

# Legislative Journal

TUESDAY, JANUARY 23, 1973

Session of 1973

157th of the General Assembly

Vol. 1, No. 6

## HOUSE OF REPRESENTATIVES

The House convened at 11 a.m., e.s.t.

THE SPEAKER (Kenneth B. Lee) IN THE CHAIR

### PRAYER

REVEREND ALVIN J. SIMMONS, chaplain of the House of Representatives and pastor of Bethel A.M.E. Church, Lancaster, Pennsylvania, offered the following prayer:

O God of grace and glory, on us pour Thy power as humbly we turn our spirits unto Thee in this our morning prayer.

We are grateful that our land has been blest with creative and courageous souls who have the right to life, who have the right for liberty and life and the pursuit of happiness. Inspire us to continue their great work that our country may ever be the "land of the free and the home of the brave."

Remember the sick of the House. Bless their families. Remember those who have colds, pains and aches of body; ease them if it is Thy will.

Bless those who celebrate their birthdays. May they live long to continue the great work which they have so well begun.

God send us men whose aim will be  
Not to defend some ancient creed,  
But to live out the laws of Thine  
In every thought and word and deed.

God send us men of steadfast will,  
Patient, courageous, strong, and true,  
With vision clear and mind equipped  
Thy will to learn, Thy work to do.

God send us men with hearts ablaze,  
All truth to love, all wrong to hate;  
These are the patriots nations need,  
These are the bulwarks of the State.

In the name of the Father God. Amen.

### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Monday, January 22, 1973, will be postponed until printed.

### HOUSE BILLS INTRODUCED AND REFERRED

By Mr. LEDERER **HOUSE BILL No. 67**

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682, No. 284), defining the phrase "actual cost value" as used in the standard policy provisions of fire insurance contracts.

Referred to Committee on Consumer Protection.

By Mr. LEDERER **HOUSE BILL No. 68**

An Act amending the act of August 8, 1961 (P. L. 969, No. 433), entitled "An Act fixing the salary of the register of wills of Philadelphia," increasing the salary of the register of wills.

Referred to Committee on State Government.

By Mr. LEDERER **HOUSE BILL No. 69**

An Act making an appropriation to the Cruiser Olympia Association, Inc., Philadelphia, for maintenance of the Cruiser Olympia.

Referred to Committee on Appropriations.

By Mr. HASKELL (By Request) **HOUSE BILL No. 70**

An Act declaring and adopting the song "Pennsy-Pennsylvania," by M. S. Russell and Freda Russell as the State song of the Commonwealth.

Referred to Committee on State Government.

By Messrs. WESTERBERG, BONETTO, KAHLE, SHELHAMER, ANDERSON, W. W. WILT, ENGLEHART, HOMER, RUANE, S. E. HAYES, DeVERTER, RENWICK, SPENCER, RITTER, HASKELL, MURTHA, TURNER, R. W. WILT, YAHNER, KUSSE, HARRIER, W. W. FOSTER and SCHMITT **HOUSE BILL No. 71**

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58, No. 32), providing for registration fees for school buses and the disposition of certain fines and forfeitures.

Referred to Committee on Transportation.

By Messrs. WESTERBERG, BONETTO, KAHLE, SHELHAMER, ANDERSON, W. W. WILT, ENGLEHART, HOMER, RUANE, S. E. HAYES, DeVERTER, RENWICK, SPENCER, HASKELL, MURTHA, R. W. WILT, YAHNER, KUSSE, HARRIER, W. W. FOSTER, RITTER and SCHMITT **HOUSE BILL No. 72**

An Act amending the act of June 22, 1931 (P. L. 694, No. 255), entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire," exempting from the tax certain vehicles used to transport school children.

Referred to Committee on Ways and Means.

By Messrs. CESSAR, MARTINO, ZORD, PARKER, KNEPPER, KELLY, WELLS, GEISLER, CAPUTO, ROMANELLI, EARLY, SCANLON, FRANKENBURG and TADDONIO **HOUSE BILL No. 73**

An Act abolishing the Milk Marketing Board and repealing the "Milk Marketing Law," approved April 28, 1937 (P. L. 417, No. 105), by which it was created.

Referred to Committee on Agriculture.

By Messrs. CESSAR, WELLS, HALVERSON and ZORD  
**HOUSE BILL NO. 74**

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58, No. 32), further regulating operation of any motor vehicle owned by a person qualified to pay a reduced annual registration fee and changing the income requirement.

Referred to Committee on Transportation.

By Messrs. CESSAR, BYERLY, BURKARDT and FRANKENBURG  
**HOUSE BILL No. 75**

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), excluding pay of soldiers from personal income tax.

Referred to Committee on Ways and Means.

By Messrs. CESSAR, HASKELL, BURKARDT, HALVERSON, FRANKENBURG and ZORD  
**HOUSE BILL No. 76**

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for the election of the Attorney General.

Referred to Committee on State Government.

By Messrs. LEDERER, FINEMAN, PIEVSKY, VANN, GREENFIELD, BARBER, BLACKWELL, Mrs. TOLL, Messrs. TAYOUN, RAPPAPORT, SULLIVAN, BERSON, GLEESON, JOHNSON, SAVITT, WILLIAMS, PERRY and FRANCIS J. LYNCH  
**HOUSE BILL No. 77**

An Act making an appropriation to the Board of Public Education of the school district of the City of Philadelphia.

Referred to Committee on Appropriations.

By Messrs. BURNS, WRIGHT, WEIDNER and WILSON  
**HOUSE BILL No. 78**

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), reducing the term of school directors in school districts of the second, third and fourth class from six to four years.

Referred to Committee on Education.

By Messrs. CAPUTO, SCANLON, IRVIS, ROMANELLI, MARTINO, GEISLER, CESSAR, WELLS, RHODES, ITKIN, FENRICH and ZORD  
**HOUSE BILL No. 79**

An Act amending the act of May 28, 1915 (P. L. 596, No. 259), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," changing the minimum age in certain cases and the years of service in involuntary dismissal.

Referred to Committee on Urban Affairs.

By Messrs. DOMBROWSKI, BELLOMINI, DiCARLO, D. S. HAYES, HOPKINS, A. K. HUTCHINSON, PETRARCA and LAUDADIO  
**HOUSE BILL No. 80**

An Act prohibiting the disbanding of a paid fire force in favor of having such services performed by volunteers.

Referred to Committee on Local Government.

By Messrs. FINEMAN, IRVIS, GELFAND, SHUPNIK, HAMMOCK, FEE, D. M. DAVIS, VANN, LINCOLN, DiCARLO, Mrs. GILLETTE, Messrs. KOLTER, DOYLE, Mrs. TOLL, Messrs. SAVITT, ZELLER and RHODES  
**HOUSE BILL No. 81**

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), imposing powers and duties on the Department of Environmental Resources relating to lead paint poisoning and providing for civil actions and penalties.

Referred to Committee on State Government.

By Mr. MEBUS  
**HOUSE BILL No. 82**

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58, No. 32), authorizing certain lighting equipment for the use exclusively on police vehicles in townships.

Referred to Committee on Transportation.

By Messrs. D. S. HAYES, FOX, HASKELL, JONES, BUTERA, DOMBROWSKI, DiCARLO, MALONEY, BELLOMINI, SCHEAFFER, R. O. DAVIS, TURNER, HOPKINS, BURKARDT, FRANKENBURG, BYERLY, NOYE, PANCOAST, POLITE, C. S. SMITH, R. W. WILT, WORRILOW, KUNSE, SCHULZE, SPENCER and FRANK J. LYNCH  
**HOUSE BILL No. 83**

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), making it a felony to assault school district employes and prescribing a penalty therefor.

Referred to Committee on Judiciary.

By Messrs. PIEVSKY, FINEMAN, RAPPAPORT, GELFAND, FRANK, GREENFIELD, BERKES, Mrs. TOLL, Messrs. SAVITT, SULLIVAN, FRANCIS J. LYNCH, BARBER, McCLATCHY, MEBUS, BEREN, YOHAN, McGINNIS, SALVATORE, Mrs. WHITTLESEY, Messrs. BERSON, KATZ, HAMILTON, PERRI and CHECCHIO  
**HOUSE BILL No. 84**

An Act making appropriation to the Department of Health for the establishment of a comprehensive program relating to and the diagnosis and treatment of persons with Tay-Sachs disease at the Jefferson Medical College and Hospital, Philadelphia, Pennsylvania.

Referred to Committee on Appropriations.

By Messrs. PIEVSKY, FINEMAN, GELFAND, RAPPAPORT, FRANK, GREENFIELD, BERKES, Mrs. TOLL, Messrs. SAVITT, SULLIVAN, FRANCIS J. LYNCH, BARBER, McCLATCHY, MEBUS, BEREN, YOHAN, McGINNIS, KATZ, HAMILTON, SALVATORE, Mrs. WHITTLESEY, Messrs. BERSON, PERRI and CHECCHIO  
**HOUSE BILL No. 85**

An Act making appropriations to the Department of Health for the establishment of a comprehensive program relating to the diagnosis and treatment of persons with Tay-Sachs disease at the Albert Einstein Medical Center-Northern Division, Philadelphia, Pennsylvania.

Referred to Committee on Appropriations.

By Messrs. RHODES, SCIRICA, WILLIAMS, RUGGIERO, LaMARCA and YOHAN  
**HOUSE BILL No. 86**

An Act amending "The Controlled Substance, Drug, Device and Cosmetic Act," approved April 14, 1972 (P. L. 233, No. 64), providing for resentencing in certain cases.

Referred to Committee on Judiciary.

By Mr. SULLIVAN  
**HOUSE BILL No. 87**

An Act amending the "Consolidated Pennsylvania Sta-

tutes," approved November 25, 1970 (No. 230), further providing for sentencing for murder of the first degree in the Crimes Code.

Referred to Committee on Law and Order.

Messrs. ZORD, FRANKENBURG, SALVATORE, PERRI, KATZ, HAMILTON, BURNS, BYERLY, BURKARDT, KENNEDY, LEHR, CESSAR and ZELLER **HOUSE BILL No. 88**

An Act relating to death sentences for certain cases of murder and review and reduction to life imprisonment under certain circumstances.

Referred to Committee on Law and Order.

By Messrs. R. W. WILT, BONETTO, HASKELL, L. E. SMITH, SCANLON, BENNETT, ANDERSON, KAHLE, EARLY, ROMANELLI, SHUPNIK, ZORD and FISCHER **HOUSE BILL No. 89**

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58, No. 32), providing for special commercial motor vehicle dealer's plates, establishing a fee and providing penalties.

Referred to Committee on Transportation.

By Mr. FISCHER **HOUSE BILL No. 90**

An Act repealing section 14.1, act of June 1, 1956 (P. L. 1959, No. 657), entitled, as amended, "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, the President Judge and judges of the Superior Court, \*\*\*," abolishing the Commonwealth Compensation Commission.

Referred to Committee on State Government.

By Mr. FISCHER **HOUSE BILL No. 91**

An Act proposing an amendment to article eight, section two of the Constitution of the Commonwealth of Pennsylvania further providing for the establishment of standards and qualifications for land used for agricultural purposes.

Referred to Committee on Agriculture.

By Mrs. CRAWFORD, Messrs. PITTS, E. H. SMITH and SCHULZE **HOUSE BILL No. 92**

An Act declaring and adopting the song "Penn's Pennsylvania" as the State song of the Commonwealth.

Referred to Committee on State Government.

By Messrs. BITTLE, W. W. WILT, SPENCER, SHELHAMER and FRYER **HOUSE BILL No. 93**

An Act making an appropriation to the Department of Education for the purchase of fire fighting equipment to protect the State Colleges and State University.

Referred to Committee on Appropriations.

By Messrs. PARKER, BONETTO, ZORD, J. T. WALSH, KNEPPER, SCANLON, TADDONIO, KELLY, MARTINO, MALADY, NOVAK, SHANE, FENRICH and FISCHER **HOUSE BILL No. 94**

A Joint Resolution proposing an amendment to the Constitution of Pennsylvania reducing the number of Senators and Members of the House of Representatives.

Referred to Committee on State Government.

By Messrs. BERKES, BERSON, DOYLE, STOUT and GALLAGHER **HOUSE BILL No. 95**

An Act amending the "Lobbying Registration Act," approved September 30, 1961 (P. L. 1778, No. 712), revising

the laws relating to lobbying, imposing penalties, and further defining lobbyist.

Referred to Committee on State Government.

By Messrs. CAPUTO, ZORD, GEISLER, ROMANELLI, MARTINO, SCANLON and FRANKENBURG

**HOUSE BILL No. 96**

An Act amending the "Pennsylvania Human Relations Act," approved October 27, 1955 (P. L. 744, No. 222), eliminating provisions relating to the educational program and further defining "place of public accommodation."

Referred to Committee on State Government.

By Messrs. ZORD, ZELLER, CESSAR, BURKARDT, WELLS, KNEPPER, PARKER, CAPUTO, Mrs. CRAWFORD, Messrs. RENWICK, LETTERMAN, SCHMITT, A. K. HUTCHINSON and PETRARCA

**HOUSE BILL No. 97**

An Act amending the "Consolidated Pennsylvania Statutes," approved November 25, 1970 (No. 230), making it illegal to sell certain fowl or rabbits.

Referred to Committee on Law and Order.

By Messrs. KOWALYSHYN, RUGGIERO, MALONEY, R. O. DAVIS, SEMANOFF and USTYNOSKI

**HOUSE BILL No. 98**

An Act amending the "Public School Employees' Retirement Code of 1959," approved June 1, 1959 (P. L. 350, No. 77), providing for the purchase of credit for service in nonpublic schools, colleges or universities prior to membership in the retirement system.

Referred to Committee on Education.

By Messrs. CAPUTO, GALLEN, SULLIVAN, GEISLER and RYAN **HOUSE BILL No. 99**

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), clarifying the provisions relating to the transfer of certain licenses.

Referred to Committee on Liquor Control.

By Mr. SCHULZE **HOUSE BILL No. 100**

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), reducing the terms of supervisors; changing provisions of their elections; and making an editorial change.

Referred to Committee on Local Government.

By Messrs. CAPUTO, ZORD, MARTINO, GEISLER, ROMANELLI, EARLY, J. T. WALSH, SCANLON, VALICENTI, RHODES, ITKIN and BONETTO

**HOUSE BILL No. 101**

An Act providing for the appointment, promotion, reduction in rank, suspension, furlough, discharge and reinstatement of deputy sheriffs in counties of the second class; extending civil service coverage to such deputies; and providing penalties.

Referred to Committee on Urban Affairs.

## HOUSE RESOLUTIONS INTRODUCED AND REFERRED

By Mr. COMER **RESOLUTION No. 11**

The Committee on State Government of the House of Representatives investigate all penal institutions of the Commonwealth of Pennsylvania paying particular attention to the security practices used thereat, the furlough programs being conducted by them, and the prerelease practices used by them in an effort to determine whether

or not the administration of our penal institutions is effective.

Referred to Committee on Rules.

By Messrs. MALONEY, HASKELL and KLINGMAN  
(Concurrent) **RESOLUTION No. 12**

The General Assembly of the Commonwealth of Pennsylvania accepts the second Report of the Commonwealth Compensation Commission dated November 30, 1972, 2 Pa. Bulletin 2354, et seq., effective immediately exclusive of the provisions relating to expense allowances for Members of the General Assembly, 2 Pa. Bulletin 2356, which provisions are rejected in their entirety, effective immediately.

Referred to Committee on Rules.

By Mr. LEDERER **RESOLUTION No. 13**

The Speaker of the House of Representatives appoint a committee of twelve members composed of four members each from the Appropriations, Education and Military Affairs Committees to conduct a thorough investigation of the feasibility of enacting legislation to provide financial assistance to all Pennsylvania veterans who are presently receiving educational benefits under the G. I. Bill of Rights.

Referred to Committee on Rules.

By Mr. SPENCER **RESOLUTION No. 14**

A special legislative investigating committee be appointed by the Speaker of the House, composed of four members of the House Majority Caucus and three members of the House Minority Caucus, to conduct a full and complete investigation of the propriety and legality of the closing of the Blossburg State Hospital by the Department of Public Welfare and any and all contracts concerning health care services for the community served by the Blossburg State Hospital.

Referred to Committee on Rules.

By Mr. D. S. HAYES  
(Concurrent) **RESOLUTION No. 15**

The House of Representatives of the Commonwealth of Pennsylvania request the Congress of the United States to support legislation which would guarantee immunity to all newsmen from divulgence of their news sources.

Referred to Committee on Rules.

By Messrs. MEBUS and FRYER  
**RESOLUTION No. 16**

The House of Representatives of the Commonwealth of Pennsylvania directs the Joint State Government Commission to examine the effectiveness of, and to recommend changes to or repeal of, the act of January 24, 1966 (P. L. 1534, No. 536), entitled, as amended, "An act providing for the suspension of the duty to pay rent for dwellings certified to be unfit for human habitation in cities and providing for the withholding and disposition of shelter allowances.

Referred to Committee on Rules.

By Messrs. LEDERER, J. T. WALSH, MURTHA,  
WARGO, SHUPNIK, FRANCIS J. LYNCH,  
RAPPAPORT and SHUMAN  
**RESOLUTION No. 17**

The House of Representatives of the Commonwealth of Pennsylvania directs the Joint State Government Commission to make a study for specific purposes.

Referred to Committee on Rules.

## LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority leader.

Mr. BUTERA. Mr. Speaker, I request leave of absence for Mr. McCLATCHY for the remainder of this week's session.

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

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

The SPEAKER. Without objection, leave is granted.

## CONSIDERATION OF HOUSE RESOLUTION No. 4 RESUMED

The SPEAKER. The Chair is about to take up today's calendar, House resolution No. 4.

The consideration of the amendments, for the information of the members, on House resolution No. 4 was postponed yesterday for consideration today, and the memory of the Chair is that we were about to take up the amendment of the gentleman from Westmoreland, Mr. Manderino.

## CALENDAR

### HOUSE RESOLUTION No. 4

The SPEAKER. The Chair lays before the House **HOUSE RESOLUTION No. 4**, printer's No. 79, entitled:

Adopting Rules of the House of Representatives.

On the question,

Will the House adopt the resolution as amended?

## QUORUM QUESTIONED

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

Mr. MANDERINO. Mr. Speaker, is there a quorum present in the House?

The SPEAKER. The Chair sees a quorum.

Mr. MANDERINO. May I appeal the decision of the Chair?

The SPEAKER. The Chair respectfully indicates to the gentleman that just looking in your direction creates half a quorum.

The Chair recognizes the gentleman from Philadelphia, Mr. Comer, for the purpose of making an announcement, and before I recognize the gentleman, would all the members, including the leadership, please report to the hall of the House immediately? There is just absolutely no excuse for not starting on time or dragging our sessions out as we had to drag them out yesterday.

## STATEMENT ON RESOLUTION

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

Mr. COMER. Mr. Speaker, I rise for unanimous consent to make a statement on a resolution and a bill which I am about to introduce.

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

Mr. COMER. Mr. Speaker and members of the House, I have requested permission to make a statement today regarding a resolution that I have introduced and then to also inform the members of this House that today I intend to introduce legislation which will restore capital punishment again in this Commonwealth.

First, Mr. Speaker, my remarks concern the resolution that I have introduced. This resolution, if passed by this House, will authorize the House State Government Committee to inspect all of our state penal institutions, also to hold hearings and to have subpoena power to call employes and witnesses before the committee. Its purpose and investigation would be to determine why so many prisoners who have been convicted and sentenced for the crimes of rape, robbery and murder are escaping from our prisons. It also would determine if the present system of furloughing convicted criminals and murderers is in the best interest of our constituents. This situation, Mr. Speaker, is out of hand, and I personally ask that our Republican leadership give this resolution their immediate attention.

Also, Mr. Speaker, very briefly I would like to call to the attention of the members that I intend to introduce legislation today that would restore capital punishment. This legislation, Mr. Speaker, is identical to House bill No. 884 which overwhelmingly passed this House on September 27, 1972, by the vote of 157 to 38. With one exception, this legislation now includes the killing of firefighters. This legislation, I am sure, will receive early consideration. I have the utmost confidence that Representative Warren Spencer, the chairman of the Judiciary Committee, and his members will place this legislation at the top of their calendar.

Mr. Speaker, in conclusion, this bill will be on my desk here in the House prior to today's adjournment for those who wish to join me as cosponsors.

Thank you very much, Mr. Speaker.

### HOUSE RESOLUTION REPORTED AS COMMITTED

#### HOUSE RESOLUTION No. 5 (Concurrent)

By Mr. BUTERA

The General Assembly of the Commonwealth of Pennsylvania rejects in its entirety the Commonwealth Compensation Commission report dated November 30, 1972, issued pursuant to the act of June 1, 1956 (P. L. 1959, No. 657), entitled, as amended, "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, the President Judge and judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the County Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County, certain associate judges not learned in the law, certain state officers, and the salary and expenses of the members of the General Assembly, and repealing certain inconsistent acts".

Reported from the Committee on Rules.

### CONSIDERATION OF HOUSE RESOLUTION No. 4 RESUMED

The SPEAKER. The Chair now returns to today's calendar.

As the Chair previously indicated, the consideration of the amendments to House resolution No. 4 was postponed at the end of yesterday's session, and the Chair now returns to House resolution No. 4, rule 43, on page 23.

The Chair recognizes the gentleman from Westmoreland, Mr. Manderino.

Mr. MANDERINO. Mr. Speaker, I have an amendment to propose which has been given to the clerk.

On the question recurring,

Will the House adopt the resolution as amended?

Mr. MANDERINO requested and obtained unanimous consent to offer the following amendments, which were read:

Amend Rule 43, page 24, line 1 by striking out "twenty-eight" and inserting: twenty-nine

Amend Rule 43, page 24, line 7 by striking out "ten" and inserting: eleven

On the question,

Will the House agree to the amendments?

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

Mr. MANDERINO. Mr. Speaker, proposed House rule 43 in House resolution No. 4 deals with the breakdown of committees. Yesterday I proposed an amendment which would have put in what I considered some fairness in the standing committees.

One of the standing committees as shown in House resolution No. 4, the Appropriations Committee, has a different number of members on that standing committee than all other committees. All other committees have a total of 23 members, and, as I explained yesterday, the breakdown is 14 members to the majority party and nine members to the minority party.

The Appropriations Committee, as proposed, I am not frankly sure whether it is to have 28 members or 29 members. Yesterday an alleged so-called "agreed-to" amendment was placed in the bill which, frankly, I did not agree to and was not aware of and, in fact, my leader had no knowledge of the same, but it was put into as agreed, which creates some confusion in my mind as to what is proposed, because as amended by this so-called "agreed-to" amendment, the committee now has 28 members, 19 of which are from the majority party and 10 of which are from the minority party. This adds up to 29, yet the committee only has 28 members. I suppose that there is another amendment planned to put in 29. Is that right, Mr. Butera?

Making that assumption, my amendment recognizes that there will be 29 members to the Appropriation Committee and simply asks, in fairness, that you do not take a greater proportion on the Appropriations Committee than you did on every other standing committee. And if you take the 14-to-9 proportion that every other standing committee has and apply that to 29 members of the Appropriations Committee, the majority should have 18 and the minority should have 11, and my amendment proposes that fairness.

With the result of the vote yesterday, I am not naive enough to believe that our friends on the other side of the aisle are really interested in reforming this legislature. I kind of think that reform for the sake of reform and not for progress and not for fairness might be the key, yet I am an optimist and I propose the amendment and ask the support of the members of the House.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. BUTERA. Mr. Speaker, I rise to oppose the amendment.

The gentleman is quite correct, there was an error made yesterday in amending the bill to create the breakdown of 19 majority members and 10 minority members which, incidentally, has been the rule of this House for the past few years. I am not certain how many.

We will be offering an amendment later today to correct the error which the gentleman quite properly noted.

I suppose we could argue forever as to what is a fair breakdown on the Appropriations Committee or on any other committee. There really are no objective facts, I suppose, which would justify a breakdown that we propose of 19 and 10, or a breakdown of 18 and 11 which Mr. Manderino proposes. Therefore, we are suggesting that the makeup seems to have worked the past two sessions. We are willing to live with this same breakdown, even more so now that we are in the majority.

I think on this issue of committee structure, majority and minority, we must keep in mind the obligation, the additional obligation, which is imposed on the majority in the operation of this legislative body. We want as strong a working majority as possible, because when things do not go right, or when they do go right, we are going to either receive criticism or praise as the case may be. Therefore, we want to be in as much control as possible without running over the minority. I think you are going to find that we are not going to do that. We have adopted policies which specifically will guard against the majority in a committee running over the minority, but I suppose only time will tell whether we live up to that pledge.

Therefore, Mr. Speaker, I ask for a "no" vote on the amendment.

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

Mr. MANDERINO. Mr. Speaker, I can understand the majority party wanting strong control of the committees. I submit to you, however, this is not progress and this is not fair. I feel that if there is less than a five-percent difference between the majority and minority party, something approaching that ought to be what the committee structure should be, and, as I said yesterday, progressive legislatures and our Congress follow this type of rule.

But being that as it may, I would like to point out that from my copy of the rules under which this House operated last year, there were only 28 members of the Appropriations Committee.

Now, it is my understanding that there was, by special agreement—and it was not a rule of this House—between the minority and the majority parties, to meet a special situation last term, one additional member placed on the committee. I do not think we ought to compound what we went into last year for just one special purpose and one special situation, and make it a rule of the House which would—more than the Appropriations Committee is already out of kilter between majority and minority—compound that and make it worse. The 14-to-9 split that exists on all committees I have considered unfair, and what you are proposing for the Appropriations Committee is much greater than 14-to-9.

And to that end, Mr. Speaker, I would like to ask the majority leader if he would consent to a brief interrogation.

The SPEAKER. Will the majority leader, Mr. Butera, permit himself to be interrogated?

Mr. BUTERA. I shall, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. MANDERINO. Mr. Speaker, would you ask the gentleman whether he feels that the 14-to-9 split, which actually gives on the committees of this House a one and five-ninths vote to every majority member as compared to one vote to the minority members, or at least that kind of representation, is fair?

Mr. BUTERA. Yes, I think it is fair this term, Mr. Speaker.

Mr. MANDERINO. If you think that is fair to have that kind of a breakdown, why do you propose a greater share of the voting power for the Appropriations Committee?

Mr. BUTERA. Mr. Speaker, the responsibilities of the Appropriations Committee are much greater. The party which is charged with running the House of Representatives really lives or dies as it succeeds in the Appropriations Committee. I think that is why traditionally this committee has always, since I can recall, had a greater disparity between the majority and the minority members, and I support it.

Mr. MANDERINO. Would the Chair ask the gentleman if he feels that this House would be in order to adopt a rule on the floor of this House that majority members' votes would count one and a half to our one as minority members, on voting on legislation?

Mr. BUTERA. Mr. Speaker, I do not favor such a weighted vote on the floor of the House for so many obvious reasons that I will not get into them.

Mr. MANDERINO. Thank you, Mr. Speaker.

I have no further interrogation but just this final comment. The answers given by the majority leader, I think, demonstrate, and as he said yesterday, that he feels the same way I did last year. I think that would indicate that there is a fairness to my proposition, and if we are really interested in reform and progress and getting down to the business which the people sent us down here to take care of, and getting down to that business in a manner which reflects the sentiment—Republican-conservative, perhaps, and Democrat-liberal—as is reflected in the state, as is manifested by the members they elected to this House, I feel sure that this amendment should be adopted.

Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. MANDERINO and BUTERA and were as follows:

YEAS—78

Arthurs	Fenrich	Martino	Scanlon
Barber	Fineman	McGraw	Schmitt
Bellomini	Frank	McMonagle	Shane
Bennett	Fryer	Morris	Shelhamer
Berkes	Gallagher	Murtha	Shuman
Berson	Geisler	Musto	Shupnik
Bonetto	Gelfand	Novak	Stout
Brunner	Gillette	O'Brien	Sullivan
Caputo	Gleeson	Perry	Tayoun
Comer	Goodman	Petrarca	Toll
Davis, D. M.	Greenfield	Pievsky	Trusio
DeMedio	Hammock	Prendergast	Valicenti
Dicarlo	Hutchinson, A.	Rappaport	Vann
Dombrowski	Irviss	Renwick	Walsh, J. T.
Doyle	Itkin	Richardson	Walsh, T. P.
Dreibelbis	Kolter	Ritter	Wargo
Early	Kowalshyn	Romanelli	Williams
Eckensberger	Letterman	Ruggiero	Wojdak
Englehart	Lincoln	Savitt	Zeller
Fee	Manderino		

## NAYS—96

Anderson, J. H.	Gring	McCue	Smith, E.
Beren	Halverson	McCurdy	Smith, L.
Bittle	Hamilton, J. H.	McGinnis	Spencer
Burkardt	Harrier	Mebus	Stahl
Burns	Hasay	Miller, M. E.	Taddonio
Butera	Haskell	Miller, M. E., Jr.	Thomas
Byerly	Hayes, D. S.	Noye	Ustynoski
Cessar	Hayes, S. E.	O'Connell	Vipond
Dager	Hepford	Pancoast	Volpe
Davis, R.	Hill	Parker, H. S.	Wagner
Deverter	Hopkins	Perri	Waidner
Dininni	Hutchinson, W.	Piper	Wells
Dorr	Jones	Pitts	Whittlesey
Dorsey	Kahle	Polite	Wilson
Fawcett	Katz	Rowe	Wilt, R. W.
Fischer	Kelly, J. B.	Ruane	Wilt, W. W.
Foor	Kennedy	Saloom	Worriolow
Foster, A.	Kester	Salvatore	Wright
Foster, W.	Kistler	Scheaffer	Yohn
Frankenburg	Klingaman	Schulze	Zearfoss
Gallen	Knepper	Scirca	Zord
Geesey	Kusse	Seltzer	
Gekas	Lehr	Semanoff	Lee,
Gleason	Lynch, Frank	Smith, C.	Speaker
Grieco	Maloney		

## NOT VOTING—27

Bixler	Johnson, J.	McClatchy	Shelton
Blackwell	Kelly, A. P.	Mullen, M. P.	Turner
Brandt	LaMarca	Myers	Westerberg
Checchio	Laudadio	Renninger	Wise
Crawford	Lederer	Rhodes	Yahner
Fox	Lynch, Francis	Rieger	Zimmerman
Homer	Malady	Ryan	

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

The SPEAKER. We are on rule 43, on page 23. Are there any other amendments? The Chair hears none.

On page 25, rule 44? Also on pages 26 and 27, page 28, page 29, rule 45.

On the question recurring,

Will the House adopt the resolution as amended?

Mr. M. E. MILLER requested and obtained unanimous consent to offer the following amendments, which were read:

Amend Rule 45, page 29, line 13, by striking out "fix" and inserting: upon its organization fix a date, time and place for

Amend Rule 45, page 29, line 15, by removing the period after "Sub-committee" and inserting: , and notice of the same shall be listed in the House Journal and shall be prominently posted in the House of Representatives.

Amend Rule 45, page 29, line 16, by striking out "notify" and inserting: give at least seventy-two hours written notice of the bills or other subject matter to be considered at such meeting to

Amend Rule 45, page 29, lines 16 to 18, by striking out "at least twenty-four hours in advance", in line 16, all of line 17, and "possible, the subjects on the agenda.", in line 18, and inserting: the primary sponsor of any bill to be considered, as well as any other person requesting such notice.

Amend Rule 45, page 29, line 19 by striking out "without notice"

Amend Rule 45, page 29, lines 19 and 20 by striking out "from time to time"

Amend Rule 45, page 29, line 21 by removing the period after "necessary" and inserting: , provided at least twenty-four hours written notice of such meeting, including date, time and place, and the bills or subject matter to be considered be given each member, the primary sponsor of any bill to be considered, as well as any other person requesting such notice. All regular or special meetings of any Committee or Sub-committee shall be open to the public. Each bill or resolution referred to a Standing Committee shall be considered by the Committee as soon thereafter as is practicable.

Amend Rule 45, page 29, line 22 by inserting a period after "House"

Amend Rule 45, page 29, lines 22 to 25 by striking out "without first obtaining permission of the" in line 22, and all of lines 23 to 25

Amend Rule 45, page 30, lines 27 to 30; page 31, line 1, by striking out all of said lines and inserting: Each Secretary of a Standing Committee and each Chairman of a Standing Sub-committee shall keep or cause to be kept a record of the proceedings in an appropriate journal which record shall include the date, time and place of the meetings, the names of the members present and of those absent, the committee's debate and discussion, the disposition of the bills, resolutions and other matters before it, including the vote of each member present, and the committee's report if any. Such journals shall be open for examination to any member of the House, and copies of the same shall be made available to any interested person by the Chief Clerk of the House.

Amend Rule 49, page 35, line 30; page 36, lines 1 to 4, by striking out "relate in debate what was done or said in" line 30, page 35; all of lines 1 to 3 and "shall a member" in line 4; page 36

On the question,

Will the House agree to the amendments?

## AMENDMENT TEMPORARILY WITHDRAWN

The SPEAKER. The Chair recognizes the gentleman from Lancaster, Mr. Miller.

Mr. M. E. MILLER. Mr. Speaker, I will yield at this point to the majority leader.

The SPEAKER. The Chair recognizes the majority leader.

Mr. BUTERA. Mr. Speaker, I would like to offer an amendment which is to definitions but which directly applies to rule 45, and I think if we take this amendment first, Mr. Miller's and Mr. Berkes', perhaps and maybe Mr. Wilson's amendments will have more meaning.

The SPEAKER. Will the gentleman yield for just one moment?

The gentleman from Lancaster, Mr. Miller, has temporarily withdrawn the amendment which has been read by the clerk.

On the question recurring,

Will the House adopt the resolution as amended?

Mr. BUTERA requested and obtained unanimous consent to offer the following amendments which were read:

Amend First Resolved Clause, page 2, by inserting between lines 1 and 2: G. "Formal Action" shall mean the vote by which the members of a Standing Committee, Standing Sub-Committee or Select Committee of the House of Representatives vote to report or not report, amend or table a bill or resolution and the discussion and debate thereof.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the majority leader.

Mr. BUTERA. Mr. Speaker, I refer the members to page 30, which is the body of rule 45, and particularly that sentence which begins on line 6 through 8 and reads as follows: "All meetings at which formal action is taken by a Standing Committee or Sub-Committee shall be open to the public, making such reports as are required under Rule 44."

My amendment, which was circulated yesterday, defines "formal action." The amendment reads—and it is

very brief—and adds a definition in the definition section on page 2 of House resolution No. 4, subsection (g): “‘Formal Action’ . . . the members of a Standing Committee, Standing Sub-Committee, Select Committee or Rules Committee of the House of Representatives to report or not report, amend, or table a bill or resolution and the discussion and debate thereof.”

In other words, what we are proposing in rule 45, which has come to be known as the “open-committee rule,” is that whenever there is a committee or subcommittee meeting at which there is a vote taken to report or not report a bill or resolution or to amend or table, that the discussion, debate and the formal voting procedure of that kind of meeting is open to the public.

I would urge adoption of this definition to give a more definitive meaning of what we intend in the open-committee section of rule 45.

The SPEAKER. The Chair recognizes the minority leader.

Mr. FINEMAN. Mr. Speaker, I would like to interrogate the majority leader for the purpose of getting some clarification on this proposed amendment which had not been submitted to us until late yesterday and on which we did not have a chance to caucus.

The SPEAKER. Will the majority leader consent to interrogation?

Mr. BUTERA. I shall, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. FINEMAN. Mr. Speaker, I take it that any vote which is held on a matter other than those that are delineated in the proposed amendment are, therefore, meetings at which the press and public will not be invited?

Any vote that will be taken on any matter other than those which are delineated in your proposed amendment will be closed meetings to which the public will not be invited?

Mr. BUTERA. Mr. Speaker, in drafting this amendment, we intended that there would be no other types of votes that a committee would take which would have any meaning on the ultimate passage or failure of legislation.

Perhaps if the gentleman could give an example, I could respond more clearly.

Mr. FINEMAN. Well, suppose a committee member requested a chairman of a committee to consider a bill which the chairman has not brought up and a vote is taken on the request of that member, would that be an open meeting or a closed meeting?

Mr. BUTERA. Mr. Speaker, it would appear to me that in that example the amendment would cover it in that that is a vote to report a bill.

Mr. FINEMAN. No, that is a request to consider a bill. A committee member asks a committee chairman to bring a bill up for discussion and the committee chairman says, no, I do not want to do that, and then the committee member, as he can do under the rules, says, we want to submit this to a vote, Mr. Chairman.

Mr. BUTERA. Mr. Speaker, would the gentleman care to give any other examples, because I think he raises a very valid point and it would be my intention to make that kind of action public?

Mr. FINEMAN. I want to make something very clear. I am not suggesting that I am in opposition to your pro-

posed rule. I am merely seeking clarification of what the rule does or does not do.

Mr. BUTERA. Mr. Speaker, I think the gentleman has raised a very valid point and I think the definition as to this example is deficient, because it is our intention to include that kind of vote as part of the definition of “formal action.”

Mr. FINEMAN. Let me ask you this: If the members of a committee request the chairman at a committee meeting to discuss a bill, merely to discuss a bill, the merits of a bill, without any action being taken on whether the bill should be reported out or not reported out, is that a closed meeting or an open meeting?

Mr. BUTERA. I would presume, Mr. Speaker, under another rule—and I am not sure exactly which one, the number of which I am not certain—where a committee chairman is charged with giving at least 24 hours’ notice of a committee meeting as well as the content of the meeting, the chairman, under that circumstance, would say to the member that the motion of the member would be out of order as it was not a subject of the purpose of the call of the meeting.

Mr. FINEMAN. The transaction of the committee business cannot be properly limited to those subject matters that the chairman decides shall be the subject of the meeting. Any committee member has a right to raise any question at a committee meeting. That is the prerogative of a committee member.

A perfect example: If a committee chairman should decide that he does not want to consider a bill, do you mean to tell me that he can effectively block some member from having that bill considered merely by not incorporating in his notice to the members the fact that he is not going to consider that bill?

Mr. BUTERA. I think I better retreat.

Let me say this, Mr. Speaker, that that kind of request for a vote would also be my intention as being part of formal action on a bill. I realize it is a rare situation where that occurs, and I presume that we should, to be consistent, include it in the definition so that there can be no doubt in the future.

Mr. FINEMAN. Let me ask you this: Suppose there is a discussion that ensues at a committee meeting about whether or not a public hearing should be held and it is a controversial matter; some members do not want the public hearing; some do want the public hearing. Is this an open meeting or a closed meeting?

Mr. BUTERA. Mr. Speaker, I wish the gentleman would not use the terms “open meeting” or “closed meeting.”

Mr. FINEMAN. I will use whatever you want me to use.

Mr. BUTERA. I would prefer that you would say, if a meeting was called to discuss whether a public hearing was going to be held, would that, under the rules, have to be open?

I would say under this definition that I see no need for that particular meeting to be open. It would probably be up to the discretion of the chairman. I do not think the deciding of whether a bill should receive a public hearing or not directly affects the passage of a bill and could be defined as formal action.

Mr. FINEMAN. So then to get back to the very first question I asked you, namely, will meetings be open to the public only on those points that are specifically de-



lineated in your proposed amendments? And the answer is yes?

Mr. BUTERA. Mr. Speaker, that is correct.

Mr. FINEMAN. So that you do not, therefore, intend this to be a completely open operation?

Mr. BUTERA. I do intend and we do intend that this definition would be a completely open committee system.

Mr. FINEMAN. Well, if that is your intention, can you explain why you have made use of the words "formal action"? I mean if it is your intention to have open meetings, why did you not just say meetings shall be open, and not limit open meetings to those where formal action takes place?

Mr. BUTERA. Mr. Speaker, in attempting to draft a proposal for open committee meetings, we looked at a myriad of suggestions, including the gentleman's suggestion which was made in the press or had been made in the press several times over the past month.

We considered making the record of meetings public. We considered providing in the rule for the power of the committee or of the chairman to call executive sessions. We considered any number of approaches to this. It is a very difficult area, as you can imagine. We have never done it before. We do not know how it is going to work. And we finally concluded that the most practical language is that which I have laid before you, which gives the public the right to know exactly what is taking place in a committee meeting when the disposition of legislation is being considered.

So we boiled our language down to what we considered a practical approach to making the committee system completely open. For example, we envisioned a situation where a committee chairman would call a meeting, as happens rather frequently, a dinner meeting, perhaps, where the chairman wants to discuss something of importance to the committee or perhaps he wants to bring a member of a special interest group or a member of the public in to discuss a matter. We thought, as a practical matter, that kind of meeting could hardly be open to the public because of the very practical reasons that it does not lend itself to it. You know if a chairman of a committee calls a dinner meeting or a luncheon meeting or a breakfast meeting, where do you stop?

Mr. FINEMAN. Is that only when there is food being served?

Mr. BUTERA. Does the gentleman have recognition, Mr. Speaker? I do not like my trend of thought to be interrupted.

Mr. FINEMAN. I am sorry, Mr. Speaker.

Mr. BUTERA. In summary, what we attempted to do, or what we are attempting to do, is write a rule for the first time which makes the committee system completely open when a committee meeting will affect the public interest in that legislation will be acted upon in one way or another.

Now we could probably argue language forever, but I think until we have some practical experience with how the open committee system is going to work, we are begging the question. What I would really hope we would do here today, jointly, is to open up the committee system, see how it works as being open, and I will reconsider the approach which our committees take at any time during this session if we find that this rule is deficient in any way.

The SPEAKER. The Chair recognizes the minority leader.

Mr. FINEMAN. Mr. Speaker, just so I make it perfectly clear for the record, I want to restate briefly that which I have said publicly many times: I think that open committee meetings are going to have a debilitating effect on the deliberative process. I am for accountability, which means how you vote is to be disclosed. I am for ensuring that members get to those meetings, which means that your attendance record should be disclosed. This is accountability.

Now the reason I am posing these questions to you, Mr. Speaker, is not by way of making little or derogating what you have done, but only by way of trying to get clarification for members who have a right to decide at the meetings, if someone is there, whether they are there in compliance with the rule or in violation of the rule. And, frankly, as of this moment, I do not know what is an open meeting and what is a closed meeting.

Now let us try to approach it another way. Can you you define for us what is "informal action"?

Mr. BUTERA. Mr. Speaker, on the gentleman's first remarks, I understand what he is driving at and I think he raises a very valid point of view. I disagree with it, but I think it is a valid point of view. As to defining "informal action," by defining "formal action" we are defining "informal action" as that action which is not formal.

Mr. FINEMAN. That necessarily implies that there are meetings at which the public will be excluded. Is that correct?

Mr. BUTERA. I suppose you can make that argument, Mr. Speaker, but I think, as a practical matter, if we will adopt this definition and rule 45, we can safely say and honestly say that our committee system is open. I do not think in any walk of life, public, private, or whatever, there is such a thing as complete openness. The administration might not agree with that when it comes to telephones. But as a practical matter, there is nothing in any rule which can preclude the holding of any meeting anywhere regardless of the type of rule we adopt.

What we are trying to do is to enact for the first time something we think is practically possible and which also gives the public the right to know very much the same things, with an additional insight into debate and discussion, that the gentleman proposes. I think we ought to try it. I think it will work, and I think it will probably be the most important step that this body can make if we are to restore the public's confidence in our deliberations.

Mr. FINEMAN. What I do not understand, Mr. Speaker, is your resistance to acknowledging the fact that not all meetings are open. There is nothing wrong in that position. There is nothing wrong in that position, and if that is so, say it, for heaven's sake. Do not say all meetings are open when, in fact, all meetings are not open. You either take the position that they are totally open, period, and you do not have the shackling device of the definition of the words "formal action," or you provide that they are going to be partially open, which is okay, too. There is nothing wrong with that. But be candid enough to say that they are partially open.

For instance, under this rule, there is nothing to prevent a chairman from sending a notice out saying, please come to a meeting fellows. We are going to discuss this bill. We are not going to take a vote; we are just going

to discuss it. That is going to be a closed meeting, or a meeting at which the public will not be allowed. There is nothing to prevent this man from calling an executive session. I am not derogating this; I am saying this is what can happen under this, and it is okay, but let us own up to what we have in front of us.

The SPEAKER. The Chair recognizes the majority leader.

Mr. BUTERA. Mr. Speaker, I thought I had made it clear that in any situation, legislative or any private comparable situation, it is impossible for me to say that everything which will take place in this House with this rule will be open to the public.

I think, as a practical matter, I am precluded from saying that. Certainly there are going to be meetings at which the public is not privy, and I have no hesitancy in saying that and I do not apologize to anybody for saying it. What I am trying to get across is that as we debate this most important rule, let us take a practical approach, rather than leave some speculation which would, I think, unjustly inhibit a committee chairman and committee members in that they will not really know when they are violating the rule and when they are not. I think if we put in a definition, set the standard, and protect the public's right to know, we are making a giant leap forward, and that is really, in essence, what I am advocating.

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

Mr. COMER. Mr. Speaker, would the majority leader consent to be interrogated?

The SPEAKER. Will the majority leader permit himself to be interrogated?

Mr. BUTERA. I shall, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. COMER. Mr. Speaker, would the gentleman listen to a suggestion?

Mr. BUTERA. I shall, Mr. Speaker.

Mr. COMER. Why do you not forget the whole thing and leave it the way it is? Believe me, it is good advice.

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

Mr. RITTER. Mr. Speaker, will the majority leader consent to interrogation?

The SPEAKER. Will the majority leader permit himself to be interrogated?

Mr. BUTERA. I shall, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. RITTER. Mr. Speaker, would the majority leader tell me what the definition of "select committees" is?

Mr. BUTERA. Mr. Speaker, I believe the select committee, as referred to throughout the body of the rules in rule 5, is a committee which is appointed by the Speaker, unless otherwise ordered by the House. It is not a standing committee.

Mr. RITTER. Mr. Speaker, would the majority leader then tell me, if all committee meetings are to be open to the public—all standing committees, standing subcommittees and select committees—why we did not include in that the deliberations of the Rules Committee, of the Ethics Committee, and of committees on conference?

Mr. BUTERA. Mr. Speaker, after we finish the interrogation—I notice there may be one or two others who want to discuss this amendment—I am going to withdraw

the amendment because I find deficiencies in it. I have just asked our staff man who prepared it to include the Rules Committee and the conference committees.

Mr. RITTER. Mr. Speaker, may I make one further suggestion? I think we ought to take a good look at the definition under Ethics Committee and possibly do something about making that open to the public also.

Mr. BUTERA. Mr. Speaker, I will resist that.

Several years ago, I was the chief sponsor of the Ethics Code, which led to the adoption of a rule in this House of an Ethics Committee. In conjunction with the minority leader, we agreed that this could possibly be the most sensitive of all our committees, and, therefore, the makeup of that committee is evenly divided between minority and majority members, four from each caucus.

The reason for that was that we were fearful of the majority party conducting witch-hunts against a member of the minority party or against a member of the House, regardless of what party he is in.

The rule and the law specifically gives the accused, when there is a hearing before the Ethics Committee, the right to a public hearing, and I think that is the way that should stand. The Ethics Committee does and will publish opinions of an advisory nature. It will also publish a report after a hearing before it, but there is no legislation considered in Ethics Committee. Its rulings are public, and I would resist changing that for those reasons.

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

Mr. RITTER. Mr. Speaker, if a charge is brought against either a member, an employe, et cetera, that charge is generally then made public, is it not?

Mr. Speaker, I will repeat that for the majority leader.

Mr. Speaker, if a charge is brought against a member or an employe on something or other, is that charge generally made public?

Mr. BUTERA. No, Mr. Speaker, unless the person charged requests it, and I feel that is the way it should be.

Mr. RITTER. So it is not made public unless he requests it, and if he does not request it, investigations are held and kept in strict confidence?

Mr. BUTERA. That is correct, Mr. Speaker.

Mr. RITTER. Thank you, Mr. Speaker.

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

Mr. MANDERINO. Mr. Speaker, to speak on the amendment.

The SPEAKER. As I understand it, the majority leader has withdrawn the amendment. Is that correct?

Mr. MANDERINO. I thought he was going to let us speak on it and then withdraw it.

The SPEAKER. The Chair recognizes the majority leader.

Mr. BUTERA. I have not withdrawn the amendment yet, Mr. Speaker. What I would like to do is dispose of the interrogation and comments upon it so as to set the stage for what I think are two or three other proposals which deal with this rule, so that when we debate the others we can keep in mind the scope of the amendment which I am going to offer in a few minutes as soon as it comes down in a corrected version.

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

Mr. MANDERINO. Mr. Speaker, House resolution No. 4, properly dressed with the cosmetics of the day, has been paraded in the public press and is now here before the House to have the cosmetics stripped away.

The amendment which the gentleman, Mr. Butera, has submitted, in face of the call of open meetings for committees of the House of Representatives, is, frankly, ludicrous. Let me give you a for instance.

A committee chairman can call a meeting to discuss House bills Nos. 7, 8, 9 and 10, at which meeting heads of departments or subheads of departments are going to be called in, the proponents of the bill are going to be called in, opponents of the bill are going to be called in, the bill is going to get a full airing. But the committee chairman says, gentlemen, at this meeting at which House bills Nos. 7, 8, 9 and 10 are going to be discussed, there will be no vote to report it out, there will be no votes on amendments, there will be no votes to table, or whatever is covered by formal action, and, frankly, that meeting is going to be closed.

If it were not the intention to have closed meetings, there would simply be no necessity for the words "formal action."

I think that the gentleman proposing this amendment speaks for cosmetic effect to the press and speaks in technical language for operations of the House. As I said, I think it is ludicrous.

The SPEAKER. The Chair recognizes the majority leader.

Mr. BUTERA. There is no question but that one of the reasons, and it is a minor one, that we are suggesting opening up the committee system is to help to regain the public confidence in this body. Let me make it perfectly clear, that is part of our motivation. So that, perhaps, will not have to be discussed again on the floor of this House. You can call it cosmetics or whatever you want. We think it has a much more profound effect on the operation of this House than mere public confidence, but that is one of our motivations.

Now, Mr. Speaker, I find it somewhat insulting to this body for the gentleman to presume that because he can give an example which fits into this definition and then interprets that example to mean that we are trying to close committee meetings, when it is so obviously the opposite course that we are taking. Well, I think that just insults our intelligence and our maturity.

If the example which the gentleman gave would happen in this House, I think that we, as a body, are mature enough to end it and end it immediately. As a matter of fact, if this kind of thing were attempted to be done by a committee chairman, I would bet anything that a member of that committee would merely make a motion or advise the chairman that he is going to make a motion at that meeting to dispose, in some manner, of the legislation which is before it. And upon doing that, the example falls. We then fit right into the formal action definition and, once again, as a very practical approach to the problem, we have an open-committee system.

Now, we can give examples forever, and I can continue to try to debate them. I think all we are doing is really delaying something which we should be speeding up, and that is, the adoption of these rules with an open-committee section, which we promised the people on both sides of this aisle. Let us get on with that business.

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

Mr. MORRIS. Mr. Speaker, I hesitate to delay this matter further and I am trying to approach this from a nonpartisan or a bipartisan point of view.

I am not going to attempt to impose on this House any position I might have regarding whether these meetings should be open or closed. Frankly, I do not think my legislative experience is of sufficient length to reach a satisfactory conclusion on a very complex subject of that kind, but I do want to point out this: One of the most, in my opinion and I think in the opinion of many citizens and probably including most of the members of this House, one of the most pernicious practices in local government is the holding of executive sessions of school boards and local governing bodies, after which the public meeting is merely a formal affair at which the action is taken which has previously been decided upon.

This, in itself, I think, does more to cast suspicion and to spoil the good image of local government than almost any other feature of the activities of local governing bodies.

Whether a meeting is open or closed in this House, a meeting of one of our House committees, will, I hope, never have quite that same result, because regardless of what people say, the debates on this floor are often matters—in fact, usually are matters—of considerable substance and the votes are changed by the statements and the speeches made here. And it is totally wrong and unfair to say that this is not the case.

But I think, as a matter of fact, my thoughts are not going to make any difference because the votes here previously have clearly indicated what is going to happen. Mr. Butera's amendment, whether it is reamended or not, will undoubtedly be passed. I would hesitate to vote against it myself. But if I vote for it, it will be with tremendous reservations for the reason which I have just given, that I think what you are doing with this is casting further suspicion on the activities of this House rather than removing that suspicion.

Thank you, Mr. Speaker.

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

Mr. RAPPAPORT. Thank you, Mr. Speaker.

I am really not sure whether it is the intention of the majority leader to put anything for a vote at this time, but he has apparently asked for observations as a guide to him in drawing up several amendments.

It would appear that the course of our activities last night and today is an exercise in substituting form for substance. The effect will be to drive the lobbyists from the floor of the House, and I do not use "lobbyists" in a pejorative sense. I recognize that the League of Cities has a legislative representative here, the various of the larger municipalities maintain legislative representatives here, the school board association does, et cetera, and these people are of great help to many of us in providing facts. There are also other kinds of lobbyists here as well with whom we are all familiar. But we have succeeded in driving them from the floor of the House, where their activities are open to the full view of everyone, into the small committee rooms where we will be meeting, where they will be sitting at the right hand of legislators, and just their presence will be the type of pressure that we do not need.

I would suggest, Mr. Speaker, that the effect, instead of opening up the process, will be to close down the process. The greatest wish of many of the lobbyists that I met last session was to get into our committee meetings and, indeed, I had the pleasure of throwing several of them out of meetings that I was attending.

I would, therefore, suggest, Mr. Speaker, that it is my personal intention to vote in favor of any amendment that will make the formal activity of every meeting—the “ayes” and “nays” on every action in that committee—a matter of public record. I believe in that very strongly.

I think this business of saying to another member, hey, report it out; if you want to oppose it on the floor, that is okay, but give me a break, should end, and that we should be on record for everything which we do. But I also know that the freewheeling discussion that must take place in a committee meeting can only take place in the presence of one's peers.

Therefore, Mr. Speaker, I will vote against any amendment to the rules that will merely open up the meetings in fact to the lobbyists. I do not think this is progress; I think this is retrogression to the days when the Pennsylvania legislature was known as the legal department of the Pennsylvania Railroad. I do not intend to go back to that type of a proceeding where the lobbyists will be sitting at the right hand of members in committee meetings.

Thank you, Mr. Speaker.

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

Mr. COMER. Mr. Speaker, I do not intend to prolong the debate, but I must disagree with one comment that my good friend, Mr. Butera, made when he said that the public is clamoring to have our committee meetings open.

Now, Mr. Speaker, I think I speak from experience. I have served more time as a chairman than any other member of this House. During those ten years as a chairman, never once have I had letters from my constituents or your constituents or anyone disagreeing with the committee system. Now let us not kid ourselves. There is only one group who has been demanding open public meetings and that is the group over in the corner who has been speaking for the press. Let us stop kidding ourselves.

Thank you, Mr. Speaker.

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

Mr. McMONAGLE. Mr. Speaker, after listening to the discussion, I could only conclude that everybody is well-intentioned here in trying to open up the committee meetings. I think what we all intended to do, those of us who had that desire, was to reflect the votes of what were cast in the committee so bills would not be bottled up.

I feel it is incumbent upon me to say that I think we are only deceiving ourselves and the public because, as I have listened to the conversation, we are openly admitting that we condone a chairman calling his members together for a meeting to precede the open meeting. I do not know how you could ever avoid that. I will have to be honest about that.

But before I cast my vote, I wanted to make that observation because, in reality, I think we are deceiving ourselves and the public because, really, we are—it has

been openly admitted on the floor of this House—going to have meetings preceding the so-called open meetings.

Thank you very much, Mr. Speaker.

### PARLIAMENTARY INQUIRY

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

Mr. GELFAND. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GELFAND. Mr. Speaker, in view of the fact that the gentleman, Mr. Butera, has indicated he plans to amend his amendment, may I know what we are discussing?

The SPEAKER. As I understand it, and I would hope the rest of the members also understand it, rule 45 will be amended or amendments offered to it later on in the day. I would hope that the members who have spoken on this particular issue—and the issue has been debated at length in full and in detail—will not feel overwhelmingly compelled to make the same remarks at some future time. The gentleman's point is well taken. As I indicated, I hope that if anyone desires to make any further comment, that they just make it for the Journal some place else.

### AMENDMENT WITHDRAWN

The SPEAKER. The Chair recognizes the majority leader.

Mr. BUTERA. Mr. Speaker, I am having my amendment redrafted and I herewith withdraw the amendment at this time.

The SPEAKER. For the information of the Chair, what is the wish of the leadership with regard to taking further amendments to rule 45 before the resubmission of this particular amendment?

Mr. BUTERA. It would be my desire, Mr. Speaker, to proceed with the amendments which several members have prepared.

### CONSIDERATION OF MILLER AMENDMENT RESUMED

The SPEAKER. In which case, the Chair returns to the gentleman from Lancaster, Mr. Miller, who offered amendments which the clerk has read.

The Chair recognizes the gentleman from Lancaster, Mr. Miller.

Mr. M. E. MILLER. Thank you, Mr. Speaker.

As I always do, I preface attempts to obtain open meetings by apologizing for the fact and admitting that one of my less noble pursuits is that of being a newspaperman.

Mr. FINEMAN. Mr. Speaker, we cannot hear the gentleman.

The SPEAKER. I would appreciate it, and I know the gentleman from Lancaster certainly would appreciate it, if those of you who do have subjects other than the one before the House to discuss would please adjourn to the conference room for these discussions. I would suggest also that the staff person in charge of the mike, if it is necessary, turn the volume up so that the member's voice will carry better.

The Chair thanks the member of the House.

The gentleman may proceed.

Mr. M. E. MILLER. Thank you, Mr. Speaker.

I always begin by apologizing and explaining that one of my less noble pursuits is that of being a working newspaperman, and I hope you understand that and accept it in terms of this amendment.

The past debate offers the best reason why this amendment ought to be adopted. It is very simple. It says that all regular or special meetings of any committee or subcommittee shall be open to the public, period.

There was once a very stout lady who went into a drugstore and she asked the clerk for some talcum powder, very portly. As the clerk came out behind the counter, he was somewhat bowlegged, and he went down the aisle and he said, "Talcum powder? Yes, ma'am. Walk this way." She said, "Young man, if I could walk that way, I wouldn't need the powder."

If we walk the way of these amendments, we will not need such terminology as "formal action"; we will not need interrogation about formal action. Everything will be open.

The amendments also require 72 hours' written notice of bills or other subject matter to be considered, 24 hours in the case of a special meeting, and these are essentially the same amendments that the gentleman, Mr. Wise, and I valiantly but nobly lost several times, and with that I conclude.

I do ask for your support in a move toward real openness. You cannot define openness, except that it be open. Thank you.

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

Mr. WISE. Mr. Speaker, I rise to support the amendments of the gentleman from Lancaster, Mr. Miller.

I do not want to burden the House by debating at this time the merits, the pros and cons, of open meetings. I think any reading of the Republican side and the Democratic side indicates that this is an issue whose time has come, and we are hopefully going to adopt some type of open committee meetings.

The only question really before the House as we debate these amendments is, what kind of open committee meeting are we going to have?

As Mr. Miller read his amendment and our amendment, which a number of us have signed along with Mr. Miller, it simply says that all regular or special meetings of any committee—any committee is the point; that includes all committees—or subcommittee shall be open to the public. There can be no question of have we defined formal action in such a way as to possibly not include things which we really did want to include.

There are a couple other points I want to make. How does an interested person, be he a member of the press or other interested citizen, find out when a bill he is interested in is going to be considered by a particular committee? Obviously, neither the press nor anyone else can attend all committee meetings.

If we adopt this amendment, which I hope we will, the agenda of a regular meeting must be given three days in advance, not only to the members of the committee, not only to the member whose own bill is going to be considered—and how many times have you had a bill considered by a committee and you did not even know it was being considered—but also to a person or an individual who wants to attend that meeting. You cannot cover all

the meetings, but there are certain meetings, whether you are a member of the news media or some other interested group, that you want to attend. Our amendment provides for the mechanics of that.

How about special meetings? I know there is not anybody here who does not object to the way meetings are sometimes—and of necessity, I guess—called off the floor of the House. This amendment would prohibit this. You have got to give 24 hours' notice of a special meeting. It is true we can always move to suspend the rules of the House. This House determines what it is going to do and we can always do that, but normally this would eliminate these meetings off the floor of the House.

We provide here that every bill assigned to a committee must be considered. If we are going to go to the expense of \$1,500 to print up these bills, and if a member has taken enough thought and has enough interest to have his bill introduced, he at least ought to have it considered by a committee chairman. This does not mean the committee has to report it out, but at least they ought to look at it. In the Education Committee, we look at every bill that is introduced, and there is no reason that every committee cannot do that.

Finally, while the present rules provide that the votes of the members have to be recorded, how does the public find out how I voted or how you voted? We propose in this amendment that the chief clerk will make this information available to the public. In other words, we try to go a step further and outline the mechanics of how this thing, hopefully, can work.

Let me simply conclude by suggesting that we seriously think about open committee meetings. Let us not just give it the cosmetic approach. Let us adopt these amendments.

Thank you.

The SPEAKER. The Chair recognizes the majority leader.

Mr. BUTERA. Mr. Speaker, it is difficult to oppose this amendment because its intent is the same as mine.

As I tried to explain earlier in our interrogation and debate, I just do not think it is as practical as the approach which we are trying to take. I think we must fix a standard by which the committee members and the committee chairmen can follow uniformly, which this amendment does not do. I discussed that earlier as it pertains to the openness.

As to the agenda in rule 45, I think we have taken a giant step in that direction which is a practical step, and we state, "The Chairman of the Committee or Subcommittee shall notify all members, at least twenty-four hours in advance of the date, time and place of regular meetings, and, insofar as possible, the subjects on the agenda."

I think that point is met in a very practical way. The committee members have the right to force the chairman, under these rules if they are adopted, to consider every bill by a vote in the committee.

As to how the public finds out what takes place in a committee meeting, I think it will find out the same way it finds out anything else in our society—the bulk of the public—and that is through the news media. The records are public; they will be kept in the committee chairman's office; we are providing a form by which any member of the public can request to see the records. And I just think that, as a practical matter, the rules will do

everything that the gentlemen wish, but I think they will be done in a much more practical manner.

Again, I appeal to you that we are making a major change. Let us try this approach that I suggest, and if it does not work, we will change it.

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

Mr. LaMARCA. Mr. Speaker, will the sponsor of the amendment consent to interrogation, please?

The SPEAKER. Will the gentleman from Lancaster, Mr. Miller, consent to interrogation?

Mr. M. E. MILLER. I will, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. LaMARCA. Mr. Speaker, as I understand the gentleman's amendment, notice shall be given of regular meetings to the primary sponsor of the bill as well as any other person requesting such notice. Is that correct?

Mr. M. E. MILLER. That is correct.

Mr. LaMARCA. Is it possible that if people request notice and such notice is not forthcoming, the activities of that committee would be null and void as of that day?

Mr. M. E. MILLER. There is nothing in the amendment to indicate that.

Mr. LaMARCA. In other words, if a chairman should desire to disregard that portion of the rule, it would be all right then?

Mr. M. E. MILLER. That rule is like every other rule this House adopts, and that is that there are no penalty provisions, so the discourse in that respect is certainly meaningless.

Mr. LaMARCA. In other words, if a committee chairman chooses to ignore this, we have no recourse.

Mr. M. E. MILLER. We have no recourse in any House rule except to remind the gentleman that he was in violation and hope that he would comply.

Mr. LaMARCA. Does the gentleman understand that several thousand people could request notice on a particular bill?

Mr. M. E. MILLER. I do, and I would suggest the chairman contact the Associated Press, UPI and all the news media and make a public announcement to that effect.

Mr. LaMARCA. In the situation of special meetings, once again, would notice be sufficient by way of the press as far as the sponsor is concerned?

Mr. M. E. MILLER. I made the assertion of notice by way of the press in reference to your term of thousands of people. Surely, if only a few need to be notified, I am sure the chairman could find contingency money funds to notify them. He could also utilize the press, yes.

Mr. LaMARCA. But your amendment does not spell out what form he may or may not choose to take?

Mr. M. E. MILLER. No, it does not, because most of the chairmen we elect here are men of great sense and they are not boggled of mind by such things as notifying people about meetings. Some of the members may be somewhat boggled, perhaps, but not the chairmen.

Mr. LaMARCA. That is possible.

May I ask with reference to the debate and discussion that is to be recorded, what are the gentleman's notions with reference as to who shall make that record in the committee meeting?

Mr. M. E. MILLER. We now have established in other parts of the rule secretaries of committees. I serve as one of those, and in my report of committee, I keep a

tab of who makes motions, discussion pro and con and that sort of thing.

Mr. LaMARCA. Would it be the gentleman's intention to have the secretary record the entire meeting word for word?

Mr. M. E. MILLER. No, it would not. The press, when it covers a meeting, does not record word for word, for which both you and I have been thankful many times, I am certain.

Mr. LaMARCA. I thank the gentleman.

Mr. Speaker, I should like to point out that the shackles that are imposed by this particular amendment, coupled with the obvious inconsistencies insofar as demanding that notice be provided and no set methods set forth, leave us with but one course, and that is to defeat the amendment.

As I understand this amendment, 72 hours' written notice shall be given to various people. If we are going to allow this rule to stand and if we are going to respect our rules, we can hold a committee meeting on Tuesday, decide that we are going to be here later that afternoon and get some more work done, but because we have failed to provide the notice, because we have failed to provide notice to the sponsor or other people who may be interested, we could not hold that meeting.

Special meetings once again can be called in a matter of a few minutes, which it should be in this House, but here we are saying 24 hours. We are shackling ourselves. Under the guise of making the knowledge available to the public, we are preventing ourselves from working efficiently and swiftly.

The last part of the amendment, which has been described as simple and is anything but, states that the debate and the discussion shall be entered into a journal and made available to the public. But who is responsible enough to take all of the debate and all of the discussion of a committee so that it is not tainted, so that it is not possibly prejudiced?

I can write, for example, in a journal if I were taking the minutes that—let us just use an example—the gentleman from Dauphin, Mr. Hepford, in his usual erratic and excitable ministerial fashion delivered a harangue which was rejected by the committee. Now I could say that the gentleman, the astute lawyer, delivered a presentation of keen fact and insight. Now you can understand, Mr. Speaker, that it is going to work two ways when you read that.

I think we are allowing ourselves just a little bit too much latitude in this particular amendment. There are too many odds and ends that are not covered, and certainly there are too many shackles that will prevent our working speedily, and I would ask that we reject the amendment.

The SPEAKER. I would suggest that probably anyone on the other side could make that particular criticism of the gentleman from Dauphin, except the gentleman from Berks.

The Chair recognizes the gentleman from Delaware, Mr. Kester.

Mr. KESTER. Mr. Speaker, this is the first time I have taken the mike during this new session. I knew that would make a lot of the old members happy.

I am going into my fifth term in the General Assembly, Mr. Speaker, and I think, at this point today, we are approaching what is the most ridiculous situation that I

have seen in this General Assembly in the time that I have been here.

I do not want to argue whether we should or should not open up the committee system. I have my own personal reservations about it, the same as many of you do. There is merit on both sides of the issue, the same as there is merit on both sides of any piece of legislation that is introduced.

It would seem to me that we are fast approaching a situation where we will see a rule in the near future, maybe next session or maybe the following session, to abolish the committee system in its entirety. And I would suppose that there would be those on the floor of this House or those outside the walls of this General Assembly who may think that would be a very good thing.

Maybe we should serve as a committee of the whole in this House, and that any bill that is introduced into the hopper of this House should be automatically considered by the members of this House. There are those who would advocate such a thing. But if you talk about chaos in government today or if you talk about chaos in the representative form of government that we have today, you permit this trend to drift in this direction and you are going to see chaos as you have never seen chaos in the representative halls not only of Pennsylvania but of the entire United States.

What is the purpose of the committee system? What was the purpose set down by our Founding Fathers which established the committee system? It was for previous, prior, deliberate consideration of legislation or rules that come before the body as a whole to be voted upon and to be debated.

In my tenure here I have had many bills that I have introduced that have never seen the light of day in committee. I was hurt because I did not get a chance to get them on the floor for consideration, but it was not something that I was so upset about that I was going to rip out and abolish that particular committee or chastise that particular chairman because he did not see fit to consider the bill that I had introduced.

Every member who has been here for one term knows that he is not going to get every bill he introduces considered. Every member who has been here for one term knows that there are many pieces of legislation introduced that are introduced primarily for public relations consumption, for back-home consumption, to embarrass another situation or another delegation or another member. And you know that has happened, and some of you may have even introduced that type of legislation.

Now, what should be recorded and open to the public? This debate today is as open to the public as you can get. You have the press sitting in the press box recording all the words that they think are worthy of consumption to the public, and some that probably are not, because you can bet you are going to be taken out of context in whatever you say. You have children sitting in the gallery today. You have other persons sitting in the gallery in the back listening to what is going on here today.

I think the general concern of not only the members in the hall of this House but the members of the press and the members of the public is, who voted to table, amend, put out or keep in a committee a certain piece of legislation?

It has been said on the floor today that the press is not going to cover all these committee meetings; they

cannot physically do so. The general public is not going to come storming up here to Harrisburg for every committee meeting. Who is going to be at these committee meetings? The vested interest groups or their representatives are going to be the ones at these committee meetings, providing there is a piece of legislation that they think they are interested in.

And what is going to happen? In debate, in freewheeling discussion, on a bill or on the merits of a bill, you, Mr. Speaker, are going to be taken out of context and the words that you say are going to be reported back not the way you say them, not the way you intend them, not in the free spirit of debate in a committee room as to why you think a bill is good or a bill is bad, but you are going to be the ones who are going to be embarrassed.

I think you really should think very seriously as to how far you intend to go—and I speak primarily to the new members on this floor today—how far you are willing to go to put yourself in a position to be taken out of context, to be vilified on certain issues if you do not agree or if you move to table or not report, to be concerned about what you may or may not say in a committee meeting on the merits of a bill.

We have been sold by a certain group in this Commonwealth that the public is demanding open committee meetings, and I have to say, along with the gentleman from Philadelphia, Mr. Comer, that I have not had one letter, phone call, telegram or postcard demanding that I, as a representative of my constituency, open up the hearings and the public meetings and the committee meetings of the House of Representatives of the Commonwealth of Pennsylvania.

We are like people on quicksand here today, and I think we are slowly sinking into it and we are slowly going to have it cover us and we are slowly going to drown in that quicksand if some responsible people who have been in this House for some years do not get up and start defending the committee system of this House.

Now, I have served on committees. I have served as a vice-chairman of committees; I have served as a secretary of committees; and it looks like I picked the wrong time to serve as a chairman of a committee.

As I have said to the members of my committee, I do not intend to block legislation. I intend to give anybody who wants to come in a fair choice of sitting in the committee room. I intend to give the members of my committee a fair choice in bringing up for deliberate discussion any legislation that they want to bring up that is assigned to our committee.

But I do believe, and I do sincerely think, that there has to be some place, some time, where the members of a committee can meet without somebody looking over their shoulders—be it the press, the vested interest groups or the public at large—to freewheel, so to speak, on the merits of a bill in that committee for consideration without having to worry about what is going to be reported to the public or what is going to be written in the press or what some constituent might possibly come up and listen to and take back.

There was an old game that was played a long time ago, Mr. Speaker, where you stood up 10 kids and you told the first child something and you said, repeat that to the second child. The second child was to repeat it to the third and so on down the line until you got to the tenth, and the tenth child was to tell the person who

started it what was said. I have never seen that game played where the tenth person did not report back something completely different from what was said to the first child as it started out.

That is what is going to happen in this situation if you adopt amendments similar to those offered by the gentleman from Lancaster, Mr. Miller. You are going to have such a context of information misquoted that you will not even recognize it. I think you really have to give it some serious consideration.

Mr. Butera, the floor leader, has offered an amendment, or will offer an amendment soon, as to what constitutes formal action. And even though I do not necessarily agree with it in its entirety, I think that constitutes what does mean an open meeting.

The minority leader earlier today referred to the fact that there are going to be some meetings, some sessions, closed to everybody but the committee people. Be it two people or be it five people, it has just got to be by the virtue of the animal of the Assembly; it has got to be that way. But when that bill is considered in committee on formal action where the "yeas" and "nays" are to be taken, I do not necessarily disagree that that vote should not be recorded that I voted a certain way or you voted a certain way.

So think, members, before you go charging down the line with your switches, on how you are voting on these amendments. It is probably the most serious consideration of a rule change in this House maybe since the inception of the General Assembly of Pennsylvania. But think, because you are going to be the ones to suffer. And I know, not only from my tenure in the House but from serving on various committees, that you are going to come at some point in the next two years, if you adopt this type of amendment, and you are going to say, Mr. Chairman, please do not bring this bill up for consideration; it is going to embarrass me back home; it is going to put me in a situation where I will not be able to get reelected or I will not be able to get nominated; it is a hot issue.

And if this type of thing goes in, I can tell you what I am going to tell you as a chairman—this is the rule of the House, fellow; you live with it. Whether it embarrasses you or not, you live with it. You had your right to get on the floor when it was debated and state your reasons for not wanting it, and you sat by and did nothing. But you live with these rules, my friends, if you adopt them, and you are going to be the ones who are going to be embarrassed, not me. So think before you cast your votes one way or the other on these proposed amendments to this proposed rule.

Thank you.

### WEST PERRY JUNIOR HIGH SCHOOL STUDENTS WELCOMED

The SPEAKER. The Chair welcomes to the hall of the House today 65 seventh grade students from West Perry Junior High School of Blain, Pennsylvania. The students are here today with their teachers, Mr. Donald Dissinger and Mr. Steven Kuhn. They are the guests of the gentleman from Perry, Mr. Noye.

### CONSIDERATION OF HOUSE RESOLUTION No. 4 RESUMED

The SPEAKER. The Chair recognizes the gentleman

from Montgomery, Mr. Mebus, and apologizes to the gentleman for not having recognized him before.

Mr. MEBUS. Mr. Speaker, I respect the views of Mr. Miller and Mr. Wise. I believe that they are quite sincere in what they are attempting to do. I do, however, disagree with an observation made by Mr. Wise to the effect that the only question really before the House is whether or not all of these meetings should be open to the public.

I think the question is a great deal deeper than that. I think the real question is, how do we best serve the interests of the citizens of this Commonwealth? And if you curtail—and I mean truly curtail—open discussions and freewheeling observations in committee when delicate legislation is under consideration, then I think you are not serving the best interests of the public. I think our responsibility, as members of this General Assembly, is to take those actions and to establish that manner in which action should be taken which is in the best interests of the public, and I do not believe that this amendment in any case would serve that end.

I think Mr. Rappaport made a very telling observation a few minutes ago when he stated to this House that if we have every single committee meeting totally open, we are inviting the lobbyists to come in and influence the course of legislation when we should be having the very sort of serious discussion with everybody playing a part in it which is the committee system. And I think that the people of the Commonwealth will be best served if we provide the accountability but not necessarily the complete and total view of everybody's mental process while they are trying to arrive at a conclusion.

I thank you.

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

Mr. J. T. WALSH. Mr. Speaker, I oppose this amendment, first, for the reason that I do not believe that the administration of the government of the Commonwealth of Pennsylvania should be left up to the news media.

The gentleman said he is on his fifth term. I am beginning my eleventh term. I have always thought that the news media knew more about what was happening at our committee meetings than the members did. It has been an old saying, "If you want to find out what the House is going to do today, read the morning paper," because they seem to know what we are going to do away before we even know as members.

I have served as a chairman of a committee and vice chairman, and I know there are always leaks. Something happens on the floor of this House and I have seen people run to the telephone, or the radio stations, so I do not think there is any secrecy, and I do not feel that I want to be in a committee meeting and some group, like the teachers who come in for a big raise, will say, we demand that you vote for our raise. I know that that would not influence Johnny Walsh, but I know a lot of members who would worry about coming back and they would vote the dictates of this lobbyist.

I think it is bad legislation and I am a hundred percent opposed to it.

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

Mr. WISE. Very briefly, I will not attempt to answer the remarks of the gentleman from Delaware, but I think



we can all draw our conclusions as to whether he is for or against open committee meetings.

I want to comment briefly on a couple of points that Mr. LaMarca made. First of all, we do provide for written notice, and written notice means just what it says. There cannot be anything confusing about that.

With regard to the special meetings, the 24-hour notice, I do not know about you, but many, many times I have gone to these special meetings and had a bill put before me and I, frankly, could not possibly figure out what was in that bill. I look upon that 24-hour notice as a chance to at least become acquainted with what is in that bill so that we can vote intelligently at our committee meetings.

Our committee meetings can be a real source of strength in this House, something they have not always been in the past.

Finally, with regard to the debate and discussion, I hope that we can come to the time in this House in the not too distant future when not only will we report a bill out with a fiscal note attached to it if it entails the spending of money, but with a committee report indicating the pros and cons, the good points and the bad points of that bill. We, with the staff which we are now developing in this House, can do that. We can do it in the next two years, and that, the debate and the discussion that would be recorded, would be of great help in the preparation of such a report.

I hope that the membership will vote "yes" on this amendment.

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

Mr. ZELLER. Mr. Speaker, something which maybe some of the members did not know, but I have been involved with for over, I guess, almost 18 years as a writer of a column for nine state weekly newspapers. I do not claim to be always right, but we shook the troops up pretty well.

Anyway, I am a firm believer that although in our battling, mainly the opinion of those who were placing ads in our newspapers—and many times these people placing the ads requested the publisher to pull me off the staff. I cared less who they were. We nailed them if they were wrong, in our opinion. I find that most reporters do not have the happy relationship with the publisher and many of the editors who come under the scrutiny of the publisher, and I find that the greatest percentage of reporters are about down to the level of the people who you would ever want to find, the down-to-earth people. I am not saying this to make brownie points, because we have had our day in court, too. But, I would rather see reporters representing the public in a public meeting than I would want to see some of the dictatorial powers of too many leaders continued—elected to supposedly represent their people, but once they gain these seats of power have become so dictatorial that their hats do not fit their heads.

I have seen too much of that and I have seen it here in the last two years. I have only gotten one bill out of committee, and I am not crying in my beer about that, but I will say this, because you do not vote right or your county chairman gives you the works, you know, to fix this cat up, do not let his bill out. These are the kinds of things that go on. These are power plays, and I think it is about time we open these committee meetings and let the public in, because right now I am very disturbed by the power of too many committee chairmen. I think it is

about time we straighten them out, too, and get them back to what they represent, what they were sent to Harrisburg for, and that is, to represent the public. Too many of them get involved in too many interest groups. I think it is about time we open these to the press.

It is not all bad down in Florida. It is not all bad. As a matter of fact, I have talked to some people down there who have mixed emotions, such as my own sister who lives in the State of Florida, and I have also talked to some people down there who have been for it, so I think it is worthwhile to try.

I do not want to harness the press. Although I think there is an area in which we have to go after the press, and that area is in regard to advertising and the profits made therein. I happen to know people in my own area who are heavy subscribers, they are heavy advertisers and they have tried and tried—and do in many cases—to control many things that have gone into our newspapers. They have so much money that if the press was ever to turn them down, they could start their own newspaper. This is an area in which we had better start looking into, not harnessing these people who are just like us. They have a job and they are sincere and they are trying to report the facts. Let us get to the big boys who are controlling those newspapers. Let us nail those birds, not the reporters.

Thank you.

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

The yeas and nays were required by Messrs. M. E. MILLER and BUTERA and were as follows:

YEAS—69

Arthurs	Hammock	McGinnis	Shane
Barber	Haskell	McGraw	Shuman
Berkes	Hayes, D. S.	Miller, M. E.	Shupnik
Berson	Homer	Miller, M. E., Jr.	Sullivan
Bixler	Hopkins	Morris	Toll
Burns	Hutchinson, A.	Noye	Vipond
Dicarlo	Hutchinson, W.	Musto	Walsh, T. P.
Doyle	Itkin	Novak	Weidner
Dreibelbis	Katz	Perry	Williams
Early	Kelly, J. B.	Petrarca	Wilson
Eckensberger	Knepper	Rhodes	Wilt, R. W.
Fischer	Kolter	Richardson	Wise
Frank	Kowalyszyn	Ritter	Wojdak
Gallagher	Lederer	Ruggiero	Wright
Gillette	Lynch, Francis	Saloom	Zearfoss
Gleason	Malady	Savitt	Zeller
Gleeson	Manderino	Schmitt	Zord
Greenfield			

NAYS—119

Anderson, J. H.	Fryer	Martino	Shelhamer
Bellomini	Gallen	McCue	Smith, C.
Bennett	Geesey	McCurdy	Smith, E.
Beren	Geisler	McMonagle	Smith, L.
Bittle	Gekas	Mebus	Spencer
Burkardt	Gelfand	Mullen, M. P.	Stahl
Butera	Goodman	Murtha	Stout
Byerly	Grieco	O'Brien	Taddonio
Caputo	Gring	O'Connell	Tayoun
Cessar	Halverson	Pancoast	Thomas
Comer	Hamilton, J. H.	Parker, H. S.	Trusio
Crawford	Harrier	Perri	Turner
Dager	Hasay	Pievsky	Ustynoski
Davis, D. M.	Hayes, S. E.	Piper	Valicenti
Davis, R.	Hepford	Pitts	Vann
DeMedio	Hill	Polite	Volpe
Deverter	Irvis	Prendergast	Wagner
Dininni	Jones	Rappaport	Walsh, J. T.
Dombrowski	Kahle	Renwick	Wargo
Dorr	Kennedy	Romanelli	Wells
Dorsey	Kester	Rowe	Westerberg
Englehart	Kistler	Ruane	Whittlesey

Fawcett	Klingaman	Ryan	Wilt, W. W.
Fee	Kusse	Salvatore	Worrilow
Fenrich	LaMarca	Scanlon	Yahner
Fineman	Lehr	Scheaffer	Yohn
Foor	Letterman	Schulze	Zimmerman
Foster, A.	Lincoln	Scirica	
Foster, W.	Lynch, Frank	Seltzer	Lee,
Fox	Maloney	Semanoff	Speaker
Frankenburg			

## NOT VOTING—13

Blackwell	Checchio	Laudadio	Renninger
Bonetto	Johnson, J.	McClatchy	Rieger
Brandt	Kelly, A. P.	Myers	Shelton
Brunner			

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

## REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the majority leader.

Mr. BUTERA. Mr. Speaker, I am suggesting that the House be in recess until 2 p.m. for the purpose of lunch. As to the Republican members, we will have an immediate caucus which will not last more than 15 minutes, providing everybody proceeds directly to the caucus room.

At 2 o'clock sharp, Mr. Speaker, I suggest that we reconvene and you recognize the next member who has an amendment.

So for the Republican members, they will proceed immediately to the caucus room. We will have plenty of time for lunch.

## APPROPRIATIONS COMMITTEE MEETING POSTPONED

The SPEAKER. The Chair recognizes the gentleman from Lebanon, Mr. Seltzer.

Mr. SELTZER. Mr. Speaker, the committee meeting of the Committee on Appropriations, which was scheduled for 2 p.m., will be postponed until immediately after today's session. The committee meeting will be held immediately after the adjournment of today's session.

## RECESS

The SPEAKER. Without objection, the Chair now declares this House to be in recess until 2 p.m. The Chair hears no objection.

## AFTER RECESS

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

## THE SPEAKER (Kenneth B. Lee) IN THE CHAIR

The SPEAKER. The House will be at ease for a period of ten minutes. Would all the members in their offices immediately come to the floor of the House, because we are going to start immediately at 2:10.

## CONSIDERATION OF HOUSE RESOLUTION No. 4 RESUMED

On the question recurring,  
Will the House adopt the resolution as amended?

Mr. ZORD requested and obtained unanimous consent to offer the following amendments, which were read:

Amend Rule 43, page 25, line 5, by striking out "Order" and inserting: Justice

On the question,

Will the House agree to the amendments?

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

Mr. ZORD. Mr. Speaker, this is a very simple amendment in which I am proposing that the title of the Law and Order Committee be changed to the law and justice committee.

In my opinion or it seems to me, the word "order" today does not really mean anything. It does not convey the real meaning of this committee to our citizens, and I feel that it is a much better title for the committee, in our present day, to change it to the law and justice committee.

Therefore, I ask for a unanimous vote from the House.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority leader.

Mr. FINEMAN. Mr. Speaker, the amendment that is being offered by the gentleman, Mr. Zord, is an amendment that the members of the Democratic caucus have not had an opportunity to review at a caucus meeting.

It is a relatively simple amendment and one that I would commend to the Democratic membership.

While it may be a simple amendment, merely changing the word "order" to "justice," it is very significant in its implication and it is certainly an amendment that I would subscribe to, and I would heartily recommend its endorsement by the members of the Democratic caucus.

On the question recurring,

Will the House agree to the amendments?

Amendments were agreed to.

## PARLIAMENTARY INQUIRY

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

Mr. GEKAS. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GEKAS. After we finish the amendment process to House resolution No. 4, are we going to be able to vote on House resolution No. 4 without waiting for it to be printed in its final form?

Since there are no rules as such that we are operating under, the thought nags that we do not have to worry about suspending the rules since there are not any.

The SPEAKER. It is possible for a final vote to be taken on House resolution No. 4 for the adoption of the rules as amended today.

The problem is that whether or not the amendments are extensive enough so that without seeing the bill in print the House would want to enact the rules and then have to reamend them sometime at a future date. The decision, I think, has been made by the leadership that to be on the safe side, we probably ought to have the rules completely in print so that they can be checked out for errors before we finally do adopt them, which would mean

that the printing would have to be done tonight and we could not act on them before tomorrow.

Mr. GEKAS. I thank you.

On the question recurring,

Will the House adopt the resolution as amended?

Mr. WILSON requested and obtained unanimous consent to offer the following amendments, which were read:

Amend Rule 45, page 30, line 6 by striking out "formal action is taken" and inserting: any bill or proposed legislation is discussed, considered or voted on

On the question,

Will the House agree to the amendments?

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

Mr. WILSON. Thank you, Mr. Speaker.

This proposal takes on page 30 and removes the wording that is in contest and in question here. I believe it removes the words "formal action is taken." In its place, I would substitute "All meetings at which any bill or proposed legislation is discussed, considered, or voted on."

I think at the beginning it was quite clear that we recognized the difficulty in defining the words "formal action." It is my opinion here that we deal in laws and lawmaking, whether there are proposed bills or bills that we consider to propose. That is really what it is all about in Harrisburg.

What we want to do in opening up this process to the public to review and purview what we are doing is simply to say that if we are discussing a proposed measure, a bill, or we are discussing the possibility of proposing such a measure to correct or add to our laws, that discussion will be open to the public.

The possible votes which would be rendered as a result of that discussion would also be open to the public.

The amendment that I offer would prohibit decision-making in private, whether the meeting be called in the Capitol or some restaurant, or any other place in the Commonwealth or outside the Commonwealth. In other words, what I am saying here is that any action that is taken, any formal action, but further defined, would be open to the press, the media, the public and anybody else who is interested. You do not have to mail copies to everybody in the Commonwealth to tell them we are going to have the meeting, but the meeting would be held and anybody who felt that they would want to come in and join and listen to the discussion, the voting, the consideration of bills proposed, or proposals to enter new bills in the legislature, could do so.

I think this would clear up the whole issue.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. BUTERA. Mr. Speaker, I rise to oppose the amendment offered by the gentleman from Bucks, Mr. Wilson, for the reasons that I think were elaborated on the floor today.

As soon as my amendment to define "formal action" has been duplicated, I will offer it. I think it is a far more reasonable and practical approach to opening up the committee system.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. WILSON and BUTERA and were as follows:

YEAS—41

Berkes	Hammock	Morris	Shane
Berson	Haskell	Novak	Shuman
Bonetto	Hayes, D. S.	Petrarca	Shupnik
Burns	Homer	Renninger	Toll
Doyle	Hopkins	Rhodes	Weidner
Dreibelbis	Itkin	Richardson	Williams
Eckensberger	Kowalyszyn	Ritter	Wilson
Fischer	Lynch, Francis	Ruggiero	Wojdak
Gallagher	Manderino	Savitt	Wright
Gillette	Miller, M. E.	Schmitt	Zeller
Gleeson			

NAYS—126

Anderson, J. H.	Frank	Martino	Smith, E.
Arthurs	Frankenburg	McCue	Smith, L.
Bellomini	Fryer	McCurdy	Spencer
Beren	Gallen	McGinnis	Stahl
Bittle	Geesey	McMonagle	Stout
Bixler	Geisler	Mebus	Sullivan
Brunner	Gekas	Miller, M. E., Jr.	Taddonio
Burkardt	Gleason	Murtha	Thomas
Butera	Grieco	Noye	Turner
Byerly	Gring	O'Connell	Ustynoski
Caputo	Halverson	Pancoast	Valicenti
Cessar	Hamilton, J. H.	Parker, H. S.	Vipond
Crawford	Harrier	Perri	Volpe
Dager	Hasay	Pievsky	Wagner
Davis, D. M.	Hayes, S. E.	Piper	Walsh, J. T.
Davis, R.	Hepford	Pitts	Walsh, T. P.
DeMedio	Hill	Polite	Wargo
Deverter	Jones	Prendergast	Wells
Dicarlo	Kahle	Renwick	Westerberg
Dininni	Katz	Romanelli	Whittlesey
Dombrowski	Kelly, J. B.	Rowe	Wilt, R. W.
Dorr	Kennedy	Ruane	Wilt, W. W.
Dorsey	Kester	Ryan	Wise
Englehart	Klingaman	Salvatore	WorriLOW
Fawcett	Knepper	Scanlon	Yahner
Fee	Kolter	Scheaffer	Yohn
Fenrich	Kusse	Schulze	Zearfoss
Fineman	LaMarca	Scirica	Zord
Foor	Lehr	Seltzer	Zimmerman
Foster, A.	Lincoln	Semanoff	
Foster, W.	Lynch, Frank	Shelhamer	Lee,
Fox	Maloney	Smith, C.	Speaker

NOT VOTING—34

Barber	Greenfield	Letterman	Perry
Bennett	Hutchinson, A.	Malady	Rappaport
Blackwell	Hutchinson, W.	McClatchy	Rieger
Brandt	Irvis	McGraw	Saloom
Checchio	Johnson, J.	Mullen, M. P.	Shelton
Comer	Kelly, A. P.	Musto	Tayoun
Early	Kistler	Myers	Trusio
Gelfand	Laudadio	O'Brien	Vann
Goodman	Lederer		

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

QUESTION OF PERSONAL PRIVILEGE

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

Mr. TAYOUN. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. TAYOUN. Mr. Speaker, please have my vote recorded in the negative on the Wilson amendments to House resolution No. 4. I was locked out on the switchboard.

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

On the question recurring,

Will the House adopt the resolution as amended?

Mr. RITTER requested and obtained unanimous consent to offer the following amendments, which were read:

Amend Rule 45, page 29, line 24, by removing the period after "House" and inserting: on any amendment, recommitment motion, or final passage of any bill.

Amend Rule 45, page 29, line 25, by inserting after "a": numbered

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

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

Mr. RITTER. Mr. Speaker, the gist of this amendment is to say that if there is going to be any committee meeting called off the floor of the House that no vote will be taken on the floor of the House on any amendment, recommittal motion or final passage of any bill, and further that this committee meeting called off the floor shall meet in a numbered committee room.

The purpose of the amendment is so that if we are going to call a meeting off the floor of the House that the rest of the members do not have to sit around doing absolutely nothing while this committee is meeting. There is nothing to prevent the Speaker from moving bills up on the calendar or considering citations, considering resolutions, considering almost anything which does not require a formal vote. I see nothing wrong with that.

I am opposed to committee meetings off the floor in the first place, but if you are going to have them, I think at least the rest of us should be allowed to participate in the orderly process of the business of the day.

The SPEAKER. The Chair recognizes the majority leader.

Mr. BUTERA. Mr. Speaker, I rise to oppose the amendment of the gentleman.

The rule which we suggest, which would take effect, is that if there is a committee meeting called while there is a session, it reads as follows: "During any such meeting, no votes shall be taken on the floor of the House."

If we adopt the gentleman's language, bills could be moved up from first to second and second to third, for example, which we do not want to take place. We want absolutely no votes to be taken on the floor of this House when any committee is in session.

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

Mr. RITTER. Mr. Speaker, we do not take a roll-call vote to move a bill up to second consideration, or, in fact, to even move it up to third consideration. We do not really take a roll-call vote on citations and resolutions, and if what the gentleman is saying is correct, then while there is a committee meeting off the floor of the House all the rest of us have to sit here and really do absolutely nothing.

If we are going to reject this amendment, later on this afternoon I have another amendment coming down which will say, in effect, that there will be no committee meetings off the floor of the House, so that if you are going to have those committee meetings, recess the House so the rest of us can do some other kind of work.

But I would ask in the meantime that we do consider this amendment and that we accept the amendment. I think it still allows for those meetings off the floor of the

House and it allows the House to continue its business on anything that is not going to require a formal vote.

The SPEAKER. The Chair recognizes the majority leader.

Mr. BUTERA. Mr. Speaker, it is our intention in the running of this House that there will not be meetings off the floor of the House, except in the very rarest of situations.

At those times, this House will go into recess. There will not be any votes taken, and I strongly urge a "no" vote on this amendment.

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

The yeas and nays were required by Messrs. RITTER and BUTERA and were as follows:

YEAS—76

Arthurs	Fryer	Manderino	Scanlon
Bellomini	Gallagher	Martino	Schmitt
Bennett	Geisler	McGraw	Shane
Berkes	Gelfand	McMonagle	Shelhamer
Berson	Gillette	Morris	Shuman
Bixler	Gleeson	Murtha	Shupnik
Brunner	Goodman	Musto	Stout
Caputo	Hammock	Myers	Sullivan
Comer	Homer	Novak	Tayoun
Davis, D. M.	Hutchinson, A.	O'Brien	Toll
DeMedio	Kolter	Petrarca	Trusio
Dicarlo	Kowalyszyn	Pievsky	Valicenti
Dombrowski	LaMarca	Prendergast	Walsh, J. T.
Doyle	Laudadio	Renwick	Walsh, T. P.
Early	Lederer	Rhodes	Wargo
Fee	Letterman	Richardson	Williams
Fenrich	Lincoln	Ritter	Wise
Fineman	Lynch, Francis	Romanelli	Yahner
Frank	Malady	Ruggiero	Zeller

NAYS—105

Anderson, J. H.	Greenfield	McCue	Smith, L.
Beren	Grieco	McCurdy	Spencer
Bittle	Gring	McGinnis	Stahl
Burkardt	Halverson	Mebus	Taddonio
Burns	Hamilton, J. H.	Miller, M. E.	Thomas
Butera	Harrier	Miller, M. E., Jr.	Turner
Byerly	Hasay	Noye	Ustynoski
Cessar	Haskell	O'Connell	Vipond
Crawford	Hayes, D. S.	Pancoast	Volpe
Dager	Hayes, S. E.	Parker, H. S.	Wagner
Davis, R.	Hepford	Perri	Waidner
Deverter	Hill	Piper	Wells
Dininni	Hopkins	Pitts	Westerberg
Dorr	Hutchinson, W.	Polite	Whittlesey
Dorsey	Itkin	Renninger	Wilson
Eckensberger	Jones	Rowe	Wilt, R. W.
Fawcett	Katz	Ruane	Wilt, W. W.
Fischer	Kelly, J. B.	Ryan	WorriLOW
Foor	Kennedy	Saloom	Wright
Foster, A.	Kester	Salvatore	Yohn
Foster, W.	Kistler	Scheaffer	Zearfoss
Fox	Klingaman	Schulze	Zord
Frankenburg	Knepper	Scirica	Zimmerman
Gallen	Kusse	Seltzer	
Geesey	Lehr	Semanoff	Lee,
Gekas	Lynch, Frank	Smith, C.	Speaker
Gleason	Maloney	Smith, E.	

NOT VOTING—20

Barber	Dreibelbis	Kelly, A. P.	Rieger
Blackwell	Englehart	McClatchy	Savitt
Bonetto	Irvis	Mullen, M. P.	Shelton
Brandt	Johnson, J.	Perry	Vann
Checchio	Kahle	Rappaport	Wojdak

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

On the question recurring,  
Will the House adopt the resolution as amended?

The SPEAKER. The Chair recognizes the majority leader.

Mr. BUTERA. Mr. Speaker, I am ready on my definition of "formal action," which most directly affects rule 45 although it amends the definition.

On the question recurring,

Will the House adopt the resolution as amended?

Mr. BUTERA requested and obtained unanimous consent to offer the following amendments, which were read:

Amend First Resolved Clause, page 2, by inserting between lines 1 and 2: G. "Formal Action" shall mean any vote or motion of a member of a Standing Committee, Standing Sub-Committee, Select Committee or Rules Committee of the House of Representatives to report or not report, amend, consider or table a bill or resolution and the discussion and debate thereof.

On the question,

Will the House agree to amendments?

The SPEAKER. The Chair recognizes the majority leader.

Mr. BUTERA. Mr. Speaker, the amendment which I offered defines "formal action." I believe we had a lengthy enough debate this morning on this entire subject. I have included in my newly drafted definition the suggestion of the minority leader, and I feel this definition makes it very clear that any committee meeting which is held wherein a piece of legislation is considered in any way must be open to the public.

The SPEAKER. The Chair recognizes the minority leader.

Mr. FINEMAN. Mr. Speaker, I do not quite agree that that is an interpretation which can possibly be drawn from this amended form.

This says, "'Formal action' shall mean any vote or motion of a member of a Standing Committee, Standing Sub-Committee, Selection Committee, or Rules Committee of the House of Representatives to report or not report amend, consider or table a bill or resolution and the discussion and debate thereof."

I would ask the majority leader this question: Under this rule, can a chairman of a committee call a meeting of that committee for the purpose of discussing the entire proposition of a bill in depth and have that meeting closed to the public?

The SPEAKER. Will the majority leader consent to interrogation?

Mr. BUTERA. I shall, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. BUTERA. Yes, a committee chairman could do such a thing.

Mr. FINEMAN. So then that would be an executive session?

Mr. BUTERA. No, Mr. Speaker, he can term it whatever he likes. I would call it a subtle breach of the rules, and it will only happen once, if then, because we will make sure that it does not happen again, I can assure you.

Mr. FINEMAN. Does not your rule specifically say that "formal action" means only those meetings where there is a motion made to take a vote or where there is in fact a vote?

Mr. BUTERA. Mr. Speaker, precisely what we will do in the event of the gentleman's hypothetical situation is that a member of the committee will advise the chair-

man—and if need be, at my request—that he is going to make a motion at that meeting which then precludes the meeting from being closed to the public.

We are trying to adopt a practical rule to change a very basic concept in this House, and I wish that we would stop trying to nit-pick it and let us talk to it on its merits. We can stand here for hours upon hours and give hypotheticals. You know what we are trying to do. Let us try together to make it work.

Mr. FINEMAN. Mr. Speaker, we want to do that. I do not agree with your philosophy about open meetings at all, but I do not want you to parade under the banner of open meetings when there are loopholes through which you could drive a truck.

What I am saying to you is this: Your amendment says that "formal action" means a vote. If there is no vote and no motion, then it is a closed meeting. It is as simple as that. That is what your language says. So if a committee chairman wants to get together with his committee members, and properly so, to discuss the merits of a piece of legislation and he says to them, we will not vote on it today, we will vote on it tomorrow. I just want to have an exhaustive study and consideration of it today. That, under your rules, is a closed meeting. I do not know how you can resist that interpretation or why you should even endeavor to resist it. It is not something to be ashamed of.

Mr. BUTERA. Mr. Speaker, I am not resisting anything. I hope I made it very clear this morning and, I will make it clear again that there is nothing to prohibit a committee chairman of this House, or a committee, from meeting and discussing anything—

Mr. FINEMAN. Privately?

Mr. BUTERA. Privately. There is nothing to prevent that, and I am not apologizing. I am not ashamed of it. That is very clear.

However, what I am trying to get across to the House is that we are not encouraging that. It is not going to happen as long as we are running this House.

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

Mr. KNEPPER. Mr. Speaker, I think most of my colleagues in the House are aware of the fact that I have been in the newspaper business all my life. I have been in many phases of it. In addition to serving in the legislature, I have served on a school board, so I have had a little experience with right-to-know laws. In fact, it has been sort of a pet project of mine for some time.

This afternoon I introduced an amendment to the right-to-know law which would affect agencies of government outside the legislature, and I think you are all aware of the fact that, of course, we excluded the legislature because the constitution states that the legislature will make its own rules.

It is very similar to the proposal that the majority leader has made today, and I think it is a good proposal and I rise to support it because it does provide for open committee meetings and yet it does recognize—that has been pointed out—that a chairman, under certain circumstances, may call a committee meeting—if you want to call it an executive session, as the minority leader has been attempting to do, then call it that—on a matter affecting someone's personal integrity or character, which might be brought up in an agency or in the legislature,

Certainly, you do not want to condemn an individual before you have given him a proper hearing in private.

It is possible that there might be other legislation which would compromise the public's position at a particular point in time by releasing this prematurely or give someone on the outside or someone on the inside of government a particular financial advantage or other advantage. This information must be protected. I think we in the newspaper business realize this, and we are not asking that the public trust which has been placed in us as elected officials be given up.

For that reason, the wording of this bill is sufficient to open up public meetings, not to the press but to the public. The public has the right to know. I do not think we should keep referring to it as to the press, because the press is as we, merely an agent of the public or a servant of the public.

So I would urge that everyone support this open-meeting measure today, and that we recognize that our prerogatives as committee chairmen still exist in extenuating circumstances to protect the confidences that must be protected. Then when we are ready to take formal action, all of us will take action in an air of openness and before those who might be in attendance, or before the press, the public, the lobbyists, or whomever it might happen to be.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority leader.

Mr. FINEMAN. Mr. Speaker, would the gentleman from Allegheny, Mr. Knepper, consent to interrogation?

The SPEAKER. Will the gentleman consent to interrogation?

Mr. KNEPPER. I shall, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. FINEMAN. Will the gentleman explain the rationale for the so-called public's right to know, being a newspaperman? What do you see as the rationale for that?

Mr. KNEPPER. The public who elects us—and the public, of course, includes ourselves, Mr. Speaker—have not only elected us, but they have, by virtue of paying taxes in this Commonwealth, given us funds which we are appropriating on their behalf. Therefore, it would seem that we should not be ashamed of the way that we spend these public moneys, that we should not be ashamed to make a public accounting of our actions of this trust that the public has given to us. Therefore, it would seem that we should be willing at any time to publicly account for the way in which we behave on public matters, and simply the right-to-know laws just say that when we are doing something in the public interest, voting in the public interest, that we express this to the public and that we are not ashamed to stand up and be counted.

Mr. FINEMAN. What you are saying, in essence, is that anytime there is a meeting of legislators at a formal gathering to discuss legislation, the public has a right to be informed as to what took place at that meeting?

Mr. KNEPPER. Yes, I am saying that. That is correct.

Mr. FINEMAN. Okay, now will you tell me then what is the difference between letting the public into the committee meetings and letting the public into the caucus meetings? Do you not devote 95 percent or 99 percent of your caucus to the deliberation of the bills which

are on the calendar for that week? And if that is so, why should not the public be allowed into your caucus?

Mr. KNEPPER. I do not believe the public should be invited into our caucus anymore than I believe that they should be invited into your caucus. I think the caucus is a private place where we can have a private discussion, a private meeting, a bloodletting, or whatever you happen to describe it as, a place where you can let your hair down and react and where you can get information, an exchange of information between the members in a free, unencumbered atmosphere, but one where you do not vote because we all know that, Mr. Speaker, when we go to a caucus, we come out here and we register our votes with our "ayes" and our "nays."

Mr. FINEMAN. You are already on record as saying that we should not be ashamed of our actions when we are in attendance at meetings where we are discussing the fate of bills. Now that is precisely what you are doing in your caucus, discussing the fate of bills, and you should not be ashamed of your action there. I am saying to you, what is the real distinction in your rationale between allowing the public into a meeting and allowing the public into a caucus meeting?

Mr. KNEPPER. I am not ashamed of my actions, Mr. Speaker, and when I come out on the floor, I express them with my voting switch.

Mr. FINEMAN. I did not say you were ashamed of your action. I am saying to you, why do you make a distinction, or what distinction do you make, between a caucus and a regular committee meeting?

In both places you are discussing the fate of legislation. In one instance you are discussing it from a partisan point of view, what is best for your party's point of view, as we discuss what is best from our party's point of view.

If you are going to affect the fate of legislation, you should not be ashamed to let the public know that. You should be on record and let the public know also what took place at the caucus meeting. Is that not a fact?

Mr. KNEPPER. I believe I indicated that under this particular wording of this amendment, the committee chairmen have the discretion of holding caucuses in the committees, as we presently hold party caucuses in the discussion of business which is before us, some of which is legislation, of course, some of which is not. I think it is important, as I mentioned before, that we have certain information and you have certain information which would not be in the best interest of the general public to release it at that particular time.

I really cannot see any point of going to the extreme of compromising everything that has been entrusted to us until we are at the point where we are ready to take formal, adoptive action and execute something, and that is what this amendment proposes.

Mr. FINEMAN. That is all.

The SPEAKER. If I could just interject one small comment. If I were the judge, I would probably admonish the prosecuting attorney for badgering the witnesses.

The Chair recognizes the minority leader.

Mr. FINEMAN. You know, there just was not an effective response to that interrogation.

Mr. WISE. Mr. Speaker, I do not want to interrupt the minority leader, but I would like to rise to that question just to say one word to try to answer the question. It is important enough to be answered.

The SPEAKER. Will the minority leader yield to the gentleman from Lycoming, Mr. Wise?

Mr. FINEMAN. I will yield.

The SPEAKER. The gentleman may proceed.

Mr. WISE. Mr. Speaker, it is a very good question and it deserves an answer.

The basic difference between a committee meeting and a party caucus is that at the committee meeting official action is taken. Official action meaning that you are going to vote to release or not release the report to amend or to kill a bill.

The first step in the legislative process, after introducing a bill, is committee consideration. Now that is entirely different than a party caucus where bills are explained and you let your hair down—with apologies to Mr. Fryer—and kick ideas back and forth.

We take official action on the floor of this House; that needs to be open. We take official action, to wit, report out or kill a bill or amend a bill at a committee meeting; that needs to be reported. But party caucus is not official action and that is the basic difference.

The SPEAKER. Is the gentleman now satisfied?

Mr. FINEMAN. That is a distinction without a difference.

The SPEAKER. Would the minority leader yield to the gentleman from Delaware, Mr. Ryan?

Mr. FINEMAN. Yes, the minority leader will yield.

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

Mr. RYAN. Mr. Speaker, I agree wholeheartedly with Mr. Wise and I also agree with the comments of the Speaker that the prosecuting attorney over here is badgering the witness.

I fail to understand what Mr. Fineman is driving at. If he is against the amendment, let him say he is against it and let us vote it and get on with the business of the day.

If he has an alternative suggestion, let him put it into amendment form and we will bring that one up and debate it.

We have run this into the ground. Fifty different people have told the gentleman from Philadelphia, Mr. Fineman, in 50 different ways that we want open committee meetings, but that we do not preclude informal meetings of the members of the committee.

If Mr. Fineman is against this idea, let him cast his vote and we will all see that he is against it. If he has a better idea, let him put it into amendment form. Let us raise that one up the flagpole and see how many people salute it.

The SPEAKER. The Chair recognizes the minority leader.

Mr. FINEMAN. Mr. Speaker, if the gentleman was paying close attention to what my interrogation of Mr. Knepper was, he should have been aware of the fact that I did not address myself to the amendment of Mr. Butera.

I have not said I am against the amendment. What I am disenchanted with is the lack of candor here, the platitudes that are being thrown around, the public's right to know. I mean, that is gobbledygook.

There is an equal corresponding right to good government, and I am saying that you are shackling the deliberative process and are not giving good government to the people. What you are doing is pandering here, and there is not candor.

I do not want anybody to tell me about the public's right to know, because if he gets hooked on that dilemma, if he gets himself caught on that spike, then he has got to admit, yes, if that is the rationale, we have got to open our caucuses and any other meetings which take place around here, because every meeting that takes place around here materially and intimately and substantially affects the life or death of any piece of legislation.

When you fellows meet in a policy committee, as when the Democrats meet in a policy committee, we are discussing whether or not a bill should survive or die. If the public has the right to know, they should sit in on that meeting. If they have this kind of unrestrained right to know, they should be able to sit in the Governor's office when the Governor is talking to his staff people and discussing whether or not a bill should be proposed or whether they should expend an effort to kill it, and when I sit with my staff people, they should be able to sit there.

If you think that is farfetched, that is precisely what has happened in the State of Florida with their sunshine law and in the State of Colorado with their sunshine law. They are now in court, and do you know why they are in court? Because three legislators happened to get together to discuss something and somebody from the press was not there and the press has taken them into court.

So it is not as ludicrous a proposition as you might think, and I am for, as I said before, Mr. Speaker, accountability. I do not want one guy taking one position in the committee meeting and coming out on the floor and posturing to the contrary. That is exactly what is going to be happening when you open the committee meetings. You are not going to have a down-to-earth, honest, deliberative discussion of bills. Members are going to be posturing. They are going to be talking for their constituents back home. They are going to be saying the right things that they think they want their people back home to be listening to. This is not good government. It may appear to be reform, but it is a step backward.

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

Mr. RYAN. Mr. Speaker, I take issue with the remarks of Mr. Fineman that Mr. Wise's distinction between a caucus and a committee meeting is a distinction without a difference.

I take issue with the other remarks of Mr. Fineman that seem to indicate that not only are we crazy but the general public is crazy in what we are proposing here today and that what we are doing is wrong. This is a step in the right direction.

I do not think we have to open up all our conversations at Lombardo's or Lombardy's. I do not think we have to share Mr. LaMarca's fried peppers with the press, but, nevertheless, I think we can open up the committee meetings and let the public see how we are voting on things.

If we want to carry what Mr. Fineman is suggesting to the other logical conclusion, then perhaps we should do away with the tote board and have all our votes here done on a voice vote.

It is just as illogical what I am suggesting as what the minority leader is suggesting, Mr. Speaker. We understand your position. Let us roll the bill. Let us vote it. We know how you feel about it, and there are honest differences perhaps, but let us roll the bill and get on with this.

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

Mr. ZELLER. Mr. Speaker, there is a definite distinction between committee meetings and a caucus. The difference is this—and we get back to the checks and balances—in the committee meetings you have both parties present, representation from both parties. You have members of that committee, such as I discussed with members in this hall today in regard to a bill, who say I am a member of that committee and I cannot go against it. There is a member outside of that committee who would like to get his bill through. Unless he is a good boy, unless he goes along with some county chairman back home, he can be dead.

Now, I want that committee meeting open and I want that committee opened because of the fact that there are both parties present. I want it to be aired to the public, but when you get into a caucus there is a difference, because they are parties now. There the party, each party, then goes back to the checks and balances of discussing how they are going to stand on an issue. There is a definite difference here.

So that is why you have to bring this point out in regard to right to know for the public, that committee meetings is where they are aired, the merit of the bills, and then a fellow who has got a bill he wants to get out, and not have it frozen by some chairman who says he is a bad boy or another chairman who says, give him the works. Let us get those bills out. But in that caucus now they can start playing, if they want to; they can start playing their politics. That is the way the caucuses operate, but I definitely feel, let us get off of this business of playing with fancy adjectives and all that just to get some kind of a bill knocked down. Let us get on with the "doggone" voting, as Mr. Ryan said, and let us get this thing passed.

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

Mr. WILLIAMS. Mr. Speaker, from the discussion it appears as though those who want an open committee system are going to vote that way, and those on both sides of the aisle who want them closed are going to vote that way. All of the distinctions without a difference, I think, are really complicating the process and the discussion.

There are levels of power; there are levels of closeness. There are some of us who want everything open because we think that the product will be better. But it is obvious to me, at least, that some things which Mr. Fineman says are correct and some things on the other side are correct. But the clearest thing is that most of us know how we want to vote, and whatever the proposition is that is put forth that is deceptive or may be deceptive, everybody knows it. I think that we ought to go ahead and vote on the main proposition, however we interpret the proposal, and that is opened or closed, and we ought to get on with that and get it over with.

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

Mr. ECKENSBERGER. Mr. Speaker, would the majority leader consent to a brief interrogation?

Mr. BUTERA. I shall, Mr. Speaker.

Mr. ECKENSBERGER. Would you, Mr. Speaker, refer to the definition as you have proposed in this amendment? The last word that I read as part of your proposal is the

word "thereof." Now does that word refer back to the words "bill or resolution" in the previous sentence or does it refer back to the words "vote or motion" in the first part of the definition?

Mr. BUTERA. Mr. Speaker, the word "thereof" refers back to "vote or motion."

Mr. ECKENSBERGER. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. BUTERA and FINEMAN and were as follows:

YEAS—185

Anderson, J. H.	Geesey	Maloney	Semanoff
Arthurs	Geisler	Manderino	Shane
Barber	Gekas	Martino	Shelhamer
Bellomini	Gelfand	McCue	Shuman
Bennett	Gillette	McCurdy	Shupnik
Beren	Gleason	McGinnis	Smith, C.
Berkes	Gleeson	McGraw	Smith, E.
Berson	Greenfield	McMonagle	Smith, L.
Bittle	Grieco	Mebus	Spencer
Bixler	Gring	Miller, M. E.	Stahl
Blackwell	Halverson	Miller, M. E., Jr.	Stout
Bonetto	Hamilton, J. H.	Mullen, M. P.	Taddonio
Brunner	Hammock	Murtha	Tayoun
Burkardt	Harrier	Musto	Thomas
Burns	Hasay	Myers	Toll
Butera	Haskell	Novak	Turner
Eyerly	Hayes, D. S.	Noye	Trusio
Caputo	Hayes, S. E.	O'Brien	Ustykoski
Cessar	Hepford	O'Connell	Valicenti
Crawford	Hill	Pancoast	Vann
Dager	Homer	Parker, H. S.	Vipond
Davis, R.	Hopkins	Perri	Volpe
DeMedio	Hutchinson, A.	Perry	Wagner
Deverter	Hutchinson, W.	Petrarca	Walsh, J. T.
Dicarlo	Irvis	Pievsky	Walsh, T. P.
Dininni	Itkin	Piper	Wargo
Dombrowski	Johnson, J.	Pitts	Weidner
Dorr	Jones	Polite	Wells
Dorsey	Kahle	Rappaport	Westerberg
Doyle	Katz	Renninger	Whittlesey
Dreibelbis	Kelly, J. B.	Renwick	Wilson
Early	Kennedy	Rhodes	Wilt, R. W.
Eckensberger	Kester	Ritter	Wilt, W. W.
Englehart	Kistler	Romanelli	Wise
Fawcett	Klingaman	Rowe	Wojdak
Fee	Knepper	Ruane	WorriLOW
Fenrich	Kolter	Ruggiero	Wright
Fineman	Kowalshyn	Ryan	Yahner
Fischer	Kusse	Saloom	Yohn
Foor	Laudadio	Salvatore	Zearfoss
Foster, A.	Lederer	Savitt	Zeller
Foster, W.	Lehr	Scanlon	Zord
Fox	Letterman	Scheaffer	Zimmerman
Frank	Lincoln	Schmitt	
Frankenburg	Lynch, Francis	Schulze	Lee,
Gallagher	Lynch, Frank	Scirica	Speaker
Gallen	Malady	Seltzer	

NAYS—10

Comer	Goodman	Prendergast	Sullivan
Davis, D. M.	LaMarca	Richardson	Williams
Fryer	Morris		

NOT VOTING—6

Brandt	Kelly, A. P.	Rieger	Shelton
Checchio	McClatchy		

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

The SPEAKER. Are there any further amendments to rule 45?

On the question recurring,

Will the House adopt the resolution as amended?

Mr. LaMARCA requested and obtained unanimous consent to offer the following amendments, which were read:



Amend Rule 45, page 30, line 5, by inserting after "be": filed with the Chief Clerk and be

Amend Rule 45, page 30, lines 6 to 8, by striking out "All meetings at which formal action is taken by a" in line 6, all of line 7, and "making such reports as are required under Rule 44." in line 8 and inserting: The Chief Clerk shall maintain a file of all such records.

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

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

Mr. LaMARCA. Mr. Speaker, I will endeavor to explain this amendment because I am sure it has not been discussed in caucus.

Now that we have, after much erudition, arrived at what is supposed to pass under the guise of a definition, I would propose a solution that would eliminate the need for a definition.

Along with many of you, I suppose the record should show that I, too, make the pious protestation that the public has the right to know. And it is true, the public does have a right to know. And as was intimated by my good friend, Mr. Ryan, I want him to know that I will share my fried peppers, but how I get them to taste as good as I do sometimes has to remain a secret with me. The net result is what counts.

I think the net result of what we do here is what really counts. I do not think any one of us disagrees with the fact that when we talk about open meetings, we are really talking about the minutes of the meeting, the votes which are taken, the attendance of the members and how they react. This is what the public has a right to know about.

If we can defend the need for a caucus, or even on rare occasions if we can defend the need for executive sessions, where we are to let our hair down, where we can freely exchange ideas, then we must accept the fact that the purpose of a committee is to deliberate, to freely exchange ideas in an atmosphere smaller than this that we enjoy in this House, and, I might add, with a lot more order, decorum and respect accorded.

If we believe that we need to exchange ideas; if we believe that ideas can be more freely exchanged under certain circumstances, then we should cling to that belief, and we can do that and still let the public know.

The public is not really concerned about the machinations of our particular brain machinery. Most of them doubt that we possess any, and I doubt that inviting them into the committee meetings is going to bring a big rush of them.

What we have to concern ourselves with is the other evils that have been presented and somehow have been so casually ignored, and that is, the only people who will really take the time to come to the meetings are the people with the vested interests. They will be there. Their ominous presence will be felt and they will definitely shape that free exchange of ideas that we now enjoy.

I submit with this amendment the public will know everything the public needs to know and cares to know and wants to know, how our members feel about a legislative piece, how they voted, whether they have attended, and what those minutes show, the results. This is what the public should know and this is exactly what my amendment does.

It simply states that at all meetings, be they regularly scheduled meetings or be they special meetings, a record shall be kept by the secretary, minutes shall be kept, the

votes shall be taken and recorded, and they shall be filed in the office of the chief clerk and available to anyone who has any interest whatsoever in seeing what goes on.

I honestly submit, Mr. Speaker, that this is the proper way for us to approach this problem. The public has a right to know and we give that right, but, by the same token, you reserve for yourselves the atmosphere that you need for the true free exchange of ideas.

The SPEAKER. The Chair recognizes the majority leader.

Mr. BUTERA. Mr. Speaker, I rise to oppose the amendment. The amendment proposes to rip out what we have been discussing and that which we just put into the rules.

For all the reasons that have been spelled out on this floor, I would oppose the gentleman's amendment.

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

The yeas and nays were required by Messrs. LaMARCA and BUTERA and were as follows:

YEAS—72

Arthurs	Fenrich	Malady	Savitt
Barber	Fineman	Manderino	Scanlon
Bellomini	Frank	Martino	Schmitt
Bennett	Fryer	McGraw	Shelhamer
Berkes	Gallagher	McMonagle	Shuman
Bixler	Geisler	Morris	Shupnik
Blackwell	Gelfand	Mullen, M. P.	Stout
Bonetto	Gleeson	Murtha	Sullivan
Brunner	Goodman	Novak	Tayoun
Caputo	Hammock	O'Brien	Trusio
Comer	Hutchinson, A.	Petrarca	Valicenti
Davis, D. M.	Irvis	Pievsky	Vann
DeMedio	Johnson, J.	Prendergast	Walsh, J. T.
Dicarlo	Kolter	Rappaport	Walsh, T. P.
Dombrowski	Kowalyszyn	Renwick	Wargo
Eckensberger	LaMarca	Richardson	Williams
Englehart	Laudadio	Ritter	Wojdak
Fee	Lincoln	Romanelli	Yahner

NAYS—119

Anderson, J. H.	Greenfield	McCue	Smith, E.
Beren	Grieco	McCurdy	Smith, L.
Berson	Gring	McGinnis	Spencer
Bittle	Halverson	Mebus	Stahl
Burkardt	Hamilton, J. H.	Miller, M. E.	Taddonio
Burns	Harrier	Miller, M. E., Jr.	Thomas
Butera	Hasay	Noye	Toll
Byerly	Haskell	O'Connell	Turner
Cessar	Hayes, D. S.	Pancoast	Ustynoski
Crawford	Hayes, S. E.	Parker, H. S.	Vipond
Dager	Hepford	Perri	Volpe
Davis, R.	Hill	Perry	Wagner
Deverter	Homer	Piper	Weidner
Dininni	Hopkins	Pitts	Wells
Dorr	Hutchinson, W.	Polite	Westerberg
Dorsey	Itkin	Renninger	Whittlesey
Doyle	Jones	Rhodes	Wilson
Dreibelbis	Kahle	Rowe	Wilt, R. W.
Early	Katz	Ruane	Wilt, W. W.
Fawcett	Kelly, J. B.	Ruggiero	Wise
Fischer	Kennedy	Ryan	Worrilow
Foor	Kester	Saloom	Wright
Foster, A.	Kistler	Salvatore	Yohn
Foster, W.	Klingaman	Scheaffer	Zearfoss
Fox	Knepper	Schulze	Zeller
Frankenburg	Kusse	Scirica	Zimmerman
Gallen	Lehr	Seltzer	Zord
Geesey	Letterman	Semanoff	
Gekas	Lynch, Frank	Shane	Lee,
Gillette	Maloney	Smith, C.	Speaker
Gleason			

NOT VOTING—10

Brandt	Lederer	Musto	Rieger
Checchio	Lynch, Francis	Myers	Shelton
Kelly, A. P.	McClatchy		

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

On the question recurring,

Will the House adopt the resolution as amended?

Mr. SHANE requested and obtained unanimous consent to offer the following amendments, which were read:

Amend Rule 45, page 30, line 6 by removing the period after "inspection" and inserting: ; the record of all votes taken and the roll showing the names of those present, absent or excused from attendance shall be published in the Legislative Journal.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Indiana, Mr. Shane.

Mr. SHANE. Thank you, Mr. Speaker.

There has been reference to the ominous presence of lobbyists in committee meetings. I think it would be appropriate to take an excerpt from the orientation speech that Jesse Unruh used to give to freshmen legislators in California. At a point in the orientation, Jesse Unruh used to say, "Any legislator who can't drink the lobbyists' drinks, eat the lobbyists' dinners, and then spit on his face on the floor of the House, isn't man or woman enough to be here." I would suspect the same admonition ought to apply to the committee rooms.

The first amendment that I propose, Mr. Speaker, is rather simply technical and small. It would propose that "the record of all votes taken and the roll showing the names of those present, absent or excused from attendance shall be published in the Legislative Journal." The rule as it is presently stated says that the minutes of the committee meeting, the votes taken, and the attendance records shall be made a matter of public record. I am simply taking two of those items—the votes and the attendance records—and suggesting that they be placed in the Legislative Journal where the public will have easier access to this particular information. In other words, if a constituent from our district wanted to see how his Representative voted on a particular bill in committee, rather than communicating with someone in Harrisburg, he could simply go to the public library and look the matter up in the Legislative Journal.

There may be a mechanical question as to how this would be inserted in the Legislative Journal. I would simply submit to you that a committee chairman or a representative of the committee could be recognized by the Speaker and say he has a report of the attendance and the votes taken in the committee and it could be very easily inserted in the Journal.

This is simply a mechanical amendment that would make the information about votes and attendance more generally available to the public. I purposely excluded the minutes of the meeting because we really do not have a clear definition of what minutes are, and I think it might be rather costly to include all the committee minutes in the Legislative Journal.

I am ready for a vote or cross-examination or whatever.

The SPEAKER. The Chair recognizes the majority leader.

Mr. BUTERA. Mr. Speaker, there is nothing wrong with the gentleman's idea, but I am going to oppose it. I think it is a superfluous act. The records which he is speaking of will be available for public scrutiny. Each

committee chairman and secretary will keep the records in a loose-leaf binder, the form for which we have already prepared. No one will be barred from seeing the records. I just do not think that we should spend the extra money in printing alone to do what really is a superfluous act.

I think his intention is honorable, but I just do not think we are serving any purpose by inserting into the Journal more language than we have to or more than we presently do to give the public the information which they deserve.

The SPEAKER. The Chair recognizes the gentleman from Indiana, Mr. Shane.

Mr. SHANE. Thank you, Mr. Speaker.

By way of brief response, the only question that I really think needs to be asked is: How available would this information be? I am not questioning the majority leader that this information will be readily available to the public, that is, the public that comes into the capitol building. All I am simply saying is, this information should be available simply by going to the handiest public library. I think it is a great inconvenience to expect a citizen in a district somewhat remote from Harrisburg to either come to Harrisburg to get this information or get some agent in Harrisburg to obtain this information, when it could be very easily available in the Legislative Journal that is dispersed throughout the Commonwealth.

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

Mr. BITTLE. Mr. Speaker, I think that the House has gone as far as it can go to make these records available to the public. I think in so doing, we have been inconvenienced ourselves to a certain respect. If the public is truly interested, they will inconvenience themselves in that respect also.

I would urge the amendment be defeated.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. SHANE and BUTERA and were as follows:

#### YEAS—52

Barber	Fischer	LaMarca	Savitt
Bellomini	Frank	Laudadio	Scirica
Berkes	Gallagher	Martino	Shane
Berson	Gillette	McGraw	Stout
Bixler	Gleeson	Miller, M. E.	Sullivan
Blackwell	Goodman	O'Brien	Toll
Caputo	Greenfield	Petrarca	Walsh, T. P.
Dicarlo	Haskell	Rappaport	Williams
Dombrowski	Hayes, D. S.	Rhodes	Wilson
Dreibelbis	Homer	Richardson	Wise
Early	Hutchinson, A.	Ritter	Wojdak
Eckensberger	Itkin	Romanelli	Zearfoss
Fee	Kowalyshyn	Ruggiero	Zeller

#### NAYS—138

Anderson, J. H.	Geisler	Manderino	Shuman
Arthurs	Gekas	McCue	Shupnik
Bennett	Gelfand	McGinnis	Smith, C.
Beren	Grieco	McMonagle	Smith, E.
Bittle	Gring	Mebus	Smith, L.
Bonetto	Halverson	Miller, M. E., Jr.	Spencer
Brunner	Hamilton, J. H.	Morris	Stahl
Burkardt	Hammock	Mullen, M. P.	Taddonio
Burns	Harrier	Murtha	Tayoun
Butera	Hasay	Musto	Thomas
Byerly	Hayes, S. E.	Novak	Trusio
Cessar	Hepford	Noye	Turner
Comer	Hill	O'Connell	Ustynoski

Crawford	Hopkins	Pancoast	Valicenti
Dager	Hutchinson, W.	Parker, H. S.	Vann
Davis, D. M.	Irvis	Perri	Vipond
Davis, R.	Jones	Perry	Volpe
DeMedio	Kahle	Pievskey	Wagner
Deverter	Katz	Piper	Walsh, J. T.
Dininni	Kelly, J. B.	Pitts	Wargo
Dorr	Kennedy	Polite	Weidner
Dorsey	Kester	Renninger	Wells
Doyle	Kistler	Renwick	Westerberg
Englehart	Klingaman	Rowe	Whittlesy
Fawcett	Knepper	Ruane	Wilt, R. W.
Fenrich	Kolter	Ryan	Wilt, W. W.
Fineman	Kusse	Saloom	Worrilow
Foor	Lederer	Salvatore	Wright
Foster, A.	Lehr	Scanlon	Yahner
Foster, W.	Letterman	Scheaffer	Yohn
Fox	Lincoln	Schmitt	Zimmerman
Frankenburg	Lynch, Frank	Schulze	Zord
Fryer	McCurdy	Seltzer	
Gallen	Malady	Semanoff	Lee,
Geesey	Maloney	Shelhamer	Speaker

NOT VOTING—11

Brandt	Johnson, J.	McClatchy	Rieger
Checchio	Kelly, A. P.	Myers	Shelton
Gleason	Lynch, Francis	Prendergast	

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

On the question recurring,

Will the House adopt the resolution as amended?

Mr. SHANE requested and obtained unanimous consent to offer the following amendments, which were read:

Amend Rule 45, page 30, line 6 by striking out "at which formal action is taken by a" and inserting: of

Amend Rule 45, page 30, line 7 by inserting after "public," unless the topic under consideration involves the reputation or affairs of any person or is a matter involving Commonwealth or National security,

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Indiana, Mr. Shane.

Mr. SHANE. Thank you, Mr. Speaker.

As I approach this second amendment, I am reminded of the story of the RAF during World War II. Early in the air battle over London, things were going badly for the RAF, and during one particular hot fight, the wing commander looked at the RAF pilot and said, "Get up there, Chumley. We need a futile gesture at this point."

And so, with that thought in mind, I launch into the second amendment.

I believe that we, as legislators, can deal with our constituents with greater candor. I think the primary fear of open committees, and, indeed, an open caucus, is the fear of the unknown. I feel—and I do not think it is a mere slogan—that the public business should be conducted in public. I further feel that any policy argument pro and con on a particular bill that cannot stand the scrutiny of public attention is a policy argument that has no legitimate place in the policy discussion.

To those who say, well, how far are you going to go, I would say, look at the happy experience that the Democratic caucuses had with visitors coming to our caucus sessions. I know our Republican colleagues do not permit this. I have brought many, many guests into the Democratic caucus, and they have seen lots of blood spilled on the floor; they have heard some loud voices; they have even heard an occasional cuss word. On balance, when

these people come out of that caucus meeting, they come out with a deeper appreciation for the democratic process. They are impressed.

So I feel we have nothing to hide by conducting the public business in public. I think when we talk about informal associations over dinner, the fast developing right of privacy will draw the line in front of that relationship, as we saw that right develop just a couple of days ago with the abortion decision. So I do not feel that the situation is going to be taken too far.

Basically what my amendment does is that it goes a bit further than the amendment offered by the gentleman, Mr. Butera. It would say that all committee meetings are open to the public "unless the topic under consideration involves the reputation or affairs of any person or is a matter involving Commonwealth or National security."

Reviewing the hypotheticals that have been bandied about here today, the hypothetical placed to the majority leader by the minority leader involving a discussion of a bill in a committee meeting at which no motion or no vote was taken, the response was, that could be a closed session. Under this amendment, it would not be a closed session.

Another hypothetical posed to the majority leader this morning was, what about the situation where the committee is considering undertaking a highly expensive series of public hearings? Should not this important discussion involving the vast expenditure of Commonwealth funds be open to the public? Under the definition articulated by our colleague, Mr. Butera, this discussion of potential public hearings would not be included in the definition; whereas, if this amendment passed, it would be included.

But furthermore, there are some situations where I definitely think a closed committee meeting is in order. For example, supposing there was an allegation of irregularities at some state institution—stealing of money—and the reputation of the director of that state institution was involved. If that is to be discussed by a committee, since a person is innocent until proven guilty, I feel the committee meetings should be closed to the public.

Suppose the Commissioner of the State Police wanted to come to a Law and Justice Committee meeting to tell the Law and Justice Committee what the State Police are doing now about organized crime. Well, since that may be a matter involving Commonwealth security, I think it is entirely appropriate that that meeting be closed to the public.

Suppose a member of the FBI wanted to come to the Law and Justice Committee to tell them what the FBI knows about organized crime or subversive activities in Pennsylvania. I think it is entirely appropriate that that matter be a subject of a closed committee meeting, and my definition would exclude that from the open-committee requirement.

I invite your inquiries and serious consideration of this amendment which takes the Butera amendment a couple steps further, to open committee meetings involving just the discussion of bills and also the contemplation of public hearings, and provides some protection and clearer standards for closed meetings.

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

Mr. BITTLE. Mr. Speaker, I thank the gentleman, "Mr. Chumley."

I think that the House has, just two votes ago, by a

vote of 185 to 10, adopted what the policy of this House in regard to the rules is going to be concerning open committee meetings.

This would reverse what we have done, just two votes ago. I would ask that the amendment be defeated.

The SPEAKER. The Chair recognizes the gentleman from Indiana, Mr. Shane.

Mr. SHANE. I do not think it would reverse what the committee did. I think it would take it about two steps further and articulate some clearer standards for when the committee meetings should be closed, namely, when the reputation of an individual is involved or when state or National security is involved.

I do not think it is a reversal; I think it is taking two more steps down, what I consider to be, a very good path.

On the question recurring?

Will the House agree to the amendments?

The yeas and nays were required by Messrs. SHANE and BUTERA and were as follows:

YEAS—60

Barber	Eckensberger	McGraw	Schmitt
Bellomini	Frank	Miller, M. E.	Shane
Berkes	Gallagher	Morris	Shelhamer
Berson	Geisler	Musto	Shupnik
Bixler	Gleeson	Novak	Stout
Blackwell	Goodman	O'Brien	Sullivan
Burns	Greenfield	Perry	Toll
Caputo	Hammock	Petrarce	Trusio
Comer	Haskell	Rappaport	Vann
Davis, D. M.	Hutchinson, A.	Rhodes	Walsh, T. P.
Dicarlo	Johnson, J.	Richardson	Wargo
Dombrowski	Kowalshyn	Ritter	Williams
Doyle	Laudadio	Romanelli	Wilson
Dreibelbis	Malady	Ruggiero	Wise
Early	Martino	Savitt	Wojdak

NAYS—132

Anderson, J. H.	Gleason	Maloney	Shuman
Arthurs	Gillette	Manderino	Smith, C.
Bennett	Grieco	McCue	Smith, E.
Beren	Gring	McCurdy	Smith, L.
Bittle	Halverson	McGinnis	Spencer
Bonetto	Hamilton, J. H.	McMonagle	Stahl
Brunner	Harrier	Mebus	Taddonio
Burkardt	Hasay	Miller, M. E., Jr.	Tayoun
Butera	Hayes, D. S.	Mullen, M. P.	Thomas
Byerly	Hayes, S. E.	Murtha	Turner
Cessar	Hepford	Noye	Ustynoski
Crawford	Hill	O'Connell	Valicenti
Dager	Homer	Pancoast	Vipond
Davis, R.	Hopkins	Parker, H. S.	Volpe
DeMedio	Hutchinson, W.	Perri	Wagner
Deverter	Irviss	Pievsky	Walsh, J. T.
Dininni	Itkin	Piper	Weidner
Dorr	Jones	Pitts	Wells
Dorsey	Kahle	Polite	Westerberg
Englehart	Katz	Prendergast	Whittlesey
Fawcett	Kelly, J. B.	Renninger	Wilt, R. W.
Fee	Kennedy	Renwick	Wilt, W. W.
Fenrich	Kester	Rowe	Worrillow
Fineman	Kistler	Ruane	Wright
Fischer	Klingaman	Ryan	Yahner
Foor	Knepper	Saloom	Yohn
Foster, A.	Kolter	Salvatore	Zearfoss
Foster, W.	Kusse	Scanlon	Zeller
Frankenburg	LaMarca	Scheaffer	Zimmerman
Fryer	Lederer	Schulze	Zord
Gallen	Lehr	Scirica	
Geesey	Letterman	Seltzer	Lee,
Gekas	Lincoln	Semanoff	Speaker
Gelfand	Lynch, Frank		

NOT VOTING—9

Brandt	Kelly, A. P.	McClatchy	Rieger
Checchio	Lynch, Francis	Myers	Shelton
Fox			

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

The SPEAKER. Are there any further amendments to rule 45? Rule 46, page 32? Rule 47, on page 32? Chair sees none. Rule 48, page 34? Chair sees none. Rule 49, page 35?

On the question recurring,

Will the House adopt the resolution as amended?

Mr. BERKES requested and obtained unanimous consent to offer the following amendments, which were read:

Amend Rule 49, page 35, line 30; page 36, lines 1 to 4 by striking out "relate in debate what was done or said in" line 30, page 35; all of lines 1 to 3 and "shall a member" line 4, page 36

On the question,

Will the House agree to the amendments?

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

Mr. BERKES. Mr. Speaker, this amendment refers to that section of the proposed rule 49 which says that a member shall not relate in debate what was done or said in committee meetings, et cetera, et cetera. It would strike that language out.

It seems to me that with the adoption of a rule that opens up committee meetings—

The SPEAKER. Would the gentleman yield for one moment?

The amendment that the gentleman is proposing is to rule 49, page 35. Is that correct?

Mr. BERKES. Line 30, right.

The SPEAKER. The gentleman may proceed.

Mr. BERKES. It seems to me that with the adoption of a rule that opens up committee meetings to the public, it is no longer necessary to have a "gag rule" on the members of the committee. If the public is permitted to sit in on committee meetings and if the press is permitted to sit in on committee meetings and the public and the press then are permitted to discuss elsewhere what happens in those committee meetings, it seems silly to prohibit the members of that committee from doing the same.

So just to be consistent with the rule changes which have heretofore been adopted, the one rule change on open committee meetings, this would clean up the language of the rules and be consistent with that.

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

Mr. BITTLE. Mr. Speaker, when the committee on the revision of the House rules met, we talked about this in great detail and we left this particular paragraph in, after discussing it, for what we thought was a very valid reason. We decided we did not want to have the time of the House taken up on the floor by a rehash of what happened among all the members of a committee, coming up in a floor debate constantly. We think there are enough things to be debated about the merits of a piece of legislation, rather than having the action of the committee rehashed on the floor of the House.

I would oppose the amendment.

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

Mr. BERKES. I think the gentleman's explanation of why they want to keep that rule in is a cop-out. Very frankly, how can you really, sensibly discuss legislation on the floor of this House if you are not permitted to say here what you said in the committee meeting? There is no difference between the committee meeting

and the floor of the House when you are discussing the merits of legislation, if there were good points made pro or con on a particular piece of legislation in a committee meeting. What the gentleman is saying is, because you said it in a committee meeting, you ought not to say it on the floor of the House. That does not make sense.

I think that what we are doing here is having a complete lack of candor with the members of this House. On the one hand, we are saying committee meetings shall be open; on the other hand, we are saying that the members of this legislature, who are members of those committees, are not mature enough to be able to discuss outside that committee what was discussed inside that committee.

I think we are mature enough, and we ought to pass this amendment if for no other reason than to clean up the rules and make them consistent.

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

Mr. BITTLE. I think the gentleman is just confusing the issue. You can say anything you want to say about a particular piece of legislation when it is on the floor of the House, but I do not know why you would want to relate what happened in committee. Make your comments about the bill, about the merits of the legislation, when it is on the floor of the House. Why hash over what so and so said in committee? So-and-so will no doubt be here on the floor of the House. Let him say it.

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

Mr. BERKES. Under that rule, so-and-so would not be able to relate it because he is not permitted to relate on the floor of the House in debate what was said in the committee meeting. That is precisely the point that we are making. Everybody ought to be able to discuss without any bounds, without any shackles, without any holding back, anything that was said in the committee meeting because, very frankly, everybody else can do that, and why should not we?

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

Mr. WILLIAMS. Mr. Speaker, I support Mr. Berkes' amendment. I would like to observe that in the discussion we are having on whether or not we have open or closed committee meetings and all that, one thing is happening to us. I think that much of what is happening is that we are actually closing the door on legislators, and not just the public, on this very proposition here. What it does is to say that whatever action takes place at the committee meeting, the rest of us should not know about it, and there is no guarantee, and the probabilities are, that we will not know about it. It almost contradicts common sense for the press and the public to be aware of some discussions, some points, some issues that may be significant and basic, and those of us who have to act on it will not be able to debate, reinforce the point, and give that knowledge of persuasion to someone else.

It seems to me just like the policy meetings we have in both caucuses. The decisions are made and most of us in the caucus do not even know what or why, and it goes right on down the line.

But this particular proposition is totally contradictory.

It says that all the sweat, the work, the debate, and the input that you make, and maybe even some of the improper points of persuasion that might be made in a committee, cannot be brought to this floor so 203 of us can hear it, evaluate it, and respond to what already is public.

I agree strongly with Mr. Berkes, and I think there is a lot of politics as far as this is concerned, and I understand the practicalities of that political control. But when 200 members of our deliberate body are going to guarantee that you will not be allowed to hear arguments, I think that we are insensitive to the basic rights that people sent us here for. I think it would be self-defeating for any individual one of us to take that right away from ourselves when we have so few rights as it is in terms of all these levels and layers of committees and policies and caucuses, et cetera.

Any poor, weak, inarticulate member should have the right one rainy day on one important issue to say that is wrong or that is right.

Thank you, Mr. Speaker.

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

Mr. BITTLE. I will yield to the gentleman from Montgomery, Mr. Beren.

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

Mr. BEREN. I wonder if the gentleman from Bucks, Mr. Berkes, would care to subject himself to interrogation.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. BERKES. I shall, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. BEREN. Are you familiar with the old rule 49, Mr. Speaker, the third paragraph thereof?

Mr. BERKES. I am looking at the new rule 49. I have that with me.

Mr. BEREN. Mr. Speaker, are you familiar with the old rule 49, the third paragraph thereof?

Mr. BERKES. If I can get a copy of it, I would be very happy to familiarize myself with it.

Mr. BEREN. How about I read it to you, Mr. Speaker, and you can compare it to the new rule?

"A member shall not relate in debate what was done or said in committee, except such as is contained in the written report, or in the transcript of testimony taken at any public hearing before said committee, or is authorized by the committee; nor, shall a member in debate discuss a bill, resolution or other matter not yet reported by a committee to the House." Does that differ in any substance from this paragraph, Mr. Speaker?

Mr. BERKES. No, it does not.

Mr. BEREN. Mr. Speaker, in the past two sessions of the House under which this rule operated, did you find any constraint in offering arguments on the floor of the House which you offered in committee on any matter such as this discussion?

Mr. BERKES. Mr. Speaker, that question is, as the gentleman well knows, superfluous because we were not operating under a rule which said that we now have open committee meetings. You have just passed a definition of formal action and said that meetings shall be open, and it is for that reason that we are proposing this amendment.

Mr. BEREN. Mr. Speaker, would you please answer my question?

Mr. BERKES. I did answer your question, Mr. Speaker.

Mr. BEREN. I will ask it to you again and I will try to ask it in plain English, Mr. Speaker.

Mr. BERKES. You will get the same answer, Mr. Speaker. You can continue all you want.

Mr. BEREN. Under the language of this rule, Mr. Speaker, that was in effect in the past four years, did you feel any constraint about offering any argument on the floor of the House that you offered in committee in support or against legislation?

Mr. BERKES. Mr. Speaker, that question is immaterial—and, incidentally, I am not a lawyer. That question is immaterial to this whole discussion, because we are now talking about a new proposed set of rules with new rules which the majority has just made which say that we shall have open committee meetings. This particular section in this rule is in direct conflict with the suggestion of the majority that they want open committee meetings. If they really want it, they will adopt my amendment.

Mr. BEREN. Mr. Speaker, it is clear to me that from your refusal to answer this question, you did not feel any restraint before, and you will not feel any restraint now. Indeed, I have every confidence that you will be able to debate matters just as fully and as ably in the future as you did in the past.

The SPEAKER. The Chair recognizes the minority whip.

Mr. IRVIS. Mr. Speaker, I have been frequently confused on the floor of this House for the last 12 years and especially the last four, but I do not think I have been quite as confused as I am at the moment.

I thought that we were debating the question of whether or not to open up committee meetings. I thought we were discussing whether or not we wanted the public to know what was going on in the committees. I thought this whole debate was a question of whether or not we were being too secretive. I assumed that that is what we have been talking about for two afternoons; at least I thought that was what we were talking about.

Now I find out that apparently we have not been talking about that at all. We have been talking about some proposition which says it is perfectly all right for a reporter to be in on a meeting, it is perfectly all right for a transcription to be made, it is perfectly all right for notes to be taken, it is perfectly all right for them to be published, it is perfectly all right for the public to be in there and for the public to walk out and discuss what was said, but somehow or other it becomes incorrect and improper for a member to do the same thing.

I would like somebody brighter than I am—and I will admit there are a great many of you out there who are—to explain to me how that comes about.

The SPEAKER. The Chair recognizes the majority leader.

Mr. BUTERA. Mr. Speaker, I think I missed the last part of the gentleman's statement.

Mr. IRVIS. I said, I would like to have some of you out there brighter than I—and I expect that there are many of you who are—to explain to me just how it comes about that it is perfectly all right for the newspapers to know what is going on, for the public to be told what is going on, but for the members of the committee not to be able to come on the floor or go anyplace, for that matter, and discuss what was said in committee meetings.

The SPEAKER. Would the majority leader yield. I

think the gentleman from Allegheny, Mr. Kelly, indicates that he would like to explain the problem.

Mr. BUTERA. Mr. Speaker, the minority whip asked for someone who was brighter than he.

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

Mr. KELLY. I will not claim to be brighter than the minority whip, but from my experience I do recall debates over this question in the past. I think that the rule was originally designed to protect a member from being misquoted on the floor of the House. In other words, you and I may debate a particular bill in committee and we may arrive at different views and different conclusions about that bill. Now what we as a committee agree to in our record is what is brought to the public through the record and to the floor of the House, and what the reporters see as occurring in the debate is what is reported to the public.

Now should I be absent from the floor of the House on a particular day that this bill is debated, this particular provision in the rules would prevent you from saying here on the floor of the House that Representative Kelly said such-and-so about a particular bill when that may not have been exactly what I said.

So this provision is here simply to protect a member from being misquoted on the floor and to direct those of us who debate a particular issue to the record of the committee.

To carry it one step further, it does not prevent me from coming to the floor of the House and repeating the very same argument which I made in committee. In other words, I can speak for 15 minutes to one particular question in the committee meeting; I can make the same remarks here on the floor of the House. I may refer to a report of my remarks that was made during the committee meeting. But I reiterate that I do not claim to be any smarter than the minority whip, but I think that from my experience in the Federal House and Senate, this is why this particular rule was originally written.

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

Mr. IRVIS. Yes. I thank the gentleman. That would be precisely the reason that it was used in the Federal Congress and it was precisely the reason it was used here. But what we are about to do is to erase the reason.

We are now caught in the same situation as the designers of the early automobiles who sometimes had carved the figure of a horse's head and put it on the front of the car in order to sell it, because people were used to seeing a horse's head, and other parts, going before them. We are now, I am assuming, trying to eliminate not only the horse's head but the other part. Therefore, that is what we are about. It does not seem to me to make much sense to worry about whether or not you are misquoted on the floor by me when you may have been misquoted to 11 and a half million people by a reporter who sat in the meeting.

This sort of argument does not make sense to me. I admire you for trying to answer, but I do not accept the answer. It does not make any logical, reasonable sense that we should have this rule in here if in fact we are going to open up the committee meetings. Now if we are going to keep the committee meetings closed—and I have stood at this podium and reprimanded men who have started to discuss what was said in committee and I have

heard Speakers say it—then I think it makes some sense to say you will not repeat on the floor of the House what was said in the committee; that was said in confidence. But from now on there is no confidence. From now on that which takes place in the committee, takes place in the committee and is open to the public; even to the public which may have it misquoted it is open.

I think we are being silly to even argue about this. I think we ought to, by agreement, strike the language from the bill.

Thank you, Mr. Speaker.

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

Mr. KELLY. Mr. Speaker, I agree with the minority whip that we are silly to argue about this because, to carry it one step further, and I said earlier, there is no reason why we cannot repeat on the floor of the House what was said in committee. We simply cannot refer to the fact of who said it. I may be more inclined to believe what the minority whip says about what Joe Zeller says in committee than about what the newspapers say about what he says in committee. This does not stop us from presenting the very same arguments on the floor that were made in committee. It simply stops us from referring to who made that particular argument, particularly in the case when that individual is not on the floor of the House.

This is a very minor part of our rules, but I think it is important to protect an individual regarding what he says in a committee meeting whether that is on the record of the committee or not, and whether that is on the public record or not and whether it is in a newspaper or not. It means that when we are in a very hot debate in this chamber some day in the future, somebody cannot come running in here and say, Joe Doakes said this about that in our committee meeting and, by golly, everybody ought to listen to it. Nobody here has the right to represent another Representative here in this chamber, and that is what this rule says.

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

Mr. ZELLER. Thank you, Mr. Speaker.

Mr. BERKES. Mr. Speaker, will the gentleman yield, please, for just a moment?

The SPEAKER. Would the gentleman from Lehigh, Mr. Zeller, yield?

Mr. ZELLER. I would be honored to yield to Mr. Berkes.

The SPEAKER. The gentleman from Bucks, Mr. Berkes, may proceed.

Mr. BERKES. Let me reply very briefly to Mr. Kelly's interpretation of rule 49, because I do not think it says what Mr. Kelly said it said. If you read rule 49 at the bottom of page 35 as currently written, it says, "A member shall not relate in debate what was done or said in committee." It does not say anything about referring to another member; it does not say anything about quoting another member; it does not say anything except simply, you cannot relate in debate what was said or done in committee. That, I think, Mr. Speaker, is the key to the whole thing. It does not say anything about quoting or misquoting another member.

Thank you, Mr. Speaker.

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

Mr. ZELLER. Thank you, Mr. Speaker.

I do not believe that my remarks that I was going to make—and I want to make a few, of course, added to what I am going to say now, that the minority whip, Mr. Irvis, has brought it out much more beautifully than I could have.

The thing that bothers me is this: I was going along, and I still would, on open meetings with my good friend and respectful leader, Mr. Butera, and I thought the whole name of the game was right to know and I thought the whole name of the game we are going on was to get our public better informed and let us help the reporters so they can do a better job, if we think they are not. I do not share entirely these views.

But let us get back to one thing called credibility. Let us take what the remarks of my good friend from Pittsburgh, Mr. Kelly, made in regard to a person not being here. Any legislator who would use one of his colleagues remarks on the floor of this House without him being here, I am sure is going to wish he had not, because of the fact that his credibility is going to be lost and who is going to have respect for him or her. So I feel we are really going down the wrong road when we say out of one side of our mouth that we want open meetings and then out of the other side of our mouth to refer back to the rule that says you cannot make a remark out of committee.

Now as a former councilman and mayor dealing with many executive sessions and committee meetings, committee meetings were always open. We could make remarks from committee meetings. On executive sessions, you had the respect to keep it in executive sessions. Anyone knows that. But, my goodness, if we are going to talk about open committee meetings and we are going to have credibility among ourselves, I am sure we are not going to come back on this floor and start tearing into a colleague in regard to remarks. There our credibility is going to be lost so bad you will never get anywhere down here.

I am in favor of what Mr. Berkes is saying. And, again, I would like to clear the record as to the remark made by Mr. Butera, and I know he was kidding in a way, but so nobody else gets the wrong impression, I have the highest respect for Mr. Fineman and in no way do I feel that I was here on the floor trying to degrade him and I know at no time do I feel I would ever have the ability to out-debate him. I know he is a very intelligent individual and I know he is sincere.

I would just like to have the record straight that I know things have been kicked around kiddingly sometimes and I want to make sure someone does not get the wrong idea.

Thank you.

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

Mr. GELFAND. Mr. Speaker, may I interrogate the gentleman from Franklin, Mr. Bittle?

The SPEAKER. Would the gentleman from Franklin, Mr. Bittle, consent to interrogation?

Mr. BITTLE. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. GELFAND. Mr. Speaker, is it not correct that these rules which we are now adopting provide for minutes of the committee meeting?

Mr. BITTLE. Yes, they do.

Mr. GELFAND. And would it not be correct to say that

the minutes of the committee meeting would be a record of the occurrences at the committee meeting?

Mr. BITTLE. It should be, Mr. Speaker, yes.

Mr. GELFAND. And is it not correct that these minutes of committee meetings are open for public inspection and discussion?

Mr. BITTLE. Yes, they are.

Mr. GELFAND. Would it not be possible for a member of this House to refer to those minutes of the committee meetings on the floor of this House and discuss them?

Mr. BITTLE. According to this rule, Mr. Speaker, I do not think that they would be.

Mr. GELFAND. Then is it the purpose of this rule to preclude a discussion of the minutes of the committee meeting?

Mr. BITTLE. Would you restate that?

Mr. GELFAND. Is the purpose of this rule to preclude a discussion of the minutes of the committee meeting by a member?

Mr. BITTLE. Mr. Speaker, I do not think that is why the rule was drafted and at least that is not what we discussed when we talked about the rule. I think that probably would fit in that category.

Mr. GELFAND. Would it be not permissible for a member to paraphrase the minutes of the committee meeting and discuss them on the floor of the House?

Mr. BITTLE. Mr. Speaker, I think, according to the way the rule was written, that would not be proper.

Mr. GELFAND. I thank the gentleman.

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

Mr. GELFAND. Mr. Speaker, I think the very response that we just received to the inquiry would indicate the incongruity of the rule, if we were not to amend it the way Mr. Berkes suggests, that we have a committee meeting of which there are minutes, which are open to public examination and public discourse, but are not subject to examination by the members of the House on the floor of the House and for consideration by the members of this House.

The fact of the matter is, the only body, despite any rule which provides the right to know, that can do anything effectively about legislation is the body that sits right here now. The only way that body can effectively do anything about legislation is by discussing it. The material things which go into the discussion of legislation is the information which is available to those people who have some knowledge in connection with the legislation.

Generally, because there are so many items of legislation that pass over the desks of each of us, the people who are most informed about legislation are those people who participate in the deliberation in the committee. Heretofore, there was some reason, I imagine, for not discussing the occurrences in a committee room because those discussions were not public; the information derived in those committee rooms was not available for public examination and discourse; so that there was some reluctance to permit members on the floor of the House to go beyond the very rule that we had posed for everyone else. I always felt that that was too severe a limitation upon debate.

But in view of the fact that we are now pretending or establishing the pretense that everything is open and everything is above-board and everybody has the right to know everything about every bit of legislation and discuss everything about every bit of legislation, why on earth and in heaven's name should the only people who

can do anything about legislation at all, by either voting for or against it, be precluded by discussing the legislation and enjoying the very information that is available to the people who are most informed about the legislation? It is just nonsensical on its face, and we should not vote a party line just because we have taken a party position and we feel that we have to stick to it.

We all know, from the discussion that we have had here now and from the response to the interrogation that we just heard, that the only wise thing to do and the only smart thing to do is to amend this rule the way it is being suggested by Mr. Berkes and we ought to act with our good judgment and good sense and accept it and remove this nonsensical language from the rule, so that we can operate as a viable and responsive and educative body.

I think we ought to vote for Mr. Berkes' amendment.

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

Mr. VANN. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Kelly.

The SPEAKER. Would the gentleman from Allegheny, Mr. Kelly, consent to interrogation?

Mr. KELLY. I shall, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. VANN. Mr. Speaker, I would like to know if your only fear of this amendment is the fear that another member may misquote you on this floor?

Mr. KELLY. No. There are two reasons and that is one of them. It is not a fear; it is a concern that what somebody says in committee may not be adequately represented here. The second concern is that a particular situation which may develop in a committee meeting may not of itself be adequately represented here.

I think that when a bill is brought before the 203 members of this body, it should be considered afresh, as was intended by the committee in bringing it here. That does not preclude you as an individual member from raising any of the same arguments that were considered in committee. You may raise all of those arguments. You may say exactly the same thing that you said in committee. You may say exactly the same thing that somebody else said in committee. You may quote any source you want, but you may not say that at 3:15 this afternoon here is part of what Joe Doakes said in the committee meeting, because that will improperly influence the decision of the 203 members of this body.

Mr. VANN. Mr. Speaker, you say it is a concern and not a fear, but I think the transcripts of your remarks will show that when you first spoke you raised the fear.

Mr. KELLY. Well, call it what you want.

Mr. VANN. Now you express it as a concern. Is it a fear; is it a concern or is it both?

Mr. KELLY. Mr. Speaker, it is whatever you want it to be.

Mr. VANN. No, it is not. I am trying to get the logic of your reasoning and you have answered me that it is what I want it to be. I want to understand exactly what your doubts and fears or concerns are. I would like an answer to the question.

Mr. KELLY. I think I just adequately explained that, Mr. Speaker.

Mr. VANN. Mr. Speaker, I will ask you another question. It is true now that we want open meetings that are open to the press, open to the public and open to anyone who wants to come into our meetings. Also, is it not true



that there will be transcripts of those meetings available to everyone?

Mr. KELLY. I think that in certain instances provisions are being made for transcripts of committee meetings.

Mr. VANN. All right. If transcripts are going to be taken—

Mr. KELLY. That is, transcripts of certain committee meetings and not all of the committee meetings will have transcripts.

Mr. VANN. We are speaking about committee hearings and we are speaking about members speaking of what transpired at a meeting of a committee, on this floor. But whether it is "certain" or whether it is "committee," and I think the wording is committee, if this is true, the transcripts would be taken and if some member wilfully or erroneously misquotes you, could you or any other member just get a transcript of what you said and bring it to this body and set the record straight and also the public?

Mr. KELLY. I do not think that is the situation that we are addressing here. What we are talking about is the case when a transcript is not taken.

Mr. VANN. You did not answer my question, Mr. Kelly. Would you please? Is it not true the transcript will be taken and a member can defend what he actually said from the transcript by repeating it to this body?

Mr. KELLY. Unfortunately, we do not have opportunity to change the vote after it has been taken.

The SPEAKER. Would the gentleman yield?

Mr. KELLY. Yes, Mr. Speaker.

The SPEAKER. For what purpose does the gentleman from Franklin, Mr. Bittle, rise?

Mr. BITTLE. I would like to clarify one thing. I think Mr. Vann and, perhaps, Mr. Kelly—

The SPEAKER. Would the gentleman yield for one moment? Does the gentleman from Philadelphia, Mr. Vann, yield to the gentleman from Franklin, Mr. Bittle?

Mr. VANN. Yes, I shall, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. BITTLE. Mr. Speaker, I think Mr. Vann at this point, and perhaps Mr. Kelly, too, are operating under the assumption that we are going to have a transcript taken at committee meetings. I do not think this is going to be the case. There will be minutes made, but they will not reflect entire statements that a person made at a committee meeting. "Transcripts," as referred to in that article, is referred to as being taken at public hearings held before a committee.

I do not think we are going to get into a situation where we are going to have stenographers and transcripts made of committee meetings, so we will not have that protection that you are talking about.

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

Mr. VANN. Mr. Speaker, if this is true, who and how will the minutes be taken at committee meetings?

Mr. BITTLE. It is provided for in the rules. We have already been over that rule. It calls for it being taken by the secretary appointed by the chairman of the standing committee or sub-committee.

Mr. VANN. And are you saying the secretary, who will be a legislator, is not qualified to correctly write what any committee member said?

Mr. BITTLE. I certainly am.

Mr. VANN. Well, therefore, if this be true, then why would we worry about whether any member of this body

would be misquoted from a committee meeting in what is said on this floor, since the secretaries will not be qualified to transcribe or take those words that are needed to be corrected? Why worry about it?

Mr. BITTLE. I think that is the very reason to worry about it. We will not have an exact word-for-word record of what somebody said and we are liable to spend endless hours, as we are right now, arguing about what a man did or did not say.

Mr. VANN. Mr. Speaker, I do not want to encourage Mr. Bittle or Mr. Kelly any further. I would like to, however, make a few observations.

I think from my interrogation we have seen how utterly ridiculous the logic of this rule is and how incorrectly we are opposing having reform in the legislature. The amendment to this rule is certainly one that is correct and fair. But you know sometimes when we pick a party position, as many of us do and as I have so often done, we get caught up a tree in defending a wrong position. And I think this is what is happening on this amendment. This amendment is perfectly logical; it has completely destroyed and exposed the idea that members should not be given the freedom of speech, that members should not be gagged, and it has exposed the theory that we are such reformers that we are perfectly willing to open our meetings to the press and let them misquote us, without any defense whatsoever, and yet gag a member on this floor from even having expression of a thought from a committee meeting. I think that it is vague. I think if they have been exposed, the amendment is a fine one, and I know as well as anybody, we are going down party lines. But certainly it is a good amendment, and I will support it.

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

Mr. DORSEY. Mr. Speaker, I would like to make just one brief observation. I think what has been taking place here for the last half hour is the best argument against this amendment. May I respectfully suggest that we vote on the amendment and get on with the business of the house.

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

Mr. WILSON. Mr. Speaker, will my colleague from Bucks, Mr. Berkes, consent to a brief interrogation?

The SPEAKER. Does the gentleman from Bucks consent to interrogation?

Mr. BERKES. Yes, indeed.

The SPEAKER. The gentleman may proceed.

Mr. WILSON. Would the gentleman explain this to me—I read his amendment in full and it says, if I read it correctly, as amended, a member shall not relate in debate or discuss a bill or resolution or other matter not yet reported by the committee to the house.

Mr. BERKES. No, the word "relate" is stricken from the bill, if you will read the amendment. On page 35 we strike out everything after the word "not". The word "relate" is stricken from the bill.

Mr. WILSON. Okay. If the gentleman will explain to me, as he corrected me, it would then say, "a member shall not in debate discuss a bill, resolution, or other matter not yet reported by committee to the house?"

Mr. BERKES. That is correct.

Mr. WILSON. I could continue and ask just simply, if you could keep it short, why not?

Mr. BERKES. Well, Mr. Speaker, it has been the rule here that if a bill has been referred to a committee but has not been reported out, then it is not before the house. And, therefore, I think, under the other rules, we could only discuss that legislation which is before the house.

Mr. WILSON. Would the gentleman perhaps take the hypothetical? We have had those today. Discussion is had on a measure, a bill, a proposal in the committee to which the public is there and the press is there and the media is reporting thereon. You would then still provide further restriction on discussing what is public information by the members of the house, would you not?

Mr. BERKES. Yes. I think the reason that that original rule was proposed many, many years ago was that for the proper order and decorum of the house that the members shall discuss those things that are on the calendar, those bills that are properly before us, rather than getting involved in long discussions on matters that are not properly before us.

Mr. WILSON. Mr. Speaker, however, again the hypothetical, if the media makes commentary that is inaccurate, we then are not entitled to correct it here in the house where we would be in fact heard, is that in fact correct?

Mr. BERKES. No, you can go to the media and correct them; you can issue press releases and hold press conferences; but I suppose serving members shall not in debate discuss a bill or resolution or matter not yet reported by a committee of the house. I do not think it precludes completely all discussions. Maybe under "happy hour" you can talk all you want to, or under a point of personal privilege you can talk all you want to, or something like that.

Mr. WILSON. I thank you, Mr. Speaker.

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

Mr. BERKES. Mr. Speaker, just finally and briefly, following up the line of reasoning of Mr. Vann, one of the things that everybody ought to understand, and, really, it strikes at what Mr. Wilson also said, is that if a member in a committee, a member of this House in a committee meeting, is misquoted by the press, then he cannot take this floor to correct that misquote. He must take other avenues to correct that misquote. And I think that is sort of tying the hands of the members of this legislature. So what we are basically saying is that we here as members do not have the same rights and responsibilities and privileges of persons who attend meetings who are not members. If we do not lift this gag rule, we are in effect retreating from the reform we are all calling for and we are giving the press and the public a right which we deny to ourselves. I think, Mr. Speaker, this is a reasonable amendment; one which will make their rules better, our rules better, and which ought to be adopted by this House.

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

Mr. HASKELL. Mr. Speaker, I move the previous question.

The SPEAKER. I think the gentleman is about thirty-five minutes late.

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

Mr. VANN. Mr. Speaker, is Mr. Gekas on the floor?

The SPEAKER. Mr. Gekas is in his seat.

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

The yeas and nays were required by Messrs. BERKES and BITTLE and were as follows:

YEAS—97

Arthurs	Fischer	Malady	Savitt
Barber	Frank	Manderino	Scanlon
Bellomini	Fryer	Martino	Schmitt
Bennett	Gallagher	McGraw	Shane
Berkes	Geisler	McMonagle	Shelhamer
Berson	Gelfand	Miller, M. E.	Shuman
Bixler	Gillette	Morris	Shupnik
Blackwell	Gleeson	Mullen, M. P.	Stout
Bonetto	Goodman	Murtha	Sullivan
Brunner	Greenfield	Musto	Tayoun
Burns	Hammock	Myers	Toll
Caputo	Homer	Novak	Trusio
Comer	Hutchinson, A.	O'Brien	Valicenti
Davis, D. M.	Irvis	Perry	Vann
DeMedio	Itkin	Petrarca	Walsh, J. T.
Dicarlo	Johnson, J.	Pievsky	Walsh, T. P.
Dombrowski	Kolter	Prendergast	Wargo
Doyle	Kowalshyn	Rappaport	Williams
Dreibelbis	LaMarca	Renwick	Wilson
Early	Laudadio	Rhodes	Wise
Eckensberger	Lederer	Richardson	Wojdak
Englehart	Letterman	Ritter	Wright
Fee	Lincoln	Romanelli	Yahner
Fenrich	Lynch, Francis	Ruggiero	Zeller
Fineman			

NAYS—97

Anderson, J. H.	Gring	McCue	Smith, L.
Beren	Halverson	McCurdy	Spencer
Bittle	Hamilton, J. H.	McGinn's	Stahl
Burkardt	Harrier	Mebus	Taddonio
Butera	Hasay	Miller, M. E., Jr.	Thomas
Byerly	Haskell	Noye	Turner
Cessar	Hayes, D. S.	O'Connell	Ustynoski
Crawford	Hayes, S. E.	Pancoast	Vipond
Dager	Hepford	Parker, H. S.	Volpe
Davis, R.	Hill	Perri	Wagner
Deverter	Hopkins	Piper	Weidner
Dininni	Hutchinson, W.	Pitts	Wells
Dorr	Jones	Polite	Westerberg
Dorsey	Kahle	Renninger	Whittlesey
Fawcett	Katz	Rowe	Wilt, R. W.
Foor	Kelly, J. B.	Ruane	Wilt, W. W.
Foster, A.	Kennedy	Ryan	Worrilow
Foster, W.	Kester	Saloom	Yohn
Fox	Kistler	Salvatore	Zearfoss
Frankenburg	Klingaman	Scheaffer	Zimmerman
Gallen	Knepper	Schulze	Zord
Geesey	Kusse	Scirica	
Gekas	Lehr	Seltzer	Lee,
Gleason	Lynch, Frank	Smith, C.	Speaker
Grieco	Maloney	Smith, E.	

NOT VOTING—7

Brandt	Kelly, A. P.	Rieger	Shelton
Checchio	McClatchy	Semanoff	

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

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

Mr. BERKES. Mr. Speaker, may I commend the majority whip for being almost as good as the minority whip was when we were in the majority.

The SPEAKER. Compliments are accepted, I guess. Are there any further amendments to rule 49?

On the question recurring,  
Will the House adopt the resolution as amended?

Mr. BRUNNER requested and obtained unanimous consent to offer the following amendments, which were read:

Amend Rule 49, page 36, by inserting between lines 5 and 6: The recommendations by a committee that a bill or resolution be reported negatively shall not affect its consideration by the House. The words "negative recommen-

dation" shall be printed conspicuously on a line above the title of the bill.

No bill or resolution reported negatively by a committee shall be placed on a calendar of the House, unless a motion to place it on the calendar is made within five days in which the House is in session after the bill was reported from committee and adopted by a majority vote of the members elected to the House. If the motion is defeated, it shall not be renewed.

On the question,

Will the House agree to the amendments?

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

Mr. BRUNNER. I will try to be as brief as possible, Mr. Speaker. Part of old rule 49 set up guidelines for reporting bills out of committee with a negative recommendation. Historically, the members of the House have had this privilege and have had the prerogative of reporting a bill out negatively. As a practical matter, all of us know that there are times when, although it might be the consensus of the members of the committee that a bill should not be reported out, we have been pressured one way or another to report the bill out so that it can be given a chance to be voted upon on the floor. In these situations, under rule 49 the committee had the prerogative of reporting it out with a negative recommendation. Now the change that has been proposed to this rule would effectively eliminate this type of negative committee report, and all my amendment does is restore the language to have the bill read as it did before. I would just call to the attention of the members of the House that this modus operandi is effectively used by Congressional committees and I respectfully suggest that it should be retained as part of our legislative process.

The SPEAKER. The Chair recognizes the majority leader.

Mr. BUTERA. Mr. Speaker, we recommended the removal of this language from the old rule for the purpose that it just does not seem to make much sense if we are trying to bolster the committee system, to permit a committee report a bill that we do not agree with. What we are trying to do is make the committee system part of the screening process of legislation so that when legislation comes to the floor, it is more in a position for final passage than has been the case in the past. And we can see no place in our system for a negative recommendation from a committee if we are trying, in fact, to bolster the committee structure.

For the gentleman's information, we are going to have an analysis form, which will be standardized for each committee, which will come with the bill from committee and will show the negative votes cast in a committee, giving some indication as to the fact that an issue may have been split in a committee, which I think is relevant. But I see no sense in having a negative recommendation rule.

Today, we had a Rules Committee meeting, for example, and by a vote of thirteen to one we voted to report to the floor a resolution to reject the Compensation Commission Report. Now many of us, including myself, voted in favor of releasing that resolution to the floor, because we felt as though it was the proper thing to do. But I disagree with the resolution and I am going to fight it tomorrow. So I think that is a more appropriate way of doing what the gentleman suggests than going backwards and reinserting the negative suggestion in the reporting of a bill.

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

Mr. BRUNNER. A case can be made for my proposition, Mr. Speaker, particularly in the Appropriations Committee. I served on the committee in the last two sessions and I know there have been many times when bills have been presented to that committee on which the consensus of the committee members was that a given bill would cost too much money, but yet we were asked to report the bill out.

Now a form of reporting the bill out and giving a negative report would be a way of advising the balance of the membership that it was the committee's feeling that the bill should not be favorably considered. For that reason, particularly, Mr. Speaker, I ask favorable consideration on this amendment.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. BRUNNER and BUTERA and were as follows:

YEAS—80

Arthurs	Fenrich	Lincoln	Richardson
Bellomini	Fineman	Lynch, Francis	Romanelli
Bennett	Frank	Malady	Ruggiero
Berkes	Gallagher	Manderino	Savitt
Berson	Geisler	Martino	Scanlon
Bixler	Gelfand	McGraw	Schmitt
Bonetto	Gillette	McMonagle	Shuman
Brunner	Gleeson	Morris	Shupnik
Caputo	Goodman	Mullen, M. P.	Stout
Comer	Greenfield	Murtha	Tayoun
Davis, D. M.	Hammock	Musto	Toll
DeMedio	Homer	Myers	Trusio
Dicarlo	Hutchinson, A.	Novak	Valicenti
Dombrowski	Irvis	Perry	Vann
Doyle	Hkin	Petrarca	Walsh, J. T.
Dreibelbis	Kolter	Pievsky	Walsh, T. P.
Early	Kowalyszyn	Prendergast	Wargo
Eckensberger	LaMarca	Rappaport	Wojdak
Englehart	Laudadio	Renwick	Yahner
Fee	Letterman	Rhodes	Zeller

NAYS—107

Anderson, J. H.	Gring	McGinnis	Smith, E.
Beren	Halverson	Mebus	Smith, I.
Bittle	Hamilton, J. H.	Miller, M. E.	Spencer
Burkardt	Harrier	Miller, M. E., Jr.	Stahl
Burns	Hasay	Noye	Taddonio
Butera	Haskell	O'Brien	Thomas
Byerly	Hayes, D. S.	O'Connell	Turner
Cessar	Hayes, S. E.	Pancoast	Ustynoski
Crawford	Hepford	Parker, H. S.	Vipond
Dager	Hill	Perri	Volpe
Davis, E.	Hopkins	Piper	Wagner
Deverter	Hutchinson, W.	Pitts	Weidner
Dininni	Jones	Polite	Westerberg
Dorr	Kahle	Renninger	Whittlesey
Lorsey	Katz	Ritter	Wilson
Fawcett	Kelly, J. B.	Rowe	Wilt, R. W.
Fischer	Kennedy	Ruane	Wilt, W. W.
Foor	Kester	Ryan	Wise
Foster, A.	Kistler	Saloom	Worriow
Foster, W.	Klingaman	Salvatore	Wright
Fox	Knepper	Scheaffer	Yohn
Frankenburg	Kusse	Schulze	Zearfoss
Fryer	Lehr	Scirica	Zimmerman
Gallen	Lynch, Frank	Seltzer	Zord
Geesey	Maloney	Shane	
Gekas	McCue	Shelhamer	Lee,
Gleason	McCurdy	Smith, C.	Speaker

NOT VOTING—14

Barber	Johnson, J.	Rieger	Sullivan
Blackwell	Kelly, A. P.	Semanoff	Wells
Brandt	Lederer	Shelton	Williams
Checchio	McClatchy		

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

The SPEAKER. Are there any amendments proposed to rule 50, on page 36?

### QUESTION OF INFORMATION

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

Mr. ECKENSBERGER. Mr. Speaker, I have no amendment, but I was led to believe that there was going to be an amendment offered to this rule. If there be no amendment offered, then I would simply like to ask this question of either the majority leader or Mr. Bittle: Is it your intention that each member gets written notice of the fact that committee public hearings will be held? I think a very subtle interpretation of it might conclude that an oral notice would be sufficient. Is it your intention that we get a written notice? That is the question.

The SPEAKER. The Chair recognizes the majority leader.

Mr. BUTERA. Mr. Speaker, our intention of such notice is written notice, five days in advance of the hearing.

The SPEAKER. The Chair recognizes the minority leader.

Mr. FINEMAN. I wish to ask a question. Mr. Speaker, one of the amendments that the Democrats was offering yesterday was to notify the supervisor of the news room of all public hearings, and I am not sure whether that was taken by agreement or not.

Mr. BUTERA. Mr. Speaker, I believe yesterday there was an amendment put in by me as agreed to which did just that.

Mr. FINEMAN. So that is in?

Mr. BUTERA. Yes.

The SPEAKER. I wonder if the majority and minority leaders would look over that particular rule. I do not see it.

On the question recurring,

Will the House adopt the resolution as amended?

Mr. FINEMAN requested and obtained unanimous consent to offer the following amendment, which was read:

Amend Rule 50, page 36, line 29, by removing the period after "HOUSE" and inserting: and to the news media.

On the question,

Will the House agree to the amendment?

Amendment was agreed to.

The SPEAKER. Are there any further amendments to Rule 50? Rule 51, page 38? Rule 52, page 40? Rule 53, page 41? Rule 54, page 42? Rule 55, page 42? Rule 56, page 43? Rule 57, page 43? Rules 58, 59 and 60, on page 44? Rules 62 and 63 on page 45? Rule 64, on page 46? Rules 65 and 66, on page 46?

The SPEAKER. The Chair recognizes the minority leader.

Mr. FINEMAN. I have an amendment to rule 66.

On the question recurring,

Will the House adopt the resolution as amended?

Mr. FINEMAN requested and obtained unanimous consent to offer the following amendment, which was read:

Amend Rule 66, page 44, by inserting between lines 12 and 13: Prior to a vote on the first question of the day a master roll call shall be taken. The master roll call shall be taken by the electric roll call system and by an oral

call of the names of the members. Upon the call of the name of a member, such member shall rise, announce his presence and record his presence on the electric roll call system. Only those members physically in their seats shall be permitted to vote on the master roll call. No member shall vote on any question unless the member is recorded on the master roll. If a member arrives in the hall of the House after the master roll call has been taken, the member shall rise, announce his presence and request his name be added to the master roll. The member shall then be permitted to vote.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the minority leader.

Mr. FINEMAN. One of the circumstances that have been present, which has badly militated against the best interest of this House, has been the matter surrounding the whole business of absentee voting. This is a subject matter to which I have tried to address myself in the past, particularly in the last two years when I was Speaker.

As a consequence of that consideration which was given to the subject matter, I had suggested to both caucuses through their respective floor leaders that we endeavor to establish a key lock voting system, and after obtaining the approval of both the majority and minority leaders to incur this expense, we ordered the installation of the key lock voting system, which cost us some nine thousand dollars. It operated thusly: As a first order of business during the day, we would take a master roll call, an oral call of the roll. Members would respond to the call of their names or otherwise indicate their presence by raising their hands. Those members who did not respond to the master roll were thereafter locked out from voting for the balance of the day by the simple device of the Speaker depressing, or the chief clerk depressing, that particular member's voting button. That meant that nobody could vote that absent member anytime during that day. And that procedure had a very salutary effect on the matter of absentee voting. There was one occasion when it did not operate successfully, but on most of the occasions we successfully attacked the problem of absentee voting, so that members who were not present could not have a vote cast in their absence.

Now I see nothing in the rules being offered to us today that makes any provision that attacks the problem of absentee voting. As a matter of fact, I see nothing in the rules that authorizes this master roll-call procedure which we had established jointly on a bipartisan basis and which we ran together for the last three months of the past year. My amendment merely puts into the rules the operation of this master roll-call system.

I think it is a kind of rule that is going to militate to our advantage; it is consistent with what we are doing in terms of trying to reform our old procedures to present the best kind of posture to the public to generate the kind of sympathetic view by the public of our operation and the legislative process as best we can. Now I urge the membership of this house to vote "aye" on this amendment.

The SPEAKER. If the chair could just speak briefly to this amendment. The master roll call was instituted, I think, in a different form than the House has operated under for the past several years when I was the previous Speaker. The former Speaker, Mr. Fineman, instituted a different type of system. I intend to modify the system,

if this amendment, obviously, is not adopted, in the following manner. Instead of holding a formal master roll call, which has been a separate roll call in which the members orally respond to their name, stand and then press their button in an affirmative position, my suggestion and, if this amendment is not adopted, this is what I would like to try, that the first roll call of the day would be used as the master roll and, at that particular time on that particular issue, we would insist that all of the members be in their seats and that they remain in their seats for the remainder of that particular roll, and we would have four monitors seated at the front of the house and those monitors would then scan each section of the house for vacancies in the seats, and this can be done with the seating charts that we have. And at the end of that particular roll then, the chair would announce those members who have been marked absent, for any corrections. And at the termination of that roll call and at the termination of those corrections, that then would be the master roll for the remainder of the day, subject to any changes, obviously, of members arriving late, for their button then to be unlocked so that they would be in a position to vote the remainder of the day.

I would like to try this. The process in the past, as you well know, has taken on an average of from 15 minutes to a half hour, and if the particular proposal that I have outlined to you today does not work, I would be willing to come back and address ourselves to this particular problem in the future.

The SPEAKER. The Chair recognizes the minority leader.

Mr. FINEMAN. Mr. Speaker, I wonder if we may informally discuss this between the Speaker and the leadership at this point without the necessity of your interpreting that as an interrogation of the Speaker?

The SPEAKER. Would the gentleman and the majority leader please come to the desk?

Mr. FINEMAN. I mean we could do it here on the floor. I just do not want the Speaker to think I am trying to interrogate him.

The SPEAKER. No, the gentleman is in order. As long as the Speaker is making editorial comments from the chair, he is vulnerable.

Mr. FINEMAN. Is it the intention of the Speaker that after this master roll is taken via the use of monitors, to lock out those members who are not present?

The SPEAKER. That is the intention of the speaker, yes.

Mr. FINEMAN. So that the key lock voting machine will be used?

The SPEAKER. That was an excellent innovation and we intend to use it.

Mr. FINEMAN. Now can I ask, who will the monitors be?

The SPEAKER. The employees of the House.

Mr. FINEMAN. Employees of the Republican Party? I would like to know who is going to monitor the Republican side of the aisle?

The SPEAKER. We would, hopefully, think that our people would do an honest job of monitoring and we would hope that if they do not do an honest job of monitoring, you call that particular deficiency to our attention, and we will see that they do honestly monitor the House, and if there is any problem with the way that the monitoring has been accomplished and about

those who have been locked out and have been indicated as being absent, and if there is any question on your side, obviously, we will take what time is necessary for you to monitor the monitors.

### AMENDMENTS WITHDRAWN

Mr. FINEMAN. Mr. Speaker, I think the proposal that we had been using was a very satisfactory one. I have some grave doubts about the effectiveness and the equity, frankly, of your proposal, but because of the fact that as a Speaker I think you are entitled to a go at this thing to see whether or not it can be run properly, because of those considerations, I am going to withdraw my proposal at this time.

The SPEAKER. The Chair thanks the gentleman.

Are there any further amendments to rule 66? Are there any amendments to rule 67, on page 48? The Chair sees none. On rules 68, 69, 70, 71, 72, 73; on page 53, rule 74; 75, 76, 77, on page 53?

On the question recurring,

Will the House adopt the resolution as amended?

Mr. MANDERINO requested and obtained unanimous consent to offer the following amendments, which were read:

Amend Rule 77, page 54, line 4, by inserting a period after "House"

Amend Rule 77, page 54, line 4, by striking out "by a roll call vote."

On the question,

Will the House agree to the amendments?

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

Mr. MANDERINO. Mr. Speaker, rule 77, as proposed in resolution No. 4, is a rule which permits this House to suspend any rule that is not required by the constitution and permits that rule to be suspended temporarily by a majority vote of this House, but by a roll-call vote.

Now, I am sure that it is the intention of the Rules Committee in the proposal of resolution No. 4 that we not suspend the rules as many times as we have done in the past, say it that way, but I think that by requiring a roll-call vote, we are really going to stifle a lot of action and a lot of procedures in the House that we have taken as a matter of course, and let me point them out to you.

Rule 17 of the House is a rule which calls for the agenda of the House and it says that business of the House will be taken in this order, and it starts with reports of committees and runs through first consideration, second consideration, et cetera, and I am sure that it is the intention of the Speaker to run the House as it has been run in the past, and, when the exigencies of the situation demand, to move from second-consideration bills, perhaps, to the final passage postponed calendar and back to reports of committee, and simply to do it as it has been done in the past with the simple statement, without objection, we will return to reports of committee, or without objection, we will return to page 16 of today's calendar and take up as a special order of business, or without objection, we will do this, that or the other thing, and I think that we ought to have that prerogative within the Speaker.

But, technically, every time we do that "without objection" we are suspending the rules, and what rule 77 as written says, you are not going to be able to do it anymore, that everytime you deviate from the agenda or every

time you temporarily pass over a bill and come back to it later, you are going to have to get a roll-call vote of the House.

Now, it is simple enough for any member of the House—I am not sure, maybe the rule calls for any two members—on any question to call for a roll-call vote, and I think that the members ought to call for a roll call when it is needed, but should not be saddled with the rule that every time we want to deviate from the rules, which include the agenda, that we ought to have a roll-call vote.

I urge the adoption of this amendment.

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

Mr. BITTLE. Mr. Speaker, all I can say about that is, it was discussed in committee. We realize that the majority party has the burden of the day-to-day operation of the House. We discussed this with our own leadership and we realize that it puts an additional burden on the Speaker, on the majority leader and on the majority whip. They are willing to assume that burden to run the House in the fashion in which they think it ought to be run.

I would ask that the amendment be defeated.

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

Mr. MANDERINO. Mr. Speaker, will the gentleman consent to interrogation?

The SPEAKER. Will the gentleman from Franklin, Mr. Bittle, consent to interrogation?

Mr. BITTLE. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. MANDERINO. Do you agree that my interpretation of Rule 17, which sets the agenda of the House, is the rule of the House?

Mr. BITTLE. I am not even sure, Mr. Manderino.

Mr. MANDERINO. But it is the rule of the House?

Mr. BITTLE. Yes, it is the rule of the House. Yes, rule 17 is the rule of the House.

Mr. MANDERINO. It is the rule of the House and it says that this will be the order of business, "1, 2, 3, 4, 5 . . ." and it will be taken in that order. Is that correct?

Mr. BITTLE. Yes.

Mr. MANDERINO. And do you agree, then, that any deviation from that order, if we abide by this rule, must be done with a roll-call vote of the House?

Mr. BITTLE. I do not know. I really do not know exactly.

Mr. MANDERINO. Because I am going to tell you that if we adopt the rule, I am going to see that we live by it.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. MANDERINO and BITTLE and were as follows:

YEAS—80

Arthurs	Fineman	Martino	Savitt
Bellomini	Fryer	McGraw	Scanlon
Bennett	Gallagher	McMonagle	Schmitt
Berkes	Geisler	Morris	Shane
Berson	Gelfand	Mullen, M. P.	Shelhamer
Bixler	Gillette	Murtha	Shuman
Blackwell	Gleeson	Musto	Shupnik
Bonetto	Goodman	Myers	Stout
Brunner	Hammock	Novak	Sullivan
Caputo	Hutchinson, A.	O'Brien	Tayoun
Comer	Irvis	Perry	Toll
Davis, D. M.	Kolter	Petrarca	Trusio
DeMedio	Kowalshyn	Pievsky	Valicenti
Dicarlo	LaMarca	Rappaport	Vann

Dombrowski	Laudadio	Renwick	Walsh, J. T.
Doyle	Letterman	Rhodes	Walsh, T. P.
Early	Lincoln	Richardson	Wargo
Englehart	Lynch, Francis	Ritter	Wise
Fee	Malady	Romanelli	Wojdak
Fenrich	Manderino	Ruggiero	Yahner

NAYS—109

Anderson, J. H.	Greenfield	MaJoney	Smith, I.
Beren	Grieco	McCue	Spencer
Bittle	Gring	McCurdy	Stahl
Burkardt	Halverson	McGinn's	Taddonio
Burns	Hamilton, J. H.	Mebus	Thomas
Butera	Harrier	Miller, M. E.	Turner
Byerly	Hasay	Miller, M. E., Jr.	Ustynos'ki
Cessar	Haskell	Noye	Vipond
Crawford	Hayes, D. S.	O'Connell	Volpe
Dager	Hayes, S. E.	Pancoast	Wagner
Davis, P.	Hepford	Parker, H. S.	Weidner
Deverter	Hill	Perri	Wells
Dininni	Homer	Piper	Westerberg
Dorr	Hopkins	Pitts	Whittlesey
Dorsey	Hutchinson, W.	Polite	Wilson
Dreibelbis	Itkin	Renninger	Wilt, R. W.
Eckensberger	Jones	Rowe	Wilt, W. W.
Fischer	Kahle	Ruane	WorriLOW
Foor	Katz	Ryan	Wright
Foster, A.	Kelly, J. B.	Saloom	Yohn
Foster, W.	Kennedy	Salvatore	Zearfoss
Fox	Kester	Scheaffer	Zeller
Frank	Kistler	Schulze	Zimmerman
Frankenburg	Klingaman	Scirica	Zord
Gallen	Knepper	Seltzer	
Gecsey	Kusse	Semanoff	Lee, Speaker
Gekas	Lehr	Smith, C.	
Gleason	Lynch, Frank	Smith, T.	

NOT VOTING—12

Barber	Fawcett	Lederer	Rieger
Brandt	Johnson, J.	McClatchy	Shelton
Checchio	Kelly, A. P.	Prendergast	Williams

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

QUESTION OF INFORMATION

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

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

The SPEAKER. The gentleman will state it.

Mr. RITTER. Mr. Speaker, it was my understanding that rule 74 was to be amended, at least in our caucus yesterday. Was this put in as an agreed-to amendment?

The SPEAKER. Yes.

Mr. RITTER. Okay, thank you.

The SPEAKER. The Chair's information is that it was amended.

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

Mr. J. T. WALSH. Mr. Speaker, I do not want to offer an amendment, but I would like you to get back to rule 75. You went over that fast and I was asking for recognition.

I cannot understand why you would say that a registered lobbyist shall not be admitted to the hall of the House. They represent interests vital to the Commonwealth of Pennsylvania and the people of Pennsylvania, and, by the same token, you admit the press, who are also a profit-making corporation, to the hall of the House. I think it is discrimination and I would like to know why.

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

Mr. BITTLE. Mr. Speaker, it was something that we did because it included one or two of the main thrusts of the reason for the committee on the revision of the House

rules, and that was to try to increase the operating efficiency of the House of Representatives, and we felt that by removing the lobbyists from the hall of the House, we could do this; we could prevent people from standing around, from talking to members while the House is in session, interrupting the business of the House. That is why it was done.

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

Mr. J. T. WALSH. I do not think they interrupt the workings of the House any more than the press does, because I have seen the press going up and down here, stopping and talking to the members.

I really feel that these lobbyists—I know in my time down here—have been very useful to us. There have been bills in here and I have gone to them and asked them why and they have told me. I really feel this is discrimination and I just do not like it.

Mr. Speaker, further on that. Why could they not be allowed in here like any other citizen if there is room back there for them? I do not think it is fair to make them second-class citizens.

The SPEAKER. I see an affirmative shake of the head to the rear of the rail at the present time.

On the question recurring,

Will the House adopt the resolution as amended?

Mr. WILSON requested and obtained unanimous consent to offer the following amendment, which was read:

Amend Rule 77, page 54, line 6 by striking out “, amended or debated.” and inserting: or amended.

On the question,

Will the House agree to the amendment?

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

Mr. WILSON. Thank you, Mr. Speaker.

This amendment is fairly simple. All I am saying is, on page 54, line 6, remove “or debated.” This is the motion to suspend the rules that we have spent many hours this week and many days in the past month to create, and I believe that all of us should be entitled to discuss the merits of the motion to suspend the rules as we have such created here this week.

I think we are all entitled to our opinion. I think we are all entitled to have our say-so as to why not the rule should be suspended, and I, for one, feel that the practice over the many, many years has been to too easily suspend the rules. This is why we went to the roll-call vote of the elected majority, and I think to permit us to get up at this microphone or any other and discuss the reasons, the whys, the wherefores as to the suspension of the rules is a thing that we are so entitled to.

Thank you, Mr. Speaker.

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

Mr. BITTLE. Mr. Speaker, I think the gentleman's point is well taken. I know of no reason why that motion cannot be debated and I would ask that the amendment be agreed to.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. WILSON and BITTLE and were as follows:

YEAS—159

Anderson, J. H.	Gillette	Martino	Seltzer
Arthurs	Gleason	McCue	Semanoff
Bennett	Gleason	McCurdy	Shane
Beren	Goodman	McGinnis	Shelhamer
Berkes	Grieco	Mebus	Shuman
Berson	Greenfield	Miller, M. E.	Shupnik
Bittle	Gring	Miller, M. E., Jr.	Smith, C.
Bixler	Halverson	Morris	Smith, E.
Bonetto	Harrier	Mullen, M. P.	Smith, J.
Brunner	Hassay	Murtha	Spencer
Burkardt	Haskell	Musto	Stahl
Burns	Hayes, D. S.	Myers	Stout
Butera	Hayes, S. E.	Novak	Taddonio
Eyerly	Hepford	Nove	Thomas
Caputo	Hill	O'Brien	Toll
Cessar	Homer	O'Connell	Turner
Comer	Hookins	Pancoast	Ustynoski
Crawford	Hutchinson, A.	Parker, H. S.	Valicenti
Dager	Hutchinson, W.	Perri	Vipond
Davis, P.	Itkin	Perry	Volpe
Deverter	Jones	Petrarca	Wagner
Dininni	Kable	Plevsky	Walsh, J. T.
Dorsey	Katz	Pfner	Weidner
Doyle	Kelly, J. B.	Pitts	Wells
Dreibelhis	Kennedy	Polite	Westerberg
Eckensberger	Kester	Rappaport	Whittlesey
Englehart	Kistler	Renninser	Wilson
Fawcett	Klingaman	Renwick	Wilt, R. W.
Fee	Knepper	Rhodes	Wilt, W. W.
Fenrich	Kolter	Ritter	Woidak
Foster, A.	Kowalyszyn	Romanelli	Worrlow
Foster, W.	Kusse	Rowe	Wright
Fox	LaMarca	Ruane	Yahner
Frankenburg	Laudadio	Ryan	Yohn
Fryer	Lehr	Saloom	Zearfoss
Gallagher	Letterman	Savitt	Zeller
Gallen	Lynch, Francis	Scheaffer	Zimmerman
Geesey	Lynch, Frank	Schmitt	
Geisler	Maloney	Schulze	Lee,
Gekas	Manderino	Scirica	Speaker
Gelfand			

NAYS—25

Bellomini	Fischer	Malady	Tayoun
Davis, D. M.	Foor	McMonagle	Trusio
DeMedio	Frank	Richardson	Vann
Dicarlo	Hamilton, J. H.	Ruggiero	Walsh, T. P.
Dombrowski	Irvis	Salvatore	Wargo
Dorr	Lincoln	Sullivan	Wise
Fineman			

NOT VOTING—17

Barber	Hammock	McClatchy	Scanlon
Blackwell	Johnson, J.	McGraw	Shelton
Brendt	Kelly, A. P.	Prendergast	Williams
Checchio	Lederer	Rieger	Zord
Early			

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

AMENDMENTS TAKEN FROM TABLE

The SPEAKER. The Chair recognizes the gentleman from Lancaster, Mr. Miller.

Mr. M. E. MILLER, JR. Mr. Speaker, I move that the amendments to House resolution No. 4, which I presented yesterday, be taken from the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

The SPEAKER. The Chair lays before the House the amendments of the gentleman from Lancaster, Mr. Miller.

The clerk read the following amendments:

Amend Rule 14, page 7, line 6 by inserting after “ARE”:

, except as hereinafter provided,  
Amend Rule 14, page 8, lines 3 to 5, by striking out all of said lines

Amend Rule 14, page 8, line 6 by striking out “(5)” and inserting: (4)

Amend Rule 14, page 8, line 8 by striking out “(6)” and inserting: (5)

Amend Rule 14, page 8, by inserting between lines 10 and 11: In the event that a member attends two or more meetings of a committee nature in a single day, duplicate payment shall not be made of per diem or mileage expenses.

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

The SPEAKER. The Chair recognizes the gentleman from Lancaster, Mr. Miller.

Mr. M. E. MILLER, JR. Mr. Speaker, is it proper—

The SPEAKER. Will the gentleman yield for just one moment?

The gentleman from Lancaster, I think, is going to indicate to the House the various parts of his amendment which he wishes to divide and consider separately. So I would suggest that the members of the House give him their undivided attention.

Mr. M. E. MILLER, JR. Mr. Speaker, I wish the amendment to be divided and considered in two portions.

Mr. Speaker, the first portion would delete lines 3 through 5 in rule 14, page 8.

The SPEAKER. Will the gentleman yield for just one moment?

If the members would turn to page 8, this is the place where the gentleman proposes to amend.

The gentleman may proceed.

Mr. M. E. MILLER, JR. And the first part would also, if the amendment were agreed to in the affirmative, make the necessary numeral changes in renumbering the proposed sections under this portion.

I am proposing the deletion of the portion recommended that would allow us to be reimbursed accountably for expenses classified as official entertainment.

I am not going to base this address—and I will be brief—on the premise that we wish to regain public confidence, for, in fact, if we allow this portion to continue, the portion I consider to be abusive, we will not be in a position of regaining anything; we will seek only a lower ebb of public esteem factor than we now already are blessed with in the Commonwealth.

Finally, only on the second point to this and it is simply this, if we in the future are awarded accountable expenses, I feel that we should not allow a category of this nature to endanger those expenses that are legitimate and that are already outlined in this section as proposed amendments, such as the 12-cents-a-mile travel expenses. By "endanger" I mean this, that if in the public eye they are able to latch on to this one thing, that legislators are buying booze and entertaining so-and-so, that may demean the whole quality of the attempts we are trying to make in gaining necessary accountable expenses.

Thank you.

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

Mr. RAPPAPORT. Mr. Speaker, I am really quite puzzled and I will not interrogate the gentleman, but perhaps he can answer the question for me.

He wants to strike out "restaurant and beverage charges."

Now, like many other members here, I frequently have school children coming from my district to visit the Capitol and, indeed, I had several such groups during the last session. I have made a practice of telling them to bring box lunches, considering the quality of food in our cafeteria and the great speed with which we receive it, and

have suggested that milk can be obtained here. And although I did not have an accountable expense account at the time, I bought the milk for these children.

Mr. Speaker, I was interrogated informally by the learned majority leader as to certain religious practices that I personally observe. I have to assure the gentleman that one of the classes was from St. Helena's School, so that it was perfectly all right.

I wonder if the gentleman from Lancaster could inform us as to whether he feels that the word "beverage" includes the milk that we may purchase for school children and, if so, whether this would not be a reimbursable expense.

The SPEAKER. The Chair recognizes the gentleman from Lancaster, Mr. Miller.

Mr. M. E. MILLER, JR. Mr. Speaker, it is neither my intent nor wish to take milk out of the mouths of babes, but merely to affirm that there does now exist, under this proposal, the distinct possibility for severe abuses of this type use of taxpayers' dollars. I am willing to go on record and agree that milk for children is not an abuse. However, that appears to be the exception rather than the rule. No play intended.

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

Mr. ENGLEHART. Mr. Speaker, I would oppose this amendment.

I am not one who gets uptight about entertainment. I like to be entertained and I like to entertain. There is nothing unusual about this type of expense.

The Legislative Auditing Commission, which we created by legislation almost two years ago, established guidelines for the expenditures of contingency funds. And this commission has already ruled, two years ago, that official entertainment is a perfectly proper expense of contingency funds. And if it is proper for leaders to do official entertaining, I see nothing wrong with members doing the same type of entertaining.

There are constituents of yours who are going to come and visit in Harrisburg. I see nothing wrong with your taking them to lunch or to dinner, whether you do it in Harrisburg or in your home or wherever you do it.

I would suggest that it is not improper. It certainly could be abused, but you must produce receipts for expenses over \$35 a day, and when our expense account is not that large, I just cannot conceive that too many members are going to go very big in this item.

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

Mr. BITTLE. Mr. Speaker, I also would oppose the amendment.

I think Mr. Miller's intent is good, but I do not think it accomplishes what he is trying to accomplish by making us second-class citizens.

Entertainment is an expense recognized by the Internal Revenue Service; it is an expense recognized by practically every company and every businessman who files an expense voucher; and I think we should have the same privilege.

The SPEAKER. The Chair recognizes the gentleman from Lancaster, Mr. Miller.

Mr. M. E. MILLER, JR. Mr. Speaker, I would like to address a comment to the gentleman, Mr. Bittle.

I am in agreement and I am fully aware that certain



IRS regulations recognize expenses. But let us get back to the original premise of my point, and that is simply this, I doubt very much if in the eye of the general citizenry of Pennsylvania they seriously recognize the need for us to be spending tax dollars entertaining folks.

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

Mr. WISE. Will the gentleman, Mr. Miller, consent to a brief interrogation?

The SPEAKER. The gentleman has indicated that he will. The gentleman may proceed.

Mr. WISE. Mr. Speaker, do I understand that the way the rule is proposed without your amendment, the way it is before us right now, that we would only have to account for official entertainment above \$35 a day, that is, present actual vouchers, but that for any food or beverage bills under \$35 we would just put in a statement therefor without the receipt?

Mr. M. E. MILLER, JR. I will defer to Mr. Bittle on that.

Mr. WISE. Do you understand my question, Mr. Bittle?

Mr. BITTLE. No, say it again.

The SPEAKER. Will the gentleman from Lancaster, Mr. Miller, yield to the gentleman from Franklin, Mr. Bittle.

Mr. BITTLE. Mr. Speaker, would you repeat it?

Mr. WISE. I want to establish what we have before us in order to contrast it with the gentleman's amendment which I am not sure of.

Do I understand the rule as you propose it is that on entertainment, official entertainment—and I am not quite sure what you mean by "official," but I suppose that means taking constituents out, et cetera—for charges above \$35 a day we have to produce receipts, but under \$35 we do not have to?

Mr. BITTLE. The way the rule is written now that would be correct.

Mr. WISE. Thank you.

Now, Mr. Speaker, and I am now addressing myself to the gentleman from Lancaster, how would your amendment change this? It was not quite clear in my mind.

Mr. M. E. MILLER, JR. Mr. Speaker, it is my interpretation that it is not in excess of \$35.

Mr. WISE. Well, what I am asking is, do I understand your amendment to strike out the whole section, or to simply say that you have to account, by receipt, for entertainment under \$35?

Mr. M. E. MILLER, JR. It is my intention to strike the entire section, lines 3, 4 and 5.

The SPEAKER. The Chair recognizes the minority leader.

Mr. FINEMAN. Mr. Speaker, I would urge the members on this side of the aisle to vote in the negative on this amendment.

The SPEAKER. For the information of the members, the question has been divided and, if the members have a copy of the amendment, the issue that we are voting on at the present time is paragraphs 2, 3 and 4 of the amendment. Those voting "aye" vote in favor of the amendment as divided; those voting "no" vote against the amendment as divided. The members will proceed to vote.

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

The yeas and nays were required by Messrs. M. E. MILLER, JR. and RAPPAPORT and were as follows:

YEAS—68

Anderson, J. H.	Gallagher	Kowalyszyn	Shane
Berkes	Gallen	Kusse	Shuman
Berson	Geesey	Lehr	Stahl
Bixler	Gekas	Maloney	Taddonio
Burns	Grieco	Manderino	Turner
Cessar	Gring	McGraw	Vipond
Crawford	Halverson	Miller, M. E.	Volpe
Dicarlo	Hasay	Miller, M. E., Jr.	Wagner
Dininni	Haskell	Noye	Weidner
Dorr	Hayes, D. S.	Petrarca	Whittlesey
Early	Hayes, S. E.	Piper	Wilson
Eckensberger	Hill	Pitts	Wilt, R. W.
Fischer	Hopkins	Renwick	Wright
Foor	Hutchinson, A.	Rowe	Yohn
Foster, A.	Hutchinson, W.	Ruggiero	Zearfoss
Foster, W.	Kelly, J. B.	Saloom	Zimmerman
Frankenburg	Kolter	Scirica	Zord

NAYS—118

Arthurs	Gelfand	McGinnis	Semanoff
Bellomini	Gillette	McMonagie	Shelhamer
Bennett	Gleason	Mebus	Shupnik
Beren	Gleeson	Morris	Smith, C.
Bittle	Goodman	Mullen, M. P.	Smith, E.
Bonetto	Greenfield	Murtha	Smith, L.
Brunner	Hamilton, J. H.	Musto	Spencer
Burkardt	Harrier	Myers	Stout
Butera	Hepford	Novak	Sullivan
Byerly	Homer	O'Brien	Tayoun
Caputo	Irvis	O'Connell	Thomas
Comer	Jones	Pancoast	Toll
Dager	Kahle	Parker, H. S.	Trusio
Davis, D. M.	Katz	Perri	Ustynoski
Davis, R.	Kennedy	Perry	Valicenti
DeMedio	Kester	Pievsky	Vann
Deverter	Kistler	Polite	Walsh, J. T.
Dombrowski	Klingaman	Rappaport	Walsh, T. P.
Dorsey	Knepper	Richardson	Wargo
Doyle	LaMarca	Ritter	Wells
Dreibelbis	Laudadio	Romanelli	Westerberg
Englehart	Lederer	Ruane	Wilt, W. W.
Fawcett	Letterman	Ryan	Wise
Fee	Lincoln	Salvatore	Wojdak
Finrich	Lynch, Francis	Savitt	Worrilow
Fineman	Lynch, Frank	Scanlon	Yahner
Fox	Malady	Scheaffer	Zeller
Frank	Martino	Schmitt	
Fryer	McCue	Schulze	Lee,
Geisler	McCurdy	Seltzer	Speaker

NOT VOTING—15

Barber	Hammock	McClatchy	Rieger
Blackwell	Itkin	Prendergast	Shelton
Brandt	Johnson, J.	Renninger	Williams
Chechio	Kelly, A. P.	Rhodes	

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

CLARIFICATION OF STATEMENT

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

Mr. CAPUTO. Mr. Speaker, I would just like to get clarification on one of the statements made by Mr. Bittle. I am not sure that I understood him.

The SPEAKER. Does the gentleman wish to direct his interrogation to the majority leader or to whom?

Mr. CAPUTO. To Mr. Bittle, I believe.

The SPEAKER. Will the gentleman from Franklin, Mr. Bittle, consent to interrogation?

Mr. BITTLE. Yes, Mr. Speaker.

Mr. CAPUTO. I just want to be sure that I understood what you said.

Mr. BITTLE. I cannot hear the gentleman, Mr. Speaker.

Mr. CAPUTO. I would just like to be sure that I understood your answer to Mr. Wise.

Did you indicate that if a member expends less than \$35 for entertainment, he need not have a voucher?

Mr. BITTLE. Mr. Speaker, if a member expends less than \$35, he needs his voucher. It would be my understanding that if he would spend in excess of \$35, he would then need a receipt in addition to the voucher.

Mr. CAPUTO. That is the way I interpreted it originally, but are you indicating that a member may spend more than \$35 if he has a receipt?

Mr. BITTLE. Yes.

Mr. CAPUTO. For daily entertainment?

Mr. BITTLE. Yes, Mr. Speaker.

Mr. CAPUTO. Thank you, Mr. Speaker.

### AMENDMENT WITHDRAWN

The SPEAKER. The Chair recognizes the gentleman from Lancaster, Mr. Miller.

Mr. M. E. MILLER, JR. Mr. Speaker, in the spirit of keeping things moving along and eventually getting to a vote on the entire House resolution No. 4, I wish to withdraw the second half of the divided amendment.

The SPEAKER. The Chair thanks the gentleman.

### FORMER MEMBER WELCOMED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today a former member from the city of Philadelphia, Joseph P. Braig, who is the present Commissioner of Licenses and Inspections in the city of Philadelphia.

The Chair recognizes the minority leader. The Chair understands that the minority leader has a further amendment.

On the question recurring,

Will the House adopt the resolution as amended?

Mr. FINEMAN requested and obtained unanimous consent to offer the following amendment, which was read:

Amend Rule 19 (a), page 11, line 19, by inserting after "thereto": The Appropriations Committee shall be limited in its consideration of any such bill to the fiscal aspects of the bill and shall not consider the substantive merits of the bill nor refuse to report any such bill from Committee for reasons other than fiscal aspects.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the minority leader.

Mr. FINEMAN. Thank you, Mr. Speaker.

Mr. Speaker, the members of the House will remember that yesterday the gentleman, Mr. Dager, offered an amendment, the essence of which was that when a bill entailed the expenditure of money and was on the calendar, that bill would not be recommitted to the Appropriations Committee but, rather, would remain on the calendar until the Appropriations Committee reported a fiscal note for the bill in question.

The argument in favor of that proposal by Mr. Dager was that to allow the Appropriations Committee to effectively kill a bill in its possession without that decision having been predicated on fiscal matters but, rather, having been predicated on the merits of the bill was, in essence, to set up the Appropriations Committee as a

supercommittee, thus obviating the need for any other committee in this House.

The argument against Mr. Dager's proposal was that since the Appropriations Committee has to have a proper handle on all bills that are going to entail the expenditure of revenue so that they can create a whole fiscal package, therefore, they should have that bill back in their possession.

The amendment was defeated by the narrowest of margins.

What I have done today is to prepare an alternate proposal which, I think, represents some kind of fair compromise, more in favor of the opponents of Mr. Dager's proposal than on the other side of the aisle.

What this amendment says is this: The bill can go back to the Appropriations Committee, but, in effect, the Appropriations Committee cannot refuse to report that bill out for any reason other than its fiscal impact. If the Appropriations Committee decides that the bill is going to cost too much money or there is some other fiscal implication, they can decide to kill that bill. But they cannot kill that bill on its merits, because this was a decision made by another committee in this House, a group of 23 men getting together and deciding that that bill should come out on the floor for decision by the body at large.

I think this is a fair compromise. It is less than what I would have liked to have seen take place, but it is a compromise, I think, that represents a step in the right direction to curing the shortcoming in the system that was so carefully delineated here on the floor yesterday.

I would urge the adoption of this amendment.

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

Mr. DAGER. Mr. Speaker, the members have on their desks a proposed amendment on the same subject, which I distributed. I would like to inform them that I am not planning to call that up for a vote.

I would agree with what the minority leader has just outlined and ask support for this concept. I feel that it is a very important step forward and would hope that we can have the same support on this as we had yesterday, because it will put the impact on the committees in their various aspects to set the proper priorities and not leave it all up to the Appropriations Committee.

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

Mr. RYAN. Mr. Speaker, the proposal I am opposed to for this reason: If we say we limit the Appropriations Committee to purely fiscal matters and if it is determined that for some reason or another there are insufficient funds to fund an entire program but yet some part of the program contained in the bill there is sufficient money for, then the only thing the Appropriations Committee can do is make so-called changes in the substance of the bill itself.

For instance, it is my recollection, Mr. Speaker, that last year—and I could be wrong on this, so if I am wrong, I will just use it for a hypothetical; I do not want to be cross-examined on whether I am completely accurate—but it is my recollection, in any event, that at one or more times during the past session, bills were in the Appropriations Committee dealing with school subsidies. While in that committee, there was much jockeying back and forth here on the floor and in chambers and wherever else jockeying takes place, and it was agreed that the solution

would be to cut out Pittsburgh, perhaps, in order to have the funds available for the Philadelphia School District problem. The Appropriations Committee did not have sufficient funds to take care of Philadelphia and Pittsburgh or, perhaps, Philadelphia, Pittsburgh and the rest of the state, so that when these cuts were made, they necessarily represented a cut or partly a change in the substantive law contained in the bill.

That is just one example that leaps to mind, and I am sure that the Appropriations Committee, in any of its dealings with a bill in order to increase or decrease the amount of moneys being spent, is going to find it necessary on more than one occasion to make changes in the substantive law in order to effectuate these budget savings or increases.

For that reason, Mr. Speaker, I would oppose the amendments offered by Mr. Fineman and seconded, so to speak, by Mr. Dager.

The SPEAKER. The Chair recognizes the minority leader.

Mr. FINEMAN. Mr. Speaker, the reasons advanced by the gentleman, Mr. Ryan, for opposing the amendment, in my judgment, are not valid reasons.

The fact is that under this language the Appropriations Committee can consider the substantive effects of any bill if those substantive provisions of the bill have fiscal implications. There is nothing to prevent the Appropriations Committee from restraining the reporting out of this bill if any portion of the substantive language in the bill has an impact on the fiscal situation in the state.

Now, I am conceding to you at the moment only for purposes of this argument, I am conceding to you that you have to have the bill in your possession. When I say "you," I mean the Appropriations Committee. You have to have the bill physically in your possession to deal with the problem. Of course, there is no real merit to that, but for purposes of this argument, let us concede that point. We are giving you physical possession of the bill. All the people in this chamber are now saying to those who are on the Appropriations Committee, okay, deal with the problem; find out how expensive it is; if it is too expensive for us to handle, forget it, put it away; but if there is no real fiscal impact, do not kill the bill on its merits; that is not your job; that was the job of the committee to which the bill was first reported. And it demeans any other committee chairman and the member of any other committee to have, at the last moment, their judgments supplanted by the thinking of the members of another committee.

When we send a bill back for a fiscal note that is precisely what we mean—get a fiscal note. And if the bill costs too much, then we will put it away. But we do not want a bill that might cost \$100 or might cost \$500 killed by the Appropriations Committee simply because somebody in that committee does not like the bill or does not like the sponsor of the bill. That is what can take place and that is the inequity that we are trying to cure.

The SPEAKER. The Chair recognizes the majority whip.

Mr. RYAN. Mr. Speaker, this problem that Mr. Fineman raises of some member of the committee not liking a sponsor or not liking what is in the bill, this is found throughout the whole committee system. If someone is persuasive in the committee, they can, perhaps on occasion,

talk down a bill. Agreed, this is the second committee and not the prime committee; I would agree to that.

However, Mr. Speaker, I think the members of the Appropriations Committee, as reported to me and by reputation during the 10 years I have been here, in any event, have evidenced more maturity than perhaps Mr. Fineman gives them discredit for in his hypothetical. I do not believe they react that way. I have knowledge, secondhand knowledge, of course, that Mr. Mullen, when chairman of the Appropriations Committee in the past several years, brought to the attention of that committee every bill, or virtually every bill, that was put to the committee. He, by reputation, and that committee, by reputation, did not act in the manner that Mr. Fineman suggests that a committee could act in.

I believe Mr. Fineman to be incorrect in his fears. I think they are unwarranted, and again I would suggest that the amendment be defeated.

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

Mr. WISE. Mr. Speaker, will the minority leader consent to a brief interrogation?

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

Mr. FINEMAN. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. WISE. Mr. Speaker, I would have no problem with this amendment at all if it would read, ". . . shall not refuse to rereport any such bill from Committee . . ." or ". . . shall not consider the substantive merits of a bill referred to it."

The problem I have is, suppose a bill is initially referred to the Appropriations Committee. Are we telling this committee that it cannot consider the substantive part of that bill?

Mr. FINEMAN. No. I am only referring, Mr. Speaker, to rereferrals.

Mr. WISE. To rereferrals?

Mr. FINEMAN. Yes. I am not concerned one bit about those bills that go initially to the Appropriations Committee. That is their job to consider the substantive aspects of that bill, as well as the fiscal implications. I am only talking about the rereferrals, because that is where there is an impertinence, an affront to other chairmen, to other committees. They have already considered it. Why should the sponsor of the bill have to run the gauntlet twice? He has gotten it out of one committee. Why should he have to go to another committee and beg to get it out of a second committee when there are no fiscal implications?

Mr. WISE. So what you are saying is that as to a bill initially referred to the Appropriations Committee, this would not apply?

Mr. FINEMAN. That is right.

Mr. WISE. Thank you.

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

Mr. DAGER. Mr. Speaker, following up on Mr. Wise's question, I think there is a little confusion here on this amendment, because the main thrust of what I attempted yesterday is going to be resubmitted in a different form, and it has been agreed to, I understand, and that is the fact that a fiscal note must be requested by the committee chairman before it can be discussed in the committee or before it can be reported out by the committee. It

would then come on the calendar and must be referred to the Appropriations Committee before it can obtain second reading on the calendar.

This amendment that we are discussing right now is an addition to that procedure and it just states, as Mr. Fineman has indicated, that once that has been rereferred to the Appropriations Committee, they cannot change the substantive part of the bill but they must limit themselves to the fiscal aspects. It still gives the Appropriations Committee, in a way, a veto power. If they feel that there are not the finances to run this bill, they do not have to report it out.

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

Mr. SCHMITT. Mr. Speaker, in support of the amendments being introduced by our leader, Mr. Fineman, and contrary to what has been said by Mr. Ryan, I will give you a specific instance.

I happen to be a member of the Hypnotic Society, and we consider ourselves ethical hypnotists. For many years we have been attempting to get a bill passed to license hypnotists. We finally succeeded in getting a Senate bill passed last year. It was brought into the Professional Licensure Committee, of which I was a member, and reported out and then went into the Appropriations Committee for a fiscal note. I had a great deal of difficulty getting that bill out of the committee. I finally prevailed upon the chairman to do so, and I was advised confidentially—and I am not going to expose any names in this instance—that a member of that Appropriations Committee, who is no longer a member of this House, because he represented legally the psychologists back home, who were opposed to hypnosis, took a very firm stand about reporting the bill out of committee.

The SPEAKER. The Chair recognizes the majority whip.

Mr. RYAN. Mr. Speaker, I object to this line of testimony. I do not think it is germane to the amendment to bring up a matter such as the gentleman is bringing up now.

Mr. FINEMAN. Oh, come on, Mr. Ryan.

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

Mr. SCHMITT. In summation, Mr. Speaker, let me say that the gentleman said that these abuses have not taken place in the past, and I have moot testimony to the fact that they have taken place in the past.

I would like, as a reasonable compromise, to see support for Mr. Fineman's amendment.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. FINEMAN and RYAN and were as follows:

YEAS—100

Arthurs	Frank	Lynch, Francis	Saloom
Barber	Fryer	Malady	Savitt
Bellomini	Gallagher	Manderino	Scanlon
Bennett	Geisler	Martino	Schmitt
Berkes	Gelfand	McMonagle	Shane
Berson	Gillette	Miller, M. E.	Shelhamer
Bixler	Gleason	Morris	Shuman
Blackwell	Gleeson	Murtha	Shupnik
Bonetto	Goodman	Musto	Stout
Brunner	Greenfield	Myers	Sullivan
Caputo	Hammock	Novak	Tayoun
Comer	Hayes, D. S.	O'Brien	Toll
Dager	Homer	Pancoast	Trusio

Davis, D. M.	Hopkins	Perry	Valicenti
DeMedio	Hutchinson, A.	Petrarca	Vann
Dicarlo	Irvic	Pievsky	Walsh, J. T.
Dombrowski	Itkin	Prendergast	Walsh, T. P.
Doyle	Johnson, J.	Rappaport	Wargo
Dreibelbis	Kolter	Renninger	Williams
Early	Kowalyszyn	Renwick	Wilson
Eckensberger	LaMarca	Rhodes	Wise
Englehart	Laudadio	Richardson	Wojdak
Fee	Lederer	Ritter	Yahner
Fenrich	Letterman	Romanelli	Yohn
Fineman	Lincoln	Ruggiero	Zeller

NAYS—93

Anderson, J. H.	Grieco	McCue	Spencer
Beren	Gring	McCurdy	Stahl
Bittle	Halverson	McGinnis	Taddonio
Burkardt	Hamilton, J. H.	Mebus	Thomas
Burns	Harrier	Miller, M. E., Jr.	Turner
Butera	Hasay	Noye	Ustynoski
Byerly	Haskell	O'Connell	Vipond
Cessar	Hayes, S. E.	Parker, H. S.	Volpe
Crawford	Hepford	Perri	Wagner
Davis, R.	Hill	Piper	Weidner
Deverter	Hutchinson, W.	Pitts	Wells
Dininni	Jones	Polite	Westerberg
Dorr	Kahle	Rowe	Whittlesey
Dorsey	Katz	Ruane	Wilt, R. W.
Fawcett	Kelly, J. B.	Ryan	Wilt, W. W.
Fischer	Kennedy	Salvatore	Worriolow
Foor	Kester	Scheaffer	Wright
Foster, A.	Kistler	Schulze	Zearfoss
Foster, W.	Klingaman	Scirica	Zimmerman
Fox	Knepper	Seltzer	Zord
Frankenburg	Kusse	Semanoff	
Gallen	Lehr	Smith, C.	Lee, Speaker
Geesey	Lynch, Frank	Smith, E.	
Gekas	Maloney	Smith, L.	

NOT VOTING—8

Brandt	Kelly, A. P.	McGraw	Rieger
Checchio	McClatchy	Mullen, M. P.	Shelton

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

On the question recurring,

Will the House adopt the resolution as amended?

Mr. BUTERA requested and obtained unanimous consent to offer the following amendments, which were read:

Amend Rule 43, page 24, line 1 by striking out "twenty-eight" and inserting immediately thereafter: twenty-nine  
Amend Rule 43, page 24, line 7 by striking out "eighteen" and inserting: nineteen

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the majority leader.

Mr. BUTERA. Mr. Speaker, this amendment corrects an error which is presently in House resolution No. 4 regarding the number of members of the Appropriations Committee.

By error yesterday, we inserted an amendment as agreed to, which called for 19 majority members and 10 minority members, which has been the practice of the House during the past two years, I think. In doing that, we failed to change the total number of committee members from 28 to 29. This amendment would make that change. In other words, if this amendment goes in, the Appropriations Committee would consist of 29 members—19 majority members, 10 minority members—which is the same as the makeup of the committee during the past two years.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. BUTERA and FINEMAN and were as follows:

YEAS—184

Anderson, J. H.	Geesey	Malady	Seltzer
Arthurs	Geisler	Maloney	Semanoff
Barber	Gekas	Martino	Shane
Bellomini	Gelfand	McCue	Shelhamer
Bennett	Gillette	McCurdy	Shuman
Beren	Gleason	McGraw	Shupnik
Berson	Gleeson	McGinnis	Smith, C.
Bittle	Goodman	Mebus	Smith, L.
Bixler	Greenfield	Miller, M. E.	Spencer
Blackwell	Grieco	Miller, M. E., Jr.	Stahl
Bonetto	Gring	Morris	Sullivan
Brunner	Halverson	Mullen, M. P.	Taddonio
Burkardt	Hamilton, J. H.	Murtha	Tayoun
Burns	Hammock	Musto	Thomas
Butera	Harrier	Myers	Toll
Byerly	Hasay	Noye	Trusio
Caputo	Haskell	O'Brien	Turner
Cessar	Hayes, D. S.	O'Connell	Ustynoski
Comer	Hayes, S. E.	Pancoast	Valicenti
Crawford	Hepford	Parker, H. S.	Vann
Dager	Hill	Perri	Vipond
Davis, D. M.	Homer	Perry	Volpe
Davis, R.	Hopkins	Petrarca	Wagner
DeMedio	Hutchinson, A.	Mullen, M. P.	Walsh, J. T.
Deverter	Hutchinson, W.	Piper	Walsh, T. P.
Dicarlo	Irvis	Pitts	Wargo
Dininni	Itkin	Polite	Weidner
Dombrowski	Johnson, J.	Prendergast	Wells
Dorr	Jones	Rappaport	Westerberg
Dorsey	Kahle	Renninger	Whittlesey
Dreibelbis	Katz	Renwick	Wilson
Early	Kelly, J. B.	Rhodes	Wilt, R. W.
Englehart	Kennedy	Richardson	Wilt, W. W.
Fawcett	Kester	Romanelli	Wise
Fee	Kistler	Rowe	Wojdak
Fenrich	Klingaman	Ruane	Worrilow
Fineman	Knepper	Ruggiero	Wright
Fischer	Kolter	Ryan	Yahner
Foor	Kowalyszyn	Saloom	Yohn
Foster, A.	Kusse	Salvatore	Zearfoss
Foster, W.	LaMarca	Savitt	Zeller
Fox	Laudadio	Scanlon	Zimmerman
Frank	Lederer	Scheaffer	Zord
Frankenburg	Lehr	Schmitt	
Fryer	Lincoln	Schulze	Lee, Speaker
Gallagher	Lynch, Francis	Scirica	
Gallen	Lynch, Frank		

NAYS—6

Berkes	Letterman	Ritter	Stout
Eckensberger	Manderino		

NOT VOTING—11

Brandt	Kelly, A. P.	Novak	Smith, E.
Checchio	McClatchy	Rieger	Williams
Doyle	McMonagle	Shelton	

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

On the question recurring,  
Will the House adopt the resolution as amended?

Mr. DAGER requested and obtained unanimous consent to offer the following amendments, which were read:

Amend Rule 19 (a), page 11, line 17, by striking out all of said line and inserting: be reported from committee

Amend Rule 19 (a), page 11, line 18, by striking out "it has been referred to" and inserting: the committee chairman has requested a fiscal note from

Amend Rule 19 (a), page 11, line 19, by striking out "a" and inserting: the

Amend Rule 19 (a), page 11, line 19, by removing the period after "thereto" and inserting: which shall be provided by the Appropriations Committee and no bill so reported shall be given second consideration reading on the calendar until it has first been referred to the Appropriations Committee.

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

The SPEAKER. Is there any question with regard to these amendments being agreed to?

The Chair recognizes the majority whip.

Mr. RYAN. Mr. Speaker, I discussed this with Mr. Fineman, Mr. Irvis and Mr. Mullen.

The SPEAKER. The Chair recognizes the minority leader.

Mr. FINEMAN. We have no objection to the amendments, Mr. Speaker.

On the question recurring,  
Will the House agree to the amendments?  
Amendments were agreed to.

On the question recurring,  
Will the House adopt the resolution as amended?

Mr. SALOOM requested and obtained unanimous consent to offer the following amendments, which were read:

Amend RULE 38, page 21, by inserting between lines 10 and 11: Unless an earlier date is fixed by resolution, the House shall not consider any business except adjournment sine die after July 1.

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

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

Mr. SALOOM. Mr. Speaker, members of the House and Senate have already drawn a salary for two months. In less than a week, we expect to draw a salary for a third month, and we are still in the process now of adopting rules for the House. These rules may be or shall be suspended at the whim of a majority of the House members.

Today is Tuesday, January 23. We have a calendar with one House bill and one House resolution on it. We know there is much to be done, and I believe that we can best serve our constituents by getting down to the business of the state and getting it over with.

Furthermore, Mr. Speaker, I doubt that our expense accounts, that are going to be allotted, will last beyond July 1.

I ask for an affirmative vote on the amendment to the resolution.

The SPEAKER. The Chair recognizes the majority leader.

Mr. BUTERA. Mr. Speaker, I rise in opposition to the amendment for the obvious reason that this House will sine die when it has completed its business.

The SPEAKER. The Chair recognizes the minority leader.

Mr. FINEMAN. Mr. Speaker, I ask the membership of the House to vote against this amendment.

The amendment is obviously unconstitutional. This House cannot, in its rules, set a sine die adjournment because one House cannot adjourn for more than three days without the consent of the other House. So I would ask the membership to vote in the negative.

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

The yeas and nays were required by Messrs. SALOOM and BUTERA and were as follows:

YEAS—10

Fischer	Haskell	McCue	Tayoun
Gleeson	Hutchinson, A.	Saloom	Wilt, R. W.
Halverson	Manderino		

NAYS—179

Anderson, J. H.	Gallagher	Malady	Semanoff
Arthurs	Gallen	Maloney	Shane
Barber	Geesey	Martino	Shelhamer
Bellomini	Geisler	McCurdy	Shuman
Bennett	Gekas	McGinnis	Shupnik
Beren	Gelfand	McGraw	Smith, C.
Berkes	Gillette	McMonagle	Smith, E.
Berson	Gleason	Mebus	Smith, L.
Bittle	Goodman	Miller, M. E.	Spencer
Bixler	Greenfield	Miller, M. E., Jr.	Stahl
Blackwell	Grieco	Morris	Stout
Bonetto	Gring	Mullen, M. P.	Sullivan
Brunner	Hamilton, J. H.	Musto	Taddonio
Burkardt	Hammock	Myers	Thomas
Burns	Harrier	Novak	Toll
Butera	Hasay	Noye	Trusio
Byerly	Hayes, D. S.	O'Connell	Turner
Caputo	Hayes, S. E.	Pancoast	Ustynoski
Cessar	Hepford	Parker, H. S.	Valicenti
Comer	Hill	Perri	Vann
Crawford	Homer	Perry	Vipond
Dager	Hopkins	Petrarca	Volpe
Davis, D. M.	Hutchinson, W.	Pievsky	Wagner
Davis, R.	Irvis	Piper	Walsh, J. T.
DeMedio	Itkin	Pitts	Walsh, T. P.
Deverter	Johnson, J.	Polite	Wargo
Dicarlo	Jones	Prendergast	Weidner
Dininni	Kahle	Rappaport	Wells
Dombrowski	Katz	Renninger	Westerberg
Dorr	Kelly, J. B.	Renwick	Whittlesey
Dorsey	Kennedy	Rhodes	Wilson
Dreibelbis	Kester	Richardson	Wilt, W. W.
Early	Kistler	Ritter	Wise
Eckensberger	Klingaman	Romanelli	Wojdak
Englehart	Knepper	Rowe	Worriow
Fawcett	Kolter	Ruane	Wright
Fee	Kowalyszyn	Ruggiero	Yahner
Fenrich	Kusse	Ryan	Yohn
Fineman	LaMarca	Salvatore	Zearfoss
Foor	Laudadio	Savitt	Zeller
Foster, A.	Lehr	Scanlon	Zimmerman
Foster, W.	Letterman	Scheaffer	Zord
Fox	Lincoln	Schulze	
Frank	Lynch, Francis	Scirica	
Frankenburg	Lynch, Frank	Seltzer	
Fryer			

NOT VOTING—12

Brandt	Kelly, A. P.	Murtha	Schmitt
Checchio	Lederer	O'Brien	Shelton
Doyle	McClatchy	Rieger	Williams

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

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. O'Brien. For what purpose does the gentleman rise?

Mr. O'BRIEN. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. O'BRIEN. Mr. Speaker, my key is locked. I would like to be recorded as voting "no" on Mr. Saloom's amendment.

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

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the minority leader.

Mr. FINEMAN. Mr. Speaker, I understand that we are going to convene tomorrow at 11 a.m. I want to ask the members on this side of the aisle to report to the minority caucus room tomorrow morning promptly at 10 a.m. That should not be an unreasonable burden on the members to report at 10 a.m. I intend to be there at 10 a.m. and I intend to start the business to be transacted at 10 a.m. I would hope that all of the Demo-

cratic membership would likewise be there so we can report to this floor promptly, get rid of our business expeditiously and get out as early as possible.

Thank you, Mr. Speaker.

RECONSIDERATION MOTION WITHDRAWN

The SPEAKER. The Chair would recognize the gentleman also for the purpose of some action on a reconsideration motion.

Mr. FINEMAN. Thank you, Mr. Speaker. I yield to the gentleman, Mr. Irvis.

The SPEAKER. The Chair was referring, for the information of the minority leader, to the fact that the minority leader had proposed yesterday a reconsideration motion and would request if it is still the wish of the gentleman?

Mr. FINEMAN. Thank you, Mr. Speaker. In light of the fact that the amendment which I offered today was approved by the House, I am withdrawing the reconsideration motion on yesterday's amendment.

The SPEAKER. The Chair thanks the gentleman.

RESOLUTION ON DEATH OF PRESIDENT JOHNSON

The SPEAKER. The Chair recognizes the minority whip.

Mr. IRVIS. Mr. Speaker, I offer the following resolution and ask the privilege of the floor to read it?

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

Mr. IRVIS. (Reading:)

In the House of Representatives,

Lyndon Baines Johnson, thirty-sixth President of the United States, died January 22, 1973. He was sixty-four years old.

He was first sworn in as a member of Congress on May 14, 1937, after a special election. From that date, until his retirement from the Presidency on January 20, 1968, he served this Nation in an elective capacity with distinction and devotion.

In 1948 he was elected to the United States Senate and rose quickly to the position of Majority Leader. His understanding of the legislative process enabled him to become one of the finest Majority Leaders in the history of that august body.

As Vice-President in the administration of President John F. Kennedy, Lyndon Johnson was one of the most active and effective Vice-Presidents in our Nation's history.

Lyndon Johnson came to the Presidency as a result of the tragedy of the assassination of President John F. Kennedy. In 1964 his election in his own right was one of the greatest electoral triumphs.

Lyndon Johnson was a big man; with a big heart and big dreams. He identified the goals of his administration as the creation of a Great Society.

Toward the achievement of these goals, he sponsored and had enacted into law the most comprehensive measures to attack this Nation's social ills since the era of Franklin Roosevelt. Among these measures were: medical care for the aged under social security, the first comprehensive aid to education law, a voting rights bill, a broad housing program, immigration reform, programs for highway beautification, for combating heart disease and cancer, and water and air pollution measures and in 1964 the most sweeping Civil Rights Bill since Reconstruction Days.

The goals of the Great Society were a reaffirmation of this Nation's concern for the poor, the weak, the oppressed, and the human dignity of each of us.

The tragedy of Vietnam cast a shadow upon these accomplishments and goals, but cannot diminish them.

These accomplishments will stand as a lasting tribute to

the memory and worth of Lyndon Baines Johnson; therefore be it

**RESOLVED**, That the House of Representatives of the Commonwealth of Pennsylvania expresses its sorrow upon the death of the thirty-sixth President of the United States, Lyndon Baines Johnson, and offers its deepest sympathy to his family; and be it further

**RESOLVED**, That a copy of this resolution be sent to his widow, Lady Bird Johnson.

HERBERT FINEMAN  
K. LEROY IRVIS  
JAMES F. PRENDERGAST  
JAMES J. A. GALLAGHER  
HARRY A. ENGLEHART

The **SPEAKER**. The minority whip has laid before the House a sympathy resolution which the minority whip has read.

The question is on the resolution. Those in favor of the resolution will please rise and remain standing until the fall of the gavel. Would the guests of the House also please rise?

(House stood in silence.)

The **SPEAKER**. The resolution is unanimously adopted.

### CONSIDERATION OF HOUSE RESOLUTION No. 4 POSTPONED

The **SPEAKER**. The Chair hopefully assumes that there are no other amendments to House resolution No. 4 and no other action that any of the members wish to take upon the resolution today.

The Chair recognizes the majority leader for purposes of an announcement.

### REPUBLICAN CAUCUS

Mr. **BUTERA**. Mr. Speaker, there will be a Republican caucus tomorrow morning at 10:15 a.m., and I ask the members to be prompt so that we can begin the session at 11 o'clock. We have three things to discuss tomorrow: House bill No. 3, Compensation Commission Report, and the rules. Now, it has never worked before where we had a caucus before we were called into session, but I would hope that we can break with tradition tomorrow and that we can finish what little business we have in the caucus prior to 11 o'clock so that we can begin on the floor promptly.

The **SPEAKER**. Without objection, the Chair now postpones any further action upon House resolution No. 4 and the amendments thereto until the resolution is in print, which will be tomorrow.

The Chair hears no objection.

### CITATIONS

The following citations were read, considered and adopted:

#### CONGRATULATING ROBERT MILLER

##### HOUSE OF REPRESENTATIVES

**WHEREAS**, Robert Miller did an outstanding job as trainer for the West team in the First Annual Cumberland County All-Star Football Classic on August 5, 1972.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Robert Miller for promoting good sportsmanship and leadership for our youth and wishes him the best of success in his future endeavors; and further directs that a copy of this citation be de-

livered to Robert Miller, 202 West Green Street, Shiremanstown, Pennsylvania.

EUGENE R. GEESEY

#### CONGRATULATING PATRICK DUFFY

##### HOUSE OF REPRESENTATIVES

**WHEREAS**, Patrick Duffy will be the recipient of the Elks Citizen of the Year Award at a Dinner-Dance held in his honor on February 10, 1973. Mr. Duffy, who is a member of the Tarentum Police Force, was chosen to receive this award because of his outstanding bravery and dedicated service.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Patrick Duffy on being selected to receive the Elks Citizen of the Year Award and commends him for his outstanding bravery and dedicated service to the citizens of Tarentum; and further directs that a copy of this citation be delivered to Patrick Duffy, 103 West 7th Avenue, Tarentum, Pennsylvania.

HELEN D. GILLETTE

#### COMMENDING MR. MICHAEL VENEZIANO

##### HOUSE OF REPRESENTATIVES

**WHEREAS**, Michael Veneziano founded the Advance Auto Supply Company as a young World War II veteran and is now owner of one of the largest auto supply stores in the Delaware Valley. Mr. Veneziano is very active in numerous civic groups and fraternal organizations and is a recognized leader in the Kensington and Fishtown Business Community.

His success stems from taking advantage of the G.I. Bill and is positive proof of the benefits that accrue both to the individual and the community when veterans utilize the opportunities entitled to them.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, commends Mr. Michael Veneziano for the industrious manner in which he applied his time and talents in founding and expanding his business and for the credit such diligence reflects upon himself and the Commonwealth of Pennsylvania; and further directs that a copy of this citation be delivered to Mr. Michael Veneziano.

WILLIAM J. LEDERER

#### COMMENDING MR. RONALD HORSMAN

##### HOUSE OF REPRESENTATIVES

**WHEREAS**, Ronald Horsman is a leading businessman and educator in the City of Philadelphia. As the operator of a specialized training school, Mr. Horsman has provided educational guidance and job opportunities for hundreds of his fellow Philadelphians. He has given many returning veterans the chance to effectively utilize their abilities and prepare themselves for a lifetime job.

**WHEREAS**, Mr. Horsman supports many civic and charitable organizations in Philadelphia and gives freely of his time and talents.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, commends Mr. Ronald Horsman for his inspiring leadership and generosity which reflects great credit upon himself and the Commonwealth of Pennsylvania;

and further directs that a copy of this citation be delivered to Mr. Ronald Horsman, Philadelphia, Pennsylvania.

WILLIAM J. LEDERER

#### CONGRATULATING REV. AND MRS.

##### EARL H. TSCHUDY

##### HOUSE OF REPRESENTATIVES

**WHEREAS**, Reverend and Mrs. Earl H. Tschudy recently celebrated their fifty-fifth wedding anniversary on January 1, 1973. Their happy union has been blessed by one child, three grandchildren and one great-grandchild. These two people are highly respected by friends, neigh-

bors and acquaintances as representing the finest in American life.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Reverend and Mrs. Earl H. Tschudy on their fifty-fifth wedding anniversary and expresses its hope that they may long continue to enjoy their happy marriage; and further directs that a copy of this citation be delivered to Reverend and Mrs. Earl H. Tschudy, 940 But- tonwood Street, Emmaus, Pennsylvania.

JOSEPH ZELLER

COMMENDING ROBERT RUTH  
HOUSE OF REPRESENTATIVES

WHEREAS, Robert Ruth of Boy Scout Troop No. 110, Springfield, Pennsylvania has recently attained one of the highest ranks of scouting—Eagle Scout. The accomplish- ment of this goal takes a great deal of dedication and per- severance by the individual as evidenced by the fact that only about one per cent of all boys in scouting attain this privileged rank.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, heartily commends Robert Ruth for his outstanding achievement and expresses its hope that he continues to manifest such diligence and dedication in all future endeavors that he undertakes; and further directs that a copy of this citation be de- livered to Mr. Evard B. Cottrill, Scoutmaster, 17 Greenhill Road, Springfield, Pennsylvania.

DONALD M. McCURDY

CONGRATULATING COACH GEORGE HALFACRE  
HOUSE OF REPRESENTATIVES

WHEREAS, George "Fritz" Halfacre recently coached his Emmaus High School football team to the champion- ship of the Lehigh Valley Interscholastic Football League for the 1972-1973 season; and

WHEREAS, The East Penn School District and the Le- high Valley citizens are all very proud and appreciative of this fine record of excellence in the field of sports.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Coach George "Fritz" Halfacre for his superb leadership in man- aging his staff and team to the 1972-1973 Lehigh Valley Interscholastic Football League Championship; and further directs that a copy of this citation be de- livered to Coach George "Fritz" Halfacre, Emmaus High School, Emmaus, Pennsylvania.

JOSEPH ZELLER

CONGRATULATING THE EMMAUS HIGH SCHOOL  
FOOTBALL TEAM  
HOUSE OF REPRESENTATIVES

WHEREAS, The Emmaus High School football team of the East Penn School District won the Lehigh Valley In- terscholastic Football Championship for the 1972-73 season. The team was coached by George "Fritz" Halfacre.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates the Em- maus High School football team on winning the Lehigh Valley Interscholastic Football Championship for the 1972- 73 season; and further directs that a copy of this citation be de- livered to the Emmaus High School Football Team, Em- maus High School, Emmaus, Pennsylvania.

JOSEPH ZELLER

CONGRATULATING MR. AND MRS.  
EARL P. NICHOLAS  
HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Earl P. Nicholas recently cele- brated their fiftieth wedding anniversary. Their happy union has been blessed by three children and three grand-

children. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Earl P. Nicholas on their fiftieth wedding anniversary and expresses its hope that they may long continue to enjoy their happy mar- riage; and further directs that a copy of this citation be de- livered to Mr. and Mrs. Earl P. Nicholas, 1248 Main Street, Slatington, Pennsylvania.

JOSEPH ZELLER

CONGRATULATING WESTERN ELECTRIC COMPANY  
HOUSE OF REPRESENTATIVES

WHEREAS, Western Electric Company recently cele- brated the twenty-fifth anniversary of the transistor with a lunch for their forty-eight hundred employes at the Al- lentown Works. The transistor—the mainstay of Western Electric production at the Allentown plant—has been the catalyst that triggered the success in so many areas to bet- ter aid and service the health and safety of all the world's people.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, joins Western Electric Company in the celebration of the twenty-fifth anniver- sary of the invention of the transistor; and further directs that a copy of this citation be de- livered to Western Electric Company, Allentown Works, 555 Union Boulevard, Allentown, Pennsylvania.

JAMES P. RITTER  
JOSEPH ZELLER  
WILLIAM ECKENSBERGER  
SAMUEL W. FRANK

CONGRATULATING BENJAMIN F. MCKINNEY  
AND AIR EAST, INC.  
HOUSE OF REPRESENTATIVES

WHEREAS, Benjamin F. McKinney, President of Air East, Inc. has demonstrated leadership and foresight in initiating commuter flights from the Johnstown-Cambria County Airport. Air East, Inc., has operated more than twenty-one thousand flights, has flown in excess of eleven million passenger air miles and has handled more than one hundred forty-eight thousand passengers without accident or injury. Air East, Inc., under the leadership of Benja- min F. McKinney has made a significant contribution to the economy of the Greater Johnstown area.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Benjamin F. McKinney and Air East, Inc., for their immeasurable con- tribution to the people of the Commonwealth of Pennsyl- vania and extends its hope that they long continue to experience the success of their recent accomplishments; and further directs that a copy of this citation be de- livered to Benjamin F. McKinney, President, Air East, Inc., Johnstown Municipal Airport, Johnstown, Pennsylv- ania.

PATRICK A. GLEASON  
HARRY ENGLEHART  
JOHN P. MURTHA  
PAUL J. YAHNER

CONGRATULATING JULIUS KAPLAN  
HOUSE OF REPRESENTATIVES

WHEREAS, Julius Kaplan celebrated his one hundredth birthday on December 25, 1972. Mr. Kaplan's family marked the occasion by tendering a special Oneg Shabbat at the Rodef Sholom Synagogue. Although he was born in Europe, Mr. Kaplan has resided in the Johnstown area since 1906.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Julius Kap- lan on the occasion of his one hundredth birthday, com- mends him on his long, active life as a good citizen and wishes him good health and many more happy birthdays;



and further directs that a copy of this citation be delivered to Julius Kaplan, 779 Drexel Avenue, Johnstown, Pennsylvania.

PATRICK A. GLEASON

COMMENDING MICHAEL IVAN SURKALO  
HOUSE OF REPRESENTATIVES

WHEREAS, Michael Ivan Surkalo has served as sports editor of the Butler Eagle for the past twenty-five years and has made significant contributions to the sports enthusiasts of the Butler area over that period. Mike's sincere devotion to his profession and his ability in presenting the news has contributed to the development and success of many athletes from this area and his style of reporting has furnished much enjoyment to sports fans.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, commends Michael Ivan Surkalo for his long and distinguished career in journalism and wishes him the best of health and continued success for many years to come;  
and further directs that a copy of this citation be delivered to Michael Ivan Surkalo, 206 West Fulton Street, Butler, Pennsylvania.

JACK R. ARTHURS

COMMENDING URSINUS BASKETBALL TEAM  
MEMBERS AND COACHES  
HOUSE OF REPRESENTATIVES

WHEREAS, The Ursinus basketball team members and coaches rescued fourteen persons from a motel restaurant near Huntingdon, Pennsylvania, wrecked by an explosion on Saturday, January 13, 1973. This disaster claimed the life of one person and injured twelve others and were it not for the prompt heroic acts of these men, the consequences could have been more tragic.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, commends the unselfish, heroic acts of the members, coaches and staff of the Ursinus College basketball team for aiding their fellow man in a critical time of need. Those assisting in this gallant act of heroism were coaches Warren Fry, Robert Handwork, sports information director Thomas Polinski, trainer Norman Reichenbach, equipment manager James Moyer, team managers Bruce and Steve Penuel, and team members William Downey, Stephen Fritsch, Thomas Sturgeon, Richard Bosold, Farney Cattell, George Kinek, Jack Messenger, Randy Stubits, Michael Weston, Jack Albaugh, Stephen Fisher, Joseph Appello, Larry Braner, Mark Frazier, Barry Kratz, Robert Searles, and Greg Weigard;  
and further directs that a copy of this citation be delivered to Ursinus College, Colledgeville, Pennsylvania.

G. SIEBER PANCOAST  
SAMUEL E. HAYES

COMMENDING THE DIAMOND GLASS COMPANY  
HOUSE OF REPRESENTATIVES

WHEREAS, The Diamond Glass Company of Royersford, Pennsylvania, exerted its leadership in the glass industry and initiated a glass reclamation program in February, 1971. Ever since that date, with the exception of being closed in July and August of 1972, due to the flood, they have operated the program continuously and helped to conserve our natural resources. Even though Diamond Glass Company was completely shut down by the 1972 flood, in five short weeks, operations were back to normal and that is certainly a great testimony to both the company and all its employes.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, commends the Diamond Glass Company for both its glass reclamation program and the speed and perseverance they demonstrated in renewing their operation after the great flood of 1972;  
and further directs that a copy of this citation be delivered to Mr. John H. Foster and Mr. Frank B. Foster, Jr., Diamond Glass Company, Royersford, Pennsylvania.

G. SIEBER PANCOAST  
DANIEL E. BEREN

CHARLES F. MEBUS  
ROOSEVELT I. POLITE  
PATRICK J. MCGINNIS  
CHARLOTTE D. FAWCETT  
RICHARD A. McCLATCHY  
WILLIAM H. YOHN  
ANTHONY J. SCIRICA  
CHARLES H. DAGER  
ROBERT J. BUTERA

CONGRATULATING MRS. JENNIE SIMON NOTE  
HOUSE OF REPRESENTATIVES

WHEREAS, Mrs. Jennie Simon Note celebrated her one hundredth birthday on November 14, 1972. She has lived in the Commonwealth her entire life. She married Charles McCall Note in 1900 and had six children, four of whom are still living. She has fifteen grandchildren and twenty-three great-grandchildren.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Mrs. Jennie Simon Note on the occasion of her one hundredth birthday, commends her on her long, active life as a good citizen and wishes her good health and many more happy birthdays;  
and further directs that a copy of this citation be delivered to Mrs. Jennie Simon Note, 148 West Drexel Avenue, Lansdowne, Pennsylvania. 19050

JOSEPH TED DOYLE

CONGRATULATING MR. BUDD E. OTT  
HOUSE OF REPRESENTATIVES

WHEREAS, Mr. Budd E. Ott is one of the six Commonwealth farmers selected to receive the "Pennsylvania Farmer for 1972" award sponsored by Pennsylvania Farmer Magazine and the Cooperative Extension Service of Penn State.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Mr. Budd E. Ott on being selected to receive the "Pennsylvania Farmer for 1972" award;  
and further directs that a copy of this citation be delivered to Mr. Budd E. Ott, R. D. 2, Bangor, Pennsylvania.

PHILIP S. RUGGIERO  
RUSSELL KOWALYSHYN  
JAMES F. PRENDERGAST  
THOMAS J. MALONEY

CONGRATULATING REV. AND MRS.  
ROBERT M. TIGNOR  
HOUSE OF REPRESENTATIVES

WHEREAS, The Reverend and Mrs. Robert M. Tignor celebrated their conclusion of nearly thirty-five years of service to the congregation of the Yeadon Presbyterian Church on November 30, 1972. Reverend Tignor graduated from the College of Wooster in 1927 and Princeton Theological Seminary in 1930. He was minister of Elkins Park Presbyterian Church from 1930-1938 and joined the Yeadon congregation on March 18, 1938. He and Mrs. Tignor have been inspirational in their work in the congregation, but have been quite active in community services as well.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Reverend and Mrs. Robert M. Tignor on their distinguished careers in service to the Yeadon Presbyterian Church and wishes them good health and happiness in their retirement;  
and further directs that a copy of this citation be delivered to The Reverend and Mrs. Robert M. Tignor, 900 Longacre Boulevard, Yeadon, Pennsylvania. 19050

JOSEPH TED DOYLE

CONGRATULATING GEORGE FRIEDRICHS  
HOUSE OF REPRESENTATIVES

WHEREAS, George Friedrichs was elected International

President of the Lions Club for the year of 1973. Mr. Friedrichs, a French industrialist, conservationist and sports enthusiast, is a global man whose dreams of a better world involve the cooperative effort and wisdom of all people. His slogan for the year of 1973 is "Humanitarian Solidarity Through Lionism."

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates George Friedrichs on being elected 1973 International President of the Lions Club and wishes him a successful and rewarding year in this position and commends him for his dedication to international solidarity;

and further directs that a copy of this citation be delivered to George Friedrichs, Paris, France.

WILLIAM J. LEDERER

#### COMMENDING DOMINIC GRANDENETTI

##### HOUSE OF REPRESENTATIVES

WHEREAS, Dominic Grandenetti has been an outstanding leader of youth in Philadelphia for over three decades. He founded the first Police Athletic League Club in Philadelphia and also organized and serves as the Director of the John Henelly Boys' Club which teaches young men the meaning of good sportsmanship through boxing and other athletic programs. Mr. Grandenetti gives freely of his time and talents in helping youth develop their own abilities in athletic contests and inspiring them with a deep and abiding love of Country.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, commends Dominic Grandenetti for his inspiring leadership in guiding youth during their formative years and counseling them as they pursue their careers when they grow older; and further directs that a copy of this citation be delivered to Dominic Grandenetti, Philadelphia, Pennsylvania.

WILLIAM J. LEDERER

#### COMMENDING THE KOLPING SOCIETY OF THE UNITED STATES

##### HOUSE OF REPRESENTATIVES

WHEREAS, The Kolping Society was founded by Father Adolph Kolping in the 1840's. This society was organized in Germany for Catholic workmen and inspired its members with the spirit of Christian charity and brotherhood for all men. Social changes were to be brought about not by violent revolution but by peaceful reform.

WHEREAS, Through the years, the Kolping Society expanded to the United States and aided many German immigrants religiously, morally and economically. The Kolping Society of the United States emphasizes a strong family life and helps its members develop their talents in the technical and vocational trades.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, commends the Kolping Society of the United States for its purpose of developing a strong family structure among its members and for preserving untarnished the social, economic and religious principles of Catholic working people; and further directs that a copy of this citation be delivered to The Kolping Society of the United States, Philadelphia, Pennsylvania.

WILLIAM J. LEDERER

#### COMMENDING MR. AND MRS. ANTHONY CARCHIDI

##### HOUSE OF REPRESENTATIVES

WHEREAS, The Penn Treaty Food Market, under the ownership of Mr. and Mrs. Anthony Carchidi, has taken an active role in community affairs. Mr. and Mrs. Carchidi have instituted programs to provide part-time jobs for school children in the area and have taken an active role in an attempt to afford senior citizens quality products at the lowest possible price.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, commends Mr. and Mrs. Anthony Carchidi for their many years of service in the Fishtown area;

and further directs that a copy of this citation be delivered to Mr. and Mrs. Anthony Carchidi, Penn Treaty Food Market, Frankford and Girard Avenue, Philadelphia, Pennsylvania.

WILLIAM J. LEDERER

#### COMMENDING MR. THOMAS A. CAMPBELL

##### HOUSE OF REPRESENTATIVES

WHEREAS, Mr. Thomas A. Campbell owns and operates the Campbell Coffee and Tea Company in Philadelphia which was founded by his family nearly one hundred years ago. Mr. Campbell is a wholesale distributor who serves numerous institutions in the Delaware Valley. He has supported many charitable and religious organizations to which he gives freely of his time and talents.

Mr. Campbell is especially active in St. Michael's Parish in Philadelphia which he so generously supports. He also takes part in local politics and is a leader in the Kensington Business Community.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, commends Mr. Thomas A. Campbell for the industrious manner in which he conducts his business, his deep and abiding religious faith and his profound patriotism which reflects great credit upon himself and the Commonwealth of Pennsylvania; and further directs that a copy of this citation be delivered to Mr. Thomas A. Campbell, Philadelphia, Pennsylvania.

WILLIAM J. LEDERER

#### COMMENDING MR. FRANK TALENT

##### HOUSE OF REPRESENTATIVES

WHEREAS, Mr. Frank Talent, an officer of Philadelphia Municipal Court, is an outstanding humanitarian who has dedicated himself to helping underprivileged youth of all races and creeds. Mr. Talent has performed as "BATMAN" for numerous charitable organizations and hospitals in the Philadelphia area. He has appeared on many national telethons to raise money for charitable causes and was responsible for bringing JOE FRAZIER to a mock trial so his fellow Philadelphians could understand the workings of the court system. During the June flood, Mr. Talent assisted in the collection of clothing and food for its victims.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, commends Mr. Frank Talent for his outstanding service as a public official and for his dedication in helping the youth of Philadelphia; and further directs that a copy of this citation be delivered to Mr. Frank Talent, Philadelphia, Pennsylvania.

WILLIAM J. LEDERER

#### COMMENDING DR. HENRY S. BRENNAN

##### HOUSE OF REPRESENTATIVES

WHEREAS, Dr. Henry S. Brennan, an outstanding periodontist in Philadelphia, is a man who is totally dedicated to the healing arts. The numerous publications attributed to him attest to his deep concern for human suffering, as well as does his service in the United States Navy during World War II.

Dr. Brennan is presently serving as Professor in the Department of Physiology at Jefferson Medical College and is contributing to the education of doctors and technicians who will carry, throughout their careers, the knowledge and understanding of pain and its prevention and treatment.

Dr. Brennan has devoted years of his life and has dedicated much of his energy to research in the fields of bio-medical and physio-dental engineering and his work in the area of preventive medicine through his numerous inventions is contributing to the education of the future doctors of the world, as well as being implemented into today's modern medical methods.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, commends Dr. Henry S. Brennan for his significant contributions to the medical profession;

and further directs that a copy of this citation be delivered to Dr. Henry S. Brenman, Jefferson Medical College, Philadelphia, Pennsylvania.

WILLIAM J. LEDERER

CONGRATULATING EDWIN F. VAN BILLIARD  
HOUSE OF REPRESENTATIVES

WHEREAS, Edwin F. Van Billiard retired in August, 1971 as Associate National Director of the Boys' Clubs of America. Mr. Van Billiard began his career with the Boys' Clubs in Bethlehem in 1930. From Bethlehem he went to Boston, Massachusetts, from 1943 until 1946, at which time he was invited to join the national staff. During his many trips across the Nation on behalf of the Boys' Clubs, Mr. Van Billiard received many honors, including the "Kentucky Colonel," "Arkansas Traveler," "Texas Admiral," the "Paul Revere Patriot" of Massachusetts and the Boys' Club Fraternity "Award of Honor." Upon retiring, the Van Billiards returned to Bethlehem.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Edwin F. Van Billiard on his long and distinguished career on the national staff of the Boys' Clubs of America and wishes him good health and much happiness in his retirement; and further directs that a copy of this citation be delivered to Edwin F. Van Billiard, 32 West Market Street, Bethlehem, Pennsylvania.

THOMAS J. MALONEY

EXTENDING SYMPATHY TO THE WIFE OF  
BARTLOMIEJ GAWEL

HOUSE OF REPRESENTATIVES

WHEREAS, Bartlomiej Gawel recently passed away. Mr. Gawel was quite active in numerous Polish-American organizations since arriving in the United States in 1952. He was Commander of Post 12, Polish Army Veterans, Secretary of the United Groups of the Polish Army Veterans of the Polish National Alliance and the District Commander of Saint Adalbert's Parish.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, notes with sadness the passing of Bartlomiej Gawel and extends its heartfelt sympathy to his wife Tekla; and further directs that a copy of this citation be delivered to Tekla Gawel, 3134 Livingston Street, Philadelphia, Pennsylvania.

WILLIAM J. LEDERER  
FORTUNATO N. PERRI

COMMENDING BERNARD MELTZER  
HOUSE OF REPRESENTATIVES

WHEREAS, Bernard Meltzer has for several years conducted a Sunday morning public service program on Radio Station WCAU. On this program, he devotes his time and talents as a former builder, civil engineer and Chairman of the City Planning Commission to solving numerous problems and giving advice and counsel regarding real estate and related questions. His deep sense of dedication to helping human beings is surpassed only by his professional competence and humility.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, commends Bernard Meltzer for his devotion to those in need of help and for his profound understanding of human nature. His professional brilliance and dedication to helping others reflects great credit upon himself and the Commonwealth of Pennsylvania; and further directs that a copy of this citation be delivered to Bernard Meltzer, Philadelphia, Pennsylvania.

WILLIAM J. LEDERER

COMMENDING THE BILLY PENN CORPORATION  
HOUSE OF REPRESENTATIVES

WHEREAS, The Billy Penn Corporation is one of America's largest manufacturers of sporting and other

building products. At present, under the dynamic leadership of Mr. Alexander Silberman, Chairman of the Board, and President Philip Pollack, this fine company is launching a one million dollar expansion program.

This will not only increase the number of workers employed, but will also benefit the entire city by enriching its tax coffers and improving the physical appearance of the neighborhood. Since the management of the company has been the same since 1933, it has constantly shown its interest and love for Philadelphia.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, commends the Billy Penn Corporation, its management and employes for their sincere dedication in improving the economic growth of Philadelphia;

and further directs that a copy of this citation be delivered to The Billy Penn Corporation.

WILLIAM J. LEDERER

COMMENDING ROBERTO CLEMENTE  
HOUSE OF REPRESENTATIVES

WHEREAS, Mr. Roberto Clemente has been a star outfielder for the Pittsburgh Pirates for the past eighteen years. Bob Clemente was born in Puerto Rico thirty-eight years ago and, as a professional baseball player, has devoted his time to helping underprivileged youth and other charitable endeavors.

Mr. Clemente lost his life on December 31, 1972 in an airplane crash while on a flight taking supplies to the people of Nicaragua who had suffered so much as the result of an earthquake in the capital city.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, posthumously commends Roberto Clemente for his professional competence and his untiring efforts to help the poor and downtrodden. His public and private life reflected great credit upon himself, the Commonwealth of Puerto Rico and his adopted State of Pennsylvania; and further directs that a copy of this citation be delivered to The Pittsburgh Pirates, Pittsburgh, Pennsylvania.

WILLIAM J. LEDERER

EXTENDING SYMPATHY TO THE FAMILY OF  
AMBASSADOR CANDELA OF ASHTABULA

HOUSE OF REPRESENTATIVES

WHEREAS, Ambassador Candela of Ashtabula, Ohio, recently passed away. He was a longtime civic leader and champion of humanitarian causes.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, notes with sadness the passing of this fine gentleman and extends its sympathy to his family and his son, Jerry Candela; and further directs that a copy of this citation be delivered to Jerry Candela.

DAVID S. HAYES

CONGRATULATING MAL PAUL  
HOUSE OF REPRESENTATIVES

WHEREAS, Mal Paul was recently named to the Pennsylvania Hall of Fame for Wrestling Coaches. He will receive the award on March 17, 1973 in ceremonies during the Pennsylvania Interscholastic Athletic Association's State Wrestling Championship Tournament. Mr. Paul, who now serves as principal of Shamokin Area High School had an unparalleled career spanning nineteen seasons. His teams won one hundred ninety-six matches, lost only thirty-six and tied two. Himself a wrestler, Mal brought Shamokin its first championship when he won the 165-pound title in the Eastern Lehigh Interscholastic Wrestling Tourney. He went on to win a 175-pound title in the Middle Atlantic States Championship while at Muhlenberg College.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Mal Paul on being named to the Pennsylvania Hall of Fame for Wrestling Coaches and commends him for his years of work with the youth of our Commonwealth;

and further directs that a copy of this citation be delivered to Mal Paul, Shamokin, Pennsylvania.

PAUL G. RUANE

COMMENDING RALPH CAMACHO  
HOUSE OF REPRESENTATIVES

WHEREAS, Ralph Camacho enlisted in the United States Marine Corps when he was thirteen years of age by not disclosing his true age. He successfully completed boot camp and was transferred to California prior to processing for overseas. It was at this point that the United States Marine Corps became aware of his youth and he was honorably separated from active duty.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, commends Ralph Camacho for his deep sense of patriotism and devotion to our American way of life. This reflects great credit upon himself and the Commonwealth of Pennsylvania. and further directs that a copy of this citation be delivered to Mr. Ralph Camacho.

WILLIAM J. LEDERER

CONGRATULATING MR. AND MRS.  
RAYBURN D. MITCHELL  
HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Rayburn D. Mitchell recently celebrated their fiftieth wedding anniversary on January 1, 1973. Their happy union has been blessed by four children, thirteen grandchildren and four great-grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Rayburn D. Mitchell on their fiftieth wedding anniversary and expresses its hope that they may long continue to enjoy their happy marriage;

and further directs that a copy of this citation be delivered to Mr. and Mrs. Rayburn D. Mitchell, Bull Creek Road, R. D. 2, Tarentum, Pennsylvania 15084.

HELEN D. GILLETTE

CONGRATULATING MR. AND MRS. CARL STEWART  
HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Carl Stewart recently celebrated their twenty-fifth wedding anniversary on December 27, 1972. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Carl Stewart on their twenty-fifth wedding anniversary and expresses its hope that they may long continue to enjoy their happy marriage;

and further directs that a copy of this citation be delivered to Mr. and Mrs. Carl Stewart, R. D. 5, Mount Pleasant, Pennsylvania.

EUGENE G. SALOOM

CONGRATULATING MR. AND MRS.  
CHARLES SMETAK, SR.  
HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Charles Smetak, Sr. recently

celebrated their fiftieth wedding anniversary on January 20, 1973. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Charles Smetak, Sr. on their fiftieth wedding anniversary and expresses its hope that they may long continue to enjoy their happy marriage;

and further directs that a copy of this citation be delivered to Mr. and Mrs. Charles Smetak, Sr., 131 Quarry Street, Mount Pleasant, Pennsylvania, 15666.

EUGENE G. SALOOM

SENATE MESSAGE

SENATE RESOLUTION FOR CONCURRENCE

TIME OF NEXT MEETING

The clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read:

In the Senate,  
January 23, 1973

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, January 29, 1973 at a time to be fixed by the Senate, and when the House of Representatives adjourns this week it reconvene on Monday, January 29, 1973 at a time to be fixed by the House of Representatives.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate? Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

BILL PASSED OVER

The SPEAKER. Without objection, House bill No. 3, printer's No. 8, will be passed over. The Chair hears no objection.

COMMITTEE MEETING

GAME AND FISHERIES, Mr. Gallen, chairman, Room 401, Wednesday, January 24, 1973, at 10 a.m., e.s.t.

ADJOURNMENT

Mr. A. C. FOSTER moved that this House do now adjourn until Wednesday, January 24, 1973, at 11 a.m., e.s.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and (at 5:33 p.m., e.s.t.) the House adjourned.