

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, NOVEMBER 30, 1982

SESSION OF 1982

166TH OF THE GENERAL ASSEMBLY

No. 64

HOUSE OF REPRESENTATIVES

The House convened at 9 a.m., e.s.t.

THE SPEAKER (MATTHEW J. RYAN) IN THE CHAIR

PRAYER

REV. EUGENE A. BEAM, SR., chaplain of the House of Representatives and pastor of Faith Evangelical Congregational Church, Harrisburg, Pennsylvania, offered the following prayer:

Let us pray:

Almighty and everlasting God, we are Yours, Father; we are Yours, like clay to a potter; like sheep to a shepherd; like children to a parent. Accept our thanks, Father, for Your potter's power that molds us; for Your shepherd's wisdom that leads us; for Your parental care and love that bears us. We recognize that You know us as we are. Help us to be what we should be.

Forgive us, O God, when we dangle like puppets on a string. Father, we admit to being manipulated too often by hands of evil while resisting the pull of Thy goodness. Help us to stand tall under Thy Almighty hand. This we humbly ask in Your holy name. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

HOUSE BILL INTRODUCED AND REFERRED

No. 2732 By Representative KENNEDY

An Act providing for a mandatory one year moratorium on all salary increases or fringe benefit increases for executives and employees of the Executive, Legislative and Judicial departments and all executives and employees of the various independent agencies.

Referred to Committee on STATE GOVERNMENT, November 29, 1982.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip for the purpose of taking Republican leaves of absence.

Mr. CESSAR. Mr. Speaker, on this last day of the session of this legislative year, I have no leaves for today.

The SPEAKER. The Chair recognizes the gentleman from Lackawanna, Mr. Wargo, for the purpose of taking Democratic leaves of absence.

Mr. WARGO. Mr. Speaker, there are no requests for leaves of absence.

The SPEAKER. The Chair thanks the gentleman.

STATEMENT BY MR. PITTS

TERCENTENARY COMMITTEE ON THIS DAY IN HISTORY

The SPEAKER. The Chair recognizes the gentleman from Chester, Mr. Pitts, for the purpose of giving us "This Day in History."

Mr. PITTS. Thank you, Mr. Speaker.

Since this is the last day of the session, I will give "This Day in History" concerning one of our founding forefathers, George Washington.

On November 30, 1753, George Washington was involved with something in western Pennsylvania. The French and the British were fighting over control of western Pennsylvania. A treaty signed by the two nations in 1748 did little to resolve the matter since no boundaries were established.

In spite of British efforts, the French settled the lands along the Ohio River. The activity of the French alarmed the British settlers, and their fears were reported to the Governor of Virginia, who sent a letter to the French commander protesting interference by the French against the settlements granted by the English Government.

George Washington was then only 23 years old. He was selected by the Virginia Governor to negotiate with the French. With a party of seven, Washington set out in November of 1753 from the site of Fort Cumberland in Maryland and met at Logstown, where Washington's group arrived on November 30. Washington and his party traveled to Fort Le Boeuff, where he was told that the orders of French troops were to retain possession of the country. With this answer, he retraced his steps. He reported to the Governor in Williamsburg and continued the negotiations.

That is the way it was on this day in history in 1753. Thank you, Mr. Speaker.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Thank you, Mr. Speaker.

I have met with the leaders on both sides of the aisle. There are some bills that have to be caucused on before we begin today's voting session, and rather than do any other legislative work at this time, it seems as though we should in fact go to caucus and dedicate ourselves to completing our caucus work on the calendar this morning so that when we return very early this afternoon, we will be able to move through the calendar without delay on this the last day of the 1981-82 legislative session. I would ask that the Republican Representatives go to their caucus room promptly at 10:30 a.m., please. We will reconvene, Mr. Speaker, at 1 p.m. this afternoon.

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the minority leader. Mr. IRVIS. Thank you, Mr. Speaker.

I request that the Democrats gather in caucus at 10 a.m. Thank you, Mr. Speaker.

LEAVE OF ABSENCE GRANTED

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

Mr. PIEVSKY. Mr. Speaker, would you return to leaves of absence?

The SPEAKER. Without objection, the Chair returns to leaves of absence.

The Chair recognizes the gentleman, Mr. Pievsky.

Mr. PIEVSKY. Thank you, Mr. Speaker.

I ask leave of absence for the gentleman from Lehigh, Mr. ZWIKL, for today's session.

The SPEAKER. Without objection, leave will be granted. The Chair hears none.

RECESS

The SPEAKER. The Democrats are reminded to report to their caucus room promptly at 10. The Republican members are requested to report to their caucus room promptly at 10:30.

Without objection, this House will stand in recess until 1 p.m. The Chair hears none.

AFTER RECESS

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

COMMUNICATIONS FROM GOVERNOR

BILLS SIGNED BY GOVERNOR

The Secretary to the Governor presented the following communications from His Excellency, the Governor:

APPROVAL OF HBs Nos. 353, 1655, 1671, 1920, 2066, 2341, 2351, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2487.

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

November 26, 1982

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 353, Printer's No. 1883, entitled "AN ACT amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, excluding certain persons from the definition of 'State employee'."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

November 26, 1982

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 1655, Printer's No. 3672, entitled "AN ACT amending the act of September 9, 1965 (P. L. 499, No. 254), entitled, as reenacted and amended, 'An act providing for and regulating the registration and licensing of motor vehicle and mobilehome manufacturers, dealers and salesmen, fixing fees, creating the State Board of Motor Vehicle Salesmen, imposing powers and duties on the Department of State, the Commissioner of Professional and Occupational Affairs and the board and prescribing unlawful acts and penalties and making an appropriation,' further providing for the powers and duties of the State Board of Motor Vehicle Manufacturers, Dealers and Salesmen."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

November 26, 1982

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 1671, Printer's No. 2099, entitled "AN ACT amending the act of July 11, 1980 (P. L. 643, No. 133), entitled 'An act fixing the fees to be received by the prothonotary of Philadelphia County,' further providing for the fee to commence OR EXECUTE UPON a Commonwealth tax lien."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

November 26, 1982

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 1920, Printer's No. 2325, entitled "AN ACT repealing the act of June 13, 1907 (P. L. 539, No. 347), entitled 'An act giving the Board of Public Charities,—in the consideration of applications for approval of plans and specifications for the erection of buildings, referred to them by law, and the consideration of applications for recommendations to the Legislature of appropriations for construction of buildings, or repairs of buildings already erected,—power and authority to employ

competent person or persons to advise them of the probable cost of the proposed construction or repairs, and making an appropriation for carrying into effect the provisions of this act.”

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

November 26, 1982

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 2066, Printer's No. 2567, entitled "AN ACT amending the act of May 1, 1933 (P. L. 216, No. 76), entitled 'An act relating to dentistry; defining and providing for the licensing and registration of dentists and dental hygienists, and for the revocation and suspension of such licenses and registrations, subject to appeal, and for their reinstatement; defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction; providing penalties; and repealing existing laws,' prohibiting the licensing of certain dental students as dental hygienists."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

November 26, 1982

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 2341, Printer's No. 3043, entitled "AN ACT providing for the capital budget for the fiscal year 1982-1983."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

November 26, 1982

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House bill 2351, Printer's No. 3068, entitled "AN ACT amending the act of September 27, 1961 (P. L. 1700, No. 699), entitled 'An act relating to the regulation of the practice of pharmacy, including the sales, use and distribution of drugs and devices at retail; and amending, revising, consolidating and repealing certain laws relating thereto,' providing for deletion of the one year licensure requirement prior to licensure by reciprocity."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

November 26, 1982

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 2461, Printer's No. 3269, entitled "AN

ACT amending the act of May 21, 1943 (P. L. 571, No. 254), entitled, as amended, 'An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits; imposing duties on taxables making improvements on land and grantees of land; prescribing penalties; and eliminating the triennial assessment,' changing provisions relating to exemptions from per capita taxes, occupation taxes and occupational privilege taxes."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

November 26, 1982

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 2462, Printer's No. 3270, entitled "AN ACT amending the act of May 22, 1933 (P. L. 853, No. 155), entitled 'An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws,' increasing the level for exemption from the per capita tax, occupation tax and occupational privilege tax."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

November 26, 1982

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 2463, Printer's No. 3271, entitled "AN ACT amending the act of June 21, 1939 (P. L. 626, No. 294), entitled 'An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties,' increasing the level for exemption from the occupation tax."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

November 26, 1982

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 2464, Printer's No. 3272, entitled "AN ACT amending the act of June 23, 1931 (P. L. 932, No. 317), entitled 'An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto,' raising the authorized level for exemption from the per capita tax."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

November 26, 1982

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 2465, Printer's No. 3273, entitled "AN ACT amending the act of March 10, 1949 (P. L. 30, No. 14), entitled 'An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto,' raising the authorized level for exemption from the per capita tax."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

November 26, 1982

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 2466, Printer's No. 3274, entitled "AN ACT amending the act of August 9, 1955 (P. L. 323, No. 130), entitled 'An act relating to counties of the third, fourth, fifth, sixth, seventh and eighth classes; amending, revising, consolidating and changing the laws relating thereto,' authorizing exemptions from the per capita tax."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

November 26, 1982

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 2467, Printer's No. 3275, entitled "AN ACT amending the act of December 31, 1965 (P. L. 1257, No. 511), entitled 'An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, townships of the second class, school districts of the second class, school districts of the third class and school districts of the fourth class including independent school districts, to levy, assess, collect or to provide for the levying, assessment and collection of certain taxes subject to maximum limitations for general revenue purposes; authorizing the estab-

lishment of bureaus and the appointment and compensation of officers, agencies and employes to assess and collect such taxes; providing the joint collection of certain taxes, prescribing certain definitions and other provisions for taxes levied and assessed upon earned income, providing for annual audits and for collection of delinquent taxes, and permitting and requiring penalties to be imposed and enforced, including penalties for disclosure of confidential information, providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court,' raising the authorized level for exemption from the per capita tax."

Dick Thornburgh
Governor

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

November 26, 1982

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 2487, Printer's No. 3320, entitled "AN ACT amending the act of May 1, 1933 (P. L. 103, No. 69), entitled 'An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto,' authorizing appropriations for insect, pest and vector control programs."

Dick Thornburgh
Governor

SENATE MESSAGE

HOUSE-AMENDED SENATE BILL CONCURRED IN

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 796, PN 2216**.

REPORT OF COMMITTEE OF CONFERENCE PRESENTED

Mr. GALEN presented the Report of the Committee of Conference on **HB 1885, PN 3768**.

FEDERAL-STATE RELATIONS COMMITTEE MEETING

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

Mr. HASAY. Thank you, Mr. Speaker.

There will be a brief meeting of the House Federal-State Relations Committee in the conference room in the back of the hall of the House immediately, Mr. Speaker.

The SPEAKER. Members of the Federal-State Relations Committee retire to the room to the rear of the House immediately for a brief meeting.

Mr. HASAY. Thank you, Mr. Speaker.

BILLS SIGNED BY SPEAKER

The Chair gave notice that he was about to sign the following bills, which were then signed:

SB 171, PN 2259

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for a plea or finding of guilty but mentally ill and providing for the disposition of persons found guilty but mentally ill and further providing for the defense of insanity.

SB 314, PN 2179

An Act amending the act of September 20, 1961 (P. L. 1548, No. 658), entitled "Credit Union Act," further providing for the method of incorporation; the powers of a credit union, its membership, reports and examinations, credit committee, capital rates of interest, loans, reserves, dividends and adverse claims.

SB 526, PN 538

An Act amending the act of August 9, 1955 (P. L. 323, No. 130), entitled "The County Code," further providing for annual assessments for district attorneys' associations.

SB 527, PN 539

An Act amending the act of July 28, 1953 (P. L. 723, No. 230), entitled, as amended, "Second Class County Code," further providing for annual assessments for district attorneys' associations.

SB 1151, PN 2245

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for minimum terms for aggravated assault, theft by deception, rape and involuntary deviate sexual intercourse committed against persons over 60 or under 16 years of age.

SB 1335, PN 2256

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), entitled "Liquor Code," further providing for licenses for certain performing arts facilities, for certain unlawful acts, for stadium or arena permits and for tourist areas.

SB 1389, PN 2257

An Act amending the act of July 10, 1981 (P. L. 214, No. 67), entitled "Bingo Law," further providing for the conducting of bingo and penalties relating thereto.

JOURNALS APPROVED

The SPEAKER. Without objection, all of the remaining Journals of this session, including today's, not now in print and approved are hereby approved. The Chair hears no objection.

MASTER ROLL CALL RECORDED

The SPEAKER. The Chair is about to take today's master roll call. Members will proceed to vote.

The following roll call was recorded:

PRESENT—191

Alden	Fargo	Lucy	Salvatore
Anderson	Fee	McClatchy	Saurman
Armstrong	Fischer	McIntyre	Serafini
Arty	Fleck	McMonagle	Seventy
Barber	Foster, W. W.	McVerry	Showers
Belardi	Foster, Jr., A.	Mackowski	Shupnik
Belfanti	Frazier	Madigan	Sieminski
Beloff	Freind	Maiale	Sirianni
Bittle	Gallagher	Manderino	Smith, B.
Blaum	Gallen	Manmiller	Smith, E. H.
Borski	Gamble	Marmion	Smith, L. E.
Bowser	Gannon	Merry	Spencer
Boyes	Geist	Michlovic	Spencer
Brandt	George	Micozzie	Spitz
Brown	Gladeck	Miffler	Stairs
Burd	Grabowski	Miscevich	Steighner
Burns	Gray	Moehlmann	Stevens
Caltagirone	Greenfield	Morris	Stewart
Cappabianca	Greenwood	Mowery	Stuban
Cawley	Grieco	Mrkoncic	Swaim
Cessar	Gruppo	Mullen	Sweet
Cimini	Hagarty	Murphy	Swift
Civera	Haluska	Nahill	Taddonio
Clark	Harper	Noye	Taylor, E. Z.
Clymer	Hasay	O'Donnell	Taylor, F. E.
Cochran	Hayes	Olasz	Telek
Cohen	Heiser	Oliver	Tigue
Colafella	Hoeffel	Pendleton	Trello
Cole	Honaman	Perzel	Van Horne
Cordisco	Horgos	Peterson	Vroon
Cornell	Hutchinson, A.	Petrarca	Wachob
Coslett	Irvic	Petrone	Wambach
Cowell	Itkin	Phillips	Wargo
Cunningham	Jackson	Piccola	Wass
DeVerter	Johnson	Pievsky	Wenger
DeWeese	Kennedy	Pistella	Weston
Daikeler	Klingaman	Pitts	Wiggins
Davies	Kowalyszyn	Pott	Williams, H.
Dawida	Kukovich	Pratt	Williams, J. D.
Deal	Lashinger	Pucciarelli	Wilson
Dietz	Laughlin	Punt	Wogan
Dininni	Lehr	Rappaport	Wozniak
Dombrowski	Lescovitz	Rasco	Wright, D. R.
Donatucci	Levi	Reber	Wright, J. L.
Dorr	Levin	Richardson	Wright, R. C.
Duffy	Lewis	Rieger	
Durham	Livengood	Rocks	Ryan,
Emerson	Lloyd	Rybak	Speaker
Evans			

ADDITIONS—2

Berson Ritter

NOT VOTING—2

DeMedio Kolter

EXCUSED—4

Fryer Gruitza Letterman Zwilk

LEAVE ADDED—1

Cordisco

CALENDAR

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The clerk of the Senate, being introduced, returned the following **HB 1649, PN 3761**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343, No. 176), further providing for the powers and duties of the Board of Finance and Revenue, clarifying certain language, making repeals and making technical changes and providing for the disposition of abandoned and unclaimed property.

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I urge that the House nonconcur in Senate amendments to HB 1649.

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

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

YEAS—0

NAYS—187

Alden	Fee	Lucyk	Saurman
Anderson	Fischer	McClatchy	Serafini
Armstrong	Fleck	McIntyre	Seventy
Arty	Foster, W. W.	McMonagle	Showers
Barber	Foster, Jr., A.	McVerry	Shupnik
Belardi	Frazier	Mackowski	Sieminski
Belfanti	Freind	Maiale	Sirianni
Beloff	Gallagher	Manderino	Smith, B.
Bittle	Gallen	Manmiller	Smith, E. H.
Blaum	Gamble	Marmion	Smith, L. E.
Borski	Gannon	Michlovic	Snyder
Bowser	Geist	Micozzie	Spencer
Brandt	George	Miller	Spitz
Brown	Gladeck	Miscevich	Stairs
Burd	Grabowski	Moehlmann	Steighner
Burns	Gray	Morris	Stevens
Caltagirone	Greenfield	Mowery	Stewart
Cappabianca	Greenwood	Mrkonic	Stuban
Cawley	Grieco	Mullen	Swaim
Cessar	Gruppo	Murphy	Sweet
Cimini	Hagarty	Nahill	Swift
Civera	Haluska	Noye	Taddonio
Clark	Harper	O'Donnell	Taylor, E. Z.
Clymer	Hasay	Olasz	Taylor, F. E.
Cochran	Hayes	Oliver	Telek
Colafella	Heiser	Pendleton	Tigue
Cole	Hoeffel	Perzel	Trello
Cordisco	Honaman	Peterson	Van Horne
Cornell	Horgos	Petrarca	Vroon
Coslett	Hutchinson, A.	Petrone	Wachob
Cowell	Irvis	Phillips	Wambach
Cunningham	Itkin	Piccola	Wargo
DeVerter	Jackson	Pievsky	Wass
DeWeese	Johnson	Pistella	Wenger
Daikeler	Kennedy	Pitts	Weston
Davies	Klingaman	Pott	Wiggins
Dawida	Kowalshyn	Pratt	Williams, H.
Deal	Kukovich	Pucciarelli	Williams, J. D.
Dietz	Lashinger	Punt	Wilson
Dininni	Laughlin	Rappaport	Wogan
Dombrowski	Lehr	Rasco	Wozniak
Donatucci	Lescovitz	Reber	Wright, D. R.
Dorr	Levi	Richardson	Wright, J. L.
Duffy	Levin	Rieger	Wright, R. C.
Durham	Lewis	Rocks	
Emerson	Livengood	Rybak	Ryan,
Evans	Lloyd	Salvatore	Speaker
Fargo			

NOT VOTING—8

Berson	Cohen	Kolter	Merry
Boyes	DeMedio	Madigan	Ritter

EXCUSED—4

Fryer Gruitza Letterman Zwilk

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the clerk inform the Senate accordingly.

**REPORT OF COMMITTEE
OF CONFERENCE CONSIDERED**

Mr. HAYES called up for consideration the following Report of the Committee of Conference on **HB 536, PN 3767**, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), abolishing the Bureau of Correction, creating a department to be known as the Department of Correction, providing for official visits and making related substantive and editorial changes.

On the question,

Will the House adopt the report of the committee of conference?

The SPEAKER. Does the gentleman from Westmoreland, Mr. Kukovich, desire recognition on this?

Mr. KUKOVICH. Yes, Mr. Speaker.

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

Mr. KUKOVICH. Thank you, Mr. Speaker.

Most of the members of our caucus voted "no" on this, as did a vast majority of the members of the House. There were a number of reasons why we did that. My personal reason had to do with the parole language that was in here that has been stricken out.

I was basically pleased with the department of corrections language, however. I think it was basically a good bill. There were a lot of good sections in that bill that dealt with the prison system. However, I am concerned about the 50 pages of corrections language that has been gutted and one paragraph placed in here. I am concerned that it has been replaced by about 13 lines that simply take what is now under the Office of General Counsel and transfer it. Again, I think that usurps our authority, is so general in nature that it will cause more problems, and for those of you who voted against HB 536 because you did not like the department of corrections before, this is much worse. I would suggest you would vote "no" again.

Also, those of you who are concerned about the official visitation, the same language which was in there before, which some of us opposed because it was too restrictive to those of us who would have that right for official visitation, we should continue to vote "no" for that purpose also. I would ask the members to vote "no" on the conference report.

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

Mrs. HAGARTY. Thank you, Mr. Speaker.

Mr. Speaker, Conference Committee Report No. 536 is a very simple, straightforward piece of legislation. It is not one

on which any of the members should have any opposition at this point.

The official visitation section in the bill is language which insures the rights of official visitors to visit the institute. There is no right of official visitors today to visit unannounced in our prisons. The only time an official visitor under this bill can be excluded is for a brief period of time where a previously announced crisis exists. To vote against this legislation is to have no official visitor status in Pennsylvania.

The other major portion of this bill is extremely simple. It simply elevates the Bureau of Correction to a Cabinet-level status. The current bureau is now under the Office of General Counsel. There are 10,000 inmates in the State prisons. There are 4,000 employees with a budget of over \$120 million a year. If this were elevated to a Cabinet-level status, it would be the third largest department in Pennsylvania. It is wrong to keep a department of this size as a bureau. If you want Jay Waldman to continue running the department of corrections, then you should vote "no" on this conference report. If you believe Corrections deserves a Cabinet-level status, deserves more attention, then you should vote "yes."

There is no other way to look at this piece of legislation. Last week we tried, and many of us would have preferred a bill which encompassed standards for prisons. The members were opposed to that because they felt, and it was quoted as saying, that it was a prisoner-rights piece of legislation. So the members were opposed to it at that time, and it did not pass. Therefore, that alternative has already been posed. We have failed to pass a comprehensive piece of legislation creating a department of corrections, and now we have a very simple piece of legislation which simply elevates the department to the place it should properly be in the administration. I ask for an affirmative vote on Conference Committee Report No. 536.

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

Mr. SWEET. Mr. Speaker, I would like to join with my colleague, Mr. Kukovich, in asking for a "no" vote on this conference committee report. The lady is correct that this is a very simple bill. What it has now become is a total abdication of our legislative power to the executive branch. We are saying that we are going to make this bureau a department, and all we are doing is saying that the commissioner is going to make a salary, and we now have a Cabinet-level department.

There has been hard work by Democrats and Republicans on the Judiciary Committee and on other committees to make the department of corrections package a good bill. The reason many of us on this side of the aisle opposed the conference committee report last week was not so much because the corrections language was bad but because we did not want to have weasel language about official visitation stuffed down our throats, and we did not want to have a parole bill that many of our members were still uncertain about jammed down our throats.

Once again we are seeing government by conference committee at its worst. There will be plenty of time to create new departments in the future, and I think that we are doing a

very, very bad thing today if we just say that we are going to give the General Counsel the power to pretty much do what he wants in setting up a new department.

The 40 or 50 pages of carefully worked-out language that dealt with a whole host of reforms in the correctional system will be cast aside, and we will one day read in the Pennsylvania Bulletin what the administration has decided they want to do about a department of corrections. I would ask for a "no" vote, Mr. Speaker.

MEMBER'S PRESENCE RECORDED

The SPEAKER. The Chair at this time recognizes the gentleman from Lehigh, Mr. Ritter, who asks that his name be added to the master roll call.

LEAVE OF ABSENCE GRANTED

The SPEAKER. The Chair recognizes the minority whip, who asks that the gentleman from Bucks, Mr. CORDISCO, be placed on the leave of absence list for today. Without objection, leave is granted. The Chair hears none.

CONSIDERATION OF HB 536 CONTINUED

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

Mr. PICCOLA. Thank you, Mr. Speaker.

I would like to disagree with the gentleman, Mr. Sweet, that we are abdicating our legislative responsibilities by passing this legislation. There is nothing to prohibit us in a future session to consider the kind of standard legislation for a department of corrections that he is suggesting or the kind of language that was in the previous Conference Committee Report on HB 536. We are simply recognizing a fact of life by the adoption of HB 536, the conference committee report, in its current form, and that fact of life is that we have a major agency of State Government operating out of the Governor's Office under the Office of General Counsel. An agency of that size, as Mrs. Hagarty said, should be a Cabinet-level department reporting directly to the Governor. If you are interested in having the necessary resources directed to the department or the agency in charge of corrections, then you will raise that and elevate that agency to a department level.

We are making no other changes nor are we forbidding future changes in the area of corrections. This is entirely possible and I would say probably likely, given the great interest in this subject in the General Assembly. But I think we have to recognize the facts of life, that we have an agency that spends a great deal of money, has over 4,000 employees, and has the custody of 10,000 inmates, and they are a simple bureau operating out of the Governor's Office of General Counsel. This is not the proper way to run State Government, and I would urge the members to adopt the conference committee report.

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

Mr. HOEFFEL. Thank you, Mr. Speaker.

I rise in opposition to this conference report. For those of you who get exercised as I do from time to time by conference committees that essentially ignore the will of the members, the rank-and-file members, this is the time to get exercised.

It is beyond my belief that a conference committee would take the section of this bill dealing with the department of corrections, some 40 or 50 pages in an earlier conference committee report, and totally remove that from this conference committee report and present to us about 50 words that would create the department of corrections.

I do not understand why this happened. I do not know why the legislative sponsors and/or the Thornburgh administration are so opposed to having the legislature enumerate what we want the department of corrections to stand for and the areas that we want the department of corrections to be responsible for, but if you look at the table of contents in the earlier Conference Committee Report on HB 536 and look at chapter 4 of that, particularly as it relates to inmates, and see what we had spelled out in this earlier conference committee report in the earlier legislation we dealt with in this House in terms of diagnostic centers and services and programs for inmates, inmate labor and training, discipline provisions, medical care, food protection and sanitation, sections dealing with illnesses of inmates, religious rights, personal visits, official visits, and so forth, mail privileges, you wonder why these provisions, which we agreed upon and most of the members feel are worthwhile, have been deleted from this conference committee report.

I think it is time for us to say that we are unhappy with that, that we are unhappy with 50 mere words being presented with this proposal that would create a department of corrections without any legislative guidelines or direction at all, particularly when we had those guidelines and we had that direction in earlier versions of this same conference committee effort, and I think we ought to reject this and start again. Thank you.

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

Mr. LASHINGER. Thank you, Mr. Speaker.

Mr. Speaker, I rise to urge support for the House Conference Committee Report on HB 536, and I rise somewhat reluctantly. For anyone who is familiar with my involvement on this issue with the corrections bill during my three terms here in the General Assembly, I am sure that they would be somewhat surprised that I could rise in support of this proposal today.

My concerns are much like those echoed by the previous speakers. I have been unable to discern who the players are on this issue. I cannot tell any one individual why the conference committee report chose to strike all that language as regarding prison reform in this Commonwealth. I do not know why my colleagues on the other side of the aisle, when they had the opportunity to vote for this issue, although it was muddled somewhat by its being connected with so-called parole reform, when they had the opportunity to vote for a corrections bill at that time, characterized it along with others as a somewhat liberal prisoner's bill of rights, and I thought that was an unfair characterization, but I still fail to understand

why those people, when they had the opportunity to vote for it then, did not.

I still fail to understand why this administration during its 4 years in telling me as an individual sponsor of a corrections bill, and Senator Fisher, a former colleague of ours on the House side, now Senator Fisher, telling him on the Senate side that this measure had his full support, and yet it has been bogged down in the General Assembly for 4 years.

There is one thing that is overriding here though, Mr. Speaker, and that is that we have to move forward on this issue. Those who have been here for a time now know that it did not begin with this administration; it began some 8 years ago. Representative Rhodes, on the other side of the aisle, and my colleague from Montgomery County, Representative Scirica, started this movement some 8 years ago. It was picked up by Representative John White from Philadelphia and myself some 4 years ago, and the issue still has not moved off dead center, Mr. Speaker. Today, while I am not pleased, it has not moved much off dead center, but it has moved off dead center by at least moving what was the largest share of the Justice Department's budget, the largest share of the Justice Department's personnel complement, out of the Office of the Chief Counsel, creating a secretary or a commissioner of corrections, making him answerable only to the Governor, not to the Chief Counsel, as Representative Hagarty characterized the situation. Do you want this commissioner of corrections, Commissioner Marks, answering to Mr. Waldman as Chief Counsel or to the Governor? I think everyone would generally agree that he should be answering directly to the Governor with the size of the budget and personnel complement that he has. So I can say if we are going to get something regarding reform in this Commonwealth, I can assure you that we will experience with a secretary increased effectiveness, increased public review and accountability, and I think we will get a further assurance that we will see and experience more safe and humane correctional facilities in the Commonwealth. And most importantly with a secretary of corrections or commissioner of corrections but at the Cabinet level, our county prisons, which are all problematic throughout the Commonwealth, will have the most positive experience with a Cabinet-level official.

The bottom line is, Mr. Speaker, in that correction reform, while we have been developing it over the last 8 years here in Harrisburg, 75 percent of the original legislation is now in place in the form of regulation, case law, be it State case law, Federal case law. So 75 percent of those provisions are already current law; only 25 percent that remained in that original corrections bill remain to be implemented by this General Assembly.

It is my hope, much like some of those who spoke before me on the other side of the aisle, that come next year we will move forward and implement some of the balance of those reforms, but right now, in creating this Cabinet level, we are moving one step off dead center. We are moving forward. Leaving things the way that they are will continue to be regressive and I think will continue to create problems for the citizens of the Commonwealth. The Graterford incident will

continue; those types of incidents will continue; the problems of overcrowding in the county prisons; the problems of medical facilities, of rights that are available to those people in those facilities will continue. But I think in moving forward today we are doing a service, in terms of public accountability, public review, cost efficiency, to the citizens of the Commonwealth, and that is why I reluctantly urge support of this conference committee report. Thank you, Mr. Speaker.

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

Mr. A. K. HUTCHINSON. Thank you, Mr. Speaker.

I am not doing this reluctantly. I do not think anybody should vote for this bill right now, because the Bureau of Corrections, when it becomes the department of corrections over at Camp Hill, will want a new building within 2 years. They will be appointing deputy secretaries coming out your hat, and if anybody wants to know, look at the Bureau of Aging and how they spent all our money as administrating, and I will tell you, this is the wrong time to vote for this bill. You had the Senate and you had the House and you had the Governor, and you come here at the last hour and want to pass this. I say baloney.

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

Mr. PICCOLA. Thank you, Mr. Speaker.

Do not worry, Mr. Hutchinson; I am sure you will say "no" to the new building, so I do not have any fears there. There will not be any deputy secretaries, because we do not even have a secretary of corrections. We continue to call the gentleman a commissioner.

Finally, Mr. Speaker, I am a little confused. I am a little confused. Last week we had this conference committee report, and we were told to take it back because it was too complex; there was just too much new language that the General Assembly had never considered before. Now we have it back before the members of the House in a very simple and straightforward way, and we are told that it is too simple; it is too straightforward; and it has too much old language in it.

Mr. Speaker, the simple fact of the matter is, this has to be done because this General Assembly and the people of the Commonwealth several years ago decided that we wanted an elected Attorney General. Prior to that time the Bureau of Correction was part of the Justice Department, and appropriately so. When we created the office of elected Attorney General, we decided, for lack of a better place at the time to put the bureau, that the bureau would operate out of the Governor's Office under the Office of General Counsel. The Office of General Counsel was designed to give legal advice to the Governor, not to run an administrative agency, and the idea behind this bill is to recognize that very simple fact of life and to make that bureau a department, and also, incidentally, Mr. Speaker, to provide the members of the General Assembly and other official visitors the right to go into the prisons unannounced to make the necessary inspections that we as public officials need to make.

I do not understand the opposition to this measure, Mr. Speaker, and I certainly hope that the majority of this House will vote in the affirmative.

The SPEAKER. The Chair recognizes for the second time on the question, the gentleman, Mr. Kukovich.

Mr. KUKOVICH. Mr. Speaker, to make the record clear, I do not believe anybody on our side complained about the department of corrections being too complex. If I recall, those arguments came from the other side of the aisle. Personally, that was certainly not my problem. I believe in the department of corrections, but I believe in doing it right, and I think the language that had been worked out had many good attributes to it, and I would have supported that.

Many of us wanted the parole elements taken out. That was done. We certainly did not expect a gutting of the department of corrections language, and I do not think there is anybody else in this chamber who has probably been in more State prisons than I have been. I am concerned about official visitation, but not the way it has been handled in this conference committee report or in the bill as it was originally drafted. We wanted the original language that had gone back to a cherished tradition of about 150 years ago, which had never been abused. That was a minor correction that could have been made. That was not made. I am concerned that once when we had a chance to pass a department of corrections bill that had the elements of prison reform and concern about inmates' rights, that we took the easy way out and decided not to do that and to come back here at the last minute with one lousy paragraph creating a whole new Cabinet office.

I think that is an outrageous way to do business. I think it is insulting to the members of the House, and I think what is attempted is just to appease certain Senators and certain individuals who want a department of corrections at any cost, no matter what that department looks like. I think that is outrageous. I think we should vote "no" and continue to vote "no" until we get a good department of corrections bill.

MEMBER'S PRESENCE RECORDED

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Berson, and adds his name to the master roll call.

CONSIDERATION OF HB 536 CONTINUED

On the question recurring,

Will the House adopt the report of the committee of conference?

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

YEAS—91

Alden	Foster, W. W.	McVerry	Sirianni
Anderson	Foster, Jr., A.	Mackowski	Smith, B.
Armstrong	Frazier	Madigan	Smith, E. H.
Arty	Gallen	Manmiller	Smith, L. E.
Bittle	Gannon	Marmion	Snyder
Bowser	Geist	Merry	Spencer
Boyes	Greenwood	Micozzie	Spitz
Brandt	Grieco	Miller	Swift
Burd	Gruppo	Moehlmann	Taddonio
Burns	Hagarty	Mowery	Taylor, E. Z.
Cessar	Hasay	Nahill	Telek
Cimini	Hayes	Noye	Vroon
Clymer	Heiser	Perzel	Wachob

Cochran	Honaman	Peterson	Wass
Cornell	Jackson	Piccola	Wenger
Coslett	Johnson	Pitts	Weston
Daikeler	Kennedy	Pott	Wilson
Davies	Klingaman	Punt	Wogan
Dietz	Lashingier	Rasco	Wright, J. L.
Dininni	Lehr	Reber	Wright, R. C.
Dorr	Levi	Salvatore	
Durham	Lewis	Saurman	Ryan,
Fischer	McClatchy	Sieminski	Speaker
Fleck			

NAYS—100

Barber	Emerson	Lucyk	Ritter
Belardi	Evans	McIntyre	Rocks
Belfanti	Fargo	McMonagle	Rybak
Beloff	Fee	Maiale	Serafini
Berson	Freind	Manderino	Seventy
Blaum	Gallagher	Michlovic	Showers
Borski	Gamble	Miscevich	Shupnik
Brown	George	Morris	Stairs
Caltagirone	Gladeck	Mrkonic	Steighner
Cappabianca	Grabowski	Mullen	Stevens
Cawley	Greenfield	Murphy	Stewart
Civera	Haluska	O'Donnell	Stuban
Clark	Harper	Olasz	Swaim
Cohen	Hoeffel	Oliver	Sweet
Colafella	Horgos	Pendleton	Taylor, F. E.
Cole	Hutchinson, A.	Petrarca	Tigue
Cowell	Irvis	Petrone	Trello
Cunningham	Itkin	Phillips	Van Horne
DeVerter	Kowalshyn	Pievsky	Wambach
DeWeese	Kukovich	Pistella	Wargo
Dawida	Laughlin	Pratt	Wiggins
Deal	Lescovitz	Pucciarelli	Williams, H.
Dombrowski	Levin	Rappaport	Williams, J. D.
Donatucci	Livengood	Richardson	Wozniak
Duffy	Lloyd	Rieger	Wright, D. R.

NOT VOTING—3

DeMedio	Gray	Kolter
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EXCUSED—5

Cordisco	Gruitza	Letterman	Zwilk
Fryer			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the report of the committee of conference was not adopted.

STATEMENT BY MAJORITY LEADER

The SPEAKER. The Chair recognizes the majority leader. Mr. HAYES. Thank you, Mr. Speaker.

Before we get too terribly busy with the rest of the day, and it is not going to be anything less than that, if I could for just a moment or two, and it will only be that long because it is a busy day and I do not want to give a long speech, but in that this day, November 30, 1982, is the last day of this session constitutionally, I would like to take this opportunity and thank all those men and women who have served in this House the last 2 years. I would like to thank you, Mr. Speaker, for being an outstanding Speaker of the House. I would like to thank the leadership on both sides of the aisle for being so cooperative the last 2 years.

I know that we dwell upon the differences that exist between us more often than we footnote those more numerable times when we are working together to solve problems. A

contemporary writer with a little bit of historical flair recently said that the State legislature is the infantry of democracy because it is the State legislatures across this country that most directly grapple with the problems facing the peoples of this Nation. I believe that in 1981-82 this House of Representatives, both sides of the aisle, did grapple with many difficult problems, and after all the fire and fury, decisions were made.

I will look upon the 1981-82 session with a great deal of satisfaction. I will always remember those of us who served here during this 1981-82 session of the General Assembly. As most of you know, I love this House of Representatives, and I have enjoyed greatly the opportunity of working with each and every one of you. Thank you very much.

WELCOME

The SPEAKER. The Chair is pleased to welcome to the hall of the House today Mr. Vic Finley of Hanover, Pennsylvania, here today as the guest of Representatives Don Dorr and Ed Sieminski.

STATEMENT BY MR. DeVERTER

The SPEAKER. For what purpose does the gentleman from Mifflin, Mr. DeVerter, rise?

Mr. DeVERTER. To make a brief statement, sir.

The SPEAKER. The gentleman is in order.

Mr. DeVERTER. Mr. Speaker, we have just heard the fine comments from the majority leader, Sam Hayes. I, as one member of this House, have enjoyed the past several years being in the majority. I have particularly enjoyed the work that Sam and you, as Speaker, sir, have put into this particular session. I think without the leadership that has been demonstrated, many times we would have been floundering a great deal in this Commonwealth. I think each of us in this House fails to recognize the extra effort and time that is oftentimes put into the jobs such as majority leader, majority whip, and on the minority side as well.

I, for one, would like to offer my commendations to Majority Leader Hayes, yourself as Speaker, and the rest of our leadership in the House. Thank you, Mr. Speaker.

STATEMENT BY MR. CUNNINGHAM

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

Mr. CUNNINGHAM. You can tell there is a real lull in the action here.

I just wanted to take 30 seconds, and I appreciate, Mr. Speaker, your recognizing me to say that it has been the honor of my life to have had the privilege of serving with you. I have learned a great deal about government and the law and life, and I appreciate that very much. I want to thank you all and God bless you all.

STATEMENT BY MR. TADDONIO

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

Mr. TADDONIO. Mr. Speaker, since I guess we opened the floodgates, I would like to get my 2 cents' worth in also.

I also made the decision not to run again, and it is the same decision that each and every one of us is going to have to make or have it made for us sometime in the not too distant future. I would just like to pass on a little bit of some of the feelings that one goes through.

I would like to say that I think it is important that we not become too wedded to this place, that we realize that we are just passing through here temporarily to do a public service and not to lose sight of what we are really elected to do. You know, I can recall back a number of years ago when a member, who is no longer here, was really upset over having to cast a particular vote because it might mean his not returning, and if he did not return, then he did not know what he was going to do. I think it is incumbent on us not to get in that kind of position where if we were not here we would not know what we were going to do. It is not that kind of an institution. It is an opportunity we have all had to serve and to serve and be served. I think it is something special. It is a gift that has been given to us, and it is up to us to take advantage of that.

One other thing I would like to say that has been on my mind for a couple of years. There is an attitude that we have among us that we constantly question the motive of another member when he proposes something or does something controversial. We always think he is doing it for this subtle reason or this political reason. We never give him the benefit of the doubt to say that maybe he really believes in that issue; maybe he is really doing it because he really believes in it and that is the thing he wants to do. I think that should be our presumption. We should presume the guy is doing it to be honest, because he thinks it is the right thing to do. I think in most cases that is the case. Certainly there are people who do things for political reasons, and we are political animals. We all do those things at one time or another. I have done them myself. But I think the presumption should be that the person does it honestly.

In any case, in any event, I am proud to have served here for 10 years, and I wish you all Godspeed in your deliberations next year, and I will be praying for you all. Thank you.

STATEMENT BY MR. BERSON

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

Mr. BERSON. Jimmy says, sunshine, Caribbean. It sounds wonderful.

I guess Sam did open the floodgates. I want to say goodbye to all my, I hope, good friends here. I know we have on occasion differed, but I hope it was differences without animosity and without any hard feelings. I hope I am going to be going but not gone. I hope I will be remembered by you in the same way that I will recall all of you, with affection, regard, and esteem. Thank you very much.

STATEMENT BY MRS. TAYLOR

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

Mrs. TAYLOR. Mr. Speaker, at the close of this session, we will be losing a legislator who has served very faithfully in this House for five terms - 10 years. That legislator is from Chester County and that legislator is well known to the people on both sides of the aisle, and I am talking about Earl Smith. Earl Smith has served in this chamber for those 10 years as a very dependable and faithful worker for good government in our Commonwealth. Earl Smith has served many times when he probably just did not feel so good. I think that it is a tribute to those of us who have had the privilege to serve with you, Earl, and I just wonder if you would stand up so that we could all recognize that service that you have given to the House of Representatives.

STATEMENT BY MR. DORR

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

Mr. DORR. Thank you, Mr. Speaker.

Just one more thing about our good friend Earl. You notice he did not get up today, and Earl has not gotten up too often on the floor of the House of Representatives. But for the 75 of us—and I counted—who were here at the time, you will recall that one of the most memorable speeches ever given on the floor of the House was Earl's speech back in the 1975 session when he told us about an experience he had in Grand Central Station. Those of you who remember that, if you would like to have a copy of it—I could not do it justice. I thought we would get it and read it, maybe, but it really is not and no way could be as humorous and as effective as it was when Earl made that speech. But if you would like a chance to recall that and would contact my office, I will give you a copy of that speech.

The SPEAKER. That was the famous pay toilet speech, as I recall.

ANNOUNCEMENT BY MR. DAVIES

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

Mr. DAVIES. Thank you, Mr. Speaker.

Looking possibly into the future, I would like to say that congratulations are in order for the senior member on this side of the aisle from Berks County. Mr. Gallen's daughter-in-law was blessed with a 9-pound-3-ounce son over the weekend, and that makes him the granddaddy of Berks. Thank you, Mr. Speaker.

The SPEAKER. He has been the father of Berks for years, so I guess it is about time he moves into this new position.

STATEMENT BY MR. WENGER

The SPEAKER. The Chair recognizes the gentleman from Lancaster, Senator-elect Noah Wenger.

Mr. WENGER. Thank you, Mr. Speaker.

They are telling me here that I should give my farewell speech in Dutch, but I do not think too many would understand that. They have enough problems understanding me when I try to speak English.

I would like to say, Mr. Speaker, that I have enjoyed tremendously my last 6 years here as a member of the Pennsylvania House of Representatives. It is really hard to believe, and I look around and I see the class, so many of us who came in that particular year. I do not know; that was really the year for freshmen, I guess. But it seems difficult to believe that it is 6 years, but I think the 6 years have been the highlight of my life, really. I have enjoyed it tremendously.

I leave the House with, I think, mixed feelings. I regret leaving; I really do. But I look forward to the challenges of— Really, I will still be in the same building, but I will be at the other end of the building. I have certainly been taking a lot of advice from my senior members here and all my fine colleagues as to what is going to happen to me when I go over there. So I hope that you will stay in touch and see if those dire consequences all come to pass.

I do want to express my appreciation to the leadership on both sides of the aisle, really, for the many courtesies that have been extended to me. I have enjoyed working with all of you, and I am sure that that spirit of cooperation will continue in the future. Thank you very much.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Thank you, Mr. Speaker.

We did not have a chance to cover all the bills on the calendar which are so problematic and must be caucused on. There were some who started lunch earlier than the normal hour and stayed longer than we had hoped. So it is going to be necessary for the Republicans to return to caucus at this time. I would ask, Mr. Speaker, if you will, please, recess the House until 4 p.m. for the purpose of having a Republican caucus.

The SPEAKER. Would the gentleman, Mr. Hayes, advise the gentleman, Mr. O'Donnell, so that they might cover in caucus the probable expectation with respect to the escheat bill?

Mr. HAYES. We just did discuss those matters, Mr. Speaker.

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. O'Donnell.

Mr. O'DONNELL. We will have an immediate Democratic caucus, and the subject matter will be the majority leader's expectations. Thank you.

RESOLUTION REPORTED FROM COMMITTEE

SR 234, PN 3769 (Concurrent)

By Rep. HASAY

Memorializing Congress appropriate funds for Accelerated Public Works Program to upgrade bridges, roads and mass transit systems, thus reducing the high unemployment rate.

FEDERAL-STATE RELATIONS.

The SPEAKER. The Chair recognizes the majority caucus chairman.

Mr. NOYE. Thank you, Mr. Speaker.

I would implore the members of the Republican side to come to caucus. If we can get to caucus and discuss these bills, we can get our work completed and get out of here this evening. I ask all members to come to caucus immediately.

The SPEAKER. The majority caucus chairman has asked that each member of the Republican Caucus report to the caucus room, each member.

I feel sure that the gentleman, Mr. O'Donnell, makes the same request of the Democratic members of the House.

RECESS

The SPEAKER. Without objection, this House will now stand in recess until 4 p.m. The Chair hears none.

AFTER RECESS

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

The SPEAKER. For the information of the members, a gourmet dinner will be provided somewhere between the hours of 6 and 7 o'clock.

REPORT OF COMMITTEE OF CONFERENCE RECOMMITTED

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

Mr. GALLEN. Mr. Speaker, I move that the Conference Committee Report on HB 1885 be recommitted to the conference committee.

On the question,

Will the House agree to the motion?

Motion was agreed to.

CONFERENCE COMMITTEE MEETING

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

Mr. GALLEN. Mr. Speaker, I would like to announce a meeting of the Conference Committee on HB 1885 to be held at 5:30 in room 401. Thank you, Mr. Speaker.

SENATE MESSAGE

HOUSE-AMENDED SENATE BILL CONCURRED IN

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to SB 86, PN 2235.

SENATE MESSAGE

**SENATE INSISTS ON AMENDMENTS
NONCONCURRED IN BY HOUSE**

The clerk of the Senate, being introduced, informed that the Senate has insisted upon its amendments nonconcurrent in by the House of Representatives to **HB 1649, PN 3761**, and has appointed Senators STAUFFER, HOWARD and LEWIS a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

**MOTION INSISTING UPON NONCONCURRENCE
IN SENATE AMENDMENTS**

Mr. McClATCHY moved that the House insist upon its nonconcurrence in Senate amendments to **HB 1649, PN 3761**, and that a committee of conference on the part of the House be appointed.

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

**APPOINTMENT OF
COMMITTEE OF CONFERENCE**

The SPEAKER. The Chair appoints as a committee of conference on the part of the House on **HB 1649, PN 3761**: Messrs. McClATCHY, L. E. SMITH, and DOMBROWSKI.

Ordered, That the clerk inform the Senate accordingly.

RULES SUSPENDED

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

Mr. SNYDER. Mr. Speaker, I move that the House suspend its rules so that a resolution may be immediately considered.

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

RESOLUTION ADOPTED

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

Mr. SNYDER. Mr. Speaker, I offer the following resolution.

The following resolution was read:

In the House of Representatives,

WHEREAS, We the House of Representatives of the Commonwealth of Pennsylvania believe that all citizens of the world have the right of freedom of conscience and freedom of worship; and

WHEREAS, The members of the House of Representatives believe that all citizens of the world have the right of freedom of emigration; therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania memorialize the President of the United States and the United States Department of State to urge the government of the Union of Soviet Socialist Republics to permit the freedom of worship and the freedom of conscience of all its citizens, in particular its Jewry the granting of visas to all Soviet Jews who have applied to emigrate; and be it further

RESOLVED, That all persons imprisoned because of religious beliefs should be released from prison and be permitted to emigrate from the Soviet Union to the country of their choice; and be it further

RESOLVED, That copies of this resolution be transmitted to the President of the United States and to the United States Department of State.

Donald W. Snyder
Elinor Z. Taylor
Ivan Itkin
Charles F. Nahill, Jr.
Stephen E. Levin
Mark B. Cohen
Robert D. Reber, Jr.
Lois Sherman Hagarty
Christopher R. Wogan
Frank A. Salvatore

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—183

Alden	Fischer	McIntyre	Saurman
Anderson	Fleck	McMonagle	Serafini
Armstrong	Foster, W. W.	McVerry	Seventy
Arty	Foster, Jr., A.	Mackowski	Showers
Barber	Frazier	Madigan	Shupnik
Belardi	Freind	Maiale	Sieminski
Belfanti	Gallagher	Manderino	Sirianni
Beloff	Gallen	Manmiller	Smith, B.
Berson	Gamble	Marmion	Smith, E. H.
Bittle	Gannon	Merry	Smith, L. E.
Blaum	Geist	Michlovic	Snyder
Borski	George	Micozzie	Spencer
Bowser	Gladeck	Miller	Spitz
Boyes	Grabowski	Miscevich	Stairs
Brandt	Greenfield	Moehlmann	Steighner
Brown	Greenwood	Morris	Stevens
Burd	Grieco	Mowery	Stewart
Burns	Gruppo	Mrkonic	Stuban
Caltagirone	Hagarty	Mullen	Swaim
Cappabianca	Haluska	Murphy	Sweet
Cawley	Hasay	Nahill	Swift
Cessar	Hayes	Noye	Taddonio
Cimini	Heiser	O'Donnell	Taylor, E. Z.
Civera	Hoefel	Olasz	Taylor, F. E.
Clark	Honaman	Oliver	Telek
Clymer	Horgos	Pendleton	Tigue
Cochran	Hutchinson, A.	Perzel	Trello
Colafella	Irvis	Peterson	Van Horne
Cole	Itkin	Petrarca	Vroon
Cornell	Jackson	Petrone	Wachob
Coslett	Johnson	Phillips	Wambach
Cowell	Kennedy	Piccola	Wargo
Cunningham	Klingaman	Pievsky	Wass
DeVerter	Kowalshyn	Pistella	Wenger
Daikeler	Kukovich	Pitts	Weston
Davies	Lashingier	Pott	Williams, H.
Dawida	Laughlin	Pratt	Williams, J. D.
Dietz	Lehr	Pucciarelli	Wilson
Dininni	Lescovitz	Punt	Wogan
Dombrowski	Levi	Rappaport	Wozniak
Donatucci	Levin	Rasco	Wright, D. R.
Dorr	Lewis	Reber	Wright, J. L.
Duffy	Livengood	Rieger	Wright, R. C.
Durham	Lloyd	Rocks	

Evans Fargo Fee	Lucyk McClatchy	Rybak Salvatore	Ryan, Speaker
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NAYS—0

NOT VOTING—11

Cohen DeMedio DeWeese	Deal Emerson Gray	Harper Kolter Richardson	Ritter Wiggins
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EXCUSED—5

Cordisco Fryer	Gruitza	Letterman	Zwinkl
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The question was determined in the affirmative, and the resolution was adopted.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

The clerk of the Senate, being introduced, informed that the Senate has adopted the Report of the Committee of Conference on the subject of the differences existing between the two Houses on **SB 685, PN 2255**.

CALENDAR RESUMED

REPORT OF COMMITTEE OF CONFERENCE CONSIDERED

Mr. HAYES called up for consideration the following Report of the Committee of Conference on **SB 685, PN 2255**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," changing the name of the Farview State Hospital to the Northeast State Hospital; providing for the continuation, composition and functions of the State Veterans' Commission; transferring certain fees to the Historical and Museum Commission; further providing for fees to be assessed by the Pennsylvania Securities Commission; providing for budget procedures for the Consumer Advocate, extending the time of the operation of the Office of Consumer Advocate; removing a prohibition on the Consumer Advocate; making certain repeals and making editorial changes.

On the question,

Will the House adopt the report of the committee of conference?

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Thank you, Mr. Speaker.

Speaking for the Democratic Caucus on the question of whether the House should adopt the Committee of Conference Report on SB 685, PN 2255, I ask that the vote be in the negative.

The SPEAKER. The Chair recognizes the majority whip.

Mr. CESSAR. Thank you, Mr. Speaker.

Speaking on behalf of the Republican Caucus, we are requesting that SB 685, the conference committee report, be adopted as submitted.

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

Mr. LLOYD. Thank you, Mr. Speaker.

I rise to oppose the conference report. I do that as one who has had experience working in the Office of Consumer Advocate and who, I think, appreciates the potential that that office has and appreciates also what it has been able to accomplish under very, very tight budgetary conditions so far and, furthermore, what could be accomplished if we were to defeat this conference report.

What this bill does is to in a very, very clever way in effect freeze the budget for the Office of Consumer Advocate for the next 2 fiscal years. That is done by saying that if the legislature does not pass a budget for the Consumer Advocate next year, the Consumer Advocate can continue to function under the current budget. So what we are going to see happening is exactly what was tried to be done this summer with regard to the PUC (Public Utility Commission), when the other body simply refuses to pass a budget. The difference is that this year they did not get away with it, because we were responsible and because the Attorney General ruled that what they were doing was illegal. If we pass this conference report, what we will be doing is allowing the Senate to stonewall it on the Consumer Advocate's budget for the next 2 years and to get away with it, because it will be legal, and it will be legal because those people who voted for the bill have voted to make it legal.

Now, Mr. Speaker, there is going to be a lot said, I am sure, on this bill, and there is going to be an argument made that somehow if we pass this bill, we are at least better than the existing law. I would like to suggest, Mr. Speaker, that that just simply is not so, because under existing law it is possible for the chairman of one of the Appropriations Committees to arbitrarily cut the budget of the Consumer Advocate, and that has happened. It would arbitrarily increase that budget by 2 percent when every other agency of State Government is growing by much more than that, and that has happened. But under this bill that same kind of scenario with a slightly different format will continue to exist, and we will see the State Senate refusing to pass a budget for the Consumer Advocate and basically freezing us where we are at the present time.

Now, if we pass this bill, we are also extending the life of the Office of Consumer Advocate until June of 1985. Now, some people would say, as the Consumer Advocate himself has said, well, that is important, and I agree with that, but we all around here know all about vehicles and how you take something that is popular and you attach to that something that the other body or somebody else does not want to go along with. But if we pass this bill and basically extend the life, give up that sunset issue, we are giving up the best bargainingship that we have in this body to try to get an honest-to-goodness reform of the budget procedure for the Office of Consumer Advocate and get the Consumer Advocate's budget considered on the floor of this House and the floor of the State Senate just like the budget for every other State agency.

Now, what is really at stake in this bill, Mr. Speaker? What does it really matter? Well, the Consumer Advocate testified before the Consumer Affairs Committee in support of a bill

sponsored by the administration, which, I might add, did not have this mischievous language about continuing the budget at the current level, and the Consumer Advocate said that he needed a supplemental appropriation for the final 6 months of this fiscal year of at least \$145,000, and that was consistent with the position which this House unanimously took, giving him not only a good budget procedure but also a supplemental appropriation. He said he needed that money in order to maintain an adequate Federal presence in Washington to contest the various machinations going on with regard to deregulation of natural gas and to also adequately represent the consumers of this Commonwealth in the complicated issues involving deregulation of the telephone industry. There were members on the Republican side of the aisle in committee who were very, very concerned that he have the money to be able to go down to Washington and do that job. If you vote for this bill today, you are basically saying you do not want that job to be done, because you are not going to give him the money to do it.

In addition to that, those of you—and I speak especially to those on the Republican side of the aisle—who happen to represent constituencies which are within the PP&L (Pennsylvania Power & Light) service territory know all about the Susquehanna Nuclear Power Plant and you know about the tremendous increase in electric rates which are going to happen unless the Consumer Advocate can present a solid case in opposition to PP&L's request. Now, one of the major issues which should be raised in that case is the question of whether or not the company has been prudent in deciding how many powerplants or how large a powerplant to construct. In order to present that case, the Consumer Advocate has to be able to hire expert witnesses, and that is going to cost him probably \$45,000 or \$50,000. If you vote for this bill, it is very, very unlikely that he is going to be able to have that money, and that means that your constituents are almost certainly going to pay millions of dollars in higher utility rates than they might otherwise have to pay.

In addition, many people have been very much concerned that too many cases over at the PUC seem to be settled without going to trial, and those of you on the Republican side of the aisle who represent General Public Utilities service territories may not be very happy with the most recent rate settlement in the TMI (Three Mile Island) case. You may also be aware of the fact that if TMI 2 is ultimately scrapped, then who has to pay for that is going to be a hot issue before the Public Utility Commission. If you vote for this bill, what you are going to do is make it more difficult for the Consumer Advocate to present a good case against putting that cost onto the ratepayers.

In addition, Mr. Speaker, as a Representative from a rural area speaking to the rural Republicans, many of you, as I, represent areas which are served by small water companies which very often have bad service and high rates. Some of you also represent areas which have small telephone companies which have high rates and poor service. The Consumer Advocate has had only a very limited ability to get involved in those cases. He has had to concentrate on the big-bucks cases even

though the percentage rate increase to your constituents may be much, much more than is the case with the big companies. Without a supplemental appropriation, without the opportunity to vote on a budget for the Consumer Advocate, that situation is going to continue, and you are not going to be able to pick up the phone and call over there and say, hey, how about my telephone company; can you do something for my ratepayers, for my constituents?

Furthermore, Mr. Speaker, we are all aware of the revolution which is occurring in the area of telephone rates, and that is an issue on which expert witnesses are going to have to be hired in order to present testimony before the Public Utility Commission in order to try to make sure that the settlement in the antitrust case does not result in a huge increase in phone rates for Pennsylvania consumers, and that is going to be very difficult for the Consumer Advocate to do if you pass this bill and freeze his budget.

Now, Mr. Speaker, I would like to give an example of what I think the payoff in the Consumer Advocate's Office can be, and it is going to be a personal example. In 1977 the Pennsylvania Electric Company sought a rate increase of \$68 million a year—\$68 million. The Consumer Advocate advocated a \$15-million rate increase. The PUC staff advocated a \$38-million rate increase, and the administrative law judge who heard the testimony recommended a \$51-million rate increase. Because of the case the Consumer Advocate put on, the commissioners themselves set the rate increase at about \$25 million, \$13 million below what the commission's own staff had recommended and what would almost certainly have been the bottom line and would certainly have been the only evidence on record had it not been for the Consumer Advocate. *And how much money did we have to spend to save the consumers of the Pennsylvania Electric Company \$13 million a year? One hundred thousand dollars or less.*

Mr. Speaker, when we throw money around as we do in this State and can spend \$11 billion with one vote, we are now quibbling about whether we are going to give the Consumer Advocate a couple hundred thousand dollars. So those of you who are going to vote for this bill may be able to go home tonight and tell your constituents, yes, I did a great thing for the consumers of this Commonwealth; I saved you a couple hundred thousand dollars that would have come out of your utility bills to pay for the Consumer Advocate, and I am making sure that he is going to be lean and mean. But in fact what you are doing, Mr. Speaker, is voting to have millions of dollars of higher rates put on the consumers of this State, and, Mr. Speaker, that is penny wise and pound foolish; that is anticonsumer, and I think your constituents are going to see through that. Mr. Speaker, I urge a "no" vote.

The SPEAKER. The Chair recognizes the majority whip.

Mr. CESSAR. Mr. Speaker, I yield to the gentleman from Greene County, Mr. DeWeese.

LETTER SUBMITTED FOR THE RECORD

The SPEAKER. The Chair recognizes the gentleman from Greene, Mr. DeWeese.

Mr. DeWEESE. Mr. Speaker, very quickly, I have a communication from the Consumers Education and Protective Association that I would like to be read into the record. I will not belabor the moment by going over it, but one of the pre-eminent consumer groups in the Commonwealth is adamant in their resistance to this proposal.

Quickly, and then I shall desist, what we have right now is a situation where if the Consumer Advocate is receiving this much money this year and Senator Dick Tilghman from Montgomery County decides that that is all they are going to receive in 1983, 1984, 1985, and, if he is still around and the bill does not change, into the 1990's, that is all they will receive. So if you, Mr. Speaker, embrace this measure, what you are doing is inhibiting, prohibiting, our best and brightest young attorneys from opposing, from fighting, the big utilities. It is your decision. We either stand tall with the little guy or we cave in. I say stand tall.

Mr. DeWEESE submitted a letter for the Legislative Journal.

(For letter, see Appendix.)

The SPEAKER. Does the minority whip care to follow the gentleman, Mr. DeWeese? The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, there is one element of the bill that has not been mentioned thus far that I think bears bringing to the House's attention, if I could only find it.

Mr. Speaker, when we passed the legislation allowing the Consumer Advocate to represent the citizens of Pennsylvania before the Public Utility Commission, we realized that that could be a very important position, a position of high visibility, and one of the things that we did was say that that Consumer Advocate could not for a period of time—and I believe it is 2 years—after he left the Consumer Advocate's Office be given any appointment by the administration, by the Governor's Office.

Mr. Speaker, that is being removed from this bill. The Consumer Advocate now can, with his high visibility position, crusade or not crusade for reward by the Governor who happens to be in power at that particular time. We thought at the time we passed the Consumer Advocate that that is something we wanted to avoid. We put the prohibition in there, and without fanfare, without discussion, without reason that I am aware of, that provision is now being removed. For that reason alone, aside from all the good reasons that the gentlemen have already indicated about the budgeting process, we ought to oppose this particular conference report and vote in the negative.

CONFERENCE COMMITTEE MEETING

The SPEAKER. The Chair recognizes, for the purpose of calling a meeting, the gentleman from Montgomery, Mr. McClatchy.

Mr. McCLATCHY. Mr. Speaker, I would like to call a meeting of conference on HB 1649 at quarter of 6 in the Appropriations Committee hearing room. After this vote, Mr. Speaker.

CONSIDERATION OF SB 685 CONTINUED

The SPEAKER. The Chair recognizes the majority whip.

Mr. CESSAR. Thank you, Mr. Speaker. I will be brief.

Mr. Speaker, I think the compromise that was struck in the Senate accrues to the people of Pennsylvania inasmuch as it now returns to the members of this General Assembly the budgetmaking process for the Consumer Advocate. Prior to this, Mr. Speaker, it was the Governor or the chairman of the Appropriations Committee of the House or Senate who made the ultimate decision as to the degree of funding for the Consumer Advocate.

Mr. Speaker, I urge each and every one of you for the consumers to vote for this legislation. We have also provided, Mr. Speaker, a stopgap provision that in the event we do not reach a conclusion on a budget, we can pass and let that Consumer Advocate spend at that level. I urge a vote in the affirmative. Thank you.

The SPEAKER. The Chair recognizes, for the second time on the question, the minority whip.

Mr. MANDERINO. I never attempt to speak more than twice, Mr. Speaker.

Will the gentleman, Mr. Cessar, consent to interrogation?

The SPEAKER. The gentleman indicates that he will. The gentleman, Mr. Manderino, may begin.

Mr. MANDERINO. Mr. Speaker, can you inform the House, if you know, what the reasoning was for removing the prohibition upon appointment in public office once you leave the Consumer Advocate's Office?

Mr. CESSAR. No, I cannot, Mr. Speaker.

Mr. MANDERINO. Do you think that we were wise in putting that restriction in the law when we did it?

Mr. CESSAR. Mr. Speaker, I see no objection to it on my part. I think if the Consumer Advocate does what he is supposed to do and he feels that he wants to run in a democratic society, I think he ought to.

Mr. MANDERINO. But what about receiving appointments for a job well done or a job not so well done? Is that not a possibility? Is that not why we put it in in the first place?

Mr. CESSAR. That could be possible.

Mr. MANDERINO. And we are removing it in this particular piece of legislation.

Mr. CESSAR. That is correct, Mr. Speaker.

Mr. MANDERINO. And you do not know why we are removing it.

Mr. CESSAR. I have not discussed that portion of it with—

Mr. MANDERINO. Were you on the conference committee?

Mr. CESSAR. Yes, I was, but we did not discuss that, Mr. Speaker.

Mr. MANDERINO. But that was a change that was made in conference.

Mr. CESSAR. That is correct.

Mr. MANDERINO. I would like to make an additional comment, Mr. Speaker.

The SPEAKER. The gentleman is in order.

Mr. MANDERINO. Mr. Speaker, on the point that the gentleman, Mr. Cessar, makes that if we fail to adopt a

budget for the Consumer Advocate the last year's budget goes into effect, this is precisely the reason that we on this side of the aisle feel that the Consumer Advocate has every likelihood of being shortchanged. When the gentleman who preceded me to the microphone from this side of the aisle talked about an individual Senator, he was talking about his actions thus far in making a budget for the Consumer Advocate. He has always been against funding the Consumer Advocate in the manner in which members of the House seem to be willing to fund the Consumer Advocate.

Now, you know, if this were a piece of legislation where the Consumer Advocate was being paid from general tax funds, we would not be faced with this problem, because we would simply include the Consumer Advocate funding in the general appropriations bill, but the manner in which the Consumer Advocate is funded is by an assessment on the utilities in Pennsylvania. It is not General Fund money, and therefore, it requires a separate and distinct piece of legislation. The funding cannot go into, cannot go into, the General Fund budget. It is the same manner that we fund the Public Utility Commission itself, and we have now gotten to a point with that funding that is much better than the situation was before.

What we are doing with the Consumer Advocate's budget is allowing the same particular abuses that have occurred in the past that made us change funding to again occur. I ask a negative vote, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Beaver, Mr. Laughlin.

Mr. LAUGHLIN. Mr. Speaker, I did not intend to speak today on this legislation other than to support it, but after listening to some of the statements of my colleagues here in the House, Mr. Speaker, I felt it was necessary to rise to this mike. I know that in the last 2 years there has been a rather silent view coming from the other side of the aisle with regard to consumer protection, and to hear a member rise and say we are looking after the interest of the consumer, I find that equally strange.

Mr. Speaker, this legislation is certainly important to us, but it is important to us to do it correctly and to fund correctly the office that is charged with the responsibility of defending the position of consumers before the PUC. Mr. Speaker, for that reason I ask every member in this House to join with me in a negative vote so that we may properly address this in the coming session and provide the necessary funds to accommodate that office. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, there are going to be a number of very important votes tonight, and the House, I think, will remember my position on the mechanics. I would ask that we respect the rule that only those members actually physically present be recorded. Let us not have to embarrass anybody by calling names. If you are here, we expect you to vote. If you are not, we do not expect your seatmate to vote for you. Thank you, Mr. Speaker.

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

Mr. DEAL. Mr. Speaker, may I read into the record a short statement from a statewide consumer organization, Consumers Education and Protective Association? Mr. Speaker, this is an open letter to the members of the General Assembly of the Commonwealth of Pennsylvania. It states:

Ladies and Gentlemen:

Because it falls far short of what is needed to protect the interests of the consumers of the Commonwealth, we urge you to defeat the Conference Report—

The SPEAKER. Will the gentleman yield.

The letter that the gentleman is reading has already been put into the record by the gentleman, Mr. DeWeese. Does the gentleman know that?

Mr. DEAL. I was not aware. If that is so, Mr. Speaker, I would not attempt to be redundant. Thank you so much.

POINT OF ORDER

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

Mr. DAVIES. Mr. Speaker, a point of order for the same reason. I thought that a former speaker, I believe from Washington County, had expressed the ideas put forth in that communication, and therefore, I would raise the same question as to whether that was not a matter of repetition.

The SPEAKER. The gentleman, Mr. Deal, has withdrawn his remarks in that regard.

Mr. DAVIES. Thank you, Mr. Speaker.

On the question recurring,

Will the House adopt the report of the committee of conference?

(Members proceeded to vote.)

VOTE CHALLENGED

Mr. IRVIS. Just a moment, please, Mr. Speaker. Is the gentleman, Mr. Burd, on the floor of the House?

The SPEAKER. Is the gentleman, Mr. Burd, on the floor of the House?

Mr. IRVIS. Thank you, Mr. Speaker.

On the question recurring,

Will the House adopt the report of the committee of conference?

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

YEAS—91

Alden	Fleck	Levi	Sieminski
Anderson	Foster, W. W.	McVerry	Smith, B.
Armstrong	Foster, Jr., A.	Mackowski	Smith, E. H.
Arty	Frazier	Madigan	Smith, L. E.
Bittle	Freind	Manmiller	Snyder
Bowser	Gallen	Marmion	Spencer
Boyes	Gannon	Merry	Spitz
Brandt	Geist	Miller	Stairs
Burns	Gladeck	Moehlmann	Stevens
Cessar	Greenwood	Mowery	Swift
Cimini	Grieco	Nahill	Taddonio
Civera	Gruppo	Noye	Telek
Clymer	Hagarty	Perzel	Vroon
Cochran	Hasay	Peterson	Wass
Cornell	Hayes	Phillips	Wenger

Cunningham	Heiser	Piccola	Weston
DeVerter	Honaman	Pitts	Wilson
Daikeler	Jackson	Pott	Wogan
Davies	Johnson	Punt	Wright, J. L.
Dietz	Kennedy	Rasco	Wright, R. C.
Dininni	Klingaman	Reber	
Dorr	Lashingner	Salvatore	Ryan,
Fargo	Lehr	Saurman	Speaker
Fischer			

NAYS—86

Belardi	Gamble	Manderino	Serafini
Belfanti	George	Michlovic	Seventy
Blaum	Grabowski	Micozzie	Showers
Borski	Greenfield	Miscevich	Shupnik
Caltagirone	Haluska	Morris	Sirianni
Cappabianca	Harper	Mrkonic	Steighner
Cawley	Hoeffel	Mullen	Stewart
Clark	Horgos	Murphy	Stuban
Cohen	Hutchinson, A.	O'Donnell	Swaim
Colafella	Irvis	Olasz	Sweet
Cole	Itkin	Oliver	Taylor, E. Z.
Coslett	Kowalyszyn	Petrarca	Taylor, F. E.
Cowell	Kukovich	Petrone	Tigue
DeWeese	Laughlin	Pievsky	Trello
Dawida	Lescovitz	Pistella	Van Horne
Deal	Levin	Pucciarelli	Wachob
Dombrowski	Lewis	Rappaport	Wambach
Donatucci	Livengood	Rieger	Wargo
Duffy	Lloyd	Ritter	Williams, J. D.
Durham	Lucyk	Rocks	Wozniak
Fee	McIntyre	Rybak	Wright, D. R.
Gallagher	McMonagle		

NOT VOTING—17

Barber	DeMedio	Kolter	Pratt
Beloff	Emerson	McClatchy	Richardson
Berson	Evans	Maiale	Wiggins
Brown	Gray	Pendleton	Williams, H.
Burd			

EXCUSED—5

Cordisco	Gruitza	Letterman	Zwilk
Fryer			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the report of the committee of conference was not adopted.

SENATE MESSAGE

SENATE ADOPTS REPORT OF
COMMITTEE OF CONFERENCE

The clerk of the Senate, being introduced, informed that the Senate has adopted the Report of the Committee of Conference on the subject of the differences existing between the two Houses on **SB 939, PN 2247**.

REPORT OF COMMITTEE
OF CONFERENCE CONSIDERED

Mr. HAYES called up for consideration the following Report of the Committee of Conference on **SB 939, PN 2247**, entitled:

An Act to further provide for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth for the fiscal year July 1, 1982 to June 30, 1983, to provide additional and supplemental appropriations from the Federal augmentation

funds and the Federal Revenue Sharing Trust Fund to the Executive Department of the Commonwealth for the fiscal year July 1, 1982 to June 30, 1983 and making repeals.

On the question,
Will the House adopt the report of the committee of conference?

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

Mr. PIEVSKY. Thank you, Mr. Speaker.

Mr. Speaker, I am opposed to the Conference Committee Report on SB 939 for a number of reasons. Currently, Mr. Speaker, the bill contains an additional \$641,000 of State funds for the Attorney General and \$560,000 in State funds for the State Treasurer. Now, these amounts combined with the amounts appropriated in the general appropriations bill for 1982-83 provide an 8-percent increase in funding for the Attorney General over the amount available in 1981-82 and a 17-percent increase in funding for the State Treasurer over the amount available for 1981-82.

Mr. Speaker, I find it curious that the two independent agencies controlled by the Republicans received additional funds, but the one independent agency controlled by the Democrats received no additional funding in SB 939, even though a detailed request for funds was sent to the chairman of the conference committee.

I am also disturbed by the \$57-million increase in Federal medicaid funding for inpatient hospital services in the Department of Public Welfare. To date, the administration has refused to give us the rebudget documents for the three largest and most sensitive medical assistance programs and has changed its position twice on where the funds will come from to provide these additional dollars.

More importantly, Mr. Speaker, I believe that this \$57-million appropriation change is part of a larger plan to alter all medical assistance spending in Pennsylvania. Now, that may be needed given reduced Federal earnings and falling State revenues, but this General Assembly should consider such changes in total and not in a piecemeal fashion as in SB 939.

Finally, Mr. Speaker, SB 939 commits all current and future interest earnings from the Federal Revenue Sharing Fund to the Department of General Services to pay for moving expenses of various State agencies. On checking with the department, Mr. Speaker, I find that no moving activities were currently pending or anticipated. Thus, by approving SB 939 we would simply be handing over control of these funds to an executive agency for no apparent reason. For these reasons, Mr. Speaker, I ask all members to oppose the Conference Committee Report on SB 939. Thank you, Mr. Speaker.

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

Mr. McCLATCHY. Mr. Speaker, I urge a "yes" vote on the conference committee report.

On the question recurring,
Will the House adopt the report of the committee of conference?

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

YEAS—101

Alden	Fargo	Lewis	Sieminski
Anderson	Fischer	McClatchy	Sirianni
Armstrong	Fleck	McVerry	Smith, B.
Arty	Foster, W. W.	Mackowski	Smith, E. H.
Belardi	Foster, Jr., A.	Madigan	Smith, L. E.
Bittle	Frazier	Manmiller	Snyder
Bowser	Freind	Marmion	Spencer
Boyes	Gallen	Merry	Spitz
Brandt	Gannon	Micozzie	Stairs
Burd	Geist	Miller	Stevens
Burns	Gladeck	Moehlmann	Swift
Cessar	Greenwood	Mowery	Taddonio
Cimini	Grieco	Nahill	Taylor, E. Z.
Civera	Gruppo	Noye	Telek
Clymer	Hagarty	Perzel	Vroon
Cochran	Hasay	Peterson	Wass
Cornell	Hayes	Phillips	Wenger
Coslett	Heiser	Piccola	Weston
Cunningham	Honaman	Pitts	Wilson
DeVerter	Jackson	Pott	Wogan
Daikeler	Johnson	Punt	Wright, J. L.
Davies	Kennedy	Rasco	Wright, R. C.
Dietz	Klingaman	Reber	
Dininni	Lashinger	Salvatore	Ryan,
Dorr	Lehr	Saurman	Speaker
Durham	Levi	Serafini	

NAYS—79

Belfanti	Greenfield	Miscevich	Seventy
Blaum	Haluska	Morris	Showers
Borski	Harper	Mrkonic	Shupnik
Caltagirone	Hoefel	Mullen	Steighner
Cappabianca	Horgos	Murphy	Stewart
Cawley	Hutchinson, A.	O'Donnell	Stuban
Cohen	Irvis	Olasz	Swaim
Colafella	Itkin	Oliver	Sweet
Cole	Kowalshyn	Pendleton	Taylor, F. E.
Cowell	Kukovich	Petrarca	Tigue
Dawida	Laughlin	Petrone	Trello
Deal	Lescovitz	Pievsy	Van Horne
Dombrowski	Levin	Pistella	Wachob
Donatucci	Livengood	Pratt	Wambach
Duffy	Lloyd	Pucciarelli	Wargo
Fee	Lucyk	Rappaport	Williams, H.
Gallagher	McMonagle	Rieger	Williams, J. D.
Gamble	Maiale	Ritter	Wozniak
George	Manderino	Rocks	Wright, D. R.
Grabowski	Michlovic	Rybak	

NOT VOTING—14

Barber	Clark	Evans	McIntyre
Beloff	DeMedio	Gray	Richardson
Berson	DeWeese	Kolter	Wiggins
Brown	Emerson		

EXCUSED—5

Cordisco	Gruitza	Letterman	Zwikl
Fryer			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the committee of conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the gentleman from Butler, Mr. Burd.

Mr. BURD. Thank you, Mr. Speaker.

I was momentarily called off the floor, and had I been here, I would have voted in the affirmative for the Conference Committee Report on SB 685, PN 2255. Thank you, Mr. Speaker.

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

BILL ON CONCURRENCE
IN SENATE AMENDMENTS

The clerk of the Senate, being introduced, returned the following **HB 682, PN 3760**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further providing for the definition of "utility realty", further providing for exclusions from taxation relating to the sale at retail of certain periodicals, the retail sale of certain buses, the imposition of certain taxes, the disclosure of certain information, the payment of taxes, excluding transfers to nature conservancies from the realty transfer tax and further providing for exclusion from the sales and use tax.

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

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I suggest that the House do concur in the amendments inserted by the Senate to HB 682, PN 3760.

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

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

YEAS—100

Alden	Fargo	Lewis	Sieminski
Anderson	Fischer	McClatchy	Sirianni
Armstrong	Fleck	McVerry	Smith, B.
Arty	Foster, W. W.	Mackowski	Smith, E. H.
Belardi	Foster, Jr., A.	Madigan	Smith, L. E.
Bittle	Frazier	Manmiller	Snyder
Bowser	Freind	Marmion	Spencer
Boyes	Gallen	Merry	Spitz
Brandt	Gannon	Micozzie	Stairs
Burd	Geist	Miller	Stevens
Burns	Gladeck	Moehlmann	Swift
Cessar	Greenwood	Mowery	Taddonio
Cimini	Grieco	Nahill	Taylor, E. Z.
Civera	Gruppo	Noye	Telek
Clymer	Hagarty	Perzel	Vroon
Cochran	Hasay	Peterson	Wass
Cornell	Hayes	Phillips	Wenger
Coslett	Honaman	Piccola	Weston
Cunningham	Hutchinson, A.	Pitts	Wilson
DeVerter	Jackson	Punt	Wogan
Daikeler	Johnson	Rasco	Wright, J. L.
Davies	Kennedy	Reber	Wright, R. C.
Dietz	Klingaman	Salvatore	
Dininni	Lashinger	Saurman	Ryan,
Dorr	Lehr	Serafini	Speaker
Durham	Levi		

NAYS—82

Belfanti	George	Manderino	Rybak
Beloff	Grabowski	Michlovic	Seventy
Blaum	Greenfield	Miscevich	Showers
Borski	Haluska	Morris	Shupnik
Caltagirone	Harper	Mrkoncic	Steighner
Cappabianca	Heiser	Mullen	Stewart
Cawley	Hoeffel	Murphy	Stuban
Clark	Horgos	O'Donnell	Swaim
Cohen	Irvis	Olasz	Sweet
Colafella	Itkin	Oliver	Taylor, F. E.
Cole	Kowalyszyn	Petrarca	Tigue
Cowell	Kukovich	Petrone	Trello
DeWeese	Laughlin	Pievsky	Van Horne
Dawida	Lescovitz	Pistella	Wachob
Deal	Levin	Pott	Wambach
Dombrowski	Livengood	Pucciarelli	Wargo
Donatucci	Lloyd	Rappaport	Williams, H.
Duffy	Lucyk	Rieger	Williams, J. D.
Fee	McIntyre	Ritter	Wozniak
Gallagher	McMonagle	Rocks	Wright, D. R.
Gamble	Maiale		

NOT VOTING—12

Barber	DeMedio	Gray	Pratt
Berson	Emerson	Kolter	Richardson
Brown	Evans	Pendleton	Wiggins

EXCUSED—5

Cordisco	Gruitza	Letterman	Zwilk
Fryer			

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.

The SPEAKER. For what purpose does the minority leader rise?

Mr. IRVIS. Mr. Speaker, on the vote on HB 682, PN 3760, we would like the opportunity to verify the vote.

The SPEAKER. The Chair gave the gentleman every opportunity to do that prior to the announcement of the vote. The machine was held open. Is the gentleman—

Mr. IRVIS. The Chair has been very courteous.

The SPEAKER. The gentleman will yield.

Is the gentleman calling into question the presence of a member?

Mr. IRVIS. Yes.

The SPEAKER. Will the gentleman state it?

Mr. IRVIS. I would rather not put the man's name on the record until we can check to see if he is actually here. I regret that I had to call Mr. Burd's name out, another, and I do not want to continue this, but we do want to make sure that a member who voted is here.

The SPEAKER. The House will be temporarily at ease.

Mr. IRVIS. Mr. Speaker, we now see the member.

The SPEAKER. The Chair thanks the gentleman.

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The clerk of the Senate, being introduced, returned the following **HB 2622, PN 3741**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending the act of July 11, 1980 (P. L. 626, No. 130), entitled "A supplement to the act of _____, entitled 'An act providing for the capital budget for the fiscal year 1979-1980,' itemizing emergency public improvement projects to be constructed by the Department of General Services together with their estimated financial cost; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects, stating the estimated useful life of the projects and making an appropriation," amending the title of the act, adding projects in the Department of General Services, deleting projects, increasing a project in the Department of Public Welfare and itemizing a furniture and equipment project for the Department of General Services.

On the question,

Will the House concur in Senate amendments?

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

Mr. McCLATCHY. Mr. Speaker, I suggest that the House do concur in the amendments inserted by the Senate.

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

Mr. PIEVSKY. Thank you, Mr. Speaker.

Mr. Speaker, I rise to urge that the House not concur in the amendments inserted by the Senate into HB 2622.

When this capital bill left the House, it contained changes in some boiler plant projects at three State-run hospitals. Two of them, Warren State Hospital and Woodville State Hospital, were dropped. The funding for them, \$3,420,000, was shifted to expand the scope of a similar project at Mayview State Hospital. It came back to us with additional projects costing \$55,242,000. One of these is for the new State prison. Three others are for the Commonwealth Communications Network project.

Mr. Speaker, I believe that there are problems with these additional projects that need to be addressed in order for this House to make an informed decision.

There are two public improvement projects requested for the network project for a total price tag of \$1,642,000. No sites, no sites for these projects are mentioned in the bill we have before us. We have been told that some of these sites will not even be chosen until sometime after next May. I think we ought to know how many sites we are talking about and their locations before we authorize these projects.

In conjunction with these, there is also a request for \$20 million in equipment, primarily computers and communications equipment. Now, Mr. Speaker, given the many questions we have concerning both the need and the feasibility of this communications project, I do not think we should be spending \$20 million for equipment.

There are questions about the proposed new prison, and again the language in the bill does not tell us where this facility is to be located other than somewhere in Schuylkill County. Now, that is not much to go on in return for authorizing \$27 million for a prison. Even more distressing is the request for \$6.6 million for land acquisition. That works out to \$38,000 an acre. Now, we have been told by the Budget Office that the land currently owned by the Greater Pottsville Industrial Development Corporation has not been appraised by any State agency, and no offer has been made by the Commonwealth to purchase it.

Mr. Speaker, there is no compelling reason to rush to approve these projects now. There is nothing here that cannot wait until next year. Now, the administration has to provide us with better information on the number and location of some of the network project sites and has to tell us how much it intends to pay for the land for the new prison before it can expect us to give approval. This House should not give the administration the blank check it apparently desires. I urge that we nonconcur in HB 2622. Thank you, Mr. Speaker.

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

Mr. McCLATCHY. Mr. Speaker, I suggest that the House do concur in the amendments inserted by the Senate.

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—105

Alden	Fischer	McClatchy	Serafini
Anderson	Fleck	McVerry	Sieminski
Armstrong	Foster, W. W.	Mackowski	Sirianni
Arty	Foster, Jr., A.	Madigan	Smith, B.
Belardi	Frazier	Manmiller	Smith, E. H.
Bittle	Freind	Marmion	Smith, L. E.
Bowser	Gallen	Merry	Snyder
Boyes	Gannon	Michlovic	Spencer
Brandt	Geist	Micozzie	Spitz
Burd	Gladeck	Miller	Stairs
Burns	Greenwood	Moehlmann	Stevens
Cessar	Grieco	Mowery	Swift
Cimini	Gruppo	Mullen	Taddonio
Civiera	Hagarty	Murphy	Taylor, E. Z.
Clymer	Hasay	Nahill	Telek
Cochran	Hayes	Noye	Vroon
Cornell	Heiser	Perzel	Wass
Colett	Honaman	Peterson	Wenger
Cunningham	Jackson	Phillips	Weston
DeVerter	Johnson	Piccola	Wilson
Daikeler	Kennedy	Pitts	Wogan
Davies	Klingaman	Pott	Wright, J. L.
Dietz	Lashinger	Punt	Wright, R. C.
Dininni	Lehr	Rasco	
Dorr	Levi	Reber	Ryan,
Durham	Lewis	Salvatore	Speaker
Fargo	Lucyk	Saurman	

NAYS—76

Belfanti	Gallagher	McIntyre	Seventy
Beloff	Gamble	McMonagle	Showers
Blaum	George	Manderino	Shupnik
Borski	Grabowski	Miscevich	Steighner
Caltagirone	Greenfield	Morris	Stewart
Cappabianca	Haluska	Mrkonic	Stuban
Cawley	Harper	O'Donnell	Swaim
Clark	Hoeffel	Olasz	Sweet
Cohen	Horgos	Oliver	Taylor, F. E.
Colafella	Hutchinson, A.	Petrarca	Tigue
Cole	Irviss	Petrone	Trello
Cowell	Itkin	Pievsky	Van Horne
DeWeese	Kowalshyn	Pistella	Wachob
Dawida	Kukovich	Pucciarelli	Wambach
Deal	Laughlin	Rappaport	Wargo
Dombrowski	Lescovitz	Rieger	Williams, H.
Donatucci	Levin	Ritter	Williams, J. D.
Duffy	Livengood	Rocks	Wozniak
Fec	Lloyd	Rybak	Wright, D. R.

NOT VOTING—13

Barber	Emerson	Kolter	Pratt
Berson	Evans	Maiale	Richardson
Brown	Gray	Pendleton	Wiggins
DeMedio			

EXCUSED—5

Cordisco	Gruitza	Letterman	Zwikl
Fryer			

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.

FILMING PERMISSION GRANTED

The SPEAKER. The Chair has given permission to the photographer from United Press International to take photographs on the floor of the House for the next 10 minutes, starting tomorrow.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

The clerk of the Senate, being introduced, informed that the Senate has adopted the Report of the Committee of Conference on the subject of the differences existing between the two Houses on SB 457, PN 2248.

REPORT OF COMMITTEE OF CONFERENCE CONSIDERED

Mr. HAYES called up for consideration the following Report of the Committee of Conference on SB 457, PN 2248, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, deleting a provision prohibiting the deduction of oil company franchise tax in calculating other taxes imposed by the Commonwealth and for the payment of credits, reducing the fee for the issuance of identification markers, providing for the imposition of a new axle tax on certain vehicles and further providing for windshield obstructions.

On the question,

Will the House adopt the report of the committee of conference?

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

YEAS—115

Alden	Foster, W. W.	Lloyd	Serafini
Anderson	Foster, Jr., A.	McClatchy	Showers
Armstrong	Frazier	McVerry	Sieminski
Belardi	Freind	Mackowski	Sirianni
Bittle	Gallen	Madigan	Smith, B.
Bowser	Gamble	Manmiller	Smith, E. H.
Boyes	Gannon	Marmion	Smith, L. E.
Brandt	Geist	Merry	Snyder
Burd	Gladeck	Michlovic	Spencer
Burns	Grabowski	Micozzie	Spitz
Caltagirone	Greenwood	Miller	Stairs
Cawley	Grieco	Moehlmann	Stevens
Cessar	Gruppo	Morris	Stuban

Cimini	Hagarty	Mowery	Sweet
Civera	Haluska	Murphy	Swift
Clymer	Hasay	Nahill	Taddonio
Cochran	Hayes	Noye	Taylor, E. Z.
Cornell	Heiser	Perzel	Telek
Coslett	Honaman	Peterson	Tigue
Cunningham	Hutchinson, A.	Petrone	Wass
DeVerter	Jackson	Phillips	Wenger
Daikeler	Johnson	Piccola	Weston
Davies	Kennedy	Pitts	Wilson
Dietz	Klingaman	Pott	Wogan
Dininni	Lashinger	Punt	Wright, J. L.
Dorr	Lehr	Rasco	Wright, R. C.
Durham	Lescovitz	Reber	
Fargo	Levi	Rocks	Ryan,
Fischer	Lewis	Saurman	Speaker
Fleck			

NAYS—62

Belfanti	George	Manderino	Rybak
Blaum	Greenfield	Miscevich	Seventy
Borski	Harper	Mrkonic	Shupnik
Cappabianca	Hoeffel	Mullen	Steighner
Clark	Horgos	O'Donnell	Stewart
Cohen	Irvic	Olasz	Swaim
Colafella	Itkin	Oliver	Taylor, F. E.
Cole	Kowalyszyn	Petrarca	Trello
Cowell	Kukovich	Pievsky	Van Horne
Dawida	Laughlin	Pistella	Wachob
Deal	Levin	Pratt	Wambach
Dombrowski	Livengood	Pucciarelli	Wargo
Donatucci	Lucyk	Rappaport	Williams, H.
Duffy	McIntyre	Rieger	Wozniak
Fee	McMonagle	Ritter	Wright, D. R.
Gallagher	Maiale		

NOT VOTING—17

Arty	DeMedio	Gray	Salvatore
Barber	DeWeese	Kolter	Vroon
Beloff	Emerson	Pendleton	Wiggins
Berson	Evans	Richardson	Williams, J. D.
Brown			

EXCUSED—5

Cordisco	Gruitza	Letterman	Zwikl
Fryer			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the committee of conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

The clerk of the Senate, being introduced, informed that the Senate has adopted the Report of the Committee of Conference on the subject of the differences existing between the two Houses on **SB 831, PN 2252**.

REPORT OF COMMITTEE OF CONFERENCE CONSIDERED

Mr. HAYES called up for consideration the following Report of the Committee of Conference on **SB 831, PN 2252**, entitled:

An Act providing for the adoption of capital projects related to the repair, rehabilitation or replacement of highway bridges to be financed from current revenue or by the incurring of debt and capital projects related to highway and safety improvement projects to be financed from current revenue of the Motor License Fund.

On the question,

Will the House adopt the report of the committee of conference?

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

Mr. ITKIN. Mr. Speaker, I learned something today which is relevant to this piece of legislation which I think should be brought to the attention of the House.

I have received numerous calls from the Governor's Office and the Department of Transportation lobbying in support of this measure, but what I discovered today deals with those particular counties that are under the inspection/maintenance auto emissions freeze of Federal funds. As you are all aware, in several counties of Pennsylvania, because of the failure of the Commonwealth to adopt an I/M (inspection and maintenance) program, Federal funds for highway construction have been frozen. Most of these bridge projects involve Federal financing, and without those Federal funds, construction on those projects will not commence. So in Allegheny County, which is, of course, of a parochial concern to me, no bridge in Allegheny County listed on this list that has a Federal commitment involved will be built or constructed until the I/M program is resolved, which means that if a member from Allegheny County or any other county that is under the I/M freeze votes for this bill at this time, his particular bridge projects will not be on the top of the list but will go to the bottom of the list until such time as those Federal funds are not frozen.

When I confronted the Department of Transportation with respect to this matter, the response was, well, we can still proceed on the design of your particular bridge. Now, many of these bridges, including some of mine, have been on capital project lists for years, and of course, they should have been designed, but now I am told if I vote for this bill and it passes, then I will get my bridge designed. Now, you know as well as I do that design funds are very minimal when compared to construction costs.

I think that anyone affected in a county with an I/M program who votes for this bill tonight is a fool. Basically what you are saying is, you are allowing PennDOT to raise all these sums of money because they want to go ahead and begin an early construction program next spring. That has been the urgency of moving the bill this late in the session. But you people who are in these particular I/M counties will not be privileged to have your bridge projects commence operation, and the thrust of the construction program will go outside your particular area.

It would seem to me to be fair in balance to wait to deal with the I/M program first and insure that every county can equally receive the proceeds of that axle tax that we passed and then vote for a bridge program. Mr. Speaker, I thought

that I should bring this to the attention of the House because I know it affects numerous members in this chamber, and I did not think that they were aware of how this may impact on their own county. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Thank you, Mr. Speaker.

I urge adoption of the report. There is no doubt that we still have an outstanding I/M program problem, but at the same time, London Bridge is falling down, and we should not tarry in our action in this General Assembly and not program this Commonwealth for the necessary repair and reconstruction of our bridges in Pennsylvania. We do not only have London Bridge falling down; we have London Bridges all over the Commonwealth falling down, and we ought to get ourselves at least prepositioned so that we can begin this necessary reconstruction all over Pennsylvania. I urge a "yes" vote. Thank you, Mr. Speaker.

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

Mr. MISCEVICH. I would like to remind Mr. Hayes that no foreign steel is to be used in these bridges, so London Bridge will not have any effect on it.

On the question recurring,

Will the House adopt the report of the committee of conference?

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

YEAS—137

Alden	Foster, W. W.	Lucy	Showers
Anderson	Foster, Jr., A.	McClatchy	Sieminski
Armstrong	Frazier	McVerry	Sirianni
Arty	Freind	Mackowski	Smith, B.
Belardi	Gallen	Madigan	Smith, E. H.
Bittle	Gamble	Manmiller	Smith, L. E.
Blaum	Gannon	Marmion	Snyder
Bowser	Geist	Merry	Spencer
Boyes	George	Michlovic	Spitz
Brandt	Gladeck	Micozzie	Stairs
Burd	Grabowski	Miller	Steighner
Burns	Greenwood	Miscevich	Stevens
Caltagirone	Grieco	Moehlmann	Stewart
Cawley	Gruppo	Morris	Stuban
Cessar	Hagarty	Mowery	Sweet
Cimini	Haluska	Mrkonic	Swift
Civera	Hasay	Murphy	Taddonio
Clymer	Hayes	Nahill	Taylor, E. Z.
Cochran	Heiser	Noye	Telek
Colafella	Hoeffel	Perzel	Tigue
Cornell	Honaman	Peterson	Vroon
Coslett	Horgos	Petrone	Wachob
Cowell	Hutchinson, A.	Phillips	Wambach
Cunningham	Jackson	Piccola	Wass
DeVerter	Johnson	Pistella	Wenger
Daikeler	Kennedy	Pitts	Weston
Davies	Klingaman	Pott	Wilson
Dietz	Kukovich	Punt	Wogan
Dininni	Lashingier	Rasco	Wozniak
Dorr	Laughlin	Reber	Wright, J. L.
Durham	Lehr	Rocks	Wright, R. C.
Fargo	Lescovitz	Salvatore	
Fee	Levi	Saurman	Ryan,
Fischer	Lewis	Serafini	Speaker
Fleck	Lloyd	Seventy	

NAYS—41

Belfanti	Duffy	Manderino	Rybak
Beloff	Gallagher	O'Donnell	Shupnik
Borski	Harper	Olasz	Swaim
Cappabianca	Irvis	Oliver	Taylor, F. E.
Clark	Itkin	Petrarca	Trello
Cohen	Kowalshyn	Pievsky	Van Horne
Cole	Levin	Pucciarelli	Wargo
Dawida	Livengood	Rappaport	Williams, H.
Deal	McIntyre	Rieger	Williams, J. D.
Dombrowski	McMonagle	Ritter	Wright, D. R.
Donatucci			

NOT VOTING—16

Barber	DeWeese	Greenfield	Pendleton
Berson	Emerson	Kolter	Pratt
Brown	Evans	Maiale	Richardson
DeMedio	Gray	Mullen	Wiggins

EXCUSED—5

Cordisco	Gruitza	Letterman	Zwilk
Fryer			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the committee of conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the lady from Delaware, Mrs. Arty.

Mrs. ARTY. Thank you, Mr. Speaker.

My switch apparently did not function on the vote on the Conference Report on SB 457. May I please be recorded in the affirmative?

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

REPORT OF COMMITTEE OF CONFERENCE PRESENTED

Mr. GALLEN presented the Report of the Committee of Conference on **HB 1885, PN 3768**.

SUPPLEMENTAL CALENDAR A REPORT OF COMMITTEE OF CONFERENCE CONSIDERED

Mr. HAYES called up for consideration the following Report of the Committee of Conference on **HB 1885, PN 3768**, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), excluding State colleges and universities from certain requirements relating to purchases of printing supplies, imposing additional limitations relating to publications, repealing provisions relating to the Board of Trustees of Eastern Pennsylvania Psychiatric Institute and making editorial changes and repeals.

On the question,

Will the House adopt the report of the committee of conference?

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, for the benefit of our members, the budgetary language to which we objected in caucus and which would have called for a negative vote has been stricken from the bill. We now recommend that the committee of conference report be adopted.

On the question recurring,

Will the House adopt the report of the committee of conference?

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

YEAS—181

Alden	Fee	McClatchy	Serafini
Anderson	Fischer	McIntyre	Seventy
Armstrong	Fleck	McMonagle	Showers
Arty	Foster, W. W.	McVerry	Shupnik
Belardi	Foster, Jr., A.	Mackowski	Sieminski
Belfanti	Frazier	Madigan	Sirianni
Beloff	Freind	Maiale	Smith, B.
Bittle	Gallagher	Manderino	Smith, E. H.
Blaum	Gallen	Manmiller	Smith, L. E.
Borski	Gamble	Marmion	Snyder
Bowser	Gannon	Merry	Spencer
Boyes	Geist	Michlovic	Spitz
Brandt	George	Micozzie	Stairs
Burd	Gladeck	Miller	Steighner
Burns	Grabowski	Miscevich	Stevens
Caltagirone	Greenwood	Moehlmann	Stewart
Cappabianca	Grieco	Morris	Stuban
Cawley	Gruppo	Mowery	Swaim
Cessar	Hagarty	Mrkonic	Sweet
Cimini	Haluska	Murphy	Swift
Civera	Harper	Nahill	Taddonio
Clark	Hasay	Noye	Taylor, E. Z.
Clymer	Hayes	Olasz	Taylor, F. E.
Cochran	Heiser	Oliver	Telek
Cohen	Hoeffel	Perzel	Tigue
Colafella	Honaman	Peterson	Trello
Cole	Horgos	Petrarca	Van Horne
Cornell	Hutchinson, A.	Petrone	Vroon
Coslett	Iris	Phillips	Wachob
Cowell	Itkin	Piccola	Wambach
Cunningham	Jackson	Pievsky	Wargo
DeVerter	Johnson	Pistella	Wass
DeWeese	Kennedy	Pitts	Wenger
Daikeler	Klingaman	Pott	Weston
Davies	Kowalshyn	Pratt	Williams, H.
Dawida	Kukovich	Pucciarelli	Williams, J. D.
Deal	Lashinger	Punt	Wilson
Dietz	Laughlin	Rappaport	Wogan
Dininni	Lehr	Rasco	Wozniak
Dombrowski	Lescovitz	Reber	Wright, D. R.
Donatucci	Levi	Rieger	Wright, J. L.
Dorr	Levin	Ritter	Wright, R. C.
Duffy	Lewis	Rocks	
Durham	Livengood	Rybak	Ryan,
Evans	Lloyd	Salvatore	Speaker
Fargo	Lucyk	Saurman	

NAYS—1

O'Donnell

NOT VOTING—12

Barber	DeMedio	Greenfield	Pendleton
Berson	Emerson	Kolter	Richardson
Brown	Gray	Mullen	Wiggins

EXCUSED—5

Cordisco	Gruitza	Letterman	Zwikl
Fryer			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the committee of conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

REMARKS ON VOTE

The SPEAKER. For what purpose does the lady from Allegheny, Mrs. Heiser, rise?

Mrs. HEISER. Mr. Speaker, I inadvertently voted "no" and I would like to be recorded "yes" on concurrence in HB 682, PN 3760.

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

SUPPLEMENTAL CALENDAR B

RESOLUTION ADOPTED

Mr. IRVIS called up SR 234, PN 3769, entitled:

Memorializing Congress appropriate funds for Accelerated Public Works Program to upgrade bridges, roads and mass transit systems, thus reducing the high unemployment rate.

On the question,

Will the House concur in the resolution of the Senate?

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Thank you, Mr. Speaker.

We have read the resolution, find no objection to it, and urge that the House do concur.

On the question recurring,

Will the House concur in the resolution of the Senate?

The following roll call was recorded:

YEAS—176

Alden	Fee	McIntyre	Saurman
Anderson	Fischer	McMonagle	Serafini
Armstrong	Fleck	McVerry	Seventy
Arty	Foster, W. W.	Mackowski	Showers
Belardi	Foster, Jr., A.	Madigan	Shupnik
Belfanti	Frazier	Maiale	Sieminski
Beloff	Freind	Manderino	Sirianni
Bittle	Gallagher	Manmiller	Smith, B.
Blaum	Gallen	Marmion	Smith, E. H.
Bowser	Gamble	Merry	Smith, L. E.
Boyes	Gannon	Michlovic	Snyder
Brandt	Geist	Micozzie	Spencer
Burd	George	Miller	Spitz
Burns	Grabowski	Miscevich	Stairs
Caltagirone	Greenwood	Moehlmann	Steighner
Cappabianca	Grieco	Morris	Stevens
Cawley	Gruppo	Mowery	Stewart
Cessar	Hagarty	Mrkonic	Stuban
Cimini	Haluska	Murphy	Swaim
Civera	Harper	Nahill	Sweet
Clark	Hasay	Noye	Swift
Clymer	Hayes	O'Donnell	Taddonio
Cochran	Heiser	Olasz	Taylor, E. Z.
Cohen	Hoeffel	Oliver	Taylor, F. E.
Colafella	Honaman	Pendleton	Telek
Cole	Horgos	Perzel	Tigue
Cornell	Hutchinson, A.	Peterson	Trello
Coslett	Iris	Petrarca	Van Horne
Cowell	Itkin	Petrone	Vroon
Cunningham	Jackson	Phillips	Wachob
DeVerter	Johnson	Piccola	Wambach

DeWeese	Kennedy	Pievsky	Wargo
Daikeler	Klingaman	Pistella	Wass
Davies	Kowalyszyn	Pitts	Wenger
Dawida	Kukovich	Pott	Weston
Deal	Lashingner	Pratt	Wilson
Dietz	Laughlin	Punt	Wogan
Dininni	Lehr	Rappaport	Wozniak
Dombrowski	Lescovitz	Rasco	Wright, D. R.
Donatucci	Levi	Reber	Wright, J. L.
Dorr	Levin	Ritter	Wright, R. C.
Duffy	Livengood	Rocks	
Durham	Lloyd	Rybak	Ryan,
Evans	Lucyk	Salvatore	Speaker
Fargo	McClatchy		

NAYS—0

NOT VOTING—18

Barber	Emerson	Lewis	Rieger
Berson	Gladeck	Mullen	Wiggins
Borski	Gray	Pucciarelli	Williams, H.
Brown	Greenfield	Richardson	Williams, J. D.
DeMedio	Kolter		

EXCUSED—5

Cordisco	Gruitza	Letterman	Zwilk
Fryer			

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

Ordered, That the clerk inform the Senate accordingly.

SB 685 RECONSIDERED

The SPEAKER. The Chair recognizes the majority whip, who moves that the vote by which the Conference Report on SB 685 was defeated on the 30th day of November be reconsidered. The motion of the gentleman is seconded by the gentleman from Berks, Mr. Davies.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—169

Alden	Fee	Lucyk	Showers
Anderson	Fischer	McClatchy	Shupnik
Armstrong	Fleck	McIntyre	Sieminski
Arty	Foster, W. W.	McMonagle	Sirianni
Belardi	Foster, Jr., A.	McVerry	Smith, B.
Belfanti	Frazier	Mackowski	Smith, E. H.
Beloff	Freind	Madigan	Smith, L. E.
Bittle	Gallagher	Maiale	Snyder
Blaum	Gallen	Manderino	Spencer
Bowser	Gamble	Manmiller	Spitz
Boyes	Gannon	Marmion	Stairs
Brandt	Geist	Merry	Steighner
Burd	George	Micozzie	Stevens
Burns	Gladeck	Miller	Stewart
Caltagirone	Grabowski	Miscevich	Stuban
Cappabianca	Greenwood	Moehlmann	Swaim
Cawley	Grieco	Mowery	Sweet
Cessar	Gruppo	Mrkonic	Swift
Cimini	Hagarty	Nahill	Taddonio
Civera	Haluska	Noye	Taylor, E. Z.
Clark	Harper	O'Donnell	Taylor, F. E.
Clymer	Hasay	Olasz	Telek
Cochran	Hayes	Perzel	Tigue
Cohen	Heiser	Peterson	Trello
Colafella	Hoeffel	Petrarca	Van Horne
Cole	Honaman	Phillips	Vroon
Cornell	Horgos	Piccola	Wachob
Coslett	Irvis	Pievsky	Wambach

Cowell	Itkin	Pistella	Wargo
Cunningham	Jackson	Pitts	Wass
DeVerter	Johnson	Pott	Wenger
Daikeler	Kennedy	Pratt	Weston
Davies	Klingaman	Pucciarelli	Williams, H.
Dawida	Kowalyszyn	Punt	Wilson
Deal	Lashingner	Rappaport	Wogan
Dietz	Laughlin	Rasco	Wozniak
Dininni	Lehr	Reber	Wright, D. R.
Dombrowski	Lescovitz	Rocks	Wright, J. L.
Donatucci	Levi	Rybak	Wright, R. C.
Dorr	Levin	Salvatore	
Duffy	Lewis	Saurman	Ryan,
Durham	Livengood	Serafini	Speaker
Fargo	Lloyd	Seventy	

NAYS—9

DeWeese	Morris	Oliver	Petrone
Kukovich	Murphy	Pendleton	Ritter
Michlovic			

NOT VOTING—16

Barber	DeMedio	Greenfield	Richardson
Berson	Emerson	Hutchinson, A.	Rieger
Borski	Evans	Kolter	Wiggins
Brown	Gray	Mullen	Williams, J. D.

EXCUSED—5

Cordisco	Gruitza	Letterman	Zwilk
Fryer			

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

On the question recurring,

Will the House adopt the report of the committee of conference?

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

YEAS—100

Alden	Fleck	McVerry	Sieminski
Anderson	Foster, W. W.	Mackowski	Sirianni
Armstrong	Foster, Jr., A.	Madigan	Smith, B.
Arty	Frazier	Manmiller	Smith, E. H.
Belardi	Freind	Marmion	Smith, L. E.
Bittle	Gallen	Merry	Snyder
Bowser	Gannon	Michlovic	Spencer
Boyes	Geist	Micozzie	Spitz
Brandt	Gladeck	Miller	Stairs
Burd	Greenwood	Moehlmann	Stevens
Burns	Grieco	Mowery	Swift
Cessar	Gruppo	Nahill	Taddonio
Cimini	Hagarty	Noye	Taylor, E. Z.
Civera	Hasay	Perzel	Telek
Clymer	Hayes	Peterson	Vroon
Cochran	Heiser	Phillips	Wass
Cornell	Honaman	Piccola	Wenger
Coslett	Jackson	Pitts	Weston
Cunningham	Johnson	Pott	Wilson
DeVerter	Kennedy	Punt	Wogan
Davies	Klingaman	Rasco	Wright, J. L.
Dietz	Lashingner	Reber	Wright, R. C.
Dininni	Lehr	Salvatore	
Dorr	Levi	Saurman	Ryan,
Fargo	Lewis	Serafini	Speaker
Fischer	McClatchy		

NAYS—82

Belfanti	Gallagher	McMonagle	Rybak
Beloff	Gamble	Maiale	Seventy
Blaum	George	Manderino	Showers
Borski	Grabowski	Miscevich	Shupnik
Caltagirone	Greenfield	Morris	Steighner
Cappabianca	Haluska	Mrkonic	Stewart

Cawley	Harper	Murphy	Stuban
Clark	Hoeffel	O'Donnell	Swaim
Cohen	Horgos	Olasz	Sweet
Colafella	Hutchinson, A.	Oliver	Taylor, F. E.
Cole	Irvis	Pendleton	Tigue
Cowell	Itkin	Petrarca	Trello
DeWeese	Kowalyszyn	Petrone	Van Horne
Daikeler	Kukovich	Pievsky	Wachob
Dawida	Laughlin	Pistella	Wambach
Deal	Lescovitz	Pratt	Wargo
Dombrowski	Levin	Pucciarelli	Williams, H.
Donatucci	Livengood	Rieger	Williams, J. D.
Duffy	Lloyd	Ritter	Wozniak
Durham	Lucyk	Rocks	Wright, D. R.
Fee	McIntyre		

NOT VOTING—12

Barber	DeMedio	Gray	Rappaport
Berson	Emerson	Kolter	Richardson
Brown	Evans	Mullen	Wiggins

EXCUSED—5

Cordisco	Gruitza	Letterman	Zwinkl
Fryer			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the committee of conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

POINT OF ORDER

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

Mr. LLOYD. A point of order, Mr. Speaker.

The SPEAKER. The gentleman will state his point of order.

Mr. LLOYD. Mr. Speaker, I believe that the gentleman, Mr. Michlovic's vote was changed when he was not pushing on his button, Mr. Speaker.

The SPEAKER. Whose vote?

Mr. LLOYD. The gentleman, Mr. Michlovic's vote, which was changed from a red to a green, I believe changed without his pushing his button, Mr. Speaker.

The SPEAKER. The gentleman is not suggesting the Chair walked down there and changed the gentleman's vote?

Mr. LLOYD. No, Mr. Speaker, I am not. Perhaps something on his desk nudged against it, but, Mr. Speaker, I do not believe he intentionally changed it.

The SPEAKER. Will the gentleman yield.

The vote has been announced. There is a reconsideration motion before the House. Relax.

SB 685 RECONSIDERED

The SPEAKER. The Chair recognizes the gentleman from Greene, Mr. DeWeese, who moves that the vote by which the Conference Report on SB 685 was passed on the 30th day of November 1982 be reconsidered. The motion is seconded by the gentleman from Somerset, Mr. Lloyd.

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

The following roll call was recorded:

YEAS—167

Alden	Fischer	McClatchy	Salvatore
Anderson	Fleck	McIntyre	Saurman
Armstrong	Foster, W. W.	McMonagle	Serafini
Arty	Foster, Jr., A.	McVerry	Seventy
Belardi	Frazier	Mackowski	Showers
Belfanti	Freind	Madigan	Shupnik
Beloff	Gallagher	Maiale	Sieminski
Bittle	Gallen	Manderino	Smith, B.
Blaum	Gamble	Manmiller	Smith, E. H.
Borski	Gannon	Merry	Smith, L. E.
Bowser	Geist	Michlovic	Snyder
Boyes	George	Micozzie	Spencer
Burd	Gladeck	Miller	Spitz
Burns	Grabowski	Miscevich	Stairs
Caltagirone	Greenfield	Moehlmann	Steighner
Cappabianca	Grieco	Mowery	Stevens
Cawley	Gruppo	Mrkonic	Stewart
Cessar	Hagarty	Murphy	Stuban
Cimini	Haluska	Nahill	Swaim
Civera	Harper	O'Donnell	Swift
Clark	Hasay	Olasz	Taddonio
Clymer	Heiser	Oliver	Taylor, E. Z.
Cochran	Hoeffel	Pendleton	Taylor, F. E.
Cohen	Horgos	Perzel	Telek
Colafella	Hutchinson, A.	Peterson	Tigue
Cole	Irvis	Petrarca	Trello
Cornell	Itkin	Petrone	Van Horne
Coslett	Jackson	Phillips	Vroon
Cowell	Johnson	Pievsky	Wambach
Cunningham	Kennedy	Pistella	Wargo
DeVerter	Kowalyszyn	Pitts	Wass
Daikeler	Kukovich	Pott	Wenger
Davies	Lashingier	Pratt	Weston
Dawida	Laughlin	Pucciarelli	Williams, H.
Deal	Lehr	Punt	Williams, J. D.
Dietz	Lescovitz	Rappaport	Wogan
Dininni	Levi	Rasco	Wozniak
Dombrowski	Levin	Reber	Wright, D. R.
Donatucci	Lewis	Rieger	Wright, R. C.
Duffy	Livengood	Ritter	
Durham	Lloyd	Rocks	Ryan,
Fargo	Lucyk	Rybak	Speaker
Fee			

NAYS—11

Brandt	Hayes	Marmion	Sirianni
Dorr	Honaman	Noye	Wright, J. L.
Greenwood	Klingaman	Piccola	

NOT VOTING—16

Barber	DeWeese	Kolter	Sweet
Berson	Emerson	Morris	Wachob
Brown	Evans	Mullen	Wiggins
DeMedio	Gray	Richardson	Wilson

EXCUSED—5

Cordisco	Gruitza	Letterman	Zwinkl
Fryer			

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

On the question recurring,

Will the House adopt the report of the committee of conference?

PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the lady from Susquehanna, Miss Sirianni, rise?

Miss SIRIANNI. To ask the Speaker a question.

The SPEAKER. A parliamentary question?

Miss SIRIANNI. Yes, Mr. Speaker.

The SPEAKER. The lady is in order.

Miss SIRIANNI. Why were we not advised that the CNI (corporate net income) was put into HB 682?

I would like to move to reconsider the vote on HB 682.

The SPEAKER. That bill is no longer in the possession of the House.

Miss SIRIANNI. I am very disappointed in the leadership in the Republican Party.

CONSIDERATION OF SB 685 CONTINUED

On the question recurring,

Will the House adopt the report of the committee of conference?

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

YEAS—98

Alden	Fischer	Lewis	Serafini
Anderson	Fleck	McClatchy	Sieminski
Armstrong	Foster, W. W.	McVerry	Smith, B.
Arty	Foster, Jr., A.	Mackowski	Smith, E. H.
Belardi	Frazier	Madigan	Smith, L. E.
Bittle	Freind	Manmiller	Snyder
Bowser	Gallen	Marmion	Spencer
Boyes	Gannon	Merry	Spitz
Brandt	Geist	Micozzie	Stairs
Burd	Gladeck	Miller	Stevens
Burns	Greenwood	Moehlmann	Swift
Cessar	Grieco	Mowery	Taddonio
Cimini	Gruppo	Nahill	Taylor, E. Z.
Civera	Hagarty	Noye	Telek
Clymer	Hasay	Perzel	Vroon
Cochran	Hayes	Peterson	Wass
Cornell	Heiser	Phillips	Wenger
Coslett	Honaman	Piccola	Weston
Cunningham	Jackson	Pitts	Wilson
DeVerter	Johnson	Pott	Wogan
Davies	Kennedy	Punt	Wright, J. L.
Dietz	Klingaman	Rasco	Wright, R. C.
Dininni	Lashingner	Reber	
Dorr	Lehr	Salvatore	Ryan,
Fargo	Levi	Saurman	Speaker

NAYS—84

Belfanti	Gallagher	McMonagle	Rocks
Beloff	Gamble	Maiale	Rybak
Blaum	George	Manderino	Seventy
Borski	Grabowski	Michlovic	Showers
Caltagirone	Greenfield	Miscevich	Shupnik
Cappabianca	Haluska	Morris	Sirianni
Cawley	Harper	Mrkonic	Steighner
Clark	Hoefel	Murphy	Stewart
Cohen	Horgos	O'Donnell	Suban
Colafella	Hutchinson, A.	Olasz	Swaim
Cole	Irvis	Oliver	Sweet
Cowell	Itkin	Pendleton	Taylor, F. E.
DeWeese	Kowalshyn	Petrarca	Tigue
Daikeler	Kukovich	Petrone	Trello
Dawida	Laughlin	Pievsky	Van Horne
Deal	Lescovitz	Pistella	Wachob
Dombrowski	Levin	Pratt	Wambach
Donatucci	Livengood	Pucciarelli	Wargo

Duffy	Lloyd	Rappaport	Williams, H.
Durham	Lucyk	Rieger	Williams, J. D.
Fee	McIntyre	Ritter	Wright, D. R.

NOT VOTING—12

Barber	DeMedio	Gray	Richardson
Berson	Emerson	Kolter	Wiggins
Brown	Evans	Mullen	Wozniak

EXCUSED—5

Cordisco	Gruitza	Letterman	Zwilk
Fryer			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the report of the committee of conference was not adopted.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader, who moves that the rules of the House be suspended, the motion being seconded by the gentleman, Mr. Irvis, to permit the House to consider a series of resolutions with respect to the members who will not be back next year.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—180

Alden	Fischer	McMonagle	Saurman
Anderson	Fleck	McVerry	Serafini
Armstrong	Foster, W. W.	Mackowski	Seventy
Arty	Foster, Jr., A.	Madigan	Showers
Belardi	Frazier	Maiale	Shupnik
Belfanti	Freind	Manderino	Sieminski
Beloff	Gallagher	Manmiller	Sirianni
Bittle	Gallen	Marmion	Smith, B.
Blaum	Gamble	Merry	Smith, E. H.
Borski	Gannon	Michlovic	Smith, L. E.
Bowser	Geist	Micozzie	Snyder
Boyes	George	Miller	Spencer
Brandt	Gladeck	Miscevich	Spitz
Burd	Grabowski	Moehlmann	Stairs
Burns	Greenfield	Morris	Steighner
Caltagirone	Greenwood	Mowery	Stevens
Cappabianca	Grieco	Mrkonic	Stewart
Cawley	Hagarty	Murphy	Suban
Cessar	Haluska	Nahill	Swaim
Cimini	Harper	Noye	Sweet
Civera	Hasay	O'Donnell	Swift
Clark	Hayes	Olasz	Taddonio
Clymer	Heiser	Oliver	Taylor, E. Z.
Cochran	Hoefel	Pendleton	Taylor, F. E.
Cohen	Honaman	Perzel	Telek
Colafella	Horgos	Peterson	Tigue
Cole	Hutchinson, A.	Petrarca	Trello
Cornell	Irvis	Petrone	Van Horne
Coslett	Itkin	Phillips	Vroon
Cowell	Jackson	Piccola	Wachob
Cunningham	Johnson	Pievsky	Wambach
DeVerter	Kennedy	Pistella	Wargo
DeWeese	Klingaman	Pitts	Wass
Daikeler	Kowalshyn	Pott	Wenger
Davies	Kukovich	Pratt	Weston
Dawida	Lashingner	Pucciarelli	Williams, H.
Deal	Laughlin	Punt	Williams, J. D.
Dietz	Lehr	Rappaport	Wogan
Dininni	Lescovitz	Rasco	Wozniak
Dombrowski	Levi	Reber	Wright, D. R.
Donatucci	Levin	Rieger	Wright, J. L.
Dorr	Livengood	Ritter	Wright, R. C.

Duffy	Lloyd	Rocks	
Durham	Lucyk	Rybak	Ryan,
Fargo	McClatchy	Salvatore	Speaker
Fee	McIntyre		

NAYS—0

NOT VOTING—14

Barber	Emerson	Kolter	Richardson
Berson	Evans	Lewis	Wiggins
Brown	Gray	Mullen	Wilson
DeMedio	Gruppo		

EXCUSED—5

Cordisco	Gruitza	Letterman	Zwilk
Fryer			

A majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

RESOLUTIONS ADOPTED

The SPEAKER. The Chair recognizes the majority and minority leaders, who offer the following resolutions.

The following resolutions were read:

In the House of Representatives,

WHEREAS, John Alden, has served this House well for two sessions; and

WHEREAS, Representative Alden will be retiring from service with this legislative body on November 30, 1982 after having distinguished himself as a member of the General Assembly of the Commonwealth of Pennsylvania; therefore be it

RESOLVED, That this House of Representatives of the General Assembly of the Commonwealth of Pennsylvania extends its heartfelt appreciation to Representative Alden for his dedicated service to his constituents, all the citizens of this Commonwealth, this distinguished body and wishes him continued success in his future endeavors; and be it further

RESOLVED, That a copy of this resolution be delivered to Representative John Alden, 2 Forest Road, Wayne, Pennsylvania.

Matthew J. Ryan
Samuel E. Hayes, Jr.
K. Leroy Irvis

In the House of Representatives,

WHEREAS, John Hope Anderson, has served this House well for eleven sessions; and

WHEREAS, Representative Anderson will be retiring from service with this legislative body on November 30, 1982 after having distinguished himself as a member of the General Assembly of the Commonwealth of Pennsylvania; therefore be it

RESOLVED, That this House of Representatives of the General Assembly of the Commonwealth of Pennsylvania extends its heartfelt appreciation to Representative Anderson for his dedicated service to his constituents, all the citizens of this Commonwealth, this distinguished body and wishes him continued success in his future endeavors; and be it further

RESOLVED, That a copy of this resolution be delivered to Representative John Hope Anderson, New Park, Pennsylvania.

Matthew J. Ryan
Samuel E. Hayes, Jr.
K. Leroy Irvis

In the House of Representatives,

WHEREAS, Norman S. Berson, has served this House well for eight sessions; and

WHEREAS, Representative Berson will be retiring from service with this legislative body on November 30, 1982 after having distinguished himself as a member of the General Assembly of the Commonwealth of Pennsylvania; therefore be it

RESOLVED, That this House of Representatives of the General Assembly of the Commonwealth of Pennsylvania extends its heartfelt appreciation to Representative Berson for his dedicated service to his constituents, all the citizens of this Commonwealth, this distinguished body and wishes him continued success in his future endeavors; and be it further

RESOLVED, That a copy of this resolution be delivered to Representative Norman S. Berson, 2421 Spruce Street, Philadelphia, Pennsylvania.

Matthew J. Ryan
Samuel E. Hayes, Jr.
K. Leroy Irvis

In the House of Representatives,

WHEREAS, Robert A. Borski, has served this House well for three sessions; and

WHEREAS, Representative Borski will be retiring from service with this legislative body on November 30, 1982 after having distinguished himself as a member of the General Assembly of the Commonwealth of Pennsylvania; therefore be it

RESOLVED, That this House of Representatives of the General Assembly of the Commonwealth of Pennsylvania extends its heartfelt appreciation to Representative Borski for his dedicated service to his constituents, all the citizens of this Commonwealth, this distinguished body and wishes him continued success in his future endeavors; and be it further

RESOLVED, That a copy of this resolution be delivered to Representative Robert A. Borski, 3545 Emerald Street, Philadelphia, Pennsylvania.

Matthew J. Ryan
Samuel E. Hayes, Jr.
K. Leroy Irvis

In the House of Representatives,

WHEREAS, Harold L. Brown, has served this House well for three sessions; and

WHEREAS, Representative Brown will be retiring from service with this legislative body on November 30, 1982 after having distinguished himself as a member of the General Assembly of the Commonwealth of Pennsylvania; therefore be it

RESOLVED, That this House of Representatives of the General Assembly of the Commonwealth of Pennsylvania extends its heartfelt appreciation to Representative Brown for his dedicated service to his constituents, all the citizens of this Commonwealth, this distinguished body and wishes him continued success in his future endeavors; and be it further

RESOLVED, That a copy of this resolution be delivered to Representative Harold L. Brown, 1220 Linden Street, Reading, Pennsylvania.

Matthew J. Ryan
Samuel E. Hayes, Jr.
K. Leroy Irvis

In the House of Representatives,

WHEREAS, Harry Young Cochran, has served this House well for two sessions; and

WHEREAS, Representative Cochran will be retiring from service with this legislative body on November 30, 1982 after having distinguished himself as a member of the General Assembly of the Commonwealth of Pennsylvania; therefore be it

RESOLVED, That this House of Representatives of the General Assembly of the Commonwealth of Pennsylvania

extends its heartfelt appreciation to Representative Cochran for his dedicated service to his constituents, all the citizens of this Commonwealth, this distinguished body and wishes him continued success in his future endeavors; and be it further

RESOLVED, That a copy of this resolution be delivered to Representative Harry Young Cochran, 503 Vine Street, Connellsville, Pennsylvania.

Matthew J. Ryan
Samuel E. Hayes, Jr.
K. Leroy Irvis

In the House of Representatives,

WHEREAS, Gregg L. Cunningham, has served this House well for two sessions; and

WHEREAS, Representative Cunningham will be retiring from service with this legislative body on November 30, 1982 after having distinguished himself as a member of the General Assembly of the Commonwealth of Pennsylvania; therefore be it

RESOLVED, That this House of Representatives of the General Assembly of the Commonwealth of Pennsylvania extends its heartfelt appreciation to Representative Cunningham for his dedicated service to his constituents, all the citizens of this Commonwealth, this distinguished body and wishes him continued success in his future endeavors; and be it further

RESOLVED, That a copy of this resolution be delivered to Representative Gregg L. Cunningham, 1313 North Atherton, State College, Pennsylvania.

Matthew J. Ryan
Samuel E. Hayes, Jr.
K. Leroy Irvis

In the House of Representatives,

WHEREAS, Bert C. Daikeler, has served this House well for one session; and

WHEREAS, Representative Daikeler will be retiring from service with this legislative body on November 30, 1982 after having distinguished himself as a member of the General Assembly of the Commonwealth of Pennsylvania; therefore be it

RESOLVED, That this House of Representatives of the General Assembly of the Commonwealth of Pennsylvania extends its heartfelt appreciation to Representative Daikeler for his dedicated service to his constituents, all the citizens of this Commonwealth, this distinguished body and wishes him continued success in his future endeavors; and be it further

RESOLVED, That a copy of this resolution be delivered to Representative Bert C. Daikeler, 1237 Stump Road, North Wales, Pennsylvania.

Matthew J. Ryan
Samuel E. Hayes, Jr.
K. Leroy Irvis

In the House of Representatives,

WHEREAS, A. J. DeMedio, has served this House well for eight sessions; and

WHEREAS, Representative DeMedio will be retiring from service with this legislative body on November 30, 1982 after having distinguished himself as a member of the General Assembly of the Commonwealth of Pennsylvania; therefore be it

RESOLVED, That this House of Representatives of the General Assembly of the Commonwealth of Pennsylvania extends its heartfelt appreciation to Representative DeMedio for his dedicated service to his constituents, all the citizens of this Commonwealth, this distinguished body and wishes him continued success in his future endeavors; and be it further

RESOLVED, That a copy of this resolution be delivered to Representative A. J. DeMedio, 309 West 12th Street, Donora, Pennsylvania.

Matthew J. Ryan
Samuel E. Hayes, Jr.
K. Leroy Irvis

In the House of Representatives,

WHEREAS, Junius M. Emerson, has served this House well for three sessions; and

WHEREAS, Representative Emerson will be retiring from service with this legislative body on November 30, 1982 after having distinguished himself as a member of the General Assembly of the Commonwealth of Pennsylvania; therefore be it

RESOLVED, That this House of Representatives of the General Assembly of the Commonwealth of Pennsylvania extends its heartfelt appreciation to Representative Emerson for his dedicated service to his constituents, all the citizens of this Commonwealth, this distinguished body and wishes him continued success in his future endeavors; and be it further

RESOLVED, That a copy of this resolution be delivered to Representative Junius M. Emerson, 2603 North Corlies Street, Philadelphia, Pennsylvania.

Matthew J. Ryan
Samuel E. Hayes, Jr.
K. Leroy Irvis

In the House of Representatives,

WHEREAS, Daniel R. Fleck, has served this House well for one session; and

WHEREAS, Representative Fleck will be retiring from service with this legislative body on November 30, 1982 after having distinguished himself as a member of the General Assembly of the Commonwealth of Pennsylvania; therefore be it

RESOLVED, That this House of Representatives of the General Assembly of the Commonwealth of Pennsylvania extends its heartfelt appreciation to Representative Fleck for his dedicated service to his constituents, all the citizens of this Commonwealth, this distinguished body and wishes him continued success in his future endeavors; and be it further

RESOLVED, That a copy of this resolution be delivered to Representative Daniel R. Fleck, 508 Yale Road, Pittsburgh, Pennsylvania.

Matthew J. Ryan
Samuel E. Hayes, Jr.
K. Leroy Irvis

In the House of Representatives,

WHEREAS, Robert F. Frazier, has served this House well for one session; and

WHEREAS, Representative Frazier will be retiring from service with this legislative body on November 30, 1982 after having distinguished himself as a member of the General Assembly of the Commonwealth of Pennsylvania; therefore be it

RESOLVED, That this House of Representatives of the General Assembly of the Commonwealth of Pennsylvania extends its heartfelt appreciation to Representative Frazier for his dedicated service to his constituents, all the citizens of this Commonwealth, this distinguished body and wishes him continued success in his future endeavors; and be it further

RESOLVED, That a copy of this resolution be delivered to Representative Robert F. Frazier, 106-A Garden Drive, Pittsburgh, Pennsylvania.

Matthew J. Ryan
Samuel E. Hayes, Jr.
K. Leroy Irvis

In the House of Representatives,

WHEREAS, Stephen S. Grabowski, has served this House well for two sessions; and

WHEREAS, Representative Grabowski will be retiring from service with this legislative body on November 30, 1982 after having distinguished himself as a member of the General Assembly of the Commonwealth of Pennsylvania; therefore be it

RESOLVED, That this House of Representatives of the General Assembly of the Commonwealth of Pennsylvania extends its heartfelt appreciation to Representative Grabowski for his dedicated service to his constituents, all the citizens of this Commonwealth, this distinguished body and wishes him continued success in his future endeavors; and be it further

RESOLVED, That a copy of this resolution be delivered to Representative Stephen S. Grabowski, 466 42nd Street, Pittsburgh, Pennsylvania.

Matthew J. Ryan
Samuel E. Hayes, Jr.
K. Leroy Irvis

In the House of Representatives,

WHEREAS, Clifford Gray, Jr., has served this House well for three sessions; and

WHEREAS, Representative Gray will be retiring from service with this legislative body on November 30, 1982 after having distinguished himself as a member of the General Assembly of the Commonwealth of Pennsylvania; therefore be it

RESOLVED, That this House of Representatives of the General Assembly of the Commonwealth of Pennsylvania extends its heartfelt appreciation to Representative Gray for his dedicated service to his constituents, all the citizens of this Commonwealth, this distinguished body and wishes him continued success in his future endeavors; and be it further

RESOLVED, That a copy of this resolution be delivered to Representative Clifford Gray, Jr., 2114 East Dauphin Street, Philadelphia, Pennsylvania.

Matthew J. Ryan
Samuel E. Hayes, Jr.
K. Leroy Irvis

In the House of Representatives,

WHEREAS, Roland Greenfield, has served this House well for eight sessions; and

WHEREAS, Representative Greenfield will be retiring from service with this legislative body on November 30, 1982 after having distinguished himself as a member of the General Assembly of the Commonwealth of Pennsylvania; therefore be it

RESOLVED, That this House of Representatives of the General Assembly of the Commonwealth of Pennsylvania extends its heartfelt appreciation to Representative Greenfield for his dedicated service to his constituents, all the citizens of this Commonwealth, this distinguished body and wishes him continued success in his future endeavors; and be it further

RESOLVED, That a copy of this resolution be delivered to Representative Roland Greenfield, 1206 Hellerman Street, Philadelphia, Pennsylvania.

Matthew J. Ryan
Samuel E. Hayes, Jr.
K. Leroy Irvis

In the House of Representatives,

WHEREAS, Lori Heiser, has served this House well for one session; and

WHEREAS, Representative Heiser will be retiring from service with this legislative body on November 30, 1982 after having distinguished herself as a member of the General Assembly of the Commonwealth of Pennsylvania; therefore be it

RESOLVED, That this House of Representatives of the General Assembly of the Commonwealth of Pennsylvania extends its heartfelt appreciation to Representative Heiser for her dedicated service to her constituents, all the citizens of this Com-

monwealth, this distinguished body and wishes her continued success in her future endeavors; and be it further

RESOLVED, That a copy of this resolution be delivered to Representative Lori Heiser, 108 South Harleston Drive, Pittsburgh, Pennsylvania.

Matthew J. Ryan
Samuel E. Hayes, Jr.
K. Leroy Irvis

In the House of Representatives,

WHEREAS, Robert P. Horgos, has served this House well for five sessions; and

WHEREAS, Representative Horgos will be retiring from service with this legislative body on November 30, 1982 after having distinguished himself as a member of the General Assembly of the Commonwealth of Pennsylvania; therefore be it

RESOLVED, That this House of Representatives of the General Assembly of the Commonwealth of Pennsylvania extends its heartfelt appreciation to Representative Horgos for his dedicated service to his constituents, all the citizens of this Commonwealth, this distinguished body and wishes him continued success in his future endeavors; and be it further

RESOLVED, That a copy of this resolution be delivered to Representative Robert P. Horgos, 709 East Ninth Avenue, Munhall, Pennsylvania.

Matthew J. Ryan
Samuel E. Hayes, Jr.
K. Leroy Irvis

In the House of Representatives,

WHEREAS, Joseph P. Kolter, has served this House well for seven sessions; and

WHEREAS, Representative Kolter will be retiring from service with this legislative body on November 30, 1982 after having distinguished himself as a member of the General Assembly of the Commonwealth of Pennsylvania; therefore be it

RESOLVED, That this House of Representatives of the General Assembly of the Commonwealth of Pennsylvania extends its heartfelt appreciation to Representative Kolter for his dedicated service to his constituents, all the citizens of this Commonwealth, this distinguished body and wishes him continued success in his future endeavors; and be it further

RESOLVED, That a copy of this resolution be delivered to Representative Joseph P. Kolter, 2185 Mercer Road, New Brighton, Pennsylvania.

Matthew J. Ryan
Samuel E. Hayes, Jr.
K. Leroy Irvis

In the House of Representatives,

WHEREAS, Marilyn S. Lewis, has served this House well for two sessions; and

WHEREAS, Representative Lewis will be retiring from service with this legislative body on November 30, 1982 after having distinguished herself as a member of the General Assembly of the Commonwealth of Pennsylvania; therefore be it

RESOLVED, That this House of Representatives of the General Assembly of the Commonwealth of Pennsylvania extends its heartfelt appreciation to Representative Lewis for her dedicated service to her constituents, all the citizens of this Commonwealth, this distinguished body and wishes her continued success in her future endeavors; and be it further

RESOLVED, That a copy of this resolution be delivered to Representative Marilyn S. Lewis, R. D. 1, Schwenksville, Pennsylvania.

Matthew J. Ryan
Samuel E. Hayes, Jr.
K. Leroy Irvis

In the House of Representatives,

WHEREAS, Martin P. Mullen, has served this House well for fourteen sessions; and

WHEREAS, Representative Mullen will be retiring from service with this legislative body on November 30, 1982 after having distinguished himself as a member of the General Assembly of the Commonwealth of Pennsylvania; therefore be it

RESOLVED, That this House of Representatives of the General Assembly of the Commonwealth of Pennsylvania extends its heartfelt appreciation to Representative Mullen for his dedicated service to his constituents, all the citizens of this Commonwealth, this distinguished body and wishes him continued success in his future endeavors; and be it further

RESOLVED, That a copy of this resolution be delivered to Representative Martin P. Mullen, 5332 Glenmore Avenue, Philadelphia, Pennsylvania.

Matthew J. Ryan
Samuel E. Hayes, Jr.
K. Leroy Irvis

In the House of Representatives,

WHEREAS, William W. Pendleton, has served this House well for six sessions; and

WHEREAS, Representative Pendleton will be retiring from service with this legislative body on November 30, 1982 after having distinguished himself as a member of the General Assembly of the Commonwealth of Pennsylvania; therefore be it

RESOLVED, That this House of Representatives of the General Assembly of the Commonwealth of Pennsylvania extends its heartfelt appreciation to Representative Pendleton for his dedicated service to his constituents, all the citizens of this Commonwealth, this distinguished body and wishes him continued success in his future endeavors; and be it further

RESOLVED, That a copy of this resolution be delivered to Representative William W. Pendleton, 5810 Elgin Street, Pittsburgh, Pennsylvania.

Matthew J. Ryan
Samuel E. Hayes, Jr.
K. Leroy Irvis

In the House of Representatives,

WHEREAS, Nicholas A. Pucciarelli, has served this House well for two sessions; and

WHEREAS, Representative Pucciarelli will be retiring from service with this legislative body on November 30, 1982 after having distinguished himself as a member of the General Assembly of the Commonwealth of Pennsylvania; therefore be it

RESOLVED, That this House of Representatives of the General Assembly of the Commonwealth of Pennsylvania extends its heartfelt appreciation to Representative Pucciarelli for his dedicated service to his constituents, all the citizens of this Commonwealth, this distinguished body and wishes him continued success in his future endeavors; and be it further

RESOLVED, That a copy of this resolution be delivered to Representative Nicholas A. Pucciarelli, 228 North 63rd Street, Philadelphia, Pennsylvania.

Matthew J. Ryan
Samuel E. Hayes, Jr.
K. Leroy Irvis

In the House of Representatives,

WHEREAS, Albert Rasco, has served this House well for two sessions; and

WHEREAS, Representative Rasco will be retiring from service with this legislative body on November 30, 1982 after having distinguished himself as a member of the General Assembly of the Commonwealth of Pennsylvania; therefore be it

RESOLVED, That this House of Representatives of the General Assembly of the Commonwealth of Pennsylvania extends its heartfelt appreciation to Representative Rasco for his dedicated service to his constituents, all the citizens of this Commonwealth, this distinguished body and wishes him continued success in his future endeavors; and be it further

RESOLVED, That a copy of this resolution be delivered to Representative Albert Rasco, 159 Saylong Drive, Pittsburgh, Pennsylvania.

Matthew J. Ryan
Samuel E. Hayes, Jr.
K. Leroy Irvis

In the House of Representatives,

WHEREAS, James P. Ritter, has served this House well for nine sessions; and

WHEREAS, Representative Ritter will be retiring from service with this legislative body on November 30, 1982 after having distinguished himself as a member of the General Assembly of the Commonwealth of Pennsylvania; therefore be it

RESOLVED, That this House of Representatives of the General Assembly of the Commonwealth of Pennsylvania extends its heartfelt appreciation to Representative Ritter for his dedicated service to his constituents, all the citizens of this Commonwealth, this distinguished body and wishes him continued success in his future endeavors; and be it further

RESOLVED, That a copy of this resolution be delivered to Representative James P. Ritter, 542 Mohawk Street, Allentown, Pennsylvania.

Matthew J. Ryan
Samuel E. Hayes, Jr.
K. Leroy Irvis

In the House of Representatives,

WHEREAS, M. Joseph Rocks, has served this House well for two sessions; and

WHEREAS, Representative Rocks will be retiring from service with this legislative body on November 30, 1982 after having distinguished himself as a member of the General Assembly of the Commonwealth of Pennsylvania; therefore be it

RESOLVED, That this House of Representatives of the General Assembly of the Commonwealth of Pennsylvania extends its heartfelt appreciation to Representative Rocks for his dedicated service to his constituents, all the citizens of this Commonwealth, this distinguished body and wishes him continued success in his future endeavors; and be it further

RESOLVED, That a copy of this resolution be delivered to Representative M. Joseph Rocks, 940 Cathedral Road, Philadelphia, Pennsylvania.

Matthew J. Ryan
Samuel E. Hayes, Jr.
K. Leroy Irvis

In the House of Representatives,

WHEREAS, Fred J. Shupnik, has served this House well for twelve sessions; and

WHEREAS, Representative Shupnik will be retiring from service with this legislative body on November 30, 1982 after having distinguished himself as a member of the General Assembly of the Commonwealth of Pennsylvania; therefore be it

RESOLVED, That this House of Representatives of the General Assembly of the Commonwealth of Pennsylvania extends its heartfelt appreciation to Representative Shupnik for his dedicated service to his constituents, all the citizens of this Commonwealth, this distinguished body and wishes him continued success in his future endeavors; and be it further

RESOLVED, That a copy of this resolution be delivered to Representative Fred J. Shupnik, 550 Charles Street, Luzerne, Pennsylvania.

Matthew J. Ryan
Samuel E. Hayes, Jr.
K. Leroy Irvis

In the House of Representatives,

WHEREAS, Edmund J. Sieminski, has served this House well for two sessions; and

WHEREAS, Representative Sieminski will be retiring from service with this legislative body on November 30, 1982 after having distinguished himself as a member of the General Assembly of the Commonwealth of Pennsylvania; therefore be it

RESOLVED, That this House of Representatives of the General Assembly of the Commonwealth of Pennsylvania extends its heartfelt appreciation to Representative Sieminski for his dedicated service to his constituents, all the citizens of this Commonwealth, this distinguished body and wishes him continued success in his future endeavors; and be it further

RESOLVED, That a copy of this resolution be delivered to Representative Edmund J. Sieminski, 233 Reeder Street, Easton, Pennsylvania.

Matthew J. Ryan
Samuel E. Hayes, Jr.
K. Leroy Irvis

In the House of Representatives,

WHEREAS, Earl H. Smith, has served this House well for five sessions; and

WHEREAS, Representative Smith will be retiring from service with this legislative body on November 30, 1982 after having distinguished himself as a member of the General Assembly of the Commonwealth of Pennsylvania; therefore be it

RESOLVED, That this House of Representatives of the General Assembly of the Commonwealth of Pennsylvania extends its heartfelt appreciation to Representative Smith for his dedicated service to his constituents, all the citizens of this Commonwealth, this distinguished body and wishes him continued success in his future endeavors; and be it further

RESOLVED, That a copy of this resolution be delivered to Representative Earl H. Smith, R. D. 6, Box 297, Coatesville, Pennsylvania.

Matthew J. Ryan
Samuel E. Hayes, Jr.
K. Leroy Irvis

In the House of Representatives,

WHEREAS, John J. Swaim, has served this House well for one session; and

WHEREAS, Representative Swaim will be retiring from service with this legislative body on November 30, 1982 after having distinguished himself as a member of the General Assembly of the Commonwealth of Pennsylvania; therefore be it

RESOLVED, That this House of Representatives of the General Assembly of the Commonwealth of Pennsylvania extends its heartfelt appreciation to Representative Swaim for his dedicated service to his constituents, all the citizens of this Commonwealth, this distinguished body and wishes him continued success in his future endeavors; and be it further

RESOLVED, That a copy of this resolution be delivered to Representative John J. Swaim, 9320 Academy Road, Philadelphia, Pennsylvania.

Matthew J. Ryan
Samuel E. Hayes, Jr.
K. Leroy Irvis

In the House of Representatives,

WHEREAS, Lee C. Taddonio, has served this House well for five sessions; and

WHEREAS, Representative Taddonio will be retiring from service with this legislative body on November 30, 1982 after having distinguished himself as a member of the General Assembly of the Commonwealth of Pennsylvania; therefore be it

RESOLVED, That this House of Representatives of the General Assembly of the Commonwealth of Pennsylvania extends its heartfelt appreciation to Representative Taddonio for his dedicated service to his constituents, all the citizens of this Commonwealth, this distinguished body and wishes him continued success in his future endeavors; and be it further

RESOLVED, That a copy of this resolution be delivered to Representative Lee C. Taddonio, 3619 Forbes Trail Drive, Murraysville, Pennsylvania.

Matthew J. Ryan
Samuel E. Hayes, Jr.
K. Leroy Irvis

In the House of Representatives,

WHEREAS, Noah W. Wenger, has served this House well for three sessions; and

WHEREAS, Representative Wenger will be retiring from service with this legislative body on November 30, 1982 after having distinguished himself as a member of the General Assembly of the Commonwealth of Pennsylvania; therefore be it

RESOLVED, That this House of Representatives of the General Assembly of the Commonwealth of Pennsylvania extends its heartfelt appreciation to Representative Wenger for his dedicated service to his constituents, all the citizens of this Commonwealth, this distinguished body and wishes him continued success in his future endeavors; and be it further

RESOLVED, That a copy of this resolution be delivered to Representative Noah W. Wenger, R. D. 1, Stevens, Pennsylvania.

Matthew J. Ryan
Samuel E. Hayes, Jr.
K. Leroy Irvis

In the House of Representatives,

WHEREAS, Hardy Williams, has served this House well for three sessions; and

WHEREAS, Representative Williams will be retiring from service with this legislative body on November 30, 1982 after having distinguished himself as a member of the General Assembly of the Commonwealth of Pennsylvania; therefore be it

RESOLVED, That this House of Representatives of the General Assembly of the Commonwealth of Pennsylvania extends its heartfelt appreciation to Representative Williams for his dedicated service to his constituents, all the citizens of this Commonwealth, this distinguished body and wishes him continued success in his future endeavors; and be it further

RESOLVED, That a copy of this resolution be delivered to Representative Hardy Williams, 5939 Cobbs Creek Parkway, Philadelphia, Pennsylvania.

Matthew J. Ryan
Samuel E. Hayes, Jr.
K. Leroy Irvis

On the question,

Will the House adopt the resolutions?

The SPEAKER. For the benefit of the members and only as a token of the appreciation of the majority and minority leaders, the Speaker, and really every member of this House, we have before us a series of resolutions that are essentially repetitive, one of the next, telling, in effect, those members who are leaving these halls this year that we think a great deal of them. The same roll call will cover the series.

The Chair rules there is no conflict of interest for anyone to vote for himself.

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

The following roll call was recorded:

YEAS—185

Alden	Fischer	McIntyre	Saurman
Anderson	Fleck	McMonagle	Serafini
Armstrong	Foster, W. W.	McVerry	Seventy
Arty	Foster, Jr., A.	Mackowski	Showers
Belardi	Frazier	Madigan	Shupnik
Belfanti	Freind	Maiale	Sieminski
Beloff	Gallagher	Manderino	Sirianni
Berson	Gallen	Manmiller	Smith, B.
Bittle	Gamble	Marmion	Smith, E. H.
Blaum	Gannon	Merry	Smith, L. E.
Borski	Geist	Michlovic	Snyder
Bowser	George	Micozzie	Spencer
Boyes	Gladeck	Miller	Spitz
Brandt	Grabowski	Miscevich	Stairs
Burd	Greenfield	Moehlmann	Steighner
Burns	Greenwood	Morris	Stevens
Caltagirone	Grieco	Mowery	Stewart
Cappabianca	Gruppo	Mrkonic	Stuban
Cawley	Hagarty	Mullen	Swaim
Cessar	Haluska	Murphy	Sweet
Cimini	Harper	Nahill	Swift
Civera	Hasay	Noye	Taddonio
Clark	Hayes	O'Donnell	Taylor, E. Z.
Clymer	Heiser	Olasz	Taylor, F. E.
Cochran	Hoeffel	Oliver	Telek
Cohen	Honaman	Pendleton	Tigue
Colafella	Horgos	Perzel	Trello
Cole	Hutchinson, A.	Peterson	Van Horne
Cornell	Iris	Petrarca	Vroon
Coslett	Itkin	Petrone	Wachob
Cowell	Jackson	Phillips	Wambach
Cunningham	Johnson	Piccola	Wargo
DeVerter	Kennedy	Pievsky	Wass
DeWeese	Klingaman	Pistella	Wenger
Daikeler	Kowalyszyn	Pitts	Weston
Davies	Kukovich	Pott	Williams, H.
Dawida	Lashinger	Pratt	Williams, J. D.
Deal	Laughlin	Pucciarelli	Wilson
Dietz	Lehr	Punt	Wogan
Dininni	Lescovitz	Rappaport	Wozniak
Dombrowski	Levi	Rasco	Wright, D. R.
Donatucci	Levin	Reber	Wright, J. L.
Dorr	Lewis	Richardson	Wright, R. C.
Duffy	Livengood	Rieger	
Durham	Lloyd	Ritter	Ryan,
Fargo	Lucyk	Rybak	Speaker
Fee	McClatchy	Salvatore	

NAYS—0

NOT VOTING—9

Barber	Emerson	Gray	Rocks
Brown	Evans	Kolter	Wiggins
DeMedio			

EXCUSED—5

Cordisco	Gruitza	Letterman	Zwikl
Fryer			

The question was determined in the affirmative, and the resolutions were unanimously adopted.

REMARKS ON VOTE

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

Mr. ROCKS. Mr. Speaker, I would like to be recorded in the affirmative on the resolutions.

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

CONDOLENCE RESOLUTION ADOPTED

The SPEAKER. The Chair is about to take up a privileged condolence resolution.

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

Mr. STUBAN. Mr. Speaker, I offer the following privileged condolence resolution.

The following resolution was read:

HOUSE OF REPRESENTATIVES
HARRISBURG, PA.
OFFICE OF THE CHIEF CLERK
RESOLUTION

WHEREAS, William B. Curwood a former member of the Pennsylvania House of Representatives and a former Luzerne County treasurer, passed away at the age of seventy-two; and

WHEREAS, A graduate of Shickshinny High School and Wyoming Seminary Business School, Mr. Curwood was actively involved in political and civic affairs throughout his life. He served with distinction as a Pennsylvania State Representative for seven terms and dedicated twelve years of admirable service as a Luzerne County treasurer; and

WHEREAS, Mr. Curwood was a dedicated and community-minded person as evidenced by his service as a fifty-year member of the Sylvania Masonic Lodge, Shickshinny; coordinator of flood relief in Shickshinny in 1972; member of the board of directors, Wyoming National Bank; fifty-year member of the Shickshinny Fire Company; and member of Caldwell Consistory, Bloomsburg; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania notes with sadness the passing of William B. Curwood, a dedicated public servant and distinguished former member of the House; and extends its heartfelt condolences to his wife, Mary; son, William B.; daughter, Mrs. Sally Weilburg; and six grandchildren; and be it further

RESOLVED, That a copy of this resolution be delivered to Mrs. Mary Curwood, 51 North Main Street, Shickshinny, Pennsylvania.

We hereby certify that the foregoing is an exact copy of a Resolution introduced in the House of Representatives by the Honorable Ted Stuban and George C. Hasay, and unanimously adopted by the House of Representatives on the 30th day of November 1982.

Matthew J. Ryan
Speaker
ATTEST:
John J. Zubeck
Chief Clerk

On the question,
Will the House adopt the resolution?

The SPEAKER. On the question of the adoption of the resolution, those in favor will rise and remain standing as a further mark of respect for a deceased colleague.

(Members stood.)

The SPEAKER. The resolution is unanimously adopted.

For the information of the members, we are at this time awaiting the arrival of the food that was ordered. We also are awaiting the printing of a conference committee report and a supplemental calendar.

REMARKS ON VOTE

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

Mr. WOZNIAK. Thank you, Mr. Speaker.

During the reconsideration on SB 685, during all the excitement I negated my vote, and I would like to be recorded as voting in the negative.

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

REPORT OF COMMITTEE OF CONFERENCE PRESENTED

Mr. McCLATCHY presented the Report of the Committee of Conference on **HB 1649, PN 3770**.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 2663, PN 3696**; and **HB 2664, PN 3592**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

The clerk of the Senate, being introduced, informed that the Senate has adopted the Report of the Committee of Conference on the subject of the differences existing between the two Houses on **HB 2088, PN 3759**.

SENATE MESSAGE

HOUSE-AMENDED SENATE BILLS CONCURRED IN

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 254, PN 2250**; and **SB 679, PN 2254**.

BILLS SIGNED BY SPEAKER

The Chair gave notice that he was about to sign the following bills, which were then signed:

HB 682, PN 3760

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further providing for the definition of "utility realty", further providing for exclusions from taxation relating to the sale at retail of certain periodicals, the retail sale of certain buses, the imposition of certain taxes, the disclosure of certain information, the payment of taxes, excluding transfers to nature conservancies from the realty transfer tax and further providing for exclusion from the sales and use tax.

HB 2088, PN 3759

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), defining "golf course" and exempting certain privately-owned public golf courses from licensing quotas, further providing for the approval of secondary service areas, providing for trade show and convention licenses in cities of the third class, and further providing for the sale of wine by holders of a limited winery license.

HB 2622, PN 3741

An Act amending the act of July 11, 1980 (P. L. 626, No. 130), entitled "A supplement to the act of _____, entitled 'An act providing for the capital budget for the fiscal year 1979-1980,' itemizing emergency public improvement projects to be constructed by the Department of General Services together with their estimated financial cost; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects, stating the estimated useful life of the projects and making an appropriation," amending the title of the act, adding projects in the Department of General Services, deleting projects, increasing a project in the Department of Public Welfare and itemizing a furniture and equipment project for the Department of General Services.

HB 2663, PN 3696

An Act amending the act of December 23, 1981 (P. L. 583, No. 168), entitled "An act providing for reimbursement by insurance companies and others for services performed by licensed certified nurse midwives," providing for reimbursement by hospital plan corporations for birthing facilities used by midwives.

HB 2664, PN 3592

An Act amending "The Controlled Substance, Drug, Device and Cosmetic Act," approved April 14, 1972 (P. L. 233, No. 64), further providing for prohibited acts relating to certain noncontrolled substances.

SB 86, PN 2235

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," further providing for the leasing of certain lands by the Department of Transportation, transferring the responsibilities of the Pennsylvania Coordinate System to the Department of Transportation and making an appropriation.

SB 796, PN 2216

An Act amending Title 2 (Administrative Law and Procedure) of the Pennsylvania Consolidated Statutes, providing interpreters for deaf persons in administrative proceedings.

STATEMENT BY MR. GRABOWSKI

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

Mr. GRABOWSKI. Mr. Speaker, earlier in the day when there was a lull in the House's activities, you permitted certain

outgoing members to make a statement. Would I be in order to make such a statement, since I was not here before?

The SPEAKER. The gentleman is in order.

Mr. GRABOWSKI. Thank you, Mr. Speaker.

Mr. Speaker, the reason I will not be returning is because of last year's reapportionment, but nevertheless, I have no regrets, because I believe reapportionment is a necessary function of government that serves the people. Furthermore, I believe in that old saying common to elected officials that it is better to have served once than never to have served at all, and in my case I am privileged to have served twice. But it has been an experience that I will cherish, and I will cherish it because most of you were so kind to me, and serving is something that I will try to continue to do. Several weeks ago I announced that I would be running for Pittsburgh City Council, and tomorrow that campaign will begin in earnest—or perhaps Thursday, after I go out and bag a deer tomorrow, hopefully—but I want to thank all of you for the consideration and cooperation that you have given me during my 4 years. I have tried to reciprocate as often as possible.

Finally, I just want to wish all of you well, but especially I want to wish Representative Tom Murphy well, who will be my successor. If I have to relinquish control of the 20th Legislative District, I am glad it is to someone as competent and capable as Representative Murphy. Thank you.

STATEMENT BY MAJORITY WHIP

The SPEAKER. The Chair recognizes the majority whip.

Mr. CESSAR. Thank you, Mr. Speaker.

I would just like to say that we certainly do wish Mr. Grabowski well in his fight to win a seat on the city council in the city of Pittsburgh. He has been, in my opinion, coming from this side of the aisle, an outstanding member from Allegheny County, and I know with his ability and with his desire to serve the people, he will be a good representative in the city of Pittsburgh, and I certainly do wish him well in his election endeavors. Good luck, Steve.

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Geist.

Mr. GEIST. Mr. Speaker, for the record, please change my "yes" vote on the Conference Committee Report on SB 457 to a "no" vote.

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

For the information of the members, the Conference Committee Report on HB 1649 is now being distributed. Members should report to the floor of the House for the vote on this particular conference committee report. Members will please report immediately to the floor.

STATEMENT BY MR. FRAZIER

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

Mr. FRAZIER. Thank you, Mr. Speaker.

Mr. Speaker, I thought I would take the opportunity of this lull to express something that I have been wrestling with the entire day. It appears that for a certainty I shall not have the opportunity to speak here for some period of time. It is possible that I may never have the opportunity to speak here again.

I think the very first and foremost thing that is on my mind is to express my thanks to all of the individuals involved who have made this such a remarkable learning experience for me. First of all, the membership is a very balanced, I think, group cross section of this great Commonwealth. I wish to express my deepest thanks for all of the help and, generally, patience that I have received. I think that the pages and certainly my secretaries are entitled to recognition. I have received some recognition from time to time when I have spoken here, but I have noted that staff services, while I have been here, have been very outstanding, and I have wanted to note these people from time to time, and I feel like I wish to do that now.

Most of all, Mr. Speaker, I wish to express to this group my heartfelt disappointment at not being able to serve with some of them again for the next 2 years. It seems to me that that is the greatest loss, the friendship that one shares. There is almost a fraternal feeling here. I have belonged to a number of fraternities, both professional and social, and yet the shared danger that each member experiences through the democratic process and electoral process seems to weld a much tighter feeling, and it is that feeling, I suppose, that I will miss greatest of all. I have found here a stronger collection of friends than I have found in any other fraternal organization that I have ever been in.

With that, Mr. Speaker, I really have nothing further to add other than my profoundest feelings that we are engaged in an art. I remember on January 6, 1981, when I was sworn in with everyone else, that I looked around this chamber and was impressed with the tremendous eclecticism of the art which is here. I think that the definition of "art," which evokes emotion and moves us to express what society wants - that is a classical definition - is also applicable to the job, and with that, Mr. Speaker, I feel a very profound sense of honor in having been allowed to participate in this process. I think it was a highly artistic endeavor, and I feel exceptionally fortunate to have been a part of it. With that, Mr. Speaker, I thank you for your indulgence.

WELCOME

The SPEAKER. Earlier this evening Representative Taddonio gave what might be a farewell address, and he did so in the presence of two of his children, who are here with him tonight, Gwen and Gregory Taddonio.

STATEMENT BY MR. MARMION

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

Mr. MARMION. Thank you very much.

I am awfully sorry to step up at this late moment, but we have two shrinking violets in the Allegheny Caucus who were integral parts of the Republican Caucus during the past 2 years, Mrs. Lori Heiser and Dan Fleck, and I am sure both sides of the aisle will miss two very capable legislators.

**SUPPLEMENTAL CALENDAR C
REPORT OF COMMITTEE
OF CONFERENCE CONSIDERED**

Mr. HAYES called up for consideration the following Report of the Committee of Conference on **HB 1649, PN 3770**, entitled:

An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343, No. 176), further providing for the powers and duties of the Board of Finance and Revenue, clarifying certain language, making repeals and making technical changes and providing for the disposition of abandoned and unclaimed property.

On the question,

Will the House adopt the report of the committee of conference?

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

YEAS—92

Alden	Durham	Lashinger	Reber
Anderson	Fargo	Lehr	Salvatore
Armstrong	Fischer	Levi	Saurman
Arty	Fleck	McClatchy	Serafini
Belardi	Foster, W. W.	McVerry	Sieminski
Bittle	Foster, Jr., A.	Mackowski	Smith, B.
Bowser	Frazier	Madigan	Smith, E. H.
Boyes	Freind	Manmiller	Smith, L. E.
Brandt	Gallen	Marmion	Snyder
Burd	Gannon	Merry	Spencer
Burns	Geist	Micozzie	Spitz
Cessar	Grabowski	Miller	Taddonio
Cimini	Greenwood	Moehlmann	Telek
Civera	Grieco	Mowery	Wass
Clymer	Gruppo	Nahill	Wenger
Cochran	Hagarty	Noye	Weston
Cornell	Hasay	Perzel	Wilson
Coslett	Hayes	Peterson	Wogan
Cunningham	Heiser	Piccola	Wright, J. L.
DeVerter	Honaman	Pitts	Wright, R. C.
Davies	Jackson	Pott	
Dietz	Johnson	Punt	Ryan,
Dininni	Kennedy	Rasco	Speaker
Dorr	Klingaman		

NAYS—88

Belfanti	Gamble	Michlovic	Shupnik
Beloff	George	Miscevich	Sirianni
Blaum	Gladeck	Morris	Stairs
Borski	Haluska	Mrkonic	Steighner
Caltagirone	Harper	Mullen	Stevens
Cappabianca	Hoeffel	Murphy	Stewart
Cawley	Horgos	O'Donnell	Stuban
Clark	Hutchinson, A.	Olasz	Swaim
Cohen	Irvis	Oliver	Sweet
Colafiglia	Itkin	Pendleton	Swift
Cole	Kowalshyn	Petrarca	Taylor, E. Z.
Cowell	Kukovich	Petrone	Taylor, F. E.

DeWeese	Laughlin	Phillips	Tigue
Daikeler	Lescovitz	Pievsky	Trello
Dawida	Levin	Pistella	Van Horne
Deal	Lewis	Pucciarelli	Vroon
Dombrowski	Livengood	Rappaport	Wachob
Donatucci	Lloyd	Rieger	Wambach
Duffy	Lucyk	Rocks	Wargo
Evans	McIntyre	Rybak	Williams, H.
Fee	McMonagle	Seventy	Wozniak
Gallagher	Manderino	Showers	Wright, D. R.

NOT VOTING—14

Barber	Emerson	Maiale	Ritter
Berson	Gray	Pratt	Wiggins
Brown	Greenfield	Richardson	Williams, J. D.
DeMedio	Kolter		

EXCUSED—5

Cordisco	Gruitza	Letterman	Zwikl
Fryer			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the report of the committee of conference was not adopted.

RECESS

The SPEAKER. It is the understanding of the Chair that the food has arrived.

The Chair, without objection, will declare a recess until 8:30 p.m. The Chair hears no objection.

AFTER RECESS

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

SENATE MESSAGE

**HOUSE-AMENDED SENATE
BILLS CONCURRED IN**

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 1292, PN 2260**; and **SB 1533, PN 2261**.

SENATE MESSAGE

**SENATE ADOPTS REPORT OF
COMMITTEE OF CONFERENCE**

The clerk of the Senate, being introduced, informed that the Senate has adopted the Report of the Committee of Conference on the subject of the differences existing between the two Houses on **HB 1459, PN 3766**.

BILLS SIGNED BY SPEAKER

The Chair gave notice that he was about to sign the following bills, which were then signed:

HB 1459, PN 3766

An Act relating to dogs, regulating the keeping of dogs; providing the licensing of dogs and kennels; providing for the protection of dogs and the detention and destruction of dogs in certain cases; regulating the sale and transportation of dogs; declaring dogs to be personal property and the subject of theft; providing for the assessment of damages done to livestock, poultry and domestic game birds; providing for payment of damages by the Commonwealth in certain cases and the liability of the owner or keeper of dogs for such damages; imposing powers and duties on certain State and local officers and employees; providing penalties; and creating a Dog Law Restricted Account.

SB 254, PN 2250

An Act amending the act of July 28, 1953 (P. L. 723, No. 230), entitled, as amended, "Second Class County Code," providing for a hotel room rental tax in counties of the second class A, providing for the manufacture and sale of electricity by counties of the second class, further providing for improvements in public parks, authorizing the establishment and maintenance of horse show rings in public parks, and making an editorial change.

SB 457, PN 2248

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, deleting a provision prohibiting the deduction of oil company franchise tax in calculating other taxes imposed by the Commonwealth and for the payment of credits, reducing the fee for the issuance of identification markers, providing for the imposition of a new axle tax on certain vehicles and further providing for windshield obstructions.

SB 679, PN 2254

An Act amending the act of August 9, 1955 (P. L. 323, No. 130), entitled "The County Code," authorizing the billing and collection of taxes in home rule municipalities.

SB 831, PN 2252

An Act providing for the adoption of capital projects related to the repair, rehabilitation or replacement of highway bridges to be financed from current revenue or by the incurring of debt and capital projects related to highway and safety improvement projects to be financed from current revenue of the Motor License Fund.

SB 939, PN 2247

An Act to further provide for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth for the fiscal year July 1, 1982 to June 30, 1983, to provide additional and supplemental appropriations from the Federal augmentation funds and the Federal Revenue Sharing Trust Fund to the Executive Department of the Commonwealth for the fiscal year July 1, 1982 to June 30, 1983 and making repeals.

**CALENDAR RESUMED
ADMINISTRATIVE RULES
REPORT NO. 8**

Mr. HAYES called up for consideration Administrative Rules Report No. 8, entitled:

In the House, November 8, 1982.

Resolved, That Administrative Rules Report No. 8 of 1982, transmitted by the Department of Transportation under the Vehicle Code (75 Pa.C.S., Sec. 101 et seq.) to the General Assembly under date of November 8, 1982 and referred to the Committee on Transportation to either approve or recommend disapproval, which is incorporated herein by reference, be disapproved.

On the question,
Will the House adopt Administrative Rules Report No. 8?

The SPEAKER. The Chair recognizes the majority leader on the question of adoption of the Administrative Rules Report No. 8.

Mr. HAYES. Thank you, Mr. Speaker.

On page 7, as you indicated, we have Administrative Rules Report No. 8. There are over 140 pages of rules and regulations which deal with the implementation of the once-a-year inspection. It was my intention to do nothing with this report, with the thought being that this session of the General Assembly would come to an end and the rules would not automatically trigger and we could take this up as one of our first orders of business in the new session. After consultation with various members of leadership in both chambers and also principal staff persons, I believe it would be best for this House of Representatives tonight to reject the administrative rules report. As I mentioned, there are over 140 pages of rules and regulations intended to implement once-a-year inspection, and we all know that there are some outstanding problems with regard to that program, and I do not believe that we should in undue haste act upon those rules favorably or by our inaction allow them to become a matter of public policy in the Commonwealth.

I believe, therefore, Mr. Speaker, regardless of what may be found in these rules, we should reject them tonight with the intention being to take these up as an early order of business in the next session if it is necessary to do so. I urge a "no" vote on Administrative Rules Report No. 8.

On the question recurring,
Will the House adopt Administrative Rules Report No. 8?

The following roll call was recorded:

YEAS—0

NAYS—184

Alden	Fischer	McMonagle	Saurman
Anderson	Fleck	McVerry	Serafini
Armstrong	Foster, W. W.	Mackowski	Seventy
Arty	Foster, Jr., A.	Madigan	Showers
Belardi	Frazier	Maiale	Shupnik
Belfanti	Freind	Manderino	Sieminski
Beloff	Gallagher	Manmiller	Sirianni
Berson	Gallen	Marmion	Smith, B.
Bittle	Gamble	Merry	Smith, E. H.
Blaum	Gannon	Michlovic	Smith, L. E.
Borski	Geist	Micozzie	Snyder
Bowser	George	Miller	Spencer
Boyes	Gladeck	Miscevich	Spitz
Brandt	Grabowski	Moehlmann	Stairs
Burd	Greenfield	Morris	Steighner
Burns	Greenwood	Mowery	Stevens
Caltagirone	Grieco	Mrkonic	Stewart
Cappabianca	Gruppo	Mullen	Stuban
Cawley	Hagarty	Murphy	Swaim
Cessar	Harper	Nahill	Sweet
Cimini	Hasay	Noye	Swift
Civera	Hayes	O'Donnell	Taddonio
Clark	Heiser	Oliver	Taylor, E. Z.
Clymer	Hoeffel	Oliver	Taylor, F. E.
Cochran	Honaman	Pendleton	Telek
Cohen	Horgos	Perzel	Tigue
Colafella	Hutchinson, A.	Peterson	Trello
Cole	Irvis	Petrarca	Van Horne
Cornell	Itkin	Petrone	Vroon
Coslett	Jackson	Phillips	Wachob

Cowell	Johnson	Piccola	Wambach
Cunningham	Kennedy	Pievsky	Wargo
DeVerter	Klingaman	Pistella	Wass
DeWeese	Kowalyshyn	Pitts	Wenger
Daikeler	Kukovich	Pott	Weston
Davies	Lashingier	Pratt	Williams, H.
Dawida	Laughlin	Pucciarelli	Williams, J. D.
Deal	Lehr	Punt	Wilson
Dietz	Lescovitz	Rappaport	Wogan
Dininni	Levi	Rasco	Wozniak
Dombrowski	Levin	Reber	Wright, D. R.
Donatucci	Lewis	Rieger	Wright, J. L.
Dorr	Livengood	Ritter	Wright, R. C.
Duffy	Lloyd	Rocks	
Durham	Lucyk	Rybak	Ryan,
Fargo	McClatchy	Salvatore	Speaker
Fee	McIntyre		

NOT VOTING—10

Barber	Emerson	Haluska	Richardson
Brown	Evans	Kolter	Wiggins
DeMedio	Gray		

EXCUSED—5

Cordisco	Gruitza	Letterman	Zwikl
Fryer			

Less than a majority of the members elected to the House having voted in the affirmative on Administrative Rules Report No. 8, the question was determined in the negative and Administrative Rules Report No. 8 was not adopted.

Ordered, That the clerk inform the Senate and His Excellency, the Governor, accordingly.

STATEMENT BY MR. RASCO

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

Mr. RASCO. Thank you, Mr. Speaker.

Since this is my last day in the House and the last night, I have a brief comment to make if you will bear with me.

It has been an honor and a privilege for me to serve in this House the last 3 years. Very few people in Pennsylvania have this opportunity, and it has been a rewarding experience to me. It was good to be a part of some of the legislation that passed through this House that was very important to the benefit of the people of Pennsylvania, and I would like to let the members of the House know that I will always cherish their help, their friendship, and their dedication to the people of Pennsylvania. Thank you, Mr. Speaker.

STATEMENT BY MR. ITKIN

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

Mr. ITKIN. Mr. Speaker, while we are waiting for more legislation to be considered, I would like at this time to say thanks to some members who are not going to be with us any longer beyond tonight. Their tragedy was something that is very common in the political process - the decennial reapportionment. In Allegheny County a tough decision was made in which incumbent members had to run against incumbent members. Consequently, it is fitting that the voters of the new district could only select between two exceptionally capable candidates.

I would like the House tonight to extend a fond farewell to those who will not be with us come next January, because their loss was our loss. Their defeat was our defeat only because we could only elect one in Allegheny County after reapportionment. I am speaking tonight about Bob Horgos, who did a fine job representing his Mon Valley district but due to reapportionment now had a district that included a portion of the city and was in contest with Mike Dawida. I know that Bob will be very well missed.

In addition, Steve Grabowski also was placed in a single-member district vying with another incumbent, Tom Murphy, from Allegheny County. Since there could only be one winner, Steve unfortunately lost, but I am told that Steve now has great aspirations to sit among the mighty on our city council. That being the case, I would like this House to give them a round of applause for their service.

And finally, one other member. His fatality was not in reapportionment; it was in a primary election - Bill Pendleton. I have gotten to know Bill Pendleton quite well in the 2 years that he has worked in the House, and I am sorry that he, too, will not be returning with us.

Mr. Speaker, I would hope that we would have this House give these fine gentlemen a round of applause and wish them well in their new ventures. Thank you very much.

REMARKS ON VOTE

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

Mr. POTT. Thank you, Mr. Speaker.

On concurrence in Senate amendments to HB 682, PN 3760, I voted in the negative. I would like my vote to be recorded in the affirmative.

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

STATEMENT BY MRS. HEISER

The SPEAKER. The Chair recognizes the lady from Allegheny, Mrs. Heiser.

Mrs. HEISER. Mr. Speaker, I, like several of the members who will not be returning, feel I would like to say goodbye to everybody. Particularly since I am the only woman who will not be returning, I felt I did have to get up and say goodbye to you. However, I do want to thank not only the Allegheny County delegation and the Republicans on our side but the Democrats on the other side of the aisle for the great experience I have had here in Harrisburg. I think as a woman, particularly coming into a chamber with 193 men, it has been really gratifying to know that I have been accepted as a colleague in this House of Representatives. I think not only the Representatives here but the staff as well, the secretaries, and the pages have not only encouraged me but also have been a great help in making these 2 years memorable for me.

I wish all of you all the luck in the next 2 years, and I shall miss all of you because I have made friends on both sides of the aisle. Thank you very much.

WELCOME

The SPEAKER. The Chair welcomes to the hall of the House a distinguished visitor, the presiding officer of the Senate, His Excellency, the Lieutenant Governor of the Commonwealth.

HB 1649 RECONSIDERED

The SPEAKER. The Chair recognizes the majority leader, who moves that the vote by which the Conference Committee Report on HB 1649, PN 3770, was defeated on the 30th day of November be reconsidered, the motion being seconded by the gentleman from York, Mr. Anderson.

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

The following roll call was recorded:

YEAS—164

Table listing names of members who voted 'YEAS' for HB 1649, including Alden, Anderson, Armstrong, Arty, Belardi, Belfanti, Beloff, Berson, Bittle, Blaum, Borski, Bowser, Boyes, Brandt, Burns, Caltagirone, Cappabianca, Cawley, Cessar, Civera, Clymer, Cochran, Cole, Cornell, Coslett, Cunningham, DeVerter, DeWeese, Daikeler, Davies, Dawida, Deal, Dietz, Dininni, Dombrowski, Dorr, Duffy, Durham, Fargo, Fee, Fischer, Fleck, Foster, W. W., Foster, Jr., A., Frazier, Freind, Gallagher, Gamble, Gannon, Geist, Gladeck, Grabowski, Greenfield, Greenwood, Grieco, Gruppo, Hagarty, Haluska, Harper, Hasay, Hayes, Hoeffel, Honaman, Horgos, Hutchinson, A., Irvis, Johnson, Kennedy, Klingaman, Kowalyszyn, Lashinger, Pitts, Laughlin, Lehr, Levi, Levin, Lewis, Livengood, Lloyd, Lucyk, McClatchy, McIntyre, McMonagle, McVerry, Mackowski, Madigan, Maiale, Manderino, Manmiller, Marmion, Merry, Michlovic, Micozzie, Miller, Misceovich, Moehlmann, Morris, Mowery, Mrkonic, Murphy, Nahill, Noye, O'Donnell, Olasz, Pendleton, Perzel, Peterson, Petrarca, Petrone, Phillips, Piccola, Pievsky, Pistella, Punt, Rappaport, Rasco, Reber, Richardson, Rieger, Rocks, Rybak, Salvatore, Saurman, Serafini, Seventy, Showers, Shupnik, Sieminski, Sirianni, Smith, B., Smith, E. H., Smith, L. E., Snyder, Spencer, Spitz, Stairs, Steighner, Stevens, Stewart, Stuban, Swift, Taddonio, Taylor, E. Z., Taylor, F. E., Telek, Tigie, Trello, Van Horne, Vroon, Wambach, Wargo, Wass, Wenger, Weston, Wilson, Wogan, Wozniak, Wright, D. R., Wright, J. L., Wright, R. C., Ryan, Speaker

NAYS—8

Table listing names of members who voted 'NAYS' for HB 1649: Cowell, Donatucci, Gallen, George, Itkin, Kukovich, Swaim, Wachob

NOT VOTING—22

Table listing names of members who did not vote for HB 1649: Barber, Brown, Burd, Cimini, Colafella, DeMedio, Emerson, Evans, Jackson, Kolter, Lescovitz, Mullen, Ritter, Sweet, Wiggins, Williams, H.

Table listing names of members who were 'EXCUSED': Clark Cohen, Gray Heiser, Oliver, Williams, J. D.

EXCUSED—5

Table listing names of members who were 'EXCUSED': Cordisco Fryer, Gruitza, Letterman, Zwilk

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

On the question recurring,

Will the House adopt the report of the committee of conference?

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I urge that the House do adopt the Committee of Conference Report on HB 1649.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. For the third time, Mr. Speaker, I advocate a negative vote.

On the question recurring,

Will the House adopt the report of the committee of conference?

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

YEAS—100

Table listing names of members who voted 'YEAS' for the constitutional amendment: Alden, Anderson, Armstrong, Arty, Belardi, Bittle, Bowser, Boyes, Brandt, Burd, Burns, Cessar, Cimini, Civera, Clymer, Cochran, Cole, Cornell, Coslett, Cunningham, DeVerter, Davies, Dietz, Dininni, Dorr, Durham, Fargo, Fischer, Fleck, Foster, W. W., Foster, Jr., A., Frazier, Freind, Gallen, Gannon, Geist, Gladeck, Grabowski, Greenwood, Grieco, Gruppo, Hagarty, Hasay, Hayes, Heiser, Honaman, Jackson, Johnson, Kennedy, Klingaman, Lashinger, Levi, McCatchy, McVerry, Mackowski, Madigan, Manmiller, Marmion, Merry, Micozzie, Miller, Moehlmann, Morris, Mowery, Nahill, Noye, Perzel, Peterson, Phillips, Piccola, Pitts, Pott, Punt, Rasco, Reber, Salvatore, Saurman, Serafini, Sieminski, Sirianni, Smith, B., Smith, E. H., Smith, L. E., Snyder, Spencer, Spitz, Stevens, Swift, Taddonio, Taylor, E. Z., Telek, Vroon, Wass, Wenger, Weston, Wilson, Wogan, Wright, J. L., Wright, R. C., Ryan, Speaker

NAYS—84

Table listing names of members who voted 'NAYS' for the constitutional amendment: Belfanti, Beloff, Blaum, Borski, Caltagirone, Cappabianca, Cawley, Clark, Cohen, Colafella, Cole, Cowell, DeWeese, Daikeler, Dawida, Deal, Dombrowski, Donatucci, Gallagher, Gamble, George, Greenfield, Haluska, Harper, Hoeffel, Horgos, Hutchinson, A., Irvis, Itkin, Kowalyszyn, Kukovich, Laughlin, Lescovitz, Levin, Lewis, Livengood, McMonagle, Maiale, Manderino, Michlovic, Misceovich, Mrkonic, Mullen, Murphy, O'Donnell, Olasz, Oliver, Pendleton, Petrarca, Petrone, Pievsky, Pistella, Pratt, Pucciarelli, Rybak, Seventy, Showers, Shupnik, Stairs, Steighner, Stewart, Stuban, Swaim, Sweet, Taylor, F. E., Tigie, Trello, Van Horne, Wachob, Wambach, Wargo, Williams, H.

Duffy	Lloyd	Rappaport	Williams, J. D.
Evans	Lucyk	Rieger	Wozniak
Fee	McIntyre	Rocks	Wright, D. R.

NOT VOTING—10

Barber	DeMedio	Kolter	Ritter
Berson	Emerson	Richardson	Wiggins
Brown	Gray		

EXCUSED—5

Cordisco	Gruitza	Letterman	Zwikl
Fryer			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the committee of conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED SENATE BILL
RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives by amending said amendments to **SB 1281, PN 2263**.

Ordered, That the clerk present the same to the House requesting concurrence.

FILMING PERMISSION GRANTED

The SPEAKER. The Chair advises the members that it now gives permission to channel 11 of Pittsburgh to do 10 minutes of silent filming, without objection. The Chair hears no objection.

SUPPLEMENTAL CALENDAR D
BILL ON CONCURRENCE
IN SENATE AMENDMENTS
TO HOUSE AMENDMENTS

The clerk of the Senate, being introduced, returned the following **SB 1281, PN 2263**, with information that the Senate has concurred in the amendments made by the House by amending said amendments in which the concurrence of the House of Representatives is requested:

An Act providing for adoption of capital projects to be financed from current revenues of the Game Fund.

On the question,

Will the House concur in Senate amendments to House amendments?

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

Mrs. TAYLOR. Mr. Speaker, I suggest that the House do concur in the Senate amendments to the House amendments to SB 1281.

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Thank you, Mr. Speaker.

The amendment which was added by the Senate to SB 1281, as amended by the House, is technical in nature. It does not change the substance of the bill in any way whatsoever. I urge that the House do concur in this Senate amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Thank you, Mr. Speaker.

I agree with the majority leader, and I, too, urge a concurrence.

On the question recurring,

Will the House concur in Senate amendments to House amendments?

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

YEAS—175

Alden	Fleck	Lucyk	Rocks
Anderson	Foster, W. W.	McClatchy	Rybak
Armstrong	Foster, Jr., A.	McIntyre	Salvatore
Arty	Frazier	McMonagle	Saurman
Belfanti	Freind	McVerry	Seventy
Beloff	Gallagher	Mackowski	Showers
Bittle	Gallen	Madigan	Sieminski
Blaum	Gamble	Maiale	Sirianni
Borski	Gannon	Manderino	Smith, B.
Bowser	Geist	Manmiller	Smith, E. H.
Boyes	George	Merry	Smith, L. E.
Brandt	Gladeck	Michlovic	Snyder
Burd	Grabowski	Micozzie	Spencer
Burns	Greenfield	Miller	Spitz
Caltagirone	Greenwood	Miscevich	Stairs
Cappabianca	Grieco	Moehlmann	Steighner
Cessar	Gruppo	Morris	Stevens
Cimini	Hagarty	Mowery	Stewart
Civera	Haluska	Mrkonic	Stuban
Clark	Harper	Mullen	Swaim
Clymer	Hasay	Murphy	Sweet
Cochran	Hayes	Nahill	Swift
Cohen	Heiser	Noye	Taddonio
Colafella	Hoefel	O'Donnell	Taylor, E. Z.
Cole	Honaman	Olasz	Taylor, F. E.
Cornell	Horgos	Oliver	Telek
Coslett	Hutchinson, A.	Pendleton	Trello
Cowell	Irvic	Perzel	Van Horne
Cunningham	Itkin	Peterson	Vroon
DeVerter	Jackson	Petrarca	Wachob
DeWeese	Johnson	Petrone	Wambach
Daikeler	Kennedy	Phillips	Wass
Davies	Klingaman	Piccola	Wenger
Dawida	Kowalyshyn	Pievsky	Weston
Deal	Kukovich	Pistella	Williams, H.
Dietz	Lashinger	Pitts	Wilson
Dininni	Laughlin	Pott	Wogan
Dombrowski	Lehr	Pratt	Wozniak
Donatucci	Lescovitz	Pucciarelli	Wright, D. R.
Dorr	Levi	Punt	Wright, J. L.
Duffy	Levin	Rappaport	Wright, R. C.
Durham	Lewis	Rasco	
Fargo	Livengood	Reber	Ryan,
Fee	Lloyd	Rieger	Speaker
Fischer			

NAYS—7

Belardi	Marmion	Shupnik	Wargo
Cawley	Serafini	Tigue	

NOT VOTING—12

Barber	DeMedio	Gray	Ritter
Berson	Emerson	Kolter	Wiggins
Brown	Evans	Richardson	Williams, J. D.

EXCUSED—5

Cordisco Gruitza Letterman Zwikl
Fryer

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.

BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, a couple housekeeping matters. On those bills which are currently on today's active calendar, commencing on page 1 through page 4 inclusive, Mr. Speaker, I move that all of these bills, without exception, be recommitted to the House Committee on State Government.

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

BILLS REMOVED FROM TABLE AND RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Following that, Mr. Speaker, I would like to remove all those bills from the table which are on today's tabled calendar and then move that these bills also be recommitted to the House Committee on State Government.

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair would remind the majority committee chairmen and/or their designee that they should deliver to the Chief Clerk of the House all bills, joint resolutions, petitions, and other papers referred to their respective committees. The committee chairmen or whoever are the custodians for the committee chairmen should return to the Chief Clerk all of the official papers remaining in their possession.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, in that we are exchanging messages between the two chambers, I think at this time we should suspend our rules so that we can stay in for a short while beyond 11 p.m. I can assure the members, Mr. Speaker, that we are not going to do silly things like some people have predicted, like moving the hands on the clock back and all that sort of intrigue. We are not doing any of that at all this evening. We do have to complete our work constitutionally.

The presiding officer has to sign bills and messages being exchanged presently between the two chambers, and I move that we do suspend our rules this evening for the purpose that I just outlined. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority leader.
Mr. IRVIS. Mr. Speaker, I completely agree with the majority leader. It is necessary to suspend the rules at this time. I support his position.

The SPEAKER. The Chair appreciates and thanks the gentleman, Mr. Irvis.

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

The following roll call was recorded:

YEAS—169

Alden	Fleck	McMonagle	Salvatore
Anderson	Foster, W. W.	McVerry	Saurman
Armstrong	Foster, Jr., A.	Mackowski	Serafini
Arty	Frazier	Madigan	Seventy
Belardi	Freind	Maiale	Showers
Bittle	Gallagher	Manderino	Shupnik
Blaum	Gallen	Manmiller	Sieminski
Borski	Gamble	Marmion	Sirianni
Bowser	Gannon	Merry	Smith, B.
Boyes	Geist	Michlovic	Smith, L. E.
Brandt	George	Micozzie	Snyder
Burd	Gladeck	Miller	Spencer
Burns	Grabowski	Miscevich	Spitz
Caltagirone	Greenwood	Moehlmann	Stairs
Cappabianca	Grieco	Morris	Stevens
Cawley	Gruppo	Mowery	Stewart
Cessar	Hagarty	Mrkonic	Stuban
Cimini	Haluska	Mullen	Swaim
Civera	Harper	Murphy	Sweet
Clark	Hasay	Nahill	Swift
Clymer	Hayes	Noye	Taddonio
Cochran	Heiser	O'Donnell	Taylor, E. Z.
Cohen	Hoeffel	Olasz	Taylor, F. E.
Colafella	Honaman	Oliver	Telek
Cole	Horgos	Pendleton	Tigue
Cornell	Hutchinson, A.	Peterson	Trello
Coslett	Irvis	Petrarca	Van Horne
Cowell	Itkin	Petrone	Vroon
Cunningham	Jackson	Phillips	Wachob
DeVerter	Johnson	Piccola	Wambach
Daikeler	Kennedy	Pievsky	Wargo
Davies	Klingaman	Pistella	Wass
Dawida	Kowalyszyn	Pitts	Wenger
Deal	Lashinger	Pott	Weston
Dietz	Laughlin	Pratt	Williams, J. D.
Dininni	Lehr	Pucciarelli	Wogan
Dombrowski	Lescovitz	Punt	Wozniak
Dorr	Levi	Rappaport	Wright, D. R.
Duffy	Lewis	Rasco	Wright, R. C.
Durham	Livengood	Reber	
Fargo	Lloyd	Rieger	Ryan,
Fee	Lucyk	Rocks	Speaker
Fischer	McClatchy	Rybak	

NAYS—8

Beloff	Kukovich	McIntyre	Steighner
DeWeese	Levin	Perzel	Wright, J. L.

NOT VOTING—17

Barber	Donatucci	Greenfield	Smith, E. H.
Belfanti	Emerson	Kolter	Wiggins
Berson	Evans	Richardson	Williams, H.
Brown	Gray	Ritter	Wilson
DeMedio			

EXCUSED—5

Cordisco Gruitza Letterman Zwikl
Fryer

A majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

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

Miss SIRIANNI. Are you sure it is safe for me to leave, or is somebody going to attach a pay raise on something?

The SPEAKER. We already did that on the last vote, Miss Sirianni.

There are five bills that must be exchanged between the House and the Senate, so I believe there is nothing left to be done other than the administrative task that really is the job of the people in front of me and the Speaker.

STATEMENT BY SPEAKER

The SPEAKER. I would like to take this opportunity, however, to thank the members of the House for giving me the opportunity to preside over this House. It is something that I looked forward to for the 18 years that I was here prior to being elected. It is something I will remember for the rest of my life, and I thank you.

Now, it would be a terrible embarrassment to have a sentimental Irishman like me cry. Thank you very much.

If I had your vote, I could keep it.

The Chair recognizes the majority leader.

Mr. HAYES. Thank you, Mr. Speaker.

Earlier I thanked the members for a good 1981-82. I also would like to thank them for a good day today. There will be no further voting on the floor of the House this evening, and I think that everyone should be given leave and return to their homes. Thank you, Mr. Speaker.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

The clerk of the Senate, being introduced, informed that the Senate has adopted the Report of the Committee of Conference on the subject of the differences existing between the two Houses on **HB 1649, PN 3770**.

BILLS SIGNED BY SPEAKER

The Chair gave notice that he was about to sign the following bills, which were then signed:

HB 1649, PN 3770

An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343, No. 176), further providing for the powers and duties of the Board of Finance and Revenue, clarifying certain language, making repeals and making technical changes and providing for the disposition of abandoned and unclaimed property.

SB 1281, PN 2263

An Act providing for adoption of capital projects to be financed from current revenues of the Game Fund.

SB 1292, PN 2260

An Act amending the act of December 22, 1981 (No. 142), entitled "Sunset Act," further providing for the powers and duties of the Leadership Committee, evaluation and review, termination of agencies, reestablishment or continuation of agencies and newly created agencies; making an editorial change; and making repeals.

SB 1533, PN 2261

An Act amending the act of June 30, 1972 (P. L. 721, No. 167), entitled "Capital Budget Act for Fiscal Year 1971-1972, Public Improvement Project Itemization Supplement - The General State Authority," further providing for two projects at the Western Psychiatric Institute and Clinic of the University of Pittsburgh and providing for a project at Westmoreland County Community College and a project in the Borough of Danville.

SENATE MESSAGE

HOUSE-AMENDED SENATE BILL CONCURRED IN

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 849, PN 2232**.

BILLS SIGNED BY SPEAKER

The Chair gave notice that he was about to sign the following bills, which were then signed:

SB 849, PN 2232

An Act amending the act of January 19, 1968 (1967 P. L. 996, No. 443), entitled "An act authorizing the creation of indebtedness of five hundred million dollars for the conservation and reclamation of land and water resources; defining the powers and duties of certain offices, agencies and political subdivisions; providing for the allotment of proceeds hereunder including Commonwealth grants; prescribing standards and making appropriations," granting the Secretary of Environmental Resources the right to enter certain premises for the purpose of conserving and reclaiming land and water resources; providing for the liens upon such land; providing for the promulgation of rules and regulations and providing for rights of recovery for abatement of emergency conditions; establishing an account to receive and disburse Federal funds; and reappropriating lapsed funds.

SB 1487, PN 2193

An Act amending the act of August 23, 1967 (P. L. 251, No. 102), entitled, as amended, "Industrial and Commercial Development Authority Law," expanding the scope of the act to include facilities for the confinement or correction of prisoners and providing for applicable elected representatives.

RECESS

The SPEAKER. For the information of the House, we are awaiting the action of the Senate on **HB 1885**. It is the Chair's understanding that the Senate has recessed for a 15-minute caucus, and accordingly, without objection, we will recess until 11:25. Without objection, this House is in recess. The Chair hears none.

AFTER RECESS

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

COMMUNICATION FROM JOINT COMMITTEE ON LEGAL SERVICES

The SPEAKER. The Chair acknowledges receipt from the Honorable Philip Price, Jr., chairman of the Joint Committee on Legal Services, of a report dated November 30, 1982, to the Speaker of the House, which will be made part of the record.

The following communication was read:

Senate of Pennsylvania
November 30, 1982

The Honorable Matthew J. Ryan
Speaker of the House of
Representatives
139 Main Capitol Building
Harrisburg, PA 17120

Dear Mr. Ryan:

Attached you will find a copy of the Final Report of The Joint Committee on Legal Services pursuant to Senate Resolution No. 231.

I would appreciate if you would present this report to the House at today's session.

Many thanks.

Sincerely,
Philip Price, Jr.
Chairman

PP/saj

(Copy of report is on file with the Journal clerk.)

ADJOURNMENT

The SPEAKER. The Chair recognizes the majority leader.
Mr. HAYES. Mr. Speaker, I move that this House do now adjourn.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 11:27 p.m., e.s.t., the House adjourned.

* * *

After the adjournment of the House, the following documents were received from the Governor and are herewith made a part of the House Journal:

COMMUNICATIONS FROM GOVERNOR**BILLS SIGNED BY GOVERNOR**

The Secretary to the Governor presented the following communications from His Excellency, the Governor:

APPROVAL OF HBs Nos. 27, 50, 103, 118, 521, 675, 682, 865, 950, 1079, 1126, 1193, 1194, 1207, 1276, 1277, 1349, 1458, 1459, 1532, 1533, 1534, 1535, 1537, 1578, 1595, 1647,

1649, 1656, 1804, 1886, 1900, 1901, 1902, 1903, 1905, 1908, 1909, 1912, 1914, 1916, 1917, 1918, 2000, 2046, 2073, 2087, 2088, 2127, 2241, 2263, 2264, 2304, 2333, 2343, 2344, 2347, 2386, 2420, 2483, 2519, 2520, 2522, 2533, 2534, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2577, 2603, 2611, 2622, 2623, 2644, 2663, and 2664.

COMMUNICATION FROM GOVERNOR**BILL, WITH EXCEPTIONS, SIGNED BY GOVERNOR**

The Secretary to the Governor presented the following communication from His Excellency, the Governor:

APPROVAL OF HB No. 1738.

COMMUNICATION FROM GOVERNOR**VETO OF HB 178**

The Secretary to the Governor presented the following communication from His Excellency, the Governor:

VETO OF HB No. 178.