

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

TUESDAY, JUNE 26, 1984

SESSION OF 1984

168TH OF THE GENERAL ASSEMBLY

No. 51

HOUSE OF REPRESENTATIVES

The House convened at 11 a.m., e.d.t.

THE SPEAKER (K. LEROY IRVIS) IN THE CHAIR

PRAYER

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

We thank Thee, O God, for Thy loving care and protection throughout the past night, and humbly pray that Thou wilt continue to guide and direct us throughout this day.

Enable us to resist the allurements and temptations which confront us in this life, and challenge us to follow the example Thou hast shown us in life itself. Work in and through us that Thy will and Thy way may be accomplished in our daily lives, and bestow upon us the blessedness of Thy peace.

In the abundance of Thy love, the assurance of Thy guiding hand, and the confidence of Thy peace, we pray. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNAL APPROVED

The SPEAKER. The Chair is advised that the Journal for Monday, May 7, 1984, is in print, and unless there be objection, the Journal will stand as accepted by the House. The Chair hears no objection thereto.

JOURNAL APPROVAL POSTPONED

The SPEAKER. The Journal for Monday, June 25, 1984, however, is not in print, and without objection, approval of that Journal will be postponed until it is in print. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2339 By Representatives PITTS, CIVERA, MACKOWSKI, SEVENTY, KASUNIC, MERRY, NOYE, MORRIS, COY, CIMINI,

KUKOVICH, HERMAN, PETRARCA, PETRONE, WAMBACH, SCHEETZ, J. L. WRIGHT, SCHULER, PHILLIPS, SHOWERS, MICOZZIE, ANGSTADT, HALUSKA, PRATT, GEIST, POTT, McVERRY, SEMMEL, BOYES, TRELLO, GLADECK and JOHNSON

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), providing for a credit against personal income tax for food donated to nonprofit organizations which provide food to individuals in need.

Referred to Committee on FINANCE, June 26, 1984.

No. 2340 By Representatives PITTS, KUKOVICH, HERMAN, CIVERA, MACKOWSKI, SEVENTY, KASUNIC, MERRY, NOYE, MORRIS, COY, CIMINI, PETRARCA, PETRONE, WAMBACH, SCHEETZ, J. L. WRIGHT, SCHULER, PHILLIPS, SHOWERS, MICOZZIE, ANGSTADT, HALUSKA, PRATT, GEIST, POTT, McVERRY, SEMMEL, BOYES, TRELLO, GLADECK and JOHNSON

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), providing for a credit against the personal income tax; and further providing for the computation of taxable income for purposes of the corporate net income tax.

Referred to Committee on FINANCE, June 26, 1984.

No. 2341 By Representatives FARGO, TRELLO, McCLATCHY, HAYES, FRYER, PETERSON, MERRY, BOWSER, HALUSKA, HERMAN, W. W. FOSTER, ROBBINS, SCHEETZ, JACKSON, SWIFT, DIETZ, MADIGAN, BOOK, WOZNIAK, FLICK, NOYE, TIGUE, POTT, HERSHEY, SAURMAN, GODSHALL, SEMMEL, DeVERTER, D. W. SNYDER, GEIST, VROON, G. M. SNYDER, LETTERMAN, HAGARTY, GRUITZA, WASS and BURD

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, establishing a Budget Reserve Account; and limiting appropriations to 98% of estimated State general fund revenues.

Referred to Committee on APPROPRIATIONS, June 26, 1984.

**No. 2342 By Representative GLADECK**

An Act amending "The Controlled Substance, Drug, Device and Cosmetic Act," approved April 14, 1972 (P. L. 233, No. 64), excluding a drug from Schedule V.

Referred to Committee on HEALTH AND WELFARE, June 26, 1984.

**ACTUARIAL NOTE**

The SPEAKER. The Chair acknowledges receipt of a communication from the Commonwealth of Pennsylvania Public Employee Retirement Study Commission concerning an actuarial note in relation to HB 857, which the clerk will file.

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

**SENATE MESSAGE**

**AMENDED HOUSE BILLS  
RETURNED FOR CONCURRENCE**

The clerk of the Senate, being introduced, returned **HB 88, PN 3232**; and **HB 542, PN 3176**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

**MASTER ROLL CALL RECORDED**

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

The following roll call was recorded:

**PRESENT—199**

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

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

**ADDITIONS—0**

**NOT VOTING—2**

Marmion Showers

**EXCUSED—1**

Donatucci

**LEAVES ADDED—2**

Marmion Showers

**LEAVES OF ABSENCE GRANTED**

The SPEAKER. The Chair now turns to leaves of absence. Does the gentleman from Philadelphia, Mr. PIEVSKY, have any requests for leaves of absence?

Mr. PIEVSKY. Thank you, Mr. Speaker.

I ask for leave of absence for the gentleman from Union and Snyder Counties, Mr. SHOWERS, for today.

The SPEAKER. Without objection, and the Chair hears no objection thereto, the gentleman is granted leave for today.

Does the minority leader have any leaves at this time?

Mr. RYAN. Mr. Speaker, I would appreciate it if you would put the gentleman from Allegheny County, Mr. MARMION, on leave for the week. We neglected to do it yesterday.

The SPEAKER. The Chair notes that the gentleman is on leave for the entire week, and the Chair hears no objection thereto.

**BILLS SIGNED BY SPEAKER**

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

**SB 658, PN 2095**

An Act amending the act of June 14, 1961 (P. L. 324, No. 188), entitled "The Library Code," further providing for municipality powers to make appropriations and impose taxes to fund libraries; and providing for the confidentiality of library circulation records.

**SB 1152, PN 2054**

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Public Welfare, to sell and convey 1.268 acres of land situate in Penn Township, Snyder County, Pennsylvania.

**SB 1276, PN 1915**

An Act providing for the adoption of capital projects to be financed from current revenues of the Game Fund.

**BILLS REPORTED FROM COMMITTEE,  
CONSIDERED FIRST TIME, AND  
RECOMMITTED TO COMMITTEE ON RULES**

**HB 2028, PN 2756**

By Rep. GEORGE

An Act requiring public notice of certain conditions relating to a public water supply; and providing a civil penalty.

CONSERVATION.

**HB 2251, PN 3299 (Amended)**

By Rep. GEORGE

An Act amending the "Solid Waste Management Act," approved July 7, 1980 (P. L. 380, No. 97), further providing for the approval of permits and licenses and for the power and duties of municipalities.

CONSERVATION.

**WELCOMES**

The SPEAKER. The Chair is delighted to welcome to the hall of the House Mr. David Kaplan, who is the guest of the Philadelphia delegation. Welcome to the hall of the House.

Representative Tom Caltagirone has here as his guests his daughter, Stella, and his niece, Heather. Welcome, children.

Representative Godshall has as his guests Linda Roberts and Marj Fenstermacher, who are legislative aides in his home office. Welcome to the hall of the House.

**SENATE BILLS FOR CONCURRENCE**

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

**SB 907, PN 1083**

Referred to Committee on JUDICIARY, June 26, 1984.

**SB 1326, PN 2014**

Referred to Committee on TRANSPORTATION, June 26, 1984.

**SB 1433, PN 2173**

Referred to Committee on APPROPRIATIONS, June 26, 1984.

**SB 1435, PN 2142**

Referred to Committee on APPROPRIATIONS, June 26, 1984.

**SB 1436, PN 2174**

Referred to Committee on APPROPRIATIONS, June 26, 1984.

**SB 1437, PN 2138**

Referred to Committee on APPROPRIATIONS, June 26, 1984.

**SB 1438, PN 2175**

Referred to Committee on APPROPRIATIONS, June 26, 1984.

**SB 1439, PN 2177**

Referred to Committee on APPROPRIATIONS, June 26, 1984.

**SB 1440, PN 2144**

Referred to Committee on APPROPRIATIONS, June 26, 1984.

**SB 1441, PN 2176**

Referred to Committee on APPROPRIATIONS, June 26, 1984.

**SENATE RESOLUTION FOR CONCURRENCE**

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

**SR 136, PN 2124**

Referred to Committee on STATE GOVERNMENT, June 26, 1984.

**WELCOME**

The SPEAKER. Representative Lucyk has as his guest from Schuylkill County, Sean Brennan from Minersville. Welcome to the hall of the House.

**CALENDAR****BILLS AGREED TO  
ON SECOND CONSIDERATION**

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

**SB 1409, PN 2160; and SB 1424, PN 2103.**

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 637, PN 705**, entitled:

An Act requiring a detailed analysis and review of State rules and regulations delineating their impact on small businesses, small organizations and individuals; providing for exemptions; and imposing additional duties on various State agencies.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—195

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

NAYS—0

NOT VOTING—4

Herman	McIntyre	Rappaport	Zwikl
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EXCUSED—3

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

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

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The House proceeded to third consideration of **SB 1084, PN 1912**, entitled:

An Act amending the act of September 20, 1961 (P. L. 1548, No. 658), entitled "Credit Union Act," further providing for corporate or central credit unions.

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

NAYS—1

Fischer
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NOT VOTING—2

McIntyre	Richardson
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EXCUSED—3

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

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

\* \* \*

The House proceeded to third consideration of **SB 1085, PN 1758**, entitled:

An Act amending the act of September 20, 1961 (P. L. 1548, No. 658), entitled "Credit Union Act," further providing for credit unions.

On the question,

Will the House agree to the bill on third consideration?

Mr. PRESTON offered the following amendments No. A3126:

Amend Sec. 1, page 1, line 14, by inserting after "amended" and a clause is added

Amend Bill, page 3, by inserting between lines 1 and 2

(15) To receive payments on shares which may be issued at varying dividend rates, share certificates which may be issued at varying dividend rates and maturities and share draft accounts from members or nonmember units of Federal, State or local governments, including any officer, employe, or agent of the United States, any state of the United States or any county, municipality, or political subdivision thereof or any territory or possession of the United States having official custody of public funds and lawfully investing such funds in a credit union.

Section 2. Subsections A and B of section 6 of the act, amended December 14, 1982 (P.L. 1240, No.283), are amended to read:

Section 6. Membership.—A. Credit union organizations shall be limited to groups having a potential membership of two hundred or more adult persons and having a common bond of association within a well defined community or rural district by reason of occupation or of membership in a religious congregation or fraternal or labor organization or residence within a well defined community or rural district. A credit union may also retain its original field of membership and, additionally, include in its field of membership other occupational groups, as well as like associational groups having a common bond with the original field of membership, with insufficient number of members to form or conduct the affairs of a separate credit union: Provided, That [the group is located in the same municipality as] the existing credit union [and] obtains prior permission from the Pennsylvania Department of Banking. The membership of a credit union shall be limited to and consist of the incorporators of the credit union and such other persons, having the common bond of association, set forth in the Articles of Incorporation, as have been duly admitted members, have paid the entrance fee as provided in the bylaws and own and retain one or more shares. Organizations composed principally of the same group as the credit union membership may be members. Employes of credit unions may be members of such credit unions.

B. Persons who are members of the immediate family of a member of the credit union [and who share the same domicile with that member] may be elected to membership.

\* \* \*

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

3

Amend Sec. 3, page 3, line 24, by striking out "3" and inserting

4

Amend Sec. 4, page 4, line 23, by striking out "4" and inserting

5

Amend Sec. 5, page 6, line 15, by striking out "5" and inserting

6

Amend Sec. 6, page 8, line 23, by striking out "6" and inserting

7

Amend Sec. 7, page 9, line 1, by striking out "7" and inserting

8

Amend Sec. 8, page 9, line 20, by striking out "8" and inserting

9

Amend Sec. 9, page 10, line 14, by striking out "9" and inserting

10

Amend Sec. 10, page 10, line 30, by striking out "10" and inserting

11

On the question,

Will the House agree to the amendments?

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

Mr. PRESTON. Thank you, Mr. Speaker.

I am offering this amendment to create a little different parity between the Federal credit unions and the State credit unions. There are primarily three changes in this. The first change would authorize the State credit unions to accept public funds from the Federal Government, the State Government, and local governments anywhere in the United States or American territory. This provision is a provision that the Federal credit unions presently have and have had since the Federal Credit Union Act was enacted 50 years ago; however, the State has not.

A couple of years ago, various local government laws of Pennsylvania were changed to permit townships, boroughs, and various classes of counties and cities to invest their sinking funds in a number of financial institutions, including credit unions. This idea was to give local governments the flexibility of getting the best rate. Again, so far this does not apply to State credit unions. While Federal credit unions have been able to accept such funds, there is no authorization in the State act for State-chartered credit unions.

The second change appears in section 6.

### PARLIAMENTARY INQUIRY

Mr. DORR. Mr. Speaker?

The SPEAKER. For what purpose does the gentleman from York, Mr. Dorr, interrupt?

Mr. DORR. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. What is the question?

Mr. DORR. Before the gentleman goes on to discuss the second part of the amendment, is the amendment divisible? I am suggesting, Mr. Speaker, that the amendment be divided so that the material appearing prior to "Section 6. Membership" would be one amendment and the remainder would be another amendment.

The SPEAKER. It is the opinion of the Chair that the amendment is not thus divisible. If you were to do as you suggested, Mr. Dorr, there is a colon after the word "read" - "are amended to read:" There would be nothing to follow that colon.

Mr. DORR. Mr. Speaker, a further inquiry.

Would it be divisible after the word "union"?

The SPEAKER. The House will stand at ease. We are having a difficult problem up here deciding whether this may be divided at that point.

Mr. DORR. I am going to withdraw my inquiry. I just wanted an opportunity to vote against the second part of the amendment, but I was not going to debate it or ask other members to do so. So I will withdraw the inquiry and let the amendment go as a whole.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Preston, may continue.

Mr. PRESTON. Thank you, Mr. Speaker.

The second change authorizes State credit unions to be formed around communities. This is language which has been present in the Federal Credit Union Act for 50 years.

Basically, there are two reasons why there is a need for community credit unions, especially with the changes in the economy as it is today. One, in low-income and rural areas where no alternative financial assistance is available, credit unions serving communities can be formed. In Philadelphia, community credit unions have helped to upgrade low-income areas by giving poor people the ability to get home improvement loans. In other words, one of the problems we have had is that a community may be going across several different counties or a city may be split because of a river, there may be two different rivers, but they are still called a community. This has caused some problems as far as some of the laws are concerned or even in relationship to some Federal laws.

And two, where an industry-related credit union is in a position where the industry is closing down or laying off workers, although the credit union might be in a fiscally good position, the adversities affecting the industry pull the credit union down with it.

Community credit unions are the oldest type of credit union. All but four States have provisions in their State credit union act for community credit unions.

The third change permits a credit union to take in small groups without the restriction that the group has to be in the same municipality as the existing credit union.

And the fourth and final change would permit a family of a State-chartered credit union member to be eligible for membership regardless of whether the family lived under the same household as the member. Presently our own credit union for the State of Pennsylvania is Federally chartered because they are also limited as far as family members.

I would ask for an affirmative vote on the amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Fayette, Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Speaker.

In committee we had some debate on the Preston amendment, which was offered by the credit unions and is now being offered here today by Mr. Preston. I had my staff research it, and the gentleman is correct. It gives the State-chartered credit unions strict parity with the Federal credit unions, and, therefore, I would urge adoption of the amendment and an affirmative vote on the bill. 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—194

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

NAYS—1

Dorr

NOT VOTING—4

Johnson Lashinger Wachob Wiggins

EXCUSED—3

Donatucci Marmion Showers

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—192

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

NAYS—0

NOT VOTING—7

Hutchinson Noye Perzel Reber  
Mowery O'Brien Petrarca

EXCUSED—3

Donatucci Marmion Showers

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

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

\* \* \*

The House proceeded to third consideration of **SB 1304, PN 1997**, entitled:

An Act amending the act of November 30, 1965 (P. L. 847, No. 356), entitled "Banking Code of 1965," further providing for stock of subsidiary corporations, refunds of certain interest payments, lending limitations, fiduciary activities, corporate names, emergency acquisitions, independent audits of private banks and loans to executive officers and examinations by the Department of Banking; and making a repeal.

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

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

NAYS—0

NOT VOTING—3

Johnson	Lashinger	Sirianni
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EXCUSED—3

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

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

REMARKS ON VOTE

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

Mr. NOYE. Thank you, Mr. Speaker.

On SB 1085 I was a little slow with the switch, and my vote was not recorded. I would like to be recorded in the affirmative.

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

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **SB 1305, PN 1998**, entitled:

An Act amending the act of May 15, 1933 (P. L. 565, No. 111), entitled "Department of Banking Code," limiting effects of subpoenas on officers and employees; easing restrictions on loans to clerical employees of the Department of Banking; and extending the examination period.

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—199

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

NAYS—0

NOT VOTING—0

EXCUSED—3

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

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



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The House proceeded to third consideration of **SB 784, PN 1996**, entitled:

An Act amending the act of July 22, 1974 (P. L. 589, No. 205), entitled "Unfair Insurance Practices Act," providing for disclosure of benefit limits when advertising guaranteed permanent life insurance to persons 50 years of age or older.

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—197**

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

**NAYS—0**

**NOT VOTING—2**

**EXCUSED—3**

Pratt	Sirianni	
Donatucci	Marmion	Showers

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

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

\* \* \*

The House proceeded to third consideration of **SB 1231, PN 1811**, entitled:

An Act establishing the fees to be charged and received by sheriffs.

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

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

The question is, shall the bill pass finally?

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

**YEAS—198**

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

DeWeese	Klingaman	Pistella	Wiggins
Daley	Kosinski	Pitts	Williams
Davies	Kowalshyn	Pott	Wilson
Dawida	Kukovich	Pratt	Wogan
Deal	Lashinger	Preston	Wozniak
Dietz	Laughlin	Punt	Wright, D. R.
Dininni	Lehr	Rappaport	Wright, J. L.
Dombrowski	Lescovitz	Reber	Wright, R. C.
Dorr	Letterman	Reinard	Zwinkl
Duffy	Levi	Richardson	
Durham	Levin	Rieger	Irvis,
Evans	Linton	Robbins	Speaker

NAYS—0

NOT VOTING—1

Mowery

EXCUSED—3

Donatucci Marmion Showers

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

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

**REMARKS ON VOTE**

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

Miss SIRIANNI. Mr. Speaker, may I be recorded in the affirmative on SB 784?

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

**WELCOMES**

The SPEAKER. The Chair welcomes, in the gallery, Girl Scout Troop 418 from Manchester Borough and their leader, Mrs. Faye Fetrow. They are here as the guests of Representative Bruce Smith. Welcome to the hall of the House.

Representative Steve Freind has as guest pages here today Christopher and Matthew Freind, both sons. Welcome to the hall of the House, boys.

**REMARKS ON VOTE**

The SPEAKER. For what purpose does the gentleman from Centre, Mr. Herman, rise?

Mr. HERMAN. Mr. Speaker, I was out of my seat when the vote was taken for HB 637. I would like to be recorded in the affirmative, please.

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

**BILLS ON THIRD CONSIDERATION CONTINUED**

The House proceeded to third consideration of **HB 2183, PN 2998**, entitled:

An Act amending the "Third Class County Assessment Board Law," approved June 26, 1931 (P. L. 1379, No. 348), providing for the right to appeal before the board for persons suffering catastrophic losses to their property.

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—199

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Donatucci Marmion Showers

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

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

\* \* \*

The House proceeded to third consideration of **HB 2194, PN 3104**, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571, No. 254), providing for appeal by persons suffering catastrophic losses to their property.

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

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

The question is, shall the bill pass finally?

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

YEAS—198

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

Davies	Kowalyszyn	Pitts	Wilson
Dawida	Kukovich	Pott	Wogan
Deal	Lashingier	Pratt	Wozniak
Dietz	Laughlin	Preston	Wright, D. R.
Dininni	Lehr	Punt	Wright, J. L.
Dombrowski	Lescovitz	Rappaport	Wright, R. C.
Dorr	Letterman	Reber	Zwikl
Duffy	Levi	Reinard	
Durham	Levin	Richardson	Irvis,
Evans	Linton	Rieger	Speaker

NAYS—0

NOT VOTING—1

Sirianni

EXCUSED—3

Donatucci Marmion Showers

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 lady from Susquehanna, Miss Sirianni.

Miss SIRIANNI. Mr. Speaker, on HB 2194, may I be recorded in the affirmative? My switch is not working.

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

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 1725, PN 2210**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for special registration plates for news reporters.

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—184

Alderette	Fargo	McCall	Rybak
Angstadt	Fee	McClatchy	Saloom
Armstrong	Fischer	McHale	Salvatore
Arty	Flick	McIntyre	Saurman
Baldwin	Foster, W. W.	McMonagle	Scheetz
Barber	Foster, Jr., A.	McVerry	Schuler
Battisto	Freeman	Mackowski	Semmel
Belardi	Freind	Madigan	Serafini
Belfanti	Gallagher	Maiale	Seventy
Blaum	Gallen	Manderino	Sirianni
Book	Gamble	Manmiller	Smith, B.
Bowser	Gannon	Markosek	Smith, L. E.
Boyes	Geist	Mayernik	Snyder, D. W.

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

NAYS—14

Afflerbach	Fryer	Linton	Rappaport
DeVerter	Gruitza	Moehlmann	Ryan
Dawida	Jackson	Preston	Wozniak
Fattah	Levi		

NOT VOTING—1

Wargo

EXCUSED—3

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

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

\* \* \*

The House proceeded to third consideration of **HB 1950, PN 2602**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, raising the income ceiling for senior citizens.

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

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

The question is, shall the bill pass finally?

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

YEAS—198

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

NAYS—0

NOT VOTING—1

Lucyk

EXCUSED—3

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

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

\* \* \*

The House proceeded to third consideration of **SB 1181, PN 1596**, entitled:

An Act designating a section of Route 11 (Legislative Route 25) in Snyder County as the "Charles E. Attig, Jr. Memorial Highway."

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—197

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

NAYS—0

NOT VOTING—2

Deal Richardson

EXCUSED—3

Donatucci Marmion Showers

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

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

REMARKS ON VOTE

The SPEAKER. For what purpose does the gentleman from Schuylkill, Mr. Lucyk, rise?

Mr. LUCYK. Mr. Speaker, I missed the vote on HB 1950. I would like to be recorded in the affirmative.

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

QUESTION OF INFORMATION

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

Mr. SALVATORE. HB 1997, is that going to be called up this week?

The SPEAKER. The Chair cannot answer that question. The calendar is marked by the majority leader. Would Mr. Salvatore confer with the majority leader?

Mr. SALVATORE. Sure.

The SPEAKER. That is where he can get his information.

BILLS ON CONCURRENCE  
IN SENATE AMENDMENTS

The clerk of the Senate, being introduced, returned the following **HB 865, PN 3181**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act empowering the Department of Transportation to preserve and improve rail freight service in the Commonwealth by making grants, loans or other assistance available to qualified applicants; authorizing a comprehensive rail study; making an appropriation; and making repeals.

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

The SPEAKER. On that question, the Chair recognizes the gentleman from Columbia, Mr. Stuban. The question, Mr. Stuban, is whether the House should agree to the Senate amendments.

Mr. STUBAN. Thank you, Mr. Speaker.

I would appreciate an affirmative vote for the bill.

The SPEAKER. Will the gentleman state what the amendments do?

Mr. STUBAN. They were just some simple amendments that made some changes of a piece of line up in Erie that is being sold now, and that allows that to go into effect. The changes have been minor changes.

The SPEAKER. It is moved by the gentleman, Mr. Stuban, that the House do concur in amendments inserted by the Senate to HB 865.

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—196

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

NAYS—0

NOT VOTING—3

Geist	Noye	Rappaport
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EXCUSED—3

Donatucci	Marmion	Showers
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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.

REMARKS ON VOTE

The SPEAKER. For what purpose does the gentleman from Blair, Mr. Geist, rise?

Mr. GEIST. Thank you, Mr. Speaker.

I failed to exercise my switch on that last vote, concurrence in HB 865. I would like to be recorded in the affirmative.

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

BILLS ON CONCURRENCE IN SENATE AMENDMENTS CONTINUED

The clerk of the Senate, being introduced, returned the following **HB 1270, PN 3167**, 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 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; and further providing for ballot forms.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Seventy, who moves that the House do concur in Senate amendments to HB 1270, PN 3167.

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—192

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

Coy	Kasunic	Petrone	Wambach
DeVertter	Kennedy	Phillips	Wargo
DeWeese	Klingaman	Piccola	Wass
Daley	Kosinski	Pievsky	Weston
Davies	Kowalyszyn	Pistella	Wiggins
Dawida	Kukovich	Pitts	Williams
Deal	Lashinger	Pott	Wilson
Dietz	Laughlin	Pratt	Wogan
Dininni	Lehr	Preston	Wozniak
Dombrowski	Lescovitz	Punt	Wright, D. R.
Dorr	Letterman	Rappaport	Wright, J. L.
Duffy	Levi	Reber	Wright, R. C.
Durham	Levin	Reinard	Zwikl
Evans	Linton	Richardson	
Fargo	Livengood	Rieger	Irvis,
Fattah	Lloyd	Robbins	Speaker
Fee	Lucy		

NAYS—6

Baldwin	Cordisco	Sweet	Tigue
Boyes	Itkin		

NOT VOTING—1

Deluca

EXCUSED—3

Donatucci	Marmion	Showers
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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 1451, PN 3182**, 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 "Second Class County Code," approved July 28, 1953 (P. L. 723, No. 230), providing that a county of the second class may make pickup contributions to the retirement system on behalf of county employees; and further providing for tax levies.

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

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

Mr. LAUGHLIN. Mr. Speaker, very briefly. Usually we get the benefit of having the prime sponsor of the bill or the responsible legislator give us just a brief rundown of what particular amendment was offered in the Senate and how it changed the bill. We are not having that today. Would you kindly see if we could have that, Mr. Speaker?

The SPEAKER. We are having that today when we can find the prime sponsor.

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

Mr. ITKIN. Mr. Speaker, the Senate added an unrelated section to the bill which would provide some relief to Allegheny County in that currently community colleges are paid for through a general 20-mill taxation on property. In so doing, the county is very close to its 20-mill limit; it now appropriates some 4 mills of that to the operation of the com-

munity college system. This amendment will allow Allegheny County to treat its community colleges like any other community college and allow it to separate the tax it may impose for community colleges using a 5-mill limit that all the other community colleges now have.

I have no objection to the amendment. It will provide a small amount of relief to Allegheny County, and I ask for concurrence.

The SPEAKER. It has been moved by the gentleman, Mr. Itkin, that the House do concur in amendments inserted by the Senate to HB 1451.

The Chair recognizes the gentleman from Cumberland, Mr. Mowery.

Mr. MOWERY. Thank you, Mr. Speaker.

There is no actuarial cost to this particular piece of retirement legislation, and I would also ask for concurrence.

The SPEAKER. The Chair thanks the gentleman.

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—197

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

Dorr	Levi	Reinard	
Duffy	Levin	Richardson	Irvis,
Durham	Linton	Rieger	Speaker
Evans	Livengood	Robbins	

NAYS—0

NOT VOTING—2

Letterman Steighner

EXCUSED—3

Donatucci Marmion Showers

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 1848, PN 3184**, 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 "Beauty Culture Law," approved May 3, 1933 (P. L. 242, No. 86), reestablishing the State Board of Cosmetology; providing for its composition, powers and duties; making editorial changes; and making a repeal.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. On that question, the Chair recognizes the gentleman from Philadelphia, Mr. McMonagle. Would you give a brief explanation of the amendment?

Mr. McMONAGLE. Yes, Mr. Speaker.

The amendments that were put in by the Senate were agreed to. I have no problem with the bill as is, and I ask for concurrence.

The SPEAKER. It has been moved by the gentleman, Mr. McMonagle, that the House do concur in amendments inserted by the Senate to HB 1848.

The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I wonder if the gentleman could be a little bit more explicit than that.

The SPEAKER. The Chair believes that the gentleman is quite capable of being more explicit than he was. Would the gentleman be more explicit?

Mr. McMONAGLE. I thought I gave the minority leader as much information as he always gave me.

The SPEAKER. Is that explicit enough, Mr. Ryan?

Mr. RYAN. A touch of the Irish blarney. I guess I should well receive it.

I think the explanation is that he is not really sure what they did, but it was not offensive.

The SPEAKER. The Chair thanks the gentleman.

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—198

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

NAYS—0

NOT VOTING—1

Belfanti

EXCUSED—3

Donatucci Marmion Showers

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.

REMARKS ON VOTES

The SPEAKER. For what purpose does the gentleman from Northumberland, Mr. Belfanti, rise?

Mr. BELFANTI. Mr. Speaker, I was temporarily out of my seat when the vote on HB 1848 on concurrence in Senate



amendments was taken. I would like to be recorded in the affirmative.

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

For what purpose does the gentleman from Butler, Mr. Steighner, rise?

Mr. STEIGHNER. Thank you, Mr. Speaker.

Mr. Speaker, my switch malfunctioned when the vote was taken on concurrence in Senate amendments to HB 1451. I would like to be recorded in the affirmative.

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

For what purpose does the gentleman from Blair, Mr. Johnson, rise?

Mr. JOHNSON. Thank you, Mr. Speaker.

On SB 1304 I failed to vote. I would like to be recorded in the affirmative.

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

For what purpose does the gentleman from Lawrence, Mr. Pratt, rise?

Mr. PRATT. On final passage of SB 784, I would like to be recorded in the affirmative.

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

**BILLS ON CONCURRENCE IN SENATE AMENDMENTS CONTINUED**

The clerk of the Senate, being introduced, returned the following **HB 1851, PN 3185**, 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 "Barbers' License Law," approved June 19, 1931 (P. L. 589, No. 202), reestablishing the State Board of Barber Examiners; and further providing for provisions relating to barbering.

On the question,

Will the House concur in Senate amendments?

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

Mr. LINTON. Thank you, Mr. Speaker.

As the prime sponsor of HB 1851, I would ask that the House concur with the Senate amendments. Most of the Senate amendments had to do with clarifying the language within the bill in regard to the shared-shop provision that we put in in the House. It also allowed those barbers who are qualified to take examinations and who want to take examinations as cosmetologists to be able to do so without taking additional schooling. I would ask that the House concur with the Senate amendments.

The SPEAKER. It has been moved by the gentleman from Philadelphia, Mr. Linton, that the House do concur in amendments inserted by the Senate to HB 1851.

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—199**

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

**NAYS—0**

**NOT VOTING—0**

**EXCUSED—3**

Donatucci      Marmion      Showers

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 1858, PN 3008**, 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 act of August 23, 1961 (P. L. 1068, No. 484), entitled, as reenacted and amended, "An act to provide for the creation and administration of a Coal and Clay Mine Subsidence Insurance Fund within the Department of Environmental Resources for the insurance of compensation for damages to subscribers thereto; declaring false oaths by the subscribers to be misdemeanors; providing penalties for the violation thereof; and making an appropriation," providing for applications for additional insurance; and providing for automatic increases for inflation.

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

The SPEAKER. On that question, the Chair recognizes the gentleman from Washington, Mr. Sweet.

Mr. SWEET. Thank you, Mr. Speaker.

Mr. Speaker, I have consulted with the majority leader, who is the sponsor of this bill, and it is both his thought and mine, because of some features that still need to be placed into this bill and also because of some Senate amendments, we would ask that the House nonconcur in this bill. Thank you, Mr. Speaker.

The SPEAKER. The majority leader, together with the gentleman, Mr. Sweet, urge nonconcurrence.

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—16

Arty	Hoeffel	Phillips	Spitz
Flick	Miller	Pitts	Taylor, E. Z.
Gannon	Moehlmann	Pott	Wilson
Hershey	Noye	Rieger	Wright, R. C.

NAYS—182

Afflerbach	Duffy	Levi	Rudy
Alderette	Durham	Levin	Ryan
Angstadt	Evans	Linton	Rybak
Armstrong	Fargo	Livengood	Saloom
Baldwin	Fattah	Lloyd	Salvatore
Barber	Fee	Lucyk	Saurman
Battisto	Fischer	McCall	Scheetz
Belardi	Foster, W. W.	McClatchy	Schuler
Belfanti	Foster, Jr., A.	McHale	Semmel
Blaum	Freeman	McIntyre	Serafini
Book	Freind	McMonagle	Seventy
Bowser	Fryer	McVerry	Sirianni
Boyes	Gallagher	Madigan	Smith, B.
Brandt	Gallen	Maiale	Smith, L. E.
Broujos	Gamble	Manderino	Snyder, D. W.
Bunt	Geist	Manmiller	Snyder, G. M.
Burd	George	Markosek	Spencer
Burns	Gladeck	Mayernik	Stairs
Caltagirone	Godshall	Merry	Steighner
Cappabianca	Greenwood	Michlovic	Stevens
Carn	Grieco	Micozzie	Stewart
Cawley	Gruitza	Miscevich	Stuban
Cessar	Gruppo	Morris	Sweet
Cimini	Hagarty	Mowery	Swift
Civera	Haluska	Mrkonic	Taylor, F. E.

Clark	Harper	Murphy	Telek
Clymer	Hasay	Nahill	Tigue
Cohen	Hayes	O'Brien	Trello
Colafella	Herman	O'Donnell	Truman
Cole	Honaman	Olasz	Van Horne
Cordisco	Hutchinson	Oliver	Vroon
Cornell	Itkin	Perzel	Wachob
Coslett	Jackson	Peterson	Wambach
Cowell	Jarolin	Petrarca	Wargo
Coy	Johnson	Petrone	Wass
Deluca	Kasunic	Piccola	Weston
DeVerter	Kennedy	Pievsky	Wiggins
DeWeese	Klingaman	Pistella	Williams
Daley	Kosinski	Pratt	Wogan
Davies	Kowalshyn	Preston	Wozniak
Dawida	Kukovich	Punt	Wright, D. R.
Deal	Lashinger	Rappaport	Wright, J. L.
Dietz	Laughlin	Reber	Zwikel
Dininni	Lehr	Reinard	
Dombrowski	Lescovitz	Richardson	Irvis,
Dorr	Letterman	Robbins	Speaker

NOT VOTING—1

Mackowski

EXCUSED—3

Donatucci Marmion Showers

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the clerk inform the Senate accordingly.

\* \* \*

The clerk of the Senate, being introduced, returned the following **HB 1969, PN 3131**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

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.

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

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

Mr. MORRIS. Mr. Speaker, I move for concurrence.

The Senate made four amendments. One restricted the definition of "milk" to fluid milk. They are all all right, but this one is all right because that is really what the farmers are selling.

The Senate changed the bonding requirements to clarify the obligation of the bond as a separate obligation, independent of any other obligation incurred by the debtor.

The third one is that the Senate added language that the security fund is a trust fund for the milk producers only and not to be available in bankruptcy and so on.

The fourth one is that no milk dealer's license shall be granted to a person who within the last 5 years has been found guilty of a felony.

The SPEAKER. The Chair thanks the gentleman.

It has been moved by the gentleman, Mr. Morris, that the House do concur in amendments inserted by the Senate to HB 1969.

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—198

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

NAYS—1

Dombrowski

NOT VOTING—0

EXCUSED—3

Donatucci Marmion Showers

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 2111, PN 3264**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act making appropriations to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors.

On the question,

Will the House concur in Senate amendments?

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

Mr. PIEVSKY. Thank you, Mr. Speaker.

Mr. Speaker, I urge concurrence in HB 2111. This bill provides funding for replacement checks from various funds. The Senate increased the appropriation for several of the funds due to more recent information, and I urge concurrence. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

It has been moved by the gentleman, Mr. Pievsky, that the House do concur in amendments inserted by the Senate to HB 2111.

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—198

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	Salvatore
Barber	Foster, Jr., A.	McIntyre	Saurman
Battisto	Freeman	McMonagle	Scheetz
Belardi	Freind	McVerry	Schuler
Belfanti	Fryer	Mackowski	Semmel
Blaum	Gallagher	Madigan	Serafini
Book	Gallen	Maiale	Seventy
Bowser	Gamble	Manderino	Sirianni
Boyes	Gannon	Manmiller	Smith, B.
Brandt	Geist	Markosek	Smith, L. E.
Broujos	George	Mayernik	Snyder, D. W.
Bunt	Gladeck	Merry	Spencer
Burd	Godshall	Michlovic	Spitz
Burns	Greenwood	Micozzie	Stairs
Caltagirone	Grieco	Miller	Steighner
Cappabianca	Gruitza	Miscevich	Stevens
Carn	Gruppo	Moehlmann	Stewart
Cawley	Hagarty	Morris	Suban
Cessar	Haluska	Mowery	Sweet
Cimini	Harper	Mrkonic	Swift
Civera	Hasay	Murphy	Taylor, E. Z.
Clark	Hayes	Nahill	Taylor, F. E.
Clymer	Herman	Noye	Telek
Cohen	Hershey	O'Brien	Tigue
Colafella	Hoeffel	O'Donnell	Trello
Cole	Honaman	Olasz	Truman
Cordisico	Hutchinson	Oliver	Van Horne
Cornell	Itkin	Perzel	Vroon
Coslett	Jackson	Petrone	Wachob
Cowell	Jarolin	Petrarca	Wambach
Coy	Johnson	Petrone	Wargo

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

NAYS—0

NOT VOTING—1

Snyder, G. M.

EXCUSED—3

Donatucci      Marmion      Showers

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 2115, PN 3266**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 1984 to June 30, 1985 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1984.

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

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

Mr. PIEVSKY. Thank you, Mr. Speaker.

Mr. Speaker, the amendments inserted by the Senate have stripped the bill of the venture capital investment language inserted by this House with the Murphy amendment. Although I support the language inserted by the House, I do not think it would do any good in this bill, and it should be placed in a retirement code, which I am committed to do. I urge concurrence in HB 2115 so we do not hold up this appropriation to the retirement board. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the motion, the Chair recognizes the gentleman from Allegheny, Mr. Murphy.

Mr. MURPHY. Thank you, Mr. Speaker.

Mr. Speaker, I would ask the House to nonconcur in this legislation. The Senate deleted language that the House had put in concerning the pension fund's investments, asking that they report back to the House within 6 months their investment position so that we would know how they are going to be helping Pennsylvania industry. The second thing it did was

require them to set up a venture capital fund with a minimum of 1 percent and a maximum of 2 percent.

While the language might be better put into the Retirement Code, I think this issue has some urgency to it and is critical. Just today in the Pittsburgh Post-Gazette there was a long article about the many States across the country using their pension funds for venture capital. It lists a few, such as New York, Michigan, Illinois, Ohio, Oregon, and Washington. Let me remind you that those States are States that we are in a very deadly competition with. Ohio and New York and Illinois and Michigan are States in a very similar economic situation to what we are in, and so I believe that we have to send a message loud and clear to the retirement board.

There are lots of individuals in Pennsylvania who are not receiving a paycheck. This is in effect a paycheck for the retirement board people. I think we ought to send them a message that they do not get their paycheck unless they begin to do something that helps the people of Pennsylvania get their paychecks also. I urge your nonconcurrence in this.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Cumberland, Mr. Mowery.

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

Mr. Speaker, although there is a lot of merit to what Representative Murphy has just stated, I believe that there is other legislation more appropriate for this kind of venture capital to be introduced into. Therefore, I would recommend that we do concur and vote in the affirmative on this particular bill.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. GEIST. Thank you, Mr. Speaker.

I would like to agree with Representative Murphy on nonconcurrence. We are not discussing the other parts of the legislation, only the amendment that was taken out by the Senate. I think that amendment should be reinserted at a conference committee. I think it is urgent that we in Pennsylvania let the pension funds know that we have been working on this for a long time. We have a good vehicle, a positive vehicle for return in the investment in this State. I would urge a nonconcurrence so we can get this thing immediately to conference committee and back to the floor. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. DAWIDA. Mr. Speaker, we have been talking about this issue for 5 years. There is no more appropriate time than to get a conference committee together and this week do something about venture capital. If you want to see your sons and daughters and grandchildren go to California, if you want to see them go to the Sun Belt, keep pushing this issue back. Let us do it this week. Vote "no."

The SPEAKER. The Chair thanks the gentleman.

It has been moved by the gentleman, Mr. Pievsky, that the House do concur in amendments inserted by the Senate to HB 2115.

The gentleman, Mr. Murphy, urges that the vote be in the negative. The gentleman, Mr. Pievsky, urges that the vote be in the affirmative.

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—136

Afflerbach	Foster, W. W.	Manderino	Scheetz
Alderette	Freind	Manmiller	Schuler
Angstadt	Fryer	Markosek	Semmel
Arty	Gallagher	Merry	Serafini
Baldwin	Gallen	Micozzie	Seventy
Barber	Gannon	Moehlmann	Sirianni
Battisto	Gladeck	Mowery	Smith, B.
Belardi	Godshall	Nahill	Smith, L. E.
Blaum	Greenwood	Noye	Snyder, D. W.
Bowser	Grieco	O'Brien	Snyder, G. M.
Boyes	Gruppo	O'Donnell	Spencer
Brandt	Hagarty	Olasz	Spitz
Bunt	Harper	Oliver	Stevens
Burns	Hasay	Perzel	Stewart
Caltagirone	Hayes	Peterson	Swift
Cappabianca	Hoeffel	Petrarca	Taylor, E. Z.
Carn	Honaman	Petrone	Taylor, F. E.
Cimini	Jackson	Piccola	Telek
Civera	Jarolin	Pievsky	Trello
Clark	Johnson	Pitts	Truman
Clymer	Kasunic	Pott	Vroon
Colafella	Klingaman	Preston	Wargo
Cordisco	Kosinski	Punt	Wass
Cornell	Kowalshyn	Rappaport	Weston
Coy	Laughlin	Reber	Wiggins
DeVerter	Lescovitz	Reinard	Williams
Daley	Levi	Richardson	Wilson
Deal	Levin	Rieger	Wogan
Dietz	Lucyk	Robbins	Wright, J. L.
Dininni	McCall	Ryan	Wright, R. C.
Dombrowski	McClatchy	Rybak	Zwinkl
Durham	McMonagle	Saloom	
Evans	Mackowski	Salvatore	Irvis,
Fargo	Madigan	Saurman	Speaker
Flick	Maiale		

NAYS—61

Armstrong	Duffy	Kennedy	Murphy
Belfanti	Fattah	Kukovich	Phillips
Book	Fee	Lashingner	Pistella
Broujos	Fischer	Lehr	Pratt
Burd	Foster, Jr., A.	Letterman	Rudy
Cawley	Freeman	Linton	Stairs
Cessar	Gamble	Livengood	Steighner
Cohen	Geist	Lloyd	Stuban
Cole	George	McHale	Sweet
Coslett	Gruitza	McVerry	Tigue
Cowell	Haluska	Michlovic	Van Horne
Deluca	Herman	Miller	Wachob
DeWeese	Hershey	Miscevich	Wambach
Davies	Hutchinson	Morris	Wozniak
Dawida	Itkin	Mrkoncic	Wright, D. R.
Dorr			

NOT VOTING—2

McIntyre	Mayernik
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EXCUSED—3

Donatucci	Marmion	Showers
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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.

MOTION TO CALL UP SR 86

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

Mr. WASS. Mr. Speaker, I would like to move to call SR 86 for a vote.

The SPEAKER. The gentleman, Mr. Wass, under rule 17—The Chair suggests you pay attention. This may be controversial, and you will have to participate.

It was the intention of the Chair, following instructions of the majority leader's office, to pass over SR 86 on page 11. Mr. Wass insists that the concurrent resolution be called up. Mr. Wass is in order under rule 17, and he moves that SR 86, PN 1522, a concurrent resolution, be called up as a special order of business.

The question is, shall SR 86, PN 1522, a concurrent resolution, be called up as a special order of business?

The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, the reason for the marking of the majority leader as over for the day is not so important as to oppose Mr. Wass wanting to do that today. I will put it on today's calendar, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

In that case, the gentleman, Mr. Wass, does not have to offer the motion.

RESOLUTION

Mr. WASS called up SR 86, PN 1522, entitled:

Providing for a special bipartisan committee to investigate and make recommendations to the General Assembly on the sponsorship of the first "Pennsylvania Products Exposition."

On the question,

Will the House concur in the resolution of the Senate?

Mr. DORR offered the following amendments No. A2375:

Amend Title, page 1, line 5, by striking out "Exposition." and inserting "Exposition"; and directing the Joint State Government Commission to appoint a task force to study ways in which the Commonwealth can reduce the competition with private enterprise.

Amend Bill, page 1, by inserting between lines 5 and 6

Resolution 1

Amend Resolution, page 2, by inserting after line 30

Resolution 2

WHEREAS, It is the function of government to establish policies and programs pursuant to law; and

WHEREAS, It is the function of the private enterprise system, which is the primary source of national economic strength, to provide goods and services needed in that endeavor; and

WHEREAS, Optimum efficiency, economy and productivity can be achieved if the government relies on competitive procurements from private enterprise for its needs, goods and services; and

WHEREAS, In a democratic free enterprise system, the government should not compete with its citizens; therefore be it

RESOLVED (the House of Representatives concurring), That the General Assembly direct the Joint State Government Commission to appoint a task force to conduct a thorough study of ways in which the Commonwealth can reduce its competition with private enterprise, excluding a study of the State liquor store system; and be it further

RESOLVED, That the Joint State Government Commission report the findings of its task force together with recommendations for appropriate legislation as soon as possible.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from York, Mr. Dorr, on that question.

Mr. DORR. Mr. Speaker, some time ago the House passed a resolution which is reprinted as an amendment now to SR 86. It also was a concurrent resolution and called for the formation of a task force under the auspices of the Joint State Government Commission to study the issue of government competition with private enterprise. The resolution specifically directs the task force not to get involved in the liquor control issue, and I would ask that we add it to the present resolution as an amendment so that the Senate will consider it on concurrence.

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

Mr. WASS. Thank you, Mr. Speaker.

I have no objection to the amendment. The amendment of Representative Dorr's lets SR 86 stand on its own, and I would ask for an affirmative vote.

The SPEAKER. The Chair recognizes the gentleman from Erie, Mr. Cappabianca, on the amendment.

Mr. CAPPABIANCA. Thank you, Mr. Speaker.

I, too, would agree with the Dorr amendment. It is exactly as he explained it. It is an amendment that we presently have over in the Senate. They are not acting on it. This is one way around it. I would ask this side to concur with this amendment.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—1

Foster, W. W.

EXCUSED—3

Donatucci Marmion Showers

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

On the question,

Will the House concur in the resolution of the Senate as amended?

The following roll call was recorded:

YEAS—194

Afflerbach	Fargo	Linton	Robbins
Alderette	Fattah	Livengood	Rudy
Angstadt	Fee	Lloyd	Ryan
Armstrong	Fischer	Lucyk	Rybak
Arty	Flick	McCall	Salvatore
Baldwin	Foster, W. W.	McClatchy	Scheetz
Barber	Foster, Jr., A.	McHale	Schuler
Battisto	Freeman	McIntyre	Semmel
Belardi	Freind	McMonagle	Serafini
Belfanti	Fryer	McVerry	Seventy
Blaum	Gallagher	Mackowski	Sirianni
Book	Gallen	Madigan	Smith, B.
Bowser	Gamble	Maiale	Smith, L. E.
Boyes	Gannon	Manderino	Snyder, D. W.
Brandt	Geist	Manmiller	Snyder, G. M.
Broujos	George	Markosek	Spencer
Burd	Gladeck	Mayernik	Spitz
Burns	Godshall	Merry	Stairs
Caltagirone	Greenwood	Michlovic	Steighner
Cappabianca	Grieco	Micozzie	Stevens
Carn	Gruitza	Miller	Stewart
Cawley	Gruppo	Miscevich	Suban
Cessar	Hagarty	Moehlmann	Sweet
Cimini	Haluska	Morris	Swift
Civera	Harper	Mowery	Taylor, E. Z.

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

NAYS—0

NOT VOTING—5

Bunt	Reber	Saloom	Saurman
Rappaport			

EXCUSED—3

Donatucci	Marmion	Showers
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The question was determined in the affirmative, and the resolution as amended was concurred in.

Ordered, That the clerk inform the Senate accordingly.

**BILLS ON CONCURRENCE IN SENATE AMENDMENTS CONTINUED**

The clerk of the Senate, being introduced, returned the following **HB 1799, PN 3245**, 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 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for prohibited offensive weapons, for the offense, venue and grading of bad check offenses and for reimbursement liability.

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

The SPEAKER. On that question, the majority whip is recognized.

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

This bill, as it left the House, was a bill to expedite the collection and prosecution of bad checks. The amendments that the Senate made were relatively technical - three amendments. They changed the effective date, they broadened the application of the bill to those who pass bad checks as well as mere issuers, and they made a minor change by altering the jurisdiction in terms of amount but also subsequent offense. They are all technical changes by the Senate, and I urge its adoption.

The SPEAKER. It is moved by the majority whip that the House concur in the amendments inserted by the Senate to HB 1799.

The Chair recognizes the gentleman from Mercer, Mr. Fargo, on concurrence.

Mr. FARGO. Would the majority whip please stand for interrogation?

The SPEAKER. The majority whip indicates he will so stand. The gentleman, Mr. Fargo, is in order and may proceed.

Mr. FARGO. Thank you.

Mr. Speaker, I would like a definition of "passer" as far as the check is concerned under the Senate amendments.

Mr. O'DONNELL. The definition would be found in the Uniform Commercial Code. There are two folks who move a check in commerce. The issuer is the first person to move the check in commerce, but it is also possible that a check could be rendered bad or a bad check could be used to defraud an individual by a subsequent holder. So if somebody gave me a check, for instance, my wife gave me a bad check that was designed for use by me with somebody else and she was the signator on the check, she was the issuer of the check, and I used that check to defraud a local merchant—he said, oh, yeah, Bob O'Donnell, I know his wife, I know him, and he takes the check and it is a bad check—technically, my wife is the issuer; I passed the bad check; I really have committed the crime. Under the original language of the bill, the word "issuer" was used, and obviously what we are trying to get at are the folks who are using bad paper to defraud a merchant or a recipient.

Mr. FARGO. Is it possible, then, that some innocent person may receive this check, pass it on again, and really be liable for the amount of that check?

Mr. O'DONNELL. No. There would be no criminal liability on someone who moved a bad check with no knowledge that it was bad. No possible criminal liability because of the mens rea.

Mr. FARGO. Okay.

Thank you then, Mr. Speaker.

The SPEAKER. It is moved by the majority whip that the House do concur.

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—197

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

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

NAYS—0

NOT VOTING—2

Deal McIntyre

EXCUSED—3

Donatucci Marmion Showers

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.

**REMARKS ON VOTE**

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

Mr. REBER. To be recorded on a vote, Mr. Speaker.

I did not push my switch on SR 86. I would like to be recorded in the affirmative.

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

**WELCOME**

The SPEAKER. Steven Madigan, the son of Representative Roger Madigan, is here with us. Welcome to the hall of the House, son.

**REMARKS ON VOTES**

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

Mr. BUNT. Thank you, Mr. Speaker.

On SR 86 I was out of my seat, and I would have been recorded in the affirmative had I been voting.

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

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

Mr. DEAL. Mr. Speaker, on HB 1799 I tried to vote and my switch was inoperative. Had it been working, I would have voted in the affirmative on concurrence in Senate amendments.

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

**AGRICULTURE AND RURAL AFFAIRS COMMITTEE MEETING**

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

Mr. MORRIS. Thank you, Mr. Speaker.

I would like to call to the attention of the members of the Agriculture and Rural Affairs Committee that we are going to have a meeting tomorrow in room 200 in the South Office Building at 10 a.m., the purpose being to deal with SB 1414. Announcements are being sent out, and I have in my hand an addendum to the committee agenda for this week, which is in all the mailboxes, I assume; that is where I got mine.

The SPEAKER. The Chair thanks the gentleman.

**RULES COMMITTEE MEETING**

The SPEAKER. There is a Committee of Rules meeting in the majority leader's office immediately.

This House stands in recess until 1:30.

Just a moment.

**REPUBLICAN CAUCUS  
DEMOCRATIC CAUCUS**

The SPEAKER. The Chair recognizes the gentleman from Perry, Mr. Noye. He indicates that he has an announcement.

Mr. NOYE. Mr. Speaker, before you announce a recess, we had been asked to include a caucus today on a number of bills they have intentions of running this afternoon. Now, my question is, do you want to come back at 1:30 and then go to caucus, or do you want to get the caucus in here—

The SPEAKER. No; the Chair was not aware of the necessity of caucus. Obviously, the two caucus chairmen know about it.

How long will you require for a caucus, Mr. Noye?

Mr. NOYE. I think we will need at least an hour.

The SPEAKER. Mr. Itkin, how long?

Mr. ITKIN. About an hour, Mr. Speaker.

The SPEAKER. A caucus for the Republican Party; a caucus for the Democratic Party, requiring an hour each. The recess will be until 2:15.



Now, if the gentleman, Mr. Itkin, will announce the time of the Democratic caucus.

Mr. ITKIN. Mr. Speaker, we will go into caucus at 1:15.

The SPEAKER. And the gentleman, Mr. Noye, for the Republicans?

Mr. NOYE. We will do likewise - 1:15, sir.

The SPEAKER. When we finally recess, it will be until 2:15. The members may now leave.

### BILLS SIGNED BY SPEAKER

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

#### HB 865, PN 3181

An Act empowering the Department of Transportation to preserve and improve rail freight service in the Commonwealth by making grants, loans or other assistance available to qualified applicants; authorizing a comprehensive rail study; making an appropriation; and making repeals.

#### HB 1451, PN 3182

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723, No. 230), providing that a county of the second class may make pickup contributions to the retirement system on behalf of county employees; and further providing for tax levies.

#### HB 1799, PN 3245

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for prohibited offensive weapons, for the offense, venue and grading of bad check offenses and for reimbursement liability.

#### HB 1848, PN 3184

An Act amending the "Beauty Culture Law," approved May 3, 1933 (P. L. 242, No. 86), reestablishing the State Board of Cosmetology; providing for its composition, powers and duties; making editorial changes; and making a repeal.

#### HB 1851, PN 3185

An Act amending the "Barbers' License Law," approved June 19, 1931 (P. L. 589, No. 202), reestablishing the State Board of Barber Examiners; and further providing for provisions relating to barbering.

#### HB 1969, PN 3131

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.

#### HB 2111, PN 3264

An Act making appropriations to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors.

#### HB 2115, PN 3266

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 1984 to June 30, 1985 and for the payment of bills incur-

red and remaining unpaid at the close of the fiscal year ending June 30, 1984.

### RECESS

The SPEAKER. The House now stands in recess until 2:15.

### AFTER RECESS

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

### CALENDAR CONTINUED

#### BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2169, PN 3136**, entitled:

An Act amending the "Senior Citizens Rebate and Assistance Act," approved March 11, 1971 (P. L. 104, No. 3), increasing eligibility under the property tax or rent rebate or inflation dividend.

On the question,

Will the House agree to the bill on third consideration?

### POINT OF ORDER

Mr. LLOYD. Mr. Speaker, a point of order.

The SPEAKER. What is the gentleman from Somerset, Mr. Lloyd's point of order?

Mr. LLOYD. Mr. Speaker, the Democratic Caucus is still in session.

The SPEAKER. We were not so informed.

Mr. LLOYD. Well, Mr. Speaker, I just came from there and they were still in session.

The SPEAKER. For Mr. Lloyd's information—and we thank the gentleman for his announcement—we were told and we are still told that there is no request for an extension of time on the part of the Democrats. We will, however, await the arrival of the people on the floor before Mr. Salvatore is recognized to debate his amendment.

### MR. FRYER REQUESTED TO PRESIDE

The SPEAKER. The Chair requests that the gentleman from Berks, Mr. Fryer, preside temporarily.

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

#### STATE GOVERNMENT COMMITTEE MEETING

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

Mr. OLIVER. Thank you, Mr. Speaker.

Mr. Speaker, there will be a meeting of the State Government Committee at the rear of the House immediately.

The SPEAKER pro tempore. The Chair thanks the gentleman.

A meeting of the State Government Committee in the rear of the hall of the House at this very moment.

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

**SB 56, PN 331**

By Rep. OLIVER

An Act regulating Auditor General reports.

STATE GOVERNMENT.

**CONSIDERATION OF HB 2169 CONTINUED**

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. SALVATORE offered the following amendments No. A3221:

Amend Title, page 1, line 9, by inserting after "Revenue," further defining "income"; and

Amend Bill, page 1, lines 14 through 18, by striking out all of said lines and inserting

Section 1. The definition of "income" in section 3 of the act of March 11, 1971 (P.L.104, No.3), known as the Senior Citizens Rebate and Assistance Act, reenacted and amended June 16, 1975 (P.L.7, No.4) and amended December 21, 1979 (P.L.570, No.131), is amended to read:

Section 3. Definitions.—As used in this act:

(1) "Income" means all income from whatever source derived, including but not limited to salaries, wages, bonuses, commissions, income from self-employment, alimony, support money, cash public assistance and relief, the gross amount of any pensions or annuities including railroad retirement benefits, [all benefits received under the Federal Social Security Act (except Medicare benefits),] all benefits received under State unemployment insurance laws and veterans' disability payments, all interest received from the Federal or any State government, or any instrumentality or political subdivision thereof, realized capital gains, rentals, workmen's compensation and the gross amount of loss of time insurance benefits, life insurance benefits and proceeds (except the first five thousand dollars (\$5,000) of the total of death benefit payments), and gifts of cash or property (other than transfers by gift between members of a household) in excess of a total value of three hundred dollars (\$300), but shall not include benefits received under the Federal Social Security Act, surplus food or other relief in kind supplied by a governmental agency or property tax or rent rebate or inflation dividend.

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Section 2. Section 4(a.1) and (a.2) of the act, amended March 10, 1982 (P.L.177, No.56), are amended to read:

Amend Sec. 2, page 2, line 27, by striking out "2" and inserting

3

Amend Sec. 3, page 2, line 29, by striking out "3" and inserting

4

On the question,

Will the House agree to the amendments?

**AMENDMENTS WITHDRAWN**

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Salvatore, for the purposes of explaining the amendment.

Mr. SALVATORE. Mr. Speaker, I am going to withdraw the amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The gentleman has withdrawn his amendment.

On the question recurring,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

Mr. DeLUCA. Mr. Speaker, HB 2169 increases the eligibility requirements for senior citizens to participate in the State property tax and rent rebate program from \$11,999 to \$14,999. The increase will give approximately 9 percent or 37,000 more senior citizens an opportunity to take advantage of this highly successful program while only costing the surplus lottery system an additional \$2 million.

I believe, Mr. Speaker, that all of us here are aware of the rapid pace in which our economy has escalated, and likewise, we are aware of the special problems that face our State's elderly as they are trying to make ends meet today in this inflated economy while living on a fixed and usually low income.

Mr. Speaker, this program was never intended to provide a rebate or tax break for all of Pennsylvania's senior citizens. It was structured, however, to provide aid to those seniors who really need the financial assistance. And in this day and age, any household which operates on a total income of less than \$15,000 can definitely use this much-needed assistance.

The people we are talking about, Mr. Speaker, who would become eligible for this program if this annual income limit is increased have just enough money coming in to exclude them from other beneficial State programs, such as the food and cheese distribution program, PACE (Pharmaceutical Assistance Contract for the Elderly), and the energy assistance program. Surely we can see our way clear in this legislature, knowing how little it would cost, to provide this small benefit to our State's elderly who are presently living well under what could be called a comfortable financial state. If we are to continue operating the program in a responsible manner and if we wish to accomplish the purpose of the program, we will need to increase from time to time the eligibility requirements to meet current cost-of-living factors.

Mr. Speaker, now is the time to make this increase in our surplus Lottery Fund. It can handle it. The amount is there, and heaven knows, our seniors need it. Mr. Speaker, I ask for an affirmative vote from my fellow colleagues. Thank you.

The SPEAKER pro tempore. The Chair thanks the prime sponsor of this enlightened legislation.

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

Mr. TRELLO. Mr. Speaker, I echo the remarks of Representative DeLuca. The House Finance Committee released this bill out of committee with no negative votes, and I urge the whole General Assembly to support the bill. Thank you very much.

The SPEAKER pro tempore. The Chair recognizes the lady from Centre, Mrs. Rudy.

Mrs. RUDY. Mr. Speaker, I rise to support the DeLuca piece of legislation because this bill would help greatly senior citizens on a borderline income, and I urge all the members to support this piece of legislation. Thank you.

The SPEAKER pro tempore. The Chair thanks the lady.

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

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

The SPEAKER pro tempore. The sponsor of the bill indicates he will stand for a period of interrogation. The gentleman, Mr. Vroon, is in order and may proceed.

Mr. VROON. Mr. Speaker, how about the unmarried people? I do not think you increase theirs, do you?

Mr. DeLUCA. Under the program, Mr. Speaker, as you know, the program is geared towards the bottom end of this scale. It is on a sliding scale, the income factor.

Mr. VROON. Yes, Mr. Speaker, you see, this is relief, increasing the eligibility limit for the income of married people, married senior citizens, but you do not do the same thing for single senior citizens, do you?

Mr. DeLUCA. No; we do not.

Mr. VROON. I only notice that you are doing this for household income.

Mr. DeLUCA. Household income. Yes, sir.

Mr. VROON. And that only pertains to married senior citizens?

Mr. DeLUCA. Mr. Speaker, I think when this program was initiated, we had a \$3,000 differential just like in the PACE program, on this property tax and rent rebate program. But we have to remember that we have an income, a household income, here. Now, surely when we talk about the single person, it is a little different when you are adding two people to the income eligibility rolls. I am sure you cannot expect for \$3,000 to feed another person in your household.

Mr. VROON. Mr. Speaker, if I am not mistaken, did we not just recently increase the eligibility limits to \$12,000 for single senior citizens and to \$15,000 for married senior citizens?

Mr. DeLUCA. Excuse me, Mr. Speaker. I misunderstood your question, Mr. Speaker.

As I relate to this bill here, the income eligibility requirements apply to everybody. It is household income, regardless if there is one in the family or two, Mr. Speaker.

Mr. VROON. No; this only pertains to married people. As I understand it, you have a separate section in the law which has a sliding scale of rebates for single people.

Mr. DeLUCA. Excuse me, Mr. Speaker. Mr. Speaker, I think the gentleman is confused with the prescription program

that has \$9,000 and \$12,000 income eligibility levels in it right now. The property tax does not have those income eligibility levels, \$9,000 and \$12,000. It is household income, Mr. Speaker.

Mr. VROON. Are you sure of that, Mr. Speaker?

Mr. DeLUCA. Yes, I am, Mr. Speaker.

Mr. VROON. I strongly doubt that.

Mr. Speaker, I just finished my interrogation.

The SPEAKER pro tempore. Does the gentleman care to make further remarks?

Mr. VROON. Yes.

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

Mr. VROON. Mr. Speaker, I have nothing against helping the senior citizens, but I am sure if you look into the situation very carefully, we are going to offend a lot of single senior citizens, because what I said is absolutely true. It is \$9,000 and \$12,000 at this point, and it should be raised to \$12,000 and \$15,000 under this kind of an arrangement. For that reason, well, I might vote "no."

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Centre, Mr. Herman.

Mr. HERMAN. Thank you, Mr. Speaker.

Mr. Speaker, in visiting a lot of senior citizens in the 77th District, it has come to my attention that many of those who presently do not qualify are just on that borderline for eligibility for the property tax/rent rebate program. I think the income limits do need to be increased. I am going to support this measure, and I encourage others to do so. Thank you.

On the question recurring,

Shall the bill pass finally?

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

YEAS—198

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

Clymer	Hershey	O'Brien	Telek
Cohen	Hoeffel	O'Donnell	Tigue
Colafella	Honaman	Olasz	Trello
Cordisco	Hutchinson	Oliver	Truman
Cornell	Itkin	Perzel	Van Horne
Coslett	Jackson	Peterson	Vroon
Cowell	Jarolin	Petrarca	Wachob
Coy	Johnson	Petrone	Wambach
Deluca	Kasunic	Phillips	Wargo
DeVerter	Kennedy	Piccola	Wass
DeWeese	Klingaman	Pievsky	Weston
Daley	Kosinski	Pistella	Wiggins
Davies	Kowalshyn	Pitts	Williams
Dawida	Kukovich	Pott	Wilson
Deal	Lashingar	Pratt	Wogan
Dietz	Laughlin	Preston	Wozniak
Dininni	Lehr	Punt	Wright, D. R.
Dombrowski	Lescovitz	Rappaport	Wright, J. L.
Dorr	Letterman	Reber	Wright, R. C.
Duffy	Levi	Reinard	Zwikl
Durham	Levin	Richardson	
Evans	Linton	Rieger	Irvis,
Fargo	Livengood	Robbins	Speaker

NAYS—0

NOT VOTING—1

Cole

EXCUSED—3

Donatucci Marmion Showers

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

Mr. COLE. Mr. Speaker, my vote was not recorded, and I would like to be recorded in the affirmative on HB 2169.

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

**LOCAL GOVERNMENT COMMITTEE MEETING**

The SPEAKER pro tempore. The Chair wishes to announce a meeting of the Local Government Committee tomorrow, Wednesday, June 27, at the first call of the recess in room 401 of the Main Capitol Building. First call of the recess tomorrow in room 401, the Local Government Committee.

**REMARKS ON VOTE**

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

Mr. SAURMAN. Thank you, Mr. Speaker.

I was out of my seat on the vote for SR 86, PN 1522. Had I been in my seat, I would have voted in the affirmative. Thank you.

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

**BILLS ON THIRD CONSIDERATION CONTINUED**

The House proceeded to third consideration of **SB 1034, PN 2146**, entitled:

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), entitled "Liquor Code," further providing for special occasion permits.

On the question,

Will the House agree to the bill on third consideration?

Mr. D. W. SNYDER offered the following amendments No. A3373:

Amend Sec. 1 (Sec. 408.4), page 2, line 19, by inserting a bracket before "[ The"

Amend Sec. 1 (Sec. 408.4), page 2, line 19, by striking out the bracket before "The"

Amend Sec. 1 (Sec. 408.4), page 2, line 21, by inserting after "1976]"

Amend Sec. 1 (Sec. 408.4), page 2, lines 23 and 24, by striking out "WHICH MAY BE ISSUED ONLY DURING THE PERIOD FROM AUGUST 17 TO AUGUST 26, 1984"

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Lehigh, Mr. Snyder, to offer his explanation of the amendment.

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

The amendment to SB 1034 that is being offered by myself is to restore the language of the bill to the way that it passed the Senate by a vote of 40 to 7 on February 8, 1984, and also to make some technical changes in the way the bill was printed as far as grammar is concerned.

The basic principle with this amendment is the question of whether or not we should make this type of special permit, which was the subject of a bill which was passed by this House on June 13, to make the bill specifically just for a one-time permit application. All other special permits, Mr. Speaker, are for any organization that meets the requirements of the existing law on an annual basis.

This piece of legislation was specifically drafted to meet the needs of a music festival to be held in the city of Bethlehem conducted by the Sun Inn during the month of August. It is questionable whether or not this is to be an annual event or not, but the problem we have, Mr. Speaker, is that if the event is to be conducted as an annual event by either this third-class city or other cities meeting the same requirements, they do not have to keep coming in to the legislature for special legislation.

I would ask for support of the amendment, which would provide for the same type of application of special permits for this use as far as any other use that we currently permit, such as to the volunteer firemen, ambulance corps, sportsmen's, and other organizations. Thank you, Mr. Speaker.

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

Mr. AFFLERBACH. Thank you, Mr. Speaker.

Will the gentleman, Mr. Snyder, stand for brief interrogation?

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

Mr. AFFLERBACH. Thank you.

Mr. Speaker, can the gentleman tell us, does his amendment retain the special occasion permit for a period of 10 consecutive days?

Mr. D. W. SNYDER. Yes, it does.

Mr. AFFLERBACH. And what is the maximum number of consecutive days that are now authorized in present law for a special occasion permit?

Mr. D. W. SNYDER. Mr. Speaker, for uses other than dealing with the nonprofit museum festivals, it would be 6 days, which would be applicable for 1-day permits or 6 days.

Mr. AFFLERBACH. Thank you, Mr. Speaker.

That concludes the interrogation. I would like to speak on the amendment.

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

Mr. AFFLERBACH. Mr. Speaker, the bill as it presently stands contains a carefully crafted restriction. As this chamber received the legislation from the Senate, it would have provided a permanent change in law to authorize special 10-day permits. A number of us found that to be unacceptable for many reasons. First of all, it is a significant liberalization of the present special occasion permit law. Secondly, tavern owners, hotel keepers, who earn their living in that particular business, could well stand to be harmed by extending 10-day special occasion permits to anyone who could qualify in a third-class city at least once a year every year.

The present bill contains a restriction specifically to address that controversy to meet the needs of the city of Bethlehem with respect to the Musikfest, which is a national promotion, and at the same time to protect the interests of those individuals who earn their living through the sale of spirits.

I believe we would be making a mistake if we tamper with the bill in its present form and now approve an amendment that significantly expands special occasion permits. I would ask defeat for this amendment.

The SPEAKER pro tempore. Does the gentleman from Lehigh, Mr. Snyder, care to be recognized for the second time?

Mr. D. W. SNYDER. Mr. Speaker, the arguments just presented by the previous speaker would apply to the question of final passage of the legislation itself. I think what we have to do is be concerned about the precedent we are setting here of drafting specific legislation for one specific event. If that is to be the case, we should apply the same test to all special permits, but we have chosen in the past not to do so. I feel that it would be a dangerous precedent to begin to draft legislation so narrow that it only applies to one specific occasion,

for one specific time, and burden the legislature with a continuity of bills of this nature to be put before us. I urge support of the membership for this amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Northampton, Mr. Rybak.

Mr. RYBAK. Mr. Speaker, I rise to oppose this amendment because it is contrary to the intent of the bill as it sits today.

The people in the city of Bethlehem will have a Musikfest that will not only benefit the city of Bethlehem but the entire Lehigh Valley. Its intent is to sponsor 356 concerts and performances, capped off by the Bach Choir. This will create business activity and will stand as a foundation to institute all-around tourism in the Lehigh Valley area.

If this amendment proposed by my colleague is passed, it will expand the permit period annually, and if we keep doing this, we are going to erode the very purpose of the Liquor Code, which is to provide and protect liquor licenses to the people in business who pay taxes. I think it is wrong to expand it any further than a one-time shot. I therefore stand and rise to oppose it.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—74

Angstadt	Freeman	McClatchy	Saurman
Armstrong	Freind	McHale	Schuler
Arty	Fryer	McVerry	Semmel
Book	Gallen	Mackowski	Sirianni
Bowser	Geist	Madigan	Smith, B.
Boyes	Gladeck	Merry	Snyder, D. W.
Bunt	Godshall	Micozzie	Spitz
Burd	Greenwood	Moehlimann	Stairs
Burns	Gruitza	Mowery	Stevens
Cessar	Gruppo	Nahill	Stewart
Civera	Hagarty	Noye	Swift
Cornell	Haluska	O'Brien	Weston
Coslett	Hayes	Perzel	Wilson
Dininni	Jackson	Poit	Wogan
Dorr	Kennedy	Reber	Wozniak
Durham	Klingaman	Reinard	Wright, J. L.
Fargo	Lashingier	Ryan	Wright, R. C.
Flick	Lehr	Salvatore	Zwikl
Foster, W. W.	Levi		

NAYS—125

Afflerbach	Duffy	Lucyk	Robbins
Alderette	Evans	McCall	Rudy
Baldwin	Fattah	McIntyre	Rybak
Barber	Fee	McMonagle	Saloom
Battisto	Fischer	Maiale	Scheetz
Belardi	Foster, Jr., A.	Manderino	Serafini
Belfanti	Gallagher	Manmiller	Seventy
Blaum	Gamble	Markosek	Smith, L. E.
Brandt	Gannon	Mayermik	Snyder, G. M.
Broujos	George	Michlovic	Spencer
Caltagirone	Grieco	Miller	Steighner
Cappabianca	Harper	Miscevich	Stuban
Carn	Hasay	Morris	Sweet
Cawley	Herman	Mrkonic	Taylor, E. Z.
Cimini	Hershey	Murphy	Taylor, F. E.
Clark	Hoelfel	O'Donnell	Telek

Clymer	Honaman	Olasz	Tigue
Cohen	Hutchinson	Oliver	Trello
Colafella	Itkin	Peterson	Truman
Cole	Jarolin	Petrarca	Van Horne
Cordisco	Johnson	Petrone	Vroon
Cowell	Kasunic	Phillips	Wachob
Coy	Kosinski	Piccola	Wambach
Deluca	Kowalshyn	Pievsky	Wargo
DeVerter	Kukovich	Pistella	Wass
DeWeese	Laughlin	Pitts	Wiggins
Daley	Lescovitz	Pratt	Williams
Davies	Letterman	Preston	Wright, D. R.
Dawida	Levin	Punt	
Deal	Linton	Rappaport	Irvis,
Dietz	Livengood	Richardson	Speaker
Dombrowski	Lloyd	Rieger	

NOT VOTING—0

EXCUSED—3

Donatucci      Marmion      Showers

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

**WELCOMES**

The SPEAKER pro tempore. The Chair welcomes a busload of constituents from Allegheny County, the 29th Legislative District. They are the guests of Representative Dave Mayernik.

The Chair is pleased to introduce Mark Raith, candidate for the 126th Legislative District, and Sheila Humes and Rachel Humes from Berks County. They are the guests of Representatives Lester Fryer, Thomas Caltagirone, and the entire Berks County delegation.

**THE SPEAKER (K. LEROY IRVIS)  
IN THE CHAIR**

The SPEAKER. The Chair thanks his good friend, the gentleman from Boyertown, Mr. Fryer, for presiding in his absence.

The Chair, during the time he was off the floor, had a chance to visit with the mother of David Mayernik and to congratulate her on the way she raised her son as a hard worker and a very successful freshman in the hall of the House.

**CONSIDERATION OF SB 1034 CONTINUED**

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. REINARD offered the following amendments No. A3387:

Amend Sec. 1 (Sec. 408.4), page 2, line 4, by inserting a bracket before "of"

Amend Sec. 1 (Sec. 408.4), page 2, line 5, by inserting after "day"

] as provided by law

Amend Sec. 1 (Sec. 408.4), page 2, line 11, by inserting brackets before and after "of fifteen dollars (\$15) per day." and inserting immediately thereafter  
as provided by law. Special occasion permits may also be issued to any charitable nonprofit community service organization

which are exempt from Federal income tax pursuant to the Internal Revenue Code (26 U.S.C. § 501(c)(3)) for a period of not more than two consecutive or nonconsecutive days at a fee as provided by law.

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

The SPEAKER. On the question, the Chair recognizes the gentleman from Bucks, Mr. Reinard.

Mr. REINARD. Thank you, Mr. Speaker.

Mr. Speaker, my amendment will expand the current special occasion permits now in law that apply to permits for one-time special occasions for licensing for the dispensing of alcohol for hospitals, churches, synagogues, volunteer fire companies, and sports clubs. My amendment will expand that to nonprofit community service organizations such as Lions Clubs, Rotaries, Jaycees, et cetera, that are not qualified right now under the bill.

The problem that has come up and the need for this legislation has been seen on many occasions. Personally, in my legislative district there was occasion where the Jaycees, who sponsor the Memorial Day parade and have a one-time-a-year fundraiser of beef and beer, could not raise the funds to sponsor that parade. There have been other occasions where Lions Clubs use the facilities of a church in the legislative area because of the banquet facility, the size of the basement or the room. They use a church and they pay the church a fee in order to have, again, their beef and beers, their Monte Carlo nights, and hence again, they are in violation of the law because they do not qualify for this special occasion permit.

Again, the permit is only a one-time-a-year permit, and again, it is for the community service groups that we all know, the people in the community whom we all know. I am not trying by any means to take any business away from any licensed establishment, but the problem does arise where when you sell a ticket for \$5 for 200 or more people, you are not going to be able to find facilities for them, and hence, we are excluding our service groups from being able to legally raise funds. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the Reinard amendment, the Chair recognizes the gentleman from Allegheny, Mr. Preston.

Mr. PRESTON. Thank you, Mr. Speaker.

I rise to ask for a negative vote against amendment 3387, and it is very simply put.

I do not think that we can continue to go on to add to the problem that is happening on our roads. I do not think we can continue to ask groups to make money off liquor when the lives of people are in danger. I think it is about time that we take a stand on this and stop this, and put up and shut up. I am getting sick and tired of seeing so many different special permits so people can go for 1 or 4 hours and drink and try to drive home. For the picnics, for the bazaars—I do not even care if it is sponsored by the church—I think it is time that we start getting very serious about this. I do not think we can sugar-coat this anymore, and I think it behooves us that if we are going to start talking about doing something about the

health and the welfare of the people on the roads and the safety of our kids, then we ought to shoot down this and every other amendment that continues to ask for these special permits concerning liquor. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. AFFLERBACH. Thank you, Mr. Speaker.

Would the gentleman, Mr. Reinard, stand for interrogation?

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

Mr. AFFLERBACH. Mr. Speaker, one clarification on the point made that this would be a once-a-year occurrence. As I read the amendment, it states, "...for a period of not more than two consecutive or nonconsecutive days." If an organization wished to have 2 nonconsecutive days, would they be authorized to have that special permit twice a year?

Mr. REINARD. Just one second, Mr. Speaker. I believe that might be present law. Possibly you could help me in that matter.

Mr. AFFLERBACH. A second question, Mr. Speaker: Does the gentleman have any idea how many new organizations in total would be authorized to take advantage of this special permit?

Mr. REINARD. The number of organizations, possibly, if you are doing it by your area, would depend on the fact of whether you do have Lions Clubs, Rotary Clubs, Jaycees, or other community service organizations that would fall under the 501(c)(3) type classification under the Internal Revenue Code. It was specific, though, under this legislation when it was drafted, the fact that they had to be community service organizations, not just nonprofit organizations, but the fact that they live in the community and through the purpose of fundraising efforts raise that money to put that money back into the community. They are the types of people, they are the groups that we are looking for to help to continue to do their good work by being able to raise the funds necessary that they do in carrying out the good deeds that they do.

Mr. AFFLERBACH. Thank you, Mr. Speaker.

Mr. Speaker, I have completed the interrogation. I would like to speak on the amendment.

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

Mr. AFFLERBACH. Mr. Speaker, in view of the fact that we do not have any idea as to how many various and separate organizations would or could apply for this kind of special permit, again I raise my concern about a significant liberalization of the current special permit law. While I have a great deal of respect for the work the Lions, the Kiwanis, the Jaycees, and other such community-minded organizations do, I think until we have a handle on how many special permits we could expect to see given to these organizations, we should set aside this amendment, and I urge defeat of it at this time.

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

Mr. WASS. Thank you, Mr. Speaker.

I just rise to place into the record that I also oppose the attempt by my colleague, Mr. Reinard, to liberalize the special permits further, and I ask my colleagues for a negative vote on the amendment.

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

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

As a member of one of the organizations in question and a former member of one of the others, I would likewise request a negative vote on this amendment. I feel the greatest service that these service organizations can confer upon their community is seeing that less alcohol is consumed in the community and not more. I urge a negative vote.

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—37

Baldwin	Gallagher	Mrkonic	Ryan
Belfanti	Greenwood	Murphy	Serafini
Burns	Kasunic	Nahill	Spitz
Cessar	Klingaman	O'Brien	Sweet
Cordisco	Kukovich	Perzel	Tigue
Cornell	Lashingner	Petrone	Van Horne
DeWeese	Letterman	Pott	Wilson
Daley	Lucyk	Reber	Wozniak
Dawida	Miscevich	Reinard	Wright, J. L.
Dininni			

NAYS—161

Afflerbach	Fattah	Linton	Rybak
Alderette	Fee	Livengood	Saloom
Angstadt	Fischer	Lloyd	Salvatore
Armstrong	Flick	McCall	Saurman
Arty	Foster, W. W.	McClatchy	Scheetz
Barber	Foster, Jr., A.	McHale	Schuler
Battisto	Freeman	McIntyre	Semmel
Belardi	Freind	McMonagle	Seventy
Blaum	Fryer	McVerry	Sirianni
Book	Gallen	Mackowski	Smith, B.
Bowser	Gamble	Madigan	Smith, L. E.
Boyes	Gannon	Maiale	Snyder, D. W.
Brandt	Geist	Manderino	Snyder, G. M.
Broujos	George	Manmiller	Spencer
Bunt	Gladeck	Markosek	Stairs
Burd	Godshall	Mayernik	Steighner
Caltagirone	Grieco	Merry	Stevens
Cappabianca	Gruitza	Michlovic	Stewart
Carn	Gruppo	Micozzie	Stuban
Cawley	Hagarty	Miller	Swift
Cimini	Haluska	Moehlmann	Taylor, E. Z.
Civera	Harper	Morris	Taylor, F. E.
Clark	Hasay	Mowery	Telek
Clymer	Hayes	Noye	Trello
Cohen	Herman	O'Donnell	Truman
Colafella	Hershey	Olasz	Vroon
Cole	Hoeffel	Oliver	Wachob
Coslett	Honaman	Peterson	Wambach
Cowell	Hutchinson	Petrarca	Wargo
Coy	Itkin	Phillips	Wass
Deluca	Jackson	Piccola	Weston
DeVerter	Jarolin	Pievsky	Wiggins
Davies	Johnson	Pistella	Williams
Deal	Kennedy	Pitts	Wogan

Dietz	Kosinski	Pratt	Wright, D. R.
Dombrowski	Kowalshyn	Preston	Wright, R. C.
Dorr	Laughlin	Punt	Zwinkl
Duffy	Lehr	Rappaport	
Durham	Lescovitz	Richardson	Irvis,
Evans	Levi	Rieger	Speaker
Fargo	Levin	Robbins	

NOT VOTING—1

Rudy

EXCUSED—3

Donatucci Marmion Showers

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?

Mr. WILSON offered the following amendments No. A3409:

Amend Title, page 1, line 17, by inserting after "permits" ; and providing for seasonal liquor licenses

Amend Bill, page 3, by inserting between lines 10 and 11 Section 2. The act is amended by adding a section to read:

Section 408.9. Seasonal Licenses.—Upon application and the payment of an annual fee of two hundred fifty dollars (\$250), the board shall issue to such applicant a seasonal liquor license authorizing the sale of liquor and malt and brewed beverages from May 15 to September 15 after the hours of seven o'clock antemeridian of any day until two o'clock antemeridian of the following day at a picnic or catering grounds, owned by such licensee, which is not less than two acres in area and has covered seating for not less than three hundred (300) people.

Amend Sec. 2, page 3, line 11, by striking out "2" and inserting

3

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

The SPEAKER. On that question, the Chair recognizes the gentleman from Bucks, Mr. Wilson.

Mr. WILSON. Thank you, Mr. Speaker.

I do not know if this is a good day or not. However, let me explain this particular amendment that creates a picnic license that would be applied to veterans groups, caterers, and so forth, that now may have a license in one spot and cannot use that same license off their ordinary premises. This would allow them, through the picnic season of May 15 through September 15, from 7 in the evening until 2 in the morning, to, according to the Liquor Control Board regulations, sell liquor to a picnic or a gathering of that nature of 300 or more people on their own grounds, not on some other grounds, of 2 acres or more.

I think it would be better to put the veterans groups and others that cater to these kinds of things under the Liquor Control Board than to let them operate these picnics and sell liquor as they do today, perhaps most of the time illegally. I would urge its adoption. Thank you.

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

Mr. PRESTON. Thank you, Mr. Speaker.

Will the maker of the amendment please stand for brief interrogation?

The SPEAKER. The gentleman, Mr. Wilson, indicates he will stand for interrogation. The gentleman, Mr. Preston, may proceed.

Mr. PRESTON. Would you tell me how you came up with the figure of \$250 for someone to drink?

Mr. WILSON. It is like we come up, Mr. Speaker, with a lot of fees here - I pulled it out of the air. If you would like to make it \$260, I have no problem.

Mr. PRESTON. Can you explain to me what the purpose is? You said for picnics from May 15 through September? Is that what you are saying?

Mr. WILSON. Yes. If you have a license today in your building, as I understand it, as a caterer or as a veterans organization, and you are holding a picnic 10 miles down the road at a picnic grove, you cannot legally take your liquor license down there and sell liquor at that grove. We all know it is done, but you cannot do it legally. All I am suggesting here is that we put this type of operation under the Liquor Control Board and say to them that they can operate a licensed operation selling liquor from 7 o'clock in the evening until 2 o'clock in the morning, if they have a crowd of 300 people or more, on their own grounds, their own caterer's grounds, their own veterans group's grounds, of 2 acres or more.

Mr. PRESTON. Can you give me an idea of what the fiscal cost to the Liquor Control Board would be on an amendment for this for enforcement?

Mr. WILSON. I heard the first part, Mr. Speaker, about the fiscal costs to the Liquor Control Board, but I did not get the last, if you could say it again.

Mr. PRESTON. For enforcement of your amendment.

The SPEAKER. Will the gentleman yield for a moment?

WELCOME

The SPEAKER. The Chair understands that we have a very special family here with us, and the members ought to pay attention to this.

We complain a great deal about the fact that our families back home and our constituents do not really know what we are doing and are not interested. A church in Mr. Brandt's Lancaster County auctioned off a visit to Harrisburg to the legislature, and believe it or not, there were families who made bids to come here. The family that succeeded is from Lancaster County, Mr. and Mrs. David Nauman, Mr. and Mrs. Greg Nauman, Michael Nauman, and Michael Smoyer. They are here as the guests of Representative Brandt, and the House should welcome them. Will they please stand?

To the Nauman family, it is refreshing for us to find a family of constituents who are not just interested in what we are doing but willing to pay to come here to see what we are doing. We hope we are doing the right thing. Thank you for coming.



**CONSIDERATION OF SB 1034 CONTINUED**

The SPEAKER. The gentleman, Mr. Preston, may continue.

Mr. PRESTON. Thank you, Mr. Speaker.

Mr. Speaker, again I ask the question, can you tell me what the fiscal cost would be for the Liquor Control Board to handle or to visually inspect this situation?

Mr. WILSON. Mr. Speaker, I do not know exactly the figure. I would assume that it would cost less than the \$250 for a permit that the licensee would be required to pay. However, I must confess to a lack of absolute knowledge as to what it would cost.

Mr. PRESTON. Let me see if I have the amendment right. What you are saying is that you want to permit organizations that can have over 300 people within so many square feet to sell liquor for a price legally. Am I correct?

Mr. WILSON. That is correct, Mr. Speaker.

Mr. PRESTON. Okay. At these functions, quite often are there not children present?

Mr. WILSON. I would guess so, Mr. Speaker, but those same regulations and rules that apply to any dispenser of liquor as they currently are promulgated by the Liquor Control Board would in fact be promulgated in the case of the picnic license, if you would. They would have to adhere to those same regulations and not sell to anybody under 21, et cetera, whatever their regulations are.

What we are trying to do here is put under the Liquor Control Board, under their licensing, under their rules, under their regulations, these picnics that are now being catered by various groups, that are being held by various veterans groups, those same specific things that you question.

Mr. PRESTON. So what you are asking me for is to vote for an amendment which allows people to purchase liquor or legally purchase liquor, however they decide to do it, at functions which are in most cases family affairs, and quite often there are many kids around, to be able to permeate this system where we can sell liquor in front of children who are underage. Is that what you are asking me to vote for?

Mr. WILSON. No, Mr. Speaker. I think there are a couple of things here that you have to note. One is the fact that the dispensement of the liquor is between 7 o'clock in the evening and 2 o'clock in the morning. It is also under the rules and regulations of the Liquor Control Board. And as I would have to paraphrase it now, I understand that the Liquor Control Board says that you cannot, you cannot sell on the premises or in the establishment that has children in attendance, and so forth, or to anyone under 21 years of age. In fact, that speaks to the heart of the amendment. That is what we are after.

Mr. PRESTON. Thank you, Mr. Speaker.

May I speak on the amendment, please?

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

Mr. PRESTON. Mr. Speaker, as I look at this amendment, all I am seeing is an amendment to try to make the State some money and to permeate the sales of alcoholic beverages in what I thought would be a family atmosphere.

I think, in my opinion, that I cannot vote for this. I do not think, with the trouble, again, as I repeated before, on the roads with people driving, that to encourage the drivers, who are even taking their families around, to purchase liquor, at a family event in many cases, is right. And I think it behooves us and it is our moral obligation to protect the people of the State of Pennsylvania.

I think that we need to vote down this amendment and similar amendments that come up. I do not think that we need to continue to talk about the sale. We are already having enough problems as far as the enforcement of the Liquor Control Board. There are certain questions as far as the practices, the administration, and the effectiveness of it. I do not think they could handle this type of situation, and for a few dollars more, I do not think that we need to vote for anything like this. I do not want my intelligence insulted by an amendment like this, and I think we need to vote it down.

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

Mr. AFFLERBACH. Thank you, Mr. Speaker.

I join my colleague, Mr. Preston, in asking for a negative vote. Again, to reemphasize my earlier arguments, it is unclear as to exactly how many new groups would be availed of special permits; it is unclear as to exactly how frequently those permits would be issued.

The sponsor also mentioned the idea of portability of a license from a current establishment 10 miles or 15 miles down the road to a picnic ground. That is the famous 19th-hole argument. I do not think we want to get into that with the number of establishments. I would urge defeat of the amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Dauphin, Mr. Dininni.

Mr. DININNI. Mr. Speaker, I will be very brief.

I rise in agreement with this amendment. I do not think this amendment is doing anything more than what is in existence today. The same number of picnics that you had before, you are going to have in the future. But what this does, though, is makes it legal, number one.

Number two, it does throw it under the Liquor Control Board's authority, under their enforcement. But you do have picnics that go on right now, whether they be political picnics, whether they be service organizations, or regardless of what they are, they are now going on. All this is doing is putting it under the Liquor Control Board with a \$250 fee. So I am in favor of this amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Northampton, Mr. Rybak, on the amendment.

Mr. RYBAK. Mr. Speaker, although I respect and like my colleague, Ben Wilson, I must rise and vigorously oppose this amendment. This amendment is nothing more than an attempt to proliferate what was a special occasion permit. Now, under this amendment, it would become a seasonal permit. The next thing you know, somebody is going to get up

and ask for an annual permit. This erodes the system as we know it of legitimate tavern owners and restaurants in the Commonwealth, which is a source of income that not only runs that system but contributes to the General Fund.

We do not need any more proliferation or expanding of the special occasion permits or the so-called seasonal permits. I rise vigorously to oppose this amendment. Thank you.

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

The following roll call was recorded:

YEAS—39

Belfanti	Davies	Manmiller	Reber
Blaum	Dininni	Miscevich	Reinard
Burd	Dombrowski	Nahill	Ryan
Burns	Gallagher	O'Brien	Spencer
Caltagirone	Gruitza	Oliver	Spitz
Carn	Hoeffel	Perzel	Trello
Cawley	Lashinger	Petrone	Van Horne
Cessar	Lehr	Piccola	Wilson
DeWeese	Letterman	Pott	Wright, J. L.
Daley	Maiale	Pratt	

NAYS—156

Afflerbach	Fischer	Livengood	Saurman
Alderette	Flick	Lloyd	Scheetz
Angstadt	Foster, W. W.	McCall	Schuler
Armstrong	Foster, Jr., A.	McClatchy	Semmel
Arty	Freeman	McHale	Serafini
Baldwin	Freind	McIntyre	Seventy
Barber	Fryer	McMonagle	Sirianni
Battisto	Gallen	Mackowski	Smith, B.
Belardi	Gamble	Madigan	Smith, L. E.
Book	Gannon	Manderino	Snyder, D. W.
Bowser	Geist	Markosek	Snyder, G. M.
Boyes	George	Mayernik	Stairs
Brandt	Gladeck	Merry	Steighner
Broujos	Godshall	Michlovic	Stevens
Bunt	Greenwood	Micozzie	Stewart
Cappabianca	Grieco	Miller	Suban
Cimini	Gruppo	Moehlmann	Sweet
Civera	Hagarty	Mowery	Swift
Clark	Haluska	Mrkonic	Taylor, E. Z.
Clymer	Hasay	Murphy	Taylor, F. E.
Cohen	Hayes	Noye	Telek
Colafiglia	Herman	O'Donnell	Tigue
Cole	Hershey	Olasz	Truman
Cordisco	Honaman	Peterson	Vroon
Cornell	Hutchinson	Petrarca	Wachob
Coslett	Itkin	Phillips	Wambach
Cowell	Jackson	Pievsky	Wargo
Coy	Jarolin	Pistella	Wass
Deluca	Johnson	Pitts	Weston
DeVerter	Kasunic	Preston	Wiggins
Dawida	Kennedy	Punt	Williams
Deal	Klingaman	Rappaport	Wogan
Dietz	Kosinski	Richardson	Wozniak
Dorr	Kowalshyn	Rieger	Wright, D. R.
Duffy	Kukovich	Robbins	Wright, R. C.
Durham	Laughlin	Rudy	Zwilk
Evans	Lescovitz	Rybak	
Fargo	Levi	Saloom	Irvis,
Fattah	Levin	Salvatore	Speaker
Fee	Linton		

NOT VOTING—4

Harper	Lucyk	McVerry	Morris
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EXCUSED—3

Donatucci Marmion Showers

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

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

BILL PASSED OVER TEMPORARILY

The SPEAKER. The Chair has been advised that there is one additional amendment which is not yet ready, so we will have to mark the bill over temporarily until that amendment comes down.

\* \* \*

The House proceeded to third consideration of **HB 2184, PN 3103**, entitled:

An Act amending the "General County Assessment Law," approved May 22, 1933 (P. L. 853, No. 155), providing for appeal by persons suffering catastrophic losses to their property.

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

Mr. SALVATORE offered the following amendments No. A3284:

Amend Title, page 1, line 11, by removing the period after "property" and inserting  
; and providing for senior citizens' property tax deferrals.

Amend Bill, page 2, line 24, by striking out all of said line and inserting

Section 2. The act is amended by adding an article to read:

ARTICLE V-A

SENIOR CITIZENS' PROPERTY TAX DEFERRAL

Section 501-A. Purpose.—In recognition of the severe economic plight of certain senior citizens and permanently disabled persons with fixed and limited incomes who own real property and who are faced with rising living costs and constantly increasing property tax burdens, and in further recognition that the State Lottery Fund created by the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, does not generate sufficient revenue in order to pay the full amount of percentage refunds of property tax allowed by section 4(a) of the act of March 11, 1971 (P.L.104, No.3), known as the Senior Citizens Rebate and Assistance Act, but can only pay refunds less than or equal to four hundred (\$400.00) dollars, and in further recognition that property tax millage increases, assessment ratio adjustments and reassessments can have devastating impacts on elderly persons living on fixed incomes, the General Assembly, pursuant to section 2(b) of Article VIII of the Constitution of Pennsylvania, considers it to be a matter of sound public policy to allow economically disadvantaged senior citizens to defer their property tax liabilities and to remain in peaceful possession of their homesteads.

Section 502-A. Definitions.—The following words and phrases shall, for the purpose of this act, have the meanings respectively ascribed to them in this section except where the context clearly indicates a different meaning:

"Base payment" shall mean the amount of property tax paid by the claimant either in the tax year beginning January 1, 1984, or in the first tax year during which the claimant or the claimant's spouse first becomes eligible, whichever occurs later, on the personal residence in which the claimant has maintained continuous occupancy and ownership for a minimum of five years prior to

January 1, 1984, or the date upon which either the claimant or the claimant's spouse first became eligible. In the event the claimant purchases a residence after January 1, 1984, or after the date upon which either the claimant or the claimant's spouse first becomes eligible, the base payment means property taxes paid during the tax year in which the purchase was made.

"Increases in property taxes" shall mean the additional payments due above the base amount, resulting from millage increases, modifications in the assessment ratio or assessment increase.

"Market value" shall mean the equal assessed value divided by the ratio of assessed to market value as most recently determined by the State Tax Equalization Board for the school district in which the property is located.

Section 503-A. Eligibility.—Any person who is sixty-two (62) years of age or older or permanently disabled shall be eligible for tax deferral under this act.

Section 504-A. Tax deferral.—(a) All persons who meet the eligibility requirements of section 503-A shall be entitled to a real estate tax deferral amounting to the increase in real property taxes in excess of the claimant's base payment.

(b) No tax deferrals shall be granted if the total amount of deferred taxes plus the total amount of all other unsatisfied liens on the homestead of the claimant exceed eighty-five per cent (85%) of the market value of the homestead or if the outstanding principal on the primary mortgage financing on the homestead is an amount which exceeds seventy per cent (70%) of the market value of the homestead.

Section 505-A. Application Procedure.—Any person eligible for tax deferrals under this act may apply for a deferral by filing with the taxing authorities the following documents:

(1) A statement of request for tax deferrals.

(2) A certification that the claimant, the claimant's spouse, or the claimant and his or her spouse jointly are the owners in fee simple of the residence upon which the property taxes are imposed.

(3) A certification that the claimant's residence is adequately insured to the extent of all outstanding liens.

(4) Receipts showing prompt payment of the current year's property tax liability.

Section 506-A. Contents of Application.—Forms distributed to claimants pursuant to section 505-A shall:

(1) Clearly state the tax deferral granted pursuant to this act is provided in exchange for a lien against the homestead of the claimant.

(2) Explain the manner in which the deferred taxes shall become due, payable and delinquent.

Section 507-A. Placement and Satisfaction of Liens.—(a) All taxes deferred pursuant to this article shall constitute a prior lien on the homestead of the claimant in favor of the taxing authority and shall attach as of the date and in the same manner and shall be collected as other liens for taxes, but such deferred taxes shall only be due and payable upon transfer of title to a person other than a surviving spouse, as provided in this article, and no interest shall be collected on the lien.

(b) All or part of the deferred taxes may at any time be paid to the taxing authority by:

(1) the owner of the property or the spouse of the owner; or

(2) the next of kin of the owner, heir of the owner, child of the owner or any person having or claiming a legal or equitable interest in the property, provided no objection is made by the owner within thirty (30) days after the tax collector notifies the owner of the fact that the payment has been tendered.

Section 508-A. Applicability.—This article shall apply to the tax year commencing January 1, 1985, and to each tax year thereafter.

Section 3. If enacted after January 1, 1985, the provisions of section 2 of this act adding Article V-A (relating to senior citizens property tax deferral) shall be retroactive to January 1, 1985.

Section 4. (a) If enacted after January 1, 1985, the provisions of section 2 of this act adding Article V-A (relating to senior citizens property tax deferral) act shall take effect immediately.

(b) This act shall take effect in 60 days.

On the question,

Will the House agree to the amendments?

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

Mr. SALVATORE. Mr. Speaker, what I am attempting to do with this amendment is to try to defer the real estate taxes for economically disadvantaged senior citizens so they can remain in peaceful possession of their houses.

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

Mr. LLOYD. Thank you, Mr. Speaker.

I wonder if Mr. Salvatore would consent to interrogation.

Mr. SALVATORE. Yes, I would.

The SPEAKER. The gentleman, Mr. Salvatore, indicates he will stand for interrogation. The gentleman, Mr. Lloyd, may proceed.

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, as I understand your amendment, it would require local governments to defer the collection of property tax at least from some senior citizens.

Mr. Speaker, under your amendment, who would pay for that deferral? Where would the local governments come up with the revenue to replace what the senior citizens are not paying?

Mr. SALVATORE. The senior citizens would pay what they would pay in their base year. What I am attempting to do here— In Philadelphia, especially in my district, they have been increasing the assessments so rapidly, and after they increase the assessments, why, they increase the market value of the homes. So what we are doing is forcing senior citizens out of their homes. All I am saying here is that it would remain the same as the base year, which would be 1984. They would have to have in their possession that home for 5 years, have lived in that residency for 5 years, and the taxes would just be deferred until the home is sold, and then at that time whatever the increases were and whatever they accrued at would be paid.

Mr. LLOYD. Well, Mr. Speaker, there is going to be a revenue loss or a shortfall for the local governments. Mr. Speaker, does your amendment propose to make up that shortfall from the General Fund or from the lottery, or does your amendment propose to have that shortfall made up by higher taxes by other local property owners?

Mr. SALVATORE. There is no shortfall, Mr. Speaker. All we are doing is deferring the taxes; only the increase we are deferring. We are only deferring the increase.

Mr. LLOYD. Well, Mr. Speaker, if you are deferring the increase, that is money that the municipality presumably thought it was going to get and now it is not. Who is going to make up that money that the municipality thought it was going to get and now is not?

Mr. SALVATORE. It would only be a one-time shortfall. After that the money would start rolling over.

Mr. LLOYD. Well, Mr. Speaker, if the deferral would be until the property is sold, the deferral could be for a long number of years, could it not?

Mr. SALVATORE. There is a natural turnover of properties of senior citizens, especially the elderly. You will find that there is a natural turnover after the person has reached that age.

Mr. LLOYD. Well, Mr. Speaker, this amendment would apply outside the city of Philadelphia as well as inside, would it not?

Mr. SALVATORE. Yes, it would, Mr. Speaker.

Mr. LLOYD. Mr. Speaker, have you consulted with the Reference Bureau with regard to the constitutionality of taxing some property owners at one rate and other property owners at another rate?

Mr. SALVATORE. No, I have not, Mr. Speaker, but I think that this is constitutional.

### CONSTITUTIONAL POINT OF ORDER

Mr. LLOYD. Mr. Speaker, I would like to question the issue of constitutionality.

The SPEAKER. The gentleman may speak on the amendment.

Mr. LLOYD. Mr. Speaker, I would like to challenge the issue of constitutionality of this amendment. I believe that I am correct in saying that the State Constitution has been interpreted in a way which denies us the opportunity to tax the property of senior citizens at one rate and to tax the property of other citizens at another rate. There have been amendments to that proposed by various members of the House, but it is my understanding, at least, that such an amendment would be required. And so, unless somebody can present an argument in favor of the constitutionality, I would like to put that question to the House.

The SPEAKER. The gentleman, Mr. Lloyd, questions the constitutionality of the amendment A3284 offered by Mr. Salvatore. The debate from this point on can only be on the question of constitutionality.

On the question,

Will the House sustain the constitutionality of the amendments?

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Rappaport, on the question of constitutionality.

Mr. RAPPAPORT. Thank you, Mr. Speaker.

I am sure that many members of the House will remember when we first passed the Senior Citizens Tax Rebate Act, it required a constitutional amendment to do it. What the gentleman, Mr. Salvatore, is asking us to do is to provide tax relief to one class of citizens which is not available to other classes of citizens. This requires the specific constitutional provision which does not now exist in the Constitution. It is in direct violation of the uniformity clause.

I shall not address the merits of this, Mr. Speaker. That will be well addressed by other people. However, there is little question in my mind that what the gentleman should be doing is presenting a constitutional amendment, and if I remember, it was in front of us during the last session in an amendment proposed by my own Senator and supported by me in this House to provide just the relief that the gentleman is asking for, and as I recall, many members of this House voted against it. It is therefore, in my mind, unless there is a specific constitutional amendment, this is definitely unconstitutional as a violation of the uniformity clause in that it seeks to raise taxes on one class of people and reduce taxes on another without the proper authority of the Constitution. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the minority leader on the question of the constitutionality of the amendment.

Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, I think I could make out an argument that this is constitutional. It seems to me that this differs from the case that the gentleman, Mr. Rappaport, cited. In the case that Mr. Rappaport cited, as I recall it, the rate of tax was different under the constitutional provision that was proposed, whereas in this case, as I understand this bill—and I would be happy to be corrected if I am misinformed. And, frankly, I have not studied this amendment closely; in fact, I have not even seen it—the proposal that Mr. Salvatore has is not that the tax will differ because you are a senior citizen, but rather that the time for payment of that tax may differ. In other words, as I gather, this particular bill says that the taxes will continue; however, to the extent that it exceeds the base year, then that tax is postponed or delayed until a further date. Based on that, I am not so sure that the uniformity clause is violated, and I for one would intend, unless someone can convince me to the contrary, to vote in favor of the Salvatore amendment.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman, Mr. Lloyd, wish to speak on constitutionality?

Mr. LLOYD. Mr. Speaker, I have listened to the arguments by the gentleman, Mr. Rappaport, and the gentleman, Mr. Ryan. I am, frankly, not sure who is right, but I am puzzled or somewhat concerned about following the lead of someone who says he has not read the amendment. It appears to me that what we are doing is deferring the tax, perhaps for a very long period of time, and so as an effective matter in the interim period, there is a different tax rate being imposed.

I intend to vote against the constitutionality, and I would suggest that the House do the same, because I think that, as a practical matter, what this amounts to is a differential in the rate of tax, and the Supreme Court of this State has said we cannot do that. I wish we could, but I do not think we can.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. J. L. WRIGHT. Thank you, Mr. Speaker.

I have read the amendment, and I refer to the bottom of page 2 of the amendment, section 507-A, to the gentlemen to read, and may I quote: "...shall constitute a prior lien on the homestead of the claimant in favor of the taxing authority and shall attach as of the date and in the same manner and shall be collected as other liens for taxes...."

There is precedent for this. This has been established in the Commonwealth for many, many years. The amendment does not address the rate of taxes; it does not address the rate of taxation, but addresses the subject of putting a lien on a property, deferring the tax and putting a lien on the property, and there is much precedent for that.

The SPEAKER. The Chair thanks the gentleman.

For the information of the members, you are allowed to appear and argue only once on the constitutionality, with the exception always, of course, of the leadership, which has an unlimited right to the floor, but the rest may argue just one time.

On the question of constitutionality, the Chair recognizes the gentleman from Philadelphia, Mr. Levin.

Mr. LEVIN. Mr. Speaker, I had hoped we could have avoided this kind of fight among lawyers, but if we avoid the complications of what this thing says and look at what it does, it is very clear that it takes a group of people who are 62 years of age or older and it treats them in a preferable manner to everyone else in the Commonwealth. What it simply says is that they do not have to pay their taxes when due and that they do not have to pay their taxes until such time as they transfer the title to the property to someone else. Now, I have no idea how much that will cost all the districts, but I would suggest to you that if it costs an enormous amount of money, it would clearly prefer one group over another, and I believe it is unconstitutional.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I have had difficulty following the debate. I am not sure whether or not anyone has made reference to Article VIII, section 2, of the Constitution, but for the purposes of the debate, I would like to read part of the Constitution of Pennsylvania, wherein it says in Article VIII, section 2(b)(ii), "No exemption or special provision shall be made under this clause with respect to taxes upon the sale or use of personal property, and no exemption from any tax upon real property shall be granted by the General Assembly under this clause unless the General Assembly shall provide for the reimbursement of local taxing authorities by or through the Commonwealth for revenue losses occasioned by such exemption."

Now, I think the language is pretty clear on what the effect of the legislation proposed would be, and I would suggest that we vote against the constitutionality of the proposition.

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, the constitutional provision that the gentleman, Mr. Manderino, was referring to, it is true, referred to exemptions. This is not an exemption, however; this is a deferral. If the gentleman, Mr. Manderino, had read

above that section that he was just referring to where he talks of no exemption, he would find that the General Assembly can establish a class who, because of age, et cetera, et cetera, are determined to be in need of special tax exemptions or of special tax provisions, and I suggest to the gentleman that the deferral contained in the amendment of Mr. Salvatore's is rather a special tax provision providing for deferred payment of taxes under certain circumstances.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, the gentleman may be right in saying that we are permitted to make the exemption or classification or provision, but certainly he cannot deny that we have to make up the revenue loss to the local municipalities. That is what the Constitution of Pennsylvania says. We certainly have to make up the revenue loss. Now, to say that there is no loss, it is just a delay, even if it were only a delay, it certainly would be a revenue loss on whatever the delay will cost the local municipality.

Mr. Speaker, I maintain the position that we ought to vote against the constitutionality of the proposition.

The SPEAKER. Mr. Salvatore, do you wish to argue the constitutionality question?

Mr. SALVATORE. No. I just think, Mr. Speaker, that it is constitutional, because as I stated earlier, we are not setting a separate class; we are just deferring.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Will the gentleman, Mr. Salvatore, consent to interrogation?

Mr. SALVATORE. Yes, I will, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Salvatore, indicates he will stand for interrogation. The gentleman, Mr. Manderino, may proceed.

Mr. MANDERINO. Mr. Speaker, my understanding is that your position is that the amendment is constitutional in that we are permitted to grant such exemption under the Constitution. Is that correct?

Mr. SALVATORE. No.

Mr. MANDERINO. Well, are we not permitted to grant such an exemption under the Constitution?

Mr. SALVATORE. This is a special tax provision; it is not an exemption. It is just a deferral, Mr. Speaker.

Mr. MANDERINO. Would you submit that whether it is an exemption or a special tax provision, that the Constitution reads that no exemption or special provision shall be made under this clause with respect to taxes, et cetera, and no exemption shall be granted under the clause unless we shall provide for reimbursement. Are you saying that it is your position that we can grant special provisions without providing reimbursement?

Mr. RYAN. Mr. Speaker?

Mr. SALVATORE. Would you please read that section, all of it, not the et cetera, et cetera, et cetera. Read all of that provision.

The SPEAKER. For what purpose does the minority leader rise?

Mr. RYAN. I was going to suggest that the majority leader was misleading the gentleman, as well as the House, because the word "et cetera" that he put into his remarks, if you read it, says, "personal property," which has nothing to do with the subject we are dealing with, but Mr. Salvatore has since caught that.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I am not trying to mislead anyone. There may be those of us who are trying to mislead, who know better, but believe me, I am not trying to mislead. It is my honest belief that the provisions of the Constitution of Pennsylvania, wherein, "No exemption or special provision shall be made under this clause with respect to taxes upon the sale or use of personal property, and no exemption from any tax upon real property shall be granted by the General Assembly under this clause unless the General Assembly shall provide for the reimbursement of local taxing authorities by or through the Commonwealth for revenue losses occasioned by such exemption."

Now, if you would want the members of this Assembly to believe that the Constitution does not provide in every case for the makeup of revenue losses, then I think you are trying to mislead the General Assembly. I think the Constitution is quite clear that the revenue losses that we cause under this section of the Constitution will have to be made up by tax revenues of the people of Pennsylvania to the municipalities who suffer losses. And if you do not believe that will occur if this becomes law, then I think that you are misreading the Constitution of Pennsylvania.

The SPEAKER. The Chair thanks the gentleman.

The Chair advises the members that because of the controversial nature of the debate, each leader may wish to challenge. The Chair will hold the boards open long enough for each leader to challenge if he wishes. The Chair will say once, "Have all the members voted?" The Chair will say it the second time, and when the Chair says it the second time, the Chair will lock the board.

On the constitutional question, the Chair recognizes the majority whip.

Mr. O'DONNELL. Mr. Speaker, many of us, especially in Philadelphia and Pittsburgh, have been very, very concerned with the effect of property taxation and increased assessments on people least able to pay it, including senior citizens and folks on limited income or fixed income and especially those folks who have been living in areas where the property values have risen and outstripped their ability to pay their increased assessment. As a result of that concern, many of us have sponsored legislation in this House to provide property tax deferrals for people in exactly that situation.

The advice that we have received from counsel, and in some ways from this very House, has been that that is not a constitutional practice. As a result, we have in two separate sessions passed in this legislature a constitutional amendment which will be on the ballot this November, which provides for the opportunities in cities of the first and second class for their local tax boards to create a system of deferral. The opportu-

nity is there, and it is being provided by action of this legislature and the previous legislature in putting that constitutional amendment on the ballot this November.

This House has said to the people who have felt most strongly about that issue that it is necessary for us to obtain a constitutional amendment. We have pursued that route. The amendment is on the ballot. I suggest to the gentleman that the appropriate remedy is already at hand and that deferral legislation of this type would be entirely appropriate for this legislature to consider in a very clearly constitutional way once that amendment is passed on the ballot. Accordingly, I would urge you to vote that this is unconstitutional.

On the question recurring,

Will the House sustain the constitutionality of the amendments?

The following roll call was recorded:

YEAS—94

Angstadt	Foster, W. W.	McClatchy	Salvatore
Armstrong	Freeman	McVerry	Saurman
Arty	Freind	Mackowski	Scheetz
Book	Gallen	Madigan	Schuler
Bowser	Gannon	Manmiller	Semmel
Boyes	Geist	Merry	Serafini
Brandt	Gladeck	Micozzie	Smith, B.
Bunt	Godshall	Miller	Smith, L. E.
Burd	Greenwood	Mochlmann	Snyder, D. W.
Burns	Grieco	Mowery	Snyder, G. M.
Cessar	Gruppo	Mrkonic	Spencer
Cimini	Hagarty	Nahill	Spitz
Civera	Hasay	Noye	Stairs
Clymer	Hayes	Perzel	Stevens
Cornell	Herman	Peterson	Swift
Coslett	Hershey	Phillips	Taylor, E. Z.
DeVerter	Honaman	Pitts	Telek
Davies	Jackson	Poti	Vroon
Dietz	Johnson	Punt	Wass
Dorr	Kennedy	Reber	Weston
Durham	Klingaman	Reinard	Wilson
Fargo	Lashingner	Robbins	Wright, J. L.
Fischer	Lehr	Ryan	Wright, R. C.
Flick	Levi		

NAYS—101

Afflerbach	Duffy	Lloyd	Rudy
Alderette	Evans	Lucyk	Rybak
Baldwin	Fattah	McCall	Saloom
Barber	Fee	McHale	Seventy
Battisto	Foster, Jr., A.	McMonagle	Sirianni
Belardi	Fryer	Maiale	Steighner
Belfanti	Gallagher	Manderino	Stewart
Blaum	Gamble	Markosek	Stuban
Broujos	George	Mayernik	Sweet
Caltagirone	Gruitza	Michlovic	Taylor, F. E.
Cappabianca	Haluska	Miscevich	Tigue
Carn	Harper	Morris	Trello
Cawley	Hoeffel	Murphy	Truman
Clark	Hutchinson	O'Donnell	Van Horne
Cohen	Itkin	Olasz	Wachob
Colafella	Jarolin	Oliver	Wambach
Cole	Kasunic	Petrarca	Wargo
Cordisco	Kosinski	Petrone	Wiggins
Cowell	Kowalshyn	Piccola	Williams
Coy	Kukovich	Pievsky	Wozniak
Deluca	Laughlin	Pistella	Wright, D. R.
DeWeese	Lescovitz	Pratt	Zwikl
Daley	Letterman	Preston	
Dawida	Levin	Rappaport	Irvis,
Deal	Linton	Richardson	Speaker
Dombrowski	Livengood	Rieger	

NOT VOTING—4

Dininni            McIntyre            O'Brien            Wogan  
 EXCUSED—3

Donatucci            Marmion            Showers

Less than the majority having voted in the affirmative, the question was determined in the negative and the constitutionality of the amendments was not sustained.

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

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

The question is, shall the bill pass finally?

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

YEAS—193

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

NAYS—3

Deal            Richardson            Sirianni  
 NOT VOTING—3

Cappabianca            McIntyre            Maiale  
 EXCUSED—3

Donatucci            Marmion            Showers

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

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

REMARKS ON VOTE

The SPEAKER. For what purpose does the gentleman from Philadelphia, Mr. Deal, rise?

Mr. DEAL. Mr. Speaker, my switch was not working correctly, and I voted incorrectly on the previous bill. I just wanted to make sure that my vote was recorded as being in the affirmative on HB 2184.

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

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 1128, PN 2889**, entitled:

An Act declaring a policy of the Commonwealth with regard to small business concerns owned by economically disadvantaged persons; creating the Economically Disadvantaged Owners Small Business Procurement Committee; providing for the operation of the committee; establishing a small business set-aside; establishing a procedure for the solicitation of bids and a broadening set-aside; and providing for an annual report to the Governor and General Assembly.

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

Mr. LINTON offered the following amendments No. A3374:

Amend Table of Contents, page 1, lines 17 and 18; page 2, lines 1 through 9, by striking out all of lines 17 and 18 on page 1 and all of lines 1 through 9 on page 2 and inserting

- Section 7. Cash flow difficulties.
- Section 8. Solicitation of bids.
- Section 9. Small business set-asides; advertisement; cancellation.
- Section 10. Annual report.
- Section 11. Penalties.
- Section 12. Sunset provisions.
- Section 13. Effective date.

Amend Sec. 3, page 5, line 16, by removing the period after "Females" and inserting

; or  
 Amend Sec. 3, page 5, line 17, by striking out "Other" and inserting  
 other

Amend Sec. 3, page 8, lines 3 through 5, by striking out all of said lines

Amend Sec. 5, page 12, lines 5 through 10, by striking out "IF AN ECONOMICALLY DISADVANTAGED CONTRACTOR IS" in line 5 and all of lines 6 through 10

Amend Sec. 6, page 14, line 2, by inserting after "ASIDE" exclusively

Amend Sec. 6, page 14, line 2, by striking out "EXCLUSIVE"

Amend Sec. 7, page 16, lines 2 through 26, by striking out all of said lines

Amend Sec. 8, page 16, line 27, by striking out "8" and inserting

7

Amend Sec. 9, page 17, lines 22 through 30; page 18, lines 1 through 8, by striking out all of lines 22 through 30 on page 17 and all of lines 1 through 8 on page 18

Amend Sec. 10, page 18, line 9, by striking out "10" and inserting

8

Amend Sec. 11, page 19, line 10, by striking out "11" and inserting

9

Amend Sec. 12, page 20, line 12, by striking out "12" and inserting

10

Amend Sec. 13, page 21, line 13, by striking out "13" and inserting

11

Amend Sec. 13, page 21, line 14, by striking out "or individual" and inserting

, employee or agent thereof,

Amend Sec. 13, page 21, line 20, by striking out "special accounts created in section 9" and inserting

General Fund

Amend Sec. 14, page 21, line 21, by striking out "14" and inserting

12

Amend Sec. 15, page 21, line 30, by striking out "15" and inserting

13

On the question,

Will the House agree to the amendments?

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

Mr. LINTON. Thank you, Mr. Speaker.

Mr. Speaker, I believe this amendment has been circulated on the floor for the members. What this amendment attempts to do, Mr. Speaker, is, one, to remove a provision in the bill that we are attempting to vote on. Recently, when we passed measures dealing with the \$190-million bond issue, part of one of those pieces of legislation had to do with providing bonding for disadvantaged businesses. Therefore, because of that measure, there is no need for many of the provisions in HB 1128 that deal with bonding. Because of that, this particular amendment deletes all references in the bill to bonding.

Also, Mr. Speaker, it makes some technical changes to correspond with those deletions in the legislation. I ask for an affirmative vote on the amendment.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—2

McIntyre            Spencer

EXCUSED—3

Donatucci            Marmion            Showers

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

On the question,

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

Mr. GEIST offered the following amendments No. A3302:



Amend Sec. 6, page 14, line 30; page 15, lines 1 through 5, by striking out all of line 30, page 14, all of lines 1 through 4, and "THE FUNDS." in line 5, page 15, and inserting

Departments administering programs for participation by economically and socially disadvantaged businesses pursuant to 15 U.S.C. § 637 (relating to small businesses) or section 105(f) of the Surface Transportation Assistance Act of 1982 (Public Law 97-424 (relating to highway improvements)) shall continue to operate those programs and shall not be subject to the provisions of this act.

Amend Sec. 6, page 15, line 6, by inserting after "DEPARTMENT"

, except those departments as described above,

Amend Sec. 6, page 15, line 12, by inserting after "NO.104)" and the act of November 26, 1978 (P.L.1309, No.317), referred to as the Public Works Contract Regulation Law

On the question,

Will the House agree to the amendments?

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

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

This amendment, very simply, would relinquish the 15-percent requirement for PennDOT (Pennsylvania Department of Transportation), and I would ask for an affirmative vote.

The SPEAKER. On the Geist amendment, the Chair recognizes the gentleman from Philadelphia, Mr. Linton.

Mr. LINTON. Thank you, Mr. Speaker.

Mr. Speaker, it is clear, as one looks into the legislation, that there is a provision within the bill that allows those Federally funded or Federally assisted programs to be duplicated or come under the auspices of HB 1128. Therefore, I believe that the Geist amendment is not necessary, and I am asking my colleagues to vote in the negative on the Geist amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Geist, for the second time on the amendment.

Mr. GEIST. Thank you, Mr. Speaker.

I disagree with the gentleman, Mr. Linton. Those of us who live in rural Pennsylvania and those of us who have worked with the 10-percent Federal contracts now recognize the problem that we are going to have, especially with our local contractors. If you have a local rural district, for instance, and you have a small project bid in your district, every likelihood, I believe, is that the small contractors in rural Pennsylvania are going to suffer.

Let me, for instance, read the definition under the socially and economically disadvantaged individuals under the Federal guidelines, which I believe would also be the definition under this bill. These individuals should be "...citizens of the United States...Black Americans, Hispanic Americans, Native Americans, or Asian-Pacific Americans..." "Black Americans" in the definition includes "...persons having origins in any of the Black racial groups of Africa." "Hispanic Americans" means "...Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race; 'Native Americans,' which includes persons who are American Indians, Eskimos, Aleuts, or

Native Hawaiians; 'Asian-Pacific Americans,' which includes persons whose origins are from Japan, China, Taiwan, Korea, Vietnam, Laos, Cambodia, India, Pakistan, Bangladesh, the Philippines, Samoa, Guam, the U.S. Trust Territories of the Pacific, and the Northern Marianas."

Mr. Speaker, there is a section of that law which says, "The following are examples of actions that shall not be used as justification by the contractor for failure to meet the DBE contract goal: Failure to contract with a DBE solely because the DBE was unable to provide performance and/or payment bonds. Rejection of a DBE bid or quotation based on price alone. Equipment idled by contract with a DBE. Failure to contract with a DBE because the DBE will not agree to perform items of work at the unit price bid. Rejection of a DBE because of its union or non-union status. Failure to contract with a DBE because the Contractor normally would perform all or most of the work in the contract."

Mr. Speaker, for all these reasons and many more, I think those of us in rural Pennsylvania will find it very difficult, especially if the 15-percent requirement is met solely with 100-percent PennDOT funds, to meet these requirements of contracts within the rural parts of Pennsylvania. I would use as a for-instance, if you were in Bill Wachob's district, where are you going to meet any of these criteria for getting this 15-percent work finished? Are we going to have projects - road projects, bridge projects, improvement projects - go undone or go uncontracted, or have local contractors who have been out of work for a long time bumped out of these jobs purely because they do not meet the requirements of this law? I say not, and I would ask for a positive vote on this amendment.

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

Mr. LETTERMAN. Thank you, Mr. Speaker.

First of all, Mr. Speaker, I appear on this bill as a sponsor, and I am requesting that my name be taken off this bill, and if that cannot be done, I just want it entered into the Journal.

I would also like to state that I am opposed to this piece of legislation and hope that we can put this amendment in—

The SPEAKER. Mr. Letterman, stick to the amendment, please. We have a long afternoon.

Mr. LETTERMAN. I am, Mr. Speaker.

The SPEAKER. Only on the amendment.

Mr. LETTERMAN. I completely agree with Mr. Geist's amendment. As you see, I am a cosponsor of it, and I believe that rural legislators had better take a very hard look at this. If they think that it is going to help any of their people, I will guarantee you that it is not. You are going to have a lot of small contractors coming to you saying, why did you vote for this; now we cannot even have these small jobs that the Commonwealth has to offer. I really believe that this will affect us out in the rural areas much more than it does in the cities. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Linton.

Mr. LINTON. Thank you, Mr. Speaker.

I want to add some clarity to some things that were said by Representative Geist. First of all, within the Federal legislation that Representative Geist referred to, the 10-percent goal is an overall goal; it is not a per contract goal, which means that the department has discretion in determining in which areas of the State they use that 10 percent. So if in Mercer County, for instance, they are not able to find 10 percent of disadvantaged businesses to comply with that goal, they may use other projects in other parts of the Commonwealth to comply. So it is not a per contract goal but it is for all dollar amounts within a fiscal year.

Secondly, Mr. Speaker, I would like to point to the definitions within HB 1128. If you look at the definitions of "disadvantaged," the definitions have been expanded. It goes beyond the Federal definitions. If you look in the second part of those definitions, you will note that it also states, "Other residents of the Commonwealth whose participation in the free enterprise system is hampered due to social or economic considerations beyond their personal control, such as formal education, financial capacity, geographic or regional economic distresses,..." which brings under the guidelines some of the various regions which you are talking about that will not get service under this legislation. It also takes in social handicaps such as physical difficulties, such as those businesses that are run by the physically handicapped which will also come under the guidelines of HB 1128.

So the guidelines are broader; the definitions are broader; they go broader than the Federal guidelines. Therefore, many of you who are thinking that your constituency will not fall under this particular legislation are wrong. They will be included under socially and economically distressed neighborhoods in terms of the regions of the Commonwealth where we have high unemployment, where there are those who have not had access to capital, who have not been able to participate in the economic climate of our Commonwealth. So I want you to look once again, Mr. Speaker, at the definition of "disadvantaged business." Thank you, Mr. Speaker.

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

Mr. R. C. WRIGHT. Mr. Speaker, I rise to voice my opinion in opposition to Mr. Geist's amendment. I understand what Mr. Geist is concerned about. I also note that the act talks in terms of those things which are feasible. I would like to call the attention of the members to page 13, starting at line 26, in reference to reports that departments must file. It provides that in the report there will be an explanation where the department determines that the minimum percentages set forth in this act are unobtainable due to the unavailability of competent, responsible, economically disadvantaged small businesses. It seems to me that when we are saying something is unavailable, we are therefore providing a remedy to the problem that Mr. Geist is referring to.

On the next page, at the top, where it says "procurement responsibilities," it says that "Procurement shall be set aside for exclusive small businesses owned by the economically disadvantaged if"—and I think "if" is an important word—"it

can be determined that there is a reasonable expectation that bids, offers or proposals will be obtained from a sufficient number of business concerns and that, in the case of bids and offers, awards will be made at reasonable prices on a competitive basis." So the wording in this act clearly indicates that our intent is to have a set-aside for small, economically disadvantaged businesses where that is feasible, where that is possible.

Mr. Geist has raised examples. He is saying that it will not be feasible and it will not be possible. I contend that under the act, if it is not feasible and it is not possible, it will not happen. So I do not think that it is necessary to vote for Mr. Geist's amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Dauphin, Mr. Wambach.

Mr. WAMBACH. Thank you, Mr. Speaker.

I would like to interrogate the maker of the amendment.

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

Mr. WAMBACH. Mr. Speaker, in the first part of your amendment you are striking out language on page 14, line 30, continuing on to the first five lines of page 15. What you are saying there is that the set-aside requirements for the procurements purchased by the State using Federal funding shall be governed by the Federal agency granting the funds. What do you intend to do by striking out that language?

Mr. GEIST. Keep it status quo so that you have the 10-percent set-aside that you currently have, which PennDOT is working very hard to maintain, which they find very difficult to maintain, and which I contend is enough. This would just keep it status quo.

Mr. WAMBACH. But it also keeps it, the way I read that language that you are removing, that the Federal agency granting the funds does not have control over the contracts. Is that correct?

Mr. GEIST. The Federal agency sets guidelines; PennDOT writes the contract. If the guidelines are not met, they have a right to come in and protest.

Mr. WAMBACH. But what you are saying, though, by removing that language is that the Federal agency does not even have the right to set the guidelines even though Federal funds are being used.

Mr. GEIST. No; I disagree.

Mr. WAMBACH. What you are striking, Mr. Speaker, it says—and I will read the entire area—"Where Federal money is used, Federal law shall apply"—this is what you are striking, okay?—"if acceptance of the money is conditioned upon the utilization of small female-owned and minority businesses." And it goes on to say that "The set-aside requirements for all procurements purchased by the State using Federal funding shall be governed by the Federal agency granting the funds." You are taking that authority out of the bill.

Mr. GEIST. It is still going to apply under existing Federal law. We are not going to change that at all. We have all the

Federal law to live under where matching moneys are concerned.

Mr. WAMBACH. But what you are doing is pulling the language that specifically states that when, in fact, the procurement has been purchased by the State using Federal funding, it shall be governed by the Federal agency granting the funds. You are taking that out of the bill. I do not understand what the problem is with the amendment, by striking that language, if in fact we are using Federal funds under the Federal agencies where guidelines have been granted, and then you are saying that the Federal agency, however, shall not have the authority—by pulling the language out of the bill.

Mr. GEIST. If you read on down, you will find out that it says, "...by inserting after 'NO. 104)' and the act of November 26, 1978 (P.L. 1309, No. 317), referred to as the Public Works Contract Regulation Law." That covers it in total.

Mr. WAMBACH. That is a State law. I am talking about the Federal contracts. You just told me about the law of 1913. That is a State law, Mr. Speaker, not a Federal law.

Thank you very much, Mr. Speaker.

Mr. Speaker, if I may make a statement?

The SPEAKER. The gentleman is in order to make a statement on the amendment.

Mr. WAMBACH. Mr. Speaker, I think the maker of the amendment is making a mistake in regard to the Federal contracts when a State agrees to use Federal dollars. What he is saying is the Federal agency shall not govern the granting of the funds when the State hereby accepts the Federal money. I think it is a bad area to get into; it is a bad area to remove from the bill, and I would ask all my colleagues to vote against the amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the Geist amendment, the Chair recognizes the gentleman from Allegheny, Mr. Gamble.

Mr. GAMBLE. Mr. Speaker, I would like to interrogate Mr. Geist.

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

Mr. GAMBLE. It is either a misunderstanding or I misheard the conflicting statements, Mr. Speaker. Are you saying that the 15 percent pertains only to those races that you mentioned, only to those minorities?

Mr. GEIST. That is the way the definition would read.

Mr. GAMBLE. That is the way the definition would read. You are saying then it does not apply to distressed white small business people or white contractors?

Mr. GEIST. If you are presently a contractor and you have worked for PennDOT before, you are bonded, you are insured, and you have to meet the criteria to bid projects. A lot of the small contractors in our part of the State in rural Pennsylvania are very, very slack in business right now. I feel that this amendment will only do one thing, and that is cut existing small contractors out of work.

Mr. GAMBLE. So this would give preferential treatment to minorities, who will be able to bypass some of these restrictions.

Mr. GEIST. Absolutely, according to the definitions of that act.

Mr. GAMBLE. The 10-percent Federal guidelines that have been discussed here, to your knowledge, is that based on the population of minorities in Pennsylvania?

The SPEAKER. Will the gentleman yield for a moment.

Now the gentleman is trying to go into the main body of the bill. Restrict your comments to the Geist amendment and you may continue.

Mr. GAMBLE. That is all the questions I have, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

## WELCOME

The SPEAKER. The gentleman from Erie, Mr. Bowser, has here as his guests—we might as well introduce them while you are on the floor, Harry—his wife, Carol; his aide at the home office, Norbie Bachofner, and Helen Bachofner.

Now you had better perform up to schedule. Otherwise, you are going to hear about it.

## CONSIDERATION OF HB 1128 CONTINUED

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

Mr. BOWSER. Thank you, Mr. Speaker.

I just rise to support Representative Geist's amendment, and I am not doing this, really, because those people are here. I feel strongly about this.

Those of us who get involved heavily with road work in our areas in rural districts certainly should take a look at this. We do have a hard time conforming to money that comes from the Federal people on projects, but do you realize how much road work is done on the spur of the moment by a district engineer, that small project that you have wanted and he has added on to another project? The way I read this, that project will be in jeopardy because of this 15 percent. We do not have minority contractors out in the rural areas, and I am very concerned, if this passes the way it is worded without this amendment, that we in the rural districts are going to lose an awful lot of road work, not only this year but down the road, because we are not going to meet that criteria. I urge an affirmative vote on Representative Geist's amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia, Mr. Wiggins, on the Geist amendment.

Mr. WIGGINS. I would like to interrogate Mr. Geist, please.

The SPEAKER. The gentleman, Mr. Geist, indicates he will stand for further interrogation. Mr. Wiggins may proceed.

Mr. WIGGINS. Mr. Speaker, I perceive that the reason for your amendment is to see to it that everyone, without regard to race, color, creed, national origin, has a fair participation in contracts. Is that correct?

Mr. GEIST. I am sorry. I could not hear your question.

Mr. WIGGINS. Okay. My question to you, sir, is, is it my understanding that the purpose for your amendment is to see to it that every United States citizen has a fair participation in any contracts that might be let out relative to State work?

Mr. GEIST. Yes, Mr. Speaker. I would even go one step further with that. I would think that in our rural areas of the State it would go beyond somebody having an unfair advantage over those people who are already able and willing and qualified to work but are out of work. We are not about setting up a special class of contractor who can bypass the standards already set by PennDOT to do these rural jobs. So I agree with you. Yes; I think we have equal opportunity for all, and everybody should play under the same rules.

Mr. WIGGINS. Okay. Sir, are you familiar with Executive Order 11246 and what it states?

Mr. GEIST. I think, Mr. Speaker, you are asking a question you already know the answer to.

Mr. WIGGINS. That I know the answer to? Is that what you are saying? I did not hear you. You are correct; I do know the answer, but I would like for the other House members to know the answer also.

Mr. GEIST. If you want to ask a question that you already know the answer to, then why do you not state what you want to state in your statement?

Mr. WIGGINS. If you choose not to answer the question that I raised, I can answer it myself. Now, what do you prefer?

The SPEAKER. Mr. Wiggins?

Mr. WIGGINS. Yes?

The SPEAKER. If you ask a question the answer to which you already know, you are out of order. The purpose of interrogation is to seek information. If you already have that information, you are out of order. Are you finished interrogating, Mr. Wiggins?

Mr. WIGGINS. Yes, I am. May I make a statement?

The SPEAKER. You may make a statement on the amendment.

Mr. WIGGINS. Mr. Speaker, as a former EEO (equal employment opportunity) supervisor, I can tell you that Executive Order 11246 states that in Federal contracts, there will be no discrimination as a result of race, color, creed, national origin, and most recently added was "sex." Executive order 11246 by its wording alone indicates that there will be fair and equal opportunity for everyone as far as Federally funded projects are concerned.

Mr. Speaker, I disagree with the thinking of the sponsor of the amendment. I am citing my reasons by way of Executive Order 11246. I am asking the members of this House to vote against the Geist amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the Geist amendment, the Chair recognizes the gentleman from Philadelphia, Mr. Evans.

Mr. EVANS. Mr. Speaker, I also rise to oppose the Geist amendment. I rise to oppose it solely on the basis that there is a provision that if there is not enough set-aside, that the

primary contractors will have an opportunity already to participate within the program.

If Mr. Geist will read the bill carefully, the set-aside says that unless there are enough qualified businesses to achieve this goal, then it is— Specifically it states, if reasonable bids cannot be obtained from qualified agencies, then it will be opened up. So I do not see the need or the necessity for Mr. Geist's amendment.

Clearly I understand the purpose and the intent of Mr. Geist's amendment, but solely, I do not understand the basis of it. There is no need to have this particular amendment, based on the fact that it states very clearly that if there are not enough qualified minority bids, clearly the particular agency has the right to open up to everyone. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. D. R. WRIGHT. Would the gentleman, Mr. Geist, stand for a brief period of questioning?

The SPEAKER. Mr. Geist indicates he will so stand. Mr. Wright is in order and may proceed.

Mr. D. R. WRIGHT. Mr. Speaker, it is my understanding that these minority businesses have to be certified. Is that your understanding as well?

Mr. GEIST. Yes; it is my understanding.

Mr. D. R. WRIGHT. Do you have any information to indicate to us on the basis of previous law what kinds of firms tend to be certified as opposed to others?

Mr. GEIST. Yes; I can give you some examples, especially as they would apply to a project, say, in Clarion. If a contract is let up there, and in order to gain the 10-percent MBE (minority business enterprise) you have a firm that you contract with in Pittsburgh for supplies, the way I understand it, this can be set up that you can work it out of a telephone booth with a black case and a passthrough as long as those supplies are delivered.

In the case of contractors, you are talking about contractors that if you have a contractor in Clarion who is bidding on a project and that contractor goes to get that 10-percent MBE, the MBE can say to him, look, if you get the low bid, give me a call. So he consequently gets the low bid in Clarion, he calls back to this guy, and this guy gives him a price that is way out of the ball park.

So if you go by the guidelines that are set forth in PennDOT, which I have right here which comply to the Federal guidelines, these people in these cases have the opportunity to play a game that is different from the contractor who lives in your district. Therefore, that is one of the reasons why we put this amendment up, in the hopes that we could keep everything equal and straight on, especially in the rural part of Pennsylvania.

Let me go on a little bit further with some of the exclusions that the MBE enjoys that a contractor—

Mr. D. R. WRIGHT. Thank you, Mr. Speaker. I appreciate the fullness of your response, but it is not quite at the point I am getting at.

Mr. GEIST. Mr. Speaker, I am not finished.

The SPEAKER. What is the question, Mr. Geist?

Mr. GEIST. Mr. Speaker, may I finish those definitions? I think it is very important.

The SPEAKER. The gentleman who asked the question says he has sufficient answer, and at that point I suggest that you stop. If you wish to have another question asked, you might direct him or direct one of your friends to ask that question.

Mr. D. R. WRIGHT. The gentleman has given a wonderful answer. It simply is not the answer to the question which I am trying to ask. Let me be a little more specific about what I am getting at here, Mr. Speaker.

I have had some people who have come to see me of late who have indicated to me that the problem of certification is that there is some discrimination with regard to union and nonunion contractors. The indication would seem to be that the certification process is somewhat discriminatory against those contractors who employ union workers, and it is an important point because the issue was raised here a little earlier that there are not sufficient number of contractors. My point is that perhaps there would be more contractors out there if we were a little more willing to certify union contractors.

What is your experience with regard to that issue, Mr. Speaker?

Mr. GEIST. Thank you.

The answer to that question is very simple. Under the guidelines and under the law, the union or nonunion issue is addressed very clearly. As it says, "The following are examples of actions that shall not be used as justification by the contractor for failure to meet the DBE contract goal," and item (5) under that list, "Rejection of a DBE because of its union or non-union status." It matters not. They have to be accepted.

Mr. D. R. WRIGHT. They would have to be certified whether or not they are union or nonunion. Is that what you are telling me?

Mr. GEIST. That is right.

Mr. D. R. WRIGHT. Okay. Thank you, Mr. Speaker.

The SPEAKER. Does the gentleman wish to continue with the interrogation, or does he wish to state something else?

Mr. D. R. WRIGHT. I am finished with the interrogation. I will just make a very brief statement.

The SPEAKER. The gentleman is in order and may make the statement on the amendment.

Mr. D. R. WRIGHT. I believe the gentleman, Mr. Geist, has given a response which is as accurate as far as he knows, but there does seem to me to be a considerable amount of controversy in this area with regard to whether or not people are being discriminated against because they happen to employ union workers.

It seems to me that it would be in our interest somewhere along the line to make some inquiry as to exactly what is happening with regard to this particular issue. In the meantime, I join my colleagues in voting against the Geist amendment and hope that we will take a close look at that issue.

The SPEAKER. For the second time on the Geist amendment, the Chair recognizes the gentleman from Dauphin, Mr. Wambach.

Mr. WAMBACH. Thank you, Mr. Speaker.

Mr. Speaker, I just want to attempt to set the record straight in regard to how I interpret what precisely HB 1128 will do.

I think very clearly it states that contracts, yes, shall be set aside at the rate of 15 percent of the dollar amount to small economically disadvantaged business set-asides, unless—unless—it can be determined that this minimum percentage is unobtainable due to the unavailability of competent, responsible, small economically disadvantaged businesses. I think that clearly says, and it really tracks Act 45 of 1975, where one of the criteria in selection is proximity to the job. If, in fact, in the rural areas you are talking about proximity to the job would make it economically unfeasible to bear a small economically disadvantaged business to the area, then the act simply will not apply, because it is unobtainable.

So I think, clearly, the safeguards are in the act as far as the feelings of rural areas being applied into this equation and the fact that under the act it explicitly says, if unobtainable due to the unavailability of competent, responsible firms.

But it also goes on to say explicitly, in response to Representative Geist, "...there shall be no requirement that subcontracts be awarded to or that materials and supplies be purchased from economically disadvantaged businesses." Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Venango, Mr. Peterson, on the amendment.

Mr. PETERSON. Thank you, Mr. Speaker.

I rise to support the Geist amendment. In response to the comments that were just recently spoken by my friend from Clarion County, I guess I do not quite understand what he was driving at with the union issue. The problem that I see—not the problem, but my observation of highway work in my region—is that the majority of it is done by union contractors. Most all of our contractors who are certified by the department—not all, but the majority of them—are union contractors. I see in the future those laid-off union members in my district being replaced by—

The SPEAKER. Will the gentleman yield.

Has the gentleman forgotten what is before the House? It is a question of whether we adopt or do not adopt the Geist amendment. Will you address your comments to that, please.

Mr. PETERSON. Yes; I felt I was, Mr. Speaker.

The SPEAKER. The Chair would respectfully disagree with the gentleman.

Mr. PETERSON. Well, I was disagreeing with testimony that was given in a reason not to vote for it.

The SPEAKER. The Chair understood you were disagreeing with testimony that was given prior, but that is not your privilege. You are to address the Geist amendment, sir. Please do so.

Mr. PETERSON. Okay.

I believe the Geist amendment will protect the union workers in my district by making sure that people from my rural area who are unemployed and belong to those unions will have a chance to work on fixing the roads in the area in which they live. I think it is very important that we adopt the Geist amendment.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—125

Angstadt	Flick	Lescovitz	Robbins
Armstrong	Foster, W. W.	Letterman	Rudy
Arty	Foster, Jr., A.	Levi	Ryan
Baldwin	Freind	Lloyd	Saloom
Belardi	Fryer	Lucyk	Salvatore
Belfanti	Gallen	McCall	Saurman
Blaum	Gamble	McClatchy	Scheetz
Book	Gannon	McVerry	Schuler
Bowser	Geist	Mackowski	Semmel
Boyes	George	Madigan	Serafini
Brandt	Gladeck	Manmiller	Seventy
Bunt	Godshall	Mayernik	Sirianni
Burd	Greenwood	Merry	Smith, B.
Cessar	Grieco	Micozzie	Smith, L. E.
Cimini	Gruitza	Moehlmann	Snyder, D. W.
Civera	Gruppo	Morris	Snyder, G. M.
Clark	Hagarty	Mowery	Spencer
Clymer	Haluska	Mrkonic	Stairs
Colafella	Hasay	Nahill	Stevens
Cordisco	Hayes	Noye	Stuban
Cornell	Herman	O'Brien	Sweet
Coslett	Hershey	Olasz	Swift
Coy	Honaman	Perzel	Taylor, E. Z.
DeVerter	Hutchinson	Peterson	Tiguc
Davies	Jackson	Petrarca	Vroon
Dietz	Johnson	Phillips	Wachob
Dininni	Kennedy	Piccola	Wass
Dorr	Klingaman	Pitts	Weston
Duffy	Lashinger	Pott	Wogan
Durham	Laughlin	Punt	Wozniak
Fargo	Lehr	Reinard	Wright, J. L.
Fee			

NAYS—71

Afflerbach	Evans	McMonagle	Spitz
Alderette	Fattah	Maiale	Steighner
Barber	Fischer	Manderino	Stewart
Battisto	Freeman	Markosek	Taylor, F. E.
Broujos	Gallagher	Michlovic	Telek
Burns	Harper	Miller	Trello
Caltagirone	Hoeffel	Miscevich	Truman
Cappabianca	Itkin	Murphy	Van Horne
Carn	Jarolin	Oliver	Wambach
Cawley	Kasunic	Petrone	Wargo
Cohen	Kosinski	Pievsky	Wiggins
Cole	Kowalyshyn	Pistella	Williams
Cowell	Kukovich	Preston	Wright, D. R.
Deluca	Levin	Rappaport	Wright, R. C.
DeWeese	Linton	Reber	Zwinkl
Daley	Livengood	Richardson	
Dawida	McHale	Rieger	Irvis,
Deal	McIntyre	Rybak	Speaker
Dombrowski			

NOT VOTING—3

O'Donnell	Pratt	Wilson
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EXCUSED—3

Donatucci Marmion Showers

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

REMARKS ON VOTE

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

Mr. LAUGHLIN. Mr. Speaker, I recorded myself inaccurately on the last vote. I wanted to be recorded in the negative. Would you please put me on record?

The SPEAKER. On the Geist amendment A3302?

Mr. LAUGHLIN. Yes, Mr. Speaker.

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

CONSIDERATION OF HB 1128 CONTINUED

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

On final passage, the Chair recognizes the gentleman from Philadelphia, Mr. Linton.

Mr. LINTON. Thank you, Mr. Speaker.

Mr. Speaker, I would just like to ask for an affirmative vote on HB 1128. A couple of weeks ago, we met in an effort to try to develop and pass legislation to deal with the \$190-million bond issue that was passed by the voters of the Commonwealth in April. Our efforts were to try to make sure that we put Pennsylvanians back to work. Our efforts were to make sure that we involve members of our constituencies in the economic development of this Commonwealth.

HB 1128 attempts to do the same thing, Mr. Speaker. What we are attempting to do here is to involve those disadvantaged businesses in the economic moneys that are generated by their tax dollars, and as the definition indicates, those disadvantaged businesses include not only minorities and women but also those who come from distressed economic development areas, such as Johnstown and some of the other areas throughout our Commonwealth, so they, too, will get an opportunity to participate in the procurement and goods and services that are generated by their tax dollars. Also, Mr. Speaker, those businesses that are owned by those who are physically handicapped will also be aided under HB 1128.

There were some questions before, Mr. Speaker, about some areas where someone would not be able to comply with the guidelines. But it is clear, Mr. Speaker, that the Commonwealth departments are allowed to look into their procurement opportunities and determine in which areas of the Commonwealth they will not be able to achieve that 15 percent.

Therefore, they will be allowed to achieve that 15 percent in other areas where the disadvantaged businesses may be located in larger amounts.

Therefore, Mr. Speaker, I ask the House for an affirmative vote on HB 1128 so that we continue, in the climate of economic development in this Commonwealth, to put Pennsylvanians back to work. Thank you.

The SPEAKER. On final passage, the Chair recognizes the gentleman from Crawford, Mr. Merry.

Mr. MERRY. Mr. Speaker, will you comment on what the net effect of the Geist amendment would be on HB 1128? What I am getting at is, what types of contracts will this now affect under the present reading of the bill, as amended?

The SPEAKER. Does the gentleman, Mr. Linton, wish to answer the question?

Mr. LINTON. Yes, Mr. Speaker.

The SPEAKER. Mr. Linton agrees to stand for interrogation. Mr. Merry has asked a question - under the amended version of HB 1128, what types of contracts will be covered and, by inference, which types would not be.

Mr. LINTON. It is my understanding, Mr. Speaker, after examining the Geist amendment, that what the Geist amendment does is to exclude basically the Department of Transportation, where there is already in existence a Federally funded program that currently provides 10-percent moneys being set aside for disadvantaged businesses. It is my understanding that all other departments and all other agencies would be affected by HB 1128 and that the Geist amendment serves to just exclude that already existing program in the Department of Transportation.

Mr. MERRY. You are then saying that the contracts that would be affected would be other types of construction projects, plus any contract for materials, regardless of its nature, throughout the Commonwealth?

Mr. LINTON. That is correct.

Mr. MERRY. What is the intent of this bill then? Is it to address a system of more fairness in the procurement of lower cost contracts for the State? Or are we trying to address help to minority groups, or as you say here, economically disadvantaged groups?

Mr. LINTON. As the speaker corrected himself in terms of economically disadvantaged groups, what we are attempting to do, as I said earlier, is put Pennsylvanians back to work, as we have been trying to do over the last couple of weeks with all our economic development issues, and that is what we are attempting to do here, basically to bring into usage in Commonwealth procurement and supplies those disadvantaged businesses that have not had an opportunity to participate.

Mr. MERRY. What purpose would that serve to accomplish for the Commonwealth, since the bidding process being opened to everyone seeks to get a quality job according to certain specifications and also address the lowest price? Would not the bill that addresses limiting contracts to only disadvantaged groups have a tendency to increase the cost of State contracts throughout the Commonwealth?

Mr. LINTON. Mr. Speaker, I believe that if you look at the bill, we also talk about competitive bidding, and it also requires that we look at reasonable costs in terms of letting these contracts. So we are still asking for competitive bidding within those disadvantaged groups, and we are also trying to make sure and insuring that we indeed have reasonable costs. In fact, the legislation specifically refers to reasonable costs.

Mr. MERRY. But you do suggest in this bill that for 15 percent of those contracts affected, they be done without direct competition with groups that were not economically disadvantaged.

Mr. LINTON. They will indeed, in fact, still have competition, and it is my belief, Mr. Speaker, that as we broaden our base of businesses that are eligible to participate, we will in essence increase competition and in essence lower costs in the long term.

Mr. MERRY. Do you have an idea, Mr. Speaker, as to what percentage of economically disadvantaged people are in the Commonwealth who would be the type who would be bidding on State contracts?

Mr. LINTON. Excuse me, Mr. Speaker? I cannot hear.

The SPEAKER. Will the gentleman, Mr. Merry, restate the question?

Mr. MERRY. Mr. Speaker, in your opinion, what percentage of the people in Pennsylvania are economically disadvantaged? In other words, what part of bidders in Pennsylvania would be disadvantaged as compared to the rest of them?

Mr. LINTON. Mr. Speaker, I am not aware of the exact numbers, although I know that those who are disadvantaged are growing every day.

Mr. MERRY. Would it have any relationship to the percentage of minority groups in Pennsylvania?

Mr. LINTON. Well, Mr. Speaker, if you will look at the definition of "disadvantaged," it includes more than minority groups, as I indicated before.

Mr. MERRY. I understand that. What is the percentage of minority groups in Pennsylvania?

Mr. LINTON. About 12 to 15 percent.

Mr. MERRY. About 12 to 15 percent? All right.

That ends my interrogation, Mr. Speaker. I would like to comment on the bill.

The SPEAKER. The gentleman is in order to comment on final passage.

Mr. MERRY. Mr. Speaker, through interrogation it has been brought out that there are 12 to 15 percent minority groups in Pennsylvania. I contest that from my experience. You recognize, of course, that I represent Erie and Crawford Counties, part of the great northwest. Our observation in that area, which consists of the third largest city in Pennsylvania and many rural areas, is that our minority groups in Erie County are at 6 percent; in Crawford County, 2 percent. I submit, where is the fairness of this bill to people for legislators looking at it from the standpoint of where they live? I am certain that in the counties of Allegheny and Philadelphia, that percentage is somewhat higher, and I respect the legislators who are concerned with their constituents in that area,

but for the vast majority of the legislators here today, we represent areas that percentages of 15 percent are in no way fair. To us, this is a reverse discrimination-type bill, where it seeks to take business out of our counties and force us to go to other areas.

It was brought out in previous testimony that there is a provision in the bill that if there are no groups available, there is a provision to overlook it and go to regular contractors. What happens in northwest Pennsylvania, Mr. Speaker, under present law is that we are forced to go to areas far distant from Erie and Crawford County to seek contractors. I do not see anything in the area that gives a specific provision for the location or the determination of when a group is not available. How far away do you have to go? We are traveling, at present, out of Erie County 100 miles to get a minority group to fill a contract. I feel that this is unfair, and that is not the intent of the maker of this bill, to be unfair.

Our bidding procedures in the Commonwealth are such that we seek quality low-priced work. To grant a special group, whether they be economically disadvantaged or not, does not increase employment in the Commonwealth, because there are a certain amount of dollars involved, a certain amount of contracts involved that require labor to do them. I suggest, Mr. Speaker, that full employment is best attained by making our State dollars go the farthest, and there is nothing to be obtained by giving them to people who are identified as socially handicapped, physically disabled, socially or economically handicapped. Mr. Speaker, I do not believe, in all fairness, that most legislators should be supporting HB 1128 in its amended form. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On final passage, the Chair recognizes the gentleman from Mercer, Mr. Fargo.

Mr. FARGO. Thank you, Mr. Speaker.

Would Representative Linton please stand for some additional interrogation?

The SPEAKER. The gentleman, Mr. Linton, indicates he will stand for interrogation. Mr. Fargo may proceed.

Mr. FARGO. Thank you, Mr. Speaker.

In reading this bill, I believe what it is saying is that every contract that is covered must provide for a 15-percent set-aside for the economically disadvantaged, and as I read the bill I also see that school districts and municipalities are not covered under this, but I just am really concerned about what organizations are covered. It appears that all departments of Pennsylvania Government are covered. That would mean the Department of Commerce, the Department of Aging—

The SPEAKER. Mr. Fargo, I know it is sometimes difficult to ask a question without prefacing it, but if you have a question, sir, please ask it.

Mr. FARGO. Okay. I appreciate that.

As I say, I believe that all departments of Pennsylvania Government are covered by this. My question is, prior to this bill, if this was not a Federal contract, would these various departments be covered and be required to have a 15-percent set-aside?

Mr. LINTON. No.

Mr. FARGO. Then we are now covering under this bill all the various departments? I realize the Department of Transportation was primarily covered where Federal moneys were involved. Tell me, would the Mental Health Association in Mercer County be covered under this bill?

Mr. LINTON. The Mental Health Association, to my understanding, and I am not from Mercer County, nor am I familiar with the Mental Health Association, but I would imagine that that would not be a Commonwealth department.

Mr. FARGO. This, then, has to be a Commonwealth department?

Mr. LINTON. Indeed; that is correct, Mr. Speaker.

Mr. FARGO. We have a Job Training Partnership Act consortium in western Pennsylvania. When they issue a contract, would they have to set aside 15 percent for the economically disadvantaged?

Mr. LINTON. I believe not.

Mr. FARGO. Then really this boils down to the fact that what we are talking about here are strictly the governmental agencies or departments of the State of Pennsylvania?

Mr. LINTON. That is correct. That is stated in the bill. Any department, agency, commission, or authority or instrumentality of the Commonwealth. Okay? So we are talking specifically about those agencies in the Commonwealth of Pennsylvania affiliated with State Government.

Mr. FARGO. Then the organizations such as the Job Training Partnership Act, which are merely part of the Pennsylvania Government that are run by them with Federal moneys under block grants, will not have to be concerned about the provisions of this bill?

Mr. LINTON. I do not think so, sir. If you look at and read the bill more carefully, it also indicates that the departments themselves will indicate to the committee those contracts that they expect to procure over the fiscal year, and I believe that we are talking about those State contracts that we normally let with regard to supplies, materials, and other things related to contracting for State business.

Mr. FARGO. Thank you.

I am also concerned about the qualifications as far as the contractor is concerned. It is my understanding that economically disadvantaged small businesses owned by minority groups are covered under this, and that I can understand. But the second part, then, as to qualifications indicates the socially and economically disadvantaged, not necessarily minority groups but socially and economically disadvantaged, and I am questioning what is meant by that. They must be hampered, apparently, by being socially and economically disadvantaged, but it indicates that a formal education is a type of hampering that would be necessary. Could you tell me what we mean by they must be hampered by formal education?

Mr. LINTON. Mr. Speaker, if I can refer to the SBA, the Small Business Administration, which has definitions for "economically disadvantaged," they refer to those who have not had access to capital, those who have had other opportu-



nities removed from them that did not allow them to participate in the economic development of the Nation. So I would believe that within those same confines, we would use those same types of definitions in describing "economically disadvantaged."

Mr. FARGO. But the paragraph that has to do with the socially and economically disadvantaged merely indicates that they must be hampered—and it has no indication that a minority group is involved—by formal education. Now, I do not know how people are hampered by a formal education, and I would like to know.

The other item that it indicates is that they can be hampered by geographic or regional economic distresses, and I do not know what geographic or regional economic distresses would be. Could you explain that?

Mr. LINTON. As I indicated before, we talked about various areas of our Commonwealth. There were some members who were concerned about the businesses in their districts not currently getting jobs. I believe that we do have some regional areas where there has been economic distress, where there are disadvantaged businesses that have not had an opportunity to participate in procurement with the State, and those are the businesses and those are the areas that we are referring to in this legislation.

Mr. FARGO. Then I guess what you are saying is that if these businesses come from an area that has geographic or regional economic distresses, and they are small businesses, they will be covered under this bill.

Mr. LINTON. That is one criterion among the others, but just as stated under the SBA. Yes, that is one of the definitions, but that would not be the only one.

Mr. FARGO. The bill itself indicates that this is a separate criterion, and I believe that the amendment that we just had even puts the word "or" between the two paragraphs, so that it is not necessary that you be minority.

The SPEAKER. Will the gentleman, Mr. Fargo, desist.

Gentlemen, the rules of this House allow interrogation, not argument. Now, if the gentleman, Mr. Fargo, or if the gentleman, Mr. Linton, have arguments on final passage, the way to achieve that argument is to request the Chair to recognize you, and the Chair will do so. If you have interrogation because you wish to get information, fine; but if you wish to merely debate, this is not a debating society.

Mr. Fargo, you may continue.

Mr. FARGO. I am sorry and thank you, Mr. Speaker.

I would ask a question then. As we indicated, if a company—and it is a small business company; it qualifies as a small business company—is owned by a minority group but that minority group or even the minority owner himself is a very wealthy individual, will it qualify under this particular bill?

Mr. LINTON. We use similar language to that which is in the SBA guidelines, and if you look at the firms or the types of firms that are utilized, the bill addressed firms in terms of dollar amounts or profits that have been generated over periods of time. I would suspect that when we use the defini-

tion as minorities and women, we are assuming to some degree that they have been excluded because of being an economically disadvantaged group. However, I suspect that within the commission where we have the Secretary of Commerce, where we have the Secretary of the Department of Transportation and the Secretary of General Services, that they themselves would know what those guidelines would be in terms of income.

Mr. FARGO. The last question that I would ask would have to do with the bonding setup that is considered here, and the question I would ask is, it seems that in order to receive a bond under this program, you must be a high-risk individual and not be able to obtain that bond elsewhere. It would seem also to me that if that is true, probably the risk of failures will be rather large. Who is it that will pay for completing these bonds or completing the work if in fact there are failures under the bonding program?

Mr. LINTON. Mr. Speaker, those disadvantaged businesses that come under the jurisdiction of this bill would have to be bonded, number one.

Number two, the purpose of the amendment that this House passed initially with this legislation was to remove all language in the bill that pertains to bonding. So, therefore, the bonding language in this bill has been stricken by your vote.

Mr. FARGO. Okay. I would thank you then, Mr. Speaker.

I would like to make a statement, Mr. Speaker.

The SPEAKER. The gentleman is in order and may make a statement on final passage.

Mr. FARGO. As I look at HB 1128 and try to determine the problems that we are going to incur by having passed this legislation, I find that once more we are going to put it to the small businesses.

First, as far as the cost of doing what is required in this bill, every State department—every State department—must make a report at the beginning of the year and quarterly that breaks down every contract that they have for supplies, equipment, and construction and says 15 percent of this is going to go for the economically disadvantaged small businesses; the other 85 percent can be for other small businesses. The committee then that is set up by this legislation has just 14 days to determine whether they are satisfied with the way this department or the department's report has come in. If they are not satisfied, they say to the department that they are not happy with the way or not satisfied with the breakup or the way in which the 15 percent is set aside, and then that department, by this bill, has to stop all transactions as far as trying to finish up whether it is a purchase of supplies or a piece of equipment or a contract that they have to do.

How do we find these eligible businesses that are going to be economically disadvantaged? Every small business must be certified by this committee. Can you imagine the number of small businesses that are going to be trying to prove to this committee that they are certified; that they, first, qualify as a small business; secondly, that they are economically disadvantaged; thirdly, that they have the correct ownership, that they

are at least 51 percent owned by economically disadvantaged groups.

Thousands of businesses are going to be affected here, and they are going to be trying to determine that they do not have sufficient education, that they have a physical problem as far as the owner is concerned, and that they have a financial problem as far as the owner is concerned. Can you imagine what this will do to those small businesses which are not going to qualify and are still trying to compete in this world. Can you imagine how much this is going to cost the taxpayers of Pennsylvania because we have eliminated competition in so many different areas when it comes to small business. Can you imagine the increase in costs and the taxes that will go up in this situation. It is going to affect all of us. It is going to affect the small businesses, and especially those of us in the rural areas are going to find that it is almost impossible, as we have already found out when we deal with the Federal part of the Highway Department, it is almost impossible to find people who can do these jobs, and so we are going to be going to areas such as Pittsburgh and Philadelphia trying to drag in people who will do the job.

Now, I have heard several times here today that that is not true; that in fact, if you cannot find someone, this bill does not cover that situation. But remember, that is going to be up to that person who is putting those contracts out to determine whether they can, economically, find someone to do the job.

There is no question in my mind that once more—and I feel that we heard this once before on the floor just recently—we are going to put another nail in the coffin of small business in Pennsylvania. I would urgently hope that you would not vote for this bill. Thank you.

The SPEAKER. On final passage, the Chair recognizes the gentleman from Allegheny, Mr. Gamble.

Mr. GAMBLE. Mr. Speaker, I rise to oppose this bill. It is my understanding that 10 percent of the population of Pennsylvania is a minority population, and it is my understanding and my best recollection of what I have heard today that we want to, in effect, give special consideration to 15 percent of minorities in Pennsylvania in this bill.

On page 5 it clearly states that the following groups are included, and it lists blacks, American Indians, Hispanics, and so forth. I do not see Eastern Europeans, I do not see Italians, and I do not see Anglo-Saxons. I believe this bill definitely was designed, without question, for the minority groups in Pennsylvania, and 10 percent is a fair quota system for Pennsylvania. There is no justification to raise it to 15 percent, and if we do here today, it is just another form of discrimination. I ask you that you vote "no."

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the minority whip.

Mr. HAYES. Thank you, Mr. Speaker.

I wonder if the gentleman, Mr. Linton, would help define some words and phrases for us, please.

The SPEAKER. Mr. Linton indicates he will stand for further interrogation. Mr. Hayes is in order and may proceed.

Mr. HAYES. Thank you, Mr. Speaker.

We have been talking about the two words, "formal education," as they are mentioned in the bill. I wonder if the gentleman would state, or restate if he has already mentioned, what is meant by "formal education."

Mr. LINTON. Mr. Speaker, as I stated before, it is my belief that, one, formal education is only one criterion that will be used in determining if someone is a disadvantaged business. I would suspect that those members of the committee, which includes the Secretary of Commerce, the Secretary of General Services, the Secretary of Transportation, four members from the House, and four members from the Senate, in terms of promulgating the rules for this legislation, would indeed determine what those terms indeed mean.

Mr. HAYES. Mr. Speaker, would you indicate what your definition of "formal education" would mean?

Mr. LINTON. Mr. Speaker, I believe that formal education would be similar to some of the formal educational problems we may have in the Appalachian region of the Commonwealth.

Mr. HAYES. What would they be, Mr. Speaker?

Mr. LINTON. Those formal education problems that those in the Appalachian region may have that make it difficult for them to participate in procurement of State contracts with State agencies, Mr. Speaker.

Mr. HAYES. Would it be possible, Mr. Speaker, to answer the question in a way that relates to how we, I believe, categorize various levels of education. We think of, for instance, preschool; we think of kindergarten; we think of elementary school, middle school; we think of high school. Would the gentleman relate for us what his definition of "formal education" would be in the context of those contemporary usages - kindergarten, high school, whatever the case may be - so that the members of the House would have some idea, at least, what the proponents of this legislation would define as "formal education."

Mr. LINTON. I believe that in commonality when we are talking about formal education, we usually refer to one who has at least achieved a high school education in this Commonwealth. And as I stated before, I believe that within the definition of "disadvantaged," we are referring to those areas such as the Appalachian region where those members may not have been able to achieve that type of formal education.

Mr. HAYES. Would formal education be limited to just high school, or is there a possibility, Mr. Speaker, that formal education, based upon a particular type of job, would require skills that must be achieved beyond the level of high school, such as engineering, such as medicine, such as accounting?

Mr. LINTON. It is my understanding, Mr. Speaker, when we are talking about formal education that we are indeed referring to basic education.

Mr. HAYES. The reason I ask that question, at least one of the reasons why I ask that question, Mr. Speaker, is because this legislation does refer to accounting, it does refer to medical services, does it not?

Mr. LINTON. Yes, it does, Mr. Speaker, but it only refers to the type of work that is being given out currently on Commonwealth procurement and contracts.

Mr. HAYES. Mr. Speaker, if the contract requires accounting skills and certification in accounting, if it requires medical skills that can only be offered by practitioners who have had education beyond high school, is it not reasonable to believe that formal education may include something beyond high school?

Mr. LINTON. Mr. Speaker, the contracts go to economically disadvantaged businesses. It is my understanding, Mr. Speaker, that we are not giving those to a person; we are talking about disadvantaged economic businesses.

Mr. HAYES. Yes, Mr. Speaker, but businesses are made up of people. They are organic; they are not abstractions. Businesses are people, and if we are talking about contracting for medical services, if we are talking about contracting for accounting services—and they are the words in this bill; they are not my words—is it possible that education would mean something beyond high school?

Mr. LINTON. Mr. Speaker, if we look at the words “formal education,” you will understand that that is only one of many criteria that will be used, and that when we look at the qualification for those who are getting contracts, they will have to be prequalified just as any other business that has to do work with the Commonwealth. If that prequalification requires that they have the skills to do accounting or engineering or law or any of the others, then they must come under that form of education for prequalification.

Mr. HAYES. I understand that formal education, Mr. Speaker, is but one mentioned criterion. I understand that. But that is a pretty important one, and that is one that is measurable. We have had other speakers ask questions about criteria that are a little more fuzzy; they are not nearly as measurable, but education is one thing that we can measure. We send children to elementary school, we send children to high school, and we send our young people to college in many instances. It is something that is measurable and understood. It has classification; it has established standards and criteria, and so I think it is important, since formal education is mentioned as a criteria, that we understand a bit about what the proponents are making reference to.

Now, let me ask, Mr. Speaker, if you would turn to page 12 of the bill. On page 12 of the bill beginning on line 19, the legislation makes reference to an organized support system may be established, and the committee which you have referred to and others have referred to would have the power to establish an organized support system for education for prospective bidders. Now, just how much power and how expensive is this legislation going to be through the committee? How much power is this committee going to have? What do you have in mind?

Again, on page 12, beginning on line 19, it states that the committee which would be formed by this legislation would have the power to organize support systems, and one of the areas of greatest concern, at least it is one of the areas men-

tioned, is education. Education is mentioned earlier in the bill as an important criterion. It is mentioned on page 12 as one of those areas where this committee could establish a support system. What does that mean?

Mr. LINTON. Mr. Speaker, just as we currently in the Commonwealth provide support systems for women's businesses in the Commonwealth, for disadvantaged businesses in the Commonwealth, for the Appalachian region businesses in the Commonwealth, where we provide programs which are currently going on to show them how to bid, to open up the opportunities for them participating in State contracts, as we currently do, I suspect that that is what is being referred to in this bill to do the exact same thing.

Mr. HAYES. Given the loosely constructed language, would you believe that it would be possible for the committee to organize curricula of formal education to advocate and, yes, require educational training programs for the professions that are mentioned in the bill - medical training, accounting, that sort of thing?

Mr. LINTON. It is not the intent of this legislation, nor do I think it would be of the committee, to institute programs for formal education such as in accounting or engineering or in law. It is my understanding that the committee would provide those same support services as I indicated before, and that would be within the purview of that committee.

Mr. HAYES. I am not sure that I share the gentleman's optimism. I think the language is written very loosely, and given a burst of enthusiasm, why, this committee, I believe, would be requiring educational programs that may not be intended by the proponents but may be their folly.

But let us continue with that section. You mention on line 26 that this committee could provide a support system for legal enlightenment. What does that mean?

Mr. LINTON. Legal enlightenment, once again, Mr. Speaker, as I understand it, they are making those businesses aware of the laws as they relate to doing business with the Commonwealth of Pennsylvania, the same as we currently do with many of the programs that are currently being done out of our small business center here in the Commonwealth where they provide programs throughout the Commonwealth to make women, minorities, those in the Appalachian regions, and others aware of the legal requirements that one must comply with in order to do business with the Commonwealth of Pennsylvania.

Mr. HAYES. Thank you, Mr. Speaker.

On lines 27 through 29, after mentioning support programs for education, support programs for legal enlightenment, there is mention made of the following words: “for such other functions to encourage responsible participation in the programs as the committee shall see fit.” Do you have any notion, Mr. Speaker, what those other functions might be?

Mr. LINTON. No, I do not, Mr. Speaker. All I can say is, when we pass legislation, we often give departments opportunities to promulgate rules and regulations which they deem necessary in order to carry out the intentions of the legislation, and I suspect that we are asking them to do the same thing here.

Mr. HAYES. Thank you, Mr. Speaker.

That concludes my interrogation of the gentleman, and I appreciate his comments. If I may offer a few?

The SPEAKER. The gentleman is in order on final passage.

Mr. HAYES. Thank you, Mr. Speaker.

I am not at all confident of what this august body, this committee, may deem as necessary and proper policy, as the gentleman, Mr. Linton, may be. I have been on this Hill just but a few years, but during that brief time I have found that this General Assembly may very well intend one thing, but once it is placed in the hands of a committee, away from this General Assembly—and I hasten to add I realize that there will be some lawmakers on the committee, but it will not be dominated by lawmakers—once this General Assembly seeds broad grants of authority in the hands of committees external to this General Assembly, we see programs, policy, criteria, standards, whatever you may care to add, that were never intended by this General Assembly. I do not believe that there is a man or lady in this chamber today who could forthrightly say the committee does not have the power to establish educational programs, to establish legal programs, that go far beyond what the gentleman, Mr. Linton, indicated was his intent.

If you go back to page 10, not only do you provide this committee with broad power to establish criteria in the area of education and other such functions as it deems necessary, but you place in this committee the power to shut down Pennsylvania, shut down Pennsylvania because a committee of just a few people do not feel satisfied in their wisdom that the provisions of this bill, loosely constructed as it is, are being satisfied. Contracts all over this Commonwealth, important for the health and welfare of 12 million Pennsylvanians, could be shut down by this committee that is external to this General Assembly and external to the elected government of the executive branch.

Now, I just do not believe that we should be placing that kind of power in the hands of people elected by no one, on this day known by no one, simply because they are not satisfied—satisfied—with the report. Now, maybe their dissatisfaction is deserved and maybe it is not, but for sure, I do not believe we ought to be shutting down the Commonwealth and impeding necessary and proper projects, public improvement projects, simply because someone is not satisfied with the report.

This legislation, no matter how well intended, provides this committee far too much power and offers far too many dangers and harms with regard to the health and welfare of the general populace. I urge its defeat. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman from Philadelphia, Mr. Linton, wish to be recognized for the second time on final passage?

Mr. LINTON. Yes, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman.

Mr. LINTON. Once again, Mr. Speaker, as I said before, the bill goes beyond the definitions of “minorities” and, as

has been alluded to, includes various rural areas of the Commonwealth that heretofore have not had an opportunity to participate in the procurement of contracts with State agencies.

Also, Mr. Speaker, if we look at the composition of this committee and you look at the Secretary of the Department of Commerce, if you look at the Secretary of the Department of General Services, if you look at the Secretary of the Department of Transportation, it is clear to me that those are Secretaries that deal with a large amount of contracts and probably the greatest amount of contracts day in and day out within this Commonwealth. Those are indeed the Secretaries who are represented on that committee. We are also talking about four members from this House, two from the minority party and two from the majority; we are also talking about four members from the Senate, two from the minority party, two from the majority; and we are also talking about four members who are appointed by the Governor. So it would seem to me, Mr. Speaker, that the type of representation that we have on that committee will look after the well-being of this Commonwealth, will move with the intent of this legislation to see that we do have competitive bidding, to see that we do involve vast numbers of disadvantaged businesses that have not had an opportunity to participate in contracts before.

I ask for an affirmative vote on the legislation and ask my colleagues to vote in the affirmative. Thank you.

The SPEAKER. The Chair recognizes the majority leader on final passage.

Mr. MANDERINO. Mr. Speaker, very briefly, I rise in support of HB 1128.

I have seen this General Assembly in the allied area of minority set-asides time after time after time add to appropriation bills the set-asides. I have seen the various departments of government and the Secretaries take every advantage that they can to avoid, to make an end run, to not comply for any number of reasons. If we honestly believe that economically disadvantaged contractors—minority contractors certainly would be some—ought to be given an opportunity to participate in the contracting work of State Government, then we ought not to stand here and try to nitpick away the provisions of the bill that are only there in an attempt to insure that what we speak about when we talk about set-asides for these groups will be enforced, or at least will be enforced as best we can enforce them.

And the gentleman, Mr. Linton, is entirely correct. Why should we worry about a committee shutting down government when that committee is made up of Governor’s appointments, of appointments of four members of the Assembly in the House, two Republicans and two Democrats, four in the Senate, two Republicans and two Democrats, and Secretaries who have been appointed by the Governor to head departments of government? We should not worry about whether or not they are about to shut down government. They will only shut down government if the law that we are saying we want abided by is not carried out by any of the persons who are in a

position to carry out the set-aside that we would say we would like to see.

We either believe in the proposition or we do not believe in it, and we ought to be man enough or woman enough to stand up and say we just do not believe in it. But if you are going to say that we want everyone in this Commonwealth to have an opportunity to share in the wealth of contracting work, if we want to give disadvantaged persons, if we want to give minorities the chance to participate in that certain amount of set-asides in the contract work that is being given out by the Commonwealth, then we ought to approve HB 1128 that is before us.

Mr. Speaker, it is time to put up the votes necessary to get a meaningful bill. We can get a meaningful bill if we pass HB 1128. I urge every member of the Assembly to vote in favor of the legislation before us.

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Wright, on final passage.

Mr. R. C. WRIGHT. Mr. Speaker, I stand in support of HB 1128.

We here in Pennsylvania have made a statement many times that small business is the backbone of our economy. We have often said in this General Assembly that we want to help small business. I think the question that we have to come to grips with right now is, whom do we want to help? Do we want to help only rich, well-to-do small businesses, or do we want to help all small businesses here in this Commonwealth? I think that passage of this bill will set us on the right track to send the right message to small business that we do want to help all small businesses.

The set-aside provision certainly is now going to give an opportunity to the economically disadvantaged small business, that opportunity to compete and to gain a part of the wealth that for so long has only been going to the rich and the well-to-do.

I think this is a just piece of legislation, and I certainly request all of my colleagues here in the House to support this. Thank you, Mr. Speaker.

The SPEAKER. On final passage, the Chair recognizes the gentleman from Berks, Mr. Caltagirone.

Mr. CALTAGIRONE. Thank you, Mr. Speaker. I will be brief.

This bill is a good piece of legislation. I personally feel that it will bring equity to the State procurement process. It will go a long way in helping the small disadvantaged business concerns to do more business within the State. I also feel that it will provide the equity to all the people in this State so that the small businesses can partake of the vast amounts of purchasing power that this State avails itself of. There are safeguards in this bill, and I do urge you to support it. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,  
Shall the bill pass finally?

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

YEAS—94

Afflerbach	Durham	McHale	Richardson
Alderette	Evans	McIntyre	Rieger
Angstadt	Fattah	McMonagle	Rybak
Arty	Fee	Maiale	Seventy
Barber	Fischer	Manderino	Spitz
Battisto	Freeman	Markosek	Steighner
Brandt	Gallagher	Michlovic	Stewart
Burns	Gannon	Micozzie	Sweet
Caltagirone	George	Miller	Taylor, F. E.
Cappabianca	Haluska	Miscevich	Telek
Carn	Harper	Morris	Trello
Cawley	Hoeffel	Murphy	Truman
Clark	Hutchinson	Nahill	Van Horne
Cohen	Itkin	O'Donnell	Wambach
Colafiglia	Jarolin	Olasz	Wargo
Cole	Kasunic	Oliver	Wiggins
Cordisco	Kowalyshyn	Petrarca	Williams
Cowell	Kukovich	Petrone	Wozniak
Deluca	Lashinger	Pievsky	Wright, D. R.
DeWeese	Laughlin	Pistella	Wright, R. C.
Daley	Lescovitz	Pratt	Zwilk
Dawida	Levin	Preston	
Deal	Linton	Rappaport	Irvis,
Dombrowski	Livengood	Reber	Speaker

NAYS—104

Armstrong	Foster, W. W.	Levi	Ryan
Baldwin	Foster, Jr., A.	Lloyd	Saloom
Belardi	Freind	Lucyk	Salvatore
Belfanti	Fryer	McCall	Saurman
Blaum	Gallen	McClatchy	Scheetz
Book	Gamble	McVerry	Schuler
Bowser	Geist	Mackowski	Semmel
Boyes	Gladeck	Madigan	Serafini
Broujos	Godshall	Manmiller	Sirianni
Bunt	Greenwood	Mayernik	Smith, B.
Burd	Grieco	Merry	Smith, L. E.
Cessar	Gruitza	Moehlmann	Snyder, D. W.
Cimini	Gruppo	Mowery	Snyder, G. M.
Civera	Hagarty	Mrkonic	Spencer
Clymer	Hasay	Noye	Stairs
Cornell	Hayes	O'Brien	Stevens
Coslett	Herman	Perzel	Suban
Coy	Hershey	Peterson	Swift
DeVerter	Honaman	Phillips	Taylor, E. Z.
Davies	Jackson	Piccola	Tigue
Dietz	Johnson	Pitts	Vroon
Dininni	Kennedy	Pott	Wass
Dorr	Klingaman	Punt	Weston
Duffy	Kosinski	Reinard	Wilson
Fargo	Lehr	Robbins	Wogan
Flick	Letterman	Rudy	Wright, J. L.

NOT VOTING—1

Wachob

EXCUSED—3

Donatucci      Marmion      Showers

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

**CONSIDERATION OF SB 1034 RESUMED**

The SPEAKER. You will recall that SB 1034 was before the House on third consideration when we were advised that Miss Sirianni had amendments. Those amendments are now available to the House.

On the question recurring,  
 Will the House agree to the bill on third consideration?  
 Miss SIRIANNI offered the following amendment No. A3434:

Amend Sec. 1 (Sec. 408.4), page 2, line 6, by inserting brackets before and after "three" and inserting immediately thereafter five

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

The SPEAKER. On that question, the lady from Susquehanna, Miss Sirianni, is recognized.

Miss SIRIANNI. Mr. Speaker, I am changing the words "three days" to "five days" for special licenses so that fire companies and charitable organizations may hold a function once a year for 5 days rather than 3 days.

The SPEAKER. The Chair thanks the lady.

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

The following roll call was recorded:

YEAS—113

Baldwin	Fee	McHale	Reber
Battisto	Foster, W. W.	Mackowski	Reinard
Belardi	Freind	Madigan	Ryan
Belfanti	Gallagher	Maiale	Serafini
Blaum	Gladeck	Manderino	Seventy
Book	Greenwood	Manmiller	Sirianni
Bowser	Grieco	Markosek	Smith, B.
Brandt	Gruppo	Mayernik	Snyder, G. M.
Broujos	Hagarty	Merry	Stairs
Bunt	Haluska	Michlovic	Steighner
Burd	Harper	Miscevich	Stevens
Burns	Hasay	Morris	Stewart
Caltagirone	Hoeffel	Mowery	Sweet
Cappabianca	Hutchinson	Mrkonic	Taylor, E. Z.
Cawley	Itkin	Murphy	Taylor, F. E.
Cessar	Jarolin	Nahill	Tigue
Cohen	Johnson	Noye	Trello
Cole	Kasunic	O'Brien	Truman
Cordisco	Kennedy	O'Donnell	Van Horne
Cornell	Klingaman	Olasz	Wachob
Coslett	Kukovich	Oliver	Wargo
Cowell	Lashinger	Petrarca	Wass
Deluca	Lescovitz	Petrone	Wiggins
DeWeese	Letterman	Piccola	Williams
Daley	Livengood	Pievsky	Wozniak
Dininni	Lloyd	Pistella	Wright, D. R.
Dombrowski	McCall	Pott	Wright, J. L.
Dorr	McClatchy	Pratt	Zwinkl
Durham			

NAYS—81

Afflerbach	Fattah	Lehr	Rybak
Alderette	Fischer	Levi	Saloom
Angstadt	Flick	Levin	Salvatore
Armstrong	Foster, Jr., A.	Lucyk	Saurman
Arty	Freeman	McIntyre	Scheetz
Boyes	Fryer	McMonagle	Schuler
Carn	Gallen	McVerry	Semmel
Cimini	Gamble	Micozzie	Smith, L. E.
Civera	Gannon	Miller	Snyder, D. W.
Clark	Geist	Moehlmann	Spencer
Clymer	George	Perzel	Stuban
Colafella	Godshall	Peterson	Swift
Coy	Gruitza	Phillips	Vroon
DeVerter	Hayes	Pitts	Wambach
Davies	Herman	Preston	Weston
Dawida	Hershey	Punt	Wilson

Deal	Honaman	Rappaport	Wogan
Dietz	Jackson	Richardson	
Duffy	Kosinski	Rieger	Irvis,
Evans	Kowalshyn	Robbins	Speaker
Fargo	Laughlin	Rudy	

NOT VOTING—5

Barber	Spitz	Telek	Wright, R. C.
Linton			

EXCUSED—3

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

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

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—130

Afflerbach	Duffy	Lucyk	Rybak
Alderette	Evans	McCall	Saloom
Angstadt	Fattah	McHale	Semmel
Baldwin	Fee	McIntyre	Serafini
Barber	Freeman	McMonagle	Seventy
Battisto	Gallagher	Mackowski	Sirianni
Belardi	Gallen	Maiale	Smith, B.
Belfanti	Gamble	Manderino	Snyder, D. W.
Blaum	Gladeck	Manmiller	Spencer
Book	Greenwood	Markosek	Stairs
Bowser	Grieco	Mayernik	Steighner
Brandt	Gruitza	Michlovic	Stevens
Bunt	Gruppo	Miscevich	Stewart
Burd	Hagarty	Morris	Stuban
Burns	Haluska	Murphy	Sweet
Caltagirone	Harper	Nahill	Taylor, E. Z.
Cappabianca	Hasay	O'Brien	Taylor, F. E.
Carn	Hoeffel	O'Donnell	Telek
Cawley	Hutchinson	Olasz	Tigue
Cessar	Itkin	Perzel	Trello
Clark	Jarolin	Petrarca	Truman
Cohen	Kasunic	Petrone	Van Horne
Colafella	Klingaman	Piccola	Wachob
Cole	Kosinski	Pievsky	Wargo
Cordisco	Kowalshyn	Pistella	Weston
Cornell	Kukovich	Pott	Wiggins
Coslett	Lashinger	Pratt	Williams
Cowell	Laughlin	Punt	Wogan
Deluca	Lehr	Rappaport	Wozniak
DeWeese	Lescovitz	Reber	Wright, D. R.
Daley	Letterman	Reinard	Wright, J. L.
Dawida	Levin	Ryan	Zwinkl
Dombrowski	Linton		

NAYS—64

Armstrong	Foster, Jr., A.	McClatchy	Rudy
Arty	Freind	McVerry	Salvatore
Broujos	Fryer	Madigan	Saurman
Cimini	Gannon	Merry	Scheetz
Civera	Geist	Micozzie	Schuler
Clymer	George	Miller	Smith, L. E.
Coy	Godshall	Moehlmann	Snyder, G. M.
DeVerter	Hayes	Mowery	Swift
Davies	Herman	Noye	Vroon
Deal	Hershey	Oliver	Wambach

Dietz	Honaman	Peterson	Wass
Dorr	Jackson	Phillips	Wilson
Durham	Johnson	Pitts	Wright, R. C.
Fargo	Kennedy	Preston	
Fischer	Levi	Richardson	Irvis,
Flick	Livengood	Robbins	Speaker
Foster, W. W.	Lloyd		

NOT VOTING—5

Boyes	Mrkonic	Rieger	Spitz
Dininni			

EXCUSED—3

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

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

REMARKS ON VOTES

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

Mr. RICHARDSON. Mr. Speaker, on HB 2184 my switch was inoperative, and I would like to be recorded in the affirmative on the bill.

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

The Chair recognizes the lady from Susquehanna, Miss Sirianni.

Miss SIRIANNI. Mr. Speaker, on HB 2184 I would like to be recorded in the affirmative.

The SPEAKER. The lady, Miss Sirianni, will be recorded in the affirmative on the record.

BILLS ON CONCURRENCE IN SENATE AMENDMENTS CONTINUED

The clerk of the Senate, being introduced, returned the following **HB 2110, PN 3247**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act making appropriations from a restricted revenue account within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs.

On the question,

Will the House concur in Senate amendments?

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

Mr. PIEVSKY. Thank you, Mr. Speaker.

Mr. Speaker, I urge nonconcurrence in HB 2110. This bill is the appropriation for the Bureau of Professional and Occupational Affairs, and the Senate took the House-passed bill and added \$1 million for the bureau.

Now, this addition of funds raises two issues of concern. The first, the surplus of funds in the professional licensure augmentation account has been dropping, and this additional expenditure of \$1 million in 1984-85 will probably require us to pass a major fee increase bill next session.

The second issue of concern is we included in our budget a line item for the Board of Professional Engineers. Now, although the Senate left that line item intact, with an additional \$1 million in the bureau's budget, the Governor could veto the engineers' line item and fund the board from the additional funds in the bureau.

Now, to protect the funding we line-itemed for the Board of Professional Engineers and to avoid the necessity of a major fee increase, I urge nonconcurrence in HB 2110, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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—1

Godshall

NAYS—196

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

Dombrowski	Letterman	Reber	Zwikl
Dorr	Levi	Reinard	
Duffy	Levin	Richardson	Irvis,
Durham	Linton	Rieger	Speaker
Evans	Livengood		

NOT VOTING—2

Spitz Wright, J. L.

EXCUSED—3

Donatucci Marmion Showers

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the clerk inform the Sénate accordingly.

REMARKS ON VOTE

The SPEAKER. For what purpose does the gentleman from Lackawanna, Mr. Wargo, rise?

Mr. WARGO. Mr. Speaker, on page 7, HB 1725, my name does not appear on the voting sheet. I wish to be recorded in the affirmative.

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

HB 1270 RECONSIDERED

The SPEAKER. The Chair has before it a motion for reconsideration of the vote by which HB 1270 was passed on this day, signed by the gentleman from Allegheny, Mr. Petrone, and the gentleman from Bucks, Mr. Cordisco.

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

The following roll call was recorded:

YEAS—184

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

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

NAYS—7

DeVerter	Dorr	McClatchy	Smith, B.
Dietz	Gruitza	Noye	

NOT VOTING—8

Belfanti	Maiale	Peterson	Swift
Hutchinson	Morris	Spitz	Wargo

EXCUSED—3

Donatucci Marmion Showers

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

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

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

Mr. SEVENTY. Thank you very much, Mr. Speaker.  
I ask the House to concur on the bill.

The SPEAKER. It has been moved by the gentleman, Mr. Seventy, that the House do concur in the amendments inserted by the Senate to HB 1270.

The Chair recognizes the majority leader on concurrence.

Mr. MANDERINO. Mr. Speaker, so that we do not vote the bill six more times, this is the bill that eliminates cross-filing in elections.

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—166

Afflerbach	Fattah	Levi	Robbins
Alderette	Fee	Levin	Ryan
Angstadt	Fischer	Linton	Rybak
Armstrong	Flick	Livengood	Saloom
Arty	Foster, W. W.	Lloyd	Saurman
Barber	Foster, Jr., A.	Lucyk	Scheetz
Belardi	Fryer	McCall	Schuler
Belfanti	Gallagher	McClatchy	Semmel
Blaum	Gallen	McMonagle	Seventy
Book	Gamble	Mackowski	Sirianni
Bowser	Gannon	Madigan	Smith, B.
Brandt	Geist	Manderino	Smith, L. E.
Broujos	George	Manmiller	Snyder, D. W.
Bunt	Gladeck	Mayermik	Snyder, G. M.
Burd	Godshall	Merry	Spencer
Burns	Grieco	Michlovic	Stairs
Caltagirone	Gruitza	Micozzie	Steighner



Carn	Gruppo	Miller	Stevens
Cessar	Hagarty	Moehlmann	Stewart
Cimini	Haluska	Mowery	Suban
Civera	Harper	Mrkonic	Swift
Clark	Hasay	Nahill	Taylor, E. Z.
Clymer	Hayes	Noye	Taylor, F. E.
Colafella	Herman	O'Brien	Telek
Cole	Hershey	Olasz	Truman
Cornell	Hoefel	Oliver	Van Horne
Coslett	Honaman	Perzel	Vroon
Coy	Hutchinson	Peterson	Wachob
Deluca	Jackson	Petrarca	Wargo
DeVerter	Jarolin	Phillips	Wass
DeWeese	Johnson	Piccola	Weston
Daley	Kasunic	Pievsky	Wiggins
Davies	Kennedy	Pistella	Williams
Dawida	Klingaman	Pitts	Wilson
Deal	Kosinski	Pratt	Wozniak
Dietz	Kowalshyn	Preston	Wright, D. R.
Dininni	Kukovich	Punt	Wright, J. L.
Dombrowski	Lashingier	Rappaport	Wright, R. C.
Dorr	Laughlin	Reber	Zwikl
Duffy	Lehr	Reinard	
Evans	Lescovitz	Richardson	Irvis,
Fargo	Letterman	Rieger	Speaker

NAYS—31

Baldwin	Durham	Markosek	Salvatore
Battisto	Freeman	Miscevich	Serafini
Boyes	Freind	Morris	Sweet
Cappabianca	Greenwood	Murphy	Tigue
Cawley	Itkin	O'Donnell	Trello
Cohen	McHale	Petrone	Wambach
Cordisco	McVerry	Pott	Wogan
Cowell	Maiale	Rudy	

NOT VOTING—2

McIntyre	Spitz
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EXCUSED—3

Donatucci	Marmion	Showers
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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.

**HB 1476 RECONSIDERED**

The SPEAKER. The Chair has before it a motion for reconsideration of the vote by which HB 1476 was defeated on June 19, 1984, signed by the gentleman from Philadelphia, Mr. Salvatore, and the gentleman from Philadelphia, Mr. Perzel.

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

The following roll call was recorded:

YEAS—195

Afflerbach	Fattah	Lloyd	Rudy
Alderette	Fee	Lucyk	Ryan
Angstadt	Fischer	McCall	Rybak
Armstrong	Flick	McClatchy	Saloom
Arty	Foster, W. W.	McHale	Salvatore
Baldwin	Foster, Jr., A.	McMonagle	Saurman
Barber	Freeman	McVerry	Scheetz
Battisto	Freind	Mackowski	Schuler
Belardi	Fryer	Madigan	Semmel
Belfanti	Gallagher	Maiale	Serafini
Blaum	Gallen	Manderino	Seventy

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

NAYS—2

Coy	Gruitza
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NOT VOTING—2

McIntyre	Spitz
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EXCUSED—3

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

On the question recurring,  
Shall the bill pass finally?

**BILL PLACED ON FINAL PASSAGE  
POSTPONED CALENDAR**

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

Mr. PERZEL. Mr. Speaker, if possible, I would like the bill held over until tomorrow.

The SPEAKER. It has been moved by the gentleman, Mr. Perzel, that HB 1476, PN 3145, be placed on final passage postponed.

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

**PARLIAMENTARY INQUIRY**

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

Mr. WASS. Mr. Speaker, a parliamentary inquiry, please.

The SPEAKER. Will the gentleman state the point.

Mr. WASS. I am asking for reconsideration of my amendment, also, on HB 1476.

The SPEAKER. We will also take up the amendment when we take up the bill.

Mr. WASS. Thank you.

**CONDOLENCE RESOLUTION ADOPTED**

The SPEAKER. The Chair has laid before it a condolence resolution. The members will take their seats. The Sergeant at Arms will close the doors of the House.

The following resolution was read:

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

WHEREAS, Daniel F. Dunn, State Police Commissioner, passed away recently; and

WHEREAS, Mr. Dunn, a graduate of Harvard University and Boston College Law School, was appointed commissioner of the State Police in February 1979. Prior to that he served as a special agent with the FBI. He was a World War II veteran of the United States Army; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to mourn the passing of this distinguished Pennsylvanian, Daniel F. Dunn; his contributions to this Commonwealth and to his country are duly noted with pride and respect; extends heartfelt condolences to his wife, Isabel Burns Dunn and his children, Maureen Dunn Harvey, Daniel F. Jr., Kathleen M. Lockhart and Patricia E. Dunn; and be it further

RESOLVED, That a copy of this resolution be delivered to Mrs. Isabel Burns Dunn, 2941 Greenwald Road, Bethel Park, Pennsylvania 15102.

We hereby certify that the foregoing is an exact copy of a resolution introduced in the House of Representatives by the Honorable Warren H. Spencer, and unanimously adopted by the House of Representatives on the 18th day of June 1984.

K. Leroy Irvis

Speaker

ATTEST:

John J. Zubeck

Chief Clerk

On the question,

Will the House adopt the resolution?

The SPEAKER. The Chair casts a unanimous vote in favor of the condolence resolution.

**RULES SUSPENDED**

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

Mr. CAWLEY. Mr. Speaker, I move that the rules of the House be temporarily suspended so that a resolution may be immediately adopted.

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

Mr. PITTS. Mr. Speaker, I also rise to move that the rules be temporarily suspended for the immediate adoption of my resolution.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—194

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

NAYS—0

NOT VOTING—5

Dorr	Miller	Spitz	Vroon
McIntyre			

EXCUSED—3

Donatucci	Marmion	Showers
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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 House has, by its vote, temporarily suspended its rules so that we may immediately concern ourselves with a resolution introduced by the gentleman, Mr. Cawley.

The Chair recognizes the gentleman from Lackawanna, Mr. Cawley, who offers the following resolution, which the clerk will read.

The following resolution was read:

**House Resolution No. 249****A RESOLUTION**

Directing the Speaker of the House of Representatives to appoint a special bipartisan House committee to study the problems of the chronic homeless.

WHEREAS, There are several thousand Pennsylvania citizens who are "homeless," who live without permanent shelter and who are without adequate means of support; and

WHEREAS, Chronic homelessness can result from a myriad of problems including, but not limited to, drug and alcohol dependency, mental health problems, inability to pay heating costs or other utility bills, inability to find work or the impossibility of meeting mortgage or rent payments; and

WHEREAS, A large segment of the new breed of homeless are younger and able to work and be productive members of society but are in dramatic need of job counseling and training; and

WHEREAS, The privacy and public agencies which have traditionally provided emergency food and shelter to the homeless are unable to keep up with demand; and

WHEREAS, While the problem is most accurate in the urban areas of the Commonwealth, it exists in significant numbers in nonurban areas as well; and

WHEREAS, A unified Statewide approach to the problem is needed with a consistent set of policies and programs to deal with the problem; therefore be it

RESOLVED, That the Speaker of the House of Representatives appoint a select committee of eight members, four from the majority party and four from the minority party to address the problem of the chronic homeless and propose solutions thereto; and be it further

RESOLVED, That the committee may hold hearings, take testimony and make its investigations at such places as it deems necessary in this Commonwealth. It may issue subpoenas under the hand and seal of its chairman commanding any person to appear before the committee and to answer questions touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee deems necessary. The subpoenas may be served upon any person and shall have the same effect as subpoenas issued out of the courts of this Commonwealth. Any person who willfully neglects or refuses to testify before the committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of this Commonwealth in such case. Each member of the committee shall have power to administer oaths and affirmations to witnesses appearing before the committee; and be it further

RESOLVED, That the select committee report its findings to the full House within 180 days.

Gaynor Cawley  
K. Leroy Irvis  
Fred Belardi  
Frank L. Oliver  
Ivan Itkin  
Gerald F. McMonagle  
Peter Daniel Truman

Andrew J. Carn  
James D. Barber  
Alphonso Deal  
Gordon J. Linton  
James D. Williams  
Gerard A. Kosinski  
Richard D. Olasz  
Dwight Evans  
Italo S. Cappabianca  
Frank J. Pistella  
Robert W. O'Donnell  
Roger Raymond Fischer  
Bernard J. Dombrowski  
James J. A. Gallagher  
Frank Coslett  
Correale F. Stevens  
Frank A. Serafini  
Frank A. Salvatore  
John M. Perzel  
William Telek  
Nicholas A. Colafella  
Joseph A. Lashinger, Jr.  
Paul I. Clymer  
Ralph D. Pratt  
James J. Manderino  
Peter C. Wambach  
Allen Kukovich  
Thomas R. Caltagirone  
Kenneth J. Cole  
Steve Seventy  
Thomas J. Fee  
Edward F. Burns, Jr.  
Stanley J. Jarolin  
Peter J. Daley  
Stephen F. Freind  
Kevin Blaum  
H. William DeWeese  
Ruth B. Harper  
Michael C. Gruitza  
Robert Freeman  
Paul McHale  
Nicholas A. Micozzie  
Mario J. Civera, Jr.  
Kathrynann W. Durham

On the question,

Will the House adopt the resolution?

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I intend to vote in favor of Mr. Cawley's resolution, but I would, for the record, like to point out a few things in connection with the resolution that I believe are deficiencies.

Number one, I again renew my objection that I have stated time and time again throughout this session that there is no need to give any committee of this House subpoena powers. For a period of 4 years, by agreement between the majority leaders and minority leaders over that period of time, subpoena powers were not part of any committee investigation. I recognize the number count in this hall today and know that if I raise the objection again I will lose it, but I am still noting it for the record.

The other thing, Mr. Speaker, that I would like to note for the record is, the drafter of the resolution has called on the committee, at the end of page 2, to report its findings to the

full House within 180 days. I would hope that Mr. Cawley will rush through this a little bit more quickly in that in 180 days this session will have been over by about some 3 or 4 weeks, I think. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—193

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

NAYS—2

Merry Nahill

NOT VOTING—4

Kosinski McIntyre Micozzie Spitz

EXCUSED—3

Donatucci Marmion Showers

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

RESOLUTION ADOPTED

The SPEAKER. The Chair recognizes the gentleman from Chester, Mr. Pitts, who offers the following resolution, which the clerk will read.

The following resolution was read:

House Resolution No. 250

A CONCURRENT RESOLUTION

Recognizing the acceptance of a gift of land from E. I. du Pont de Nemours and Company along White Clay Creek in Chester County, Pennsylvania, for use as a park in concert with the State of Delaware accepting a similar gift in New Castle County, Delaware; and further supporting a bistate advisory body.

WHEREAS, The Commonwealth of Pennsylvania and the State of Delaware desire to create a bistate park along White Clay Creek in said states; and

WHEREAS, E. I. du Pont de Nemours and Company owns approximately 1,234 acres of land along White Clay Creek in Chester County, Pennsylvania, and approximately 528 acres of land, contiguous with aforesaid land, in New Castle County, Delaware, which it desires to donate to the respective states in perpetuity for the park for low intensity outdoor recreational use of the citizens of Pennsylvania and Delaware; therefore be it

RESOLVED (the Senate concurring), That the General Assembly hereby supports the acceptance, by the Department of Environmental Resources for the Commonwealth, of a gift from E. I. du Pont de Nemours and Company of approximately 1,234 acres of land along White Clay Creek in Chester County, Pennsylvania, for use in perpetuity as a park for low intensity outdoor recreational use to be administered by the Department of Environmental Resources or its designee and to be known as the White Clay Creek Preserve, it being understood that the General Assembly of Delaware intends to pass a resolution similar to this; and be it further

RESOLVED, That the General Assembly hereby supports the establishment of a bistate advisory body, composed of members from the Commonwealth and the State of Delaware, who shall be appointed, respectively, by the Secretary of Environmental Resources of the Commonwealth and his counterpart in the State of Delaware, to advise the respective states as to recreation and conservation within the park.

Joseph R. Pitts  
Samuel W. Morris  
Peter R. Vroon  
Elinor Z. Taylor  
Arthur D. Hershey  
Robert J. Flick  
Matthew J. Ryan

On the question,  
Will the House adopt the resolution?

The SPEAKER. The Chair recognizes the gentleman from Chester, Mr. Pitts, on the resolution.

Mr. PITTS. Thank you, Mr. Speaker.

The members have copies of the resolution. This morning I attended a ceremony with Governor du Pont of Delaware, Governor Thornburgh, Senator Biden, and other officials to accept a gift of 1,234 acres from the Du Pont Company to the

State of Pennsylvania and 520-some acres to the State of Delaware on the State line which will be a State park. This resolution recognizes this gift, accepts it, and calls for the creation of a bistate advisory group to advise them on their operation. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—3

Kosinski	Lehr	McIntyre
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EXCUSED—3

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

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

HOUSE SCHEDULE

The SPEAKER. There will be no further votes on the floor today. The Chair will be open again at 6 p.m. tonight to receive reports of committees. We will then recess until the call of the Chair so that we may receive reports of committees during that period of time and possibly messages from the Senate.

STATEMENT BY MR. LETTERMAN

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

Mr. LETTERMAN. Thank you, Mr. Speaker.

Mr. Speaker, I have already sent a memo to each of you informing you that I plan to introduce legislation to reduce the corporate net income tax from its current rate of 10.5 percent to 9.5 percent. Many of you have called to be cosponsors. As you are all well aware, a recent announcement was made by the Governor's Office indicating that there would be a \$34-million surplus for the 1984 fiscal year. This bill would unlock nearly \$180 million over the next 3 years for private investment. Greater private investment means more jobs. We in Pennsylvania need jobs for our people. Thank you very much for cosponsoring it.

APPROPRIATIONS COMMITTEE MEETING

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

Mr. PIEVSKY. Thank you, Mr. Speaker.

Mr. Speaker, there will be a meeting of the House Appropriations Committee immediately upon the call of the recess at the rear of the House; immediately upon the call of the recess.

TRANSPORTATION COMMITTEE MEETING

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

Mr. HUTCHINSON. I would like to call a meeting of the Transportation Committee in the majority caucus room immediately upon the call of the recess.

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

Mr. LAUGHLIN. Mr. Speaker, I had intended to call up HB 1289 today, but unfortunately, there were a number of members who were not present at the time. I would like to have it considered for tomorrow. Thank you, Mr. Speaker.

**RESOLUTIONS REPORTED FROM COMMITTEE**

**HR 240, PN 3207** By Rep. MANDERINO

Directing the Speaker of the House of Representatives to appoint a special committee to investigate the voting practices and procedures of members of the Pennsylvania Ethics Commission.

RULES.

**HR 242, PN 3272** By Rep. MANDERINO

Urging the Governor to adopt and implement a Jobs for Pennsylvania Graduates Program.

RULES.

**HR 245, PN 3281** By Rep. MANDERINO

Requiring State Liquor Stores to use bags containing a warning.

RULES.

**HR 246, PN 3307 (Amended)**

By Rep. MANDERINO

Providing for a special committee to investigate landfills.

RULES.

**HR 247, PN 3283** By Rep. MANDERINO

Amending House Resolution No. 2, adopted January 4, 1983, entitled, "A resolution establishing a Special Subcommittee on Veterans' Homes," changing the name and responsibilities of the special subcommittee.

RULES.

**RULES COMMITTEE MEETING**

The SPEAKER. The Committee on Rules will meet tomorrow at the luncheon break.

**BILL REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that SB 56, PN 331, be removed from the tabled calendar and placed on the active calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

**BILL RECOMMITTED**

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that SB 56, PN 331, be recommitted to the Committee on Rules.

On the question,

Will the House agree to the motion?

Motion was agreed to.

**BILLS AND RESOLUTIONS PASSED OVER**

The SPEAKER. All remaining bills and resolutions on today's calendar which have not been acted upon are over, without objection. The Chair hears no objection.

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

The clerk of the Senate, being introduced, returned **HB 2114, PN 3295**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

**BILLS SIGNED BY SPEAKER**

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

**HB 1270, PN 3167**

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; and further providing for ballot forms.

**SB 784, PN 1996**

An Act amending the act of July 22, 1974 (P. L. 589, No. 205), entitled "Unfair Insurance Practices Act," providing for disclosure of benefit limits when advertising guaranteed permanent life insurance to persons 50 years of age or older.

**SB 1084, PN 1912**

An Act amending the act of September 20, 1961 (P. L. 1548, No. 658), entitled "Credit Union Act," further providing for corporate or central credit unions.

**SB 1181, PN 1596**

An Act designating a section of Route 11 (Legislative Route 25) in Snyder County as the "Charles E. Attig, Jr. Memorial Highway."

**SB 1231, PN 1811**

An Act establishing the fees to be charged and received by sheriffs.

**SB 1304, PN 1997**

An Act amending the act of November 30, 1965 (P. L. 847, No. 356), entitled "Banking Code of 1965," further providing for stock of subsidiary corporations, refunds of certain interest payments, lending limitations, fiduciary activities, corporate names, emergency acquisitions, independent audits of private banks and loans to executive officers and examinations by the Department of Banking; and making a repeal.

**SB 1305, PN 1998**

An Act amending the act of May 15, 1933 (P. L. 565, No. 111), entitled "Department of Banking Code," limiting effects of subpoenas on officers and employees; easing restrictions on loans to clerical employees of the Department of Banking; and extending the examination period.

**REMARKS ON VOTE**

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

Mr. DOMBROWSKI. Thank you, Mr. Speaker.

Earlier in the day when we voted on concurrence in Senate amendments to HB 1969, I inadvertently voted in the negative. I would like to correct my vote and be recorded in the affirmative. Thank you.

**PARLIAMENTARY INQUIRY**

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

Mr. AFFLERBACH. A point of parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state the point.

Mr. AFFLERBACH. Am I correct in stating that with the final passage vote taken a few moments ago, SB 1034 is no longer an issue before this chamber?

The SPEAKER. That is correct. The Speaker has signed it and it will be sent on to the Senate.

**QUESTION OF PERSONAL PRIVILEGE**

Mr. AFFLERBACH. Very good.

May I now be recognized, please, for a point of personal privilege in order to insert remarks into the record?

The SPEAKER. The gentleman will be recognized to place remarks into the record.

Mr. AFFLERBACH. Mr. Speaker, I have in my hand a letter dated June 19, signed by Mr. Samuel A. McCullough, who is president and chief executive officer of Meridian Bancorp, Inc. This letter is addressed to Senator Robert Jubelirer and was circulated to all 50 Senators, as I understand.

In the letter, Mr. McCullough states in part, with respect to my conduct as a member of this chamber regarding SB 1034, and I quote, "Apparently, Representative Roy C. Afflerbach of Allentown was instrumental in stalling the Senate bill in the House of Representatives." And further, "It would be extremely unfortunate if the political aspects of this bill would cause 'Musicfest '84' to be unsuccessful."

I am both flattered and shocked - flattered that a man of Mr. McCullough's reputation would first of all attribute such power to me as a mere freshman legislator. I am also shocked in that he made this allegation without ever speaking to me. Furthermore, to think that anyone in this chamber would hold up, stall, or otherwise delay a bill simply for political purposes is additionally shocking to me.

Let the record indicate that at no time did I ever request of anyone that SB 1034 be stalled, delayed, or otherwise restricted from passage. As I believe the record indicates today, I made every effort to achieve passage of that bill and to achieve it in such a fashion that the Senate can concur in it. Thank you for allowing me to make the remarks.

The SPEAKER. The gentleman is to be congratulated, and I wish the hall of the House were full, because for the first time in this session somebody who rose to a point of personal privilege is correct. That is a point of personal privilege, and the gentleman's remarks will be listed in the record under that point.

Mr. AFFLERBACH. Thank you, Mr. Speaker.

Could I add just one thing to that that I had forgotten to mention?

The SPEAKER. You certainly may.

Mr. AFFLERBACH. My purpose of bringing this up as a point of personal privilege is not because I take offense to the error Mr. McCullough made, but simply to point out to my colleagues that in the future, should they receive written correspondence from this gentleman, they would be well advised to consider very, very cautiously any purported facts contained therein.

The SPEAKER. The Chair thanks the gentleman.

**REMARKS ON VOTE**

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

Mr. MORRIS. Mr. Speaker, I regretfully have to admit that I seem to have made a mistake in my vote on HB 1128.

The SPEAKER. How would the gentleman wish to be recorded?

Mr. MORRIS. I favor the concept of the bill, but I think it went too far. I am recorded in the affirmative and I would like to have been recorded in the negative.

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

**BILLS REREPORTED FROM COMMITTEE****SB 853, PN 2190 (Amended)**

By Rep. PIEVSKY

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," changing provisions relating to crime victim's compensation; reestablishing and continuing the Crime Victim's Compensation Board; further providing for the Crime Victims' Compensation Fund; changing provisions relating to the rights of victims of crime; making an editorial change; and making an appropriation.

**APPROPRIATIONS.****SB 1102, PN 1941**

By Rep. PIEVSKY

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," further providing for after-the-fact payrolls.

**APPROPRIATIONS.****BILLS REPORTED FROM COMMITTEE,  
CONSIDERED FIRST TIME, AND TABLED****SB 1432, PN 2191 (Amended)**

By Rep. PIEVSKY

An Act implementing the provisions of the referendum, approved by the electors, for the incurrence of indebtedness of \$190,000,000 for the economic redevelopment of the Commonwealth through grants, loans, loan guarantees and investments for industrial and business development, including small business and minority business development; acquisition of equipment for vocational programs in secondary schools, community colleges and engineering degree-granting schools; agricultural development; and the acquisition, rehabilitation or development of facilities for community services and public recreation.

**APPROPRIATIONS.**

**SB 1433, PN 2192 (Amended)**

By Rep. PIEVSKY

An Act establishing a business infrastructure development program for making grants and loans for infrastructure necessary to complement industrial or commercial investment by private companies; prescribing requirements of and conditions for grants and loans; and making an appropriation.

**APPROPRIATIONS.**

**SB 1434, PN 2193 (Amended)**

By Rep. PIEVSKY

An Act providing for the rehabilitation, development and acquisition of land, water and structural resources; defining the powers and duties of certain offices, agencies and municipalities; providing for the allotment of proceeds hereunder including Commonwealth grants; prescribing standards; and making appropriations.

**APPROPRIATIONS.**

**SB 1436, PN 2174**

By Rep. PIEVSKY

An Act establishing a program within the Department of Education for the acquisition of new vocational-technical equipment and the upgrading of existing vocational-technical equipment that is necessary to provide secondary, postsecondary and adult students with relevant occupational training; providing for allocations and grants of money; and making a nonlapsing appropriation.

**APPROPRIATIONS.**

**SB 1438, PN 2194 (Amended)**

By Rep. PIEVSKY

An Act providing for agricultural development; establishing the Agricultural Development Advisory Committee and providing for its powers and duties; providing for certain guaranteed loans and interest deferral; providing further duties of the Secretary and Department of Agriculture and the Secretary and Department of Commerce; and making an appropriation.

**APPROPRIATIONS.**

**SB 1439, PN 2195 (Amended)**

By Rep. PIEVSKY

An Act establishing a loan program for capital development projects; providing for the use of funds made available under the Appalachian Regional Development Act of 1965 and the Public Works and Economic Development Act of 1965; providing for loans, loan guarantees and other programs for capital development projects of small businesses; creating the Capital Loan Fund; providing standards for and requirements of the program; and making appropriations.

**APPROPRIATIONS.**

**BILLS REMOVED FROM TABLE**

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

SB 1432, PN 2191;  
SB 1433, PN 2192;  
SB 1434, PN 2193;  
SB 1436, PN 2174;  
SB 1438, PN 2194; and  
SB 1439, PN 2195.

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

**RECESS**

The SPEAKER. This House will stand in recess until the call of the Chair.

**AFTER RECESS**

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

**COMMUNICATION FROM AUDITOR GENERAL**

The SPEAKER. The Chair acknowledges receipt of a letter and a report filed by the Auditor General in conformance with the provisions of Article VIII, section 7, of the Constitution of the Commonwealth of Pennsylvania, which the clerk will file.

The following communication was read:

Commonwealth of Pennsylvania  
Office of the Auditor General  
Harrisburg 17120  
June 25, 1984

The Honorable K. Leroy Irvis  
Speaker of the House  
House of Representatives  
Commonwealth of Pennsylvania  
Room 425 Capitol  
Harrisburg, Pennsylvania 17120

Dear Speaker Irvis:

In accordance with the provisions of Article VIII, Section 7 of the Constitution of the Commonwealth of Pennsylvania and Section 4 (b) of the Capital Facilities Debt Enabling Act of 1969, the Governor has requested a certificate in connection with the settlement of the sale of the Commonwealth of Pennsylvania bonds in the principal amount of one hundred million dollars on June 5, 1984.

A duplicate original of my certificate is enclosed herewith.

Sincerely,  
Al Benedict  
Auditor General

AB/vb  
Enclosure



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

**BILL REPORTED FROM COMMITTEE,  
CONSIDERED FIRST TIME, AND  
RECOMMITTED TO COMMITTEE ON RULES**

**HB 2195, PN 3033**

By Rep. HUTCHINSON

An Act designating a section of Route 225 in Northumberland County as the "Corporal David William Witmer Memorial Highway."

TRANSPORTATION.

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

**SB 1326, PN 2198 (Amended)**

By Rep. HUTCHINSON

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction, operation and maintenance of turnpike extensions and improvements; conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds, notes or other obligations of the Commonwealth, payable solely from revenues of the commission, including tolls, or from such funds as may be available to the commission for that purpose, to pay the cost of such turnpikes; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds, notes or other obligations, and for the cost of maintenance, operation and repair of the turnpikes; making such turnpike bonds, notes or other obligations exempt from taxation; constituting the same legal investments in certain instances; requiring suits against the commission to be brought in Dauphin County; prescribing conditions on which such turnpikes shall become free; providing for grade separations, grade changes, relocations, restorations and vacation of public roads and State highways affected by the turnpike; providing for the purchasing or condemnation of land and procedure for determining damages in condemnation; granting certain powers and authority to municipalities and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds.

TRANSPORTATION.

**BILL REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that SB 1326, PN 2198, 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.

**ADJOURNMENT**

The SPEAKER. The Chair being advised that there is no further business to be brought before this day's session of Tuesday, June 26, 1984, the Chair now recognizes the gentleman from Bucks, Mr. Reinard.

Mr. REINARD. Mr. Speaker, I move that this House do now adjourn until Wednesday, June 27, 1984, at 11 a.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 10:59 p.m., e.d.t., the House adjourned.