

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

WEDNESDAY, MARCH 14, 1984

SESSION OF 1984

168TH OF THE GENERAL ASSEMBLY

No. 18

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:

Merciful Lord, as stewards of Thy manifold gifts of grace, we come before Thee to share Thy love and care and concern for one another. We are deeply appreciative that Thou dost show Thy forgiving spirit to all mankind. We are extremely grateful that Thy love transcends all barriers and overcomes all difficulties to set forth before each of us Thy truth. We are forever thankful that Thou dost constantly endeavor to motivate and guide the steps of Thine own in pathways of service and love. We beseech Thee to enable each of us to give laudable accounts of our stewardship. And we pray that we may always walk as workmen of Thine in tribute, adoration, and praise. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal of Tuesday, March 13, 1984, will be postponed until the Journal is in print. *The Chair hears no objection.*

HOUSE BILLS INTRODUCED AND REFERRED

No. 1966 By Representative REBER

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, prohibiting fire police vehicles from being equipped with a combination of red and blue lights.

Referred to Committee on TRANSPORTATION, March 14, 1984.

No. 1967 By Representatives TRELLO, ALDERETTE, WILSON, PETRONE, DOMBROWSKI, J. L. WRIGHT, OLIVER, BOWSER,

GEIST, EVANS, B. SMITH, HALUSKA,
McVERRY, PRESTON, HASAY,
BELFANTI and PETRARCA

An Act authorizing the Secretary of Revenue, with the approval of the Attorney General, to establish a period during which interest and penalties on certain unpaid taxes will be waived if the taxes are paid in full; and authorizing political subdivisions to adopt similar provisions.

Referred to Committee on FINANCE, March 14, 1984.

No. 1968 By Representative SPENCER

An Act naming the new section of Route 15 in Richmond Township, Tioga County, bypassing Mansfield Borough, the Harold G. Strait Memorial Highway.

Referred to Committee on TRANSPORTATION, March 14, 1984.

No. 1969 By Representatives MORRIS, GRIECO, MADIGAN, BALDWIN, LLOYD, BROUJOS, SHOWERS, PHILLIPS, W. W. FOSTER, BOWSER, WASS, RUDY, STUBAN, CALTAGIRONE, DeVERTER, COLE, FARGO, COY, HALUSKA, HONAMAN, LUCYK, JOHNSON, SALOOM, SEVENTY, BATTISTO, ROBBINS, KUKOVICH, J. L. WRIGHT, SIRIANNI, PISTELLA, PRATT, PETRARCA, CLYMER, LESCOVITZ, FISCHER, SPENCER, GODSHALL, G. M. SNYDER, HERMAN, WACHOB, DORR, AFFLERBACH, PRESTON, D. R. WRIGHT, MERRY, SEMMEL, SCHEETZ, D. W. SNYDER and ITKIN

An Act requiring prompt payment to milk producers; providing for the establishment of a security fund; providing for a procedure to process claims against the security fund; providing for alternative methods of security on behalf of milk producers; and providing for certain prohibitions, repeals and penalties.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, March 14, 1984.

No. 1970 By Representatives DOMBROWSKI, PETRARCA, FATTAH, BELFANTI, CLARK, DeLUCA, LAUGHLIN and SEVENTY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for letters of warning for certain violations by official inspection stations.

Referred to Committee on TRANSPORTATION,
March 14, 1984.

No. 1971 By Representatives REBER, CORNELL,
BUNT, RAPPAPORT, HERSHEY and
MORRIS

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

Referred to Committee on JUDICIARY, March 14, 1984.

No. 1972 By Representatives D. R. WRIGHT,
BARBER, RUDY, HARPER,
MANDERINO, BELOFF, WACHOB,
McCALL, OLIVER, RICHARDSON,
KASUNIC, KLINGAMAN, GRUPPO,
ARTY, BUNT, GREENWOOD,
PETERSON, SWEET, MRKONIC,
COWELL, MARKOSEK, DEAL, DUFFY,
LIVENGOOD, PRATT, DOMBROWSKI,
PIEVSKY, LAUGHLIN, LLOYD,
McMONAGLE, VAN HORNE,
HUTCHINSON, DeWEESE, COLAFELLA,
KOSINSKI, WOZNIAC, MISCEVICH,
MURPHY, CLARK, FREEMAN,
RAPPAPORT, STEIGHNER, STEWART,
SEVENTY, CALTAGIRONE, KUKOVICH,
GALLAGHER, BATTISTO, LINTON,
BELFANTI, WAMBACH, PETRONE,
OLASZ, DeLUCA, ITKIN, PETRARCA,
LETTERMAN, McINTYRE, COY,
TRELLO, F. E. TAYLOR, ALDERETTE,
RYBAK, DURHAM, GEIST, FARGO,
HAGARTY, WILSON, LEVI,
L. E. SMITH, FREIND, BOOK,
JOHNSON, CIVERA, CESSAR,
R. C. WRIGHT, MERRY, BOYES,
HERSHEY, TELEK, CLYMER,
MICOZZIE, COSLETT, PHILLIPS,
SALVATORE and CAPPABIANCA

An Act requiring physicians to obtain informed consent from
patients for treatment of breast cancer.

Referred to Committee on HEALTH AND WELFARE,
March 14, 1984.

SENATE RESOLUTION FOR CONCURRENCE

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

SR 104, PN 1724

Referred to Committee on RULES, March 14, 1984.

LEAVES OF ABSENCE GRANTED

The SPEAKER. The Chair now turns to leaves of absence.

Does the gentleman from Philadelphia, Mr. Pievsky, have
any leaves of absence for the Democratic Party? None at this
time. If any develop, the Chair will return to leaves of
absence.

The Chair recognizes the minority whip for the Republican
Party.

Mr. HAYES. Thank you, Mr. Speaker.

I request a leave for the lady from Lancaster, Mrs.
HONAMAN, for the day; the gentleman from Centre, Mr.
HERMAN, for the day; and the gentleman from
Philadelphia, Mr. SALVATORE, for the day.

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

MASTER ROLL CALL RECORDED

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

The following roll call was recorded:

PRESENT—197

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

Duffy Livengood Robbins
 ADDITIONS—0
 NOT VOTING—0
 EXCUSED—6

Grieco Honaman Salvatore Spencer
 Herman Marmion

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

HB 1887, PN 2466 By Rep. LETTERMAN

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for free fishing days.

GAME AND FISHERIES.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that HB 1887 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 REPORTED FROM COMMITTEES,
 CONSIDERED FIRST TIME, AND TABLED**

HB 640, PN 2632 (Amended)

By Rep. RYBAK

An Act amending the act of August 12, 1971 (P. L. 313, No. 78), entitled "An act providing for elimination of discriminatory provisions relating to compensation for services and treatment under sickness and accident insurance contracts and providing for nondiscriminatory reimbursement of sickness and bodily injury claims thereunder," providing for the inclusion of non-profit health insurance plans.

INSURANCE.

HB 985, PN 1138 By Rep. TRELLO

An Act repealing section 4(c) of the "Senior Citizens Rebate and Assistance Act," approved March 11, 1971 (P. L. 104, No. 3), relating to rent rebates to tenants of tax exempt property.

FINANCE.

HB 1613, PN 2018 By Rep. TRELLO

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), excluding tax on retail sales of insulating materials.

FINANCE.

HB 1746, PN 2633 (Amended)

By Rep. TRELLO

An Act concerning a credit against the Pennsylvania income tax for crop contributions or livestock contributions, or both, to charitable organizations.

FINANCE.

HB 1757, PN 2254 By Rep. TRELLO

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853, No. 155), excluding groundwater heat pumps in determining the value of residential real estate.

FINANCE.

HB 1759, PN 2256 By Rep. TRELLO

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), excluding resident groundwater heat pumps from the sales tax.

FINANCE.

HB 1761, PN 2258 By Rep. TRELLO

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571, No. 254), excluding groundwater heat pumps in determining the value of residential real estate.

FINANCE.

HB 1823, PN 2374 By Rep. TRELLO

An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343, No. 176), further providing for payment of interest on certain Commonwealth purchases.

FINANCE.

SB 1139, PN 1706 By Rep. TRELLO

An Act amending the act of April 9, 1929 (P. L. 343, No. 176), entitled "The Fiscal Code," providing additional powers for the investment of moneys; providing for the issuance and refinancing of tax anticipation notes; and further providing for the temporary financing and refinancing of capital projects prior to the sale of bonds.

FINANCE.

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 294, PN 2612**, entitled:

An Act creating the Distressed Communities Task Force; establishing its powers and duties; and making an appropriation.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that HB 294, PN 2612, be recommitted to the Committee on Appropriations for a fiscal note.

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

* * *

The House proceeded to second consideration of **HB 1297, PN 2614**, entitled:

An Act providing for the establishment, operation and administration of small business incubator facilities; imposing powers and duties on the board and local sponsors; and making an appropriation.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that HB 1297, PN 2614, be recommitted to the Committee on Appropriations for a fiscal note.

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

BILLS AGREED TO ON SECOND CONSIDERATION

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

HB 1628, PN 2617.

* * *

The House proceeded to second consideration of **HB 1852, PN 2619**, entitled:

An Act amending the "Pennsylvania Higher Education Assistance Agency Act," approved August 7, 1963 (P. L. 549, No. 290), providing for the establishment of a Pennsylvania Scholars Award to academically qualified graduating students of secondary schools; making an appropriation; and making an editorial change.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that HB 1852, PN 2619, be recommitted to the Committee on Appropriations for a fiscal note.

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

* * *

The House proceeded to second consideration of **HB 1866, PN 2431**, entitled:

An Act amending "The Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), further providing for contracts with private residential rehabilitative institutions.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that HB 1866, PN 2431, be recommitted to the Committee on Appropriations for a fiscal note.

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

* * *

The House proceeded to second consideration of **HB 1889, PN 2620**, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), providing for a tax credit for contributions of equipment to educational institutions which are members of a consortium which has established an advanced technology center funded in part by the Board of the Ben Franklin Partnership Fund.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that HB 1889, PN 2620, be recommitted to the Committee on Appropriations for a fiscal note.

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

* * *

The House proceeded to second consideration of **HB 1898, PN 2621**, entitled:

An Act establishing an Information Technology Education Board within the Department of Education; enlarging the responsibilities of the Pennsylvania Higher Education Assistance Agency; creating Regional Computer Resource Centers; establishing Regional Computer Resource Center boards; and making appropriations.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that HB 1898, PN 2621, be recommitted to the Committee on Appropriations for a fiscal note.

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

Motion was agreed to.

* * *

The House proceeded to second consideration of **HB 1580, PN 2615**, entitled:

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

On the question,

Will the House agree to the bill on second consideration?

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that HB 1580, PN 2615, be recommitted for a fiscal note to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILLS AGREED TO ON SECOND CONSIDERATION CONTINUED

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

HB 1605, PN 2616.

* * *

The House proceeded to second consideration of **SB 538, PN 593**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for pay of officers and enlisted personnel.

On the question,

Will the House agree to the bill on second consideration?

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that SB 538, PN 593, be recommitted to the Committee on Appropriations for a fiscal note.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILLS AGREED TO ON SECOND CONSIDERATION CONTINUED

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

HB 923, PN 1061.

* * *

The House proceeded to second consideration of **SB 525, PN 1799**, entitled:

An Act amending the act of October 10, 1975 (P. L. 383, No. 110), entitled "Physical Therapy Practice Act," providing for the certification of athletic trainers by the State Board of Physical Therapy Examiners; creating an Athletic Trainer Advisory Committee; authorizing the setting of educational standards, certification standards and fees, for the renewal, revocation and suspension of certifications; further providing standards for the practice of physical therapy; making an appropriation; and providing penalties for violations of the act.

On the question,

Will the House agree to the bill on second consideration?

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that SB 525, PN 1799, be recommitted to the Committee on Appropriations for a fiscal note.

On the question,

Will the House agree to the motion?

Motion was agreed to.

* * *

The House proceeded to second consideration of **HB 300, PN 2613**, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing limited public funding of certain State-wide elections; limiting certain contributions; imposing powers and duties on the Department of State; and providing penalties.

On the question,

Will the House agree to the bill on second consideration?

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that HB 300, PN 2613, be recommitted to the Committee on Appropriations for a fiscal note.

On the question,

Will the House agree to the motion?

Motion was agreed to.

* * *

The House proceeded to second consideration of **HB 817, PN 914**, entitled:

An Act providing for the collection and maintenance of oral histories of the General Assembly and its proceedings, and of legislative documents and records not in the State Archives; providing further duties for the Pennsylvania Historical and Museum Commission; and making an appropriation.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.
Mr. MANDERINO. Mr. Speaker, I move that HB 817, PN 914, be recommitted to the Committee on Appropriations for a fiscal note.

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

* * *

The House proceeded to second consideration of **HB 1612, PN 2017**, entitled:

An Act amending the "Enforcement Officer Disability Benefits Law," approved June 28, 1935 (P. L. 477, No. 193), extending benefits to Capitol Police officers; and making editorial changes.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.
Mr. MANDERINO. Mr. Speaker, I move that HB 1612, PN 2017, be recommitted to the Committee on Appropriations for a fiscal note.

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

BILLS AGREED TO ON SECOND CONSIDERATION CONTINUED

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

HB 1781, PN 2285.

* * *

The House proceeded to second consideration of **HB 1817, PN 2368**, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns, and Townships," approved April 29, 1937 (P. L. 487, No. 115), requiring the Secretary of the Commonwealth to supply official registration application forms to State committees of political parties.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.
Mr. MANDERINO. Mr. Speaker, I move that HB 1817, PN 2368, be recommitted to the Committee on Appropriations for a fiscal note.

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

BILLS AGREED TO ON SECOND CONSIDERATION CONTINUED

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

HB 70, PN 79.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 1463, PN 1776 By Rep. HUTCHINSON
An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining the term "articulated bus."

TRANSPORTATION.

HB 1753, PN 2272 By Rep. HUTCHINSON
An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for certain vehicle owners to pay a processing fee in lieu of a registration fee.

TRANSPORTATION.

HB 1888, PN 2467 By Rep. HUTCHINSON
An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for exceptions to the two-year statute of limitations for actions under the Vehicle Code.

TRANSPORTATION.

HB 1921, PN 2519 By Rep. HUTCHINSON
An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for the registration and regulation of certain off-road vehicles including but not limited to all-terrain vehicles and trail bikes; and imposing powers and duties on the Department of Environmental Resources.

TRANSPORTATION.

SB 6, PN 6 By Rep. HUTCHINSON
An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing a penalty for leaving the scene of an accident involving an unattended vehicle or property.

TRANSPORTATION.

SB 73, PN 1803 (Amended) By Rep. HUTCHINSON
An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for speed timing devices; adding provisions relating to operation of and safety requirements for frozen dessert trucks; and providing penalties.

TRANSPORTATION.

SB 705, PN 1529

By Rep. FRYER

An Act amending the act of May 2, 1945 (P. L. 382, No. 164), entitled "Municipality Authorities Act of 1945," expanding the general powers to include steam and electric power facilities.

LOCAL GOVERNMENT.

SB 884, PN 1423

By Rep. FRYER

An Act amending the act of June 24, 1931 (P. L. 1206, No. 331), entitled "The First Class Township Code," eliminating certain mandatory retirement.

LOCAL GOVERNMENT.

SB 885, PN 1424

By Rep. FRYER

An Act amending the act of June 15, 1951 (P. L. 586, No. 144), entitled "An act regulating the suspension, removal, furloughing and reinstatement of police officers in boroughs and townships of the first class having police forces of less than three members, and in townships of the second class," eliminating certain mandatory retirement.

LOCAL GOVERNMENT.

SB 886, PN 1425

By Rep. FRYER

An Act amending the act of June 1, 1945 (P. L. 1232, No. 427), entitled "An act providing for and regulating the appointment, promotion and reduction in rank, suspension and removal of paid operators of fire apparatus in boroughs, incorporated towns and townships of the first class;....," eliminating certain mandatory retirement.

LOCAL GOVERNMENT.

SB 887, PN 1426

By Rep. FRYER

An Act amending the act of June 5, 1941 (P. L. 84, No. 45), entitled "An act providing for and regulating the appointment, promotion and reduction in rank, suspension and removal of paid members of the police force in boroughs, incorporated towns and townships of the first class maintaining a police force of not less than three members;....," eliminating certain mandatory retirement.

LOCAL GOVERNMENT.

SB 892, PN 1431

By Rep. FRYER

An Act amending the act of May 31, 1974 (P. L. 296, No. 94), entitled "An act providing for the appointment, promotion, reduction in rank, suspension, furlough, discharge and reinstatement of deputy sheriffs in counties of the second class;....," eliminating certain mandatory retirement.

LOCAL GOVERNMENT.

SB 899, PN 1438

By Rep. FRYER

An Act amending the act of July 28, 1953 (P. L. 723, No. 230), entitled, as amended, "Second Class County Code," eliminating certain mandatory retirement.

LOCAL GOVERNMENT.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 346, PN 2546**, entitled:

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

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—196

Afflerbach	Evans	Lucyk	Rudy
Alderette	Fargo	McCall	Ryan
Angstadt	Fattah	McClatchy	Rybak
Armstrong	Fee	McHale	Saloom
Arty	Fischer	McIntyre	Saurman
Baldwin	Flick	McMonagle	Scheetz
Barber	Foster, W. W.	McVerry	Schuler
Battisto	Foster, Jr., A.	Mackowski	Semmel
Belardi	Freeman	Madigan	Serafini
Belfanti	Freind	Maiale	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	Spitz
Bunt	Gladeck	Miller	Stairs
Burd	Godshall	Miscevich	Steighner
Burns	Greenwood	Mochlmann	Stevens
Caltagirone	Gruitza	Morris	Stewart
Cappabianca	Gruppo	Mowery	Stuban
Carn	Hagarty	Mrkoncic	Sweet
Cawley	Haluska	Murphy	Swift
Cessar	Harper	Nahill	Taylor, E. Z.
Cimini	Hasay	Noye	Taylor, F. E.
Civera	Hayes	O'Brien	Telek
Clark	Hershey	O'Donnell	Tigue
Clymer	Hoefel	Olasz	Trello
Cohen	Hutchinson	Oliver	Truman
Colafella	Itkin	Perzel	Van Horne
Cole	Jackson	Peterson	Vroon
Cordisco	Jarolin	Petrarca	Wachob
Cornell	Johnson	Petrone	Wambach
Coslett	Kasunic	Phillips	Wargo
Cowell	Kennedy	Piccola	Wass
Coy	Klingaman	Pievsky	Weston
DeLuca	Kosinski	Pistella	Wiggins
DeVerter	Kowalshyn	Pitts	Williams
DeWeese	Kukovich	Pott	Wilson
Daley	Lashinger	Pratt	Wogan
Davies	Laughlin	Preston	Wozniak
Dawida	Lehr	Punt	Wright, D. R.
Deal	Lescovitz	Rappaport	Wright, J. L.
Dietz	Letterman	Reber	Wright, R. C.
Dombrowski	Levi	Reinard	Zwinkl
Donatucci	Levin	Richardson	
Dorr	Linton	Rieger	Irvis,
Duffy	Livengood	Robbins	Speaker
Durham	Lloyd		

NAYS—0

NOT VOTING—1

Dininni

EXCUSED—6

Grieco
Herman

Honaman
Marmion

Salvatore

Spencer

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.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that the House do now suspend its rules so that three resolutions may be immediately placed before the House.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—183

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

NAYS—7

Hagarty	Hutchinson	Kukovich	Rappaport
Hoefel	Itkin	Nahill	

NOT VOTING—7

Fischer	Miller	Saurman	Williams
Maiale	Pratt	Sirianni	

EXCUSED—6

Grieco	Honaman	Salvatore	Spencer
Herman	Marmion		

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.

RESOLUTION ADOPTED

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

Mr. TRELLO. Mr. Speaker, I offer the following resolution.

The following resolution was read:

House Resolution No. 194

A RESOLUTION

Establishing a committee to investigate Department of Aging Directive #83-12.

WHEREAS, The Department of Aging has issued Directive #83-12 which requires competitive bidding on tangible client services. These services include homemaker care, home-delivered meals, etc.; and

WHEREAS, Many of the organizations which perform these services are nonprofit, private social service agencies which affects the interaction of clients, service deliveries, volunteers and government; and

WHEREAS, Many of these nonprofit organizations have little or no experience in the process of competitive bidding and may be underbid by proprietary agencies. Such an action would mean the abandonment of nonprofit agencies which have built a track record over many years; and

WHEREAS, The initial cost may be lower, the long-range cost, viewed in terms of quality of care and return on the dollar, may be much greater; therefore be it

RESOLVED, That the Speaker of the House of Representatives establish a committee to investigate Directive #83-12 to determine if these contracts should be awarded to agencies on criteria other than strict competitive bidding.

Fred A. Trello
David J. Mayernik
Richard D. Olasz
Steve Seventy
Lester K. Fryer
Thomas C. Petrone
Thomas A. Michlovic
Thomas J. Murphy, Jr.
George Miscevich
Anthony M. DeLuca
Ron Gamble
Joseph Preston, Jr.
Barry L. Alderette
Richard J. Cessar
William K. Klingaman, Sr.

The SPEAKER. In order to speed things up today, this being the last day of the session, the Chair, without objection, is going to take a voice vote on these resolutions. The Chair hears no objection.

On the question,
Will the House adopt the resolution?
Resolution was adopted.

RESOLUTION ADOPTED

The SPEAKER. The Chair recognizes the gentleman from York, Mr. Foster.

Mr. A. C. FOSTER. Mr. Speaker, I offer the following resolution.

The following resolution was read:

House Resolution No. 195

A RESOLUTION

Memorializing Congress to propose an amendment to the United States Constitution, which would allow children in public schools to engage in certain forms of prayer.

WHEREAS, Voluntary prayer and the acknowledgment of God form an important part of our governmental and cultural tradition in the United States; and

WHEREAS, The importance of God in our national life is evident from the fact that:

(1) The Declaration of Independence declares that mankind's inalienable right to life, liberty and the pursuit of happiness is an endowment from God.

(2) The national anthem affirms our trust in Almighty God.

(3) The pledge of allegiance to our country officially recognizes the primacy of God.

(4) The writings of our founding fathers are replete with prayers and references to God.

(5) Chaplains are provided, at taxpayer expense, to provide religious services for the members of the armed forces.

(6) The session day of each chamber of the General Assembly and of the Congress is opened with a prayer in which the guidance of Almighty God is sought; and

WHEREAS, Voluntary prayer had formed an important part of our tradition of public education for nearly 200 years until 1963 when the United States Supreme Court ordered that prayer be taken out of our public schools; and

WHEREAS, Public opinion surveys establish that the great majority of the American people believe that children should be allowed to engage in voluntary prayer in our public schools; and

WHEREAS, Congressional action on proposals to amend the United States Constitution in order to restore the right of our children to engage in voluntary school prayer is long overdue; therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania memorialize the Congress of the United States to propose an amendment to the Constitution of the United States which would allow children to engage in voluntary silent or vocal prayer in our public schools; and be it further

RESOLVED, That copies of this resolution be transmitted to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

A. Carville Foster, Jr.
Ron Gamble
Donald W. Dorr
Samuel E. Hayes, Jr.
Matthew J. Ryan
Fred A. Trello
James R. Merry
Russell P. Letterman
Edwin G. Johnson
Russell Kowalyszyn

Mary Ann Arty
Gerald F. McMonagle
Richard J. Cessar
George C. Hasay
Kenneth J. Cole
Edward J. Lucyk
Robert E. Belfanti, Jr.
Paul Wass
William Telek
Raymond Bunt, Jr.
Richard D. Olasz
Stanley J. Jarolin
Bernard J. Dombrowski
Eugene G. Saloom
Merle H. Phillips
William D. Mackowski
John E. Peterson
Joseph Levi II
William K. Klingaman, Sr.
Robert W. Godshall
Emil Mrkonjic
Leonard Q. Gruppo
George E. Saurman
Nicholas A. Colafella
Charles P. Laughlin
Harry E. Bowser
Jess Stairs
Lester K. Fryer
John Kennedy
Steve Seventy
Robert D. Robbins
Anthony M. DeLuca
Roger F. Duffy
Carmel Sirianni
Joseph R. Pitts
Stephen F. Freind
Thomas C. Petrone
Peter J. Daley
William C. Rybak
Richard A. McClatchy, Jr.
Bruce Smith
Joseph G. Wargo
Arthur D. Hershey
Paul I. Clymer
Frank Coslett
George Misceovich
Gregory M. Snyder
Joseph W. Battisto
Clarence E. Dietz
Jeffrey W. Coy
Thomas J. Fee
Roger Raymond Fischer
Camille George
Thomas P. Gannon
Michael C. Gruitza
Henry Livengood
Stanford I. Lehr
Richard A. Kasunic
Victor John Lescovitz
Lynn B. Herman
Thomas J. Murphy, Jr.
Fred C. Noye
John M. Perzel
Jeffrey E. Piccola
Frank J. Pistella
George F. Pott, Jr.
James M. Burd
Terry R. Scheetz
Fred Taylor

William J. Stewart
 Gaynor Cawley
 Frank A. Serafini
 Samuel W. Morris
 L. Eugene Smith
 Karl W. Boyes
 Terry L. Punt
 Kathrynann W. Durham
 Correale F. Stevens
 Kevin Blaum
 Joseph M. Gladeck, Jr.
 Robert J. Flick
 Gerard A. Kosinski
 Anthony J. Cimini
 Joseph V. Grieco

On the question,
 Will the House adopt the resolution?
 Resolution was adopted.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Rappaport, to make a statement on the Foster resolution. The Chair would suggest that no further statements be made. Take the wisdom of the Chair on this, please.

Mr. RAPPAPORT. Mr. Speaker, the House has now adopted the Foster resolution by a voice vote. I think it should be clear from what has happened in the last few moments that there are a number of us who are opposed to this amendment as a matter of very basic principle.

However, this resolution is merely hortatory in nature to the Congress. The Congress, of course, will have to adopt this as a constitutional amendment, and then it will come back to us to ratify or not to ratify the constitutional amendment. As, if, and when that ever happens, I, for one, will have a great deal to say on the floor of this House. I know there are a number of others who will have a great deal to say. However, since the issue is really not before us at this point, I shall not try the patience of the House with debating this resolution at this time.

I might add that there are many of us who have very serious problems. Just for the information of the House, my child attends a religious private school, because I want him to have that kind of an education, but I do not believe the public schools should be involved in it. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Speaker takes official notice of the fact that on the voice vote there were a number of negatives, and the Chair does not think it is wise to proceed further in elucidating on that point. There were a number of negatives, for the record, on the voice vote against the Peck Foster resolution.

The gentleman, Mr. Mayernik, has a resolution which is not yet down, so the Chair will delay vote on that one until that resolution is before the House.

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1270, PN 2552**, entitled:

An Act amending "The Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), further providing for nominating petitions and affidavits; further providing for certain vacancies in public office; further providing for vacancies in certain elections; further providing for ballot forms; and providing for the duties of magistrates and district justices on primary and election days.

On the question,

Will the House agree to the bill on third consideration?

Mr. PETRONE offered the following amendments No. A0606:

Amend Sec. 1 (Sec. 909), page 2, line 14, by striking out the bracket before "UNLESS"

Amend Sec. 1 (Sec. 909), page 2, line 15, by inserting brackets before and after "JUDICIAL"

Amend Sec. 1 (Sec. 909), page 2, line 15, by inserting after "CANDIDATE"

for the office of justice of the peace

Amend Sec. 1 (Sec. 909), page 2, line 17, by striking out the bracket after "PARTY"

Amend Sec. 2 (Sec. 910), page 3, line 12, by striking out the bracket before "UNLESS"

Amend Sec. 2 (Sec. 910), page 3, line 12, by inserting a bracket before "JUDGE"

Amend Sec. 2 (Sec. 910), page 3, line 14, by inserting a bracket after "FOR"

Amend Sec. 2 (Sec. 910), page 3, line 15, by striking out the bracket after "PEACE"

Amend Sec. 3 (Sec. 976), page 5, line 3, by striking out the bracket before "EXCEPT"

Amend Sec. 3 (Sec. 976), page 5, line 3, by inserting a bracket before "JUDGE"

Amend Sec. 3 (Sec. 976), page 5, line 5, by inserting a bracket after "OF" where it appears the first time

Amend Sec. 3 (Sec. 976), page 5, line 6, by striking out the bracket after "PEACE"

Amend Sec. 4 (Sec. 993), page 6, line 26, by striking out the bracket before "UNLESS"

Amend Sec. 4 (Sec. 993), page 6, line 26, by inserting a bracket before "JUDGE"

Amend Sec. 4 (Sec. 993), page 6, line 28, by inserting a bracket after "OF" where it appears the first time

Amend Sec. 4 (Sec. 993), page 6, line 29, by striking out the bracket after "PEACE"

Amend Sec. 4 (Sec. 993), page 7, line 2, by striking out the bracket before "UNLESS"

Amend Sec. 4 (Sec. 993), page 7, line 3, by inserting a bracket before "JUDGE"

Amend Sec. 4 (Sec. 993), page 7, line 5, by inserting a bracket after "OF" where it appears the first time

Amend Sec. 4 (Sec. 993), page 7, line 5, by striking out the bracket after "PEACE"

Amend Sec. 4 (Sec. 998), page 7, line 18, by striking out the bracket before "UNLESS"

Amend Sec. 4 (Sec. 998), page 7, line 19, by inserting a bracket before "JUDGE"

Amend Sec. 4 (Sec. 998), page 7, line 21, by inserting a bracket after "OF" where it appears the first time

Amend Sec. 4 (Sec. 998), page 7, line 22, by striking out the bracket after "PEACE"

Amend Sec. 4 (Sec. 998), page 8, line 4, by striking out the bracket before "UNLESS"

Amend Sec. 4 (Sec. 998), page 8, line 5, by inserting a bracket before "JUDGE"

Amend Sec. 4 (Sec. 998), page 8, line 7, by inserting a bracket after "OF" where it appears the first time

Amend Sec. 4 (Sec. 998), page 8, line 7, by striking out the bracket after "PEACE"

Amend Sec. 5 (Sec. 1004), page 8, line 18, by striking out the bracket before the comma

Amend Sec. 5 (Sec. 1004), page 8, line 19, by inserting a bracket before "JUDGE"

Amend Sec. 5 (Sec. 1004), page 8, line 21, by inserting a bracket after "OF" where it appears the first time

Amend Sec. 5 (Sec. 1004), page 8, line 21, by striking out the bracket after "PEACE"

On the question,

Will the House agree to the amendments?

The SPEAKER. On that question, the Chair recognizes the gentleman from Allegheny, Mr. Petrone.

Mr. PETRONE. Thank you, Mr. Speaker.

What this amendment does is remove from the cross-filing barring district magistrates of all districts in the Commonwealth. As you know, this was in another piece of legislation that was vetoed by the Governor a short while ago, and many of us feel that while the judicial candidates statewide can remain in the bill, we would like to have district magistrates removed from it. Essentially, that is what it does. Thank you.

The SPEAKER. The Chair thanks the gentleman.

PARLIAMENTARY INQUIRY

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

Mr. SEVENTY. Thank you, Mr. Speaker.

A point of parliamentary procedure. I also have an amendment that would include Mr. Petrone's amendment, only it goes much further. Would I have any problem passing mine if his passes?

The SPEAKER. You may very well. An amendment, if adopted by the House after Mr. Petrone's amendment has gone into the bill, might very well affect Mr. Petrone's amendment. It would be wise for the two of you men to sit down together and look at your amendments and see which of the two you wish to offer.

Mr. SEVENTY. I would respectfully ask Mr. Petrone to—

AMENDMENTS WITHDRAWN TEMPORARILY

The SPEAKER. Would the gentleman, Mr. Petrone, temporarily withdraw his amendment?

Mr. PETRONE. Yes, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Petrone, withdraws his amendment.

BILL PASSED OVER TEMPORARILY

The SPEAKER. The House will temporarily pass over HB 1270.

Mr. Ryan, on page 10, the Chair has these marked over temporarily because the Republican Party has not yet caucused. Has there been any agreement?

Mr. RYAN. Mr. Speaker, that is correct. There are a number of these resolutions. I guess these are concurrences.

The SPEAKER. Concurrence in Senate amendments.

Mr. RYAN. I would simply request, Mr. Speaker, that the prime sponsor or one of the sponsors explain briefly the changes made by the Senate. As we reviewed them quickly, we found nothing that was so serious that we believed we needed a caucus for. However, if any of our members differ from that, we of course would ask for a caucus. I would ask for an explanation as you hit each bill.

The SPEAKER. The Chair thanks the gentleman.

BILLS ON CONCURRENCE IN SENATE AMENDMENTS

The clerk of the Senate, being introduced, returned the following **HB 793, PN 2593**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for suspensions for failure to stop for flashing red signals on school buses; further providing for school bus operators to report violations to appropriate police officers; further providing for the use of certain school bus signals when such bus is used to transport disabled persons; and changing a penalty.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Geist.

Mr. GEIST. Thank you, Mr. Speaker.

I would urge concurrence in the Senate amendments. The only changes in the legislation were that the Pitts amendment was taken out that was put in in the House, and the fines for vehicles and trucks were put in in the Senate.

I would urge concurrence.

The SPEAKER. The Chair thanks the gentleman.

It has been moved by the gentleman, Mr. Geist, that the House do concur in amendments inserted by the Senate.

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—195

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

Book	Gallagher	Manmiller	Sirianni
Bowser	Gallen	Markosek	Smith, B.
Boyes	Gamble	Mayermik	Smith, L. E.
Brandt	Gannon	Merry	Snyder, D. W.
Broujos	Geist	Michlovic	Snyder, G. M.
Bunt	George	Micozzie	Stairs
Burd	Gladeck	Miller	Steighner
Burns	Godshall	Miscevich	Stevens
Caltagirone	Greenwood	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	Tigue
Clymer	Hershey	O'Donnell	Trello
Cohen	Hoeffel	Olasz	Truman
Colafella	Hutchinson	Oliver	Van Horne
Cole	Itkin	Perzel	Vroon
Cordisco	Jackson	Peterson	Wachob
Cornell	Jarolin	Petrarca	Wambach
Coslett	Johnson	Petrone	Wargo
Cowell	Kasunic	Phillips	Wass
Coy	Kennedy	Piccola	Weston
Deluca	Klingaman	Pievsky	Wiggins
DeVerter	Kosinski	Pistella	Williams
DeWeese	Kowalshyn	Pitts	Wilson
Daley	Kukovich	Pott	Wogan
Davies	Lashinger	Pratt	Wozniak
Dawida	Laughlin	Preston	Wright, D. R.
Deal	Lehr	Punt	Wright, J. L.
Dietz	Lescovitz	Rappaport	Wright, R. C.
Dininni	Letterman	Reber	Zwikl
Dombrowski	Levi	Reinard	
Donatucci	Levin	Richardson	Irvis,
Dorr	Linton	Rieger	Speaker
Duffy			

NAYS—0

NOT VOTING—2

McClatchy Spitz

EXCUSED—6

Grieco Honaman Salvatore Spencer
Herman Marmion

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

* * *

The clerk of the Senate, being introduced, returned the following **HB 1209, PN 2595**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for parking for handicapped persons; further providing for the use of hearing impairment devices; providing for inspection of motorcycles; and adding provisions relating to motorcycle safety.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. The Chair recognizes, on that question, the gentleman from Northampton, Mr. Rybak.

Mr. RYBAK. Mr. Speaker, I defer to Representative Moehlmann on the concurrence.

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

The Chair recognizes the gentleman from Lebanon, Mr. Moehlmann, on concurrence.

Mr. MOEHLMANN. Thank you, Mr. Speaker.

The Senate amended HB 1209 in two places. On page 2, lines 3 through 10 of the bill, my discussions with members of the Senate and their staffs indicated that some of the members of the Senate felt that the language of the bill as we sent it over would permit motorcycle operators to wear what we refer to as the Walkman-type radio or tape player that has an earphone that inserts into the ear or covers the ear. They felt they would not like to permit that.

The intent of the amendment is to permit the use of communications radio equipment that is designed for use with a motorcycle, with a motorcycle helmet, but to prohibit the use of the Walkman type of device that would have an earphone that inserts into or covers the ear.

The other amendment on page 5 is strictly a clarifying amendment. It does not substantively change the bill. It simply clarifies that the \$2 fee for a motorcycle operator's license is to be a \$2 fee annually. Thank you, Mr. Speaker.

Mr. Speaker, I move for concurrence, and I urge others to vote for concurrence in Senate amendments to HB 1209.

The SPEAKER. It has been moved by the gentleman, Mr. Moehlmann, that the House do concur in amendments inserted by the Senate to HB 1209, PN 2595.

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—190

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

Cole	Hutchinson	Olasz	Van Horne
Cordisco	Itkin	Oliver	Vroon
Cornell	Jackson	Perzel	Wachob
Coslett	Jarolin	Peterson	Wambach
Cowell	Johnson	Petrarca	Wargo
Coy	Kasunic	Petrone	Wass
Deluca	Kennedy	Phillips	Weston
DeVerter	Klingaman	Piccola	Wiggins
DeWeese	Kosinski	Pievsky	Williams
Daley	Kowalshyn	Pistella	Wilson
Davies	Kukovich	Pitts	Wogan
Dawida	Lashinger	Pott	Wozniak
Deal	Laughlin	Pratt	Wright, D. R.
Dietz	Lehr	Preston	Wright, R. C.
Dininni	Lescovitz	Punt	Zwikel
Dombrowski	Letterman	Rappaport	
Donatucci	Levi	Reber	Irvis,
Dorr	Levin	Reinard	Speaker

NAYS—4

Cawley	Lloyd	Stevens	Tigue
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NOT VOTING—3

Fattah	Spitz	Wright, J. L.
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EXCUSED—6

Grieco	Honaman	Salvatore	Spencer
Herman	Marmion		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

* * *

The clerk of the Senate, being introduced, returned the following **HB 1405, PN 2597**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

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

On the question,

Will the House concur in Senate amendments?

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

Mr. LAUGHLIN. Mr. Speaker, the Senate placed within the bill a provision providing for a 10-cents-a-mile payback by the person who would have the vehicle in their possession for possibly a period of 9 or 10 months so that at least the manufacturer would be able to recoup whatever useful use that that person had from the vehicle. Ten cents a mile is not an excessive amount nor is 10 percent of the purchase price, whichever is lower. That is what they amended, Mr. Speaker.

In addition to that, they placed within the bill a provision which provides for the fact that on the second trip to the dealer a notice would be sent to the manufacturer of the deficiency with regard to nonconformity of the warranty.

In addition to that, Mr. Speaker, they placed in the bill an amended version of the resale provision that we had previously placed in that gave it a little more definition. It also included a provision that those vehicles that are in some way defective in the steering mechanism or braking mechanism would not be resold in the State of Pennsylvania.

I ask for concurrence, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, for the benefit of the members of our caucus, the gentleman, Mr. Burns, is not present on the floor of the House, and we have checked and it is our understanding that he approves of the changes made by the Senate.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman from Indiana, Mr. Wass, wish to make a statement on the amendments or on the vote on concurrence?

Mr. WASS. Mr. Speaker, may I interrogate Mr. Laughlin on the amendments?

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

Mr. WASS. Mr. Speaker, I had just a little concern over your announcement that the owner of a car would have to pay possibly 10 percent of the purchase price.

Mr. LAUGHLIN. Or 10 cents per mile, whichever is the less of the two.

Mr. WASS. Thank you very much.

The SPEAKER. It has been moved by the gentleman from Beaver, Mr. Laughlin, that the House do concur in amendments inserted by the Senate to HB 1405.

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—194

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

Coy	Kasunic	Petrone	Wass
DeLuca	Kennedy	Phillips	Weston
DeVerter	Klingaman	Piccola	Wiggins
DeWeese	Kosinski	Pievsky	Williams
Daley	Kowalyszyn	Pistella	Wilson
Davies	Kukovich	Pitts	Wogan
Dawida	Lashinger	Pott	Wozniak
Deal	Laughlin	Preston	Wright, D. R.
Dietz	Lehr	Punt	Wright, J. L.
Dininni	Lescovitz	Rappaport	Wright, R. C.
Dombrowski	Letterman	Reber	Zwikel
Donatucci	Levi	Reinard	
Dorr	Levin	Richardson	Irvis,
Duffy	Linton	Rieger	Speaker

NAYS—0

NOT VOTING—3

Arty Pratt Spitz

EXCUSED—6

Grieco Honaman Salvatore Spencer
Herman Marmion

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

FILMING PERMISSION GRANTED

The SPEAKER. The Chair now gives permission to channel 16 from Scranton, Pennsylvania, to film for 10 minutes TV tape on the floor of the House beginning now.

BILLS ON CONCURRENCE IN
SENATE AMENDMENTS CONTINUED

The clerk of the Senate, being introduced, returned the following **HB 1616, PN 2591**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending the "State Public School Building Authority Act," approved July 5, 1947 (P. L. 1217, No. 498), providing for the financing of projects through loans by the Authority and authorizing the use of facsimile signatures.

On the question,

Will the House concur in Senate amendments?

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

Mr. GALLAGHER. Mr. Speaker, on HB 1616 in the Senate, the amendments primarily are technical amendments. The State Public School Building Authority Act permits an authority board member to designate in writing a proxy member to attend the meetings in his place. The authorization of such proxy must be made at each separate meeting, and this provision is already in the Pennsylvania Higher Education Facilities Authority Act, so I urge concurrence in Senate amendments.

The SPEAKER. The Chair thanks the gentleman.

It has been moved by the gentleman, Mr. Gallagher, that the House do concur in amendments inserted by the Senate to HB 1616, PN 2591.

On the question recurring,
Will the House concur in Senate amendments?

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

YEAS—195

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

NAYS—0

NOT VOTING—2

Clark Tighe

EXCUSED—6

Grieco Honaman Salvatore Spencer
Herman Marmion

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

* * *

The clerk of the Senate, being introduced, returned the following **HB 1617, PN 2592**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending "The Pennsylvania Higher Educational Facilities Authority Act of 1967," approved December 6, 1967 (P. L. 678, No. 318), providing for the financing of projects through loans by the authority.

On the question,

Will the House concur in Senate amendments?

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

Mr. **GALLAGHER**. Mr. Speaker, the Senate amended page 6 and page 7 more simply than the previous amendments. It changes from the Department of "Property and Supplies" to the Department of "General Services." I urge the adoption of the amendment.

The **SPEAKER**. It is moved by the gentleman, Mr. Gallagher, that the House do concur in amendments inserted by the Senate to HB 1617, PN 2592.

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—195

Afflerbach	Durham	Lloyd	Robbins
Alderette	Evans	Lucyk	Rudy
Angstadt	Fargo	McCall	Ryan
Armstrong	Fattah	McClatchy	Rybak
Arty	Fee	McHale	Saloom
Baldwin	Fischer	McIntyre	Scheetz
Barber	Flick	McMonagle	Schuler
Battisto	Foster, W. W.	McVerry	Semmel
Belardi	Foster, Jr., A.	Mackowski	Serafini
Belfanti	Freeman	Madigan	Seventy
Beloff	Freind	Maiale	Showers
Blaum	Fryer	Manderino	Sirianni
Book	Gallagher	Manmiller	Smith, B.
Bowser	Gallen	Markosek	Smith, L. E.
Boyes	Gamble	Mayernik	Snyder, D. W.
Brandt	Gannon	Merry	Snyder, G. M.
Broujos	Geist	Michlovic	Spitz
Bunt	George	Micozzie	Stairs
Burd	Gladeck	Miller	Steighner
Burns	Godshall	Miscevich	Stevens
Caltagirone	Greenwood	Moehlmann	Stewart
Cappabianca	Gruitza	Morris	Stuban
Carn	Gruppo	Mowery	Sweet
Cawley	Hagarty	Mrkonie	Swift
Cessar	Haluska	Murphy	Taylor, E. Z.
Cimini	Harper	Nahill	Taylor, F. E.
Civera	Hasay	Noye	Telek
Clark	Hayes	O'Brien	Tigue
Clymer	Hershey	O'Donnell	Trello
Cohen	Hoeffel	Olasz	Truman
Colafella	Itkin	Oliver	Van Horne
Cole	Jackson	Perzel	Vroon
Cordisco	Jarolin	Peterson	Wachob
Cornell	Johnson	Petrarca	Wambach
Coslett	Kasunic	Petrone	Wargo
Cowell	Kennedy	Phillips	Wass
Coy	Klingaman	Piccola	Weston
DeLuca	Kosinski	Pievsky	Wiggins
DeVerter	Kowalshyn	Pistella	Williams

DeWeese	Kukovich	Pitts	Wilson
Daley	Lashinger	Pott	Wogan
Davies	Laughlin	Pratt	Wozniak
Dawida	Lehr	Preston	Wright, D. R.
Deal	Lescovitz	Punt	Wright, J. L.
Dietz	Letterman	Rappaport	Wright, R. C.
Dininni	Levi	Reber	Zwinkl
Dombrowski	Levin	Reinard	
Donatucci	Linton	Richardson	Irvis,
Dorr	Livengood	Rieger	Speaker
Duffy			

NAYS—0

NOT VOTING—2

Hutchinson Saurman

EXCUSED—6

Grieco Honaman Salvatore Spencer
Herman Marmion

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

RESOLUTIONS

Mr. **WILSON** called up **HR 190, PN 2622**, entitled:

Directing the Speaker of the House of Representatives to appoint a special bipartisan committee to study the impact of the recent divestiture of American Telephone and Telegraph, Inc. on Pennsylvania consumers.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—193

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

Cornell	Jackson	Peterson	Wargo
Coslett	Jarolin	Petrone	Wass
Cowell	Johnson	Phillips	Weston
Coy	Kasunic	Piccola	Wiggins
Deluca	Kennedy	Pievsky	Williams
DeVerter	Klingaman	Pistella	Wilson
DeWeese	Kosinski	Pitts	Wogan
Daley	Kowalyszyn	Pott	Wozniak
Davies	Lashinger	Preston	Wright, D. R.
Dawida	Laughlin	Punt	Wright, J. L.
Deal	Lehr	Rappaport	Wright, R. C.
Dietz	Lescovitz	Reber	Zwikl
Dininni	Letterman	Reinard	
Dombrowski	Levi	Richardson	Irvis,
Donatucci	Levin	Rieger	Speaker
Dorr	Linton	Robbins	

NAYS—0

NOT VOTING—4

Kukovich	Petrarca	Pratt	Spitz
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EXCUSED—6

Grieco	Honaman	Salvatore	Spencer
Herman	Marmion		

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

REMARKS ON VOTE

The SPEAKER. For what purpose does the gentleman from Montgomery, Mr. Saurman, rise?

Mr. SAURMAN. Mr. Speaker, I was out of my seat on the vote on concurrence on HB 1617. Had I been in my seat, I would have voted in the affirmative.

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

RESOLUTIONS CONTINUED

Mr. LAUGHLIN called up **HR 188, PN 2601**, entitled:

Directing the Pennsylvania Public Utility Commission to implement contract carriage of natural gas and design an effective program to facilitate the transportation of intrastate and interstate natural gas to Pennsylvania consumers.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

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

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

NAYS—0

NOT VOTING—3

Fischer	Miller	Spitz
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EXCUSED—6

Grieco	Honaman	Salvatore	Spencer
Herman	Marmion		

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

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

REMARKS ON VOTE

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

Mrs. ARTY. Thank you, Mr. Speaker.

I rise and ask of the Chair that on HB 1405, concurrence with the Senate amendments, my vote failed to register, and may I please be recorded as being in the affirmative on this vote?

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

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 588, PN 2636 (Amended)

By Rep. RICHARDSON

An Act amending the act of June 18, 1974 (P. L. 359, No. 120), referred to as the "Municipal Police Education and Training Law," including first class cities within the act; and making an appropriation.

URBAN AFFAIRS.

The SPEAKER. Will the gentleman from Montgomery, Mr. Reber, and the gentleman from Allegheny, Mr. Trello, confer now with the majority leader and the minority leader? We are ready to run HB 452, but if their amendments are important to them and we cannot have them withdrawn—Mr. Trello will withdraw his amendment? He will not withdraw it.

The House will stand at ease. The Chair suggests that Mr. Trello and Mr. Reber talk with both their leaders.

The Chair is trying to get you out of here early, and we are now at a point where we have only two bills to consider - HB 1270 and HB 452.

REMARKS ON VOTE

The SPEAKER. For what purpose does the gentleman from Luzerne, Mr. Tigue, rise?

Mr. TIGUE. Mr. Speaker, I failed to cast my vote on concurrence in HB 1616. If I had voted, I would have voted in the affirmative.

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

The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, it is my understanding that the amendment that was ordered by Mr. Reber yesterday has not come down. I do not know if it is necessary that we wait to run this today or whether it could be held over until Monday. That, of course, is a decision of the majority leader.

The SPEAKER. Mr. Jarolin, your bill, HB 452, would be ready to run if there were no amendments. The Chair has been advised that Mr. Trello and Mr. Reber have amendments which neither will withdraw. You must now confer with the majority leader to see whether or not the bill should be held over or whether we should come back here this afternoon and take it up. The Chair will await the decision of the majority leader.

The House will stand at ease.

BILLS ON THIRD
CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 452, PN 513**, entitled:

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

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?

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

Mr. REBER. Thank you, Mr. Speaker.

For the record, I do withdraw the amendment that I have ordered, which I understand is on its way down. I would like to make a short statement on the bill, if that would be permissible, and also elicit one question of interrogation from the prime sponsor.

As the House will recall, yesterday I was concerned about the fact that the bill as drafted only specified the word "misdemeanor." But as a result of my research, I have determined that a crime declared to be a misdemeanor without specification of degree is defined under the Crimes Code as a third-degree misdemeanor in section 106(b)(9), and I would simply ask the prime sponsor if he agrees with that definition and determination in reference to HB 452.

Mr. JAROLIN. Mr. Speaker, yes, I do.

Mr. REBER. Thank you very much.

Mr. Speaker, I have no further questions or objections, and I would ask the bill to be run as is. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair is informed that the gentleman, Mr. Trello, has withdrawn his amendment. Therefore, the bill is before the House on final passage.

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—194

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

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

NAYS—1

Fryer

NOT VOTING—2

Pratt

Spitz

EXCUSED—6

Grieco
HermanHonaman
Marmion

Salvatore

Spencer

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.

CONSIDERATION OF HB 1270 RESUMED

On the question recurring,

Will the House agree to the bill on third consideration?

The SPEAKER. The gentleman, Mr. Petrone, has withdrawn his amendment.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. SEVENTY offered the following amendments No. A0861:

Amend Title, page 1, lines 11 through 14, by striking out "FURTHER PROVIDING FOR NOMINATING PETITIONS AND" in line 11, all of lines 12 and 13 and "FURTHER PROVIDING FOR BALLOT FORMS; AND" in line 14

Amend Bill, page 1, lines 19 through 23; pages 2 through 8, lines 1 through 30; page 9, lines 1 through 17, by striking out all of said lines on said pages

Amend Sec. 6, page 9, line 20, by striking out "6" and inserting

1

Amend Sec. 6, page 9, line 20, by removing the comma after "ACT" and inserting

of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code,

Amend Sec. 6 (Sec. 1206), page 10, line 7, by inserting after "PLEAS"

in all judicial districts

Amend Sec. 7, page 10, line 25, by striking out "7" and inserting

2

On the question,

Will the House agree to the amendments?

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

Mr. SEVENTY. Thank you, Mr. Speaker.

The reason for my amendment is to bring the bill back to its original intent, which was to help expedite the election process. I think our election process needs a lot of help. We may even bring up some of the percentages of voters. I would appreciate your acceptance of this amendment. Thank you very much.

What did I do? I have eliminated all the cross-filing provisions in the bill.

I beg your pardon, Mr. Speaker. I did not eliminate the cross-filing; I left the cross-filing as it always has been.

The SPEAKER. The Chair thanks the gentleman for correcting his statement.

The amendment does not allow cross-filing, and that would mean district justices as well. Is that correct?

On that question, the Chair recognizes the gentleman from Allegheny, Mr. Dawida.

Mr. DAWIDA. Mr. Speaker, I speak as a person who has voted every single time for cross-filing, for politics, for judges, but I do not think you ought to vote against the Seventy amendment, if you agree with what I have always voted with. The Seventy bill is a very simple idea that is worthy of our vote, and that is, if someone runs into a problem on election day, instead of having to troop downtown, they can go to their district magistrate and straighten out the election snafu at the district magistrate. A good idea; one that I think we all will support.

Now, we have already voted and sent to the Governor a bill which he did not act upon, which he vetoed. The appropriate vehicle for us if we want judges to cross-file is to override that veto. If we put cross-filing again in this bill, all we have done is eliminate the Seventy bill and we wind up with two bills that will be vetoed. Let us, if we want cross-filing, override the Governor on the appropriate bill we have already done and vote "yes" for the Seventy amendment for a very worthy idea.

The SPEAKER. The Chair takes it that you are opposing the Seventy amendment.

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

Mr. DUFFY. Thank you, Mr. Speaker.

I oppose the Seventy amendment. I know that the Governor has vetoed a bill over there, and I think we should send him another message that this is the start of judicial reform. Let us put our candidates on notice that the endorsement in the future is going to mean something and let them run under a party label. This is a start, so let us defeat the Seventy amendment, leave cross-filing in the bill, and vote for the bill. Thank you.

The SPEAKER. The Chair will admit to being confused on a number of occasions up here, but I think Mr. Seventy's amendment has succeeded above and beyond the normal line of confusion. The Chair is not certain of its own personal vote on this amendment. The Chair is not certain whether the Seventy amendment means we do cross-file or we do not; the Chair is not sure whether Mr. Dawida was for it or against it;

and after Mr. Duffy got through, the Chair was completely convinced that he ought not to vote at all. Let us go back to the beginning. Let us recognize Mr. Seventy.

Mr. Seventy, what does your amendment do if it is passed and accepted by the House?

Mr. SEVENTY. Thank you, Mr. Speaker.

The original bill said that the justice of the peace could be appointed by the president judge in the local area so that the voter can go to the local J.P. Now, the bill went into committee and they put anti— Wait a moment; let me get this straight—cross-filing against cross-filing— They eliminated—

The SPEAKER. The Chair would suggest that the gentleman take a few moments while the Chair clears up some housekeeping, and then we will get back to the bill.

The Chair recognizes the minority leader. Do you know what it is all about, Mr. Ryan?

Mr. RYAN. No, I do not. I am against cross-filing. Would someone tell Sam how to vote me?

The SPEAKER. I am against it, too, but I do not know how to vote on it.

BILL PASSED OVER TEMPORARILY

The SPEAKER. The Chair will pass over the bill temporarily.

BILLS SIGNED BY SPEAKER

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

HB 793, PN 2593

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for suspensions for failure to stop for flashing red signals on school buses; further providing for school bus operators to report violations to appropriate police officers; further providing for the use of certain school bus signals when such bus is used to transport disabled persons; and changing a penalty.

HB 1209, PN 2595

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for parking for handicapped persons; further providing for the use of hearing impairment devices; providing for inspection of motorcycles; and adding provisions relating to motorcycle safety.

HB 1405, PN 2597

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

HB 1616, PN 2591

An Act amending the "State Public School Building Authority Act," approved July 5, 1947 (P. L. 1217, No. 498), providing for the financing of projects through loans by the Authority and authorizing the use of facsimile signatures.

HB 1617, PN 2592

An Act amending "The Pennsylvania Higher Educational Facilities Authority Act of 1967," approved December 6, 1967 (P. L. 678, No. 318), providing for the financing of projects through loans by the authority.

CONSIDERATION OF HB 1270 CONTINUED

The SPEAKER. We return to HB 1270.

On the gentleman, Mr. Seventy's amendment, is the Chair instructed correctly by his friend, Mr. Amos Hutchinson, that the gentleman, Mr. Seventy's amendment would remove from HB 1270, if accepted, the right of judges, district justices, and so on, the prohibition against them from cross-filing? That would remove the prohibition and they could cross-file. Is that correct?

Mr. SEVENTY. Yes, sir. That is correct.

The SPEAKER. On that question then, the Chair will now recognize the gentleman from Allegheny, Mr. Dawida.

Mr. DAWIDA. Mr. Speaker, my statement was simply that we should vote "yes" for the Seventy amendment, even though I personally do not— I pursued a double negative.

The SPEAKER. Cannot you simply say yes for the amendment?

Mr. DAWIDA. "Yes" for the amendment, even if you want judges in politics, because this is not the vehicle for it. We have the vehicle. We presented it to the Governor on that issue, and if we present him another document on the same issue of judges in politics, he will just veto it again and it will screw up this bill. So vote "yes" on the amendment regardless of what you feel about cross-filing.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia, Mr. Levin, on the Seventy amendment.

Mr. LEVIN. I oppose the amendment. Let me see if I can straighten out the confusion and the reason it is so difficult. I am going to give you first the technical basis so you will understand why it is so confusing.

When you file your nominating petition, and every one of us does that, we file an affidavit that we are not filing for any other party. We say we are a Republican, we are a Democrat, and we file an affidavit that we are a Republican or a Democrat. The election law permits presently judges to file in both parties by having a paragraph in the election law that says in their affidavit they may file for both parties. The bill that is in front of you, HB 1270, removes that section from the election law. If this bill is passed today, it will prevent judges from filing both Republican and Democratic affidavits. They will be required to pick a party.

Now, I am in favor of that, and quite simply, one of the problems with our present system is that the parties, whether they are Republican or Democratic, should bear the responsibility for the quality of the candidates that they put in front of the public. If I am a Republican, I will support a Republican because I believe in his philosophy. I am a Democrat, and I will generally support Democrats because they are consistent with my policy. And if my party puts up a hack, then my party should suffer with the public for that choice. What has happened is no one bears responsibility today; we have a lottery system.

Now, Mr. Dawida referred to the fact that we should have overridden the Governor's veto rather than mess up this bill. That is not possible. If any of you will take a look at the other

bill, you will find that we messed up the other bill. What we did in the other bill, which showed poor judgment, is we put district judges in politics even after they were elected as district judges. The Governor quite properly vetoed the other bill. We would never have the strength to sustain that over the objections of people who believe judges should be judges and should not participate, after they are elected, in partisan politics.

We are not asking in this bill that judges become involved in partisan politics; we are asking that when they run the first time, that they run as Democrats or Republicans and that they be chosen that way. I believe we should defeat the Seventy amendment and pass the bill.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Luzerne, Mr. Stevens.

Mr. STEVENS. Thank you, Mr. Speaker.

I think my question was just answered, but I want to state on the record, in case my vote is misinterpreted, I am against cross-filing. I think this is a vehicle, and I think that if the Governor vetoed our other bill, let us send him a bill every day until he gets the sense of the House and Senate that we want to eliminate cross-filing for judges. So I would say I think that we are supposed to vote "no" on the Seventy amendment and "yes" on the bill.

The SPEAKER. I think you may be right, I hope.

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

Mr. LLOYD. Thank you, Mr. Speaker.

I just want to make clear, and the Chair can correct me if my interpretation is wrong, that I am opposed to cross-filing, and for that reason I am going to vote "no" on the Seventy amendment, and those in this chamber who agree with me that cross-filing is bad should vote "no" on the amendment.

The SPEAKER. The Chair agrees with your interpretation.

Mr. LLOYD. Thank you, Mr. Speaker.

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

Miss SIRIANNI. Mr. Speaker, the bill that was passed before was a Senate bill, so we cannot bring it up for a veto. Is that not right, Mr. Speaker?

The SPEAKER. We could bring it up only after the Senate acted.

Miss SIRIANNI. But if they do not act on it, we cannot bring it up.

The SPEAKER. The lady is correct.

Miss SIRIANNI. So therefore, we have to vote for this bill today.

The SPEAKER. Well, let us not get to the bill; let us deal with the Seventy amendment first.

Miss SIRIANNI. Well, we have to vote against the amendment and vote for the bill.

The SPEAKER. All right.

The Chair recognizes the gentleman from Berks, Mr. Fryer, who will now lift the pall of confusion, I will bet.

Mr. FRYER. Mr. Speaker, in an attempt to clarify my own position on this bill and the amendment thereof, one, I strongly oppose cross-filing for any office, and as a result of that I would then vote "no" on the Seventy amendment. Am I correct in that assumption, Mr. Speaker?

The SPEAKER. The Chair believes you are correct. If you are correct, then the Chair will be correct. If the Chair is wrong, you will be wrong on it. How do you like that for getting out of it?

Mr. FRYER. Mr. Speaker, I would say I am in excellent company.

And, Mr. Speaker, in reply to Miss Sirianni, she is correct in regards to the Senate bill, that the Senate must initiate the action of overriding the veto, and that is according to the Constitution. I would say, let us defeat the Seventy amendment and let us send the bill to the Senate, and hopefully it will travel that route, and then, hopefully, the Governor someday may run out of ink in his pen and not exercise the veto. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. PISTELLA. Thank you, Mr. Speaker.

If I may be free to speak on the Seventy amendment, I would ask the indulgence of my colleagues. I do not want to drift far afield in the course of debate on the Seventy amendment. Being one of the prime cosponsors of this bill, Representative Seventy and I discussed this earlier this morning, and I do not want the members to lose sight of what he is attempting to do with this bill.

Representative Seventy was chagrined when the original intent of the bill was such that it would allow the presiding president judge of the court of common pleas in each respective county to appoint magistrates to sit with the express purpose on election day of resolving those crises that occur with our constituents. At that time, the amendment that Representative Seventy is trying to knock out with his amendment was inserted in the State Government Committee, which leads me to the current Seventy amendment.

In order to get Representative Seventy's language back into the position that he wants it, he had to offer the amendment which has caused so much confusion, the confusion being that regardless of how you feel on the issue of whether or not judges should be allowed to cross-file or magistrates should cross-file, he is trying to eliminate that language to get across the original intent of the bill. It is imperative that this amendment be adopted for fear that the administration would read the current language, without the Seventy amendment before us, as being another attempt to address the issue solely on the basis of cross-filing. The Governor, for whatever reason he has—I have not read the veto message—has vetoed previous legislation dealing with that issue.

The purpose of the Seventy amendment that is before us today, A0861, is to bring this bill into compliance with its original legislative intent. I would encourage, as Representative Dawida has tried to do, the members to put this in a posi-

tion so that when it is passed and placed before the Governor, our constituents will benefit with not having to travel extreme distances to our respective county seats to have the problems resolved that they incur voting on election day, April 10, which is 4 weeks before us. Therefore, I would encourage the adoption of the Seventy amendment solely on the basis of trying to get this bill back to its original intention. Thank you.

The SPEAKER. The Chair thanks the gentleman.

AMENDMENTS DIVIDED

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

Mr. ITKIN. Mr. Speaker, I would like to move to divide the amendment at this time. The amendment provides two things. One, it does, as some of the speakers have mentioned, eliminate—

The SPEAKER. Will the gentleman advise at what place in the amendment he urges a division?

Mr. ITKIN. I move to divide the amendment beginning with "Amend Sec. 6, page 9, line 20, by removing the comma after..." all the way to about six lines down, "...in all judicial districts."

The SPEAKER. The Chair will read to you what the Chair believes you are asking. We will see whether or not it can be done.

If the Chair approves, you would have this language lifted from the Seventy amendment: "Amend Sec. 6, page 9, line 20, by removing the comma after 'ACT' and inserting of June 3, 1937 (P.L. 1333, No. 320), known as the Pennsylvania Election Code. Amend Sec. 6 (Sec. 1206), page 10, line 7, by inserting after 'PLEAS' in all judicial districts." That language would be lifted under your motion. Is that correct?

Mr. ITKIN. Yes. I would like to consider that as amendment No. 1 and then go on to consider the remainder of the amendment as amendment No. 2, the reason being that that is not—

The SPEAKER. The Chair would advise the gentleman that the Chair agrees with the gentleman that the amendment may be so divided, and the Chair now places before the House the following amendment. It will begin with these words: "Amend Sec. 6, page 9, line 20, by removing the comma after 'ACT' and inserting...." It will end with these words: "...in all judicial districts." Is that clearly understood? That is the amendment as divided and currently placed before the House.

On the question,

Will the House agree to Part I of the amendments?

The SPEAKER. On the divided amendment, the Chair recognizes the gentleman from Allegheny, Mr. Itkin.

Mr. ITKIN. Mr. Speaker, this is noncontroversial. This has nothing to do with cross-filing. This particular section of the amendment was included to improve and clarify the basic original intent of the Seventy bill. What it does is just clarifies the act to which this is an amendment and clearly indicates that the establishment of these magisterial election courts would be available in all judicial districts, not just in single-judge districts.

I would suggest to the House that we adopt this amendment, and then we can fight over the elimination of cross-filing subsequently. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

FILMING PERMISSION GRANTED

The SPEAKER. The Chair has given permission for channel 16 from Scranton to film videotape on the floor for 10 minutes, beginning now.

CONSIDERATION OF HB 1270 CONTINUED

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

Mr. SEVENTY. Thank you, Mr. Speaker.

I would just like to say that I approve of Mr. Itkin's proposal.

On the question recurring,

Will the House agree to Part I of the amendments?

The following roll call was recorded:

YEAS—193

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

Dombrowski	Letterman	Reber	Irvis,
Donatucci	Levi	Reinard	Speaker
Dorr	Levin	Richardson	

NAYS—1

Tigue

NOT VOTING—3

Maiale	Spitz	Wiggins
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EXCUSED—6

Grieco	Honaman	Salvatore	Spencer
Herman	Marmion		

The question was determined in the affirmative, and Part I of the amendments was agreed to.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Seventy. He now offers, for the consideration of the House, the following. It will begin with the words "Amend Title, page 1, lines 11 through 14, by striking out 'FURTHER PROVIDING FOR NOMINATING PETITIONS...'" and it would drop down to the words "Amend Sec. 6, page 9, line 20, by striking out '6' and inserting 1." Then it would begin again with "Amend Sec. 7, page 10, line 25, by striking out '7' and inserting 2." Those would be the words now before the House of Representatives.

On the question,

Will the House agree to Part II of the amendments?

PARLIAMENTARY INQUIRY

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

Mr. RAPPAPORT. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state the point, please.

Mr. RAPPAPORT. I gather this is the language that involves cross-filing?

The SPEAKER. I trust that it is, yes.

Mr. RAPPAPORT. Therefore, a "no" vote on this part of the amendment would be to eliminate cross-filing. Those people who are against cross-filing should vote "no" on this.

The SPEAKER. That is correct.

Mr. RAPPAPORT. Thank you, Mr. Speaker.

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

Mr. GALLEN. Mr. Speaker, I agree with Representative Duffy, and it was Representative Duffy who inserted this language into the bill in committee. I feel that we who oppose cross-filing should make every effort to allow the Governor the opportunity once again.

I want to say further, Mr. Speaker, just digressing somewhat, there is another Election Code bill on the calendar to which I intend to offer an amendment which would eliminate cross-filing only for appellate courts of the Commonwealth. It will give us another shot at the question of cross-filing.

Mr. Speaker, I oppose the balance of the Seventy amendment.

The SPEAKER. The Chair thanks the gentleman.

Those in favor of this section of the Seventy amendment will vote "aye"; those opposed will vote "no."

On the question recurring,

Will the House agree to Part II of the amendments?

The following roll call was recorded:

YEAS—45

Afflerbach	Durham	McVerry	Preston
Baldwin	Foster, Jr., A.	Markosek	Rudy
Battisto	Freeman	Michlovic	Serafini
Boyes	Freind	Miscevich	Seventy
Burd	Greenwood	Morris	Showers
Cappabianca	Hutchinson	Murphy	Snyder, G. M.
Cawley	Itkin	Olasz	Stewart
Clark	Kukovich	Petrarca	Sweet
Cordisco	Lashingier	Petrone	Tigue
Cowell	Laughlin	Pistella	Trello
Dawida	McHale	Pott	Wambach
Dombrowski			

NAYS—148

Alderette	Fargo	Livengood	Rybak
Angstadt	Fattah	Lloyd	Saloom
Armstrong	Fee	Lucyk	Saurman
Arty	Fischer	McCall	Scheetz
Barber	Flick	McClatchy	Schuler
Belardi	Foster, W. W.	McIntyre	Semmel
Belfanti	Fryer	McMonagle	Sirjanni
Beloff	Gallagher	Mackowski	Smith, B.
Blaum	Gallen	Madigan	Smith, L. E.
Book	Gamble	Manderino	Snyder, D. W.
Bowser	Gannon	Manmiller	Stairs
Brandt	Geist	Mayernik	Steighner
Broujos	George	Merry	Stevens
Bunt	Gladeck	Micozzie	Stuban
Burns	Godshall	Miller	Swift
Caltagirone	Gruitza	Moehlmann	Taylor, E. Z.
Carn	Gruppo	Mowery	Taylor, F. E.
Cessar	Hagarty	Mrkoncic	Telek
Cimini	Haluska	Nahill	Truman
Civera	Harper	Noye	Van Horne
Clymer	Hasay	O'Brien	Vroon
Colafella	Hayes	O'Donnell	Wachob
Cole	Hershey	Oliver	Wargo
Cornell	Hoefel	Perzel	Wass
Coslett	Jackson	Peterson	Weston
Coy	Jarolin	Phillips	Wiggins
DeLuca	Johnson	Piccola	Williams
DeVerter	Kasunic	Pievsky	Wilson
DeWeese	Kennedy	Pitts	Wogan
Daley	Klingaman	Punt	Wozniak
Davies	Kosinski	Rappaport	Wright, D. R.
Deal	Kowalyshyn	Reber	Wright, J. L.
Dietz	Lehr	Reinard	Wright, R. C.
Dininni	Lescovitz	Richardson	Zwinkl
Donatucci	Letterman	Rieger	
Dorr	Levi	Robbins	Irvis,
Duffy	Levin	Ryan	Speaker
Evans	Linton		

NOT VOTING—4

Cohen	Maiale	Pratt	Spitz
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EXCUSED—6

Grieco	Honaman	Salvatore	Spencer
Herman	Marmion		

The question was determined in the negative, and Part II of the amendments was not 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.

(Members proceeded to vote.)

Mr. CLARK. Mr. Speaker, I think Mr. Petrone was going to offer his amendment.

The SPEAKER. The Chair was advised that if Mr. Seventy's amendment, the total amendment, were defeated, then Mr. Petrone would offer his amendment. But the Chair was not advised that Mr. Petrone was going to offer an amendment if the Seventy amendment was divided.

Mr. PETRONE. I would like to offer the amendment, Mr. Speaker.

VOTE STRICKEN

The SPEAKER. The clerk will strike the vote.

In what way does the Petrone amendment differ from an amendment already defeated by the House?

Mr. PETRONE. Mr. Speaker, my amendment only directs that district magistrates will be allowed to cross-file.

The SPEAKER. Very well.

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the gentleman from Erie, Mr. Dombrowski.

Mr. DOMBROWSKI. On Part II of the Seventy amendment, I inadvertently voted in the affirmative. I would like the record to indicate I would like to be voted in the negative.

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

CONSIDERATION OF HB 1270 CONTINUED

DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Chair rescinds its announcement that the bill has been given third reading approval. The Chair hears no objection.

And the Chair wants to congratulate the House. The Chair thinks you have now outdone yourselves. It is very rare that we rise to such a level of confusion as we have done this morning.

On the question recurring,

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

Mr. PETRONE offered the following amendments No. A0606:

Amend Sec. 1 (Sec. 909), page 2, line 14, by striking out the bracket before “, UNLESS”

Amend Sec. 1 (Sec. 909), page 2, line 15, by inserting brackets before and after “JUDICIAL”

Amend Sec. 1 (Sec. 909), page 2, line 15, by inserting after “CANDIDATE”

for the office of justice of the peace

Amend Sec. 1 (Sec. 909), page 2, line 17, by striking out the bracket after “PARTY”

Amend Sec. 2 (Sec. 910), page 3, line 12, by striking out the bracket before “UNLESS”

Amend Sec. 2 (Sec. 910), page 3, line 12, by inserting a bracket before “JUDGE”

Amend Sec. 2 (Sec. 910), page 3, line 14, by inserting a bracket after “FOR”

Amend Sec. 2 (Sec. 910), page 3, line 15, by striking out the bracket after “PEACE”

Amend Sec. 3 (Sec. 976), page 5, line 3, by striking out the bracket before “, EXCEPT”

Amend Sec. 3 (Sec. 976), page 5, line 3, by inserting a bracket before “JUDGE”

Amend Sec. 3 (Sec. 976), page 5, line 5, by inserting a bracket after “OF” where it appears the first time

Amend Sec. 3 (Sec. 976), page 5, line 6, by striking out the bracket after “PEACE”

Amend Sec. 4 (Sec. 993), page 6, line 26, by striking out the bracket before “UNLESS”

Amend Sec. 4 (Sec. 993), page 6, line 26, by inserting a bracket before “JUDGE”

Amend Sec. 4 (Sec. 993), page 6, line 28, by inserting a bracket after “OF” where it appears the first time

Amend Sec. 4 (Sec. 993), page 6, line 29, by striking out the bracket after “PEACE”

Amend Sec. 4 (Sec. 993), page 7, line 2, by striking out the bracket before “, UNLESS”

Amend Sec. 4 (Sec. 993), page 7, line 3, by inserting a bracket before “JUDGE”

Amend Sec. 4 (Sec. 993), page 7, line 5, by inserting a bracket after “OF” where it appears the first time

Amend Sec. 4 (Sec. 993), page 7, line 5, by striking out the bracket after “PEACE”

Amend Sec. 4 (Sec. 998), page 7, line 18, by striking out the bracket before “, UNLESS”

Amend Sec. 4 (Sec. 998), page 7, line 19, by inserting a bracket before “JUDGE”

Amend Sec. 4 (Sec. 998), page 7, line 21, by inserting a bracket after “OF” where it appears the first time

Amend Sec. 4 (Sec. 998), page 7, line 22, by striking out the bracket after “PEACE”

Amend Sec. 4 (Sec. 998), page 8, line 4, by striking out the bracket before “, UNLESS”

Amend Sec. 4 (Sec. 998), page 8, line 5, by inserting a bracket before “JUDGE”

Amend Sec. 4 (Sec. 998), page 8, line 7, by inserting a bracket after “OF” where it appears the first time

Amend Sec. 4 (Sec. 998), page 8, line 7, by striking out the bracket after “PEACE”

Amend Sec. 5 (Sec. 1004), page 8, line 18, by striking out the bracket before the comma

Amend Sec. 5 (Sec. 1004), page 8, line 19, by inserting a bracket before “JUDGE”

Amend Sec. 5 (Sec. 1004), page 8, line 21, by inserting a bracket after “OF” where it appears the first time

Amend Sec. 5 (Sec. 1004), page 8, line 21, by striking out the bracket after “PEACE”

On the question,

Will the House agree to the amendments?

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

Mr. DUFFY. Mr. Speaker, I am still a firm believer that whether they are magistrates, judges, or anybody else, they should run under a party label, and I oppose the amendment.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. CLARK. Thank you, Mr. Speaker.

First, I would like to point out that Mr. Seventy was correct in his analysis of his amendment, but very few of us have been to the South Side and have difficulty understanding him.

But I would like to speak in support of the Petrone amendment. The last time we had a cross-filing bill, I opposed a similar amendment that would have permitted magistrates to continue to cross-file, and that was because the last version of a cross-filing bill addressed the problems that magistrates would have if that bill had passed. This version does not. I will point out the inequities in repealing cross-filing for district justices.

If we repeal it for appellate judges and county courts of common pleas, judges would still be prohibited from politics but would still be allowed to run on a retention basis. Magistrates, however, would still not be allowed in politics by the court's canons but would be required to go out and campaign for reelection in a strictly partisan atmosphere; and as for school directors, there are no canons that cover their ethical conduct. So if we pass this legislation, magistrates will be in a precarious position where they cannot participate in political activities but must run for reelection, and I would urge support of this amendment so that does not happen. The last version of the bill permitted magistrates to engage in political activities so that they could run for reelection, and this bill does not. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—52

Battisto	Durham	Mayernik	Serafini
Belfanti	Foster, Jr., A.	Michlovic	Seventy
Bowser	Freeman	Miscevich	Snyder, G. M.
Boyes	Freind	Moehlmann	Stairs
Broujos	Gruitza	Morris	Stevens
Burd	Haluska	Murphy	Stewart
Cappabianca	Hasay	Olasz	Sweet
Cawley	Jackson	Oliver	Tigue
Clark	Lashinger	Petrarca	Trello
Cordisco	Livengood	Petrone	Wambach
Coslett	McHale	Pott	Wargo
Cowell	McVerry	Preston	Wilson
Dawida	Markosek	Ryan	Wright, R. C.

NAYS—139

Afflerbach	Evans	Lescovitz	Richardson
Alderette	Fargo	Letterman	Rieger
Angstadt	Fattah	Levi	Robbins
Armstrong	Fee	Levin	Rudy
Arty	Fischer	Linton	Rybak
Baldwin	Flick	Lloyd	Saloom
Barber	Foster, W. W.	Lucyk	Saurman

Belardi	Fryer	McCall	Scheetz
Beloff	Gallagher	McClatchy	Schuler
Blaum	Gallen	McIntyre	Semmel
Book	Gamble	McMonagle	Showers
Brandt	Gannon	Mackowski	Sirianni
Bunt	Geist	Madigan	Smith, B.
Burns	George	Manderino	Smith, L. E.
Caltagirone	Gladeck	Manmiller	Snyder, D. W.
Carn	Godshall	Merry	Steighner
Cessar	Greenwood	Micozzie	Stuban
Cimini	Gruppo	Miller	Swift
Civera	Hagarty	Mowery	Taylor, E. Z.
Clymer	Harper	Mrkoncic	Taylor, F. E.
Cohen	Hayes	Nahill	Truman
Colafella	Hershey	Noye	Van Horne
Cole	Hoeffel	O'Brien	Vroon
Cornell	Hutchinson	O'Donnell	Wachob
Coy	Itkin	Perzel	Wass
Deluca	Jarolin	Peterson	Wiggins
DeVerter	Johnson	Phillips	Williams
DeWeese	Kasunic	Piccola	Wogan
Daley	Kennedy	Pievsky	Wozniak
Deal	Klingaman	Pistella	Wright, D. R.
Dietz	Kosinski	Pitts	Wright, J. L.
Dininni	Kowalshyn	Punt	Zwinkl
Dombrowski	Kukovich	Rappaport	
Donatucci	Laughlin	Reber	Iris, Speaker
Dorr	Lehr	Reinard	
Duffy			

NOT VOTING—6

Davies	Pratt	Telek	Weston
Maiale	Spitz		

EXCUSED—6

Grieco	Honaman	Salvatore	Spencer
Herman	Marmion		

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

On the question recurring,

Will the House agree to the bill on third consideration 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—161

Afflerbach	Evans	Linton	Richardson
Alderette	Fargo	Livengood	Rieger
Angstadt	Fattah	Lloyd	Robbins
Armstrong	Fee	Lucyk	Ryan
Arty	Fischer	McCall	Rybak
Barber	Flick	McClatchy	Saloom
Belardi	Foster, W. W.	McIntyre	Saurman
Belfanti	Foster, Jr., A.	McMonagle	Scheetz
Beloff	Fryer	Mackowski	Schuler
Blaum	Gallagher	Madigan	Semmel
Book	Gallen	Manderino	Seventy
Bowser	Gamble	Manmiller	Sirianni
Brandt	Gannon	Markosek	Smith, B.
Broujos	Geist	Mayernik	Snyder, D. W.
Burd	George	Merry	Stairs
Burns	Gladeck	Micozzie	Steighner
Caltagirone	Godshall	Miller	Stevens
Carn	Gruitza	Miscevich	Stewart
Cessar	Gruppo	Moehlmann	Stuban
Cimini	Hagarty	Mowery	Swift

Civera	Haluska	Mrkonich	Taylor, E. Z.
Clymer	Harper	Murphy	Taylor, F. E.
Cohen	Hasay	Nahill	Telek
Colafella	Hayes	Noye	Truman
Cole	Hershey	O'Brien	Van Horne
Cornell	Hoeffel	O'Donnell	Vroon
Coslett	Hutchinson	Olasz	Wachob
Coy	Jackson	Oliver	Wass
Deluca	Jarolin	Perzel	Weston
DeVerter	Johnson	Peterson	Wiggins
DeWeese	Kasunic	Petrarca	Williams
Daley	Kennedy	Petrone	Wilson
Davies	Klingaman	Phillips	Wogan
Dawida	Kosinski	Piccola	Wozniak
Deal	Kowalshyn	Pievsky	Wright, D. R.
Dietz	Kukovich	Pistella	Wright, J. L.
Dininni	Lehr	Preston	Zwinkl
Dombrowski	Lescovitz	Punt	
Donatucci	Letterman	Rappaport	Irvis,
Dorr	Levi	Reber	Speaker
Duffy	Levin	Reinard	

NAYS—31

Baldwin	Durham	McVerry	Smith, L. E.
Battisto	Freeman	Michlovic	Snyder, G. M.
Boyes	Freind	Morris	Sweet
Cappabianca	Greenwood	Pitts	Tigue
Cawley	Itkin	Pott	Trello
Clark	Lashinger	Rudy	Wambach
Cordisco	Laughlin	Serafini	Wargo
Cowell	McHale	Showers	

NOT VOTING—5

Bunt	Pratt	Spitz	Wright, R. C.
Maiale			

EXCUSED—6

Grieco	Honaman	Salvatore	Spencer
Herman	Marmion		

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.

CONDOLENCE RESOLUTION ADOPTED

The SPEAKER. The Chair had the solemn duty of announcing on Monday the death of an old friend, Sherman Hill. We did not at that time have before us the condolence resolution. We do now have that condolence resolution, and the Chair requests that members take their seats and sit there quietly.

The clerk will read the condolence resolution.

The following resolution was read:

HOUSE OF REPRESENTATIVES
HARRISBURG, PA.
OFFICE OF THE CHIEF CLERK
RESOLUTION

WHEREAS, Sherman L. Hill, a former member of the Pennsylvania House of Representatives, passed away at the age of seventy-two; and

WHEREAS, Mr. Hill served with distinction as a member of the Pennsylvania House of Representatives for six terms. During his tenure as a legislator, he served as chairman of the House Health and Welfare Committee where he gained national stature

for his work in welfare reform and in nursing homes. He also was a member of the House Appropriations Committee, the Public Welfare Committee and the Agriculture and Dairy Industries, Liquor Control, Cities, Boroughs, Motor Vehicles and Professional Licensure committees. His special House committee assignment included an investigation of state institutions and a House-Senate Task Force to study quarries; and

WHEREAS, Mr. Hill was also an outstanding community and civic leader. He was the first executive director of the Boys' Club of Lancaster and later served as director of community relations. He represented the Boys' Clubs of America on the Pennsylvania Governor's Committee on Fitness from 1959-60 and in 1963 was appointed by Governor Scranton to serve on his advisory committee for children and youth. He was a member of the Millersville Lions Club for thirty-eight years, past president and Lion of the Year in 1966; active in the Lancaster Optimist Club; several Masonic organizations; Harrisburg Zembo and Lancaster County Shrine Clubs; Elks Lodge 134; Fulton Grange 66; Red Rose Lodge Fraternal Order of Police and the Big Brothers of Lancaster County; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania notes with deep sadness the passing of Sherman L. Hill, a distinguished public servant and dedicated former member; and extends its heartfelt condolences to his wife, Kathryn Bender Hill; his son, J. Douglas; three grandchildren and his sister, Lois Brubaker; and be it further

RESOLVED, That a copy of this resolution be delivered to Mrs. Kathryn Bender Hill.

We hereby certify that the foregoing is an exact copy of a resolution introduced in the House of Representatives by the Honorable Gibson E. Armstrong, Kenneth E. Brandt, Marvin E. Miller, Jr., June N. Honaman, Jere W. Schuler, Terry R. Scheetz, and Nicholas B. Moehlmann, and unanimously adopted by the House of Representatives on the 14th day of March 1984.

K. Leroy Irvis
Speaker

ATTEST:

John J. Zubeck
Chief Clerk

On the question,
Will the House adopt the resolution?

The SPEAKER. Those in favor of the adoption of the resolution will rise and remain standing.
(Members stood.)

The SPEAKER. The resolution is unanimously adopted.

RESOLUTION ADOPTED

The SPEAKER. Earlier in the session the House voted to suspend its rules in order to take up three resolutions. Two of those resolutions have been passed by the House; the third is now available.

Now the Chair recognizes the gentleman from Allegheny, Mr. Mayernik, for whom the rules have already been suspended. He offers the following resolution.

The following resolution was read:

House Resolution No. 196

A RESOLUTION

Objecting to proposals by the Department of Public Welfare to reduce or terminate services at various State institutions and State general hospitals without adequate public input and legislative review.

WHEREAS, The Department of Public Welfare is empowered by law with the operation and administration of State institutions and State general hospitals; and

WHEREAS, The Governor presents in his budget, proposals for funding State institutions and State general hospitals; and

WHEREAS, The General Assembly appropriates funds for the operation and administration of State institutions and State general hospitals; and

WHEREAS, The Department of Public Welfare has indicated an intent to terminate or reduce services at State institutions and State general hospitals for which the General Assembly has appropriated funds and for which the Governor has proposed funding in his proposed budget for 1984-1985; and

WHEREAS, There has been insufficient public and legislative input into these proposals for a valid decision on their propriety to be made, a perfect example being the intentional ignorance of the following salient factors relating to Dixmont State Hospital:

(1) the continuous accreditation of Dixmont by the Joint Commission on Accredited Hospitals;

(2) the ability to provide certified handicapped care, including the only regional unit for deaf patients;

(3) the certification to provide Medicare and Medicaid services;

(4) meeting the State mandated Fire and Panic Code regulations; and

(5) when at capacity, the ability to provide the best care at the lowest cost per patient;

therefore be it

RESOLVED, That the House of Representatives call upon the Secretary of Welfare not to implement any reduction or termination of services at State institutions or State general hospitals unless and until the department holds public input hearings on the proposed reductions or terminations at least 90 days prior to their implementation; and be it further

RESOLVED, That copies of this resolution be transmitted to the Secretary of Welfare.

David J. Mayernik
George F. Pott, Jr.
James M. Burd
Barry L. Alderette
Richard J. Cessar
Fred A. Trello
Charles P. Laughlin
Victor John Lescovitz
Thomas C. Petrone
Ralph D. Pratt
Frank J. Pistella
Robert E. Belfanti, Jr.
Thomas J. Murphy, Jr.
Steve Seventy
Thomas J. Fee
Thomas A. Michlovic
Joseph F. Markosek
Joseph Preston, Jr.
Nicholas A. Colafella

On the question,
Will the House adopt the resolution?

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Mayernik, on his resolution.

Mr. MAYERNIK. Thank you, Mr. Speaker.

HR 196 has the bipartisan support of several western Pennsylvania members. Dixmont is a highly accredited hospital, which can boast of several prestigious accreditations, such as the Joint Commission on Accredited Hospitals. It is certified

for handicapped care standards; it meets the Fire and Panic Act regulations; it has the regional deaf unit; and it is medicated and medicare certified.

When at capacity, Dixmont offers the cheapest per-bed patient cost per year. Dixmont is a model institution in our Commonwealth, and I ask for an affirmative vote on this resolution. Thank you, Mr. Speaker.

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—187

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

NAYS—0

NOT VOTING—10

Barber	Deal	Richardson	Sweet
Cappabianca	McIntyre	Spitz	Wiggins
Cordisco	Maiale		

EXCUSED—6

Grieco Honaman Salvatore Spencer
Herman Marmion

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

REMARKS ON VOTES

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Wambach. For what purpose does the gentleman rise? To correct the record?

Mr. WAMBACH. Yes, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman, Mr. Wambach.

Mr. WAMBACH. Mr. Speaker, on the Petrone amendment, A0606, I inadvertently voted in the affirmative. I want the record to reflect that I wanted to vote in the negative. Thank you.

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

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

Mr. R. C. WRIGHT. Mr. Speaker, on the second portion of the Seventy amendment, A0861, to HB 1270, I was incorrectly recorded in the negative, and I would like to be recorded in the affirmative. Also, on final passage I was not recorded at all on HB 1270. I would like to be recorded in the negative.

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

The Chair recognizes the gentleman from Cambria, Mr. Telek.

Mr. TELEK. Mr. Speaker, on the Petrone amendment, A0606, I was temporarily out of my seat. I would like to be voted in the negative.

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

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

Mr. BUNT. Mr. Speaker, on final passage of HB 1270, although I was in my seat, my vote was not reflected. I would have voted in the affirmative.

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

RULES SUSPENDED

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. Jarolin.

Mr. JAROLIN. Mr. Speaker, I move to suspend the rules so that I may immediately offer a resolution.

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

The following roll call was recorded:

YEAS—192

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

NAYS—0

NOT VOTING—5

Cohen McIntyre Maiale Spitz
Fattah

EXCUSED—6

Grieco Honaman Salvatore Spencer
Herman Marmion

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.

RESOLUTION ADOPTED

The SPEAKER. The gentleman, Mr. Jarolin, having moved successfully to temporarily suspend the rules of the House, is now in order to offer his resolution, which the clerk will read.

The following resolution was read:

House Resolution No. 193

A RESOLUTION

Requesting the Governor to declare a state of emergency in response to the severe outbreak of giardiasis in several regions of the Commonwealth of Pennsylvania.

WHEREAS, A severe outbreak of giardiasis, a waterborne parasitic disease, which affects the gastro-intestinal tract of humans, has, within the last five months, spread throughout the Commonwealth with substantial occurrences of the disease, with the potential of infecting in excess of 500,000 people, reported in the counties of Allegheny, Clearfield, Lackawanna, Luzerne and McKean; and

WHEREAS, This severe outbreak of giardiasis has caused great physiological stress and physical discomfort and inconvenience for the residents of those counties who are:

- (1) required to boil water to obtain pure water for consumption;
- (2) travel throughout the various communities to obtain pure water from public sources or purchase pure bottled water from outside sources;
- (3) to consult with physicians; and
- (4) expend sums of money to obtain medicine and medical treatment; and

WHEREAS, The municipalities within these counties, in an attempt to assist their residents, have expended large sums of money to cope with this emergency and secure on an ongoing basis, a supply of pure water for consumption; and

WHEREAS, The likelihood of this parasitic disease disappearing in the immediate future is extremely slim; therefore be it

RESOLVED, That the House of Representatives respectfully request the Governor to declare the existence of a state of emergency in those counties affected by the giardiasis outbreak and direct the Pennsylvania Emergency Management Agency in cooperation with the Departments of Environmental Resources and Health to assist the various municipalities; determine the extent of the problem; obtain pure water supply sources and implement such long term solutions as are necessary to end permanently the occurrence of giardiasis; and be it further

RESOLVED, That this resolution, upon passage, be immediately transmitted to the Honorable Richard Thornburgh, Governor of Pennsylvania.

Stanley J. Jarolin
Fred Belardi
Gaynor Cawley
Emil Mrkonic
Joseph G. Wargo
Kevin Blaum
Thomas M. Tighe
William E. Baldwin
Keith R. McCall
Frank Coslett
Correale F. Stevens
Richard J. Cessar
Frank A. Serafini
Camille George
Roger F. Duffy
George C. Hasay

On the question,

Will the House adopt the resolution?

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. Jarolin.

Mr. JAROLIN. Mr. Speaker, we are here today to ask the Governor of the State of Pennsylvania to declare a state of emergency on the outbreak of giardiasis disease. As of right now, it is affecting approximately 500,000 people. It is spreading throughout the State, and I think it is about time that the House of Representatives took some sort of action to institute an emergency up in northeastern Pennsylvania and the rest of the counties affected by it. I ask for an affirmative vote on it. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Luzerne, Mr. Coslett.

Mr. COSLETT. Thank you, Mr. Speaker.

We have been affected with this giardiasis up in our area, too. We were the first outbreak, and I would like to go on record as supporting this resolution. Thank you, Mr. Speaker.

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

Mr. VROON. Mr. Speaker, not to delay matters at all, but I have yet to find out what we are talking about. Will somebody please spell the word or something? What is it?

The SPEAKER. For the information of the gentleman, in several areas of the Commonwealth, the drinking water of the population has been infected with a cyst-type parasite which may or may not be threatening the health of the people in those communities. In those several areas, the people have been required to at least boil all their drinking water.

The Chair instructed the chairman, Mr. Bud George, just yesterday to take his committee across this Commonwealth to find out what is happening to the drinking water, what corrections should be necessary.

Mr. Jarolin's resolution addresses itself to the Governor, asking him to declare an immediate emergency so that certain measures, which are reserved for emergencies, could now be taken. That is the essence of what is before the House.

The Chair recognizes the gentleman from Lackawanna, Mr. Belardi.

Mr. BELARDI. Thank you, Mr. Speaker.

I rise to request as well the members of this House to give serious consideration to our requesting the Governor of this Commonwealth to take immediate action and declare a state of emergency because of this severe outbreak of giardiasis in many regions of Pennsylvania.

We received the reports of the outbreak in McKeesport, and as of late December we have had an outbreak in Luzerne County. Many of my colleagues from the northeast have attended meetings in Luzerne County. Now, Mr. Speaker, there is an outbreak in Lackawanna County.

Mr. Speaker, a spokesman for the Pennsylvania Emergency Management Agency said that it was not an emergency situation but rather hardships. There have been documented reports of hardships in McKeesport, in Allegheny County, in McKean County, in Luzerne County, now in Lackawanna County. Mr. Speaker, we are talking about this affecting northeastern Pennsylvania with some quarter of a million

people now suffering from discomfort, from stress, and from inconvenience. The people are handling the inconvenience well, as they handled it well in the days of the flood, but, Mr. Speaker, there are many handicapped people and schools and taverns and many elderly people, Mr. Speaker, that have no way of receiving pure, potable, drinkable, usable water.

Mr. Speaker, in all of the regions of Pennsylvania, we are talking over 500,000 people. How many hardships does it take before someone declares that an emergency does in fact exist as we are declaring, and we ask the Governor to take immediate action. I ask my colleagues to please give this serious consideration and support this resolution. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lackawanna, Mr. Serafini.

Mr. SERAFINI. Mr. Speaker, very briefly.

I believe this resolution will pass unanimously, but I would like to add one note. I contacted the Governor of Pennsylvania on behalf of the legislators who represent the district which was initially taken over by giardiasis, and that included 110,000 residents at the time. Requesting the Governor to represent this area as a disaster zone was the initial request by the legislators which was denied. At this time over 300,000 people have been affected in the area. It is definitely a disaster; it causes illness, especially to those young people, elderly, and those pregnant women who could possibly have a severe hardship over this type of a disease.

I would implore the Governor at this time to reconsider his initial response to my request, and on behalf of the northeastern legislators who are affected and those throughout the entire State of Pennsylvania, to declare every area contracted with the giardiasis problem a disaster zone.

Believe me, throughout this entire State of Pennsylvania this disease will be affected. The disease is carried by animals which transport the disease from reservoir to reservoir, and not only northeast Pennsylvania but all Pennsylvania is in danger of contracting this severe illness. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lackawanna, Mr. Cawley.

Mr. CAWLEY. Thank you, Mr. Speaker.

I, too, as the other Representatives, ask for an affirmative vote, especially because this disease can affect presently up to 500,000 people. And one thing that I think is very important with us asking for this emergency is if the Governor of this State and we in the House of Representatives and in the Senate can agree to an emergency for the avian flu dealing with chickens in this Commonwealth and allocate up to \$2 million for this, which affected approximately six counties, there is no reason in the world why we cannot have an emergency declared in this State when it is affecting 500,000 human beings.

I am positive, Mr. Speaker, that if we force DER (Department of Environmental Resources) to check the waters, the

drinking waters across this Commonwealth, we are going to be talking possibly 10 times the amount of people instead of 500,000 people affected with giardiasis.

I ask for an affirmative vote, because the people who are not affected now may very well be affected and not even know about it at this present time. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Adams, Mr. Cole.

Mr. COLE. Thank you, Mr. Speaker.

I ask for an affirmative vote on this resolution. In my district we have identified five toxic waste sites. We have people who cannot even take showers. That is how bad and polluted the groundwater tables are around these toxic waste sites. The problem is that DER does not have the tools or the experts in this field to even get a handle on the problem. I am hopeful in the budget deliberations that we have that we give the necessary help to this department, because this is a problem that is not going to go away. It is a monumental problem that is facing many districts throughout Pennsylvania, and we had better get on top of it now because it is getting really away from us, and the people out there in the small communities have no way to cope with it. So I urge an affirmative vote on this resolution.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. MRKONIC. Thank you, Mr. Speaker.

I concur with the statements made by my colleagues. I represent the city of McKeesport, and we are affected tremendously by the giardiasis.

I would like to read to you the telegram that was sent to the Governor. I also made contacts with the President of the United States, President Reagan. I would like to read the telegram sent to the Governor.

As you know, the City of McKeesport, PA, and surrounding communities have been impacted by a certified outbreak of Giardiasis, rendering the drinking water unfit for consumption.

While steps are being taken to determine the extent of the contamination and corrective steps, it is imperative that a safe supply of water be provided for the residents of the community.

I am hereby requesting that you declare the McKeesport area in a state of emergency threatening to the health and safety of the citizens, and that you order the U. S. Army Reserve, 300 8th Engineers Group Mobile Unit and other appropriate agencies to provide immediate relief in the form of water trucks, and whatever other supply of safe water is necessary for the community.

It is our understanding that while the Reserve Unit has stepped in initially to help relieve the crisis, unless a specific state of emergency is declared, the Reserve Unit will not be able to maintain its services.

Your immediate intervention is necessary in order to avoid a more serious threat to the community than has been the case up to this point.

I would urge an affirmative vote. Thank you.
The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—192

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

NAYS—0

NOT VOTING—5

Beloff	Peterson	Piccola	Pitts
McIntyre			

EXCUSED—6

Grieco	Honaman	Salvatore	Spencer
Herman	Marmion		

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

HB 452 RECONSIDERED

The SPEAKER. The Chair has before it a motion for reconsideration, filed by the gentlemen, Mr. Trello and Mr. Petrone, who move for reconsideration of the vote by which the House passed HB 452 on this day, March 14, 1984.

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

The following roll call was recorded:

YEAS—187

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

NAYS—2

Taylor, E. Z.	Wass
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NOT VOTING—8

Beloff	Harper	Maiale	Pratt
Blaum	McIntyre	Pitts	Sweet

EXCUSED—6

Grieco	Honaman	Salvatore	Spencer
Herman	Marmion		

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

On the question recurring,
Shall the bill pass finally?

DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Chair rescinds its prior statement that the House has agreed to the bill on third reading as amended. The Chair hears no objection.

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

Mr. TRELLO offered the following amendments No. A0872:

Amend Title, page 1, line 16, by inserting after "laws," "

further providing for special occasion permits; and

Amend Bill, page 1, by inserting between lines 19 and 20

Section 1. Section 408.4 of the act of April 12, 1951 (P.L. 90, No. 21), known as the Liquor Code, amended July 11, 1980 (P.L. 588, No. 117), is amended to read:

Section 408.4. Special Occasion Permits.—(a) Upon application of any hospital, church, synagogue, volunteer fire company, bona fide sportsmen's club in existence for at least ten years or the ladies auxiliary of a volunteer fire company and upon payment of a fee of fifteen dollars (\$15) per day, the board shall issue a special occasion permit good for a period of not more than three consecutive days. Special occasion permits may also be issued to a museum operated by a nonprofit corporation in a city of the third class or a nonprofit corporation engaged in the performing arts in a city of the third class for a period of not more than six nonconsecutive days at a fee of fifteen dollars (\$15) per day.

(b) In any city, borough, incorporated town or township in which the sale of liquor and/or malt or brewed beverages has been approved by the electorate, such special occasion permit shall authorize the permittee to sell liquor and/or malt or brewed beverages as the case may be to any adult person on any day for which the permit is issued.

(c) Such special occasion permit shall only be valid for the number of days stated in the permit. Only one permit may be issued to any permittee during the year, except as to volunteer fire companies and the ladies auxiliaries of volunteer fire companies which may be issued two permits during the year. Provided, that a museum operated by a nonprofit corporation in a city of the third class and a nonprofit corporation engaged in the performing arts in a city of the third class may be issued no more than six permits during the year, each permit being valid for only one day. The provisions of this subsection relating to the issuance of permits for Bicentennial units shall expire December 31, 1976.

(d) Such permits shall only be issued for use at a special event including, but not limited to bazaars, picnics and clambakes. The special event must be one which is used by the permittee as a means of raising funds for itself.

(e) The provisions of this section shall not be applicable to any licensee now or hereafter possessing a caterer's license, nor to any professional fund raiser.

(f) Any person selling liquor or malt or brewed beverages in violation of this section shall, upon summary conviction, be sentenced to pay a fine of two hundred fifty dollars (\$250) for the first offense and a fine of five hundred dollars (\$500) for each subsequent offense. This fine shall be in addition to any other penalty imposed by law for the illegal sale of malt or brewed beverages.

Amend Sec. 1, page 1, line 20, by striking out "1" and inserting

2

Amend Sec. 1, page 1, lines 20 and 21, by striking out "of April 12, 1951 (P.L. 90, No. 21), known as the Liquor Code"

Amend Sec. 2, page 2, line 23, by striking out "2" and inserting

3

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

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

Mr. TRELLO. Mr. Speaker, this amendment deals with two things: number one, special occasion permits. Presently, ladies auxiliaries throughout this Commonwealth are not allowed to apply for special occasion permits where they can sell liquor for a period of 3 days after paying a fee. What this amendment does is allow ladies auxiliaries throughout the Commonwealth to apply for special occasion permits for their particular festivities.

It also extends the period from once a year to twice a year for volunteer firemen to have these special occasions.

The ladies auxiliaries throughout this Commonwealth urge your support for this amendment. 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—168

Afflerbach	Duffy	McCall	Saloom
Alderette	Durham	McClatchy	Saurman
Angstadt	Evans	McHale	Semmel
Armstrong	Fargo	McMonagle	Serafini
Arty	Fattah	McVerry	Seventy
Baldwin	Fee	Mackowski	Showers
Barber	Flick	Madigan	Sirianni
Battisto	Foster, W. W.	Manderino	Smith, B.
Belardi	Freeman	Manmiller	Snyder, D. W.
Belfanti	Freind	Markosek	Snyder, G. M.
Blaum	Gallagher	Mayernik	Spitz
Book	Gallen	Merry	Stairs
Bowser	Gamble	Michlovic	Steighner
Boyes	Gannon	Micozzie	Stevens
Broujos	Geist	Miller	Stewart
Bunt	George	Miscevich	Stuban
Burd	Gladeck	Morris	Sweet
Burns	Greenwood	Mowery	Swift
Caltagirone	Gruitza	Mrkonic	Taylor, E. Z.
Cappabianca	Gruppo	Murphy	Taylor, F. E.
Carn	Hagarty	Nahill	Telek
Cawley	Haluska	O'Brien	Tigue
Cessar	Hasay	O'Donnell	Trello
Cimini	Hoeffel	Olasz	Truman
Civera	Hutchinson	Oliver	Van Horne
Clark	Itkin	Perzel	Vroon
Colafella	Jackson	Petrarca	Wachob
Cole	Jarolin	Petrone	Wambach
Cordisco	Johnson	Piccola	Wargo
Cornell	Kasunic	Pievsky	Wass
Coslett	Kennedy	Pistella	Weston
Cowell	Klingaman	Pott	Wiggins
Coy	Kosinski	Preston	Williams
DeLuca	Kowalyszyn	Punt	Wilson
DeWeese	Kukovich	Rappaport	Wogan
Daley	Lashinger	Reber	Wozniak
Davies	Laughlin	Reinard	Wright, D. R.

Dawida	Lescovitz	Richardson	Wright, R. C.
Deal	Letterman	Rieger	Zwinkl
Dininni	Levin	Robbins	
Dombrowski	Linton	Rudy	Irvis,
Donatucci	Lloyd	Ryan	Speaker
Dorr	Lucyk		

NAYS—19

Brandt	Foster, Jr., A.	Lehr	Rybak
Clymer	Fryer	Levi	Scheetz
DeVerter	Godshall	Noye	Schuler
Dietz	Hayes	Peterson	Smith, L. E.
Fischer	Hershey	Phillips	

NOT VOTING—10

Beloff	Livengood	Moehlmann	Pratt
Cohen	McIntyre	Pitts	Wright, J. L.
Harper	Maiale		

EXCUSED—6

Grieco	Honaman	Salvatore	Spencer
Herman	Marmion		

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

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER. 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—190

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

Deluca	Kennedy	Piccola	Weston
DeVerter	Klingaman	Pievsky	Wiggins
DeWeese	Kosinski	Pistella	Williams
Daley	Kowalyszyn	Pitts	Wilson
Davies	Kukovich	Pott	Wogan
Dawida	Lashinger	Preston	Wozniak
Deal	Laughlin	Rappaport	Wright, D. R.
Dietz	Lehr	Reber	Wright, J. L.
Dininni	Lescovitz	Reinard	Wright, R. C.
Dombrowski	Letterman	Richardson	Zwinkl
Donatucci	Levi	Rieger	
Dorr	Levin	Robbins	Irvis,
Duffy	Linton	Rudy	Speaker

NAYS—0

NOT VOTING—7

Beloff	Harper	Maiale	Punt
Cohen	McIntyre	Pratt	

EXCUSED—6

Grieco	Honaman	Salvatore	Spencer
Herman	Marmion		

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

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

REMARKS ON VOTE

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

Mr. D. W. SNYDER. Mr. Speaker, on HB 452, the Trello amendment, I inadvertently voted "yes." I would like to be recorded "no."

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

JUDICIARY COMMITTEE MEETING

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

Mr. RAPPAPORT. I would remind the members of the Judiciary Committee that there is a meeting right now in room 401. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

BILLS REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND TABLED

HB 1587, PN 2641 (Amended)

By Rep. TRELLO

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

FINANCE.

HB 1794, PN 2642 (Amended)

By Rep. TRELLO

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further providing for the family farm corporation exemption from capital stock tax.

FINANCE.

ADDITIONS AND DELETION OF SPONSORS

The SPEAKER. The Chair recognizes the majority leader, who files for the record the following additions and deletions for sponsorships of bills.

ADDITIONS:

HB 1795, Trello; HB 1868, McIntyre; HB 1890, Seventy, Colafella; HB 1898, Stairs; HB 1910, Petrarca; HB 1944, McIntyre; HB 1961, Klingaman; HB 1972, Cappabianca; HR 178, McIntyre.

DELETION:

HB 1910, Morris.

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 Philadelphia, Mr. Kosinski.

Mr. KOSINSKI. Thank you, Mr. Speaker.

I am honored to move that this House do now adjourn until Saint Joseph's Day, Monday, March 19, 1984, at 1 p.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 1:10 p.m., e.s.t., the House adjourned.