

Legislative Journal

TUESDAY, JANUARY 31, 1984

SESSION OF 1984

168TH OF THE GENERAL ASSEMBLY

No. 6

HOUSE OF REPRESENTATIVES

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

Our loving and most gracious Lord, we share the depth of fellowship as we bow before Thee in this hour. We appreciate the friendships we enjoy and the assurance that Thou wilt continue to strengthen and enrich the ties which bring us together.

O God, in these precious moments together as we invoke Thy blessing upon each of us, we pray that Thou wilt enable us to rise to greater heights in our own accomplishments and strive to act always in accordance with Thy truth in the life of all of us. To Thee be the praise both now and forevermore, world without end. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal of Monday, January 30, 1984, will be postponed until the Journal is in print. The Chair hears no objection.

COMMUNICATION

LOBBYIST LIST PRESENTED

The SPEAKER. The Chair acknowledges the filing of a report under the Lobbying Registration and Regulation Act, Act No. 712 of the 1961 session.

The following communication was read:

Senate of Pennsylvania
January 31, 1984

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

In compliance with Act No. 712 of the 1961 Session and Act No. 212 of the 1976 Session of the General Assembly titled the "Lobbying Registration and Regulation Act," we herewith jointly present a list containing the names and addresses of the persons who have registered from January 1, 1984 through January 30, 1984 inclusive for the 168th Session of the General Assembly. This list also contains the names and addresses of the organizations represented by these registrants.

Respectfully submitted:
Mark R. Corrigan
Secretary of the Senate
John J. Zubeck
Chief Clerk
House of Representatives

(For list, see Appendix.)

HOUSE BILLS INTRODUCED AND REFERRED

No. 1870 By Representatives CAPPABIANCA, CALTAGIRONE, BELOFF, DOMBROWSKI, WARGO, MAIALE, RYBAK, FLICK, SALOOM, STEVENS, E. Z. TAYLOR, PRATT, STEIGHNER, ITKIN, TIGUE, CAWLEY, DeLUCA, ZWIKL, MICOZZIE, SALVATORE, F. E. TAYLOR, COY and GANNON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for the establishment of senior citizen zones.

Referred to Committee on TRANSPORTATION, January 31, 1984.

No. 1871 By Representatives CALTAGIRONE, TRELLO, WAMBACH, PETRONE, POTT, NOYE, FISCHER, TIGUE, KOSINSKI, MICOZZIE, KLINGAMAN, CIVERA, MICHLOVIC, MORRIS, HERMAN, WOGAN, SEMMEL, GANNON, JOHNSON, DAWIDA, HALUSKA, CARN, McMONAGLE, BATTISTO, COLE, MOEHLMANN, PISTELLA, AFFLERBACH, STUBAN, DUFFY and WILSON

An Act providing for satisfaction of tax liability out of property seized in law enforcement actions against illegal operations.

Referred to Committee on FINANCE, January 31, 1984.

**No. 1872** By Representatives TRELLO, LASHINGER, F. E. TAYLOR, PETRONE, ARTY, DeWEESE, GLADECK, PETERSON, CORNELL, D. R. WRIGHT, ALDERETTE, COLAFELLA, LESCOVITZ, AFFLERBACH, CAPPABIANCA and J. L. WRIGHT

An Act amending "The Local Tax Enabling Act," approved December 31, 1965 (P. L. 1257, No. 511), providing restrictions on taxes on admission to ski facilities.

Referred to Committee on FINANCE, January 31, 1984.

**No. 1873** By Representatives J. L. WRIGHT, D. R. WRIGHT, NOYE, SEVENTY, POTT, ARMSTRONG, SEMMEL, ARTY, FISCHER, HERMAN, CIVERA, BELFANTI, JOHNSON, KOSINSKI, GODSHALL, DORR, PETRONE, WILSON, BURNS, GALLAGHER, E. Z. TAYLOR, PETERSON, TRELLO and BURD

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of pharmacy robbery.

Referred to Committee on JUDICIARY, January 31, 1984.

**No. 1874** By Representatives SWEET, PRESTON, KUKOVICH, GALLAGHER, DALEY, HALUSKA, WACHOB, BELOFF, PISTELLA, ALDERETTE, KOSINSKI, OLIVER, SALOOM, MAIALE, MICHLOVIC, DEAL, ITKIN, MURPHY, PRATT, AFFLERBACH, COHEN, MICOZZIE, FISCHER, KASUNIC, JOHNSON and COLAFELLA

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736, No. 338), raising the compensation rate for certain individuals; and making an appropriation.

Referred to Committee on LABOR RELATIONS, January 31, 1984.

**No. 1875** By Representatives SWEET, DALEY, KUKOVICH, GALLAGHER, HALUSKA, WACHOB, BELOFF, PISTELLA, ALDERETTE, LETTERMAN, SALOOM, MICHLOVIC, DEAL, ITKIN, STEWART, PRATT, COHEN, JOHNSON and COLAFELLA

An Act amending the act of November 1, 1971 (P. L. 495, No. 113), entitled "An act providing for the compensation of county officers in counties of the second through eighth classes, for the disposition of fees, for filing of bonds in certain cases and for duties of certain officers," further providing for salary determinations.

Referred to Committee on STATE GOVERNMENT, January 31, 1984.

**No. 1876** By Representative BOYES

An Act amending "The Landlord and Tenant Act of 1951," approved April 6, 1951 (P. L. 69, No. 20), further regulating notice to quit.

Referred to Committee on CONSUMER AFFAIRS, January 31, 1984.

**No. 1877** By Representatives ARTY, GREENWOOD, OLIVER, MICOZZIE, F. E. TAYLOR, CIVERA and DURHAM

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, limiting the defense of justification in certain cases.

Referred to Committee on JUDICIARY, January 31, 1984.

**No. 1878** By Representatives DeVERTER, MARMION, MADIGAN, MICHLOVIC, NOYE, MOEHLMANN, FARGO, GEIST, MERRY, GREENWOOD, MICOZZIE, JOHNSON, GODSHALL, PETERSON, SIRIANNI, D. W. SNYDER, GRUPPO, WOGAN, ROBBINS, HERMAN, DORR, BOOK, KLINGAMAN, BURD, SEMMEL, LEVIN, McVERRY, DAVIES and LAUGHLIN

An Act amending "The Insurance Department Act of 1921," approved May 17, 1921 (P. L. 789, No. 285), further providing for transactions in this Commonwealth involving group or blanket insurance or group annuities; prohibiting certain advertisements; and providing penalties.

Referred to Committee on INSURANCE, January 31, 1984.

**No. 1879** By Representatives DeVERTER, MARMION, MADIGAN, MICHLOVIC, NOYE, MOEHLMANN, FARGO, GEIST, MERRY, GREENWOOD, MICOZZIE, JOHNSON, GODSHALL, PETERSON, SIRIANNI, D. W. SNYDER, GRUPPO, WOGAN, ROBBINS, HERMAN, DORR, BOOK, KLINGAMAN, BURD, SEMMEL, LEVIN, McVERRY, DAVIES and LAUGHLIN

An Act relating to group insurance; describing permitted policies and restrictions thereon; and prescribing standard policy provisions.

Referred to Committee on INSURANCE, January 31, 1984.

## HOUSE RESOLUTION INTRODUCED AND REFERRED

**No. 174**

(Concurrent) By Representatives DOMBROWSKI, WARGO, JAROLIN, MACKOWSKI, OLASZ, MRKONIC, HALUSKA, SEVENTY, MARKOSEK, LUCYK, RYBAK, KASUNIC, KOSINSKI, KOWALYSHYN, DAWIDA, MAYERNIK, MISCEVICH, MICHLOVIC and WOZNIAK

Memorializing the President and the United States Congress to reverse the decision of the United States Immigration and Naturalization Service which denies asylum to Polish Nationals.

Referred to Committee on RULES, January 31, 1984.

**SENATE MESSAGE**

**HOUSE BILLS  
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 529, PN 596**; and **HB 1154, PN 1335**, with information that the Senate has passed the same without amendment.

**BILLS SIGNED BY SPEAKER**

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

**HB 529, PN 596**

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), permitting the sale of liquor that is part of a decedent's estate.

**HB 1154, PN 1335**

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

**BILL REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader. Mr. MANDERINO. Mr. Speaker, I move that HB 664 be lifted from the tabled calendar and placed on the active calendar.

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

**LEAVE OF ABSENCE GRANTED**

The SPEAKER. The Chair now turns to leaves of absence. Are there any requests for leaves from the Democratic Party?

The Chair recognizes the gentleman from Philadelphia, Mr. PIEVSKY.

Mr. PIEVSKY. Thank you, Mr. Speaker.

We ask leave for the gentleman from Philadelphia, Mr. MAIALE, for today.

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

The Chair will return to leaves of absence in a few moments to take the leaves requested by the Republican Party.

**MASTER ROLL CALL RECORDED**

The SPEAKER. Members are urged to report promptly to the floor of the House as the Chair is about to place the master roll call for the day. Members will proceed to vote.

The following roll call was recorded:

**PRESENT—197**

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

**ADDITIONS—0**

**NOT VOTING—1**

Dininni

EXCUSED—5

Maiale McIntyre Ryan Trello  
Marmion

LEAVE ADDED—1

Dininni

LEAVE CANCELED—1

Trello

LEAVE OF ABSENCE GRANTED

The SPEAKER. The Chair returns, without objection, to leaves of absence and recognizes the minority whip.

Mr. HAYES. Thank you, Mr. Speaker.

I request a leave for the gentleman from Dauphin, Mr. DININNI, for the day.

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

LEAVE OF ABSENCE CANCELED

The SPEAKER. The gentleman, Mr. Trello's request for a leave of absence for the week has been canceled. The gentleman is on the floor of the House. His name will be removed from the leaves of absence, and his name will be added to the master roll.

WELCOMES

The SPEAKER. The Chair is delighted to welcome to the hall of the House, as guests of Representative George Pott, Miss Peggy McNeil, who is to the left of the Speaker, and Miss Jennifer Zimmerman of Gibsonia, who is a guest page for this week. You are welcome to the hall of the House, both of you.

Mr. David Raymond is here, to my left, as the guest of Representative Stan Jarolin. Welcome.

Representative Snyder has as his guests Dr. and Mrs. Edward Dench. Dr. Dench is chairman of the Board of Supervisors of Lower— You have got me on this one, Mr. Snyder. Is Dr. Dench in the balcony? I can assure you that Representative Snyder is a better Representative than he is a penman. I cannot read in which township you are the chairman of the board. I assume that Mr. Snyder will correct me for the record.

Mr. D. W. SNYDER. Mr. Speaker, that is Lower Macungie, a good Pennsylvania Dutch name for a township.

The SPEAKER. Macungie?

Mr. D. W. SNYDER. Yes. It means fair swamp.

The SPEAKER. I am delighted to be corrected for the record.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 1843, PN 2435 (Amended)

By Rep. GEORGE

An Act requiring the Department of Environmental Resources to publish and advertise the text of certain consent agreements and orders and make copies of such orders and agreements available at regional offices.

CONSERVATION.

HB 1863, PN 2436 (Amended)

By Rep. GEORGE

An Act amending "The Pennsylvania Sewage Facilities Act," approved January 24, 1966 (1965 P. L. 1535, No. 537), further providing for permits.

CONSERVATION.

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 1661, PN 2101; and HB 1359, PN 2422.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of HB 1728, PN 2393, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), authorizing a voter referendum to reduce the board of supervisors from five to three members.

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—191

Afflerbach	Evans	Levin	Robbins
Alderette	Fargo	Linton	Rudy
Angstadt	Fattah	Livengood	Rybak
Armstrong	Fee	Lloyd	Saloom
Arty	Fischer	Lucyk	Salvatore
Baldwin	Foster, W. W.	McCall	Saurman
Barber	Foster, Jr., A.	McClatchy	Scheetz
Battisto	Freeman	McHale	Schuler
Belardi	Freind	McMonagle	Semmel
Belfanti	Fryer	McVerry	Serafini
Beloff	Gallagher	Mackowski	Seventy
Blaum	Gallen	Madigan	Showers
Book	Gamble	Manderino	Sirianni
Bowser	Gannon	Manmiller	Smith, B.
Boyes	Geist	Markosek	Smith, L. E.
Brandt	George	Mayernik	Snyder, D. W.
Broujos	Gladeck	Merry	Snyder, G. M.
Bunt	Godshall	Michlovic	Spencer
Burd	Greenwood	Micozkie	Stairs
Burns	Grieco	Miller	Steighner
Caltagirone	Gruitza	Miscevich	Stevens
Cappabianca	Gruppo	Moehlmann	Stewart
Carn	Hagarty	Morris	Suban

Cawley	Haluska	Mowery	Sweet
Cessar	Harper	Mrkonic	Taylor, E. Z.
Cimini	Hasay	Murphy	Taylor, F. E.
Civiera	Hayes	Nahill	Telek
Clark	Herman	Noye	Tigue
Clymer	Hershey	O'Brien	Trello
Cohen	Hoefel	O'Donnell	Truman
Colafella	Honaman	Olasz	Van Horne
Cole	Hutchinson	Oliver	Vroon
Cordisco	Itkin	Perzel	Wachob
Cornell	Jackson	Peterson	Wambach
Coslett	Jarolin	Petrarca	Wargo
Cowell	Johnson	Petrone	Wass
Coy	Kasunic	Phillips	Weston
Deluca	Kennedy	Piccola	Wiggins
DeVerter	Klingaman	Pievsky	Williams
DeWeese	Kosinski	Pistella	Wilson
Daley	Kowalshyn	Pott	Wogan
Davies	Kukovich	Preston	Wozniak
Dawida	Lashinger	Punt	Wright, D. R.
Deal	Laughlin	Rappaport	Wright, J. L.
Dietz	Lehr	Reber	Zwikl
Dombrowski	Lescovitz	Reinard	
Donatucci	Letterman	Richardson	Irvis,
Dorr	Levi	Rieger	Speaker
Duffy			

NAYS—0

NOT VOTING—7

Durham	Pitts	Spitz	Wright, R. C.
Flick	Pratt	Swift	

EXCUSED—5

Dininni	Maiale	Marmion	Ryan
McIntyre			

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

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

\* \* \*

The House proceeded to third consideration of **SB 503, PN 550**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Mr. WAMBACH offered the following amendments No. A0117:

Amend Title, page 1, line 11, by inserting after "imposed"  
; and providing for a phase-in of certain reassessments

Amend Bill, page 2, by inserting between lines 7 and 8

Section 2. Section 505 of the act is amended by adding subsections to read:

Section 505. Making Revisions.—\*\*\*

(c) Whenever the board makes additions to assessments because the economy of the county or any portion thereof appreciated to such an extent that real estate values generally in that area were affected, then any such additions to assessments shall take effect over a period of five years as described in this section. In the first year, one-fifth of the additional assessment shall be added to the prior assessment. In the second year, two-fifths of the additional assessment shall be added to the prior assessment,

and so on until the full amount of the additional assessment has been given effect. If a countywide reassessment occurs within the five-year period, then the full new value, including additions to assessments due to economic factors as well as the effects of the reassessment shall be used when the countywide reassessment takes effect. If a second assessment due to economic factors occurs within the five-year period, then the additional assessment not yet added to the prior assessment shall be added to the latest addition to the assessment and that amount shall be phased in during the next succeeding five years.

(d) The provisions of subsection (c) shall apply to all counties of the second through eighth class.

Amend Sec. 2, page 2, line 8, by striking out "2. This" and inserting

3. Section 1 (Sec. 206) of this

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

Section 4. The provisions of section 2 (Sec. 505) of this act shall be retroactive to July 1, 1983.

Amend Sec. 3, page 2, line 10, by striking out "3" and inserting

5

On the question,

Will the House agree to the amendments?

The SPEAKER. On that question, the Chair recognizes the gentleman from Dauphin, Mr. Wambach.

Mr. WAMBACH. Thank you, Mr. Speaker.

Mr. Speaker, Representative Manmiller and myself are offering this amendment in regard to a situation that has existed as a result of passage of the Nahill package of bills last year concerning the common-level ratio in tax reassessments.

What is occurring here in Dauphin County, even though it is not being called a spot assessment, that is precisely what is happening. We have areas in this county that have been selected under the cost-level ratio where the economic upturn in an area is such that the county comes in and does a spot reassessment. In the first area that they have been in, Mr. Speaker, the tax bills for this coming year will be increased from 1,000 to 2,000 percent, which means not only the professionals who have income but also those people who are on a fixed income in those areas now have to decide to pay a tax increase over last year of up to a 2,000-percent differential.

What this amendment will do is say to the county that we respect the fact that you are going in under the common-level ratio; however, due to the economic upsurge in the area and the increase in the taxes, in the first case up to 2,000 percent, those property owners are able to pay the increase in the taxes over a phase-in period of 5 years at the rate of 20 percent a year. Now, if a reassessment of the county occurs in the meantime, then obviously the precedence will be that the countywide reassessment will take hold automatically, all holds barred, if you will. So, what we are asking to do is to permit these people to hold on to their homes under the common-level ratio formula, and that will permit an ease, if you will, of the implementation of the taxes prescribed under common-level ratio over a 5-year period. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question of agreement to the amendment, the Chair recognizes the gentleman from Centre, Mr. Letterman.

Mr. LETTERMAN. I would like to interrogate Mr. Wambach, please.

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

Mr. LETTERMAN. Thank you, Mr. Speaker.

Mr. Speaker, does your amendment cut back the cost to people to put in sewerage?

Mr. WAMBACH. No, Mr. Speaker. SB 503 actually speaks to the sewerage and I am not doing anything. I am adding an entirely separate division, a separate section, if you will, to the General County Assessment Code to cover a particular problem we are having here that you could possibly have on reassessment. It has nothing to do with the sewer.

Mr. LETTERMAN. In other words, you have not even touched on the banning of the sewerage. Right?

Mr. WAMBACH. I have not touched the existing SB 503 as it exists right now. That is correct.

Mr. LETTERMAN. Okay, fine. Thank you.

The SPEAKER. The Chair thanks both gentlemen.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—179

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

Dietz	Linton	Robbins	Irvis,
Dombrowski	Livengood	Rudy	Speaker
Donatucci			

NAYS—10

Boyes	Godshall	Madigan	Salvatore
Fargo	Hasay	Moehlmann	Snyder, D. W.
Foster, Jr., A.	Jackson		

NOT VOTING—9

Durham	Grieco	Mayernik	Wright, R. C.
Flick	Hutchinson	Pitts	Zwikel
Freind			

EXCUSED—5

Dininni	Maiale	Marmion	Ryan
McIntyre			

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

On final passage, the Chair recognizes the gentleman from Centre, Mr. Letterman.

Mr. LETTERMAN. Mr. Speaker, is there anyone on the floor who knows this bill real well? I would like to question anyone who would like to speak on it.

The SPEAKER. Would the gentleman please rephrase his question?

Mr. LETTERMAN. Would there be anyone willing to have me interrogate them on this bill?

The SPEAKER. Is there anyone on the Committee on Local Government, which handled this particular bill, who would be willing to stand for interrogation?

The gentleman from Boyertown, Mr. Fryer, indicates he will stand for interrogation. The gentleman, Mr. Letterman, is in order and may proceed.

Mr. LETTERMAN. Thank you, Mr. Speaker.

Mr. Speaker, my concern is that the bill states that they would extend preferential tax treatment for real estate affected by sewer connection ban order. Where do we get this ban order for sewer connection? In my community—let me give you an example of why I am asking this question—when we put sewerage in, there was no ban order for anybody. You got on it and you paid your share, because that is the way they had it figured so the price was the same to everybody. My problem is, if we allow a ban order, will this mean that the rest of the citizens who have the sewerage will have to pay more? Because the bond issue is floated for a certain amount, and that is where my fear comes in.

Mr. FRYER. Mr. Speaker, this bill directs itself to the problem of areas where the sewage facilities have been overloaded and DER (Department of Environmental Resources) has imposed a ban upon adding additional facilities because

of the situation being overloaded. We passed this legislation and we had it in effect for 2 years. Now then, that 2-year period is coming to a close, and therefore, this bill would extend that period of time.

The situation develops, let us say, in which a developer or an owner buys a property and intends to build. However, after he or she has purchased that property, then the sewer facilities are overloaded and DER proposes a ban that they cannot build. Therefore, this person or persons would be placed in the position of having a property which they could not utilize for the purpose for which it was intended.

Mr. LETTERMAN. Mr. Speaker, do we not have legislation on the books that says that if a piece of property is sold for a residential building or any commercial building, that the sewage permit has to be approved prior to the selling of that property?

Mr. FRYER. Not to the best of my knowledge, Mr. Speaker, because as I stated, these transactions take place and you have the situation in which the facilities are overloaded, and there is only one thing really for DER to do at that time, and that is to impose this ban.

Mr. LETTERMAN. Mr. Speaker, I am sure about one of the things I asked you about, and I probably should not have asked you that way because I put the legislation in that would permit any person who has a piece of property sold to them and the sewage permit is not valid, they are supposed to know that when they sell that property, and if that is not a valid permit, then they must give the money back to that person who purchases that land. That is why I asked that question. The thing that really bothers me is, are we saying to communities then that you do not have to extend your facility to take anyone else on? Are we saying to, say, a borough that has a sewerage system today that you need a larger treatment plant in order to let anyone build around you and be taken onto your sewerage connection? Are we saying to them that you do not have to go ahead and do anything?

Mr. FRYER. What we are saying, Mr. Speaker, is that when you have an area where the sewage facilities are overtaxed, we reach a point at which DER states that in effect there is a ban upon that system until, as the gentleman points out, they enlarge the facilities or produce it in a manner that that system can accommodate additional service. Then at that point DER lifts the ban. You have the situation, Mr. Speaker, in which you have so many people on a particular thing that you can add no more when you reach that limit, and that is what this bill seeks to address, Mr. Speaker.

Mr. LETTERMAN. Mr. Speaker, then does it say that you can ban the need for those people to hook onto the sewerage but they could still build?

Mr. FRYER. Mr. Speaker, I would like to put it in other terms. Let us assume that we have 20 passengers on a 20-passenger bus. Then we impose a ban and say we cannot add to the 20 because we are up to capacity. Now, if we get another bus which will carry 34 passengers, then we can add 14 additional customers. The same relevance holds place in this particular situation.

Mr. LETTERMAN. Okay, Mr. Speaker, would you just answer this then: Am I on the right track to vote for this bill if my fear is stream pollution?

Mr. FRYER. Mr. Speaker, if the gentleman's concern is stream pollution, I would say that that would be in line with this legislation because it imposes a ban and says that is it, we cannot handle any more, and therefore we impose a ban. So therefore, in essence, how can you have stream pollution? It could be argued in turn, since the issue came up, that this would avert those situations.

Mr. LETTERMAN. Mr. Speaker, this says, "...would extend the preferential tax treatment for real estate affected...." In other words, are you saying that you will not charge them a tax on that property?

Mr. FRYER. No, Mr. Speaker. We still will have those folks paying a tax for the best purpose of the land that is used. But it could be a very, very expensive piece of property that was in line with what purpose it was intended for by the purchaser; however, he has that valuable property and the ban is on and therefore he cannot utilize it for that purpose. He still pays a tax, but he would not pay the full amount since he cannot utilize the property.

Mr. LETTERMAN. Okay. He cannot put more sewerage on there that does not hook onto the sewage treatment facilities. Right?

Mr. FRYER. That is correct. We are talking about a ban that is imposed by DER.

Mr. LETTERMAN. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Montgomery, Mr. Godshall.

Mr. GODSHALL. Mr. Speaker, I would also like to interrogate Representative Fryer on this bill.

The SPEAKER. The gentleman, Mr. Fryer, indicates he will stand for further interrogation. The gentleman, Mr. Godshall, is in order and may proceed.

Mr. GODSHALL. In my district right now, I have eight municipalities, four, I believe, of which have sewer bans and have had them for some years, and there is really no relief in sight. Are you saying at this point that the open property that is in those districts immediately would get some kind of preferential assessment due to the sewer ban? And if your answer is no, say I have 100 acres of land which I am really using for farming; however, I can go and get some kind of subdivision plan put on there claiming I really want to develop it when I could or maybe I will or I will not, but I would have a sewer ban knowing in advance I could not develop it. That would immediately entitle me to preferential assessment?

Mr. FRYER. Basically it is in the development area. If you could not utilize that property for what its purpose was intended, and due to the fact that the ban was put upon it, you would not be paying the full value price because you are not utilizing it.

Now, in your situation you bring in agricultural land, and I do not think that that would apply since you basically are using it for agriculture.

Mr. GODSHALL. Okay, but I could take that agricultural land— And all the land in my district is residential, commercial, or industrial. That is what the zoning is and that is how it is assessed. So I am taking a piece of land that is presently being used for a certain purpose, and I would get a subdivision plan on that, and then I am immediately entitled, under this bill, to preferential assessment. It is zoned residential and I get a subdivision plan for residential development, but I cannot get the sewer permit, so therefore, I am entitled to an additional preferential assessment on the land.

Mr. FRYER. The fact of the matter, Mr. Speaker, is that the present law calls for a 2-year ban. So we are not talking about anything new. We are merely extending from that 2-year period. That is the question before this legislature. We may question the present law that is on there, but the question now is, should that be extended? If you believe it should be extended, you should vote "yes." If you believe it should not be extended, then you should vote "no" on the bill, Mr. Speaker.

Mr. GODSHALL. If I may, then what you are saying here is that we are extending the present law. We are not creating a new law; we are just extending the present law.

Mr. FRYER. The present law calls for a 2-year period. We are approaching the end of that 2-year period. Now we are extending that. So it is not a new concept, Mr. Speaker.

Mr. GODSHALL. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks both gentlemen.

The gentleman from York, Mr. Foster, is recognized.

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

I would like to rise to support the bill, because we are faced with many situations throughout the Commonwealth where land has been developed and installations have been made on the property, and then the developer is faced with the sewer ban. It is simply unfair to expect them to pay taxes based on a building that has not even been erected, on development that has not occurred. To satisfy the hypothetical of the previous speaker, what we are aiming at is where developers have placed, actually installed, sewers and then cannot utilize them because of the sewer connection ban. So I would strongly urge an affirmative vote on the bill.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Montgomery, Mr. Bunt.

Mr. BUNT. May I interrogate Mr. Fryer, please?

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

Mr. BUNT. Mr. Speaker, I pose a hypothetical situation to you. I really think we only need a "yes" or "no" answer to it. If an individual has 100 acres that is presently subdivided, will he be able to obtain a preferential assessment once a sewer ban is implemented seeking the lower use, which would be the agricultural use, if he does not presently hold a preferential assessment?

Mr. FRYER. I did not hear the latter part of the question, sir.

The SPEAKER. Will the gentleman repeat the question?

Mr. GODSHALL. I will try to simplify it as well.

If a 100-acre parcel has presently been approved for a subdivision and a sewer ban is implemented, may that property owner receive a preferential assessment by submitting an application to go then to the lower use of the ground, which would then be agricultural as opposed to single-family dwellings?

Mr. FRYER. It would be assessed, as I understand it, on the basis of the use of that land. Obviously, since the land could not be utilized for the purpose for which it was intended and the ban was imposed, the idea of this legislation is that the higher use of it would not be used, and in that sense, this is where the term "preferential treatment" comes in, which is possibly misleading.

Mr. BUNT. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Foster, from York is recognized for the second time on the bill.

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

For further clarification of the point raised by the gentleman, Mr. Bunt, if the land is currently assessed as agricultural land and is being taxed on that basis, that is in almost every case the lowest possible assessment on the land. Therefore, when you speak of preferential assessment, it is not going to go lower than that present assessment; it is simply going to remain at the present assessment until such time as the sewer ban is lifted, and then it could proceed to the higher value.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Shall the bill pass finally?

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

#### YEAS—191

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

Cordisco	Honaman	Peterson	Van Horne
Cornell	Itkin	Petrarca	Vroon
Coslett	Jackson	Petrone	Wachob
Cowell	Jarolin	Phillips	Wambach
Coy	Johnson	Piccola	Wargo
Deluca	Kasunic	Pievsky	Wass
DeVerter	Kennedy	Pistella	Weston
DeWeese	Klingaman	Pitts	Wiggins
Daley	Kosinski	Pott	Wilson
Davies	Kowalyshyn	Pratt	Wogan
Dawida	Kukovich	Preston	Wozniak
Deal	Lashingner	Punt	Wright, D. R.
Dietz	Laughlin	Rappaport	Wright, J. L.
Dombrowski	Lehr	Reber	Wright, R. C.
Donatucci	Lescovitz	Reinard	Zwinkl
Dorr	Levi	Richardson	
Duffy	Linton	Rieger	Irvis,
Durham	Livengood	Robbins	Speaker
Evans			

NAYS—1

Letterman

NOT VOTING—6

Beloff	Hutchinson	Truman	Williams
Cohen	Levin		

EXCUSED—5

Dininni	Maiale	Marmion	Ryan
McIntyre			

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

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

REMARKS ON VOTES

The SPEAKER. For what purpose does the gentleman from Chester, Mr. Flick, rise?

Mr. FLICK. Mr. Speaker, on the Wambach amendment, A0117, I was not in my seat when the vote was taken. Had I been, I would have been recorded in the affirmative. Also, on HB 1728 I was not in my seat when the vote was taken. I would like to be recorded in the affirmative. Thank you.

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

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **SB 504, PN 551**, entitled:

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

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—195

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

NAYS—1

Letterman

NOT VOTING—2

Cohen	Greenwood
-------	-----------

EXCUSED—5

Dininni	Maiale	Marmion	Ryan
McIntyre			

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

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

**WELCOME**

The SPEAKER. The Chair welcomes to the hall of the House Mrs. Julia Lovelace, her son, and two other Scouts from Monroeville, Pennsylvania. They are the guests here of Representative Markosek.

**REMARKS ON VOTE**

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

Mr. GREENWOOD. Mr. Speaker, on SB 504 I failed to be recorded. I would like to be recorded in the affirmative, please.

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

**STATEMENT BY MR. LETTERMAN**

The SPEAKER. The Chair recognizes the gentleman from Centre, Mr. Letterman.

Mr. LETTERMAN. Mr. Speaker, I have a bill here that will allow any person coming into Pennsylvania or any person living in Pennsylvania to have 1 day of free fishing, and anybody who would like to sign this bill, come over and sign it. I think you will find out it is going to be a well-received piece of legislation. I think you will want your name on it at a later date. Thank you.

**RECESS**

The SPEAKER. The House stands in recess until 1:30 p.m.

**AFTER RECESS**

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

**CALENDAR CONTINUED**

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1682, PN 2135**, entitled:

An Act designating a certain interchange on Interstate Route 79 in Erie County as the "Harold G. Reslink Interchange."

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—193**

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

**NAYS—0**

**NOT VOTING—5**

Cohen	Freind	Miscevich	Rudy
Cornell			

**EXCUSED—5**

Dininni	Maiale	Marmion	Ryan
McIntyre			

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

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

**SENATE MESSAGE****SENATE ADOPTS REPORT OF  
COMMITTEE OF CONFERENCE**

The clerk of the Senate, being introduced, informed that the Senate has adopted the Report of the Committee of Conference on the subject of the differences existing between the two Houses on **SB 877, PN 1652**.

**REPORT OF COMMITTEE  
OF CONFERENCE CONSIDERED**

Mr. PIEVSKY called up for consideration the following Report of the Committee of Conference on **SB 877, PN 1652**, entitled:

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

On the question,

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

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

Mr. PIEVSKY. Thank you, Mr. Speaker.

Mr. Speaker, SB 877, as reported from the conference committee, contains over \$35 million in additional State and over \$62 million in additional Federal appropriations for various State programs for the remainder of this fiscal year.

Included in the State appropriations contained in the bill are some \$25 million for pupil transportation payments to local school districts; Mr. Speaker, an additional \$850,000 for compensation to crime victims; \$2 million to reimburse farmers for losses due to avian flu; and of course, some \$4,600,000 in additional funds for community mental retardation programs that virtually all of us have been asked about in recent weeks. On the Federal side, the bill provides an additional \$14 million for the WIC (women, infants, and children) program, and \$3 million to offset the cost of providing shelter to many of the State's poor during this winter.

I must point out, Mr. Speaker, that all four Appropriations Committees have been involved with developing this bill since we recessed for Christmas. I think it is fair to say that the bill before you today represents an agreed-to document that contains only those additional funding requests that are necessary and that we have funds to cover. Given the amount of work and review put in by all four Appropriations Committees in developing this bill and given the urgency of providing supplemental funding for certain programs, I ask the House to support passage of SB 877. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the minority whip.

Mr. HAYES. Thank you, Mr. Speaker.

I concur with the gentleman's comments, and I urge an affirmative vote in support of the Conference Report on SB 877.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. LAUGHLIN. Would Mr. Pievsky please stand for interrogation?

The SPEAKER. The gentleman, Mr. Pievsky, indicates he will so stand. The gentleman, Mr. Laughlin, is in order and may proceed.

Mr. LAUGHLIN. Mr. Speaker, as chairman of the Appropriations Committee, you are aware of the Governor's freeze on employment throughout the State in the welfare offices. Is there any money in this particular appropriation to alleviate that situation at all?

Mr. PIEVSKY. No, there is not.

Mr. LAUGHLIN. There has been no attempt to get any funds to help these areas that have high unemployment where our people are not being able to be serviced on welfare costs?

Mr. PIEVSKY. I recognize the problem, but it is not directed in SB 877 and not addressed in SB 877.

Mr. LAUGHLIN. Mr. Speaker, then I would certainly ask the members of this House to hold this bill over and give Mr. Pievsky an opportunity to review that section dealing with the freeze that the Governor has placed upon employment in this State and provide for the filling of those vacancies to give consideration where it is needed in that particular area.

In the particular area of this State that I represent, we have approximately 10,000 people who are receiving food stamps, 5,000 who are on the aid for dependent children, another 3,000 who are receiving assistance aid, and we have a staff of 111 people to take care of it. They are months behind in getting this done. We have a report out of Allegheny County of the problems they are having with the program on energy where people are not being serviced.

I think, Mr. Speaker, for the Democrats to vote for a position on funding the remainder of these departments on deficiencies without providing aid there is overlooking the problem that we have. I would ask, on the basis of that, for a negative vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Pievsky.

Mr. PIEVSKY. Mr. Speaker, I agree with what the gentleman is saying, except that I think this vote should be taken. There is \$4,600,000 that the mentally ill and mental retardation people are waiting for. I do not believe that we can hold this bill up. There will be other supplemental appropriation bills coming before this House, and I think this bill should be passed. I would urge the member, Mr. Laughlin, to hold his opposition to this bill and let us pass it.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman, Mr. Laughlin, wish to be recognized for the second time on the bill?

Mr. LAUGHLIN. Yes, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman for the second time on the bill.

Mr. LAUGHLIN. Mr. Speaker, I am not happy to back off a request on behalf of the people of my district, but if the chairman of the Appropriations Committee is telling me that he is going to address this problem in the very next appropriation bill that comes up and that we are going to have an answer in the immediate future, then I am certainly willing to consider his wishes.

The SPEAKER. The Chair thanks the gentleman.

Mr. PIEVSKY. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Lehigh, Mr. Afflerbach, on the conference committee report.

Mr. AFFLERBACH. Thank you, Mr. Speaker.

Will Mr. Pievsky stand for further interrogation, please?

The SPEAKER. The gentleman, Mr. Pievsky, indicates he will so stand. The gentleman, Mr. Afflerbach, is in order and may proceed.

Mr. AFFLERBACH. Thank you, Mr. Speaker.

It is my understanding that there was to be \$2 million included in this bill to deal with the avian flu problem and that this money would go to farmers who have not received Federal assistance. Is that correct?

Mr. PIEVSKY. That is correct, and it is in the bill.

Mr. AFFLERBACH. Thank you.

I would now like to speak on the bill, Mr. Speaker.

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

Mr. AFFLERBACH. Mr. Speaker, I think it should be a matter of record that the leading agricultural lender in Pennsylvania, namely the Farm Credit Association, does not apparently recognize the avian flu situation to be a major disaster. There was a discussion held approximately 2 weeks ago in State College where representatives of this association met and at that time discussed setting up a fund to which each of the Farm Credit Associations would make a contribution to assist those who had suffered from the avian flu epidemic. As it turned out, a number of the associations, and particularly the Berks-Lehigh Association, which obviously I am most informed about, decided that this is not a serious problem. This lending institution then decided not to contribute to an emergency fund.

Now, I happen to believe that it is a serious problem, and I happen to believe that the Commonwealth is doing the right thing in trying to assist these farmers, but I think every one of the members of this House should recognize that the organization which bills itself as the principal agricultural lender in Pennsylvania has in fact turned its back upon the farmers who now need its assistance. I think it is incumbent upon this Assembly to not turn our back and approve this bill and particularly with that appropriation in it. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question of the adoption of the report, the Chair recognizes the gentleman from Allegheny, Mr. Murphy.

Mr. MURPHY. Mr. Speaker, I would like to interrogate Mr. Pievsky, please.

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

Mr. MURPHY. Thank you, Mr. Speaker.

Mr. Speaker, under the Department of Agriculture, is the State appropriation of \$2 million for the avian influenza a grant or a loan program?

Mr. PIEVSKY. I am led to believe that it is neither. It is an indemnity program.

Mr. MURPHY. I do not understand what that means then, Mr. Speaker. Could you please explain what that means?

Mr. PIEVSKY. It replaces the farmers for the loss of the birds.

Mr. MURPHY. Mr. Speaker, then can I ask, is the farmer responsible for paying back these funds to the State?

Mr. PIEVSKY. No.

Mr. MURPHY. Can I ask why not?

Mr. PIEVSKY. Because the State took the birds.

Mr. MURPHY. Mr. Speaker, if I may make a comment now.

Mr. PIEVSKY. Go ahead.

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

Mr. MURPHY. Mr. Speaker, I would like to make a point with this indemnity program. While I believe that we should help these farmers who have lost their flocks, and it is 2 million dollars' worth of State funds, it seems to me there is an appropriate parallel here for my colleagues, primarily on the other side of the aisle, of those individuals who live in more urban districts who have worked all their lives and then suddenly are without a job and without income and need to go on welfare. What do we do to those people? We put a lien on their property. It seems to me the parallel here is that if we are going to give farmers \$2 million to help them get back in business, we either ought to put a lien on their property or look to doing away with the liens we put on hardworking individuals in this Commonwealth who through no fault of their own have to go on welfare.

So I seem to think that there ought to be some consistency in this program. To give \$2 million without any responsibility to pay back seems to me to be just as irresponsible as to provide individuals with welfare who have worked, who have gotten enough money to buy property. I, please, would hope my colleagues would keep that in mind the next time we have to vote on that lien bill. Thank you.

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

Mr. LLOYD. Mr. Speaker, in response to the gentleman, Mr. Murphy, his analogy is not correct legally. What has happened in the case of indemnification is basically reimbursing people for a taking, and everybody is familiar with the requirements in the fifth amendment to the United States

Constitution as applied to the States through the 14th amendment, which say basically that the government cannot take your property without just compensation.

This is similar to a condemnation-of-property case, of real property, in the instance in which a road is going to be built, and so what is happening is that these farmers, many of whom are people whose own flocks are beginning to recover and who could possibly realize a lot more money if the birds were allowed to live and produce, are being told that they must destroy those birds for the good of everybody else. That amounts, in my opinion, Mr. Speaker, to a taking of their property under the fifth amendment, and we are, as a State, obligated to compensate for that. It seems to me that that is not the same situation as somebody who is out of work and that person has to have a lien on his house. That is a different issue, and while I may agree with Mr. Murphy about that issue as well, I do not think the analogy holds, and I do not think that this is an irresponsible program. On the contrary, it seems to me if we are going to expect people to destroy their own business in order to protect everybody else, that we ought to compensate them for it.

I ask for a "yes" vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes, on the question, the gentleman from Indiana, Mr. Wass.

Mr. WASS. Thank you, Mr. Speaker.

I rise to echo the sentiments of Representative Lloyd. The farmers of Pennsylvania are truly making a sacrifice to stop the spread of this very dangerous disease, so I believe the State of Pennsylvania certainly owes them the reimbursement that they are seeking here.

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

Miss SIRIANNI. Mr. Speaker, I agree that perhaps chicken farmers need the reimbursement, but in doing so I think this General Assembly is forgetting the dairy farmers, who this year have lost \$5 million, and many of them are going bankrupt. I think what you do for one industry you have to do for the others. I do not think you should just choose the chicken farmers. The dairy farmers in the northeast have lost between \$5 million and \$7 million, and this General Assembly chooses to do nothing about that, and they, too, lost it because of this government. PIDA (Pennsylvania Industrial Development Authority) told the farmers that Schep's was a good outfit, but if PIDA had done their homework, Schep's would not have been allowed in the State of Pennsylvania, and our farmers, our dairy farmers, would not be in the predicament they are in now. What you do for one you ought to do for all, or else you should not do any.

The SPEAKER. The Chair recognizes the gentleman from Chester, Mr. Morris, on the question.

Mr. MORRIS. Thank you, Mr. Speaker.

First I would like to thank my colleague, Mr. Lloyd, for stating the legal implications involved here so very clearly. There can be no taking without just compensation. I would like to thank Mr. Wass and Mr. Lloyd also for pointing out

the sacrifice that these people have been forced to make for the good of the rest of the poultry business throughout this Nation and maybe the world. I happen to be a dairyman myself, and I feel great sympathy for what Miss Sirianni said, but again, that case is different. This is simply a case of government taking, and it should be reimbursed.

In addition, there is nothing new about this. For many years the farmers have been reimbursed when they lost cows to brucellosis, and before that to hoof-and-mouth disease. There is nothing new. This is good legislation. It is justified, and I certainly urge every member to vote for it.

The SPEAKER. The Chair thanks the gentleman.

The Chair now recognizes the gentleman from Allegheny, Mr. Olasz, on the question.

Mr. OLASZ. Thank you, Mr. Speaker.

I just want to remind my colleagues in the House that we are not the Federal Government bailing out McDonnell Douglas. I come from Pittsburgh and the steel valley, and the Mon Valley has a severe sickness, too. In fact, you might categorize it as one suffering under a severe stroke, and I would hope that someone would consider perhaps aiding the steel industry in the same fashion that we are aiding the farmers who will not have to repay this money. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Franklin, Mr. Coy.

Mr. COY. Thank you, Mr. Speaker.

In addition to the legal ramifications that Mr. Lloyd pointed out and some of the ideas that Mr. Morris put forward, let me simply say that the money that would be put forth in this fund has a very significant economic impact upon this State. Presumably, the farmers who would participate in this program would replenish their flocks, thereby have more chickens and help the industry in general in Pennsylvania. The economic impact that we will see from this disease and we will continue to see from it will be significant, and the more we can do as a Commonwealth to help these farmers in this time, I think we will see its rewards in the future. Therefore, Mr. Speaker, I urge adoption of the conference report with the inclusion of this amount for the avian influenza.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

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

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

YEAS—197

Afflerbach	Evans	Linton	Rudy
Alderette	Fargo	Livengood	Rybak
Angstadt	Fattah	Lloyd	Saloom
Armstrong	Fee	Lucyk	Salvatore
Arty	Fischer	McCall	Saurman
Baldwin	Flick	McClatchy	Scheetz
Barber	Foster, W. W.	McHale	Schuler
Battisto	Foster, Jr., A.	McMonagle	Semmel
Belardi	Freeman	McVerry	Serafini
Belfanti	Freind	Mackowski	Seventy
Beloff	Fryer	Madigan	Showers

Blaum	Gallagher	Manderino	Sirianni
Book	Gallen	Manmiller	Smith, B.
Bowser	Gamble	Markosek	Smith, L. E.
Boyes	Gannon	Mayernik	Snyder, D. W.
Brandt	Geist	Merry	Snyder, G. M.
Broujos	George	Michlovic	Spencer
Bunt	Gladeck	Micozzie	Spitz
Burd	Godshall	Miller	Stairs
Burns	Greenwood	Miscevich	Steighner
Caltagirone	Grieco	Moehlmann	Stevens
Cappabianca	Gruitza	Morris	Stewart
Carn	Gruppo	Mowery	Stuban
Cawley	Hagarty	Mrkonic	Sweet
Cessar	Haluska	Murphy	Swift
Cimini	Harper	Nahill	Taylor, E. Z.
Civera	Hasay	Noye	Taylor, F. E.
Clark	Hayes	O'Brien	Telek
Clymer	Herman	O'Donnell	Tigue
Cohen	Hershey	Olasz	Trello
Colafella	Hoeffel	Oliver	Truman
Cole	Honaman	Perzel	Van Horne
Cordisco	Hutchinson	Peterson	Vroon
Cornell	Itkin	Petrarca	Wachob
Coslett	Jackson	Petrone	Wambach
Cowell	Jarolin	Phillips	Wargo
Coy	Johnson	Piccola	Wass
Deluca	Kasunic	Pievsky	Weston
DeVerter	Kennedy	Pistella	Williams
DeWeese	Klingaman	Pitts	Wilson
Daley	Kosinski	Pott	Wogan
Davies	Kowalshyn	Pratt	Wozniak
Dawida	Kukovich	Preston	Wright, D. R.
Deal	Lashinger	Punt	Wright, J. L.
Dietz	Laughlin	Rappaport	Wright, R. C.
Dombrowski	Lehr	Reber	Zwikl
Donatucci	Lescovitz	Reinard	
Dorr	Letterman	Richardson	Irvis,
Duffy	Levi	Rieger	Speaker
Durham	Levin	Robbins	

NAYS—0

NOT VOTING—1

Wiggins

EXCUSED—5

Dininni  
McIntyre

Maiale Marmion Ryan

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

Ordered, That the clerk inform the Senate accordingly.

**CONSERVATION COMMITTEE MEETING  
CANCELED**

The SPEAKER. The Chair recognizes the gentleman from Clearfield, Mr. George, who wishes to make an announcement about his committee meeting.

Mr. GEORGE. Mr. Speaker, I would like to announce that the House Conservation Committee meeting that was to be held on Thursday will be canceled. Again, I remind them, Mr. Speaker, that the committee meeting will be canceled. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

**BILLS ON THIRD  
CONSIDERATION CONTINUED**

The House proceeded to third consideration of **SB 288, PN 1617**, entitled:

An Act regulating the purchase and sale of precious metals.

On the question,

Will the House agree to the bill on third consideration?

Mr. BALDWIN offered the following amendment No. **A0217**:

Amend Sec. 10, page 6, by inserting between lines 22 and 23

(c) Revocation of license and ineligibility.—Any individual, partnership, association, corporation or business entity violating any provisions of this act shall, upon conviction, in addition to the penalties set forth in subsections (a) and (b) hereof, suffer immediately revocation of any existing license issued pursuant to the provisions of this act and shall be ineligible to apply for a dealer's license under this act for a period of five years thereafter.

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentleman from Schuylkill, Mr. Baldwin.

Mr. BALDWIN. Mr. Speaker, this amendment would modify the penalty section of this bill. Under the current bill, if a precious metals dealer sells precious metals without a license, he can be penalized by a criminal prosecution as a third-degree misdemeanor, or if a dealer sells precious metals without obtaining a license in the first place, the same penalty would apply.

This amendment would add a third penalty and provide that if anyone violated the provisions of the Precious Metals Dealers Act, they would be prohibited for a period of 5 years thereafter from applying for relicensing under the provisions of this act.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—191

Afflerbach	Fattah	Livengood	Rybak
Alderette	Fee	Lloyd	Saloom
Angstadt	Fischer	Lucyk	Salvatore
Armstrong	Flick	McCall	Saurman
Arty	Foster, W. W.	McClatchy	Scheetz
Baldwin	Foster, Jr., A.	McHale	Schuler
Battisto	Freeman	McMonagle	Semmel
Belardi	Freind	McVerry	Serafini
Belfanti	Fryer	Mackowski	Seventy
Beloff	Gallagher	Madigan	Showers
Blaum	Gallen	Manderino	Sirianni
Book	Gamble	Manmiller	Smith, B.
Bowser	Gannon	Markosek	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	Morris	Stevens
Cappabianca	Gruppo	Mowery	Stewart
Cawley	Hagarty	Mrkonic	Stuban

Cessar	Haluska	Murphy	Sweet
Cimini	Harper	Nahill	Swift
Civera	Hasay	Noye	Taylor, E. Z.
Clark	Hayes	O'Brien	Taylor, F. E.
Clymer	Herman	O'Donnell	Telek
Cohen	Hershey	Olasz	Tigue
Colafella	Hoeffel	Oliver	Trello
Cole	Honaman	Perzel	Truman
Cordisco	Itkin	Peterson	Van Horne
Cornell	Jackson	Petrarca	Vroon
Coslett	Jarolin	Petrone	Wachob
Cowell	Johnson	Phillips	Wambach
Coy	Kasunic	Piccola	Wargo
Deluca	Kennedy	Pievsky	Wass
DeVerter	Klingaman	Pistella	Weston
DeWeese	Kosinski	Pitts	Williams
Daley	Kowalshyn	Pott	Wilson
Davies	Kukovich	Pratt	Wogan
Dawida	Lashinger	Preston	Wozniak
Deal	Laughlin	Punt	Wright, D. R.
Dietz	Lehr	Rappaport	Wright, J. L.
Dombrowski	Lescovitz	Reber	Wright, R. C.
Donatucci	Letterman	Reinard	Zwikl
Dorr	Levi	Rieger	
Duffy	Levin	Robbins	Irvis,
Durham	Linton	Rudy	Speaker
Fargo			

NAYS—1

Hutchinson

NOT VOTING—6

Barber	Evans	Richardson	Wiggins
Carn	Moehlmann		

EXCUSED—5

Dininni	Maiale	Marmion	Ryan
McIntyre			

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. BALDWIN offered the following amendment No. A0215:

Amend Sec. 1, page 2, line 4, by removing the period after "ownership" and inserting  
and not for resale or refining.

On the question,

Will the House agree to the amendment?

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

Mr. BALDWIN. Mr. Speaker, this amendment modifies slightly the exclusion from the definition of a precious metals dealer under the terms of the proposed act. Under current language, it defines a precious metals dealer to exclude someone who retains precious metals for their own ownership, but I believe it leaves a loophole there for any precious metals dealer who wants to go ahead and resell this without applying for a license to claim that he originally bought it for his own ownership. I would just add these few words that would help to clarify the situation and make it clear that in order to be exempt from the statute, you would have to actually be buying the precious metals to retain them.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—192

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

NAYS—5

Clark	Hutchinson	Laughlin	Vroon
Foster, Jr., A.			

NOT VOTING—1

Miller

EXCUSED—5

Dininni	Maiale	Marmion	Ryan
McIntyre			

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?

Mr. BALDWIN offered the following amendment No. A0216:

Amend Sec. 3, page 4, line 2, by inserting after "maintained", the form of identification which a dealer must require from the seller to verify the seller's name and address

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

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

Mr. BALDWIN. Under the current language of the bill, the Attorney General is given the authority to promulgate regulations. What this amendment would do is also require the Attorney General in his regulations to promulgate a set of regulations that would specify the type of identification required from a seller to a dealer. The legislation requires that a precious metals dealer purchasing precious metals require a seller to produce identification verifying the seller's name and address, but it is silent in terms of what type of identification would be satisfactory. This language would require the Attorney General to promulgate regulations that would specify the type of identification that would be deemed to be satisfactory under the act.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—194

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

Cordisco	Itkin	Petrarca	Vroon
Cornell	Jackson	Petrone	Wachob
Coslett	Jarolin	Phillips	Wambach
Cowell	Johnson	Piccola	Wargo
Coy	Kasunic	Pievsky	Wass
Deluca	Kennedy	Pistella	Weston
DeVerter	Klingaman	Pitts	Wiggins
DeWeese	Kosinski	Pott	Williams
Daley	Kowalshyn	Pratt	Wogan
Davies	Kukovich	Preston	Wozniak
Dawida	Lashinger	Punt	Wright, D. R.
Deal	Laughlin	Rappaport	Wright, J. L.
Dietz	Lehr	Reber	Wright, R. C.
Dombrowski	Lescovitz	Reinard	Zwinkl
Donatucci	Letterman	Richardson	
Dorr	Levi	Rieger	Irvis,
Duffy	Levin	Robbins	Speaker

NAYS—2

Foster, Jr., A. Hutchinson

NOT VOTING—2

McVerry Wilson

EXCUSED—5

Dininni Maiale Marmion Ryan  
McIntyre

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?

Mr. CLARK offered the following amendment No. A4671:

Amend Sec. 1, page 2, line 3, by inserting after "ownership." The term shall not include any individual, partnership, association, corporation or business entity which buys and sells scrap metal which may include some amounts of precious metals.

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

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

Mr. CLARK. Thank you, Mr. Speaker.

This amendment would exempt from the provisions of the bill scrap dealers who purchase a small amount of precious metals in with the scrap that they would be separating for refining purposes.

The SPEAKER. The Chair must interrupt the gentleman.

The Chair has been advised and now sees that the gentleman, Mr. Clark's amendment is drawn to the wrong printer's number. Your amendment, Mr. Clark, has been drawn to PN 1252 and this is 1617.

AMENDMENT WITHDRAWN

Mr. CLARK. Okay. I will withdraw it, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman. The gentleman, Mr. Clark, is withdrawing his amendment.

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?

On final passage, the Chair recognizes the gentleman from Westmoreland, Mr. Hutchinson.

Mr. HUTCHINSON. I am very much against this bill. Most of the gentlemen in this shop have a junkyard in their area that picks up metal, and they pick up different things, and they have one man who picks up all the precious metals—whatever is precious - silver, gold, or maybe aluminum is precious sometimes, maybe copper is. Now we want to license. A guy goes into business, has a store on Main Street, buys old gold and silver rings, high school rings, and everybody wants to put a license on him.

The police in Greensburg know the guy who buys the metal, know where to go if there is a robbery and to see if he has the metal. Maybe in Pittsburgh and Philadelphia they might need it. They cannot write ordinances against this, but I do not think we need any more licenses for any more businessmen. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

On final passage, the Chair recognizes the gentleman from York, Mr. Foster.

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

I must agree with the gentleman, Mr. Hutchinson. I do not think we need additional licensees in the Commonwealth either. No one has brought this problem to my attention in my district, and I feel it is just one more addition to the bureaucracy. I, along with Mr. Hutchinson, will certainly vote against it.

The SPEAKER. The Chair thanks the gentleman.

On final passage, the Chair recognizes the gentleman from Lehigh, Mr. Snyder.

Mr. D. W. SNYDER. Mr. Speaker, I would like to ask Mr. Laughlin, as chairman of the Consumer Affairs Committee, for interrogation.

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

Mr. D. W. SNYDER. Mr. Speaker, this is just for clarification in the record of some concern of our dealers. Under the definition of precious metals, it indicates that excluded from the definition are coins, ingots, bullion, photographic film, or any article containing less than 5 percent of gold, silver, or platinum by weight. Mr. Speaker, this therefore means that any coins, gold, bullion, would not be required to be held for the 5-day retention period. Is that correct?

Mr. LAUGHLIN. You are correct, Mr. Speaker.

Mr. D. W. SNYDER. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On final passage, the Chair recognizes the gentleman from Beaver, Mr. Laughlin.

Mr. LAUGHLIN. Mr. Speaker, I had this bill in committee for approximately a month or a month and a half. During that time I spoke to the jewelers of the State, the retail merchants, the police officers, the district attorneys' offices, and

just about everyone who is involved in policing theft and burglary in the State of Pennsylvania. They all supported the position of this bill and the reporting privileges. I think, Mr. Speaker, we ought to pass it and vote in the affirmative.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,  
Shall the bill pass finally?

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

YEAS—168

Afflerbach	Fargo	Linton	Rudy
Alderette	Fattah	Lloyd	Rybak
Armstrong	Fee	Lucyk	Saloom
Arty	Fischer	McCall	Salvatore
Baldwin	Flick	McHale	Saurman
Barber	Foster, W. W.	McVerry	Scheetz
Battisto	Freeman	Mackowski	Schuler
Belardi	Freind	Madigan	Semmel
Beloff	Gallagher	Manderino	Serafini
Blaum	Gallen	Manmiller	Seventy
Book	Gannon	Markosek	Showers
Boyes	Geist	Mayernik	Smith, B.
Brandt	George	Michlovic	Smith, L. E.
Broujos	Gladeck	Miller	Snyder, D. W.
Burd	Godshall	Miscevich	Snyder, G. M.
Burns	Greenwood	Moehlmann	Spitz
Caltagirone	Grieco	Morris	Stairs
Cappabianca	Gruitza	Mrkonic	Steighner
Carn	Gruppo	Murphy	Stevens
Cawley	Hagarty	Nahill	Stewart
Cessar	Haluska	Noye	Suban
Cimini	Harper	O'Brien	Sweet
Clymer	Hasay	O'Donnell	Swift
Cohen	Hayes	Olasz	Taylor, F. E.
Colafella	Herman	Oliver	Telek
Cordisco	Hershey	Perzel	Tigue
Cornell	Hoeffel	Peterson	Trello
Coslett	Honaman	Petrone	Truman
Cowell	Itkin	Phillips	Wachob
Deluca	Jackson	Piccola	Wambach
DeVerter	Jarolin	Pievsky	Wass
DeWeese	Johnson	Pistella	Weston
Daley	Kasunic	Pitts	Wiggins
Davies	Klingaman	Pott	Williams
Dawida	Kosinski	Pratt	Wilson
Deal	Kowalshyn	Preston	Wogan
Dietz	Kukovich	Rappaport	Wright, J. L.
Dombrowski	Lashingier	Reber	Wright, R. C.
Donatucci	Laughlin	Reinard	Zwinkl
Dorr	Lehr	Richardson	
Duffy	Lescovitz	Rieger	Irvis,
Durham	Levi	Robbins	Speaker
Evans	Levin		

NAYS—30

Angstadt	Foster, Jr., A.	McMonagie	Spencer
Belfanti	Fryer	Merry	Taylor, E. Z.
Bowser	Gamble	Micozzie	Van Horne
Bunt	Hutchinson	Mowery	Vroon
Civera	Kennedy	Petrarca	Wargo
Clark	Letterman	Punt	Wozniak
Cole	Livengood	Sirianni	Wright, D. R.
Coy	McClatchy		

NOT VOTING—0

EXCUSED—5

Dininni	Maiale	Marmion	Ryan
McIntyre			

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

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

REMARKS ON VOTE

The SPEAKER. For what purpose does the gentleman from Washington, Mr. Sweet, rise?

Mr. SWEET. Mr. Speaker, last week the House voted on HB 1288, PN 1519. I was inadvertently recorded in the affirmative. I would like it to be spread upon the record that I would have preferred to have voted in the negative.

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

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of SB 562, PN 859, entitled:

An Act amending the act of May 15, 1939 (P. L. 134, No. 65), entitled, as amended, "Fireworks Law," prohibiting a common carrier, a common carrier by motor vehicle or a contract carrier by motor vehicle from accepting fireworks for delivery in Pennsylvania in certain instances; and providing for registration of certain businesses.

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—193

Table listing names of members who voted 'Yeas' for SB 562, PN 859. Includes names like Afflerbach, Alderette, Angstadt, etc.

Table listing names of members who voted 'Nays' for SB 562, PN 859. Includes names like Cimini, Civera, Clark, etc.

NAYS—0

NOT VOTING—5

Table listing names of members who did not vote for SB 562, PN 859. Includes Burd, McVerry, Taylor, E. Z., Wachob, Wilson.

EXCUSED—5

Table listing names of members who were excused for SB 562, PN 859. Includes Dininni, McIntyre, Maiale, Marmion, Ryan.

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

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

\* \* \*

The House proceeded to third consideration of HB 1836, PN 2402, entitled:

An Act amending the "Neighborhood Assistance Act," approved November 29, 1967 (P. L. 636, No. 292), providing tax credits for business firms for contributions to the Homeowners Emergency Mortgage Assistance Fund; and making a repeal.

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

Mr. HAYES offered the following amendments No. A0173:

Amend Sec. 1, page 1, line 10, by striking out "Sections 3 and 4" and inserting

Section 3

Amend Sec. 1, page 1, line 12, by striking out "are" and inserting

is

Amend Bill, page 2, by inserting between lines 7 and 8

Section 2. Section 4 of the act, amended November 26, 1978 (P.L.1272, No.304), is reenacted and amended to read:

Amend Sec. 2, page 2, line 30, by striking out "2" and inserting

3

Amend Sec. 3, page 4, line 6, by striking out "3" and inserting

4

Amend Sec. 4, page 5, line 3, by striking out "4" and inserting

5

Amend Bill, page 5, by inserting between lines 5 and 6 Section 6. This act shall be retroactive to and include December 23, 1983.

Amend Sec. 5, page 5, line 6, by striking out "5" and inserting

7

Amend Sec. 5, page 5, line 7, by striking out all of said line and inserting immediately.

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

The SPEAKER. The Chair recognizes the minority whip. Mr. HAYES. Thank you, Mr. Speaker.

This is a technical amendment, and I am offering it because when the bill was drafted by the Legislative Reference Bureau, it left in question the availability of tax credits under the neighborhood assistance program. What this amendment will do is to place into the bill language that will in a certain way establish that there are to be tax credits available under the Neighborhood Assistance Act, and that amount would be \$8,750,000. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the Hayes amendment, the Chair recognizes the gentleman from Westmoreland, Mr. Kukovich.

Mr. KUKOVICH. Mr. Speaker, I just want to add that we agree to this amendment. It is necessary to reenact the old language of the Neighborhood Assistance Act, and we thank the Republican leadership for catching that mistake. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—197

Table listing names of members who voted YEAS, including Afflerbach, Alderette, Angstadt, Armstrong, Arty, Baldwin, Barber, Battisto, Belardi, Belfanti, Beloff, Blaum, Book, Bowser, Boyes, Brandt, Broujos, Bunt, Burd, Burns, Caltagirone, Cappabianca, Carn, Cawley, Cessar, Evans, Fargo, Fattah, Fee, Fischer, Flick, Foster, W. W., Foster, Jr., A., Freeman, Freind, Fryer, Gallagher, Gallen, Gannon, Geist, George, Gladeck, Godshall, Greenwood, Grieco, Gruitza, Gruppo, Hagarty, Haluska, Harper, Livengood, Lloyd, Lucyk, McCall, McClatchy, McHale, McMonagle, McVerry, Mackowski, Madigan, Manderino, Manmiller, Markosek, Mayernik, Merry, Michlovic, Micozzie, Miller, Miscevic, Mochlmann, Morris, Mowery, Mrkonc, Murphy, Nahill, Rybak, Saloom, Salvatore, Saurman, Scheetz, Schuler, Semmel, Serafini, Seventy, Showers, Sirianni, Smith, B., Smith, L. E., Snyder, D. W., Snyder, G. M., Spencer, Spitz, Stairs, Steighner, Stevens, Stewart, Stuban, Sweet, Swift, Taylor, E. Z.

Table listing names of members who did not vote, including Cimini, Civera, Clark, Clymer, Cohen, Colafella, Cole, Cordisco, Cornell, Coslett, Cowell, Coy, Deluca, DeVerter, DeWeese, Daley, Davies, Dawida, Deal, Dietz, Dombrowski, Donatucci, Dorr, Duffy, Durham, Hasay, Hayes, Herman, Hershey, Hoeffel, Honaman, Hutchinson, Itkin, Jackson, Jarolin, Johnson, Kasunic, Kennedy, Klingaman, Kosinski, Kowalshyn, Kukovich, Lashinger, Laughlin, Lehr, Lescovitz, Letterman, Levi, Levin, Linton, Noye, O'Brien, O'Donnell, Olasz, Oliver, Perzel, Peterson, Petrarca, Petrone, Phillips, Piccola, Pievsky, Pistella, Pitts, Pott, Pratt, Preston, Punt, Rappaport, Reber, Reinard, Richardson, Rieger, Robbins, Rudy, Taylor, F. E., Telek, Tigue, Trello, Truman, Van Horne, Vroon, Wachob, Wambach, Wargo, Wass, Weston, Wiggins, Williams, Wilson, Wogan, Wozniak, Wright, D. R., Wright, J. L., Wright, R. C., Zwick, Irvis, Speaker

NAYS—0

NOT VOTING—1

Gamble

EXCUSED—5

Table listing names of members who were excused, including Dininni, McIntyre, Maiale, Marmion, Ryan

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—196

Table listing names of members who voted YEAS, including Afflerbach, Alderette, Angstadt, Armstrong, Arty, Baldwin, Barber, Battisto, Belardi, Belfanti, Beloff, Blaum, Book, Bowser, Boyes, Brandt, Broujos, Bunt, Burd, Burns, Caltagirone, Cappabianca, Carn, Cawley, Evans, Fargo, Fee, Fischer, Flick, Foster, W. W., Foster, Jr., A., Freeman, Freind, Fryer, Gallagher, Gallen, Gamble, Gannon, Geist, George, Gladeck, Godshall, Greenwood, Grieco, Gruitza, Gruppo, Hagarty, Haluska, Livengood, Lloyd, Lucyk, McCall, McHale, McMonagle, McVerry, Mackowski, Madigan, Manderino, Manmiller, Markosek, Mayernik, Merry, Michlovic, Micozzie, Miller, Miscevic, Mochlmann, Morris, Mowery, Mrkonc, Murphy, Nahill, Rybak, Saloom, Salvatore, Saurman, Scheetz, Schuler, Semmel, Serafini, Seventy, Showers, Sirianni, Smith, B., Smith, L. E., Snyder, D. W., Snyder, G. M., Spencer, Spitz, Stairs, Steighner, Stevens, Stewart, Stuban, Sweet, Swift

Cessar	Harper	Noye	Taylor, E. Z.
Cimini	Hasay	O'Brien	Taylor, F. E.
Civera	Hayes	O'Donnell	Telek
Clark	Herman	Olasz	Tigue
Clymer	Hershey	Oliver	Trello
Cohen	Hoeffel	Perzel	Truman
Colafella	Honaman	Peterson	Van Horne
Cole	Hutchinson	Petrarca	Vroon
Cordisco	Itkin	Petrone	Wachob
Cornell	Jackson	Phillips	Wambach
Coslett	Jarolin	Piccola	Wargo
Cowell	Johnson	Pievsky	Wass
Coy	Kasunic	Pistella	Weston
Deluca	Kennedy	Pitts	Wiggins
DeVerter	Klingaman	Pott	Williams
DeWeese	Kosinski	Pratt	Wilson
Daley	Kowalyszyn	Preston	Wogan
Davies	Kukovich	Punt	Wozniak
Dawida	Lashingier	Rappaport	Wright, D. R.
Deal	Laughlin	Reber	Wright, J. L.
Dietz	Lehr	Reinard	Wright, R. C.
Dombrowski	Lescovitz	Richardson	Zwikel
Donatucci	Letterman	Rieger	
Dorr	Levi	Robbins	Irvis,
Duffy	Levin	Rudy	Speaker
Durham	Linton		

NAYS—1

McClatchy

NOT VOTING—1

Fattah

EXCUSED—5

Dininni      Maiale      Marmion      Ryan  
McIntyre

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

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

\* \* \*

The House proceeded to third consideration of **SB 506, PN 553**, entitled:

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

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

Mr. COWELL offered the following amendments No. A2578:

Amend Title, page 1, line 9, by removing the period after "imposed" and inserting  
; redefining the term "established predetermined ratio"; and further providing for ratios.

Amend Sec. 1, page 1, line 12, by striking out "The fourth paragraph of section 13" and inserting

The definition of "established predetermined ratio" in section 1.1

Amend Sec. 1, page 1, lines 14 and 15, by striking out "amended December 22, 1977 (P.L.349, No.105)," and inserting added December 13, 1982 (P.L.1186, No.272),

Amend Bill, page 1, by inserting between lines 15 and 16

Section 1.1. The following words and phrases when used in this act shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

\* \* \*

"Established predetermined ratio" shall mean the ratio of assessed value to market value established by the [board of county commissioners] Board of Property Assessment, Appeals and Review and uniformly applied in determining assessed value in any year.

Section 2. The fourth paragraph of section 13 of the act, amended December 22, 1977 (P.L.349, No.105), is amended to read:

Amend Bill, page 3, by inserting between lines 2 and 3

Section 3. Section 15 of the act, amended December 13, 1982 (P.L.1186, No.272), is amended to read:

Section 15. At least thirty (30) days' written notice shall be given to any taxable person whose assessment shall be changed at any triennial assessment, or between triennial assessments, in a manner which would mean an increase in the taxes on such real estate if the same tax rate should prevail setting forth any change which has been made and the time and place set for hearing objections thereto. At least thirty (30) days' written notice shall also be given to any taxable person if the established predetermined ratio is changed within the county.

Any required notice shall be served by the board or any member thereof or by any assessor or by any other person authorized so to do by the board upon said taxable person or may be mailed to him or her [by registered mail with return receipt requested or served upon an adult person residing upon the property in question] at his or her last known address by first class mail.

When no service is made upon the taxable person [or upon an adult person residing upon the property assessed,] by an authorized person or by first class mail, said notice shall be deemed to have been properly served if tacked or conspicuously posted upon the property assessed [and a copy thereof mailed to the last known address of the taxable person].

No defect in service of any such notice of an assessment change shall be sufficient ground for setting aside any assessment so made, but upon proof thereof being made, the taxable person shall have the right to a rehearing before the board relative to said assessment and to appeal therefrom to the court of common pleas as hereinafter provided.

Amend Sec. 2, page 3, line 3, by striking out "2. This" and inserting

- 4. (a) Section 2 of the
- Amend Sec. 2, page 3, by inserting between lines 4 and 5
- (b) Sections 1 and 3 of the act shall apply to appeals initiated after January 1, 1984.

Amend Sec. 3, page 3, line 5, by striking out "3" and inserting

5

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

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

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, this amendment was circulated under Fred Trello's name. It is amendment A2578. It does not change the language that is currently in this bill. Instead, it would add to the bill language that this House unanimously passed in HB 744 about 6 months ago, and in the interim that bill has been sitting without action over in the Senate.

It deals with a couple of technical problems in terms of Allegheny County or second-class counties, of which there is only one - Allegheny County. Basically, it would provide that Allegheny County, in the case of certain assessment notices,

could use first-class mail, as do all other counties, rather than being required to use registered mail. It means a savings of about \$1 million to the county. I would urge adoption 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—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Dininni	Maiale	Marmion	Ryan
McIntyre			

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—196

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

NAYS—0

NOT VOTING—2

EXCUSED—5

DeVerter	Preston		
Dininni	Maiale	Marmion	Ryan
McIntyre			

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

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

### REMARKS ON VOTES

The SPEAKER. The Chair recognizes the lady from Chester, Mrs. Taylor. For what purpose does the lady rise?

Mrs. TAYLOR. Mr. Speaker, I rise to ask that my vote on SB 562 be recorded in the affirmative.

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

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

Mr. DeVERTER. Thank you, Mr. Speaker.

Mr. Speaker, apparently on SB 506, PN 553, my switch did not activate, and I would like to be recorded in the affirmative, please.

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

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

Mr. GAMBLE. Mr. Speaker, I would like to be recorded in the affirmative on the Hayes amendment A0173 to HB 1836.

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

The Chair recognizes the lady from Centre, Mrs. Rudy.

Mrs. RUDY. Mr. Speaker, I would like to record a vote.

On HB 1682 I was out of my seat when the vote was taken. If I had been in my seat, I would have voted in the affirmative.

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

### BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 766, PN 853**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for fees for certified copies of police reports.

On the question,

Will the House agree to the bill on third consideration?

Mr. AFFLERBACH offered the following amendment No. A0106:

Amend Sec. 1 (Sec. 3751), page 1, line 17, by striking out "\$10" and inserting

\$1

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Lehigh, Mr. Afflerbach.

Mr. AFFLERBACH. Thank you, Mr. Speaker.

As presently drawn, HB 766 proposes to increase the maximum fee that a police department may charge to furnish a copy of an accident report from \$5 to \$10. My amendment proposes to reduce that fee to \$1.

If you have ever gone to a police department to get a copy of such an accident report, you would discover that in almost all cases the report consists of one 8 1/2- by 11-inch sheet of paper photocopied on both sides. It seems to me that even \$5 is an exorbitant amount of money to charge for photocopying.

Essentially what the current fee does is inflate the cost of insurance premiums; it inflates the cost of court appearances; it inflates the cost of legal representation in determining fault in an accident or any case arising out of an accident. I have no objection to a reasonable photocopying fee for copies of these reports, but I do think that anything more than \$1 a page is rather excessive, and I urge support for this amendment.

The SPEAKER. The Chair thanks the gentleman.

On the Afflerbach amendment, the Chair recognizes the sponsor of the bill, Mr. Vroon.

Mr. VROON. Mr. Speaker, the fee for these reports has been \$5 for quite some time, and I have been told by people who run municipal police departments that the cost of issuing these reports and certifying these reports has now exceeded \$5. In fact, the State Police get \$8 for this kind of report, which certifies that the cost is a whole lot more than a measly \$1. If we were to pass this amendment, we would be depriving municipalities of necessary costs and then some. My attempt is to bring them up to their cost, and they are not going to make any money on these things, but it certainly is proper, I think, to get \$10 for these reports.

Furthermore, I would like to point out that the individual person is not going to be hurt by this, because the major users of these accident reports are insurance companies and lawyers. If they are willing to pay \$5, I am sure that an additional, trivial increase of \$5 is not going to hurt a great deal. I certainly urge everybody, if you will, please, to vote "no" on this amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Westmoreland, Mr. Hutchinson, on the Afflerbach amendment.

Mr. HUTCHINSON. Mr. Speaker, I am for the way the bill reads now and I am against this amendment. The State already charges pretty close to that amount of money. There are two different departments - Transportation charges \$10; the State Police charges \$8. In the new Motor Vehicle Code of 1976, you do not have to file reports anymore under \$250. The police will not come unless there is somebody hurt or somebody killed or the car cannot be moved. You yourself do not have to file one until it is \$250, and somebody who really needs it could keep a copy. The ones that buy it are the insurance companies, and they are a pain in the rear end to the police department.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—40

Afflerbach	DeWeese	Haluska	Rappaport
Alderette	Dawida	Hasay	Richardson
Barber	Deal	Hayes	Rieger
Beloff	Dombrowski	Kosinski	Serafini
Broujos	Donatucci	Laughlin	Sweet
Caltagirone	Evans	Levin	Tigue
Cappabianca	Fattah	McHale	Wiggins
Carn	Freeman	McMonagle	Wright, D. R.
Cotafella	Gallagher	Pistella	Wright, R. C.
Cole	Gamble	Pratt	Zwilk

NAYS—155

Angstadt	Foster, Jr., A.	McClatchy	Saloom
Armstrong	Freind	McVerry	Salvatore
Arty	Fryer	Mackowski	Saurman
Baldwin	Gallen	Madigan	Scheetz
Battisto	Gannon	Manderino	Schuler
Belardi	Geist	Manmiller	Semmel
Belfanti	George	Markosek	Seventy
Blaum	Gladeck	Mayernik	Showers
Book	Godshall	Merry	Sirianni
Bowser	Greenwood	Michlovic	Smith, B.
Boyes	Grieco	Micozzie	Smith, L. E.
Brandt	Gruitza	Miller	Snyder, D. W.
Bunt	Gruppo	Miscevich	Snyder, G. M.
Burd	Hagarty	Moehlmann	Spencer
Burns	Harper	Morris	Stairs
Cawley	Herman	Mowery	Steighner
Cessar	Hershey	Mrkonic	Stevens
Cimini	Hoeffel	Murphy	Stewart
Civera	Honaman	Nahill	Stuban
Clark	Hutchinson	Noye	Swift
Clymer	Itkin	O'Brien	Taylor, E. Z.
Cohen	Jackson	Olasz	Taylor, F. E.
Cordisco	Jarolin	Oliver	Telek
Cornell	Johnson	Perzel	Trello
Coslett	Kasunic	Peterson	Truman
Cowell	Kennedy	Petrarca	Van Horne
Coy	Klingaman	Petrone	Vroon
Deluca	Kowalshyn	Phillips	Wachob
DeVerter	Kukovich	Piccola	Wambach
Daley	Lashinger	Pievsyky	Wargo
Davies	Lehr	Pitts	Wass
Dietz	Lescovitz	Pott	Williams
Dorr	Letterman	Preston	Wilson
Duffy	Levi	Punt	Wogan
Durham	Linton	Reber	Wozniak
Fargo	Livengood	Reinard	Wright, J. L.
Fee	Lloyd	Robbins	
Fischer	Lucyk	Rudy	Irvis,
Flick	McCall	Rybak	Speaker
Foster, W. W.			

NOT VOTING—3

O'Donnell	Spitz	Weston
-----------	-------	--------

EXCUSED—5

Dininni	Maiale	Marmion	Ryan
McIntyre			

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. 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 Philadelphia, Mr. Levin.

Mr. LEVIN. Thank you, Mr. Speaker.

Mr. Speaker, I believe that raising the cost from \$5 to \$10 is truly unwise. I think it is being offered by people who do not understand or who have not seen who stands in line in police stations to get those reports. It is true that insurance companies have agents who stand there and photocopy, but it is also true that your constituents and my constituents go to the local police station terribly upset and ask for a copy of a report so that they can send it in to their insurance carrier. This bill will, I believe, anger them with justifiable reason.

The allegation that the costs have gone up is simply not true. Years ago, before the advent of the photocopy machine, it was a very difficult process. Every police station that I have ever been to that handles these reports now has an adequate photocopy machine that basically costs 2 cents a page, possibly 5 cents a page. It is a rare report that exceeds a page. Therefore, a girl takes the document, puts it through a machine just as your secretary does, and hands you a copy of a report. Five dollars is very adequate for that service. I believe that the police are not asking for more than that, and I think the public will be ripped off and will feel ripped off if we raise it to \$10. I would encourage a negative vote on this bill.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. FRYER. Would the prime sponsor stand for brief interrogation, Mr. Speaker?

The SPEAKER. The gentleman, Mr. Vroon, indicates he will so stand. The gentleman, Mr. Fryer, is in order and may proceed.

Mr. FRYER. Mr. Speaker, I would call attention to page 2 of HB 766 and line 3, where it carries "Commonwealth agencies" that would pay this increased fee. Could the gentleman inform the members of the House what he estimates the cost to be to the Commonwealth agencies that would request copies?

Mr. VROON. Mr. Speaker, I have no such estimates. I do not know.

Mr. FRYER. Mr. Speaker, I thank the gentleman for his candor.

The SPEAKER. The gentleman is in order if he wishes to make a statement on final passage.

Mr. FRYER. Mr. Speaker, what we would have here is a case of a copy of an accident report which can be copied on a Xerox machine or any other copying device at a fractional cost, and the sponsor of the bill would have us increase this cost from \$5 to \$10. Now this, in addition to any one of your constituents who would ask for such a copy, would be paying \$10 for this copy, which can be obtained from a copying machine.

In addition, as I just pointed out, government agencies would be subject to that, which would mean that the taxpayers would be doubling their costs in this area. We do not have an accounting of how much this would cost, but in a review of the situation, it would seem to me that the \$5 charge per copy from a copying machine—which is all we are talking about, because the accident report is made up separately; once that is made up, the costs have been incurred. The next step is going to a copying machine and then a signature certifying that this is a copy. Now, do you really sincerely believe that this charge should go to \$10? Thank you, sir.

Mr. Speaker, I would call for a defeat of this bill, which would mean that the \$5 charge would continue, which is more than ample to cover the costs of reproducing this vital information. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. VROON. Mr. Speaker, there has been a lot of belittling of the cost of producing this report. Oh, it is a simple matter just to run off a copy on a copying machine. But it is not that simple, Mr. Speaker. Every time you handle a piece of paper in government, it costs you \$10 just to take a wink at it. That is fact.

Now, people have to handle paper. First off, these people have to find the paper. That means they have to go to a file and find the paper. When they find the paper, then they have to get it certified, and certification costs the time of another person. By the time the number of people multiplies who handle an accident report, you have \$10 at least. Believe me. If you go to any business establishment and ask them how much it costs to produce paper, you will understand what I am talking about. People-help today does not come cheap.

When it comes to the argument of the Commonwealth agencies, this is so trivial as to be absolutely unimportant. The major use of these accident reports is by lawyers and insurance companies, and I certainly do not blush at charging lawyers and insurance companies an extra \$5 apiece. How about you?

The SPEAKER. Does the gentleman, Mr. Fryer, wish to be recognized for the second time on the question?

Mr. FRYER. Yes, Mr. Speaker.

We have just heard a very vivid description of the trip to a Xerox machine. I am sure we are all familiar of how involved that is and how much it costs. I went through that trip through space with Mr. Vroon, and I am completely exhausted, Mr. Speaker. But I would say with that last ounce of strength that I have left, I will oppose this bill, and all I ask in these chambers today is for common sense to prevail and that we finally, oh yes, Mr. Speaker, we finally give the people a break and give them a fair charge. Thank you, Mr. Speaker.

The SPEAKER. Applause is noted for the record.

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

Mr. VROON. Just a very brief statement.

I am not holding forth for any kind of profit to be made by the municipality, but I think we ought to try to cover the expenses that they incur. I explained what it costs to handle paper in an office, and it is not as simple as just running it off on a Xerox machine. So I would urge that you please support this bill and help your municipality, and then you will not be asked to subsidize the costs of these reports.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Shall the bill pass finally?

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

YEAS—19

Bunt	Hagarty	Miller	Sirianni
Cessar	Hershey	Phillips	Snyder, G. M.
Clymer	Hutchinson	Pitts	Spencer
Evans	Lehr	Saurman	Vroon
Gallen	Manderino	Schuler	

NAYS—177

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

NOT VOTING—2

Mowery Spitz

EXCUSED—5

Dininni Maiale Marmion Ryan  
McIntyre

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

REMARKS ON VOTES

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Evans. For what reason does the gentleman rise?

Mr. EVANS. Mr. Speaker, on that last vote I incorrectly voted in the positive. I wanted to vote in the negative on HB 766.

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

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

Mr. PRESTON. Mr. Speaker, on SB 506, on the final vote, I would like to be recorded in the affirmative.

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

RULES SUSPENDED

The SPEAKER. The gentleman from Philadelphia, Mr. Cohen, wishes to introduce and have passed, if possible immediately, a resolution. Of course, in order to do that, the House must first suspend its rules.

The Chair recognizes the gentleman, Mr. Cohen.

Mr. COHEN. I am prepared to move to suspend the rules, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

It is moved by the gentleman from Philadelphia, Mr. Cohen, that the rules of the House be now suspended so that he may offer for immediate consideration a resolution.

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

The following roll call was recorded:

YEAS—197

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

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

NAYS—0

NOT VOTING—1

Pratt

EXCUSED—5

Dininni Maiale Marmion Ryan  
McIntyre

A majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

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

Mr. RAPPAPORT. Mr. Speaker, I would ask unanimous consent to have my name added to the resolution as a cosponsor.

The SPEAKER. If the gentleman, Mr. Cohen, has no objection, your name will be added to the resolution.

Let us deal with the substance of the resolution before we change sponsorship.

For what purpose does the gentleman from Lancaster, Mr. Armstrong, rise?

Mr. ARMSTRONG. Mr. Speaker, could we make it unanimous?

The SPEAKER. The Chair would suggest that before you make that motion, the House has a right to hear what the resolution is about.

**RESOLUTION ADOPTED**

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Cohen, who offers the following resolution.

The following resolution was read:

**House Resolution No. 175****A RESOLUTION**

Demanding that the Soviet Government release Soviet Jewish refusenik Anatoly Schcharansky from prison and permit him to emigrate.

WHEREAS, Anatoly Schcharansky was imprisoned after requesting to emigrate to Israel and freely practice his Judaism; and

WHEREAS, He begins his seventh year of imprisonment under the most deprived and brutal conditions and in deteriorating health, being denied contact with his family, and separated from his wife; and

WHEREAS, Such treatment violates the Soviet Union's international obligations including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the Helsinki Final Act on Security and Cooperation in Europe; and

WHEREAS, On January 20, 1984, he celebrated his 36th birthday; and

WHEREAS, The number 18 in Jewish tradition has come to represent life, or L'Hayim, thus it is even more compelling that on his 36th birthday he be set free; therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania extend belated birthday greetings to Soviet Jewish refusenik Anatoly Schcharansky; and be it further

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania demand that the Soviet Government release Schcharansky and permit him to emigrate.

Mark B. Cohen  
Bruce Smith  
Robert E. Belfanti, Jr.  
James C. Greenwood  
Barry L. Alderette  
Ivan Itkin  
Peter R. Vroon  
Allen Kukovich  
Gerard A. Kosinski  
George E. Saurman  
Ron Gamble  
Elinor Z. Taylor  
Roger F. Duffy  
Anthony J. Cimini  
William C. Rybak  
Edwin G. Johnson  
Stephen E. Levin  
Christopher R. Wogan  
Thomas R. Caltagirone  
Paul J. Angstadt  
Leland M. Beloff  
Paul I. Clymer  
H. William DeWeese  
William D. Mackowski  
Ruth C. Rudy  
Frances Weston  
John H. Broujos

On the question,

Will the House adopt the resolution?

The SPEAKER. The Chair now recognizes the gentleman, Mr. Cohen, on the resolution.

Mr. COHEN. Mr. Speaker, in the Soviet Union, to leave, you have to apply to leave just like in the United States. The difference is that in the Soviet Union when you apply to leave and permission is not granted, it is considered that you have committed a crime, and the people who apply to leave and are denied permission then get sent to prison. This is an absolutely outrageous practice.

Mr. Schcharansky is now in prison for 7 years. He desired to leave because he felt he could not practice the Jewish religion in the Soviet Union. He has committed nothing that we would consider a crime; nothing that fair-minded people anywhere would consider a crime. I therefore urge support of this resolution.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman from Montgomery, Mr. Gladeck, wish to debate the resolution?

Mr. GLADECK. No, Mr. Speaker. I just would like to ask if it would be possible to have every member of the House added as a cosponsor of the resolution.

The SPEAKER. This is not the time to do that, Mr. Gladeck. The Chair will recognize some member when the time comes. Let us see how we deal with the resolution first.

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

**YEAS—197**

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

Cowell	Johnson	Piccola	Wass
Coy	Kasunic	Pievsy	Weston
Deluca	Kennedy	Pistella	Wiggins
DeVerter	Klingaman	Pitts	Williams
DeWeese	Kosinski	Pott	Wilson
Daley	Kowalshyn	Pratt	Wogan
Davies	Kukovich	Preston	Wozniak
Dawida	Lashingier	Punt	Wright, D. R.
Deal	Laughlin	Rappaport	Wright, J. L.
Dombrowski	Lehr	Reber	Wright, R. C.
Donatucci	Lescovitz	Reinard	Zwikl
Dorr	Letterman	Richardson	
Duffy	Levi	Rieger	Irvis,
Durham	Levin	Robbins	Speaker
Evans	Linton	Rudy	

NAYS—0

NOT VOTING—1

Dietz

EXCUSED—5

Dininni	Maiale	Marmion	Ryan
McIntyre			

The question was determined in the affirmative, and the resolution was adopted.

The SPEAKER. Unless there be objection filed with the Speaker, the Speaker will direct that all members currently present on the master roll call have their names added to this resolution. If there be anyone present who does not wish that to happen, if you will file your objection privately with the Speaker, your name will not be attached. But unless the Speaker hears to the contrary, the Speaker directs that all members currently present on the master roll call will have their names added to this resolution. The Chair hears no objection.

### APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes, for the announcement of a committee meeting, the gentleman from Philadelphia, Mr. Pievsy.

Mr. PIEVSKY. Mr. Speaker, there will be a meeting of the Appropriations Committee immediately upon the call of the recess in the majority caucus room.

The SPEAKER. Majority caucus room, a meeting of the Committee on Appropriations immediately.

### EDUCATION COMMITTEE MEETING

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

Mr. GALLAGHER. Mr. Speaker, there will be a meeting of the Education Committee tomorrow at noon in room 401 to consider HB 1293, HB 381, and SB 928; 12 noon tomorrow in room 401, Education Committee.

The SPEAKER. Education Committee meeting at 12 noon tomorrow, room 401.

### ANNOUNCEMENT BY SPEAKER

The SPEAKER. The members are now free to leave. The House will be declared in recess until 4 p.m. There is no further business to be transacted on the floor of the House. We shall be in session at 11 o'clock tomorrow morning.

### SENATE MESSAGE

#### ADJOURNMENT RESOLUTION FOR CONCURRENCE

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

In the Senate, January 30, 1984

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, February 6, 1984 unless sooner recalled by the President Pro Tempore, and when the House of Representatives adjourns this week it reconvene on Monday, February 6, 1984 unless sooner recalled by the Speaker.

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

On the question,

Will the House concur in the resolution of the Senate?

Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

### 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**, and has appointed Senators HOLL, JUBELIRER and ZEMPRELLI a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

### BILL SIGNED BY SPEAKER

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

**SB 942, PN 1646**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for financial responsibility; providing for motor vehicle insurance first party benefits; providing for uninsured and underinsured motorist coverage; providing for an Assigned Risk Plan and Assigned Claims Plan; providing for a Catastrophic Loss Trust Fund; providing for insurance premiums; providing for fraud reporting immunity; providing for judicial arbitration limits; and making repeals.

**RECESS**

The SPEAKER. There being no further business to be brought before this session of the General Assembly, the Chair declares that the House will be in recess until 4 p.m.

**AFTER RECESS**

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

**CONFERENCE COMMITTEE APPOINTMENTS**

The SPEAKER. The Chair wishes to announce that it is in receipt of a communication from the majority leader to the effect that Representatives David Wright and Kurt Zwinkl, who heretofore were named as committee of conference members on SB 300, have withdrawn their names from that committee of conference, and in their place the Chair announces that Representative Russell Kowalyshyn and Representative David Sweet will be committee of conference members for the Democratic Party, and on the part of the Republican Party it will be Representative Merle Phillips.

**BILLS REREPORTED FROM COMMITTEE**

**HB 58, PN 2036** By Rep. PIEVSKY

An Act creating the Pennsylvania Adoption Cooperative Exchange; prescribing responsibilities; requiring certain agencies to cooperate with the exchange; and providing for regulations and staff.

**APPROPRIATIONS.**

**HB 226, PN 2335** By Rep. PIEVSKY

An Act amending the "Local Health Administration Law," approved August 24, 1951 (P. L. 1304, No. 315), further providing for State grants to county departments of health and to certain municipalities.

**APPROPRIATIONS.**

**HB 728, PN 2441 (Amended)**  
By Rep. PIEVSKY

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further defining "superannuation or normal retirement age"; authorizing the board to establish the valuation interests used in actuaries' annual valuations; and further providing for a cost-of-living increase to annuitants and for certain investments by the board.

**APPROPRIATIONS.**

**HB 1175, PN 2442 (Amended)**  
By Rep. PIEVSKY

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

**APPROPRIATIONS.**

**HB 1181, PN 1791** By Rep. PIEVSKY

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

**APPROPRIATIONS.**

**HB 1395, PN 1681** By Rep. PIEVSKY

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for the designation of waterways patrolmen; and providing for inchoate violations of this title.

**APPROPRIATIONS.**

**HB 1476, PN 2443 (Amended)**  
By Rep. PIEVSKY

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

**APPROPRIATIONS.**

**HB 1520, PN 1854** By Rep. PIEVSKY

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

**APPROPRIATIONS.**

**HB 1569, PN 1949** By Rep. PIEVSKY

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, authorizing a tax exemption to surviving spouses of certain veterans.

**APPROPRIATIONS.**

**HB 1596, PN 2444 (Amended)**  
By Rep. PIEVSKY

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

**APPROPRIATIONS.**

**HB 1604, PN 1998** By Rep. PIEVSKY

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), excluding transfers between brothers and sisters or their spouses.

**APPROPRIATIONS.**

**HB 1698, PN 2445 (Amended)**  
By Rep. PIEVSKY

An Act creating a task force on rural affairs; providing powers and duties for the task force; and establishing a termination date.

**APPROPRIATIONS.**

**HB 1723, PN 2336** By Rep. PIEVSKY

An Act providing for the operation of vending facilities by licensed blind persons; creating a Committee of Blind Vendors; granting powers to the committee and imposing duties upon the committee; and granting powers to and imposing duties upon an administrative unit in the Department of Welfare.

**APPROPRIATIONS.**

**HB 1726, PN 2337** By Rep. PIEVSKY

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), further providing for attendance at certain conferences, institutes and schools.

**APPROPRIATIONS.**

**HB 1727, PN 2338** By Rep. PIEVSKY

An Act amending "The First Class Township Code", approved June 24, 1931 (P. L. 1206, No. 331), changing the rates for per diem for attendance of appointed township officers and employees at conferences, institutes and schools.

**APPROPRIATIONS.**

**SB 152, PN 1549** By Rep. PIEVSKY

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for membership on the commission.

**APPROPRIATIONS.**

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

**HB 749, PN 832** By Rep. PIEVSKY

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further defining the term "superannuation age."

**APPROPRIATIONS.**

**BILL REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that HB 749 be lifted from the tabled calendar and placed on the active calendar.

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

**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 Montgomery, Mr. Bunt.

Mr. BUNT. Mr. Speaker, I move that this House do now adjourn until Wednesday, February 1, 1984, at 11 a.m., e.s.t.

On the question,  
Will the House agree to the motion?  
Motion was agreed to, and at 4:10 p.m., e.s.t., the House adjourned.