, owned and controlled by a socially and economically disadvantaged individual.

(2) A partnership or joint venture controlled by socially and economically disadvantaged individuals in which 51% of the beneficial ownership interest is held by socially and economically disadvantaged individuals.

(3) A corporation or other entity controlled by socially and economically disadvantaged individuals in which at least 51% of the voting interest and 51% of the beneficial ownership interest are held by socially and economically disadvantaged individuals.

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Linton.

Mr. LINTON. Mr. Speaker, the first part of my amendment merely defines the word "control," which basically defines the substance of the bill. Conversations that I have had with the inspector general at PennDOT (Pennsylvania Department of Transportation) and many officials around the Commonwealth who are involved in the certification of minority- and women-owned businesses have indicated to me that this definition would help in terms of their efforts to eliminate the fraudulent efforts of some to get certification as minority- or women-owned businesses.

The second part of the amendment merely provides further clarification of the definition for a small business concern, defining sole proprietorship, partnership, joint venture, and corporate and other bodies. I ask for an affirmative vote on the amendment. Thank you.

BILL PASSED OVER

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

Mr. NOYE. Mr. Speaker, I know absolutely nothing about the amendment, and several of our members here have raised questions. We did not have it for caucus. I cannot speak to the substance of the amendment, but I would ask that the bill and the amendment be put over until we have a chance to review it. It could be that we have no objections whatsoever; it is just that we have not seen it until just this moment.

The SPEAKER pro tempore. The gentleman wishes that the bill be held until tomorrow. Without objection, the bill will go over for today's session.

The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, can we be at ease on the Linton amendment and disposition of HB 1137 for a moment?

The SPEAKER pro tempore. The House will be at ease.

The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, the Linton amendment was in print and distributed last week, but Mr. Linton has

agreed that the bill can go over for today, although he is anxious that the bill be run. We would ask the gentleman, Mr. Noye, and the Republicans to caucus on that today. Thank you.

The SPEAKER pro tempore. Without objection, the bill will go over for today's session. The Chair hears no objection.

\* \* \*

The House proceeded to third consideration of **HB 1357, PN 1624**, entitled:

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.

On the question,

Will the House agree to the bill on third consideration?

Mr. FARGO offered the following amendments No. A2854:

Amend Title, page 1, line 12, by removing the period after "1984" and inserting

; further providing for the form of the official primary ballot.

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

Section 2. Section 1002(b) of the act, amended December 2, 1976 (P.L.1221, No.269), is amended to read:

Section 1002. Form of Official Primary Ballot.

\* \* \*

(b) On the back of each ballot shall be printed in prominent type the words "OFFICIAL PRIMARY BALLOT OF .....PARTY FOR" followed by the designation of the election district for which it is prepared, the date of the primary and the facsimile signatures of the members of the county board of elections. The names of candidates shall in all cases be arranged under the title of the office for which they are candidates, and be printed thereunder in the order determined by the casting of lots as provided by this act. Under the title of such offices where more than one candidate is to be voted for, shall be printed "Vote for not more than ....." (the blank space to indicate the number of candidates to be voted for the particular office.) At the right of the name of each candidate there shall be a square of sufficient size for the convenient insertion of a cross (x) or check ( ) mark. There shall be left at the end of the list of candidates for each office (or under the title of the office itself in case there be no candidates who have filed nomination petitions therefor) as many blank spaces as there are persons to be voted for, for such office, in which space the elector may insert the name of any person whose name is not printed on the ballot as a candidate for such office. Opposite or under the name of each candidate[, except candidates for the office of President of the United States and candidates for delegate or alternate delegate to a National Party Convention, who is to be voted for by the electors of more than one county, shall be printed the name of the county in which such candidate resides; and opposite or under the name of each candidate except candidates for delegate or alternate delegate to a National Party Convention who is to be voted for by the electors of an entire county or any congressional, senatorial or representative district within the county, shall be printed the name of the city, borough, township or ward, as the case may be,] for State-wide office shall be printed the name of the county in which such candidate resides.

\* \* \*

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

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

The SPEAKER pro tempore. The Chair recognizes the gentleman from Mercer, Mr. Fargo, for the purpose of explaining the amendment.

Mr. FARGO. Thank you, Mr. Speaker.

This amendment removes from the primary ballot the name of the county or the city, the borough or the township or ward in which the candidate resides. The county of residence for candidates for statewide office will continue to be shown on the ballot. I would appreciate your support for this amendment.

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

Mr. ITKIN. Mr. Speaker, HB 1357 is a very important piece of legislation that is going to affect each one of us who stands for reelection next year. What the bill will do will be to move the date of the primary up a couple of weeks. It is very imperative that this bill get to the Senate unencumbered so the Senate can act promptly and so that we cause the least disturbance to the election departments in our various counties to carry out the law.

I really do not wish to get into the pros and cons of this particular amendment, although I suspect that to some individuals it would help and to other individuals it would hurt. On the other hand, I really feel that we ought not to be dealing with this amendment at this time, and I would hope that we would vote against the amendment now and perhaps Representative Fargo would offer it to some other bill which will come up in the near future. There will be other bills to amend the Election Code soon to appear on the calendar, and I would request that you vote "no" now and give that consideration to Mr. Fargo's amendment at a later date. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Mercer, Mr. Fargo.

Mr. FARGO. Thank you, Mr. Speaker.

I fully appreciate Representative Itkin's opinion on this as to the importance of this bill, and of course, that is the reason why I feel that my amendment is also extremely important, and that is one of the reasons why I would like to continue to have this amendment considered on this bill. Thank you.

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

Mr. WASS. Mr. Speaker, may I interrogate Mr. Noye?

The SPEAKER pro tempore. Will the gentleman, Mr. Noye, consent to brief interrogation by the gentleman, Mr. Wass?

Mr. NOYE. Yes.

The SPEAKER pro tempore. The gentleman has agreed to it, and the gentleman, Mr. Wass, is in order and may proceed.

Mr. WASS. Mr. Speaker, this seems like a complicated amendment. Did we caucus on this amendment?

Mr. NOYE. I believe we did, Mr. Speaker.

Mr. WASS. We did? Thank you very much. I am sorry.

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

Mr. DAVIES. Thank you, Mr. Speaker.

Would the gentleman consent to just one or two brief questions relative to his amendment?

The SPEAKER pro tempore. Is the gentleman referring to the gentleman, Mr. Fargo?

Mr. DAVIES. Yes, Mr. Speaker.

The SPEAKER pro tempore. Will the gentleman, Mr. Fargo, consent to interrogation by the gentleman from Berks, Mr. Davies?

Mr. FARGO. Yes, I would.

The SPEAKER pro tempore. The gentleman indicates he will. The gentleman, Mr. Davies, is in order and may proceed.

Mr. DAVIES. Thank you, Mr. Speaker.

Mr. Speaker, as I understand it, you say that this will not apply to candidates running for statewide office. Is that correct?

Mr. FARGO. That is correct.

Mr. DAVIES. All right. Now, Mr. Speaker, this would then apply to a Congressman; it would apply to State legislators, Senators and the like.

Mr. FARGO. That is correct.

Mr. DAVIES. All right. Now, Mr. Speaker, in the event that we would run into a phenomenon of a few years back and we would have three or four Mr. Caseys—let us say a Mr. Robert Casey—running for Congress, and there were two such gentlemen from the same congressional district, or let us say a county commissioner from West Cupcake in the east end of the county and from Boyerstettle in the southeastern corner of the county, how would the people of that county or how would the people of that congressional district ascertain who was the real Mr. Robert Casey, if there was any such real Mr. Robert Casey?

Mr. FARGO. Well, I would say that your argument may hold some water in the case of a congressional campaign. I believe that what you are saying points out the reasons why I feel this amendment is important in that I believe that a person ought to be voting on a candidate based on that candidate and knowing that candidate.

Mr. Speaker, I believe your question points out one of the major reasons why I believe this amendment is important, and that is that it is my contention that in voting on a candidate we ought to know that candidate. We should not be voting on that candidate merely because he lives in Podunk or wherever it might be. We should know about that individual candidate and what he stands for. That is the reason why I believe we should not have that designation on the primary ballots as to exactly what his location of residency is. I believe it is immaterial—or should be immaterial—in voting for the individual.

Mr. DAVIES. Mr. Speaker, you still did not answer the question as far as the clarification of that common name. How would anyone, in making the determination on a ballot, know which candidate—which John Smith, or which Mr. Paul Jones—he was voting for if such a designation was not on the ballot, sir?

I am sure that with the name "Fargo" it would probably be less than likely that there would be two Howard Fargos on that same ballot. But is that the case with the Snyders, the Smiths, the Browns, and so forth where the name could very readily be misconstrued as to the residency indicating where the gentleman was from and affiliate and associate that with the individual candidate, or would you have some other way of making that determination?

Mr. FARGO. Well, of course it is entirely possible that we would have a John Smith living next door to a John Smith, both of them living in the same town, and I guess we would have to find some way of saying that it was John A. Smith and John B. Smith. So we would have to come up with a designation if they were that close together. However, it is still my contention that if we know the individual and know whom we are voting for, we would be able to determine by whatever designation is on the ballot as to exactly who it is whom we are voting for. It is extremely important to the voter that he make himself acquainted with the candidate and not vote based on the location of that person or the residency of that individual. Of course, that is basically what this amendment would attempt to do.

As to your question, the answer would be that somehow on the ballot those two John Smiths would have to have their names changed, either by putting a nickname on it or a middle initial or some designation to change the names and give the voters an opportunity to know exactly whom they are voting for. I do not believe that putting the name of the village or the township or the ward satisfies that particular problem.

Mr. DAVIES. Mr. Speaker, you speak to the exception rather than the rule when you are talking about John Smiths living next door. If you are talking about a congressional district— How many times have you known that to occur either in your local political situation or statewide or otherwise, other than the historical example I have used statewide?

Mr. FARGO. Well, I feel what you are designating in your question is also the exception rather than the rule. Admittedly, there are some times in which we do have common names on the ballot, but once more I believe that is the exception, and it is up to the candidate to make sure that the voters of his area are aware of that problem and who he is and, you know, which one they should be voting on when they go into the polls.

Mr. DAVIES. Mr. Speaker, would the lesser of those two candidates known as John Smith be so willing to make an identification other than that of, as you say, a middle initial or the like? Would that indicate any political savvy to that end?

Mr. FARGO. Well, I do not know. In that situation I guess you would have to be able to actually confer with the lesser of the John Smiths. I do not believe that either one of them would be ready to admit that he was the lesser in the case of a campaign. I believe once more that it would be up to the candidates to take that into consideration and to make sure that the voters knew exactly whom they were voting for.

Mr. DAVIES. And you feel absolutely confident, Mr. Speaker, that the people in the west end of Mercer County would know what was occurring and know those particular candidates that well in, let us say, the east end of that county? You are comfortable that that is a fact now with the voters of Mercer County?

Mr. FARGO. I am not absolutely certain of that at all. I am absolutely certain that in my mind the voters should know the difference before they go into the poll to make their vote, and I believe it is incumbent on them to do so, or else they are going to end up voting for someone whom they probably would not want to vote for merely based on the location of that person's residence.

Mr. DAVIES. Thank you, Mr. Speaker.

I have no other questions relative to the amendment. I would withhold any concerns I would have with it until final passage of the legislation. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—47

Afflerbach	Flick	Madigan	Schuler
Blaum	Foster, W. W.	Mayernik	Smith, L. E.
Bowser	Godshall	Merry	Snyder, D. W.
Brandt	Hayes	Moehlmann	Spencer
Bunt	Herman	Noye	Stairs
Cessar	Hershey	Peterson	Swift
DeVerter	Honaman	Phillips	Taylor, E. Z.
Davies	Jackson	Pitts	Telek
Dawida	Klingaman	Robbins	Wachob
Dorr	Kukovich	Ryan	Wass
Fargo	Levi	Saloom	Wright, R. C.
Fischer	Mackowski	Scheetz	

NAYS—150

Alderette	Duffy	Livengood	Reinard
Angstadt	Durham	Lloyd	Richardson
Armstrong	Evans	Lucyk	Rieger
Arty	Fattah	McCall	Rudy
Baldwin	Fee	McClatchy	Rybak
Barber	Foster, Jr., A.	McHale	Salvatore
Battisto	Freeman	McIntyre	Saurman
Belardi	Freind	McMonagle	Semmel
Belfanti	Fryer	McVerry	Serafini
Beloff	Gallagher	Maiale	Seventy
Book	Gamble	Manderino	Showers
Boyes	Gannon	Manmiller	Sirianni
Broujos	Geist	Markosek	Smith, B.
Burd	George	Marmion	Snyder, G. M.
Burns	Gladeck	Michlovic	Spitz
Caltagirone	Greenwood	Micozzie	Steighner
Cappabianca	Grieco	Miller	Stevens
Carn	Gruitza	Miscevich	Stewart
Cawley	Gruppo	Mowery	Stuban
Cimini	Hagarty	Mrkonic	Sweet
Civera	Haluska	Murphy	Taylor, F. E.
Clark	Harper	Nahill	Tigue
Clymer	Hasay	O'Brien	Trello
Cohen	Hoeffel	O'Donell	Truman
Cole	Hutchinson	Owasz	Van Horne
Cordisco	Itkin	Oliver	Vroon
Cornell	Jarolin	Perzel	Wambach
Coslett	Johnson	Petrarca	Wargo
Cowell	Kasunic	Petrone	Weston
Coy	Kennedy	Piccola	Wiggins

Deluca	Kosinski	Pistella	Williams
DeWeese	Kowalyszyn	Pott	Wilson
Daley	Lashingner	Pratt	Wogan
Deal	Laughlin	Preston	Wozniak
Dietz	Lehr	Punt	Wright, D. R.
Dininni	Lescovitz	Rappaport	Wright, J. L.
Dombrowski	Letterman	Reber	Zwilk
Donatucci	Levin		

NOT VOTING—3

Colafella	Gallen	Linton
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EXCUSED—3

Morris	Irvis,
Pievsky	Speaker

The question was determined in the negative, and the amendments were not agreed to.

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

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

The question is, shall the bill pass finally?

The Chair recognizes the gentleman from Lancaster, Mr. Armstrong, on final passage of the bill.

Mr. ARMSTRONG. Thank you, Mr. Speaker.

I think we should look at this; it moves it from May to April 10. April 10 is right before the IRS (Internal Revenue Service) deadline for filing your tax returns. It is a very, very busy time of year, and I think that a lot of people may be staying home doing their income tax instead of out voting, so I think we should consider that before we vote on it. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,  
Shall the bill pass finally?

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

YEAS—177

Afflerbach	Evans	Livengood	Rieger
Alderette	Fargo	Lucyk	Rudy
Angstadt	Fattah	McCall	Ryan
Arty	Fee	McClatchy	Saloom
Baldwin	Fischer	McHale	Salvatore
Barber	Flick	McIntyre	Saurman
Battisto	Foster, W. W.	McMonagle	Scheetz
Belardi	Foster, Jr., A.	McVerry	Schuler
Belfanti	Freeman	Mackowski	Semmel
Beloff	Freind	Madigan	Serafini
Blaum	Fryer	Maiale	Seventy
Book	Gallagher	Manderino	Showers
Bowser	Gallen	Manmiller	Sirianni
Boyes	Gamble	Markosek	Smith, B.
Brandt	Gannon	Marmion	Smith, L. E.
Bunt	Geist	Merry	Snyder, D. W.
Burd	George	Michlovic	Snyder, G. M.
Burns	Gladeck	Micozzie	Spencer
Caitagirone	Godshall	Miller	Stairs
Cappabianca	Greenwood	Mochlmann	Steighner
Carn	Grieco	Mowery	Stevens
Cessar	Gruppo	Mrkonic	Stewart
Cimini	Hagarty	Murphy	Suban

Civera	Haluska	Nahill	Sweet
Clark	Harper	Noye	Swift
Clymer	Hasay	O'Brien	Taylor, E. Z.
Cohen	Hayes	O'Donnell	Taylor, F. E.
Colafella	Herman	Olasz	Telek
Cole	Hershey	Oliver	Trello
Cordisco	Hoeffel	Perzel	Van Horne
Cornell	Honaman	Petrarca	Vroon
Coslett	Hutchinson	Petrone	Wachob
Cowell	Itkin	Phillips	Wambach
Coy	Jackson	Piccola	Wargo
Deluca	Johnson	Pistella	Wass
DeVerter	Kasunic	Pitts	Weston
DeWeese	Kennedy	Pott	Wiggins
Daley	Kosinski	Pratt	Wilson
Davies	Kukovich	Prestor	Wogan
Dawida	Laughlin	Punt	Wozniak
Deal	Lehr	Rappaport	Wright, D. R.
Dombrowski	Lescovitz	Reber	Wright, J. L.
Dorr	Letterman	Reinard	Wright, R. C.
Duffy	Linton	Richardson	Zwilk
Durham			

NAYS—16

Armstrong	Dininni	Levi	Robbins
Broujos	Jarolin	Lloyd	Rybak
Cawley	Klingaman	Mayernik	Spitz
Dietz	Kowalyszyn	Peterson	Tigue

NOT VOTING—7

Donatucci	Lashingner	Miscevich	Williams
Gruitza	Levin	Truman	

EXCUSED—3

Morris	Irvis,
Pievsky	Speaker

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 630, PN 1405**, entitled:

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 employes," further providing for the manner of the payments.

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

Mr. MACKOWSKI offered the following amendment No. A2803:

Amend Sec. 1 (Sec. 1.1), page 1, line 15, by striking out "AT NO COST TO THE EMPLOYEE" and inserting  
at the address designated by the employe

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

The SPEAKER pro tempore. The Chair recognizes the gentleman from McKean, Mr. Mackowski.

Mr. MACKOWSKI. Thank you, Mr. Speaker.

The purpose of this amendment is to provide the item of cost involved in mailing checks to those people who request it.

I am asking that that be struck out and allow this to be negotiated by their unions. The reason I say that is, it has been done in some cases where the union has negotiated a charge of 50 cents for the cost of mailing and handling, and the union, of course, agreed to that. Now, in another situation, let us say the Chessie System, they anticipate that if they were to mail out 3,000 checks to all their employees, the cost would be around \$20,000. This is an extreme situation, I would think, but there are 24 other railroads, not counting Conrail, doing business in the State of Pennsylvania, and so the cost will be significant.

Now, I do not think that it is necessary to take this totally at the expense of an employer. Let us also look at the employee's side of it. There may be many, many people who do not wish to have those checks mailed. They prefer to pick them up, and what they would do would be relinquishing some of the costs of the stuff which they may rather have in the form of pension increases, health insurance benefits, salary, or whatever it may be. So I would only suggest that you support this amendment so that the employees and the employer can negotiate where the costs will fall. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cambria, Mr. Stewart.

Mr. STEWART. Thank you, Mr. Speaker.

I rise to oppose the Mackowski amendment. The railroad employees whom this legislation affects are away from their homes because of manpower cutbacks, railroad line abandonments, closings of stations, et cetera. In general, they are away from their homes because of the unusual circumstances of our economy. Because they are away from their homes, many of them cannot get their checks for several days past the time of issue. All the bill asks for is that the employee be given the opportunity to have his check mailed to him. I do not believe it is unreasonable to have the railroads, who are imposing these hardships on those employees, pick up the very, very small cost of mailing the check to them.

In addition, Mr. Speaker, the largest railroad employer in Pennsylvania, Conrail, already does this as a matter of established policy, so we are talking about a small number of people and a very small cost. I oppose the amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Dauphin, Mr. Wambach.

Mr. WAMBACH. Mr. Speaker, I would like to know if the sponsor of the amendment would consent to interrogation.

Mr. MACKOWSKI. I will, sir.

The SPEAKER pro tempore. The gentleman indicates he will, and the gentleman, Mr. Wambach, is in order and may proceed.

Mr. WAMBACH. Thank you, Mr. Speaker.

Mr. Speaker, in your comments about your amendment, I think you said that all of the employees would have their checks mailed. Is that correct?

Mr. MACKOWSKI. No, sir. That is not correct.

Mr. WAMBACH. All right. I just wanted to make that point clear. Thank you, Mr. Speaker.

I wanted to make it clear to all of the membership that what we are talking about is a written request by the employee to his employer that because of the economic situation, he may not be working in the area in order to get back to the company during the company's regular working hours to pick up his paycheck. So, I understand the bill; I am a cosponsor of the bill, but I thought that Mr. Mackowski had mentioned the fact that this would open it up to all of the employees automatically to receive a check, and it is by written request by the individual employee to the employer that this bill would trigger. Thank you, Mr. Speaker.

The SPEAKER pro tempore. Has the gentleman concluded his interrogation?

Mr. WAMBACH. I have already indicated to the gentleman that I had finished the interrogation, Mr. Speaker.

The SPEAKER pro tempore. Thank you.

The Chair recognizes the gentleman, Mr. Mackowski.

Mr. MACKOWSKI. Mr. Speaker, may I further comment on his remarks?

The reason I am asking for support of this is because not all employees will benefit by having those checks mailed to them. Consequently, those employees who will not have those checks mailed are losing something at the negotiating table which favors only those who will receive their checks. Why do we not leave it up to the union and to the employer to determine how far they want to go on these costs, rather than make it a blanket thing which could make it available to all employees? And the cost might be more substantial than the union would really want it to be.

Mr. Speaker, what I am trying to get across is the fact that there will be some employees who will not receive their checks by mail and there will be some who will. Now, let us take an example. Let us say that my brother and I are both working for the same railroad and he wants his check mailed; I do not. I would rather have the costs involved either added to my pension plan or to my health and welfare benefits, and let us say that I have 10 others alongside who feel exactly the same way. So all I am saying is, let the union and the employer determine how this cost will be shared. I think it is only fair to all of the employees to have that kind of understanding.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

Mr. BELFANTI. Thank you, Mr. Speaker.

I understand we have a member of the House who is a railroad contractor. I would like to interrogate him about this amendment. I would like to interrogate Representative Kennedy.

The SPEAKER pro tempore. Is the gentleman, Mr. Kennedy, present in the hall of the House?

I am told that the gentleman is answering a telephone call.

Mr. BELFANTI. I will try again later. Thank you, Mr. Speaker.

The SPEAKER pro tempore. Thank you, sir.

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

Mr. VROON. Thank you, Mr. Speaker.

May I interrogate, please, the prime sponsor of the bill?

The SPEAKER pro tempore. Mr. Stewart indicates he will stand for interrogation, and the gentleman, Mr. Vroon, is in order and may proceed.

Mr. VROON. Now, this is with reference to Mr. Mackowski's amendment, and my interrogation is for this purpose. Do you have any idea how many railroad employees there are in the State of Pennsylvania?

Mr. STEWART. Mr. Speaker, I do not have the exact number with me. I can provide the gentleman with it if he desires. I did not think we would get into a discussion over a 20-cent stamp.

Mr. VROON. The reason for asking that is that obviously you are talking about people who are away from home, and for their convenience in getting their paychecks, you are saying, let us open this up and let us make it permissible for any employee who works for a railroad to ask for their check to be mailed. Now, there is no limit at all on this, and consequently, I am asking how many people could we possibly be involved with? And that is what he is addressing in this amendment, that the potential cost here could be multiplied by a few hundred thousand employees.

Mr. STEWART. Mr. Speaker, my opposition to this amendment is based on information that I have that it is a small number of employees. If the sponsor of the amendment is concerned about the number of employees, maybe Mr. Vroon would like to ask him how many he thinks there are.

Mr. VROON. I will take care of that later, if you do not mind.

I am trying to develop some intelligent information here. Our exposure under your bill would be the number of employees involved times the amount of postage that is required to send their check to their designated address every payday. Okay? That is what I am trying to develop, and you are not giving any information at all. How can we make an intelligent judgment if we do not have that information?

Mr. STEWART. Mr. Speaker, as I stated before, the largest railroad employer, Consolidated Rail Corporation, already does this as a matter of policy, so we are excluding them right away. We are talking about approximately 15 smaller railroads. And again, the number of employees who are actually being moved because of abandonment and the economic situation is very, very small.

Mr. VROON. Let us go to another question. Do you agree that this is definitely a collective-bargaining item?

Mr. STEWART. Mr. Speaker, I would not disagree that this is a collective-bargaining item. However, the situation that has precipitated the need for this legislation is the economy. The economy has changed dramatically in the past several years, as you well know, on the downside. As you also well know, the railroad unions do not renegotiate their contract every year.

Mr. VROON. Mr. Speaker, we are going a little bit afield now from the amendment, and I would like to finish my interrogation right here and address the amendment.

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

Mr. VROON. Mr. Speaker, we are trying, by means of this amendment, to pinpoint the matter of standing the cost, and we are trying to give the employer railroads, through this amendment, the prerogative of bargaining with the union as to whether or not every employee in their employ should be permitted to ask for a check to be sent to their address.

Now, we admit freely—and I am sure that anybody else would realize this, too—that people do have extenuating circumstances which would make it very convenient for them to have their check mailed. On the other hand, why throw a blanket over all the railroad employees and give them all the opportunity to require their checks to be mailed to them at the cost of 50 cents per check?

I do not understand why you do not have a more definitive bill and then make it possible for us to forget this amendment. We are trying to protect the cost of the railroad by offering this amendment to make it, in effect, a bargaining item as to who should pay the cost for this.

The SPEAKER pro tempore. The Chair recognizes, for the final time, the gentleman from Cambria, Mr. Stewart.

Mr. STEWART. Thank you, Mr. Speaker.

As I stated before, the number of employees affected is small. If currently an employee is reporting to his home station to pick up his check, there is no reason—because of the time involved to mail that check, which may be a day—no reason for him to ask to have it mailed. He can get it quicker at his home station.

The problem is many, many employees are not at their home station right now. They are 3 and 4 days away due to scheduling, cutbacks, et cetera, and all they are asking is for the ability to have their check mailed to them, which in fact would be quicker than if they were at their home station. I urge the defeat of the Mackowski amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Chester, Mr. Pitts.

Mr. PITTS. Thank you, Mr. Speaker.

Briefly, I rise to support the amendment of Representative Mackowski. His amendment does not in any way restrict the right of the employer to mail the check to the employee. The whole issue of his amendment is, who is going to pay the cost? First Mr. Stewart said a few, and then he says many, many. The fact is, this is not the time to restrict the right of small employers to recover the cost or to deny them the opportunity to recover the cost when clearly this has been done through collective bargaining in the past.

I would urge the members to support this amendment. It could be very burdensome on small railroads to pay for this increased cost mandated by government again. We have heard the figures, for instance, of the employees of the Chessie System. If they were mandated to pay all their employees by check, that could cost them \$20,000. It is the same thing with

other small railroads. I urge the adoption of Mr. Mackowski's amendment.

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

The following roll call was recorded:

YEAS—81

Angstadt	Foster, W. W.	Levi	Punt
Armstrong	Freind	McClatchy	Reinard
Book	Fryer	McVerry	Robbins
Bowser	Gallen	Mackowski	Ryan
Boyes	Geist	Madigan	Salvatore
Brandt	Gladeck	Manmiller	Saurman
Broujos	Godshall	Marmion	Scheetz
Bunt	Grieco	Merry	Schuler
Burd	Gruppo	Micozzie	Semmel
Cessar	Hagarty	Miller	Sirianni
Cimini	Hasay	Moehlmann	Smith, B.
Civera	Hayes	Mowery	Snyder, D. W.
Clymer	Herman	Nahill	Spencer
Cornell	Hershey	Noye	Spitz
DeVerter	Honaman	O'Brien	Swift
Dietz	Jackson	Perzel	Taylor, E. Z.
Dininini	Johnson	Peterson	Wass
Dorr	Kennedy	Phillips	Weston
Durham	Klingaman	Piccola	Wogan
Fargo	Lehr	Pitts	Wright, R. C.
Flick			

NAYS—113

Afflerbach	Dombrowski	Linton	Rudy
Alderette	Donatucci	Livengood	Rybak
Arty	Duffy	Lloyd	Saloom
Baldwin	Evans	Lucyk	Serafini
Barber	Fattah	McCall	Seventy
Battisto	Fee	McHale	Showers
Belardi	Fischer	McIntyre	Stairs
Belfanti	Foster, Jr., A.	McMonagle	Steighner
Beloff	Freeman	Maiale	Stevens
Blaum	Gallagher	Manderino	Stewart
Burns	Gamble	Markosek	Stuban
Caltagirone	Gannon	Mayernik	Sweet
Cappabianca	George	Michlovic	Taylor, F. E.
Carn	Greenwood	Miscevich	Telek
Cawley	Gruitza	Mrkonic	Tigwe
Clark	Harper	Murphy	Trello
Cohen	Hoeffel	O'Donnell	Truman
Colafella	Hutchinson	Olasz	Van Horne
Cole	Itkin	Oliver	Wachob
Cordisco	Jarolin	Petrarca	Wambach
Coslett	Kasunic	Petrone	Wargo
Cowell	Kosinski	Pistella	Wiggins
Coy	Kowalyshyn	Pratt	Williams
Deluca	Kukovich	Preston	Wilson
DeWeese	Laughlin	Rappaport	Wozniak
Daley	Lescovitz	Reber	Wright, D. R.
Davies	Letterman	Richardson	Wright, J. L.
Dawida	Levin	Rieger	Zwinkl
Deal			

NOT VOTING—6

Haluska	Pott	Snyder, G. M.	Vroon
Lashinger	Smith, L. E.		

EXCUSED—3

Morris	Irvis,
Pievsky	Speaker

The question was determined in the negative, and the amendment was not agreed to.

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

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

The question is, shall the bill pass finally?

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

Mr. VROON. Mr. Speaker, on final passage, I rise to very strongly oppose the passage of this legislation.

I thought we were declining our activities in the collective-bargaining field, but I see we are back at it again. We are going to put the State back into the role of collective bargaining on behalf of union employees, and I think that is very deplorable. I think the unions can take care of themselves. They do not need to have us protect them on a small thing like this. At the same time, however, if we were doing this intelligently, we would say not all of these employees need this help. Why not leave it in the hands of the bargaining people so that they can negotiate specifically which employees should be getting their checks by mail? Let that be a bona fide item of negotiation rather than our taking it upon ourselves to throw a whole blanket over all of the railroad employees in the State and say if they want to, they can all have their checks mailed to them. I do not think that is good legislation, in addition to the fact that we should not be here carrying on collective-bargaining roles for the labor movement. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cambria, Mr. Stewart, on final passage.

Mr. STEWART. Thank you, Mr. Speaker.

I would urge the members of the House to vote on this very simple measure that I did not disagree should be a collective-bargaining item. However, it has been precipitated by the fact the economy has been on the downside for several years, these men are being moved away from their homes, away from their paychecks, and it is a simple matter of getting the check mailed to them. We as legislators expect the Chief Clerk to mail our checks; we do not drive to Harrisburg to pick them up all the time. The least we can do for these employees is to have the railroad spend 20 cents to get their paycheck to them, the ones who are working. I urge passage of HB 630. Thank you.

On the question recurring,  
Shall the bill pass finally?

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

YEAS—169

Afflerbach	Donatucci	Linton	Richardson
Alderette	Dorr	Livengood	Rieger
Angstadt	Duffy	Lloyd	Rudy
Arty	Durham	Lucyk	Ryan
Baldwin	Evans	McCall	Rybak
Barber	Fargo	McClatchy	Saloom
Battisto	Fattah	McHale	Salvatore
Belardi	Fee	McIntyre	Semmel
Belfanti	Fischer	McMonagle	Serafini

Beloff	Foster, Jr., A.	McVerry	Seventy
Blaum	Freeman	Maiale	Showers
Book	Fryer	Manderino	Sirianni
Bowser	Gallagher	Manmiller	Smith, B.
Boyes	Gamble	Markosek	Snyder, D. W.
Broujos	Gannon	Marmion	Snyder, G. M.
Bunt	George	Mayernik	Spitz
Burd	Godshall	Michlovic	Stairs
Burns	Greenwood	Micozzie	Steighner
Caltagirone	Grieco	Miller	Stevens
Cappabianca	Gruitza	Miscevich	Stewart
Carn	Gruppo	Mowery	Stuban
Cawley	Hagarty	Mrkonic	Sweet
Cessar	Haluska	Murphy	Taylor, E. Z.
Cimini	Harper	Nahill	Taylor, F. E.
Civera	Hasay	Noye	Telek
Clark	Hayes	O'Brien	Tigue
Cohen	Hoeffel	O'Donnell	Trello
Colafella	Hutchinson	Olasz	Truman
Cole	Itkin	Oliver	Van Horne
Cordisco	Jarolin	Perzel	Wachob
Coslett	Kasunic	Peterson	Wambach
Cowell	Kennedy	Petrarca	Wargo
Coy	Klingaman	Petrone	Wass
DeLuca	Kosinski	Piccola	Weston
DeVerter	Kowalyszyn	Pistella	Wiggins
DeWeese	Kukovich	Pott	Williams
Daley	Laughlin	Pratt	Wilson
Davies	Lehr	Preston	Wogan
Dawida	Lescovitz	Punt	Wozniak
Deal	Letterman	Rappaport	Wright, D. R.
Dietz	Levi	Reber	Wright, R. C.
Dininni	Levin	Reinard	Zwikel
Dombrowski			

NAYS—23

Armstrong	Geist	Mackowski	Saurman
Brandt	Gladeck	Madigan	Scheetz
Clymer	Herman	Merry	Schuler
Cornell	Hershey	Mochlmann	Swift
Flick	Honaman	Pitts	Vroon
Foster, W. W.	Jackson	Robbins	

NOT VOTING—8

Freind	Johnson	Phillips	Spencer
Gallen	Lashingner	Smith, L. E.	Wright, J. L.

EXCUSED—3

Morris	Irvis,
Pievsky	Speaker

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.

WELCOME

The SPEAKER pro tempore. The Chair is pleased to announce the presence of the members of the Board of Trustees of the Community College of Allegheny County, who are here to celebrate the 20th anniversary of the community college system. They are Mr. Joseph L. Hines, Dr. Frances Holland, Mark Schwartz, John A. Broglie, Thomas I. Fagan, W. L. Lohrentz, and Elmer A. McClung. They are here as the guests of the entire Allegheny County delegation.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 85, PN 94**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Mr. McMONAGLE offered the following amendments No. A2844:

Amend Title, page 1, line 1, by striking out "Bucks County" and inserting

Pennsylvania

Amend Sec. 1, page 1, line 6, by striking out "Bucks County" and inserting

Pennsylvania

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. McMonagle.

Mr. McMONAGLE. Thank you, sir.

All this amendment does is instead of making Interstate Route 95 a Vietnam memorial in Bucks County, it makes it for all of the State of Pennsylvania. I would appreciate a "yes" vote.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—197

Afflerbach	Durham	Livengood	Robbins
Alderette	Evans	Lloyd	Rudy
Angstadt	Fargo	Lucyk	Ryan
Armstrong	Fattah	McCall	Rybak
Arty	Fee	McClatchy	Saloom
Baldwin	Fischer	McHale	Salvatore
Barber	Flick	McIntyre	Saurman
Battisto	Foster, W. W.	McMonagle	Scheetz
Belardi	Foster, Jr., A.	McVerry	Schuler
Belfanti	Freeman	Mackowski	Semmel
Beloff	Freind	Madigan	Serafini
Blaum	Fryer	Maiale	Seventy
Book	Gallagher	Manderino	Showers
Bowser	Gallen	Manmiller	Sirianni
Boyes	Gamble	Markosek	Smith, B.
Brandt	Gannon	Marmion	Smith, L. E.
Broujos	Geist	Mayernik	Snyder, D. W.
Bunt	George	Merry	Snyder, G. M.
Burd	Gladeck	Michlovic	Spencer
Burns	Godshall	Micozzie	Spitz
Caltagirone	Greenwood	Miller	Stairs
Cappabianca	Grieco	Miscevich	Steighner
Carn	Gruitza	Moehlmann	Stevens
Cawley	Gruppo	Mowery	Stewart
Cessar	Hagarty	Mrkonic	Stuban
Cimini	Haluska	Murphy	Sweet
Civera	Harper	Nahill	Swift
Clark	Hasay	Noye	Taylor, E. Z.
Clymer	Hayes	O'Brien	Taylor, F. E.
Cohen	Herman	O'Donnell	Telek
Colafella	Hershey	Olasz	Tigue
Cole	Hoeffel	Oliver	Trello
Cordisco	Honaman	Perzel	Truman
Cornell	Itkin	Peterson	Van Horne

Coslett	Jackson	Petrarca	Vroon
Cowell	Jarolin	Petrone	Wachob
Coy	Johnson	Phillips	Wambach
DeLuca	Kasunic	Piccola	Wargo
DeVerter	Kennedy	Pistella	Wass
DeWeese	Klingaman	Pitts	Weston
Daley	Kosinski	Pott	Wiggins
Davies	Kowalshyn	Pratt	Williams
Dawida	Kukovich	Preston	Wilson
Deal	Laughlin	Punt	Wogan
Dietz	Lescovitz	Rappaport	Wozniak
Dininmi	Letterman	Reber	Wright, D. R.
Dombrowski	Levi	Reinard	Wright, J. L.
Donatucci	Levin	Richardson	Wright, R. C.
Dorr	Linton	Rieger	Zwilk
Duffy			

NAYS—0

NOT VOTING—3

Hutchinson	Lashing	Lehr
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EXCUSED—3

Morris	Irvis,
Pievsky	Speaker

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

The question is, shall the bill pass finally?

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

YEAS—199

Afflerbach	Durham	Linton	Robbins
Alderette	Evans	Livengood	Rudy
Angstadt	Fargo	Lloyd	Ryan
Armstrong	Fattah	Lueyk	Rybak
Arty	Fee	McCall	Saloom
Baldwin	Fischer	McClatchy	Salvatore
Barber	Flick	McHale	Saurman
Battisto	Foster, W. W.	McIntyre	Scheetz
Belardi	Foster, Jr., A.	McMonagle	Schuler
Belfanti	Freeman	McVerry	Semmel
Beloff	Freind	Mackowski	Serafini
Blaum	Fryer	Madigan	Seventy
Book	Gallagher	Maiale	Showers
Bowser	Gallen	Manderino	Sirianni
Boyes	Gamble	Manmiller	Smith, B.
Brandt	Gannon	Markosek	Smith, L. E.
Broujos	Geist	Marmion	Snyder, D. W.
Bunt	George	Mayernik	Snyder, G. M.
Burd	Gladeck	Merry	Spencer
Burns	Godshall	Michlovic	Spitz
Caltagirone	Greenwood	Micozzie	Stairs
Cappabianca	Grieco	Miller	Steighner
Carn	Gruitza	Miscevich	Stevens
Cawley	Gruppo	Moehlmann	Stewart
Cessar	Hagarty	Mowery	Stuban
Cimini	Haluska	Mrkonic	Sweet
Civera	Harper	Murphy	Swift
Clark	Hasay	Nahill	Taylor, E. Z.
Clymer	Hayes	Noye	Taylor, F. E.
Cohen	Herman	O'Brien	Telek
Colafella	Hershey	O'Donnell	Tigue

Cole	Hoeffel	Olasz	Trello
Cordisco	Honaman	Oliver	Truman
Cornell	Hutchinson	Perzel	Van Horne
Coslett	Itkin	Peterson	Vroon
Cowell	Jackson	Petrarca	Wachob
Coy	Jarolin	Petrone	Wambach
DeLuca	Johnson	Phillips	Wargo
DeVerter	Kasunic	Piccola	Wass
DeWeese	Kennedy	Pistella	Weston
Daley	Klingaman	Pott	Wiggins
Davies	Kosinski	Pott	Williams
Dawida	Kowalshyn	Pratt	Wilson
Deal	Kukevich	Preston	Wogan
Dietz	Laughlin	Punt	Wozniak
Dininmi	Lehr	Rappaport	Wright, D. R.
Dombrowski	Lescovitz	Reber	Wright, J. L.
Donatucci	Letterman	Reinard	Wright, R. C.
Dorr	Levi	Richardson	Zwilk
Duffy	Levin	Rieger	

NAYS—0

NOT VOTING—1

Lashing
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EXCUSED—3

Morris	Irvis,
Pievsky	Speaker

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.

**WELCOME**

The SPEAKER pro tempore. The Chair recognizes Mimi Lindelow, who is the guest of Lois Sherman Hagarty.

**BILLS ON THIRD CONSIDERATION CONTINUED**

The House proceeded to third consideration of **HB 1155, PN 1336**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Mr. BOOK offered the following amendment No. A2576:

Amend Sec. 1 (Sec. 1510), page 1, lines 15 through 17, by striking out all of lines 15 and 16, and "person to be an anatomical donor when applicable, in line 17, and inserting detachable symbol provided by the Department of Health designating a person to be an anatomical donor and signifying the organ or organs to be donated when applicable,

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Book, for the purpose of an explanation of the offered amendment.

Mr. BOOK. Thank you, Mr. Speaker.

This is a technical amendment. This amends section 1510, page 1, striking out all of lines 15, 16, and 17 and inserting this wording: a “detachable symbol provided by the Department of Health designating a person to be an anatomical donor and signifying the organ or organs to be donated when applicable.”

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—5

Beloff	Lashinger	McIntyre	Saurman
Fattah			

EXCUSED—3

Morris  
Pievsky

Irvis,  
Speaker

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

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

Mr. PETERSON offered the following amendments No. A2957:

Amend Title, page 1, line 3, by inserting after “licenses”  
; and further providing for special permits  
Amend Sec. 1, page 1, line 6, by striking out “Section 1510(a)” and inserting  
Sections 1510(a) and 4961(a)  
Amend Sec. 1, page 1, line 7, by striking out “is” and insert-  
ing  
are  
Amend Sec. 1, page 2, by inserting between lines 9 and 10  
§ 4961. Authority to issue permits.

(a) General rule.—The department and local authorities with respect to highways under their respective jurisdictions may, upon application in writing showing good cause, issue special permits in writing authorizing the applicant to operate or move on specified highways any of the following:

- (1) A vehicle which when unloaded exceeds the maximum size specified in Subchapter B (relating to width, height and length) or the maximum weights specified in Subchapter C (relating to maximum weights of vehicles).
  - (2) A combination carrying a nondivisible load and exceeding the maximum size specified in Subchapter B or the maximum weights specified in Subchapter C.
  - (3) A vehicle containing a nondivisible load which exceeds the maximum width specified in section 4921(a) (relating to width of vehicles) or the maximum height specified in section 4922 (relating to height of vehicles).
  - (4) A mobile home.
  - (5) A modular housing unit which exceeds the maximum size prescribed in this title.
  - (6) A modular housing unit undercarriage which exceeds the maximum size prescribed in this title.
- \*\*\*

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

The SPEAKER pro tempore. The Chair recognizes the gentleman from Venango, Mr. Peterson.

Mr. PETERSON. Thank you, Mr. Speaker.

My amendment will make a correction in the Vehicle Code that I think was deleted when the Vehicle Code was recodified several years ago. What has suddenly come to the attention of the district office of PennDOT in district 1 is that they have no legal right to issue a permit for an overheight load if it is on a straight job or a single-unit truck. That means that an oil producer can only move an oil tank on a tractor trailer which is the same height and the oil tank that they want to move is only 3 inches higher than the limit, but they cannot do it on a straight single-unit truck.

When the code was rewritten, they left the word “height” out which allows the department to issue for overwidth loads, overweight loads, and overheight loads. The word “height”

was left out where they were talking about a single-unit truck, and we are just putting the word "height" back in, which again leaves it up to the discretion of the department to issue permits for overheight loads on a single-unit truck.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Westmoreland, Mr. Hutchinson.

Mr. HUTCHINSON. Thank you, Mr. Speaker.

I am for this amendment. When we wrote the Motor Vehicle Code in 1976, there was about an inch and a half of mistakes that we tried to rectify, and this was one of them. We have never had them rectified since, and we are doing it piecemeal. I have an industry in my district that hauls overheight, not overweight, and this would help them, too. Thank you very much.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—199

Afflerbach	Durham	Linton	Robbins
Alderette	Evans	Livengood	Rudy
Angstadt	Fargo	Lloyd	Ryan
Armstrong	Fattah	Lucyk	Rybak
Arty	Fee	McCall	Saloom
Baldwin	Fischer	McClatchy	Salvatore
Barber	Flick	McHale	Saurman
Battisto	Foster, W. W.	McIntyre	Scheetz
Belardi	Foster, Jr., A.	McMonagle	Schuler
Belfanti	Freind	McVerry	Semmel
Beloff	Fryer	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	Mowery	Stuban
Cimini	Harper	Mrkonic	Sweet
Civera	Hasay	Murphy	Swift
Clark	Hayes	Nahill	Taylor, E. Z.
Clymer	Herman	Noye	Taylor, F. E.
Cohen	Hershey	O'Brien	Telek
Colafella	Hoeffel	O'Donnell	Tigue
Cole	Honaman	Olasz	Trello
Cordisco	Hutchinson	Oliver	Truman
Cornell	Itkin	Perzel	Van Horne
Coslett	Jackson	Peterson	Vroon
Cowell	Jarolin	Petrarca	Wachob
Coy	Johnson	Petrone	Wambach
Deluca	Kasunic	Phillips	Wargo
DeVerter	Kennedy	Piccola	Wass
DeWeese	Klingaman	Pistella	Weston
Daley	Kosinski	Pitts	Wiggins
Davies	Kowalshyn	Pott	Williams
Dawida	Kukovich	Pratt	Wilson
Deal	Lashinger	Preston	Wogan
Dietz	Laughlin	Punt	Wozniak
Dininni	Lehr	Rappaport	Wright, D. R.
Dombrowski	Lescovitz	Reber	Wright, J. L.
Donatucci	Letterman	Reinard	Wright, R. C.

Dorr  
Duffy

Levi  
Levin

Richardson  
Rieger

Zwikel

NAYS—1

Freeman

NOT VOTING—0

EXCUSED—3

Morris  
Pievsky

Irvis,  
Speaker

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

Does the gentleman from Allegheny, Mr. Book, care to be recognized?

Mr. BOOK. Yes, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Book, on final passage of the bill.

Mr. BOOK. I just want to mention what the bill will do. It is going to do three things. First, it is going to provide a better method to find organ donors and to save a lot of time. It is going to help the police in their search for somebody who is a possible donor and will save time.

Also, it is going to make more people aware of this, and I think that at this time we do need more donors, and I think this bill will certainly help secure more donors. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Westmoreland, Mr. Hutchinson, on final passage of the bill.

Mr. HUTCHINSON. Mr. Speaker, I am also for this bill. In my district 3 weeks ago when we brought this bill out of committee, one person's body furnished four organs to save four people. Thank you very much.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,  
Shall the bill pass finally?

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

YEAS—199

Afflerbach	Durham	Levin	Rieger
Alderette	Evans	Linton	Robbins
Angstadt	Fargo	Livengood	Rudy
Armstrong	Fattah	Lloyd	Ryan
Arty	Fee	Lucyk	Rybak
Baldwin	Fischer	McCall	Saloom
Barber	Flick	McClatchy	Salvatore
Battisto	Foster, W. W.	McHale	Saurman
Belardi	Foster, Jr., A.	McIntyre	Scheetz
Belfanti	Freeman	McMonagle	Semmel
Beloff	Freind	McVerry	Serafini
Blaum	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
Cawley	Gruppo	Miscevich	Stewart
Cessar	Hagarty	Moehlmann	Stuban
Cimini	Haluska	Mowery	Sweet
Civera	Harper	Mrkonic	Swift
Clark	Hasay	Murphy	Taylor, E. Z.
Clymer	Hayes	Nahill	Taylor, F. E.
Cohen	Herman	Noye	Telek
Colafella	Hershey	O'Brien	Tigue
Cole	Hoeffel	O'Donnell	Trello
Cordisco	Honaman	Olasz	Truman
Cornell	Hutchinson	Oliver	Van Horne
Coslett	Itkin	Perzel	Vroon
Cowell	Jackson	Peterson	Wachob
Coy	Jarolin	Petrarca	Wambach
Deluca	Johnson	Petrone	Wargo
DeVerter	Kasunic	Phillips	Wass
DeWeese	Kennedy	Piccola	Weston
Daley	Klingaman	Pistella	Wiggins
Davies	Kosinski	Pitts	Williams
Dawida	Kowalyshyn	Pott	Wilson
Deal	Kukovich	Pratt	Wogan
Dietz	Lashinger	Preston	Wozniak
Dininni	Laughlin	Punt	Wright, D. R.
Dombrowski	Lehr	Rappaport	Wright, J. L.
Donatucci	Lescovitz	Reber	Wright, R. C.
Dorr	Letterman	Reinard	Zwikl
Duffy	Levi	Richardson	

NAYS—0

NOT VOTING—1

Schuler

EXCUSED—3

Morris Irvis,  
Pievsky Speaker

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 1004, PN 1157**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Mr. PRESTON offered the following amendments No. A2855:

Amend Title, page 1, lines 1 and 2, by striking out "cities of the first class" and inserting any political subdivision

Amend Sec. 1, page 1, line 6, by striking out "city of the first class" and inserting political subdivision

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

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

Mr. PRESTON. Thank you, Mr. Speaker.

Basically, all this amendment will do is, instead of dealing with the first-class city as far as the mercantile licenses are concerned, what we are going to do is include all political subdivisions of the Commonwealth of Pennsylvania. That is all there is.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Washington, Mr. Sweet.

Mr. SWEET. Thank you, Mr. Speaker.

Would the gentleman answer an interrogation, please?

The SPEAKER pro tempore. Does the gentleman, Mr. Preston, agree to a period of interrogation?

The gentleman indicates he will stand for a period of interrogation. The gentleman, Mr. Sweet, is in order and may proceed.

Mr. SWEET. Mr. Speaker, I am not exactly sure what your amendment would do. Do boroughs and townships currently grant mercantile licenses?

Mr. PRESTON. What we are saying is that any political subdivision within the Commonwealth of Pennsylvania which grants mercantile licenses should have the authority also to revoke them.

Mr. SWEET. Okay. Thank you, Mr. Speaker.

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

Mr. RICHARDSON. Mr. Speaker, I rose for a point of order to help clarify this issue. This is a technical amendment that is being offered on behalf of the Urban Affairs Committee. At the time that the amendment was in fact drawn up, which was agreed to in the committee, somehow the amendment was misplaced or lost and as a result was not placed within the amendment of this bill.

All it does is, instead of just dealing with the first-class cities of the Commonwealth of Pennsylvania, this bill now includes the entire Commonwealth of Pennsylvania and therefore should answer all reservations of those persons who may have it. I would just ask for an affirmative vote on the technical amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

**BILL PASSED OVER**

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. MANDERINO. Can we go over HB 1004 for today, Mr. Speaker, and put it on tomorrow's voting calendar?

The SPEAKER pro tempore. The Chair hears no objection. The bill and amendment will go over for today's session.

### WELCOME

The SPEAKER pro tempore. The Chair recognizes and is pleased to welcome Mr. Alexander Pittman, the vice president of the Independent State Store Union, and four other members, who are here today as the guests of Representative Deal and the Philadelphia delegation.

### REMARKS ON VOTE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lancaster, Mr. Schuler. For what purpose does the gentleman rise?

Mr. SCHULER. Mr. Speaker, I failed to vote on HB 1155, and I would like to be recorded in the affirmative, please.

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

Mr. SCHULER. Thank you.

### RULES COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, we ask that upon the declaration of the recess the members of the Rules Committee proceed to the majority leader's office for a meeting of the Committee on Rules.

There will be a caucus that will be announced by the caucus chairman, also.

The SPEAKER pro tempore. The Chair thanks the gentleman.

### DEMOCRATIC CAUCUS

The SPEAKER pro tempore. The Chair recognizes the majority caucus chairman, Mr. Itkin.

Mr. ITKIN. Mr. Speaker, the Democrats will meet in caucus at 3 o'clock.

The SPEAKER pro tempore. The Chair thanks the gentleman.

### REPUBLICAN CAUCUS

The SPEAKER pro tempore. The Chair recognizes the minority caucus chairman, Mr. Noye.

Mr. NOYE. Thank you, Mr. Speaker.

The Republicans will caucus immediately on the calendar in the Republican caucus room. We will try to keep it as brief as possible. I ask the members to report promptly.

The SPEAKER pro tempore. The minority will meet immediately after the session. The Democrats will meet at 3 o'clock.

### STATEMENTS

The SPEAKER pro tempore. For what purpose does the gentleman from Philadelphia, Mr. Richardson, rise?

Mr. RICHARDSON. At the appropriate time, Mr. Speaker, I would like to be recognized to have unanimous consent to address the House.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Richardson, who requests the unanimous consent of the House. Are there any objections? Hearing no objections, the gentleman is in order and he may proceed.

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

I stand here today because I feel that it is quite necessary to explain the actions that took place in the Capitol rotunda on Saturday afternoon at 4 o'clock.

Number one, last week this House voted 99 to 99 on the resolution for which the House suspended its rules for immediate consideration which in fact asked that those persons who were occupying the rotunda in peaceful demonstration be in fact evicted.

This is an unusual occasion, because I am not happy to be here today. I am not happy that I am forced to respond to the Gestapo-like tactics of Governor Thornburgh and his administration, which forcibly removed women and children from this public building on Saturday evening.

And for those of you who may think I am exaggerating about Gestapo tactics, you may not have seen the Sunday Harrisburg paper, which had a photographer at the scene. Since when do grown men need to arm themselves with billy clubs and riot helmets to face women and children?

The people who have been here in the rotunda since September 19 have been peaceful, polite, patient, and clean, and they have been exercising their rights as citizens of the United States of America to petition their government through peaceful assembly. They have not obstructed the work of any State employee or any elected official. They have not interfered with activities in the rotunda during the last 2 weeks at all. They have been here only to remind those in power that there has been enough suffering; there has been enough pain; there has been enough violence. They are here to say, give us our right to live as human beings; give us jobs or give us income.

Just to make sure we do not forget that the people who were thrown out of the Capitol by force are not the only ones suffering today, I would like to read a letter which was sent to Governor Thornburgh by a man from western Pennsylvania who was taken off the public assistance rolls as a result of Thornfare, and the letter reads as follows:

"Mr. Thornburgh or anybody who cares, Dear Mr. Thornburgh, thanks for no help at all. You have money so you do not care about us ones who don't, and you think we're just lazy and are not looking for a job or don't want a job.

"The truth is we can't find a job. You must think we are animals and we should dig holes and crawl in it and live; that's just about what we have to do with no money from the state.

"I have no place to live, no money to have clean clothes to look halfway respectable when looking for a job.

"And to tell the truth, I am lucky when I have toilet paper and toothpaste. If that isn't enough, my shoes have holes in them, and don't fit.

"And then I found out when I went to get my prescription filled last month, the green medical card"—and that is the card for non-Assistance recipients—"was worthless, would not even fill up my nerve pills which I have been taking for over two years.

"I got mad and I called the Welfare Office, and my caseworker said it was about worthless and I might as well burn it. I really do need the medication with no money to buy it; I just suffer.

"Before, at least I had some means to help myself. Now, I have been stripped of everything, money, medical card, my pride, my dignity, my faith in government. With this against me, I am always still looking for work, never stopping.

"There is just not work to be had. Believe me, I would sure rather be working than being on Welfare or being lower than that and living like a rat, and that is exactly what it feels like, 'living like a rat.'

"I don't want your sympathy, Mr. Thornburgh; I would just like to see you in my place and see how you would feel.

"P.S.; Mr. Thornburgh, I was evicted from my home last month. Do you think I could stay with you?"

MR. BEER: I thank you very much for allowing me to testify today.

This comes from the exact testimony taken by those on the Subcommittee on Welfare who went out across the State to hear testimony, and this was from Mr. Beer, who is from Butler County and who testified before the Subcommittee on Welfare in front of Representative William Wachob's committee.

Then, Mr. Speaker, on Saturday, October 1, 1983, this document which I am submitting for the record will outline specifically that there is, other than the date, no notification whatsoever as to a seal, whether it is a State seal. It is not addressed to anyone. It does not have whom it is signed by. It is not signed by Secretary Baran. It is not signed by the Governor of the Commonwealth of Pennsylvania. It is not signed by a court of law. It is not signed by an injunction court. It is not signed by anyone. In fact, it is just a typed piece of paper that the riot squad who came into the Capitol on Saturday read out loud and said this was an order, (that they were following orders given to them, and this is the piece of paper that was read to the demonstrators in the rotunda:

I have been asked to inform you that you've had two weeks to express your view. A decision has been made that your time is up. There are a number of events planned for the Rotunda area for the week ahead. It is not fair to interfere with other people's right to use the Rotunda. If you want to continue your demonstration, we have an alternate site available to you. The only alternate site we have where you will not interfere with people's rights is our telecommunications building at 22nd and Forster Streets. We will provide transportation to that site. For those persons who would like transportation to Philadelphia, please advise the Capitol Police and we will provide either rail or bus transportation.

End of quote. No person is it addressed to, which is a strong indication, Mr. Speaker, that if in fact this is some kind of document that is supposed to have in fact been read to demonstrators specifically in the rotunda, it does not say that. The other thing is that if they are planning some type of program in the rotunda this week for the German legislators who will be here tomorrow for the purpose of trying to show them an economic program and they do not want them to see the poverty in this State, we just want to reinforce that there is poverty in this State, and those who think they can just go around and not let people see the blight and the problems that exist within this Commonwealth are sadly mistaken.

I want to set the record straight that the telecommunications building at 22d and Forster is a garage, and if people are supposed to go to a garage and in fact demonstrate their disdain for government and the things that it has been doing to its people, I think it is absurd and I think it is abominable. Any time protesters are not even allowed to have the right to have their elected officials even try to negotiate, we have tried to reach the Governor—and I want this on the record again—we have tried to meet with the Governor's Office concerning this issue. There has been refusal to do so. We hope that the Governor will find it in his heart someday to want to sit down with the persons who have been in fact demonstrating and many of us on this side of the aisle who have demonstrated and on the other side of the aisle who have demonstrated a need and will to want to sit down and deal with this problem, because this problem, as I indicated to you last week, is not going to go away, and for some reason they felt that when they evicted these people out of the Capitol rotunda, they would go away and the problem would be resolved. Well, it is not resolved and it is not going away, and many people, in fact specifically those who were here over the weekend, saw the riotous manner in which the police acted in this Commonwealth, and regardless of what others may feel or think, if that had been your mother, had been your child, had been any of your loved ones involved with those night clubs and billy clubs that were involved, you would not have stood for it one iota.

I am saying to you that they have a right to peacefully assemble. There has been no problem whatsoever dealing with this situation. The Governor today indicated that it was the press who sent him several letters and correspondence, which is why they evicted those persons out of the rotunda.

I want to say that I just feel that if there are any human beings who are sincere about trying to resolve this problem, we are available to sit down and talk to Governor Thornburgh, Matthew Ryan, to any of the other individuals who are involved. On this side of the coin, we called until 3 o'clock in the morning to try to meet with the Governor, to try to talk with him concerning this matter. We tried to reach Mr. Rick Stafford. We tried to reach all of those in the Governor's Office. The only people we were able to get were the State Police, who said they did not know where the Governor was. After Representative Allen Kukovich called and talked to Secretary Baran, he indicated that he had a heart monitor

on his heart and that he could not talk to us anymore concerning this matter and that the orders came specifically from the Governor asking that this matter be invoked. He said he was just a mere Cabinet member and he could not make any decisions other than the decisions that were given.

Today I want you to note that people are being stopped at the door of this Capitol rotunda and being asked what they are coming in the building for. The Independent State Store Union persons were to have had a picture taken, and they had to be taken downstairs and asked how many people were in their crowd, how many people were coming in. This crowd is a majority, 98 percent white. Now, I am just indicating to you that there is now a new procedure that has been set forth by this Commonwealth which we have not seen, but in the press conference this morning the Governor said he gave it to Representative Piccola, who in fact had in his possession as to what the new guidelines are going to be for the rotunda. If these new guidelines are being set up for the German legislators without our being involved, then I would like to have a meeting with all those persons involved about these guidelines so we may have ample time to be able to review them so that at least on our side of the aisle we would know what they are. We have not been privy to that information, and as the Governor left the press conference, I asked him whether or not we would have an opportunity to meet with him. He told me to call Mr. George Seidel. I have done that, and we have not gotten an answer as to when we can meet with the Governor.

So I am putting these things on the record because for some reason the laughter that I took last week when I stood here and indicated that this was a very serious matter, people did not think that in fact it was serious. People are still hungry within this Commonwealth. We do not have to send our dollars to CARE (Cooperative for American Remittances to Everywhere, Inc.); we need to send our dollars right here in this Commonwealth to take care of those who have no clothing, no food, and no shelter. Unless this legislature begins to act on this very, very, very soon, I think that you will see and witness an outcry in this Nation that will not just only represent the State of Pennsylvania but will have a trickle effect across this United States, because welfare recipients who are now being displaced out of homes with no money and in fact no ability to be able to go anywhere at all now have witnessed for the first time in their lives that there is a lack of concern about those persons. The rich continue to get rich while the poor continue to stay poor, and there is no justice. While we in fact voted ourselves a pay raise last week, it seems to me that this week we should be about the business of voting some kind of income to those who are in fact needy. If we have the guts to do it for ourselves, why can we not have the same guts to do it for people who are truly in need? Thank you very much, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I think the record should reflect that during that speech there were 12 members on the floor. I am not taking the floor to impress the members but rather just to make a few brief remarks so that the record is complete.

It is my understanding, having talked to a number of people who in fact were in town when the events of the weekend took place, that contrary to what Mr. Richardson says, the so-called riot police—and that is his term—the Capitol Police, supplemented by some State Police, moved in an orderly fashion to evict the people from the rotunda after they had been requested to do so. Mr. Richardson was fair in his remarks in that he pointed out that these people had been offered transportation to another site. I am told they were offered prepaid tickets to their homes in the general Philadelphia area. I am told that the possessions that they had in the rotunda could either be taken with them or they could have been left there and receipts given out. In other words, Mr. Speaker, I think the administration and those responsible for removing the people from the rotunda acted in a very proper, sensible, decent way, and I congratulate them. It is unfortunate that some people do not share that same view, but I for one congratulate them on the manner in which they performed a very difficult and what could have been an unpleasant and unruly task. It is my understanding that it went off without incident, and in that regard I congratulate the protesters who were here in Harrisburg for not creating any scene. It could have been nasty; it was not nasty. It was done in a very professional fashion.

I agree with the conclusion, Mr. Speaker, that enough time had passed that the protest had been registered, and there are a good many people here in the Commonwealth who want to use the rotunda for various purposes. There are commitments outstanding for those people to use the rotunda, and I think the actions of the Governor or whoever was responsible for it were very proper and very dignified. I for one appreciate it, and I believe the vast majority of the people in the Commonwealth familiar with the problem also appreciate it. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Westmoreland, Mr. KUKOVICH. For what purpose does the gentleman rise?

Mr. KUKOVICH. Mr. Speaker, I would like unanimous consent to make a comment in response to the statements of Mr. Ryan.

The SPEAKER pro tempore. The Chair hears no objection. The gentleman, Mr. Kukovich, is recognized.

Mr. KUKOVICH. Mr. Speaker, I was here at the time or right in the aftermath of the removal, and I certainly would have no complaints about the way in which the Capitol Police acted and responded. I had a discussion, along with Representative Richardson, with Lieutenant LeMelle, who handled himself very well under very trying circumstances, and I would not quibble with the way Secretary Baran handled his job. They were all simply following orders, as they stated to us Saturday late in the evening, but I would certainly not praise the administration for any action that they took.

It is true that the demonstrators have been here for 2 weeks. It is also true that they have behaved, to the best of my knowledge and with every contact that I have had with them, in a

very reasonable and polite fashion. If the administration during that 2-week period of time had at least once made an effort of good faith to try to compromise and ameliorate this situation, they would be gone by now and we in the General Assembly could get on with the business of finding some compromise to repeal the flaws in Act 75. I think almost everyone admits that that act is flawed.

My suggestion is that this General Assembly, rather than turning our backs on the situation, rather than just hoping that some people in the rotunda go away, realize that we are dealing with tens of thousands of people who are in serious economic straits - shelterless, homeless, without food - and that problem will not go away whether there are 42 people in the rotunda or 1 person in the rotunda. And the issue is not the right to assemble and how long you can assemble in a public place, such as the rotunda of this Capitol Building; the issue is when this administration and this General Assembly will do the moral and proper thing about its poor and hungry people. I think in that context, and in the context of the actions of Saturday night, this administration behaved in a shameless fashion. The majority of the people of this State might not realize it yet, but unless we deal with that problem, we are all going to be faced with it.

I just wanted to say that very briefly in response to Mr. Ryan's praise of this administration. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Richardson. Does he desire to speak under unanimous consent of the House?

Mr. RICHARDSON. Yes, I do, Mr. Speaker. I would like to address the remarks made by Representative Ryan in response to the comments which I made.

The SPEAKER pro tempore. The Chair hears no objection. The gentleman, Mr. Richardson, is in order and may proceed.

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

I would just like to say that, number one, I do not control the membership on the floor of this House, and if there are 12 members or 15 or 1, I asked before the membership of this House left.

The other fact remains also that I have asked repeatedly for a meeting with the leadership and asked your indulgence in that matter of saying that whatever is necessary to convene a meeting with the Governor, we have not been allowed to meet with the Governor since February of 1980. I am just witnessing that as long as we continue to bypass the opportunity to sit down as reasonable men and women, I am a duly elected individual in the Commonwealth of Pennsylvania just like Representative Ryan, and at any time, that there is a meeting set forth where there are issues concerning this problem, I am willing to meet, and I will say that again.

I noticed that with all the praise that was being given to the administration by the Representative, he never at one time indicated that there was a willingness to want to try to proceed in a fashion to try and help resolve the problem that is presently in front of us, and I think that is more important than anything else. If we can get someone who will at least be

willing to listen, who is in fact in leadership in this Commonwealth, then I think that the action should be taken immediately to help resolve a very dangerous, powder-keg situation that is presently in front of us. Unless there are people who are willing to sit down and deal with this issue, again, it will not go away. I do not care how smooth you try to cover over it. I do not care how you try to dress it up. This matter is not going to go away, and it is not going to go away until men and women reasonably sit down and discuss what we are going to do about hunger in the State of Pennsylvania, about homeless people in the State of Pennsylvania, and about people who do not have any clothes within the Commonwealth of Pennsylvania. We either have to give them some income or jobs, and until that is addressed, you can continue to keep closing your doors, you can continue to keep not having meetings, and I will try to address this microphone every opportunity that I get to continue to point it out until maybe one day somebody will be man or woman enough to stand up and say, we have to meet; we have to do something about this problem, because the majority of those on welfare in the Commonwealth of Pennsylvania are white people, not black people, and I am tired of them making it appear as though there are only black people concerned about this problem.

We have gotten letters that I have read into the record from white people as well as being able to travel all across this Commonwealth of Pennsylvania, and we have been in counties, as the chairman of the Urban Affairs Committee, where we conducted hearings where the unemployed, the homeless, and those without food and those without shelter have indicated to us that they in fact need some immediate relief because they cannot make it.

The mayors of the third-class cities—there are 47 third-class city mayors—the majority of all of those mayors have been to Harrisburg and said that they can no longer continue to afford to pay for those persons who have been displaced from welfare within the Commonwealth of Pennsylvania and there must be immediate relief given. Until that happens, you can continue to huddle amongst yourselves, but until we all sit down and deal with this problem, this problem is not going away. And I reiterate again, I am willing as a State Representative, as a man, as a human being, to sit down with anybody who is willing to meet with us on this issue to help to try to find some relief for the poverty that exists within this Commonwealth on food, clothing, and shelter. Thank you very much, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

For what purpose does the gentleman from Dauphin, Mr. Piccola, rise?

Mr. PICCOLA. Mr. Speaker, to make a remark under unanimous consent.

The SPEAKER pro tempore. The Chair hears no objection. The gentleman, Mr. Piccola, is in order and may proceed.

Mr. PICCOLA. Mr. Speaker, on the issue being discussed, I was in my office listening to the debate and I had to come back to the floor to respond to the remarks of Mr. Kukovich and Mr. Richardson.

As the proponent for the action taken by the Governor this weekend, for which I commend him, I have to say and reiterate, the issue has absolutely nothing to do with welfare. It has absolutely nothing to do, Mr. Speaker, with race. The issue involved here, Mr. Speaker, is the right of the overwhelming majority of the people of this Commonwealth to visit and to use their rotunda as a right granted to them under this Constitution vis-a-vis the right of a tiny, tiny minority of professional agitators who wish to occupy a government building.

This has absolutely nothing to do with the first-amendment rights of those people. They are guaranteed those rights, and the Governor, in his action, guaranteed them the right to continue their demonstration. I would have even gone further than the Governor and permitted them to rope off an area on the Capitol grounds, if it is visibility that they wish to have. But to characterize this as people being unconcerned about those on welfare, as a racial issue, is very unfair, Mr. Speaker, and I would just add those remarks to clarify the record and to speak on behalf of all Pennsylvanians who wish to come to Harrisburg and admire their State Capitol Building and to view the rotunda and to use it to demonstrate their first-amendment rights. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

#### RESOLUTIONS REPORTED FROM COMMITTEE

##### HR 112, PN 1484 (Concurrent)

By Rep. MANDERINO

Directing the Legislative Budget and Finance Committee to conduct a study and review into the equity of the current methods of financing the construction and maintenance of the roadways of the Commonwealth.

##### RULES.

##### HR 131, PN 1807

By Rep. MANDERINO

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

##### RULES.

##### HR 132, PN 1808

By Rep. MANDERINO

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

##### RULES.

##### HR 133, PN 1819

By Rep. MANDERINO

Directing the House Education Committee to study early intervention programs for handicapped infants and preschool children and make a report to the House of Representatives.

##### RULES.

##### SR 69, PN 1201 (Concurrent)

By Rep. MANDERINO

Providing for investigations of the environmental, navigational and other concerns of the Great Lakes region by the Interstate Legislative Committee on the Great Lakes.

#### RULES.

#### STATEMENTS

The SPEAKER pro tempore. For what purpose does the gentleman from Philadelphia, Mr. Richardson, rise?

Mr. RICHARDSON. Well, Representative Piccola had unanimous consent to address the House and I would like to also have unanimous consent to address the House.

The SPEAKER pro tempore. The gentleman has requested the unanimous consent of the House. The Chair hears no objection. The gentleman, Mr. Richardson, is in order and may proceed.

Mr. RICHARDSON. On this same issue, I just want to make it clear that the gentleman who just spoke, Representative Piccola, was not here and did not see the action that took place. It should also be quite clear to him that those persons who have in fact occupied the rotunda for the past 2 weeks have never interfered with any right of any citizen's availability to be able to use the rotunda at any time. In fact, there is nothing on record that would indicate that the protesters in fact stopped a group of people coming into this rotunda, and I will not sit by and allow people to make false statements without any accuracy and I will stand here and continue to stand here to correct all those statements being made by anyone who makes them, particularly when they are inaccurate.

It is clear that those persons last week, handicapped persons within this Commonwealth who came here, did in fact hold a press conference. It was not interfered with, and the people had a very pleasant and meaningful press conference dealing with the handicapped and those disabled persons within the Commonwealth of Pennsylvania. Also, they had the opportunity and the right to allow other school groups to come into this Commonwealth, who have in fact been here and have looked at the beautiful Capitol and in fact been a part of the program that has taken them through this same room that we are standing in right now, as well as being able to look up at the dome. There has been no interference at all with any group who had wanted to come. The only thing that is in question is the embarrassment of the administration to allow individual persons to in fact protest their rights by showing them that there is in fact a problem within this Commonwealth that we are unwilling to address as a legislative body and as an executive body of government and have refused to in fact put ourselves in the position of looking at this problem in a very realistic manner.

Now, I am calling on the nations across this world to begin to look at Pennsylvania, because evidently our talking to the leadership in Pennsylvania has not fallen on any ears whatsoever that would respond to an immediate, an immediate action being taken in behalf of the problems that are facing us: as the State of Pennsylvania. Again, the problem is in fact hunger; it is in fact poverty; it is in fact the homeless; it is in fact those who are in fact without clothes. The Bible says, for those who do not remember, that we should feed the hungry

that we should clothe the naked, and that we should find homes for the homeless, and as long as I have breath left in my body, I will continue to voice this expression on the floor of this House regardless of what nice words are being used to try and cover up what was done on Saturday, October 1, 1983, on a piece of paper, not, again, a legal document. We never heard anyone say anything at all about that, so if they are commending the Governor on actions, what action actually was taken other than a piece of paper that you could find anywhere, have somebody type some words on it, and say we are addressing the issue? That is a sneaky way and a cowardly way of dealing with the matter. If in fact they have violated some rights, then let us file an injunction. Let us put it in court and let the courts decide on whether or not there is some action that needs to be taken against people who have a right to peacefully assemble and express their point of view about a problem.

If you are telling me that 2 weeks is enough and they only have 2 weeks in which to respond and they have had enough time in order to do that and you determine, you as individuals determine that 2 weeks is enough, then fine, but you cannot determine whether or not 2 weeks is enough to express an opinion or a view, because there are members of this House who have talked about issues that affect them, whether it is the Department of Environmental Resources, whether it is water sewage problems, whether it is housing, whatever the case may be. It is their right to continue to demonstrate that, as well as senior citizens who have come to Harrisburg and talked about problems that affect them, and no one has told them how long they could stay, what the length of stay could be, or how they should protest. As long as they continue to address those issues without the proper context, I will raise one more time, who is willing to sit down and meet to mediate this problem in an orderly and manly and womanly fashion to resolve the problems of hunger within this Commonwealth, people who are without food, people who are without homes, people who are without clothes?

The fact remains that Act 75 has in fact done that to the Commonwealth coupled with the fact that we have one of the highest rates of unemployment in the Nation, and regardless of how we try to cover this matter up, regardless of what we try to do in trying to say it does not exist, it will not go away. Pennsylvania is on record as one of the highest States of unemployment within the Nation. It is also on record as one of the cold and callous States that would remove its able-bodied persons from the welfare rolls without qualification, and the fact that some 78,000 to 100,000 people now are without income, without any money, unable to pay any rent to stay anywhere, where do they go? No one yet has answered that question. With all the job bills that they keep talking about, saying that we have a jobs program, how many people have actually been put to work? All the persons who are in the rotunda say that they are willing to go to work tomorrow if they are in fact given a job, plus I have 500 people who are willing to go to work immediately if in fact there are some jobs for them to go to.

If people think that this is a game, then I will be the strong bearer of the test to stand here on this floor until hell freezes over to let people know that we cannot any longer tolerate a Nation, a State, or a city that will allow its less fortunate people to go without food, clothing, and shelter without our taking some direct action. At least I am man enough to stand here at this microphone and say that I am willing to put up a vote for a pay raise this time and also a vote to do something about the welfare recipients in this Commonwealth who are without food and in some emergency program that would in fact take care of those persons who need it. How many of you are willing to do that?

The SPEAKER pro tempore. The Chair thanks the gentleman and would point out to the participants that we are now on overtime.

Does the gentleman, Mr. Piccola, desire unanimous consent?

Mr. PICCOLA. Yes, Mr. Speaker, very briefly.

The SPEAKER pro tempore. The Chair hears no objection. The gentleman is in order and may proceed.

Mr. PICCOLA. Again I have to respond. Mr. Richardson is interested in facts. He indicated, however, that no one was interfered with in their use of the rotunda. The facts are as follows, Mr. Speaker: The Pennsylvania League of Cities was forced to move an affair they had scheduled for the rotunda to another location. Likewise, the Pennsylvania Trial Lawyers scheduled an affair in the rotunda and were forced to move to another location. The Bureau of the Lottery had scheduled an event for the rotunda and was forced to move that event to another location. The fact is, Mr. Speaker, that laundry was being hung up in the rotunda. The fact is that cooking was being performed in the rotunda. The fact is that a refrigerator and sleeping apparatus were located in the rotunda. That, Mr. Speaker, interferes with other citizens' rights to use that rotunda. That is the issue here, Mr. Speaker, not race, not welfare. I am willing to discuss welfare but not in this context, Mr. Speaker. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Does the gentleman, Mr. Richardson, desire unanimous consent?

Mr. RICHARDSON. Yes, because the facts have been distorted again, and I am not going to stand here and allow that to happen.

The SPEAKER pro tempore. Are there any objections to unanimous consent? Hearing none, the gentleman, Mr. Richardson, is in order and may now proceed.

Mr. RICHARDSON. Number one, Mr. Speaker, the fact remains that those persons who in fact spoke just a few moments ago indicated that in fact the League of Cities and also the Trial Lawyers and also the Lottery Commission were forced to be moved to another location. It was not because the protesters stopped them from having any event there, but the wine and cheese, I guess, that they wanted to have in the rotunda and have a nice display and reception, evidently they did not feel it would be proper to have people who were

coming in from all over to look at that and see that there was a problem within this Commonwealth. It was not because of the fact that the people were not orderly and because they stopped them from having any kind of affair in the rotunda. Everyone else who came to the rotunda came and happened to see it. The thing is that hunger is not going to go away; those being naked and without clothes, that is not going to go away; those without shelter in this Commonwealth, that is not going to go away, and regardless of how you cover it up and say the people were forced to have to go somewhere else is not true. Those are the true facts of this problem.

The other problem is that when people say that the youth or schools were unable to come, they only were unable to come because nobody brought them. If they got here, they would have been able to go through the same procedure as everyone else and be able to look up and see the gold, look up and see the lights, look up and see the beautiful pictures on the walls, and be able to say that they got a chance to see their State Government. Now, it is unfortunate that at the same time, during all this, there have been some problems relating specifically to the problem of those who are less fortunate in this Commonwealth who have expressed themselves and shown themselves orderly every single day. There is a problem within this Commonwealth, and you cannot close your eyes to it. You can close your blinds to it all that you want, but it is not going to go away.

It is unfortunate that Representative Piccola has not been in the forefront on this issue in the past, and I am glad to hear him say now that he is willing to sit down along with maybe getting his Governor to also sit down, maybe with Representative Ryan and others who are willing to sit down and deal with what kind of solution we can come up with to deal with this problem. That is all that has been asked from the very beginning. That has been refused and been denied, and I as a legislator have been refused and denied to meet with the Governor on this issue which I feel is a very important matter dealing with the Commonwealth of Pennsylvania.

If the Governor is so inclined and feels it is so very important, that it is an ugly scene down there in the rotunda, then let us meet on it, Mr. Governor. Let us decide on how we can resolve a very serious problem that is in front of us in this Commonwealth of Pennsylvania, and let us stop trying to play games with the citizens of the Commonwealth of Pennsylvania by pretending that the citizens are tired of the clothes being hung up in the rotunda. I would much rather allow people to wash their clothes and to be smelling clean than to have an odor in the rotunda so that people then would be able to use that as another means to say that the people need to be put out. The rotunda was kept clean. The area in which they lived was kept clean. There was no debris. There was no trash. There was no filth. In fact, they used mops and brooms and everything else that was necessary in cleaning the steps in and around the area, even of trash that was not even made by them, and it goes to show that they are people who are not only of good will but have sacrificed their time to come here to make a point for 13 days and show this government how

wrong it is in not responding to the problems of those who are poor and less fortunate. Those of you who have other jobs and are rich and do not have a problem and do not have to deal with this problem can go to your nice, comfortable homes, your nice, comfortable cars and do not have to deal with this problem.

This problem is not going to go away. As long as there is one person in this Commonwealth who does not have a place to go, who does not have food, who does not have money in his or her pocket, they will come and get you, they will come and get me, they will come and get anybody as long as you do not give an equal fair share to everybody within this Commonwealth. When you took their checks away from them, that was the bottom line. At some point there is going to have to be someone who is willing to address that issue.

The SPEAKER pro tempore. The Chair thanks the gentleman.

### BILLS AND RESOLUTIONS PASSED OVER

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

### ADJOURNMENT

The SPEAKER pro tempore. For the purposes of an adjournment motion, the Chair recognizes the gentleman from Bucks, Mr. Reinard.

Mr. REINARD. Mr. Speaker, I move that this House do now adjourn until Tuesday, October 4, 1983, at 11 a.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 3:20 p.m., e.d.t., the House adjourned.