

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, OCTOBER 21, 1985

SESSION OF 1985 169TH OF THE GENERAL ASSEMBLY

No. 62

HOUSE OF REPRESENTATIVES

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

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

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

Almighty and most merciful God, fulfill in each of us the promises made to the children of mankind, and work in and through us to the accomplishment of Thy truth in the world about us. We know that we are known of Thee and need to draw close to Thy heavenly grace and free from the iniquities of evil within the sphere of our lives.

O God, grant that we may overcome the ills of life with Thy help and guidance, challenge us to resist the allurements which call us away from Thee, and enable us to sit down with the redeemed at Thy heavenly feast. We praise Thee in the eternal light of Thy power. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNALS APPROVED

The SPEAKER. The Chair is informed that the Journals for Wednesday, October 2, and Monday, October 7, 1985, are in print, and unless the Chair hears objection to something within the Journals, the Journals will stand as approved. The Chair hears no such objection.

JOURNAL APPROVAL POSTPONED

The SPEAKER. The Journal for Wednesday, October 16, 1985, is not yet in print, and until that Journal is in print, the Chair will withhold the question of adoption of the Journal and the adoption of the Journal will be postponed until the Journal is in print. The Chair hears no objection to that procedure.

LEAVES OF ABSENCE

The SPEAKER. On leaves of absence, the Chair recognizes the gentleman from Lawrence, Mr. Fee.

Mr. FEE. Mr. Speaker, I request leave of absence for the gentleman from Bucks, Mr. GALLAGHER, for today; the gentleman from Philadelphia, Mr. BARBER, for today; and the gentleman from Bucks, Mr. CORDISCO, for today.

The SPEAKER. The Chair hears no objection to the leaves being granted.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair is delighted to welcome back on the floor of the House the gentleman from Allegheny, Mr. Book. We are glad to have you back, Ray.

LEAVES OF ABSENCE

The SPEAKER. On leaves of absence, the Chair recognizes the minority whip.

Mr. HAYES. Thank you, Mr. Speaker.

I request a leave for the gentleman from Chester, Mr. HERSHEY, for the week; the gentleman from Lancaster, Mr. SCHULER, for the day; the gentleman from Delaware, Mr. CIVERA, for the week; and the gentleman from Delaware, Mr. FREIND, for the day.

The SPEAKER. The Chair hears no objection to the leaves being granted, and the leaves are therefore granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—196

Acosta	Distler	Levdansky	Robbins
Afflerbach	Dombrowski	Levin	Roebuck
Angstadt	Donatucci	Linton	Rudy
Argall	Dorr	Livengood	Ryan
Arty	Duffy	Lloyd	Rybak
Baldwin	Durham	Lucyk	Saloom
Barley	Evans	McCall	Saurman
Battisto	Fargo	McClatchy	Scheetz
Belardi	Fattah	McHale	Semmel
Belfanti	Fee	McVerry	Serafini
Birmelin	Fischer	Mackowski	Seventy
Black	Flick	Maiale	Showers
Blaum	Foster, Jr., A.	Manderino	Sirianni
Book	Fox	Manmiller	Smith, B.
Bortner	Freeman	Markosek	Smith, L. E.

Bowley	Fryer	Mayernik	Snyder, D. W.
Bowser	Gallen	Merry	Snyder, G. M.
Boyes	Gamble	Michlovic	Staback
Brandt	Gannon	Micozzie	Stairs
Broujos	Geist	Miller	Steighner
Bunt	George	Moehlmann	Stevens
Burd	Gladeck	Morris	Stewart
Burns	Godshall	Mowery	Stuban
Bush	Greenwood	Mrkonic	Sweet
Caltagirone	Gruitza	Murphy	Swift
Cappabianca	Gruppo	Nahill	Taylor, E. Z.
Carlson	Hagarty	Noye	Taylor, F. E.
Carn	Haluska	O'Brien	Taylor, J.
Cawley	Harper	O'Donnell	Teiek
Cessar	Hasay	Olasz	Tigue
Chadwick	Hayes	Oliver	Trello
Cimini	Herman	Perzel	Truman
Clark	Honaman	Petrarca	Van Horne
Clymer	Howlett	Petrone	Veon
Cohen	Hutchinson	Phillips	Vroon
Colafella	Itkin	Piccola	Wambach
Cole	Jackson	Pievsky	Wass
Cornell	Jarolin	Pistella	Weston
Coslett	Johnson	Pitts	Wiggins
Cowell	Josephs	Pott	Wilson
Coy	Kasunic	Pratt	Wogan
Deluca	Kennedy	Pressmann	Wozniak
DeVerter	Kenney	Preston	Wright, D. R.
DeWeese	Kosinski	Punt	Wright, J. L.
Daley	Kukovich	Raymond	Wright, R. C.
Davies	Langtry	Reber	Yandrisevits
Dawida	Lashinger	Reinard	
Deal	Laughlin	Richardson	Irvis,
Dietz	Lescovitz	Rieger	Speaker
Dininni	Letterman		

ADDITIONS—0

NOT VOTING—0

EXCUSED—7

Barber	Cordisco	Gallagher	Schuler
Civera	Freind	Hershey	

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 1797 By Representatives LUCYK, TRELLO, BALDWIN, DALEY, MARKOSEK, HALUSKA, GALLAGHER, SERAFINI, COWELL, DOMBROWSKI, BELFANTI, NAHILL, STABACK, ARGALL, MRKONIC, J. L. WRIGHT, MORRIS, VAN HORNE, JOHNSON, DORR, RAYMOND, COY, SEMMEL, ANGSTADT, DeLUCA, BLAUM, J. TAYLOR, WOGAN, LEVDANSKY, FOX, LASHINGER, MICHLOVIC, REBER, CIVERA, DURHAM, B. SMITH, PRESSMANN, O'BRIEN, DEAL, FISCHER, HOWLETT, PERZEL and ROBBINS

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," exempting chartered senior citizens' groups from the requirement of paying sales tax.

Referred to Committee on FINANCE, October 21, 1985.

No. 1798 By Representatives MAIALE and HOWLETT

An Act making an appropriation to the Moore College of Art, Philadelphia, Pennsylvania.

Referred to Committee on APPROPRIATIONS, October 21, 1985.

No. 1799 By Representatives HALUSKA, J. L. WRIGHT, PETRARCA, FARGO, F. E. TAYLOR, DeWEESE, STAIRS, BELFANTI, WOZNIAK, KUKOVICH, LASHINGER, MARKOSEK, WOGAN, PETRONE, DISTLER, SWEET, PRESSMANN, BATTISTO, FISCHER, TELEK, LLOYD, JOSEPHS, TRELLO, BALDWIN, MORRIS, DALEY, CARLSON, ARGALL and BLACK

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," providing for a Deputy Secretary of Commerce for Coal; and establishing the Coal Advisory Board.

Referred to Committee on MINES AND ENERGY MANAGEMENT, October 21, 1985.

No. 1800 By Representatives SWEET and DORR

An Act amending Title 72 (Taxation and Fiscal Affairs) of the Pennsylvania Consolidated Statutes, further providing for the inheritance tax.

Referred to Committee on FINANCE, October 21, 1985.

No. 1801 By Representatives JAROLIN, TIGUE, BLAUM, STEVENS, HOWLETT, STUBAN, HASAY, COSLETT, ITKIN, BELARDI, CAWLEY, STEIGHNER, KASUNIC and DALEY

An Act amending the act of June 2, 1915 (P. L. 736, No. 338), known as "The Pennsylvania Workmen's Compensation Act," further defining the term "municipality" to include counties for certain volunteer situations.

Referred to Committee on LABOR RELATIONS, October 21, 1985.

No. 1802 By Representatives PETRARCA, KUKOVICH, HALUSKA, GEIST, STUBAN, ITKIN, LIVENGOOD, MARKOSEK, VAN HORNE, STAIRS, BOWSER, CARN, CESSAR and DIETZ

An Act amending the act of August 9, 1955 (P. L. 323, No. 130), known as "The County Code," further providing for newspaper publication of annual county financial reports.

Referred to Committee on LOCAL GOVERNMENT, October 21, 1985.

No. 1803 By Representatives SALOOM, KASUNIC, GEORGE, FEE, YANDRISEVITS, McCALL, COY, CLARK, SEVENTY, OLASZ, DOMBROWSKI and VEON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the funding of the Catastrophic Loss Trust Fund.

Referred to Committee on TRANSPORTATION, October 21, 1985.

No. 1804 By Representatives HUTCHINSON and GEIST

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," further providing for deductions from the purchase price for purposes of determining the sales tax derived on the sale of a vehicle.

Referred to Committee on FINANCE, October 21, 1985.

No. 1805 By Representatives HUTCHINSON and GEIST

An Act making an appropriation to the Department of Transportation for the continued operation of the High Speed Intercity Rail Passenger Commission.

Referred to Committee on APPROPRIATIONS, October 21, 1985.

No. 1806 By Representatives PRATT, GEORGE, FEE, BLAUM and GRUITZA

An Act amending the act of July 7, 1980 (P. L. 380, No. 97), known as the "Solid Waste Management Act," temporarily imposing limitations on the Department of Environmental Resources; further providing for the location of hazardous waste sites; and imposing additional powers and duties on the Attorney General.

Referred to Committee on CONSERVATION, October 21, 1985.

No. 1807 By Representatives JOSEPHS, LAUGHLIN, WESTON, TRUMAN, WAMBACH, EVANS, RIEGER, OLIVER, CARN, GLADECK, FOX, HERSHEY, KOSINSKI, ACOSTA, McHALE, FREEMAN, ROEBUCK, DeWEESE, KUKOVICH, STABACK, MAIALE, HOWLETT, RICHARDSON, COHEN, HARPER, GANNON, BELFANTI, PISTELLA, DISTLER, DALEY, DEAL, GRUPPO and LEVDANSKY

An Act amending the act of December 17, 1968 (P. L. 1224, No. 387), known as the "Unfair Trade Practices and Consumer Protection Law," further providing for private actions and for the award of attorney's fees and costs in private actions.

Referred to Committee on CONSUMER AFFAIRS, October 21, 1985.

No. 1808 By Representatives JOSEPHS, BARBER, DORR, TRUMAN, FOX, KOSINSKI, DAWIDA, KUKOVICH, ARTY, PISTELLA, ROEBUCK, CARN, MRKONIC, SHOWERS, LEVDANSKY, HAGARTY, STEVENS, MAIALE, ROBBINS, ANGSTADT, PETRARCA, JOHNSON, GRUPPO, RAYMOND,

LINTON, PITTS, PERZEL, BALDWIN, BELFANTI, HOWLETT, E. Z. TAYLOR, HARPER, J. TAYLOR, PRESSMANN, YANDRJEVITS, TRELLO, FREEMAN, COHEN, MICHLOVIC, D. R. WRIGHT, BELARDI, GLADECK, COWELL, STABACK, DeWEESE, LUCYK, KASUNIC, FLICK, WOGAN, FOX and DeLUCA

An Act amending the act of November 4, 1983 (P. L. 217, No. 63), known as the "Pharmaceutical Assistance Contract for the Elderly Act," further providing for the supply of drugs which may be dispensed in a single prescription.

Referred to Committee on HEALTH AND WELFARE, October 21, 1985.

No. 1809 By Representatives JOSEPHS, MORRIS, JOHNSON, BATTISTO, HERSHEY, GODSHALL, SWEET, E. Z. TAYLOR, TRELLO, CARN, MICHLOVIC, DAWIDA, COHEN, KASUNIC, PISTELLA, DORR, BURD and WOZNIAK

An Act amending the act of January 13, 1966 (1965 P. L. 1292, No. 515), entitled "An act enabling certain counties of the Commonwealth to covenant with land owners for preservation of land in farm, forest, water supply, or open space uses," providing that certain conveyances shall not constitute a breach of covenant.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, October 21, 1985.

No. 1810 By Representatives COWELL, E. Z. TAYLOR, SERAFINI, FLICK, BELARDI, CAWLEY, TIGUE, JOSEPHS, NAHILL, HALUSKA, FREIND and FOX

An Act amending the act of July 9, 1985 (P. L. 184, No. 46), known as the "Institutional Equipment Grants Act," further defining "eligible institution"; and making an appropriation.

Referred to Committee on EDUCATION, October 21, 1985.

No. 1811 By Representatives SHOWERS, HALUSKA, TIGUE, COHEN, GEIST, ITKIN, JOHNSON, DEAL, COY, BALDWIN, GODSHALL, COLAFELLA and HERMAN

An Act amending the act of June 3, 1937 (P. L. 1225, No. 316), known as "The Game Law," eliminating field acknowledgment of guilt for violations; and further providing for the prosecution of offenses other than misdemeanors or felonies.

Referred to Committee on GAME AND FISHERIES, October 21, 1985.

No. 1812 By Representatives GAMBLE and MICHLOVIC

An Act amending the act of July 9, 1985 (P. L. 187, No. 47), known as the "Transportation Partnership Act," further providing for transportation development districts and financing.

Referred to Committee on TRANSPORTATION, October 21, 1985.

No. 1813 By Representatives COHEN, WOGAN, OLIVER, FATTAH, PERZEL and HARPER

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Public Welfare, to convey to the City of Philadelphia a tract of land situate in the City of Philadelphia, Pennsylvania.

Referred to Committee on STATE GOVERNMENT, October 21, 1985.

No. 1814 By Representatives VROON, LEVIN, HARPER, SERAFINI, ARTY, NAHILL, GRUPPO, PRESSMANN, LASHINGER and E. Z. TAYLOR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, requiring the use of safety belts by operators and other front seat occupants of motor vehicles.

Referred to Committee on JUDICIARY, October 21, 1985.

No. 1815 By Representatives MURPHY, SEVENTY, PRESTON, ITKIN, COWELL, MARKOSEK, PISTELLA and KOSINSKI

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," further defining "hazardous routes."

Referred to Committee on EDUCATION, October 21, 1985.

No. 1816 By Representatives MURPHY, SEVENTY, DAWIDA and PRESTON

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," providing reimbursement for pupils kindergarten through grade three residing one mile or more from school.

Referred to Committee on EDUCATION, October 21, 1985.

No. 1817 By Representatives PUNT and COY

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for an additional judge for the court of common pleas of the thirty-ninth judicial district.

Referred to Committee on JUDICIARY, October 21, 1985.

No. 1818 By Representatives BRANDT, TRELLO, A. C. FOSTER, JR., STUBAN, MERRY, GREENWOOD, SCHULER, BARLEY, HONAMAN, JACKSON, SCHEETZ, SEMMEL, DISTLER, LASHINGER, TIGUE, PRESSMANN, E. Z. TAYLOR, HERSHEY, AFFLERBACH, BATTISTO, PICCOLA and MANMILLER

An Act amending the act of December 31, 1965 (P. L. 1257, No. 511), known as "The Local Tax Enabling Act," providing for public hearings prior to adoption of a tax ordinance; removing certain tax rate limitations; and requiring a public hearing prior to wage tax rate hikes.

Referred to Committee on FINANCE, October 21, 1985.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 175 By Representatives LUCYK, LAUGHLIN, BALDWIN, MRKONIC, SHOWERS and DOMBROWSKI

Memorializing Congress to request the Soviet Union to grant independent sovereignty to the Republics of Estonia, Latvia and Lithuania.

Referred to Committee on RULES, October 21, 1985.

No. 176 By Representatives SWEET, RYBAK, HALUSKA, BALDWIN, J. L. WRIGHT, COHEN, SAURMAN, DEAL, OLASZ, FARGO, PETRARCA, COLAFELLA and HERMAN

Urging the Department of Environmental Resources to promulgate regulations implementing self-bonding for coal mine operators.

Referred to Committee on RULES, October 21, 1985.

No. 177 By Representatives SWEET, RYBAK, HALUSKA, BALDWIN, J. L. WRIGHT, COHEN, SAURMAN, DEAL, OLASZ, FARGO, PETRARCA, COLAFELLA and HERMAN

Urging the Department of Environmental Resources to modify its contract conditions applying to reclamation of abandoned mine lands.

Referred to Committee on RULES, October 21, 1985.

No. 178 By Representatives HAYES, GALLAGHER, LAUGHLIN, MANMILLER, BURNS, MICOZZIE, JAROLIN, BUSH, BOYES, MILLER and MURPHY

Urging the Governor to proclaim Sunday, November 10, 1985, as "Pennsylvania Retired Educators Day."

Referred to Committee on RULES, October 21, 1985.

No. 179 By Representatives FOX, HAYES, McHALE, NAHILL, PUNT, CAWLEY, SAURMAN, RAYMOND, HERSHEY, BLACK, E. Z. TAYLOR, FLICK, REBER, HAGARTY, HASAY, O'BRIEN, STAIRS, FISCHER, BOWSER, POTT, PHILLIPS, GEIST, WILSON, KENNEY, ROBBINS, BUNT, MARKOSEK, McCLATCHY, LAUGHLIN, KUKOVICH, GANNON, J. TAYLOR, PERZEL, DOMBROWSKI, TIGUE and RYAN

Commending the United States Navy personnel who intercepted and forced down the plane carrying Palestinian terrorists.

Referred to Committee on RULES, October 21, 1985.

SENATE BILLS FOR CONCURRENCE

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

SB 1037, PN 1267

Referred to Committee on INSURANCE, October 21, 1985.

SB 1074, PN 1323

Referred to Committee on HEALTH AND WELFARE, October 21, 1985.

SB 1102, PN 1414

Referred to Committee on HEALTH AND WELFARE, October 21, 1985.

SB 1103, PN 1447

Referred to Committee on PROFESSIONAL LICENSURE, October 21, 1985.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 607, PN 2306 (Amended)

By Rep. RYBAK

An Act providing for reimbursement by insurance companies, professional health service plan corporations, fraternal benefit societies and voluntary nonprofit health service plans for service performed by a registered nurse; and providing further duties of the Insurance Department.

INSURANCE.

HB 768, PN 2307 (Amended)

By Rep. GEORGE

An Act regulating sales and improvement of realty in landslide hazard areas; requiring fire and casualty companies to offer landslide insurance; requiring permits to be obtained prior to development or construction in landslide hazardous areas; designating landslide hazard zone areas; and providing penalties and civil remedies.

CONSERVATION.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. MANDERINO. Mr. Speaker, I move that HB 1642 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.

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 367, PN 2232**, entitled:

An Act amending the act of July 7, 1980 (P. L. 380, No. 97), known as the "Solid Waste Management Act," further providing for the approval of permits and licenses and for the power and duties of municipalities; requiring a fee for emergency groundwater contamination plans; and further providing for search warrants.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader. Mr. MANDERINO. Mr. Speaker, I move that HB 367 be recommitted for a fiscal note to the Committee on Appropriations.

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

* * *

The House proceeded to second consideration of **HB 446, PN 2233**, entitled:

An Act amending the act of July 7, 1980 (P. L. 380, No. 97), known as the "Solid Waste Management Act," prohibiting the siting of hazardous waste treatment or disposal facilities in the vicinity of certain sources of water, buildings and residences; and prohibiting the dumping or storage of hazardous wastes in certain areas.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader. Mr. MANDERINO. Mr. Speaker, I move that HB 446 be recommitted for a fiscal note to the Committee on Appropriations.

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 821, PN 940**, entitled:

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further defining "approved leave of absence"; defining "maternity leave of absence"; and further providing for creditable nonschool service.

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

The SPEAKER. The Chair recognizes the minority leader. Mr. RYAN. Mr. Speaker, would you hold one moment, please? I am trying to determine, Mr. Speaker, whether there was an amendment to be offered to this bill.

The SPEAKER. We will hold it.

BILL PASSED OVER TEMPORARILY

Mr. RYAN. Mr. Speaker, might this bill be held over temporarily?

The SPEAKER. Certainly.

Pass the bill over temporarily. There may be an amendment to be offered.

* * *

The House proceeded to third consideration of **HB 717, PN 1672**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for juvenile appearances before district justices.

On the question,

Will the House agree to the bill on third consideration?

Mr. B. SMITH offered the following amendments No. A2690:

Amend Sec. 1 (Sec. 1517), page 2, line 7, by inserting after "CITATION."

Where the individual is not residing with a parent or legal guardian, the copy of the citation shall be sent to the person with whom the individual resides.

Amend Sec. 1 (Sec. 1517), page 2, line 10, by striking out "TO THE PARENTS OR LEGAL GUARDIAN" and inserting as required under this section

On the question,

Will the House agree to the amendments?

The SPEAKER. On that question, the Chair recognizes the gentleman from York, Mr. Smith.

Mr. B. SMITH. Thank you, Mr. Speaker.

This is an amendment to cover individuals who are not residing with parents or legal guardians. It is an agreed-to amendment, and I ask for its support.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—185

Acosta	Distler	Lescovitz	Roebuck
Afflerbach	Dombrowski	Letterman	Rudy
Angstadt	Donatucci	Levdansky	Ryan
Argall	Dorr	Levin	Rybak
Arty	Duffy	Livengood	Saloom
Baldwin	Durham	Lloyd	Saurman
Barley	Fargo	Lucyk	Scheetz
Battisto	Fattah	McCall	Semmel
Belardi	Fee	McClatchy	Serafini
Belfanti	Fischer	McHale	Seventy
Birmelin	Flick	McVerry	Showers
Black	Foster, Jr., A.	Mackowski	Sirianni
Blaum	Fox	Manderino	Smith, B.
Bortner	Freeman	Manmiller	Smith, L. E.
Bowley	Fryer	Markosek	Snyder, D. W.
Bowser	Gallen	Mayernik	Snyder, G. M.
Boyes	Gamble	Merry	Staback
Brandt	Gannon	Michlovic	Stairs
Broujos	Geist	Micozzie	Steighner
Bunt	George	Miller	Stevens
Burd	Gladeck	Moehlmann	Stewart
Bush	Godshall	Mowery	Stuban
Caltagirone	Greenwood	Mrkonic	Sweet

Cappabianca	Gruitza	Murphy	Swift
Carlson	Gruppo	Nahill	Taylor, E. Z.
Carn	Hagarty	O'Brien	Taylor, F. E.
Cawley	Haluska	O'Donnell	Taylor, J.
Cessar	Harper	Olasz	Telek
Chadwick	Hasay	Oliver	Tigue
Cimini	Hayes	Perzel	Truman
Clark	Herman	Petrone	Van Horne
Clymer	Honaman	Phillips	Veon
Cohen	Howlett	Piccola	Vroon
Colafella	Hutchinson	Pievsky	Wambach
Cole	Irkin	Pistella	Wass
Cornell	Jackson	Pitts	Weston
Coslett	Jarolin	Pott	Wilson
Cowell	Johnson	Pratt	Wogan
Coy	Josephs	Pressmann	Wozniak
DeLuca	Kasunic	Preston	Wright, D. R.
DeVerter	Kennedy	Punt	Wright, J. L.
DeWeese	Kenney	Raymond	Wright, R. C.
Daley	Kosinski	Reber	Yandrisevits
Davies	Kukovich	Reinard	
Dawida	Langtry	Richardson	Irvis,
Dietz	Lashinger	Rieger	Speaker
Dininni	Laughlin	Robbins	

NAYS—0

NOT VOTING—11

Book	Evans	Morris	Trello
Burns	Linton	Noye	Wiggins
Deal	Maiale	Petrarca	

EXCUSED—7

Barber	Cordisco	Gallagher	Schuler
Civera	Freind	Hershey	

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

On final passage, the Chair recognizes the gentleman from Indiana, Mr. Wass.

Mr. WASS. Thank you, Mr. Speaker.

May I interrogate the maker of the bill, please?

The SPEAKER. The gentleman, Mr. Smith, says he will stand for interrogation. Mr. Wass, you may proceed.

Mr. WASS. Thank you, Mr. Speaker.

Mr. Speaker, as we evaluate the mandates of the bill, suppose the magistrate does not inform the guardian or the parents. What happens?

Mr. B. SMITH. The last section of the bill indicates, "Failure to provide notice under this section shall not constitute grounds for dismissal of the summary offense." So the individual would still be prosecuted.

Mr. WASS. So it is kind of a voluntary—

Mr. B. SMITH. It compels district justices to send a notice; however, your question was, what if they did not send a notice?

Mr. WASS. Yes.

Mr. B. SMITH. They will proceed with the case itself even if the district justice omits sending the notification to the parents.

Mr. WASS. So we could consider the bill more or less a "may" procedure for the magistrate?

Mr. B. SMITH. It is my understanding that the district justice would be under Supreme Court sanctions if he failed to follow the law.

Mr. WASS. Thank you very much.

The SPEAKER. The Chair recognizes the lady from Philadelphia, Ms. Josephs, on final passage.

Ms. JOSEPHS. Thank you, Mr. Speaker.

May I interrogate the maker of the bill, please?

The SPEAKER. The gentleman, Mr. Smith, says he will stand for further interrogation. You are in order, and you may proceed.

Ms. JOSEPHS. Thank you, Mr. Speaker.

May I have an idea what kind of summary offense is involved in this situation?

Mr. B. SMITH. Summary offenses are underage drinking, disorderly conduct, criminal mischief, harassment, and retail theft.

Ms. JOSEPHS. Thank you, Mr. Speaker.

May I also ask, do I understand that when a juvenile is simply charged, the notice goes out to his or her parents, or is there a provision that this happens only when the juvenile is found guilty?

Mr. B. SMITH. When the individual is charged, it is sent out.

Ms. JOSEPHS. So it is possible that a person's parents would find out about the charge, the person would be found innocent, and the parents would still know?

Mr. B. SMITH. That is correct. The purpose of the bill is to insure that the parents of juveniles are informed when the juveniles encounter trouble. The bill mandates notification of the parents of juveniles.

Ms. JOSEPHS. Thank you, Mr. Speaker.

The SPEAKER. Does the lady wish to speak on the bill on final passage?

Ms. JOSEPHS. Thank you, Mr. Speaker. I would.

The SPEAKER. The Chair recognizes the lady.

Ms. JOSEPHS. Thank you, Mr. Speaker.

I am concerned about a bill that requires parental notification when a juvenile is only charged. I can see a situation where a person's parents or guardians are notified, the child, the juvenile, suffers some kind of severe treatment at home, and then the charge is dismissed or the person is not found guilty. I can understand what problem this bill is trying to address, but for myself I will vote against it on those grounds. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

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

Mr. B. SMITH. I would like to emphasize that the purpose of the bill is to involve parents in their children's problems. So

if a child, a juvenile, is charged with a crime and the juvenile is innocent, that makes it all the more important to get the parents involved through knowing about the crime that they are charged with. I think we have a responsibility to insure that parents are informed when their children are in trouble. I ask for your support of the bill. Thank you.

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—187

Afflerbach	Distler	Levdansky	Rudy
Angstadt	Dombrowski	Linton	Ryan
Argall	Donatucci	Livengood	Rybak
Arty	Dorr	Lloyd	Saloom
Baldwin	Duffy	Lucyk	Saurman
Barley	Durham	McCall	Scheetz
Battisto	Evans	McClatchy	Semmel
Belardi	Fargo	McHale	Serafini
Belfanti	Fattah	McVerry	Seventy
Birmelin	Fee	Mackowski	Showers
Black	Fischer	Mandorini	Sirianni
Blaum	Flick	Manmiller	Smith, B.
Book	Foster, Jr., A.	Markosek	Smith, L. E.
Bortner	Fox	Mayernik	Snyder, D. W.
Bowley	Freeman	Merry	Snyder, G. M.
Bowser	Fryer	Michlovic	Staback
Boyes	Gallen	Micozzie	Stairs
Brandt	Gamble	Miller	Steighner
Broujos	Geist	Moehlmann	Stevens
Bunt	George	Morris	Stewart
Burd	Gladeck	Mowery	Stuban
Burns	Godshall	Mrkonic	Sweet
Bush	Greenwood	Murphy	Swift
Caltagirone	Gruppo	Nahill	Taylor, E. Z.
Cappabianca	Hagarty	Noye	Taylor, F. E.
Carlson	Haluska	O'Brien	Taylor, J.
Cawley	Harper	O'Donnell	Telek
Cessar	Hasay	Olasz	Tigue
Chadwick	Hayes	Oliver	Trello
Cimini	Herman	Perzel	Truman
Clark	Honaman	Petrarca	Van Horne
Clymer	Howlett	Petrone	Veon
Cohen	Hutchinson	Phillips	Vroon
Colafella	Itkin	Piccola	Wambach
Cole	Jackson	Pievsy	Wass
Cornell	Jarolin	Pistella	Weston
Coslett	Johnson	Pitts	Wiggins
Cowell	Kasunic	Pott	Wilson
Coy	Kennedy	Pratt	Wogan
Deluca	Kenney	Pressmann	Wozniak
DeVerter	Kosinski	Preston	Wright, D. R.
DeWeese	Kukovich	Punt	Wright, J. L.
Daley	Langtry	Raymond	Wright, R. C.
Davies	Lashinger	Reber	Yandrisevits
Dawida	Laughlin	Reinard	
Deal	Lescovitz	Rieger	Irvis,
Dietz	Letterman	Robbins	Speaker
Dinimi			

NAYS—5

Acosta	Josephs	Richardson	Roebuck
Gruitza			

NOT VOTING—4

Carn	Gannon	Levin	Maiale
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EXCUSED—7

Barber	Cordisco	Gallagher	Schuler
Civera	Freind	Hershey	

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.

WELCOMES

The SPEAKER. The Chair is delighted to welcome to the hall of the House, as the guests of the gentleman from Beaver County, Mr. Laughlin, Richard and Enis Masciantonio, Joseph and Leona Masciantonio, and Sam and Barbara Bufalini. They are here from Aliquippa, and the Chair welcomes them to the hall of the House.

We have also with us, as guests of Representative Coy, Henry Grove, Clifford Van Scyoc, Leslie Pomeroy, and Dan and Lynnette Murray. Welcome to the hall of the House.

REMARKS ON VOTE

The SPEAKER. Why does the gentleman from Allegheny, Mr. Book, rise?

Mr. BOOK. Mr. Speaker, on amendment A2690, which was part of HB 717, my switch did not work. I would like to be voted 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 HB 1054, PN 2058, entitled:

An Act amending the act of December 1, 1977 (P. L. 249, No. 83), entitled "An act prohibiting employers from firing employees who lose time from employment in the line of duty as volunteer firemen and providing penalties," extending the provisions of the act to include fire police and volunteer members of ambulance services and rescue squads; and prohibiting certain other firings.

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

Mr. BURNS offered the following amendments No. A3125:

Amend Sec. 1 (Sec. 1), page 2, line 6, by inserting after "terminate"

or discipline

Amend Sec. 3, page 2, line 21, by striking out "3 and 4" and inserting

3, 4 and 5

Amend Sec. 3 (Sec. 4), page 3, line 12, by inserting after "employee."

The term "discipline" shall mean the taking of any action against an employee which adversely affects his regular pay to an extent greater than permitted by section 2, his job status or opportunity

for promotion, or his right to any benefit granted by the employer to other similarly situated employees.

Amend Sec. 3, page 3, by inserting between lines 12 and 13

Section 5. Any employer who willfully and knowingly violates the provisions of this act shall be required to revoke any disciplinary action and any penalty attached thereto, or to reinstate such employee to his former position and shall be required to pay such employee all lost wages and benefits for the period between termination and reinstatement. Any action to enforce the provisions of this act shall be commenced within the period of two years within the date of violation and such action shall be commenced in the court of common pleas in which the employer is located.

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

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

Mr. BURNS. Thank you, Mr. Speaker.

Mr. Speaker, several years ago when we first adopted the bill that protected the firemen, I thought we had done just about everything we could do to protect them. This bill, of course, by Mr. Sweet would extend that, and I fully approve of that.

I would like to go one step further and define the term "discipline," because what has been happening, although our volunteer firemen, our volunteer ambulance people, and so forth now under this new bill would be protected from firings, the employers have been doing other things; for example, disciplining them through loss of pay or through failure to allow them to be considered for job promotions and so forth only because they are volunteer firemen or now only because they would be volunteer ambulance drivers or paramedics or whatever the volunteers would be in that particular community. So this amendment simply defines the word "discipline" and says that employers could not do those kinds of things that I have described to discipline these people for responding to an alarm or responding to an emergency. I ask your support, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. SWEET. Mr. Speaker, I agree with the amendment and would ask for an affirmative 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—196

Acosta	Distler	Levdansky	Robbins
Afflerbach	Dombrowski	Levin	Roebuck
Angstadt	Donatucci	Linton	Rudy
Argall	Dorr	Livengood	Ryan
Arty	Duffy	Lloyd	Rybak
Baldwin	Durham	Lucyk	Saloom
Barley	Evans	McCall	Saurman
Battisto	Fargo	McClatchy	Scheetz
Belardi	Fattah	McHale	Semmel
Belfanti	Fee	McVerry	Serafini
Birmelin	Fischer	Mackowski	Seventy
Black	Flick	Maiale	Showers

Blaum	Foster, Jr., A.	Manderino	Sirianni
Book	Fox	Manmiller	Smith, B.
Bortner	Freeman	Markosek	Smith, L. E.
Bowley	Fryer	Mayernik	Snyder, D. W.
Bowser	Gallen	Merry	Snyder, G. M.
Boyes	Gamble	Michlovic	Staback
Brandt	Gannon	Micozzie	Stairs
Broujos	Geist	Miller	Steighner
Bunt	George	Moehlmann	Stevens
Burd	Gladeck	Morris	Stewart
Burns	Godshall	Mowery	Stuban
Bush	Greenwood	Mrkonic	Sweet
Caltagirone	Gruitza	Murphy	Swift
Cappabianca	Gruppo	Nahill	Taylor, E. Z.
Carlson	Hagarty	Noye	Taylor, F. E.
Carn	Haluska	O'Brien	Taylor, J.
Cawley	Harper	O'Donnell	Telek
Cessar	Hasay	Olasz	Tigue
Chadwick	Hayes	Oliver	Trello
Cimini	Herman	Perzel	Truman
Clark	Honaman	Petrarca	Van Horne
Clymer	Howlett	Petrone	Veon
Cohen	Hutchinson	Phillips	Vroon
Colafranca	Itkin	Piccola	Wambach
Cole	Jackson	Pievsky	Wass
Cornell	Jarolin	Pistella	Weston
Coslett	Johnson	Pitts	Wiggins
Cowell	Josephs	Pott	Wilson
Coy	Kasunic	Pratt	Wogan
Deluca	Kennedy	Pressmann	Wozniak
DeVerter	Kenney	Preston	Wright, D. R.
DeWeese	Kosinski	Punt	Wright, J. L.
Daley	Kukovich	Raymond	Wright, R. C.
Davies	Langtry	Reber	Yandrisevits
Dawida	Lashinger	Reinard	
Deal	Laughlin	Richardson	Irvis,
Dietz	Lescovitz	Rieger	Speaker
Dininni	Letterman		

NAYS—0

NOT VOTING—0

EXCUSED—7

Barber	Cordisco	Gallagher	Schuler
Civera	Freind	Hershey	

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—196

Acosta	Distler	Levdansky	Robbins
Afflerbach	Dombrowski	Levin	Roebuck
Angstadt	Donatucci	Linton	Rudy
Argall	Dorr	Livengood	Ryan
Arty	Duffy	Lloyd	Rybak
Baldwin	Durham	Lucyk	Saloom
Barley	Evans	McCall	Saurman
Battisto	Fargo	McClatchy	Scheetz
Belardi	Fattah	McHale	Semmel
Belfanti	Fee	McVerry	Serafini
Birmelin	Fischer	Mackowski	Seventy
Black	Flick	Maiale	Showers

Blaum	Foster, Jr., A.	Manderino	Sirianni
Book	Fox	Manmiller	Smith, B.
Bortner	Freeman	Markosek	Smith, L. E.
Bowley	Fryer	Mayernik	Snyder, D. W.
Bowser	Gallen	Merry	Snyder, G. M.
Boyes	Gamble	Michlovic	Staback
Brandt	Gannon	Micozzie	Stairs
Broujos	Geist	Miller	Steighner
Bunt	George	Moehlmann	Stevens
Burd	Gladeck	Morris	Stewart
Burns	Godshall	Mowery	Stuban
Bush	Greenwood	Mrkonic	Sweet
Caltagirone	Gruitza	Murphy	Swift
Cappabianca	Gruppo	Nahill	Taylor, E. Z.
Carlson	Hagarty	Noye	Taylor, F. E.
Carn	Haluska	O'Brien	Taylor, J.
Cawley	Harper	O'Donnell	Telek
Cessar	Hasay	Olasz	Tigue
Chadwick	Hayes	Oliver	Trello
Cimini	Herman	Perzel	Truman
Clark	Honaman	Petrarca	Van Horne
Clymer	Howlett	Petrone	Veon
Cohen	Hutchinson	Phillips	Vroon
Colafranca	Itkin	Piccola	Wambach
Cole	Jackson	Pievsky	Wass
Cornell	Jarolin	Pistella	Weston
Coslett	Johnson	Pitts	Wiggins
Cowell	Josephs	Pott	Wilson
Coy	Kasunic	Pratt	Wogan
Deluca	Kennedy	Pressmann	Wozniak
DeVerter	Kenney	Preston	Wright, D. R.
DeWeese	Kosinski	Punt	Wright, J. L.
Daley	Kukovich	Raymond	Wright, R. C.
Davies	Langtry	Reber	Yandrisevits
Dawida	Lashinger	Reinard	
Deal	Laughlin	Richardson	Irvis,
Dietz	Lescovitz	Rieger	Speaker
Dininni	Letterman		

NAYS—0

NOT VOTING—0

EXCUSED—7

Barber	Cordisco	Gallagher	Schuler
Civera	Freind	Hershey	

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 1647, PN 2099**, entitled:

An Act amending the act of February 1, 1966 (1965 P. L. 1656, No. 581), known as "The Borough Code," further providing for the compensation of borough councilmen.

On the question,

Will the House agree to the bill on third consideration?

Mr. DALEY offered the following amendments No. A3100:

Amend Title, page 1, line 4, by removing the period after "councilmen" and inserting

; and further providing for the salary of mayors.

Amend Sec. 1 (Sec. 1001), page 3, line 14, by striking out the bracket before "In"

Amend Sec. 1 (Sec. 1001), page 3, lines 19 through 22, by striking out "'] The ordinance fixing the compensation" in line 19, all of lines 20 through 22 and inserting

Section 2. Section 1025 of the act, amended October 12, 1973 (P.L.288, No.84), is amended to read:

Section 1025. Salary of Mayor Limited.—[The salary of the mayor shall not exceed, per annum, four hundred fifty dollars (\$450) for the first one thousand population or fraction thereof, the population to be determined by the latest official census figures. In any borough with population in excess of one thousand the salary of the mayor shall not exceed three hundred dollars (\$300) per annum per thousand population or fraction thereof, the population to be determined by the latest official census figures.] The salary of the mayor shall not exceed, in boroughs with a population of less than twenty-five hundred, a maximum of thirteen hundred dollars (\$1300) a year; in boroughs with a population of twenty-five hundred or more but less than five thousand, a maximum of eighteen hundred dollars (\$1800) a year; in boroughs with a population of five thousand or more but less than ten thousand, a maximum of twenty-three hundred dollars (\$2300) a year; in boroughs with a population of ten thousand or more but less than fifteen thousand, a maximum of twenty-nine hundred dollars (\$2900) a year; in boroughs with a population of fifteen thousand or more but less than twenty-five thousand, a maximum of thirty-six hundred dollars (\$3600) a year; in boroughs with a population of twenty-five thousand or more but less than thirty-six thousand, a maximum of thirty-eight hundred dollars (\$3800) a year; and in boroughs with a population of thirty-five thousand or more, a maximum of forty-three thousand dollars (\$4300) a year. Such salaries shall be payable monthly or quarterly for the duties imposed by the provisions of this act.

Amend Sec. 2, page 3, line 23, 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 Washington, Mr. Daley.

Mr. DALEY. Thank you, Mr. Speaker.

The reason why I offer this amendment is to rectify a situation in this particular proposed legislation that was an obvious oversight to include the salary of the mayor and the compensation thereof in accordance with the recommendations as prescribed in this legislation, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. DUFFY. I oppose the amendment. We are going to try to take care of the mayors with a bill and give them a raise in the near future.

The SPEAKER. The Chair recognizes the gentleman from Washington, Mr. Daley, for the second time on his amendment.

Mr. DALEY. Thank you, Mr. Speaker.

Again, I cannot understand or fathom why this committee would make a recommendation to raise council's salaries and the council president's salary and omit the salary of the mayor. I believe, and I am sure you believe, that this legislative body will not see another piece of legislation regarding the mayor's salary. Let us take care of the problem now. If we are

going to rectify the situation for a set of elected officials, let us make it for all elected officials in the borough government. Thank you, Mr. Speaker.

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

Mr. VROON. Mr. Speaker, thank you.

May I interrogate Mr. Daley, please?

The SPEAKER. Mr. Daley indicates he will stand for interrogation. You are in order, and you may proceed, sir.

Mr. VROON. Just as a matter of information, Mr. Speaker, do these figures represent an increase for the mayor in these various-sized boroughs?

Mr. DALEY. Yes, Mr. Speaker, it does.

Mr. VROON. Can you tell me approximately how much it is being increased, maybe percentagewise?

Mr. DALEY. Mr. Speaker, I cannot. I just know as a former mayor and elected official that any action that is taken to raise any council's or mayor's salary at the local level is done by local ordinance and by that elected body. I cannot tell you by per capita or any particular salary increase in percentages.

Mr. VROON. Mr. Speaker?

The SPEAKER. Just a moment, Mr. Vroon. The maker of the amendment is coming to the podium. Perhaps he has found some error in it.

AMENDMENTS WITHDRAWN

The SPEAKER. The Chair wishes to bring to the attention of the members that there is a drafting error in this amendment. It is not a very big error. It is supposed to say a maximum of \$4,300 a year. It says a maximum of \$43,000 a year. One of those slight errors, I mean, which, on occasion, we get.

I take it, Mr. Daley, you wish to withdraw the amendment and have it drawn again?

Mr. DALEY. Yes, Mr. Speaker, unless we want to run it with the \$43,000. I have no problem if we do that.

BILL PASSED OVER TEMPORARILY

The SPEAKER. Will the gentleman, Mr. Duffy, agree to passing over the bill temporarily?

The bill is passed over temporarily. Mr. Daley will have a chance to redraw the amendment.

* * *

The House proceeded to third consideration of **HB 1648, PN 2100**, entitled:

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), known as "The Second Class Township Code," further providing for the compensation of supervisors.

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—192

Acosta	Dininni	Levdansky	Robbins
Afflerbach	Distler	Levin	Roebuck
Angstadt	Dombrowski	Linton	Rudy
Argall	Donatucci	Livengood	Ryan
Arty	Dorr	Lloyd	Rybak
Baldwin	Duffy	Lucyk	Saloom
Barley	Durham	McCall	Saurman
Battisto	Fargo	McClatchy	Scheetz
Belardi	Fee	McHale	Semmel
Belfanti	Fischer	McVerry	Serafini
Birmelin	Flick	Mackowski	Seventy
Black	Foster, Jr., A.	Maiale	Showers
Blaum	Fox	Manderino	Sirianni
Book	Freeman	Manmiller	Smith, B.
Bortner	Fryer	Markosek	Smith, L. E.
Bowley	Gallen	Mayernik	Snyder, D. W.
Bowser	Gamble	Merry	Snyder, G. M.
Boyes	Gannon	Michlovic	Staback
Brandt	Geist	Micozzie	Stairs
Broujos	George	Miller	Steighner
Bunt	Gladeck	Moehlmann	Stevens
Burd	Godshall	Mowery	Stewart
Burns	Greenwood	Mrkonic	Stuban
Bush	Gruitza	Murphy	Sweet
Caltagirone	Gruppo	Nahill	Swift
Cappabianca	Hagarty	Noye	Taylor, E. Z.
Carlson	Haluska	O'Brien	Taylor, F. E.
Carn	Harper	O'Donnell	Taylor, J.
Cawley	Hasay	Olasz	Telek
Cessar	Hayes	Oliver	Tigue
Chadwick	Herman	Perzel	Trello
Cimini	Honaman	Petrarca	Truman
Clark	Howlett	Petrone	Van Horne
Clymer	Hutchinson	Phillips	Veon
Cohen	Itkin	Piccola	Vroon
Colafella	Jackson	Pievsky	Wambach
Cole	Jarolin	Pistella	Wass
Cornell	Johnson	Pitts	Weston
Coslett	Josephs	Pott	Wilson
Cowell	Kasunic	Pratt	Wogan
Coy	Kennedy	Pressmann	Wozniak
Deluca	Kenney	Preston	Wright, D. R.
DeVerter	Kosinski	Punt	Wright, J. L.
DeWeese	Kukovich	Raymond	Wright, R. C.
Daley	Langtry	Reber	Yandrisevits
Davies	Lashingner	Reinard	
Dawida	Laughlin	Richardson	Irvis,
Deal	Lescovitz	Rieger	Speaker
Dietz	Letterman		

NAYS—0

NOT VOTING—4

Evans	Fattah	Morris	Wiggins
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EXCUSED—7

Barber	Cordisco	Gallagher	Schuler
Civera	Freind	Hershey	

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 1649, PN 2101**, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206, No. 331), known as "The First Class Township Code," further providing for the compensation of commissioners.

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—194

Acosta	Dininni	Letterman	Robbins
Afflerbach	Distler	Levdansky	Roebuck
Angstadt	Dombrowski	Levin	Rudy
Argall	Donatucci	Linton	Ryan
Arty	Dorr	Livengood	Rybak
Baldwin	Duffy	Lloyd	Saloom
Barley	Durham	Lucyk	Saurman
Battisto	Evans	McCall	Scheetz
Belardi	Fargo	McClatchy	Semmel
Belfanti	Fattah	McHale	Serafini
Birmelin	Fee	McVerry	Seventy
Black	Fischer	Mackowski	Showers
Blaum	Flick	Maiale	Sirianni
Book	Foster, Jr., A.	Manderino	Smith, B.
Bortner	Fox	Manmiller	Smith, L. E.
Bowley	Freeman	Markosek	Snyder, D. W.
Bowser	Fryer	Mayernik	Snyder, G. M.
Boyes	Gallen	Merry	Staback
Brandt	Gamble	Michlovic	Stairs
Broujos	Gannon	Micozzie	Steighner
Bunt	Geist	Miller	Stevens
Burd	George	Moehlmann	Stewart
Burns	Godshall	Mowery	Stuban
Bush	Greenwood	Mrkonic	Sweet
Caltagirone	Gruitza	Murphy	Swift
Cappabianca	Gruppo	Nahill	Taylor, E. Z.
Carlson	Hagarty	Noye	Taylor, F. E.
Carn	Haluska	O'Brien	Taylor, J.
Cawley	Harper	O'Donnell	Telek
Cessar	Hasay	Olasz	Tigue
Chadwick	Hayes	Oliver	Trello
Cimini	Herman	Perzel	Truman
Clark	Honaman	Petrarca	Van Horne
Clymer	Howlett	Petrone	Veon
Cohen	Hutchinson	Phillips	Vroon
Colafella	Itkin	Piccola	Wambach
Cole	Jackson	Pievsky	Wass
Cornell	Jarolin	Pistella	Weston
Coslett	Johnson	Pitts	Wiggins
Cowell	Josephs	Pott	Wilson
Coy	Kasunic	Pratt	Wogan
Deluca	Kennedy	Pressmann	Wozniak
DeVerter	Kenney	Preston	Wright, D. R.
DeWeese	Kosinski	Punt	Wright, J. L.
Daley	Kukovich	Raymond	Wright, R. C.
Davies	Langtry	Reber	Yandrisevits
Dawida	Lashingner	Reinard	
Deal	Laughlin	Richardson	Irvis,
Dietz	Lescovitz	Rieger	Speaker

NAYS—0

NOT VOTING—2

Gladeck Morris

EXCUSED—7

Barber Cordisco Gallagher Schuler
Civera Freind Hershey

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 1073, PN 2188**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the registration of vehicles, for the suspension of registration, for the depositing of waste from vehicles upon highways, property and waters, and for the disposition of certain fines and bail forfeitures.

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—194

Acosta	Dininni	Lescovitz	Robbins
Afflerbach	Distler	Letterman	Roebuck
Angstadt	Dombrowski	Levdansky	Rudy
Argall	Donatucci	Levin	Ryan
Arty	Dorr	Linton	Rybak
Baldwin	Duffy	Livengood	Saloom
Barley	Durham	Lloyd	Sauman
Battisto	Evans	Lucyk	Scheetz
Belardi	Fargo	McCall	Semmel
Belfanti	Fattah	McClatchy	Serafini
Birmelin	Fee	McHale	Seventy
Black	Fischer	McVerry	Showers
Blaum	Flick	Mackowski	Sirianni
Book	Foster, Jr., A.	Maiale	Smith, B.
Bortner	Fox	Manderino	Smith, L. E.
Bowley	Freeman	Manmiller	Snyder, D. W.
Bowser	Fryer	Markosek	Snyder, G. M.
Boyes	Gallen	Mayernik	Staback
Brandt	Gamble	Michlovic	Stairs
Broujos	Gannon	Micozzie	Steighner
Bunt	Geist	Miller	Stevens
Burd	George	Moehlmann	Stewart
Burns	Gladeck	Mowery	Stuban
Bush	Godshall	Mrkonic	Sweet
Caltagirone	Greenwood	Murphy	Swift
Cappabianca	Gruitza	Nahill	Taylor, E. Z.
Carlson	Gruppo	Noye	Taylor, F. E.
Carn	Hagarty	O'Brien	Taylor, J.
Cawley	Haluska	O'Donnell	Telek
Cessar	Harper	Olasz	Tigue
Chadwick	Hasay	Oliver	Trello
Cimini	Hayes	Perzel	Truman
Clark	Herman	Petrarca	Van Horne
Clymer	Honaman	Petrone	Veon
Cohen	Howlett	Phillips	Vroon

Colafella	Hutchinson	Piccola	Wambach
Cole	Itkin	Pievsky	Wass
Cornell	Jackson	Pistella	Weston
Coslett	Jarolin	Pitts	Wiggins
Cowell	Johnson	Pott	Wilson
Coy	Josephs	Pratt	Wogan
Deluca	Kasunic	Pressmann	Wozniak
DeVerter	Kennedy	Preston	Wright, D. R.
DeWeese	Kenney	Punt	Wright, J. L.
Daley	Kosinski	Raymond	Wright, R. C.
Davies	Kukovich	Reber	Yandrisevits
Dawida	Langtry	Reinard	
Deal	Lashinger	Richardson	Irvis,
Dietz	Laughlin	Rieger	Speaker

NAYS—0

NOT VOTING—2

Merry Morris

EXCUSED—7

Barber Cordisco Gallagher Schuler
Civera Freind Hershey

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

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

CONSIDERATION OF HB 821 RESUMED

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

Mr. MOWERY offered the following amendments No. A3224:

Amend Sec. 2 (Sec. 8304), page 3, line 8, by inserting after "1975."

The purchase of this service shall begin within three years of the employee's eligibility to purchase this creditable service.

Amend Sec. 3 (Sec. 8324), page 3, lines 17 through 25, by striking out "determined by applying the member's" in line 17; all of lines 18 through 24; and "service to the date of purchase." in line 25 and inserting

the present value of the full actuarial cost of the increase in the projected superannuation annuity caused by the additional service.

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

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

Mr. MOWERY. Thank you, Mr. Speaker.

This amendment really does two things to the bill that have to do with credit toward the pension plan for involuntary forced maternity leave. It allows the teacher to have that time credited toward her pension plan. The only thing the amendment does is require that they elect to buy back that service if they so desire within 3 years from the time they are eligible.

The second provision is that the present value of the full actuarial cost to the plan would be paid by that particular person. I would hope that you would accept the amendment.

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Bucks, Mr. Burns.

Mr. BURNS. Thank you, Mr. Speaker.

Mr. Speaker, I hate to disagree with my colleague, Mr. Mowery; however, on this one I think I have to. I think that all we are doing to women here under this bill without the amendment would be to treat them the same way as we treat our service personnel, the people who come back from the service. We allow them to come into teaching and to buy back their time. I think it is only fair that we treat them the same way as we treat other people who come into the retirement system from out-of-State service. They come in; they buy back their time; they do not get anything; they buy it back. But I think if we were to take Mr. Mowery's amendment, we would be punishing women for bearing children, and I just do not agree with that.

The SPEAKER. The Chair recognizes the gentleman from Cumberland, Mr. Mowery, on the Mowery amendment.

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

I also hate to disagree with my colleague. However, I would like to suggest to you that the current program for pensions in Pennsylvania, particularly for our teachers, already allows six options for purchasing out-of-State service, military service, and so forth. That is about five more than most public employee pension plans in other States allow.

I certainly have no objection to those who were forced to take a maternity leave prior to the more lenient interpretation of maternity leave purchasing their back service. But I do feel that it should not be at the expense of the pension plan itself, that it should be actuarially sound, and whatever the cost is to purchase that service should be paid by whoever the person might be.

The long-range benefits of having those extra 2 years are in themselves a big advantage, forgetting the immediate dollars and cents. They can retire early; then this would be credited, those 2 years. There would be an increasing amount of death benefit immediately on the purchase of it. I really think that it is a very fair way to do it without penalizing the other members of the program.

The 3-year provision for purchasing is I think a rather obvious safeguard, because there is no point in waiting until the day prior to retirement to then all of a sudden go out and borrow the money to pay back your plan, then take your lump sum back and repay the bank and have the advantage loaded against the pension plan. I think that a person who wants to buy back service can do so within 3 years of their option. I think that is very fair, very lenient. So I ask that you support my amendment.

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

The following roll call was recorded:

YEAS—89

Argall	Distler	Langtry	Pitts
Barley	Fargo	Lashinger	Pott
Birmelin	Flick	Laughlin	Punt
Black	Gallen	Letterman	Reinard
Book	Gamble	Lloyd	Robbins
Bowser	Geist	McClatchy	Ryan
Brandt	Gladeck	McVerry	Saurman
Broujos	Godshall	Mackowski	Scheetz

Bunt	Greenwood	Markosek	Semmel
Burd	Gruitza	Mayernik	Sirianni
Bush	Gruppo	Merry	Smith, L. E.
Carlson	Hagarty	Michlovic	Snyder, D. W.
Cessar	Haluska	Moehlmann	Stevens
Chadwick	Hasay	Mowery	Swift
Cimini	Hayes	Mrkonic	Taylor, E. Z.
Clymer	Herman	Murphy	Taylor, J.
Coslett	Honaman	Noye	Van Horne
Cowell	Hutchinson	O'Brien	Vroon
Deluca	Jackson	O'Donnell	Wass
DeVerter	Johnson	Perzel	Weston
DeWeese	Kennedy	Phillips	Wilson
Dietz	Kenney	Pistella	Wogan
Dininni			

NAYS—101

Acosta	Deal	McCall	Showers
Afflerbach	Dombrowski	McHale	Smith, B.
Angstadt	Donatucci	Manderino	Snyder, G. M.
Arty	Dorr	Manmiller	Staback
Baldwin	Duffy	Micozzie	Stairs
Battisto	Durham	Miller	Steighner
Belardi	Evans	Nahill	Stewart
Belfanti	Fattah	Olasz	Stuban
Blaum	Fee	Oliver	Sweet
Bortner	Fischer	Petrarca	Taylor, F. E.
Bowley	Fox	Petrone	Telek
Boyes	Freeman	Piccola	Tigue
Burns	Fryer	Pievsky	Trello
Caltagirone	George	Pratt	Truman
Cappabianca	Harper	Pressmann	Veon
Carn	Jarolin	Preston	Wambach
Cawley	Josephs	Raymond	Wiggins
Clark	Kasunic	Reber	Wozniak
Cohen	Kosinski	Richardson	Wright, D. R.
Colafella	Kukovich	Rieger	Wright, J. L.
Cole	Lescovitz	Roebuck	Wright, R. C.
Cornell	Levdansky	Rudy	Yandrisevits
Coy	Levin	Rybak	
Daley	Linton	Saloom	Irvis,
Davies	Livengood	Serafini	Speaker
Dawida	Lucyk	Seventy	

NOT VOTING—6

Foster, Jr., A.	Howlett	Maiale	Morris
Gannon	Itkin		

EXCUSED—7

Barber	Cordisco	Gallagher	Schuler
Civera	Freind	Hershey	

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

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

The SPEAKER. 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

Acosta	Dininni	Levdansky	Roebuck
Afflerbach	Distler	Levin	Rudy
Angstadt	Dombrowski	Linton	Ryan
Argall	Donatucci	Livengood	Rybak
Arty	Dorr	Lloyd	Saloom
Baldwin	Duffy	Lucyk	Saurman
Barley	Durham	McCall	Scheetz

Battisto	Evans	McClatchy	Semmel
Belardi	Fargo	McHale	Serafini
Belfanti	Fattah	McVerry	Seventy
Birmelin	Fee	Mackowski	Showers
Black	Fischer	Manderino	Sirianni
Blaum	Flick	Manmiller	Smith, B.
Book	Foster, Jr., A.	Markosek	Smith, L. E.
Bortner	Fox	Mayernik	Snyder, D. W.
Bowley	Freeman	Merry	Snyder, G. M.
Bowser	Fryer	Michlovic	Staback
Boyes	Gallen	Micozzie	Stairs
Brandt	Gamble	Miller	Steighner
Broujos	Geist	Moehlmann	Stevens
Bunt	George	Mowery	Stewart
Burd	Gladeck	Mrkonic	Stuban
Burns	Godshall	Murphy	Sweet
Bush	Greenwood	Nahill	Swift
Caltagirone	Gruitza	Noye	Taylor, E. Z.
Cappabianca	Gruppo	O'Brien	Taylor, F. E.
Carlson	Hagarty	O'Donnell	Taylor, J.
Carn	Haluska	Olasz	Telek
Cawley	Harper	Oliver	Tigue
Cessar	Hasay	Perzel	Trello
Chadwick	Hayes	Petrarca	Truman
Cimini	Herman	Petrone	Van Horne
Clark	Honaman	Phillips	Veon
Clymer	Hutchinson	Piccola	Vroon
Cohen	Itkin	Pievsky	Wambach
Colafella	Jackson	Pistella	Wass
Cole	Jarolin	Pitts	Weston
Cornell	Johnson	Pott	Wiggins
Coslett	Josephs	Pratt	Wilson
Cowell	Kasunic	Pressmann	Wogan
Coy	Kennedy	Preston	Wozniak
Deluca	Kenney	Punt	Wright, D. R.
DeVerter	Kosinski	Raymond	Wright, J. L.
DeWeese	Kukovich	Reber	Wright, R. C.
Daley	Langtry	Reinard	Yandrisevits
Davies	Lashinger	Richardson	
Dawida	Laughlin	Rieger	Irvis,
Deal	Lescovitz	Robbins	Speaker
Dietz	Letterman		

NAYS—0

NOT VOTING—4

Gannon	Howlett	Maiale	Morris
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EXCUSED—7

Barber	Cordisco	Gallagher	Schuler
Civera	Freind	Hershey	

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

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

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Gladeck. Why do you rise?

Mr. GLADECK. I just want to correct a vote.

I pushed my switch on final passage of HB 1649 and it did not record. I would like to be recorded in the affirmative. Thank you.

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

CONSIDERATION OF HB 1647 RESUMED

BILL PASSED OVER

The SPEAKER. On page 6, as you will recall, Mr. Daley's amendment was withdrawn. The bill, HB 1647, because the amendment will not be ready in time for this day's session, will now be passed over for today's session. The Chair hears no objection.

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the gentleman from Crawford, Mr. Merry. Why do you rise?

Mr. MERRY. On final passage of HB 1073, the roll call does not indicate that I voted. I would like to have the record show that had my switch worked properly, I would have voted in the affirmative.

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

The Chair recognizes the gentleman from Allegheny, Mr. Itkin, for the purpose of announcing a caucus or that there will be no caucus.

Mr. ITKIN. Mr. Speaker, there will be no need for a caucus of the Democrats today.

REPUBLICAN CAUCUS

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

Mr. NOYE. Thank you, Mr. Speaker.

The Republicans will need to caucus. I would ask the members to be there promptly. It will not be a long caucus, but we do have a guest and I would ask you to be there promptly.

MILITARY AND VETERANS AFFAIRS COMMITTEE MEETING

The SPEAKER. To make an announcement, the Chair recognizes the gentleman from Allegheny, Mr. Mrkonic.

Mr. MRKONIC. Thank you, Mr. Speaker.

There will be a brief meeting of the Military and Veterans Affairs Committee at the rear of the House on the call of the recess. Thank you, Mr. Speaker.

AGRICULTURE AND RURAL AFFAIRS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Columbia, Mr. Stuban.

Mr. STUBAN. Mr. Speaker, the Agriculture and Rural Affairs Committee will meet in room 401 immediately upon the recess.

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Fox. Why do you rise?

Mr. FOX. Mr. Speaker, I was checking the Journal of October 7. I was incorrectly recorded on my vote on HB 1121. It should have been recorded in the negative.

The SPEAKER. The gentleman wishes to be recorded in the negative. His remarks will be spread upon the record.

Mr. FOX. Thank you, Mr. Speaker.

RULES COMMITTEE MEETING

The SPEAKER. There will be a Rules Committee meeting in the office of the majority leader immediately on the declaration of the recess.

All voting for today's session has been completed. The Chair will remain open in order to take reports of committees. Members are discharged for today.

RESOLUTIONS REPORTED FROM COMMITTEE

HR 165, PN 2163 By Rep. MANDERINO

Memorializing the Environmental Protection Agency to continue existing odor regulations.

RULES.

HR 167, PN 2191 (Concurrent)

By Rep. MANDERINO

Providing for the appointment of a special joint committee to study and make recommendations for local tax reform.

RULES.

BILLS AND RESOLUTIONS PASSED OVER

The SPEAKER. Without objection, all remaining bills and resolutions on today's calendar will be passed over. The Chair hears no objection.

ADJOURNMENT

The SPEAKER. The Chair recognizes the gentleman from Lackawanna, Mr. Staback.

Mr. STABACK. Mr. Speaker, I move that this House do now adjourn until Tuesday, October 22, 1985, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 2:10 p.m., e.d.t., the House adjourned.