

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

MONDAY, OCTOBER 22, 1979

Session of 1979

163rd of the General Assembly

Vol. 1, No. 75

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (H. JACK SELTZER) IN THE CHAIR

PRAYER

THE HONORABLE THOMAS J. MURPHY, JR., member of the House of Representatives and guest chaplain, offered the following prayer:

Dear Lord, in the business and self-absorption with our own lives, I ask that You give each of us the wisdom to stop for a moment to enjoy this beautiful fall day. Your handiwork, so often puzzling, is easy to see. Through it we are refreshed and are better able to face our decisions with patience and vision. 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 17, 1979, will be postponed until printed.

HOUSE BILLS INTRODUCED AND REFERRED

HB 1866 By Representatives GIAMMARCO, MULLEN, D. M. O'BRIEN, SALVATORE, PERZEL, BORSKI, McMONAGLE and JONES.

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further defining "personal staff" insofar as it relates to the Philadelphia Traffic Court.

Referred to Judiciary, Oct. 17, 1979.

HB 1867 By Representatives TADDONIO, KNEPPER and MRKONIC.

An Act relating to marital and family therapists; requiring licensing of certain individuals who use the title of and/or advertise the service of marital and family therapy in the Commonwealth of Pennsylvania; *** fixing penalties for violation and making an appropriation.

Referred to State Government, Oct. 17, 1979.

HB 1868 By Representatives FREIND, F. J. LYNCH, MULLEN, MICOZZIE, ALDEN, DURHAM, GANNON and ARTY.

An Act amending the "Abortion Control Act," approved September 10, 1974 (P. L. 639, No. 209), further providing for consent.

Referred to Health and Welfare, Oct. 17, 1979.

HB 1869 By Representatives FISCHER and STAIRS.

An Act amending "The Local Tax Enabling Act," approved December 31, 1965 (P. L. 1257, No. 511), changing provisions relating to exemptions from taxation.

Referred to Finance, Oct. 17, 1979.

HB 1870 By Representatives FISCHER and STAIRS.

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571, No. 254), changing provisions relating to exemptions from per capita taxes.

Referred to Local Government, Oct. 17, 1979.

HB 1871 By Representatives FISCHER and STAIRS.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), changing provisions relating to per capita taxes.

Referred to Education, Oct. 17, 1979.

HB 1872 By Representatives FISCHER and GAMBLE.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), providing for certain forfeitures during strikes.

Referred to Education, Oct. 17, 1979.

HB 1873 By Representative SCIRICA.

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for costs in civil and criminal cases.

Referred to Judiciary, Oct. 17, 1979.

No. 1874 By Messrs. L. E. SMITH, BRUNNER, RAPPAPORT, GRIECO, DeVERTER and LAUGHLIN.

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing that the Federal bankruptcy exemptions are not available to residents of the Commonwealth.

Referred to Judiciary, Oct. 17, 1979.

HB 1875 By Representatives ZELLER, MACKOWSKI, ZWIKL, DiCARLO, CALTAGIRONE, COSLETT, SERAFINI and PERZEL.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), providing for county-wide transfers of licenses.

Referred to Liquor Control, Oct. 17, 1979.

HB 1876 By Representatives McKELVEY, SALVATORE, PERZEL, ROCKS, GANNON, ARTY, DURHAM, ALDEN, M. R. CLARK and SWIFT.

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), exempting retired persons sixty years of age and over from the personal income tax on certain interest and dividends.

Referred to Finance, Oct. 17, 1979.

HB 1877 By Representative FISCHER.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), requiring preference in purchases be given to Pennsylvania based manufacturers and providers of services.

Referred to State Government, Oct. 19, 1979.

HB 1878 By Representatives IRVIS, MANDERINO, REED, KERNICK, SWEET, KUKOVICH, D. R. WRIGHT, MICHLOVIC, J. L. WRIGHT, JR., STUBAN, POTT, GIAMMARCO, SHUPNIK, J. J. JOHNSON, HALVERSON, MUSTO, JONES, McCALL, MRKONIC, ITKIN, KNEPPER, DAWIDA, WILSON, ALDEN, McKELVEY, PRATT and WHITE

An Act requiring publication of certain facts in connection with award of contracts requiring competitive bidding.

Referred to State Government, Oct. 19, 1979.

HOUSE RESOLUTION INTRODUCED AND REFERRED

Serial No. 137 By Representatives MICHLOVIC, IRVIS, COWELL, S. E. HAYES, JR., HONAMAN, KOLTER, ITKIN, KUKOVICH, HOFFFEL, O'DONNELL, DAWIDA, PISTELLA, SEVENTY, TRELLO, AUSTIN, GAMBLE, McVERRY, TADDONIO and KNEPPER.

General Assembly establish a Commission on Technology.

In the House, Oct. 17, 1979

Referred to Rules, Oct. 17, 1979.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

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

SB 473, PN 1200

Referred to Committee on Judiciary.

SB 882, PN 1147

Referred to Committee on Transportation.

SB 899, PN 1027

Referred to Committee on State Government.

SB 900, PN 1162

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. F. J. LYNCH for today's session, and for Mr. J. L. WRIGHT for the week's session.

The SPEAKER. The Chair recognizes the gentleman from Lawrence, Mr. Fee.

Mr. FEE. Mr. Speaker, I request leaves of absence for Mr. PIEVSKY for today's session, and for Mrs. KERNICK for the week's session.

The SPEAKER. Without objection, leaves are granted.

MASTER ROLL CALL RECORDED

The SPEAKER. The members will please report to the floor. The Chair is about to take the master roll call. Only those members in their seats will be recorded. Members will proceed to vote.

The following roll call was recorded:

YEAS—195

Alden	Foster, A.	Levin	Rodgers
Anderson	Foster, W.	Lewis	Ryan
Armstrong	Freind	Livengood	Salvatore
Arty	Fryer	Lynch, E. R.	Scheaffer
Austin	Gallagher	Mackowski	Schmitt
Barber	Gallen	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	Micozzie	Spencer
Burd	Goodman	Milanovich	Spitz
Burns	Grabowski	Miller	Stairs
Caltagirone	Gray	Moehlmann	Steighner
Cappabianca	Greenfield	Mowery	Stewart
Cessar	Grieco	Mrkonic	Stuban
Chess	Gruppo	Mullen, M. P.	Sweet
Cimini	Halverson	Murphy	Swift
Clark, B.	Harper	Musto	Taddonio
Clark, R.	Hasay	Nahill	Taylor, E.
Cochran	Hayes, D. S.	Novak	Taylor, F.
Cohen	Hayes, S. E.	Noye	Telek
Cole	Helfrick	O'Brien, B.	Thomas
Cornell	Hoeffel	O'Brien, D.	Trello

Coslett	Honaman	O'Donnell	Vroon
Cowell	Hutchinson, A.	Oliver	Wachob
Cunningham	Hutchinson, W.	Perzel	Wagner
Davies	Irvis	Peterson	Wargo
Dawida	Itkin	Petrarca	Wass
DeMedio	Johnson, E.	Piccola	Weidner
DeVerter	Johnson, J.	Pistella	Wenger
DeWeese	Jones	Pitts	White
DiCarlo	Kanuck	Polite	Wilson
Dietz	Klingaman	Pott	Wilt
Dininni	Knepper	Pratt	Wright, D.
Dombrowski	Knight	Pucciarelli	Yahner
Donatucci	Kolter	Punt	Yohn
Dorr	Kowalyszyn	Pyles	Zeller
Duffy	Kukovich	Rappaport	Zitterman
Dumas	Lashingier	Reed	Zord
Durham	Laughlin	Rhodes	Zwinkl
Earley	Lehr	Rieger	
Fee	Letterman	Ritter	Seltzer,
Fischer, R. R.	Levi	Rocks	Speaker
Fisher, D. M.			

NAYS—0

NOT VOTING—8

Cianciulli	Lynch, F.	Richardson	Williams
Kernick	Pievsky	Street	Wright, J. L.

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

RESOLUTIONS REPORTED FROM COMMITTEES

HR 107, PN 1879 (Concurrent) By Mr. D. S. HAYES

The General Assembly of the Commonwealth of Pennsylvania urges the members of Pennsylvania's Congressional delegation, in concert with the delegations of the other affected states, to propose and work toward the passage of legislation which would permit the Environmental Protection Agency to grant exemptions from penalties under § 120 of the Clean Air Act on a case-by-case basis to any public utility that has negotiated, or may negotiate, and is making a good faith effort to comply with a consent agreement made with Federal or State agencies.

Federal-State Relations, October 22, 1979.

HR 115, PN 2323 (Amended) By Mr. D. S. HAYES (Concurrent)

The General Assembly of the Commonwealth of Pennsylvania hereby memorializes the Congress of the United States to initiate the establishment of an interstate Public Utility Advisory Commission to be composed of representatives of the Federal Energy Regulatory Commission and from the state governments of the surrounding states of New York, New Jersey, Delaware, Maryland, West Virginia and Ohio.

Federal-State Relations, October 22, 1979.

HR 123, PN 2094 By Mr. D. S. HAYES

The House of Representatives of the Commonwealth of Pennsylvania directs the Federal-State Relations Committee of the House of Representatives to carry out the necessary preliminary tasks and responsibilities, working in cooperation with the United States Bureau of the Census and other affected parties, to develop a plan for United States Congressional Redistricting, and to report same to the House of Representatives as soon as possible.

Federal-State Relations, October 22, 1979.

HR 126, PN 2132 (Concurrent) By Mr. D. S. HAYES

The General Assembly of the Commonwealth of Pennsylvania memorialize the Congress and the President of the United States of America that the free economic and political system of the People of Taiwan should continue.

Federal-State Relations, October 22, 1979.

HR 131, PN 2210 (Concurrent) By Mr. D. S. HAYES

The General Assembly of the Commonwealth of Pennsylvania memorializes the Congress of the United States to designate the fourth Saturday in September of each year as National Hunting and Fishing Day and that it request the President of the United States to issue a formal proclamation designating that day as such.

Federal-State Relations, October 22, 1979.

ANNOUNCEMENT

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Burns, for a brief announcement.

Mr. BURNS. Mr. Speaker, I just want to make the announcement that at the regularly scheduled meeting of the Basic Education Subcommittee hearing tomorrow morning at 9:30 in room 401, we will be adding SB 544 and SB 545 to the agenda. Thank you.

CALENDAR

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, if the minority leader will listen to me for a moment, I understand that, on page 5, HB 421 is in a position to move, although we have it marked "over." Mr. Noye is here; he has his amendments, and the hold is taken off, if there is no objection from the minority leader.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. We have no objections to that, Mr. Speaker.

HB 227 PASSED OVER TEMPORARILY

The SPEAKER. The Chair has just been informed that the amendments to be offered to HB 227 have not been circulated or reproduced. Without objection, HB 227 will be passed over temporarily.

QUESTION OF INFORMATION

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

Mr. STEWART. I rise to a question of information.

The SPEAKER. The gentleman will state it.

Mr. STEWART. In the analysis section of HB 227, on page 11, the last sentence reads, "At this point in time, however, we feel that this would not happen since county costs should be small." I wonder if the Speaker could clarify who is being referred to as "we."

Mr. W. D. HUTCHINSON. Mr. Speaker, I did not hear the gentleman's inquiry, and since it is directed—

The SPEAKER. The gentleman's question is on the analysis of HB 227 on the calendar when they refer to the statement that county costs would be small if this bill were enacted. His

question was, who wrote the analysis of the bill on our calendar?

Mr. W. D. HUTCHINSON. Mr. Speaker, it is my understanding that that is the analysis of the Appropriations Committee and that that is an analysis that is based on statistics relating to the average length of trials in the Commonwealth of Pennsylvania, at 2.1 days.

Mr. STEWART. Mr. Speaker, I am not so much concerned about the meaning of the analysis. I am just trying to clarify that whenever we see the word "we" on these analyses, does that mean the Republican staff of the Appropriations Committee or whatever committee the bill is in, or is that the Legislative Reference Bureau's opinion? Just whose is it?

Mr. W. D. HUTCHINSON. Mr. Speaker, the cost analysis on this bill—there was a cost analysis done by the Democratic staff and by the Republican staff. I know it was done by both staffs. In Judiciary it was again done in Appropriations Committee. Having studied this matter and been involved in it for some 6 years, I concur with the statement that the costs will be small and I believe that that would be a conclusion of both staffs.

Mr. STEWART. Again, my point is not specifically to this bill. My point is made whenever we see the word "we" on the calendar and these analyses, I would like to know who that refers to.

The SPEAKER. The Chair would suggest that each time the question arises he ask the Chair because "we" could mean different people on various occasions. The Chair will attempt to determine who "we" is. Sometimes you may be we.

The Chair recognizes the gentleman from Montgomery, Mr. McClatchy. For what purpose does the gentleman rise?

Mr. McCLATCHY. Just to clarify the fiscal note and the analysis.

The SPEAKER. Will the gentleman yield? The Chair has passed over HB 227 temporarily, and the Chair would like to continue with another bill on the calendar.

The Chair recognizes the gentleman from Schuylkill, Mr. Hutchinson. For what purpose does the gentleman rise?

Mr. W. D. HUTCHINSON. Mr. Speaker, not to add further confusion to the thing, but there are several other amendments to HB 227 which have been circulated, reproduced and are ready.

The SPEAKER. There are several amendments that the sponsoring members have leave of absence for the day. There are other amendments also being processed in the duplicating room now. So the Chair sees little advantage to taking this bill up at this time.

The Chair has been informed that it may be several hours before the gentleman's amendments are ready for circulation.

The House proceeded to third consideration of **HB 421, PN 1702**, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736, No. 338), further providing for volunteer firemen and ambulance corpsmen.

On the question,

Will the House agree to the bill on third consideration?

On the question,

Will the House agree to the bill on third consideration?

Mr. NOYE offered the following amendments:

Amend Title, page 1, line 8, by removing the period after "corpsmen" and inserting and for the cost of certain insurance premiums.

Amend Sec. 1 (Sec. 601), page 1, line 15, by inserting after "601." (a)

Amend Sec. 1 (Sec. 601), page 4, line 25, by inserting before "In" (b)

Amend Sec. 1 (Sec. 601), page 5, line 1, by inserting before "Whenever" (c)

Amend Sec. 1 (Sec. 601), page 5, line 6, by inserting before "The" (d)

Amend Sec. 1 (Sec. 601), page 5, by inserting between lines 7 and 8

(e) Two or more municipalities which receive fire protection services from the same volunteer fire company pursuant to a standing agreement or arrangement shall, on a per capita basis, jointly bear the cost of premiums for the workmen's compensation insurance covering members of the volunteer fire company.

On the question,

Will the House agree to the amendments?

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

Mr. NOYE. Thank you, Mr. Speaker.

The amendment that I am offering, the first of two amendments, is amendment No. 3403. This addresses itself to a problem that many municipalities are experiencing with the payment of workmen's compensation premiums for their volunteer fire companies. In some areas of the state, a township may be serviced by two or three different fire companies. The fire company that is located in the municipality usually gets the full bill or is responsible for the full amount of the workmen's compensation premium even though adjacent fire companies from other municipalities may be providing that service. This amendment speaks to that problem and allows the workmen's compensation premiums, which are going out of sight as far as volunteer fire service is concerned, to be paid on a pro rata basis, based on the population being serviced within each municipality. This way one municipality does not get stuck with the whole total bill. I ask your support on the amendment.

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

Mr. W. D. HUTCHINSON. Would the gentleman, Mr. Noye, consent to an interrogation, please?

Mr. NOYE. Yes, Mr. Speaker.

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

Mr. W. D. HUTCHINSON. Mr. Speaker, under this bill, if a township does not have any volunteer fire company in its own township, as I understand the law, it must now designate another fire company to handle it. My question, I guess, is, will all of the surrounding areas be forced to pick up a part of the

workmen's compensation premium and, if so, how will that portion be determined?

Mr. NOYE. Any municipality that has an agreement of whatever kind, whether it be a writing of the contract or whether a verbal agreement for service, will be expected to help share in the costs of the workmen's compensation payment, and it is based on the population of the service area, on a prorated basis.

Mr. W. D. HUTCHINSON. Does the gentleman know whether or not that is the same basis—I do not—that they use now for prorating contributions to the firemen's relief fund?

Mr. NOYE. Basically the same idea.

Mr. W. D. HUTCHINSON. I thank the gentleman.

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

Mr. FRYER. Mr. Speaker, I have a few questions for the sponsor of the amendment.

The SPEAKER. The gentleman, Mr. Noye, indicates that he will stand for interrogation. The gentleman, Mr. Fryer, may proceed.

Mr. FRYER. Mr. Speaker, I am thinking of a situation in which you have a borough in which you have two fire companies. In the surrounding areas, there are six other fire companies. Now, as a result, when a fire does develop, you can very easily have five or six companies from different municipalities rendering service. Now my question is: Does that municipality receiving the service, would they have to share in the insurance payments with, let us say, five or six companies?

Mr. NOYE. No, Mr. Speaker. In the amendment it speaks to standing agreements. Now I did not intend this to mean where a fire may originate and may be of such enormity that they have to call adjacent fire companies that normally do not service that area. This is designed only for those who have standing agreements, contractual agreements on a regular basis; not for those rare occasions where they may need their service once in a while.

Mr. FRYER. Mr. Speaker, the gentleman earlier referred to written or verbal agreements. That appears to be inconsistent?

Mr. NOYE. Well, the amendment says, "fire company pursuant to a standing agreement or arrangement. . . ."

All volunteer fire companies will respond anywhere if the need arises. They have, usually, a contractual arrangement with a certain area, and that is what we are speaking to.

Mr. FRYER. I was concerned about the situation as I described it.

Mr. NOYE. That is not the intent. If they get called into a surrounding municipality once every 2 to 3 years or something, then it does not apply.

Mr. FRYER. No. It happens more frequently than that, Mr. Speaker. I thank the gentleman, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—186

Alden	Fisher, D. M.	Livengood	Salvatore
Anderson	Foster, A.	Lynch, E. R.	Scheaffer

Armstrong	Foster, W.	Mackowski	Schmitt
Arty	Freind	Madigan	Schweder
Austin	Fryer	Manderino	Scirica
Barber	Gallen	Manmiller	Serafini
Belardi	Gamble	McCall	Seventy
Bennett	Gannon	McClatchy	Shadding
Bittle	Gatski	McIntyre	Shupnik
Borski	Geesey	McKelvey	Sieminski
Bowser	Geist	McMonagle	Sirianni
Brandt	George, C.	McVerry	Smith, E.
Brown	George, M.	Michlovic	Smith, L.
Brunner	Giammarco	Micozzie	Spencer
Burd	Gladeck	Milanovich	Spitz
Burns	Goodman	Miller	Stairs
Caltagirone	Grabowski	Moehlmann	Steighner
Cappabianca	Greenfield	Mowery	Stewart
Cessar	Grieco	Mrkonic	Stuban
Chess	Gruppo	Murphy	Sweet
Cimini	Halverson	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	Hutchinson, W.	Perzel	Wachob
Cunningham	Irvis	Peterson	Wagner
Davies	Itkin	Petrarca	Wargo
Dawida	Johnson, E.	Piccola	Wass
DeMedio	Jones	Pistella	Weidner
DeVerter	Kanuck	Pitts	Wenger
DeWeese	Klingaman	Polite	White
DiCarlo	Knepper	Pott	Wilson
Dietz	Knight	Pratt	Wilt
Diminni	Kolter	Pucciarelli	Wright, D.
Dombrowski	Kowalyszyn	Punt	Yahner
Donatucci	Kukovich	Pyles	Yohn
Dorr	Lashinger	Rappaport	Zeller
Duffy	Laughlin	Reed	Zitterman
Dumas	Lehr	Rieger	Zord
Durham	Letterman	Ritter	Zwikl
Earley	Levi	Rocks	
Fee	Levin	Rodgers	Seltzer,
Fischer, R. R.	Lewis	Ryan	Speaker

NAYS—0

NOT VOTING—17

Beloff	Gray	Lynch, F.	Richardson
Berson	Harper	Mullen, M. P.	Street
Cianciulli	Johnson, J.	Pievsky	Williams
Gallagher	Kernick	Rhodes	Wright, J. L.
Goebel			

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

REMARKS ON VOTE

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

Mrs. HARPER. Mr. Speaker, my switch is locked.

The SPEAKER. The Chair wishes to inform the lady that the official record of the House will show that she voted in the affirmative on the Noye amendment A3403 to HB 421.

Mrs. HARPER. Thank you, Mr. Speaker.

On the question,

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

Mr. NOYE offered the following amendment:
 Amend Sec. 1 (Sec. 601), page 2, line 3, by inserting after "companies", including any paid fireman who is a member of a volunteer fire company and performs the services of a volunteer fireman during off-duty hours,

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

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

Mr. NOYE. This is amendment 3404. Here I am speaking to the question of a volunteer fireman who, in the pursuit of his regular occupation, is a professional fireman but he returns to his home at the end of the day, at the end of his work, and lives in his community and is also an active member of his volunteer fire company. I am told that under present law, if that gentleman is called out to a fire and he responds as a volunteer fireman, that because his occupation is a professional fireman, he will not be covered under the workmens compensation laws even though he may be injured as a volunteer.

This amendment simply adds him under the workmens compensation coverage if he is acting as a volunteer and is injured in the performance of his duty as a volunteer fireman. I am particularly referring to people who, for example—the matter was brought to my attention by an individual who—worked on a military installation. He is a professional fireman by trade on that military installation. He returns home every evening. If he responds to a fire and is injured, he gets no coverage whatsoever. That is the purpose of the amendment.

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

The following roll call was recorded:

YEAS—188

Alden	Foster, W.	Livengood	Salvatore
Anderson	Freind	Lynch, E. R.	Scheaffer
Armstrong	Fryer	Mackowski	Schmitt
Arty	Gallagher	Madigan	Schweder
Austin	Gallen	Manderino	Scirica
Barber	Gamble	Manmiller	Serafini
Belardi	Gannon	McCall	Seventy
Beloff	Gatski	McClatchy	Shadding
Bennett	Geesey	McIntyre	Shupnik
Bittle	Geist	McKelvey	Sieminski
Borski	George, C.	McMonagle	Sirianni
Bowser	George, M.	McVerry	Smith, E.
Brandt	Giammarco	Michlovic	Smith, L.
Brown	Gladeck	Micozzie	Spencer
Burd	Goodman	Milanovich	Spitz
Burns	Grabowski	Miller	Stairs
Caltagirone	Greenfield	Moehlmann	Steighner
Cappabianca	Grieco	Mrkonic	Stewart
Cessar	Gruppo	Mullen, M. P.	Stuban
Chess	Halverson	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	Hoefel	O'Brien, D.	Thomas
Cornell	Honaman	O'Donnell	Trello
Coslett	Hutchinson, A.	Oliver	Vroon

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

NAYS—0

NOT VOTING—15

Berson	Goebel	Mowery	Street
Brunner	Gray	Pievsky	Williams
Cianciulli	Kernick	Rhodes	Wright, J. L.
Fee	Lynch, F.	Richardson	

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

REQUEST TO PASS OVER HB 421

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

Mr. A. K. HUTCHINSON. Mr. Speaker, would you please hold this bill until tomorrow? I would like to have someone look at the amendment that Mr. Noye put in. It could be a bad one. I was in my office and I heard it. I would like to have someone take a look at it.

On the question recurring,

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

Bill as amended was agreed to.

Ordered, that the bill as amended be prepared for final passage.

MILITARY AND VETERANS AFFAIRS
 COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Cumberland, Mr. Scheaffer, for the purpose of an announcement.

Mr. SCHEAFFER. Mr. Speaker, I would like to inform the members of the Military and Veterans Affairs Committee, there will be a meeting tomorrow morning in the Democratic caucus room, 328, at 10 a.m.

HB 80 PASSED OVER

The SPEAKER. It has been indicated to the Chair that the only amendment on HB 80, which had been circulated, is that

of the gentleman from Allegheny, Mr. Itkin. The Chair's calendar is marked that an amendment is to be offered by Mr. Dininni, Mr. Burns, Mr. Rocks, Mr. Pyles, and Mr. D. M. Fisher, two amendments. Have these members sent their amendments to the amendment clerk to have them reproduced?

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

Mr. DININNI. I had mine circulated a few weeks ago.

Mr. BURNS. Mr. Speaker, ditto.

The SPEAKER. Can the gentleman, Mr. Burns, indicate the date on his amendment?

Mr. BURNS. The date that appears on the top of the amendment is 9/14/79.

The SPEAKER. Without objection, HB 80 will be passed over.

The Chair recognizes the gentleman from Allegheny, Mr. Itkin. For what purpose does the gentleman rise?

Mr. ITKIN. Mr. Speaker, what is the reason for passing over HB 80?

The SPEAKER. The calendar of the chair has indicated six members had amendments to offer, and the gentleman from Allegheny, Mr. Itkin, is the only one who has seen fit to have his circulated.

Mr. ITKIN. I thought, in the previous conversations we had with the members who claim to have amendments, that they were circulated.

The SPEAKER. The amendment clerk has no record of the amendments having been prepared or circulated.

The Chair apologizes to the gentleman. The Chair is very frustrated on what to do about it because he has a dozen bills up here in the same position.

Mr. ITKIN. Mr. Speaker, most of the members do have their amendments in their possession, and we can start off with the ones that we have and by that time the clerk will have had circulated the other amendments.

HB 1089 CONSIDERED

The House proceeded to third consideration of **HB 1089, PN 2061**, entitled:

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), requiring all checks for assistance to contain the recipient social security number.

On the question,

Will the House agree to the bill on third consideration?

The SPEAKER. Does the gentleman from Allegheny, Mr. Itkin, have amendments prepared for HB 1089?

Mr. ITKIN. Mr. Speaker, I have withdrawn my amendment to HB 1089 in favor of supporting Mr. Cochran's amendment to the same bill.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. COCHRAN offered the following amendments:

Amend Title, page 1, line 4, by removing the period after "number" and inserting and prohibiting certain charges.

Amend Sec. 1, page 1, line 8, by striking out "a section" and inserting sections

Amend Sec. 1, page 1, by inserting between lines 13 and 14

Section 448. Certain charges prohibited.—The department shall not have any authority or power to impose any co-payment, deductible, co-insurance or any other similar cost sharing charge requirement on any prescribed medication under this act for any qualified individual.

Amend Sec. 2, page 1, line 14, by striking out "This" and inserting Except for the provisions of section 404.1 which shall take effect July 1, 1980 the remainder of this

Amend Sec. 2, page 1, lines 14 and 15, by striking out "JULY 1, 1980." and inserting immediately.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Fayette, Mr. Cochran.

Mr. COCHRAN. Mr. Speaker, this amendment would eliminate the co-payment plan that was instituted by the Department of Public Welfare on the 50-cent copayment in regard to medicaid prescriptions and pharmaceutical needs for those on welfare.

The program, I feel, is an intolerable burden on the poor and the elderly of this Commonwealth. Most studies in regard to this area have shown that whenever a copayment plan is placed into law, the costs generally go up, because the recipients do not buy the prescriptions that they need and eventually many of them wind up in the hospital. The cost of that inevitably falls back on the taxpayer, and it is much more expensive to put them into the hospital than the \$3-million fiscal note shows here. I think it is a cost much in excess of \$3 million if we do not eliminate this copayment plan. I urge support of this amendment. Thank you.

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

Mr. POTT. Mr. Speaker, I applaud the gentleman, Mr. Cochran's intent to bring copay before this House of Representatives. However, I must speak against the amendment, Mr. Speaker.

The bill as drafted has absolutely nothing to do with copay, and I know that there are bills before the Health and Welfare Committee dealing with this very same subject that have been introduced in the last 2 weeks. As you know, the matter is currently before the judiciary in this Commonwealth, and I must inform the House that I would oppose an attempt to tie copay into the intent of HB 1089 as drafted. Thank you, Mr. Speaker.

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

Mr. COHEN. Mr. Speaker, I rise to support the Cochran amendment. I think it is very good on its merits. I also think for anybody who is interested in the main thrust of the bill, this bill has to get past the Democratic Senate. I think the Cochran amendment would also guarantee that the bill would pass the Senate. So both because I agree with the amendment and because I think this would strengthen the chances of this bill passing in the Senate, I urge everybody's support.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, I rise in strong support of the gentleman, Mr. Cochran's amendment.

Nothing has so disturbed me in this administration as the apparent lack of sensitivity on the part of the Welfare Department — if not specifically the Welfare Secretary, at least her department and her assistant, who has said, in effect, that because we need to save \$3 million some way, the easiest way for us is to take it out of the pockets of the poor and the ill and the elderly.

I think there are many ways that we can save \$3 million for the Welfare Department other than taking it away from those who are least able to bear the burden, and I think it is shameful for anyone receiving the salary which the Welfare Secretary and her deputies receive to assume an attitude that the only way to save money is to take it away from those who are too poor to pay for their medical prescriptions on their own.

No one in this Commonwealth enjoys being on welfare, and no one in this Commonwealth enjoys begging the rest of us for prescriptive medicines, but there are many who are forced by circumstances to be in that position, and for us to turn upon them and say to them, the least able to bear their burden, that we intend to save money by taking it away from them is absolutely unconscionable and disgraceful, and anyone who agrees with me ought to be in support of Mr. Cochran's amendment. Thank you, Mr. Speaker.

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

Mr. McCLATCHY. Mr. Speaker, I rise to talk against the amendment. I realize that probably the amendment will pass. I take issue with some of the statements that the minority leader has just made.

I think that we have been presented with a copay policy by the Secretary of Welfare, and the background for that copay policy is that the medical assistance program here in Pennsylvania is one of the best in the Nation. Unfortunately, it is becoming more and more costly every year. One of the ways to make sure that it is not abused is to go to copay not only for pharmaceutical prescriptions but many other things. I think that this is sort of a trial balloon. I knew it would have a lot of trouble, and I expected trouble from it. The savings on the copay is \$3 million. That was included in this year's budget, so when you vote to put it back in again, you must realize that half of that money is state money.

We are not particularly hearing from the poor on this issue. We are hearing from the pharmacists, and whether we like to admit it or not, the pharmacists are the ones who are being really bothered by this piece of legislation.

Many welfare recipients will come in and say they do not have the 50 cents, so they will not pay the 50 cents, and by and large pharmacists have decided to eat that 50 cents. I think you will see in the coming year an increase in the schedule of fees paid to pharmacists. I think out of those increases that are being proposed presently by the Secretary of Welfare, some of the pharmacists' problem will be solved. Many pharmacists today have to worry about the 50 cents. It is probably more

bother than it is help. Again, I do not think it is an issue over whether a poor person is going to have to pay for their prescription or not, 50 cents for each one.

I will have you also remember that we pay the entire cost, the entire cost of the drug, and what we give the pharmacist is \$2 for the processing of that prescription. What we are talking about is the 50-cent copay for the welfare recipient to come up with, and again, for most of them, if they do not, this money will probably be eaten by the pharmacists, and I would say that I do not take a very kind ear to saying it is going to bankrupt them.

Again, their fees will be increased this year. The secretary is considering, I think, roughly a sizable increase beyond the rate of inflation. I think that that is the issue, not poor people but how the pharmacists are going to handle it. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, I must vociferously and emphatically disagree with Mr. McClatchy.

I had hoped not to get involved in such a debate as this, because I had hoped that the administration would change the opinion of the Secretary of Welfare, but that has apparently failed to occur.

The fact of the matter is, I am informed by my members that neither one of us is, I think, on welfare. Each one of us is required to pay \$1 for a prescription. We are not willing, nor is the Secretary of Health willing, nor is the Secretary of Welfare willing, nor any of the other secretaries willing to say they will pay the full prescription benefits which they receive from prescriptive medicines. Each one has said that he or she wants to keep the benefits of paying \$1 for her or his prescription, but the Secretary of Welfare says we will save \$3 million, and the way we will save it is to make each one of the welfare recipients who gets a prescription pay 50 cents.

If we really want to save \$3 million, then I would suggest there are those of us—and I am including me in this—who are much better able financially to pay more for our prescriptions than the welfare people are prepared to pay 50 cents. And I do not care what Mr. McClatchy says to you and I do not care what Mrs. O'Bannon says to you and I do not care what anybody else against this says to you; this is taking money away from the people who are least able to afford to give up the money. It is not merely an accounting exercise; it is not merely a bookkeeping exercise; it is not really done to catch up pharmacists. This is done to punish poor people, and it may be deliberately done to punish them; I do not know that. But whether it is deliberate or not, it ends up punishing the people who are least able to absorb that punishment. It is morally wrong; it is unconscionable, and anybody who votes for it is going to have to face that decision.

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

Mr. WHITE. Mr. Speaker, I join with the minority leader and with my colleague from Philadelphia, Mr. Cohen, in urging the House to adopt the Cochran amendment.

It is important that we not become confused over the issue that we address today. It is not a matter to be resolved between the department and pharmacists. It is a matter that strikes at the very heart of the economic crisis that poor people especially are feeling today.

Already throughout the Commonwealth of Pennsylvania poor people and people on fixed incomes are being forced to choose between food and fuel. We are now, by introducing a copay kind of situation in the Commonwealth, inviting even further chaos. We are saying to people that not only must you choose from the meager means that you already have between food and fuel, but also the very basic kinds of health care and pharmaceutical needs must also come out of that same shrinking pie.

I think that it is time for the House of Representatives to seize the initiative in issues of social and moral concern to Pennsylvanians, and I do not think that any of us can really sit here and afford to say that the matter is going to be resolved at another level, that the matter is going to be resolved in the upper House, or that the matter is going to be resolved through some kind of compromise brought about by legislative leaders in the House or in the Senate.

I would hope that as a result of the actions today, the members of the House of Representatives will send a message loud and clear to all of Pennsylvania and to the Senate that we are going to reject any additional effort, any additional means of suffering, of pain being imposed upon the impoverished and the destitute of this Commonwealth, and I would urge my colleagues to join with us in voting "yes" on the Cochran amendment. I thank you, Mr. Speaker.

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

Mr. GANNON. Mr. Speaker, the calendar indicates that HB 1089 deals with requiring a recipient's social security number to appear on public assistance checks.

Rule 27 of the House rules provides that "No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment."

Mr. Speaker, I do not see any relationship between this bill and the requirement for a prescription, to turn around or nullify a regulation put forth by the Department of Welfare.

The SPEAKER. For the information of the gentleman, the House historically and consistently has held that any amendments to various codes are in order, and in this particular case the gentleman, Mr. Cochran, is offering an amendment to the Welfare Code.

Mr. GANNON. Thank you, Mr. Speaker.

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

Mr. COWELL. Mr. Speaker, I, too, rise to support the Cochran amendment. Some comments were made earlier about pharmacists, and I would simply like to react to them and make a couple of observations.

First of all, if the 50-cent copayment concept has been proposed as a control measure, a measure to control abuse, and if we accept the suggestion that most of the pharmacists are

going to eat the 50 cents anyway, the the whole notion of this being a control measure, an attempt to control abuse, goes down the drain anyway. It simply becomes a matter of economics. As was suggested by Mr. Irvis, if we need to save \$3 million, there are better ways, more appropriate ways, more fair ways to save the \$3 million.

Secondly, if we also assume for a moment that some pharmacists will eat the 50 cents, let us keep in mind that as of this moment and for the immediate future, there is no increase in the reimbursement fees that are going to the pharmacists. So what we mean to say then and what reality will be is that some pharmacists will get 50 cents less in terms of their net return than they otherwise have in the past, because what the state has done is told the pharmacists, instead of giving you \$2.50, we will give you \$2; you get the other 50 cents if you can from the person who comes in for the prescription. Some pharmacists will be more able and others will be less able to absorb that 50-cent loss. I think it is unfair that we ask any of them to do that.

Finally, the suggestion was made that really we are hearing from pharmacists; we are not hearing from the poor people. Well, I think that is only half true. I think most members of this House have heard from some of those poor people that they cannot afford to pay the 50 cents, but we are hearing from the pharmacists, too, and I think that is proper.

It is easy to promulgate some kind of rule or regulation such as this in the Department of Welfare because you are not really dealing with and you are not really seeing the real live people in real-life situations, but the pharmacists are. Each and every day of their professional lives, they are working with these poor people who do come in. They have the best ability to tell us what the true impact is, and the suggestion that the pharmacists are making to us is this system is not going to work; it is unfair; and it was a bad idea to begin with. Thank you.

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

Mr. TRELLO. Mr. Speaker, I, too, rise to support this amendment and for some very good reasons.

Several years ago when I served on the Consumer Protection Committee, we investigated some senior citizen housing and some public housing, and whether to either heat or eat was the topic of the subject because of the high utility bills. But let me tell you what we found in the garbage cans at these public housing projects, and you are talking about 50-cent copay and what it means.

You know, in public housing you are not allowed to have pets, but what we found in these rubbish cans were dog food cans, cat food cans, and pet food cans. In talking with the senior citizens who live in those areas, living on as low as \$150 to \$180 a month, they tell me they cannot even afford to buy decent food, that they are eating dog food and mixing it with grapefruit juice and grape juice. And now we want to charge them an additional 50 cents on copay.

Believe me, the 50 cents may not mean a thing to us, and I suggest that every member who lives in a so-called Fox Chapel area in this Commonwealth of Pennsylvania get out and see what the other people are living like and visit some of these

senior citizen housing programs and see exactly how they have to live and what this 50 cents would mean to them.

I suggest everybody support the amendment. Thank you.

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

Mr. McCLATCHY. Mr. Speaker, in conclusion, I would just like to reiterate again, it is my firm opinion that this is an argument with the pharmacists, not with poor people. I have not been lobbied by one welfare recipient, not the Welfare Rights Organization. I have been lobbied by pharmacists.

I reiterate again that we are considering a fee schedule increase for pharmacists, and I feel sure that when we are finished, they will not come out behind; they will come out at least even or ahead.

The copay policy principle is what I think the state must move toward in all programs. I certainly would agree to coming up with 50 cents myself if I cooperated as we are able to—and I do not—in our own paid prescription program. I see nothing wrong with that. Fifty cents is not a lot of money.

I think if we find ourselves in trouble for the amount of money welfare recipients receive and need, then we will increase those amounts. Copay will correct some abuses, certainly not all.

Mr. Speaker, I oppose the amendment.

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

Mr. LASHINGER. Would the maker of the amendment stand for brief interrogation?

The SPEAKER. Will the gentleman, Mr. Cochran, permit himself to be interrogated? The gentleman indicates that he will. The gentleman, Mr. Lashinger, may proceed.

Mr. LASHINGER. Mr. Speaker, just one brief question, and it has to do with the drafting of the amendment.

My concern is that the way the amendment is currently drafted, this might have an impact with something that the Health and Welfare Committee and other members of the House are deeply involved with now, and that involves a copay system or paid prescription plan for senior citizens. The way I read the amendment is that would nullify any chances of entering into a copay plan for senior citizens. Would you agree with that, Mr. Speaker?

Mr. COCHRAN. Yes; I would. I would have to admit that at the present time. No; wait a minute. This is a copayment. It eliminates the copayment and deductible in regard to any prescribed medication under this act for the qualified individual. That is all this is intended to do. Anything in addition to that, I did not intend.

As a body of the legislature, we can still do it. It just prohibits the Department of Welfare from doing so.

Mr. LASHINGER. What I gather from reading the amendment though, Mr. Speaker, is the intention is to nullify any future authority that the department might have in this area, be it copayment, deductible, coinsurance, or any cost-sharing plan.

Mr. COCHRAN. Mr. Speaker, at this time it is just to eliminate anything at this particular time. What occurs in the future will be up to the legislature as a whole, what we decide to

do in any future cases that arise.

Mr. LASHINGER. Thank you, Mr. Speaker.

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

Mr. GALLAGHER. Mr. Speaker, I rise to support Mr. Cochran's amendment. I think there is a misunderstanding as to what this copay means. When a person is on welfare, all they receive is money to live on. They go to a doctor with their Medicaid card and the doctor prescribes medicine for them. So they go to the pharmacy with one prescription for one item of medicine and they give that to the pharmacist. Now if we were going to charge them 50 cents, that is out of the money we gave them to live on and it is not for their benefit. It is going to cost the poor person on welfare an additional 50 cents. It seems like not too much, but when you are living on that kind of welfare money, that 50 cents means an awful lot.

Now when a person who is on welfare is ill, he receives usually more than one prescription. If the doctor determines that that person needs vitamins, to give them vitamins it has to be a written prescription, and instead of giving them the one multiple-vitamin prescription, they might give them three or four prescriptions, and that would cost them 50 cents per prescription, which again eats back into the food that the person on welfare has to live on. And that is not the way to correct it. The way to correct the misuse of it is through the doctor writing the prescription and the pharmacist providing the medicine properly. That is the proper method of usage. The welfare person cannot misuse getting medicine without a doctor's prescription.

So all we are doing is saying the pharmacist needs additional money and saying Mrs. O'Bannon should put that in her budget, to give the pharmacists the additional money, not take it out of the poor person's pocket or the senior citizen person's pocket who is on welfare. It is most unfair. Because of that personal experience that I have in my own district, where I see all kinds of people who are on welfare in the pharmacy, receiving that kind of treatment now, with an additional 50 cents it would be unbearable, and I urge the members to support Mr. Cochran's amendment.

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

Mr. J. J. JOHNSON. Mr. Speaker, I will not take up too much time of the House. Yesterday I watched 60 Minutes and I am quite sure quite a few of you watched the 60 Minutes program yesterday. That program showed who is really making the money on the welfare department. It is the doctors. There is nothing stopping any welfare recipient from going to a doctor, that doctor writes up three and four prescriptions for that person to go to the pharmacist to get filled.

I happened to be in the pharmacy last week. There is only one pharmacist in my area in about a 20-block area, rated. That pharmacist said he is not going to fill anyone's prescription unless they pay the 50 cents. This senior citizen walked in with three prescriptions, and when he comes into the pharmacist, he asks the pharmacist which one of these three prescriptions should I get filled because I only have 50 cents, not knowing

that this law has not gone into effect yet.

What we are going to do here is start charging people 50 cents per prescription that the doctor prescribes, and the poor person is going to go into the pharmacist and ask that pharmacist, "Which one of these prescriptions ought to be beneficial to me?" Then the pharmacist will become a doctor. He is going to try to help that person when they have more than one prescription to get filled. There is no way in the world that you can tell me if a doctor is abusing the system that we could charge the recipient for what the doctor's abuse is.

Mr. Speaker, I am going to support this amendment and I hope every member in this House will support this amendment, because by charging 50 cents per prescription is not going to stop the so-called abuse that the welfare department claims is happening. The abuse does not come from the person who receives the prescription; the abuse comes from these fast-shot doctors who are making a fast buck. That is where the abuse comes from. If a person walked into the doctor's office and said he was sick, and the doctor said you need four prescriptions, that poor person takes the four prescriptions. We do not know whether he needs one prescription, two prescriptions, or three prescriptions, but the doctor prescribes those prescriptions for him. If it was a case where every person going to see a doctor was receiving one prescription, there would be no problem, but when you get three and four prescriptions, then what does that person have to do with the three or four prescriptions? That is where the abuse comes in, if there is abuse. So I am asking everyone to support the amendment, Mr. Speaker.

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

The following roll call was recorded:

YEAS—147

Anderson	Earley	Kowalyszyn	Rhodes
Armstrong	Fec	Kukovich	Rieger
Arty	Foster, A.	Laughlin	Ritter
Austin	Foster, W.	Lehr	Rocks
Barber	Freind	Letterman	Rodgers
Belardi	Fryer	Levi	Salvatore
Beloff	Gallagher	Levin	Schmitt
Bennett	Gallen	Livengood	Schweder
Berson	Gamble	Lynch, E. R.	Scirica
Bittle	Gannon	Mackowski	Serafini
Borski	Gatski	Manderino	Seventy
Brandt	Geesey	Manmiller	Shadding
Brown	Geist	McCall	Shupnik
Brunner	George, C.	McIntyre	Sieminski
Burns	George, M.	McKelvey	Smith, E.
Caltagirone	Goodman	McMonagle	Smith, L.
Cappabianca	Grabowski	McVerry	Spencer
Chess	Gray	Michlovic	Steighner
Clark, B.	Greenfield	Micozzie	Stewart
Clark, R.	Gruppo	Milanovich	Stuban
Cochran	Halverson	Mrkonjic	Taylor, F.
Cohen	Harper	Mullen, M. P.	Telek
Cole	Hasay	Musto	Thomas
Coslett	Hayes, D. S.	Nahill	Trello
Cowell	Hayes, S. E.	Novak	Wachob
Cunningham	Helfrick	Noye	Wagner
Davies	Hoeffel	O'Brien, B.	Wargo
Dawida	Hutchinson, A.	O'Donnell	Wass
DeMedio	Hutchinson, W.	Oliver	Weidner
DeVerter	Irvis	Peterson	White

DeWeese	Itkin	Petrarca	Wright, D.
DiCarlo	Johnson, E.	Pistella	Yahner
Dietz	Johnson, J.	Polite	Yohn
Dombrowski	Jones	Pratt	Zeller
Dorr	Klingaman	Pucciarelli	Zitterman
Duffy	Knight	Rappaport	Zwilk
Dumas	Kolter	Reed	

NAYS—42

Alden	Honaman	O'Brien, D.	Stairs
Bowser	Kanuck	Perzel	Swift
Burd	Knepper	Piccola	Taddonio
Cessar	Lashinger	Pitts	Taylor, E.
Cornell	Lewis	Pott	Wenger
Dininni	Madigan	Punt	Wilson
Durham	McClatchy	Pyles	Wilt
Fischer, R. R.	Miller	Ryan	Zord
Fisher, D. M.	Moehlmann	Scheaffer	
Gladeck	Mowery	Sirianni	Seltzer,
Grieco	Murphy	Spitz	Speaker

NOT VOTING—14

Cianciulli	Goebel	Richardson	Vroon
Cimini	Kernick	Street	Williams
Donatucci	Lynch, F.	Sweet	Wright, J. L.
Giammarco	Pievsky		

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.

REMARKS ON VOTE

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

Mr. GRIECO. Mr. Speaker, on the Cochran amendment vote, my switch was locked, and I would like to be recorded as a "yes" vote. Thank you.

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

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—186

Alden	Fischer, R. R.	Levin	Rocks
Anderson	Fisher, D. M.	Lewis	Ryan
Armstrong	Foster, A.	Livengood	Salvatore
Arty	Foster, W.	Lynch, E. R.	Scheaffer
Austin	Fryer	Mackowski	Schmitt
Barber	Gallagher	Madigan	Schweder
Belardi	Gallen	Manderino	Scirica
Beloff	Gamble	Manmiller	Serafini
Bennett	Gannon	McCall	Seventy
Berson	Gatski	McClatchy	Shupnik
Bittle	Geesey	McIntyre	Sieminski
Borski	Geist	McKelvey	Smith, E.
Bowser	George, C.	McMonagle	Smith, L.

Brandt	George, M.	McVerry	Spencer
Brown	Gladeck	Michlovic	Spitz
Brunner	Goodman	Micozzie	Stairs
Burd	Grabowski	Milanovich	Steighner
Burns	Gray	Miller	Stewart
Caltagirone	Greenfield	Moehlmann	Stuban
Cappabianca	Grieco	Mowery	Sweet
Cessar	Gruppo	Mrkonic	Swift
Chess	Halverson	Mullen, M. P.	Taddonio
Cimini	Harper	Murphy	Taylor, E.
Clark, B.	Hasay	Musto	Taylor, F.
Clark, R.	Hayes, D. S.	Nahill	Telek
Cochran	Hayes, S. E.	Novak	Thomas
Cohen	Helfrick	Noye	Trello
Cole	Hoeffel	O'Brien, B.	Vroon
Cornell	Honaman	O'Brien, D.	Wachob
Coslett	Hutchinson, A.	O'Donnell	Wagner
Cowell	Hutchinson, W.	Oliver	Wargo
Cunningham	Irviss	Perzel	Wass
Davies	Itkin	Peterson	Weidner
Dawida	Johnson, E.	Petrarca	Wenger
DeMedio	Johnson, J.	Piccola	White
DeVerter	Jones	Pistella	Wilson
DeWeese	Klingaman	Pitts	Wilt
DiCarlo	Knepper	Polite	Wright, D.
Dietz	Knight	Pott	Yahner
Dininni	Kolter	Pratt	Yohn
Dombrowski	Kowalyszyn	Pucciarelli	Zeller
Dorr	Kukovich	Punt	Zitterman
Duffy	Lashinger	Pyles	Zord
Dumas	Laughlin	Rappaport	Zwilk
Durham	Lehr	Reed	
Earley	Letterman	Rhodes	Seltzer,
Fee	Levi	Ritter	Speaker

NAYS—1

Kanuck

NOT VOTING—16

Cianciulli	Goebel	Richardson	Sirianni
Donatucci	Kernick	Rieger	Street
Freind	Lynch, F.	Rodgers	Williams
Giammarco	Pievsky	Shadding	Wright, J. L.

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 Delaware, Mr. Freind. For what purpose does the gentleman rise?

Mr. FREIND. Mr. Speaker, I was out of my seat on the vote on HB 1089. I would like to be recorded in the affirmative, please.

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

HB 1187 CONSIDERED

The House proceeded to third consideration of **HB 1187, PN 2063**, entitled:

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), requiring verification of residency of two years for general assistance.

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

**MOTION TO REVERT TO PRIOR
PRINTER'S NUMBER**

The SPEAKER. The Chair recognizes the gentleman from Northampton, Mr. Schweder.

Mr. SCHWEDER. Mr. Speaker, I would like to make a motion to revert to the prior printer's number, which was 1331, on this bill.

MOTION WITHDRAWN

The SPEAKER. Will the gentleman, Mr. Schweder, withdraw his motion?

It is the intention of the Chair to recess at this time and go into caucus, and at that point the caucuses could discuss the gentleman's motion?

Mr. SCHWEDER. Yes, I will withdraw it, Mr. Speaker.

The SPEAKER. The Chair would like to call to the attention of the members that when we return, on HB 1187, the motion will be made by Mr. Schweder to revert to PN 1331.

HB 1187 PASSED OVER TEMPORARILY

The Chair withdraws its decision as to the bill having been agreed to on third reading. Without objection, the bill will be passed over temporarily.

HOUSE SCHEDULE

The SPEAKER. The Chair is about to declare a recess for the purpose of caucuses and the Chair would ask the members to please have all of their amendments to the bills which are going to be considered after we come from caucus, to be circulated so that every member will have them on their desks. Apparently this is going to be a late evening session.

REPUBLICAN CAUCUS

The SPEAKER. Does the majority caucus chairman have an announcement to make?

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

Mr. NOYE. The Republicans will report to caucus immediately, and we will try to get as much covered so we can get back on the floor as soon as possible.

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the minority caucus chairman, Mr. Greenfield.

Mr. GREENFIELD. Mr. Speaker, we also will go to caucus immediately, and I urge all members of the Democratic side to report there promptly. Thank you, Mr. Speaker.

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

HB 1778, PN 2173

By Mr. THOMAS

An Act restricting the acquisition by certain aliens of an interest in agricultural lands.

Agriculture and Rural Affairs.

HB 1793, PN 2196

By Mr. THOMAS

An Act authorizing the creation of agricultural areas.
Agriculture and Rural Affairs.

HB 1794, PN 2197

By Mr. THOMAS

An Act to protect agricultural operations from nuisance suits under certain circumstances.
Agriculture and Rural Affairs.

RECESS

The SPEAKER. Without objection, this House now stands in recess until 4:30 p.m.

AFTER RECESS

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

BILLS SIGNED BY SPEAKER

The following bills, having been prepared for presentation to the Governor, were signed by the Speaker:

HB 815, PN 2134

An Act authorizing the Department of General Services, with the approval of the Governor, to sell and convey 8,393.46 square feet, more or less of land situate in the Township of West Bradford, County of Chester and Commonwealth of Pennsylvania.

HB 1223, PN 2135

An Act authorizing and directing the Department of General Services, with the approval of the Department of Environmental Resources and the Governor to grant and convey an easement and right-of-way to the Belle Coal Company, concerning certain riverbed land in Greene County, Pennsylvania.

SB 95, PN 442

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," authorizing members of the General Assembly who are members of the Environmental Quality Board to designate member alternates to act in their stead.

SB 181, PN 1108

An Act amending the act of November 26, 1978 (No. 325), entitled "Dam Safety Act," further providing for water obstructions or encroachments and changing a repeal.

SB 228, PN 229

An Act amending the act of June 22, 1931 (P. L. 594, No. 203), entitled "Township State Highway Law," amending and deleting routes in Crawford County.

SB 335, PN 339

An Act naming a portion of Highway Route No. I-279 in Allegheny County, the "Raymond F. Wilt Memorial Highway."

SB 372, PN 376

An Act amending Title 13 (Commercial Code) of the Pennsylvania Consolidated Statutes, by transferring the text of the Uniform Commercial Code to the Consolidated Statutes without change in substance and making conforming amendments to citations in other titles.

SB 731, PN 1199

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), entitled "The Second Class Township Code," authorizing the making of grants to nonprofit art corporations.

SB 732, PN 1203

An Act amending the act of June 24, 1931 (P. L. 1206, No. 331), entitled "The First Class Township Code," authorizing the making of grants to nonprofit art corporations.

SB 733, PN 1204

An Act amending the act of August 9, 1956 (1955 P. L. 323, No. 130), entitled "The County Code," authorizing the making of grants to nonprofit art corporations.

SB 734, PN 1208

An Act amending the act of February 1, 1966 (1965 P. L. 1656, No. 581), entitled "The Borough Code," authorizing the making of grants to nonprofit art corporations.

SB 820, PN 905

An Act amending the act of September 27, 1961 (P. L. 1700, No. 699), entitled "Pharmacy Act," further providing for licensing of pharmacy interns.

SB 856, PN 1206

An Act amending the act of June 23, 1931 (P. L. 932, No. 317), entitled "The Third Class City Code," authorizing grants to be made to nonprofit art corporations.

SENATE MESSAGE**ADJOURNMENT RESOLUTION FOR CONCURRENCE**

The Senate presented the following resolution for concurrence:

In the Senate,
October 22, 1979.

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, October 29, 1979 and when the House of Representatives adjourns this week it reconvene on Monday, October 29, 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.

The House resumed third consideration of **HB 1187, PN 2063**, entitled:

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), requiring verification of residency of two years for general assistance.

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

Mr. LETTERMAN. I would like to interrogate one of the chief sponsors, please.

The SPEAKER. The gentleman from Centre, Mr. Letterman, would like to interrogate either of the sponsors of HB 1187. Would the gentleman from Lycoming, Mr. Cimini, stand for interrogation by the gentleman?

Mr. GRIECO. Mr. Speaker?

The SPEAKER. The Chair recognizes the gentleman from Lycoming, Mr. Grieco. The gentleman is in order and may proceed.

Mr. GRIECO. Mr. Speaker, Mr. Cimini left and will be back in about 25 minutes.

The SPEAKER. Is the gentleman from Dauphin, Mr. Reed, on the floor of the House? Is the gentleman from Northampton, Mr. Sieminski, on the floor of the House? The gentleman from Allegheny, Mr. Zord, indicates that he will stand for interrogation. The gentleman, Mr. Letterman, may proceed.

Mr. LETTERMAN. Mr. Speaker, could you tell me, now that we have this bill before us finally, just what it does?

Mr. ZORD. What it will do is, any person applying for welfare under public assistance will have to verify his or her residency and, of course, in the bill it tells you that the residency is verified by the Department of Welfare and shall include the different rent receipts, mortgage-payment receipts, utilities, and so forth and so forth.

Mr. LETTERMAN. Is there any time limit that they must live in the State of Pennsylvania?

Mr. ZORD. No. That was ruled out by the Supreme Court. There cannot be any time limit. No.

Mr. LETTERMAN. That is what had me disturbed because that was a Federal Government mandate that we eliminate that. Right?

Mr. ZORD. That is why we amended it to just insist on verification and not residency.

Mr. LETTERMAN. Very good.

On the question recurring,
Shall the bill pass finally?

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

YEAS—182

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

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

NAYS—2

Manderino	Milanovich
-----------	------------

NOT VOTING—19

Beloff	Goebel	Pievsy	Taylor, E.
Brown	Kernick	Rhodes	White
Cianciulli	Lynch, F.	Richardson	Williams
Donatucci	Mullen, M. P.	Shadding	Wright, J. L.
Giammarco	Oliver	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 227, PN 887**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the qualifications, selection and service of jurors and providing penalties.

On the question,

Will the House agree to the bill on third consideration?

On the question,

Will the House agree to the bill on third consideration?

Mr. W. D. HUTCHINSON offered the following amendments:

Amend Title, page 1, line 1, by striking out "Procedures" and inserting Procedure

Amend Sec. 1 (Sec. 2122), page 2, line 14, by striking out "for cause."

Amend Sec. 1 (Sec. 2122), page 2, line 15, by striking out "his" where it appears the first time

Amend Sec. 1 (Sec. 2122), page 3, lines 12 and 13, by striking out "be deemed to"

Amend Sec. 1 (Sec. 2122), page 3, line 14, by striking out "designated the deputy" and inserting the

Amend Sec. 1 (Sec. 2122), page 3, line 14, by striking out "and" and inserting a comma

Amend Sec. 1 (Sec. 2122), page 3, line 14, by inserting after "the" where it appears the last time assistant clerk of the board shall be the deputy commissioner and the

Amend Sec. 1 (Sec. 2122), page 3, line 15, by striking out "called"

Amend Sec. 1 (Sec. 2123), page 3, lines 24 through 30; page 4, lines 1 through 9 by striking out all of said lines on said pages and inserting

The expenses, staff and quarters shall be provided for the jury selection commission in accordance with sections 1724 (relating to personnel of the system), 3721 (relating to county judicial center or courthouse) and 3722 (relating to general facilities and services furnished by county).

Amend Sec. 2 (Sec. 4502), page 5, lines 18, by striking out "he" and inserting such citizens

Amend Sec. 2 (Sec. 4502), page 5, line 20, by striking out "he" and inserting such citizen

Amend Sec. 2 (Sec. 4502), page 5, line 22, by striking out "he" and inserting such citizen

Amend Sec. 2 (Sec. 4501), page 5, line 23, by inserting after "granted" a

Amend Sec. 2 (Sec. 4503), page 6, line 3, by removing the comma after "YEAR"

Amend Sec. 2 (Sec. 4503), page 6, line 9, by striking out "panel." and inserting array.

Amend Sec. 2 (Sec. 4503), page 6, line 10, by striking out "Challenge" and inserting Challenges

Amend Bill, page 6, line 18, by striking out "Appeals by" and inserting List of

Amend Sec. 2 (Sec. 4521), page 6, line 25, by inserting after "the" jury selection

Amend Sec. 2 (Sec. 4521), page 6, line 25, by inserting after "shall" not less than

Amend Sec. 2 (Sec. 4521), page 6, line 25, by striking out "on or before December 1,"

Amend Sec. 2 (Sec. 4521), page 6, line 26, by striking out "which may be incorporated by reference and"

Amend Sec. 2 (Sec. 4521), page 6, line 27, by inserting after "county" which may be incorporated by reference

Amend Sec. 2 (Sec. 4521), page 7, lines 1 and 2, by striking out ", in its discretion,"

Amend Sec. 2 (Sec. 4521), page 7, line 2, by inserting after "may", but will not be required to,

Amend Sec. 2 (Sec. 4521), page 7, lines 2 and 3, by striking out "or lists in order to foster the policy and protect the rights secured by this act,"

Amend Sec. 2 (Sec. 4521), page 7, line 4, by striking out "or lists"

Amend Sec. 2 (Sec. 4521), page 7, line 4, by inserting after "but" need

Amend Sec. 2 (Sec. 4521), page 7, line 5, by striking out "all" and inserting any

Amend Sec. 2 (Sec. 4521), page 7, line 14, by striking out "act" and inserting chapter

Amend Sec. 2 (Sec. 4521), page 7, lines 14 and 15, by striking out "of common pleas"

Amend Sec. 2 (Sec. 4521), page 7, line 28, by striking out "jury"

Amend Sec. 2 (Sec. 4521), page 8, line 18, by striking out "act" and inserting chapter

Amend Sec. 2 (Sec. 4521), page 8, lines 23 and 24, by striking out all of line 23 and "be" in line 24

Amend Sec. 2 (Sec. 4521), page 8, line 25, by striking out

"Annual selection" and inserting Selection

Amend Sec. 2 (Sec. 4521), page 8, line 25, by striking out "Each" and inserting At least once each

Amend Sec. 2 (Sec. 4522), page 10, line 12, by inserting a parenthesis before "relating"

Amend Sec. 2 (Sec. 4522), page 10, line 13, by inserting after "the" where it appears the second time jury selection

Amend Sec. 2 (Sec. 4523), page 10, line 19, by striking out "Appeals by" and inserting List of

Amend Sec. 2 (Sec. 4523), pages 10 and 11, by striking out all of lines 20 through 30, page 10; all of lines 1 through 3, page 11, and inserting

The jury selection commission shall maintain a list of names of all prospective jurors who have been disqualified and the reasons for their disqualification which shall be open to the public.

Amend Sec. 2 (Sec. 4524), page 11, line 7, by inserting after "the" jury selection

Amend Sec. 2 (Sec. 4524), page 11, line 8, by inserting after "a" master list or

Amend Sec. 2 (Sec. 4524), page 11, line 8, by striking out "or wheels"

Amend Sec. 2 (Sec. 4524), page 11, line 10, by striking out "draw" and inserting select

Amend Sec. 2 (Sec. 4524), page 11, line 11, by striking out "qualified" and inserting master list or

Amend Sec. 2 (Sec. 4524), page 11, line 12, by striking out "panels." and inserting arrays.

Amend Sec. 2 (Sec. 4524), page 11, line 13, by striking out "panel" and inserting array

Amend Sec. 2 (Sec. 4524), page 11, line 16, by striking out "panel" and inserting array

Amend Sec. 2 (Sec. 4525), page 11, line 18, by inserting after "The" jury selection

Amend Sec. 2 (Sec. 4525), page 11, lines 18 and 19, by striking out "in the interest of efficiency, speed and economy"

Amend Sec. 2 (Sec. 4525), page 11, lines 20 through 22, by striking out "including, but" in line 20, all of line 21 and "processing-type devices or machines" in line 22

Amend Sec. 2 (Sec. 4526), page 11, line 26, by striking out "Motions" and inserting Petitions

Amend Sec. 2 (Sec. 4526), page 11, line 26, by striking out "seven" and inserting ten

Amend Sec. 2 (Sec. 4526), page 11, lines 26 through 29, by striking out "the moving party" in line 26, all of lines 27 and 28, "sworn to try the case," in line 29, and inserting publication of the array

Amend Sec. 2 (Sec. 4526), page 11, line 29, by striking out "move" and inserting petition

Amend Sec. 2 (Sec. 4526), page 11, line 30, by striking out "panel" and inserting array

Amend Sec. 2 (Sec. 4526), page 12, lines 1 and 2, by striking out "and in" in line 1, all of line 2 and inserting subchapter.

Amend Sec. 2 (Sec. 4526), page 12, line 3, by striking out "motion" where it appears the first time and inserting petition

Amend Sec. 2 (Sec. 4526), page 12, line 3, by striking out "motion" where it appears the second time and inserting petition

Amend Sec. 2 (Sec. 4526), page 12, line 4, by striking out "sworn"

Amend Sec. 2 (Sec. 4526), page 12, line 5, by striking out "act" and inserting subchapter

Amend Sec. 2 (Sec. 4526), page 12, lines 10 and 11, by striking out "either a grand jury or a petit jury" and inserting jurors

Amend Sec. 2 (Sec. 4526), page 12, line 12 by striking out "act" and inserting subchapter

Amend Sec. 2 (Sec. 4526), page 12, line 13, by striking out "act" and inserting subchapter

Amend Sec. 2 (Sec. 4526), page 12, line 16, by striking out "court" and inserting general

Amend Sec. 2 (Sec. 4526), page 12, line 20, by striking out "chapter." and inserting subchapter.

Amend Sec. 2 (Sec. 4526), page 12, line 23, by striking out "act" and inserting subchapter

Amend Sec. 2 (Sec. 4526), page 12, line 25, by striking out "motion" and inserting petition

Amend Sec. 2 (Sec. 4526), page 12, line 26, by inserting after

"master" list or

Amend Sec. 2 (Sec. 4526), page 12, line 27, by inserting after "master" list or

Amend Sec. 2 (Sec. 4526), page 12, line 30, by striking out "motion" and inserting petition

Amend Bill, page 13, lines 5 and 6, by striking out both of said lines and inserting

4541. Issuance of court orders for jurors.

4542. Summoning jurors for service.

Amend Bill, page 13, lines 10 through 20, by striking out all of said lines and inserting

§ 4541. Issuance of court orders for jurors.

Amend Sec. 2 (Sec. 4542), page 13, line 21, by striking out "Venire" and inserting Court orders

Amend Sec. 2 (Sec. 4542), page 13, lines 22 and 23, by striking out "in the manner now provided by law and shall be"

Amend Sec. 2 (Sec. 4542), page 13, line 28, by striking out "sheriff and the"

Amend Sec. 2 (Sec. 4542), page 14, lines 3 and 4, by striking out "in that court or in any other court of the county, civil or criminal,"

Amend Sec. 2 (Sec. 4542), page 14, line 5, by striking out "of common pleas"

Amend Sec. 2 (Sec. 4542), page 14, line 7, by striking out "to" and inserting you shall

Amend Sec. 2 (Sec. 4542), page 14, line 7, by striking out "writ" and inserting court order

Amend Sec. 2 (Sec. 4542), page 14, lines 8 and 9, by striking out "respectively in a panel hereto annexed,"

Amend Sec. 2 (Sec. 4542), page 14, line 10, by striking out "writ." and inserting court order.

Amend Sec. 2 (Sec. 4542), page 14, lines 14 and 15, by striking out both of said lines and inserting

§ 4542. Summoning jurors for service.

Jurors who have been selected for service shall be summoned to serve by the sheriff in a manner determined by the commission with the concurrence of the president judge.

Amend Sec. 2 (Sec. 4543), page 14, line 17, by striking out "venire" and inserting court order

Amend Sec. 2 (Sec. 4543), page 14, line 19, by striking out all of said line

Amend Sec. 2 (Sec. 4543), page 14, line 24, by striking out all of said line

Amend Sec. 2 (Sec. 4543), page 14, lines 28 and 29, by striking out "in that court or in any other court of the county, civil or criminal,"

Amend Sec. 2 (Sec. 4543), page 14, line 30, by striking out "of common pleas"

Amend Sec. 2 (Sec. 4543), page 15, line 2, by inserting after "court" and Chairman of the Jury Selection Commission

Amend Sec. 2 (Sec. 4543), page 15, lines 4 and 5, by striking out both of said lines

Amend Sec. 2 (Sec. 4543), page 15, line 6, by striking out "(Sheriff)" and inserting (Chairman, Jury Selection Commission)

Amend Sec. 2 (Sec. 4561), page 15, lines 19 and 20, by striking out "for the" in line 19, all of line 20 and inserting circular

Amend Sec. 2 (Sec. 4561), page 15, lines 20 and 21, by striking out "however," and inserting except that

Amend Sec. 2 (Sec. 4561), page 15, line 28, by striking out "administrative office" and inserting Administrative Office

Amend Sec. 2 (Sec. 4563), page 16, lines 11 and 12, by striking out "is guilty of" and inserting commits

Amend Sec. 2 (Sec. 4581), page 16, line 29, by inserting before "commission" jury selection

Amend Sec. 2 (Sec. 4581), page 17, lines 2 and 3, by striking out "shall be guilty of" and inserting commits

Amend Sec. 2 (Sec. 4581), page 17, line 4, by striking out "of" and inserting or

Amend Sec. 2 (Sec. 4581), page 17, line 6, by striking out "Laws of the" and inserting laws of this

Amend Sec. 2 (Sec. 4581), page 17, lines 6 and 7, by striking out "of Pennsylvania"

Amend Sec. 2 (Sec. 4581), page 17, lines 22 and 23, by striking out "shall be guilty of" and inserting commits

Amend Sec. 2 (Sec. 4582), page 17, line 26, by inserting after "the" where it appears the second time and inserting master list or

Amend Sec. 2 (Sec. 4582), page 17, line 26, by inserting after "the" where it appears the third time master list or

Amend Sec. 2 (Sec. 4582), page 17, lines 27 and 28, by striking out "with intent to hinder the operation of any of the provisions of this chapter, shall be guilty of" and inserting commits

Amend Sec. 2 (Sec. 4583), page 18, line 2, by inserting after "the" master list or

Amend Sec. 2 (Sec. 4583), page 18, line 7, by striking out "shall be guilty of" and inserting commits

Amend Sec. 3, page 18, by inserting between lines 13 and 14 (b) The act of April 18, 1978 (P. L. 35, No. 17), entitled "An act permitting any person required to serve as a juror to absent himself from any service or employment in which he is then engaged or employed; prohibiting employers from dismissing or threatening to dismiss such persons; granting such persons civil relief," is repealed.

Amend Sec. 3, page 18, line 14, by striking out "(b)" and inserting (c)

Amend Sec. 4, page 18, line 19, by striking out "1982." and inserting 1981.

Amend Sec. 4, page 18, lines 20 through 22, by striking out all of lines 20 and 21 and "(3)" in line 22 and inserting (2)

Amend Sec. 4, page 18, line 23, by inserting after "except" 42 Pa. C. S.

Amend Sec. 4, page 18, line 26, by striking out "1982." and inserting 1981.

Amend Sec. 4, page 18, line 27, by striking out "(4)" and inserting (3)

Amend Sec. 5, page 18, line 30, by striking out "1982." and inserting 1981.

Amend Sec. 5, page 19, line 3, by removing the period after "act" and inserting or repealed or suspended by the act of April 28, 1978 (P. L. 202, No. 53), known as the "Judiciary Act Repealer Act."

On the question,

Will the House agree to the amendments?

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

Mr. W. D. HUTCHINSON. Mr. Speaker, I believe this amendment will be agreed to. Let me just briefly state what it is. It is a very lengthy amendment. It is a technical amendment, however. This bill has been around for many years before the passage of the Judicial Code. The amendments which are offered here are designed to bring the terminology and the format of the bill into line with the provisions of the Judicial Code. For instance, there is a great deal of the amendment you will find is to make it—and I hope this will not defeat the bill—sexless. Where we had used masculine pronouns in the present printer's number, "he," and so forth, the amendment will use the word "citizen" or "person" in place of it.

There is one other thing that is in it. There was a language change that the Allegheny County jury commissioners had requested. We had a portion of the bill that says "may" in their discretion use certain supplemental lists. This says "may" "but" will "not be required to."

It is a technical amendment. There are no substantive changes in this and it is designed to accomplish those things.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—189

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

NAYS—0

NOT VOTING—14

Cianciulli	Kernick	Pievsky	Taylor, E.
Donatucci	Knepper	Richardson	Williams
Giammarco	Lynch, F.	Street	Wright, J. L.
Goebel	Mullen, M. P.		

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?

Mr. W. D. HUTCHINSON offered the following amendments:

Amend Sec. 2 (Sec. 4561), page 15, line 15, by striking out "two" and inserting three

Amend Sec. 2 (Sec. 4561), page 15, line 19, by striking out "15¢" and inserting 17¢

Amend Sec. 2 (Sec. 4561), page 15, line 25, by striking out "two" and inserting three

On the question,

Will the House agree to the amendments?

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

Mr. W. D. HUTCHINSON. Mr. Speaker, this amendment does two things. They are substantive and they are designed to affect the cost of the bill to make it more palatable. The first portion of the amendment says that jurors shall receive \$25 a day beginning on the fourth day, that is, after 3 days of service instead of beginning on the third day which is after 2 days of service. There were estimates that the bill in its original form would cost about \$1,600,000 to the state. This reduces that cost, according to the information I have from the budget office, to approximately \$600,000 statewide.

The second part of the amendment is simply to bring the mileage charge which jurors get, from 15 cents, as it is in the current bill, to what everybody else is getting, 17 cents. I urge approval of the amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—191

Alden	Foster, A.	Levin	Rodgers
Anderson	Foster, W.	Lewis	Ryan
Armstrong	Freind	Livengood	Salvatore
Arty	Fryer	Lynch, E. R.	Scheaffer
Austin	Gallagher	Mackowski	Schmitt
Barber	Gallen	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	Gladeck	McVerry	Smith, E.
Brown	Goebel	Michlovic	Smith, L.
Brunner	Goodman	Micozzie	Spencer
Burd	Grabowski	Milanovich	Spitz
Burns	Gray	Miller	Stairs
Caltagirone	Greenfield	Moehlmann	Steighner
Cappabianca	Grieco	Mowery	Stewart
Cessar	Gruppo	Mrkonic	Stuban
Chess	Halverson	Murphy	Sweet
Cimini	Harper	Musto	Swift
Clark, B.	Hasay	Nahill	Taddonio
Clark, R.	Hayes, D. S.	Novak	Taylor, F.
Cochran	Hayes, S. E.	Noye	Telek
Cohen	Helfrick	O'Brien, B.	Thomas
Cole	Hoeffel	O'Brien, D.	Trello
Cornell	Honaman	O'Donnell	Vroon
Coslett	Hutchinson, A.	Oliver	Wachob
Cowell	Hutchinson, W.	Perzel	Wagner
Cunningham	Irvis	Peterson	Wargo
Davies	Itkin	Petrarca	Wass
Dawida	Johnson, E.	Piccola	Weidner
DeMedio	Johnson, J.	Pistella	Wenger
DeVerter	Jones	Pitts	White
DeWeese	Kanuck	Polite	Wilson
DiCarlo	Klingaman	Pott	Wilt
Dietz	Knepper	Pratt	Wright, D.
Dininni	Knight	Pucciarelli	Yahner

Dombrowski	Kolter	Punt	Yohn
Dorr	Kowalyshyn	Pyles	Zeller
Duffy	Kukovich	Rappaport	Zitterman
Dumas	Lashingier	Reed	Zord
Durham	Laughlin	Rhodes	Zwinkl
Earley	Lehr	Rieger	
Fee	Letterman	Ritter	Seltzer,
Fischer, R. R.	Levi	Rocks	Speaker.
Fisher, D. M.			

NAYS—0

NOT VOTING—12

Cianciulli	Kernick	Pievsky	Taylor, E.
Donatucci	Lynch, F.	Richardson	Williams
Giammarco	Mullen, M. P.	Street	Wright, J. L.

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

On the question recurring,

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

Mr. MANDERINO offered the following amendment:

Amend Sec. 2 (Sec. 4561), page 15, line 24, by striking out "the total" and inserting 80% of the

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, before I explain this amendment, may I interrogate Mr. Hutchinson?

Mr. W. D. HUTCHINSON. Certainly.

The SPEAKER. The gentleman may proceed.

Mr. MANDERINO. Mr. Speaker, through one of the amendments that you put into the bill, the number of days after which the jury will be paid a higher fee was changed. Is that correct?

Mr. W. D. HUTCHINSON. That is correct, Mr. Speaker.

Mr. MANDERINO. What is the number of days after which?

Mr. W. D. HUTCHINSON. Three.

Mr. MANDERINO. Three?

Mr. W. D. HUTCHINSON. In accordance with my amendment, it would be 3.

Mr. MANDERINO. You have made it 3, not 4?

Mr. W. D. HUTCHINSON. No, I would make it 3.

Mr. MANDERINO. Mr. Speaker, the amendment which I have offered today would provide for a different rate of reimbursement to counties for juror compensation.

While I support the concept of assistance to counties for court costs, I do not believe that we ought to provide 100-percent reimbursement for the costs incurred after the first 3 days. My amendment simply proposes that the Commonwealth pay 80 percent of the costs incurred for juror compensation. This would reduce the state costs from a minimum of about \$330,000 to about \$266,000.

What I am trying to ensure is that at the local level there is some incentive to keep the court trials as short as possible.

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

Mr. W. D. HUTCHINSON. Mr. Speaker, I think it is a good

amendment. I wish I had thought of it. I have no objection to it and I plan to vote for it.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—190

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

NAYS—2

Hutchinson, A. Reed

NOT VOTING—11

Cianciulli	Kernick	Pievsky	Williams
Donatucci	Lynch, F.	Richardson	Wright, J. L.
Giammarco	Mullen, M. P.	Street	

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

On the question recurring,

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

Mr. MANDERINO offered the following amendments:

Amend Title, page 1, line 3, by inserting after "commissions," requiring certain budgetary data from the Court Administrator and

Amend Sec. 1, page 1, line 7, by striking out "Subchapter C of Chapter 21" and inserting Chapter 19

Amend Sec. 1, page 1, line 9, by inserting after "amended" by adding a section

Amend Bill, page 1, by inserting between lines 9 and 10 § 1904. Budget implementation data.

The court administrator shall make monthly expenditure data available to the Majority or Minority Chairmen of the Appropriations Committees of the Senate or the House of Representatives. Monthly data shall be provided within 15 days after the end of each month. The monthly data shall be prepared in such a way that the last monthly submission is a summary inclusive of the preceding months of the fiscal year and shall be usable to establish a history of expenditure file. This data, at the discretion of the Majority or Minority Chairmen of the Appropriations Committees of the Senate or the House of Representatives may be provided either in finished reports or on computer tapes. The data shall be provided by fund, by appropriation, by department and by organization within each department and shall include:

- (1) Number of filled personnel positions and their cost.
- (2) Itemized personnel vacancies and their cost.
- (3) New positions created and their cost.
- (4) Wage and overtime costs.
- (5) Allotments and expenditures for itemized personnel expenses.
- (6) Allotments and expenditures for itemized operating expenses.
- (7) Allotments and expenditures for itemized fixed assets.

In addition to the above specified budgetary data, the court administrator shall make available any other budgetary data as may be requested from time to time by the Majority or Minority Chairmen of the Appropriations Committees of the Senate or the House of Representatives.

Section 2. Section 2121 of Title 42 is amended to read:

Amend Sec. 2, page 4, line 16, by striking out "2." and inserting 3.

Amend Sec. 3, page 18, line 11, by striking out "3." and inserting 4.

Amend Sec. 4, page 18, line 16, by striking out "4." and inserting 5.

Amend Sec. 5, page 18, line 29, by striking out "5." and inserting 6.

Amend Sec. 6, page 19, line 7, by striking out "6." and inserting 7.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, the gentleman, Mr. Pievsky, had he been here today, would have offered this amendment. He asked me, while he was on official leave, to offer the amendment for him.

Mr. Speaker, he had a very short prepared statement, which I

would like to read so that the members would understand what Mr. Pievsky is proposing with his amendment.

The amendment would require the judiciary, through the court administrator's office, to begin supplying the General Assembly with routine fiscal and personnel information so that we can begin to see how they are using the funds appropriated to them.

The language in the amendment is the same as that used in the revised Budget Code which was passed last session. It will require the judiciary to provide the same information that the executive agencies are now giving to the General Assembly. The courts do not fall under the information requirements which we included in the Budget Code because the act passed as an amendment to the Administrative Code. The preamble to the Administrative Code does not include courts. They fall, instead, under the Judicial Code or the consolidated statutes which contain no financial reporting requirements for the courts.

In the past we have had a great deal of difficulty securing any personnel or financial information from the judiciary because of a difference of opinion over what sort of information the General Assembly was entitled to. I am pleased to report that these problems have been resolved and the judiciary is now supplying us with the financial and personnel information on a routine basis.

While the present problem has been resolved, I still believe that we ought to pass this amendment to establish in law what has been informally agreed upon by the judiciary. I believe that we need to clearly set forth in law the budgetary reporting responsibilities, what budgetary reporting responsibilities the judiciary has to the General Assembly.

I urge, on behalf of Mr. Pievsky, the adoption of this amendment.

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

Mr. W. D. HUTCHINSON. Mr. Speaker, I support the amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—187

Alden	Foster, A.	Levin	Rodgers
Anderson	Foster, W.	Lewis	Ryan
Armstrong	Freind	Livengood	Salvatore
Arty	Fryer	Lynch, E. R.	Scheaffer
Austin	Gallagher	Mackowski	Schmitt
Barber	Gallen	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	Gladeck	McVerry	Smith, E.
Brown	Goodman	Michlovic	Smith, L.
Brunner	Grabowski	Micozzie	Spencer
Burd	Gray	Milanovich	Spitz

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

NAYS—0

NOT VOTING—16

Cianciulli	Goebel	O'Brien, D.	Taylor, E.
Donatucci	Kernick	Pievsky	White
Dumas	Lynch, F.	Richardson	Williams
Giammarco	Mullen, M. P.	Street	Wright, J. L.

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

On the question recurring,

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

Bill as amended was agreed to.

Ordered, that the bill as amended be prepared for final passage.

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.

BILLS REMOVED FROM TABLE FOR CALENDAR

The SPEAKER. The Chair recognizes the majority leader.

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

HB 434, HB 893, HB 1150, HB 1235, HB 1684, HB 1720, HB 1767, HB 1771, SB 234, SB 736, and SB 756.

BILLS REMOVED FROM TABLE AND REREFERRED

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, 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 1090, HB 1480, HB 1484, HB 1577, HB 1713, and HB 1671.

BILL REMOVED FROM TABLE AND RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, the Rules Committee has instructed me to make a motion to remove the following bill from the table and recommit it to the Labor Relations Committee, and I so move:

HB 1108.

ADDITIONS AND DELETIONS OF SPONSORS

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I submit the following list of additions and deletions of sponsorship of bills:

ADDITIONS

HB 390, Mrkonic; HB 1222, Mrkonic; HB 1484, Belardi; HB 1693, Giammarco; HB 1694, Giammarco; HB 1727, Goebel — to be added as Prime Sponsor; HB 1758, Taylor, E. Z.; HB 1777, Perzel; HB 1781, Perzel; HB 1780, Pratt; HB 1781, Pratt; HB 1813, Wright, D. R.; and HB 1813, Fischer, R. R.

DELETIONS

HB 1715, Dawida; HB 1715, Pistella; and HB 1700, Giammarco.

STATEMENT BY MAJORITY LEADER

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, we have no further business to conduct today with respect to the calendar. I would like to point out to the members of the House the frustrations of both the majority and the minority leadership group in that today, I would guess, we spent an hour and a half attempting to determine what bills we could run.

Now the problems facing us on a daily basis is that members have holds on bills; members indicate to us they are going to offer amendments to bills, and then the amendments have not been reproduced and circulated. At the last minute these sponsors of either the amendments or the bills are not on the floor of the House and the end result is that we spin our wheels for an hour or an hour and a half. We look foolish if one were in the balcony looking down on us. We feel frustrated and really little is accomplished for a good bit of the day because of this problem.

I am suggesting to the members now and if you will, I am putting them on notice, that if a bill is held, I would expect that within 2 legislative days that hold will be removed or that whoever puts the hold on will be in a position to advise us the reason for continuing it longer than 2 legislative days.

If members have amendments, I would expect that those amendments, when they reach our marked calendar, have come down from Legislative Reference Bureau, have been repro-

duced and have been circulated. And if that is not the case, that either the majority or minority leader or whips be so advised.

Tomorrow, it would be our intention to start off with Mr. Itkin's HB 80. We may very well hit HB 1840 and any number of the other bills that presently have been caucused on by the respective caucuses.

I would hope that if anyone has a problem with the calendar and intends to offer an amendment, that they tonight look the calendar over, order their amendments tonight, because the Reference Bureau expects that we were going to be in session until 7 o'clock—so I feel sure someone will be there—that the amendments be secured tomorrow morning, that they be immediately given to the respective caucus chairman, that they be reproduced and circulated so that we do not have a rerun of today's show.

For the benefit of the members, we do not anticipate being in session on Wednesday, so we expect to have a full day tomorrow, perhaps a late day tomorrow, but please cooperate so that we can reduce the size of this calendar in an orderly fashion. Thank you, Mr. Speaker.

EDUCATION COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Washington, Mr. Fischer.

Mr. R. R. FISCHER. Mr. Speaker, I would like to announce a meeting of the Committee on Education tomorrow to consider HB 111 and HB 419, the Community College bill, and tomorrow when I have the details, probably after the session, and when I have the room number tomorrow, I will make that announcement on the floor also.

STATEMENT BY MR. TRELLO

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

Mr. TRELLO. Mr. Speaker, I rise to ask unanimous consent to make a statement and then offer the motion for suspension of the rules for a very serious problem in my district.

The SPEAKER. For the information of the gentleman, members have left the House and it would be inappropriate, in the opinion of the Chair, to have any further roll calls today.

Mr. TRELLO. All right, then I ask for permission for suspension of the rules.

The SPEAKER. The gentleman is in order if he wants to make a brief statement, but it is the opinion of the Chair that *too many members have already left the floor of the House* and any additional roll calls today would be inappropriate, and the suspension of the rules takes the majority vote of the House.

Does the gentleman wish to make a statement?

Mr. TRELLO. Yes, Mr. Speaker.

Mr. Speaker, I rise today to present this House with a very serious problem and very shortly you are going to discover that

many of the districts that you reside in will have this same problem.

Recently, Allegheny County dedicated a beautiful park in the heart of my legislative district, called Neville Island Park. It is a very beautiful facility and many of my constituents are anxiously awaiting its opening. But there is one little problem, the park resembles a very lovely lady disguised as a devil that has a very big sign on it that says, very hazardous toxic materials buried here and might be harmful to your health, and, therefore, the park cannot be opened.

I plan to introduce a resolution to ask the Attorney General and the Department of Environmental Resources to investigate this very serious problem and to find out just how serious this could be to the constituents who live in that area.

Some of the chemicals that are buried there are cyanide, phenols, mercury and some very, very effective tars that are seeping through the ground that could cause very serious problems for the person's liver, kidneys, bone marrow, and the end result is death.

I think it is a very serious problem. There is a lot of state, county and Federal money that has already been spent, and I am anxious to get to the bottom of this. I will be offering this resolution tomorrow and I will ask for the suspension of the rules tomorrow so that the Department of Environmental Resources and the Attorney General can look at this problem and once and for all decide whether the park can be opened or not. Thank you very much.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

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

HB 631, PN 2293; and HB 1423, PN 2288.

WELCOMES

The SPEAKER. The Chair welcomes to the floor of the House Miss Pat Shimp and Mr. John Krick, who are Republican Committee people from the borough of Ephrata, Lancaster County. They are here as the guests of Mr. Wenger.

The Chair welcomes to the front of the House a former member of this House from Allegheny County, Robert Burkhardt.

ADJOURNMENT

Mr. PISTELLA moved that this House of Representatives do now adjourn until Tuesday, October 23, 1979, at 11 a.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 5:37 p.m., e.d.t., the House adjourned.