

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

TUESDAY, OCTOBER 23, 1979

Session of 1979

163rd of the General Assembly

Vol. 1, No. 76

HOUSE OF REPRESENTATIVES

The House convened at 11 a.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:

Lord God, we come here knowing that You alone know all. Help us to realize when we are wrong and give us the courage and humility to admit it. Give us the right words to support one another in times of trial. Give us peace in making the many decisions of this day that nothing may be done hastily or delayed unduly, and always let us remember that You are the rock foundation of all good law, and without Your blessing no law has authority or goodness. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Monday, October 22, 1979, will be postponed until printed.

HOUSE BILLS INTRODUCED AND REFERRED

HB 1879 By Representative PRATT.

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, empowering the Department of Military Affairs to establish an office of veterans affairs in each county and making certain repeals.

Referred to Military and Veterans Affairs, Oct. 23, 1979.

HB 1880 By Representative PRATT.

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for a penalty for possession of a firearm during the commission of certain offenses.

Referred to Judiciary, Oct. 23, 1979.

HB 1881 By Representatives SIEMINSKI, DININNI, RITTER, GRUPPO, SCHWEDER, KOWALYSHYN, KLINGAMAN, ZELLER and KANUCK.

An Act amending the act of June 28, 1968 (P. L. 281, No. 136), entitled "An act concerning highways and bridges over

the Delaware River, and responsibilities of the Delaware River Joint Toll Bridge Commission and the Department of Highways of the Commonwealth of Pennsylvania with regard to the construction of additional crossings," further providing for the construction and operation of certain bridges.

Referred to Transportation, Oct. 23, 1979.

HB 1882 By Representatives WACHOB, KOLTER and DININNI.

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

Referred to Transportation, Oct. 23, 1979.

HB 1883 By Representatives WEIDNER, WILSON, BURNS, J. L. WRIGHT, JR., M. H. GEORGE, RODGERS and GALLAGHER.

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

Referred to Transportation, Oct. 23, 1979.

HB 1884 By Representatives WEIDNER, WILSON, BURNS, J. L. WRIGHT, JR., M. H. GEORGE, RODGERS and GALLAGHER.

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

Referred to Transportation, Oct. 23, 1979.

HB 1885 By Representatives PICCOLA, MANMILLER and PETRARCA.

An Act amending the "Municipality Authorities Act of 1945," approved May 2, 1945 (P. L. 382, No. 164), clarifying the jurisdiction of the Pennsylvania Public Utility Commission.

Referred to Local Government, Oct. 23, 1979.

HB 1886 By Representatives TRELLO, B. D. CLARK, GAMBLE and SEVENTY.

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853, No. 155), providing a limited exemption from taxation of residential real property of persons sixty-five years of age or older in second class counties and for reimbursement by the Commonwealth through the Department of Revenue for loss of revenues occasioned by such exemption.

Referred to Finance, Oct. 23, 1979.

HB 1887 By Representative TRELLO.

An Act amending "The First Class Township Code," approved

June 24, 1931 (P. L. 1206, No. 331), further providing for compensation of certain auditors.

Referred to Local Government, Oct. 23, 1979.

**HB 1888** By Representatives GANNON, McMONAGLE, GRUPPO, SPITZ, ALDEN, DURHAM and EARLEY.

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), providing for temporary staffing in the local office.

Referred to Health and Welfare, Oct. 23, 1979.

**HB 1889** By Representatives GAMBLE, FISHER, McVERRY, CESSAR, DAWIDA, DUFFY, PISTELLA, MRKONIC, MICHLOVIC and IRVIS.

An Act authorizing and directing the Department of General Services, with the approval of the Department of Public Welfare and the Governor to convey to the Township of Collier ten acres of land, more or less, situate in the Township of Collier, Allegheny County, Commonwealth of Pennsylvania.

Referred to State Government, Oct. 23, 1979.

**HOUSE RESOLUTIONS INTRODUCED AND REFERRED**

**Serial No. 138** By Representatives FREIND, LIVENGOOD, ARTY, SCIRICA, E. Z. TAYLOR and SCHWEDER.

Amend second resolved clause of House Resolution No. 82, adopted, June 11, 1979.

In the House, Oct. 22, 1979

Referred to Rules, Oct. 23, 1979.

**Serial No. 139** By Representatives LETTERMAN, GALLEN, BENNETT, L. E. SMITH, DeVERTER, BITTLE, VROON and DOMBROWSKI.

House direct Business and Commerce Committee study feasibility of reducing Pennsylvania Corporate Net Income Tax rates.

In the House, Oct. 22, 1979

Referred to Rules, Oct. 23, 1979.

**LEAVE OF ABSENCE GRANTED**

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

The SPEAKER. The Chair recognizes the minority leader. Mr. IRVIS. Mr. Speaker, I request leave of absence for Mr. STREET for the week's session.

The SPEAKER. Without objection, leave is granted.

**MASTER ROLL CALL RECORDED**

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

**NAYS—0**

**NOT VOTING—8**

Beloff	Donatucci	Kernick	Street
Cianciulli	Gray	Pratt	Wright, J. L.

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

**CALENDAR BILLS AGREED TO ON SECOND CONSIDERATION**

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

**HB 1771, PN 2166; SB 234, PN 1014; HB 434, PN 466;**

HB 893, PN 979; HB 1150, PN 1294; HB 1235, PN 1392; HB 1684, PN 2254; HB 1720, PN 2292; HB 1767, PN 2162; SB 736, PN 787; and SB 756, PN 811.

CALENDAR BILL ON FINAL PASSAGE

Agreeable to order,

The House proceeded to the consideration on final passage of HB 421, PN 2324, 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 and for the cost of certain insurance premiums.

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

The question is, shall the bill pass finally?

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

YEAS—184

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

NAYS—0

NOT VOTING—19

Beloff	Donatucci	Pratt	Taylor, E.
Borski	Hutchinson, W.	Pucciarelli	White
Brandt	Kernick	Richardson	Williams
Brunner	Miller	Shadding	Wright, J. L.
Cianciulli	Moehlmann	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.

CALENDAR BILL ON FINAL PASSAGE POSTPONED

Agreeable to order,

The bill having been called up from the postponed calendar by Mr. RYAN, the House resumed consideration on final passage of HB 26, PN 1835, entitled:

An Act amending the act of October 4, 1978 (P. L. 883, No. 170), referred to as the Public Official and Employee Ethics Law, making omnibus changes.

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?

HB 26 RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I move that HB 26 be recommitted to the Committee on Local Government.

On the question,

Will the House agree to the motion?

Motion was agreed to.

CALENDAR BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of HB 503, PN 2034, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—182

Alden	Foster, W.	Levi	Rodgers
Anderson	Freind	Levin	Ryan
Armstrong	Fryer	Lewis	Salvatore
Arty	Gallagher	Lynch, E. R.	Scheaffer
Austin	Gallen	Lynch, F.	Schmitt
Barber	Gannon	Mackowski	Schweder
Belardi	Gatski	Madigan	Scirica
Bennett	Geesey	Manmiller	Serafini

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

NAYS—0

NOT VOTING—21

Beloff	Gamble	Moehlmann	Street
Borski	Kernick	Pratt	Taylor, E.
Brandt	Livengood	Pucciarelli	White
Brunner	Manderino	Richardson	Williams
Cianciulli	Miller	Shadding	Wright, J. L.
Donatucci			

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 Armstrong, Mr. Livengood. For what purpose does the gentleman rise?

Mr. LIVENGOOD. Mr. Speaker, I would like to be voted in the affirmative on HB 503. For some reason I was not recorded.

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

The House proceeded to third consideration of **HB 740, PN 2035**, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), providing for an in-

crease in the maximum compensation of an attorney employed by an auditor.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—172

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

NAYS—9

Austin	Fischer, R. R.	Itkin	Mrkonic
Dawida	Goebel	Knight	Piccola
Dininni			

NOT VOTING—22

Beloff	Donatucci	Pievsky	Street
Borski	Gray	Pratt	Taylor, E.
Brandt	Greenfield	Rucciarelli	White
Cianciulli	Kernick	Richardson	Williams
DeWeese	Miller	Shadding	Wright, J. L.
DiCarlo	Moehlmann		

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 1020, PN 2276**, entitled:

An Act amending "The Borough Code," approved February 1, 1966 (1965 P. L. 1656, No. 581), authorizing certain boroughs to operate cable television service for borough inhabitants.

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

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

The question is, shall the bill pass finally?

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

YEAS—181

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

NAYS—0

NOT VOTING—22

Beloff	Donatucci	Pratt	Taylor, E.
Borski	Gray	Pucciarelli	White
Bowser	Kernick	Richardson	Williams
Brandt	Knight	Shadding	Wright, J. L.
Cianciulli	Miller	Street	Zeller
DeWeese	Moehlmann		

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 1217, PN 2277**, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), increasing the allowable expense for attending the annual meeting of township supervisors.

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

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

The question is, shall the bill pass finally?

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

YEAS—186

Alden	Foster, A.	Levi	Rocks
Anderson	Foster, W.	Levin	Rodgers
Armstrong	Freind	Lewis	Ryan
Arty	Fryer	Livengood	Salvatore
Austin	Gallagher	Lynch, E. R.	Scheaffer
Barber	Gallen	Lynch, F.	Schmitt
Belardi	Gamble	Mackowski	Schweder
Bennett	Gannon	Madigan	Scirica
Berson	Gatski	Manderino	Serafini
Bittle	Geesey	Manmiller	Seventy
Borski	Geist	McCall	Shupnik
Bowser	George, C.	McClatchy	Sieminski
Brown	George, M.	McIntyre	Sirianni
Brunner	Giammarco	McKelvey	Smith, E.
Burd	Gladeck	McMonagle	Smith, L.
Burns	Goebel	McVerry	Spencer
Caltagirone	Goodman	Michlovic	Spitz
Cappabianca	Grabowski	Micozzie	Stairs
Cessar	Greenfield	Milanovich	Steighner
Chess	Grieco	Moehlmann	Stewart
Cimini	Gruppo	Mowery	Stuban
Clark, B.	Halverson	Mullen, M. P.	Sweet
Clark, R.	Harper	Murphy	Swift
Cochran	Hasay	Musto	Taddonio
Cohen	Hayes, D. S.	Nahill	Taylor, F.
Cole	Hayes, S. E.	Novak	Telek
Cornell	Helfrick	Noye	Thomas
Coslett	Hoefel	O'Brien, B.	Trello
Cowell	Honaman	O'Brien, D.	Vroon
Cunningham	Hutchinson, A.	O'Donnell	Wachob
Davies	Hutchinson, W.	Oliver	Wagner
Dawida	Irvis	Perzel	Wargo
DeMedio	Itkin	Peterson	Wass
DeVerter	Johnson, E.	Petrarca	Weidner

DeWeese	Johnson, J.	Piccola	Wenger
DiCarlo	Jones	Pievsky	Wilson
Dietz	Kanuck	Pistella	Wilt
Dininni	Klingaman	Pitts	Wright, D.
Dombrowski	Knepper	Polite	Yahner
Dorr	Knight	Pott	Yohn
Duffy	Kolter	Punt	Zeller
Dumas	Kowalshyn	Pyles	Zitterman
Durham	Kukovich	Rappaport	Zord
Earley	Lashinger	Reed	Zwinkl
Fee	Laughlin	Rhodes	
Fischer, R. R.	Lehr	Rieger	Seltzer,
Fisher, D. M.	Letterman	Ritter	Speaker

Clark, R.	Harper	Murphy	Swift
Cochran	Hasay	Musto	Taddonio
Cohen	Hayes, D. S.	Nahill	Taylor, F.
Cole	Hayes, S. E.	Novak	Telek
Cornell	Helfrick	Noye	Thomas
Coslett	Hoeffel	O'Brien, B.	Trello
Cowell	Honaman	O'Brien, D.	Vroon
Cunningham	Hutchinson, A.	O'Donnell	Wachob
Davies	Hutchinson, W.	Oliver	Wagner
Dawida	Irvic	Perzel	Wargo
DeMedio	Itkin	Peterson	Wass
DeVertter	Johnson, E.	Petrarca	Weidner
DeWeese	Johnson, J.	Piccola	Wenger
DiCarlo	Jones	Pievsky	White
Dietz	Kanuck	Pistella	Wilson
Dininni	Klingaman	Pitts	Wilt
Dombrowski	Knepper	Polite	Wright, D.
Dorr	Knight	Pott	Yahner
Duffy	Kolter	Punt	Yohn
Dumas	Kowalshyn	Pyles	Zeller
Durham	Kukovich	Rappaport	Zitterman
Earley	Lashinger	Reed	Zord
Fee	Laughlin	Rhodes	Zwinkl
Fischer, R. R.	Lehr	Rieger	
Fisher, D. M.	Letterman	Ritter	Seltzer,
Foster, A.	Levi	Rocks	Speaker
Foster, W.	Levin		

NAYS—0

NOT VOTING—17

Beloff	Kernick	Pucciarelli	Taylor, E.
Brandt	Miller	Richardson	White
Cianciulli	Mrkoncic	Shadding	Williams
Donatucci	Pratt	Street	Wright, J. L.
Gray			

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 1384, PN 2278**, entitled:

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

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

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

The question is, shall the bill pass finally?

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

YEAS—184

Alden	Freind	Lewis	Rodgers
Anderson	Fryer	Livengood	Ryan
Armstrong	Gallagher	Lynch, E. R.	Salvatore
Arty	Gallen	Lynch, F.	Scheaffer
Barber	Gamble	Mackowski	Schmitt
Belardi	Gannon	Madigan	Schweder
Bennett	Gatski	Manderino	Scirica
Berson	Geesey	Manmiller	Serafini
Bittle	Geist	McCall	Seventy
Bowser	George, C.	McClatchy	Shupnik
Brown	George, M.	McIntyre	Sieminski
Brunner	Giammarco	McKelvey	Sirianni
Burd	Gladeck	McMonagle	Smith, L.
Burns	Goebel	McVerry	Spencer
Caltagirone	Goodman	Michlovic	Spitz
Cappabianca	Grabowski	Micozzie	Stairs
Cessar	Greenfield	Milanovich	Steighner
Chess	Grieco	Moehlmann	Stewart
Cimini	Gruppo	Mowery	Stuban
Clark, B.	Halverson	Mullen, M. P.	Sweet

NAYS—0

NOT VOTING—19

Austin	Donatucci	Pratt	Street
Beloff	Gray	Pucciarelli	Taylor, E.
Borski	Kernick	Richardson	Williams
Brandt	Miller	Shadding	Wright, J. L.
Cianciulli	Mrkoncic	Smith, E.	

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 1385, PN 2279**, entitled:

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

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

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

The question is, shall the bill pass finally?

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

YEAS—185

Alden	Foster, W.	Lewis	Ryan
Anderson	Freind	Livengood	Salvatore
Armstrong	Fryer	Lynch, E. R.	Scheaffer
Arty	Gallagher	Lynch, F.	Schmitt
Austin	Gallen	Mackowski	Schweder
Barber	Gamble	Madigan	Scirica

Belardi	Gannon	Manderino	Serafini
Bennett	Gatski	Manmiller	Seventy
Berson	Geesey	McCall	Shupnik
Bittle	Geist	McClatchy	Sieminski
Bowser	George, C.	McIntyre	Sirianni
Brown	George, M.	McKelvey	Smith, E.
Brunner	Giammarco	McMonagle	Smith, L.
Burd	Gladeck	McVerry	Spencer
Burns	Goebel	Michlovic	Spitz
Caltagirone	Goodman	Micozzie	Stairs
Cappabianca	Grabowski	Milanovich	Steighner
Cessar	Greenfield	Moehlmann	Stewart
Chess	Grieco	Mowery	Stuban
Cimini	Gruppo	Mullen, M. P.	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	Hoefel	O'Brien, D.	Vroon
Cowell	Honaman	O'Donnell	Wachob
Cunningham	Hutchinson, A.	Oliver	Wagner
Davies	Hutchinson, W.	Perzel	Wargo
Dawida	Irvis	Peterson	Wass
DeMedio	Itkin	Petrarca	Weidner
DeVerte	Johnson, E.	Piccola	Wenger
DeWeese	Johnson, J.	Pievsky	White
DiCarlo	Kanuck	Pistella	Wilson
Dietz	Klingaman	Pitts	Wilt
Dininni	Knepper	Polite	Wright, D.
Dombrowski	Knight	Pott	Yahner
Dorr	Kolter	Punt	Yohn
Duffy	Kowalshyn	Pyles	Zeller
Dumas	Kukovich	Rappaport	Zitterman
Durham	Lashinger	Reed	Zord
Earley	Laughlin	Rhodes	Zwinkl
Fee	Lehr	Rieger	
Fischer, R. R.	Letterman	Ritter	Seltzer,
Fisher, D. M.	Levi	Rocks	Speaker
Foster, A.	Levin	Rodgers	

## NAYS—0

## NOT VOTING—18

Beloff	Gray	Pratt	Street
Borski	Jones	Pucciarelli	Taylor, E.
Brandt	Kernick	Richardson	Williams
Cianciulli	Miller	Shadding	Wright, J. L.
Donatucci	Mrkonic		

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

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

## REMARKS ON VOTES

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

Mr. MILLER. Mr. Speaker, I was in the main capitol building on House business. Had I been in my seat, I would have voted on HB 503 in the affirmative, HB 740 in the affirmative, HB 1020 in the affirmative, HB 1217 in the affirmative, HB 1384 in the affirmative, and HB 1385 in the affirmative. Thank you.

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

The Chair recognizes the lady from Chester, Mrs. Taylor.

Mrs. TAYLOR. Mr. Speaker, I was out of my seat and I would like to be recorded in the affirmative on HB 740, HB 1020, HB 1385, HB 1384, HB 1217, HB 503 and HB 421. Thank you very much.

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

The House proceeded to third consideration of **HB 606, PN 2133**, entitled:

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further providing for exclusion from sales tax.

On the question,

Will the House agree to the bill on third consideration?

Mr. KNEPPER offered the following amendments:

Amend Title, page 1, line 10, by striking out "exclusion" and inserting exclusions

Amend Sec. 1, page 1, lines 14 and 15, by striking out "a clause" and inserting clauses

Amend Sec. 1 (Sec. 204), page 2, by inserting between lines 2 and 3

(39) The sale at retail or use of the following items:

(i) Circulating heater — a woodburning appliance with an exterior cabinet allowing air circulation around the heater.

(ii) Cookstove — a woodburning appliance designed for cooking purposes.

(iii) Furnace — any appliance utilizing wood exclusively or in combination with oil, gas, electricity or coal designed to operate as a central heating system.

On the question,

Will the House agree to the amendments?

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

Mr. KNEPPER. Mr. Speaker, this is a very timely amendment considering the high cost of energy and the approaching cold winds of winter. It would seem to me that the House would be well advised to consider the adoption of this particular exemption. It will provide a sales tax exemption in certain instances for people who would purchase energy-saving devices to be used in conjunction with wood-burning appliances. This would affect probably more people living throughout the state than any other particular form of savings that they could have in the area of wood burning this winter, because probably there will be more wood burned both for cooking purposes and for fuel this winter than ever before.

The amendment has been narrowly defined so that those appliances such as a fireplace, where you are strictly using it for aesthetic purposes but where all the heat is going up the chimney, would not, of course, be exempt under this legislation. But it would take care of the wood stoves, the potbellied stoves, the types of appliances that generally speaking a lot of our older citizens who are on fixed incomes and others who are finding difficulty in paying for expensive gas, oil, and electricity would be able to take advantage of.

I would urge your adoption of this amendment. Thank you, Mr. Speaker.

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

Mr. PETERSON. Mr. Speaker, I rise to support the Knepper amendment.

As prime sponsor of HB 606, which would delete the sales tax on firewood, I think combining firewood and wood-burning appliances is one small step we can make in Pennsylvania where we have a lot of forests.

To promote the use of the one kind of fuel that is renewable, it will be a great help to those who are on oil and high-cost heating in rural areas as an alternative.

I urge all members of this House to support the Knepper amendment.

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

Mr. NOVAK. Mr. Speaker, may I interrogate the prime sponsor?

The SPEAKER. The gentleman, Mr. Knepper, indicates that he will stand for interrogation. The gentleman, Mr. Novak, may proceed.

Mr. NOVAK. Mr. Speaker, 8 years ago I thought I would be a very liberal legislator. I offered an amendment that would cut out the 1-cent tax on coffee. When I got a fiscal note on that bill, I was shocked to find out what that bill was losing for the State of Pennsylvania.

The thrust of my question is simply this: Should there be a fiscal note on the bill as to the loss to the State of Pennsylvania? Or is there?

Mr. KNEPPER. Yes, there should be; there is. It was put on your desk last week. I do not have it in my hand, but I believe that it shows a range of from \$400,000 to \$700,000 loss of revenue to the Commonwealth. Incidentally, that came from the Revenue Department. I think that it shows such a range probably because they are not too sure how many of these types of stoves have been sold in the past.

So I do not suspect there will be much of a loss in terms of actual revenue now. However, as the sale of these increases this winter and next, the potential, of course, would be greater. But this is money the Commonwealth never had to begin with so we are not losing it.

Mr. NOVAK. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—175

Alden	Foster, A.	Levi	Rodgers
Anderson	Foster, W.	Levin	Ryan
Armstrong	Freind	Lewis	Salvatore
Arty	Gallagher	Lynch, E. R.	Schaeffer
Austin	Gallen	Lynch, F.	Schmitt
Barber	Gamble	Mackowski	Schweder
Belardi	Gannon	Madigan	Scirica
Bennett	Gatski	Manderino	Serafini
Berson	Geesey	Manmiller	Seventy
Bittle	Geist	McCall	Shupnik
Bowser	George, C.	McClatchy	Sieminski
Brown	George, M.	McIntyre	Sirianni

Brunner	Giammarco	McKelvey	Smith, E.
Burd	Gladeck	McMonagle	Smith, L.
Burns	Goebel	McVerry	Spencer
Caltagirone	Goodman	Michlovic	Stairs
Cappabianca	Greenfield	Micozzie	Steighner
Cessar	Grieco	Milanovich	Stewart
Chess	Gruppo	Moehlmann	Stuban
Cimini	Halverson	Mowery	Sweet
Clark, B.	Harper	Mrkonic	Swift
Clark, R.	Hasay	Mullen, M. P.	Taddonio
Cochran	Hayes, D. S.	Murphy	Taylor, E.
Cohen	Hayes, S. E.	Musto	Taylor, F.
Cole	Helfrick	Nabill	Thomas
Cornell	Hoeffel	Noye	Trello
Coslett	Honaman	O'Brien, B.	Vroon
Cowell	Hutchinson, W.	O'Brien, D.	Wachob
Cunningham	Irvis	O'Donnell	Wagner
Davies	Itkin	Oliver	Wargo
Dawida	Johnson, E.	Perzel	Wass
DeMedio	Johnson, J.	Peterson	Weidner
DeVerter	Jones	Petrarca	Wenger
DeWeese	Kanuck	Pievsky	White
DiCarlo	Klingaman	Pitts	Wilson
Dietz	Knepper	Polite	Wilt
Dininni	Knight	Pott	Wright, D.
Dombrowski	Kolter	Punt	Yahner
Dorr	Kowalshyn	Pyles	Yohn
Dumas	Kukovich	Rappaport	Zord
Durham	Lashinger	Reed	Zwickl
Earley	Laughlin	Rieger	
Fee	Lehr	Ritter	Seltzer,
Fischer, R. R.	Letterman	Rocks	Speaker
Fisher, D. M.			

NAYS—11

Duffy	Hutchinson, A.	Piccola	Zeller
Fryer	Livengood	Pistella	Zitterman
Grabowski	Novak	Telek	

NOT VOTING—17

Beloff	Gray	Pucciarelli	Spitz
Borski	Kernick	Rhodes	Street
Brandt	Miller	Richardson	Williams
Ciunciulli	Pratt	Shadding	Wright, J. L.
Donatucci			

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. TRELLO offered the following amendments:

Amend Sec. 1, page 1, lines 14 and 15, by striking out "a clause" and inserting clauses

Amend Sec. 1 (Sec. 204), page 2, by inserting between lines 2 and 3

(39) The sale at retail or use of dog and cat food.

On the question,

Will the House agree to the amendments?

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

Mr. TRELLO. Mr. Speaker, this amendment deals with dog and cat foods. The purpose for offering the amendment is the simple fact that there are many of our senior citizens who are actually eating dog and cat foods because they cannot afford to buy other groceries.



I figure if we can exempt the people who are living in these big homes who are burning wood in their very luxurious fireplaces, why not make the dog and cat food tax exempt, that are very essential to some of these people actually staying alive. I encourage your support on the amendment.

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

Mr. McCLATCHY. Mr. Speaker, before we help out the doggies and the kitties, I think we ought to have a fiscal note and find out exactly how much this is going to cost the state.

Mr. TRELLO. Mr. Speaker, at this time I do not have a fiscal note, but I am planning on having a suspension of the rules so that it can be passed without a fiscal note.

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

Mr. LETTERMAN. I do not think we should even accept this amendment in any way, but before we do, I would insist on a financial statement from Mr. Trello to tell us just what it is going to cost us, because I think if you really get a statement on this, you are really going to be amazed at how much you are losing.

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

Mr. TRELLO. Mr. Speaker, I agree that an amendment such as this should have a fiscal note attached to it because it will have an impact on the revenues generated by the State of Pennsylvania. I want to apologize to the members for not being prepared with the fiscal note.

By the same token, we are talking about a fiscal note. Nobody questions the loss of revenues for the majority of the people who are going to be buying firewood not for the sole purpose of keeping warm but for the sole purpose of enjoying a fireplace in their luxurious homes.

In 1976, the Consumer Affairs Committee had a meeting with the senior citizens, and they demonstrated to us—

The SPEAKER. Can the gentleman indicate what his intentions are?

Mr. TRELLO. To explain the purpose of introducing the amendment and apologize for not having a fiscal note.

The SPEAKER. The question before the House is the lack of a fiscal note for the gentleman's amendment.

Mr. TRELLO. Well, Mr. Speaker, I already apologized for not having one.

The SPEAKER. The Chair understands that. The Chair has accepted his apology.

**MOTION TO SUSPEND RULES**

Mr. TRELLO. Okay, then, maybe at this time I should ask for suspension of the rules to offer the amendment without a fiscal note.

The SPEAKER. It has been moved by the gentleman from Allegheny, Mr. Trello, that rule 19A be suspended in order that the gentleman may offer his amendment without a fiscal note.

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

Mr. McCLATCHY. Mr. Speaker, I think we are running into troubled waters. I even heard someone on the floor mention the fact that if this passes, they would like to include pigeon feed. One thing sort of builds on another.

I think we ought to wait for a fiscal note and see what it does cost, and if the gentleman would be so inclined, maybe he could withdraw his amendment and maybe we could proceed with the bill.

He will have another chance another day to try his sales tax relief on dog food and cat food.

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

Mr. TRELLO. Mr. Speaker, I agree with the gentleman, but I know of no person who eats fish food.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

**YEAS—42**

Austin	Gamble	Manderino	Pistella
Borski	George, C.	McCall	Rodgers
Chess	Grabowski	Michlovic	Schmitt
Cowell	Halverson	Milanovich	Shupnik
Dawida	Harper	Miller	Stewart
DeWeese	Irvis	Mrkonic	Sweet
Duffy	Jones	Mullen, M. P.	Telek
Earley	Knepper	Murphy	Trello
Fee	Knight	Musto	Wargo
Fischer, R. R.	Kolter	O'Donnell	White
Gallagher	Laughlin		

**NAYS—139**

Alden	Gallen	Lynch, F.	Schweder
Anderson	Gannon	Mackowski	Scirica
Armstrong	Gatski	Madigan	Serafini
Arty	Geesey	Manmiller	Shadding
Belardi	Geist	McClatchy	Sieminski
Bennett	George, M.	McIntyre	Sirianni
Bittle	Giammarco	McKelvey	Smith, E.
Bowser	Gladeck	McMonagle	Smith, L.
Brown	Goodman	McVerry	Spencer
Brunner	Greenfield	Micozzie	Spitz
Burd	Grieco	Moehlmann	Stairs
Burns	Gruppo	Mowery	Steighner
Caltagirone	Hasay	Nahill	Stuban
Cappabianca	Hayes, D. S.	Novak	Swift
Cessar	Hayes, S. E.	Noye	Taddonio
Cimini	Helfrick	O'Brien, B.	Taylor, E.
Clark, B.	Hoeffel	O'Brien, D.	Taylor, F.
Clark, R.	Honaman	Oliver	Thomas
Cochran	Hutchinson, A.	Perzel	Vroon
Cohen	Hutchinson, W.	Peterson	Wagner
Cole	Itkin	Petrarca	Wass
Cornell	Johnson, E.	Piccola	Weidner
Coslett	Johnson, J.	Pitts	Wenger
Cunningham	Kanuck	Polite	Wilson
Davies	Klingaman	Pott	Wilt
DeVerter	Kowalyshyn	Pucciarelli	Wright, D.
DiCarlo	Kukovich	Pyles	Yahner
Dietz	Lashinger	Rappaport	Yohn
Diminni	Lehr	Reed	Zelner
Dombrowski	Letterman	Rieger	Zitterman
Dorr	Levi	Ritter	Zord
Durham	Levin	Rocks	Zwilk
Fisher, D. M.	Lewis	Ryan	
Foster, W.	Livengood	Salvatore	Seltzer,
Freind	Lynch, E. R.	Scheaffer	Speaker
Fryer			

## NOT VOTING—22

Barber	Donatucci	Pievsky	Seventy
Beloff	Dumas	Pratt	Street
Berson	Foster, A.	Punt	Wachob
Brandt	Goebel	Rhodes	Williams
Cianciulli	Gray	Richardson	Wright, J. L.
DeMedio	Kernick		

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

## AMENDMENTS WITHDRAWN

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

Mr. TRELLO. Mr. Speaker, at this time I will withdraw the amendment.

The SPEAKER. The gentleman does not have to. It has already been withdrawn for him.

## REMARKS ON VOTE

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

Mr. GOEBEL. Mr. Speaker, I would like to be recorded as voting in the negative on that last vote to suspend the rules. I could not make it from the well of the House to my seat in time to vote. I am sorry.

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

## AMENDMENT WITHDRAWN

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Davies. Does the gentleman have an amendment to offer?

Mr. DAVIES. Mr. Speaker, by your leave, in the confusion between our caucus on the bill and the time that the bill got to the floor, there was a misunderstanding on the amendment. In the interest of expediting the bill, I will withdraw the amendment, although I do express concern that the burden of proof should, I think, be placed upon the taxpayer rather than the department, because I think it would save substantial amounts of money. But in that interest, I withdraw the amendment.

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

The Chair recognizes the gentleman from Lackawanna, Mr. Zitterman.

Mr. ZITTERMAN. Mr. Speaker, will the prime sponsor of the bill, Mr. Peterson, stand for interrogation, please?

The SPEAKER. The gentleman, Mr. Peterson, indicates that he will, and the gentleman, Mr. Zitterman, may proceed.

Mr. ZITTERMAN. Mr. Speaker, HB 606 exempts the sale of firewood from the current use tax of 6 percent and also with

the amendment eliminates the sales tax on heaters, cookware, furnaces, et cetera. Mr. Speaker, what is the loss of revenue on the sales of firewood at this present time?

Mr. PETERSON. The actual word sent from the Appropriations Committee and from the Department of Revenue was "negligible"; approximately \$275,000 estimate that they felt maybe was even less than that.

Mr. ZITTERMAN. And on the amendment that was put in by the gentleman excluding heaters, cookwares and furnaces, what would be the loss of revenue on these items, sir?

Mr. PETERSON. The Department of Revenue and the Appropriations Committee came up with a figure of \$.4 million to \$.7 million.

Mr. ZITTERMAN. Mr. Speaker, is the Department of Revenue currently collecting sales tax on these items mentioned?

Mr. PETERSON. Would you repeat that question?

Mr. ZITTERMAN. Is the Department of Revenue currently collecting sales tax on the sale of firewood, cookstoves, furnaces, heaters, et cetera?

Mr. PETERSON. I am sure they are collecting all sales sold on heating implements. I think a lot of firewood is being sold in Pennsylvania where sales tax is not being collected.

Mr. ZITTERMAN. Thank you, Mr. Speaker.

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

Mr. ZELLER. Mr. Speaker, I object to this bill, as I voted against the amendment in regard to the stoves. One of the problems I find is that in some states what they are doing with your sales tax is directing a portion of it into various departments for the management of those departments to have to oversee, for example, the forestry end of it. The Department of Environmental Resources has been crying about the loss of funds. As a matter of fact, there have been rumors that there will be possibly a sales tax removal request in regard to paraphernalia for pot. We can keep on going and going, you know. There is no end to it. My problem is this, just yesterday a very serious bill was brought before us, a request, rather, to charge welfare people 50 cents upon their prescriptions. Now I just lightly wanted to mention the fact that if the department is in that desperate need of funds, here we go again—keep reducing revenue that is just revenue, because every bit of energy is charged sales tax, and here we go—just because of the fact that we are talking about wood. I think the fact that they would save energy is justification enough to buy wood, let alone deleting the sales tax.

All this is is a good piece of political maneuvering to get votes. That is really all it is. It is absolutely nothing else, and those people want to do that and talk out of one side of their mouths. We need money from welfare people, 50 lousy pennies from welfare people for a prescription, and now those who are able to pay, they want to take the sales tax off them for political reasons for firewood. It is absolutely absurd. As far as I am concerned, it is strictly another bit of political trickery. That is all it is.

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—166

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

NAYS—18

Alden	Fryer	Jones	Serafini
Belardi	Hoeffel	Levin	Telek
Borski	Irvis	Manderino	White
Chess	Itkin	Mullen, M. P.	Zeller
Duffy	Johnson, J.		

NOT VOTING—19

Beloff	Gamble	Richardson	Taylor, E.
Brandt	Gray	Rodgers	Wachob
Cianciulli	Halverson	Street	Williams
Donatucci	Kernick	Stuban	Wright, J. L.
Dorr	Pratt	Sweet	

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

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

REMARKS ON VOTES

The SPEAKER. The Chair recognizes the gentleman from Al-

legheeny, Mr. Gamble. For what purpose does the gentleman rise?

Mr. GAMBLE. Mr. Speaker, I was called to the phone on that vote. I would like to be recorded in the affirmative on HB 606.

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

The Chair recognizes the gentleman from Lackawanna, Mr. Zitterman. For what purpose does the gentleman rise?

Mr. ZITTERMAN. Mr. Speaker, on HB 606, my switch was locked in the affirmative. I would like to be recorded in the negative, please.

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

The Chair recognizes the lady from Chester, Mrs. Taylor. For what purpose does the lady rise?

Mrs. TAYLOR. Mr. Speaker, I was in the back of the House. I would like to be recognized as voting in the affirmative on HB 606.

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

The Chair recognizes the gentleman from Washington, Mr. Sweet. For what purpose does the gentleman rise?

Mr. SWEET. Mr. Speaker, I was in the back of the House and would like to be recorded as voting in the affirmative on HB 606.

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

For what purpose does the gentleman from Lancaster, Mr. Brandt, rise?

Mr. BRANDT. Mr. Speaker, I wish to be recorded as voting in the affirmative on the following bills: HB 421, HB 503, HB 740, HB 1020, HB 1217, HB 1384 and HB 1385. I also wish to be recorded in the affirmative on the Knepper amendment to HB 606, on final passage of HB 606, and in the negative on suspension of the rules.

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

SB 276 PASSED OVER

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

Mr. THOMAS. Mr. Speaker, I have been trying to get your attention since you passed over the bills on page 19. It was my understanding we were going to vote SB 276 today.

The SPEAKER. The Speaker's calendar is marked "over." The parliamentarian's calendar is marked "over" for the day.

Mr. THOMAS. I thought all the holds were released on that and we were going to move it.

The SPEAKER. The Chair would suggest that the gentleman talk to the majority leader.

Mr. THOMAS. Thank you.

The House proceeded to third consideration of SB 696, PN 1217, entitled:

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

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

SB 696 REVERTED TO  
PRIOR PRINTER'S NUMBER 1082

The SPEAKER. The Chair recognizes the gentleman from Somerset, Mr. Halverson.

Mr. HALVERSON. Mr. Speaker, this bill, SB 696, is a bill that came over from the Senate, and in the House Transportation Committee an amendment was inserted to legalize the use of studded snow tires in Pennsylvania. It then went to the Rules Committee and from the Rules Committee to the Appropriations Committee, and the Appropriations Committee added to the bill a provision providing for a fee of \$5 on inspection as well as the annual inspection. As you probably are aware, I, as well as Joe Petrarca and many other of our colleagues around Pennsylvania, favor the use of studded snow tires.

To give the freshmen a little bit of background, I think you will remember that last year, after 2 years of work on amendments to the present Vehicle Code, the other body at the last moment turned down the bill just because they did not want to take up the issue of studded snow tires. And as you probably are aware, since I know in Somerset it snowed three or four times already this winter, we would very much like to know whether or not we are going to be able to use studded snow tires this winter.

I think it is a shame that people, in order to save their own lives and prevent property damage and injury, are not able to use this safety feature. And in spite of the fact that people from out of state are able to use studded snow tires, either the State Police are unwilling or unable to enforce the law, and I personally think that studded snow tires should be legalized in Pennsylvania. Therefore, Mr. Speaker, I would like to move that we revert to the prior printer's number, which I believe to be 1082, which would accomplish the reversion to provide just for the studded tires, take out the inspection station provision and the annual inspection, and let us send it back to the Senate and ask that they concur in our amendments and legalize studded tires in Pennsylvania. Thank you very much, and I hope you all will give us your support. Thank you very much.

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

Mr. DININNI. Mr. Speaker, I think I sense the feeling of the House from talking to numerous, numerous members, although I am against reverting to the prior printer's number. I think everyone in the House knows my personal feelings when it comes to funds. So if I am the only one who would vote against it, I guess that is the way it will be. I would ask all the members to really consider and vote "no" against that motion.

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

Mr. RITTER. Mr. Speaker, I do not think the issue is whether or not we are going to have annual inspections, studded tires or

not. I think the real issue is that this bill was recommitted for the purpose of a fiscal note. Rule 19(A), it seems to me, is rather clear when it says that "The Appropriations Committee shall be limited in its consideration of any such bill to the fiscal aspects of the bill and shall not consider the substantive merits of the bill . . .", et cetera. If you allow this amendment to be inserted by the Appropriations Committee into a bill which had been in and out of the Transportation Committee, you are going to do what some of us had said would happen some years ago with fiscal notes, and you will make the Appropriations Committee a super-committee and any one of you on any other committee will never really know when you report a bill out, after your committee has given due consideration to it, whether or not another committee will look at that bill and say, I do not like what they did, or they should have done this, that, or the other thing, and add substantive amendments to bills which were referred by this House only for the purposes of a fiscal note.

So I am not arguing about the merits of whether or not you want annual inspections, whether it should be a \$5 fee, or whatever other merits you can talk about. I am talking about a basic issue, and that is, when a committee has finished with a bill and it goes back to the Appropriations Committee for a fiscal note, that is all they ought to do with it. I think it is wrong for them to do it. I think the only way we can get the message is to revert to the prior printer's number and go back, and if there is someone who wants to offer the amendment on the floor to do what they did in the Appropriations Committee, that is fine, but I do not think the Appropriations Committee has the right to do it. I support the motion to revert to a prior printer's number and ask all the members to vote "yes."

The SPEAKER. Does the gentleman from Mercer, Mr. Bennett, wish to be recognized? The gentleman is in order and may proceed.

Mr. BENNETT. Mr. Speaker, the gentleman, Mr. Ritter, has made an excellent point. I would subscribe to what he said and certainly suggest to the members that they ought to agree with his thinking. In addition, Mr. Speaker, Mr. Halverson made a point that I think is an excellent one, and I would like to add to it by saying that I do not believe that those people, those particularly in northwest Pennsylvania where I come from, should be held hostage to the whims of a few members of this House by adding to a bill something that was not in order. In essence, Mr. Speaker, I am saying that my people back home want and need these studded tires. I think we ought to support the motion to revert to a previous printer's number.

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

The following roll call was recorded:

YEAS—162

Alden	Fee	Levi	Schmitt
Armstrong	Fischer, R. R.	Levin	Schweder
Arty	Foster, W.	Lewis	Scirica
Austin	Freind	Livengood	Serafini
Barber	Fryer	Lynch, E. R.	Seventy
Belardi	Gallagher	Lynch, F.	Shadding
Bennett	Gannon	Mackowski	Shupnik
Berson	Gatski	Madigan	Sieminski

Bittle	Geist	McCall	Sirianni
Borski	George, C.	McIntyre	Smith, E.
Bowser	George, M.	McKelvey	Smith, L.
Brandt	Giammarco	McMonagle	Spencer
Brown	Gladeck	Michlovic	Spitz
Brunner	Goebel	Micozzie	Stairs
Burd	Goodman	Milanovich	Steighner
Burns	Grabowski	Miller	Stewart
Caltagirone	Greenfield	Moehlmann	Stuban
Cappabianca	Grieco	Mowery	Swift
Cessar	Gruppo	Mrkonic	Taylor, E.
Chess	Halverson	Murphy	Taylor, F.
Cimini	Harper	Nahill	Telek
Clark, B.	Hasay	Novak	Thomas
Clark, R.	Hayes, D. S.	Noye	Trello
Cochran	Hayes, S. E.	O'Brien, B.	Wachob
Cohen	Helfrick	O'Brien, D.	Wagner
Cole	Hoeffel	O'Donnell	Wargo
Cornell	Honaman	Oliver	Wass
Coslett	Hutchinson, A.	Petrarca	Weidner
Cowell	Hutchinson, W.	Pievsky	Wenger
Davies	Irvic	Pistella	White
Dawida	Itkin	Polite	Wilson
DeMedio	Johnson, E.	Pucciarelli	Wilt
DeVerter	Johnson, J.	Punt	Wright, D.
DeWeese	Jones	Rappaport	Yahner
DiCarlo	Klingaman	Reed	Zeller
Dietz	Knight	Rhodes	Zitterman
Dombrowski	Kolter	Rieger	Zord
Duffy	Kowalshyn	Ritter	Zwinkl
Dumas	Kukovich	Rocks	
Durham	Lashingier	Rodgers	Seltzer,
Earley	Laughlin	Scheaffer	Speaker

**NAYS—31**

Anderson	Geesey	McVerry	Pyles
Cunningham	Kanuck	Mullen, M. P.	Ryan
Dininni	Knepper	Musto	Salvatore
Dorr	Lehr	Perzel	Sweet
Fisher, D. M.	Letterman	Peterson	Taddonio
Foster, A.	Manderino	Piccola	Vroon
Gallen	Manmiller	Pitts	Yohn
Gamble	McClatchy	Pott	

**NOT VOTING—10**

Beloff	Gray	Richardson	Williams
Cianciulli	Kernick	Street	Wright, J. L.
Donatucci	Pratt		

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

**SB 696 PASSED OVER TEMPORARILY**

The SPEAKER. Without objection, SB 696 is passed over temporarily.

**HOUSE SCHEDULE AND REPUBLICAN CAUCUS**

The SPEAKER. The Chair recognizes the majority leader for an announcement.

Mr. RYAN. Mr. Speaker, it is now 12:45 p.m. When the leadership marked the calendar this morning we passed over temporarily approximately eight bills. We would like to recess now, have a short lunch, go to caucus, caucus on those bills that have been temporarily passed over, and return to the floor. In addition, we expect that HB 211 will be called up for a vote to-

day, it having passed the Senate earlier today, and we will caucus on that as well as those bills that were temporarily passed over.

I am going to suggest, Mr. Speaker, that we recess now until 2:30 p.m.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, I could not hear the announcement of the majority leader due to the confusion on the floor. Did the majority leader call for a caucus beginning at what time?

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, the Republicans will caucus at 1:30 and return to the floor of the House at 2:30.

Mr. IRVIS. Very well.

**DEMOCRATIC CAUCUS**

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. The Democrats will caucus at 1:30. And we are going to caucus on the toxic solid waste bill, which is a very important bill, and we shall be caucusing on the pay raise bill; that is HB 211. I caution every Democrat to be in our caucus, because if you are not there, we shall be calling your complexes urging you to attend. I say this so that no one can say that he or she did not know what our intentions are as far as the pay raise bill is concerned. We will be in caucus at 1:30, and it will be an extremely important caucus for you to attend.

**SENATE MESSAGE**

**AMENDED HOUSE BILL RETURNED FOR CONCURRENCE**

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

**HB 211, PN 2328.**

**SENATE MESSAGE**

**HOUSE AMENDED SENATE BILL CONCURRED IN**

The Senate informed that it has concurred in House amendments to **SB 603, PN 1081.**

**EDUCATION COMMITTEE MEETING**

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

Mr. R. R. FISCHER. Mr. Speaker, I would like to call an immediate meeting of the Committee on Education in room 401.

**RECESS**

The SPEAKER. The chairman of the Education Committee is calling an immediate meeting of the Committee on Education in room 401.

Republican caucus at 1:30. Democratic caucus at 1:30.

Without objection, this House now stands in recess until 2:30.

**AFTER RECESS**

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

**CALENDAR BILL ON FINAL PASSAGE**

Agreeable to order.

The House proceeded to the consideration on final passage of **HB 227, PN 2327**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for jury selection commissions, requiring certain budgetary data from the Court Administrator and providing for the qualifications, selection and service of jurors and providing penalties.

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—181**

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

**NAYS—6**

Brunner	DeMedio	Taylor, F.	Yahner
Cochran	Sweet		

**NOT VOTING—16**

Beloff	Johnson, J.	O'Donnell	Street
Cianiciulli	Kernick	Pott	Stuban
Donatucci	Kowalyshyn	Pratt	Wright, J. L.
Goebel	McVerry	Reed	Zeller

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

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

**REMARKS ON VOTES**

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

Mr. SHADDING. Mr. Speaker, I wish to be recorded on HB 227 in the affirmative.

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

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

Mr. POTT. Mr. Speaker, had I been in my seat on the vote on HB 227, PN 2327, I would have voted in the affirmative.

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

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

Mr. McVERRY. Mr. Speaker, I was out of my seat when the vote was taken on HB 227. I would like to be recorded in the affirmative, please.

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

The Chair recognizes the gentleman from Dauphin, Mr. Reed. For what purpose does the gentleman rise?

Mr. REED. Mr. Speaker, I was out of my seat on HB 227. I wish to be recorded in the affirmative.

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

**CALENDAR BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **SB 276, PN 1036**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," further providing for the powers and duties of the Secretary of Transportation as to real property, restricting the right to condemn prime agricultural lands for certain purposes and creating the Agricultural Lands Condemnation Approval Board.

On the question,

Will the House agree to the bill on third consideration?

Mr. THOMAS offered the following amendment:

Amend Sec. 1 (Sec. 306), page 3, line 30, by striking out "STATE PLANNING AND DEVELOPMENT" and inserting Policy and Planning

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

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

Mr. THOMAS. Mr. Speaker, this is a technical amendment. The bill calls for state planning and development in its nomenclature, and it is no longer termed such. It is now policy and planning, and all this amendment does is change that language from "state planning and development" to "policy and planning".

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—7

Table listing names of members who did not vote: Cianciulli, Donatucci, Kernick, Letterman, Pratt, Street, Wright, J. L.

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

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

Mr. THOMAS offered the following amendment:

Amend Sec. 1 (Sec. 306), page 4, lines 5 and 6, by striking out "THE" where it appears the second time in line 5, and all of line 6 and inserting The Secretary of Agriculture shall

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

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

Mr. THOMAS. Mr. Speaker, this is another correction. The advisory committee that we are creating in this bill calls for the Secretary of State Planning and Development to be chairman of the committee. That office does not want to chair the committee, and they have agreed that the Secretary of Agriculture should chair the committee. And that is all this amendment does, name as the chairman of the committee the Secretary of Agriculture rather than the chairman of policy and planning.

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

The following roll call was recorded:

YEAS—195

Table listing names of members who voted 'YEAS' for the amendment: Alden, Anderson, Armstrong, Arty, Austin, Barber, Belardi, Beloff, Bennett, Berson, Bittle, Borski, Bowser, Brandt, Brown, Brunner, Burd, Burns, Caltagirone, Cappabianca, Cessar, Chess, Cimini, Clark, B., Clark, R., Cochran, Cohen, Cole, Cornell, Coslett, Foster, W., Freind, Fryer, Gallagher, Gallen, Gamble, Gannon, Gatski, Geesey, Geist, George, C., George, M., Giammarco, Gladeck, Goebel, Goodman, Grabowski, Gray, Greenfield, Grieco, Gruppo, Halverson, Harper, Hasay, Hayes, D. S., Hayes, S. E., Helfrick, Hoeffel, Honaman, Hutchinison, A., Lewis, Livengood, Lynch, E. R., Lynch, F., Mackowski, Madigan, Manderino, Manmiller, Serafini, Seventy, Shadding, Shupnik, Sieminski, Smith, E., Smith, L., Spencer, Spitz, Stairs, Steighner, Stewart, Stuban, Sweet, Swift, Taddonio, Taylor, E., Taylor, F., Telek, Thomas, Trello, Vroon, Wachob, Rodgers, Ryan, Salvatore, Scheaffer, Scirica, Serafini, Seventy, Shadding, Shupnik, Sieminski, Smith, E., Smith, L., Spencer, Spitz, Stairs, Steighner, Stewart, Stuban, Sweet, Swift, Taddonio, Taylor, E., Taylor, F., Telek, Thomas, Trello, Vroon, Wachob

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

Beloff	Gatski	McCall	Serafini
Bennett	Geesey	McClatchy	Seventy
Berson	Geist	McIntyre	Shadding
Bittle	George, C.	McKelvey	Shupnik
Borski	George, M.	McMonagle	Sieminski
Bowser	Giammarco	McVerry	Sirianni
Brandt	Gladeck	Michlovic	Smith, E.
Brown	Goebel	Micozzie	Smith, L.
Brunner	Goodman	Milanovich	Spencer
Burd	Grabowski	Miller	Spitz
Burns	Gray	Moehlmann	Stairs
Callagirone	Greenfield	Mowery	Steighner
Cappabianca	Grieco	Mrkonic	Stewart
Cessar	Gruppo	Mullen, M. P.	Sweet
Chess	Halverson	Murphy	Swift
Cimini	Harper	Musto	Taddonio
Clark, B.	Hasay	Nahill	Taylor, E.
Clark, R.	Hayes, D. S.	Novak	Telek
Cochran	Hayes, S. E.	Noye	Thomas
Cohen	Helfrick	O'Brien, B.	Trelo
Cole	Hoeffel	O'Brien, D.	Vroon
Cornell	Hutchinson, A.	O'Donnell	Wachob
Coslett	Hutchinson, W.	Oliver	Wagner
Cowell	Irvis	Perzel	Wargo
Cunningham	Itkin	Peterson	Wass
Davies	Johnson, E.	Petrarca	Weidner
Dawida	Johnson, J.	Piccola	Wenger
DeMedio	Jones	Pievsky	White
DeVerter	Kanuck	Pistella	Williams
DeWeese	Klingaman	Pitts	Wilson
DiCarlo	Knepper	Polite	Wilt
Dietz	Knight	Pott	Wright, D.
Diminni	Kolter	Pucciarelli	Yahner
Dombrowski	Kowalshyn	Punt	Yohn
Dorr	Kukovich	Pyles	Zeller
Duffy	Lashingner	Rappaport	Zitterman
Dumas	Laughlin	Reed	Zord
Durham	Lehr	Rhodes	Zwinkl
Earley	Letterman	Richardson	
Fee	Levi	Rieger	Seltzer,
Fischer, R. R.	Levin	Ritter	Speaker
Fisher, D. M.	Lewis		

NAYS—1

Schweder

NOT VOTING—7

Cianciulli	Kernick	Sirianni	Wright, J. L.
Donatucci	Pratt	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?

Bill as amended was agreed to.

The SPEAKER. This bill has been considered on three different days 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.

(Members proceeded to vote)

A rollcall vote was taken but due to malfunction of the voting machine was later retaken.

REVOTE ON SB 276 TAKEN

The SPEAKER. For the information of the members of the House, the last vote that we took on SB 276 on final passage has to be revoted. We had a malfunction in the machine. The chief clerk indicates that they are ready. We are now on final passage of SB 276.

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—192

Alden	Foster, A.	Livengood	Rocks
Anderson	Foster, W.	Lynch, E. R.	Rodgers
Armstrong	Freind	Lynch, F.	Ryan
Arty	Gallagher	Mackowski	Salvatore
Austin	Gallen	Madigan	Scheaffer
Barber	Gamble	Manderino	Schmitt
Belardi	Gannon	Manmiller	Scirica

NAYS—4

Fryer	Schweder	Stuban	Taylor, F.
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NOT VOTING—7

Cianciulli	Honaman	Pratt	Wright, J. L.
Donatucci	Kernick	Street	

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

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

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 340, PN 2343 (Amended) By Mr. SCHEAFFER (Unanimous)

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for the pension for deceased soldier's dependents.

Military and Veterans Affairs.

HB 1799, PN 2344 (Amended) By Mr. WILSON

An Act amending Title 66 (Public Utilities) of the Pennsylvania



nia Consolidated Statutes, further providing for certificates of public convenience related to taxicabs.

Consumer Affairs.

**ADDITIONS AND DELETIONS OF SPONSORS**

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, in accordance with our rules, I submit the following list of additions and deletions of sponsorship:

**ADDITIONS**

HB 211, PN 2328, Ryan; HB 211, PN 2328, Irvis; HB 340, PN 362, Wargo; HB 1840, PN 2263, Musto; and HB 1840, PN 2263, Dombrowski.

**DELETIONS**

HB 211, PN 2328, Alden; HB 211, PN 2328, Rocks; HB 211, PN 2328, Gladeck; HB 211, PN 2328, Telek; HB 211, PN 2328, Clark, R.; HB 211, PN 2328, Swift; HB 211, PN 2328, Dietz; HB 211, PN 2328, Punt; HB 211, PN 2328, Belardi; HB 211, PN 2328, Serafini; HB 211, PN 2328, Brown; and HB 211, PN 2328, Kernick.

**SUPPLEMENTAL CALENDAR**

**SENATE MESSAGE**

**AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED**

The Senate returned the following **HB 211, PN 2328**, with the information that the Senate has passed the same with amendments in which concurrence of the House of Representatives is requested:

**SENATE AMENDED**  
Prior Printer's Nos. 227, 2157, 2265  
Printer's No. 2328

**THE GENERAL ASSEMBLY OF PENNSYLVANIA**

House Bill No. 211

Session of 1979

INTRODUCED BY MESSRS. ALDEN, ROCKS, GLADECK, TELEK, MRS. CLARK, MESSRS. SWIFT, DIETZ, PUNT, BELARDI, SERAFINI, BROWN AND MRS. KERNICK, FEBRUARY 6, 1979.

SENATOR SMITH, APPROPRIATIONS, IN SENATE, REPORTED AS AMENDED, OCTOBER 22, 1979.

An Act

**Repealing** AMENDING the act of June 1, 1956 (1955 P. L. 1959, No. 657), entitled, as amended, "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, the President Judge and judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the County Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County, certain associate judges not learned in the law, certain state officers and the salary and expenses of the members of the General Assembly, and repealing certain inconsistent acts," FURTHER PROVIDING FOR THE BASIC ANNUAL SALARIES OF JUSTICES, JUDGES, CERTAIN STATE OFFICERS, MEMBERS AND CERTAIN OFFICERS OF THE GENERAL ASSEMBLY AND REPEALING THE PROVISIONS RELATING TO THE COMMONWEALTH COMPENSATION COMMISSION.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

**Section 1.** The **SUBSECTION (B) OF SECTION 14.2**, act of June 1, 1956 (1955 P. L. 1959, No. 657), referred to as the **Public Official Compensation Law**, **ADDED JUNE 29, 1976 (P. L. 452, NO. 111)**, is repealed.

**Section 2.** This act shall take effect in 30 days.

**SECTION 1.** SECTIONS 2, 3, 3.1, 4, 4.1 AND 4.2, ACT OF JUNE 1, 1956 (1955 P. L. 1959, NO. 657), REFERRED TO AS THE PUBLIC OFFICIAL COMPENSATION LAW, AMENDED OR ADDED JUNE 29, 1976 (P. L. 452, NO. 111), ARE AMENDED TO READ:

**SECTION 2.** THE ANNUAL SALARY OF THE CHIEF JUSTICE OF THE SUPREME COURT SHALL BE [\$57,500] \$67,000, AND THE ANNUAL SALARY OF EACH OF THE ASSOCIATE JUDGES OF THE SUPREME COURT SHALL BE [\$55,000] \$64,500.

**SECTION 3.** THE ANNUAL SALARY OF THE PRESIDENT JUDGE OF THE SUPERIOR COURT SHALL BE [\$54,500] \$64,000 AND THE ANNUAL SALARY OF EACH OF THE ASSOCIATE JUDGES OF THE SUPERIOR COURT SHALL BE [\$53,000] \$62,500.

**SECTION 3.1.** THE ANNUAL SALARY OF THE PRESIDENT JUDGE OF THE COMMONWEALTH COURT SHALL BE [\$54,500] \$64,000. THE ANNUAL SALARY OF EACH OF THE ASSOCIATE JUDGES OF THE COMMONWEALTH COURT SHALL BE [\$53,000] \$62,500.

**SECTION 4. (A)** THE ANNUAL SALARY OF A PRESIDENT JUDGE OF A COURT OF COMMON PLEAS SHALL BE FIXED IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:

(1) ALLEGHENY COUNTY . . . . .	[\$47,000]	<u>\$57,000</u>
(2) PHILADELPHIA . . . . .	[47,500]	<u>57,500</u>
(3) DAUPHIN COUNTY . . . . .	[46,000]	<u>56,000</u>
(4) JUDICIAL DISTRICTS HAVING SIX MORE JUDGES AND A POPULATION IN EXCESS OF ONE HUNDRED FIFTY THOUSAND . . . . .	[46,000]	<u>56,000</u>
(5) JUDICIAL DISTRICTS HAVING THREE TO FIVE JUDGES . . . . .	[45,500]	<u>55,500</u>
(6) JUDICIAL DISTRICTS HAVING ONE OR TWO JUDGES . . . . .	[45,000]	<u>55,000</u>
(7) ADMINISTRATIVE JUDGES OF THE DIVISIONS OF COMMON PLEAS COURT:		
(I) PHILADELPHIA, DIVISIONS OF SIX OR MORE JUDGES . . . . .	[46,000]	<u>56,000</u>
(II) PHILADELPHIA, DIVISIONS OF FIVE OR LESS JUDGES . . . . .	[45,500]	<u>55,500</u>
(8) PRESIDENT JUDGES OF DIVISIONS OF COMMON PLEAS COURT OF ALLEGHENY COUNTY:		
(I) DIVISIONS OF SIX OR MORE JUDGES . . . . .	[46,000]	<u>56,000</u>
(II) DIVISIONS OF FIVE OR LESS JUDGES . . . . .	[45,500]	<u>55,500</u>

**(B)** THE ASSOCIATE JUDGES OF THE COURTS OF COMMON PLEAS SHALL BE PAID AN ANNUAL SALARY OF [\$45,000] \$55,000.

**SECTION 4.1.** THE PRESIDENT JUDGE OF THE PHILADELPHIA MUNICIPAL COURT SHALL RECEIVE AN ANNUAL SALARY OF [FORTY-ONE THOUSAND FIVE HUNDRED DOLLARS (\$41,500)] FIFTY THOUSAND FIVE HUNDRED DOLLARS (\$50,500). THE ANNUAL SALARY OF AS-

SOCIATE JUDGES OF THE PHILADELPHIA MUNICIPAL COURT SHALL BE [FORTY THOUSAND DOLLARS (\$40,000)] FORTY-NINE THOUSAND DOLLARS (\$49,000)

FOR MEMBERS OF THE BAR AND TWENTY-ONE THOUSAND DOLLARS (\$21,000) FOR JUDGES WHO ARE NOT MEMBERS OF THE BAR.

SECTION 4.2. THE ANNUAL SALARY OF THE PRESIDENT JUDGE OF THE PHILADELPHIA TRAFFIC COURT SHALL BE [TWENTY-TWO THOUSAND DOLLARS (\$22,000)] TWENTY-SIX THOUSAND DOLLARS (\$26,000).

THE ANNUAL SALARY OF ASSOCIATE JUDGES OF THE PHILADELPHIA TRAFFIC COURT SHALL BE [TWENTY-ONE THOUSAND DOLLARS (\$21,000)] TWENTY-FIVE THOUSAND DOLLARS (\$25,000).

SECTION 2. AS MUCH AS APPLIES TO THE AUDITOR GENERAL AND THE STATE TREASURER IN SECTION 13 OF THE ACT, AMENDED JULY 16, 1968 (P. L. 355, NO. 176) AND JULY 18, 1968 (P. L. 427, NO. 194) AND BY THE REPORTS OF THE COMPENSATION COMMISSION OF 1972 AND 1976, IS AMENDED TO READ:

SECTION 13. \* \* \*

AUDITOR GENERAL, [FORTY-TWO THOUSAND FIVE HUNDRED DOLLARS (\$42,500)] FORTY-EIGHT THOUSAND DOLLARS (\$48,000).

STATE TREASURER, [FORTY-TWO THOUSAND FIVE HUNDRED DOLLARS (\$42,500)] FORTY-EIGHT THOUSAND DOLLARS (\$48,000).

\* \* \*

SECTION 3. SECTION 14 OF THE ACT, AMENDED JUNE 16, 1971 (P. L. 157, NO. 8) AND BY THE REPORTS OF THE COMPENSATION COMMISSION OF 1972 AND 1976, IS AMENDED TO READ:

SECTION 14. THE SALARY OF THE MEMBERS OF THE GENERAL ASSEMBLY SHALL BE [EIGHTEEN THOUSAND SEVEN HUNDRED TWENTY DOLLARS (\$18,720)] TWENTY-FIVE THOUSAND DOLLARS (\$25,000) PER ANNUM AND MILEAGE TO AND FROM THEIR HOMES AT THE RATE OF [FIFTEEN CENTS (15¢)] SEVENTEEN CENTS (17¢) PER MILE CIRCULAR, FOR EACH WEEK A MEMBER WAS IN ACTUAL ATTENDANCE AT THE SESSION, BETWEEN THEIR HOMES AND THE STATE CAPITOL, AND NO OTHER COMPENSATION SHALL BE ALLOWED WHATSOEVER, EXCEPT EACH MEMBER OF THE GENERAL ASSEMBLY SHALL RECEIVE AN ALLOWANCE FOR CLERICAL ASSISTANCE AND OTHER EXPENSES INCURRED DURING HIS TERM IN CONNECTION WITH THE DUTIES OF HIS OFFICE, IN THE SUM OF [EIGHT THOUSAND FOUR HUNDRED DOLLARS (\$8,400)] SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$7,500), ANNUALLY; THE SALARY [AND EXPENSES] TO BE PAYABLE IN EQUAL MONTHLY INSTALLMENTS ON THE FIRST OF THE MONTH WITH THE EXCEPTION THAT THE INSTALLMENT DUE DECEMBER FIRST OF EACH EVEN YEAR SHALL BE ADDED TO AND PAYABLE WITH THE INSTALLMENT DUE JANUARY FIRST OF THE FOLLOWING YEAR EXCEPT THAT THE SALARIES OF THE SENATORS ELECTED AT THE GENERAL ELECTION OF 1978 SHALL, DURING THE REMAINDER OF THEIR TERMS, BE EIGHTEEN THOUSAND SEVEN HUNDRED TWENTY DOLLARS (\$18,720) PER ANNUM AND SUCH MEMBERS OF THE SENATE SHALL RECEIVE IN ADDITION TO THE ALLOWANCE FOR CLERICAL ASSISTANCE AND OTHER EXPENSES THE EXPENSE ALLOWANCE OF SIX THOUSAND TWO HUNDRED EIGHTY DOLLARS (\$6,280) PER ANNUM.

SECTION 4. SECTION 14.2 OF THE ACT, ADDED JUNE 29, 1976 (P. L. 452, NO. 111), IS REPEALED.

SECTION 5. THE ACT IS AMENDED BY ADDING A SEC-

TION TO READ:

SECTION 14.3. (A) THE FOLLOWING OFFICERS OF THE SENATE, IN ADDITION TO THEIR SALARIES AS MEMBERS OF THE GENERAL ASSEMBLY SHALL RECEIVE THE FOLLOWING AMOUNTS AS ADDITIONAL COMPENSATION: PRESIDENT PRO TEMPORE, FOURTEEN THOUSAND DOLLARS (\$14,000); MAJORITY LEADER, ELEVEN THOUSAND TWO HUNDRED DOLLARS (\$11,200); MAJORITY WHIP, FIVE THOUSAND THREE HUNDRED DOLLARS (\$5,300); MAJORITY CAUCUS CHAIRMAN, FOUR THOUSAND SIX HUNDRED DOLLARS (\$4,600); MAJORITY CAUCUS SECRETARY, TWO THOUSAND SEVEN HUNDRED DOLLARS (\$2,700); MINORITY LEADER, ELEVEN THOUSAND TWO HUNDRED DOLLARS (\$11,200); MINORITY WHIP, FIVE THOUSAND THREE HUNDRED DOLLARS (\$5,300); MINORITY CAUCUS CHAIRMAN, FOUR THOUSAND SIX HUNDRED DOLLARS (\$4,600); MINORITY CAUCUS SECRETARY, TWO THOUSAND SEVEN HUNDRED DOLLARS (\$2,700); MINORITY POLICY CHAIRMAN, TWO THOUSAND SEVEN HUNDRED DOLLARS (\$2,700).

(B) THE FOLLOWING OFFICERS OF THE SENATE WHO SHALL BE APPOINTED BY THE PRESIDENT PRO TEMPORE, SHALL, IN ADDITION TO THEIR SALARIES AS MEMBERS OF THE GENERAL ASSEMBLY, RECEIVE THE FOLLOWING AMOUNTS AS ADDITIONAL COMPENSATION:

(1) MAJORITY POLICY CHAIRMAN AT AN ANNUAL SALARY OF TWO THOUSAND SEVEN HUNDRED DOLLARS (\$2,700); AND

(2) MAJORITY CAUCUS ADMINISTRATOR AT AN ANNUAL SALARY OF TWO THOUSAND SEVEN HUNDRED DOLLARS (\$2,700).

(C) THE FOLLOWING OFFICER OF THE SENATE WHO SHALL BE APPOINTED BY THE MINORITY LEADER, SHALL, IN ADDITION TO HIS SALARY AS A MEMBER OF THE GENERAL ASSEMBLY, RECEIVE THE FOLLOWING AMOUNT AS ADDITIONAL COMPENSATION:

(1) MINORITY CAUCUS ADMINISTRATOR AT AN ANNUAL SALARY OF TWO THOUSAND SEVEN HUNDRED DOLLARS (\$2,700).

(D) THE FOLLOWING OFFICERS OF THE HOUSE OF REPRESENTATIVES, IN ADDITION TO THEIR SALARIES AS MEMBERS OF THE GENERAL ASSEMBLY SHALL RECEIVE THE FOLLOWING AMOUNTS AS ADDITIONAL COMPENSATION: SPEAKER OF THE HOUSE, FOURTEEN THOUSAND DOLLARS (\$14,000); MAJORITY LEADER, ELEVEN THOUSAND TWO HUNDRED DOLLARS (\$11,200); MAJORITY WHIP, FIVE THOUSAND THREE HUNDRED DOLLARS (\$5,300); MAJORITY CAUCUS CHAIRMAN, FOUR THOUSAND SIX HUNDRED DOLLARS (\$4,600); MAJORITY CAUCUS SECRETARY, TWO THOUSAND SEVEN HUNDRED DOLLARS (\$2,700); MAJORITY POLICY CHAIRMAN, TWO THOUSAND SEVEN HUNDRED DOLLARS (\$2,700); MAJORITY CAUCUS ADMINISTRATOR, TWO THOUSAND SEVEN HUNDRED DOLLARS (\$2,700); MI-

NORITY LEADER, FOURTEEN THOUSAND DOLLARS (\$14,000); MINORITY WHIP, FIVE THOUSAND THREE HUNDRED DOLLARS (\$5,300); MINORITY CAUCUS CHAIRMAN, FOUR THOUSAND SIX HUNDRED DOLLARS (\$4,600); MINORITY CAUCUS SECRETARY, TWO THOUSAND SEVEN HUNDRED DOLLARS (\$2,700); MINORITY POLICY CHAIRMAN, TWO THOUSAND SEVEN HUNDRED DOLLARS (\$2,700); MINORITY CAUCUS ADMINISTRATOR, TWO THOUSAND SEVEN HUNDRED DOLLARS (\$2,700).

SECTION 6. SECTIONS 16, 16.1, 16.2 AND 34, ACT OF JANUARY 10, 1968 (1967 P. L. 925, NO. 417), REFERRED TO AS THE LEGISLATIVE OFFICERS AND EMPLOYEES LAW, ARE REPEALED.

SECTION 7. THE REPORTS OF THE COMMONWEALTH COMPENSATION COMMISSION FOR 1972 AND 1976 ARE REPEALED INsofar AS THEY ARE INCONSISTENT HEREWITH.

SECTION 8. SECTIONS 1, 3, 5 AND 6 SHALL TAKE EFFECT DECEMBER 1, 1980; SECTION 2 SHALL TAKE EFFECT THE THIRD TUESDAY OF JANUARY, 1981 AND THE REMAINDER OF THIS ACT SHALL TAKE EFFECT IMMEDIATELY.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I request that the House do concur in the amendments inserted by the Senate.

On the question recurring,

Will the House concur in Senate amendments?

Agreeable to the provisions of the Constitution, the following roll call was recorded:

YEAS—105

Alden	Freind	Levi	Rieger
Anderson	Gallagher	Levin	Ritter
Armstrong	Gallen	Lewis	Rocks
Barber	Gamble	Mackowski	Rodgers
Beloff	Gannon	Madigan	Ryan
Bennett	Giammarco	Manderino	Scirica
Berson	Goebel	McCall	Shadding
Bittle	Goodman	McClatchy	Shupnik
Borski	Gray	McIntyre	Sirianni
Brandt	Greenfield	McKelvey	Smith, E.
Brunner	Grieco	McMonagle	Spencer
Burd	Harper	Milanovich	Taylor, E.
Burns	Hayes	Miller	Thomas
Caltagirone	Hayes, S. E.	Moehlmann	Vroon
Cessar	Hoeffel	Mullen, M. P.	Wagner
Chess	Honaman	Musto	Wenger
Cohen	Hutchinson, A.	Nove	White
Cornell	Hutchinson, W.	O'Brien, B.	Williams
Davies	Irvis	O'Donnell	Wilson
DeMedio	Itkin	Oliver	Wilt
DeVertter	Johnson, J.	Peterson	Yohn
DeWeese	Jones	Pievsky	Zeller
DiCarlo	Klingaman	Pitts	Zwinkl
Dumas	Kolter	Pucciarelli	
Earley	Lashingner	Punt	Seltzer,
Fee	Laughlin	Rappaport	Speaker
Foster, W.	Letterman	Rhodes	

NAYS—89

Arty	Foster, A.	Manmiller	Seventy
Austin	Fryer	McVerry	Sieminski
Belardi	Gatski	Michlovic	Smith, L.

Bowser	Geesey	Micozzie	Spitz
Brown	Geist	Mowery	Stairs
Cappabianca	George, C.	Mrkonc	Steighner
Cimini	George, M.	Murphy	Stewart
Clark, B.	Gladeck	Nahill	Stuban
Clark, R.	Grabowski	Novak	Sweet
Cochran	Gruppo	O'Brien, D.	Swift
Cole	Halverson	Perzel	Taddonio
Coslett	Hayes, D. S.	Petrarca	Taylor, F.
Cowell	Helfrick	Piccola	Telek
Cunningham	Johnson, E.	Pistella	Trello
Dawida	Kanuck	Pott	Wachob
Dietz	Knight	Pyles	Wargo
Dininni	Kowalshyn	Reed	Wass
Dombrowski	Kukovich	Richardson	Weidner
Dorr	Lehr	Scheaffer	Wright, D.
Duffy	Livengood	Schmitt	Yahner
Durham	Lynch, E. R.	Schweder	Zitterman
Fischer, R. R.	Lynch, F.	Serafini	Zord
Fisher, D. M.			

NOT VOTING—9

Cianciulli	Knepper	Pratt	Street
Donatucci	Polite	Salvatore	Wright, J. L.
Kernick			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

REMARKS ON VOTES

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

Mr. KNEPPER. I had a malfunction in my switch on the last vote on HB 211. I do not know if you locked it out or something happened but it did not record apparently. Had it been recording properly, I would have voted in the affirmative.

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

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

Mr. POLITE. I just got the roll call for HB 211. I was recorded as not voting and I wanted to be recorded in the negative.

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

The Chair recognizes the majority leader. For what purpose does the gentleman rise?

Mr. RYAN. Mr. Speaker, to remind the members and the press that our evening is not completed. I see as many press members leaving as I see members.

CALENDAR BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 855, PN 2275**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Mr. McClATCHY offered the following amendments:

Amend Sec. 1 (Sec. 5708), page 2, line 21, by inserting brackets before and after "ENTIRE"

Amend Sec. 1 (Sec. 5708), page 2, line 29, by inserting after "RETIREMENT" payable on the first \$10,000 of annuity received per year,

Amend Sec. 1 (Sec. 5708), page 3, line 24, by removing the comma after "SUPPLEMENTS" and inserting enacted prior to October 1, 1979,

On the question,

Will the House agree to the amendments?

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

Mr. ITKIN. Mr. Speaker, are you going to vote this bill on final passage? I have amendments to offer to the bill. I do not have them ready yet.

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

Mr. McClATCHY. Mr. Speaker, my amendment would put a cap on the level of pension that the different percentages would apply to, and that cap is \$10,000.

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

Mr. ITKIN. Mr. Speaker, I did not know that HB 855 was going to be run today and that it was the intention of the Chair to move this bill on final passage. This bill was recently reported from the House Appropriations Committee. It has only been on the calendar for I think 3 days, and I think that a bill of this magnitude, requiring the amount of appropriations that this bill would require in the future, should allow some additional time for the preparation of amendments to the measure.

**REQUEST TO PASS OVER HB 855**

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, we mark the calendars. Yesterday I asked the members, if they have amendments, would they please get them to the floor, have them reproduced and distributed. Now, this morning we marked our calendar, majority and minority, to roll these bills. The majority side had no notice whatsoever until 2 minutes ago or 5 minutes ago that there was any problem with running these bills with McClatchy's amendments and I think one other amendment that we had notice of, and I seriously object to continuing the practice that we evidently have been laboring under any longer. Mr. Itkin is one of the more conscientious legislators in the hall of this House, and it is unfortunate perhaps that he has to bear the brunt of my dissatisfaction, but he has broad shoulders and can do it.

I am going to go along with this, Mr. Speaker, because I think you are right that it is an important bill. But I daresay if put to the test of a vote, we would go ahead and roll this bill and take these amendments, because this legislation is tremendously important and we planned on rolling it this week and today is the last day of this legislative week.

So, very, very reluctantly, very, very reluctantly, I would ask that the Speaker pass over this bill.

The SPEAKER. Will the majority leader come to the desk?

Mr. RYAN. I may be overruled, Mr. Itkin. Hold on.

**REQUEST TO PASS OVER HB 855 WITHDRAWN**

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I withdraw my recommendation that HB 855 be passed over and ask that it be considered now.

On the question recurring,

Will the House agree to the amendments?

The SPEAKER. The question before the House is the amendment offered by the gentleman from Montgomery, Mr. McClatchy.

The Chair recognizes the gentleman to explain the amendment.

Mr. McClatchy. Mr. Speaker, my amendment attempts, not attempts but does put a cap on the level upon which the cost-of-living increases are based, and anyone receiving \$10,000 or more per year will have their percentage based on that level.

For example, suppose your retirement at the present time is \$30,000 and you had retired before the year 1974. According to the schedule on page 3 of the bill, your cost-of-living increase, without this amendment, would have been 31 percent of that \$30,000. With the amendment it is 31 percent of the \$10,000, which would be \$3,100; much less than the 31 percent of the \$30,000.

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

Mr. MOWERY. I have nothing further to add, Mr. Speaker.

The SPEAKER. The Chair apologizes. He thought that the gentleman wanted to be recognized.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

**YEAS—193**

Alden	Foster, A.	Livengood	Ryan
Anderson	Foster, W.	Lynch, E. R.	Salvatore
Armstrong	Freind	Lynch, F.	Scheaffer
Arty	Fryer	Mackowski	Schmitt
Austin	Gallagher	Madigan	Schweder
Barber	Gallen	Manderino	Scirica
Belardi	Gannon	Manmiller	Serafini
Beloff	Gatski	McCall	Seventy
Bennett	Geesey	McClatchy	Shadding
Berson	Geist	McIntyre	Shupnik
Bittle	George, C.	McKelvey	Sieminski
Borski	George, M.	McMonagle	Sirianni
Bowser	Giammarco	McVerry	Smith, E.
Brandt	Gladeck	Miehlovic	Smith, L.
Brown	Goebel	Miozzie	Spitz
Brunner	Goodman	Milanovich	Stairs
Burd	Grabowski	Miller	Steighner
Burns	Gray	Moehlmann	Stewart
Caltagirone	Greenfield	Mowery	Stuban
Cappabianca	Grieco	Mrkonic	Sweet
Cessar	Gruppo	Mullen, M. P.	Swift
Chess	Halverson	Murphy	Taddonio

Cimini	Harper	Musto	Taylor, E.
Clark, B.	Hasay	Nahill	Taylor, F.
Clark, R.	Hayes, D. S.	Novak	Telek
Cochran	Hayes, S. E.	Noye	Thomas
Cohen	Helfrick	O'Brien, B.	Trello
Cole	Hoeffel	O'Brien, D.	Vroon
Cornell	Honaman	O'Donnell	Wachob
Coslett	Hutchinson, W.	Oliver	Wagner
Cowell	Irvis	Perzel	Wargo
Cunningham	Itkin	Peterson	Wass
Davies	Johnson, E.	Petrarca	Weidner
Dawida	Johnson, J.	Piccola	Wenger
DeMedio	Jones	Pievsky	White
DeVerter	Kanuck	Pistella	Williams
DeWeese	Klingaman	Pitts	Wilson
DiCarlo	Knepper	Polite	Wilt
Dietz	Knight	Pott	Wright, D.
Dininni	Kolter	Pucciarelli	Yahner
Dombrowski	Kowalyszyn	Punt	Yohn
Dorr	Kukovich	Pyles	Zeller
Duffy	Lashinger	Rappaport	Zitterman
Dumas	Laughlin	Reed	Zord
Durham	Lehr	Rhodes	Zwinkl
Earley	Letterman	Rieger	
Fee	Levi	Ritter	Seltzer,
Fischer, R. R.	Levin	Rocks	Speaker
Fisher, D. M.	Lewis	Rodgers	

NAYS—1

Spencer

NOT VOTING—9

Cianciulli	Hutchinson, A.	Pratt	Street
Donatucci	Kernick	Richardson	Wright, J. L.
Gamble			

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

REMARKS ON VOTE

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

Mr. GAMBLE. Mr. Speaker, I was out of my seat when the vote was taken on the McClatchy amendment to HB 855. I would like to be recorded in the affirmative.

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

AMENDMENT WITHDRAWN

The SPEAKER. Is the gentleman, Mr. Brown, going to offer any amendments?

Mr. BROWN. Mr. Speaker, I am withdrawing the amendments. I supported the McClatchy amendment and I believe that there is a piece of legislation that will correct the situation for this second amendment.

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

Mr. AUSTIN. Mr. Speaker, Mr. Grieco the prime sponsor, is he in the hall of the House for interrogation?

The SPEAKER. Mr. Grieco indicates that he will stand for interrogation. The gentleman may proceed.

Mr. AUSTIN. Mr. Speaker, could you run down for me, please, exactly what state employes this bill covers?

Mr. GRIECO. As I understand, Mr. Speaker, it covers all state employes that are retired.

Mr. AUSTIN. All state employes that are currently retired?

Mr. GRIECO. Right.

Mr. AUSTIN. That would be legislators as well?

Mr. GRIECO. I presume that if they retire they are called retirees from the state.

Mr. AUSTIN. How does this bill affect the current legislative retirement program?

Mr. GRIECO. It does not take into consideration any legislators as of today because they are not retired, but I presume that if they are retiring in the next 2 or 3 years, they would be known as retirees.

The SPEAKER. Will the gentleman, Mr. Grieco, yield? The gentleman, Mr. McClatchy, would like to respond.

Mr. McCLATCHY. Mr. Speaker, what Mr. Grieco just said, Mr. Austin, is not quite true. It does not have anything to do with our retirement, those who are active Representatives right now. Whatever could be done should be done and would have to be done by us in future years.

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

Mr. GRIECO. Mr. Speaker, those are the same words I spoke about 2 minutes ago, Mr. McClatchy.

Mr. McCLATCHY. Right.

The SPEAKER. The Chair is in agreement; Mr. McClatchy is in agreement. The gentleman is correct.

The Chair recognizes the gentleman, Mr. Austin.

Mr. AUSTIN. Mr. Speaker, would the gentleman, Mr. McClatchy, stand for interrogation?

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

Mr. AUSTIN. Mr. Speaker, in terms of actual dollars, in terms of what this bill will do, could you give me an explanation of it?

Mr. McCLATCHY. Are you asking for a fiscal note on this bill as it stands right now?

Mr. AUSTIN. Right.

Mr. McCLATCHY. I think you have it in front of you. The fiscal note is \$18 million. That is an increase in the contribution to the State Employes Retirement Fund.

Mr. AUSTIN. Okay. Thank you, Mr. Speaker.

The SPEAKER. This bill has been considered for 3 different days and agreed to. The question is, Shall the bill pass finally?

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

Mr. COHEN. Mr. Speaker, some hours ago I notified Mr. Hayes and the leaders of my party that I had amendments

which are now up in the Legislative Reference Bureau, and I was told, 20 minutes ago, that a rush order has been placed on them.

Under rule 27 it says, "Any member may move to amend a bill or resolution, provided the proposed amendment is germane to the subject." In order that I may exercise my rights under rule 27, I ask that this be held until the end of today's calendar when the amendments ought to be ready.

The SPEAKER. Will the gentleman repeat his question?

Mr. COHEN. Mr. Speaker, under rule 27, the third paragraph says, "Any member may move to amend a bill or resolution, provided the proposed amendment is germane to the subject." I have amendments. The amendments are in the Legislative Reference Bureau. I was told 22 minutes ago that a rush order was being placed on these amendments.

Notification of these amendments was available or given to Mr. Hayes and to the Democratic leadership some hours ago. I would ask that this bill be placed at the end of today's calendar and I am sure the amendments will be ready.

The SPEAKER. The Chair was in error when he agreed to the bill as amended and will return to the gentleman from Philadelphia at a later time.

On the question recurring,

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

Mr. ITKIN offered the following amendments:

Amend Sec. 1, page 1, line 6, by striking out "Section" where it appears the second time and inserting Sections 5508(e) and

Amend Sec. 1, page 1, line 8, by striking out "is" and inserting are

Amend Sec. 1, page 1, by inserting between lines 8 and 9  
§ 5508. Actuarial cost method.

(e) Supplemental annuity contribution rate.—Contributions from the Commonwealth required to provide for the payment of supplemental annuities as provided in section 5708 shall be determined as a percentage of the total compensation of all active members during the period for which the amount is certified as sufficient to fund the liabilities of the supplemental annuity account as of July 1, 1969, as a level percentage over a period of 20 years from such date. In the event that supplemental annuities are increased by legislation enacted subsequent to July 1, 1969, the additional liability for the increase in benefits shall be funded as a level percentage over a period of 20 years from the July first, coincident with or next following the effective date of such legislation. Notwithstanding any other inconsistent provisions of this title to the contrary, the additional liability for the increase in supplemental annuities provided in section 5708 shall be funded by additional contributions by the Commonwealth and by the active members of the system at rates set by the board so that the Commonwealth pays 75% and the active members pay 25% of the additional liability caused by the increase in supplemental annuities.

On the question,

Will the House agree to the amendments?

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

Mr. ITKIN. Mr. Speaker, the amendment that I am offering today to HB 855 is amendment No. A3560, which the members

have on their desks and has the name of Mr. Freind associated with it. I am offering this amendment instead of Mr. Freind.

Now what this amendment does is distribute the cost of these additional pensions to the various groups involved. Under the present version of the bill, the state will pick up 100 percent of the entire cost of this bill which, according to the fiscal note, will cost the state about \$18 million every year thereafter this bill is passed.

It seems to me that with the situation in pensions not being sufficient to pay for normal living expenses, that periodically bills of this nature have been introduced in the General Assembly to provide some relief to those employes who are retired. I have no objection to that concept. I feel that these individuals have a right to a reasonable standard of living and they endorse the legislative intent of HB 855.

Where I take exception to the measure is that the entire cost of this bill, some \$18 million, each year and for every year thereafter, will be borne totally by the state. Since the beneficiaries of the funds are active state employes and since we have periodically provided these types of cost-of-living benefits to retirees, it seems only natural that those individuals paying into the fund, who will be the recipients of the fund, ultimately bear in some measure the cost of these provisions. Consequently, the amendment that I am offering today will require that the state pick up 75 percent of these additional pension costs and that the retirement board will assess the presently active employes, those who are making contributions into the fund, for the additional 25 percent.

I see this as a recurring situation because of the great changes produced by inflation. And if we are to maintain the solvency of the fund without undue cost to the state, in my judgment, there will have to be additional support by the contributors and the ultimate beneficiaries of the fund. Mr. Speaker, I would urge support of this amendment.

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

Mr. MOWERY. I do not have a copy of the amendment, but, from what I understand, I believe that the amendment is to provide for 25 percent of the increase to be paid by the active employes. Is that correct, Mr. Speaker?

I would just like to present a thought here. I understand the reason behind this is that—and I concur that it would be nice if you could reduce some of the expense either to the state or to the school districts. The problem, however being that—we are asking a group of active employes to fund a cost-of-living increase for a group of already retired employes. If we were asking for an increased contribution to provide for a cost-of-living benefit at some future date for these employes, it would be fair, but on the basis of asking them to put aside money of their contributions for those who have been ahead, it is unfair.

There is also a question as to whether we should continue down the road to be looking for additional contributions from either our employes under this program or other programs, because it is a regressive type of funding. You and I must first pay income tax on the money we receive, and then the balance we give to fund a pension program. Based on the thought in mind

that down the road revisions might allow us to consider the elimination of all contributions of employees, I would recommend that we do not consider this at this time.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—92

Alden	Freind	Levin	Rappaport
Austin	Fryer	Lynch, E. R.	Reed
Barber	Gallagher	Lynch, F.	Rhodes
Beloff	Gallen	Manderino	Rodgers
Berson	Gamble	McCall	Schmitt
Borski	Gatski	McMonagle	Seventy
Brown	George, C.	McVerry	Shadding
Brunner	George, M.	Michlovic	Shupnik
Caltagirone	Giammarco	Micozzie	Smith, E.
Cappabianca	Goodman	Milanovich	Stewart
Chess	Grabowski	Mrkonic	Suban
Clark, B.	Greenfield	Mullen, M. P.	Sweet
Cohen	Harper	Murphy	Taddonio
Cole	Hoeffel	Musto	Telek
Cowell	Hutchinson, A.	Novak	Trello
Dawida	Irvis	O'Brien, B.	Wachob
DeMedio	Itkin	O'Donnell	Wargo
DeWeese	Johnson, J.	Oliver	White
Duffy	Jones	Petrarca	Williams
Dumas	Knight	Pievsky	Wilson
Durham	Kolter	Pistella	Yahner
Fee	Kowalyszyn	Pitts	Zitterman
Fisher, D. M.	Kukovich	Pucciarelli	Zord

NAYS—104

Anderson	Foster, W.	Mackowski	Scirica
Armstrong	Gannon	Madigan	Serafini
Arty	Geesey	Manmiller	Sieminski
Belardi	Geist	McClatchy	Sirianni
Bennett	Gladeck	McIntyre	Smith, L.
Bittle	Goebel	McKelvey	Spencer
Bowser	Gray	Miller	Spitz
Brandt	Grieco	Moehlmann	Stairs
Burd	Gruppo	Mowery	Steighner
Burns	Halverson	Nahill	Swift
Cessar	Hasay	Noye	Taylor, E.
Cimini	Hayes, D. S.	O'Brien, D.	Taylor, F.
Clark, R.	Hayes, S. E.	Perzel	Thomas
Cochran	Helfrick	Peterson	Vroon
Cornell	Honaman	Piccola	Wagner
Coslett	Hutchinson, W.	Polite	Wass
Cunningham	Johnson, E.	Pott	Weidner
Davies	Kanuck	Punt	Wenger
DeVerter	Klingaman	Pyles	Wilt
DiCarlo	Knepper	Rieger	Wright, D.
Dietz	Lashingner	Ritter	Yohn
Dininni	Laughlin	Rocks	Zeller
Dombrowski	Lehr	Ryan	Zwinkl
Dorr	Letterman	Salvatore	
Earley	Levi	Scheaffer	Seltzer, Speaker
Fischer, R. R.	Lewis	Schweder	
Foster, A.	Livengood		

NOT VOTING—7

Cianciulli	Kernick	Richardson	Wright, J. L.
Donatucci	Pratt	Street	

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

HB 855 PASSED OVER TEMPORARILY

The SPEAKER. The Chair, without objection, will pass over HB 855 temporarily, awaiting the amendment ordered by the gentleman from Philadelphia, Mr. Cohen.

The House proceeded to third consideration of **HB 601, PN 2274**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Mr. McCLATCHY offered the following amendments:

Amend Sec. 1 (Sec. 8348), page 4, line 17, by inserting brackets before and after "entire"

Amend Sec. 1 (Sec. 8348), page 5, line 7, by inserting before "and" payable on the first \$10,000 of annuity received per year,

On the question,

Will the House agree to the amendments?

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

Mr. McCLATCHY. Mr. Speaker, this amendment does the same thing to the Teachers' Retirement Fund that my previous amendment did to the State Employees' Retirement Fund. It puts a cap of \$10,000 from which the percentages apply. So, again, if someone, such as a Penn State teacher, I suppose, or whatever, has a \$30,000 pension, instead of 31 percent of the \$30,000, it would be a 31-percent increase on the cap. It does not in any way infringe upon those older retired teachers who so desperately need the entire 31-percent increase, and that is based on a very, very low salary which they retire at.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—196

Alden	Foster, W.	Livengood	Ryan
Anderson	Freind	Lynch, E. R.	Salvatore
Armstrong	Fryer	Lynch, F.	Scheaffer
Arty	Gallagher	Mackowski	Schmitt
Austin	Gallen	Madigan	Schweder
Barber	Gamble	Manderino	Scirica
Belardi	Gannon	Manmiller	Serafini
Beloff	Gatski	McCall	Seventy
Bennett	Geesey	McClatchy	Shadding
Berson	Geist	McIntyre	Shupnik
Bittle	George, C.	McKelvey	Sieminski
Borski	George, M.	McMonagle	Sirianni
Bowser	Giammarco	McVerry	Smith, E.
Brandt	Gladeck	Michlovic	Smith, L.
Brown	Goebel	Micozzie	Spencer
Brunner	Goodman	Milanovich	Spitz
Burd	Grabowski	Miller	Stairs
Burns	Gray	Moehlmann	Steighner
Caltagirone	Greenfield	Mowery	Stewart
Cappabianca	Grieco	Mrkonic	Suban
Cessar	Gruppo	Mullen, M. P.	Sweet
Chess	Halverson	Murphy	Swift
Cimini	Harper	Musto	Taddonio
Clark, B.	Hasay	Nahill	Taylor, E.

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.	Trelio
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.	Pievsky	Wenger
DeVerter	Jones	Pistella	White
DeWeese	Kanuck	Pitts	Williams
DiCarlo	Klingaman	Polite	Wilson
Dietz	Knepper	Pott	Wilt
Dininni	Knight	Pucciarelli	Wright, D.
Dombrowski	Kolter	Punt	Yahner
Dorr	Kowalyszyn	Pyles	Yohn
Duffy	Kukovich	Rappaport	Zeller
Dumas	Lashinger	Reed	Zitterman
Durham	Laughlin	Rhodes	Zord
Earley	Lehr	Rieger	Zwinkl
Fee	Letterman	Ritter	
Fischer, R. R.	Levi	Rocks	Seltzer,
Fisher, D. M.	Levin	Rodgers	Speaker
Foster, A.	Lewis		

NAYS—0

NOT VOTING—7

Cianciulli	Kernick	Richardson	Wright, J. L.
Donatucci	Pratt	Street	

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. LEVIN offered the following amendments:

Amend Title, page 1, lines 2 and 3, by striking out "CONTRIBUTIONS BY THE COMMONWEALTH AND FOR"

Amend Sec. 1, page 1, line 6, by striking out "8326, 8327."

Amend Sec. 1 (Sec. 8326), page 1, lines 10 through 17; page 2, lines 1 through 30; page 3, lines 1 through 20, by striking out all of said lines

On the question,

Will the House agree to the amendments?

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

Mr. LEVIN. Mr. Speaker, I rise with a very difficult problem. I am a firm supporter of HB 601 and I would like to see it pass this evening. Therefore, it is with some regret that I offer an amendment which may cause it any kind of problem, but I wish you to understand what happened with this bill when it was referred to the Appropriations Committee.

The Appropriations Committee added to substantive law which has nothing to do with the pension retirement system that applies to retired school teachers. They added language which provided that the Commonwealth shall not be liable for any contributions whatsoever attributable to salaries paid through Federal funds.

I have a severe objection to that, although again I have a difficult problem because the idea is a fiscally attractive one, and one which, if it is presented to this House through a separate

bill, I might find myself willing to approve. The problem is that it was added to the bill with no committee responsible for it other than the Appropriations Committee. The Education Committee, whose bill this should have been, has not had an opportunity to act on it. The effect of it will be disastrous for those of us who are using Federal grant money.

Now I do not know how many of you in your school districts are using Federal grants. I suspect that most of you are. There is approximately a \$12-million burden here that will have to be shared by all the school districts in the Commonwealth of Pennsylvania. I do not know what your share will be. I know that if this bill passes in its present form, Philadelphia will be required during this school year to either dismiss programs in the middle of the stream or pay out \$4 million, which we do not have.

Now, if this bill was effective starting in the calendar year 1980 for the school year starting in September of 1980, we could plan for it; we could cut the programs. But we cannot do it in the middle of the stream. We cannot tell school children that your teacher has to be fired, because we now have to make the contribution to the Commonwealth of Pennsylvania because this bill passed in the middle of the stream.

I would hope that the rest of you would understand that this is a bill that should be given consideration in another form, in another bill. And if the idea has merit, let it stand the test of the scrutiny of the Education Committee and let the financial effects of it in your school district be known before you vote on the bill.

I ask that you support my amendment. It merely removes this section from the bill and does not touch HB 601, which I intend to support.

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

Mr. ROCKS. I would like to stand in support of Mr. Levin's amendment and point out to my fellow members that what we are talking about, as it affects the city of Philadelphia, are some very critical programs.

Before I get to that, I would also like to be very supportive of the fiscal concept that is in place in HB 601 and lend not only my support by my agreement that this is something in a separate piece of legislation that we can come in here and do and even make it effective beginning next year. However, with this in place this year for the school district of Philadelphia, we are talking about an immediate cutback to programs like Get-Set, Head-Start, our day-care programs affiliated with our schools, the Homework Hotline program, which has had a tremendous amount of success in the city of Philadelphia, programs that have allowed us, in fact, to increase test scores. I have heard debate for a number of years in this chamber. I have heard criticism for a number of years.

The use of the Title I money—and that is what we are talking about—is something which has allowed us to significantly increase the level of education in the city of Philadelphia. This problem has almost a double-barreled shotgun effect for us, because the Title I money is in fact the money that is declining in the city of Philadelphia. We have already felt that decline. We



will, this year, with this language left in the bill, face a job loss of 700 to 800 jobs in exactly the programs that I have laid before you today. I would hope that the membership would consider this and support this amendment that is in front of us now.

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

Mr. McCLATCHY. Mr. Speaker, just to, hopefully, slow down this debate—and certainly it is my intention to agree with Mr. Levin's amendment. I have no real quarrel with it—I am concerned about this issue. I think it is one that we have tried to deal with in the past 3 years and it is certainly, I hope, one we can deal with in separate legislation, phasing it in so that the local school districts will not face this burden.

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

The following roll call was recorded:

YEAS—193

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

NAYS—0

NOT VOTING—10

Brunner	Donatucci	Kernick	Street
Cianciulli	Fee	Pratt	Wright, J. L.
DeMedio	Irvis		

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

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

Mr. FREIND offered the following amendment:

Amend Sec. 1 (Sec. 8328), page 4, line 10, by inserting after "1980." Such additional level annual payments necessitated by any increase in supplemental annuities shall be paid by additional annual contributions by the Commonwealth, employers and active members at rates set by the board so that the Commonwealth pays 50%, the employers pay 25% and the active members pay 25% of the additional liability caused by such increase in supplemental annuities.

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

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

Mr. FREIND. This amendment is similar to that which was introduced to HB 855 by Mr. Itkin.

HB 601, as it stands right now, has a price tag of \$55 million a year; half of which is paid by the Commonwealth; half of which is paid by the school districts. Now, it is not my intention to relieve the Commonwealth of any of their responsibility, particularly when you consider that the Commonwealth still owes some \$56 million to the State Teachers' Retirement Fund for which they pay very low interest.

However, the problem is, particularly the time when we have reported HB 1 out of committee, imposing limitations on local taxing entities when our school districts are already strapped with respect to economics, when the real estate tax in virtually every school district is reaching the breaking point. An additional \$27½ million for these school districts to pay, in my estimation, is devastating.

What this amendment does, the Commonwealth would remain responsible for 50 percent of these benefits, \$27½ million a year. The school districts would be responsible for 25 percent of the cost, some \$13.7 million a year. And the other \$13.75 million would be made up by an increased contribution rate from the active members of the teachers' organizations, the active teachers. I have been advised, Mr. Speaker, that this would increase the contribution rate by approximately .3 percent.

I can understand the arguments that the gentleman, Mr. Mowery, made. What in effect we are doing by this amendment, as was attempted with the amendment to HB 855, is to have active members pay a portion of the cost for those who have already retired, when in fact, technically speaking, they are accruing no benefits whatsoever.

I think, however, Mr. Speaker, it is necessary. The teachers

have an organization and I do not think it is too much to ask for them, who are still active, to help in a small way those who have already retired. What they lose in apples, they are certainly gaining in oranges. because if we continue to strap the school districts, this is going to increase the unemployment of teachers, which has already taken place tremendously throughout the Commonwealth of Pennsylvania.

So, philosophically, there might be some problems. I think it is necessary. We, in fact, do the same thing with social security, and you may, of course, argue that some day we will benefit from social security. But the way things are going, by the time we are going to retire, there may be no social security.

The cost to each active member would be minimal, .3 percent. But what in fact we would be doing is saving almost \$14 million to our school districts, and that is helping to keep down the local real estate tax. I think it is a reasonable amendment; I think it is a necessary one, and I would appreciate the support of the membership on this amendment.

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

Mr. MOWERY. Mr. Speaker, this amendment has exactly, as Mr. Freind presented, about the same as we had in the previous bill. I think that the thought of trying to relieve some of the tax burden on behalf of the school districts and of the state is very proper, but I do not approve of the way that we are approaching it. I do not believe, once again, that currently active employes should help pay for members who have already retired. For that reason, I would ask for a "no" vote on this amendment.

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

Mr. POTT. Mr. Speaker, like Mr. Mowery, I applaud the efforts of Mr. Freind to reduce the costs of the school districts involved, should HB 601 be enacted. However, we are embarking on a very unsound actuarial policy by asking current contributors to pay for benefits for employes who are already retired. Mr. Freind, in his explanation of the amendment, alluded to our social security system. We all know the problems of our social security system, which is a perfect example of the terminal funding concept in pension funding today. Terminal funding is illegal for every private pension plan in the United States. I would certainly urge the members of this House, no matter how appealing this may seem on the surface, to vote against the amendment, because it is fiscally unsound and is against the concept of an individual paying for his own retirement benefits.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—50

Alden	George, M.	McVerry	Shadding
Austin	Giammarco	Michlovic	Shupnik
Cappabianca	Goebel	Micozzie	Spencer
Chess	Grabowski	Mrkonic	Sweet
Clark, B.	Hoefel	Mullen, M. P.	Taddonio

Cowell	Hutchinson, A.	Murphy	Taylor, E.
Dawida	Itkin	Musto	Trello
Duffy	Kanuck	Novak	Vroon
Durham	Knight	Pistella	Wargo
Fisher, D. M.	Lewis	Pitts	White
Freind	Lynch, F.	Rhodes	Wilson
Fryer	Manderino	Seventy	Zord
Gamble	McClatchy		

NAYS—137

Anderson	Gallagher	Levin	Salvatore
Armstrong	Gallen	Livengood	Scheaffer
Arty	Gannon	Lynch, E. R.	Schmitt
Belardi	Gatski	Mackowski	Schweder
Bennett	Geesey	Madigan	Scirica
Berson	Geist	Manmiller	Serafini
Bittle	George, C.	McCall	Sieminski
Bowser	Gladeck	McIntyre	Sirianni
Brandt	Goodman	McKelvey	Smith, E.
Brown	Gray	McMonagle	Smith, L.
Brunner	Greenfield	Milanovich	Spitz
Burd	Grieco	Miller	Stairs
Burns	Gruppo	Moehlmann	Steighner
Caltagirone	Halverson	Mowery	Stewart
Cessar	Harper	Nahill	Stuban
Cimini	Hasay	Noye	Swift
Clark, R.	Hayes, D. S.	O'Brien, B.	Taylor, F.
Cochran	Hayes, S. E.	O'Brien, D.	Telek
Cole	Helfrick	O'Donnell	Thomas
Cornell	Honaman	Oliver	Wachob
Coslett	Hutchinson, W.	Perzel	Wagner
Cunningham	Irvis	Peterson	Wass
Davies	Johnson, E.	Petrarca	Weidner
DeMedio	Johnson, J.	Piccola	Wenger
DeVerte	Jones	Polite	Wilt
DeWeese	Klingaman	Pott	Wright, D.
DiCarlo	Knepper	Pucciarelli	Yahner
Dietz	Kolter	Punt	Yohn
Dininni	Kowalysbyn	Pyles	Zeller
Dombrowski	Kukovich	Reed	Zitterman
Dorr	Lashinger	Rieger	Zwinkl
Earley	Laughlin	Ritter	
Fee	Lehr	Rocks	Seltzer,
Fischer, R. R.	Letterman	Rodgers	Speaker
Foster, W.	Levi	Ryan	

NOT VOTING—16

Barber	Cohen	Kernick	Richardson
Beloff	Donatucci	Pievsky	Street
Borski	Dumas	Pratt	Williams
Cianciulli	Foster, A.	Rappaport	Wright, J. L.

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—192

Alden	Freind	Lynch, E. R.	Salvatore
Anderson	Fryer	Lynch, F.	Scheaffer

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

NAYS—0

NOT VOTING—11

Barber	Dumas	Madigan	Street
Cianciulli	Hutchinson, W.	Pievsky	Wright, J. L.
Donatucci	Kernick	Pratt	

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

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

REMARKS ON VOTES

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

Mr. MADIGAN. Mr. Speaker, on the last vote, the final passage of HB 601, my switch was inoperable. I would like to be recorded in the affirmative.

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

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

Mr. W. D. HUTCHINSON. Mr. Speaker, on the vote on final passage on HB 601, my switch was locked. I was recorded as not voting. I would like to be recorded in the affirmative.

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

The House resumed third consideration of **SB 696, PN 1082**, entitled:

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

On the question recurring,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Somerset, Mr. Halverson.

Mr. HALVERSON. Just a brief explanation, Mr. Speaker. This is the bill on which we reverted to the prior printer's number earlier this morning, and I would appreciate your favorable support at this time. Thank you very much.

QUESTION OF INFORMATION

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

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

The SPEAKER. The gentleman will state it.

Mr. RITTER. Mr. Speaker, may I pose a question to the Chair? The question is, will we be in session next week?

The SPEAKER. In response to the question of the gentleman from Lehigh, Mr. Ritter, the answer is, yes, we anticipate being in session 3 days next week.

Mr. RITTER. Thank you, Mr. Speaker. The reason I raised that question, I had circulated an amendment to SB 696 which would have, in effect, removed the colored photograph requirement. I have been asked by those people who support studded tires not to insert it in this bill. Since we will be here next week and I will have an opportunity on another bill, I will prepare the amendments for that bill and will not offer them to SB 696.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Is a motion to recommit in order?

The SPEAKER. The gentleman is correct. A motion to adjourn is always in order.

On the question recurring,

Shall the bill pass finally?

Agreeable to the provisions of the Constitution, the following roll call was recorded:

YEAS—149

Alden	Gatski	Lynch, E. R.	Salvatore
Austin	Geist	Lynch, F.	Schmitt
Belardi	George, C.	Mackowski	Scirica
Beloff	George, M.	Madigan	Serafini
Bennett	Giammarco	Manderino	Seventy
Berson	Gladeck	McCall	Shadding
Bittle	Goebel	McClatchy	Shupnik
Bowser	Goodman	McIntyre	Sieminski
Burd	Grabowski	McKelvey	Sirianni
Caltagirone	Gray	McMonagle	Smith, F.
Cappabianca	Greenfield	Michlovic	Smith, L.
Cessar	Grieco	Milanovich	Spencer
Chess	Gruppo	Miller	Stairs
Cimini	Halverson	Mrkonic	Steighner
Clark, B.	Harper	Murphy	Stewart
Clark, R.	Hasay	Musto	Stuban
Cochran	Hayes, D. S.	Novak	Swift
Cohen	Hayes, S. E.	Noye	Taddonio
Cornell	Helfrick	O'Brien, B.	Taylor, E.
Coslett	Hutchinson, A.	Oliver	Taylor, F.
Cowell	Hutchinson, W.	Peterson	Telek
Davies	Irvis	Petrarca	Thomas
Dawida	Itkin	Pievsky	Trello
DeMedio	Johnson, E.	Pistella	Vroon
DeVerter	Johnson, J.	Pitts	Wachob
DeWeese	Jones	Polite	Wagner
DiCarlo	Klingaman	Pott	Wargo
Dietz	Knight	Pucciarelli	Wass
Dininni	Kolter	Punt	Weidner
Dombrowski	Kukovich	Pyles	White
Duffy	Lashinger	Rappaport	Williams
Earley	Laughlin	Rhodes	Wilt
Fee	Letterman	Rieger	Wright, D.
Fischer, R. R.	Levi	Ritter	Yahner
Foster, W.	Levin	Rocks	Zeller
Fryer	Lewis	Rodgers	Zitterman
Gallagher	Livengood	Ryan	Zord
Gannon			

NAYS—43

Anderson	Foster, A.	Manmiller	Scheaffer
Armstrong	Freind	McVerry	Schweder
Arty	Gallen	Micozzie	Spitz
Brandt	Gamble	Moehlmann	Sweet
Brown	Geesey	Mowery	Wenger
Brunner	Hoeffel	Nahill	Wilson
Burns	Honaman	O'Brien, D.	Yohn
Cole	Kanuck	O'Donnell	Zwilk
Cunningham	Knepper	Perzel	
Dorr	Kowalyshyn	Piccola	Seltzer,
Durham	Lehr	Reed	Speaker
Fisher, D. M.			

NOT VOTING—11

Barber	Donatucci	Mullen, M. P.	Street
Borski	Dumas	Pratt	Wright, J. L.
Cianciulli	Kernick	Richardson	

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

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

The House proceeded to third consideration of **HB 168, PN 2183**, entitled:

An Act amending "The Administrative Code of 1929," ap-

proved April 9, 1929 (P. L. 177, No. 175), further providing for certain contracts.

On the question,

Will the House agree to the bill on third consideration?

The SPEAKER. The Chair recognizes the minority leader. Does the gentleman have amendments?

Mr. IRVIS. Mr. Speaker, I have amendments, and the gentleman, Mr. Manderino, has amendments. The gentleman, Mr. Zitterman, has withdrawn his amendment.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. IRVIS offered the following amendment:

Amend Sec. 1 (Sec. 516), page 2, by inserting between lines 24 and 25

(c) (1) Whenever any department, board, commission, agency, instrumentality, authority or institution of the commonwealth shall enter into any contract involving any property, real, personal or mixed of any kind or description or any contract for personal services where the consideration involved in said contract is twenty-five hundred dollars (\$2,500) or more, a copy of said contract shall be furnished to the Treasury Department within ten (10) days after the contract is executed on behalf of the Commonwealth or otherwise become an obligation of the Commonwealth.

(2) Every contract filed pursuant to paragraph (1) shall remain on file with the Treasury Department for a period of one year or until all disbursements have been on the contracts, whichever is longer and shall be made available for public inspection.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, this amendment which I believe Mr. Wilson, the chief sponsor, has already agreed to, would add the language instructing any department, board or commission, et cetera, which enters into a contract for \$2,500 or more to file that contract with the Treasury Department within 10 days after the contract is executed so that it would be available for public scrutiny. That is the essence of the amendment, and I ask for support of the amendment, Mr. Speaker.

**AMENDMENT WITHDRAWN**

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, there is a more complicated amendment to be offered to this bill by Mr. Manderino which will require that both caucuses study the amendatory language. Rather than have the bill amended with my amendments and have both the bill and the amendments on the table, I will withdraw my amendments at this time and offer them at a later time.

**HB 168 PASSED OVER**

The SPEAKER. Without objection, HB 168 will be passed over.

The House proceeded to third consideration of **HB 11, PN 2182**, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), further providing for intermediate unit board of directors.

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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage. The question is, shall the bill pass finally?

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

YEAS—187

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

NAYS—3

Clark, B.	Kanuck	Punt
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NOT VOTING—13

Barber	Dumas	Knepper	Street
Cianciulli	Halverson	Pratt	Williams
Donatucci	Kernick	Richardson	Wright, J. L.
Duffy			

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 1176, PN 1320**, entitled:

An Act amending the "Inheritance and Estate Tax Act of 1961," approved June 15, 1961 (P. L. 373, No. 207), providing for preferential valuation of land in agricultural use or agricultural reserve use.

On the question,  
Will the House agree to the bill on third consideration?  
Mr. HOEFFEL offered the following amendments:

Amend Title, page 2, line 10, by inserting a period after "use"  
Amend Title, page 2, line 10, by striking out "or agricultural reserve use."

Amend Sec. 1 (Sec. 102), page 2, line 21, by inserting a comma after "use"

Amend Sec. 1 (Sec. 102), page 2, lines 21 and 22, by striking out "or agricultural reserve use."

Amend Sec. 3 (Sec. 511), page 3, lines 11 through 14, by striking out all of said lines

Amend Sec. 3 (Sec. 511), page 3, line 20, by inserting a period after "Use"

Amend Sec. 3 (Sec. 511), page 3, lines 20 and 21, by striking out "or Agricultural Reserve Woodlots."

Amend Sec. 3 (Sec. 511), page 3, line 24, by striking out "or agricultural reserve use"

Amend Sec. 3 (Sec. 512), page 4, lines 2 and 3, by striking out all of said lines

Amend Sec. 3 (Sec. 512), page 4, line 4, by striking out "(3)" and inserting (2)

Amend Sec. 3 (Sec. 512), page 4, line 6, by striking out "or agricultural reserve"

Amend Sec. 3 (Sec. 512), page 4, lines 7 and 8, by striking out "or agricultural reserve use"

Amend Sec. 3 (Sec. 513), page 4, line 20, by inserting a comma after "use"

Amend Sec. 3 (Sec. 513), page 4, lines 20 and 21, by striking out "or agricultural reserve use."

Amend Sec. 3 (Sec. 513), page 4, line 23, by striking out "agricultural reserve."

Amend Sec. 3 (Sec. 513), page 5, line 22, by striking out "or agricultural reserve"

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

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

Mr. HOEFFEL. Mr. Speaker, HB 1176 would grant to farmland and other types of land that fall under Act 319 a preferential treatment for inheritance tax purposes. That is the purpose of HB 1176, and I do not quarrel with that purpose in terms of land that is actually used in the cultivation of agricultural prod-

ucts, but I do think that we need to make sure that we are not giving such preferential inheritance tax treatment to land that is not covered and is not involved in the active use of farming. My amendment would strike from the bill the land that is categorized as agricultural reserve land and would keep in the bill land that qualifies under agricultural use.

Now, the reason I am concerned with land that qualifies under agricultural reserve is that the definition in Act 319 is very broad, and I have discovered, through talking with the chairman of the board of assessment appeals in Montgomery County, for example, that of the 900 parcels of land that currently are receiving preferential tax treatment in Montgomery County and are considered agricultural reserve, very, very few of those 900 parcels will ever be used for farming or could ever be used for farming. There are suburban estates that are now getting preferential treatment because they are considered agricultural reserve. There are rocky hillsides and land that is totally unsuitable for farming that is being considered and being granted a preferential assessment because it is defined under the law as agricultural reserve, and I think it is a great mistake for us to continue to allow this kind of procedure. Whenever we grant a tax credit or a tax reduction to a certain class of taxpayers, obviously somebody else has to pick up the tab, and we are providing in effect a government subsidy to the people who qualify under these provisions.

Again, I have no quarrel with the efforts of Mr. Pitts, the prime sponsor, to grant an inheritance tax reduction to land that is used for active cultivation and used for active farming, but I do not think that we should be granting inheritance tax benefits to land that is never going to be farmed, never could be farmed, and for that reason my amendment would strike from HB 1176 any land that falls under the definition of agricultural reserve. Thank you.

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

Mr. PITTS. Mr. Speaker, I rise to oppose this amendment. First of all, in drafting this bill, HB 1176, I used the identical language to Act 319 as far as the definitions are concerned, and everything is included except the forest reserve land. I think for the sake of uniformity in writing the statutes on land use in this state, we should be consistent with the present statutes, including Act 319, and that is why I included the land under agricultural reserve.

If there is an abuse in the agricultural reserve assessments as the gentleman indicates, then he should attempt to amend Act 319 to correct those abuses. The information I have concerning Montgomery County, however, differs quite a bit from the information which the gentleman referred to. I do not know if you are referring to 900 acres or 900 individuals enrolled under Act 319, but the last information I got is that in Montgomery County you have only seven individuals enrolled under Act 319. You may be talking about individuals enrolled under Act 515, which is a different program altogether. But I do feel that there are farmers who are receiving a reduced assessment under Act 319, the "clean and green" amendment, who do have reserve land, wood lots, which are in excess of 10 acres and

should be a part of this bill and receive preferential treatment on the inheritance tax to preserve farmland. Therefore, I ask that you defeat this amendment.

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

Mr. HOEFFEL. First, in response to Mr. Pitts, the figure of 900 parcels did come from the chairman of the Montgomery County assessment appeals board. It is his figure that I am using. It may well be that of the 900 parcels he is including parcels under Act 515 as well as Act 319. I did not question him specifically on that.

In further comment on behalf of my amendment, I think it is important for us to realize that the Federal Government, which does indeed grant inheritance tax benefits to active farmland, does not grant it for agricultural reserve land, and no other state in this country that grants inheritance tax benefits to active farmland extends that further to agricultural reserve land. What Mr. Pitts is suggesting exists nowhere else in the United States and does not exist on the Federal level. I think Mr. Pitts' bill simply goes too far and is simply too lucrative a benefit for people who are not involved at all in the farming procedure. I do not think we should be extending Pennsylvania laws past what other states grant in the inheritance tax field and past what the Federal Government grants in its estate law. So, again, Mr. Speaker, I ask for a positive vote. Thank you.

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

Mr. YAHNER. Mr. Speaker, I rise to oppose this amendment. The agricultural community does not think this is a good amendment and they are opposed to it, along with myself and everybody who is concerned with agriculture, agricultural land or agricultural reserve. So I would ask everyone to vote in the negative on this amendment. Thank you.

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

Mr. LETTERMAN. Mr. Speaker, I stand to oppose this amendment. I have been told that the Federation of Sportsmen oppose it. They are afraid that this will cause a real harassment among the farmers and also that we would lose our forestland and have a lot of land closed to us for the purpose of hunting. The object of this is to keep this land in reserve, and I would ask that we oppose the amendment. Thank you.

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

Mr. A. C. FOSTER. Mr. Speaker, I likewise rise to oppose the amendment. This area was quite carefully considered in 1974 when the act was passed, and Mr. Pitts' comments were quite on target, that if the gentleman, Mr. Hoeffel, has questions with regard to this portion he should address an amendment to the act itself.

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

The following roll call was recorded:

## YEAS—12

Cappabianca	Irvis	O'Donnell	Wagner
Duffy	Levi	Oliver	Wilson
Hoeffel	Manderino	Sweet	Zord

## NAYS—165

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

## NOT VOTING—26

Barber	Giammarco	McMonagle	Shadding
Beloff	Gray	Pievsky	Street
Borski	Johnson, J.	Pratt	Wachob
Cianciulli	Jones	Pucciarelli	White
Cohen	Kernick	Richardson	Williams
Donatucci	Levin	Rieger	Wright, J. L.
Dumas	McIntyre		

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

## REMARKS ON VOTE

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

Mr. LEVI. Mr. Speaker, I threw my switch in the wrong position. I would like to be put in the negative on the Hoeffel amendment to HB 1176.

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

On the question recurring,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, very briefly.

Mr. Speaker, I rise to oppose HB 1176. HB 1176 is another attempt over and above what it already a law of this Commonwealth to have the citizens of this Commonwealth, in general, pick up a tax burden which has heretofore been paid by persons owning farms and agricultural reserves and open land.

Mr. Speaker, this kind of legislation has always been sold to the General Assembly on the guise that we are losing our farms, that there is less and less acreage in farming every year and that we must protect these small individual family farms so that we can continue to feed our population, and, Mr. Speaker, I never believed any of that and I asked the research arm of this General Assembly to find out whether those facts were true.

It has been reported to me that, one, we had fewer farms in Pennsylvania from 1969 to 1974 but by very little. There were some 38,071 farms in Pennsylvania in 1969, and in 1974 there were 37,633 farms. But each farm that we have averages more in acreage than was averaged in 1969. The number of individual farms in the Commonwealth of Pennsylvania, or the so-called family farms in Pennsylvania, are approximately 1,000 more on the latest statistics available in 1974 than there were in 1969. So they are really growing in number.

Although there are in total farms slightly less, the farms are producing 50 percent more in value of products. Their yield per acre in that 5-year period is up by 60 percent.

In the hiring of employes, farmers are able to hire 50 percent more employes than they hired 5 years before.

Mr. Speaker, I am pointing these things out because I am not so sure that we have not been sold a bill of goods on whether or not we ought to be relieving the farmer not only from real estate tax and now inheritance tax, but perhaps there is something else down the road.

Mr. Speaker, the latest information that I have updates the 19—I am sorry, Mr. Speaker, it is not an update. In that same period—and those are the latest figures that were available—the percentage of the Commonwealth land which is in farms in 1974 is 23.7 percent. Five years earlier, it was 23.4 percent. There is no significant difference. There is no evidence that the family farm is going out of business. In value of lands and buildings, all of the family farms were worth about \$2.6 billion in 1969, and in 1974 they were worth \$5.2 billion. They doubled in value. The average farm was worth \$69,000 in 1969 and was worth \$137,000 in 1974. Mr. Speaker, land and buildings have both doubled.

I oppose this amendment because somebody has to pay the burden of state government. And our job as legislators, I believe, is to place the burden of state government on those who are best able to pay and relieve those who are not able to

pay. I do not think the case has been made to reduce the burden of taxation by relieving the inheritance tax in any manner upon farmland. There is not reason for it. We ought to continue our present system of taxing fairly all the people of the Commonwealth so far as inheritance tax is concerned, and I ask for a negative vote. Thank you, Mr. Speaker.

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

Mr. A. C. FOSTER. Mr. Speaker, I would just simply like to rebut a few remarks that the minority leader just made, and I do not know where he got his statistics. I can only say that I would take his statistics with a grain of salt, maybe with a dose of salt. But insofar as the family farm is concerned today, I will just dwell on one point, the point that the minority leader made in regard to appreciation of value, and that destroys the very argument that he is making on inheritance taxes. The fact that a farm might be worth X number of thousands of dollars today as compared to 10 years ago is the very reason that a member of the family can no longer afford to buy that particular farm or buy out a brother or sister who is part of the estate.

Mr. Speaker, I would emphatically urge a "yes" vote on this bill.

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

Mr. PITTS. Mr. Speaker, I will not belabor the House because everyone knows what the bill does. The issue has been around for some time. I would just simply say that to any of those who live in the suburban counties, it is very obvious that the farmland is rapidly decreasing. We are losing some of the best farmland in the state in the southeast by the rapid development occurring in some of the suburban counties, and this is an effort to try to preserve some of that farmland for future generations. So I urge the passage of the bill.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, very briefly, my statistics come from the 1974 census of agriculture State of Pennsylvania data. Mr. Speaker, it just does not bear out the fact that we are losing farmland. There have, yes, been tremendous increases in the value of real estate, and it is just as hard for an individual, who inherits the family home and has to buy out his brothers and sisters, to pay that inheritance tax as it is for the farmer who inherits the family farm to buy out brothers and sisters and pay the inheritance tax. The inheritance tax is paid on fair value of land. What is fair for the homeowner is fair for the farmer.

If there were some pressing need, if there were some public policy that we were trying to establish, if there were some need to treat farmers or persons who inherited farmlands different from persons who inherited any kind of land or any kind of property, then I might be persuaded, but the fact is that we are not losing farmland, that we have more family farms in the Commonwealth than we have ever had, that those farms produce 50 percent more than they produced 5 years ago. The value of the product that they produce and therefore the income of the farmer has got to be up by some 60 percent, and I

do not see the reason we should relieve persons who inherit farmlands in fact unless you are going to relieve everybody, because the people who do not happen to inherit farmland have the same problem paying the inheritance tax on real estate that has appreciated very much in value over the last several years.

The burden of government that you are relieving from the farmer is going to be paid by the nonfarmer, and I do not think that that is right. Thank you, Mr. Speaker.

On the question recurring,  
Shall the bill pass finally?

Agreeable to the provisions of the Constitution, the following roll call was recorded:

YEAS—140

Alden	Fischer, R. R.	Lewis	Scheaffer
Anderson	Fisher, D. M.	Livengood	Schweder
Armstrong	Foster, A.	Lynch, E. R.	Scirica
Arty	Foster, W.	Lynch, F.	Serafini
Austin	Freind	Mackowski	Sieminski
Belardi	Fryer	Madigan	Sirianni
Bennett	Gallen	Manmiller	Smith, E.
Bittle	Gannon	McClatchy	Smith, L.
Bowser	Geesey	McKelvey	Spencer
Brandt	Geist	McVerry	Spitz
Brown	George, C.	Micozzie	Stairs
Brunner	George, M.	Miller	Steighner
Burd	Gladeck	Moehlmann	Stuban
Burns	Goebel	Mowery	Sweet
Caltagirone	Goodman	Mrkonc	Swift
Cessar	Grieco	Murphy	Taddonio
Cimini	Gruppo	Musto	Taylor, E.
Clark, R.	Halverson	Nahill	Taylor, F.
Cochran	Hasay	Noye	Telek
Cole	Hayes, D. S.	O'Brien, D.	Thomas
Cornell	Hayes, S. E.	Perzel	Vroon
Coslett	Helfrick	Peterson	Wagner
Cowell	Honaman	Petrarca	Wass
Cunningham	Hutchinson, A.	Piccola	Weidner
Davies	Hutchinson, W.	Pitts	Wenger
Dawida	Johnson, E.	Polite	Wilt
DeMedio	Kanuck	Pott	Wright, D.
DeVerter	Klingaman	Punt	Yahner
DeWeese	Knepper	Pyles	Yohn
DiCarlo	Knight	Rappaport	Zeller
Dietz	Kowalshyn	Reed	Zitterman
Dininni	Lashinger	Ritter	Zwikl
Dorr	Laughlin	Rocks	
Durham	Lehr	Ryan	Seltzer,
Earley	Letterman	Salvatore	Speaker
Fee	Levi		

NAYS—42

Berson	Greenfield	Michlovic	Rodgers
Cappabianca	Harper	Milanovich	Schmitt
Chess	Hoeffel	Mullen, M. P.	Seventy
Clark, B.	Irvis	Novak	Shupnik
Cohen	Itkin	O'Brien, B.	Stewart
Dombrowski	Johnson, J.	O'Donnell	Trello
Duffy	Jones	Oliver	Wachob
Gallagher	Kolter	Pievsky	Wargo
Gamble	Kukovich	Pistella	Wilson
Gatski	Manderino	Rhodes	Zord
Grabowski	McCall		

NOT VOTING—21

Barber	Giammarco	McMonagle	Shadding
Beloff	Gray	Pratt	Street



Borski	Kernick	Pucciarelli	White
Cianciulli	Levin	Richardson	Williams
Donatucci	McIntyre	Rieger	Wright, J. L.
Dumas			

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.

### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED

The Senate returned the following **HB 1423, PN 2288**, with the information that the Senate has passed the same with amendments in which concurrence of the House of Representatives is requested:

SENATE AMENDED  
Prior Printer's No. 1631, 1689, 1816  
Printer's No. 2288

#### THE GENERAL ASSEMBLY OF PENNSYLVANIA

House Bill No. 1423

Session of 1979

INTRODUCED BY MESSRS. DORR, REED, COLE, DAVIES, GEESEY, A. C. FOSTER, JR., DININNI, MANMILLER AND PICCOLA, MAY 31, 1979.

SENATOR ORLANDO, FINANCE, IN SENATE, AS AMENDED, OCTOBER 16, 1979.

#### An Act

amending the act of March 4, 1971 (P. L. 6, No. 2), entitled "An act relating to tax reform and State taxation by codifying and enumerating certain subjects of taxation and imposing taxes thereon; providing procedures for the payment, collection, administration and enforcement thereof; providing for tax credits in certain cases; conferring powers and imposing duties upon the Department of Revenue, certain employers, fiduciaries, individuals, persons, corporations and other entities; prescribing crimes, offenses and penalties," excluding from the sales and use tax horses delivered outside the Commonwealth.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 204, act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," is amended by adding a clause to read:

Section 204. Exclusions from Tax.—The tax imposed by section 202 shall not be imposed upon

~~(38) (A) If, at the time of sale the purchaser claims an exemption on the basis that the purchased item will be resold in the ordinary course of the purchaser's business or if the purchase is made by an out-of-State buyer for use out of State, the purchaser shall execute the necessary forms to qualify for the exemption.~~

~~(i) If an exemption is declared for the purchase of a thoroughbred or standardbred horse the purchaser shall execute a copy of the required unit exemption certificate, completing in full the pertinent data requested including the name and address of the purchaser, the name of the horse and its catalogue number.~~

~~(ii) When a purchase of this nature is transacted by an acting agent, the agency shall complete the form on behalf of the purchaser and sign the form in lieu of his principal. The seller shall be required to retain a copy of the unit exemption certificate to justify the noncollection of sales tax for that transaction.~~

~~(B) If, (38) THE SALE AT RETAIL OF HORSES, IF at the time of purchase, the seller is required DIRECTED to ship or deliver the horse to an out-of-State location, whether or not the charges for shipment are paid for by the seller or the purchaser; the seller shall obtain a bill of lading, either from the carrier or from the purchaser, who, in turn has obtained the bill of lading from the carrier, reflecting REFLECTING DELIVERY TO the out-of-State address to which the horse will be HAS BEEN shipped. The seller shall execute the required A "Certificate of Delivery to Destination Outside of the Commonwealth" for each bill of lading reflecting a location on an out-of-State delivery. The seller shall be required to retain the certificate of delivery form to justify the noncollection of sales tax with respect to the transaction to which the form relates.~~

In transactions where a horse is sold by the seller and delivered to a domiciled person, agent or corporation prior to its being delivered to an out-of-State location, the "Certificate of Delivery to Destination Outside of the Commonwealth" form must include HAVE ATTACHED TO IT bills of lading both for the transfer to the domiciled person, agent or corporation and from the aforementioned to the out-of-State location.

Section 2. This act shall take effect immediately.

On the question,

Will the House concur in Senate amendments?

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

Mr. DORR. I move that the House do concur in the amendments inserted by the Senate.

The SPEAKER. The question recurs, will the House concur in the amendments?

Those in favor will vote "aye"; opposed "no."

The Chair recognizes the gentleman from Lackawanna, Mr. Zitterman.

Mr. ZITTERMAN. Mr. Speaker, in June of 1979, HB 1423 was presented before this House, and, after a discussion with the sponsor of the bill after the amendment was defeated, the sponsor of this bill concurred that the amendment which I put in, which was considered as a clear-language law, was appropriate and clearly defined the horses, thoroughbred or standardbred horses, that were exempt from the sales tax.

In essence, this bill as amended by the Senate does nothing but relate that any horses that are shipped from the Commonwealth of Pennsylvania are exempt from the taxes.

The Senate removed the section 38(a) that said, if, at the time of sale the purchaser claims an exemption on the basis that the purchased item will be resold in the ordinary course of the purchaser's business, or if the purchase is made by an out-of-state buyer for out-of-state purposes that there would be an exemption granted.

Mr. Speaker, the bill as currently presented costs the Commonwealth between \$1 million and \$2 million just on the sale of thoroughbred and standardbred horses at racetracks. I move that we vote against concurrence in Senate amendments.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, I concur with the gentleman's position and ask that the vote be in the negative.

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

Agreeable to the provisions of the Constitution, the following roll call was recorded:

YEAS—119

Alden	Foster, A.	Lewis	Scheaffer
Anderson	Foster, W.	Lynch, E. R.	Scirica
Armstrong	Freind	Lynch, F.	Serafini
Arty	Gallen	Mackowski	Sieminski
Belardi	Gannon	Madigan	Sirianni
Bennett	Geesey	Manmiller	Smith, E.
Bittle	Geist	McClatchy	Smith, L.
Borski	Giammarco	McKelvey	Spencer
Bowser	Gladeck	McVerry	Spitz
Brandt	Goodman	Micozzie	Stairs
Brunner	Grieco	Miller	Stewart
Burd	Gruppo	Moehlmann	Swift
Burns	Halverson	Mowery	Taddonio
Caltagirone	Hasay	Nahill	Taylor, E.
Cessar	Hayes, D. S.	Noye	Telek
Cimini	Hayes, S. E.	O'Brien, B.	Thomas
Clark, R.	Helfrick	O'Brien, D.	Vroon
Cole	Honaman	Perzel	Wagner
Cornell	Hutchinson, A.	Peterson	Wass
Coslett	Hutchinson, W.	Piccola	Weidner
Cunningham	Johnson, E.	Pitts	Wenger
Davies	Johnson, J.	Polite	White
DeMedio	Jones	Pott	Wilson
DeVerter	Kanuck	Pucciarelli	Wilt
Dietz	Klingaman	Punt	Wright, D.
Dininni	Knepper	Pyles	Yohn
Dorr	Kowalyszyn	Reed	Zord
Durham	Lashingner	Rocks	
Earley	Lehr	Ryan	Seltzer,
Fischer, R. R.	Levi	Salvatore	Speaker
Fisher, D. M.			

NAYS—68

Austin	Gamble	Manderino	Ritter
Berson	Gatski	McCall	Rodgers
Brown	George, C.	Michlovic	Schmitt
Cappabianca	George, M.	Milanovich	Schweder
Chess	Goebel	Mrkonic	Seventy
Clark, B.	Grabowski	Mullin, M. P.	Shupnik
Cochran	Greenfield	Murphy	Steighner
Cohen	Harper	Musto	Stuban
Cowell	Hoeffel	Novak	Sweet
Dawida	Irvis	O'Donnell	Taylor, F.
DeWeese	Itkin	Oliver	Trello
DiCarlo	Knight	Petrarca	Wachob
Dombrowski	Kolter	Pievsky	Wargo
Duffy	Kukovich	Pistella	Yahner
Fee	Laughlin	Rappaport	Zeller
Fryer	Letterman	Rhodes	Zitterman
Gallagher	Livengood	Rieger	Zwilk

NOT VOTING—16

Barber	Dumas	McIntyre	Shadding
Beloff	Gray	McMonagle	Street

Cianciulli Kernick Pratt Williams  
Donatucci Levin Richardson Wright, J. L.  
The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

CALENDAR BILL ON THIRD CONSIDERATION

The House resumed third consideration of **HB 855, PN 2275**, entitled:

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

On the question recurring,

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

Mr. COHEN offered the following amendments:

Amend Title, page 1, line 3, by removing the period after "annuitants" and inserting and further providing for legislators.

Amend Sec. 1, page 1, line 6, by striking out "Section 5708 (A) AND (B) of "

Amend Sec. 1, page 1, line 8, by inserting after "amended" by adding a section

Amend Bill, page 1, by inserting between lines 8 and 9 § 5312. Provisions for legislators.

(a) Right of election.—All legislators, regardless of when elected, may elect membership in Class D-3.

(b) Contributions.—The board shall assess each legislator who elects Class D-3 so that the deficiency in his total contribution amount plus the amount of interest which would have accumulated thereon, shall be satisfied.

Section 2. Section 5708(a) and (b) of Title 71 is amended to read:

Amend Sec. 2, page 3, line 27, by striking out "2." and inserting 3.

On the question,

Will the House agree to the amendments?

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

Mr. COHEN. Mr. Speaker, this amendment deals with the situation under which different legislators elected at different times get different pensions. What this simply seeks to do is to equalize the pensions between those who were elected before 1974 and those who were elected after 1974.

The differences are substantial. There is no reason for these differences. These differences were the function of a political compromise that was made in 1973. The people who had not yet been elected obviously had no say in that compromise, and, therefore, it seems that there is no reason why this has to be indefinitely continued. I would, therefore, urge support for this amendment.

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

Mr. MOWERY. Being one of those groups that would be affected by the amendment that is being offered, I should be sup-

portive of it. However, due to the fact that we, at this point, do not have any idea of what the cost of this might be, I think for this moment we should vote "no" on the amendment.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I agree wholeheartedly with the gentleman, Mr. Mowery, and I would ask for a negative vote on the amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—17

Berson	Harper	Manderino	Stuban
Clark, B.	Irvis	Michlovic	Wagner
Cohen	Lashinger	Oliver	Wargo
Gatski	Letterman	Pievsky	White
Greenfield			

NAYS—167

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

NOT VOTING—19

Barber	Gray	McMonagle	Shadding
Beloff	Kernick	Pratt	Street
Cianciulli	Levin	Pucciarelli	Williams

Donatucci	McClatchy	Richardson	Wright, J. L.
Dumas	McIntyre	Rieger	

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

Mr. ITKIN. My remarks will be very brief.

Mr. Speaker, I offered an amendment to HB 855 which, if passed, would have for the first time, when we grant these cost-of-living increases, also provide for an assessment by the active employes of the fund.

I think that is the way we should be traveling in the future. I think the concept is a good one, but in view of the fact that, on HB 601, an amendment similar to the one that I offered was defeated, I am troubled by reconsidering my amendment, which would then cause an inequity between state employes and school employes of the Commonwealth. Consequently, I will not offer that amendment again. I will vote for the bill and I will hope to impress the Senate to make the changes that I attempted to make on the floor of this House today. Thank you.

On the question recurring,

Shall the bill pass finally?

Agreeable to the provisions of the Constitution, the following roll call was recorded:

YEAS—171

Alden	Gallen	Lynch, E. R.	Salvatore
Anderson	Gamble	Lynch, F.	Scheaffer
Armstrong	Gannon	Mackowski	Schmitt
Arty	Gatski	Madigan	Schweder
Belardi	Geesey	Manderino	Scirica
Bennett	Geist	Manmiller	Serafini
Berson	George, C.	McCall	Seventy
Bittle	George, M.	McClatchy	Shupnik
Bowser	Giammarco	McKelvey	Sieminski
Brandt	Gladeck	McVerry	Sirianni
Brunner	Goodman	Micozzie	Smith, E.
Burd	Grabowski	Milanovich	Smith, L.
Burns	Greenfield	Miller	Spencer
Caltagirone	Grieco	Moehlmann	Spitz
Cappabianca	Gruppo	Mowery	Steighner
Cessar	Halverson	Mullen, M. P.	Stewart
Chess	Harper	Musto	Stuban
Clark, B.	Hasay	Nahill	Sweet
Clark, R.	Hayes, D. S.	Novak	Swift
Cochran	Hayes, S. E.	Noye	Taylor, E.
Cohen	Helfrick	O'Brien, B.	Taylor, F.
Cole	Hoeffel	O'Brien, D.	Telek
Cornell	Honaman	O'Donnell	Thomas
Coslett	Hutchinson, A.	Oliver	Trello
Cunningham	Hutchinson, W.	Perzel	Vroon
Davies	Irvis	Peterson	Wachob
DeMedio	Itkin	Petrarca	Wagner
DeVerter	Johnson, E.	Piccola	Wargo
DeWeese	Johnson, J.	Pievsky	Wass

DiCarlo	Jones	Pistella	Weidner
Dietz	Kanuck	Pitts	Wenger
Dininni	Klingaman	Polite	White
Dombrowski	Knepper	Pucciarelli	Wilson
Dorr	Knight	Punt	Wilt
Duffy	Kolter	Pyles	Wright, D.
Durham	Kowalyszyn	Rappaport	Yahner
Earley	Lashingier	Reed	Yohn
Fee	Laughlin	Rhodes	Zeller
Fischer, R. R.	Lehr	Rieger	Zitterman
Foster, A.	Letterman	Ritter	Zwinkl
Foster, W.	Levi	Rocks	
Freind	Lewis	Rodgers	Seltzer,
Fryer	Livengood	Ryan	Speaker
Gallagher			

**NAYS—15**

Austin	Dawida	Michlovic	Stairs
Brown	Fisher, D. M.	Mrkonic	Taddonio
Cimini	Goebel	Murphy	Zord
Cowell	Kukovich	Pott	

**NOT VOTING—17**

Barber	Dumas	McIntyre	Shadding
Beloff	Gray	McMonagle	Street
Borski	Kernick	Pratt	Williams
Cianciulli	Levin	Richardson	Wright, J. L.
Donatucci			

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.

**ANNOUNCEMENT BY MAJORITY LEADER**

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, this has been a long day. There will be no further roll calls this evening.

The Chair has business to read over the desk, but I think the members may feel comfortable leaving the halls of the House now. There will be no further roll calls as I said.

There will be an adjournment motion until Monday at 1 o'clock.

**BILLS AND RESOLUTIONS PASSED OVER**

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

The Chair hears no objection.

**SENATE 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 147, PN 2264; and HB 1275, PN 2266.**

**SENATE MESSAGE**

**HOUSE AMENDED SENATE BILLS CONCURRED IN**

The Senate informed that it has concurred in House amendments to **SB 64, PN 1119, and SB 762, PN 1223**

**BILLS SIGNED BY SPEAKER**

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

**HB 211, PN 2328**

An Act amending the act of June 1, 1956 (1955 P. L. 1959, No. 657), entitled, as amended, "Public Official Compensation Law," further providing for the basic annual salaries of justices, judges, certain State officers, members and certain officers of the General Assembly and repealing the provisions relating to the Commonwealth Compensation Commission.

**HB 1423, PN 2288**

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), excluding from the sales and use tax horses delivered outside the Commonwealth.

**SB 64, PN 1119**

An Act authorizing the Commonwealth of Pennsylvania, acting through the Department of General Services and the Department of Public Welfare, to grant a permanent right-of-way through the Wernersville State Hospital located in Berks County, Pennsylvania, to the Wernersville Municipal Authority for a sanitary sewer line.

**SB 603, PN 1081**

An Act amending the act of February 1, 1966 (1965 P. L. 1656, No. 581), entitled "The Borough Code," further providing for the investment of funds.

**SB 762, PN 1223**

An Act amending the act of November 1, 1971 (P. L. 495, No. 113), entitled "An act providing for the compensation of county officers in counties of the second through eighth classes, for the disposition of fees, for filing of bonds in certain cases and for duties of certain officers," increasing the salary of county officers and county commissioners in calendar year 1980 and granting powers to county commissioners to fix salaries.

**WELCOMES**

The SPEAKER. The Chair welcomes to the rear of the floor of the House a group of special guests. It is a conference of handicapped individuals and their president, Bonnie Gelman.

For a change, will the members please rise?

The Chair also welcomes to the hall of the House the secretaries of the magistrates and district justices of Lackawanna County, who are here as the guests of the Representatives from Lackawanna County.

The Chair welcomes to the hall of the House Mr. Benjamin Novak of State College, who is the guest of the gentleman from Centre, Mr. Cunningham.

The Chair also welcomes Mr. Curtis Jones of Philadelphia, who is the guest of the Pennsylvania Legislative Black Caucus.

While the Chair is awaiting the decision of a member on the floor of the House, it gives me great pleasure to present to the

House a former distinguished Democratic member from Philadelphia, the Honorable Walter Morley.

The Chair welcomes to the balcony Mr. Raymond Cox, who is the program manager of the Intergovernmental Programs of the National Science Foundation, and Mr. Ron Hogan, the acting director of the NCSL's Science and Natural Resource Program, and his assistant, Mr. Ivy. They are here today as the guests of the Speaker and Dr. Sig Smith, the executive director of the Legislative Office for Research Liaison.

The Chair welcomes to the balcony of the House 50 Senior Citizens enrolled in the Late Start Up Date course at the Northampton Area Community College, and Mrs. Eloise Guenther of Easton, who are the guests of Mr. Ed Sieminski.

The Chair welcomes to the balcony Dr. Luba Hallowaty and Mrs. Wilma Mills, professors at Cedar Crest College in Allentown, and their political science class, who are here as the guests of the delegation from Lehigh County.

#### ADJOURNMENT

Mr. BELARDI moved that this House of Representatives do now adjourn until Monday, October 29, 1979, at 1 p.m., e.s.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 7:57 p.m., e.d.t., the House adjourned.