

Legislative Journal

TUESDAY, APRIL 24, 1979

Session of 1979

163rd of the General Assembly

Vol. 1, No. 21

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (H. JACK SELTZER) IN THE CHAIR

PRAYER

THE HONORABLE JOHN F. WHITE, JR., member of the House of Representatives and guest chaplain, offered the following prayer:

Let us pray: In times like these we need an anchor, and in times like these we need a friend. Let us be very sure that our anchor holds to the Lord, Jesus Christ.

We come before Thee this morning once again asking Thy blessing, asking that Thou would bestow upon us Thy grace.

Grant unto us, we pray, those essential tools that are needed to provide the leadership of this great Commonwealth.

We pray, O God, that you will walk with us and with our families during these difficult days; that you will bind our hearts together in love for one another. And we pray, O God, that during our deliberations you will see to it that we are ever mindful of the fact that Thou art God, our only God. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Monday, April 23, 1979, will be postponed until printed. The Chair hears none.

PICTURE TO BE TAKEN

The SPEAKER. For the information of the members who are on the floor of the House and those who are still in their offices, the official picture of the 1979 session will be taken this morning. The camera is in place and the photographer is awaiting the presence of the members of the House, so the Chair asks that all members report to the floor immediately.

HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEES

No. 971 By Mr. PICCOLA

An Act creating the Pennsylvania Award of Honor and providing for its awarding by the Governor.

Referred to Committee on State Government.

No. 972 By Mr. J. L. WRIGHT

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further providing for credits against tax imposed by other states.

Referred to Committee on Finance.

No. 973 By Messrs. PETERSON, BROWN, HALVERSON, McCALL, GATSKI, PETRARCA, MRKONIC, SCHMITT, A. K. HUTCHINSON, D. M. FISHER, McVERRY, PUNT, FREIND, BOWSER, CIMINI, NOYE, STAIRS and LEVI

An Act amending the "Pennsylvania No-fault Motor Vehicle Insurance Act," approved July 19, 1974 (P. L. 489, No. 176), further providing for the definition of "allowable expenses" and for the partial abolition of tort liability.

Referred to Committee on Insurance.

No. 974 By Messrs. LEVI, W. W. FOSTER, BROWN, PETERSON and TAYLOR

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), providing for payment of the cost of burial of indigent persons in State institutions.

Referred to Committee on Health and Welfare.

No. 975 By Messrs. MICHLOVIC and KNIGHT

An Act authorizing the United States Steel Company to build a pile wall and a cell in the Monongahela River in Rankin Township, Allegheny County.

Referred to Committee on State Government.

No. 976 By Messrs. MICHLOVIC, DAWIDA, MURPHY, COWELL, KOWALYSHYN, WACHOB, AUSTIN, KUKOVICH, PISTELLA, GAMBLE, A. C. FOSTER, DUFFY, DeWEESE and COHEN

An Act amending the "Pennsylvania No-fault Motor Vehicle Insurance Act," approved July 19, 1974 (P. L. 489, No. 176), further limiting premium increases.

Referred to Committee on Insurance.

No. 977 By Messrs. BROWN, R. R. FISCHER and ZORD

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for special elections in the recall of elective officers.

Referred to Committee on State Government.

No. 978 By Messrs. BROWN and PERZEL

An Act amending the "Public Employee Relations Act," approved July 23, 1970 (P. L. 563, No. 195), prohibiting professional employees of school districts from striking and providing for binding arbitration in certain cases.

Referred to Committee on Labor Relations.

No. 979 By Mr. BROWN

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for the issuance of a prisoner of war registration plate.

Referred to Committee on Transportation.

No. 980 By Messrs. BROWN and KUKOVICH

An Act amending the "Pennsylvania Cigarette Tax Act," approved July 22, 1970 (P. L. 513, No. 178), increasing the rate of the tax and providing for use of the increase for payment of cancer treatment.

Referred to Committee on Finance.

No. 981 By Messrs. BROWN, COWELL, KUKOVICH, ALDEN, CUNNINGHAM, PERZEL, MILLER, R. R. FISCHER, ITKIN, SIEMINSKI and KNEPPER

An Act amending the act of July 19, 1974 (P. L. 486, No. 175), referred to as the Public Agency Open Meeting Law, further providing for conference committee meetings to be open to the public.

Referred to Committee on State Government.

No. 982 By Messrs. BROWN, PERZEL, SEVENTY and Mrs. HARPER

An Act amending the "Pennsylvania Human Relations Act," approved October 27, 1955 (P. L. 744, No. 222), further providing for discriminatory practice.

Referred to Committee on Labor Relations.

No. 983 By Messrs. BROWN, McMONAGLE, ZORD, GIAMMARCO, NOYE, ALDEN, PERZEL, PITTS, POTT, E. G. JOHNSON, REED and DeWEESE

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), denying assistance to certain illegal aliens.

Referred to Committee on Health and Welfare.

No. 984 By Messrs. BROWN, PERZEL, GIAMMARCO and Mrs. HARPER

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for a referendum and voter approval prior to certain electric utility rate increases.

Referred to Committee on Consumer Affairs.

No. 985 By Messrs. BROWN, ALDEN, PERZEL and McMONAGLE

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes changing the terms of the members of the commission.

Referred to Committee on Consumer Affairs.

No. 986 By Mr. BROWN

An Act proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, limiting legislative activities

of the General Assembly when annual appropriations are not enacted three months before the beginning of the fiscal year.

Referred to Committee on State Government.

No. 987 By Mr. BROWN

An Act requiring the General Assembly to limit its legislative activities to the budget when annual appropriations are not enacted three months before the beginning of a fiscal year.

Referred to Committee on State Government.

No. 988 By Messrs. BROWN and ZELLER

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, limiting legislative activities of the General Assembly when annual appropriations are not enacted three months before the beginning of the fiscal year.

Referred to Committee on State Government.

No. 989 By Messrs. BROWN and ZELLER

An Act requiring the General Assembly to limit its legislative activities to the budget when annual appropriations are not enacted three months before the beginning of a fiscal year.

Referred to Committee on State Government.

No. 990 By Messrs. B. F. O'BRIEN, HASAY, REED, SWEET, LETTERMAN, BROWN, HOEFFEL, McCALL, TAYLOR, HALVERSON and COHEN

An Act amending "The Atomic Energy Development and Radiation Control Act," approved January 28, 1966 (1965 P. L. 1625, No. 578), authorizing the Department of Environmental Resources to impose a moratorium relating to construction and operation of nuclear power facilities under certain circumstances.

Referred to Committee on Mines and Energy Management.

No. 991 By Messrs. GEIST, E. G. JOHNSON and S. E. HAYES

An Act making an appropriation to the Blair County Society for Crippled Children and Adults.

Referred to Committee on Appropriations.

No. 992 By Mrs. ARTY, Mr. ZORD, Mrs. DURHAM, Messrs. EARLEY, GANNON, FREIND, F. J. LYNCH, PYLES, PETERSON, Mrs. CLARK, Messrs. TELEK, MICOZZIE, ROCKS, GLADECK, BOWSER, ALDEN, DAVIES, McKELVEY, KLINGAMAN and SPITZ

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177, No. 175), transferring powers and duties relating to mental health and mental retardation from the Department of Public Welfare to the Department of Health.

Referred to Committee on Health and Welfare.

No. 993 By Messrs. THOMAS, W. W. FOSTER, PUNT, LETTERMAN, CALTAGIRONE, PETERSON, WENGER and HELFRICK

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), prohibiting the denial of a license or tag to any member of a family when applications are submitted at the same time.

Referred to Committee on Game and Fisheries.

No. 994 By Messrs. THOMAS, CALTAGIRONE and HELFRICK

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), requiring hunting licenses or tags to be issued in a subsequent season to persons denied a hunting license or tag because of a priority or quota system.

Referred to Committee on Game and Fisheries.

No. 995 By Messrs. BURNS, J. L. WRIGHT, WEIDNER, GALLAGHER and RODGERS

An Act amending the "Dog Law of 1965," approved December 22, 1965 (P. L. 1124, No. 437), further providing for the quarantining of dogs that bite, and providing a civil remedy.

Referred to Committee on Agriculture and Rural Affairs.

No. 996 By Messrs. COCHRAN, CLARK, PISTELLA, HOFFEL, TAYLOR, FEE, TRELLO, REED, E. R. LYNCH, MICHLOVIC, FREIND, E. H. SMITH, KNEPPER, CALTAGIRONE, WACHOB, STEIGHNER, DiCARLO, TELEK, DeMEDIO, DAWIDA, CHESS, NOVAK, Mrs. CLARK and Mr. COHEN

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), providing for the inspection and licensing of personal care boarding homes.

Referred to Committee on Health and Welfare.

No. 997 By Mr. GOEBEL

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), providing for the taking of one bear during a person's lifetime.

Referred to Committee on Game and Fisheries.

No. 998 By Mr. GOEBEL

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), further providing for nonresident hunting licenses and making editorial changes.

Referred to Committee on Game and Fisheries.

No. 999 By Mr. GOEBEL

An Act amending the "Motor Carriers Road Tax Act," approved June 19, 1964 (P. L. 7, No. 1), changing certain penalties and duties of the secretary.

Referred to Committee on Transportation.

No. 1000 By Messrs. GOEBEL, BOWSER, GRABOWSKI, SEVENTY, NOYE, MICHLOVIC and PETRARCA

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for electrical traffic-control signals.

Referred to Committee on Transportation.

No. 1001 By Messrs. GOEBEL, TRELLO, BROWN, HELFRICK, ZORD and CESSAR

An Act amending the "Political Subdivision Tort Claims Act," approved November 26, 1978 (P. L. 1399, No. 330), further defining "employee of a political subdivision" insofar as it relates to volunteer firemen.

Referred to Committee on Local Government.

No. 1002 By Messrs. THOMAS and STUBAN

An Act amending the "Bureau of Professional and Occupational Affairs Fee Act," approved July 1, 1978 (P. L. 700, No. 124), providing a fee for purebred livestock auctions.

Referred to Committee on Agriculture and Rural Affairs.

No. 1003 By Messrs. KOWALYSHYN, TAYLOR, LIVENGOOD, A. C. FOSTER, REED, TELEK and Mrs. CLARK

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682, No. 284), providing for arson investigations and the disclosure and confidentiality of certain information.

Referred to Committee on Insurance.

No. 1004 By Messrs. B. F. O'BRIEN, McCALL, GEESEY, J. L. WRIGHT, BROWN, REED, BRANDT, ARMSTRONG, MUSTO, SCHMITT, PETRARCA, D. R. WRIGHT, LIVENGOOD, GOODMAN, COLE and STUBAN

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), eliminating utilities gross receipts tax in certain instances.

Referred to Committee on Finance.

No. 1005 By Messrs. DUFFY, SEVENTY, AUSTIN, MICHLOVIC, CLARK, GRAY, RIEGER, McMONAGLE, CIANCIULLI, MRKONIC, Mrs. KERNICK and Mr. GAMBLE

An Act amending the "Local Tax Collection Law," approved May 25, 1945 (P. L. 1050, No. 394), prohibiting the use of lists of taxpayers in political campaigns and providing a penalty.

Referred to Committee on State Government.

No. 1006 By Messrs. LAUGHLIN, TADDONIO, KOLTER, PETRARCA, REED and KUKOVICH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing penalties upon shippers for offenses involving overweight vehicles, and requiring load manifests.

Referred to Committee on Transportation.

No. 1007 By Messrs. PITTS, E. R. LYNCH, E. H. SMITH and Mrs. TAYLOR

An Act amending "The Landlord and Tenant Act of 1951,"

approved April 6, 1951 (P. L. 69, No. 20), further providing for exemption from distress and sale of personal property.

Referred to Committee on Consumer Affairs.

No. 1008 By Messrs. PITTS, E. R. LYNCH, E. H. SMITH and Mrs. TAYLOR

An Act amending the "Volunteer Fire Company, Ambulance Service and Rescue Squad Assistance Act," approved July 15, 1976 (P. L. 1036, No. 208), extending the period for certain loans.

Referred to Committee on State Government.

No. 1009 By Mr. PITTS and Mrs. TAYLOR

An Act amending the act of June 22, 1931 (P. L. 594, No. 203), referred to as the Township State Highway Law, deleting a portion of a route in Pennsbury Township, Chester County.

Referred to Committee on Transportation.

No. 1010 By Mr. PIEVSKY

An Act to provide for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal period July 1, 1979 to June 30, 1980, and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1979.

Referred to Committee on Appropriations.

No. 1011 By Messrs. A. C. FOSTER, MANDERINO and SCIRICA

An Act amending the act of June 18, 1941 (P. L. 137, No. 74), entitled "An act providing for the appointment, powers and control of members of volunteer fire companies as special police, ***in any city, borough, town and township," further providing for the powers of special fire police.

Referred to Committee on Local Government.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 51
(Concurrent) By Messrs. GOEBEL and BOWSER

The General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States to reallocate the funds provided for construction of new highways to the reconstruction of highways and bridges to permit this Commonwealth to use in 1979 the same amount of Federal funds on reconstruction as it was originally eligible to use for new construction.

Referred to Committee on Federal-State Relations.

No. 52
(Concurrent) By Messrs. SCHWEDER, ZWIKL, RITTER, ZELLER, KANUCK and KOWALYSHYN

The General Assembly memorializes the Congress of the United States to enact legislation which would prohibit the Food and Drug Administration from testing an unlicensed hepatitis vaccine on retarded children.

Referred to Committee on Federal-State Relations.

No. 53 By Mr. RYAN

The House of Representatives hereby adopts the following Rules as the Rules of the House for the Session beginning January 2, 1979, superseding all other rules heretofore adopted.

Referred to Committee on Rules.

LEAVE OF ABSENCE GRANTED

The SPEAKER. The Chair recognizes the majority whip. Mr. S. E. HAYES. Mr. Speaker, I have no requests for leaves of absence.

The SPEAKER. The Chair recognizes the minority whip. Mr. MANDERINO. Mr. Speaker, I request leave of absence for Mr. LETTERMAN for the balance of this week's session.

The SPEAKER. Without objection, leave is granted.

MASTER ROLL CALL RECORDED

The SPEAKER. The Chair is about to take today's roll call. Only those members in their seats will be recorded. Members will proceed to vote.

The following roll call was recorded:

YEAS—200

Alden	Foster, A.	Livengood	Rodgers
Anderson	Foster, W.	Lynch, E. R.	Ryan
Armstrong	Freind	Lynch, F.	Salvatore
Arty	Fryer	Mackowski	Scheaffer
Austin	Gallagher	Madigan	Schmitt
Barber	Gallen	Manderino	Schweder
Belardi	Gamble	Manmiller	Scirica
Beloff	Gannon	McCall	Serafini
Bennett	Gatski	McClatchy	Seventy
Berson	Geesey	McIntyre	Shadding
Bittle	Geist	McKelvey	Shupnik
Borski	George, C.	McMonagle	Sieminski
Bowser	George, M.	McVerry	Sirianni
Brandt	Giammarco	Michlovic	Smith, E.
Brown	Gladeck	Micozzie	Smith, L.
Brunner	Goebel	Milanovich	Spencer
Burd	Goodman	Miller	Spitz
Burns	Grabowski	Moehlmann	Stairs
Caltagirone	Gray	Mowery	Steighner
Cappabianca	Greenfield	Mrkonic	Stewart
Cessar	Grieco	Mullen, M. P.	Stuban
Chess	Gruppo	Murphy	Sweet
Cianciulli	Halverson	Musto	Swift
Cimini	Harper	Nahill	Taddonio
Clark, B.	Hasay	Novak	Taylor, E.
Clark, R.	Hayes, D. S.	Noye	Taylor, F.
Cochran	Hayes, S. E.	O'Brien, B.	Telek
Cohen	Helfrick	O'Brien, D.	Thomas
Cole	Hoeffel	O'Donnell	Trello
Cornell	Honaman	Oliver	Vroon
Coslett	Hutchinson, A.	Perzel	Wachob
Cowell	Hutchinson, W.	Peterson	Wagner
Cunningham	Irviss	Petrarca	Wargo
Davies	Itkin	Piccola	Wass
Dawida	Johnson, E.	Pievsky	Weidner
DeMedio	Johnson, J.	Pistella	Wenger
DeVerter	Jones	Pitts	White
DeWeese	Kanuck	Polite	Wilson
DiCarlo	Kernick	Pott	Wilt
Dietz	Klingaman	Pratt	Wright, D.
Diminni	Knepper	Pucciarelli	Wright, J. L.

Dombrowski	Knight	Punt	Yahner
Donatucci	Kolter	Pyles	Yohn
Dorr	Kowalyszyn	Rappaport	Zeller
Duffy	Kukovich	Reed	Zitterman
Dumas	Lashingier	Rhodes	Zord
Durham	Laughlin	Richardson	Zwinkl
Earley	Lehr	Rieger	
Fee	Levi	Ritter	Seltzer,
Fischer, R. R.	Levin	Rocks	Speaker
Fisher, D. M.	Lewis		

NAYS—0

NOT VOTING—3

Letterman Street Williams

The SPEAKER. Two hundred members having indicated their presence, a master roll is established.

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

HB 485, PN 1123 (Amended) By Mr. GEESEY

An Act amending the "Professional Engineers Registration Law," approved May 23, 1945 (P. L. 913, No. 367), providing for engineering land surveys, providing for legislative oversight, changing certain educational, work experience and licensing qualifications, further providing for the duties of the board, authorizing the use of hearing examiners, increasing penalties, and making editorial corrections.

Professional Licensure.

**CALENDAR BILLS AGREED TO
ON SECOND CONSIDERATION**

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

HB 25, PN 25; HB 97, PN 108; HB 147, PN 159; HB 510, PN 550; HB 424, PN 1076; HB 118, PN 130; HB 396, PN 1070; HB 44, PN 46; HB 448, PN 480; HB 763, PN 829; HB 31, PN 441; HB 176, PN 188; SB 197, PN 381; and SB 208, PN 209.

CALENDAR BILL ON FINAL PASSAGE POSTPONED

Agreeable to order,

The bill having been called up from the postponed calendar by Mr. A. C. FOSTER, the House resumed consideration on final passage of **HB 30, PN 956**, entitled:

An Act amending the act of June 18, 1974 (P. L. 359, No. 120), referred to as the Municipal Police Education and Training Law, providing for courses in municipalities other than cities of the second class, certain cities of the third class and other than officers of counties of the second class, providing that regulations pertaining to such training be sent to the Chairmen of the Local Government Committee***.

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?

RECONSIDERATION OF VOTE

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

Mr. A. C. FOSTER. Mr. Speaker, I move that the vote by which HB 30 was agreed to the third time be reconsidered.

Mr. RYAN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Motion was agreed to.

On the question recurring,

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

Mr. A. C. FOSTER offered the following amendments:

Amend Sec. 2 (Sec. 5), page 2, line 13 by removing the period after "years" and inserting and an additional three hundred sixty hours which shall be completed at the rate of at least thirty hours per year during the next eight consecutive years.

Amend Sec. 2 (Sec. 5), page 2, line 17 by striking out "new one hundred twenty hour"

On the question,

Will the House agree to the amendments?

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

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

The amendment that I offer today is essentially the same amendment that was offered several weeks ago by the gentleman from Schuylkill, Mr. Hutchinson. What the amendment does is extend over a period of 8 years the additional 360 hours' training which is presently required under the act. HB 30 originally provided for simply 120 hours' training for part-time police officers rather than 480. This amendment would provide for 120 hours with an additional 360 hours spread over an 8-year period, with no less than 30 hours in any given year.

Mr. Speaker, I would urge the adoption of this amendment because this bill is badly needed in our rural areas, and I would urge my colleagues from the Local Government Committee and other members of the House who feel strongly on this bill to accept this amendment, because we saw the results last time. We lost the bill and, quite frankly, we need the amendment in order to pass this bill. I would urge your support of the amendment so that we can pass the bill and have some police protection in our rural communities.

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

Mr. FRYER. Mr. Speaker, I request a "no" vote on the amendment. The amendment was discussed when we originally considered the bill. The amendment was defeated by a substantial vote, and I would hope that the members would be consistent and reject this proposal for several reasons. One, this gets back to the 480 hours once again, and it adds 8 consecutive years. Now in some cases the part-time police officers are not serving that length of period, so, therefore, in a sense, they would be getting less training than under our original proposal, and if we

have problems in some areas of our state with the distance between schools, we are merely adding to the problem by adding 8 additional years. I would request a "no" vote on the amendment, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Piccola.

Mr. PICCOLA. Thank you, Mr. Speaker.

Once again, Mr. Fryer is absolutely correct; however, for the wrong reasons. I, too, would request a negative vote on this amendment. Without regard to the havoc it will play in our training sessions that are already set up, this amendment could have grave fiscal consequences for the Commonwealth if it is passed without any other regard to existing law.

Presently the Commonwealth reimburses local government for 100 percent of the cost of training of the municipal police officers, and that includes transportation for commuting purposes and expenses entailed in overnight expenses at a training facility. If you are going to draw that out over 8 years, I can see substantial increases on that cost alone. In addition, the Commonwealth reimburses the municipality for one-half of the salary of the officer while he is in training, and if we draw that out over an 8-year period, you are going to have a substantial increase in costs. I would call for a negative vote on this amendment.

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

Mr. ZELLER. Mr. Speaker, I, too, agree with Mr. Piccola for the same reasons I agreed with the last speaker prior in regard to Mr. Fryer's remarks.

The reason why this amendment is only a means to get their initial thrust passed—that is, my good friend, Mr. Foster—let us consider their arguments 3 weeks ago as to the training of people and they are either going to greener pastures or being transferred to another area by their employer. What is going to stop that happening over the 8-year period, too, as well? So their argument does not hold water. We are still back to the old story that we have an individual on the street in a uniform carrying a weapon who is not properly trained.

Again, we are not going to go through that whole charade we went through before. All I am going to say is that your minds are made up, I am certain because we went through all of this argument 3 weeks ago. You are intelligent people, and I am sure both sides have been lobbying quite hard, so all I can say is, please do not support this amendment. Thank you.

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

Mr. W. D. HUTCHINSON. I urge support of this amendment. I think it is interesting to note that the opposition to the amendment—and I think this is unfortunate—comes from two separate groups: those people who rigidly and unthinkingly, I believe, insist that we have to have the pristine purity of the original bill or nothing, on the one hand, and those people, on the other hand, who simply do not want any change in the law as it now exists and, I believe, unthinkingly refuse to recognize the problem that we have in our rural areas.

I think there is strong feeling, and I share that feeling, that part-time policemen who work the number of hours that this bill provides should be fully trained. I think there is strong feeling in this House, and I share that feeling, that the Municipal Police Training Act was a step forward in this Commonwealth and met a real need and a real problem and that we should not retreat from that.

At the same time, as Miss Sirianni said in the debate the last time on this amendment, we have a whole state to govern, and you cannot equate the problems of the urban built-up areas with the problems of the rural areas. The only way that you can bridge that gap and solve those problems, if you are going to sensibly pass laws for this entire Commonwealth, is by compromise, and this amendment is a compromise.

As such, it does not satisfy either of the extremes, and I think that is the sign of a good compromise.

Mr. Piccola says that it will not work and he points out all kinds of problems. I would believe that the commission which is set up to handle this and the power that it has to adopt courses, scheduling, regulations, and so on, can handle Mr. Piccola's problems by regulation.

Mr. Fryer says you are going to have to get this thing over 8 years and that is going to create a terrible problem. Now we have any number of professions in this Commonwealth in which we have set certain minimum requirements for people to get into, that they have to have the basics, and then over a period of time they have to improve their skills by continuing their education or they have to drop out. That is a concept that this House has accepted in almost every profession, and that is all this amendment does.

What really is so strange, wrong and difficult about, in effect, requiring the policeman who gets into the system, who does not have the full course, to continue his education until he gets it?

People also say that if you do this, they will still go to the greener pastures. Well, they are not going to get to those greener pastures for 8 years if they decide to take it on the basis in this bill, because they are prohibited from being anything but a part-time policeman and they are not going to go jumping over to the larger areas. That is the problem that the rural people have said they have, and I sympathize with that problem, and it meets that problem; but if those same people are saying to us, we want to reduce the training and we do not want people to have full training, then I do not sympathize with them. We need some relief in the rural areas and yet we must maintain the principle that a policeman must be fully trained, and I think this amendment is the way to do it. I support it and I think those of you who support the bill and have the problems in your rural areas had better support this amendment or you are not going to have any bill. I urge support of the amendment. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Piccola.

Mr. PICCOLA. Thank you, Mr. Speaker.

To respond to Mr. Hutchinson's remarks, I foresee that if this amendment is adopted and the bill becomes law, the rural parts

of this state would suffer even more than they are suffering now because of lack of training for their police officers, and let me tell you why.

Most of the courses that are set up to accommodate the commission, the training commission, are not mandated or set up by the Commonwealth of Pennsylvania. They are done through community colleges and other institutions around this state—an example is the Harrisburg Area Community College—and if you are going to start to set up any number of different kinds of courses in terms of hours and length and over an 8-year period, you are going to find a lot of these kinds of institutions saying forget it; we are not interested in having these kinds of courses. And it is the smaller kinds of institutions, particularly the ones in the rural parts of the state, that are going to say this. They are going to say, it is too much of a burden financially or otherwise; we are not even going to give you any courses whatsoever to train a part-time policeman. So I think the reason you cannot do this by regulation is because it is not mandated by the commission. It is set up by individual institutions around this state, and the courses are only approved by the commission.

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

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

In response to the gentleman from Dauphin, Mr. Piccola, who seems to think we are suffering so greatly in the rural areas from lack of training for policemen, I would just like to point out that our greatest suffering is from criminals and the fact that in many municipalities we do not have policemen.

I would beg of you to support the amendment for these reasons: First of all—I am going to lay it right on the line—we voted the bill previously and we lost the bill, and this is a reasonable compromise. Now is the time to accept that compromise. Everyone agrees there is a problem in the rural areas. All of us agree that we need police protection in these areas. The only question is, how do we get it? For those who insist on the hard-line approach, I regret that I differ with my colleague, Mr. Fryer. We are both cosponsors of this bill. We both fought hard for it, but I do not think that we will win today if we do not have this amendment. I will lay it right on the line in that respect. I would urge your support for the amendment.

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

Miss SIRIANNI. Mr. Speaker, I am not quite sure that I like Mr. Foster's amendment, but it might be the only avenue that we can take to get policemen in the rural areas.

Mr. Piccola is pretty well mixed up when he says we are suffering because of lack of training. We are suffering because of lack of policemen, not because of lack of training. We had a letter yesterday from the association which he represents, and I noticed that every one of them comes from big cities. I have invited the man who signed the letter yesterday, in addition to Mr. Piccola and the people who are the directors who all come from these big cities, to please come up to my area to see what it is all about. I have room enough to house them all overnight and I will not charge them anything. I think they owe it to

Pennsylvania to come up and see what the rest of the world looks like. I vote for bills that help Pittsburgh and Philadelphia and Erie and Allentown and Dauphin County, and I think it behooves some of you people to come up and see what it is like in the rural areas. We are not suffering from lack of training. We have people who are dedicated enough. We are suffering from a lack of a law that will permit us to have a part-time policeman.

The letter yesterday said, go back to your police departments and show them that you believe in police training. What police departments? We do not have any. We are trying to get them.

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

Mr. FRYER. Mr. Speaker, mention has been made on the floor by several members that this bill was lost by a previous vote. That is true. The bill is up for reconsideration by the members. Mention has been made of the fact of accepting compromise. We have accepted compromise. We have accepted amendments to the bill to the point that we can go no further. If it is the wish of the majority members of this House to defeat this bill, that, of course, is their judgment, but I would in particular address myself to the members of our cities who are not subject to the act and who are subject to intense police lobbying.

Now I am in my 17th year here in the House and I represent a rural district, and I have listened to pleas from the great City of Brotherly Love, Philadelphia, Pittsburgh, Scranton, you name it, the great metropolitan areas: We need your help, and at times the tears would flow. Now I say to you, we people in the rural areas need help, and it is up to you. I would ask you to defeat this amendment and then go on to pass this meritorious piece of legislation. Thank you, Mr. Speaker.

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

Miss SIRIANNI. Mr. Speaker, I would like to ask this body, if the training for these policemen that they are talking about is so important, will you please tell me why all the police departments in Philadelphia and Wilkes-Barre and Scranton and Allentown and every place else are all under investigation for corruption? Apparently their training did not do them any good.

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

Mr. RITTER. Mr. Speaker, if Miss Sirianni has any information whatsoever that any member of the Allentown police department is under investigation for corruption, I wish she would submit it now. If not, I would ask that those remarks be stricken from the record. That is a terrible accusation to make, and there is no police officer to my knowledge in the Allentown police department under investigation for anything let alone corruption. I resent that remark and I think proof either ought to be submitted or it ought to be stricken from the record.

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

Mr. ZELLER. Mr. Speaker, I say ditto to what Mr. Ritter said, but the problem is that there has been a lot of unfortunate

statements made by the media in regard to also our fine City of Brotherly Love, and I think it is a very unfair statement to make and no one has proved these to be true. So thank you.

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

The following roll call was recorded:

YEAS—84

Alden	Freind	Lewis	Rhodes
Anderson	Geesey	Lynch, E. R.	Rocks
Armstrong	George, M.	Lynch, F.	Ryan
Austin	Gladeck	Mackowski	Serafini
Belardi	Goebel	Madigan	Seventy
Bittle	Goodman	McCall	Sieminski
Bowser	Grabowski	McKelvey	Sirianni
Brown	Gruppo	McVerry	Spencer
Burd	Halverson	Moehlmann	Spitz
Caltagirone	Hayes, D. S.	Mowery	Stairs
Chess	Hayes, S. E.	Mrkonic	Swift
Cimini	Helfrick	Murphy	Taylor, E.
Clark, B.	Hutchinson, A.	Nahill	Telek
Cornell	Hutchinson, W.	Noye	Wass
Coslett	Itkin	O'Brien, B.	Weidner
Davies	Kanuck	Perzel	Wilt
DeMedio	Kernick	Peterson	Wright, D.
Dietz	Klingaman	Petrarca	Yohn
Dorr	Kukovich	Pistella	
Duffy	Lehr	Pitts	Seltzer,
Earley	Levi	Punt	Speaker
Foster, A.	Levin		

NAYS—115

Arty	Fisher, D. M.	Manderino	Scheaffer
Barber	Foster, W.	Manmiller	Schmitt
Beloff	Fryer	McClatchy	Schweder
Bennett	Gallagher	McIntyre	Scirica
Berson	Gallen	McMonagle	Shadding
Borski	Gamble	Michlovic	Shupnik
Brandt	Gannon	Micozzie	Smith, E.
Brunner	Gatski	Milanovich	Smith, L.
Burns	Geist	Miller	Steighner
Cappabianca	George, C.	Mullen, M. P.	Stewart
Cessar	Giammarco	Musto	Stuban
Cianciulli	Gray	Novak	Taddonio
Clark, R.	Greenfield	O'Brien, D.	Taylor, F.
Cochran	Grieco	O'Donnell	Thomas
Cohen	Harper	Oliver	Trello
Cole	Hasay	Piccola	Vroon
Cowell	Hoeffel	Pievsky	Wachob
Cunningham	Honaman	Polite	Wagner
Dawida	Irvis	Pott	Wargo
DeVerter	Johnson, E.	Pratt	Wenger
DeWeese	Johnson, J.	Pucciarelli	White
DiCarlo	Jones	Pyles	Wilson
Dininni	Knepper	Rappaport	Wright, J. L.
Dombrowski	Knight	Reed	Yahner
Donatucci	Kolter	Richardson	Zeller
Dumas	Kowalyshyn	Rieger	Zitterman
Durham	Lashinger	Ritter	Zord
Fee	Laughlin	Rodgers	Zwikl
Fischer, R. R.	Livengood	Salvatore	

NOT VOTING—4

Letterman	Street	Sweet	Williams
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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 as amended on third consideration?

The SPEAKER. Does the gentleman from Lehigh, Mr. Ritter, wish to speak on the bill?

Mr. RITTER. Mr. Speaker, I want to interrogate Miss Sirianni based on the remarks that she made.

The SPEAKER. Will the lady from Susquehanna, Miss Sirianni, permit herself to be interrogated?

Miss SIRIANNI. Yes, Mr. Speaker.

The SPEAKER. The lady will permit herself to be interrogated. The gentleman from Lehigh, Mr. Ritter, may proceed.

Mr. RITTER. Madame Speaker, do you have any information at all to substantiate your statement that a member or members of the Allentown police department are under investigation for corruption?

Miss SIRIANNI. No, I do not, Mr. Speaker, and I would ask that Allentown be stricken. Thank you.

Mr. RITTER. I thank the lady, Mr. Speaker.

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

Mr. FRYER. Mr. Speaker, I request a "yes" vote on the bill.

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Piccola.

Mr. PICCOLA. Thank you, Mr. Speaker. As the members are aware, after the first vote on HB 30, I corresponded with all of you on the subject, and the response that I received to that correspondence would indicate that some of the members may have some misinformation concerning costs. The concerns seem to be regarding costs to the municipalities, and I would just like to clarify for the record that the costs involved in this for municipalities are as follows: The municipality is reimbursed totally for all the costs of tuition and expenses incurred in reaching the school at which they are being trained. In addition, the municipality is reimbursed for half of the salary of that police officer while he is in training. So the costs to the municipality under this program are minimal.

On the question recurring,
Shall the bill pass finally?

Agreeable to the provision of the constitution, the yeas and nays will now be taken.

YEAS—86

Anderson	Gatski	Manderino	Sirianni
Armstrong	Geesey	McCall	Smith, E.

Bittle	George, M.	McClatchy	Smith, L.
Bowser	Goodman	Michlovic	Spencer
Brandt	Greenfield	Milanovich	Stairs
Burd	Grieco	Moehlmann	Stewart
Clark, B.	Gruppo	Mullen, M. P.	Stuban
Cohen	Hasay	Nahill	Swift
Cole	Hayes, S. E.	O'Brien, B.	Taylor, E.
Cornell	Helfrick	O'Donnell	Telek
DeVertter	Honaman	Oliver	Thomas
Dietz	Hutchinson, A.	Peterson	Wagner
Dorr	Irvis	Petrarca	Wass
Durham	Klingaman	Pievsky	Weidner
Earley	Kolter	Pitts	Wenger
Fee	Kowalyshyn	Polite	Wilt
Foster, A.	Levi	Pratt	Wright, D.
Foster, W.	Livengood	Punt	Yahner
Fryer	Lynch, E. R.	Scheaffer	Yohn
Gallagher	Lynch, F.	Schweder	
Gallen	Mackowski	Serafini	Seltzer,
Gamble	Madigan	Sieminski	Speaker

CALENDAR BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 405, PN 427**, entitled:

An Act amending the "Investigating Grand Jury Act," approved November 22, 1978 (P. L. 1148, No. 271), providing for grand jury presentments.

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 provision of the Constitution, the yeas and nays will now be taken.

NAYS—114

Alden	Dombrowski	Lashingier	Richardson
Arty	Donatucci	Laughlin	Rieger
Austin	Duffy	Lehr	Ritter
Barber	Dumas	Levin	Rocks
Belardi	Fischer, R. R.	Lewis	Rodgers
Beloff	Fisher, D. M.	Manmiller	Ryan
Bennett	Freind	McIntyre	Salvatore
Berson	Gannon	McKelvey	Schmitt
Borski	Geist	McMonagle	Scirica
Brown	George, C.	McVerry	Seventy
Brunner	Giammarco	Micoozie	Shadding
Burns	Gladeck	Miller	Shupnik
Caltagirone	Goebel	Mowery	Spitz
Cappabianca	Grabowski	Mrkonic	Steighner
Cessar	Gray	Murphy	Sweet
Chess	Halverson	Musto	Taddonio
Cianciulli	Harper	Novak	Taylor, F.
Cimini	Hayes, D. S.	Noye	Trello
Clark, R.	Hoeffel	O'Brien, D.	Vroon
Cochran	Hutchinson, W.	Perzel	Wachob
Coslett	Itkin	Piccola	Wargo
Cowell	Johnson, E.	Pistella	White
Cunningham	Johnson, J.	Pott	Wilson
Davies	Jones	Pucciarelli	Wright, J. L.
Dawida	Kanuck	Pyles	Zeller
DeMedio	Kernick	Rappaport	Zitterman
DeWeese	Knepper	Reed	Zord
DiCarlo	Knight	Rhodes	Zwilk
Dininni	Kukovich		

NOT VOTING—3

Letterman	Street	Williams
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Less than the majority required by the constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

The SPEAKER. Will the members please be seated? The photographer has asked that the members refrain from smoking until the completion of the picture-taking session.

Will the sergeant at arms close the doors? Again it is the suggestion of the Chair that the papers be removed from the tops of the desks. The photographer has indicated he is ready.

(Photographs were taken.)

YEAS—194

Alden	Fisher, D. M.	Lewis	Rocks
Anderson	Foster, A.	Livengood	Rodgers
Armstrong	Foster, W.	Lynch, E. R.	Salvatore
Arty	Freind	Lynch, F.	Scheaffer
Austin	Fryer	Mackowski	Schmitt
Barber	Gallagher	Madigan	Schweder
Belardi	Gamble	Manderino	Scirica
Beloff	Gannon	Manmiller	Serafini
Bennett	Gatski	McCall	Seventy
Berson	Geesey	McClatchy	Shadding
Bittle	Geist	McIntyre	Shupnik
Borski	George, C.	McKelvey	Sieminski
Bowser	George, M.	McMonagle	Sirianni
Brandt	Giammarco	McVerry	Smith, E.
Brown	Gladeck	Michlovic	Smith, L.
Brunner	Goebel	Micoozie	Spitz
Burd	Goodman	Milanovich	Stairs
Burns	Grabowski	Miller	Steighner
Caltagirone	Gray	Moehlmann	Stewart
Cappabianca	Grieco	Mowery	Stuban
Cessar	Gruppo	Mrkonic	Sweet
Chess	Halverson	Mullen, M. P.	Swift
Cianciulli	Harper	Murphy	Taddonio
Cimini	Hasay	Musto	Taylor, E.
Clark, B.	Hayes, D. S.	Nahill	Taylor, F.
Clark, R.	Hayes, S. E.	Novak	Telek
Cochran	Helfrick	Noye	Thomas
Cohen	Hoeffel	O'Brien, D.	Trello
Cole	Honaman	O'Donnell	Vroon
Cornell	Hutchinson, A.	Oliver	Wachob
Coslett	Hutchinson, W.	Perzel	Wagner
Cowell	Irvis	Peterson	Wargo
Cunningham	Itkin	Petrarca	Wass
Dawida	Johnson, E.	Piccola	Weidner
DeMedio	Johnson, J.	Pievsky	Wenger
DeVertter	Jones	Pistella	White
DeWeese	Kanuck	Pitts	Wilson
DiCarlo	Kernick	Polite	Wilt
Dietz	Klingaman	Pott	Wright, D.
Dininni	Knepper	Pratt	Wright, J. L.
Dombrowski	Knight	Pucciarelli	Yahner
Donatucci	Kolter	Punt	Yohn
Dorr	Kowalyshyn	Pyles	Zeller
Duffy	Kukovich	Rappaport	Zitterman
Dumas	Lashingier	Reed	Zord
Durham	Laughlin	Rhodes	Zwilk
Earley	Lehr	Richardson	
Fee	Levi	Rieger	Seltzer,
Fischer, R. R.	Levin	Ritter	Speaker

NAYS—0

NOT VOTING—9

Davies	Letterman	Ryan	Street
Gallen	O'Brien, B.	Spencer	Williams
Greenfield			

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 VOTES

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

Mr. GALLEN. Mr. Speaker, through an inadvertence, I failed to vote on HB 405. I would like to be recorded in the affirmative.

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

The Chair recognizes the gentleman from Berks, Mr. Davies. For what purpose does the gentleman rise?

Mr. DAVIES. Mr. Speaker, I was out of my seat when you took the vote on HB 405. I would like to be recorded in the affirmative.

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

The House proceeded to third consideration of **HB 462, PN 494**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for antique firearms.

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 provision of the constitution, the yeas and nays will now be taken.

YEAS—195

Alden	Foster, W.	Livengood	Rodgers
Anderson	Freind	Lynch, E. R.	Ryan
Armstrong	Fryer	Lynch, F.	Salvatore
Arty	Gallagher	Mackowski	Scheaffer
Austin	Gallen	Madigan	Schmitt
Barber	Gamble	Manderino	Schweder
Belardi	Gannon	Manmiller	Scirica
Beloff	Gatski	McCall	Serafini
Bennett	Geesey	McClatchy	Seventy
Berson	Geist	McIntyre	Shupnik
Bittle	George, C.	McKelvey	Sieminski
Borski	George, M.	McVerry	Sirianni
Bowser	Giammarco	Michlovic	Smith, E.
Brandt	Gladeck	Micozzie	Smith, L.
Brown	Goebel	Milanovich	Spencer
Brunner	Goodman	Miller	Spitz
Burd	Grabowski	Moehlmann	Stairs
Burns	Gray	Mowery	Steighner
Caltagirone	Greenfield	Mrkonic	Stewart

Cappabianca	Grieco	Mullen, M. P.	Stuban
Cessar	Gruppo	Murphy	Sweet
Cianciulli	Halverson	Musto	Swift
Cimini	Harper	Nahill	Taddonio
Clark, B.	Hasay	Novak	Taylor, E.
Clark, R.	Hayes, D. S.	Noye	Taylor, F.
Cochran	Hayes, S. E.	O'Brien, B.	Telek
Cohen	Helfrick	O'Brien, D.	Thomas
Cole	Hoeffel	O'Donnell	Trello
Cornell	Honaman	Oliver	Vroon
Coslett	Hutchinson, A.	Perzel	Wachob
Cowell	Hutchinson, W.	Peterson	Wagner
Cunningham	Irvis	Petrarca	Wargo
Davies	Itkin	Piccola	Wass
Dawida	Johnson, E.	Pievscky	Weidner
DeMedio	Johnson, J.	Pistella	Wenger
DeVerter	Jones	Pitts	White
DeWeese	Kanuck	Polite	Wilson
DiCarlo	Kernick	Pott	Wilt
Dietz	Klingaman	Pratt	Wright, D.
Dininni	Knepper	Pucciarelli	Wright, J. L.
Dombrowski	Knight	Punt	Yahner
Dorr	Kolter	Pyles	Yohn
Duffy	Kowalshyn	Rappaport	Zeller
Dumas	Kukovich	Reed	Zitterman
Durham	Lashingier	Rhodes	Zord
Earley	Lehr	Richardson	Zwikl
Fee	Levi	Rieger	
Fischer, R. R.	Levin	Ritter	Seltzer.
Fisher, D. M.	Lewis	Rocks	Speaker
Foster, A.			

NAYS—5

Chess	Laughlin	McMonagle	Shadding
Donatucci			

NOT VOTING—3

Letterman	Street	Williams
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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.

REMARKS ON VOTE

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

Mr. McMONAGLE. I would like to have a correction on HB 462. My switch was locked in the negative. I would like to be recorded in the affirmative.

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

The House proceeded to third consideration of **HB 725, PN 890**, entitled:

An Act amending the "Pennsylvania Farmland and Forest Land Assessment Act of 1974," approved December 19, 1974 (P. L. 973, No. 319), continuing the preferential use assessment when a transfer, separation or split-off does not change the use.

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

Mrs. GEORGE offered the following amendments:

Amend Sec. 1 (Sec. 6), page 2, line 4, by striking out the comma after "use"

Amend Sec. 1 (Sec. 6), page 2, line 7 through 9, by striking out "and the subsequent" in line 7, both of lines 8 and 9, and inserting so long as they continue to meet the minimum acreage, or, if devoted to agricultural use, gross income requirements established by this act.

Amend Sec. 2, page 2, line 11, by striking out "sections" and inserting a section

Amend Sec. 2 (Sec. 8.1), page 2, lines 18 through 21, by striking out all of said lines

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the lady from Bucks, Mrs. George.

Mrs. GEORGE. Mr. Speaker, HB 725 amends Act 319 of 1974, the law which gives preferential assessment to owners of agricultural and forest lands. HB 725 provides some necessary clarification to Act 319 by stating a preferential assessment shall continue so long as the use does not change. My amendment does two things: It further defines the lands separated by stating that it must meet the minimum acreage and income requirements as defined by the act. This amendment further deletes language from HB 725 which provides preferential assessment to continue on the remainder of the land even though a portion of the land has been sold off for development. This amendment returns the bill to current law, which says that separation or split-off shall subject the land so separated and the entire parcel to liability for roll-back taxes.

Act 319 was a result of the clean-and-green amendment to the constitution, and its purpose is to preserve farmland and open space. This amendment will provide the necessary encouragement to keep farmlands in agriculture while still providing necessary tax benefits for farmers. I urge the adoption of this amendment.

The SPEAKER. The Chair recognizes the gentleman from Snyder. Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, HB 725 is the first attempt to put some clarification into the regulations of Act 319. When I introduced the bill perhaps 2 months ago, I said there were two bills, HB 725 and HB 818, HB 725 being the one necessary presently to correct the act against some court decisions that were handed down by virtue of assessment agreements at different places in Pennsylvania. The Representatives of the Bucks County area, in particular, know what I am talking about. Both Mr. Weidner and Mrs. George, the two Representatives from that area, spoke to me any number of times about their problems. Mr. Roger Madigan from Bradford County has a particular problem because of a court decision. We had any number of meetings since the first of the year with the Department of Agriculture, the farm organizations, assessment boards from various counties that were interested, various attorneys, almost anyone who had something to say about the ills of Act 319, and after working and reworking the language, HB 725 emerged.

Now Act 319 was our way of having landowners or our way of telling landowners, thanks for keeping your land open. We did not really give anyone anything. We gave them an assurance that they could afford to own the land against excessive and abusive taxation. That is what it is all about. Now we find some boards of assessment trying to capitalize on the landowners in some certain few sections, and in order to avoid a stampede of this same kind of action, we need something like we have in HB 725.

Now at the time I introduced the bill, I asked that no amendments be drawn against HB 725. If you want to amend the Clean and Green Act, Act 319, direct your amendments to HB 818. Yesterday HB 818 was reported from committee. It is on your table bills, calendar this morning, and I would hope that we would not have to take the amendment of Mrs. George, because it is really going to work a further hardship on the landowners, not only farmers, those who have forest reserve or other acreage reserves. Now, to my knowledge, every other state that has gone this route in the United States has something very similar to what we are doing in HB 725, and I want to remind you that Act 319 is not a land-use bill; it is a land-use assessment bill. Never are we going to positively control the use of land with Act 319. I am sure this will not be the only time we will be dealing with Act 319. As times change, as land values change—and land values really have changed since the adoption of Act 319—it really gets tough to hold ownership to a piece of land unless we have some kind of regulation just as we have in Act 319 against the abuse of high taxation.

Now I stand here today all for land use. No way would I want anyone to say that I am against land-use regulations. I worked with land-use regulations ever since I was a member of this body from the standpoint of enacting laws to conserve the use of our land, and I tell you it becomes a most mighty expensive thing when we talk about developing a land-use bill, and if anyone in this body can show me where we can find the dollars for development rights for paying people when we enact a land-use bill, then I will stand ready to support one. In the meantime we need something just as we are promoting here in HB 725 to clarify Act 319.

Now many of you here were not here when we developed Act 319, and it was not a fly-by-night thing. We spent months on it. We have thousands of hours of study behind this bill, and I say to you today, if we pass HB 725 as Mrs. George proposes to amend it, she will put it almost back to the original form of Act 319 today, and we will do nothing except speed up the transfer of land. I am sure that was not the intent of the legislation when we passed it and I am sure that it is not what you want to do today. I urge that all of you vote against the amendment and take the bill just as it is drafted.

I will give you one more thought: January 1, 1978, 72,000 farms were recorded in Pennsylvania. The total indebtedness against those 72,000 farms, the borrowed money now to operate those farms for the production of foods, was \$918,600,000. Just short of a billion dollars is owing against all of the farmland of the 72,000 farmers of Pennsylvania. Now if this body wants to keep those people in the production of food

in Pennsylvania, then we had better not penalize them too hard by Act 319. Again, I urge a "no" vote on the amendment.

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

Mr. A. C. FOSTER. Mr. Speaker, I yield to someone else who might wish to debate at this point. I would like to be recognized later.

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

Mr. ZELLER. Mr. Speaker, one of the problems that we have that I do not believe Mr. Thomas touched on it and that was—and I was here at the time this bill was passed—the fact that the average Pennsylvania farmer is over 60 years of age. And what could very well happen if we try to penalize them too hard would be for them to get rid of their land. They can get rid of it very easily by not going into Act 319 or Act 515 and say the heck with it, I will go to Florida and let somebody else have it and that is the end of it.

Now I realize in the act now—Mrs. George is right—that it is either two acres a year, up to 10 percent, whichever comes first, or the amount of land you have in Act 319.

All we are doing in effect is extending that portion of it to give them, I would say, a little better deal because the farmer or the landowner could just as well say, hey, this monkey on my back is too tough now; I cannot make a go of it so I will just get rid of the whole thing. But if we give them this break, we may hold on to something and that is our problem; that is really what it is. I say I admire Mrs. George's move. The thing is you can go either way you want to. All I know is I will not support the amendment, but I will support the bill as Mr. Thomas has it.

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

Mr. STUBAN. Mr. Speaker, may I interrogate the prime sponsor of the bill?

The SPEAKER. Will the gentleman from Snyder, Mr. Thomas, permit himself to be interrogated? The gentleman indicates that he will. The gentleman from Columbia may proceed.

Mr. STUBAN. I guess I might be ruled out of order here, but in Mr. Thomas' comments on Act 319, was not Act 319 originally enacted as the "clean and green" bill to continue open spaces to keep land in agriculture? Was this not the intent and purpose? Really it was an intent of the land-use bill. It gave the people the right to go into their local counties and ask for this preferential treatment if they were being assessed too high on taxation. Was this not the prime purpose of Act 319?

Mr. THOMAS. Act 319 was an insurance against abusive taxation of land.

Mr. STUBAN. So then it was a preservation of farmland and a preservation of open spaces. That was the entire intent of the bill. It was sold to the State of Pennsylvania and the public with this intent.

Mr. THOMAS. It is an act with an incentive purpose only.

Mr. STUBAN. Without the adoption of the amendment, it

now changes the entire perspective of this act and gives those persons the right to deal in the open market.

Mr. THOMAS. No, not really. It still does exactly what it was intended to do, give people an incentive to hold on to their land.

Now Mr. Zeller touched on something that I guess I could talk about in a little greater depth. When we talk about elderly people and people on fixed incomes who spent their whole life on the farm—

The SPEAKER. Will the gentleman yield?

Mr. Stuban is interrogating the gentleman, and the Chair will recognize the gentleman from Snyder when Mr. Stuban has completed his interrogation.

Mr. STUBAN. Well, I am done interrogating and I would like to make a personal statement.

I personally rise here to speak in behalf of the amendment and ask support of the amendment because I think it is too long gone now that we have played games and I do not think we should start playing games with Act 319. It does not do me a lot of good in my district because the taxation in my district is so low that the farmers have not taken advantage of it. But I know if there is a reassessment of land values to preserve land in agriculture, they are going to go in and ask for that privilege to keep the assessments down. I think this was the sole purpose, to preserve farmland. So I stand in favor of the amendment.

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

Mr. THOMAS. Well, Mr. Speaker, in what I started to say a while ago, I was supposed to clarify part of Mr. Stuban's inquiry directed to me.

Elderly people on fixed incomes who are now living on a farm are going to be forced to sell part of that farm. It need not be a farm; it can be open spaces or it can be forest preserves. If they have that as a holding or a pension program, or call it what you will, a lot of the people who own land are under no particular provisions for income in their latter days. That is the reason they bought the land in the first place, and we are going to force them right off that land unless we do something just like we are doing in HB 725.

Now section 81 of the Mrs. George amendment, I did not speak to at all. That is entirely clarifying and it directs who shall pay the penalty. Right now we have 67 counties, and we can be charging the issue in 67 different ways. We will not do that after we pass HB 725 because it says the owner at the time the use changes shall suffer the penalty and pay the roll-back taxes.

The way it is now, some counties are assessing the penalty to the person who took out the land-use agreement, and that was never the intent of this body when we passed the act. The one who changes the use should pay the penalty. Now, if we take Mrs. George's amendment, we will even take that clarifying part out of it.

I am not trying to hoodwink anybody. I am not trying to give somebody a big fat, fancy present. I am trying to keep open spaces open and I am trying to keep farmers in the business of food production in Pennsylvania.

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

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

I rise in support of the amendments offered by myself and the lady from Bucks, Mrs. George.

As we look at this amendment, we are dealing with the problem of split-offs under Act 319. Basically what we say under Act 319 is that we will give a farmer an envelope of protection, an umbrella of protection from excessive taxation as long as his land is in agricultural production, and we ask that a choice be made at that point and a commitment be made. Now at that point an individual can elect either to be a farmer or a developer, but we cannot expect him to be both and still expect to receive the protection offered under Act 319. I say this as a former farmer myself, that you have to make that choice and you cannot ask the taxpayers to subsidize your development program.

With that in mind, I would strongly support the amendment offered by the lady from Bucks because it does exactly what Act 319 was intended to do when it was passed by this House. I ask for an affirmative vote.

The SPEAKER. The Chair recognizes the gentleman from Bradford, Mr. Madigan.

Mr. MADIGAN. Thank you, Mr. Speaker.

I rise in opposition to the amendment. I come from Bradford County, which is one of the last open-space counties in this state which is truly agricultural. We did go through a reassessment 2 years ago, and our farmers found the need for Act 319.

I concur with what we have to look at here is equity. As Mr. Thomas pointed out, many of our farmers are reaching the average age of 60 or higher. In Bradford County, if this amendment is adopted, in fact throughout the state, this will mean that a farmer who is 60 years of age who elects to put his farm into agriculture and into farming, at the point he wants to pass it on to his two sons, and should this farm be large enough—and many of ours are in Bradford County—that he would want to split this into two separate farms, one to each son who wants to continue in farming, you are saying to this farmer, no, you cannot do it. You will pay it back, and we will assess you on the taxes.

In effect what you are going to have, certainly in my district and, I realize, throughout this great Commonwealth, are great variations in the amount of development, but we are right on the fringe where developers are in there trying to buy up these farms. And the farmer who says, if I am going to have to pay all these taxes just because I want to leave my farm to my two sons and let them farm, he is going to say I may as well get the high dollar and retire and go to Florida, and he leaves agriculture and goes to development.

We are getting a reverse effect, the opposite of what the proponents of this amendment say they want.

I urge all of you to vote "no" on this amendment.

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

Mr. ZELLER. Mr. Speaker, a lot has been said, and I can close with one point. There is a way out of this, and the way is to go

into what we call the purchase of development rights. But I do not think that we here in the House or from any municipality are going to go for those terrific costs of what development rights would cost you to purchase the land by a municipality. New Jersey has tried in three counties over there and it cost them a real bundle. We could buy up this land and keep it the way people want it. I do not think the taxpayers are ready for that. I know they are not back in my local community, and I do not think that the state or the budget conditions we have are in a position to do that. They have estimated that it would cost over a billion dollars to go into that operation to buy up development rights. There is only one other way we can go, and that is the way we are going in regard to the bill in toto without the amendment, and that is to try to give the landowners an incentive to be able to keep whatever portions they can in open space. Otherwise, they are going to sell the whole works. So often, as Mr. Madigan says, they get out and go to Florida, and it is going to be all developed.

Really, I say this is the only way that we can go, as I see it, to vote against the amendment and vote for the bill. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Lancaster, Mr. Wenger.

Mr. WENGER. Thank you, Mr. Speaker.

I am sure that all of us have the same objective. I think that we would all like to see the preservation of our prime farmland stay in the hands of family farmers and families that have been on those farms for many years. I am sure that we all agree on this.

I guess we do have a disagreement on the effects this particular amendment might have. It seems to me that if we are going to be successful in preserving farmland, we are going to encourage landowners, farmers, to get into the preferential tax programs so that they can afford to continue to farm their land.

The type of amendment that Mrs. George is proposing, I think, will discourage farmers from participating in the program. For that reason, I think it would end up with farmers selling their farms for development rather than trying to keep them in their families.

I would like to give an example of a farmer who had a substantial-sized farm and when the estate is settled or when he decides to pass it along to the next generation, it is a lot easier to sell the farm and divide the money than it is to divide a farm among two or three heirs. If the farm is sold so that the estate can be settled and the money is divided, many times the farm will go into the hands of a developer or speculator. I think we have seen that demonstrated many times in the past. If that farmer is very concerned about preserving that farm, he is going to try to find some way to pass it on to the next generation so that it can be maintained in agriculture. And so he might, if he has sizable acreage, try to divide this and give one-third of it to each one of three children.

I see nothing wrong with this, but I do not see any reason why there should be any roll-back taxes triggered at a point like that. I think that we could probably get a pretty good consensus on this but as long as there is no change in land use—al-

though there was a division that we should maintain the preferential tax treatment. But then suppose in the future, after the farm has been divided into three parts, let us say, and sometime in the future one of those heirs decides to sell their portion, I think it is very discriminatory to say that because that one person sold their land and there was a change in the use that the roll back should go into effect, but it shall not affect those other two landowners who are still farming and making their livings on that farm, and they are retaining at least two-thirds of the original tract in agriculture. I think that we have an option. We are going to try to maintain the two-thirds of the tract in agriculture then or else we are going to lose it all to development.

For that reason, I am going to vote "no" on the George amendment, because I think in the long run it will encourage the development; it will discourage landowners, farmers, from keeping their land in their families and keeping it in productive agriculture. Thank you, Mr. Speaker.

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

Mr. HOEFFEL. Thank you, Mr. Speaker.

I do not understand the objections that are being voiced to the George amendment, Mr. Speaker. It seems to me that Act 319 was designed to give a preferential tax treatment to farmers who farm land, and the George amendment would simply make sure that if that land is handed down to other people or sold for other farm uses that the tax benefits would continue. What Mrs. George is against and what I am against is if land is sold for development use, then the preferential tax treatment continues for other farmland that may be in the parcel.

It seems to me that the state should encourage the maintenance of land in a farming use and that a granting of preferential tax treatment is all well and good, and for that reason I support the George amendment, because she is cleaning up a problem that exists in Act 319. But it seems very wrong to me for the state to subsidize development and to allow farmers to develop part of their land and still maintain the tax breaks and still receive a subsidy from the rest of the taxpayers of the Commonwealth even though they are receiving the benefits of that development.

I think the George amendment is very sound. I do not understand the objections that we are hearing. There are a lot of scare tactics, I think, on the other side, saying that farmers are going to be forced out of the business if the George amendment is adopted. I do not agree with that at all and I would like to support Mrs. George. Thank you, Mr. Speaker.

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

Mr. W. D. HUTCHINSON. Would the gentleman, Mr. Thomas, consent to interrogation?

The SPEAKER. Will the gentleman from Snyder, Mr. Thomas, consent to be interrogated? The gentleman indicates that he will, and the gentleman from Schuylkill may proceed.

Mr. W. D. HUTCHINSON. Mr. Speaker, I have been listening carefully to this debate and trying to think back to the "clean

and green" amendment and Act 319 which we have passed. Would the gentleman advise me initially what we tried to do with Act 319 was to exempt a farm from—and I use the word "farm" advisedly—or give it special local tax treatment. Is that correct?

Mr. THOMAS. We did not try to exempt anybody.

Mr. HUTCHINSON. No, we tried to give a special tax treatment to farms and farmers. That was the purpose of the amendment.

Mr. THOMAS. And open space land and forest reserve.

Mr. W. D. HUTCHINSON. Now would the gentleman advise me whether Act 319 contains certain provisions with respect to the size or the amount of produce and so on that a farm must produce to be qualified for inclusion in the special provisions of that act?

Mr. THOMAS. Yes, sir, it does.

Mr. W. D. HUTCHINSON. Okay, thank you, Mr. Speaker. I have a few brief comments.

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

Mr. HUTCHINSON. Based on the answers to the question that Mr. Thomas gave me, that was my recollection. I am going to oppose the George amendment, not because I oppose the principle at which he is trying to get, but because it seems to me that Mr. Thomas and the gentlemen who speak against the amendment have a very real point, and let me try to make that point.

The difficult problem we are faced with in this statute and in this whole area is to try to define what is a farm. Now we have set up certain legislative criteria to try to meet that problem, and that goes to the amount of produce to the size of the area, and so on. You may quarrel with that. You may say it is too low; you may say that the piece of land is not big enough that is in there and that is not really a farm. But, it seems to me, if we had once decided that something produces a certain quantity and it is a certain size is a farm, then it should continue to have those characteristics of a farm and the special provisions that relate to a farm to encourage farming whether or not the original owner, because of high Federal estate taxes—and, believe me, they are very high—is forced to sell a piece of that off or not. And I think if you do what Mrs. George is asking you to do, you really are going to force a lot of people out of this program.

I just do not think that it is fair to say to the sons of a farmer, as Mr. Wenger pointed out, or the daughters of a farmer, who want to stay on that land and farm it, that because the Federal Government came in when pop died and imposed a tax that required you to sell 50 acres out of 100 acres, you are going to lose all the benefits that the government gave you. And if we try to get into meeting those problems as to when you will exempt and so on and when you will not and when you will permit a transfer, you get into the problems that Mr. Thomas has talked about, and that is, you are getting into the problem of land-use regulation, which is really a knotty and difficult area to get in.

I do not think we should mix the two. I think and suggest that the people, Mrs. George and the other people, who propose and support this amendment perhaps ought to go back to Act 319 and take a look at those definitions and try to come up with

something that perhaps more meets their definition of what a farm is; but once something meets that definition with respect to minimum size, with respect to minimum produce—and maybe that should be increased, and I would support an increase in it because I think they are pretty low. But once it met the definition, however, that what this General Assembly has decided upon—then it seems logical to me and practical and in all fairness that it should not lose that benefit because something has happened in the family, a death or some other situation, which is beyond the control of the people involved. And I just think that if you pass this, you are mixing the two acts up and you really are going to deter people from using this bill. As I say, I would be happy to support amendments with respect to increasing the requirements as to size, produce, and so on, for a farm, but I think this amendment imports a great deal of mischief into the bill and I urge its defeat.

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

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

The previous speakers, the gentleman, Mr. Hutchinson, and the gentleman, Mr. Wenger, brought forth some points with which I certainly sympathize, but I have heard it said many times on the floor of this House that hard cases make bad law.

Basically what we are talking about today here is preserving the concept of once someone makes a commitment to keep their land in agricultural production and once the remainder of the taxpayers of that subdivision pick up the additional burden that is left of that preferential assessment, it is expected that they will keep that commitment. If we do not accept the George amendment today, we will be, in effect, subsidizing speculators and subsidizing developers. That is the net effect of it. I strongly urge your support for the George amendment.

The SPEAKER. The Chair recognizes the lady from Bucks, Mrs. George.

Mrs. GEORGE. Yes, I would just like to make a few comments, Mr. Speaker, about some of the remarks that have been made here.

Mr. Thomas did say that this does correct some deficiencies in current law and he is quite right. There are some language deficiencies, and HB 725 does take them on and does correct them. However, it drastically changes current law, and I do not think we can get away from the fact that it does indeed change law.

We talk about the farmer who has had this tax break maybe for 5, 6 or 7 years and who sells off this land to development or a portion of the land, selling a portion off, and is going to have to pay back taxes on the whole property. That is what the law says now. In effect, the rest of the taxpayers in any given community, in any school district, in any municipality, have been really paying more taxes for these past number of years in order that that farmer gets a tax break because we want to see land in open space. I have got lots of open space in my area. I have lots of farmland and I am very happy to pay the extra taxes to keep this an open farmland, but when this farmer decides to sell off his property or a portion of it, then I think it is quite right to expect him to pay back to the municipality, pay

back to the school district, pay back to the rest of us who have been picking up his tab over these last 6 or 7 years. I think it is quite right for him to pay it back to us. That is what my amendment does. It just makes sure that when this land is sold off that the taxes for the total portion is paid back.

I think if HB 725 passes as it is here, I am positive that in my area it will encourage development and encourage it immediately, when farmers can start selling off portions of their land and still keep the remainder of it in farmland and having the rest of us pick up the tab for years and years.

One final thing: As long as the farmer keeps this land in farmland, as long as he keeps it in farmland, please remember he is getting a tax break. This does encourage land to stay in farmland. As long as it is in farmland, it will get a tax break. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Montour, Mr. Wagner.

Mr. WAGNER. I just want to point up a problem. It is not the farmer selling; it is the farmer's estate — the farmer who had two or four children to whom he left his 200 acres, whether he has a will or he does not have a will. The two kids, a set of boys, want to sell. The other two boys want to farm. The two boys then who want to sell have got their brothers who want to farm over a barrel, because if they do not sell out, they will not get the high price, and they want to get the subdivision price. So what they are doing is having the estate subdivided into two or four deeds; and when those two boys turn around and sell, you are turning around and you are hitting those two farming boys and they are going to have to pay the back taxes, which they cannot afford to do, and then you are going to lose that half of a farm and you have lost the whole apple.

The SPEAKER. The Chair recognizes the gentleman from Bradford, Mr. Madigan.

Mr. MADIGAN. Briefly, Mr. Speaker, I would like to sum up what the George amendment would do. It would force every farm to be sold as one entity, if it is going to continue in farming and not be affected by a roll back. It would require that if there was any split-off of any portion of that for development, a roll back would be paid on the entire amount of the farm. And there is no provision in there whatever for a split-off for farming purposes alone. A farmer cannot sell a farm to two other farmers who are going to stay and split that farm to two other farmers who are going to stay in farming. They will pay a roll back. There is no provision for split-off in that.

Mr. Speaker, if we vote down the amendment, under the proposed legislation, a split-off for development, the roll back would be paid on that portion that went for development alone. It provides for the split-off to farmers to sell to either their sons or to other farmers and as long as it continues in farming purposes, there would be no roll back. I urge defeat of the amendment and support of the bill. Thank you, Mr. Speaker.

MOTION TO TABLE

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

Mr. STUBAN. Mr. Speaker, I rise to make a motion to table

this bill and send it back to committee to go over some of these amendments. I think there have been a lot of questions that have been brought up on this floor today that have not been addressed and have not been addressed in committee, and I realize that if there are problems in estates, we should address these problems.

I feel that there are some problems there if a man in agriculture is playing games and splits off his farm to a few sons and one son sells off to a development—and we all play games—and the family divides the money. I know this would happen in my family because we are a close-knit family, and regardless of whether my sister was given the property or I was given the property, she would benefit in the end result.

I feel that this bill should be addressed and there are other amendments that should be addressed with it. So I move that HB 725 and the amendments offered by the lady from Bucks, Mrs. George, be laid on the table.

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

The following roll call was recorded:

YEAS—92

Alden	Duffy	Kowalshyn	Rhodes
Austin	Dumas	Kukovich	Richardson
Barber	Foster, A.	Laughlin	Rieger
Beloff	Fryer	Levin	Ritter
Berson	Gallagher	Manderino	Schmitt
Borski	Gamble	McClatchy	Schweder
Brown	Gannon	McIntyre	Seventy
Burns	Gatski	McMonagle	Shadding
Caltagirone	Geesey	Michlovic	Shupnik
Cappabianca	George, M.	Micozzie	Spitz
Chess	Giammarco	Milanovich	Steighner
Cianciulli	Goodman	Mullen, M. P.	Stuban
Clark, R.	Grabowski	Murphy	Taylor, F.
Cochran	Gray	Musto	Wachob
Cohen	Harper	Novak	Wagner
Cole	Hoefel	O'Donnell	Wargo
Cowell	Irvis	Oliver	Weidner
Cunningham	Itkin	Pievsky	White
Dawida	Johnson, J.	Pistella	Wilson
DeWeese	Kanuck	Pott	Wright, J. L.
DiCarlo	Kernick	Pratt	Yohn
Dombrowski	Knight	Pucciarelli	Zitterman
Donatucci	Kolter	Reed	Zwinkl

NAYS—105

Anderson	Gallen	Madigan	Serafini
Armstrong	Geist	Manmiller	Sieminski
Arty	George, C.	McCall	Sirianni
Belardi	Gladeck	McKelvey	Smith, E.
Bennett	Goebel	McVerry	Smith, L.
Bittle	Greenfield	Miller	Spencer
Bowser	Grieco	Moehimann	Stairs
Brandt	Gruppo	Mowery	Stewart
Brunner	Halverson	Mrkonic	Sweet
Burd	Hasay	Nahill	Swift
Cessar	Hayes, D. S.	Noye	Taddonio
Cimini	Hayes, S. E.	O'Brien, D.	Taylor, F.
Clark, B.	Helfrick	Perzel	Telek
Cornell	Honaman	Peterson	Thomas
Coslett	Hutchinson, A.	Petrarca	Trello
Davies	Hutchinson, W.	Piccola	Vroon
DeMedio	Johnson, E.	Pitts	Wass
DeVertter	Klingaman	Polite	Wenger

Dietz	Knepper	Punt	Wilt
Dininni	Lashinger	Pyles	Wright, D.
Dorr	Lehr	Rappaport	Yahner
Durham	Levi	Rocks	Zeller
Fee	Lewis	Rodgers	Zord
Fischer, R. R.	Livengood	Ryan	
Fisher, D. M.	Lynch, E. R.	Salvatore	Seltzer,
Foster, W.	Lynch, F.	Scheaffer	Speaker
Freind	Mackowski	Scirica	

NOT VOTING—6

Earley	Letterman	Street	Williams
Jones	O'Brien, B.		

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

REMARKS ON VOTE

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

Mr. GREENFIELD. I would just like to correct my vote. I think I was inadvertently registered in the negative. I would like to be recorded in the positive on the motion to table HB 725 and the amendments.

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

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

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

Mr. CUNNINGHAM. Thank you, Mr. Speaker.

At the risk of asking for the repetition of some information that has already been discussed, I would like to ask if the lady, Mrs. George, would submit to some interrogation.

Mrs. GEORGE. Yes, I would.

The SPEAKER. The lady from Bucks, Mrs. George, indicates that she will permit herself to be interrogated. The gentleman from Centre may proceed.

Mr. CUNNINGHAM. I thought that I understood this bill when I initially read it and as I have listened to your discussion of what you feel the effect of your amendment would be, am I given correctly to understand that you are saying that under your amendment if a parcel of land was split off by a farmer for some nonagricultural purpose that he would then be required to pay the roll back, a, and, b, would he then lose the preferential tax treatment for the parcel of land that remains in agricultural use?

Mrs. GEORGE. Yes, he would lose it and he would have to start over again. He would pay roll back taxes on the entire property.

Mr. CUNNINGHAM. He would pay roll back taxes on the parcel that he is splitting off and the parent farm?

Mrs. GEORGE. Yes, if it changes use.

Mr. CUNNINGHAM. The difficulty that I am having—

Mrs. GEORGE. If it changes use, and that was a point that just came out. Someone said if it remained in farmland, he would have to pay roll back taxes. No, indeed. Only if it changes use would he pay roll back taxes.

Mr. CUNNINGHAM. Only if he changed his use?

Mrs. GEORGE. Yes.

Mr. CUNNINGHAM Do you mean if he changed the use on the parent farm or on the—

Mrs. GEORGE. On a portion.

Mr. CUNNINGHAM. Just on the portion? So he would lose preferential tax treatment on the parent farm and he would also have to pay the roll back on the parcel if he were selling the parcel for some nonagricultural use?

Mrs. GEORGE. Yes. I suspect the developer would be picking up that tab. That is generally what happens.

Mr. CUNNINGHAM. I guess that it is just not clear to me as I read the language of your amendment how that would happen, because your amendment, as I read it, the change suggests that "so long as they continue to meet the minimum acreage, or, if devoted to agricultural use, gross income requirements established by this act." It is not clear to me how that would have the two effects that you just discussed.

Mrs. GEORGE. That really only defines—I am sorry, the amendments probably could have been split into two amendments and perhaps that is what should have been done. That amendment does clarify the separation itself, whatever the separation is. Even to stay in land use, it has to meet the minimum requirements which I subscribed to. Mr. Hutchinson indicated that perhaps that was a problem with the bill. That is no problem with the HB 725, but it should be clarified.

The part of my amendment that speaks to the change in use is the next three lines, lines 7, 8 and 9, which it deletes from the bill. See, the bill is a very complicated bill. Act 319 was very complicated when it was passed. It went through seven or eight printer's numbers; it talks of split-offs — if a father wants to sell a couple acres to his son. It is a very complex bill, and some of you who were here at the time know it far more than I do. I am addressing several minor issues, one minor issue and a major issue in my amendment.

Mr. CUNNINGHAM. Mr. Speaker, I would like to ask Mrs. George to explain again—and I ask this from a purely inquisitive motivation—why the farmer—and I can understand the logic in requiring the farmer to pay the roll-back on the land that is being split-off for a nonagricultural purpose—but what is your motivation in depriving him the preferential tax treatment for the parent farm that remains?

Mrs. GEORGE. Mainly because it is a change in law.

At the present time, the law states that the land so divided and the entire parcel, the entire land, shall be subject to roll-back taxes. And there was a fair amount of debate at the time the law was passed to put that into the law.

That is what the law is now, that the entire parcel receives the roll-back taxes. Mainly, it is because I believe and I know that there will be a lot of farmers selling off portions of their land if they do not have to pay roll-back taxes on the whole property. I think we will see a lot of parcels of agricultural land go into development if they only pay the taxes on the land that is separated.

Mr. CUNNINGHAM. So even if that parent farm remains in farming, remains in an agricultural use, you would under your

amendment deprive that farmer of preferential tax treatment?

Mrs. GEORGE. He would get preferential tax treatment once again. He would continue preferential assessments. He would pay roll-back at the time that land is sold. He would pay taxes for those previous 6 years, yes. He could pay those back taxes, but he would start again and receive preferential assessment for a smaller portion of his land.

Mr. CUNNINGHAM. Okay, I understand now.

Thank you very much, Mr. Speaker.

Mrs. GEORGE. This is a detriment to selling off portions of your land the way the law is now, if you have to pay back taxes on the whole property. I think this will encourage portions of the land to be sold off all over areas that are undergoing great development.

Mr. CUNNINGHAM. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—99

Austin	Earley	Laughlin	Richardson
Barber	Foster, A.	Levin	Rieger
Beloff	Freind	Manderino	Ritter
Bennett	Fryer	McClatchy	Rodgers
Berson	Gallagher	McIntyre	Schmitt
Borski	Gamble	McMonagle	Schweder
Brown	Gannon	Michlovic	Seventy
Burns	Geesey	Micozzie	Shadding
Caltagirone	George, M.	Milanovich	Shupnik
Cappabianca	Giammarco	Mrkonic	Spitz
Chess	Goodman	Murphy	Steighner
Cianciulli	Grabowski	Musto	Stewart
Clark, B.	Gray	Nahill	Stuban
Cochran	Greenfield	O'Donnell	Taddonio
Cohen	Harper	Oliver	Taylor, E.
Cole	Hoeffel	Pievsky	Taylor, F.
Cowell	Irvis	Pistella	Telek
Dawida	Itkin	Pitts	Wargo
DeWeese	Johnson, J.	Pott	Weidner
DiCarlo	Jones	Pratt	White
Dombrowski	Kanuck	Pucciarelli	Wilson
Donatucci	Kernick	Pyles	Wright, J. L.
Dorr	Kolter	Rappaport	Yohn
Duffy	Kowalshyn	Reed	Zitterman
Dumas	Kukovich	Rhodes	

NAYS—101

Alden	Gallen	Lynch, F.	Serafini
Anderson	Gatski	Mackowski	Sieminski
Armstrong	Geist	Madigan	Sirianni
Arty	George, C.	Manmiller	Smith, E.
Belardi	Gladeck	McCall	Smith, L.
Bittle	Goebel	McKelvey	Spencer
Bowser	Grieco	McVerry	Stairs
Brandt	Gruppo	Miller	Sweet
Brunner	Halverson	Moehlmann	Swift
Burd	Hasay	Mowery	Thomas
Cassar	Hayes, D. S.	Mullen, M. P.	Trello
Cimini	Hayes, S. E.	Novak	Vroon
Clark, R.	Helbrick	Noye	Wachob
Cornell	Honaman	O'Brien, B.	Wagner
Coslett	Hutchinson, A.	O'Brien, D.	Wass
Cunningham	Hutchinson, W.	Perzel	Wenger
Davies	Johnson, E.	Peterson	Wilt
DeMedio	Kibben	Petrarca	Wright, D.

DeVertter	Knepper	Piccola	Yahner
Dietz	Knight	Polite	Zeller
Dininni	Lashingner	Punt	Zord
Durham	Lehr	Rocks	Zwikel
Fee	Levi	Ryan	
Fischer, R. R.	Lewis	Salvatore	Seltzer,
Fisher, D. M.	Livengood	Scheaffer	Speaker
Foster, W.	Lynch, E. R.	Scirica	

NOT VOTING—3

Letterman	Street	Williams
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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?

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

Mr. BURNS. Mr. Speaker, I believe that there is an effort being made on the House floor right now to have a reconsideration of the vote by which the amendment failed.

I would just ask the Speaker if he would go over, bypass, this bill for the time being so that this can be done.

Is that the minority whip's—

Mr. GREENFIELD. Yes, Mr. Speaker.

RECONSIDERATION OF VOTE

The SPEAKER. The Chair recognizes the lady from Bucks, Mrs. George.

Mrs. GEORGE. Mr. Speaker, I move that the vote by which the amendments to HB 725, PN 890, was defeated on the 24th day of April be reconsidered.

Mr. GREENFIELD. I second the motion.

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

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

HB 725 PLACED ON THIRD
READING POSTPONED CALENDAR

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

Mr. THOMAS. Mr. Speaker, I move that HB 725 and the amendments offered by the lady, Mrs. George, be placed on the third reading postponed calendar.

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

The House proceeded to third consideration of **HB 268, PN 913**, entitled:

An Act establishing the responsibilities and liabilities of ski area operators and skiers in the sport of skiing.

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

The SPEAKER. The Chair recognizes the gentleman from Westmoreland, Mr. Schmitt.

Mr. SCHMITT. Mr. Speaker, HB 268 would be a disaster for the skiers of Pennsylvania as it is presently drafted.

It is a special-interest bill for the ski-area operators at the expense of the safety of all those who ski in the Commonwealth of Pennsylvania.

If this legislation passes, 2 million people who ski here will have to seriously reconsider whether skiing in Pennsylvania will be entirely too risky.

Under this bill, a ski area would not be responsible for the safety and operation of its snow-grooming tractors. The only requirement would be that a tractor's lights be flashing while it is in operation.

The SPEAKER. Will the gentleman yield?

It was my understanding that the gentleman wanted to be recognized for the purpose of making a motion.

Mr. SCHMITT. I am sorry, Mr. Speaker, I did not hear your statement.

Mr. SPEAKER. It is the Chair's understanding that the gentleman asked to be recognized for the purpose of making a motion.

Mr. SCHMITT. Yes, Mr. Speaker, that is true.

The SPEAKER. Will the gentleman please state his motion?

Mr. SCHMITT. Mr. Speaker, I would like to preface the making of the motion by making remarks that I have prepared as evidence for members of the House to recognize.

The SPEAKER. The gentleman will make his motion. The Chair will then recognize him to debate the motion.

HB 268 RECOMMITTED

The SPEAKER. The Chair recognizes the gentleman from Westmoreland, Mr. Schmitt.

Mr. SCHMITT. Thank you, Mr. Speaker. I would like at this time to move that this bill be recommitted to the Committee on Consumer Affairs for further consideration.

The SPEAKER. It has been moved by the gentleman from Westmoreland, Mr. Schmitt, that HB 268 be recommitted to the Committee on Consumer Affairs for further study.

Mr. SCHMITT. Mr. Speaker, in my opinion, HB 268 would be a disaster for the skiers of Pennsylvania. As presently drafted, it is a special-interest bill for the operators and not for the people of Pennsylvania who will use the facilities.

If this legislation passes, 2 million people who ski here in Pennsylvania will have to seriously reconsider whether skiing in Pennsylvania will be too risky.

The SPEAKER. Will the gentleman yield?

Mr. SCHMITT. Yes, Mr. Speaker.

The SPEAKER. It is the opinion of the Chair that the gentleman is debating the merits of the bill rather than the purpose of the recommittal. Will the gentleman please confine his remarks to the recommittal motion?

Mr. SCHMITT. Mr. Speaker, very briefly, I can state that in my opinion an analysis of the bill that is being presented contains many loopholes that do not protect the people of Pennsylvania, the users of the ski-area resorts. The language is ambiguous. There are many parts of the bill that are difficult to understand. And in some areas it very clearly indicates that the liability will be placed upon the consuming skier rather than upon the ski operator. For that reason, Mr. Speaker, I ask for support of the motion to recommit the bill.

The SPEAKER. The Chair recognizes the gentleman from Franklin, Mr. Bittle, on the motion to recommit.

Mr. BITTLE. Mr. Speaker, I rise to oppose the motion to recommit.

The statements of the gentleman are just not accurate. The language contained in this bill is compromise language, drafted by ski-area operators and by skiers who are the consumers in the sport of skiing.

I think the bill is ready to be voted and I would ask everyone to oppose the motion to recommit.

The SPEAKER. The Chair recognizes the gentleman from Westmoreland, Mr. Kukovich.

Mr. KUKOVICH. Mr. Speaker, I would ask the members to vote "yes" to recommit this bill for various reasons.

I have had some discussions in the last month with skiers and officers in ski organizations in Southwestern Pennsylvania. They have not had the necessary input that they should have had. I think by recommitting this bill we will open up the possibility of hearings and at least give these ski organizations the possibility of giving the committee some input regarding the bill.

Secondly, I think this bill needs to be recommitted until certain questions have been answered as, at this point in time, questions relating to ski-related liability suits pending in Pennsylvania, just exactly how much ski operators' insurance premiums have increased, and a myriad of questions that have not been answered.

I think we need to have those questions answered before we can consider this bill and I would please urge a vote "yes" on recommitment.

The SPEAKER. On the motion to recommit, The Chair recognizes the gentleman from Mercer, Mr. Bennett.

Mr. BENNETT. Mr. Speaker, I rise in opposition to the motion to recommit HB 268. HB 268 has received a great deal of consideration in the House Business and Commerce Committee. The bill was recommitted to the committee at one time from the floor. The committee very seriously looked at it, and I, as the minority chairman of that committee, asked Mr. Frank Zitterman, in my behalf, to meet with ski-area operators.

Mr. Zitterman met for a period of, I believe, in excess of 7 hours, an all-day-long meeting with those operators, and came back to me and said that he felt that if amendments that he proposed were accepted by the committee that the bill would be in position for a floor vote in this House of Representatives.

Mr. Speaker, those amendments were adopted by the House Business and Commerce Committee in total. It is my opinion

that a good compromise piece of legislation is now before us. If there are questions on a bill, I think they ought to be asked on the floor of this House of Representatives.

I can tell you, Mr. Speaker, that, in our committee, information was given to me at that time that has been proved erroneous and misleading. Information was given to me that was purported to be from skiers when in fact it was not.

Mr. Speaker, I think that, again, we have a bill that is in position now for a vote by the members of this House and I would strenuously oppose the recommitment motion.

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

Mr. DeVERTER. Thank You, Mr. Speaker. Mr. Speaker, I rise to oppose the motion also. The Committee on Business and Commerce has spent any number of hours on the development of this piece of legislation and I think that at this point in time that any further questions that we have ought to be developed here on the floor of the House.

The input from the ski industry and from consumers with respect to the impact of this legislation have been thoroughly discussed, and I think further delay of this legislation by recommitting it to another committee just seems an awful waste of the members' time and I would ask for a "no" vote on the motion. Thank you.

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

Mr. POTT. Thank you, Mr. Speaker. Could I interrogate the chairman of the House Consumer Affairs Committee?

The SPEAKER. Will the gentleman from Bucks, Mr. Wilson, permit himself to be interrogated? The gentleman indicates that he will, and the gentleman from Allegheny, Mr. Pott, may proceed.

Mr. POTT. Thank you, Mr. Speaker. Very briefly, Mr. Chairman, what would you do with this bill, should it come to your committee, and do you desire to have it in your committee?

Mr. WILSON. What would I do with it? I guess we would have to look at it if it came to my committee. I do not know much about skiing but I guess we would have to discuss the subject if it came to the committee.

Mr. POTT. Do you want the bill to come to your committee?

Mr. WILSON. Not really.

Mr. POTT. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Elk, Mr. Wachob.

Mr. WACHOB. Mr. Speaker, I rise in support of the motion to recommit it to the Committee on Consumer Affairs.

I would agree with the gentleman who has spoken prior to this saying that there has been ample discussion on this issue in the Business and Commerce Committee. However, in my opinion the issue has been very one-sided and although the Area Operators Associations have been brought in and they have had the opportunity to present their side, I do not feel that the consumers, the skiers and the participants in the sport of skiing throughout the Commonwealth have had ample time to present their arguments either and I would urge the members of the House to cast a "yes" vote on the recommitment of this bill.

The SPEAKER. The Chair recognizes the gentleman from lackawanna, Mr. Zitterman.

Mr. ZITTERMAN. Thank you, Mr. Speaker. Mr. Speaker, previously HB 268 posed a serious threat to all who ski in Pennsylvania and limited the responsibility for the safety of the people who ski here.

Although many of the amendments which I proposed in committee have been adopted and were designed to strike a fair balance between the operators and the skiers, I have since reviewed section 7 of the current bill, and section 7 deals with inherent risks and it advises of the risks of the ski operators, the duties of the ski operators, and also the risks of the skiers. Not being an attorney, Mr. Speaker, and having some qualms regarding some of the language in there, I also propose that this bill be referred back to the Committee on Consumer Affairs.

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

The following roll call was recorded:

YEAS—105

Alden	Fee	Kukovich	Richardson
Austin	Fisher, R. R.	Lashinger	Rieger
Barber	Fryer	Levin	Ritter
Belardi	Gallagher	Livengood	Rodgers
Beloff	Gamble	Lynch, F.	Ryan
Berson	Gannon	Manderino	Schmitt
Borski	Gatski	McIntyre	Schweder
Brown	George, C.	McMonagle	Seventy
Brunner	George, M.	Michlovic	Shadding
Caltagirone	Giammarco	Milanovich	Shupnik
Cappabianca	Gladeck	Mrkonic	Spitz
Chess	Goebel	Mullen, M. P.	Stairs
Cianciulli	Gray	Murphy	Steighner
Clark, B.	Greenfield	Musto	Stewart
Cochran	Harper	Novak	Stuban
Cohen	Hayes, D. S.	O'Brien, B.	Sweet
Cole	Hoeffel	O'Donnell	Taylor, F.
Cowell	Hutchinson, A.	Oliver	Telek
Dawida	Hutchinson, W.	Petrarca	Trelo
DeMedio	Irvis	Pievsky	Wachob
DeWeese	Itkin	Pistella	Wargo
DiCarlo	Johnson, J.	Pratt	White
Dombrowski	Jones	Pucciarelli	Wright, D.
Donatucci	Kernick	Rappaport	Yahner
Duffy	Knight	Reed	Zitterman
Dumas	Kolter	Rhodes	Zwilk
Earley			

NAYS—95

Anderson	Gallen	Manmiller	Serafini
Armstrong	Geesey	McCall	Sieminski
Arty	Geist	McClatchy	Sirianni
Bennett	Goodman	McKelvey	Smith, E.
Bittle	Grabowski	McVerry	Smith, L.
Bowser	Grieco	Micozzie	Spencer
Brandt	Gruppo	Miller	Swift
Burd	Halverson	Moehlmann	Taddonio
Burns	Hasay	Mowery	Taylor, E.
Cessar	Hayes, S. E.	Nahill	Thomas
Cimini	Helfrick	Noye	Vroom
Clark, R.	Honaman	O'Brien, D.	Wagner
Cornell	Johnson, E.	Perzel	Wass
Coslett	Kanuck	Peterson	Weidner
Cunningham	Klingaman	Piccola	Wenger
Davies	Knepper	Pitts	Wilson
DeVerter	Kowalshyn	Polite	Wilt
Dietz	Laughlin	Pott	Wright, J. L.
Dininni	Lehr	Punt	Yohn

Dorr	Levi	Pyles	Zeller
Durham	Lewis	Rocks	Zord
Fisher, D. M.	Lynch, E. R.	Salvatore	
Foster, A.	Mackowski	Scheaffer	Seltzer,
Foster, W.	Madigan	Seirica	Speaker
Freind			

NOT VOTING—3

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

The SPEAKER. The bill is so recommitted.

RESOLUTIONS ADOPTED

Mr. DININNI called up HR 48, PN 1057, entitled:

Speaker appoint a select Committee examine matters related to Nuclear Accident at Three Mile Island.

On the question,
Will the House adopt the resolution?

The SPEAKER. The Chair recognizes the lady from Montgomery, Mrs. Lewis.

Mrs. LEWIS. Mr. Speaker, I would like to address myself to the resolution.

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

Mrs. LEWIS. Mr. Speaker, I, like everyone else, am very concerned about the accident at Three Mile Island and the whole question concerning the future of nuclear power.

There is much we need to know, but I feel the creation of a House committee to look into the events of what happened is just a duplication of what is now going on in Washington which is where this investigation should take place. I find it difficult to justify the costs, and what do we accomplish by creating another committee to study it further? I am sure we will have all of the necessary information from Governor Thornburgh and for that reason I am going to vote against the resolution. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Reed.

Mr. REED. Mr. Speaker, I would respectfully disagree with the previous speaker concerning the necessity for HR 48 and more specifically the creation of a special House select committee for the purpose in reviewing both the accident at Three Mile Island and subsequent concerns of this Commonwealth and this legislature concerning the proliferation of nuclear energy and its plants.

There are a number of reasons why our hearings, if properly conducted, would not duplicate those which are occurring in Washington, D. C. The scope of the Washington, D. C., hearings is to the extent that the Nuclear Regulatory Commission's handling of the Three Mile Island accident and whether or not the Babcock and Wilcox design of that particular plant and six other plants of similar design require any corrective action on the part of the Federal Government, and that is something that we, as Pennsylvanians, cannot do anything about.

Mr. Speaker, we in Pennsylvania and the legislature, particu-

larly, also should identify through such a select committee several things, the first of which is whether or not the response of our state government was satisfactory and how we can improve our preparedness for future responses to emergencies of a similar proportion. That is one particular item which the hearings in Washington will not deal with because it is beyond the scope of what the NRC and the Federal Government would be concerned about.

We recalled the chronology of events in connection with the March 28 nuclear accident. It was very clear from the very beginning that, with regard to the operation of the plant and the determination of technical aspects of that accident, that belonged to the Federal Government. With regard to civil defense and related health and safety concerns, that was clearly a responsibility of state government, and we will find that the Washington hearings are not duplicating what we would be doing if we concerned ourselves with the present role of state government in responding to that type of emergency.

The second major area that this committee should deal with, Mr. Speaker, is this. *The state government, as other states have done in the United States, needs to play a specific role in the development of, the siting of and the operation of nuclear plants above and beyond what the Federal Government now does. I think it was ably demonstrated during the Three Mile Island nuclear accident that we cannot solely confine ourselves and trust the Federal Government to be the watchdog for us in Pennsylvania or for any other state.*

We find that other states, Mr. Speaker, in fact, have enacted various legislation as a result of select committees studying nuclear energy in those states, not only concerning civil defense but with regard to whether or not nuclear plants should be sited in populated areas, what are the minimum standards of training and education and in-service training that should be required for plant operators. There are a variety of questions coming out of the Three Mile Island accident that will not be addressed by Federal law, will not be addressed by Federal select committees, and must be addressed on a state level by those of us in Pennsylvania.

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

Mr. DININNI. Mr. Speaker, I will be very brief. I, too, disagree with my colleague from Montgomery County. There are a lot of things I would like to have answered and I am only going to point out two very important things.

First, the Commonwealth is responsible for the health and welfare of our citizens in Pennsylvania. Now, to me, we were talking constantly about evacuation of this entire area; in fact, a 20-mile radius. Yet I did not hear one word telling the public what to do in case they did not leave. A good example, all on an "if": Could you visualize a farmer leaving 100, 150, 200 animals there to starve to death? No, they were not about to leave. Yet it is the responsibility of us here in the Commonwealth to protect those people also. Yet I did not hear a word about that. I would like to know, is there a method of protection? Will fallout shelters protect you in case of an emergency? I would like these kinds of questions answered. I would like to bring the

Federal people here in front of the Commonwealth, in front of this committee. I would like to know why inspectors were not on the job. For years we have meat inspectors. A little butcher shop is not even permitted to kill an animal without a meat Federal inspector, and yet here we are dealing with nuclear reactors across Pennsylvania, across this nation, in fact, and no inspectors. I would like these questions answered. I said I would be brief and that is my comment.

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

Mr. GEESEY. Mr. Speaker, I would like to agree with the previous two speakers and very briefly speak wholeheartedly in favor of this type of resolution. There are many areas of local impact that absolutely will not be discussed or considered at the Federal level, and they can only be discussed and properly considered at the state level.

We have to look at the propriety of evacuation plans; we have to look at the health and safety aspects at the local level. We have to look at the impact that this kind of thing has on our local businesses. I cannot think of any other task that this House could more responsibly take at this time than the establishment of this committee, and one of the functions of that committee should also be to determine, I think, or at least to examine the possibility of the state taking over the licensing of nuclear plants that operate within its boundaries.

I think there are a lot of things that have to be looked at; I think it can only be looked at at the local level; and in terms of expense, I really do not think there is going to be much expense because we are going to use basically in-House staff, but if there is expense, would someone tell me, please, what is a life worth? Thank you, Mr. Speaker.

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

Mr. STUBAN. Mr. Speaker, I rise in favor of the resolution, and I feel that we have seen here in the past, and we have seen our illustrious leader, Governor Thornburgh, sit up there for a period of time without expertise and advice on what decisions he should make, and I think with this type of resolution, at least we are going to be ready if a thing like this takes place again.

I represent a district that is near one of these nuclear plants that is going to be fired up in the near future, and I feel that this committee should be able to advise the State of Pennsylvania as to what steps and procedures our state should take and not have to depend on waiting for somebody to get here to give us the advice.

The SPEAKER. The Chair recognizes the gentleman from Lycoming, Mr. Grieco.

Mr. GRIECO. Mr. Speaker, I rise in support of HR 48, PN 1057. There are a lot of questions to be answered, not only what happened in the Harrisburg area, but what were the effects after the crisis took place in the center part of Harrisburg. For example, up in Jersey Shore, Pennsylvania, quite a few of the people came up to the cottages and stayed there for a week, weekends, until the crisis was over. We were very happy to

take care of the people from the Harrisburg area, York, Lancaster, and so forth, but do not forget, they used our gas allocations. Our gas is gone up in Jersey Shore because so many people came up there. We welcomed them but we are having a tough time getting replaced with our gas. Three of my distributors are out of gas as of today. Now that is my problem.

There are a lot of things that can be questioned; there are a lot of things that can be answered; but that is one of the things, if we do help people, what can we do to help the people who took care of the people who were in the crisis? So I support HR 48.

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

The following roll call was recorded:

YEAS—195

Alden	Foster, W.	Livengood	Rocks
Anderson	Freind	Lynch, E. R.	Ryan
Armstrong	Fryer	Lynch, F.	Salvatore
Arty	Gallagher	Mackowski	Scheaffer
Austin	Gallen	Madigan	Schmitt
Barber	Gamble	Manderino	Schweder
Belardi	Gannon	Manmiller	Scirica
Beloff	Gatski	McCall	Serafini
Bennett	Geesey	McClatchy	Seventy
Berson	Geist	McIntyre	Shadding
Bittle	George, C.	McKelvey	Shupnik
Borski	George, M.	McMenagle	Sieminski
Bowser	Giammarco	McVerry	Sirianni
Brandt	Gladeck	Michlovic	Smith, E.
Brown	Goebel	Micozzie	Smith, L.
Brunner	Goodman	Milanovich	Spencer
Burd	Grabowski	Miller	Spitz
Burns	Gray	Moehlmann	Stairs
Caltagirone	Greenfield	Mowery	Steighner
Cappabianca	Grieco	Mrkonic	Stewart
Cessar	Gruppo	Mullen, M. P.	Stuban
Chess	Halverson	Murphy	Sweet
Cianciulli	Harper	Musto	Swift
Cimini	Hasay	Nahill	Taddonio
Clark, B.	Hayes, D. S.	Novak	Taylor, E.
Clark, R.	Hayes, S. E.	Noye	Taylor, F.
Cochran	Helfrick	O'Brien, B.	Telek
Cohen	Hoeffel	O'Brien, D.	Thomas
Cole	Honaman	O'Donnell	Trello
Cornell	Hutchinson, A.	Oliver	Vroon
Coslett	Hutchinson, W.	Perzel	Wagner
Cowell	Irviss	Peterson	Wargo
Cunningham	Itkin	Petrarca	Wass
Davies	Johnson, E.	Piccola	Weidner
Dawida	Johnson, J.	Pievsky	Wenger
DeMedio	Jones	Pistella	White
DeVerter	Kanuck	Pitts	Wilson
DiCarlo	Kernick	Polite	Wilt
Dietz	Klingaman	Pott	Wright, D.
Dininni	Knepper	Pratt	Wright, J. L.
Dombrowski	Knight	Pucciarelli	Yahner
Donatucci	Kolter	Punt	Yohn
Dorr	Kowalshyn	Pyles	Zeller
Duffy	Kukovich	Rappaport	Zitterman
Durham	Lashinger	Reed	Zord
Earley	Laughlin	Rhodes	Zwikel
Fee	Lehr	Richardson	
Fischer, R. R.	Levi	Rieger	Seltzer,
Fisher, D. M.	Levin	Ritter	Speaker
Foster, A.			

NAYS—4

DeWeese	Lewis	Rodgers	Wachob
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NOT VOTING—4

Dumas	Letterman	Street	Williams
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The question was determined in the affirmative, and the resolution was adopted.

STATEMENT BY MR. J. L. WRIGHT

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

Mr. J. L. WRIGHT. Mr. Speaker, I would make a couple of post-comments to the resolution that we just passed. It would appear that I may have the privilege of chairing that select committee. I would urgently request that the leadership on both sides of the aisle appoint the members of that select committee as soon as possible and I would greatly appreciate your getting those names to me so we can start organization and start some staff work on that committee.

Incidentally, we have tentatively scheduled for May 10 and 11 Mr. Denton from the Nuclear Regulatory Commission to appear before the select committee, in addition to which you may have noticed that we have been publishing and sending to every member of the House something called the "TMI Newsletter." That is a compilation of the congressional hearings that are going on in Washington. We receive on a daily basis reports out of Washington regarding the congressional investigations. We are digesting those and sending them to you on a weekly basis. It might be interesting for you to keep a file as you will be getting a copy once a week.

Once again, I ask the leadership on both sides of the aisle to appoint members of the select committee as soon as possible.

Mr. SEVENTY called up HR 35, PN 886, entitled:

House urge Board of Directors of Health Systems Agency to continue operation of South Side Hospital, Pittsburgh.

On the question,
Will the House adopt the resolution?

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

Mr. SEVENTY. Mr. Speaker, I stand to urge this House to vote "yes" on HR 35. After two rejections, the Health Service Agency Board did recognize the need for a full-service hospital on the south side of Pittsburgh. The third H.S.A. board of appeals voted in favor of our hospital by a 32 to 6 count, but there still remains the final approval of the Health Secretary, Dr. MacLeod. For this reason I am asking for a "yes" vote on HR 35.

Also, Mr. Speaker, if possible, would you recognize Mr. Dawida who would like to say a few words on the same subject.

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

Mr. DAWIDA. Mr. Speaker, I would like to point out that the Southside Hospital serves over a quarter of a million people. It is a full-service hospital which is smaller than the hospitals which the H.S.A. has been supporting with their policies of

late. Yet it does provide a needed service for the people of the community, and thus I urge all the members to vote "yes" on this resolution.

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

The following roll call was recorded:

YEAS—193

Alden	Fischer, R. R.	Livengood	Ryan
Anderson	Fisher, D. M.	Lynch, E. R.	Salvatore
Armstrong	Foster, A.	Lynch, F.	Scheaffer
Arty	Foster, W.	Mackowski	Schmitt
Austin	Freind	Madigan	Schweder
Barber	Fryer	Manderino	Scirica
Belardi	Gallagher	Manmiller	Serafini
Beloff	Gallen	McCall	Seventy
Bennett	Gamble	McClatchy	Shadding
Berson	Gannon	McIntyre	Shupnik
Bittle	Gatski	McKelvey	Sieminski
Borski	Geist	McMonagle	Sirianni
Bowser	George, C.	McVerry	Smith, E.
Brandt	George, M.	Michlovic	Smith, L.
Brown	Giammarco	Micozzie	Spencer
Brunner	Gladeck	Milanovich	Spitz
Burd	Goebel	Miller	Stairs
Burns	Goodman	Mowery	Steighner
Caltagirone	Grabowski	Mrkonic	Stewart
Cappabianca	Gray	Mullen, M. P.	Stuban
Cessar	Greenfield	Murphy	Sweet
Chess	Grieco	Musto	Swift
Cianciulli	Gruppo	Nahill	Taddonio
Cimini	Halverson	Novak	Taylor, E.
Clark, B.	Harper	Noye	Taylor, F.
Clark, R.	Hasay	O'Brien, B.	Telek
Cochran	Hayes, D. S.	O'Brien, D.	Thomas
Cohen	Hayes, S. E.	O'Donnell	Trello
Cole	Helfrick	Oliver	Vroon
Cornell	Honaman	Perzel	Wachob
Coslett	Hutchinson, A.	Peterson	Wargo
Cowell	Hutchinson, W.	Petrarca	Wass
Cunningham	Irvis	Piccola	Weidner
Davies	Itkin	Pievsky	Wenger
Dawida	Johnson, J.	Pistella	White
DeMedio	Jones	Pitts	Wilson
DeVerter	Kanuck	Polite	Wilt
DeWeese	Kernick	Pott	Wright, D.
DiCarlo	Knepper	Pratt	Wright, J. L.
Dietz	Knight	Pucciarelli	Yahner
Diminni	Kolter	Punt	Yohn
Dombrowski	Kowalyshyn	Rappaport	Zeller
Donatucci	Kukovich	Reed	Zitterman
Dorr	Lashinger	Rhodes	Zord
Duffy	Laughlin	Richardson	Zwickl
Dumas	Lehr	Rieger	
Durham	Levi	Ritter	Soltzer,
Earley	Levin	Rocks	Speaker
Fee	Lewis	Rodgers	

NAYS—5

Goesey	Klingaman	Pyles	Wagner
Hoefel			

NOT VOTING—5

Johnson, E.	Moehlmann	Street	Williams
Letterman			

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

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the gentleman from Lebanon, Mr. Moehlmann.

Mr. MOEHLMANN. Mr. Speaker, I was not quick enough with my switch when the vote was taken on HR 35. I believe the rules of the House require that since I am here, I vote. I would like to be recorded in the affirmative, please.

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

RULE SUSPENDED

The SPEAKER. The Chair recognizes the gentleman from Crawford, Mr. Swift.

Mr. SWIFT. Mr. Speaker, I offer the following condolence resolution and ask that the rule be suspended for its immediate consideration.

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

The following roll call was recorded:

YEAS—200

Alden	Foster, A.	Livengood	Rodgers
Anderson	Foster, W.	Lynch, E. R.	Ryan
Armstrong	Freind	Lynch, F.	Salvatore
Arty	Fryer	Mackowski	Scheaffer
Austin	Gallagher	Madigan	Schmitt
Barber	Gallen	Manderino	Schweder
Belardi	Gamble	Manmiller	Scirica
Beloff	Gannon	McCall	Serafini
Bennett	Gatski	McClatchy	Seventy
Berson	Geesey	McIntyre	Shadding
Bittle	Geist	McKelvey	Shupnik
Borski	George, C.	McMonagle	Sieminski
Bowser	George, M.	McVerry	Sirianni
Brandt	Giammarco	Michlovic	Smith, E.
Brown	Gladeck	Micozzie	Smith, L.
Brunner	Goebel	Milanovich	Spencer
Burd	Goodman	Miller	Spitz
Burns	Grabowski	Moehlmann	Stairs
Caltagirone	Gray	Mowery	Steighner
Cappabianca	Greenfield	Mrkonic	Stewart
Cessar	Grieco	Mullen, M. P.	Stuban
Chess	Gruppo	Murphy	Sweet
Cianciulli	Halverson	Musto	Swift
Cimini	Harper	Nahill	Taddonio
Clark, B.	Hasay	Novak	Taylor, E.
Clark, R.	Hayes, D. S.	Noye	Taylor, F.
Cochran	Hayes, S. E.	O'Brien, B.	Telek
Cohen	Helfrick	O'Brien, D.	Thomas
Cole	Hoefel	O'Donnell	Trello
Cornell	Honaman	Oliver	Vroon
Coslett	Hutchinson, A.	Perzel	Wachob
Cowell	Hutchinson, W.	Peterson	Wagner
Cunningham	Irvis	Petrarca	Wargo
Davies	Itkin	Piccola	Wass
Dawida	Johnson, E.	Pievsky	Weidner
DeMedio	Johnson, J.	Pistella	Wenger
DeVerter	Jones	Pitts	White
DeWeese	Kanuck	Polite	Wilson
DiCarlo	Kernick	Pott	Wilt
Dietz	Klingaman	Pratt	Wright, D.
Diminni	Knepper	Pucciarelli	Wright, J. L.
Dombrowski	Knight	Punt	Yahner
Donatucci	Kolter	Pyles	Yohn
Dorr	Kowalyshyn	Rappaport	Zeller
Duffy	Kukovich	Reed	Zitterman
Dumas	Lashinger	Rhodes	Zord

Durham	Laughlin	Richardson	Zwilk
Earley	Lehr	Rieger	
Fee	Levi	Ritter	Seltzer,
Fischer, R. R.	Levin	Rocks	Speaker
Fisher, D. M.	Lewis		

NAYS—0

NOT VOTING—3

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

CONDOLENCE RESOLUTION ADOPTED

WHEREAS, George Magee, Jr., a former member of the House of Representatives of the Commonwealth of Pennsylvania, passed away on March 3, 1979, at the age of seventy-two; and

WHEREAS, George Magee attended Mercersburg Academy; Allegheny College; the University of Pittsburgh; and National and Georgetown University. He was an attorney for more than forty years and a member of the Crawford County Bar Association, the Pennsylvania Bar Association, and the Texas Bar Association. He was first elected to the House of Representatives in 1954 and served faithfully for ten years. Mr. Magee was a member of numerous organizations including the Masonic Lodge 557 of Tionesta; Zem Zem Shrine Temple; and Crawford County Shrine Club, to name a few. He was one of the founders of the Meadville Little League; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to mourn the passing of a former member and extends its heartfelt condolences to his wife, Lucille; son, William C; daughter, Nancy Laughner; sisters and grandchildren; and be it further

RESOLVED, That a copy of this resolution be delivered to Mrs. Lucille E. Magee, 738 Baldwin Street, Meadville, Pennsylvania.

We hereby certify that this is an exact copy of a resolution introduced in the House of Representatives by the Honorable Tom Swift, and adopted by the House of Representatives on the 23rd day of April 1979.

H. JACK SELTZER,
Speaker

ATTEST:

CHARLES F. MEBUS,
Chief Clerk

The SPEAKER. Those in favor of the resolution will please stand and remain standing as a mark of respect.

(Members stood.)

The SPEAKER. The resolution is unanimously adopted.

RULES COMMITTEE MEETING

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, on the declaration of a recess, there will be a meeting of the Rules Committee.

It is the intention of the Republican side to go to caucus to caucus on the rules and any changes that are being offered by way of amendment. We also will caucus on the balance of the calendar so that we will be in a position to vote a good many of the bills presently on the calendar tomorrow. I would ask that members with amendments to the rules kindly send a copy of

them to our caucus, and the Republicans with amendments see to it that copies get to the Democratic caucus so that both parties have copies of prospective amendments.

RULE SUSPENDED

Mr. RYAN. Mr. Speaker, at this time I would move that rule 22 of the House be suspended to permit bills to be released from the Rules Committee today to be considered for the second time today, and those bills would be HB 392, HB 459, HB 353, HB 645, HB 735, and HB 970.

The SPEAKER. It has been moved by the majority leader that House rule 22 be suspended for a report of the Committee on Rules.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—182

Alden	Gallen	Livengood	Rodgers
Anderson	Gamble	Lynch, E. R.	Ryan
Arty	Gannon	Lynch, F.	Scheaffer
Austin	Gatski	Mackowski	Schmitt
Belardi	Geesey	Madigan	Schweder
Bennett	Geist	Manderino	Scirica
Berson	George, C.	Manmiller	Serafini
Bittle	George, M.	McCall	Seventy
Borski	Giammarco	McClatchy	Shadding
Bowser	Gladeck	McIntyre	Shupnik
Brandt	Goebel	McKelvey	Smith, E.
Brown	Goodman	McMonagle	Smith, L.
Burd	Grabowski	McVerry	Spencer
Burns	Gray	Michlovic	Stairs
Caltagirone	Greenfield	Micozzie	Steighner
Cappabianca	Grieco	Milanovich	Stewart
Cessar	Gruppo	Miller	Stuban
Chess	Halverson	Moehlmann	Sweet
Cimini	Harper	Mrkonic	Swift
Clark, B.	Hasay	Mullen, M. P.	Taddonio
Clark, R.	Hayes, D. S.	Murphy	Taylor, E.
Cochran	Hayes, S. E.	Musto	Taylor, F.
Cohen	Helfrick	Nahill	Telek
Cole	Hoefel	Novak	Thomas
Cornell	Honaman	Noye	Trello
Coslett	Hutchinson, A.	O'Brien, B.	Vroon
Cunningham	Hutchinson, W.	O'Brien, D.	Wachob
Davies	Irvis	O'Donnell	Wagner
Dawida	Itkin	Oliver	Wargo
DeVerter	Johnson, E.	Perzel	Wass
DeWeese	Johnson, J.	Peterson	Weidner
Dietz	Jones	Petrarca	Wenger
Dininni	Kanuck	Pievsky	White
Dombrowski	Kernick	Pistella	Wilson
Donatucci	Klingaman	Pitts	Wilt
Dorr	Knepper	Polite	Wright, D.
Duffy	Knight	Pott	Wright, J. L.
Durham	Kolter	Pratt	Yahner
Earley	Kowalshyn	Pucciarelli	Yohn
Fischer, R. R.	Kukovich	Punt	Zeller
Fisher, D. M.	Lashinger	Pyles	Zitterman
Foster, A.	Laughlin	Rappaport	Zord
Foster, W.	Lehr	Reed	Zwilk
Freind	Levi	Richardson	
Fryer	Levin	Ritter	Seltzer,
Gallagher	Lewis	Rocks	Speaker

NAYS—3

Cowell	Piccola	Spitz
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NOT VOTING—18

Armstrong	DeMedio	Mowery	Sieminski
Barber	DiCarlo	Rhodes	Sirianni
Beloff	Dumas	Rieger	Street
Brunner	Fee	Salvatore	Williams
Cianciulli	Letterman		

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

The SPEAKER. For the information of the members of the house, the cafeteria is still open.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, the Republican caucus will begin at 2:30. The Rules Committee meeting will begin immediately.

DEMOCRATIC CAUCUS

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

Mr. GREENFIELD. Mr. Speaker, the Democratic caucus will also meet at 2:30, allowing time to get a bite to eat, and we will be reviewing the rules, HR 53. I urge you to bring your copy with you to the caucus and also other bills which are on the tabled calendar and the regular calendar, Mr. Speaker, promptly at 2:30.

BILLS REPORTED FROM COMMITTEE

HB 142, PN 1124 (Amended) By Mr. BURNS

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), providing for alternative methods of equalizing tax levies among certain school districts.

Education.

HB 536, PN 1125 (Amended) By Mr. DIETZ

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), increasing the membership on the State Board of Education.

Education.

HB 586, PN 1126 (Amended) By Mr. R. R. FISCHER

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), further providing for the suspension and expulsion of pupils.

Education.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I move that the following bills be taken from the table:

HB 392; HB 459; HB 353; HB 645; HB 970; and HB 735.

On the question,

Will the House agree to the motion?

Motion was agreed to.

CALENDAR BILLS AGREED TO
ON SECOND CONSIDERATION

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

HB 392, PN 414; HB 459, PN 491; HB 353, PN 1068; HB 645, PN 1073; HB 970, PN 1078; and HB 735, PN 1074

BILLS PASSED OVER

The SPEAKER. Without objection, remaining bills on the calendar will be passed over.

The Chair hears no objection.

SENATE MESSAGE

ADJOURNMENT RESOLUTION FOR CONCURRENCE

The Senate presented the following resolution for concurrence:

In the Senate,
April 23, 1979.

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, April 30, 1979 and when the House of Representatives adjourns this week it reconvene on Monday, April 30, 1979.

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

On the question,

Will the House concur in the resolution of the Senate?

Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

ANNOUNCEMENT

The SPEAKER. The Chair wishes to announce that there will be no need for the members to return to the floor today. Session will begin at 11 a. m. tomorrow.

RECESS

The SPEAKER. Without objection, this House does now stand in recess until 3:30. The Chair hears none.

AFTER RECESS

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

WELCOMES

The SPEAKER. The Chair welcomes to the hall of the House, the eighth-grade class of Panther Valley High School with their teacher, Mr. Michael Bonner. They are the guests of Mr. McCall from Carbon County.

The Chair also welcomes to the hall of the House two distinguished members of the bar of Berks County, Mervin Heller, Jr., and Brad Miller, who are the guests of Messrs. Gallen and Davies.

While we are waiting, the Chair welcomes to the hall of the

House members of the Licensed Practical Nurses Association of Pennsylvania and the student practical nurses from the Willow Street Vo-Tech School of Lancaster County, guests of the Lancaster County delegation.

The Chair also welcomes to the hall of the House Mr. and Mrs. George Rossick, with the Township Supervisors Convention being held in Hershey, who are the guests of Messrs. Kolter, Laughlin, Milanovich and Brunner.

The Chair welcomes to the hall of the House a group of students from Easton High School, Northampton County, and their leader, Mr. Rich Grucela, who are the guests of the gentle-

men from Northampton County, Messrs. Gruppo and Sieminski.

ADJOURNMENT

Mr. RYAN moved that this House of Representatives do now adjourn until Wednesday, April 25, 1979, at 11 a.m., e.s.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 3:41 p.m., e.s.t., the House adjourned.