COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

THURSDAY, MAY 31, 1979

Session of 1979 | 163rd of the General Assembly | Vol. 1, No. 36

HOUSE OF REPRESENTATIVES

The House convened at 10 a.m., e.d.t.

THE SPEAKER (H. JACK SELTZER) IN THE CHAIR

PRAYER

THE HONORABLE FRANK J. PISTELLA, member of the House of Representatives and guest chaplain, offered the following prayer:

Dear God, today we stand before You to ask You for three things; patience, wisdom and understanding. We ask for patience so that we may listen to the debate of our colleagues and weigh their words. We ask for wisdom so that when we vote, our yeas may be yeas and our nays may be nays. We ask most of all for understanding so that all of our frustrations will be little ones. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunicated by the members.)

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Wednesday, May 30, 1979, will be postponed until printed. The Chair hears none.

HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEES

No. 1409 By Mr. PERZEL

An Act authorizing the Commonwealth to impose license requirements on all street sellers in cities of the first class; establishing a license fee; imposing additional powers and duties on the Department of Revenue; fixing a penalty and making an appropriation.

Referred to Committee on Urban Affairs.

No. 1410 By Messrs. ZORD, BENNETT, FREIND, MANMILLER, DORR, NOYE, YAHNER, KOLTER, PICCOLA, WILT, REED, CESSAR and McVERRY

An Act establishing the State Real Estate Commission and providing for the licensing of real estate brokers and salesmen.

Referred to Committee on State Government.

No. 1411 By Mr. R. R. FISCHER

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, exempting recipients of Congressional Medal of Honor from title and registration fees.

Referred to Committee on Transportation.

No. 1412 By Messrs. PITTS, R. R. FISCHER, BURNS, GALLAGHER, Mrs. GEORGE and Mr. J. L. WRIGHT

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), providing school districts with certain personal income tax data.

Referred to Committee on Education.

No. 1413 By Mr. GOEBEL

An Act requiring the payment of interest on security deposits for water service and providing for the return of the deposits to customers.

Referred to Committee on Consumer Affairs.

No. 1414 By Messrs. PITTS, R. R. FISCHER, BURNS, GALLAGHER, Mrs. GEORGE and Mr. J. L. WRIGHT

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), requiring the Department of Revenue to provide political subdivisions with personal income tax information regarding out of State income.

Referred to Committee on Education.

No. 1415 By Messrs. GRABOWSKI, LETTERMAN, CESSAR, D. M. FISHER, FEE, TELEK, Mrs. CLARK, Messrs. KNIGHT, STEIGHNER, CLARK, PETRARCA, PISTELLA, RAPPAPORT, ITKIN, CHESS, COWELL, PUNT, WACHOB, SEVENTY, GAMBLE, MURPHY, KUKOVICH, CAPPABIANCA, DOMBROWSKI, SHADDING, DeWEESE, STAIRS, COSLETT, DAWIDA, MICHLOVIC, McVERRY, COCHRAN, DiCARLO and O'DONNELL

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), further providing for powers of waterways patrolmen and making editorial changes.

Referred to Committee on Game and Fisheries.

No. 1416 By Messrs. GRABOWSKI, LETTERMAN, CESSAR, D. M. FISHER, FEE, TELEK, Mrs. CLARK, Messrs. KNIGHT, STEIGHNER, CLARK, PETRARCA, PISTELLA, RAPPAPORT, ITKIN, CHESS, COWELL, BURD, PUNT, SHADDING,

WACHOB, SEVENTY, GAMBLE, MURPHY, KUKOVICH, CAPPABIANCA, DOMBROWSKI, DeWEESE, STAIRS, COSLETT, DAWIDA, MICHLOVIC, McVERRY, COCHRAN, DiCARLO and O'DONNELL

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779, No. 673), further providing for the powers of waterways patrolmen.

Referred to Committee on Game and Fisheries.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 86 By Messrs. COLE, IRVIS, MANDERINO and STUBAN

The House of Representatives of the Commonwealth of Pennsylvania direct the Joint State Government Commission to conduct a thorough study and evaluation of the Pennsylvania Industrial Development Authority's policy in granting industrial development loans and what steps are taken to monitor and verify the projected creation of new jobs during the life of said loans.

Referred to Committee on Rules.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Senate presented the following bills for concurrence:

SB 188, PN 845

Referred to Committee on Local Government.

SB 210, PN 211

Referred to Committee on Local Government.

SB 299, PN 802

Referred to Committee on Business and Commerce.

SB 496, PN 830

Referred to Committee on State Government.

SB 518, PN 538

Referred to Committee on Liquor Control.

SB 525, PN 545

Referred to Committee on Labor Relations.

SB 532, PN 552

Referred to Committee on State Government.

SB 632, PN 829

Referred to Committee on Mines and Energy Management.

LEAVE OF ABSENCE GRANTED

The SPEAKER. The Chair recognizes the majority whip.

Mr. S. E. HAYES. Mr. Speaker, I have no requests for leaves of absence.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, I request leave of absence for Mr. RAPPAPORT for today's session.

The SPEAKER. Without objection, leave is granted.

MASTER ROLL CALL RECORDED

The SPEAKER. The Chair is about to take the master roll.

The following roll call was recorded:

YEAS—201

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

NAYS—0

NOT VOTING—2

Rappaport Street

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

CALENDAR BILLS ON THIRD CONSIDERATION

HB 1328 PASSED OVER TEMPORARILY

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I have been asked by the chairman of the Appropriations Committee to pass HB 1328 over for the moment.

The SPEAKER. For the day?

Mr. RYAN. No, temporarily.

The SPEAKER. Without objection, the Chair will pass over HB 1328 temporarily. The Chair hears none.

The House proceeded to third consideration of **HB 1278, PN 1439,** entitled:

An Act making an appropriation to the Pennsylvania College of Optometry, Philadelphia, Pennsylvania.

On the question,

Will the House agree to the bill on third consideration?

Mr. ITKIN offered the following amendment:

Amend Sec. 3, page 1, line 16 by inserting after "prescribe." The Department of Education shall require the college to submit a budget of the Eye Institute and an explanation of such budget. The college shall provide such budget and its explanation at the same time that the Department of Education prescribes the submittal of all other budgetary information.

On the question,

Will the House agree to the amendment?

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

Mr. ITKIN. Mr. Speaker, this does not change the appropriation at all. It just adds additional language to require that the college provide with its budget submission, the budget of the Eye Institute, which is the clinical laboratory for the college. The Eye Institute has been running a deficiency, and I think it is important for the Department of Education to have this information.

The SPEAKER. The Chair recognizes the lady from Philadelphia, Mrs. Harper.

Mrs. HARPER. Are we working on HB 1278 or HB 1268?

The SPEAKER. We are on HB 1278, the bottom of page 4.

Mrs. HARPER. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—184

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

NAYS—2

Clark, B.	Perzel

NOT VOTING—17

Alden	Gannon	McCall	Scirica
Arty	Giammarco	Rappaport	Street
Bittle	Johnson, E.	Richardson	Wachob
Cohen	Johnson, J.	Rodgers	Williams
Davies			

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—192

Alden	Foster, A.	Lewis	Salvatore
Anderson	Foster, W.	Lynch, E. R.	Scheaffer
Armstrong	Freind	Lynch, F.	Schmitt
Arty	Fryer	Mackowski	Schweder
Austin	Gallagher	Madigan	Scirica
Barber	Gallen	Manderino	Serafini
Belardi	Gamble	Manmiller	Seventy

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

NAYS—2

Clark, B.	Livengood

NOT VOTING—9

Cohen	McCall	Ritter	Street
Johnson, J.	Rappaport	Rodgers	Wachob
Kukovich			

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

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

The House proceeded to third consideration of **HB 1303, PN 1464,** entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the general maintenance and operation of the University of Pennsylvania Museum.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—177

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

NAYS—17

Brown	Gallen	Levi	Smith, L.
Clark, B.	Geesey	Levingood	Taylor, F.
DeVerter	George, C.	Pratt	Trello
Fischer, R. R.	Letterman	Schmitt	Zeller
Fryer			

NOT VOTING—9

Austin	Mrkonic	Rodgers	Sweet
Johnson, J.	Rappaport	Street	Wachob
McCall			

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

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

BILLS REREPORTED FROM COMMITTEE

HB 1305, PN 1614 (Amended) By Mr. McCLATCHY

An Act making an appropriation to the Franklin Institute of the Commonwealth of Pennsylvania at Philadelphia, Pennsylvania.

Rereported from Committee on Appropriations.

HB 1310, PN 1615 (Amended) By Mr. McCLATCHY

An Act making an appropriation to the Division of Education of the Philadelphia Museum of Art, Philadelphia, Pennsylvania.

Rereported from Committee on Appropriations.

CALENDAR BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1304, PN 1465,** entitled:

An Act making an appropriation to the Carnegie Museum at Pittsburgh, Pennsylvania, for maintenance and purchase of apparatus, supplies and equipment.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—179

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

NAYS—17

Brown	Gallen	Levi	Smith, L.
Clark, B.	Geesey	Levingood	Taylor, F.
DeVerter	George, C.	Pratt	Trello
Fischer, R. R.	Letterman	Schmitt	Zeller
Fryer			

NOT VOTING—7

Johnson, J.	Rappaport	Rodgers	Wachob
McCall	Richardson	Street	

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

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

The House proceeded to third consideration of **HB 1306, PN 1467,** entitled:

An Act making an appropriation to the Pennsylvania Academy of the Fine Arts, Philadelphia, Pennsylvania.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—172

Alden	Foster, W.	Lewis	Ritter
Anderson	Freind	Lynch, E. R.	Rocks
Armstrong	Gallagher	Lynch, F.	Ryan
Arty	Gamble	Mackowski	Salvatore
Austin	Gannon	Madigan	Scheaffer
Barber	Gatski	Manderino	Schweder
Bennett	Geist	Manmiller	Scirica
Berson	George, C.	McClatchy	Seventy
Bittle	George, M.	McIntyre	Shadding
Borski	Giammarco	McKelvey	Shupnik
Brandt	Gladeck	McMonagle	Sieminski
Brown	Goebel	McVerry	Sirianni
Brunner	Goodman	Michlovic	Smith, E.
Burd	Grabowski	Micozzie	Smith, L.
Burns	Gray	Milanovich	Spencer
Caltagirone	Greenfield	Miller	Spitz
Cappabianca	Grieco	Moehlmann	Steighner
Cessar	Gruppo	Mowery	Stewart
Chess	Halverson	Mrkonic	Stuban
Cianciulli	Harper	Mullen, M. P.	Sweet
Clark, R.	Hasay	Murphy	Swift
Cochran	Hayes, D. S.	Musto	Taddonio
Cohen	Hayes, S. E.	Nahill	Taylor, E.

Cole	Helfrick	Noye	Telek
Cornell	Hoeffel	O'Brien, B.	Thomas
Coslett	Honaman	O'Brien, D.	Vroon
Cowell	Hutchinson, A.	O'Donnell	Wagner
Cunningham	Hutchinson, W.	Oliver	Wargo
Davies	Irvis	Perzel	Wass
Dawida	Itkin	Peterson	Wenger
DeMedio	Johnson, E.	Petrarca	White
DeWeese	Johnson, J.	Piccola	Williams
DiCarlo	Jones	Pievsky	Wilson
Dietz	Kernick	Pistella	Wilt
Dininni	Klingaman	Pitts	Wright, J. L.
Dombrowski	Knepper	Polite	Yahner
Donatucci	Knight	Pott	Yohn
Dorr	Kolter	Pucciarelli	Zitterman
Duffy	Kowalyshyn	Punt	Zord
Dumas	Kukovich	Pyles	Zwikl
Earley	Lashinger	Reed	
Fee	Laughlin	Rhodes	Seltzer,
Fisher, D. M.	Lehr	Rieger	Speaker
Foster, A.	Levin		

NAYS—24

Belardi	Fischer, R. R.	Levi	Stairs
Bowser	Fryer	Livengood	Taylor, F.
Cimini	Gallen	Novak	Trello
Clark, B.	Geesey	Pratt	Weidner
DeVerter	Kanuck	Schmitt	Wright, D.
Durham	Letterman	Serafini	Zeller

NOT VOTING—7

Beloff	Rappaport	Rodgers	Wachob
McCall	Richardson	Street	

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

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

The House proceeded to third consideration of **HB 1307, PN 1468,** entitled:

An Act making an appropriation to the Academy of Natural Sciences of Philadelphia at Philadelphia, Pennsylvania.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—173

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

NAYS—24

Belardi	Durham	Letterman	Serafini
Bowser	Fischer, R. R.	Levi	Stairs
Chess	Fryer	Livengood	Taylor, F.
Cimini	Gallen	Pratt	Trello
Clark, B.	Geesey	Scheaffer	Weidner
DeVerter	Kanuck	Schmitt	Zeller

NOT VOTING—6

McCall	Richardson	Street	Wachob
Rappaport	Rodgers		

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

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

The House proceeded to third consideration of **HB 1308, PN 1469,** entitled:

An Act making an appropriation to the Museum of the Philadelphia Civic Center, Philadelphia, for maintenance and the purchase of apparatus, supplies and equipment.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—165

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

NAYS—31

Belardi	Freind	Letterman	Taylor, F.
Brown	Fryer	Livengood	Telek
Chess	Gallen	Perzel	Trello
Cimini	Geesey	Pratt	Weidner
Clark, B.	George, C.	Serafini	Wright, D.
DeVerter	Halverson	Schmitt	Zeller
Durham	Hasay	Spitz	Zwikl
Fischer, R. R.	Levi	Stairs	

NOT VOTING—7

Lashinger	Rappaport	Rodgers	White
McCall	Richardson	Street	

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

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

The House proceeded to third consideration of **HB 1309, PN 1470,** entitled:

An Act making an appropriation to the Trustees of the Buhl Planatarium and Institute of Popular Science, Pittsburgh, Pennsylvania.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—181

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

NAYS—17

Belardi	Gallen	Letterman	Serafini
Cimini	Geesey	Levi	Taylor, F.
Clark, B.	Hutchinson, A.	Livengood	Weidner
Durham	Kanuck	Pratt	Zeller
Fryer			

NOT VOTING—5

McCall	Richardson	Rodgers	Street
Rappaport			

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

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

The House proceeded to third consideration of **HB 1311, PN 1472**, entitled:

An Act making an appropriation to the Allentown Museum of Art at Allentown, Pennsylvania.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—172

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

NAYS—25

Armstrong	Fischer, R. R.	Levi	Serafini
Belardi	Gallen	Livengood	Stairs
Bowser	Geesey	Petrarca	Taylor, F.
Cimini	George, C.	Pratt	Telek
Clark, B.	Kanuck	Scheaffer	Trello
DeVerter	Letterman	Schmitt	Weidner
Durham			

NOT VOTING—6

McCall	Richardson	Street	Wachob
Rappaport	Rodgers		

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

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

The House proceeded to third consideration of **HB 1325, PN 1486**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—195

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

DeVerter	Johnson, J.	Pistella	Williams
DeWeese	Jones	Pitts	Wilson
DiCarlo	Kanuck	Polite	Wilt
Dietz	Kernick	Pott	Wright, D.
Dininni	Klingaman	Pratt	Wright, J. L.
Dombrowski	Knepper	Pucciarelli	Yahner
Donatucci	Knight	Punt	Yohn
Dorr	Kolter	Pyles	Zeller
Duffy	Kowalyshyn	Reed	Zitterman
Dumas	Kukovich	Rhodes	Zord
Durham	Lashinger	Richardson	Zwikl
Earley	Laughlin	Rieger	
Fee	Lehr	Ritter	Seltzer, Speaker
Fischer, R. R.	Levi	Rocks	
Fisher, D. M.			

NAYS—4

Clark, B.	Letterman	Livengood	Sweet

NOT VOTING—4

McCall	Rappaport	Rodgers	Street

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

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

The House proceeded to third consideration of **HB 1326, PN 1487,** entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of the Western Psychiatric Institute and Clinic.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—193

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

NAYS—4

Belardi	Clark, B.	Kanuck	Serafini

NOT VOTING—6

Duffy	McCall	Rodgers	Street
Harper	Rappaport		

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

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

The House proceeded to third consideration of **HB 1273, PN 1434,** entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

On the question,

Will the House agree to the bill on third consideration?

Mr. COHEN offered the following amendments:

Amend Bill, page 2, by inserting between lines 11 and 12

Section 5. (a) Before any money appropriated by this act is paid to the Trustees of Hahnemann Medical College and Hospital of Philadelphia, each member of the Board of Trustees of Hahnemann Medical College and Hospital, each member of the Admissions Committee or any Admissions Subcommittee or Admissions Advisory Committee, each employee of Hahnemann Medical College and Hospital earning at least $25,000 per year, each person or corporation receiving a contract from Hahnemann Medical College of at least $25,000, and each person receiving compensation both from any governmental payroll and the payroll of Hahnemann Medical College and Hospital, shall submit to the Secretary of the Commonwealth the same information listing sources of income required of certain governmental officials in the act of October 4, 1978 (P. L. 883, No. 170) referred to as the Public Official and Employee

Ethics Law, and the same information listing political contributions made required of the employees of certain governmental contractors in section 1605.1 of the act of June 3, 1937 (P. L. 1333, No. 320) known as the "Pennsylvania Election Code."

(b) For each person itemized above, as ascertained by the Secretary of the Commonwealth, who does not file the information required above, by September 30, 1979, or within 60 days of the passage of this act, whichever shall be later, 1% of this appropriation shall be withheld by the State Treasurer until such filing is made.

Amend Sec. 5, page 2, line 12, by striking out "5." and inserting 6.

On the question,

Will the House agree to the amendments?

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

Mr. COHEN. Mr. Speaker, over the last couple of years Hahnemann Medical College has had the dubious distinction of being involved in more cases of corruption of public officials than not only any medical institution in the United States, but probably more than all other medical colleges combined. In terms of criminal convictions of prominent public officials, Hahnemann Medical College has been involved in more political scandals than any other institution, private or nonprivate, in Pennsylvania in the 20th century. The only other historical parallel to Hahnemann in the entire history of Pennsylvania is what the Pennsylvania Railroad did over 100 years ago.

I think that it is a very worthwhile purpose for the Commonwealth of Pennsylvania to give money to medical schools in order to defray tuitions; however, by Hahnemann's own actions in its dealings with public officials, it is implying that there is something that they think is devious, suspicious about their own appropriations. I really do not know why the Hahnemann appropriations cannot stand on their own merits like the appropriations to all the other institutions that we have been voting on.

What this amendment does is it sets up disclosures for Hahnemann just like the disclosures that are made for governmental contractors and certain local officials. They will have to disclose their sources of income and their campaign contributions. They will not have to disclose anything that any borough councilman or any other governmental contractor does not have to disclose. I think that this is a moderate step. It is a step short of denying them appropriations. It is a step that obviously will place a great deal of internal pressure on Hahnemann. I would think that the members of the Hahnemann faculty and the board of trustees would be less than thrilled with being singled out in this manner. I would hope that the effect of this would be to create a tremendous amount of internal pressure on the Hahnemann Medical School to change its method of operation. I urge support of this amendment.

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

Mr. McCLATCHY. Mr. Speaker, I think this is a rather drastic step. I certainly do not condone the things that have happened at Hahnemann Hospital, but I think to amend our entire Ethics Code into the administration of this hospital goes a little bit too far. We have not done it to any other hospital. Again, Hahnemann is one of the finest hospitals, I think, that we have in this Commonwealth, or among one of the finest, and I feel this is a rather drastic step. If there are things that have gone wrong down there, and we certainly all know about them, I think they are being corrected. Those officials who have done wrongdoing are being prosecuted. I say again, Mr. Speaker, I think this is a bit too drastic a step and I would appreciate a "no" vote on the amendment.

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

Mr. COHEN. Mr. Speaker, to my knowledge there are very few borough councilmen in this Commonwealth who have been involved in anything illegal, yet we have an Ethics Code for every borough councilman. What the people at Hahnemann have done is far more significant than any transgression by any borough councilman that I am aware of. I think we need ethics not only for voluntary borough councilmen and for $18,000-a-year state legislators, but I think the people who make $25,000, $50,000, $75,000, $100,000, $125,000 a year ought to be ethical also.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—98

Austin	Dumas	Kowalyshyn	Pucciarelli
Barber	Fee	Kukovich	Punt
Bennett	Freind	Laughlin	Reed
Berson	Gallagher	Letterman	Richardson
Borski	Gamble	Levi	Rieger
Brown	Geesey	Livengood	Ritter
Brunner	George, C.	Manderino	Schmitt
Burns	George, M.	Manmiller	Seventy
Caltagirone	Giammarco	McIntyre	Shadding
Cappabianca	Goodman	McKelvey	Sieminski
Chess	Grabowski	Michlovic	Steighner
Cianciulli	Greenfield	Milanovich	Stewart
Clark, B.	Gruppo	Mrkonic	Taylor, F.
Cochran	Harper	Mullen, M. P.	Trello
Cohen	Hasay	Murphy	Wachob
Cole	Hayes, D. S.	Musto	Wargo
Cowell	Helfrick	Novak	White
Dawida	Hoeffel	O'Brien, B.	Williams
DeMedio	Hutchinson, A.	O'Donnell	Wilson
DeWeese	Irvis	Oliver	Wright, D.
DiCarlo	Itkin	Petrarca	Wright, J. L.
Dininni	Johnson, J.	Pievsky	Zeller
Dombrowski	Kernick	Pistella	Zitterman
Donatucci	Knight	Pratt	Zwikl
Duffy	Kolter		

NAYS—99

Anderson	Gallen	McCall	Sirianni
Armstrong	Gannon	McClatchy	Smith, E.
Arty	Gatski	McMonagle	Smith, L.
Belardi	Geist	McVerry	Spencer
Beloff	Gladeck	Micozzie	Spitz
Bittle	Goebel	Miller	Stairs
Bowser	Gray	Moehlmann	Stuban
Brandt	Grieco	Mowery	Sweet
Burd	Halverson	Nahill	Swift
Cessar	Hayes, S. E.	Noye	Taddonio

Cimini	Honaman	O'Brien, D.	Taylor, E.
Clark, R.	Hutchinson, W.	Peterson	Telek
Cornell	Johnson, E.	Piccola	Thomas
Coslett	Jones	Pitts	Vroon
Cunningham	Kanuck	Polite	Wagner
Davies	Klingaman	Pott	Wass
DeVerter	Knepper	Pyles	Weidner
Dietz	Lashinger	Rocks	Wenger
Dorr	Lehr	Ryan	Wilt
Durham	Levin	Salvatore	Yahner
Earley	Lewis	Scheaffer	Yohn
Fischer, R. R.	Lynch, E. R.	Schweder	Zord
Fisher, D. M.	Lynch, F.	Scirica	
Foster, A.	Mackowski	Serafini	Seltzer,
Foster, W.	Madigan	Shupnik	Speaker
Fryer			

NOT VOTING—6

Alden	Rappaport	Rodgers	Street
Perzel	Rhodes		

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

On the question recurring,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

Mr. COHEN. Mr. Speaker, I would urge the defeat of this appropriations bill.

It takes two-thirds of the votes to get this appropriations bill through. I think what I was offering was a very moderate step. I think it is a moderate step that ought to be accepted. I think if moderate steps are not acceptable by one vote to a majority of this House, then I would urge that this bill be now defeated. I do not think that the defeat of this bill at this time would be a permanent defeat, but I think that it would certainly send a message to Hahnemann that there is a backlash in this House, that we do not appreciate a state-funded and federally funded institution using its powers to corrupt the political process.

I frankly do not care about the details of how Hahnemann spends its money in medical terms. I do care about the details of how Hahnemann spends its money when it becomes a major corruptor of the political process in the State of Pennsylvania.

Since my amendment has been defeated, I therefore urge the defeat of this appropriation.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. I did not get my way; I am taking my ball and going home. That is the approach that Mr. Cohen is taking to this thing. You did not get your amendment, so Hahnemann Hospital should close. It is ridiculous.

Hahnemann Hospital has been a controversial hospital, there is no question about that, and I think there is a lot to be said for Mr. Cohen's amendment. However, by one or two votes his amendment did not go into the bill. Now to take a meat axe and close Hahnemann's appropriations off because a majority did not go along with the Cohen amendment makes no sense whatsoever to me. If we took this approach to government, I do not know where we would be.

Now I know the Democratic caucus can follow Mr. Cohen's suggestions and that this is a non-preferred appropriation and it really does not take much urging on the part of Mr. Cohen, perhaps, to get support to prevent the two-thirds majority from going on the board. But I think you should examine what you are doing. The last time this happened—and I do not know how many of you remember this—but there was a State Senator some years ago who attempted to get a student into Hahnemann Hospital and he was accused of using influence improperly. And at that time he held up the appropriation to Hahnemann Hospital because his pet peeve was not met. And I tell you, discredit was brought on this whole General Assembly because of it. And I am not suggesting for a minute that Mr. Cohen's situation fits in this category, but I am saying that Hahnemann is something that has been written up time and time again and I think to take the approach that Mr. Cohen is suggesting we take, that is, to do away with the entire appropriation because his amendment did not get in, is wrong. I think we all stand in the future to regret an action such as that and we will all be severely criticized. It is not the type thing that we would rest our case on this argument to defeat an appropriation such as this to Hahnemann.

I think the message was sent to them, Mr. Speaker, when the roll call went up on the board that close. I really believe the message was sent to them. And I think we will bring discredit upon ourselves if we follow your advice at this time.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, a motion to reconsider the vote by which the Cohen amendment was defeated has now reached your desk. I would appreciate it if you would place that motion before the House before final passage.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I would join in the request that this bill be passed over at this time then until the reconsideration has been prepared. Are you prepared to do it now, Mr. Speaker?

RECONSIDERATION OF VOTE ON HB 1273

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

Mr. COHEN. Mr. Speaker, I move that the vote by which HB 1273, PN 1434, was agreed to on third consideration on this day be reconsidered.

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

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—200

Alden	Foster, W.	Livengood	Ryan
Anderson	Freind	Lynch, E. R.	Salvatore
Armstrong	Fryer	Lynch, F.	Scheaffer
Arty	Gallagher	Mackowski	Schmitt

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

NAYS—1

Fischer, R. R.

NOT VOTING—2

Rappaport Street

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

COHEN AMENDMENT RECONSIDERED

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

Mr. COHEN. Mr. Speaker, I move that the vote by which amendment No. A1331 was defeated on the 31st day of May be reconsidered.

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

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

The following roll call was recorded:

YEAS—200

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

NAYS—1

Fischer, R. R.

NOT VOTING—2

Rappaport Street

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

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

The following roll call was recorded:

YEAS—86

Austin	Freind	Kukovich	Reed
Bennett	Gallagher	Laughlin	Rhodes
Borski	Gamble	Letterman	Rieger

Brown	George, C.	Livengood	Ritter
Brunner	George, M.	Manderino	Rodgers
Burns	Goodman	McCall	Schmitt
Caltagirone	Grabowski	McMonagle	Seventy
Cappabianca	Gray	Michlovic	Shadding
Chess	Greenfield	Milanovich	Shupnik
Cianciulli	Gruppo	Mrkonic	Sieminski
Clark, B.	Hasay	Murphy	Steighner
Cochran	Hayes, D. S.	Musto	Stewart
Cohen	Helfrick	Novak	Taylor, F.
Coslett	Hoeffel	O'Brien, B.	Trello
Cowell	Hutchinson, A.	O'Donnell	Wachob
Dawida	Irvis	Oliver	Wargo
DeMedio	Itkin	Petrarca	Wright, D.
DeWeese	Johnson, J.	Pievsky	Wright, J. L.
DiCarlo	Kernick	Pistella	Zeller
Donatucci	Knight	Pratt	Zitterman
Duffy	Kolter	Punt	Zwikl
Fee	Kowalyshyn		

NAYS—108

Alden	Foster, W.	McClatchy	Sirianni
Anderson	Fryer	McKelvey	Smith, E.
Armstrong	Gallen	McVerry	Smith, L.
Barber	Gatski	Micozzie	Spencer
Belardi	Geesey	Miller	Spitz
Berson	Geist	Moehlmann	Stairs
Bittle	Gladeck	Mowery	Stuban
Bowser	Goebel	Mullen, M. P.	Sweet
Brandt	Grieco	Nahill	Swift
Burd	Halverson	Noye	Taddonio
Cessar	Harper	O'Brien, D.	Taylor, E.
Cimini	Hayes, S. E.	Perzel	Telek
Clark, R.	Honaman	Peterson	Thomas
Cole	Hutchinson, W.	Piccola	Vroon
Cornell	Johnson, E.	Pitts	Wagner
Cunningham	Jones	Polite	Wass
Davies	Kanuck	Pott	Weidner
DeVerter	Klingaman	Pucciarelli	Wenger
Dietz	Knepper	Pyles	White
Dininni	Lashinger	Richardson	Williams
Dombrowski	Lehr	Rocks	Wilt
Dorr	Levi	Ryan	Yahner
Dumas	Lewis	Salvatore	Yohn
Durham	Lynch, E. R.	Scheaffer	Zord
Earley	Lynch, F.	Schweder	
Fischer, R. R.	Mackowski	Scirica	Seltzer,
Fisher, D. M.	Madigan	Serafini	Speaker
Foster, A.	Manmiller		

NOT VOTING—9

Arty	Giammarco	McIntyre	Street
Beloff	Levin	Rappaport	Wilson
Gannon			

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

On the question recurring,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—171

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

NAYS—30

Brown	Gallen	Michlovic	Punt
Cappabianca	Hutchinson, A.	Milanovich	Reed
Chess	Kernick	Murphy	Schmitt
Clark, B.	Kolter	O'Brien, B.	Stairs
Cohen	Kowalyshyn	Petrarca	Taylor, F.
Dawida	Kukovich	Pistella	Trello
DeWeese	Letterman	Pratt	Wright, D.
Fischer, R. R.	Livengood		

NOT VOTING—2

Rappaport	Street

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

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

The House proceeded to third consideration of **HB 1274, PN 1435,** entitled:

An Act making an appropriation to the Thomas Jefferson University of Philadelphia, Pennsylvania.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—189

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

NAYS—12

Clark, B.	Gallen	Lewis	Stairs
Fischer, R. R.	Kanuck	Livengood	Taylor, F.
Fryer	Letterman	Petrarca	Trello

NOT VOTING—2

Rappaport	Street

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

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

The House proceeded to third consideration of **HB 1276, PN 1437,** entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—189

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

NAYS—11

Clark, B.	Gallen	Livengood	Trello
Fischer, R. R.	Geesey	Sweet	Weidner
Fryer	Kanuck	Taylor, F.	

NOT VOTING—3

Rappaport	Street	Zord

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

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

REMARKS ON VOTE

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

Mr. SWEET. Mr. Speaker, on HB 1276, the University of Pennsylvania appropriation, I was inadvertently recorded in the negative and I would like to show that I desire to be recorded in the affirmative.

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

The House proceeded to third consideration of **HB 1270, PN 1431,** entitled:

A Supplement to the act of July 7, 1972 (P. L. 743, No. 176), entitled "An act providing for the establishment and operation of Lincoln University as an instrumentality of the Commonwealth to serve as a State-related institution in the higher education system of the Commonwealth; *** requiring the President to make an annual report of the operations of Lincoln University," making appropriations for carrying the same into effect, providing for a basis for payments of such appropriation, and providing for a method of accounting for the funds appropriated.

On the question,

Will the House agree to the bill on third consideration?

Mr. DAVIES offered the following amendments:

Amend Bill, page 5, by inserting between lines 25 and 26

Section 7. All increases in this appropriation in excess of 5% increase over the previous nonpreferred appropriation for this institution shall be used for maintaining current student tuition costs, and only be utilized on funding current existing academic programs or direct student educational related costs. These moneys may not be used to fund any increase in administrative personnel, new programs, or nonacademic expenditures. The administration and governing body of the institution shall produce the financial accounting of these expenditures to the General Assembly by June 30, 1980 for the first nine months of the fiscal year July 1, 1979 to June 30, 1980.

Amend Sec. 7, page 5, line 26, by striking out "7." and inserting 8.

Amend Sec. 8, page 5, line 29, by striking out "8." and inserting 9.

Amend Sec. 9, page 6, line 12, by striking out "9." and inserting 10.

On the question,

Will the House agree to the amendments?

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

Mr. DAVIES. Mr. Speaker, this is the second of four amendments that again is to the state-related institutions of higher learning, and it would essentially do the same thing that the amendment to the Penn State bill would do; that, of course, would be taking that application of anything over 5 percent in appropriated moneys to those institutions to be used directly in reducing or retaining current tuition costs for students.

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

Mr. LEVI. I wonder if Mr. Davies would stand for a brief interrogation, please?

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

Mr. LEVI. Mr. Speaker, in the appropriation for the University of Pittsburgh, has HB 1270 increased the appropriation above the 5 percent of last year's allocation or appropriation?

Mr. DAVIES. Yes. That essentially is the same as I understand for Pitt, Penn State, and the others all in the same category, and this would only deal with the same moneys we were talking about for Penn State University.

Mr. LEVI. It was my understanding, I believe, that we only raised those schools 5 percent and we gave a special 2-percent additional funds to Penn State University. Am I in error in that assumption?

Mr. DAVIES. In essence, my understanding was that the others were to be increased to 2 percent as well, and if this is the cart ahead of the horse, I apologize for that, because I understand that those amendments were to be offered. I think that it would be appropriate to withdraw that amendment now until it is amended.

Mr. LEVI. Then your amendment is a little bit premature?

Mr. DAVIES. I am sorry, sir. I will yield. Yes, it was. It was taken out of order. I yield to the majority whip.

The SPEAKER. The Chair recognizes the majority whip.

Mr. S. E. HAYES. Mr. Speaker, the Davies amendment would most properly be offered after the amendment which is going to be offered by the gentleman from Chester, Mr. Pitts. I wonder if it would be possible to recognize Mr. Pitts at this time?

DAVIES AMENDMENT WITHDRAWN

The SPEAKER. Without objection, the gentleman from Berks, Mr. Davies, will withdraw his amendment. The Chair hears none.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. PITTS offered the following amendment:

Amend Sec. 1, page 1, line 26, by striking out "$3,335,000" and inserting $3,398,000

On the question,

Will the House agree to the amendment?

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

Mr. PITTS. This amendment would bring the line item for

instructional appropriations up 2 percent in line with the 7 percent which was approved for Penn State and the state colleges. This is for Lincoln University, which is in my district. I would appreciate support for this amendment.

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

Mr. PIEVSKY. I urge support for the gentleman's amendment. It conforms with the same appropriation that was in the Democratic budget proposal. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—192

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

NAYS—6

Clark, B.	Levi	Trello	Wright, D.
Fischer, R. R.	Lewis		

NOT VOTING—5

Alden	Hutchinson, A.	Rappaport	Street
Geist			

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

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

Mr. DAVIES offered the following amendments:

Amend Bill, page 5, by inserting between lines 25 and 26
Section 7. All increases in this appropriation in excess of a 5% increase over the previous nonpreferred appropriation for this institution shall be used for maintaining current student tuition costs, and only be utilized on funding current existing academic programs or direct student educational related costs. These moneys may not be used to fund any increase in administrative personnel, new programs, or nonacademic expenditures. The administration and governing body of the institution shall produce the financial accounting of these expenditures to the General Assembly by June 30, 1980 for the first nine months of the fiscal year July 1, 1979 to June 30, 1980.
Amend Sec. 7, page 5, line 16, by striking out "7." and inserting 8.
Amend Sec. 8, page 5, line 29, by striking out "8." and inserting 9.
Amend Sec. 9, page 6, line 12, by striking out "9." and inserting 10.

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

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

Mr. DAVIES. Essentially, to be very brief, it is the same amendment that was added to Penn State. It would take just those moneys above the 5 percent at 2 percent and seek to try to maintain or retain the current tuition costs that those moneys be earmarked specifically for that by the administration and the governing body of that institution. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—186

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

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

NAYS—8

Burd	Durham	Schweder	Vroon
Cunningham	Madigan	Stairs	Wass

NOT VOTING—9

Cianciulli	Irvis	Manderino	Rappaport
Geist	*Letterman*	Oliver	Street
Hutchinson, A.			

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—196

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

NAYS—5

Clark, B.	Geesey	Livengood	Trello
Fischer, R. R.			

NOT VOTING—2

Rappaport	Street

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

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

The House proceeded to third consideration of **HB 1268, PN 1429,** entitled:

A Supplement to the act of July 28, 1966 (3rd Sp. Sess., P. L. 87, No. 3), entitled "An act providing for the establishment and operation of the University of Pittsburgh * * *" making appropriations for carrying the same into effect, providing for a basis for payments of such appropriations, and providing a method of accounting for the funds appropriated.

On the question,

Will the House agree to the bill on third consideration?

Mr. CESSAR offered the following amendment:

Amend Sec. 1, page 1, line 25, by striking out "$58,275,000" and inserting $59,385,000

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from

Allegheny, Mr. Cessar.

Mr. CESSAR. This increases the appropriation to the University of Pittsburgh in the line item for instruction by 2 percent.

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

Mr. PIEVSKY. Mr. Speaker, I rise to support the gentleman's amendment. It conforms with the same appropriation that has been in the House Democratic budget proposal and I urge passage of this amendment. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—187

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

NAYS—14

Alden	Gladeck	Livengood	Stairs
Belardi	Lashinger	Serafini	Trello
Clark, B.	Levi	Spitz	Wright, D.
Fischer, R. R.	Lewis		

NOT VOTING—2

Rappaport Street

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

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

Mr. SWIFT offered the following amendments:

Amend Sec. 1, page 1, line 25, by striking out "$58,275,000" and inserting $57,775,000

Amend Sec. 1, page 1, by inserting between lines 25 and 26
(2) For operations of the Titusville Campus. $500,000

Amend Sec. 1, page 1, line 26, by striking out "(2)" and inserting (3)

Amend Sec. 1, page 2, line 1, by striking out "(3)" and inserting (4)

Amend Sec. 1, page 2, line 3, by striking out "(4)" and inserting (5)

Amend Sec. 3, page 2, line 14, by striking out "(2)" and inserting (3)

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

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

Mr. SWIFT. What we are trying to do is we are trying to line-item the appropriation for the Pitt campus at Titusville. Mother Pitt wants to close our branch campus because they feel as though it is not fiscally sound. We believe that we have proved beyond a shadow of a doubt that it is, and what we are trying to do here with the $500,000 is make Pitt campus accountable to the legislators, to Mother Pitt, or to Secretary Scanlon or whomever it may be. That is our intentions in line-iteming the appropriation for the Titusville branch. Thank you.

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

Mr. COWELL. Mr. Speaker, I rise to oppose this amendment. I think we should be aware of at least two basic facts. First of all, no decision has been made by the University of Pittsburgh to close the Titusville campus, and, secondly, such a proposal does not even suggest or does not even confront the university with the question of closing the Titusville campus during the current fiscal year. There is absolutely no danger that the Titusville campus would not be operating during the fiscal year that is affected by this appropriation. So the amendment is unnecessary.

Secondly, I oppose the amendment because I think it establishes a very bad precedent. We are entering an era for higher education when some institutions may in fact be confronted with questions of closing. In fact, we frequently have members take the floor here in the House and over in the Senate to criticize higher education for having too many campuses, too many programs, too much waste. I do not think that we should interject ourselves into that decisionmaking process.

Some institutions in this Commonwealth might decide that the best decision for higher education generally will be to close some programs and some facilities. That is not the issue in Ti-

tusville right now, but that decision may be necessary sometime in the future. I do not think we should set a precedent of blocking that kind of decisionmaking that might in the long run be best for higher education. The amendment is unnecessary and it sets a bad precedent. I urge its defeat.

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

Mr. PETERSON. I rise to ask the members of this General Assembly to support the Swift amendment.

The Titusville campus has been there for approximately 15 years. It is a small campus of about 400 full-time equivalent students. Pitt has devised a plan to close the Titusville campus. I realize that we are going to face a lot of campus closings across Pennsylvania in the future. It is going to be a major problem to us.

The Titusville campus has been self-sustaining. It has not been a financial drain on the institution. The reason, in my opinion, for the plan to close the Titusville campus has been a change of philosophy in the leadership of Pitt, the major university.

I think that the northwestern Pennsylvania area needs the Pitt campus at Titusville. This campus, as long as it is financially solvent, is not a drain on the major university. We ask that you allow us to live. We think that by line-iteming the Titusville campus, you are strengthening our position for the Titusville campus to remain as long as it is financially solvent.

I would like to ask bipartisan members, both sides of the aisle, to help us. It may be your campus in the future. When the Titusville campus is a money loser, I will not be at this microphone asking for it to remain, but as long as it is financially solvent, I am asking for your help. Thank you.

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

Mrs. TAYLOR. Mr. Speaker, I rise to ask the members of this General Assembly to support the Swift amendment. I have had an opportunity over the last 3 months to be involved in many of the discussions between the officials of Pitt and the advisory board members and members of the Titusville community. I rise to ask this support knowing that we do face many crises in higher education today, but I also rise to suggest to the members of this Assembly that there still is a need for various types of institutions of higher learning.

I say to you that there will be students who can make a go of it becuase there are students on the Titusville campus who, after 2 years, will be transferring to the main campus at Oakland. A review of those statistics of how many students do transfer, I believe, shows about 80 percent of the students at Titusville do go on and finish their education on the main campus.

I think that it behooves all of us to make every opportunity available for students who do not wish to go to a main campus, to a large university, but rather to a small community-type campus such as Titusville for those first 2 years so that they can go on to complete their education at the University of Pittsburgh. I think that this is very necessary and I would urge the support of the members of this Assembly for the Swift amendment. Thank you.

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

Mr. STEWART. Mr. Speaker, would the sponsor of the amendment stand for interrogation?

The SPEAKER. The gentleman, Mr. Swift, indicates that he will, and the gentleman from Cambria, Mr. Stewart, may proceed.

Mr. STEWART. Mr. Speaker, you want to line-item $500,000 of the original appropriation for Pitt for the Titusville campus?

Mr. SWIFT. Yes, Mr. Speaker.

Mr. STEWART. Could you tell me how you arrive at that figure of $500,000?

Mr. SWIFT. Mr. Speaker, that is a very difficult figure to come by. The reason for that is because the University of Pittsburgh at Oakland will not disclose any figures and will not tell anyone, including the Secretary of Education in Harrisburg, how many dollars are being spent and for what at Titusville.

What we basically tried to do is to work in the reverse. The general appropriation for Pitt last year was a nonpreferred appropriation, worked out to be around $2,100 per student. This year there is a decrease in students. The appropriation has been increased. With $2,100 per student, our 410 students worked out to be approximately $1,200 a student. We think that this is a very fair figure. We have no way—and we have tried—to come up with a figure, but Pitt will not surrender such material.

Mr. STEWART. Thank you, Mr. Speaker.

My point is—and I realize that there is a definite problem coming up with those figures. There is the University of Pittsburgh at Johnstown in Cambria County, and we have been trying for some time to determine exactly how much they get. But the point I am trying to make, Mr. Speaker, is—because we do not know the figures, you do not know if that is enough money to keep the campus open. It may be too little.

We are in an area here where we are dealing with figures that we have no real grasp of on the floor of this House, and I think that we are setting a dangerous precedent by line-iteming branch campuses in these appropriations and I oppose the amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—112

Alden	Freind	Mackowski	Sieminski
Anderson	Fryer	Manderino	Smith, E.
Arty	Gallen	Manmiller	Smith, L.
Belardi	Gannon	McClatchy	Spencer
Bittle	Geesey	McKelvey	Spitz
Bowser	Geist	Micozzie	Stairs
Brandt	George, C.	Milanovich	Steighner
Burns	Gladeck	Miller	Swift
Cappabianca	Goebel	Mowery	Taddonio
Cessar	Grieco	Nahill	Taylor, E.
Cimini	Gruppo	Noye	Taylor, F.
Clark, B.	Halverson	O'Brien, D.	Telek
Clark, R.	Hasay	Perzel	Thomas
Cornell	Hayes, D. S.	Peterson	Trello
Coslett	Hayes, S. E.	Petrarca	Vroon

Davies	Helfrick	Piccola	Wachob
DeMedio	Honaman	Pitts	Wagner
DeVerter	Hutchinson, W.	Polite	Wass
DiCarlo	Johnson, E.	Pott	Weidner
Dietz	Kanuck	Pratt	Wenger
Dininni	Klingaman	Punt	Wilson
Dombrowski	Knepper	Pyles	Wilt
Dorr	Lashinger	Rocks	Wright, J. L.
Durham	Laughlin	Ryan	Yohn
Earley	Lehr	Salvatore	Zord
Fischer, R. R.	Levi	Scheaffer	
Fisher, D. M.	Lewis	Scirica	Seltzer,
Foster, A.	Lynch, E. R.	Serafini	Speaker
Foster, W.	Lynch, F.		

NAYS—86

Armstrong	Fee	Letterman	Rhodes
Austin	Gallagher	Levin	Richardson
Barber	Gamble	Livengood	Rieger
Beloff	Gatski	Madigan	Ritter
Bennett	George, M.	McCall	Rodgers
Berson	Giammarco	McIntyre	Schmitt
Borski	Goodman	McMonagle	Schweder
Brown	Grabowski	McVerry	Seventy
Brunner	Gray	Michlovic	Shadding
Caltagirone	Greenfield	Mrkonic	Shupnik
Chess	Harper	Mullen, M. P.	Stewart
Cianciulli	Hoeffel	Murphy	Stuban
Cochran	Hutchinson, A.	Musto	Sweet
Cohen	Irvis	Novak	Wargo
Cole	Itkin	O'Brien, B.	White
Cowell	Johnson, J.	O'Donnell	Williams
Cunningham	Jones	Oliver	Wright, D.
Dawida	Kernick	Pievsky	Yahner
DeWeese	Knight	Pistella	Zeller
Donatucci	Kolter	Pucciarelli	Zitterman
Duffy	Kowalyshyn	Reed	Zwikl
Dumas	Kukovich		

NOT VOTING—5

Burd	Rappaport	Sirianni	Street
Moehlmann			

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

On the question recurring,

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

Mr. DAVIES offered the following amendments:

Amend Bill, page 6, by inserting between lines 17 and 18

Section 8. All increases in this appropriation in excess of a 5% increase over the previous nonpreferred appropriation for this institution shall be used for maintaining current student tuition costs, and only be utilized on funding current existing academic programs or direct student educational related costs. These moneys may not be used to fund any increase in administrative personnel, new programs, or nonacademic expenditures. The administration and governing body of the institution shall produce the financial accounting of these expenditures to the General Assembly by June 30, 1980 for the first nine months of the fiscal year July 1, 1979 to June 30, 1980.

Amend Sec. 8, page 6, line 18, by striking out "8." and inserting 9.

Amend Sec. 9, page 6, line 22, by striking out "9." and inserting 10.

Amend Sec. 10, page 7, line 5, by striking out "10." and inserting 11.

Amend Sec. 11, page 7, line 12, by striking out "11." and inserting 12.

On the question,

Will the House agree to the amendments?

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

Mr. DAVIES. Mr. Speaker, this would be the same application to the moneys for the University of Pittsburgh as the other two state-related institutions that we approved restraints on as far as trying to keep the money for the expenditures on the tuition, student tuitions. Thank you, sir.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—191

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

NAYS—7

Burd	Madigan	Stairs	Wass
Fisher, D. M.	McVerry	Vroon	

NOT VOTING—5

Jones	Sirianni	Street	White
Rappaport			

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

On the question recurring.

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

Mr. ZELLER. Mr. Speaker, for the benefit of the members, I want to remind them, and I say this respectfully, that a lot of us have universities in our areas; I am talking about branch campuses. I know that I have one in mine, Penn State.

With all respect to Tom Swift and others, I do respect their moves, but remember on the next go around, I am sure we and others who have those campuses in our areas are going to have to start line-iteming. Just so we understand that a very dangerous precedent has been set here today and just so you know that we too have our problems.

We felt, such as Mr. Cowell and others have stated here, that those conditions should be regulated by the universities themselves because of declining populations or shifting of personnel. They have the problems with their unions as well and they have all of the things that any industry or anybody else has.

We, too, for survival and for political reasons and for reelection, may say to you next year, hey, we would like to line-item Penn State's branch campuses. Just so you remember this next year. Thank you very much.

On the question recurring,

Shall the bill pass finally?

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

YEAS—197

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

NAYS—4

Clark, B.	Fischer, R. R.	Livengood	Trello

NOT VOTING—2

Rappaport	Street

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

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

The House proceeded to third consideration of **HB 1269, PN 1430,** entitled:

A Supplement to the act of November 30, 1965 (P. L. 843, No. 355), entitled "An act providing for the establishment and operation of Temple University ***" making appropriations for carrying the same into effect, providing for a basis for payments of such appropriation and providing a method of accounting for the funds appropriated.

On the question,

Will the House agree to the bill on third consideration?

Mr. SALVATORE offered the following amendment:

Amend Sec. 1, page 2, line 1, by striking out $62,828,000" and inserting $64,025,000

On the question,

Will the House agree to the amendments?

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

Mr. SALVATORE. Mr. Speaker, this bill increases Temple University's appropriation by 2 percent, keeping it in line with the other state-nonrelated universities.

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

Mr. PIEVSKY. I also rise to support the gentleman's amendment. The appropriation conforms to that of the Democratic budget proposal. I urge passage. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—181

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

NAYS—15

Bowser	Kanuck	Lewis	Taylor, F.
Clark, B.	Lashinger	Livengood	Trello
Fischer, R. R.	Letterman	Spitz	Wright, D.
Gladeck	Levi	Stairs	

NOT VOTING—7

Geesey	Lynch, E. R.	Rappaport	Swift
George, C.	Mrkonic	Street	

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

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

Mr. DAVIES offered the following amendments:

Amend Bill, page 6, by inserting between lines 18 and 19
Section 8. All increases in this appropriation in excess of a 5% increase over the previous nonpreferred appropriation for this institution shall be used for maintaining current student tuition costs, and only be utilized on funding current existing academic programs or direct student educational related costs. These moneys may not be used to fund any increase in administrative personnel, new programs, or nonacademic expenditures. The administration and governing body of the institution shall produce the financial accounting of these expenditures to the General Assembly by June 30, 1980 for the first nine months of the fiscal year July 1, 1979 to June 30, 1980.
Amend Sec. 8, page 6, line 19, by striking out "8." and inserting 9.
Amend Sec. 9, page 6, line 22, by striking out "9." and inserting 10.
Amend Sec. 10, page 7, line 5, by striking out "10." and inserting 11.

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

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

Mr. DAVIES. Essentially, this is the fourth and last amendment on state-related schools. It would do the same thing that it did for the other three, and that is, of course, the intent to restrain or use the money for the reduction or retention of student tuition.

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

The following roll call was recorded:

YEAS—195

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

Cohen	Hayes, S. E.	Novak	Telek
Cole	Helfrick	Noye	Thomas
Cornell	Hoeffel	O'Brien, B.	Trello
Coslett	Honaman	O'Brien, D.	Wachob
Cowell	Hutchinson, A.	O'Donnell	Wagner
Cunningham	Hutchinson, W.	Oliver	Wargo
Davies	Irvis	Perzel	Weidner
Dawida	Itkin	Peterson	Wenger
DeMedio	Johnson, E.	Petrarca	White
DeVerter	Johnson, J.	Piccola	Williams
DeWeese	Jones	Pievsky	Wilson
DiCarlo	Kanuck	Pistella	Wilt
Dietz	Kernick	Pitts	Wright, D.
Dininni	Klingaman	Polite	Wright, J. L.
Dombrowski	Knepper	Pott	Yahner
Donatucci	Knight	Pratt	Yohn
Dorr	Kolter	Pucciarelli	Zeller
Duffy	Kowalyshyn	Punt	Zitterman
Dumas	Kukovich	Pyles	Zord
Durham	Lashinger	Reed	Zwikl
Earley	Laughlin	Rhodes	
Fee	Lehr	Richardson	Seltzer,
Fischer, R. R.	Letterman	Rieger	Speaker
Fisher, D. M.			

NAYS—6

Burd	Schweder	Vroon	Wass
Madigan	Stairs		

NOT VOTING—2

Rappaport	Street

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—195

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

NAYS—6

Clark, B.	Letterman	Taylor, F.	Trello
Fischer, R. R.	Livengood		

NOT VOTING—2

Rappaport	Street

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

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

REMARKS ON VOTE

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

Mr. CUNNINGHAM. Mr. Speaker, on the Davies amendment as applied to Temple University, HB 1269, I would like the record to show that despite the fact that I inadvertently voted in the affiirmative, I wish to be recorded in the negative. Thank you.

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

The House proceeded to third consideration of **SB 646, PN 688,** entitled:

An Act authorizing the Department of General Services, with the approval of the Secretary of Transportation, to sell and convey to Herbick & Held Printing Company a tract of land within Walker Street and Boyce Street in the Twenty-first Ward in the City of Pittsburgh, Allegheny County, Pennsylvania, lying east and southeast of the property line of lands presently owned by Herbick & Held Printing Company, containing, in the aggregate .212 acre, more or less.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—200

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

NAYS—0

NOT VOTING—3

Rappaport	Rhodes	Street

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

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

The House proceeded to third consideration of **HB 82, PN 233,** entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providng for the operation of district justices, fixing the jurisdiction costs, educational requirements and transfer procedures for district justices.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—194

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

Fischer, R. R.	Levi	Rocks	Seltzer,
Fisher, D. M.	Levin	Rodgers	Speaker

NAYS—5

Dawida	Klingaman	Lewis	Sieminski
Kernick			

NOT VOTING—4

Cunningham	Rappaport	Rhodes	Street

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

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

PARLIAMENTARY INQUIRY

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

Mr. RITTER. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RITTER. Mr. Speaker, it is directed to the bill that we just passed SB 646. This is not the first time we have done this this year and I am curious and my inquiry is: Do we not require under House rule 32 at least a statement filed with the chairman of the reporting committee—and I assume in this case, it was the chairman of the State Government Committee—indicating that a memorandum from the Department of General Services indicating the use to which the property is presently employed, the full consideration for the transfer of departmental appraisal, et cetera. My inquiry is, was that done in this case?

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. I am going to be somewhat evasive. My files indicate that I have a copy of a rule 32 filing. I can only suppose that the State Government Committee also has one, Mr. Speaker.

Mr. RITTER. Mr. Speaker, the reason I raise that question, Mr. Speaker, is that on the bill analysis it says that the cost for an appraisal obtained through General Services shall be borne by the printing company. I am not so sure that an appraisal was done. I was just wondering whether or not that report had been filed. If it had, in the future, Mr. Speaker, we could at least get the chairman of the appropriate committee to stand at the microphone and indicate that a report had been filed under rule 32, setting forth the information that is required so that all of us have that information or at least some idea that that was carried out. I realize the bill has been passed but it is just a suggestion, Mr. Speaker.

Mr. RYAN. Mr. Speaker, at side bar I asked the chairman of State Government Committee, and he advises me that rule 32 is on file with that committee, which is the way we have been operating and which I believe is responsive to your question.

Mr. RITTER. I thank the gentleman, Mr. Speaker. As I said, just one suggestion: If we could at least get the chairman of the respective committee to stand at the microphone and say I have a report under rule 32, I would be satisfied. Thank you.

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

Mr. GALLEN. Mr. Speaker, for the gentleman's information, no bills are considered by the State Government Committee without first having the rule 32 in its possession.

The House proceeded to third consideration of **HB 392, PN 414,** entitled:

An Act amending the "Judiciary Act of 1976," approved July 9, 1976 (P. L. 586, No. 142), further providing for fees charged by the office of the clerk of the court of common pleas of all counties of the second class.

On the question,

Will the House agree to the bill on third consideration?

Mr. ITKIN offered the following amendments:

Amend Title, page 1, lines 9 through 11, by striking out "further providing fees charged by" in line 9, all of lines 10 and 11, and inserting establishing a fee to be paid by attorneys in counties of the second class for the county law library.

Amend Sec. 1, page 1, line 14, by striking out "Subsection (e) of section" and inserting Section

Amend Sec. 1, page 1, line 16, by inserting after "amended" by adding a subsection

Amend Sec. 1 (Sec. 24), page 1, lines 18 through 22; page 2, lines 1 through 30; page 3, lines 1 through 15, by striking out all of said lines on said pages, and inserting

(e.1) Until otherwise provided by statute, the Court Administrator of the Supreme Court shall, pursuant to 42 Pa.C.S. § 1725, collect annually a $10 fee from all attorneys admitted to the bar and practicing law or employed as an attorney in counties of the second class.

(1) The Court Administrator of the Supreme Court shall on or before May 15 of each year transmit by ordinary mail to all attorneys admitted to the bar and practicing or employed as attorneys in second class counties, a statement of the Second Class County Attorney Law Library fee. On or before July 1 of each year all attorneys required by this subsection shall pay the annual fee.

(2) Within 20 days of the receipt of payment of the required annual fee, receipt thereof shall be acknowledged on a certificate issued by the Court Administrator, evidencing compliance with the requirements of this subsection.

(3) The Court Administrator of the Supreme Court may mail the statement of the Second Class County Attorney Law Library fee with the annual Supreme Court assessment fee. The Court Administrator of the Supreme Court may also mail the certificate of compliance with the Second Class County Attorney Law Library fee, along with the certificate of compliance with the annual Supreme Court assessment fee.

(4) On or before August 1 of every year, the Court Administrator of the Supreme Court shall transmit to all law libraries of counties of the second class all necessary records of payments of the Second Class County Attorney Law Library fee. Such necessary records shall include but not be limited to the names and addresses of all the attorneys required to pay the fee, and a record of whether each attorney in counties of the second class has paid the required fee.

(5) The Court Administrator of the Supreme Court may deduct from the total collected all printing, postage and mailing expenses incurred for the purpose of collecting the Second Class County Attorney Law Library fee. On or before August 1, the Court Administrator shall transfer the remainder of the total collected to all law libraries of counties of the second class. On or before August 1, the Court Administrator shall submit with payment of the remainder, a written statement of all such expenses. In the event that an attorney remits payment of fees or fines from delinquent payment of fees to the Court Administrator on or after August 1, the Court Administrator shall transfer the total of all such payments, minus mailing expenses, to all law libraries of counties of the second class.

(6) In the event that an attorney fails to pay the annual Second Class County Attorney Law Library fee by July 1, all law libraries of second class counties, shall be responsible for collecting the delinquent fees. The sums of the fines collected are for the exclusive use and benefit of the public law libraries in second class counties.

(7) Failure to pay the Second Class County Attorney Law Library fee by July 1 shall result in a fine of $25.

On the question,

Will the House agree to the amendments?

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

Mr. ITKIN. Mr. Speaker, before I get into the amendment, I would like to explain the nature of the bill. This is a bill which would provide for additional revenues for the Allegheny County Law Library located in Pittsburgh. Therefore, this bill only has consequence to Allegheny County.

The bill as it is presently drafted would impose a charge, an additional charge, of approximately 50 cents, raising the fees to $1 for a variety of papers filed with the various courts in Allegheny County, for which purpose these additional funds would be used in support of the Allegheny County Law Library.

Presently, this mechanism has been used to provide some of the appropriations for the law library. The effect of the bill is to increase the fees for this purpose and to expand the scope as to provide additional fees for the filing of other court-related documents.

Mr. Speaker, the amendment that I have introduced for the consideration by the House today would strike any additional fee being collected by the litigants in filing their papers but would seek to provide the additional appropriations to Allegheny County Law Library by a $10 fee paid for by all practicing attorneys in Allegheny County.

This would be done in a very effective ministerial fashion by having the individuals, when they do pay their $45 fee to the administrator of the Supreme Court, pay an additional $10 in order to support the Allegheny County Law Library.

I think that those who use the Allegheny County Law Library facilities, and for the basic reason for which that library has been developed, should pay the fee. In my judgment, it is for the use principally of the attorneys in the county. Therefore, I think that this is the most appropriate way of raising the additional revenue. In addition, I think it affords some kind of balance because the litigants would be still paying what they have been paying in the past in support of the library and now the attorneys would have to pay a small amount to maintain that support. Mr. Speaker, I would respectfully urge adoption of my amendments.

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

Mr. D. M. FISHER. I rise in opposition to the amendment offered by my colleague from Allegheny, Mr. Itkin.

I think it is important to point out that the Allegheny County Law Library is probably one of the finest law libraries not only in the Commonwealth of Pennsylvania, but in the entire country. It is, as I understand it, one of two law libraries of its nature in Pennsylvania that has been codified under the Judicial Code of 1978.

Basically what Mr. Itkin is saying is that we should not be requesting an additional set-aside of $22,000 out of the fees collected as is provided in HB 392, but rather we should be adding $10 onto the fee which is already paid by lawyers who practice law in Allegheny County.

Now this might sound fine and it might sound attractive, but I think it does have contained within it a basic unfairness and a number of problems.

First of all, a law library is opened to the public, whether lawyer or nonlawyer. Anybody who wants to can walk into that law library and use the facilities. It is true that there are a number of lawyers, obviously, who use the facility, but there is obviously a number of lawyers, such as lawyers with Federal agencies, lawyers with the Department of Justice, with the Commonwealth, who use that law library who may not be affiliated with the Allegheny County Bar Association. Likewise, there are lawyers from surrounding counties, such as Westmoreland, Washington, Fayette and Lawrence, who, for one reason or another, may not have the facilities in their law library and, if in the city of Pittsburgh, can freely use that library to research issues of importance to their clients.

This assessment would be an assessment on just one group, the Allegheny County lawyers, and I think it is an unfair assessment. I think the assessment that Mr. Itkin is proposing is unworkable. However, I do think the procedure that is outlined in current law by which we collect 50 cents and by which we are asking for a dollar under HB 394 is a workable proposal.

Without HB 392 in its present form, the Commissioners of Allegheny County may have to make an additional contribution out of the general fund. We are asking, as is the court in Allegheny County and the commissioners, for HB 392 to be passed as it is. I would ask all of you to oppose the Itkin amendment. Thank you.

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

Mr. ITKIN. Mr. Speaker, I think the question is: What is most fair? Obviously somebody has to pay for the support of the county law library. The question here is whether a person who is a litigant or a person who wants to appeal a ruling, let us say, from a magistrate's court, why should he pay for support

of the county law library more than the attorneys who are the principal benefactors of that law library? So the question is one of simple fairness and it is a qualifying thing.

I do not think people who want to appear in court should have to go ahead and pay a fee to use the courts facilities and then have tacked on an additional fee for payment in support of the law library. I just think, and it sounds reasonable to me, that the attorneys are the most appropriate individuals to provide for this support. I do not think it is an extreme hardship; it is $10 a year.

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

The following roll call was recorded:

YEAS—61

Austin	Giammarco	McMonagle	Schmitt
Belardi	Grabowski	Michlovic	Schweder
Brown	Hasay	Milanovich	Serafini
Caltagirone	Hutchinson, A.	Mrkonic	Seventy
Cappabianca	Itkin	Murphy	Shadding
Chess	Johnson, J.	Musto	Shupnik
Clark, B.	Jones	Novak	Steighner
Cohen	Kernick	O'Brien, B.	Stewart
Cole	Knight	Petrarca	Stuban
DeWeese	Kolter	Pievsky	Trello
Donatucci	Kukovich	Pistella	Wargo
Foster, W.	Letterman	Reed	White
Fryer	Levin	Rhodes	Wright, D.
Gamble	Livengood	Ritter	Yahner
Gatski	McCall	Scheaffer	Zwikl
George, C.			

NAYS—138

Alden	Durham	Lehr	Rodgers
Anderson	Earley	Levi	Ryan
Armstrong	Fee	Lewis	Salvatore
Arty	Fischer, R. R.	Lynch, E. R.	Scirica
Barber	Fisher, D. M.	Lynch, F.	Sieminski
Beloff	Foster, A.	Mackowski	Sirianni
Bennett	Freind	Madigan	Smith, E.
Berson	Gallagher	Manderino	Smith, L.
Bittle	Gallen	Manmiller	Spencer
Borski	Gannon	McClatchy	Spitz
Bowser	Geesey	McIntyre	Stairs
Brandt	Geist	McKelvey	Sweet
Brunner	George, M.	McVerry	Swift
Burd	Gladeck	Micozzie	Taddonio
Burns	Goebel	Miller	Taylor, E.
Cessar	Goodman	Moehlmann	Taylor, F.
Cianciulli	Gray	Mowery	Telek
Cimini	Grieco	Mullen, M. P.	Thomas
Clark, R.	Gruppo	Nahill	Vroon
Cochran	Halverson	Noye	Wachob
Cornell	Harper	O'Brien, D.	Wagner
Coslett	Hayes, D. S.	O'Donnell	Wass
Cowell	Hayes, S. E.	Oliver	Weidner
Cunningham	Helfrick	Perzel	Wenger
Davies	Hoeffel	Peterson	Williams
Dawida	Honaman	Piccola	Wilson
DeMedio	Hutchinson, W.	Pitts	Wilt
DeVerter	Irvis	Polite	Wright, J. L.
DiCarlo	Johnson, E.	Pott	Yohn
Dietz	Kanuck	Pratt	Zeller
Dininni	Klingaman	Pucciarelli	Zitterman
Dombrowski	Knepper	Punt	Zord
Dorr	Kowalyshyn	Pyles	
Duffy	Lashinger	Richardson	Seltzer,
Dumas	Laughlin	Rocks	Speaker

NOT VOTING—4

Greenfield	Rappaport	Rieger	Street

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

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

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

The question is, shall the bill pass finally?

MOTION TO TABLE HB 392

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

Mr. ITKIN. Mr. Speaker, I would ask the House to oppose HB 392 at the present time.

I can appreciate the action of the House today. I said that it was a question of one of judgment here. I am now attempting to work on another proposal which would provide additional support for all the county law libraries in each county of Pennsylvania.

It seems to me that if people allege, and it is in fact true, that the county law libraries are public libraries, then the question naturally occurs, why should not these county law libraries participate in the funding provided by the state for public libraries in general? So I am presently working on legislation now which would allow each of the county law libraries to partake in some reasonable manner from the subsidies we provide for libraries in general. So, Mr. Speaker, I would move at this time that HB 392 be placed on the table.

The SPEAKER. It has been moved by the gentleman from Allegheny, Mr. Itkin, that HB 392 be placed upon the table. This question is not a debatable motion.

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

The following roll call was recorded:

YEAS—100

Austin	Fee	Kanuck	Pucciarelli
Barber	Fryer	Kernick	Reed
Beloff	Gallagher	Klingaman	Rhodes
Berson	Gamble	Knight	Richardson
Borski	Gatski	Kolter	Rieger
Brown	Geesey	Kowalyshyn	Rodgers
Brunner	Geist	Kukovich	Schweder
Caltagirone	George, C.	Laughlin	Seventy
Cappabianca	George, M.	Levin	Shadding
Chess	Giammarco	Livengood	Shupnik
Cianciulli	Goodman	McCall	Stairs
Clark, B.	Grabowski	McIntyre	Steighner
Clark, R.	Gray	McMonagle	Stewart
Cohen	Greenfield	Michlovic	Stuban
Cole	Harper	Milanovich	Sweet
Coslett	Hasay	Mowery	Telek
Cowell	Hayes, S. E.	Mrkonic	Trello
Cunningham	Hoeffel	Mullen, M. P.	Wachob
DeMedio	Hutchinson, A.	Musto	Wargo
DeWeese	Hutchinson, W.	Novak	White
Dombrowski	Irvis	O'Brien, B.	Williams

Donatucci	Itkin	Oliver	Wright, D.
Dorr	Johnson, E.	Petrarca	Yahner
Duffy	Johnson, J.	Pievsky	Zeller
Dumas	Jones	Pistella	Zwikl

NAYS—101

Alden	Foster, W.	McVerry	Sieminski
Anderson	Freind	Micozzie	Sirianni
Armstrong	Gallen	Miller	Smith, E.
Arty	Gannon	Moehlmann	Smith, L.
Belardi	Gladeck	Murphy	Spencer
Bennett	Goebel	Nahill	Spitz
Bittle	Grieco	Noye	Swift
Bowser	Gruppo	O'Brien, D.	Taddonio
Brandt	Halverson	O'Donnell	Taylor, E.
Burd	Hayes, D. S.	Perzel	Taylor, F.
Burns	Helfrick	Peterson	Thomas
Cessar	Honaman	Piccola	Vroon
Cimini	Knepper	Pitts	Wagner
Cochran	Lashinger	Polite	Wass
Cornell	Lehr	Pott	Weidner
Davies	Letterman	Pratt	Wenger
Dawida	Levi	Punt	Wilson
DeVerter	Lewis	Pyles	Wilt
DiCarlo	Lynch, E. R.	Ritter	Wright, J. L.
Dietz	Lynch, F.	Rocks	Yohn
Dininni	Mackowski	Ryan	Zitterman
Durham	Madigan	Salvatore	Zord
Earley	Manderino	Scheaffer	
Fischer, R. R.	Manmiller	Schmitt	Seltzer,
Fisher, D. M.	McClatchy	Scirica	Speaker
Foster, A.	McKelvey	Serafini	

NOT VOTING—2

Rappaport	Street

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

On the question recurring,
Shall the bill pass finally?

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

YEAS—168

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

NAYS—32

Austin	Gatski	Letterman	Serafini
Belardi	Hasay	Livengood	Shadding
Bowser	Hutchinson, A.	McMonagle	Shupnik
Brown	Itkin	Michlovic	Stewart
Clark, B.	Kanuck	Mrkonic	Stuban
Donatucci	Kernick	Musto	Wargo
Dorr	Knight	Reed	Wright, D.
Fryer	Kukovich	Schmitt	Zeller

NOT VOTING—3

Foster, W.	Rappaport	Street

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

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

RESOLUTION RECOMMITTED

Mr. RYAN called up **HR 61, PN 1217,** entitled:

House urge Department, General Services conduct 60 day experiment using XRG fuel in State buildings and vehicles.

On the question,
Will the House adopt the resolution?

The SPEAKER. The Chair recognizes the majority whip.

Mr. RYAN. Mr. Speaker, I move that HR 61 be recommitted to the Committee on Rules.

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

The following roll call was recorded:

YEAS—199

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

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

NAYS—0

NOT VOTING—4

Hutchinson, A.	Rappaport	Street	Sweet

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

The SPEAKER. The resolution is so recommitted.

RESOLUTION ADOPTED

Mr. RYAN called up **HR 63, PN 1239,** entitled:

House urge Congress to renew general revenue sharing program.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

NAYS—1

Lewis

NOT VOTING—4

Cunningham	Hutchinson, A.	Rappaport	Street

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

RESOLUTION ADOPTED

Mr. SCHEAFFER called up **HR 67, PN 1351,** entitled:

House memorialize Congress to take legislative action to prevent moving of New Cumberland Army Depot and Fort Indiantown Gap employees.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

Alden	Foster, W.	Lewis	Rodgers
Anderson	Freind	Livengood	Ryan

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

NAYS—0

NOT VOTING—5

Beloff	Rappaport	Sirianni	Street
Cole			

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

REMARKS ON VOTE

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

Mr. COLE. Mr. Speaker, I do not think my light was on the board up there on HR 67. I would like to be recorded in the affirmative. Thank you.

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

RESOLUTION ADOPTED

Mr. RYAN called up **HR 76, PN 1501,** entitled:

House salutes the American Correctional Association for its record of achievement; extends good wishes and success for their Congress in Philadelphia.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—191

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

NAYS—0

NOT VOTING—12

Belardi	Davies	Levi	Street
Beloff	Foster, W.	Miller	Wagner
Berson	Gallen	Rappaport	Zord

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

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the gentleman from

Venango, Mr. Levi. For what purpose does the gentleman rise?

Mr. LEVI. Mr. Speaker, I was out of my seat when the vote was taken on HR 76. I would like to be recorded in the affirmative.

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

CALENDAR BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 53, PN 1066,** entitled:

An Act to enhance the Commonwealth's environmental radiation surveillance and emergency radiation response capabilities by granting certain powers to the Department of Environmental Resources and making an appropriation.

On the question,

Will the House agree to the bill on third consideration?

Mr. COLE offered the following amendments:

Amend Sec. 3, page 2, line 9, by removing the period after "environment" and inserting including all appropriate tests for alpha, beta and gamma levels in all appropriate media.

Amend Bill, page 3, by inserting between lines 10 and 11

Section 6. Notification.

Whenever the Department of Environmental Resources during the course of its duties under this act, determines that levels of radiation exceed the normal range of radioactivity in that area, the department shall immediately notify the Governor, the Nuclear Regulatory Commission and also report its findings to the public, and it shall subsequently submit a detailed report on the occurrence to both the Governor and the Nuclear Regulatory Commission and make such report public.

Amend Sec. 6, page 3, line 11, by striking out "6" and inserting 7

Amend Sec. 7, page 3, line 17, by striking out "7" and inserting 8

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Adams, Mr. Cole.

Mr. COLE. Mr. Speaker, this amendment is designed to make it clear that Pennsylvania is not going to rely on the Nuclear Regulatory Commission or the utilities to promptly report abnormal radiation levels to the Governor and the public. With this amendment we will declare in no uncertain terms that the radiation monitoring by the Department of Environmental Resources, under this act, must thoroughly test all forms of harmful radioactivity. This measure would reassure our residents that we are taking all necessary precautions in monitoring radiation and that we will immediately provide our citizens with the information which they feel has been withheld from them in the past. The amendment would prevent officials from withholding information until the situation reaches the crisis stage. Any unusual radiation levels would be immediately made public so that the people can draw their conclusions. DER would be required to notify the Governor and the NRC immediately.

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

Mr. ZELLER. Would Mr. Cole stand for interrogation, please?

The SPEAKER. The gentleman, Mr. Cole, indicates that he will, and the gentleman from Lehigh, Mr. Zeller, may proceed.

Mr. ZELLER. Mr. Speaker, what this does is strictly monitoring. In other words, there is no movement here for a ban? I do not have a copy of your resolution. I am sorry, but I ask you, with your integrity, you tell me that this is just a monitoring situation, period?

Mr. COLE. Monitoring and testing by DER?

Mr. ZELLER. Testing by DER?

Mr. COLE. Yes.

Mr. ZELLER. Thank you very much.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—200

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

NAYS—0

NOT VOTING—3

Rappaport Rhodes Street

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—199

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

NAYS—0

NOT VOTING—4

Gladeck Rappaport Rhodes Street

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

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

REMARKS ON VOTE

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

Mr. GLADECK. Mr. Speaker, I wish to be recorded in the affirmative on the previous vote on HB 53.

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

CALENDAR BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 507, PN 1072,** entitled:

An Act amending the act of October 4, 1978 (P. L. 883, No. 170), referred to as the "Public Official and Employee Ethics Law," further providing for restricted activities.

On the question,

Will the House agree to the bill on second consideration?

HB 507 TABLED

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I move that HB 507 be placed on the tabled calendar.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—192

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

Clark, B.	Hasay	Noye	Telek
Clark, R.	Hayes, D. S.	O'Brien, B.	Thomas
Cochran	Hayes, S. E.	O'Brien, D.	Trello
Cohen	Helfrick	O'Donnell	Vroon
Cole	Hoeffel	Oliver	Wachob
Cornell	Honaman	Perzel	Wagner
Coslett	Hutchinson, W.	Peterson	Wargo
Cowell	Irvis	Petrarca	Wass
Cunningham	Johnson, E.	Piccola	Wenger
Davies	Johnson, J.	Pievsky	White
Dawida	Kanuck	Pitts	Williams
DeMedio	Kernick	Polite	Wilson
DeVerter	Klingaman	Pott	Wilt
DeWeese	Knepper	Pratt	Wright, D.
DiCarlo	Knight	Pucciarelli	Wright, J. L.
Dietz	Kolter	Punt	Yahner
Dininni	Kowalyshyn	Pyles	Yohn
Dombrowski	Kukovich	Reed	Zeller
Donatucci	Lashinger	Richardson	Zitterman
Dorr	Laughlin	Rieger	Zord
Duffy	Lehr	Ritter	Zwikl
Dumas	Letterman	Rocks	
Durham	Levi	Rodgers	Seltzer,
Earley	Levin	Ryan	Speaker
Fee	Lewis		

NAYS—5

Fryer	Jones	Pistella	Weidner
Gatski			

NOT VOTING—6

Hutchinson, A.	McIntyre	Rhodes	Street
Itkin	Rappaport		

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

The House proceeded to second consideration of **HB 818, PN 1075,** entitled:

An Act amending the "Pennsylvania Farmland and Forest Land Assessment Act of 1974," approved December 19, 1974 (P. L. 973, No. 319), providing for recording of the preferential use assessment agreements and continuing the preferential use assessment for the original tract in case of a separation or split-off.

On the question,

Will the House agree to the bill on second consideration?

HB 818 TABLED

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I move that HB 818 be placed upon the table.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—194

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

NAYS—1

Weidner

NOT VOTING—8

Barber	Dumas	Nahill	Rhodes
Bennett	McIntyre	Rappaport	Street

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

SUPPLEMENTAL CALENDAR BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1305, PN 1614,** entitled:

An Act making an appropriation to the Franklin Institute of the Commonwealth of Pennsylvania at Philadelphia, Pennsylvania.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—186

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

NAYS—13

Belardi	George, C.	Piccola	Stairs
Clark, B.	Levi	Pratt	Taylor, F.
Fischer, R. R.	Livengood	Serafini	Trello
Geesey			

NOT VOTING—4

Austin	Mrkonic	Rappaport	Street

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

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

The House proceeded to third consideration of **HB 1310, PN 1615,** entitled:

An Act making an appropriation to the Division of Education of the Philadelphia Museum of Art, Philadelphia, Pennsylvania.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—189

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

NAYS—12

Clark, B.	Levi	Pratt	Weidner
Fryer	Livengood	Taylor, F.	Yahner
George, C.	Piccola	Trello	Zeller

NOT VOTING—2

Rappaport	Street

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

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

STATEMENTS ON UNCONTESTED CALENDAR BILLS

The SPEAKER. The Chair goes to the uncontested calendar. Bills on second consideration on the uncontested calendar. HB 552, HB 657, HB 841, HB 914, HB 1363, and HB 1375. Are these bills called up?

The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, I have no objection to the calling up of the bills; however, once they are called up and passed for third consideration, I would have an objection to continuing HB 552 on the uncontested calendar, and there has been an objection filed to HB 657. I request the Chair that, after they have been read and placed on third consideration, these two bills be placed on the regular calendar.

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

Mr. ZELLER. I am not in effect challenging HB 914. I would like to have someone who could answer a question on it clear me, Mr. Foster or someone.

The SPEAKER. Will the gentleman yield until—

The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, let me straighten it out. I think I can. These bills are only on second consideration. There will be no voting on them today.

Mr. ZELLER. I realize that.

Mr. IRVIS. If the time comes for them to be voted on, they are debatable, and at that point in time you could rise and ask for an explanation.

Mr. ZELLER. But the question, Mr. Speaker, is at that time, when it gets to third, is it too late to withdraw it then?

Mr. IRVIS. No.

Mr. ZELLER. Thank you.

The SPEAKER. These bills are called up by the majority leader, Mr. Ryan. Will the House agree to the bills?

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

Mr. DAWIDA. Mr. Speaker, I object to HB 1375 being on the uncontested calendar.

The SPEAKER. Will the gentleman yield and wait until we have moved the bills to third consideration, and then I will include that one with the other bill?

UNCONTESTED CALENDAR BILLS ON SECOND CONSIDERATION

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

HB 552, PN 1358; HB 657, PN 1603; HB 841, PN 918; HB 914, PN 1604; HB 1363, PN 1540; and **HB 1375, PN 1605**

UNCONTESTED CALENDAR BILLS PLACED ON REGULAR CALENDAR

The SPEAKER. Because of objections, HB 552, HB 657 and HB 1375 will be placed on the regular third consideration calendar.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 1177, PN 1321 (Unanimous) By Mr. WEIDNER

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), authorizing townships to use the provisions of the Local Government Unit Debt Act for financing construction of sewers and drains.

Local Government.

HB 1335, PN 1497 (Unanimous) By Mr. WEIDNER

An Act amending the act of June 26, 1931 (P. L. 1379, No. 348), referred to as the Third Class County Assessment Board Law, further providing for appeals from assessments.

Local Government.

HB 1336, PN 1498 (Unanimous) By Mr. WEIDNER

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853, No. 155), further providing for appeals from assessments.

Local Government.

BILL REPORTED FROM COMMITTEE AND REREFERRED

No. 1126, PN 1267 By Mr. WEIDNER

An Act amending the "Municipality Authorities Act of 1945," approved May 2, 1945 (P. L. 382, No. 164), further providing for the disposition of certain tapping fees.

Local Government.

Rereferred to Committee on Consumer Affairs.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I am going to request that the House recess at this time until 2:30 p.m. I would ask that the Republicans immediately go to the caucus room where we will discuss SB 498, and then there will be an important announcement made to our caucus in the caucus room. I would ask you to go. If you are not interested in the Senate bill, come on down for the announcement.

We will come back on the floor at 2:30 p.m., run the transportation bill, and adjourn for the week probably.

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Thank you, Mr. Speaker.

For the Democrats, we will break for lunch, and I ask that the

Democrats report promptly at 1:15 p.m. to the caucus room. We shall be discussing the motor license fund and it will be, I think, a very interesting discussion and I expect that it is going to be a very intricate discussion. I would urge all of you to attend, 1:15 p.m. Thank you, Mr. Speaker.

ANNOUNCEMENT

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

Mr. ITKIN. To make an announcement.

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

Mr. ITKIN. Mr. Speaker, I have been advised that the Southwestern Pennsylvania Highway Bridge Coalition will be holding a news conference in the rotunda at 1 o'clock and all House members are invited, and at 2 o'clock they will be in the Governor's reception room to meet with legislators who wish to do so. There are 23 organizations from southwestern Pennsylvania involved in the coalition. That is at 1 o'clock in the rotunda and 2 o'clock in the Governor's reception room.

ANNOUNCEMENT

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

Mr. J. L. WRIGHT. Just one final reminder to the members of the Select Committee on Three Mile Island: We will be holding our public hearings as scheduled, this afternoon at 4:30 p.m. at the Bainbridge Elementary School. For those who have misplaced your instructions, give my office a call please.

RECESS

The SPEAKER. Without objection, this House stands in recess until 2:30 p.m. The Chair hears none.

AFTER RECESS

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

QUESTION OF INFORMATION

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

Mrs. KERNICK. I rise to a question of information.

The SPEAKER. The lady will state it.

Mrs. KERNICK. It is 35 minutes since we were to be called to order, and I wonder if it would be in order for me to ask why the delay?

The SPEAKER. Certainly the lady is entitled to know. The Chair has been informed that they are awaiting an amendment from the Reference Bureau and the Chair is happy to announce that the amendment has now arrived and we are ready to get going.

Mrs. KERNICK. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady for her patience.

CALENDAR BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 498, PN 819,** entitled:

A Supplement to the act of (P. L. , No.), entitled "An act to provide for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt, and for the public schools for the fiscal period July 1, 1979 to June 30, 1980, and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1979," itemizing appropriations required from the Motor License Fund for the proper operation of the several departments of the Commonwealth authorized to spend Motor License Fund moneys.

On the question,

Will the House agree to the bill on third consideration?

Mr. DININNI offered the following amendments:

Amend Sec. 2, page 4, line 7, by striking out "$22,400,000" and inserting $22,238,000

For payment to the Pennsylvania Economy League for efficiency, effectiveness, construction and quality control studies..... 162,000

Amend Sec. 2, page 4, line 21, by striking out "434,644,000" and inserting 378,644,000

For the payment of private contracts for the betterment and maintenance of State roads, bridges, tunnels and structures. No portion of these funds shall be used for Department of Transportation administrative expenses 76,000,000

Amend Sec. 2, page 5, lines 21 through 23, by striking out all of said lines and inserting

NO. 655) 33,000,000

On the question,

Will the House agree to the amendments?

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

Mr. DININNI. Mr. Speaker, this amendment is marked A1414. It actually is one amendment, but it really encompasses four different parts of the budget; the first being on section 2, page 4, line 7. I am striking out $22,400,000 and inserting $22,238,000. That leaves me with $162,000, which I am earmarking for the Pennsylvania Economy League to completely study the whole—

POINT OF ORDER

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

Mr. GREENFIELD. I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. GREENFIELD. I believe that the amendment is being distributed and I think the members should have it to compare while Mr. Dininni is explaining it. I do not think that it has been completely distributed on this side and I would ask that Mr. Dininni wait until such time that it is distributed.

Mr. DININNI. I am sorry, I thought it was distributed.

The SPEAKER. Will the members who have not received a copy of the amendment please raise their hands?

Will the pages see that the members receive their amendments immediately?

For the information of the membership, the amendments have been distributed at the end of every aisle and apparently the members have not passed their copies in to their other fellow members.

The gentleman, Mr. Dininni, may continue.

Mr. DININNI. Mr. Speaker, as I was saying, $162,000 is earmarked for the Pennsylvania Economy League to completely study PennDOT in all phases. That was the one part.

The second part is amending section 2, page 4, line 21, by striking out $434,644,000 and inserting $378,644,000. What I am doing here, as you read down over the amendment, there will be a difference of $20 million. If you read the bill, there was $20 million taken from the State Police, and now what I am doing is reinserting the $20 million, but putting it back into maintenance to make certain that the extra $20 million goes back into the maintenance. So then we continue. I am putting the wording in to tie the hands of the department on the $76 million that appeared in the Governor's budget and to make certain that it is used strictly for construction and no part of it to be used for administrative expenses.

The last part is amending section 2, page 5, lines 21 through 23, by striking out all of said lines and inserting $33 million, and that part is dealing with the reference to the 6-percent sales tax. I had no intention of having it in the bill.

Thank you, and I am asking all of the members to vote in the affirmative.

AMENDMENTS DIVIDED

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

Mr. A. K. HUTCHINSON. Can we divide just the question?

The SPEAKER. Would the gentleman indicate how he is suggesting that it be divided?

Mr. A. K. HUTCHINSON. Amend section 2, page 9. Take that part out and leave "Amend section 2, page 4, line 21," and leave that in it. Where you are paying $162,000 for the Economy League to study it, PennDOT has been studied to death for the last 11 years. Mr. Larson studied this before he became it. I think we ought to have a chance to divide it.

The SPEAKER. As I understand, the request of the gentleman from Westmoreland is whether or not the amendment which appropriates to the Pennsylvania Economy League $162,000 be stricken. Is that correct?

Mr. A. K. HUTCHINSON. Yes.

The SPEAKER. It is the opinion of the Chair that the amendment could be divided by taking out the figure of $22,238,000, all of the language, and then the second figure of $162,000. By removing that we could vote on the other remaining parts of the amendment.

Mr. A. K. HUTCHINSON. I would like to have it divided if it can be.

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

Mr. DININNI. Mr. Speaker, I would oppose the division, because if you read the purpose of the Economy League, I do not think that any one of these items has ever been studied completely by the Pennsylvania Economy League. For quite a while I have been hearing around the floor of this House about quality control and the efficiency of the department and, to me, I think these answers should come forward. What I am doing is taking the funds from the administrative costs and not from anywhere else where it is going to affect our maintenance program or our new construction. I would oppose it.

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

Mr. A. K. HUTCHINSON. Mr. Speaker, like I said before, PennDOT has been studied and restudied. Even Mr. Thornburgh, when he was running for Governor, said he knew how to cut $200 million. We do not need any more studies to study PennDOT. Let us get the work, and cut it.

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

Mr. MICHLOVIC. Thank you, Mr. Speaker.

Will the gentleman, Mr. Dininni, stand for interrogation?

The SPEAKER. The gentleman, Mr. Dininni, indicates that he will, and the gentleman from Allegheny, Mr. Michlovic, may proceed.

Mr. MICHLOVIC. Thank you, Mr. Speaker.

Mr. Speaker, there was reference in your presentation on this amendment to a dissection of the appropriation dealing with the State Police. Could you go over that again?

The SPEAKER. Will the gentleman yield? The question before the House is the division of the amendment as suggested by the gentleman from Westmoreland. The House should dispose of this question first before the gentleman will be recognized for the interrogation of Mr. Dininni.

Mr. MICHLOVIC. Yes, Mr. Speaker.

The SPEAKER. The Chair apologizes to the gentleman from Allegheny, Mr. Michlovic. It is the opinion of the Chair that the interrogation at this time is in order. The gentleman from Dauphin, Mr. Dininni, is ready, and the gentleman from Allegheny may proceed.

Mr. MICHLOVIC. Mr. Speaker, earlier in his presentation Mr. Dininni made mention of the State Police and a deduction of an amount made in the second part of his amendment. Could you again explain what you did and how the State Police was involved in that?

Mr. DININNI. Yes. If you read the bill, you will find that there was $20 million deducted from the State Police in the bill, and nothing was really done with that $20 million. What I am doing here in this amendment is putting it back in, but instead of putting it back into the State Police, I am putting it back into maintenance. If you take the two figures and add them with the $76 million, you will find out that that is where your $20 million is.

Mr. MICHLOVIC. Okay. Thank you, Mr. Speaker.

PARLIAMENTARY INQUIRY

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

Mr. RITTER. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RITTER. Mr. Speaker, we are talking now about a portion of an amendment which would appropriate money to the Pennsylvania Economy League for a study. My question is, would that apply or would that come under rule 34, which talks

about nonpreferred appropriations?

The SPEAKER. It is the opinion of the Chair that it is not a nonpreferred appropriation. As the Chair reads the amendment and the bill, the money is being appropriated to the Pennsylvania Department of Transportation, and the expenditure will be made from the department. It is not a direct appropriation to the Pennsylvania Economy League.

Mr. RITTER. I thank the Speaker.

The SPEAKER. The question before the House is the amendment offered by the gentleman from Dauphin, Mr. Dininni, with the exception of that part of the amendment which refers to the $162,000 to the Pennsylvania Economy League.

On the question,

Will the House agree to Part I of the amendments?

(Members proceeded to vote)

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, would you kindly explain—some of us were busy at other things—just exactly what the vote on the board is for?

The SPEAKER. The clerk will strike the roll.

The question before the House is the adoption of the amendment offered by Mr. Dininni, with the exception of that paragraph which pertains to the Pennsylvania Economy League and the $162,000 that accompanies it.

The Chair recognizes the gentleman from Lawrence, Mr. Pratt.

Mr. PRATT. Mr. Speaker, may I interrogate the author of the amendment?

The SPEAKER. The gentleman, Mr. Dininni, indicates that he will accept interrogation. The gentleman, Mr. Pratt, may proceed.

Mr. PRATT. Mr. Speaker, were there any previous studies made by outside interests of the operations of PennDOT prior to this date?

Mr. DININNI. I am sure that there have been studies, but I am referring to the ones that are mentioned in this amendment. I do not think so, no.

Mr. PRATT. Was there a study, Mr. Speaker, completed by the Pennsylvania Economy League in the past 3 to 4 years of PennDOT?

Mr. DININNI. I believe so, but again I do not believe of these particular items that are mentioned in this amendment.

Mr. PRATT. Did not the Pennsylvania Economy League, after this study, make certain recommendations to the Shapp administration concerning the operations of PennDOT?

Mr. DININNI. Again I will repeat what I just said. I believe so, but not on the items that are mentioned here.

Mr. PRATT. Mr. Speaker, did not the present Secretary of Transportation, Dr. Larson, when he was affiliated with Penn State University, make an exhaustive study of the operations of PennDOT and make certain recommendations to the Shapp administration concerning the operations thereof?

Mr. DININNI. The advisory committee? I believe they did, but I do not think that they had anything to do with quality controls and such things of that nature.

Mr. PRATT. Mr. Speaker, does the Governor's office have access to—

The SPEAKER. Will the gentleman yield? The question before the House is the adoption of that part of the amendment which does not pertain to the Pennsylvania Economy League.

Mr. PRATT. Do you mean I am premature, Mr. Speaker?

The SPEAKER. The gentleman is correct.

Mr. PRATT. May I table my interrogation until after the vote?

The SPEAKER. The Chair will recognize you.

The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, I would like to interrogate the chairman of the Transportation Committee.

The SPEAKER. The gentleman, Mr. Dininni, indicates he will stand for interrogation. The minority whip may proceed.

Mr. MANDERINO. Mr. Speaker, it is my understanding that part of this amendment segregates $76 million to insure that $76 million in the new moneys proposed to be used for maintenance will be used to hire private contractors to do $76 million worth of maintenance.

Mr. DININNI. I believe that was the case right from the beginning—

Mr. MANDERINO. What is the purpose of segregating only $76 million and saying that—

Mr. DININNI. You did not let me finish my answer. If you ask me a question, let me finish it.

Mr. MANDERINO. I am sorry. I thought you were finished.

Mr. DININNI. I believe, if you heard the Governor that particular day and if you read his document, you will find that $76 million was for a crash program, and there is only one way you are going to put a crash program into existence, and that is with private construction people, not with your own team because they have their own maintenance during the course of the year to take care of, unless you want to hire about 5,000 more men.

Mr. MANDERINO. Is that not the intention of the Governor, to use the moneys given to him for maintenance of the roads in the best manner as the department deems fit to make sure the roads get repaired? Why do we have to protect contractors by the legislation by giving them $76 million?

Mr. DININNI. I am not protecting contractors, and I care less about the construction people. I am telling you that I was only trying to make sure. The Governor said this is what he wanted to do, and I am making sure to insure all of the members that this $76 million—without administrative costs, is all I am saying; those were the only words I added—will be spent in this manner, period.

Mr. MANDERINO. Mr. Speaker, in SB 498, regarding the line item that was $434,644,000, what was that figure last year in the corresponding line item? Do you know?

Mr. DININNI. I believe it was $338,632,000.

Mr. MANDERINO. How much was used on contracts last year?

Mr. DININNI. At this point I could not answer that.

Mr. MANDERINO. Mr. Speaker, do I understand correctly that the state funds proposed in the $434-million figure will be

provided by the enactment of some sort of tax?

Mr. DININNI. I will not deny that. We are looking for a little over $200 million.

Mr. MANDERINO. All right. So of that $200 million, you are providing in the line item for highway maintenance about 96 million additional dollars, from $338 million to $434 million. Is that correct?

Mr. DININNI. I believe that is correct.

Mr. MANDERINO. So we are saying that all we are going to provide in maintenance moneys to PennDOT is an additional $96 million, and you are trying to segregate $76 million of that $96 million for private contracts. Is that correct?

Mr. DININNI. No; I do not think so. It is more than that.

Mr. MANDERINO. It is more than that?

Mr. DININNI. Sure, because we are talking about $338 million.

Mr. MANDERINO. Four hundred and thirty-four million dollars, so the difference is $96 million, and $76 million you want to segregate for private contractors.

Mr. DININNI. Yes. Well, you are forgetting about the $20 million that is in the amendment.

Mr. MANDERINO. Pardon me?

Mr. DININNI. You are forgetting about the $20 million which I have included in the amendment for maintenance.

Mr. MANDERINO. All right, so then the figures will become 116 million additional dollars for maintenance and you want to segregate $76 million of that for private contracts.

Mr. DININNI. Mr. Speaker, let us not confuse—

Mr. MANDERINO. I just want to understand if that is what you intend to do by your amendment.

Mr. DININNI. Then you let me answer. Can you tell me what was spent last year for private contracting firms?

Mr. MANDERINO. I have no idea, Mr. Speaker.

Mr. DININNI. I am sure you do not.

Mr. MANDERINO. Do you?

Mr. DININNI. So do not—

Mr. MANDERINO. I am asking you as chairman of the Transportation Committee—

Mr. DININNI. Well, then do not make—

Mr. MANDERINO.—and I asked you to give me that information, and you said you did not know.

Mr. DININNI. Well, then do not make the statement that I am segregating $76 million out of $96 million, because that is false, and I am sure the members of this House realize that. There have always been private contractors doing work for the Commonwealth.

Mr. MANDERINO. But you told me that the $76 million that you specifically referred to was in the Governor's budget document and his promise to put $76 million into private contractors on a crash program.

Mr. DININNI. You had better believe that is what I am saying, because you people in western Pennsylvania have been crying for a long time that you need help and you need it quick, and there is only one way I know you are going to get it fast, and that is through private contractors.

Mr. MANDERINO. Do you have any idea how many miles of roads could be repaved—let us take repaved, not fix potholes, repaved—with $76 million?

Mr. DININNI. I am sure quite a few.

Mr. MANDERINO. Is that quite a few hundred miles, quite a few thousand miles, quite a few 1-mile stretches?

Mr. DININNI. Well, that depends on the area that you are in, and it is going to fix a lot more miles—

Mr. MANDERINO. Are you asking the members of the General Assembly to believe that you do not have any idea what it costs to repave, let us take, a 3-inch bituminous surface on a road?

Mr. DININNI. You tell me what you are referring to, and then I will do my best to answer, because you have a 1½-inch overlay; you have a 3-inch; you have various kinds.

Mr. MANDERINO. I just said a 3-inch overlay. A mile of road, 3-inch overlaid bituminous paving. Any ball-park figures?

Mr. DININNI. I am not going to, no, because you are going to twist it around anyhow.

Mr. MANDERINO. No; I do not want to twist it around.

Mr. Speaker, I would ask whether or not the amendment could be divided so far as the $76 million is concerned.

AMENDMENTS DIVIDED

The SPEAKER. In response to the question posed by the minority whip, Mr. Manderino, it is the opinion of the Chair that the amendment is further divisible. Is the gentleman suggesting that the amendment be divided further? Does the minority whip request that the amendment be further divided?

Mr. MANDERINO. Yes, Mr. Speaker.

The SPEAKER. The question before the House is that part of the amendment which reads "Amend Sec. 2, page 4, line 21, by striking out '434,644,000'," et cetera, et cetera, and ending with the figure of $76 million. The Chair repeats, the question before the House is the consideration of the middle part of the amendment, which begins "Amend Sec. 2, page 4, line 21, by striking out '434,644,000'," et cetera, et cetera, and ending up with $76 million. The question is on that motion.

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

Mr. DININNI. For clarification, if this amendment is divided, then are we voting separately not only for the $76 million but also the $20 million that I am speaking of that I put back in, the same lines that you are referring to?

The SPEAKER. It is the opinion of the Chair that that is not divisible.

Mr. DININNI. Well, then I had better interrogate the minority whip.

The SPEAKER. Will the minority whip permit himself to be interrogated?

Mr. MANDERINO. Mr. Speaker, the minority whip is aware of the problem in Mr. Dininni's mind. If the question is divided and the $76-million segregation for private contractors is defeated, the rest of the amendment would be allowing $20 million less in maintenance than Mr. Dininni wants to put in there. I am aware of that, and I have ordered an amendment from the

Reference Bureau to put his $20 million back in. When he segregated $76 million from the line item, he only lowered the line item by $56 million.

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

Mrs. KERNICK. A question on the amendment, and I would like to interrogate Mr. Dininni.

The SPEAKER. Mr. Dininni indicates he will stand for interrogation. The lady may proceed.

Mrs. KERNICK. Mr. Speaker, I would like to know why you feel it is necessary to line-item this when the bill itself, on line 16, says "For the salaries, wages and all necessary expenses . . . ." Would not private contracts be necessary expenses?

Mr. DININNI. No. All I was trying to do with this amendment was to make sure that the department would spend no part of this $76 million in administrative expenses, period, so that you have more money to put in on the roads themselves. That is all I was trying to do.

Mrs. KERNICK. They would have the authority to do that though, under the bill.

Mr. DININNI. I am sure they would have the authority, but I was making certain that the $76 million would be spent strictly on highways. That is all I was doing.

Mrs. KERNICK. Thank you, Mr. Speaker.

The SPEAKER. The question recurs, will the House agree to that part of the amendment? The Chair repeats, we are voting on the middle section of the amendment, that part of the amendment which begins with the words "Amend Sec. 2, page 4, line 21, by striking out '434,644,000'," and continuing through the figure of $76 million.

On the question recurring,

Will the House agree to Part I of the amendments?

The following roll call was recorded:

YEAS—114

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

NAYS—86

Austin	Fryer	Levin	Rodgers
Barber	Gallagher	Livengood	Schmitt
Beloff	Gatski	Manderino	Schweder
Bennett	George, C.	McCall	Seventy
Berson	George, M.	McIntyre	Shadding
Borski	Giammarco	McMonagle	Shupnik
Brown	Goodman	Milanovich	Steighner
Brunner	Grabowski	Mrkonic	Stewart
Caltagirone	Gray	Mullen, M. P.	Stuban
Cappabianca	Greenfield	Musto	Sweet
Cianciulli	Harper	Novak	Taylor, F.
Cochran	Hoeffel	O'Brien, B.	Trello
Cohen	Irvis	O'Donnell	Wachob
Cole	Itkin	Oliver	Wargo
DeMedio	Johnson, J.	Pievsky	White
DeWeese	Jones	Pistella	Williams
DiCarlo	Kernick	Pratt	Wright, D.
Dombrowski	Knight	Pucciarelli	Yahner
Donatucci	Kolter	Richardson	Zeller
Duffy	Kowalyshyn	Rieger	Zitterman
Dumas	Laughlin	Ritter	Zwikl
Fee	Letterman		

NOT VOTING—3

Rappaport	Rhodes	Street

The question was determined in the affirmative, and Part I of the amendments was agreed to.

The SPEAKER. The Chair now lays before the House the second part of the amendment, which is the last one, reading "Amend Sec. 2, page 5, lines 21 through 23, by striking out all of said lines and inserting . . . 33,000,000". The question is on the adoption of the amendment.

On the question.

Will the House agree to Part II of the amendments?

The following roll call was recorded:

YEAS—196

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

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

NAYS—1

Livengood

NOT VOTING—6

McKelvey	Rappaport	Shadding	Street
McMonagle	Rhodes		

The question was determined in the affirmative, and Part II of the amendments was agreed to.

REMARKS ON VOTE

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

Mr. McKELVEY. Mr Speaker, I was temporarily out of my seat on that part of amendment A1414 that pertained to section 2, page 5, lines 21 through 23. I would like to be recorded in the affirmative.

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

The Chair now takes up the third part of the amendment, which is the beginning of the amendment. It reads, "Amend Sec. 2, page 4, line 7, by striking out . . ." and this is the part that refers to the payment for the Pennsylvania Economy League and ends with the figure $162,000.

The Chair recognizes the gentleman from Lawrence, Mr. Pratt.

Mr. PRATT. Thank you, Mr. Speaker. May I resume interrogation of Mr. Dininni?

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

Mr. PRATT. If I recall, Mr. Speaker, in answer to my interrogatory you stated that there may have been a study conducted by the Pennsylvania Economy League and by Dr. Larson when he was affiliated with Penn State University. Is that correct, Mr. Speaker?

Mr. DININNI. I believe Dr. Larson headed an advisory committee at that point, studying various facets of PennDOT. Yes, I agree with that, but—and this is strictly my opinion—I do not think that that committee looked into the facets that I am going into.

Mr. PRATT. Mr. Speaker, does the Governor's office have access to the Larson study and the Pennsylvania Economy League study to which I alluded previously?

Mr. DININNI. Yes.

Mr. PRATT. Mr. Speaker, what would the Pennsylvania Economy League be doing under your amendment?

Mr. DININNI. Well, one of the most important parts of my amendment would be on quality control, because this has been a question across the whole state as far as materials being used and so forth, and I just feel that it would be essential.

Mr. PRATT. Are you saying, Mr. Speaker, that they would sort of audit the operations of the department to assure that certain materials are used, certain amounts are used? Is this what you are saying, Mr. Speaker?

Mr. DININNI. I certainly hope so.

Mr. PRATT. Mr. Speaker, does the Department of Transportation have a certain section, division, or bureau which is responsible for this?

Mr. DININNI. Yes; they are responsible for that, our testing laboratories.

Mr. PRATT. Would this be a sort of duplication of those efforts?

Mr. DININNI. I think it would be checking on what that department is doing, yes.

Mr. PRATT. Would the Economy League be doing anying else with your amendment?

Mr. DININNI. I believe it speaks for itself. It is looking into the efficiency, effectiveness, construction and quality control studies.

Mr. PRATT. Mr. Speaker, would there be any duplication between the responsibilities of the league under your amendment and what has been done previously by the two studies about which I have spoken?

Mr. DININNI. Mr. Speaker, if I thought so, I would not have offered that part of the amendment. I honestly believe that it is different.

Mr. PRATT. Mr. Speaker, I have completed my interrogation. I would like to make a brief statement.

The SPEAKER. The gentleman, Mr. Pratt, is in order and may proceed.

Mr. PRATT. Mr. Speaker, I am going to vote against this amendment for reasons which I believe were brought out in my interrogation. I believe that this money is going to be wasted, because we have conducted sufficient studies of the Department of Transportation to know what the problems are. We know what the problems are. The Thornburgh administration knows what the problems are, and I think we ought to go about solving those problems. We have conducted two complete studies of the department — one by the Economy League, one by Dr. Larson's staff and himself when he was with Penn State

University — and I think it is incumbent upon the employes of the department that they now have to conduct strict quality control, effectiveness, et cetera, et cetera. I see no need to spend another $162,000 to pour it down, you might say, an empty pothole when we could use that money to patch those potholes.

For those reasons, Mr. Speaker, I ask all members to vote against this waste of good money. Thank you.

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

Mr. A. K. HUTCHINSON. Mr. Speaker, I would like to ask all the people who want to save money to vote against this amendment, because Mr. Larson made the studies: he knows what to do; he has the staff. The Pennsylvania Economy League does not have the staff. Let us vote "no."

On the question,
Will the House agree to Part III of the amendments?

The following roll call was recorded:

YEAS—95

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

NAYS—106

Austin	Dumas	Laughlin	Richardson
Barber	Durham	Letterman	Rieger
Belardi	Fee	Levin	Ritter
Beloff	Fryer	Livengood	Rodgers
Bennett	Gallagher	Manderino	Schmitt
Berson	Gamble	McCall	Schweder
Borski	Gatski	McIntyre	Serafini
Brown	George, C.	McMonagle	Seventy
Brunner	George, M.	McVerry	Shadding
Caltagirone	Giammarco	Michlovic	Shupnik
Cappabianca	Goodman	Milanovich	Steighner
Chess	Grabowski	Mrkonic	Stewart
Cianciulli	Gray	Mullen, M. P.	Stuban
Cimini	Greenfield	Murphy	Sweet
Clark, B.	Harper	Musto	Taylor, F.
Clark, R.	Hasay	Novak	Telek
Cochran	Hoeffel	O'Brien, B.	Trello
Cohen	Hutchinson, A.	O'Donnell	Wachob
Cole	Irvis	Oliver	Wargo
Cowell	Itkin	Petrarca	White
Dawida	Johnson, J.	Pievsky	Williams
DeMedio	Jones	Pistella	Wright, D.
DeWeese	Kernick	Pratt	Yahner
DiCarlo	Knight	Pucciarelli	Zeller
Dombrowski	Kolter	Punt	Zitterman
Donatucci	Kowalyshyn	Rhodes	Zwikl
Duffy	Kukovich		

NOT VOTING—2

Rappaport	Street

The question was determined in the negative, and Part III of the amendments was not agreed to.

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

Mr. PITTS offered the following amendments:

Amend Bill, page 9, by inserting between lines 2 and 3
Section 4. The Secretary of Transportation shall establish a special toll free telephone line using an existing Pennsylvania Department of Transportation telephone number and using existing departmental personnel to receive complaints from the public about any employee of the department or of the work being performed by or for the department.
Amend Sec. 4, page 9, line 3, by striking out "4" and inserting 5

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

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

Mr. PITTS. Thank you, Mr. Speaker.

Each of us, I am sure, receives numerous complaints from constituents about substandard work performance of certain members of road crews or substandard quality of work performed in some cases. This amendment would provide a toll-free telephone hot line directly into PennDOT to receive complaints from the public when they see such workers who are loafing on the job or doing sloppy work.

I have talked with persons in PennDOT about this amendment. They seem to be agreeable to it. I think that this is a step in the right direction towards trying to improve worker productivity and work quality. I urge adoption of the amendment.

The SPEAKER. Does the gentleman from Dauphin, Mr. Dininni, wish to speak on the amendment?

Mr. DININNI. Just to say that I have no objections to this amendment.

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

The following roll call was recorded:

YEAS—191

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

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

NAYS—1

Hutchinson, A.

NOT VOTING—11

Cianciulli	Letterman	Rappaport	Shadding
Donatucci	McMonagle	Rhodes	Street
Laughlin	Oliver	Rieger	

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

On the question recurring,

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

Mr. GEIST offered the following amendments:

Amend Bill, page 9, by inserting between lines 2 and 3

Section 4. The Secretary of Transportation shall publish the list of each highway project itemized in a Capital Budget that is to be undertaken by the Department of Transportation. The list shall include the date each project is scheduled for completion.

Amend Sec. 4, page 9, line 3, by striking our "4." and inserting 5.

On the question,

Will the House agree to the amendments?

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

Mr. GEIST. Thank you, Mr. Speaker.

This amendment goes along with the credibility that we have already read into PennDOT. The projects that are listed for a starting date shall also have—

The SPEAKER. Will the gentleman yield? The gentleman will send the copies of the amendment to the desk.

The gentleman may proceed.

Mr. GEIST. Thank you, Mr. Speaker.

This amendment, A1385, goes along with the practice of PennDOT of listing projects to be completed in the capital budget. It also adds a line that will date each project as to the date of completion, and I urge its adoption in this House.

The SPEAKER. The amendment before the House is amendment A1385. The clerk has indicated to the Chair that the gentleman has sent up the wrong amendment.

The amendment before the House is A1385, and the gentleman from Blair, Mr. Geist, may proceed.

Mr. GEIST. Thank you, Mr. Speaker.

I have already explained the amendment, and I would urge a "yes" vote on this amendment.

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

Mr. DININNI. I have no objections to this amendment, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—200

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

DeMedio	Johnson, J.	Pistella	White
DeVerter	Jones	Pitts	Williams
DeWeese	Kanuck	Polite	Wilson
DiCarlo	Kernick	Pott	Wilt
Dietz	Klingaman	Pratt	Wright, D.
Dininni	Knepper	Pucciarelli	Wright, J. L.
Dombrowski	Knight	Punt	Yahner
Donatucci	Kolter	Pyles	Yohn
Dorr	Kowalyshyn	Reed	Zeller
Duffy	Kukovich	Rhodes	Zitterman
Dumas	Lashinger	Richardson	Zord
Durham	Laughlin	Rieger	Zwikl
Earley	Lehr	Ritter	
Fee	Letterman	Rocks	Seltzer,
Fischer, R. R.	Levi	Rodgers	Speaker
Fisher, D. M.	Levin		

NAYS—1

Livengood

NOT VOTING—2

Rappaport Street

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

On the question recurring,

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

Mr. GEIST offered the following amendments:

Amend Bill, page 9, by inserting between lines 2 and 3

Section 4. All Department of Transportation construction contracts shall include a provision that the designers and the contractor shall be liable for the construction project through final inspection and acceptance of the project. The contract shall also stipulate the limits of liability and provide that the persons subject to liability shall provide a bond sufficient to cover their liability.

Amend Sec. 4, page 9, line 3, by striking out "4." and inserting 5.

On the question,

Will the House agree to the amendments?

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

Mr. GEIST. Thank you, Mr. Speaker.

This amendment states that all Department of Transportation construction contracts shall include a provision that the designers and contractors shall be liable for the construction project through the final inspection and acceptance of the project. The contract shall also stipulate the limits of liability and provide that the person subject to liability shall provide a bond sufficient to cover their liability. I urge its adoption in this House.

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

Mr. RITTER. Mr. Speaker, would the gentleman, Mr. Hayes, consent to a brief interrogation?

The SPEAKER. The gentleman from Lehigh, Mr. Ritter, asks whether the gentleman from Huntingdon, Mr. Hayes, will accept interrogation. The gentleman indicates that he will. The gentleman, Mr. Ritter, may proceed.

Mr. RITTER. Mr. Speaker, do you recall last session, and I cannot recall the number of the bill but it had to do with contractors' liability. It had to do with the withholding of so much money, a certain percent, until the contracts were completed. Did that bill not pass and was signed into law last year?

Mr. S. E. HAYES. I recall, Mr. Speaker, this House of Representatives debating that issue and standing foursquare in favor of that concept. I would have to say at this moment, I am not sure that the Governor signed that bill. But I do recall this House debating the concept, and it supported that concept.

Mr. RITTER. Mr. Speaker, as I recall, it was a Senate bill that we amended and then sent back to the Senate. My understanding is, although I cannot find it right here, that that bill did pass and it was signed by the Governor. And so, if that is true, then Mr. Geist's amendment is either superfluous or may very well be in conflict with the law that we passed, because one of the amendments we inserted in the House was to include the Pennsylvania Department of Transportation under the provisions of that law.

If they had been excluded, they and the Department of Environmental Resources, and we amended it in the House to include both departments and the city of Philadelphia, as I recall—I think every department of state government is included—I am not so sure if that is the case that this amendment is going to mean anything unless we amend that law. I do not think we are doing that.

Mr. S. E. HAYES. If I may respond, Mr. Speaker, I do not believe that this House of Representatives will err in accepting the Geist amendment even though we may have debated it on a previous occasion. Certainly this language will not be a detriment to anything else that the General Assembly may have been able to have signed into law. I would urge adoption of this amendment.

Mr. RITTER. Mr. Speaker, I rise to oppose the amendment. I am concerned that if in fact we passed that law last year and the last part of the amendment offered by Mr. Geist says, "The contract shall also stipulate the limits of liability and provide that the persons subject to liability shall provide a bond sufficient to cover their liability.", it seems to me that that is in conflict with the bill we passed, which says that they can only withhold up to 10 percent, I believe, for the first 50 percent of the job, and then 5 percent until the job is substantially complete. This seems to go beyond that.

I am not going to vote for the amendment because I think it goes beyond what existing law is, and I just do not want to have a conflict with what we have on the books at present. I am going to vote in the negative on the amendment.

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

Mr. GANNON. Yes. Will the gentleman, Mr. Ritter, stand for interrogation?

The SPEAKER. The gentleman, Mr. Ritter, indicates he will, and the gentleman, Mr. Gannon, may proceed.

Mr. GANNON. Just for clarification, Mr. Speaker, the previous act that you are referring to, did that simply provide for retainage of certain amounts of money due the contractor?

Mr. RITTER. It provided for performance bonds and the like, yes.

Mr. GANNON. Did it provide for performance bonds for the full amount of the contract or for just the amount of the retainage?

Mr. RITTER. No, it provided originally for the full contract price. It also had provisions for dealing with subcontractors and what they were required to post. And as the job was completed, there was 10-percent retainage withheld for the first 50 percent of the job, and after 50 percent was completed, the retainage was dropped to 5 percent until the job was substantially completed or so certified by the project engineer, the department engineer or what have you, and then that retainage would be returned to the contractor.

As I said, I am just concerned that this is going beyond that and we will end up with a conflict, which I do not know if we are going to be able to resolve.

Mr. GANNON. Are you saying upon completion or upon acceptance?

Mr. RITTER. Both.

Mr. GANNON. This amendment refers to acceptance.

Mr. RITTER. The bill that I am referring to dealt with completion and acceptance by the person in charge, the project engineer or what have you. It dealt with both completion and acceptance.

Mr. GANNON. So the bill that you are referring to held a certain percentage of retainage until the job was finally accepted?

Mr. RITTER. Yes.

Mr. GANNON. And also provided for payment and performance bond?

Mr. RITTER. Yes, it did.

Mr. GANNON. And liability on the bond?

Mr. RITTER. Yes.

Mr. Speaker, my only real question is, and I meant that sincerely, I am not 100 percent sure that that bill was signed into law. I am fairly certain but I am not 100 percent sure. But if it was in fact signed into law, I just think that this amendment puts us in conflict with that. That is why I am going to vote in the negative.

Mr. GANNON. Thank you, Mr. Speaker.

May I make a brief statement?

The SPEAKER. The gentleman from Delaware, Mr. Gannon, is in order and may proceed.

Mr. GANNON. I do not see where this amendment is in conflict with the act referred to by Mr. Ritter even if the act was signed into law. I support the amendment.

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

Mr. ITKIN. Mr. Speaker, would Mr. Geist consent to interrogation?

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

Mr. ITKIN. Mr. Speaker, could we have some decorum in the House, please? Not all decorum, just some.

The SPEAKER. The gentleman could begin by putting his jacket on.

The gentleman from Allegheny, Mr. Itkin, is recognized and the Chair thanks the gentleman for his utmost cooperation.

Mr. ITKIN. You know, Mr. Speaker, I cannot understand the physical phenomenon. It is kind of warm down here and I always thought that hot air rose. How is it up there, Mr. Speaker?

The SPEAKER. Cool, man.

The gentleman is in order and may proceed.

Mr. ITKIN. Mr. Speaker, as I read your amendment, it requires that in a contract, a construction contract, there shall be included a provision which states that the contractor shall be liable for the construction project through final inspection and acceptance of the project. Is that correct? Is that the way I read it?

Mr. GEIST. Yes, sir; that is correct. That also includes and can include the consultant, design-wise or otherwise, who is hired by PennDOT to provide that inspection.

Mr. ITKIN. Now, does that type of language in the contract imply that there is no liability on the part of the contractor beyond the acceptance of the project?

Mr. GEIST. Could you rephrase the question, please?

Mr. ITKIN. If we include a specific provision in a contract that states that the contractor shall be liable for the construction project through the final inspection and acceptance of the project, does it also imply that the contractor is not liable after the time that the project has been accepted?

Mr. GEIST. No, Mr. Speaker, the contractor is liable. But during the phase of construction, as you well know, and in the past practice of PennDOT inspectors, a lot of work was done and covered up, and the contractor was never really responsible for uncovering that work if he was asked to.

This would insure that that contractor and that inspection that goes on that only quality work is performed and that no additional cost to the state is borne in later years by having to go back and re-dig up works or drainage projects, things like this, to reconstruct them. This is only an insurance policy that we get much better work out of PennDOT at a much better price.

Mr. ITKIN. I understand your legislative desire and your intent. The question is: Are you not by this particular provison providing a statute of limitations on liability on the contractor?

For example, let us suppose a bridge is constructed and it has been reviewed and has been finally inspected and PennDOT accepts the bridge, and then 3 years later we find some structural damage on the bridge which can be traced back to improper construction. The question that I have and the concern that I have is that by the adoption of this particular amendment, we may be implicitly allowing to exonerate the contractor from any liability by virtue of including a very explicit statement stating that the liability continues until the acceptance of the project and, therefore, implicitly stating that the contractor is immune from liability beyond the date of acceptance. That is what I am concerned about. And I do not know the answer, but at this point unless I get an assurance

that this does not preempt us suing a contract that is subsequent to the acceptance of the project, then I would have to vote in the negative, Mr. Speaker.

Mr. GEIST. Mr. Speaker, I totally agree with you in that your illustration of structural damage. If there is structural damage that is present, then that is a fault of the inspector and the product that was used in that construction, and that would definitely fall, under this amendment, under the liability for the inspection, if inspection is done by a consultant. I totally agree with you and I would urge the passage of the amendment.

Mr. ITKIN. Mr. Speaker, I am too still confused and I am going to vote in the negative, and I think that what Mr. Ritter said on the floor is correct. I believe that we did pass SB 68 last year and we do have appropriate retainage that we are applying to the projects to guarantee that the project will be done properly and also not inhibit us from ultimately suing in case something remains undetected. Thank you, Mr. Speaker.

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

Mr. LAUGHLIN. Mr. Speaker, will the gentleman stand for a brief interrogation?

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

Mr. LAUGHLIN. Mr. Speaker, under your particular amendment, I noticed in the first sentence you indicate a provision that the designers and contractors will be liable for the construction project. Are you aware of how contract design is arranged in the Department of Transportation?

Mr. GEIST. Mr. Speaker, I am totally aware of how contracts are written in PennDOT. I spent 12½ years in the professional business. I have spent 5 years as a structural designer doing PennDOT designs and I am totally aware of this. I believe that the first line, if you follow this again, is what we are talking about again now, that we are going to use and can use professional design consultants to do inspections.

Mr. LAUGHLIN. Mr. Speaker, that is not what you are stating in your amendment. You are talking about design, Mr. Speaker, and if you will check, you will find out that any job that is done within the Department of Transportation, as far as design is concerned, is done by the department. Those specifications, including aggregates, including material and including every other possible consideration going so far as the new programs that are initiated for concrete and its use on site, all of the new asphalt programs that have been initiated this year by Secretary Larson are designed by the department. They are not designed by a contractor or by an outside agency. They are the product of the Department of Transportation itself. As such, what you are asking to do is that a contractor who meets state's specification who uses the aggregates necessary, who meets the compaction test of the design for any work that is done in transportation, you are now asking that person to stand liable for anything that happens with the design criteria that the department sets. You are not setting outside design specifications, sir. You have in fact the Department of Transportation that takes care of that.

In that light, Mr. Speaker, I do not believe that you want to put this amendment in and I ask the members to vote it down. Thank you.

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

The following roll call was recorded:

YEAS—102

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

NAYS—99

Alden	Fryer	Letterman	Richardson
Austin	Gallagher	Levin	Rieger
Barber	Gamble	Livengood	Ritter
Beloff	Gatski	Manderino	Rodgers
Bennett	George, C.	McCall	Schmitt
Berson	George, M.	McIntyre	Schweder
Borski	Giammarco	McMonagle	Seventy
Brunner	Goodman	Michlovic	Shadding
Caltagirone	Grabowski	Milanovich	Shupnik
Cappabianca	Gray	Mrkonic	Steighner
Chess	Greenfield	Mullen, M. P.	Stewart
Cianciulli	Harper	Murphy	Stuban
Clark, B.	Hoeffel	Musto	Sweet
Cochran	Hutchinson, A.	Novak	Taylor, F.
Cohen	Hutchinson, W.	O'Brien, B.	Trello
Cole	Irvis	O'Donnell	Wachob
Cowell	Itkin	Oliver	Wargo
Dawida	Johnson, J.	Petrarca	White
DeMedio	Jones	Pievsky	Williams
DeWeese	Kernick	Pistella	Wright, D.
DiCarlo	Knight	Pott	Yahner
Dombrowski	Kolter	Pratt	Zeller
Donatucci	Kowalyshyn	Pucciarelli	Zitterman
Dumas	Kukovich	Reed	Zwikl
Fee	Laughlin	Rhodes	

NOT VOTING—2

Rappaport	Street

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

On the question recurring,

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

Mr. D. M. FISHER offered the following amendment:

Amend Sec. 2, page 3, by inserting after line 30

The department shall requ..e all successful bidders performing work on contracts from appropriations under this act to provide a two-year maintenance bond as a guarantee against defective workmanship.

It is the intent of the General Assembly to direct the Secretary of Transportation to participate in the cost reduction effort required within the Executive Department during the 1979-1980 fiscal year, and future years, with the additional requirement that all contracts contain a maintenance bond. The secretary is further directed to develop procedures by which all contractors are made responsible for certifying that materials used meet the specifications required under the bid proposals let by the department. The General Assembly hereby directs the department to determine and compile a list by November 1, 1979, of the jobs which may be eliminated within all engineering districts, as a result of the elimination for the need of routine supervision and inspection by the department in areas which this act now makes inspection the responsibility of private contractors. The secretary shall make a report to the General Assembly no later than November 1, 1979, detailing the number of jobs to be eliminated and personnel costs to be saved through the provisions of this act.

On the question,

Will the House agree to the amendment?

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

Mr. D. M. FISHER. Thank you, Mr. Speaker.

My amendment basically provides two things, both of which are interrelated. First of all, the amendment requires that all successful bidders on private contract work provide the department with a 2-year maintenance bond which will guarantee against defective workmanship. Secondly, I have drafted language which I believe, if my first part of the amendment is adopted, instructs the Department of Transportation to assess the changes that are made by virtue of the fact that many of the inspectors and supervisors presently utilized on contract jobs could be eliminated.

I cannot pinpoint with certainty right now how many jobs that is, but I have been advised that that would be substantial. And what I have asked for in this amendment is for the Department of Transportation to compile a list of those jobs by the end of what we know as the paving season this year and report back to the General Assembly with that list, and, hopefully, we will be able to eliminate, through the maintenance bond and through putting more obligations on the contractor, many jobs. We always hear about PennDOT's inefficiency and the bloated payroll. Well, this is the way in which I think we can get rid of many of the needless positions. I would urge your support for this amendment. Thank you, Mr. Speaker.

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

Mr. RITTER. Mr. Speaker, again for the same reasons I raised on the other amendment, I believe that this goes far beyond the act that we passed which deals with contractors and deals with the requirements and the performance bonds and the withholding of the funds, et cetera, and on top of that it talks about now a 2-year maintenance bond. I do not really think that this kind of language should be in an appropriation bill. It seems that we ought to either amend the law we passed last year or amend the Administrative Code. If we are going to be talking about a guarantee against defective workmanship, it ought to apply to a contractor who builds a school building; it ought to apply to a contractor who builds any other projects for any other department and not just PennDOT. We ought to really put it in the Administrative Code or amend the act we passed last year. But I am concerned that we are putting provisions in this bill which, if they pass, would be in conflict with the law that we passed last year and the contractors are going to be in the middle, and I suspect so will the department. I would urge a negative vote on this amendment.

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

Mr. GEESEY. We can mandate anything we as a body wish to mandate, but the problem is, can the contractor comply, and will the insurance industry be willing to provide it? Under present law, a contractor is required to provide a 1-year maintenance bond. That has been the process since the surety industry first began in 1898, and very rarely has an exception been made to that and very rarely do we ever find a 2-year maintenance bond provided for.

I am reluctantly going to support the amendment, but in the meantime I would like to assure all of the members that we will do research on this matter and make a determination as to whether or not this thing can be obtained and, if so, at what price. I would ask the members to consider supporting it subject to those further conditions at a later time. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Clearfield, Mr. George.

Mr. GEORGE. Thank you, Mr. Speaker.

I would like to interrogate the prime sponsor, please.

The SPEAKER. The gentleman, Mr. Fisher, indicates that he will stand for interrogation. The gentleman, Mr. George, may proceed.

Mr. GEORGE. Mr. Speaker, as I read your amendment, are you saying eventually, if this situation is workable as to what you propose, that you are basically going to make the contractor responsible in its entirety for the project and therefore we would not need this inspection that goes on during the time that a project is started and completed?

Mr. D. M. FISHER. Mr. Speaker, basically that is what the purpose of the amendment is.

Mr. GEORGE. So with all respect, I feel that you might be in the right direction. There is just one problem that I have that I would hope you would answer. Are you suggesting that this come into compliance and there just be a 2-year stipulation and therefore at the end of the 2 years, if anything should show up, then whose responsibility would it be?

Mr. D. M. FISHER. Mr. Speaker, at the present time Mr. Geesey indicated there is a 1-year maintenance bond. I am not so sure that there is any maintenance bond on any of the contracts. What I am saying is that you are going to have the surety posted for at least a period of 2 years. If there is some

claim against the contractor under tort law or contract law, he would still have the period under the applicable statute limitations to pursue the claim.

What I am saying is, put up the guarantee in form of the bond to guarantee the Commonwealth against defective workmanship for at least 2 years.

Mr. GEORGE. Mr. Speaker, I do not disagree with your logic. I know that the contractors in Pennsylvania have been wanting this for many years. They claim that there is quite a considerable slowdown. But what I am asking you, and I would not believe that you would affirm this suspicion, would you say that preventative maintenance might not in some manner be better than the direct maintenance itself? In other words, if you have an individual who would be standing there watching the fill go in? And I guess there would be 6-inch layers or something like that, and therefore with every 6-inch layer there would need to be a compaction of so many pounds per square inch and therefore this is accomplished by some individual standing there and watching that fill go in. But under your amendment, I would suppose that no longer would we need this preventative inspection, and we would allow the man to put this in whatever manner the department would prescribe, but should he elude to some other direction and put it in in greater depths and then compact it on the top and then by vibration or something else, three years from now we would have recognized the fact that we should have had somebody in to watch it so it was not put in improperly and now we find that the department is responsible. Do you think that is the best way to go in every aspect.

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

Mr. LAUGHLIN. I do not know, Mr. Speaker, if Mr. Fisher has finished.

Mr. GEORGE. It seems like I have made you mad about something over the past week. Either you do not want me to talk or do not like what I am saying.

The SPEAKER. Bud, there is so much confusion in the House that the Chair is confused like the rest of the members, and I apologize.

Mr. D. M. FISHER. Mr. Speaker, just let me add the word "yes."

Mr. GEORGE. May I continue?

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

Mr. GEORGE. I did not get your response, Mr. Speaker.

Mr. D. M. FISHER. The answer was, yes, Mr. George.

Mr. GEORGE. In other words, you agree that preventive maintenance in some manner would enhance and possibly eliminate a problem?

Mr. D. M. FISHER. I am saying, Mr. Speaker, that in my opinion a move in this direction is going to provide better construction and better maintenance in Pennsylvania. We have a lot of inspectors running around on jobs now. We are not getting the work product, but we have a bloated bureaucracy in that department, and that is what I am trying to attack.

Mr. GEORGE. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Clearfield, Mr. George.

Mr. GEORGE. May I make a few remarks?

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

Mr. GEORGE. Mr. Speaker, what Mr. Fisher has before us, I believe, bears some consideration. But, unfortunately, what I feel might happen where we put blame on an entire group, and I do not insist that every contractor in Pennsylvania would violate an ethics or violate a contract, and even though Mr. Fisher and many might find that some of these inspectors maybe are not doing their job or maybe we could eliminate, I feel that we are involved with two problems with this amendment. I think Mr. Geesey first mentioned it, and it is quite appropriate that bonding is harder to come by. Nobody gets rich but the insurance companies. And if in fact the problem occurs after 2 years, nobody is ultimately responsible but the Department of Transportation, and therefore the taxpayers. We certainly cannot trust this to affect the way that the amendment is worded. I wish that they would have specified some reduction, but not in its entirety. Therefore, I urge that we defeat this amendment. Thank you.

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

Mr. LAUGHLIN. Mr. Speaker, would Mr. Fisher please stand for interrogation?

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

Mr. LAUGHLIN. Mr. Speaker, it would seem by your amendment what you are asking to do in placing a 2-year maintenance bond to guarantee against defective workmanship works against the very idea of doing a job and requiring within that job and within that contract the maintenance that would be necessary to keep it up. What I mean by that, Mr. Speaker, is that if the Secretary of Transportation, in drafting his contracts, includes in any outside maintenance contract that he wants done or any job overlay, whatever it might be, in the event that he wants this type of a situation, all that is necessary is for the secretary to include within that contract a provision for maintenance. The department has, I believe, specific costs for maintenance over a given period for a road laid in place or work done.

Now I ask you, Mr. Speaker, in light of this, do you still believe that this amendment is a better answer to what the problem is than what I have just stated?

Mr. D. M. FISHER. Yes, I do, Mr. Speaker.

I think that your approach, though, also could merit some consideration. But I think it is a different concept than what is addressed in my amendment.

Mr. LAUGHLIN. Mr. Speaker, let me ask you a question very simply then along the lines of costs: When you purchase bonds for any overlay that may have been done over a period of time and you are addressing the Department of Transportation—and you know as well as I do the problems they have had out in the west because you initiated the resolution last year by which we investigated that situation—can you say, Mr. Speaker, with certainty, that we are going to pay a very high premium on any bond purchased for overlays that are done for maintenance

guarantees based on past history of the department?

Mr. D. M. FISHER. Mr. Speaker, I have attempted in the last couple of days to get an exact cost breakdown on that. I have been advised by bonding companies who presently are familiar with PennDOT operations that the price on a bond would not be exorbitant; in fact, it would not be costly at all. I could not get an exact figure, but those were the figures that were given to me. It would be a small amount and it would not be costly. In fact, the first year could be attained at no cost at all.

Mr. LAUGHLIN. Mr. Speaker, the first year that a project is laid in place, in a number of instances, have found those highways falling apart within a period of 6 weeks. So I cannot find too much of faith in that bonding company telling you something like that, based on the fact of the history that we have had there.

I agree, Mr. Speaker, that we do need the type of legislation that you are suggesting. But I believe that it has to be placed in the contract itself as a management cost for maintenance rather than the purchase of a bond. I believe that we are adding additional cost to the work that is going to be done. We are going to limit the amount of overlays that can be performed. We are going to limit the amount of construction that is going to be done by voting the very taxes and voting the proposals that you are going to on the capital budget for Transportation. I do not believe that we should be going in and adding additional costs. I believe if your amendment were worded properly, it would include the fact that this cost be added to the maintenance contract rather than a bond.

Based on that, Mr. Speaker, I would ask the House to vote "no" on the amendment.

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

Mr. ZELLER. Mr. Speaker, I see another problem here. You folks say that you want action fast to repair roads in Pennsylvania. This amendment will hold it up, and let me explain.

The problem I see—and we dealt with it in our borough as a former councilman and mayor—as a councilman having charge of action in regard to our Highway Department, if I have a contractor who comes in to do work, that road is not turned over to the borough until it has been inspected and improved.

Now what Mr. Fisher has said is that he wants to put these inspectors to work. What he will do in this case, with a 2-year bond on maintenance, he will have them continue to goof off because they are home free. Certainly in 2 years you are going to find out whether our roads are going to be breaking up. Therefore, here you are going to add cost because there is nothing free. The contractors are going to say that if we have to give you bond maintenance, okay, we are going to pay for that; something that should have been done originally by the Highway Department. What you are doing is not only adding cost, but there are very few contractors who will take this on for the simple reason that they are going to drive them out. And I see in here where possibly that is the, I would not say really the, intent, but there could be people pushing for that for the simple reason, if you are going to take work away from the AFSCME — American Federation of State, County, and Municipal Employes — people, I have yet to see them breaking the door down on this amendment. So it tells me right now that they are going to continue to do the work for the simple reason that they are not alarmed because they are going to be getting the jobs, because you are not going to get private contractors to come in.

So I see a real problem here. Mr. Fisher, with all respect, says, I want to put those inspectors to work. Hey, if I was an inspector on that job, and I am not saying I would have to, but with a 2-year maintenance bond, I could go out and goof off all I want because that contractor is going to be responsible. Why should I have to work? That is a problem you are going to have. So if you think you are cutting costs, you are adding to them. This kind of an amendment is very, very dangerous. In our community a contractor comes in and does the job; we inspect it, materials and everything; then he turns it over to the community, following the punch list being taken care of and everything, and we say, okay, the job is accepted. He is out of it. We accept it from that day forward, and you know that. Any of you fellows in Local Government know that happens, and you cannot run the state any differently. Thank you.

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

The following roll call was recorded:

YEAS—113

Anderson	Foster, A.	Lynch, E. R.	Scirica
Armstrong	Foster, W.	Lynch, F.	Serafini
Arty	Freind	Mackowski	Seventy
Austin	Gallen	Madigan	Sieminski
Belardi	Gamble	Manmiller	Sirianni
Bittle	Gannon	McClatchy	Smith, E.
Bowser	Geesey	McKelvey	Smith, L.
Brandt	Geist	McVerry	Spencer
Brown	Gladeck	Micozzie	Spitz
Burd	Goebel	Miller	Stairs
Burns	Grabowski	Moehlmann	Swift
Cessar	Grieco	Mrkonic	Taddonio
Chess	Gruppo	Murphy	Taylor, E.
Cimini	Halverson	Nahill	Telek
Clark, B.	Hasay	Noye	Thomas
Clark, R.	Hayes, D. S.	O'Brien, D.	Trello
Cornell	Hayes, S. E.	Perzel	Wagner
Coslett	Helfrick	Peterson	Wass
Cowell	Honaman	Piccola	Weidner
Cunningham	Hutchinson, W.	Pistella	Wenger
Davies	Johnson, E.	Pitts	Wilson
DeVerter	Kanuck	Polite	Wilt
Dietz	Klingaman	Pott	Wright, J. L.
Dininni	Knepper	Punt	Yohn
Dorr	Kukovich	Pyles	Zord
Durham	Lashinger	Reed	
Earley	Lehr	Rocks	Seltzer, Speaker
Fischer, R. R.	Levi	Ryan	
Fisher, D. M.	Lewis	Salvatore	

NAYS—82

Alden	Fryer	Livengood	Rodgers
Barber	Gallagher	Manderino	Scheaffer
Beloff	Gatski	McCall	Schmitt
Bennett	George, C.	McIntyre	Schweder
Berson	George, M.	McMonagle	Shadding
Borski	Giammarco	Michlovic	Shupnik
Brunner	Goodman	Milanovich	Steighner

Caltagirone	Gray	Mowery	Stewart
Cappabianca	Greenfield	Mullen, M. P.	Stuban
Cianciulli	Harper	Musto	Sweet
Cochran	Hoeffel	Novak	Taylor, F.
Cohen	Hutchinson, A.	O'Brien, B.	Wachob
Cole	Irvis	O'Donnell	Wargo
Dawida	Itkin	Oliver	White
DeMedio	Kernick	Petrarca	Williams
DiCarlo	Knight	Pievsky	Wright, D.
Dombrowski	Kolter	Pratt	Yahner
Donatucci	Kowalyshyn	Richardson	Zeller
Duffy	Laughlin	Rieger	Zitterman
Dumas	Letterman	Ritter	Zwikl
Fee	Levin		

NOT VOTING—8

DeWeese	Jones	Rappaport	Street
Johnson, J.	Pucciarelli	Rhodes	Vroon

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

QUESTION OF INFORMATION

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

Mr. RICHARDSON. Mr. Speaker, I rise to a question of information?

The SPEAKER. The gentleman will state it.

Mr. RICHARDSON. Mr. Speaker, I have noticed that on several occasions when you read one account of what the recorded vote is, when it comes up on the board it is another. Could you explain that to the members here in the House? Like, for instance, you just said it was 111 to 82, and I noticed that the board is 113 to 82.

The SPEAKER. For the information of the gentleman from Philadelphia, Mr. Richardson, the Chair announces the total as it appears before the Speaker. The Speaker has been told that there are occasions when the roll goes around one more time and the totalizer will be off one or two votes because of a change between the time that the Speaker has announced it and the totalizer takes it. The vote that was recorded is that vote which is seen on the board. That is the official vote.

POINT OF ORDER

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

Mr. DAWIDA. I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. DAWIDA. Mr. Speaker, I would appreciate if you in your duties would encourage the members to take care of the ban on smoking which we have instituted in our rules.

The SPEAKER. The Chair thanks the gentleman, and hopes that the members will observe their own rules.

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

Mr. GREENFIELD. Mr. Speaker, I see Mr. Sweet now. I was going to tell you he is momentarily off the floor.

Mr. Sweet's amendment is being called up and he is here now.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

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

Mr. SWEET offered the following amendment:

Amend Sec. 2, page 4, line 21, by inserting after "FACILITIES". The Secretary of Transportation, before allocation and distribution of funds to the districts and counties, shall establish a formula for such distribution having demonstrable need as its goal. The criteria or factors used in the formula shall include but not be limited to the age of the highways, weather conditions, amount or volume of traffic, number of vehicle registrations, past maintenance activities and cost of materials in each district and county

On the question,

Will the House agree to the amendment?

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

Mr. SWEET. Mr. Speaker, the purpose of this amendment is very simple. It is to put the number of dollars that we are talking about spending into the communities and the counties and the districts of this state where the potholes are and where the demonstrable need is. I have been very concerned since coming to this legislature that we seem to, in the Highway Department, depart from our ordinary practice of spending money to meet needs.

In education we have a special formula which takes into account certain kinds of needs in large cities, in rural areas, and other such problems, such as special education and extra transportation subsidies. In mental health we do similarly, but in the Highway Department we have not done so, and my conversations with Secretary Larson and with my district engineer indicate that the money is allocated on a very simplistic formula, primarily miles of road, population, registration, and the like, and I contend that that does not take into account the severe deterioration of our highways in southwestern Pennsylvania, and I believe that we should take other factors, including coal hauling, including the weather, including a series of factors indicated in my amendment, including the quality of the roads, the topography, and a whole host of factors into account when this money is allocated. Thus far, I am told, this is not done.

I am told by Secretary Larson that the department primarily has been in a defensive position and has merely reacted by using this overly simplistic formula. I ask that the House begin today by directing the secretary to develop a new formula before any of the new money is spent, so that we in southwestern Pennsylvania and other parts of the state where our needs are so dramatic can get some of these necessary funds, and I ask for an affirmative vote.

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

Mr. DININNI. Mr. Speaker, I rise in opposition to this amendment, and the reason being practically everything in this amendment is now being done. There is one major difference, and that is the words, "number of vehicles registered." What is

really going to take place, if you get a large county, highly dense with automobiles in one given area, this is going to take an important fact in considering the reimbursement, and I say this is wrong when he says "rural" areas, because the rural people are really going to suffer. I believe everything else in his amendment is now being done by the Department of Transportation, so, therefore, I am asking the members to vote "no" on this amendment.

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

Mr. SWEET. Mr. Speaker, two comments very briefly in reaction to those remarks. Number one, the number of registrations, I am told, is already considered in the formula. Number two, if you will note the language of the amendment it says, ". . . include but not be limited to . . . ." I do not think, in the less than infinite wisdom that I used to draft this amendment, that I would include all of the important factors that might be necessary in reconsidering this matter, and had hoped that the secretary would be able to provide additional information, but it seems to me most important that we put the money where we need it, and not put 2 inches of blacktop all across this state in order to address a particular need in some areas of Pennsylvania, and I ask for an affirmative vote.

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

The following roll call was recorded:

YEAS—108

Austin	Fischer, R. R.	Laughlin	Reed
Barber	Fisher, D. M.	Letterman	Rhodes
Beloff	Freind	Levin	Richardson
Bennett	Gallagher	Livengood	Rieger
Berson	Gamble	Manderino	Ritter
Borski	Gatski	McCall	Rodgers
Bowser	George, C.	McIntyre	Schmitt
Brunner	George, M.	McMonagle	Schweder
Caltagirone	Giammarco	McVerry	Seventy
Cappabianca	Goebel	Michlovic	Shadding
Cessar	Goodman	Milanovich	Shupnik
Chess	Grabowski	Mrkonic	Stairs
Cianciulli	Gray	Mullen, M. P.	Steighner
Clark, B.	Greenfield	Murphy	Stewart
Cochran	Halverson	Musto	Stuban
Cohen	Harper	Novak	Sweet
Cole	Hayes, D. S.	O'Brien, B.	Taddonio
Cowell	Hutchinson, A.	O'Donnell	Taylor, F.
Dawida	Irvis	Oliver	Trello
DeMedio	Itkin	Peterson	Wachob
DeWeese	Johnson, J.	Petrarca	Wargo
DiCarlo	Jones	Pievsky	White
Dombrowski	Kernick	Pistella	Williams
Donatucci	Knepper	Pott	Wright, D.
Duffy	Knight	Pratt	Yahner
Dumas	Kolter	Pucciarelli	Zitterman
Fee	Kukovich	Pyles	Zord

NAYS—93

Alden	Fryer	Mackowski	Sirianni
Anderson	Gallen	Madigan	Smith, E.
Armstrong	Gannon	Manmiller	Smith, L.
Arty	Geesey	McClatchy	Spencer
Belardi	Geist	McKelvey	Spitz
Bittle	Gladeck	Micozzie	Swift
Brandt	Grieco	Miller	Taylor, E.
Brown	Gruppo	Moehlmann	Telek
Burd	Hasay	Mowery	Thomas
Burns	Hayes, S. E.	Nahill	Vroon
Cimini	Helfrick	Noye	Wagner
Clark, R.	Hoeffel	O'Brien, D.	Wass
Cornell	Honaman	Perzel	Weidner
Coslett	Hutchinson, W.	Piccola	Wenger
Cunningham	Johnson, E.	Pitts	Wilson
Davies	Kanuck	Polite	Wilt
DeVerter	Klingaman	Punt	Wright, J. L.
Dietz	Kowalyshyn	Rocks	Yohn
Dininni	Lashinger	Ryan	Zeller
Dorr	Lehr	Salvatore	Zwikl
Durham	Levi	Scheaffer	
Earley	Lewis	Scirica	Seltzer, Speaker
Foster, A.	Lynch, E. R.	Serafini	
Foster, W.	Lynch, F.	Sieminski	

NOT VOTING—2

Rappaport	Street

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

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

Mr. PYLES offered the following amendment:

Amend Sec. 2, page 4, by inserting between lines 21 and 22
As much of the funds herein provided for the maintenance program as is feasible will be used to initiate a highway transfer program of Class 6 roads to local municipalities and bridges to counties as determined appropriate.
To assist in the implementation of this transfer program, the Secretary of Transportation is hereby authorized to establish a Joint Board of Highway Transfer consisting of three members representing the Department of Transportation, three members from local government, and a member of the general public at large.

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

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

Mr. PYLES. Mr. Speaker, this amendment A1431 addresses itself to one of the major problems in the state highway system. In the 5 years I have been here, of course I have heard continuously about the monetary problems of PennDOT, and always it seems that this problem of funds, or shortage thereof, addresses itself to the major problem, which is the length and breadth and number of miles that are in the system. We always hear people say that it is bigger than any other state in the Union except Texas, I think, or California or whatever it may be, and that we have more miles of highways in the Pennsylvania system than all of the states in New England. In 1976, this General Assembly passed a resolution known as Resolution 242 and asked that the Pennsylvania Transportation Commission study the problem, and they did. Not only that, in 1965 the problem was also studied of how we could best maintain and assign jurisdiction to the highway system and the miles within that system, and in 1977 the Larson Committee made a report to this General Assembly in response to Resolution 242, and it

said that there was an easy possibility of returning nearly 13,000 miles of that highway system back to local government. These were mileages of roads of only local significance; it had nothing to do with the long artery system that we need to move our goods from market to market. And they made some recommendations to the General Assembly, the major one of which was that the General Assembly establish a joint board of highway transfer to make sure that this system and their recommendations were implemented in a proper fashion.

The bill we have before us is a financial bill. It is providing moneys for the maintenance of the state highway and the state rural highway system. My amendment proposes that, whereever possible, increased funds be used on those roads that are likely to be returned to local governmnet so that they will be in accessible shape for local government to receive them. I am proposing that we in this legislation allow the Secretary of Transportation to establish that joint board that was in the recommendations of the Larson Committee. Let us get the job done. I have been here for 5 years. Many of you of my colleagues have been here for many, many years longer than that. I am sure that you are getting tired of hearing of this subject — let us turn roads back to local government. If we do not do something, it is just going to drag on and on and on and never get done. I ask you to support my amendment to get this joint board established and let us get the job done. Thank you very much.

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

The following roll call was recorded:

YEAS—174

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

NAYS—22

Alden	Geesey	Levi	Schmitt
Barber	George, C.	Livengood	Shupnik
Cochran	Harper	Noye	Taylor, F.
Cohen	Hutchinson, A.	O'Brien, B.	Wargo
DeWeese	Klingaman	Richardson	Wright, D.
Dumas	Letterman		

NOT VOTING—7

Borski	Greenfield	McIntyre	Street
Gray	Lashinger	Rappaport	

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

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

Mr. ITKIN offered the following amendment:

Amend Sec. 2, page 8, lines 19 through 26, by striking out all of said lines

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

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

Mr. ITKIN. Mr. Speaker, we have now spent about 2½ hours on this bill, and I chance to say that we have not done anything substantial with respect to the bill. Yesterday, 102 members of this House sent to the other chamber a bill to fund the general appropriations of state government. I attempted prior to final passage of that bill to offer an amendment and I did offer an amendment which failed at that time and did a variety of things. One of the things that the amendment which I offered at that time to SB 499 did was to provide an increase of $76 million to the general fund to pay for the Pennsylvania State Police. I did so with the full knowledge and understanding that the Senate had already introduced its own version of the general fund budget which called for the same consideration of transferring $76 million of the State Police to the general fund. It is my expectation that the Senate will make good on its budget proposition and amend SB 499 to provide for said transfer. Consequently, this amendment will strike out from lines 19 through 26 on page 8, $76,293,000 which go in support of the Pennsylvania State Police from the Motor License Fund.

You know, we have been talking about making certain clinical, cosmetic changes to this particular bill, and we have not yet addressed the fact as to how we are going to pay for this bill.

This bill is $200 million over and above existing revenues and will require some type of new tax or at least some other fund to pick up part of the cost of this bill.

If this amendment were adopted, it would shift $76 million from the Motor License Fund to the General Fund, thereby requiring only $125 million in new taxes. I think that is a prudent course of action, especially in view of the fact of the intentions by the Senate. I think it would be far easier to pay for this bill if such a reduction was made, and the total tax obligation that this bill would produce would be in the neighborhood of $125 million.

Mr. Speaker, I think that this is an appropriate amendment for this House to consider and debate at the present time. Thank you.

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

Mr. DININNI. Mr. Speaker, I will make it real short.

I am opposed to this amendment. Nowhere is he telling me where the money is coming from, and I just oppose the amendment.

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

Mr. ITKIN. Mr. Speaker, I do not understand how the chairman of the Transportation Committee can make that statement since he has not told this House where the $200 million in money is going to come from for this bill. Wherever you have it, that is where we want it from.

The SPEAKER. The Chair recognizes the minority whip. He is going to explain it to us.

Mr. MANDERINO. Mr. Speaker, you know that I have a habit of collecting old newspapers—

The SPEAKER. And we have a habit of reading them back to you.

Mr. MANDERINO.—and letters, and I found an old communication that was published on October 23, 1978, when the PHIA people—those are the highway people; I am not sure what PHIA stands for—asked both candidates for Governor how they felt about additional moneys for PennDOT, and I will reserve what they said about that. But they did ask them the question, what about transferring the State Police out of the Motor License Fund budget to the General Fund, and Candidate Thornburgh again said part of his program was, yes, the transfer of the State Police and the driver education expenditures out of the Motor License Fund. Now we are just trying to do what your Governor wants to do.

I think that we have been talking for years about getting the State Police out of the Motor License Fund. In 1977 we initiated a plan and we tried our darndest to take $30 million out that year, expecting to take $30 million out the second year and the last $30 million the next year. We would have had all of the State Police out or virtually all this year had we followed that plan. Unfortunately, you guys would not cooperate with us at that time. I hope you cooperate with us this time, because we want what Candidate Thornburgh wanted—I am not sure about Governor Thornburgh.

Mr. Speaker, I support the Itkin amendment.

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

Mr. DININNI. Mr. Speaker, just a brief reply to the minority whip.

First of all, we did make a reduction in the number of dollars to the State Police, and I think we are on the road to eventually phasing it out. But certainly it is going to take us 3 years, too, and I would like you to know that. You admitted that it was going to require 3 years on your part to do it, and your candidate also made the same statement, and had he been elected Governor you would be standing at the microphone doing the same thing I am doing. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—96

Armstrong	Fee	Kukovich	Richardson
Austin	Foster, A.	Laughlin	Ritter
Barber	Fryer	Letterman	Rodgers
Beloff	Gallagher	Levin	Schmitt
Bennett	Gamble	Livengood	Schweder
Berson	Gatski	Manderino	Seventy
Borski	George, C.	McCall	Shadding
Brown	George, M.	McMonagle	Shupnik
Brunner	Giammarco	Michlovic	Spitz
Caltagirone	Goodman	Milanovich	Stairs
Cappabianca	Grabowski	Mrkonic	Steighner
Chess	Gray	Mullen, M. P.	Stewart
Clark, B.	Greenfield	Murphy	Stuban
Cochran	Harper	Musto	Sweet
Cohen	Hoeffel	Novak	Taylor, F.
Cole	Hutchinson, A.	O'Brien, B.	Trello
Cowell	Irvis	O'Donnell	Wachob
Dawida	Itkin	Petrarca	Wargo
DeMedio	Johnson, J.	Pievsky	White
DeWeese	Jones	Pistella	Williams
DiCarlo	Kernick	Pratt	Wright, D.
Dombrowski	Knight	Pucciarelli	Yahner
Donatucci	Kolter	Reed	Zitterman
Duffy	Kowalyshyn	Rhodes	Zwikl

NAYS—100

Alden	Gallen	Madigan	Serafini
Anderson	Gannon	Manmiller	Sieminski
Arty	Geesey	McClatchy	Sirianni
Belardi	Geist	McKelvey	Smith, E.
Bittle	Gladeck	McVerry	Smith, L.
Bowser	Goebel	Micozzie	Spencer
Brandt	Grieco	Miller	Swift
Burd	Gruppo	Moehlmann	Taddonio
Burns	Halverson	Mowery	Taylor, E.
Cessar	Hasay	Nahill	Telek
Cimini	Hayes, D. S.	Noye	Thomas
Clark, R.	Hayes, S. E.	O'Brien, D.	Vroon
Cornell	Helfrick	Perzel	Wagner
Coslett	Honaman	Peterson	Wass
Cunningham	Hutchinson, W.	Piccola	Weidner
Davies	Johnson, E.	Pitts	Wenger
DeVerter	Kanuck	Polite	Wilson
Dietz	Klingaman	Pott	Wilt
Dininni	Knepper	Punt	Wright, J. L.
Dorr	Lashinger	Pyles	Yohn
Durham	Lehr	Rocks	Zeller
Earley	Levi	Ryan	Zord

Fischer, R. R.	Lewis	Salvatore	
Fisher, D. M.	Lynch, E. R.	Scheaffer	Seltzer,
Foster, W.	Lynch, F.	Scirica	Speaker
Freind	Mackowski		

NOT VOTING—7

Cianciulli	McIntyre	Rappaport	Street
Dumas	Oliver	Rieger	

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

On the question recurring,

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

Mr. PRATT offered the following amendment:

Amend Sec. 2, page 4, by inserting between lines 15 and 16

For the State share of funding of the acquisition of right-of-way, design and construction of the Beaver Valley Expressway, situate in the counties of Beaver and Lawrence 36,500,000

On the question,

Will the House agree to the amendment?

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

Mr. PRATT. Thank you, Mr. Speaker.

This is a very simple amendment, and I expect probably a little opposition from some of the members. It merely adds $36½ million to SB 498—thank you—to construct a highway that goes through western Pennsylvania. My reason for submitting the amendment is simple. I want to build a highway.

I also introduced the amendment to tell Governor Thornburgh that the people in western Pennsylvania would like to have a highway, commonly called the Beaver Valley Expressway or State Route 60, completed from Mercer County to the Interstate 79 near the Pittsburgh International Airport. In order to qualify for 70 percent Federal funding to complete the 16 miles which need to be completed, it will take $36½ million of state moneys.

The legislators in western Pennsylvania, particularly from Beaver, Lawrence, and Mercer Counties, have been attempting now for the past 5 or 6 years to get the state to fund the completion of this highway. We have been to Washington, D.C., and have talked to the Congressional delegation, the Federal Highway Administration, and we have been told to go back home and get the money from your own state.

Mr. Speaker, this highway was commenced in 1956, 56 miles. Twenty-three years later it is still incomplete. Somehow the politicians got into the act, and most of the money was diverted to central and eastern Pennsylvania. That is the way to get votes. I think it is about time, Mr. Speaker—I think it was mentioned on this side of the aisle—that the people in western Pennsylvania and the legislators are sick and tired of not having their potholes filled and their highways constructed, and I ask for a vast majority of my colleagues to vote in the affirmative. Thank you.

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

Mr. DININNI. Mr. Speaker, reluctantly I rise to oppose this amendment. It is a total of $36,500,000. I sympathize with him because I would like to see all of our highways completed in the State of Pennsylvania, and I can assure him that if we get the necessary funding for this year, you will have your highway in the near future.

There is no way that we can afford $36,500,000 at this time, and I am asking the members to vote "no."

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

Mr. A. C. FOSTER. Mr. Speaker, I might consider giving the gentleman a vote on this if he would just come down to my district and tell them how fortunate they have been in all these years in central Pennsylvania and all the money that we have gotten down there. Somehow we have missed that.

The SPEAKER. The Chair recognizes the great conservative from Beaver, Mr. Laughlin.

Mr. LAUGHLIN. Mr. Speaker, like all conservatives, whenever a member of your family is attacked or something like that, you change. In this case, Beaver County happens to be the one being attacked. We do not have a road that goes north out of our area into New Castle and into Erie, and that is the extension that Mr. Pratt brought to your attention today. I will be glad to go down to Maryland or wherever Mr. Foster is from and tell them how fortunate they are, if he will be good enough to vote for this, along with the rest of his colleagues. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—26

Bennett	Cole	Laughlin	Pott
Brunner	Dombrowski	Levi	Pratt
Burd	Gamble	Livengood	Reed
Cappabianca	Grabowski	Milanovich	Rieger
Chess	Gray	Oliver	Trello
Cianciulli	Hutchinson, A.	Petrarca	Wilt
Clark, B.	Kolter		

NAYS—165

Alden	Gannon	Manderino	Seventy
Anderson	Gatski	Manmiller	Shadding
Armstrong	Geesey	McCall	Shupnik
Arty	Geist	McClatchy	Sieminski
Austin	George, C.	McKelvey	Sirianni
Belardi	George, M.	McMonagle	Smith, E.
Berson	Gladeck	McVerry	Smith, L.
Bittle	Goebel	Michlovic	Spencer
Bowser	Goodman	Micozzie	Spitz
Brandt	Greenfield	Miller	Stairs
Brown	Grieco	Moehlmann	Steighner
Burns	Gruppo	Mowery	Stewart
Caltagirone	Halverson	Mrkonic	Stuban
Cessar	Harper	Mullen, M. P.	Sweet
Cimini	Hasay	Murphy	Swift
Clark, R.	Hayes, D. S.	Musto	Taddonio
Cochran	Hayes, S. E.	Nahill	Taylor, E.
Cohen	Helfrick	Novak	Taylor, F.
Cornell	Hoeffel	Noye	Telek

Coslett	Honaman	O'Brien, B.	Thomas
Cowell	Hutchinson, W.	O'Brien, D.	Vroon
Cunningham	Irvis	O'Donnell	Wachob
Davies	Itkin	Perzel	Wagner
Dawida	Johnson, E.	Peterson	Wargo
DeMedio	Johnson, J.	Piccola	Wass
DeVerter	Jones	Pievsky	Weidner
DeWeese	Kanuck	Pistella	Wenger
DiCarlo	Kernick	Pitts	White
Dietz	Klingaman	Polite	Williams
Dininni	Knepper	Punt	Wilson
Dorr	Knight	Pyles	Wright, D.
Durham	Kowalyshyn	Richardson	Wright, J. L.
Earley	Kukovich	Ritter	Yahner
Fee	Lashinger	Rocks	Yohn
Fischer, R. R.	Lehr	Rodgers	Zeller
Fisher, D. M.	Letterman	Ryan	Zitterman
Foster, A.	Levin	Salvatore	Zord
Foster, W.	Lewis	Scheaffer	Zwikl
Freind	Lynch, E. R.	Schmitt	
Fryer	Lynch, F.	Schweder	Seltzer,
Gallagher	Mackowski	Scirica	Speaker
Gallen	Madigan	Serafini	

NOT VOTING—12

Barber	Donatucci	Giammarco	Rappaport
Beloff	Duffy	McIntyre	Rhodes
Borski	Dumas	Pucciarelli	Street

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

On the question recurring,

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

Mr. WACHOB offered the following amendment:

Amend Sec. 2, page 4, line 15, by striking out all of said line and inserting

construction activities including highway and safety construction in Elk County on L. R. 59-D00, T. R. 219 for a distance of 1.04 miles consisting of a truck escape lane, a pull-off area and a climbing lane. 88,350,000

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Clearfield, Mr. George.

Mr. GEORGE. Mr. Speaker, may I have your permission to present this amendment? Mr. Wachob had to leave the floor for a moment on an emergency.

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

Mr. GEORGE. I certainly hope that I do the gentleman justice by presenting this amendment for him. I can understand his concern. I can understand his predecessor's concern.

This is a section of highway in Elk County, just one-eighth of a mile south of Ridgeway, Pennsylvania, on LR59-D00.

I am sure that many of the fine individuals in this body are not familiar with the terminology or the highway, but it is commonly called Bootjack Hill. For any of you who might think that might be humorous, let me quote to you some facts and figures. I will stand here all day until you listen to them, Mr. Speaker, because I believe that people's lives are just as important in Elk County as they are in any other county, and that is why I am willing to present this.

Mr. Speaker, from 1938 to 1971, and just on that mile and a quarter, there have been 122 accidents. In that same time there have been 55 injuries, and the last and worst part, there have been nine deaths on that mile and a quarter. A district engineer in district 20 has been very compassionate and very considerate. In fact, it was in the capital budget 2 years ago and it was on the year before and the year before, but for some reason it never gets done.

What happens is that they want a drop lane to be able to take care of these trucks, because at the moment and for the last four years a truck is not allowed on this highway that grosses over 20,000 pounds and therefore they must be routed around into the middle of town and on highways that really cannot carry this heavy weight.

Mr. Speaker, not only is it important, but I think that we should take into consideration with the many amendments that will be drafted and proposed we are going to continually talk about Federal augmentation and Federal health. Even though we do admit that the cost of this project will be $180,000 and if you look at your amendment it was drafted to show not a $88 million but that is just the fund in the bill that we are now talking about. This will cost $180,000 and, because it falls under elimination of hazard, it qualifies for Federal funding of 90 percent, and it will cost the taxpayers of Pennsylvania $18,000 should you decide that lives are important in Elk County, too. Thank you very much.

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

Mr. DININNI. Again, I will take the same position. I will have to rise in opposition to the amendment. We all have many sections of our roads that we would like to have included, but if we do that, this thing would look like a Christmas tree. I am asking all of the members to vote "no."

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—65

Austin	Donatucci	Levin	Reed
Beloff	Duffy	Livengood	Richardson
Bennett	Fee	Mackowski	Rieger
Berson	Gatski	Manderino	Seventy
Borski	George, C.	McIntyre	Shadding
Brown	Goodman	McMonagle	Shupnik
Brunner	Gray	Michlovic	Stewart
Caltagirone	Greenfield	Mrkonic	Sweet
Cianciulli	Harper	Novak	Swift
Clark, B.	Hutchinson, A.	O'Brien, B.	Taylor, F.
Cochran	Irvis	O'Donnell	Trello
Cohen	Johnson, J.	Oliver	Wachob
Cole	Jones	Petrarca	Wargo
DeMedio	Knight	Pievsky	Wright, D.
DeWeese	Kukovich	Pistella	Yahner
DiCarlo	Letterman	Pucciarelli	Zitterman
Dombrowski			

NAYS—128

Alden	Gallen	Madigan	Schmitt
Anderson	Gamble	Manmiller	Schweder

Armstrong	Gannon	McCall	Scirica
Arty	Geesey	McClatchy	Serafini
Belardi	Geist	McKelvey	Sieminski
Bittle	George, M.	McVerry	Sirianni
Bowser	Gladeck	Micozzie	Smith, E.
Brandt	Goebel	Milanovich	Smith, L.
Burd	Grabowski	Miller	Spencer
Burns	Grieco	Moehlmann	Spitz
Cessar	Gruppo	Mowery	Stairs
Chess	Hasay	Mullen, M. P.	Steighner
Cimini	Hayes, D. S.	Murphy	Stuban
Clark, R.	Hayes, S. E.	Musto	Taddonio
Cornell	Helfrick	Nahill	Taylor, E.
Coslett	Hoeffel	Noye	Telek
Cowell	Honaman	O'Brien, D.	Thomas
Cunningham	Hutchinson, W.	Perzel	Vroon
Davies	Itkin	Peterson	Wagner
Dawida	Johnson, E.	Piccola	Wass
DeVerter	Kanuck	Pitts	Weidner
Dietz	Kernick	Polite	Wenger
Dininni	Klingaman	Pott	Wilson
Dorr	Knepper	Pratt	Wilt
Durham	Kolter	Punt	Wright, J. L.
Earley	Kowalyshyn	Pyles	Yohn
Fischer, R. R.	Lashinger	Ritter	Zeller
Fisher, D. M.	Laughlin	Rocks	Zord
Foster, A.	Lehr	Rodgers	Zwikl
Foster, W.	Levi	Ryan	
Freind	Lewis	Salvatore	Seltzer,
Fryer	Lynch, E. R.	Scheaffer	Speaker
Gallagher	Lynch, F.		

NOT VOTING—10

Barber	Giammarco	Rhodes	White
Cappabianca	Halverson	Street	Williams
Dumas	Rappaport		

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

REMARKS ON VOTE

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

Mr. L. E. SMITH. On the Wachob amendment to SB 498, I would like to change my vote. I would like to be recorded in the affirmative.

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

On the question recurring,

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

Mr. AUSTIN offered the following amendments:

Amend Sec. 2, page 5, lines 21 through 23, by striking out ", RELATIVE TO THE ALLOCATION OF HIGHWAY" in line 21, all of line 22 and "ON LIQUID FUELS" in line 23

Amend Bill, page 9, by inserting between lines 2 and 3

Section 4. The appropriations in this act shall not be paid from receipts derived from any tax based on a percentage of the wholesale price of liquid fuels.

Amend Sec. 4, page 9, line 3, by striking out "4" and inserting 5

On the question,

Will the House agree to the amendments?

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

Mr. AUSTIN. Yes, Mr. Speaker. I have an amendment which amends section 2, page 5, deleting lines 21 through 23. I believe and it is my understanding from paying attention here in the House that that has already been done. However, the amendment further amends page 9, inserts between lines 2 and 3 and adds section 4, a more definitive statement concerning the proposed 6-percent wholesale gasoline price introduced by Governor Thornburgh. It reads simply that "The appropriations in this act shall not be paid from receipts derived from any tax based on a percentage of the wholesale price of liquid fuels."

There has been some discussions in terms of where we are going to get the moneys to pay for these appropriations. I do not have the answers to that question right now, but I do have an opinion as to where they should not come from. Without question, the 6-percent wholesale price on gasoline is a bad tax. It was the wrong direction to go in January; without question it is the wrong direction to go now. It would propose too much of a burden on the people of Pennsylvania who are experiencing hazardous gasoline problems now and it only looks bleaker for the future. So I think this body should once and for all finally put the nail in the coffin, so to speak, on the bad tax proposed by Governor Thornburgh, the 6-percent wholesale price on gasoline, or any percent on the wholesale price of gasoline. I urge the support of this amendment, Mr. Speaker.

PART OF AMENDMENTS WITHDRAWN

The SPEAKER. As the Chair reviews the amendment offered by the gentleman, there seems to be a slight conflict between the first part of the amendment and that of another amendment which we had adopted earlier. Would it be possible for the gentleman to divide his amendment?

Mr. AUSTIN. Absolutely.

The SPEAKER. The Chair would suggest and it is the opinion of the Chair the amendment can be divided. The Chair would suggest that the first part of the amendment which reads: "Amend Sec. 2, page 5, lines 21 through 23, by striking out . . . ." et cetera, et cetera, et cetera, be withdrawn.

Mr. AUSTIN. That is fine with me.

The SPEAKER. That the remaining part of the amendment would read: "Amend bill, page 9, by inserting between lines 2 and 3 . . . ." et cetera, et cetera.

Mr. AUSTIN. That is fine.

The SPEAKER. The gentleman is indicating that he is withdrawing the first part of his amendment.

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

Mr. DININNI. Mr. Speaker, I rise in opposition to this part of the amendment. I am not indicating for 1 minute how this House is going to finally go. It is going to require 102 votes, and I do not think that we should shut any options out to the membership of this House. I think that the option should remain open so that 102 people eventually will make the final decision.

Therefore, I am asking everyone in the House to vote "no" on this amendment.

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

The following roll call was recorded:

YEAS—93

Austin	Fee	Laughlin	Reed
Barber	Fischer, R. R.	Letterman	Richardson
Beloff	Fryer	Levin	Rieger
Bennett	Gallagher	Livengood	Ritter
Berson	Gamble	Manderino	Rodgers
Borski	Gatski	McCall	Schmitt
Brown	George, C.	McIntyre	Schweder
Brunner	George, M.	McMonagle	Seventy
Caltagirone	Goodman	Michlovic	Shadding
Cappabianca	Gray	Milanovich	Shupnik
Cianciulli	Greenfield	Mrkonic	Stairs
Clark, B.	Harper	Mullen, M. P.	Steighner
Cochran	Hoeffel	Murphy	Stewart
Cohen	Hutchinson, A.	Musto	Stuban
Cole	Irvis	Novak	Sweet
Cowell	Itkin	O'Brien, B.	Taylor, F.
Dawida	Johnson, J.	O'Donnell	Trello
DeMedio	Jones	Oliver	Wachob
DeWeese	Kernick	Petrarca	Wargo
DiCarlo	Knight	Pievsky	Wright, D.
Dombrowski	Kolter	Pistella	Yahner
Donatucci	Kowalyshyn	Pratt	Zitterman
Duffy	Kukovich	Pucciarelli	Zwikl
Dumas			

NAYS—104

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

NOT VOTING—6

Giammarco	Rhodes	White	Williams
Rappaport	Street		

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

RECONSIDERATION OF VOTE ON SWEET AMENDMENT A1416 TO SB 498

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

Mr. PICCOLA. I move that the vote by which the Sweet amendment A1416 to SB 498, PN 819, was passed on the 31st day of May be reconsidered.

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

Mr. WAGNER. I second the motion.

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

The following roll call was recorded:

YEAS—162

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

NAYS—22

Cappabianca	Gray	Letterman	Reed
Cohen	Greenfield	Livengood	Seventy
Cowell	Itkin	Michlovic	Sieminski
Dawida	Johnson, J.	Murphy	Sweet
Fischer, R. R.	Jones	Pistella	Zitterman
Fryer	Kernick		

NOT VOTING—19

Beloff	Irvis	Musto	Street
Donatucci	Kanuck	Rappaport	Wachob
Dumas	Levin	Rhodes	White
Giammarco	McIntyre	Rodgers	Williams
Harper	McMonagle	Shadding	

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

On the question recurring,

Will the House agree to the amendment?

Mr. SWEET reoffered the following amendment:

Amend Sec. 2, page 4, line 21, by inserting after "FACILITIES" . The Secretary of Transportation, before allocation and distribution of funds to the districts and counties, shall establish a formula for such distribution having demonstrable need as its goal. The criteria or factors used in the formula shall include but not be limited to the age of the highways, weather conditions, amount or volume of traffic, number of vehicle registrations, past maintenance activities and cost of materials in each district and county

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—92

Austin	Duffy	Kukovich	Pratt
Barber	Dumas	Laughlin	Pucciarelli
Beloff	Fee	Letterman	Reed
Bennett	Fischer, R. R.	Levin	Rhodes
Berson	Gallagher	Livengood	Richardson
Borski	Gamble	Manderino	Rieger
Bowser	George, C.	McIntyre	Ritter
Brunner	George, M.	McMonagle	Rodgers
Caltagirone	Grabowski	Michlovic	Schmitt
Cappabianca	Gray	Milanovich	Shadding
Chess	Greenfield	Mrkonic	Shupnik
Cianciulli	Halverson	Mullen, M. P.	Spitz
Clark, B.	Harper	Murphy	Stairs
Cochran	Hayes, D. S.	Musto	Steighner
Cohen	Hutchinson, A.	Novak	Stewart
Cole	Irvis	O'Brien, B.	Sweet
Cowell	Itkin	O'Donnell	Taylor, F.
Dawida	Johnson, J.	Oliver	Trello
DeMedio	Jones	Peterson	Wachob
DeWeese	Kanuck	Petrarca	Wargo
DiCarlo	Kernick	Pievsky	Wright, D.
Dombrowski	Knight	Pistella	Yahner
Donatucci	Kolter	Pitts	Zitterman

NAYS—105

Alden	Fryer	Mackowski	Seventy
Anderson	Gallen	Madigan	Sieminski
Armstrong	Gannon	Manmiller	Sirianni
Arty	Gatski	McCall	Smith, E.
Belardi	Geesey	McClatchy	Smith, L.
Bittle	Geist	McKelvey	Spencer
Brandt	Gladeck	McVerry	Stuban
Brown	Goebel	Micozzie	Swift
Burd	Goodman	Miller	Taddonio
Burns	Grieco	Moehlmann	Taylor, E.
Cessar	Gruppo	Mowery	Telek
Cimini	Hasay	Nahill	Thomas
Clark, R.	Hayes, S. E.	Noye	Vroon
Cornell	Helfrick	O'Brien, D.	Wagner
Coslett	Hoeffel	Perzel	Wass
Cunningham	Honaman	Piccola	Weidner
Davies	Hutchinson, W.	Polite	Wenger
DeVerter	Johnson, E.	Pott	Wilson
Dietz	Klingaman	Punt	Wilt
Dininni	Knepper	Pyles	Yohn
Dorr	Kowalyshyn	Rocks	Zeller
Durham	Lashinger	Ryan	Zord
Earley	Lehr	Salvatore	Zwikl
Fisher, D. M.	Levi	Scheaffer	
Foster, A.	Lewis	Schweder	Seltzer, Speaker
Foster, W.	Lynch, E. R.	Scirica	
Freind	Lynch, F.	Serafini	

NOT VOTING—6

Giammarco	Street	Williams	Wright, J. L.
Rappaport	White		

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Will the gentleman, Mr. Dininni, consent to interrogation?

Mr. DININNI. Yes, sir.

Mr. MANDERINO. Mr. Speaker, in an amendment to this bill, which is now part of the bill, you segregated $76 million of the maintenance money available in the next fiscal year for contracts. Is this the $76 million that the Governor has talked about and Secretary Larson has talked about that is a one-shot emergency maintenance of the highways?

Mr. DININNI. Yes.

Mr. MANDERINO. Mr. Speaker, as early as March 7 and perhaps earlier than that, Secretary Larson had indicated that the Governor wanted to involve private industry in the reconstruction and repair of the highways of Pennsylvania, and at a Transportation Commission meeting on March 7 he spoke in those terms. Is this the same $76 million that we are talking about now?

Mr. DININNI. I would think so.

Mr. MANDERINO. Mr. Speaker, after the March 7 meeting, there were public statements in the newspaper, and I am not sure whether I will paraphrase them entirely correctly, but I think that the gist of the statements by Secretary Larson was that as soon as the General Assembly provides the new moneys needed, he was ready and able to roll on the $76 million in emergency repairs. Is that correct? Do you recall that?

Mr. DININNI. I do not recall reading that. If you say that it was in the paper, I believe you.

Mr. MANDERINO. Is it the case, to your knowledge, that they are ready to roll with $76 million in repairs to our highways as soon as new moneys are provided them?

Mr. DININNI. To the best of my knowledge, I think so.

Mr. MANDERINO. Mr. Speaker, a sheet was given to me in-

dicating county by county the allocations for maintenance that would be made in the next fiscal years, assuming that this bill passed and was properly funded, and it is indicated on this sheet that the maintenance money for the fiscal year 1979 and 1980 would be in the amounts provided for each county. Is this information that has come from the Pennsylvania Department of Transportation?

Mr. DININNI. Are you referring to the sheet I gave you?

Mr. MANDERINO. Yes.

Mr. DININNI. Yes.

Mr. MANDERINO. This was prepared by the Pennsylvania Department of Transportation?

Mr. DININNI. No. I took information from some of their information that I got from them.

Mr. MANDERINO. You are fairly certain that this portrays accurately the maintenance moneys that wil be allocated for 1979-80 to the 67 counties?

Mr. DININNI. Yes.

Mr. MANDERINO. All right. Mr. Speaker, do I understand correctly that the bulk of the new moneys will be in this $76-million program and that included in the maintenance figure as shown on this sheet, which I think you gave individually to your members and my members—we have not had a chance to do that since we just got this information today. Included in the new figure or the 1979-80 allocation—are the contracts spread out through the counties? Is that correct?

Mr. DININNI. Again, I would think so.

Mr. MANDERINO. So that the maintenance sheds or the maintenance superintendent in each one of the counties will not have this figure available for maintenance of roads, but will have some figure which will be less than this, depending upon how much of the $67 million is located in that county?

Mr. DININNI. That is correct.

Mr. MANDERINO. So to have prepared such a statement as this county by county, there must be in existence, at least preliminarily, which roads are going to be repaired by private contractors with the $76 million or we would not have been able to make this allocation county by county, is that correct?

Mr. DININNI. No.

Mr. MANDERINO. Do you know how the $76 million is going to be spent?

Mr. DININNI. No.

Mr. MANDERINO. Is the $76 million included in the county-by-county breakdown?

Mr. DININNI. I think it is correct. After all, you know we have estimators also.

Mr. MANDERINO. Well, I want to know how good an estimate this is. Do you expect that the $67 million will be prorated county by county in the contracts that are let to the private contractors?

Mr. DININNI. Mr. Speaker, I will have to apologize to you. I was just informed that the $76 million is in addition to the 1979-80 budget allocation.

Mr. MANDERINO. All right. You are saying that the $76 million is in addition to the maintenance allocations you have for 1979-80 in here? Is that correct?

Mr. DININNI. Yes.

Mr. MANDERINO. Mr. Speaker, in the budget document that the Governor presented to us, the figure for 1979-80 maintenance allocation was $565,697,000; $565. When I add up the allocations to the 67 counties, I only come to $443 million. Now you are saying that I have got to add to that the $76 million in contracts?

Mr. DININNI. That would be my calculation.

Mr. MANDERINO. We are still shy about $50 million. Can you explain where the other $50 million is being spent?

Mr. DININNI. I will have the answer for you in a minute.

Mr. Speaker, will you repeat to me what you were referring to in the Governor's budget?

Mr. MANDERINO. Mr. Speaker, in the Governor's budget, there is a figure shown of $565,697,000 under the heading, Highway Maintenance for the Fiscal Year 1979-80.

Mr. DININNI. Mr. Speaker, I do not know. I believe that you are referring to all funds, but my interpretation of reading this document is $434 million.

Mr. MANDERINO. That is exactly what I am doing; I am referring to state funds. I am referring to the Federal funds allocated for maintenance and other funds and I get a total figure of $665,697,000.

Mr. DININNI. The figures that I have show a total of $565,697,000.

Mr. MANDERINO. Exactly the figure that I am giving you, $565,697,000. That is the maintenance moneys?

Mr. DININNI. Yes.

Mr. MANDERINO. Mr. Speaker, I have taken the liberty of adding up the maintenance moneys that you say will be distributed in fiscal year 1979-80 and when I add those figures up, I only come up with $443 million. Now if I add $76 million in contracts, I am now up to a figure of $519 million and I am $44 million short and I would like to know where is the $44 million being spent? Where is it?

Mr. DININNI. I do not know if it is on the sheet that I gave to you or not, Mr. Manderino, but there is $44,371,000 that is for administration and equipment which is not allocated to the sheds. I hope that that answers you, but that is where your $44 million is at. Then there is interstate and special contracts reserved with $7,217,000, which cannot be allocated by county.

Mr. MANDERINO. That is maintenance money?

Mr. DININNI. It cannot be allocated to the counties.

Mr. MANDERINO. All right. Would you say that that same $44 million or some figure near that $44 million is what the corresponding figure would have been for that administration last year?

Mr. DININNI. Last year it was $39,000,617.

Mr. MANDERINO. Mr. Speaker, I took the liberty of taking last year's maintenance allocation and found out that from the budget document it was $472,858,000.

Mr. DININNI. Mr. Speaker, would you repeat that figure so that I can verify it?

Mr. MANDERINO. The figure of $472,858,000.

Mr. DININNI. Correct.

Mr. MANDERINO. I am correct that that was the maintenance money figure last year?

Mr. DININNI. Yes.

Mr. MANDERINO. Mr. Speaker, I took the liberty of adding up the allocations to the various counties last year, and my figure is $311 million. The difference between that figure and the $472 million figure is about $161 million.

Now if last year's figure for maintenance was $35 million, can I assume that $125 million was in contracts last year?

Mr. DININNI. Can you assume that?

Mr. MANDERINO. Yes.

Mr. DININNI. It is very possible, yes.

Mr. MANDERINO. If it is not in contract, where else would it have been?

Mr. DININNI. All I can say is that you sure know how to manipulate figures, Mr. Speaker.

Mr. MANDERINO. I am not manipulating. I am just adding and subtracting, and you are following and so far you have agreed with every figure.

Mr. DININNI. Well, if you have some information that I do not, I would like to see it.

Mr. MANDERINO. No. The point that I am trying to make is that the $76 million in a brand new one-shot program is less money than we did last year in contracts by almost half.

Mr. DININNI. Just 2 minutes ago you were moaning that we were giving it out to private contractors.

Mr. MANDERINO. No. I was saying that it was being segregated by the legislation and I think PennDOT — Pennsylvania Department of Transportation — ought to make those decisions. I do not think that we in the General Assembly know, obviously do not know, what they intend to do. Do you know whether the $76 million in contracts are ready to be let?

Mr. DININNI. I do not.

Mr. MANDERINO. How can you make up the sheet showing the allocation to the counties if you do not know whether the contracts are in existence to spend that money?

Mr. DININNI. I told you I got these figures from the department and I just—

Mr. MANDERINO. Well, I understand that. When I got these figures this morning, I called the department, and the man who is in charge of maintenance—and I am not criticizing for this—is on vacation and no one else could give me the answers to the questions I am asking. I thought maybe you had them, and, obviously, you do not have them.

Mr. DININNI. Did I not give you a breakdown county by county?

Mr. MANDERINO. No, but you do not know whether the contracts are in existence, ready to be let. What is the lead time on letting a contract and preparing the designs and specs, et cetera?

Mr. DININNI. All that I can tell you is the conversations that we had—You asked if I had personal knowledge. I do not. The personal conversations that I have had in the Department of Transportation building, on the commission, on various occasions, indicated that there were contracts ready to be let and this is why they were in a hurry to have the funds.

Mr. MANDERINO. Do you not think, as a member of this General Assembly, any of the members here who were being asked to vote for increased spending in the Department of Highways ought to see those contracts or at least have a listing of them so we know where that money is going to be spent, whether it is going to be in my legislative district, your legislative district or proportionately in all of our legislative districts? Are we not entitled to that?

Mr. DININNI. I believe you had this budget document before you since March, the middle of March sometime, and I think that you should have had the initiative to ask him for it—

Mr. MANDERINO. We have been asking for it.

Mr. DININNI. When? This morning?

Mr. MANDERINO. No. No. We have been asking, and I asked at this microphone that before a bill be moved on highway taxes that we ought to be entitled to know where the money is going to be spent, even down to a breakdown by legislative districts. Do you know whether that is possible?

Mr. DININNI. I do not know if anything is possible. I am telling you that I have been told that there are contracts ready to go and the department is working on the master sheet to give to all of the legislators. This is all I know. Now if you want to keep pushing the issue, you go right ahead.

Mr. MANDERINO. In the maintenance money, Mr. Speaker, do you have any breakdown between what will be done dollar-wise in maintenance and what will be done in what the department calls betterment?

Mr. DININNI. The $76 million is betterment.

Mr. MANDERINO. The $76 million is betterment. It is not maintenance?

Mr. DININNI. That is my understanding.

Mr. MANDERINO. My understanding is that betterment excludes pothole fixing. Is that right?

Mr. DININNI. Yes. I think it means overlay.

Mr. MANDERINO. So out of the $96 million in new money being provided in the call of maintenance — all right — $76 million of it will not be used for patching potholes unless it is a complete overlayment?

Mr. DININNI. You know that there is plenty of money available if we pass this budget and the taxes to go with it to overlay enough of highways so that there will be no potholes, just out of the normal maintenance money that they receive on an annual basis. You know that. So why twist and confuse the issue?

Mr. MANDERINO. I am not twisting. I am trying to find out how much is going to be used for betterment, if you know, and how much it going to be used for maintenance.

Mr. DININNI. I told you $76 million, to the best of my knowledge.

Mr. MANDERINO. For betterment. Can I assume that the balance of the new moneys in the maintenance item will then be used for potholes?

Mr. DININNI. No. I did not say that. You have various kinds of overlay. You have—

Mr. MANDERINO. Are there overlays that do not classify themselves or do not qualify as betterment?

Mr. DININNI. Well, that depends on the definition of it. I am told—

Mr. MANDERINO. The Highway Department speaks about maintenance and betterment and they say that they are two different things?

Mr. DININNI. Yes.

Mr. MANDERINO. When I asked them what betterment is, they say overlaying and doing a complete resurfacing job, whether it is an inch and a half, an inch or 3 inches or whatever it is.

When I asked them what maintenance is, they say that that is cutting the grass and fixing potholes, basically, and sweeping the roads, taking the salt and cinders off. Now can I assume that $76 million and only $76 million will be put into betterment and the rest of the maintenance money will be in maintenance items as described by the department, or do you know the answer? If you do not, I can understand that.

Mr. DININNI. I am listening from both sides here.

Mr. MANDERINO. I know that.

Mr. DININNI. When we are talking about betterment, we are first talking about a complete overlay of maybe 3 inches. We are talking about guardrails where there was none before. It is a fine line, Mr. Speaker, when you are talking about betterment.

Now under normal maintenance, if there was a guardrail and it was destroyed or something happened to it and they replaced it, that is under maintenance. Then you have the shoulders. That is under maintenance. You have the stone and chip on the shoulders; you have the drainage, and so forth; so when we are talking about betterment, it is a good overlay job.

Mr. MANDERINO. All right. Let me ask this question then: Out of the $76 million in betterment, as you determined it, will there be any bridge rehabilitation or bridge reconstruction in the $76 million in contracts or is that all road betterment?

Mr. DININNI. No. I think that there is some bridge repair, yes.

Mr. MANDERINO. Do you know how much?

Mr. DININNI. No; I do not.

Mr. MANDERINO. Mr. Speaker, do you think that the department has a county-by-county breakdown out of the maintenance fund now of the bridge repair or reconstruction that will be done, either by counties or by legislative districts?

Mr. DININNI. Mr. Speaker, on the bridges I will have that answer for you in a minute. Go on with what else you were asking, and I will come back to that.

Mr. MANDERINO. Are you able to provide by legislative district or by county the figure that will be used for repair and rehabilitation of bridges in the maintenance category?

Mr. DININNI. Oh, sure I could, but you have a committee to do the same thing that I did.

Mr. MANDERINO. You do have that?

Mr. DININNI. Breakdown by county?

MR. MANDERINO. Yes.

MR. DININNI. For maintenance?

Mr. MANDERINO. I want to know whether it is available, either from you or from the department, the amount of money out of the maintenance line item that you segregated for contracts, $76 million. How much of that will be used for bridge reconstruction or bridge repair or bridge rehabilitation? Do you know that? Is it available?

Mr. DININNI. No. That figure I do not have and neither do I have the figure and the breakdown by county on that $76 million. No, I do not.

Mr. MANDERINO. Mr. Speaker, there is an $88-million figure in this bill for construction. I assume that that is new highway construction. I assume it might cover reconstruction. I assume there might even be rehabilitation and safety-related items in that $88-million state funds figure. Is that correct?

Mr. DININNI. Yes.

Mr. MANDERINO. Do you have any idea how much money will be matched at the Federal level with this $88 million?

Mr. DININNI. I do not have that figure handy, no.

Mr. MANDERINO. Do you have any idea of what portion of this $88 million will be used to match Federal moneys, whatever Federal moneys are available?

Mr. DININNI. As far as I am concerned, I will have that for you in a minute, but if you look on the sheet that you are reading from, that I handed you before, I believe I gave you the breakdown, state's share and Federal share by counties.

Mr. MANDERINO. I have a county share saying that capital budget state's share, capital budget total. Is the total the addition of the Federal funds?

Mr. DININNI. I believe so.

Are you referring to my breakdown or the breakdown in the budget?

Mr. MANDERINO. The breakdown in the budget. The budget figure is $88 million.

Mr. DININNI. Yes.

Mr. MANDERINO. If I add up these figures that you have of state funds to the counties, would that give me $88 million?

Mr. DININNI. No, they did not.

Mr. MANDERINO. What figure does that come to?

Mr. DININNI. The Federal funds are listed separately.

Mr. MANDERINO. I am only talking about state funds, the first column; state funds only.

Mr. DININNI. Your total state capital budget is $155 million. The capital budget is $894.244 million. That is your total budget that we are talking about.

Mr. MANDERINO. Are we going to do some more bonding? Is that what we are going to do? We are not going to go on a current basis for doing our projects with a 6-percent or a 3½ cents gas tax?

Do you mean we are going to have to borrow money again?

Mr. DININNI. No. It was all in the Governor's budget there and it balances out. You know it. You are taking one list that I gave you on the approximate breakdowns per county or per legislative district and using it to try and twist it around.

Mr. MANDERINO. I am not trying to twist anything. There is an $88-million figure in the budget document, I am sorry. In your SB 498, there is an $88-million figure for construction. Is that correct?

Mr. DININNI. Yes.

Mr. MANDERINO. All right. I want to know whether you know or whether anybody knows whether that $88-million figure is going to be matched with a specific Federal dollar figure. If it is, what is that figure?

Mr. DININNI. On page 33 of the budget presentation. If you will turn to page 33.

Mr. MANDERINO. I am not sure I have the same page 33, but tell me what you are referring to.

Mr. DININNI. Where it starts off with highway and safety improvements.

Mr. MANDERINO. Yes.

Mr. DININNI. Actual — $50 million.

Mr. MANDERINO. Yes.

Mr. DININNI. Available — $49.8 million.

Mr. MANDERINO. Yes.

Mr. DININNI. Budget — $88 million, $88,350,000.

Then right below it you have your Federal funds.

Mr. MANDERINO. All right. What you are saying is that the Federal funds that the $88 million will be matched with are what appears under Federal funds — the $198 million; the $56 million; and the $4 million?

Mr. DININNI. Yes. That would be my interpretation.

Mr. MANDERINO. Mr. Speaker, do you know in those dollars now, you are going to be spending somewhere around $255 million, if I add it up right? Do you know where that is going to be spent? On what roads or what bridges? Or how much of it will be on bridges and how much on new roads?

Mr. DININNI. I think the budget document itself—I do not have the correct page number right in front of me where it starts and where it ends—lists and itemizes the projects that he was recommending.

I believe it starts, Mr. Speaker, on page 275.

Mr. MANDERINO. Mr. Speaker, then I will refer you to volume I that you referred me to on the capital projects, volume I of the budget document. Do you have volume I of the budget document?

Mr. DININNI. Yes.

Mr. MANDERINO. If you will go to page 318, which is the end of the capital projects that are listed there—

Mr. DININNI. Yes.

Mr. MANDERINO. Total state funds in 1979-80 projects — $168 million.

Will you tell me where the $88 million fits in?

Mr. DININNI. What was that question again?

Mr. MANDERINO. Will you tell me where the $88 million in SB 498 fits into the budget document which shows $168 million of state funds for those capital projects that you referred me to?

Mr. Speaker, I do not know who it is you are talking to on the telephone, but why do you not just have him come over here so we can talk about this?

Mr. DININNI. I am not talking to anyone.

Mr. MANDERINO. Okay.

Mr. Speaker, while we are waiting for an answer, can I ask another question?

Mr. DININNI. Sure.

Mr. MANDERINO. It is related to that.

Mr. Speaker, on page 321, there is another total of state funds of about $2 million. On page 326, there are further state funds of $13 million, $14 million — $13.9 million. Again, where does the $88 million fit so far as these are concerned?

Mr. DININNI. Why do you not get to the point, Mr. Speaker?

Mr. MANDERINO. All right, Mr. Speaker. If you do not understand the point, you do not get the point.

Let me just make a concluding statement. I have no further interrogation.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, very briefly, I am convinced that the Highway Department, if it intends to spend $76 million in a repair and a refurbishing program about which statements have been made that they are ready to go with as soon as new revenues are generated, I think just as when we adopt new moneys for school subsidies and every member of this House asks and receives a copy of what is going to be done in his individual district, if it is available, we ought to have that same information now.

I am sure there are contracts that are ready to go, that have been prepared and could be easily summarized to this General Assembly so that I would know in my legislative district and each of you would know that in your legislative district such and such a program or contract is going to be let which is going to improve either 3 miles or 23 miles of a road by overlayment or with pothole patching or with guardrails or whatever is needed. I am sure the department has that information. I feel certain that they do because if they do not have that information on the 1st day of June of 1979, then they are not going to get the work done by contract in this working season, if they have to start now to decide what they are going to do. That is why I am confident they know what they are going to do. I do not think that information should be hidden from members of the General Assembly. I think we ought to know on the construction and the reconstruction and the bridge rehabilitation programs what projects are being scheduled. It is my understanding that in one district right here in the central part of the state there is a $43-million one-mile bridge going in. That is a lot of money — $43 million for a one-mile bridge. Maybe it is needed.

I ought to be able to prepare myself to face my constituents on what is going where and why it is going there and what is coming back to my district or my county to solve the road problems I have there, whether it is pothole repair or whether it is bridge maintenance or whether it is overlayment or whether it is reconstruction or whether it is missing gaps. I ought to have more information than I have so far been given.

Mr. Speaker, I ought to be given that information, I think, especially since we are asking for such a massive increase in revenues for the department and since the Governor has indicated in election campaign speeches he did not think new money was needed over there. All of a sudden, we do need money and a lot of money. I am sure that the Republicans are going to be asking for some help from this side of the aisle to pass those taxes that are going to be very difficult to vote for. We may be able to provide him two or three votes, four, but only if we get the information that satisfies us that it is fair to spend the money that we intend to raise.

Mr. Speaker, I would ask that this bill not be voted on final passage today. That is not a formal motion. I am making that request of the majority side, until we can be given the kinds of information that I have asked for this afternoon, that I questioned Mr. Dininni on and that I think we are entitled to receive

before we would be asked to vote for a highway budget that increases not only by the normal growth of every budget and the normal growth of revenues which the highway budget does have—which is not, I grant you, that substantial; it is very modest—but by $201 million in addition. Mr. Speaker, I ask the majority leader to consider the request.

The SPEAKER. Does the gentleman, Mr. Dininni, wish to be recognized?

Mr. DININNI. Yes. I will only take a few minutes.

The SPEAKER. The gentleman may proceed.

Mr. DININNI. First, Mr. Speaker, I did want to straighten you out. You were referring to the budget document on $168 million. Really, that was the Governor's request, and it is my understanding that they know that they could not run with a total capital budget of that size, so the bill reads $88 million. So that is where that came from. That is number one. Number two, I have been hearing for the last 3 years about how bad our highways are, and I heard it from the Democratic Party, and I responded. I worked hard last year and I came up with 21 Republican votes, and I think Mr. Manderino knows it, and he will never doubt that, but it was his decision not to move the tax bills. He is well aware of that. And I was prepared to stick my neck out, and so were 20 other Republicans, but, again, it was his decision, and when I look at this budget document, I see an awful lot of money in one of what I classify as a critical area in the State of Pennsylvania, and that is western Pennsylvania. There is no question about it, but we do have other bad areas, and if anybody inspects what they are getting for their counties, inspects the document, they will find out they are faring out very, very well. Sure, I cannot guarantee you that in the final, last days that something may not change in a minor respect, but then we are going to have another shot at the line-item capital budget. It is going to be before us, but I do not think that we can stop government, and I think Mr. Manderino knows the money is needed and he knows that a lot more than even 3 cents per gallon is needed; he knows that, but we have got to do our best to give them whatever we can muster here with 102 votes, and I am asking all of the members to vote in the affirmative.

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

Mr. LAUGHLIN. Mr. Speaker, just briefly, I do not want to interrogate Mr. Dininni. I believe he has had enough of that for today, and I certainly do not want to add to what has already gone before me, but, Mr. Speaker, we are talking about $76-million worth of contracts to be let for projects, such as guardrails, such as berming, such as asphalt surface and other circumstances. Mr. Speaker, we have approximately 14,000 miles of road in this state that have been declared to be critical, and, using the figures, I will ask Mr. Dininni one question, if he will just submit for one brief interrogation.

Mr. DINNINI. Yes.

Mr. LAUGHLIN. Mr. Speaker, do you have a cost factor for a mile of asphalt laid in place on a 24-foot-wide surface, 1½ inches, which is the minimum which the Department of Transportation will now allow?

Mr. DINNINI. I do have the figure for a 3-inch, 24-foot wide.

Mr. LAUGHLIN. What is the figure, Mr. Speaker?

Mr. DINNINI. Sixty thousand dollars a mile.

Mr. LAUGHLIN. Mr. Speaker, that is a fairly accurate figure. It is $30,000 for 1½-inch, so I imagine that, multiplying out, would be correct. I just wanted to see if it was the same as far as a 3-inch is concerned. Mr. Speaker, based on that figure we are talking about, if we used every dime on a contract basis for the highway repair, we are talking about a maximum of 2,500 miles of road that would be able to be treated in this state, which is, in all honesty, an impossibility this late in the season. With a 30-day requirement for bids and with the necessary design work to be done, it will not be done this year. Mr. Speaker, what we are talking about is treating a small portion of the problem, and I do not want the House of Representatives or anyone else to be deceived or confused that $76 million is going to take care of the 44,000 miles of roads that we have in this state right now.

For that reason, Mr. Speaker, and for the reasons that have been enumerated earlier, the proposal must carry with it the Governor's request for a 6-percent tax on liquid fuels. Mr. Speaker, you know as well as I do, based on the cost of gasoline and liquid fuels that have gone up in the last 5 months, we are talking about an additional $55 million over and above what the Governor has proposed with his $177-million figure for a 6-percent tax on liquid fuels. With that in mind, Mr. Speaker, I have to vote against this proposal, and I know that there are many people from western Pennsylvania who would like to vote for it, as I would, but, unfortunately, with that kind of a figure to look at and with no hope of getting an answer as to where this money is coming from, since they refused to vote to transfer the State Police into the general fund budget, which we had voted earlier, I ask all of the members to vote in the negative.

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

Mr. ITKIN. Mr. Speaker, I would like to ask Mr. Dininni a brief question.

The SPEAKER. The gentleman consents to interrogation. The gentleman may proceed.

Mr. ITKIN. Mr. Speaker, how difficult would it be to provide the information requested by the minority whip?

Mr. DININNI. I do not have that information myself other than I do know that they are preparing a list of the projects that are ready to move. That is all I know about it.

Mr. ITKIN. Well, I think it is an important consideration. I would like to know how quickly can it be given to us? Perhaps if you called the Secretary of Transportation and said that the passage of SB 498 hinges on that information, I am sure he would do his utmost to provide that information to us. Now would you make that type of a contact with the secretary?

Mr. DININNI. If it is not ready, I do not know how my calling over there is going to rush things.

Mr. ITKIN. Well, if he appreciates the fact that passage of this bill depends upon having information—and I think only it is proper that we know what we are voting on, as the minority

whip has so eminently discussed today—I am sure that the Secretary of Transportation can make use of the right personnel in the department to have that information to us the early part of next week, and then we can support the proposal if those lists meet our needs. I think it is a problem for many of us who have been in the House many, many years and have supported prior increases to the motor license fund with the expectation that certain things were going to be accomplished and then find out ultimately that they were not tended to, and I can honestly say and say on the floor of this House today that we in western Pennsylvania critically need these additional appropriations, provided it goes into the projects that are on the most critical list as we know them today, and I think that you can get support from this side of the aisle for SB 498; maybe not for your brand of taxes, because we have some other ideas as to how we can raise the money which we think is much less of a burden on the public, but I think that you could get sufficient votes on this side of the aisle to pass SB 498 if this legitimate request was provided.

The SPEAKER. Has the gentleman completed his statement?

Mr. ITKIN. Well—

Mr. DININNI. I believe it was a question and a statement.

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

Mr. DININNI. No, I disagree with you. I am here willing to vote for this bill. I know how critical our highways are and I am sure you are well aware of it, coming from Western Pennsylvania, and I am sure a good portion of that money is going to be over there, plus the fact we are still going to see the capital budget bill before us, which is going to outline individual projects. Myself, personally, I would like to see the thing roll so that they can get their show on the road, get some highways repaired.

Mr. ITKIN. Well, I am not basically concerned so much with the capital projects since I know they are going to be identified. We must approve them. I assume, however, that there are other capital projects which have presently been authorized on which the Secretary can immediately begin work, and that probably those capital projects that have already been authorized exceed the total amount of dollars available in this bill, and so it still will be discretionary on the part of the Secretary to determine which capital projects, even though they have been authorized, will be funded and started and commence operation this year. I mean you can understand the position you place us in. Here we are, much in need of additional money to support maintenance and repair of our highways and bridges, but what you show us is a black bag and say, look, accept this black bag. You will probably get what you need, but we cannot let you see what is inside of the black bag. And I think that that is very unfortunate, because we would like to do the responsible thing, but you are not providing us with the information necessary to make that responsible decision, and I was hoping that you would be able to tell me that you would now seek from the Secretary of Transportation to expeditiously compile this list so that we can have it when we come back on Monday, and I do not think it is an unreasonable thing. If the Secretary says he only has a partial list and does not have to decide about all the commitments, he can so state, and we will evaluate it at that point, but right now we have nothing to work on, and you can understand our position in this matter.

Mr. DININNI. I do not think it is a wise position. Myself, I am from central Pennsylvania, and I know central Pennsylvania, even though we have some bad roads, does not fall under the category for that $76 million, and I will guarantee you I am going to vote for it and I am sure the legislators from central Pennsylvania are going to vote for it, and they know there is not 5 cents in it for them out of that $76 million.

Mr. ITKIN. Well, fine. If they know it, I would like to—

Mr. DININNI. You know where the roads were identified as being critical. You went through the pothole situation. Western Pennsylvania was one of the main counties. Allegheny County was one of the main counties. You know that. Now if you are going to stand there and say you do not trust this Secretary, well, then, that is your prerogative. I happen to be one who does trust this Secretary and I believe that he is going to put it where it is critically needed.

Mr. ITKIN. Mr. Speaker, I have been in this House now going on my seventh year and I do not have that blind trust that Mr. Dininni still has, and all I am saying, Mr. Speaker, is, we recognize the problem for what it is and we want to help you solve this problem. You are the majority here. We want to provide the additional support necessary to make this a reality, and all we are asking from you is the list of projects that you intend to use the money for. That seems to be the most responsible request that anyone could make on the floor of this House, and we would appreciate your honoring this request. Now if you have the 102 votes on the other side of the aisle today, you know, fine, we wish you well, but if you do not, please seriously consider the request that the minority whip and I are making to you today.

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

Mr. STUBAN. Mr. Speaker, may I ask Mr. Dininni a few questions?

Mr. SPEAKER. The gentleman, Mr. Dininni, indicates that he will consent to interrogation. The gentleman, Mr. Stuban, may proceed.

Mr. STUBAN. First of all here in your discussion—you know I well know that there should be some money needed—your governor-candidate and I think all of your representative-candidates were running around the State of Pennsylvania and saying they were going to solve all these problems with the money they saved in waste. I, for one, am glad I did not campaign on those theories. I know with all the waste and wasteful spending, we are not going to find enough of money to build bridges and everything else.

But under the assumption, as you said, that they cannot fund those projects that the Governor has requested in his budget, so under that assumption, if I vote for this bill here today with the assumption that what the Governor has in that budget for my district, which were requests from my district offices and which are on the 12-year plan—and I am sure there are a lot of

those projects in there—I am not sure that they will be funded?

Mr. DININNI. Well, you have the budget document in front of you. And if that would occur, it is pretty difficult to wiggle out of something when you have it in black and white, and it so happens to be in that document.

Now when it come to the $33 million going back to your local municipalities, that will be automatically locked in. That is at 18.8 percent.

Mr. STUBAN. Well, I am not concerned about that money. I know it is coming back there and I know it will be there.

But you say that it is not easy to renege. And the fellows up here earlier were telling me about this road out in Beaver County, and now they have been reneging on my district for the past 10 or 12 years, telling me that the money that was in my district for a bridge has gone out to Beaver County to build Beaver County roads and out to Allegheny County to build bridges out there. I sure want to be assured here with some list as to what the projects are where the money will be spent. And it was shocking for me to see the minority leader does not even have a list and I am sure those are available. I can pick up the telephone and call my district office and I know the projects that have been recommended and asked for. But my concern is: What projects did they cut in the office over here? Is that list going to be available to us before we vote for this bill?

Mr. DININNI. I am sure we can have a list—On this bill? No. I am recommending that we roll this bill. Before any tax votes come up, you will have a complete list of everything. You can make a determination at that time.

Mr. STUBAN. Well, I sure cannot support this bill here today. And if I support this bill here today, I am committing myself to supporting a gas tax here without any knowledge whatsoever as to what amount of money will go back to my district. So I would ask the fellows on my side of the aisle and some of the newer fellows around here to vote against this.

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

Mr. SWEET. Mr. Speaker, I do not want to belabor this issue, but it is the single most important priority in many parts of this state and it certainly is in Washington County. And I am unhappily going to have to vote against this bill along with many of the other members of this body.

We have tried today to do a number of things. We have tried to get some information about how the money is going to be spent and we have not gotten it. Number two, we have tried to redirect how some of the money is going to be spent.

I have a lot of respect for Dr. Larson. I spoke with him and met him the other day and spoke with him at great length and I think he is an honest and sincere and dedicated person. But quite often in Harrisburg, that is not quite enough. There are going to be a lot of pressures on him when this money is allocated. And given the treatment of my amendment, I cannot have a great deal of confidence that the needs of Washington County are going to be considered when this administration is doling out the new cash.

So I am very disturbed by that. I am very disturbed that the department, given the vote of this House, is going to continue its defensive position of just giving out this money on miles of road and numbers of people and whatever strikes the Secretary's mind when there is a group of legislators in their beating him over the head.

I think we have got to consider the cost of materials. We have got to consider the fact that there are some counties in this state where the best road in the state would be the worst road in some other part of the state. Secretary Larson has admitted that to me. And I think it is clear from anybody who has traveled this state that there are glaring differences. Just the drive to Harrisburg every week shows me that the roads in this area are in much better shape than the roads in the western part of this state. And I cannot understand why the people of western Pennsylvania are going to be asked to pay new taxes to continue to put money into an old worn-out, simplistic formula that has merely been a political defense for Secretaries of Transportation who have been unable to allocate the fund in a more sophisticated and more necessary manner.

So I must ask the members of both sides of the aisle to vote "no" on this bill.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, since I have been up here, there have been two things which have really been confusing to me over the years. One was the school subsidy, the other one was transportation disbursements of funds. I am not all that smart when it comes to the Transportation Department and I do not pretend to know how they allocate money. I do not understand the formula, exactly, that goes into it. But I understand some bottom lines. I understand that Mr. Stuban, who does not want to vote for this, gets $301,000 into his local communities. That is not allocated and that is over and above, probably, another $600,000 that he is presently getting, because as I understand that, the formula, the way it has worked in the past, what we are getting on this distribution is approximately a third more than what you were receiving in the past. I am not really too sure what you got before. But I know that your communities in your legislative district get $301,000 additional dollars according to the printouts that we have that distribute some 18 percent of these available moneys to your communities, under the law, on a formula, not discretionary. It goes to your district. Check with your supervisors and your commissioners about what they think of it. And as Mr. Sweet was talking, I took the opportunity to take a quick look at what his communities get. They get an extra $248,000 under this proposal. Now that is in addition to your counties. Your two counties, Mr. Sweet, get an additional $1.5-million worth of work allocations out of the capital budget. So these figures I understand.

Now, there is available, and I know the minority leader has it and I know all of our members have it and I would be glad to give it to any of you should there be a breakdown in your Xerox machines in case you did not get it through your own sources, but I will provide it to you. There are two examples where Mr. Sweet picks up—his communities, his local governments pick up—a quarter of a million dollars. Mr. Stuban's local government picks up $300,000. Discretionary, they do with them what they want under the guidelines of the law, wherever the

roads or bridges are that they want to take care of in their township, they use it for that. I understand that. My own district gets $132,000 or $150,000 that way. But I do not have as many road miles as you, and it is distributed on that 50-50 basis population and roads. And I know Mr. Itkin out in Allegheny County gets $160 million under the capital budget. And I forget offhand, but I know that I can pick it up quickly here and tell you what you get for the local communities. Any my recollection is that it is some $5 million although in Allegheny County. It is about $5 million. I get $160,000 in my district, and we do not have the facility to break it into your districts because you are from a large county. So. we can only say your county gets some $5 million or $6 million the way my district gets $160,000. And I guess if you divide that by the number of legislators, you would reach some kind of an average. I understood those numbers.

Then as I listen to this debate here today, I hear Mr. Itkin very upset about not having some $76 million of it allocated and not having that information. I agree that it is upsetting and I also agree that it is information we should have and can get. I do not think, however, though, it is that important, in a budget that exceeds $1 billion, that we know where every last cent goes. You are talking, your objection as I gathered it, principal objection, was the allocation of some $76 million of a budget in excess of $1 billion. And I am not that concerned that I have to have that last bit of information. Because I know that when it comes time to vote for the tax, I know when the time comes that the capital budget comes before us, that even though that $76 million is not treated in those two bills, I know that I am going to have some input before I put my vote on the board in case by the time the information reaches me on that $76-million distribution, I am not happy with it. But I think Mr. Stuban and Mr. Sweet can look at the records that are available to them now and see what they are going to get. I am telling you, you are going to get $300,000 in your municipalities, and Mr. Sweet is getting a quarter of a million. And that is prefaced, of course, on the ability of this House and Senate and the Governor's Office to enact the law that raises an additional $200 million in taxes, and is not going to be, in my judgment—today having listened to the various members, it is not going to be—6 percent at the wholesale level. And I do not know what it is going to be. I do not happen to think that it is going to be that way and I mentioned that to Mr. Laughlin this morning in front of Sandy Starobin when he was being interviewed at one point. I said—off the record I said it. I was not being interviewed—and I told him then that I do not believe there is support for that. I am ready to vote for it. I think that is what is needed. But I do not happen to think there are 101 others in this House who are ready to vote that particular bill. So I think we are going to compromise the method of raising those taxes because of the large increase over these past several months since the bill was originally proposed. It would raise much more money than was anticipated at the time of introduction. Maybe you will ride with that bill with a 3-cent-a-gallon cap on it. I do not know. But I know that the $76-million allocation that is bothering Mr. Itkin really is not all that important when it comes time to pass a bill that has a billion dollars-plus in it, because that information we will get.

You saw Mr. Dininni's administrative assistant standing here with the telephone open and he was talking to PennDOT, and I took the phone for a minute and I said, where are we on this? He said, well, it may be another week before we get it because we inherited a schedule from the last administration showing what roads need maintenance and betterment and all these terms that I am not really familiar with, but you guys are. And they went out and looked some of them over and they did not agree with the coding—perhaps you would call it—of whether it needed betterment or just maintenance. And they are revising it somewhat, and it is going to take a little time before that is etched in stone. I said, can you tell me, of that $76 million how much of it goes to Allegheny County?

Let me just try and answer Mr. Itkin's question. He said, no less than $5 million; probably no more than $7 million of the $76 million. I said, can you give me the streets, the legislative route numbers? He said at a later date we can. This is all the work that is in progress now. I am sure that he had some of them there because he was able to say $5 to $7 million.

So I am telling you, Mr. Itkin, that Allegheny County, right now, out of this package, in additional moneys, will get some $160 million, some $6 million to your local government, and of the $76 million, Allegheny County is going to have some five to seven million additional dollars. So I say to you, in additional moneys, when this passes and when the tax passes—and that of course is critical to it—$200 million has to be raised. You people in Allegheny County are going to get in excess of $160 million-plus, five to seven million dollars-plus; $6 million in round numbers. So you are somewhere in the $170-million category.

If you do not vote for it, I think there is a problem, and I am not trying to be political. I will get in more of a problem voting for it than you will, let me assure you of that, because I get $162,000 in my district and my county does not get any $160 million. There are some of us in the east who do not have the problems you have, but we recognize that Pennsylvania has a problem and the people in the west have the greatest problem. We are going out on the line for you.

We met earlier today, Mr. Itkin, and we talked about this generally. I said that this has got to be bipartisan because the western part of Pennsylvania has the most to gain, and you are in trouble in the western part of Pennsylvania. I cannot be a Republican or Democratic vote. We put up the votes for the general budget yesterday, and I guess maybe that was our responsibility because we are the majority party. But I tell you, whether it is our responsibility or not to pass this one, we are not able to do it because we do not have the votes on the Republican side to pass this. The main beneficiaries of this are the people from the west. They are the ones who should get the most because their problem is the most severe. That is the way it will be, but you have got to help us. You people from the west have got to recognize that you have the greater problem. You have the potholes that are tank traps. I could not believe it until I went out there and saw it and I realize that you have a tremendous problem out there. I literally could not believe my

eyes when I drove through Allegheny and Butler County several weeks ago.

Now what are we going to do about it? We are worried about the building season. I am suggesting that we pass this bill today and we pass it on a bipartisan basis. There are people on my side who are not going to vote for it, a, because they do not understand it; b, because they are not getting their fair share; or, c, for some other reason. But I do not believe one of them is voting against this for purely political reasons. I really do not believe it. There is no political gamesmanship at this level; on local level, of course. If I am not getting enough politically, I am nuts to vote for it. I am not talking that kind of politics; I am talking R & D politics. That is not present, in my judgment, on this bill on this side of the aisle. We are not trying to get an advantage. We are trying to solve a problem with this one.

I am agreeing with you, Mr. Itkin, and I know the feelings of many of your other members. That $76 million we should have earmarked and we should have it in front of you. I am saying, let us trust Larson on this one. We will get the information, and you know and I know, we both know, that when it comes time to put the tax votes up, if you are not happy with the information you have, there is leverage there, if it is completely out of line in what they are suggesting. Those of you from Allegheny County have got to be satisfied because you are getting the bulk of it and you have got to be satisfied because your people need the help the most, and we are here today to try and do that and we will be here next week to try and finance it.

I would like now to see this thing roll right through, get the votes and let us get on with raising the funds to take care of it and get the capital budget bill out to change the projects around. Thank you, Mr. Speaker.

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

Mr. GALLEN. Mr. Speaker, a few very short months ago, a fellow by the name of Gerry Kane and his wife were killed because a truck swerved to avoid a pothole in Berks County. They left eight children. Gerry Kane was a close friend of mine.

We are killing people on these roads and we are arguing about when the hell we are going to start. The guardrails are down; there are potholes all over the state. People kind of make a game out of this thing. Summer is here, the construction season is here. We are not going to do it all this summer, no, but we had better make a start. I do not care if they start in the 128th district of Berks County or if they start in Columbia County. If they save three people in Columbia County who live in Oklahoma, it is a good thing.

We have got to fix some roads. This is crazy to stand here arguing about when we are going to start or how we are going to allocate the money, or whose district it is going to go into.

The people in my district travel in Chester County and they travel in Allegheny County. I mean, we are playing a game here and we are killing people. It is about time we stop doing it.

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

Mr. TRELLO. Mr. Speaker, I, too, will be very brief.

I want to complement the majority leader in what he said in regard to liquid fuel tax reimbursements, the amount of money that we will be receiving, and he is 100 percent right.

You know, the other gentleman got up and made statements about people being killed and being hurt because of potholes, and I agree with him also because just a few short weeks ago I stood at this microphone and told about the emergency that was declared because of our roads and bridges and the five nuns who got crippled up because of a pothole, the young boy who was in military school in my district who got killed, about four or five ladies who got crippled for life because of potholes, and all those stories, in trying to allocate some money for emergency pothole repairs. The vote was on the floor and it was defeated.

One thing I want to go back to are the priorities of where the money is coming from. I know we need the money, and that is the only appeal that we can make to solve this problem.

You, know, I got elected to borough council in 1965 in the Borough of Coraopolis. In 1965—I believe that was the Scranton Administration—5th Avenue, Route 51 in my district, was scheduled to be widened. Today it is 1979, and yet today it is not widened. It is still in the capital program, listed as a top priority.

I agree that everybody is going to have their special projects to be done. We even have a current weight limit on trucks. In my district I have one bridge that is down, closed completely. At the other end of my district, the bridge has a current weight limit on it, and they want to raise the trucks to 80,000 pounds. I tried to put a flyer out in my district on whether they would accept that. Those are the answers that they gave me: a bridge down; one with a current weight limit, they want to raise the weight of the trucks 80,000 pounds.

I do not know what I am going to do here. Even if you put it in writing about what is going to be done in my district, I know the Secretary of Transportation and/or the Governor has the right to blueline it. It is a difficult situation but it is a problem that has to be solved. Whoever is going to vote for it has to give a lot of thought to that too.

That is all I have to say. Thank you very much.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, may I have the floor for just a moment?

The SPEAKER. The Chair recognizes the gentleman.

Mr. RYAN. Mr. Speaker, I want to correct one of my sets of numbers. After I said $6 million would be distributed to Allegheny County, the way I get the $162 million, I was corrected from my unknown friend on the other side of that telephone. He said it is $3.5 million, not $6 million to Allegheny on that distribution of the $33 million for municipal use.

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

Mr. STUBAN. First of all, I would like to respond to Mr. Gallen and tell him that Columbia County is not the pothole capitol of the world. Columbia County has the distinction of being rated as patching potholes for less money than any other district in the State of Pennsylvania. We are a conservative type of community.

As far as Matt Ryan's discussion of figures going back to local government, it is not that 18 percent that I am concerned about, Mr. Speaker, and having been involved in local government, I am well aware of the amount of money that comes back in liquid fuels. With townships that have a 1-percent realty tax in my district, we sure can give up that extra income from the state in liquid fuels for local government. The thing that concerns us is the bridges, the farm-to-market roads; not the township roads. What is happening to the rest of the money that is in that budget; not the 18 percent that the formula says will come back to local government? That is my concern.

You tell me what you are going to do with my bridges, what you are going to do with Route 80 falling apart and the rest of the roads there. That is my concern; not the money coming back to local government.

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

Mr. ITKIN. Mr. Speaker, I could support the majority leader tonight in his request to approve SB 498, provided that he agrees to two conditions.

Mr. RYAN. These will be cute.

Mr. ITKIN. The first one is that that the list be provided prior to our consideration of the taxes and other revenues to support this bill.

Mr. RYAN. I would agree with that because the information I have is that it is substantially complete and it should be available shortly.

Mr. ITKIN. The second condition, Mr. Speaker, is that you use your influence to release from the House Transportation Committee the axle-mile tax and the diesel fuel tax and the one-cent gas tax.

The SPEAKER. The gentleman is out of order. The gentleman well knows no member of this House can dictate what legislation will be considered or moved from any committee of this House.

Mr. ITKIN. Mr. Speaker, I asked him to use his influence. I did not say—

Mr. RYAN. Mr. Speaker, may I respond to that?

The SPEAKER. The gentleman may proceed.

Mr. RYAN. Mr. Speaker, that could very well be the kiss of death, because you would be amazed at the number of bills I have still languishing in some of these committees.

Mr. ITKIN. Now the reason why I said that, Mr. Speaker—

Mr. RYAN. I would suggest, Mr. Speaker, that there is a remedy available, and I am not going to say by discharge resolution. I am saying to you that—and I prefaced my remarks a little bit when I said I am ready to vote for 6 percent at the wholesale or retail level. I think the situation is that bad.

I do not really believe it is going to pass. I do not think there is support for that. Today there is not support for $200 million of taxes anywhere in one form. We have all been here long enough that we know we have to move about and try and compromise and find what is the most acceptable package. I was not totally happy with the GA bill. The Republicans on this side who voted for it had projects in there that were getting less than they wanted. Others, they thought, were getting an advantage over them. It was the best bill we could pass under all the circumstances. It was the best compromise we could make. We were unable to deal with your fellows on it. This is what I am telling you. We have to deal with one another on it, because we are not going to pass it with Republican votes. I am saying to you, Mr. Speaker, that a tax measure will be on the floor of this House, and you should offer that, as you know you can, as an amendment. If we can find 102 people to go with it, super. We all know we need $200 million if we are to do what is before us here tonight, and we need 102 people to agree how that is going to be funded. Your solution may be the solution. Mr. Wilson has made suggestions. His might be the final answer. Mr. Dininni has the main bill that is sitting on the calendar. That may be the final solution. I do not know. I do not happen to think it will be, but it is going to be some combination of all of our thinking that will either fund this transportation package or not fund it.

My influence is no greater than yours, but I say to you, the influence you are asking me to use is to get a bill out of committee. I am saying to you, you do not need my influence, such as it is, because with an amendment you bring your bill out, but it is in an amended form when you offer it to whatever comes up, and I am suggesting that you have your own insurance policy on that.

Mr. ITKIN. Mr. Speaker, I am not sure that the bills that are presently in the Transportation Committee, that all of them may be germane to bills on the calendar, and I am trying to be very serious about this. I do not want western Pennsylvania legislators on this side of the aisle to be boxed into a corner of supporting a piece of legislation that at the present time requires $200 million in additional revenue. You take out from the Transportation Committee one mechanism, put it on the board and say to us, now you pass this bill; you fund it with this tax, and I am asking you to give us—and that is the second condition of voting for this bill tonight—the opportunity of having a variety of options on the calendar so that this House can make with free choice the best type of financing that it thinks is in the best interests of the people they represent, and that is all I am asking you. I am not asking you to vote for that axle-mile tax or the diesel fuel tax. All I am asking you is to provide us with the opportunity of placing that bill on the calendar—

The SPEAKER. The gentleman does not have that prerogative to do that. The gentleman, Mr. Itkin, knows that.

Mr. ITKIN. Well, Mr. Speaker, can I address my remarks to the chairman of the Transportation Committee, who does have the authority?

The SPEAKER. The question before the House is the adoption of SB 498.

Mr. ITKIN. All right, Mr. Speaker, run the bill tonight and maybe we can discuss it better on Monday.

The SPEAKER. The Chair recognizes the minority leader.

Mr. MANDERINO. Mr. Speaker—

Mr. RYAN. Pardon me, Mr. Speaker. Would the gentleman yield just for a moment? May I be recognized, Mr. Speaker?

The SPEAKER. The Chair has recognized the minority lead-

er. If the gentleman yields, the Chair will recognize him.

Mr. MANDERINO. As long as you come back to me.

Mr. RYAN. Sure. Mr. Speaker, just a further answer to Mr. Itkin. It is my opinion, Mr. Speaker, that by amendment you can offer your axle-mile tax.

I turned around and I spoke to Mr. Dininni on this. Part of the tax package includes an increase in fees on trucks, and I believe that your amendment, which is a fee-type tax, in my opinion it would be germane to that portion of this proposed tax package that deals with the increased fees on that. So to the extent of getting it up for a vote, I am of the opinion that you will be able to do that.

The SPEAKER. The Chair recognizes the minority leader.

Mr. MANDERINO. Mr. Speaker, the gentleman, Mr. Ryan, this afternoon was eloquent and persuasive and he talked about not having enough votes to solve this problem in putting the tax up on his side of the aisle and it is going to have to be a bipartisan effort. He almost convinced me, until I thought a little bit and I said, you know, if I am going to have to pay the bill, should I not be able to put part of the order in?

You would not listen to us when we tried to move $76 million out of this budget covering the state police, to help make the money necessary to fund the motor license fund a little smaller and still provide the same money to PennDOT. You voted on party lines, refusing that when Mr. Laughlin and Mr. Itkin presented the Senate budget to the general appropriation bill, an amendment to the general appropriation bill, which again moved the $76 million out and tried to solve the problem of PennDOT with the same moneys that they are asking for, without raising that much money and cutting into the GA bill. Again, you did not want to hear what we had to say. You voted on party lines again. Today, when we tried to amend again with the $76 million, when we tried earlier, with Mr. Trello's suggestion, to override the Governor's veto on the $25 million in potholes, and trying to solve the problem in a way that we had some input, you did not want to hear about it. You voted again as a bloc to keep that bill on the table and not let us have any input. Well, if we are not going to have any input, Mr. Speaker, in the bill that spends the money, we are certainly not going to have any input, or very little input, in the bill that pays the bill when the taxes come.

Now if you are going to have difficulty, Mr. Speaker, getting the tax votes on that side of the aisle—and I suggest that you are and I think you know that you are—then we ought to compromise on the spending program and the manner in which the money is spent and how much money is spent in new motor license fund moneys. If you want to compromise on the taxes and have a bipartisan effort, if you are not willing to do that, Mr. Speaker, I think you have a difficult row to hoe for yourself ahead.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. I am rarely at a loss for words, Mr. Speaker. I have to get my Irish stirred up a little bit, I suppose, because I really did not follow what you were saying there for a while, other than that I got the finger coming across the aisle, the big hand, you know, Ryan, you have been a bad boy and you are going to have to pass it on your own.

Let me tell you, Mr. Speaker, I cannot pass it on my own. I wish I could. I am not so sure that I have 50 percent of the votes, but I will challenge you to putting 50-50 up.

Mr. MANDERINO. I will tell you what: We will put 50-50 up if we can designate 50 percent of where the money is spent.

Mr. RYAN. We are getting closer to making a deal now, Mr. Speaker.

Mr. MANDERINO. And how the money is spent, Mr. Speaker.

Mr. RYAN. As long as I cut the cards.

Mr. MANDERINO. So far you have not given us that say. You passed the GA bill and spent all the surplus which you could have used in the motor license fund.

Mr. RYAN. Oh, no. If I may, Mr. Speaker, again in response to the gentleman.

We have here before us a capital project and a pothole bill, I guess, and that is what is before us. I cannot get myself stirred up and started up again to go through the same verbiage that I did a moment ago, but I think the bottom line of it is, is Allegheny County, Westmoreland County, the western part of the state, in enough trouble? Have you had enough criticism at this point? Have your people yelled and screamed enough?

I met with the Allegheny County delegation over here with Mr. Itkin and Mr. Irvis and a number of others earlier today in the Governor's reception room. I did not really understand their figures, but their figures seemed to indicate that we are saving money for the people, and I am not prepared to try and sell that one to you today, because of the cost of repairs on your cars. I would guess that many of you folks from Allegheny have met with the Chamber of Commerce and are familiar with that presentation. I just caught it at a glance, but I know I have never seen people so stirred up in my life as I have the people from the western part of this state in both caucuses and in any place in this Capitol, and I think we are foolish if we ignore this problem today.

Mr. Manderino knows when the time to negotiate is. The time to negotiate is when we get the capital budget out, when we have the tax bill coming up, and I have offered to negotiate. I have asked about a bottom line and a laundry list but not in the improper sense, Mr. Fourth Estate over there, because politics is the art of compromise, and I say that we have got to get together on this particular problem because it must be solved. I do not know enough about it to say when the building season starts and when the building season ends. I know it is time, and today is the hour, and I suggest we go ahead and vote on it.

Mr. MANDERINO. Mr. Speaker, very briefly, and I did not mention it because the last time I mentioned any talk with the other side, Mr. Butera blew up that we had not talked or at least had some initial conversation. We did, and, Mr. Speaker, I believe what the initial conversation was, do we have a bottom line? Is there a way to solve this thing together? And you asked me that, and I said, are you maintaining the position of a 2.2 and a 10½-percent tax and the 3½-cent tax on gasoline? Is that negotiable? And you said that is not negotiable, and I said there is nothing to talk about, and that is about it.

Mr. RYAN. That is basically correct. We did not talk about

the gasoline. We did talk about the 2.2 and 10.5. That is accurate.

Mr. MANDERINO. You said that was not negotiable, and I said if that is not negotiable, then there is nothing to talk about.

Mr. RYAN. Okay. Let us roll the bill.

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

Mr. DININNI. Mr. Speaker, one quick question of the minority whip.

The SPEAKER. Will the minority whip permit himself to be interrogated?

Mr. DININNI. It will be short.

Last year when I was asked to get support for the gasoline tax, did I say we had to negotiate, or did I say I would do everything under the sun to come up with 20 to 21 votes? Did I or did I not?

Mr. MANDERINO. I think you indicated that and I think you did find 20 votes, five for this program, five for this program, five for this one and five for another one.

Mr. DININNI. That is not true at all, and you know it is not true, and so does your minority chairman.

Mr. MANDERINO. That is the best I could find, Mr. Dininni.

On the question recurring,

Shall the bill pass finally?

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

YEAS—71

Anderson	Geesey	McKelvey	Salvatore
Bittle	Geist	McVerry	Scheaffer
Bowser	Goebel	Michlovic	Scirica
Burd	Grieco	Mowery	Sieminski
Cessar	Gruppo	Murphy	Sirianni
Clark, R.	Halverson	Nahill	Smith, E.
Cornell	Hasay	Noye	Smith, L.
Coslett	Hayes, D. S.	O'Brien, D.	Spencer
Cunningham	Hayes, S. E.	Peterson	Taddonio
Davies	Hutchinson, A.	Petrarca	Taylor, E.
DeVerter	Johnson, E.	Piccola	Vroon
Dietz	Knepper	Pitts	Wass
Dininni	Levi	Polite	Wilt
Dorr	Lewis	Pott	Yohn
Earley	Mackowski	Punt	Zord
Fisher, D. M.	Madigan	Pyles	
Foster, A.	Manmiller	Rocks	Seltzer,
Foster, W.	McClatchy	Ryan	Speaker
Gallen			

NAYS—129

Alden	Fee	Lashinger	Rodgers
Armstrong	Fischer, R. R.	Laughlin	Schmitt
Arty	Freind	Lehr	Schweder
Austin	Fryer	Letterman	Serafini
Barber	Gallagher	Levin	Seventy
Belardi	Gamble	Livengood	Shadding
Beloff	Gannon	Lynch, E. R.	Shupnik
Bennett	Gatski	Lynch, F.	Spitz
Berson	George, C.	Manderino	Stairs
Borski	George, M.	McCall	Steighner
Brandt	Giammarco	McIntyre	Stewart
Brown	Gladeck	McMonagle	Stuban
Brunner	Goodman	Micozzie	Sweet
Burns	Grabowski	Milanovich	Swift
Caltagirone	Gray	Miller	Taylor, F.
Cappabianca	Greenfield	Moehlmann	Telek
Chess	Harper	Mrkonic	Thomas
Cianciulli	Helfrick	Musto	Trello
Cimini	Hoeffel	Novak	Wachob
Clark, B.	Honaman	O'Brien, B.	Wagner
Cochran	Hutchinson, W.	O'Donnell	Wargo
Cohen	Irvis	Oliver	Weidner
Cole	Itkin	Perzel	Wenger
Cowell	Johnson, J.	Pievsky	White
Dawida	Jones	Pistella	Williams
DeMedio	Kanuck	Pratt	Wilson
DeWeese	Kernick	Pucciarelli	Wright, D.
DiCarlo	Klingaman	Reed	Wright, J. L.
Dombrowski	Knight	Rhodes	Yahner
Donatucci	Kolter	Richardson	Zeller
Duffy	Kowalyshyn	Rieger	Zitterman
Dumas	Kukovich	Ritter	Zwikl
Durham			

NOT VOTING—3

Mullen, M. P.	Rappaport	Street

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

QUESTION OF INFORMATION

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

Mr. RICHARDSON. Mr. Speaker, I, just like many other members, am trying to get some idea of how long we are going to be here this evening.

The SPEAKER. Not very long. There are only a few items before the House.

RESOLUTION ADOPTED

Mr. PISTELLA called up **HR 71, PN 1380,** entitled:

House recognize month of June 1979, as Huntington's Disease Month.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—8

Beloff	Donatucci	Rappaport	Shadding
Cunningham	Pyles	Rhodes	Street

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

QUESTION OF INFORMATION

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

Mr. A. K. HUTCHINSON. Mr. Speaker, I would like to put in a resolution and have the rules suspended when the time comes. Shall I do it now?

The SPEAKER. For the information of the gentleman, there are three other members who have resolutions ahead of you. The Chair will recognize you in order.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the gentleman from Bedford, Mr. Dietz.

Mr. DIETZ. Mr. Speaker, I ask that the rules be suspended for the immediate consideration of a resolution.

On the question,

Will the House agree to the motion?

The followng roll call was recorded:

YEAS—177

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

NAYS—18

Chess	Foster, W.	Mowery	Scheaffer
Cohen	Goebel	Musto	Sieminski
Cowell	Itkin	O'Donnell	Spitz
Dawida	Kukovich	Pott	Wilt
Fisher, D. M.	McVerry		

NOT VOTING—8

Donatucci	Greenfield	Rappaport	Street
Geist	Micozzie	Rhodes	Taddonio

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

RESOLUTION

The SPEAKER. The Chair recognizes the gentleman, Mr. Dietz.

Mr. DIETZ. I offer a resolution.

The SPEAKER. The clerk will read the resolution.

The following resolution was read:

In the House of Representatives,

WHEREAS, Governor Thornburgh has designated June 24-30 as Gay Pride Week; and

WHEREAS, Deviate sexual intercourse has always been a serious crime in the Commonwealth of Pennsylvania; and

WHEREAS, Voluntary deviate sexual intercourse is a misdemeanor of the second degree with a maximum sentence of imprisonment of two years, or a fine of $5,000, or both; and, involuntary deviate sexual intercourse is a felony of the first degree with a maximum sentence of imprisonment of 20 years, or a fine of $25,000, or both; and

WHEREAS, The House of Representatives desires to preserve the family unit in society and protect it from destructive forces; therefore be it

RESOLVED, That the House of Representatives objects to Governor Thornburgh officially setting aside a week in honor of persons who violate the criminal laws of the Commonwealth of Pennsylvania; and be it further

RESOLVED, That the House of Representatives strongly urges the Governor to withdraw his resolution honoring sexual deviates; and be it further

RESOLVED, That a copy of this resolution be immediately transmitted to Governor Thornburgh.

CLARENCE DIETZ
EUGENE GEESEY
A. C. FOSTER
RITA CLARK
WILLIAM TELEK
TOM SWIFT
E. Z. TAYLOR
CARMEL SIRIANNI
L. E. SMITH
JOSEPH PITTS
TERRY PUNT
JOSEPH ZELLER

On the question,

Will the House adopt the resolution?

The SPEAKER. The Chair recognizes the gentleman from Bedford, Mr. Dietz.

Mr. DIETZ. Before 8 o'clock this morning, I had two telephone calls from my constituents back home, persons connected with church groups, and they wanted to know whether or not the Governor of this Commonwealth had signed a proclamation for Gay Pride Week. At that point in time, Mr. Speaker, I did not know anything about any such proclamation. However, Mr. Speaker, I would like to point out to you, and I think the entire membership has a copy of this resolution, that Governor Shapp proclaimed June 12 through 19 of 1976 as Gay Pride Week in the Commonwealth of Pennsylvania.

To show the people of this Commonwealth that such action was not condoned by the House of Representatives, I, along with others, introduced HR 282 on June 21, 1976. This resolution was passed overwhelmingly in the House without debate. This was the last time that the Governor made such a proclamation during the balance of his tenure.

I felt this would be the last time any such attempt would be made for many, many years, but, Mr. Speaker, I was wrong. Not only was I wrong in this assumption but terribly disappointed that only 3 years later a new Governor would make the very same move.

Again, Mr. Speaker, by Governor Thornburgh proclaiming June 24 through 30, 1979, as Gay Pride Week he has, in my opinion, contributed to moral and spiritual decadence that is upon us.

The lessons of history, Mr. Speaker, must not be forgotten. Governor Thornburgh, as Governor Shapp, has acted without prior consultation with the General Assembly and, in fact, has acted contrary to the wishes of the legislature. Let it be known to all Pennsylvanians that the House of Representatives of this great Commonwealth does not agree with Governor Thornburgh that the citizens should be proud of committing acts that are in direct conflict with the morals of the community at large and, in fact, are prohibited by the criminal laws of the Commonwealth.

In signing this proclamation, Mr. Speaker, Governor Thornburgh expressed his own views that are inconsistent with the beliefs and traditions of a vast majority of people of this Commonwealth. Why not a Family Week instead? To proclaim any week Gay Pride Week, the Governor is endorsing in essence a type of action, Commonwealth Court has ruled, borders on criminal conduct. The court held that it is not criminal conduct nor a crime to have an affectional preference. It is criminal conduct, however, to practice a sexual preference if such sexual preference involves deviate sexual intercourse. It is not discrimination or a vote against equal rights to oppose a proclamation of this sort. I thank you, Mr. Speaker.

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

Mr. ZELLER. Mr. Speaker, I was shocked myself to learn that Governor Thornburgh had made this move and in his proclamation I would like those to understand that he includes you along with this type of resolution, all ethnic and racial distinctions.

Well, I take exception to this. I am offended by him including my good German ancestry and many others who have ancestry that would include that into what I call sexually deviate individuals who are sick, as far as I am concerned. They got a problem.

Mr. Dietz talked about American Family Week. I introduced a resolution which did not see the light of day, but I went to the Governor, Governor Shapp, and Governor Shapp went past the committee—which I will not name presently, but one day it will be named—that would not entertain my American Family Week, but we got it through with the Governor. As a matter of fact, I sent it on to the President, and the President of the United States adopted American Family Week. We do have an American Family Week at Thanksgiving. We have had it at Thanksgiving Week, both in 1977 and 1978. Contrary to what the Fourth Estate has said, they have not ever published it in my favor, because I do not happen to be one of their friends, they feel. I am more of a friend of theirs than they think. I am for the freedom of the press, but I do not go for government by the press. That is where our problem lies. Now that is why I questioned earlier today HB 914 and I want to speak on that just lightly, Mr. Speaker.

The SPEAKER. The question before the Houe is the adoption of the resolution offered by the gentleman from Bedford.

Mr. ZELLER. All right, Mr. Speaker. Then I will not mention HB 914, but I will say this, is that what we are doing is aiding and abetting conditions that happened in my area by stating that we are going to give these people a week and to say we are going to commemorate this Commonwealth in their behalf when in fact, in my own school district, we had to remove a

teacher who was getting involved with kids, who went up to an area, whether it was Carbon or Schuykill, I do not know which one. The state police now have this guy in custody, but the problem is, he was in the Boy Scout movement and got involved with little kids.

Now what they want to do is bring some of these quacks in here, whom they are not going to screen, they are not going to screen them, and then wind up with the same damned problem. I say to you sincerely, one of these days, if we do not do something about this, they are going to take all the elevators out of this Capitol and they will be flying up and down the elevator shafts.

The SPEAKER. When the gentleman has completed his remarks, would he tippytoe back to his seat?

Mr. ZELLER. Mr. Speaker, this is a very serious subject. I know some people take it humorously, but it is a very serious subject for this reason: There are people out there who have a problem, a very serious problem. And I happen to know that in Reading there happens to be a doctor, a very outstanding doctor, who takes care of such people and tries to get their minds back in shape and their bodies. This is serious. These people need help. I am not about to stand here and vote for—I am going to vote with Mr. Dietz, naturally, but I would not vote against something like this or even condone, with all due respect, what the Governor is trying to pull. Unfortunately—now come on, come on, come on. My mind is not in that gutter. I am saying to you seriously, and I say this to the members, if you want to let your minds get in that sort of a gutter, that is your problem, but I am saying to you—I said this sincerely—I am not going to let the Governor—I will say it again, and this is serious—pull a situation here upon this Commonwealth, under the pressure of certain groups. Now I do feel sorry for them in a way, but there are groups down here putting pressure on him, and one person mentioned in regard to the move that they went to in Philadelphia just recently, and cited Governor Shapp, the Gay group did, in regard to his movement in their behalf, and one of the cabinet officers went down there and brought the proclamation to this group, and I take offense to this because of the fact that here we are with a person, who is in a very high position in this state, going to condone such a condition to exist, and I say this is sickly. We are fast becoming an eroded, sick nation if we going to condone this sort of baloney. It is about time we stopped it, sincerely.

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

The following roll call was recorded:

YEAS—171

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

NAYS—14

Chess	Goebel	Kukovich	O'Donnell
Cohen	Greenfield	McVerry	Richardson
Dawida	Hoeffel	Michlovic	Scirica
DeWeese	Itkin		

NOT VOTING—18

Beloff	Knepper	Rhodes	Wagner
Dumas	Levi	Smith, E.	White
Grieco	Levin	Street	Williams
Hasay	Pistella	Vroon	Wilt
Kanuck	Rappaport		

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

REMARKS ON VOTE

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

Mr. RICHARDSON. Mr. Speaker, my switch was locked, and I would like to be recorded in the affirmative on the Dietz resolution.

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

RULES SUSPENDED

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

Miss SIRIANNI. Mr. Speaker, I move that the rules be suspended for the immediate consideration of a resolution.

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

The following roll call was recorded:

YEAS—192

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

NAYS—4

Chess	DeWeese	Kukovich	O'Donnell

NOT VOTING—7

Beloff	Knepper	Rhodes	Vroon
Greenfield	Rappaport	Street	

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

RESOLUTION

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

Miss SIRIANNI. I offer this resolution.

The SPEAKER. The clerk will read the resolution.

The following resolution was read:

In the House of Representatives,

RESOLVED, That the House of Representatives of the General Assembly requests the Governor to read all official proclamations on three different days prior to affixing his hand and seal to the same and submitting it to the Documents Law Section of the Legislative Reference Bureau; and be it further

RESOLVED, That a copy of this resolution be forwarded to the Governor.

CARMEL SIRIANNI
L. EUGENE SMITH
KATHRYNANN W. DURHAM
JEFFREY E. PICCOLA
RUDOLPH DININNI
JUNE N. HONAMAN
NOAH W. WENGER
STANFORD I. LEHR
MARILYN S. LEWIS
ELINOR Z. TAYLOR
JOSEPH R. PITTS
WARREN H. SPENCER
JOSEPH C. MANMILLER
KENNETH E. BRANDT
KENNETH S. HALVERSON
JAMES J. GALLEN
HARRY E. BOWSER

On the question,
Will the House adopt the resolution?

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

Miss SIRIANNI. Mr. Speaker, with some fellow members we have introduced a resolution in order to assist our Governor in avoiding such an embarrassing situation in the future. This resolution would request that the Governor read all official proclamations on three different days prior to his signing them.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—163

Alden	Freind	Lewis	Schmitt
Anderson	Fryer	Livengood	Schweder
Armstrong	Gallagher	Lynch, E. R.	Seventy
Arty	Gallen	Lynch, F.	Shadding
Austin	Gamble	Mackowski	Shupnik
Barber	Gannon	Madigan	Sieminski
Belardi	Gatski	Manderino	Sirianni
Beloff	Geesey	Manmiller	Smith, E.
Bennett	Geist	McCall	Smith, L.
Berson	George, C.	McClatchy	Spencer
Bittle	George, M.	McIntyre	Stairs
Bowser	Giammarco	McMonagle	Steighner
Brandt	Grabowski	Micozzie	Stewart
Brown	Gray	Milanovich	Stuban
Brunner	Grieco	Miller	Sweet
Burd	Gruppo	Moehlmann	Swift
Burns	Halverson	Mrkonic	Taylor, E.
Caltagirone	Harper	Mullen, M. P.	Taylor, F.
Cappabianca	Hasay	Murphy	Telek
Cianciulli	Hayes, D. S.	Musto	Thomas
Cimini	Hayes, S. E.	Nahill	Trello
Clark, B.	Helfrick	Novak	Wachob
Clark, R.	Honaman	Noye	Wagner
Cochran	Hutchinson, A.	O'Brien, B.	Wargo
Cohen	Hutchinson, W.	O'Donnell	Weidner

Cole	Irvis	Oliver	Wenger
Coslett	Itkin	Peterson	White
Cowell	Johnson, E.	Petrarca	Williams
Davies	Johnson, J.	Piccola	Wilson
DeMedio	Jones	Pievsky	Wilt
DeVerter	Kanuck	Pistella	Wright, D.
DiCarlo	Kernick	Pitts	Wright, J. L.
Dietz	Klingaman	Pratt	Yahner
Dininni	Knight	Pucciarelli	Yohn
Dombrowski	Kolter	Punt	Zeller
Donatucci	Kowalyshyn	Pyles	Zitterman
Dorr	Laughlin	Reed	Zord
Duffy	Lehr	Richardson	Zwikl
Durham	Letterman	Rieger	
Fee	Levi	Ritter	Seltzer,
Fischer, R. R.	Levin	Rodgers	Speaker
Foster, A.			

NAYS—33

Borski	Fisher, D. M.	McKelvey	Rocks
Cessar	Foster, W.	McVerry	Ryan
Chess	Gladeck	Michlovic	Salvatore
Cornell	Goebel	Mowery	Scheaffer
Cunningham	Goodman	O'Brien, D.	Scirica
Dawida	Hoeffel	Perzel	Spitz
DeWeese	Kukovich	Polite	Taddonio
Dumas	Lashinger	Pott	Wass
Earley			

NOT VOTING—7

Greenfield	Rappaport	Serafini	Vroon
Knepper	Rhodes	Street	

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

RULES SUSPENDED

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

Mr. McMONAGLE. Mr. Speaker, I move that the rules be suspended for the immediate consideration of a resolution.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—8

Berson	Greenfield	Rappaport	Street
Donatucci	Knepper	Shadding	Vroon

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

RESOLUTION

The SPEAKER. The Chair recognizes the gentleman, Mr. McMonagle.

Mr. McMONAGLE. I offer a resolution.

The SPEAKER. The clerk will read the resolution.

The following resolution was read:

In the House of Representatives,

WHEREAS, The week of May 28, 1979, is National Vietnam Veterans Week; and

WHEREAS, The Vietnam Veterans have given our country so much of their time and lives; and

WHEREAS, Many people have forgotten the great sacrifices made by the Vietnam Veterans; therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania hereby recognizes the week of May 28, 1979 as "Vietnam Veterans Week," in Pennsylvania and urges all our citizens to remember all of those persons who served so valiantly.

GERALD F. McMONAGLE
CLIFFORD GRAY
ALJIA DUMAS
FRANK J. PISTELLA
THOMAS A. MICHLOVIC
WILLIAM DeWEESE
ROBERT BORSKI, JR.

On the question,

Will the House adopt the resolution?

The SPEAKER. The Chair recognizes the gentleman from

Philadelphia, Mr. McMonagle.

Mr. McMONAGLE. Thank you, Mr. Speaker. This is my first speech before the House, so if I am a little nervous, please excuse me, because I know there are a lot of eloquent speakers here.

This week, starting off with Memorial Day, we all honored a lot of great warriors, veterans of many great wars. We had a war in the late 60's and early 70's that people looked down on, and we had hundreds of thousands of veterans who fought in that war, and I believe they should be honored.

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

The following roll call was recorded:

YEAS—201

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

NAYS—0

NOT VOTING—2

Rappaport Street

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

RESOLUTION RECONSIDERED

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

Mr. RICHARDSON. Mr. Speaker, I move that the vote by which the Dietz resolution passed on the 31st day of May be reconsidered.

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

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

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

The following roll call was recorded:

YEAS—196

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

Earley	Lehr	Rocks	Seltzer,
Fee	Letterman	Rodgers	Speaker
Fischer, R. R.	Levi		

NAYS—3

Goebel	McVerry	Pott

NOT VOTING—4

Rappaport	Rhodes	Street	Vroon

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

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

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

Mr. RICHARDSON. Mr. Speaker, I tried to rise prior to the vote on this particular resolution, and the last time I indicated that my switch was locked in the negative position and I could not vote in the affirmative. I would like now to have an opportunity to be recorded in the affirmative on the correct count that goes out to the papers.

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

Mr. TRELLO. Mr. Speaker, I like this resolution so well I just wanted to vote twice on it, and I encourage everybody to vote straight, vote straight.

The SPEAKER. The question is, Will the House adopt the resolution?

Those in favor will say "aye"; those opposed "no."

The "ayes" have it and the resolution is adopted.

The Chair recognizes the gentleman from Philadelphia, Mr. Richardson. For what purpose does the gentleman rise.

Mr. RICHARDSON. Mr. Speaker, I request a rollcall vote like you took on every other resolution, Mr. Speaker.

The SPEAKER. A rollcall vote is being requested. The members will proceed to vote.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—180

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

NAYS—14

Berson	DeWeese	Itkin	Michlovic
Chess	Goebel	Kukovich	O'Donnell
Cohen	Greenfield	McVerry	Scirica
Dawida	Hoeffel		

NOT VOTING—9

Hasay	Pistella	Rhodes	Vroon
Knepper	Rappaport	Street	Wagner
Levi			

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

STATEMENT

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

Mr. ZITTERMAN. Thank you, Mr. Speaker.

Just yesterday, the House of Representatives by a majority vote passed and sent to the Senate a fiscal document that proposes to spend the staggering sum of $6.3 billion. Yet should this final budget that is adopted by the Pennsylvania General Assembly pass, none of us assembled here will have any real or meaningful input into the method by which the money is spent.

Unfortunately, Mr. Speaker, the General Assembly has never properly addressed the important and growing problem of oversight, and, as a result, we members are the victims of usurpation and the architects of abdication. Mr. Speaker, just yesterday, in my district, I want to recall an example that occurred in Lackawanna County. I have been on the floor of this House in recent days to express my opposition to the proposed merger of the Scranton State General Hospital and the Community Medical Center, and at this time I still continue to oppose this move; however, the feasibility of this merger is not the real question before us today.

The real issue is that the Scranton State General Hospital is owned by this Commonwealth, and the Administrative Code of 1929 states in section 514, and I quote: ". . . a department, board, or commission, shall not sell or exchange any real estate belonging to the Commonwealth, or grant any easement, right of way, or other interest over or in such real estate, without specific authority of the General Assembly so to do." Yesterday, Mr. Speaker, the deputy secretary of Public Welfare, according to the Scranton Times, signed an agreement which will bind this Commonwealth to a lease arrangement with the Scranton State Hospital and the Community Medical Center. I have not seen this document, Mr. Speaker, but I understand that the State Hospital facility will be leased to the Community Medical Center for $1 a year. The House of Representatives cannot sit idly by and permit this blatant disregard for our authority to go unchallenged.

If the Scranton State Hospital can be leased to someone for $1, or whatever sum, who is to say that the Secretary of Transportation could not lease the PennDOT building, and who could challenge our Governor if he leased this very building to the catering service that runs the cafeteria? I realize with tongue-in-cheek, Mr. Speaker, that these are highly improbable, hypothetical examples, but, nevertheless, if we permit the Scranton fiasco to transpire without our approval, we will have opened the door of abdication just a little bit wider. I have today, as a private citizen, filed injunctive action with the Commonwealth Court to prevent the trustees, or the deputy, or any other officer and the Governor of this Commonwealth from proceeding any further with any action pertaining to the proposed merger.

Last week I sent a communication to Governor Richard Thornburgh protesting the action of the deputy secretary, Kathryn McKenna. As of this date, I have failed to receive any acknowledgement of the same from the Chief Executive, but I have served notice to the Governor that I intend to fight both the merger and his methods being used to effect it. I bring this to your attention because I believe that this House of Representatives should be made aware of still another attempt by this executive department to take over the authority vested in this body by our constitution. Thank you very much.

VOTE ON SB 498 RECONSIDERED

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

Mr. NOYE. Mr. Speaker, I move that the vote by which SB 498, PN 819, was defeated on the 31st day of May be reconsidered.

The SPEAKER. The Chair recognizes the majority whip, Mr. Hayes.

Mr. S. E. HAYES. I second the motion.

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

SB 498 PLACED ON FINAL PASSAGE POSTPONED CALENDAR

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

Mr. DININNI. I move that SB 498 be placed on the final passage postponed calendar.

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

BILLS PASSED OVER

The SPEAKER. Without objection, the remaining bills and resolution will be passed over. The Chair hears none.

REMARKS SUBMITTED FOR THE RECORD

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

Mr. ZELLER. Mr. Speaker, for the sake of time I will submit this for the record as to my reasons for voting against Mr. Itkin's amendment A1308 regarding the State Police. Thank you.

The SPEAKER. The gentleman will send his remarks to the desk.

Mr. ZELLER submitted the following remarks for the Legislative Journal:

My reason for voting against the transfer of the State Police account from PennDOT to the general fund is the fact that this type of action is the same trickery used in 1977 by the Democratic leadership in taking $300 million from the nonpreferreds and placing the $300 million in the general fund to balance the budget, calling it a no-tax budget; however, we were called back to raise taxes since the nonpreferreds were left without funding and the taxes replaced it.

This same move is under way now. By taking the State Police out, PennDOT becomes $90 million richer, and then we will be walked into a tax increase or voting to extend the 1977 increase, 2.2-percent income tax and 10.5-percent corporate net income tax, to fund the State Police and other increases, such as a 6-cents-per-gallon tax on gasoline or the 6-percent tax on wholesale gas and oil business.

I wanted no part of this trickery in using our very effective and efficient State Police as a pawn in a political battle for power by two parties.

HOUSE BILLS INTRODUCED AND REFERRED TO COMMITTEES

No. 1417 By Messrs. D. M. O'BRIEN and KNEPPER

An Act to provide pharmaceutical assistance to the aged.

Referred to Committee on Health and Welfare.

No. 1418 By Messrs. D. M. O'BRIEN, SALVATORE, RYAN, CIANCIULLI, A. C. FOSTER, DONATUCCI, PUNT, McKELVEY, KNEPPER, PERZEL, GALLEN, MOWERY, GOODMAN, SCHEAFFER, McCALL, W. W. FOSTER, MADIGAN, DeMEDIO, AUSTIN, PETERSON, CIMINI, ROCKS, GRUPPO, GOEBEL, McVERRY, MULLEN, Mrs. ARTY, Messrs. OLIVER, WILT,

LAUGHLIN, FEE, JONES, SCIRICA, B. F. O'BRIEN, ZELLER, ZITTERMAN, BELOFF, GAMBLE, TRELLO, SEVENTY, NOVAK, KNIGHT, PISTELLA, Mrs. KERNICK, Messrs. CHESS, LETTERMAN, PETRARCA, SWEET, GEORGE, LIVENGOOD, GIAMMARCO, KOWALYSHYN, RIEGER, McINTYRE, KLINGAMAN, ZORD, STEWART, PICCOLA, VROON, KANUCK, E. R. LYNCH, PITTS, LEHR, REED, CORNELL, GLADECK, BURNS, CESSAR, NOYE, PYLES, BELARDI, Mrs. TAYLOR, Messrs. BORSKI, GEIST, COSLETT, WASS, SERAFINI, FREIND, McCLATCHY, GANNON, DeVERTER, MACKOWSKI, HELFRICK, MANMILLER, HALVERSON, STAIRS, MILLER, TADDONIO, DIETZ, A. K. HUTCHINSON, BRUNNER, D. R. WRIGHT, MURPHY, MUSTO, WARGO, SCHMITT, SHUPNIK, BENNETT, TAYLOR, COCHRAN, LEVI, PRATT, GALLAGHER, RODGERS and DORR

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), providing for indefinite deferment of personal income tax on net gain derived from the sale of a residence in certain cases.

Referred to Committee on Finance.

No. 1419 By Messrs. D. R. WRIGHT, PETRARCA and LIVENGOOD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for Class 4 licenses.

Referred to Committee on Transportation.

No. 1420 By Messrs. D. R. WRIGHT and PETRARCA

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further defining "public utility" to include cable television systems.

Referred to Committee on Consumer Affairs.

No. 1421 By Messrs. D. R. WRIGHT, PETRARCA, LIVENGOOD and LETTERMAN

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), providing additional contractual powers for certain college and university presidents.

Referred to Committee on Education.

No. 1422 By Messrs. D. R. WRIGHT, LIVENGOOD, PETRARCA, ZITTERMAN and LETTERMAN

An Act amending the "Hazardous Substances Transportation Act," approved November 9, 1965 (P. L. 657, No. 323), further providing for the powers of the board.

Referred to Committee on Transportation.

No. 1423 By Messrs. DORR, REED, COLE, DAVIES, GEESEY, A. C. FOSTER, DININNI, MANMILLER and PICCOLA

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

Referred to Committee on Finance.

No. 1424 By Messrs. CIMINI, REED and SIEMINSKI

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), denying eligibility for allowance for moving expense resulting from certain nonpayment of rent.

Referred to Committee on Health and Welfare.

No. 1425 By Messrs. W. D. HUTCHINSON, RITTER, KLINGAMAN, LEVI, W. W. FOSTER, KNIGHT, MRKONIC, LEVIN, PICCOLA, POLITE, Miss SIRIANNI, Messrs. D. R. WRIGHT, NOYE, WILSON, MOEHLMANN, F. J. LYNCH, VROON, A. K. HUTCHINSON, MACKOWSKI, Mrs. TAYLOR, Messrs. BRANDT, DIETZ, ALDEN and THOMAS

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), eliminating cross-filing by candidates for the offices of judge, justice of the peace and school directors.

Referred to Committee on State Government.

No. 1426 By Messrs. NAHILL, WEIDNER, LEVI and CORNELL

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571, No. 254), further providing for appeals.

Referred to Committee on Local Government.

No. 1427 By Mr. ALDEN, Mrs. DURHAM, Mr. GANNON, Mrs. ARTY, Mrs. CLARK, Messrs. ARMSTRONG and TELEK

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the publication of certain names in connection with juvenile law enforcement records.

Referred to Committee on Judiciary.

No. 1428 By Messrs. CALTAGIRONE, J. L. WRIGHT, THOMAS, YAHNER, BENNETT, B. F. O'BRIEN, TAYLOR, ZELLER, CAPPABIANCA, COCHRAN, STAIRS, WILT, BROWN, ZWIKL, DeWEESE, MUSTO, LETTERMAN, PRATT, RAPPAPORT, HASAY, REED, KUKOVICH, PERZEL, BRANDT, COHEN and GATSKI

An Act amending "The Liquid Fuels Tax Act," approved May 21, 1931 (P. L. 149, No. 105), further providing for the imposition and rate of tax.

Referred to Committee on Transportation.

No. 1429 By Messrs. CALTAGIRONE, J. L. WRIGHT, THOMAS, YAHNER, BENNETT, B. F. O'BRIEN, TAYLOR, ZELLER, CAPPABIANCA, COCHRAN, STAIRS, WILT, BROWN, ZWIKL, DeWEESE, MUSTO, LETTERMAN, PRATT, RAPPAPORT, POTT, HASAY, REED, KUKOVICH, PERZEL, BRANDT, WENGER, COHEN and GATSKI

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), providing credits against the corporate net income tax.

Referred to Committee on Finance.

No. 1430 By Messrs. CALTAGIRONE, J. L. WRIGHT, THOMAS, YAHNER, BENNETT, B. F. O'BRIEN, TAYLOR, CAPPABIANCA, COCHRAN, ZELLER, STAIRS, WILT, BROWN, ZWIKL, DeWEESE, MUSTO, LETTERMAN, PRATT, PISTELLA, RAPPAPORT, HASAY, REED, KUKOVICH, R. R. FISCHER, PERZEL, BRANDT, COHEN and GATSKI

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), requiring the Department of General Services to establish an experimental vehicle district to evaluate the effectiveness of gasohol.

Referred to Committee on State Government.

No. 1431 By Messrs. D. S. HAYES, DOMBROWSKI and BOWSER

An Act amending "The Liquid Fuels Tax Act," approved May 21, 1931 (P. L. 149, No. 105), providing a nine year declining tax exemption for gasohol.

Referred to Committee on Transportation.

No. 1432 By Messrs. SWEET, BRUNNER, DeMEDIO, STEWART, L. E. SMITH, BRANDT, LEVI, R. R. FISCHER and D. R. WRIGHT

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for electronic voting systems.

Referred to Committee on State Government.

No. 1433 By Messrs. SCIRICA, BERSON, YOHN, GLADECK, KUKOVICH, HOEFFEL, STEWART, Mrs. GEORGE, Messrs. MICHLOVIC, PISTELLA, ZELLER, DAVIES, COWELL, AUSTIN, COHEN, O'DONNELL, GRAY, CHESS, Mrs. KERNICK, Messrs. DAWIDA, DeWEESE, REED, KOWALYSHYN, WACHOB, BROWN and FREIND

An Act regulating the practice of lobbying and providing penalties.

Referred to Committee on State Government.

No. 1434 By Mr. FREIND, Mrs. TAYLOR, Mr. GANNON, Mrs. ARTY, Mrs. DURHAM and Mr. ALDEN

An Act providing a requirement for the determination of the tuition to be charged to nonresident students at State-owned and State-related colleges and universities.

Referred to Committee on Education.

No. 1435 By Messrs. THOMAS, HELFRICK and Miss SIRIANNI

An Act amending "The Minimum Wage Act of 1968," approved January 17, 1968 (P. L. 11, No. 5), providing for the definition of "senior citizen" and for employment of senior citizens under special certificate.

Referred to Committee on Labor Relations.

No. 1436 By Messrs. COCHRAN, ZORD, Mrs. ARTY, Mrs. TAYLOR, Messrs. BARBER, PYLES, MILLER, JONES, REED, HOEFFEL, COLE, MRKONIC, LETTERMAN, CLARK, GLADECK, POTT, GANNON, Mrs. CLARK, Messrs. DiCARLO, KLINGAMAN, BURD, MADIGAN, PETERSON, SIEMINSKI, GRUPPO, L. E. SMITH, DeWEESE, MANDERINO, IRVIS and TAYLOR

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), requiring the Department of Public Welfare to develop and implement a State plan for regulating and licensing personal care boarding homes.

Referred to Committee on Health and Welfare.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 87

(Concurrent) By Messrs. CALTAGIRONE, IRVIS, B. F. O'BRIEN, COCHRAN, THOMAS, STAIRS, STUBAN, SCHMITT, YAHNER, ZELLER, CAPPABIANCA, STEIGHNER, BROWN, Mrs. DURHAM, Messrs. TAYLOR, LETTERMAN, ZWIKL, PRATT, RAPPAPORT, MOWERY, HASAY, REED, PERZEL, COHEN and GATSKI

The General Assembly memorialize the President of the United States and the United States Congress to initiate a program to raise the export cost of United States grain to oil producing countries so that the export cost for a bushel of grain is equal to the current import price of a barrel of oil from such countries and to establish an agricultural cartel to administer the program.

Referred to Committee on Federal-State Relations.

No. 88 By Mr. PICCOLA, Miss SIRIANNI, Mrs. TAYLOR, Messrs. PITTS, MANMILLER, LEVI, COHEN, STEWART, BROWN, DeWEESE, Mrs. KERNICK, Messrs. DIETZ, TELEK, Mrs. CLARK, Messrs.

SPITZ, WEIDNER, WASS, Mrs. HONAMAN, Messrs. VROON, CORNELL, LASHINGER, SCIRICA, HALVERSON, BOWSER, Mrs. LEWIS and Mr. REED

House Rule 22 be amended.

Referred to Committee on Rules.

No. 89

(Concurrent) By Messrs. W. D. HUTCHINSON, SELTZER, IRVIS, SPENCER and BERSON

This General Assembly does direct the Speaker of the House of Representatives and the President pro tempore of the Senate to appoint legal counsel to enter a special appearance to respectfully present to the Commonwealth Court this resolution representing the sense of the General Assembly that the said honorable court dismiss the Petition for Review as beyond its jurisdiction and an improper incursion into the affairs of the coordinate Legislative Branch of the Government.

Referred to Committee on Rules.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 224, PN 242 By Mr. SPENCER

An Act amending the "Eminent Domain Code," approved June 22, 1964 (P. L. 84, No. 6), further providing for measure of damages; defining certain mobile homes as real property and adding a definition.

Judiciary.

BILLS REPORTED FROM COMMITTEE AND REREFERRED

HB 221, PN 239 By Mr. SPENCER

An Act amending the act of April 27, 1927 (P. L. 465, No. 299), referred to as the Fire and Panic Act, requiring smoke detection devices in apartment houses.

Judiciary.

Rereferred to Committee on State Government.

HB 535, PN 575 By Mr. SPENCER

An Act providing for the creation of a multipurpose program for displaced homemakers, granting certain powers and duties to the Department of Education and making an appropriation.

Judiciary.

Rereferred to Committee on Education.

HOUSE SCHEDULE

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. I just think I should give some idea as to what I expect will happen next week. Right now, I would expect we will be here 3 days, with a possibility of 5, and I think the members should be aware of that.

WELCOMES

The SPEAKER. The Chair welcomes to the hall of the House Mr. and Mrs. Jack Hannigan, who are the guests of Mr. Frank Coslett of Luzerne County.

The Chair welcomes to the hall of the House, Mr. Ed Lysakowski and his mother, Mrs. Lysakowski, of Pittsburgh, who are the guests of the Representative from the 27th Legislative District, Mr. Rich Chess.

The Chair welcomes to the floor of the House, Mr. Mark Weiler, the nephew of Mr. Noah Wenger, of Lancaster County.

The Chair welcomes to the hall of the House, a delegation from the Ministry of Justice of Argentina, headed by the Secretary of Legislative Affairs, Mr. Roberto Luqui. This group is the guest of the director of the Legislative Reference Bureau, and Mr. Doyle.

ADJOURNMENT

Mr. SIEMINSKI moved that this House of Representatives do now adjourn until Monday, June 4, 1979, at 1 p.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 7:29 p.m., e.d.t., the House adjourned.