

# Legislative Journal

MONDAY, OCTOBER 15, 1979

Session of 1979

163rd of the General Assembly

Vol. 1, No. 72

## HOUSE OF REPRESENTATIVES

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

THE SPEAKER (H. JACK SELTZER) IN THE CHAIR

### PRAYER

THE HONORABLE JOSEPH M. GLADECK, JR., member of the House of Representatives and guest chaplain, offered the following prayer:

Today's prayer will be offered by PASTOR WALTER of Saint John's Lutheran Church, Center Square, Montgomery County.

Let us pray:

All mighty God, you have given us this good land as our heritage. Make us always to remember your generosity and constantly to do your will. Bless our Commonwealth with honest industry, trustful education and an honorable way of life. Save us from violence, discord, and confusion; from pride and arrogance, and from every unjust action. Make us who have come from many nations, races and cultures, a united people. When times are prosperous, let our hearts be thankful, and in troubled times, do not let our trust in you fail. Grant health and favor to the President and the Congress of these United States, to the Governor, and to those who administer and judge our laws in this Commonwealth. Help them to serve our people according to Your holy will. Finally, gracious Father, we make bold to pray for ourselves that we may do our work in a spirit of wisdom, kindness and justice. Help us to use our authority to serve faithfully and to promote the general welfare. We ask all this for Jesus Christ our Lord. Amen.

### PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Wednesday, October 10, 1979, will be postponed until printed.

### HOUSE BILLS INTRODUCED AND REFERRED

**HB 1812** By Representative SPITZ.  
PN 2227

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), providing for nonvoting student representatives on school boards.

Referred to Education, Oct. 11, 1979.

**HB 1813**  
PN 2228

By Representatives KNEPPER, SCHEAFFER, REED, J. L. WRIGHT, JR., DIETZ, NOYE, ARTY, LEVI, PUNT, A. K. HUTCHINSON, BURD, KUKOVICH, BRANDT, COCHRAN, GIAMMARCO, FREIND, BROWN, STUBAN, DAWIDA, GRABOWSKI, McVERRY, LASHINGER, POLITE, GRAY, HALVERSON, GRIECO, McCALL, E. Z. TAYLOR, DORR, ALDEN, GLADECK, WENGER and PERZEL.

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), providing for the exclusion from taxation of certain woodburning appliances.

Referred to Finance, Oct. 11, 1979.

**HB 1814**  
PN 2229

By Representatives DININNI and KOLTER.

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for exemptions from registration, classes of licenses, protective equipment, windshield wiper systems and visual signals.

Referred to Transportation, Oct. 11, 1979.

**HB 1815**  
PN 2230

By Representatives PITTS and E. H. SMITH.

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

Referred to Transportation, Oct. 11, 1979.

**HB 1816**  
PN 2231

By Representatives GRIECO, LETTERMAN, CIMINI, PETERSON, VROON, WARGO, SHUPNIK, SCHMITT, MRKONIC, HALVERSON, STAIRS, BURD, MADIGAN, FISCHER and SIEMINSKI.

An Act amending the "Protection From Abuse Act," approved October 7, 1976 (P. L. 1090, No. 218), further providing for emergency relief.

Referred to Judiciary, Oct. 11, 1979.

**HB 1817**  
PN 2232

By Representative WAGNER.

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the expenses of judges on temporary assignments.

Referred to Judiciary, Oct. 11, 1979.

**HB 1818**

By Representatives LAUGHLIN,

- PN 2233 MANDERINO, BRUNNER, F. J. LYNCH, TRELLO, ZITTEMAN, HALVERSON, STUBAN, DOMBROWSKI, DiCARLO, TADDONIO, L. E. SMITH, KNIGHT, PETRARCA, STEWART, FEE, LEWIS, LASHINGER and GLADECK.
- An Act amending "The Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), providing credits for certain expenditures relative to hazardous wastes.
- Referred to Finance, Oct. 11, 1979.
- HB 1819** By Representatives RHODES, SCIRICA, PN 2234 FISHER, WHITE, IRVIS, SPENCER, MANDERINO, BERSON, LEVIN, WACHOB, KUKOVICH, MICHLOVIC, ALDEN, COHEN, DiCARLO, SWEET, A. K. HUTCHINSON, DeWEESE, RICHARDSON, PIEVSKY and McVERRY.
- An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), providing for the Secretary and Department of Corrections.
- Referred to State Government, Oct. 11, 1979.
- HB 1820** By Representatives RHODES, SCIRICA, PN 2235 FISHER, WHITE, IRVIS, SPENCER, MANDERINO, BERSON, LEVIN, WACHOB, KUKOVICH, MICHLOVIC, ALDEN, COHEN, DiCARLO, SWEET, A. K. HUTCHINSON, DeWEESE, RICHARDSON, PIEVSKY and McVERRY.
- An Act establishing a Department of Corrections; providing for correctional facilities for inmates, for pre-release programs, for administration of correctional field services, for joint county detention facilities and for the powers of courts with respect to offenders; and establishing a Board of Probation and Parole, prescribing its powers and duties, providing for probation and parole procedures and making repeals.
- Referred to State Government, Oct. 11, 1979.
- HB 1821** By Representative SALVATORE. PN 2236
- An Act amending the act of December 22, 1959 (P. L. 1978, No. 728), referred to as the Pennsylvania Harness Racing Law, further providing for the employment of public employees.
- Referred to Agriculture and Rural Affairs, Oct. 11, 1979.
- HB 1822** By Representative SALVATORE. PN 2237
- An Act amending the "General Appropriation Act of 1979," approved July 4, 1979 (No. 9A), reducing the appropriation to the Pennsylvania Council on the Arts.
- Referred to Appropriations, Oct. 11, 1979.
- HB 1823** By Representatives SALVATORE, PN 2238 McKELVEY, ROCKS, PERZEL, D. M. O'BRIEN and GREENFIELD.
- An Act amending the "Senior Citizens Property Tax or Rent Rebate Act," approved March 11, 1971 (P. L. 104, No. 3), in-
- creasing the maximum allowable household income and increasing the maximum payable rebate.
- Referred to Finance, Oct. 11, 1979.
- HB 1824** By Representatives TADDONIO, McVERRY, PN 2239 DAWIDA, YOHN and ITKIN.
- An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for criminal mischief as to computers and specifically designating certain acts involving computers as crimes.
- Referred to Judiciary, Oct. 11, 1979.
- HB 1825** By Representatives GRUPPO, WIEDNER, PN 2240 TRELLO, GAMBLE, A. C. FOSTER, JR., SIEMINSKI, CORNELL, NAHILL, MICHLOVIC and M. H. GEORGE.
- An Act amending the "Pennsylvania Municipalities Planning Code," approved July 31, 1968 (P. L. 805, No. 247), further providing for joint municipal planning commissions.
- Referred to Local Government, Oct. 11, 1979.
- HB 1826** By Representatives FISHER, CESSAR, PN 2241 ZORD, TADDONIO, POTT, McVERRY and MURPHY.
- An Act amending the "Second Class County Port Authority Act," approved April 6, 1956 (1955 P. L. 1414, No. 465), further providing for the resolution of certain labor disputes.
- Referred to Transportation, Oct. 11, 1979.
- HB 1827** By Representatives DININNI, KOLTER, PN 2242 GEIST, A. K. HUTCHINSON, BRUNNER, RYAN, WILT, S. E. HAYES, JR., DAWIDA, GAMBLE, SEVENTY, KNIGHT, NOVAK, MURPHY, YOHN, DUFFY, POLITE, LAUGHLIN, HALVERSON, FISHER, GEESEY, GLADECK, E. G. JOHNSON, CORNELL, LEWIS, LASHINGER, McVERRY, WILSON, L. E. SMITH and MOEHLMANN.
- An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), establishing a credit against gross receipts tax for railroad expenditures on maintenance or right-of-way improvements.
- Referred to Transportation, Oct. 11, 1979.
- HB 1828** By Representatives WAGNER and PN 2243 HELFRICK.
- An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932, No. 317), authorizing the limiting of activities on sidewalks, streets and highways.
- Referred to Local Government, Oct. 11, 1979.
- HB 1829** By Representatives WAGNER and PN 2244 HELFRICK.
- An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), authorizing the limiting of the use of sidewalks, highways and streets.
- Referred to Local Government, Oct. 11, 1979.

**HB 1830** By Representatives WAGNER and  
PN 2245 HELFRICK.

An Act amending "The Borough Code," approved February 1, 1966 (1965 P. L. 1656, No. 581), authorizing the limiting of the use of sidewalks, highways and streets.

Referred to Local Government, Oct. 11, 1979.

**HB 1831** By Representatives WAGNER and  
PN 2246 HELFRICK.

An Act amending the act of June 17, 1913 (P. L. 507, No. 335), referred to as the Intangible Personal Property Tax Law, further providing for reports by prothonotaries and clerks of courts.

Referred to Local Government, Oct. 11, 1979.

**HB 1832** By Representative WAGNER.  
PN 2247

An Act amending "The County Code," approved August 9, 1955 (P. L. 323, No. 130), further providing for payment of autopsy expenses.

Referred to Local Government, Oct. 11, 1979.

**HB 1833** By Representative SCIRICA.  
PN 2256

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), granting township supervisors the power to regulate cable television services.

Referred to State Government, Oct. 15, 1979.

**HB 1834** By Representatives SPENCER, BERSON and  
PN 2257 SCIRICA.

An Act amending the "Uniform Acknowledgment Act," approved July 24, 1941 (P. L. 490, No. 188), providing for acknowledgement by an attorney at law.

Referred to Judiciary, Oct. 15, 1979.

**HB 1835** By Representatives SCIRICA, SPENCER and  
PN 2258 BERSON.

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, authorizing attachment of certain income for execution on bail forfeitures.

Referred to Judiciary, Oct. 15, 1979.

**HB 1836** By Representatives SCIRICA, SPENCER and  
PN 2259 BERSON.

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the time in which certain prosecutions must be commenced.

Referred to Judiciary, Oct. 15, 1979.

**HB 1837** By Representatives SCIRICA, SPENCER,  
PN 2260 BERSON and FISHER.

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining "malice" and further providing for certain remedies against individuals violating provisions relating to electronic surveillance.

Referred to Judiciary, Oct. 15, 1979.

**HB 1838** By Representatives SCIRICA, RHODES,

PN 2261 SPENCER, BERSON, W. D.  
HUTCHINSON, FISHER, McVERRY and  
KUKOVICH.

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, adding a definition of "forcible felony."

Referred to Judiciary, Oct. 15, 1979.

**HB 1839** By Representatives SCIRICA, RHODES,  
PN 2262 SPENCER, BERSON, FISHER and  
KUKOVICH.

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, permitting district attorneys to preapprove certain criminal proceedings.

Referred to Judiciary, Oct. 15, 1979.

**HB 1840** By Representatives BITTLE, FEE, BELARDI,  
PN 2263 SERAFINI, GEIST, LETTERMAN, J. L.  
WRIGHT, JR., STEIGHNER, GLADECK,  
MACKOWSKI, PICCOLA, MANMILLER,  
SALVATORE, LEVI, GALLEN, NOYE,  
CESSAR, SPENCER, VROON, DIETZ,  
SIEMINSKI, ARTY, GOEBEL and  
GEESEY.

An Act providing for the planning and regulation of solid waste, storage, collection, transportation, processing, treatment, and disposal; \*\*\*.

Referred to Conservation, Oct. 15, 1979.

#### HOUSE RESOLUTIONS INTRODUCED AND REFERRED

**Serial No. 132** By Representatives B. F. O'BRIEN,  
PN 2248 McCALL, GOODMAN, STUBAN,  
BURNS, SHUPNIK, MUSTO and  
ZITTERMAN.

House of Representatives commend the Philadelphia police, Mayor and City Council for outstanding job performance during Pope John Paul II's visit.

In the House, Oct. 10, 1979

Referred to Rules, Oct. 11, 1979.

**Serial No. 133** By Representatives W. D.  
PN 2249 HUTCHINSON, KLINGAMAN,  
GOODMAN and HELFRICK.

Mines and Energy Management Committee investigate the impact of Federal mining regulations on small anthracite mine operators.

In the House, Oct. 10, 1979

Referred to Rules, Oct. 11, 1979.

**Serial No. 134** By Representatives SWEET, C.  
PN 2250 GEORGE, DeMEDIO, GEESEY and  
BITTLE.

Speaker appoint a special committee to investigate inspection of buses, licensing and certification of school bus drivers and contracts with bus companies.

In the House, Oct. 10, 1979

Referred to Rules, Oct. 11, 1979.

Serial No. 135 By Representative GOEBEL.  
PN 2251

Speaker appoint a select committee to investigate the rate-making process of Workmen's Compensation and other municipal insurance areas.

In the House, Oct. 10, 1979

Referred to Rules, Oct. 11, 1979.

Serial No. 136 By Representatives PITTS, FISCHER,  
PN 2252 E. Z. TAYLOR, COCHRAN, E. G. JOHNSON, L. E. SMITH, REED, POTT, ITKIN, VROON, E. R. LYNCH, BOWSER, McCALL and COLE.

General Assembly memorialize the Governor and Department, Education develop a Mini-Olympics Program.

In the House, Oct. 10, 1979

Referred to Rules, Oct. 11, 1979.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The clerk of the Senate presented the following bills for concurrence:

SB 414, PN 1118

Referred to Committee on Agriculture and Rural Affairs.

SB 812, PN 1187

Referred to Committee on Judiciary.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip.

Mr. S. E. HAYES. Mr. Speaker, I request leaves of absence for Messrs. MILLER, KNEPPER, EARLEY, and W. D. HUTCHINSON for today's session.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, I have no requests for leaves of absence.

The SPEAKER. Without objection, leaves are granted.

MASTER ROLL CALL

The SPEAKER. The members will please come to the floor. The Chair is about to take the master roll call. On the master roll the members will proceed to vote.

The following roll call was recorded:

YEAS—195

Alden	Freind	Lynch, F.	Salvatore
Anderson	Fryer	Mackowski	Schaeffer
Armstrong	Gallagher	Madigan	Schmitt
Arty	Gallen	Manderino	Schweder
Austin	Gamble	Manmiller	Scirica
Barber	Gannon	McCall	Serafini
Belardi	Gatski	McClatchy	Seventy
Beloff	Geesey	McIntyre	Shadding

Bennett	Geist	McKelvey	Shupnik
Berson	George, C.	McMonagle	Sieminski
Bittle	George, M.	McVerry	Sirianni
Borski	Giammarco	Michlovic	Smith, E.
Bowser	Gladeck	Micozzie	Smith, L.
Brown	Goebel	Milanovich	Spencer
Brunner	Goodman	Moehlmann	Spitz
Burd	Grabowski	Mowery	Stairs
Burns	Gray	Mrkonic	Steighner
Caltagirone	Greenfield	Mullen, M. P.	Stewart
Cappabianca	Grieco	Murphy	Stuban
Cessar	Gruppo	Musto	Sweet
Chess	Harper	Nahil	Swift
Cimini	Hasay	Novak	Taddonio
Clark, B.	Hayes, D. S.	Noye	Taylor, E.
Clark, R.	Hayes, S. E.	O'Brien, B.	Taylor, F.
Cochran	Helfrick	O'Brien, D.	Telek
Cohen	Hoefel	O'Donnell	Thomas
Cole	Honaman	Oliver	Trello
Cornell	Hutchinson, A.	Perzel	Vroon
Coslett	Irvis	Peterson	Wachob
Cowell	Itkin	Petrarca	Wagner
Cunningham	Johnson, E.	Piccola	Wargo
Davies	Johnson, J.	Pievsky	Wass
Dawida	Jones	Pistella	Weidner
DeMedio	Kanuck	Pitts	Wenger
DeVerter	Kernick	Polite	White
DeWeese	Klingaman	Pott	Williams
DiCarlo	Knight	Pratt	Wilson
Dietz	Kolter	Pucciarelli	Wilt
Dininni	Kowalyszyn	Punt	Wright, D.
Dombrowski	Kukovich	Pyles	Wright, J. L.
Donatucci	Lashinger	Rappaport	Yahner
Dorr	Laughlin	Reed	Yohn
Duffy	Lehr	Rhodes	Zeller
Dumas	Letterman	Richardson	Zitterman
Durham	Levi	Rieger	Zord
Fee	Levin	Ritter	Zwicl
Fischer, R. R.	Lewis	Rocks	
Fisher, D. M.	Livengood	Rodgers	Seltzer,
Foster, A.	Lynch, E. R.	Ryan	Speaker
Foster, W.			

NAYS—0

NOT VOTING—8

Brandt	Earley	Hutchinson, W.	Miller
Cianciulli	Halverson	Knepper	Street

The SPEAKER. One hundred ninety-five members having indicated their presence, a master roll is established.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 434, PN 466 (Unanimous) By Mr. W. W. FOSTER

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), requiring a certificate of competency for certain hunters.

Game and Fisheries.

HB 893, PN 979 (Unanimous) By W. W. FOSTER

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), further restricting the use of spotlights, headlights or other artificial lights and changing the penalty.

Game and Fisheries.

HB 1150, PN 1294 (Unanimous) By Mr. W. W. FOSTER

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), increasing the penalty of the owner of

dogs killing deer and elk.

Game and Fisheries.

**HB 1235, PN 1392** (Unanimous) By Mr. W. W. FOSTER

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), authorizing the suspension of hunting privileges of persons failing to pay a penalty or honor a citation.

Game and Fisheries.

**HB 1407, PN 2253** (Amended) (Unanimous) By Mr. ZORD

An Act amending the "Senior Citizens Property Tax or Rent Rebate Act," approved March 11, 1971 (P. L. 104, No. 3), providing for inflation dividends; redefining certain terms; providing for anticipation of revenues and changing certain procedures.

Health and Welfare.

**HB 1684, PN 2254** (Amended) (Unanimous) By Mr. ZORD

An Act requiring the name of the issuer of a prescription to be printed thereon and providing a penalty.

Health and Welfare.

**HB 1840, PN 2263** By Mr. BITTLE

An Act providing for the planning and regulation of solid waste, storage, collection, transportation, processing, treatment, and disposal; \*\*\*

Conservation.

### REPORT OF JOINT STATE GOVERNMENT COMMISSION

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

Mr. SHUPNIK. Mr. Speaker, on behalf of the Joint State Government Commission, I have the honor to transmit herewith the publication "Interim Report of the Select Task Force to Study Cost-of-Living Adjustments and Benefit Funding for the State and School Retirement Systems."

Copies of the publication have been placed in the members' mail boxes.

The SPEAKER. The report will be noted in the Journal and printed in full in the Appendix.

(For publication, see Appendix.)

### CONSERVATION COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Franklin, Mr. Bittle, for an announcement.

Mr. BITTLE. Mr. Speaker, I would like to call an immediate meeting of the House Conservation Committee in room 245, that is, the Appropriations Committee meeting room, right now.

The SPEAKER. The chairman of the Conservation Committee has asked that all the members of the Conservation Committee report immediately to room 245, which is the Appropriations Committee meeting room. Will all the members of the Conservation Committee please report to room 245?

### CALENDAR BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 948, PN 1034**, entitled:

An Act amending the "Volunteer Fire Company, Ambulance Service and Rescue Squad Assistance Act," approved July 15, 1976 (P. L. 1035, No. 208), extending assistance in the form of loans for purchase of certain used equipment.

On the question,

Will the House agree to the bill on third consideration?

Mr. NOYE offered the following amendments:

Amend Title, page 1, line 13, by removing the period after "equipment" and inserting and further providing for certain refinancing.

Amend Sec. 1 (Sec. 4), page 3, line 13, by inserting brackets before and after "between" and inserting immediately thereafter after

Amend Sec. 1 (Sec. 4), page 3, line 13, by inserting brackets before and after "and July 1, 1978 inclusive"

On the question,

Will the House agree to the amendments?

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

Mr. NOYE. Mr. Speaker, this is an amendment to the Volunteer Firemen's Assistance Act.

A few years ago, when the act was originally drafted, we went to great lengths to make sure that the funds would not be available in the act for the refinancing of any outstanding loans that the fire company had at the time the act went into effect, primarily because we expected that the volunteer fire companies throughout Pennsylvania and ambulance companies and rescue squads would make a run on the \$10 million that we set aside for their use. That did not happen, and we still have almost \$6 million of that fund still available in that revolving account.

A couple years after the act went into effect, we did come back and place a period of time in the act where they could refinance if they took out a loan during that period of time, but anything prior to that—I think it was a 10-month or a 1-year period—still could not be refinanced.

My amendment would strike out from the act the prohibition of refinancing whenever it took place and would leave all fire companies the right to refinance any outstanding obligations that they presently have. I think the fund, financially, can take care of it without any problem.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, will the gentlemen, Mr. Noye, consent to interrogation?

The SPEAKER. The gentleman, Mr. Noye, indicates that he will, and the gentleman, Mr. Manderino, may proceed.

Mr. MANDERINO. Mr. Speaker, the Volunteer Fire Company Loan Act that is being amended puts certain limitations on how much can be originally borrowed for new equipment, for ambulances; for building limits they are different. Would the refinancing amendment that you are putting in here have to live within those limits? Is it structured in that manner?

Mr. NOYE. Yes.  
 Mr. MANDERINO. Thank you, Mr. Speaker.  
 On the question recurring,  
 Will the House agree to the amendments?  
 The following roll call was recorded:

YEAS—189

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

NAYS—2

Burns                      Wilson

NOT VOTING—12

Brandt	Earley	Knepper	Rhodes
Cianciulli	Halverson	Miller	Street
DeWeese	Hutchinson, W.	Pratt	Williams

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

REMARKS ON VOTES

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

Mr. BURNS. Mr. Speaker, I inadvertently voted the wrong way on the Noye amendment numbered A3127 to HB 948.

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

Mr. WILSON. Mr. Speaker, I voted the wrong way on the Noye amendment numbered A3127 to HB 948.

The SPEAKER. The Chair thanks the gentlemen. Their remarks will be spread upon the record.

REQUEST TO RERUN VOTE

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

Mr. ZELLER. Mr. Speaker, because of the problem that I had last year with the so-called high and mighty in the corner, I was thinking that possibly, could you please—because this is a very vital issue and for these two gentlemen, I am sure there are some people who would try to use it against them. I know that we do not do this too often, but if you could please—rerun it, because I have been a victim of that gang and I wish that they could have a chance of not being victims.

On the question,

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

Mr. RYAN offered the following amendments:

Amend Sec. 1, page 1, line 16, by striking out “and (d)” and inserting (d) and (g)

Amend Sec. 1 (Sec. 4), page 4, by inserting between lines 22 and 23

(g) A volunteer fire company, ambulance service and rescue squad shall be eligible for a loan under this act regardless of legal ownership in whole or part by any political subdivision of any facilities or apparatus equipment used by the volunteer fire company, volunteer ambulance and volunteer rescue squad. The credit of the political subdivision, by co-signing the application, may be used to satisfy the 20% requirements of subsection (a).

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the majority whip.

Mr. S. E. HAYES. Mr. Speaker, it has become necessary for the majority leader to leave the floor for a moment, but he is today offering an amendment to HB 948.

As we all recall, we placed a stipulation in the loan provision that in order for a local volunteer fire company to participate in the loan program, that organization would have to provide a 20-percent down payment. Mr. Ryan would like to amend the statute which would allow the credit of the political subdivision by cosigning the application. It may be used to satisfy the 20-percent requirements of the law. I urge adoption of the amendment, Mr. Speaker.

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

Mr. STUBAN. Mr. Speaker, may I interrogate the man who is speaking for the man who is putting it in?

The SPEAKER. The gentleman, Mr. Hayes, indicates that he will stand for interrogation. The gentleman, Mr. Stuban, may proceed.

Mr. STUBAN. Mr. Speaker, the question that I would like to ask here concerns a political subdivision, like a borough, that is buying the equipment for a volunteer fire company and they pay for all of the equipment. Is it possible for them to get the money?

Mr. S. E. HAYES. There was some noise, Mr. Speaker. The last part of your statement I did not hear.

Mr. STUBAN. Okay. The question that I am asking is, if we have a little borough that furnishes the volunteer fire company with all of the equipment, would it be possible for them to get the \$7,500 on a building or a piece of new equipment?

Mr. S. E. HAYES. It is my understanding that they would.

Mr. STUBAN. If that is the case, then I rise to support the amendment.

The SPEAKER. The Chair recognizes the gentleman from Cambria, Mr. Stewart.

Mr. STEWART. Mr. Speaker, would the gentleman stand for interrogation?

The SPEAKER. The gentleman, Mr. Hayes, indicates that he will. The gentleman, Mr. Stewart, may proceed.

MR. STEWART. Mr. Speaker, do you know if there will be any conflict with this amendment? In the various codes of the townships and boroughs, et cetera, there are, I believe—and correct me if I am wrong—spending limits on what they are allowed to contribute to a volunteer fire company.

Mr. S. E. HAYES. It is my understanding that there is no conflict with this amendment, Mr. Speaker.

Mr. STEWART. Do you know if there are limits in the municipalities as to what they can contribute to their local fire companies?

Mr. S. E. HAYES. I know of no prohibition that would cause a conflict with this amendment.

Mr. STEWART. Okay. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, we have created in the Commonwealth of Pennsylvania what can be considered a very viable and productive low-interest loan program for volunteer firemen, and I have problems when we tamper with what we have already done unless we are absolutely sure that we are not going to, in some manner, detract from the good job that has been done in the past.

To that end, Mr. Speaker, I would like to ask the offerer of the amendment whether he will consent to interrogation.

Mr. S. E. HAYES. Yes.

The SPEAKER. The gentleman, Mr. Hayes, indicates that he will, and the minority whip may proceed.

Mr. MANDERINO. Mr. Speaker, if a volunteer fire company—and I am not sure these limits will apply—is applying for a loan for building purposes—we began the program at \$35,000; we may be up to \$50,000 now, I am not sure—can that volunteer fire department, if this amendment were passed, borrow the

entire \$50,000 or \$35,000 without any local money being generated by that volunteer fire company?

Mr. S. E. HAYES. It is the intention of Mr. Ryan, where you have a fire company unable to generate that necessary down payment, to use the credit of that local political subdivision so it would be possible, even though there was an inability on the part of the fire organization to generate the money themselves, to make that down payment as required by law.

Mr. MANDERINO. Would it not then be changing the program where we would only finance at a 2-percent rate because of the 20-percent requirement? If we were only financing 80 percent of the costs of equipment or a building at a 2-percent rate, we could be financing the entire amount at 2 percent, if this amendment were passed?

Mr. S. E. HAYES. As I recall the General Assembly's intent, Mr. Speaker, we were trying to provide an opportunity for local volunteer fire services to provide a facility, to provide equipment which was necessary for them to carry out their purpose. Now it has been found subsequent to that enactment—and you kind of touched upon it yourself—that there are some local services unable to generate the necessary money to meet that 20-percent requirement. What Mr. Ryan would like to do, rather than telling that volunteer service that they cannot participate because they cannot generate the 20 percent, is to allow the municipality wherein they are located, if in fact that municipality wants to—this does not require them to but they may, through the Ryan amendment—to use the credit of their political subdivision as a way of satisfying the 20 percent.

Without any question, this General Assembly has to decide whether it wants to do that or not, but it has been found that there are some companies unable to generate the money and the local political subdivision is willing to make that commitment in lieu of the fire company.

Mr. MANDERINO. Let us take a for instance, Mr. Speaker. Let us take a for instance that community A wants to buy a building or put up a building for \$70,000 and this program as it presently exists allows them to borrow \$50,000 at 2 percent interest—I am not sure that those rates apply. They have \$20,000 local money. Would it not be advantageous for that local fire department to keep their \$20,000 in the bank and earn 7 percent, 8 percent, 9 percent interest, whatever the traffic will bear today, get their municipality to cosign the loan and come up here and get the full amount of money that they need for the building at 2 percent? I am bothered, I am not sure that that is what we are creating. I am afraid we are creating something that was not intended. Originally we wanted the initiative of volunteer fire companies to be maintained. We wanted them to have to raise that 20 percent themselves before they could get an easy 2-percent loan, and I think we are taking that initiative, the incentive for that initiative, away from them by this kind of an amendment.

Mr. S. E. HAYES. I do not know whether the gentleman's fears are well founded or not as to taking away initiative and volunteerism, but what we evidently are denying some companies is the opportunity to participate in the loan program because they themselves for whatever reason—it may not be a lack of volunteerism on their part—but nevertheless their

opportunity or their ability to generate these monies are impaired for some reason, and the gentleman, Mr. Ryan, would just like to expand the opportunity to participate by saying that the local subdivision may, if it wills, the local elected officials may, if they want to, place the credit of their subdivision on the line for this volunteer service, and we just have to make a “yes” or “no” decision in that regard, Mr. Speaker.

Mr. MANDERINO. I understand what he is trying to do. I have problems with the language with which he is trying to do that, because the 20-percent cash that most volunteer companies come up with at the present time—okay?—allows us to finance only a portion of the project at 2 percent, even though it may be 80 percent. I can see where we are going to be financing the entire project at 2 percent if this amendment passes. If the local community that wants to put up its credit wants to pay on that 20 percent the going rate of interest, then I think it would be fair. It would be fair for the local community that wants to put up 20 percent to pay the going rate on that 20 percent, and so that everybody is in the same boat, everybody pays 2 percent on the 80 percent. I can understand that.

I am also troubled by the fact that the credit of the political subdivision, simply by cosigning an application, satisfies the 20-percent requirement. I would like to see and I hope that what he means is not only the application but whatever note or promissory device or judgment device is used they also have to obligate themselves on, besides endorsing the application of the volunteer fire company. If that is what he means, I think we ought to state it in a little better language and I think we ought to insure that we are only providing a 2-percent loan on 80 percent of the cost of that project, which is what we have always done in the past, because you would be penalizing those people who have gone out and raised their 20 percent if you would allow 2-percent financing simply because the municipality has signed on as a cosponsor. You know, I am not against in theory allowing those volunteer fire companies to substitute the credit of their community for the 20-percent down payment so long as the substitution is fair, and unless they are paying the going rate of interest on that first 20 percent, then it is not fair. Some companies have had to put up cash on which they could be earning 7 percent or 8 percent interest and just getting the balance financed at 2 percent.

**REQUEST TO TABLE HB 948 AND AMENDMENTS**

Mr. MANDERINO. I would ask, perhaps, Mr. Speaker, rather than a defeat of the amendment, unless there is some urgency with the bill at this time, that we hold this until we try to work out language that would be fair to everyone.

Mr. ZELLER. Mr. Speaker, maybe I can help him on this.

Mr. Speaker, a point of order. I do not think you will have—

The SPEAKER. Will the gentleman yield?

The minority whip, Mr. Manderino, asks that this amendment and the bill be held over until Mr. Ryan can be consulted on it. Is that correct?

The Chair hears no objection to that.

**HB 948 AND AMENDMENTS TABLED**

The SPEAKER. The Chair recognizes the majority whip.

Mr. S. E. HAYES. Mr. Speaker, I move that the bill and the amendments be laid on the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

The House proceeded to third consideration of **HB 1011, PN 2036**, entitled:

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.

On the question,

Will the House agree to the bill on third consideration?

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

Amend Sec. 1 (Sec. 1), page 2, line 23, by striking out “AND CROWD” and inserting control and crowd control

Amend Sec. 1 (Sec. 1), page 2, line 24, by striking out “requests” and inserting request

Amend Sec. 1 (Sec. 1), page 2, line 30, by inserting after “employment.” Fire police performing such duties shall be identifiable by, at minimum, the wearing of a distinctive arm band.

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. Mr. Speaker, the amendment is in three parts, two of which are completely editorial. The section referring to page 2, line 24, is simply to correct the omission of the word “control” which is in the bill before you, so that it will read “traffic control and crowd control”. The second portion of the amendment is likewise editorial, on page 2, line 24, in which we make the word “requests” singular instead of plural.

The third part of the amendment simply stipulates that fire police shall wear some distinctive type uniform, distinguished by the wearing of at least an arm band.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—185

Alden	Foster, A.	Levin	Rodgers
Anderson	Foster, W.	Lewis	Ryan
Armstrong	Freind	Livengood	Salvatore
Arty	Fryer	Lynch, E. R.	Scheaffer
Austin	Gallagher	Lynch, F.	Schmitt
Barber	Gallen	Mackowski	Schweder
Belardi	Gamble	Madigan	Scirica
Bennett	Gannon	Manderino	Serafini
Berson	Gatski	Manmiller	Seventy
Bittle	Geesey	McCall	Shadding
Borski	Geist	McClatchy	Shupnik
Bowser	George, C.	McIntyre	Sieminski
Brown	George, M.	McKelvey	Sirianni
Brunner	Giammarco	McMonagle	Smith, E.
Burd	Gladeck	McVerry	Smith, L.
Burns	Goebel	Michlovic	Spencer
Caltagirone	Goodman	Micozzie	Spitz



Cappabianca	Grabowski	Milanovich	Stairs
Cessar	Gray	Moehlmann	Steighner
Chess	Greenfield	Mowery	Stewart
Cimini	Grieco	Mrkonic	Stuban
Clark, B.	Gruppo	Murphy	Sweet
Clark, R.	Harper	Musto	Swift
Cochran	Hasay	Nahill	Taddonio
Cohen	Hayes, D. S.	Novak	Taylor, E.
Cole	Hayes, S. E.	Noye	Telek
Cornell	Helfrick	O'Brien, D.	Thomas
Coslett	Hoeffel	O'Donnell	Vroon
Cowell	Honaman	Oliver	Wachob
Cunningham	Hutchinson, A.	Perzel	Wagner
Davies	Irviss	Peterson	Wargo
Dawida	Itkin	Petrarca	Wass
DeMedio	Johnson, E.	Piccola	Weidner
DeVerter	Johnson, J.	Pievsky	Wenger
DeWeese	Jones	Pistella	Wilt
DiCarlo	Kanuck	Pitts	Wright, D.
Dietz	Kernick	Polite	Wright, J. L.
Dininni	Klingaman	Pott	Yahner
Dombrowski	Knight	Pucciarelli	Yohn
Donatucci	Kolter	Punt	Zeller
Dorr	Kowalyszyn	Pyles	Zitterman
Duffy	Kukovich	Rappaport	Zord
Dumas	Lashinger	Reed	Zwikl
Durham	Laughlin	Richardson	
Fee	Lehr	Rieger	Seltzer,
Fischer, R. R.	Letterman	Ritter	Speaker
Fisher, D. M.	Levi	Rocks	

NAYS—0

NOT VOTING—18

Beloff	Hutchinson, W.	Pratt	White
Brandt	Knepper	Rhodes	Williams
Cianciulli	Miller	Street	Wilson
Earley	Mullen, M. P.	Taylor, F.	
Halverson	O'Brien, B.	Trello	

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

On the question,

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?

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

YEAS—192

Alden	Freind	Lynch, F.	Ryan
Anderson	Fryer	Mackowski	Salvatore
Armstrong	Gallagher	Madigan	Scheaffer
Arty	Gallen	Manderino	Schmitt
Austin	Gamble	Manmiller	Schweder
Barber	Gannon	McCall	Scirica
Belardi	Gatski	McClatchy	Serafini
Beloff	Geesey	McIntyre	Seventy
Bennett	Geist	McKelvey	Shadding
Berson	George, C.	McMonagle	Shupnik
Bittle	George, M.	McVerry	Sieminski
Borski	Giammarco	Michlovic	Sirianni
Bowser	Gladeck	Micozzie	Smith, E.
Brown	Goebel	Milanovich	Smith, L.
Brunner	Goodman	Moehlmann	Spencer
Burd	Grabowski	Mowery	Spitz

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

NAYS—0

NOT VOTING—11

Brandt	Donatucci	Knepper	White
Cianciulli	Halverson	Miller	Williams
Earley	Hutchinson, W.	Street	

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

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

The House proceeded to third consideration of **HB 1107, PN 1238**, entitled:

An Act amending "The Pennsylvania Insurance Guaranty Association Act," approved November 25, 1970 (P. L. 716, No. 232), amending certain definitions and changing the number of members on the board.

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?

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

Mr. LEVIN. Will the sponsor please stand for interrogation?

The SPEAKER. Will the gentleman from Chester, Mr. Vroon, stand for interrogation? The gentleman indicates that he will. The gentleman, Mr. Levin, may proceed.

Mr. LEVIN. Mr. Speaker, will you explain to the members

what the purpose of this bill is?

Mr. VROON. Do you really want me to do that?

Mr. LEVIN. Well, I would like you to explain the three major changes for this bill and the purposes for the changes.

Mr. VROON. Okay. Mr. Speaker, will you pass this bill over temporarily? It is just too involved to handle on short notice like this. Pass it over temporarily, please.

The SPEAKER. Will the gentleman be able to explain the purpose of the bill at a later time this afternoon?

Mr. VROON. That is right.

HB 1107 PASSED OVER TEMPORARILY

The SPEAKER. The Chair would indicate to the gentleman that there are not too many other bills to be voted on today.

Without objection, HB 1107 will be passed over temporarily.

The House proceeded to third consideration of SB 299, PN 802, entitled:

An Act amending the act of May 1, 1929 (P. L. 1216, No. 427), entitled "Real Estate Brokers License Act of one thousand nine hundred and twenty-nine," further providing for information which must appear on a business sign.

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?

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

The question is, shall the bill pass finally?

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

YEAS—191

Alden	Foster, W.	Lynch, F.	Ryan
Anderson	Freind	Mackowski	Salvatore
Armstrong	Fryer	Madigan	Scheaffer
Arty	Gallagher	Manderino	Schmitt
Austin	Gallen	Manmiller	Schweder
Barber	Gamble	McCall	Scirica
Belardi	Gannon	McClatchy	Serafini
Beloff	Gatski	McIntyre	Seventy
Bennett	Geesey	McKelvey	Shadding
Berson	Geist	McMonagle	Shupnik
Bittle	George, C.	McVerry	Sieminski
Borski	George, M.	Michlovic	Sirianni
Bowser	Giammarco	Micozzie	Smith, F.
Brown	Gladeck	Milanovich	Smith, L.
Brunner	Goebel	Moehlmann	Spencer
Burd	Goodman	Mowery	Spitz
Burns	Grabowski	Mrkonic	Stairs
Caltagirone	Gray	Mullen, M. P.	Steighner
Cappabianca	Grieco	Murphy	Stewart
Cessar	Gruppo	Musto	Stuban
Chess	Harper	Nahill	Sweet
Cimini	Hasay	Novak	Swift
Clark, B.	Hayes, D. S.	Noye	Taddonio
Clark, R.	Hayes, S. E.	O'Brien, B.	Taylor, E.
Cochran	Hoeffel	O'Brien, D.	Taylor, F.
Cohen	Honaman	O'Donnell	Telek
Cole	Hutchinson, A.	Oliver	Trello
Cornell	Irvis	Perzel	Vroon

Coslett	Itkin	Peterson	Wachob
Cowell	Johnson, E.	Petrarca	Wagner
Cunningham	Johnson, J.	Piccola	Wargo
Davies	Jones	Pievsky	Wass
Dawida	Kanuck	Pistella	Weidner
DeMedio	Kernick	Pitts	Wenger
DeVerter	Klingaman	Polite	White
DeWeese	Knight	Pott	Wilson
DiCarlo	Kolter	Pratt	Wilt
Dietz	Kowalshyn	Pucciarelli	Wright, D.
Dininni	Kukovich	Punt	Wright, J. L.
Dombrowski	Lashinger	Pyles	Yahner
Donatucci	Laughlin	Rappaport	Yohn
Dorr	Lehr	Reed	Zeller
Duffy	Letterman	Rhodes	Zitterman
Dumas	Levi	Richardson	Zord
Durham	Levin	Rieger	Zwinkl
Fee	Lewis	Ritter	
Fischer, R. R.	Livengood	Rocks	Seltzer,
Fisher, D. M.	Lynch, E. R.	Rodgers	Speaker
Foster, A.			

NAYS—1

Greenfield

NOT VOTING—11

Brandt	Halverson	Knepper	Thomas
Cianciulli	Helfrick	Miller	Williams
Earley	Hutchinson, W.	Street	

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

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

RECONSIDERATION OF VOTE ON HB 1468

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

Mr. DORR. Mr. Speaker, I move that the vote by which HB 1468, PN 1696, was passed on the 10th day of October be reconsidered.

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

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

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—187

Alden	Foster, W.	Livengood	Salvatore
Anderson	Freind	Lynch, E. R.	Scheaffer
Armstrong	Fryer	Lynch, F.	Schmitt
Arty	Gallagher	Mackowski	Schweder
Austin	Gallen	Madigan	Scirica
Barber	Gamble	Manderino	Serafini
Belardi	Gannon	Manmiller	Seventy
Bennett	Gatski	McCall	Shadding
Berson	Geesey	McClatchy	Shupnik
Bittle	Geist	McIntyre	Sieminski
Borski	George, C.	McKelvey	Sirianni
Bowser	George, M.	McMonagle	Smith, E.
Brown	Giammarco	McVerry	Smith, L.
Brunner	Gladeck	Michlovic	Spencer

Burd	Goebel	Micozzie	Spitz
Burns	Goodman	Milanovich	Stairs
Caltagirone	Grabowski	Mowery	Steighner
Cappabianca	Gray	Mrkonic	Stewart
Cessar	Greenfield	Mullen, M. P.	Stuban
Chess	Grieco	Murphy	Sweet
Cimini	Gruppo	Musto	Swift
Clark, B.	Harper	Nahill	Taddonio
Clark, R.	Hasay	Novak	Taylor, E.
Cochran	Hayes, D. S.	Noye	Taylor, F.
Cohen	Hayes, S. E.	O'Brien, B.	Telek
Cole	Helfrick	O'Brien, D.	Thomas
Cornell	Hoeffel	Oliver	Trello
Coslett	Honaman	Perzel	Vroon
Cowell	Hutchinson, A.	Peterson	Wachob
Cunningham	Irvis	Petrarca	Wagner
Davies	Itkin	Piccola	Wargo
Dawida	Johnson, J.	Pievsky	Wass
DeMedio	Jones	Pistella	Weidner
DeVerter	Kanuck	Pitts	White
DeWeese	Kernick	Polite	Wilson
DiCarlo	Klingaman	Pott	Wilt
Dietz	Knight	Pratt	Wright, D.
Dininni	Kolter	Pucciarelli	Wright, J. L.
Dombrowski	Kowalyszyn	Punt	Yahner
Donatucci	Kukovich	Pyles	Yohn
Dorr	Lashinger	Rappaport	Zeller
Duffy	Laughlin	Reed	Zitterman
Dumas	Lehr	Richardson	Zord
Durham	Letterman	Ritter	Zwinkl
Fee	Levi	Rocks	
Fischer, R. R.	Levin	Rodgers	Seltzer,
Fisher, D. M.	Lewis	Ryan	Speaker
Foster, A.			

NAYS—0

NOT VOTING—16

Beloff	Halverson	Miller	Rieger
Brandt	Hutchinson, W.	Moehlmann	Street
Cianciulli	Johnson, E.	O'Donnell	Wenger
Earley	Knepper	Rhodes	Williams

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

On the question recurring,

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

HB 1468 PLACED ON FINAL PASSAGE  
POSTPONED CALENDAR

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

Mr. DORR. Mr. Speaker, I move that HB 1468 be placed on the final passage postponed calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILLS AND RESOLUTIONS PASSED OVER

The SPEAKER. Without objection, all remaining bills and resolutions on today's calendar will be passed over.

The Chair hears no objection.

SENATE MESSAGE

AMENDED HOUSE BILL  
RETURNED FOR CONCURRENCE

The Senate returned the following House bill with amendments in which concurrence of the House is requested:

HB 815, PN 2134.

The SPEAKER. The bill will appear on the calendar.

SENATE MESSAGE

ADJOURNMENT RESOLUTION FOR CONCURRENCE

The Senate presented the following resolution for concurrence:

In the Senate,  
October 15, 1979.

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, October 22, 1979 and when the House of Representatives adjourns this week it reconvene on Monday, October 22, 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?

The following roll call was recorded:

YEAS—181

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

Dumas	Lashingner	Richardson	Zwikel
Durham	Lehr	Rieger	
Fee	Letterman	Ritter	Seltzer,
Fischer, R. R.	Levi	Rocks	Speaker
Fisher, D. M.	Levin	Rodgers	

**NAYS—1**

Laughlin

**NOT VOTING—21**

Beloff	Halverson	Miller	Street
Brandt	Hutchinson, W.	Moehlmann	Taylor, F.
Cianciulli	Knepper	O'Donnell	Wenger
Davies	Manderino	Pratt	White
Earley	McIntyre	Schweder	Williams
Gray			

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

Ordered, That the clerk inform the Senate accordingly.

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

Mr. GREENFIELD. Mr. Speaker, we would like to know what resolution you were voting on. The number was not on the board.

Mr. S. E. HAYES. It was the adjournment motion for next week.

The SPEAKER. For the information of the gentleman, it is the adjournment resolution.

Mr. GREENFIELD. Thank you, Mr. Speaker.

The SPEAKER. The gentleman is welcomed.

**REMARKS ON VOTE**

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

Mr. DAVIES. Mr. Speaker, on the adjournment resolution, I was preoccupied with other legislative matters. I would like to be recorded in the affirmative on that resolution.

The SPEAKER. The Chair thanks the gentleman. His remarks will be spread upon the record.

**HOUSE BILL INTRODUCED AND REFERRED**

**HB 1847** By Representatives SELTZER, RYAN, IRVIS,  
**PN 2273** MANDERINO, S. E. HAYES, JR., NOYE,  
 GREENFIELD, DiCARLO, SALVATORE,  
 CESSAR, GOODMAN, ANDERSON,  
 WARGO, McCLATCHY and PIEVSKY.

An act providing for the use of the South Office Building by the General Assembly.

Referred to Rules, Oct. 15, 1979.

**APPROPRIATIONS COMMITTEE MEETING**

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

Mr. McCLATCHY. Mr. Speaker, I would like to remind the members of the House Appropriations Committee that we will

be holding a meeting in the Appropriations Committee room at the break in just a few minutes.

**ADDITIONS AND DELETIONS OF SPONSORS**

The SPEAKER. The Chair recognizes the majority whip. Does the gentleman have any further business?

Mr. S. E. HAYES. A couple of things, Mr. Speaker.

First, Mr. Speaker, a procedural matter. Mr. Speaker, I submit the following list of additions and deletions of sponsors of bills:

**Additions:**

HR 132, Zitterman; HB 1407, Cole, K. J.; HB 1712, Oliver, F. L.; HB 1725, Halverson, K.; HB 1750, Halverson, K.; and HB 1813, Bowser, H. E.

**Deletions:**

HB 893, Letterman, R. P.; and HB 992, Letterman, R. P.

**HOUSE SCHEDULE**

Mr. S. E. HAYES. By way of schedule, Mr. Speaker, there will not be any more rollcall votes today. I would respectfully suggest that we retire to our respective caucuses and go over the calendar.

Tomorrow we will vote on HB 640, the divorce reform bill. Also, we are going to vote on SB 762, the legislation dealing with salaries for county officers.

I would also ask all Representatives to review the calendar and where they have a hold and still are waiting for information, please seek that information today so we can conclude much of the work which is before us on the calendar at the present time.

**RULES COMMITTEE MEETING**

Mr. S. E. HAYES. There will be a Rules Committee meeting as soon as we recess.

I will be returning to the floor of the House at 4 o'clock to report the bills acted upon by the Rules Committee, but there will not be any necessity for the Representatives to return at 4 o'clock. It will only be for the purpose of reporting bills at 4 o'clock.

I believe that the majority caucus chairman has an announcement.

**REPUBLICAN CAUCUS**

The SPEAKER. The Chair recognizes the gentleman from Perry, Mr. Noye. Does the gentleman have an announcement to make?

Mr. NOYE. Mr. Speaker, yes. There will be a Republican caucus immediately upon the adjournment motion. We want to caucus on the rest of the bills on the calendar so that we can vote on as many tomorrow as possible.

**DEMOCRATIC CAUCUS**

The SPEAKER. The Chair recognizes the gentleman from

Philadelphia, Mr. Greenfield.

Mr. GREENFIELD. We likewise will hold a caucus immediately upon the call of the recess. I urge everyone to be there immediately so that we can get on with the business. Thank you, Mr. Speaker.

The SPEAKER. The Chair reminds the members there is a meeting of the Committee on Appropriations immediately upon the declaration of a recess. There is a meeting of the Rules Committee immediately upon the declaration of the recess, and there is a Republican caucus and a Democratic caucus upon the call of the recess.

### RECESS

The SPEAKER. Without objection, this House stands in recess until 4 p.m.

### AFTER RECESS

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

### HOUSE BILLS INTRODUCED AND REFERRED

**HB 1841** By Representatives WILT, SHUPNIK,  
PN 2267 BURNS and MUSTO.

An Act amending the act of April 25, 1927 (P. L. 381, No. 248), referred to as the Arbitration by Contract Law, providing for costs and attorney fees on appeal.

Referred to Judiciary, Oct. 15, 1979.

**HB 1842** By Representatives W. W. FOSTER,  
PN 2268 DININNI and KOLTER.

An Act amending the act of May 31, 1911 (P. L. 468, No. 193), referred to as the State Highway Department Law, deleting a portion of Route 167 in Pike County and conveying and ceding jurisdiction to such route to the United States Government.

Referred to Transportation, Oct. 15, 1979.

**HB 1843** By Representatives PICCOLA and  
PN 2269 MANMILLER.

An Act designating Stony Creek as a component of the Pennsylvania Wild and Scenic Rivers System in accordance with the Pennsylvania Scenic Rivers Act; providing for cooperation and coordination in its protection and use and for the responsibilities of its management.

Referred to Conservation, Oct. 15, 1979.

**HB 1844** By Representatives SWEET, A. K.  
PN 2270 HUTCHINSON, LETTERMAN, C.  
GEORGE and DeMEDIO.

An Act amending "The County Code," approved August 9, 1955 (P. L. 323, No. 130), granting additional powers to certain counties to make appropriations to certain fire departments.

Referred to Local Government, Oct. 15, 1979.

**HB 1845** By Representatives SCHWEDER, SELTZER,  
PN 2271 KOWALYSHYN and ZORD.

An Act prohibiting the utilization of the terms "mongolism" or "mongoloid" as a synonym for the genetic disorder known as Down's syndrome.

Referred to Health and Welfare, Oct. 15, 1979.

**HB 1846** By Representatives SPENCER, L. E. SMITH  
PN 2272 and GAMBLE.

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, \*\*\* and changing disability provisions in both systems.

Referred to State Government, Oct. 15, 1979.

**HB 1848** By Representatives IRVIS, MANDERINO and  
PN 2280 GALLAGHER.

An Act amending the "General Appropriation Act of 1979," approved July 4, 1979 (No. 9A), providing for an appropriation to the Department of Education for the Welkinweir Estate of West Chester State College.

Referred to Appropriations, Oct. 15, 1979.

**HB 1849** By Representatives KOLTER, McCALL,  
PN 2281 PETRARCA, DININNI and B. D. CLARK.

An Act amending the act of June 1, 1931 (P. L. 299, No. 137), entitled "An act requiring retail dealers in liquid fuels to state the rate of the liquid fuels tax, separately from the price of such liquid fuels, on liquid fuel price display signs; and imposing a penalty," further providing for the display of certain information.

Referred to Transportation, Oct. 15, 1979.

**HB 1850** By Representatives SCIRICA, WACHOB and  
PN 2282 BERSON.

An act amending Title 41 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for certain provisions relating to juveniles.

Referred to Judiciary, Oct. 15, 1979.

**HB 1851** By Representatives ALDEN, MOWERY and  
PN 2283 PERZEL.

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for counsel fees in assumpsit cases.

Referred to Judiciary, Oct. 15, 1979.

**HB 1852** By Representative ALDEN.  
PN 2284

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the secure detention of certain dependent children.

Referred to Judiciary, Oct. 15, 1979.

### SENATE MESSAGE

#### SENATE BILL FOR CONCURRENCE

The clerk of the Senate presented the following bill for concurrence:

**SB 804, PN 1188**

Referred to Committee on Transportation.

**BILLS REMOVED FROM TABLE FOR CALENDAR**

The SPEAKER. The Chair recognizes the majority whip.

Mr. S. E. HAYES. Mr. Speaker, the Rules Committee has instructed me to make a motion to remove the following bills from the table to the active calendar, and I so move:

HB 1512, PN 1771; HB 1526, PN 1792; HB 1673, PN 2213; HB 1683, PN 2055; SB 337, PN 1171; HB 230, PN 1220.

On the question,

Will the House agree to the motion?

Motion was agreed to.

**BILLS REMOVED FROM TABLE AND REREFERRED**

The SPEAKER. The Chair recognizes the majority whip.

Mr. S. E. HAYES. The Rules Committee has instructed me to make a motion to remove the following bills from the table and rerefer them to the Appropriations Committee for the purpose of a fiscal note, and I so move:

HB 1222, PN 1375; HB 1611, PN 1936; SB 489, PN 1181; HB 1407, PN 1602; HB 309, PN 2184; HB 1840, PN 2263.

On the question,

Will the House agree to the motion?

Motion was agreed to.

**BILL REMOVED FROM TABLE AND RECOMMITTED**

The SPEAKER. The Chair recognizes the majority whip.

Mr. S. E. HAYES. The Rules Committee has instructed me to make a motion to remove the following bill from the table and recommit it to the State Government Committee, and I so move:

HB 580, PN 630.

On the question,

Will the House agree to the motion?

Motion was agreed to.

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

**HB 1847, PN 2273** By Mr. S. E. HAYES

An Act providing for the use of the South Office Building by the General Assembly.

Rules.

**RESOLUTIONS REPORTED FROM COMMITTEE**

**HR 132, PN 2248** By Mr. S. E. HAYES

The House of Representatives commend the Philadelphia police, the Mayor and City Council of Philadelphia for the outstanding job they performed during Pope John Paul II's visit to Philadelphia on October 3, 1979.

Rules.

**HR 133, PN 2249** By Mr. S. E. HAYES

The Mines and Energy Management Committee of this House of Representatives be directed to investigate the impact of

Federal mining regulations on small anthracite mine operators.  
Rules.

**BILLS REREPORTED FROM COMMITTEE**

**HB 173, PN 1798** By Mr. McCLATCHY

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

Rereported from Committee on Appropriations.

**HB 339, PN 361** By Mr. McCLATCHY

An Act creating the Veterans Memorial Commission as a temporary body to develop detailed plans for the creation of a State memorial honoring Pennsylvania servicemen and to submit a report of its findings, recommendations and proposed legislation to the General Assembly.

Rereported from Committee on Appropriations.

**HB 503, PN 2034** By Mr. McCLATCHY

An Act amending the act of May 29, 1956 (1955 P. L. 1804, No. 600), referred to as the Municipal Police Pension Law, further providing for membership on the board and requiring an annual report.

Rereported from Committee on Appropriations.

**HB 601, PN 2274 (Amended)** By Mr. McCLATCHY

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for contributions by the Commonwealth and for a cost-of-living increase.

Rereported from Committee on Appropriations.

**HB 740, PN 2035** By Mr. McCLATCHY

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), providing for an increase in the maximum compensation of an attorney employed by an auditor.

Rereported from Committee on Appropriations.

**HB 852, PN 929** By Mr. McCLATCHY

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further providing for the gross receipts tax on electricity provided in the Commonwealth.

Rereported from Committee on Appropriations.

**HB 960, PN 2060** By Mr. McCLATCHY

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, adding additional judges to courts of common pleas in Lycoming, Butler, Montgomery, Carbon, Lebanon, Bucks, York, Mercer, Chester, Westmoreland and Delaware counties.

Rereported from Committee on Appropriations.

**HB 1020, PN 2276 (Amended)** By Mr. McCLATCHY

An Act amending the act of February 1, 1966 (1965 P. L. 1656, No. 581), entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs," authorizing certain boroughs to operate cable television service for borough inhabitants.

Rereported from Committee on Appropriations.

**HB 1217, PN 2277 (Amended)** By Mr. McCLATCHY

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), entitled "An act concerning townships of the second class; and

amending, revising, consolidating, and changing the law relating thereto," increasing the allowable expense for attending the annual meeting of township supervisors.

Rereported from Committee on Appropriations.

**HB 1384, PN 2278** (Amended) By Mr. McCLATCHY

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206, No. 331), increasing the expense allowance.

Rereported from Committee on Appropriations.

**HB 1385, PN 2279** (Amended) By Mr. McCLATCHY

An Act amending "The Borough Code," approved February 1, 1966 (1965 P. L. 1656, No. 581), increasing the expense allowance.

Rereported from Committee on Appropriations.

**HB 1840, PN 2263** By Mr. McCLATCHY

An Act providing for the planning and regulation of solid waste, storage, collection, transportation, processing, treatment, and disposal; \*\*\*

Rereported from Committee on Appropriations.

**SB 210, PN 1075** (Unanimous) By Mr. McCLATCHY

An Act amending the act of May 29, 1956 (1955 P. L. 1804, No. 600), entitled "Municipal Police Pension Law," providing for vesting.

Rereported from Committee on Appropriations.

**SB 395, PN 1107** By Mr. McCLATCHY

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," providing for certain notification responsibilities of local law enforcement agencies, providing for an exception to the minimum allowable claim and changing an effective date.

Rereported from Committee on Appropriations.

**HB 696, PN 1217** (Amended) By Mr. McCLATCHY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for inspections, for studded tires, for the standing and parking of vehicles and for the removal of vehicles from certain property.

Rereported from Committee on Appropriations.

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

**HB 855, PN 2275** (Amended) By Mr. McCLATCHY

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, providing for cost-of-living supplements for annuitants.

Appropriations.

**HB 1771, PN 2166** By Mr. McCLATCHY

An Act making an appropriation to the Mummers Museum of Arts in Philadelphia, Pennsylvania.

Appropriations.

**SB 234, PN 1014** By Mr. McCLATCHY

An Act making an appropriation to the Greater Pittsburgh Guild for the Blind, Pittsburgh, Pennsylvania, for the provision of services to the blind.

Appropriations.

**BILL SIGNED BY SPEAKER**

The following bill, having been prepared for presentation to the Governor, was signed by the Speaker:

**SB 693, PN 911**

An Act amending the act of December 31, 1965 (P. L. 1257, No. 511), entitled "The Local Tax Enabling Act," further restricting right to tax real estate transfers by excluding certain transfers made pursuant to Sheriff Sales.

**WELCOMES**

The SPEAKER. The Chair welcomes to the hall of the House Mr. Don Persutti, district magistrate from Allegheny County, who is the guest of Messrs. Trello and Goebel.

The Chair welcomes from West Mifflin, Allegheny County, Mrs. Lena Smarzik, chairwoman of the West Mifflin Democratic Party, Miss Lois Gogolya, Mr. and Mrs. Joseph Gogolya and Mrs. Charlotte Duffy. They are the guests of Mr. Novak.

**ADJOURNMENT**

Mr. BITTLE moved that this House of Representatives do now adjourn until Tuesday, October 16, 1979, at 11 a.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 4:15 p.m., e.d.t., the House adjourned.