

Legislative Journal

MONDAY, OCTOBER 17, 1983

SESSION OF 1983

167TH OF THE GENERAL ASSEMBLY

No. 83

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (K. LEROY IRVIS) IN THE CHAIR

PRAYER

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

Almighty God, as the beautiful colors of autumn blend in picturesque view with the majestic fall foliage, we pause before Thee in admiration of the splendor all around us. We are held captive by the many hues, tints, and shades which form the panoramic display of all Thy handiwork. In this beautiful Keystone State we see the magnificence of Thy creation and know that Thou art ever by our side.

We humbly pray that Thou wilt constantly make us aware of Thy presence, continually challenge us to call upon Thee for the help which is Thine to give, and consciously reveal to us Thy blessed truth and everlasting peace. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Wednesday, October 12, 1983, will be postponed until the Journal is in print. The Chair hears no objection.

COMMUNICATION FROM MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION

The SPEAKER. The Chair acknowledges receipt of the following report from the Municipal Police Officers' Education and Training Commission, which will be filed for the record.

The following communication was read:

Commonwealth of Pennsylvania
Municipal Police Officers'
Education & Training Commission
P.O. Box AA
Hershey, Pennsylvania 17033
October 6, 1983

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

Dear Mr. Speaker:

The Municipal Police Officers' Education and Training Act mandates the submission of an annual report by the Commission each year. Attached is the report for the 1982-83 fiscal year which identifies the accomplishments of the Commission.

A large portion of the report relates to the In-service Training Program which achieved momentum for the first time, during the past year. Its utilization by police agencies throughout the Commonwealth confirmed its need by a high degree of acceptance.

It is the Commission's intention to further emphasize the in-service and other programs in the forthcoming year, and continue to aid law enforcement through training.

Very truly yours,
Daniel F. Dunn
Chairman

Enc.

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

HOUSE BILLS INTRODUCED AND REFERRED

No. 1552 By Representatives SWEET, LASHINGER, TRELLO, PETRONE, WIGGINS, HARPER, BELFANTI, OLASZ, MISCEVICH, O'BRIEN, WOZNIAK, CAPPABIANCA, BURNS, VAN HORNE, CLARK, MAIALE, CALTAGIRONE, DALEY, BARBER, TRUMAN and BELOFF

An Act providing for licensing and placement of slot machines in certain counties in this Commonwealth; creating the Pennsylvania Gaming Commission; providing powers and duties; providing for enforcement agents; prohibiting slot machine use by minors; and providing for distribution of revenues to the Commonwealth and certain political subdivisions.

Referred to Committee on BUSINESS AND COMMERCE, October 17, 1983.

No. 1553 By Representatives CLARK, TRELLO, VAN HORNE, REBER, LETTERMAN,

OLASZ, DeLUCA, KASUNIC, PETRARCA, DOMBROWSKI, SEVENTY, DUFFY, MISCEVICH, HALUSKA, COHEN, CAPPABIANCA, LASHINGER, WACHOB, TIGUE, STEWART, PETRONE, KUKOVICH, CAWLEY, WOZNIAK and LUCYK

An Act providing for licensing, taxing and placement of video poker machines in this Commonwealth; creating a Video Poker Machine Control Commission; providing powers and duties for this commission; providing for local option; and providing for distribution of revenues.

Referred to Committee on STATE GOVERNMENT, October 17, 1983.

No. 1566 By Representatives TRELLO, FEE, STEIGHNER, BELFANTI, BURD, PERZEL, WILSON, LETTERMAN, CALTAGIRONE, REBER, VAN HORNE, WOZNIAK, SWEET, HALUSKA, MERRY, PISTELLA, DOMBROWSKI, SEVENTY, DeLUCA, COLAFELLA and PETRONE

An Act providing for the licensing of clubs to conduct games of chance; providing for suspensions and revocations of licenses; providing for fees and appropriations; requiring records; and prescribing penalties.

Referred to Committee on FINANCE, October 17, 1983.

No. 1579 By Representatives RAPPAPORT and SPENCER

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for an additional judge in the tenth judicial district.

Referred to Committee on JUDICIARY, October 17, 1983.

No. 1580 By Representatives CAPPABIANCA, MANDERINO, PRATT, DOMBROWSKI, BOYES, BOWSER and GRUITZA

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for radiation emergency response.

Referred to Committee on MILITARY AND VETERANS AFFAIRS, October 17, 1983.

No. 1581 By Representatives McVERRY, FARGO, JOHNSON, GRIECO, SALOOM and POTT

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), prohibiting electioneering within 1,000 feet of polling places.

Referred to Committee on STATE GOVERNMENT, October 17, 1983.

No. 1582 By Representatives McVERRY, MARMION and GAMBLE

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), providing for subpoena power in cases relating to the suspension or expulsion of pupils.

Referred to Committee on EDUCATION, October 17, 1983.

No. 1583 By Representatives BURNS, KUKOVICH, HERMAN, BELARDI, F. E. TAYLOR, LUCYK, STUBAN, BALDWIN, CAWLEY, REINARD, DALEY, KASUNIC, COWELL, MARKOSEK, MRKONIC, DeLUCA, PETRONE, PISTELLA and VAN HORNE

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, prohibiting members of the General Assembly from having issued legislative plates to be used on any foreign vehicle.

Referred to Committee on TRANSPORTATION, October 17, 1983.

No. 1584 By Representatives MANDERINO, IRVIS, RAPPAPORT, DOMBROWSKI, WARGO, ALDERETTE, PETRARCA, D. R. WRIGHT, PISTELLA, ITKIN, SHOWERS, STUBAN, STEIGHNER, JAROLIN, MORRIS, SALOOM, CAPPABIANCA, PRATT, CLARK, COLAFELLA, BELFANTI, DeWEESE, COHEN, AFFLERBACH, WAMBACH, FREEMAN, OLASZ, McHALE, KOWALYSHYN, RYBAK, PRESTON, BATTISTO, MICHLOVIC, KASUNIC, BURNS, FREIND, LLOYD, HALUSKA, BALDWIN and DeLUCA

An Act amending the "Commonwealth Attorneys Act," approved October 15, 1980 (P. L. 950, No. 164), requiring the Attorney General to perform all legal services required for issuance of all State general obligation bonds or notes or other bonds or notes.

Referred to Committee on JUDICIARY, October 17, 1983.

No. 1585 By Representatives CAPPABIANCA, SERAFINI, VAN HORNE, SEVENTY, DUFFY and PETRARCA

An Act relating to the establishment of a set-aside procurement program for small business; and encouragement and assistance to small business to increase their participation in the State's procurement program.

Referred to Committee on BUSINESS AND COMMERCE, October 17, 1983.

No. 1586 By Representatives JAROLIN, KOSINSKI, HASAY, NOYE, CIMINI, HALUSKA, BELFANTI, ITKIN, AFFLERBACH, MICOZZIE, ARTY, PRATT, STEIGHNER, CAWLEY, BLAUM, OLIVER, F. E. TAYLOR, TIGUE, DALEY, O'DONNELL, MANDERINO, STUBAN, TELEK, DIETZ, GODSHALL, MICHLOVIC and RUDY

An Act requiring the Department of General Services to conduct certain restricted auctions of surplus property solely for the benefit of municipalities.

Referred to Committee on STATE GOVERNMENT, October 17, 1983.

No. 1587 By Representatives TRELLO, PISTELLA, CALTAGIRONE, MORRIS, B. SMITH, COLAFELLA, JAROLIN, E. Z. TAYLOR, ITKIN, PRATT and KASUNIC

An Act amending "The Local Tax Enabling Act," approved December 31, 1965 (P. L. 1257, No. 511), requiring the Secretary of Revenue to furnish local tax officers with State income tax information.

Referred to Committee on FINANCE, October 17, 1983.

No. 1588 By Representatives PICCOLA, OLIVER, LEVIN, HARPER, WAMBACH, DEAL, NOYE and CESSAR

An Act amending the "Civil Service Act," approved August 5, 1941 (P. L. 752, No. 286), further providing for semiannual billing statements, for suspensions or removals of employees from the classified service and for penalties for false statements under oath.

Referred to Committee on STATE GOVERNMENT, October 17, 1983.

No. 1589 By Representatives PICCOLA, OLIVER, LEVIN, HARPER, DEAL, NOYE and CESSAR

An Act amending the act of September 2, 1961 (P. L. 1177, No. 525), entitled "An act fixing the salaries and compensation on members of certain boards and commissions, and repealing inconsistent acts," increasing the maximum amount which may be paid annually to members of the State Civil Service Commission, allowing for payment of actual days worked.

Referred to Committee on STATE GOVERNMENT, October 17, 1983.

No. 1590 By Representatives COLAFELLA, FATTAH, GALLAGHER, McVERRY, PETRARCA, GODSHALL, KUKOVICH, DORR, MILLER, WIGGINS, MICOZZIE, CIMINI, CIVERA, LESCOVITZ, PRATT, E. Z. TAYLOR, GEIST, PISTELLA, DALEY, OLASZ, HERMAN, MERRY, BURD and FARGO

An Act providing a tax credit for donated computer equipment.

Referred to Committee on EDUCATION, October 17, 1983.

No. 1591 By Representatives RUDY, FRYER, SHOWERS, WOZNIAK, BELFANTI, STEWART, AFFLERBACH, BALDWIN, MAYERNIK, DeLUCA, JAROLIN, WACHOB, BROUJOS and COLAFELLA

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), authorizing appropriations for neighborhood crime watch programs.

Referred to Committee on LOCAL GOVERNMENT, October 17, 1983.

No. 1592 By Representatives PITTS, SPITZ, R. C. WRIGHT and FLICK

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for vehicles exempt from registration.

Referred to Committee on TRANSPORTATION, October 17, 1983.

No. 1593 By Representatives HASAY and BLAUM

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736, No. 338), further providing for certain affidavits of physicians.

Referred to Committee on LABOR RELATIONS, October 17, 1983.

No. 1595 By Representatives EVANS, WILLIAMS, DEAL, KOSINSKI, OLIVER, DONATUCCI, RIEGER, McINTYRE, RICHARDSON, HARPER and WIGGINS

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), requiring the board to give notice to certain persons and associations.

Referred to Committee on LIQUOR CONTROL, October 17, 1983.

No. 1596 By Representatives EVANS, GALLAGHER, DEAL, KOSINSKI, OLIVER, RIEGER, DONATUCCI, McINTYRE, RICHARDSON, WIGGINS and FATTAH

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for credits for non-school service.

Referred to Committee on EDUCATION, October 17, 1983.

No. 1597 By Representatives SALOOM, FREIND, PITTS, DeLUCA, OLASZ, MARKOSEK, TRELLO, PETRARCA, McMONAGLE, ALDERETTE, KOSINSKI, DONATUCCI, MRKONIC, DUFFY, JAROLIN and DALEY

An Act declaring it unlawful to withhold customary care to certain infants; and providing a penalty.

Referred to Committee on HEALTH AND WELFARE, October 17, 1983.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 141

(Concurrent) By Representatives RUDY, MORRIS, STUBAN, LUCYK, SHOWERS, BALDWIN, COY, HERSHEY, BROUJOS, LLOYD, SEVENTY, GRIECO, HALUSKA, HONAMAN, REBER, CALTAGIRONE, JOHNSON, SALOOM, FRYER, D. R. WRIGHT, McHALE, ALDERETTE and KUKOVICH

Memorializing Congress to remove the \$1 per hundredweight milk assessment.

Referred to Committee on RULES, October 17, 1983.

No. 142

(Concurrent) By Representatives PETRONE, TRELLO, PISTELLA, DALEY, PRESTON, SEVENTY, MURPHY, DAWIDA, MICHLOVIC, VAN HORNE, DeLUCA and COWELL

Directing the State Fire Marshal in conjunction with the Departments of Labor and Industry and Health to assess test methods in the field of combustion toxicology.

Referred to Committee on RULES, October 17, 1983.

No. 143

By Representatives COLAFELLA, MRKONIC, STEVENS, HALUSKA, GALLAGHER, RYBAK, McHALE, FREEMAN, STEIGHNER, OLASZ, DALEY, PRATT, CIMINI, VROON, HARPER, COWELL, DeLUCA, ITKIN, TRUMAN, POTT, RICHARDSON, BELFANTI, MAIALE, ALDERETTE, CESSAR, PETERSON, MERRY, MORRIS, McVERRY, ARTY, CIVERA, LESCOVITZ, WOZNIAK, PISTELLA, CLARK and MISCEVICH

Memorializing the United States Congress to increase Federal Supplemental Compensation benefit weeks and extend the Federal Supplemental Compensation Program to March 31, 1984.

Referred to Committee on RULES, October 17, 1983.

SENATE BILLS FOR CONCURRENCE

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

SB 979, PN 1214

Referred to Committee on GAME AND FISHERIES, October 17, 1983.

SB 980, PN 1215

Referred to Committee on GAME AND FISHERIES, October 17, 1983.

REMARKS ON VOTE

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

Mr. MORRIS. Thank you, Mr. Speaker.

I was unable to be here Wednesday afternoon of last week and got a leave of absence. I had to go to Erie to prepare for the Agriculture Committee looking into the situation of the grape industry and also for a Conservation Committee hearing the next day. I was therefore unable to vote on the senior citizens prescription bill. I would like the record to show that had I been here, I would have voted in the affirmative on HB 1301.

The SPEAKER. The gentleman's remarks will be spread upon the record. The Chair thanks the gentleman.

LEAVES OF ABSENCE GRANTED

The SPEAKER. The Chair is about to take up leaves of absence for today.

The Chair recognizes the gentleman from Philadelphia, Mr. Pievsky, on leaves of absence.

Mr. PIEVSKY. Thank you, Mr. Speaker.

Mr. Speaker, I ask leave for the gentleman from Westmoreland, Mr. KUKOVICH, for the entire week, and the gentleman from Adams, Mr. COLE, for today. Thank you, Mr. Speaker.

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

The Chair recognizes the minority whip on leaves of absence.

Mr. HAYES. Thank you, Mr. Speaker.

I request leave for the gentleman from Bradford, Mr. MADIGAN, for today, and the gentleman from Luzerne, Mr. STEVENS, for today and tomorrow.

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

MASTER ROLL CALL RECORDED

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

The following roll call was recorded:

PRESENT—199

Afflerbach	Fargo	Lloyd	Rudy
Alderette	Fattah	Lucyk	Ryan
Angstadt	Fee	McCall	Rybak
Armstrong	Fischer	McClatchy	Saloom
Arty	Flick	McHale	Salvatore
Baldwin	Foster, W. W.	McIntyre	Saurman
Barber	Foster, Jr., A.	McMonagle	Scheetz
Battisto	Freeman	McVerry	Schuler
Belardi	Freind	Mackowski	Semmel
Belfanti	Fryer	Majale	Serafini
Beloff	Gallagher	Manderino	Seventy
Blaum	Gallen	Manmiller	Showers
Book	Gamble	Markosek	Sirianni
Bowser	Gannon	Marmion	Smith, B.
Boyes	Geist	Mayernik	Smith, L. E.
Brandt	George	Merry	Snyder, D. W.

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—4

Cole	Kukovich	Madigan	Stevens
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MISS PENNSYLVANIA UNITED TEENAGER PRESENTED

The SPEAKER. The Chair is pleased to announce that there are two distinguished guests visiting the hall of the House today. The first is Miss Pennsylvania United Teenager, and the lady is Miss Danita Laysier. She will be presented to the hall of the House by Representative Moehlmann.

Mr. MOEHLMANN. Thank you, Mr. Speaker.

Ladies and gentlemen of the House, I would like to introduce to you and present a citation to Miss Pennsylvania United Teenager of 1983. May I first introduce her family, Mr. and Mrs. Gordon Laysier, and Danita's sister, Lorah, on my left. They are residents of Myerstown, Lebanon County, Pennsylvania.

May I introduce to you, please, Miss Pennsylvania United Teenager of 1983, Miss Danita Laysier.

Miss LAYSER. Thank you, Representative Moehlmann. Thank you very much.

To Mr. Speaker, members of the House, and distinguished guests, good afternoon and greetings to all of you from the teenagers of Pennsylvania.

I feel privileged to represent our great State in the United Teenager Pageant, of which I am a part. Miss United Teenager is a national pageant, founded on the basis of scholastic and civic achievements, beauty, poise, and personality. An official State pageant is held in every State for girls 14 through 18 years of age. One winner is chosen by a panel of judges to represent her State at the national finals. Thousands of contestants throughout our Nation are required to contribute a minimum of 8 hours' time to a civic or volunteer service of their choice. There are many young girls attending colleges and universities on a United Teenager scholarship. These scholarships extend beyond the pageant winner to include volunteer community service, scholastic achievement, and citizenship. In addition to volunteer service, contestants must prepare an essay entitled "My Country." The essay is judged on delivery and content and must be recited.

For the national pageant, which will take place on December 29 in Washington, D.C., each contestant must appear in a State costume of her choice representing her particular State along with a short explanation of the costume's significance. I would like to especially thank Governor Thornburgh for his suggestion and his staff for the help in acquiring my State costume. I will be appearing as the daughter of William Penn and giving a short narrative from her point of view regarding the dress in those days. I am looking forward to the national pageant with eagerness, and with God's help, I hope to represent my State, our State, to the best of my ability.

I entered the pageant at the urging of my sister, Lorah. My main objective in entering the pageant was to gain some confidence in myself through being on stage, and I also learned some very important principles through being involved in this. One is to be myself no matter what I am doing, no matter what the circumstances might be. Whether I am being interviewed by a judge or speaking to the House of Representatives, I am still me. This crown and banner have not changed who I am. This title is only temporarily mine for a period of 1 year, but while it does last, I want to make the most of it.

I want to thank my parents for their understanding, love, and support, and I would like to say thank you to Representative Nick Moehlmann for his help. I am grateful to all of you for allowing me to come today to speak with you. It has been a great pleasure. Thank you.

The SPEAKER. Today I finally figured out the method of getting you on the floor and getting you quiet. I am going to introduce a Miss Pennsylvania every week. That will at least get you on the floor and get your attention.

AMBASSADOR FROM GHANA PRESENTED

The SPEAKER. We have another distinguished guest here. Some of you may know, although I suspect there are many who do not, that there is a great people who arose on the West Coast of Africa about the year 1100. These people established one of the earliest universities and learning centers in the history of the world. They are also one of the very first people

to lead us many, many thousands of years ago into the age of bronze. They are the Ashanti people. Today many of them live in the more modern State of Ghana, but they retain their own history, which is a very proud one, and they retain their own fierce pride in their independence.

We are lucky today to have with us a goodwill ambassador from the Ashanti people from the national State of Ghana. He is an educator, he is a lawyer, and he is a priest. Moreover, he recognizes the turmoil on the floor of this House because he has served in Parliament in Ghana, and I can assure him that no matter where you serve, they are always going to be the same - act as if they do not know what is going on until you say something they do not want you to say and then you find out they are all listening to you.

He is Nana Kwame Akuoko Sarpong, and I am going to invite the Ambassador to speak to you briefly and receive the commemorative resolution from the hands of David Richardson. Mr. Ambassador, would you come forward, please.

AMBASSADOR SARPONG. May I thank you, Mr. Speaker and members of the General Assembly, for this great opportunity that has been given to me to bring you greetings from the people of Ghana, the people of Ashanti, and the area of which I am the king, the people of Agogo. I am very, very grateful for this wonderful opportunity.

I was once, before the army took over our Parliament, a member of the last Ghanaian Parliament which was ended in 1981 by the army.

Now I represent our divine King, the King of the Ashanti people. We are about 5 million people within the country of Ghana, which has about 92,000 square miles with 15 million people, and I am one of the principal kings of our divine King called the Ashantihene.

Now, the reason for my being here is that the Museum of Natural History in New York is going to mount an exhibition on the people of Ashanti in Ghana. I am here as a goodwill ambassador to the State of Pennsylvania because the State of Pennsylvania has a great place in the history of Ghana, the basic reason being that our former great leader, Kwame Ekruma, was educated at Lincoln University and he lived most of his life here in Pennsylvania before he came to Ghana to lead the independent movement. We knew for sure that he took his inspiration from this great State.

Now, we are seeking association with this great State because of this historical connection, and I am very happy to be part of this great historymaking. I bring you greetings from my people and greetings from the people of Ghana, and thank you for receiving me this afternoon. Thank you very much.

The **SPEAKER.** The Speaker mentioned the Ashanti people deliberately because the Speaker was educated in the public school systems of this country, and not until the Speaker, who happens to be black, was 16 years of age did anyone tell him of the magnificent history of the great peoples of the African Continent. Now, the Speaker assumes that everyone hearing his voice is far smarter and better educated than he, and therefore the Speaker will not try to teach you

anything, but in case there be one or two among you who have not learned any more than the Speaker knew about the history of Africa, it would be a good idea to learn that all learning, all intelligence, all civilization did not arise in Europe alone. Unfortunately, until recent years in our public school systems not even our teachers have known enough about the history of the African people, especially the West Coast African people, to begin to teach our children, whether they be white, black, green, gray, or striped, the facts of mankind's history. If you will take a few moments to read, you may learn a few things which will amaze you, and those things cannot but have an effect on your judgments.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 178, PN 1962 (Amended)

By Rep. OLIVER

An Act authorizing and directing the Department of General Services and the Department of Environmental Resources, with the approval of the Governor, to convey to Armstrong County an island situate in the Allegheny River near the Borough of Kittanning.

STATE GOVERNMENT.

HB 367, PN 417

By Rep. OLIVER

An Act amending "The Notary Public Law," approved August 21, 1953 (P. L. 1323, No. 373), further providing for seals.

STATE GOVERNMENT.

HB 846, PN 1963 (Amended)

By Rep. OLIVER

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), further providing for absentee ballots for religious holidays and for the delivery and mailing of ballots.

STATE GOVERNMENT.

HB 902, PN 1964 (Amended)

By Rep. OLIVER

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), further providing for absentee ballots for certain county employees and for the delivery and mailing of ballots.

STATE GOVERNMENT.

SB 428, PN 468

By Rep. OLIVER

An Act authorizing and directing the Department of General Services, with the approval of the Bureau of Correction and the Governor, to grant an easement to Jerry Ross and Paula Ross, his wife, over certain lands in Benner Township, Centre County, Pennsylvania.

STATE GOVERNMENT.

SB 967, PN 1249

By Rep. OLIVER

An Act amending the act of January 14, 1952 (1951 P. L. 1898, No. 522), entitled, as amended, "Funeral Director Law," reestablishing the State Board of Funeral Directors; and making repeals.

STATE GOVERNMENT.

WELCOMES

The SPEAKER. The Chair welcomes to the hall of the House, as a guest of Representative Ruth Rudy, the permanent secretary to the Minister of Transportation for the British Virgin Islands, Ms. Ethlyn Smith.

Ted Stuban of Columbia County presents to us Michael Burka of Berwick, Pennsylvania. He is a councilman there in the borough.

CALENDAR**BILLS AGREED TO
ON SECOND CONSIDERATION**

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

HB 163, PN 1587; and SB 446, PN 486.

* * *

The House proceeded to second consideration of **HB 1289, PN 1702**, entitled:

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

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

BILL RECOMMITTED

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

Mr. PIEVSKY. Mr. Speaker, I move that HB 1289, PN 1702, be recommitted to the Committee on Appropriations for a fiscal note.

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

* * *

The House proceeded to second consideration of **SB 288, PN 1252**, entitled:

An Act regulating the purchase and sale of precious metals.

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

BILL RECOMMITTED

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

Mr. PIEVSKY. Mr. Speaker, I move that SB 288, PN 1252, be recommitted to the Committee on Appropriations for the purpose of 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 124, PN 138; HB 125, PN 412; and HB 758, PN 1944.

* * *

The House proceeded to second consideration of **HB 843, PN 940**, entitled:

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

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

BILL RECOMMITTED

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

Mr. PIEVSKY. Mr. Speaker, I move that HB 843, PN 940, be recommitted to the Committee on Appropriations for the purpose of 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 866, PN 976; HB 1131, PN 1945; HB 1208, PN 1413; HB 1310, PN 1703; HB 969, PN 1437; HB 1302, PN 1961; HB 353, PN 1943; HB 1342, PN 1608; HB 128, PN 1689; HB 559, PN 1593; SB 632, PN 1200; HB 477, PN 538; HB 793, PN 1695; HB 946, PN 1084; HB 1214, PN 1419; and HB 508, PN 569.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 200, PN 1198**, entitled:

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

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

BILL RECOMMENDED

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

Mr. FRYER. Mr. Speaker, several questions have arisen with our local governments and also with our agricultural community in regards to SB 200. Therefore, Mr. Speaker, for further study, I would have the bill recommended to the Committee on Conservation.

The SPEAKER. The Chair thanks the gentleman.

It is moved by the gentleman, Mr. Fryer, that SB 200, PN 1198, be recommended to the Committee on Conservation.

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

The following roll call was recorded:

YEAS—198

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

NAYS—1

Greenwood

NOT VOTING—0

EXCUSED—4

Cole Kukovich Madigan Stevens

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

* * *

The House proceeded to third consideration of **HB 132, PN 956**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, prohibiting natural gas utilities from utilizing a sliding scale of rates to recover natural gas costs; and further providing for procedures and standards for regulating the rates of natural gas utilities.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader. Mr. MANDERINO. Mr. Speaker, I move that HB 132, PN 956, be placed upon the table.

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

BILL REMOVED FROM TABLE

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

Mr. LAUGHLIN. Mr. Speaker, I move that HB 132, PN 956, be removed from the table.

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

* * *

The House proceeded to third consideration of **HB 1405, PN 1882**, entitled:

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

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

Mr. SAURMAN offered the following amendments No. A3167:

Amend Sec. 5, page 4, line 10, by inserting before "If"

(a) Return of automobile.—

Amend Sec. 5, page 4, by inserting between lines 27 and 28

(b) Notation on title.—When an automobile is returned to the manufacturer under subsection (a), a notation shall be placed on the title of the automobile which states: "This automobile was returned to the manufacturer under this section of the Automobile Purchasers' Protection Act."

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

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

Mr. SAURMAN. Thank you, Mr. Speaker.

This amendment, recognizing the need for a bill such as the "lemon" bill, says that the second purchaser of the automobile ought not to be caught in this trap either. Therefore, it requires that the fact that the automobile is a lemon be placed on the title and go with that title so any subsequent buyer would be aware.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman from Indiana, Mr. Wass, wish to speak on the Saurman amendment?

Mr. WASS. Mr. Speaker, may I interrogate the maker of the amendment?

The SPEAKER. The gentleman, Mr. Saurman, indicates he will stand for interrogation. The gentleman, Mr. Wass, is in order and may proceed.

Mr. WASS. Mr. Speaker, your amendment would mean that a car that was a lemon could not be restored to a number one car, a car in A-1 condition, by the manufacturer. Is that right?

Mr. SAURMAN. No; I do not believe it means that. It simply means that if a car has been returned because of non-conformity, that information must be included. It would then be the dealer's responsibility to once again, if he chooses, recertify or rewarrant that automobile. But what we want to prevent is having that particular automobile just unknowingly passed on to a subsequent purchaser.

Mr. WASS. Thank you.

The SPEAKER. The Chair thanks both gentlemen.

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

Mr. LAUGHLIN. Mr. Speaker, certainly the Saurman amendment adds another dimension to the "lemon" bill that we have before us. I believe for all intents and purposes it does amount to overkill, but I have no objection to the amendment, Mr. Speaker, and I will support it.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Luzerne, Mr. Tigie, on the Saurman amendment.

Mr. TIGUE. Thank you, Mr. Speaker.

I would like to interrogate the sponsor of the amendment, please.

The SPEAKER. The gentleman, Mr. Saurman, indicates he will stand for interrogation. The gentleman, Mr. Tigie, is in order and may proceed.

Mr. TIGUE. Mr. Speaker, currently it is a \$15 charge to change a title. Who would pay for the change of the title?

Mr. SAURMAN. Who would pay for the change of the title?

Mr. TIGUE. Yes.

Mr. SAURMAN. The car would be returned to the manufacturer, and therefore, certainly the person who purchased the car would not be involved in that cost.

Mr. TIGUE. Okay. So you are sure right now then that the owner of the car, the purchaser, will not have to pay the \$15?

Mr. SAURMAN. This amendment refers to the second buyer, and if your question refers to the original buyer who purchases a lemon and subsequently returns the automobile, that question does not deal with the amendment. The amendment says that once a car has been returned because of non-conformity, that information will accompany the title so that any subsequent purchaser would be aware. So in purchasing the automobile, if it is so certified that the individual knows it, he would have to buy the title himself, but that title would indicate the problem.

Mr. TIGUE. Okay. So then under the bill, if we return a vehicle to a manufacturer because of a defect, the title would have to be changed back to the manufacturer or the dealer's title, and they would be responsible for all costs.

Mr. SAURMAN. I do not see that there would be any difference in the title requirements here with the requirements for the transfer of ownership at any time. All this amendment indicates is that that information should be available so that the second purchaser is not put in the same dilemma that the original purchaser was.

Mr. TIGUE. I do not want to carry this out, but it seems that we are going to burden the purchaser of the vehicle with an additional \$15. Somewhere along the line the title has to be changed to indicate a problem with it.

The SPEAKER. The Chair thanks the gentleman.

On the Saurman amendment, the Chair recognizes the gentleman from Chester, Mr. Vroon.

Mr. VROON. May I interrogate the maker of the amendment, please?

The SPEAKER. The gentleman, Mr. Saurman, indicates he will stand for interrogation. The gentleman, Mr. Vroon, is in order and may proceed.

Mr. VROON. Mr. Speaker, I do not intend to criticize your amendment, but I have to ask a few questions about it.

When a person has a lemon, this person has purchased the automobile; he now has title in his name, and then when he returns this to the manufacturer, the title that he had goes back to the manufacturer. Is it that title that is going to have that notation placed on it?

Mr. SAURMAN. Yes, Mr. Speaker. When the title reverts back to the manufacturer, the original purchaser signs off on the automobile. The title now is in the hands of the manufacturer. When that title is reissued, it must, according to this amendment, bear the information that it had been a car that was returned because of a nonconformity. Then if another purchaser wants to buy that car, he can require new warranty, but that is at his own option. All this says is that no car will quietly pass from a person who is dissatisfied back to the manufacturer because of nonconformity and then have that car suddenly appear again with a new title, no change in the automobile, and a second person be put in that same position, now with a used automobile and no protection against the fact that it was a lemon.

Mr. VROON. Let me ask this question, Mr. Speaker: Will that person who is buying it for the second time see the title before he buys it?

Mr. SAURMAN. That information would be available to him. He would not physically see it normally under the operation of our law, because the title itself would be issued in Harrisburg.

Mr. VROON. So, Mr. Speaker, I wonder if your amendment will really protect the second buyer, because he can buy that automobile for the second time, not see the title before he buys it, and after he buys it he sees it, but then what?

Mr. SAURMAN. Mr. Speaker, there is a warranty that is given by the dealer, certainly, saying that this car is up to certain standards. If, as the buyer gets the title, he reads that this car in fact was not in such a condition, he certainly can go back to the dealer and say, this is not the kind of car you described it to be. He will have factual information saying that this car did not conform. That gives him something to deal with, and that is far better than an empty title and a lousy car.

Mr. VROON. Okay. Two more comments, Mr. Speaker.

There is nothing in your amendment which says that that notation is to be placed and be seen on the new title that the purchaser gets; nothing. How is he going to see it? You do not require this on a second title. You just say on the title.

Mr. SAURMAN. Well, obviously, the title that it refers to is the one that will be issued, rather than the original title. The title that accompanies the car is the title that is referred to.

Mr. VROON. But nothing in this amendment requires those words to be put on that title, not the way it is worded.

Mr. SAURMAN. All right. It is my opinion that anyone reading that would logically assume that the title that is going to be so marked would be the title that accompanies the car when it is resold. That is the subject matter of the amendment; that is the intent of the amendment, and I would think that that would be the way that it would operate.

Mr. VROON. One more question, Mr. Speaker. I am not satisfied that the answer is a good one, but the next question I have is, supposing that there is an encumbrance on this automobile, the buyer of the automobile will not even see the title. It will go to the finance company. What happens then?

Mr. SAURMAN. Mr. Speaker, there is no one more alert to something like this than the finance company, and he will know it immediately, I am sure.

Mr. VROON. Thank you, Mr. Speaker.

A few comments, please?

The SPEAKER. The gentleman is in order and may make his comments.

Mr. VROON. I hate to do this, but I oppose this amendment because it is not complete and it does not accomplish the purpose intended. There is absolutely nothing in the wording of the amendment which requires a new title to have these words on it, and for that reason, unless this is worded properly, I am voting "no."

The SPEAKER. The Chair thanks the gentleman.

On the Saurman amendment, the Chair recognizes the gentleman from Cambria, Mr. Haluska.

Mr. HALUSKA. Mr. Speaker, may I interrogate the maker of the amendment?

The SPEAKER. The gentleman, Mr. Saurman, indicates he will stand for interrogation. The gentleman, Mr. Haluska, is in order and may proceed.

Mr. HALUSKA. Mr. Speaker, what provisions in your amendment are made for restoration of this car to normal function? Say that the car is returned to the manufacturer; they in turn reconstruct the car and make it available for sale. What provisions are made to remove the connotation from the title that it is a lemon?

Mr. SAURMAN. Mr. Speaker, that would be the responsibility of the manufacturer to assure the buyer that these changes have been made. We seem to be debating a good bit of the mechanics of this. The alternative to this would be that there would be no information—

The SPEAKER. Will the gentleman yield.

The Chair had noted that precise point earlier. It seems that those people who are debating the Saurman amendment have wandered afield into the merits or demerits of the bill itself. The Chair would suggest that any further questions be limited to the Saurman amendment so that we may get on with the bill.

Has the gentleman, Mr. Haluska, concluded his interrogation? The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—181

Afflerbach	Duffy	Livengood	Robbins
Alderette	Durham	Lloyd	Rudy
Angstadt	Evans	Lucyk	Ryan
Armstrong	Fargo	McClatchy	Rybak
Arty	Fattah	McHale	Saloom
Baldwin	Fee	McMonagle	Salvatore
Barber	Flick	McVerry	Saurman
Battisto	Foster, Jr., A.	Mackowski	Scheetz
Belardi	Freeman	Maiale	Schuler
Belfanti	Freind	Manderino	Serafini
Blaum	Gallagher	Manmiller	Seventy
Book	Gallen	Markosek	Showers
Bowser	Gamble	Marmion	Sirianni
Boyes	Gannon	Mayernik	Smith, B.
Brandt	Geist	Merry	Smith, L. E.
Broujos	George	Michlovic	Snyder, G. M.
Bunt	Gladeck	Micozzie	Spencer
Burd	Greenwood	Miller	Stairs
Burns	Grieco	Miscevich	Stighner
Caltagirone	Gruitza	Moehlmann	Stewart
Cappabianca	Gruppo	Morris	Suban
Carn	Hagarty	Mowery	Swift
Cawley	Haluska	Mrkonc	Taylor, E. Z.
Cessar	Harper	Murphy	Taylor, F. E.
Cimini	Hasay	Nahill	Telek
Civera	Hayes	Noye	Tigue
Clark	Herman	O'Brien	Trello
Clymer	Hershey	Olasz	Truman
Colafella	Hoeffel	Oliver	Van Horne
Cordisco	Honaman	Perzel	Wachob
Cornell	Hutchinson	Peterson	Wambach
Coslett	Itkin	Petrarca	Wargo
Cowell	Jackson	Petrone	Wass

Coy	Jarolin	Phillips	Weston
Deluca	Johnson	Piccola	Wiggins
DeVerter	Kasunic	Pievsky	Williams
DeWeese	Kennedy	Pistella	Wilson
Daley	Klingaman	Pott	Wogan
Davies	Kosinski	Pratt	Wozniak
Dawida	Kowalyszyn	Preston	Wright, D. R.
Deal	Lashinger	Punt	Wright, J. L.
Dietz	Laughlin	Rappaport	Zwinkl
Dininni	Lehr	Reber	
Dombrowski	Lescovitz	Reinard	Irvis,
Donatucci	Letterman	Richardson	Speaker
Dorr	Levi	Rieger	

NAYS—14

Beloff	Levin	Pitts	Spitz
Foster, W. W.	Linton	Semmel	Sweet
Fryer	McCall	Snyder, D. W.	Vroon
Godshall	O'Donnell		

NOT VOTING—4

Cohen	Fischer	McIntyre	Wright, R. C.
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EXCUSED—4

Cole	Kukovich	Madigan	Stevens
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The question was determined in the affirmative, and the amendments were agreed to.

On the question,

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

Mr. LAUGHLIN offered the following amendments No. A3186:

Amend Sec. 2, page 2, line 18, by inserting after "a" new motor

Amend Sec. 2, page 2, line 21, by inserting after "a" new

Amend Sec. 2, page 2, line 23, by inserting after "a" new

Amend Sec. 8, page 5, line 18, by inserting after "a" new

Amend Sec. 13, page 6, line 16, by striking out "IMMEDIATELY" and inserting in 60 days

Amend Sec. 13, page 6, line 17, by inserting after "TO" new motor

On the question,

Will the House agree to the amendments?

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

Mr. LAUGHLIN. Mr. Speaker, throughout the legislation we deal with the definition of "new vehicle." However, in drafting the bill, there were a number of areas where the "new" was omitted. For that reason, I wish to have this amendment accepted by the House so that we can correct that inequity.

In addition to that, Mr. Speaker, I believe there was a deficiency in the legislation where we required it to take effect immediately. I believe it will take at least 60 days to put the legislation in a proper operating position with the Attorney General's Office, which must define certain areas and print certain materials that would be made available to the manufacturer to be placed in each vehicle when it is put up for sale.

For that reason, Mr. Speaker, I ask the acceptance of the amendment.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—2

Cohen	Pievsky
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EXCUSED—4

Cole	Kukovich	Madigan	Stevens
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The question was determined in the affirmative, and the amendments were agreed to.

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

Mr. RYAN offered the following amendment No. A3137:

Amend Sec. 8, page 5, line 22, by striking out "reasonable attorneys' fees and"

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

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, we have seen over the past 10, 20 years more and more abuse of the court system. We have seen today, we see on a regular basis, tremendous backlogs in the court system. We have seen, in my judgment, more recently abuse of the law by many lawyers, who, interested in only securing a fee, have brought suits against this State, against other governmental agencies, not necessarily meritorious claims but claims where cases probably could have been settled but were litigated so that they could run their own fee up and then collect from the State or the agency.

Now, Mr. Laughlin in this particular bill would permit plaintiffs to collect reasonable attorneys' fees on these cases. If he were successful with this particular provision, I foresee that contract actions should be the same. When you bring an action for breach of contract, the plaintiff's attorney should be paid. When you bring a case on an automobile accident, the attorney for the plaintiff should be paid. When you bring any other lawsuit, the attorneys should be paid by the losing party.

Now, through our history of jurisprudence as I understand it, the responsibility for paying attorneys' fees has been the responsibility of the litigants, except in special statutory situations. I think, Mr. Speaker, that providing attorneys' fees for the plaintiffs here is going to encourage frivolous litigation. I think if we provide attorneys' fees for the plaintiff's attorneys here, it would only be right that the defendant's attorney also be paid should he be the successful litigant, and this could go on ad infinitum in every phase of litigation that our system of jurisprudence is familiar with.

Under all of the circumstances, Mr. Speaker, I am suggesting that attorneys' fees be deleted as an element of damages from this bill, and that is the effect of this amendment.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. LAUGHLIN. Mr. Speaker, I am sure that no one in this House is more qualified to speak on legal fees than the eminent minority leader, Representative Ryan. However, the gentleman did make a statement to the effect that in all circumstances—at least that is what I heard—this is the practice.

Mr. Speaker, I am familiar with workmen's compensation cases where an injured party is certainly guaranteed the benefit of legal fees as a portion of his award. I am also familiar with the fact that, Mr. Speaker, if you take note on page 5 of the bill, it clearly states that "Any purchaser of a motor

vehicle who suffers any loss due to nonconformity of such vehicle as a result of"—and here is the key language—"the manufacturer's failure to comply with this act may bring a civil action..." for the damages that that person happens to endure.

Mr. Speaker, I feel, as many members of this House do, that all too often our constituents are caught up in the fact that when the amount of money involved is not sufficient to pay an attorney's fees, they cannot go to court, because they cannot afford to pay the attorney's fee for the amount of money they are going to receive. All this legislation does, Mr. Speaker, is provide the average person with the ability to get redress in court by way of hiring an attorney and having those fees paid as a portion of that action. For that reason, Mr. Speaker, I would ask for a negative vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, in the instance cited by the gentleman, Mr. Laughlin, in workmen's comp cases, we have statutorily created a cause of action. The plaintiff in the workmen's comp case has given something up. He has given up his right to go against his employer on a fault basis. So there is a major distinction in this case.

My own experience in this field has been very limited. I do happen to represent one automobile agency that has been sued a number of times, and what I see happening— Today under the Federal statute a provision is permitted for the collection of attorneys' fees, and in the one case that I have had under that Federal statute, where a matter could have been settled for a reasonably nominal amount, the matter was not settled because the attorney was looking for 3,000 dollars' worth of attorney's fees. It was a case that could have been settled for \$1,500, but the attorney was holding out for his \$3,000 in attorney's fees.

I think this is wrong, and it is wrong whether I represent a plaintiff or a defendant. In every contract action any of us have ever been involved in as spectators or as litigants or as attorneys, the winner and the loser pay their own fees. Tort actions, the same thing. Our whole system of jurisprudence is founded on paying your own attorney's fees. More recently, of course, we have legal services and the like to take care of those people who are unable to pay for their attorney's fees. I think we are encouraging litigation in these cases. I think it is wrong, and if we do this, I believe it will open a whole spectrum of lawsuits not only in this field but further bills and legislation to permit the collection of attorneys' fees from either side.

If I may, Mr. Speaker, interrogate the gentleman, Mr. Laughlin?

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

Mr. RYAN. Mr. Speaker, do you suggest that it would be proper to amend this bill to permit the payment of attorneys' fees by the plaintiff should the court find that the lawsuit brought against a given dealer or manufacturer is frivolous or without merit?

Mr. LAUGHLIN. Mr. Speaker, I would not write that into the legislation. However, as you know, the judge in any given case can make a decision based on what he believes to be frivolous and can make that decision himself. I do not believe that a judge would listen to a frivolous case. He would throw it out initially, after initial review.

Mr. RYAN. Mr. Speaker, I beg to differ with the man. That is not up to a judge to make that decision. Here under this act as it is proposed by Mr. Laughlin, the judge does not have the right to award attorneys' fees to the defendant. He has only the right to award attorneys' fees to the plaintiff.

My question is, would you give that judge the right to award attorneys' fees to a defendant if he wins?

Mr. LAUGHLIN. No, Mr. Speaker, I would not.

Mr. RYAN. Why?

Mr. LAUGHLIN. Because, Mr. Speaker, in my opinion, the manufacturer has produced this automobile. He has put it out with the intention that it be in good condition and be operable. Whenever a person is damaged by that circumstance and feels they are damaged, I believe they have a right to make a complaint legitimately in court without having the manufacturer come back against them for \$50,000 or \$100,000 in legal damages where some manufacturer might be willing to carry the case to the Supreme Court, Mr. Speaker. I do not think we can put that kind of weight on any individual who is going into court to seek redress. We are trying to help the purchaser of an automobile. We are not trying to help a manufacturer who is going to carry the case on and on and on and add additional costs, Mr. Speaker.

Mr. RYAN. Mr. Speaker, the gentleman completely ignores the set of facts that I have hypothetically set up. I have said that if the plaintiff brings a frivolous case, not one that he is going to win but one that he is going to lose, and he in fact does lose it, would the gentleman object to allowing the court to say this plaintiff should not have brought this suit and he is going to have to pay for the defendant's attorney's cost?

Mr. LAUGHLIN. Mr. Speaker, a question of the gentleman on that line before I answer it.

Mr. RYAN. Go ahead.

Mr. LAUGHLIN. Mr. Speaker, you being an attorney and certainly being qualified in the area, do we not have legislation on the books at the present time for frivolous cases that are brought and the right to sue by the person who is damaged?

Mr. RYAN. My guess is that you are referring to the Dragonetti bill that passed here several years ago. Perhaps my use of the word "frivolous" was wrong. Let us strike the word "frivolous" and say a case that the defendant wins and the plaintiff loses, which is what you are asking for in your bill for the plaintiff.

Mr. LAUGHLIN. Mr. Speaker, there is always going to be a winner or loser, I would hope, in one of these cases, and mainly I would hope it would be the benefit of the person who is the consumer, Mr. Speaker. I do not think that I can go along with you and put an additional burden and weight on

anyone who is bringing action when they feel they were wronged in the purchase of a vehicle. That is what your idea and your legislation will create, Mr. Speaker.

Mr. RYAN. I thank the gentleman.

Mr. Speaker, we have before us today, either on the calendar or in committee, I forget just where the no-fault bill is, but one of the big objections to the no-fault bill and the present system of insurance is the attorneys' fees. We hear it day in and day out. I am suggesting—

The SPEAKER. Will the gentleman yield.

POINT OF ORDER

Mr. LAUGHLIN. Point of order.

The SPEAKER. What is the gentleman, Mr. Laughlin's point of order?

Mr. LAUGHLIN. Mr. Speaker, we are not dealing with the no-fault bill that is before us or in committee or anywhere else.

The SPEAKER. Thank God for that.

Mr. RYAN. I am trying to draw an analogy, Mr. Speaker.

The SPEAKER. The jury will pay no attention to the fact that the lawyer has mentioned the no-fault bill. You will disregard that in your deliberations.

Mr. RYAN. I withdraw my remarks, Mr. Justice—Mr. Speaker.

The fact remains, Mr. Speaker, that we are on a regular basis being criticized for the cost of various things in this Commonwealth and indeed in this Nation, and the lawyers are taking the brunt of it. I am suggesting that this bill would be a good bill without that particular provision, and I am asking for a "yes" vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Dauphin, Mr. Piccola, on the Ryan amendment.

Mr. PICCOLA. Thank you, Mr. Speaker.

I rise to support the Ryan amendment. One of the most common complaints that I have heard on the floor of this House in the 7 years that I have been here is the often unintended results that we get from courts and lawyers with regard to the laws that we pass. I think the Ryan amendment is an attempt to place assurances in this particular law that we do not get that unintended result, and I would urge that the House support the minority leader.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes, for the second time on the Ryan amendment, the gentleman from Beaver, Mr. Laughlin.

Mr. LAUGHLIN. Mr. Speaker, I can sympathize with Representative Ryan having run into an attorney who was demanding and trying to get additional fees for himself. I realize there are very few lawyers out there who would do such an unscrupulous act with regard to his legal practice. Certainly I know Mr. Ryan would never be a party to that.

Mr. Speaker, I would ask for a "no" vote on this amendment on behalf of the consumers of Pennsylvania who have long suffered with the problems of buying a new vehicle and

then not being able to get it treated properly, Mr. Speaker, and get it repaired and restored to its original condition. For that reason, Mr. Speaker, I would want them to have the opportunity to take a case to court and get redress. For that reason, Mr. Speaker, I would ask for a "no" vote on the amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes, on the Ryan amendment, the gentleman from Mercer, Mr. Gruitza.

Mr. GRUITZA. Thank you, Mr. Speaker.

Mr. Speaker, I rise to urge a "no" vote on this amendment. I think that it depends on what type of law practice one may have been involved in as to what his position would be on this. The issue is whether or not we are going to provide access here to the court system for a large class of people who are largely denied access. We are up here; we cut funding for legal aid; we are critical of programs to provide legal recourse for some of our poor consumers, and I think that this amendment would have that net effect.

In my personal experience there are a number of cases that have come into my office and to other attorneys whom I have talked to where we have to basically turn down these clients because the people cannot afford \$50 or \$100 to go to a hearing to pursue their day in court, and in many of these cases if they are not accompanied by legal counsel they are not going to win this case. So I think it is a case here where the court can award reasonable attorneys' fees. The situation that Mr. Ryan spoke of clearly is a situation where I think the attorney was looking for an unreasonable fee, and the court in that kind of case can keep an eye on that situation. I think we ought to vote down this amendment and give access to the courts for those people who are being denied access.

The SPEAKER. The Chair thanks the gentleman.

On the Ryan amendment, the Chair recognizes the gentleman from Cumberland, Mr. Broujos.

Mr. BROUJOS. Mr. Speaker, the gentleman, Mr. Ryan, raised a valid point with respect to the question of compensation in the event that there is a vexatious action brought in bad faith.

This House and this General Assembly in 1978 passed the Judicial Code, and in that code they specifically provided—this House itself provided—for the right of participants to receive counsel fees. There are listed one through ten categories in which this House has said legal fees may be provided, and in number nine, "Any participant who is awarded counsel fees because the conduct of another party in commencing the matter or otherwise was arbitrary, vexatious or in bad faith" would be entitled to fees. Consequently, we find that the law does provide for that situation in which a recovery is denied where there is bad faith. The law does not provide for the recovery of fees in the obverse, and that is, where a person brings the action and is compelled to do it because the manufacturer has had a nonconforming condition. A condition under this counsel fees is that in fact there must be nonconformity. That is a condition. So the fees would only be awarded in that case. Consequently, I think

that answers the question and counsel fees should be provided. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. DeWEESE. Mr. Speaker, if we support the Ryan amendment, the rights of the consumers of Pennsylvania will continue to melt away like a lump of butter in the mouth of a dog.

Mr. LAUGHLIN. Mr. Speaker, I think many of the House members missed that, and you ought to call that again, Mr. Speaker, and get a little silence.

The SPEAKER. The gentleman, Mr. DeWeese, said that if the Ryan amendment were to be adopted, the rights of the consumers would melt away as a lump of butter in the mouth of a dog. The only problem I have is that my dog does not eat butter.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—103

Afflerbach	Dorr	Levi	Ryan
Angstadt	Fargo	Levin	Salvatore
Armstrong	Fischer	Livengood	Saurman
Arty	Flick	McClatchy	Scheetz
Belardi	Foster, W. W.	Mackowski	Schuler
Belfanti	Foster, Jr., A.	Maiale	Semmel
Beloff	Freind	Manderino	Serafini
Book	Fryer	Manmiller	Siriani
Bowser	Gallen	Marmion	Smith, B.
Boyes	Gannon	Merry	Smith, L. E.
Brandt	Geist	Micozzie	Snyder, D. W.
Bunt	Gladeck	Miller	Snyder, G. M.
Burd	Godshall	Moehlmann	Spencer
Burns	Greenwood	Mowery	Stairs
Caltagirone	Grieco	Nahill	Sweet
Cessar	Gruppo	Noye	Swift
Cimini	Hagarty	O'Brien	Taylor, E. Z.
Civera	Hayes	O'Donnell	Telek
Clymer	Herman	Perzel	Vroon
Cornell	Hershey	Peterson	Wass
Coslett	Honaman	Phillips	Weston
DeVerter	Jackson	Piccola	Wilson
Davies	Johnson	Pitts	Wogan
Dietz	Kennedy	Rappaport	Wright, J. L.
Dininni	Klingaman	Reinard	Wright, R. C.
Donatucci	Lehr	Robbins	

NAYS—95

Alderette	Fee	McHale	Rybak
Baldwin	Freeman	McIntyre	Saloom
Barber	Gallagher	McMonagle	Seventy
Battisto	Gamble	McVerry	Showers
Blaum	George	Markosek	Spitz
Broujos	Gruitza	Mayernik	Steighner
Cappabianca	Haluska	Michlovic	Stewart
Carn	Harper	Miscevich	Stuban
Cawley	Hasay	Morris	Taylor, F. E.
Clark	Hoeffel	Mrkonic	Tigue
Cohen	Hutchinson	Murphy	Trello
Colafella	Itkin	Olasz	Truman
Cordisco	Jarolin	Oliver	Van Horne
Cowell	Kasunic	Petrarca	Wachob
Coy	Kosinski	Petrone	Wambach
Defuca	Kowalshyn	Pievsky	Wargo
DeWeese	Lashinger	Pistella	Wiggins
Daley	Laughlin	Pratt	Williams

Dawida	Lescovitz	Preston	Wozniak
Deal	Letterman	Punt	Wright, D. R.
Dombrowski	Linton	Reber	Zwikl
Duffy	Lloyd	Richardson	
Durham	Lucyk	Rieger	Irvis,
Evans	McCall	Rudy	Speaker
Fattah			

NOT VOTING—1

Pott

EXCUSED—4

Cole	Kukovich	Madigan	Stevens
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The question was determined in the affirmative, and the amendment was agreed to.

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—196

Afflerbach	Fargo	Lloyd	Robbins
Alderette	Fattah	Lucyk	Rudy
Angstadt	Fee	McCall	Ryan
Armstrong	Fischer	McClatchy	Rybak
Arty	Flick	McHale	Saloom
Baldwin	Foster, W. W.	McIntyre	Salvatore
Barber	Foster, Jr., A.	McMonagle	Saurman
Battisto	Freeman	McVerry	Scheetz
Belardi	Freind	Mackowski	Schuler
Belfanti	Fryer	Maiale	Semmel
Beloff	Gallagher	Manderino	Serafini
Blaum	Gallen	Manmiller	Seventy
Book	Gamble	Markosek	Showers
Bowser	Gannon	Marmion	Sirianni
Boyes	Geist	Mayernik	Smith, B.
Brandt	George	Merry	Smith, L. E.
Broujos	Gladeck	Michlovic	Snyder, D. W.
Bunt	Godshall	Micozzie	Snyder, G. M.
Burd	Greenwood	Miller	Spencer
Burns	Grieco	Miscevich	Spitz
Caltagirone	Gruitza	Moehlmann	Stairs
Cappabianca	Gruppo	Morris	Steighner
Carn	Hagarty	Mowery	Stewart
Cawley	Haluska	Mrkonic	Stuban
Cessar	Harper	Murphy	Sweet
Cimini	Hasay	Nahill	Swift
Civera	Hayes	Noye	Taylor, E. Z.
Clark	Herman	O'Brien	Taylor, F. E.
Clymer	Hershey	O'Donnell	Telek
Colafella	Hoeffel	Olasz	Tigue
Cordisco	Honaman	Oliver	Trello
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	Pievsky	Weston
Daley	Klingaman	Pistella	Williams
Davies	Kosinski	Pitts	Wilson
Dawida	Kowalshyn	Pott	Wogan
Deal	Lashingner	Pratt	Wozniak
Dietz	Laughlin	Preston	Wright, D. R.
Dininni	Lehr	Punt	Wright, J. L.

Dombrowski	Lescovitz	Rappaport	Wright, R. C.
Donatucci	Letterman	Reber	Zwikl
Dorr	Levi	Reinard	
Duffy	Levin	Richardson	Irvis,
Durham	Linton	Rieger	Speaker
Evans	Livengood		

NAYS—0

NOT VOTING—3

Cohen	Truman	Wiggins
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EXCUSED—4

Cole	Kukovich	Madigan	Stevens
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

WELCOME

The SPEAKER. The Chair is delighted to welcome to the hall of the House the Reverend Deal, who is a minister of the Advocate Lutheran Church. He is here as the guest of Representative Evans of Philadelphia.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 1305, PN 1891**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—198

Afflerbach	Evans	Livengood	Robbins
Alderette	Fargo	Lloyd	Rudy
Angstadt	Fattah	Lucyk	Ryan
Armstrong	Fee	McCall	Rybak
Arty	Fischer	McClatchy	Saloom
Baldwin	Flick	McHale	Salvatore
Barber	Foster, W. W.	McIntyre	Saurman
Battisto	Foster, Jr., A.	McMonagle	Scheetz
Belardi	Freeman	McVerry	Schuler
Belfanti	Freind	Mackowski	Semmel
Beloff	Fryer	Maiale	Serafini
Blaum	Gallagher	Manderino	Seventy
Book	Gallen	Manmiller	Showers
Bowser	Gamble	Markosek	Smith, B.
Boyes	Gannon	Marmion	Smith, L. E.
Brandt	Geist	Mayernik	Snyder, D. W.
Broujos	George	Merry	Snyder, G. M.
Bunt	Gladeck	Michlovic	Spencer
Burd	Godshall	Micozzie	Spitz
Burns	Greenwood	Miller	Stairs

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

NAYS—0

NOT VOTING—1

Sirianni

EXCUSED—4

Cole Kukovich Madigan Stevens

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

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

REMARKS ON VOTE

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

Miss SIRIANNI. Mr. Speaker, I would like to be recorded in the affirmative on HB 1305, please.

The SPEAKER. The lady's remarks will be spread upon the record.

LOCAL GOVERNMENT COMMITTEE MEETING

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

Mr. FRYER. Mr. Speaker, there will be a meeting of the Local Government Committee immediately upon the break in room 401.

The SPEAKER. The Chair thanks the gentleman.

DEMOCRATIC CAUCUS

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

Mr. ITKIN. Mr. Speaker, the Democrats will caucus at 2:30 in the majority caucus room.

The SPEAKER. The Chair thanks the gentleman.

REPUBLICAN CAUCUS

The SPEAKER. Does the gentleman from Perry, Mr. Noye, wish to announce a caucus? The Chair recognizes the gentleman.

Mr. NOYE. Thank you, Mr. Speaker.

Yes, the Republicans will caucus immediately in the caucus room. It is a long agenda. I would ask you to be there promptly. We are going to move quickly. Thank you.

The SPEAKER. The Chair thanks the gentleman.

HOUSE SCHEDULE

The SPEAKER. For the information of the members, there will be no further business on the floor this afternoon. The Chair will remain open to return to reports of committees.

We shall assemble at the usual time tomorrow at 11 a.m.

HOUSE BILL INTRODUCED AND REFERRED

No. 1594 By Representatives CESSAR, TRELLO, COSLETT, SEVENTY, BELARDI, OLASZ, STEVENS, MISCEVICH, MARMION, DeLUCA, DALEY, PRESTON, GAMBLE, PETRONE, BROUJOS, VAN HORNE, MICHLOVIC, MACKOWSKI, SERAFINI, MAYERNIK, WARGO, BATTISTO, BURD, MADIGAN, W. W. FOSTER, SEMMEL and BOOK

An Act amending the "Municipal Police Pension Law," approved May 29, 1956 (1955 P. L. 1804, No. 600), further providing for cost of living increases.

Referred to Committee on LOCAL GOVERNMENT, October 17, 1983.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 368, PN 418; HB 370, PN 420; HB 372, PN 422; HB 585, PN 653; and HB 586, PN 654**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE**HOUSE AMENDMENTS
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 199, PN 1245; SB 526, PN 1199; and SB 879, PN 1220.**

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

The clerk of the Senate, being introduced, returned **HB 52, PN 1879**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

BILLS SIGNED BY SPEAKER

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

HB 177, PN 200

An Act amending the "Community College Act of 1963," approved August 24, 1963 (P. L. 1132, No. 484), further providing for payments by the Commonwealth.

HB 368, PN 418

An Act amending the act of July 26, 1961 (P. L. 887, No. 382), entitled, as amended, "An act relating to the satisfaction of mortgages in counties of the second, second A, third, fourth, fifth, sixth, seventh and eighth class by the recording of a satisfaction piece, prescribing forms therefor, and fixing fees for the recording thereof," further providing for satisfaction pieces.

HB 370, PN 420

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), providing for public auction.

HB 372, PN 422

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206, No. 331), providing for public auction.

HB 585, PN 653

An Act amending the act of July 26, 1961 (P. L. 887, No. 382), entitled, as amended, "An act relating to the satisfaction of mortgages in counties of the second, second A, third, fourth, fifth, sixth, seventh and eighth class by the recording of a satisfaction piece, prescribing forms therefor, and fixing fees for the recording thereof," authorizing the use of a certified copy of the mortgage instrument.

HB 586, PN 654

An Act amending the act of May 28, 1715 (1 Sm. L. 94, Ch. 208), entitled "An Act for acknowledging and recording of deeds," further providing for satisfaction of mortgages and modernizing certain language.

RECESS

The **SPEAKER**. The Speaker will return to the podium at 3 p.m. in order to receive reports of committees. There will be no further business on the floor of the House. The House will then be adjourned until 11 a.m. tomorrow.

The House stands in recess until 3 p.m.

AFTER RECESS

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

BILL REREPORTED FROM COMMITTEE**HB 1309, PN 1990 (Amended)**

By Rep. **FRYER**

An Act amending the "Pennsylvania Urban Mass Transportation Law," approved January 22, 1968 (P. L. 42, No.8), providing reduced fare services for persons 65 years of age or older for shared ride public transportation services; and reimbursing county transportation systems at 90% of the costs of free ride services provided to persons 65 years of age or older.

LOCAL GOVERNMENT.**SENATE MESSAGE****HOUSE AMENDMENTS
NONCONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to **SB 300, PN 1219.**

MOTION INSISTING UPON AMENDMENTS

Mr. **MANDERINO** moved that the House insist upon its amendments nonconcurred in by the Senate to **SB 300, PN 1219**, and that a committee of conference on the part of the House be appointed.

On the question,

Will the House agree to the motion?

Motion was agreed to.

**APPOINTMENT OF
COMMITTEE OF CONFERENCE**

The **SPEAKER**. The Chair appoints as a committee of conference on the part of the House on **SB 300, PN 1219**:

Messrs. **D. R. WRIGHT, ZWIKL and PHILLIPS.**

Ordered, That the clerk inform the Senate accordingly.

REMARKS ON VOTE

The **SPEAKER**. The Chair recognizes the gentleman from Philadelphia, Mr. James McIntyre, who asks that this be read into the record:

Please be advised that on October 12, 1983, I voted on **HB 1301**. When I voted, the switch registered my vote. However, according to the record, my vote was not recorded on the piece of legislation, and I wish to be recorded in the affirmative.

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

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

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

Mr. BOOK. Mr. Speaker, I move that this House do now adjourn until Tuesday, October 18, 1983, at 11 a.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 3:06 p.m., e.d.t., the House adjourned.