

# Legislative Journal

MONDAY, APRIL 29, 1974

Session of 1974

153th of the General Assembly

Vol. 1, No. 135

## HOUSE OF REPRESENTATIVES

The House convened at 3 p.m., e.d.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:

Let us pray:

Our God and our Father, we have the honor to be the members of this great House of Representatives of the Commonwealth of Pennsylvania. The Senate of these United States has called our Nation to fast and to pray, to pray for ourselves and for others.

We come to Thee this afternoon helpless, be Thou our strength; sinful, be Thou our surety; dull in heart and conscience, do Thou quicken and bless. Grant us pardon. Our sins are many and our sinfulness deeper still.

Lord, we have desired wrong and done wrong; but more fearful than anything that has found expression in word and deed is our capacity for evil. Forgive us, our God. Change us in nature. Down to the depths of our being may Thy spirit penetrate, making us wholly new.

Replenish by the showers of Thy grace the sources of moral strength. Purify us in thought and feeling. Set us free from every evil habit and custom and in the liberty which is Thy choice for men, let us walk in Thee.

Grant us power with Thee in prayer as we plead for men, and power with men as we plead for Thee. Lead us into a fuller realization of what Thou hast done and are doing in us, and so prepare us to testify to the marvels of Thy grace. Hasten, Lord Jesus, the coming of the reign of love, and to Thee Who alone art worthy, shall all the glory be given, now and forever. Amen.

### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Tuesday, April 23, 1974, will be postponed until printed.

### HOUSE BILLS INTRODUCED AND REFERRED

By Messrs. VACCA, COMER, SALVATORE, KATZ, PERRI, VOLPE, M. E. MILLER, JR., PETRARCA, NOVAK, GEISLER, McMONAGLE and SCHMITT  
**HOUSE BILL No. 2204**

An Act amending "The Pennsylvania Workmen's Compensation Law," approved June 2, 1915 (P. L. 736, No. 338), further providing for changes in the amounts of compensation.

Referred to Committee on Labor Relations.

By Mr. DOMBROWSKI **HOUSE BILL No. 2205**

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053, No. 286), requiring electric and gas companies to obtain a court order before electricity or gas service to residences is unilaterally discontinued by the company.

Referred to Committee on Consumer Protection.

By Messrs. PETRARCA, A. K. HUTCHINSON, VACCA, KATZ, PERRI, SCHMITT and WARGO

**HOUSE BILL No. 2206**

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), providing for costs of food sold to student teachers.

Referred to Committee on Education.

By Messrs. FISCHER, BUTERA, LEE, STOUT and DeMEDIO **HOUSE BILL No. 2207**

An Act making an appropriation to Washington County for defraying of expenses of conducting the Yablonski trial.

Referred to Committee on Appropriations.

By Messrs. WILSON, PANCOAST, WISE and GALLAGHER **HOUSE BILL No. 2208**

An Act amending the act of January 25, 1966 (P. L. 1546, No. 541), entitled "An act providing scholarships and providing funds to secure Federal funds for qualified students of the Commonwealth\*\*\*" further defining "financial need" and further providing for maximum annual grants.

Referred to Committee on Education.

By Messrs. MARTINO, GEISLER, CAPUTO, SCANLON, SHUPNIK, WARGO and ROMANELLI

**HOUSE BILL No. 2209**

An Act prohibiting the increasing of certain prices and providing penalties.

Referred to Committee on Business and Commerce.

By Messrs. RENWICK and WESTERBERG **HOUSE BILL No. 2210**

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58, No. 32), increasing the amount of money or securities as proof of financial responsibility.

Referred to Committee on Transportation.

By Messrs. BONETTO, RYAN, KISTLER and COMER **HOUSE BILL No. 2211**

An Act providing for the payment of interest on any withheld progress, withheld retainage or withheld final invoice due on a contract entered into with the Commonwealth of Pennsylvania, its political subdivisions or their instrumentalities, agencies or authorities by any archi-

tectural, engineering, landscape architectural or surveying firm.

Referred to Committee on Ways and Means.

By Messrs. DICARLO, DOMBROWSKI, BELLOMINI, D. S. HAYES and HOPKINS **HOUSE BILL No. 2212**

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), providing certain changes for stadium or arena permits.

Referred to Committee on Liquor Control.

By Messrs. PETRARCA, CESSAR, A. K. HUTCHINSON, VACCA, HAMILTON, KATZ, PERRI, SEMANOFF, WAGNER, HASAY, MCGINNIS and Mrs. FAWCETT **HOUSE BILL No. 2213**

An Act amending the "Beauty Culture Law," approved May 3, 1933 (P. L. 242, No. 86), further providing for temporary renewal licenses for shop owners.

Referred to Committee on Professional Licensure.

By Messrs. W. W. WILT, BITTLE, S. E. HAYES, O'BRIEN, ANDERSON, ENGLEHART and YAHNER **HOUSE BILL No. 2214**

An Act to encourage the use of solar energy systems for heating and cooling and excluding the material and installation costs thereof from sales and use taxes and excluding the value added by such tangible property from ad valorem property tax.

Referred to Committee on Ways and Means.

By Messrs. KISTLER, BEREN, COMER, GLEASON, HASKELL, S. E. HAYES, DORR, E. H. SMITH, LYNCH, VIPOND, TURNER, WRIGHT, HOMER, Mrs. FAWCETT, Messrs. M. E. MILLER, WAGNER, GEISLER, CESSAR and BONETTO **HOUSE BILL No. 2215**

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), requiring business entities to report certain contributions to the Secretary of the Commonwealth, and imposing duties on the Secretary of the Commonwealth.

Referred to Committee on State Government.

By Messrs. KISTLER, BEREN, COMER, GLEASON, HASKELL, S. E. HAYES, DORR, E. H. SMITH, LYNCH, VIPOND, TURNER, M. E. MILLER, BONETTO, HOMER, WAGNER, ZEARFOSS, WRIGHT, Mrs. FAWCETT, Messrs. CESSAR and GEISLER **HOUSE BILL No. 2216**

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for the continuous reporting of any campaign debt until the same is extinguished.

Referred to Committee on State Government.

By Messrs. KISTLER, BEREN, COMER, GLEASON, HASKELL, S. E. HAYES, DORR, E. H. SMITH, LYNCH, VIPOND, TURNER, M. E. MILLER, BONETTO, HOMER, WAGNER, ZEARFOSS, WRIGHT, Mrs. FAWCETT, Messrs. CESSAR and GEISLER **HOUSE BILL No. 2217**

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for the reporting of ticket purchases for campaign activities under certain conditions.

Referred to Committee on State Government.

By Messrs. KISTLER, BEREN, COMER, GLEASON, HASKELL, S. E. HAYES, M. E. MILLER, DORR, E. H. SMITH, LYNCH, VIPOND, TURNER, BONETTO, WRIGHT, Mrs. FAWCETT, Messrs. CESSAR, WAGNER, GEISLER and HOMER **HOUSE BILL No. 2218**

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for certain addresses to be provided.

Referred to Committee on State Government.

By Messrs. KISTLER, BEREN, COMER, GLEASON, HASKELL, S. E. HAYES, M. E. MILLER, DORR, E. H. SMITH, LYNCH, VIPOND, TURNER, BONETTO, WRIGHT, Mrs. FAWCETT, Messrs. CESSAR, WAGNER, GEISLER and HOMER **HOUSE BILL No. 2219**

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for a single campaign treasurer.

Referred to Committee on State Government.

By Messrs. KISTLER, BEREN, COMER, GLEASON, HASKELL, S. E. HAYES, DORR, E. H. SMITH, LYNCH, VIPOND, TURNER, M. E. MILLER, WRIGHT, Mrs. FAWCETT, Messrs. CESSAR, WAGNER, GEISLER, HOMER and BONETTO **HOUSE BILL No. 2220**

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for contributions to be by check or money order.

Referred to Committee on State Government.

By Messrs. KISTLER, BEREN, COMER, GLEASON, HASKELL, S. E. HAYES, M. E. MILLER, DORR, E. H. SMITH, LYNCH, VIPOND, TURNER, WRIGHT, Mrs. FAWCETT, Messrs. CESSAR, WAGNER, GEISLER, HOMER and BONETTO **HOUSE BILL No. 2221**

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for the regulation of certain political contributions entering the Commonwealth.

Referred to Committee on State Government.

By Messrs. KISTLER, BEREN, COMER, GLEASON, HASKELL, S. E. HAYES, M. E. MILLER, DORR, E. H. SMITH, LYNCH, VIPOND, TURNER, WRIGHT, Mrs. FAWCETT, Messrs. CESSAR, WAGNER, GEISLER, HOMER and BONETTO **HOUSE BILL No. 2222**

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for changes in the filing dates for contributions and disbursements.

Referred to Committee on State Government.

By Messrs. KISTLER, BEREN, COMER, HASKELL, S. E. HAYES, M. E. MILLER, DORR, E. H. SMITH, LYNCH, VIPOND, TURNER, WRIGHT, Mrs. FAWCETT, Messrs. CESSAR, WAGNER, GEISLER, HOMER and BONETTO **HOUSE BILL No. 2223**

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing

for the registration of political committees and certain penalties.

Referred to Committee on State Government.

By Messrs. KISTLER, BEREN, COMER, GLEASON, HASKELL, S. E. HAYES, M. E. MILLER, DORR, E. H. SMITH, LYNCH, VIPOND, TURNER, WRIGHT, Mrs. FAWCETT, Messrs. CESSAR, WAGNER, GEISLER, HOMER and BONETTO

**HOUSE BILL No. 2224**

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for the reporting of all expenses and contributions.

Referred to Committee on State Government.

By Messrs. KISTLER, BEREN, COMER, GLEASON, HASKELL, S. E. HAYES, DORR, E. H. SMITH, LYNCH, VIPOND, TURNER, M. E. MILLER, WRIGHT, Mrs. FAWCETT, Messrs. CESSAR, WAGNER, GEISLER, HOMER, GLEESON and BONETTO

**HOUSE BILL No. 2225**

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for copies to be available to the public at a minimum cost.

Referred to Committee on State Government.

By Messrs. KISTLER, BEREN, COMER, GLEASON, HASKELL, S. E. HAYES, DORR, E. H. SMITH, LYNCH, VIPOND, TURNER, M. E. MILLER, WRIGHT, Mrs. FAWCETT, Messrs. CESSAR, WAGNER, GEISLER, HOMER and BONETTO

**HOUSE BILL No. 2226**

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for the retention of records, receipts and vouchers.

Referred to Committee on State Government.

By Messrs. KISTLER, BEREN, COMER, GLEASON, HASKELL, M. E. MILLER, DORR, E. H. SMITH, LYNCH, VIPOND, TURNER, WRIGHT, Mrs. FAWCETT, Messrs. CESSAR, WAGNER, GEISLER, HOMER and BONETTO

**HOUSE BILL No. 2227**

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for a random audit of filed expense accounts on an office basis, and imposing duties on the Commonwealth Court.

Referred to Committee on State Government.

By Messrs. KISTLER, BEREN, COMER, GLEASON, HASKELL, S. E. HAYES, DORR, E. H. SMITH, LYNCH, VIPOND, TURNER, M. E. MILLER, WRIGHT, Mrs. FAWCETT, Messrs. CESSAR, WAGNER, GEISLER, HOMER and BONETTO

**HOUSE BILL No. 2228**

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for a civil cause of action for certain violations of the election code, imposing a statute of limitations, conferring certain jurisdiction and providing for damages.

Referred to Committee on State Government.

By Messrs. KISTLER, BEREN, COMER, GLEASON, HASKELL, S. E. HAYES, DORR, E. H. SMITH,

LYNCH, VIPOND, TURNER, M. E. MILLER, WRIGHT, Mrs. FAWCETT, Messrs. CESSAR, WAGNER, GEISLER, HOMER, GLEESON and BONETTO

**HOUSE BILL No. 2229**

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for certain changes in receiving or giving any political contribution.

Referred to Committee on State Government.

By Messrs. KISTLER, BEREN, COMER, GLEASON, HASKELL, S. E. HAYES, DORR, E. H. SMITH, LYNCH, VIPOND, TURNER, M. E. MILLER, WRIGHT, Mrs. FAWCETT, Messrs. CESSAR, WAGNER, GEISLER, HOMER, GLEESON and BONETTO

**HOUSE BILL No. 2230**

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for reasonable expenses to auditors, and making certain revisions.

Referred to Committee on State Government.

By Messrs. KISTLER, BEREN, COMER, GLEASON, HASKELL, S. E. HAYES, DORR, E. H. SMITH, LYNCH, VIPOND, TURNER, M. E. MILLER, WRIGHT, Mrs. FAWCETT, Messrs. CESSAR, WAGNER, GEISLER, HOMER, GLEESON and BONETTO

**HOUSE BILL No. 2231**

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for a sworn affidavit of compliance.

Referred to Committee on State Government.

By Messrs. KISTLER, BEREN, COMER, HASKELL, S. E. HAYES, DORR, E. H. SMITH, LYNCH, VIPOND, TURNER, M. E. MILLER, BONETTO, WRIGHT, Mrs. FAWCETT, Messrs. CESSAR, WAGNER, GEISLER, HOMER and GLEESON

**HOUSE BILL No. 2232**

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for the General Assembly to furnish copies of election code changes to the Secretary of the Commonwealth for distribution and imposing additional duties on the Secretary of the Commonwealth.

Referred to Committee on State Government.

By Messrs. ZEARFOSS, KESTER, PIEVSKY, HARRIER, ANDERSON, A. K. HUTCHINSON and BRUNNER

**HOUSE BILL No. 2233**

An Act amending the "Senior Citizens Property Tax Assistance Act," approved March 11, 1971 (P. L. 104, No. 3), excluding widows and widowers from the act and including unmarried heads of households.

Referred to Committee on Ways and Means.

By Messrs. M. E. MILLER, JR., GRING, KAHLE, HASKELL, FRYER and R. W. WILT

**HOUSE BILL No. 2234**

An Act amending the act of April 6, 1930 (P. L. 272, No. 157), entitled, "An act for the levy and collection of taxes upon proceedings in courts, and in the offices of register and recorder, and for other purposes," exempting certain complaints in divorce from the tax.

Referred to Committee on Local Government.

By Messrs. BUTERA, FINEMAN, WESTERBERG and BONETTO  
**HOUSE BILL No. 2235**

An Act amending the "Metropolitan Transportation Authorities Act of 1963," approved August 14, 1963 (P. L. 984, No. 450), authorizing the board of a transportation authority created pursuant to the act to negotiate a change order or amendment to any contract for the purchase of railway or transit vehicles involving total expenditures of over twenty-five million dollars which was let by bids to increase the number of railway or transit vehicles to be purchased, subject to certain conditions.

Referred to Committee on Transportation.

By Messrs. A. K. HUTCHINSON, KESTER, ZELLER, LAUDADIO, PETRARCA, SHUPNIK, WARGO, ZWIKL, SHANE, KOLTER, SALOOM, ECKENSBERGER, STAHL, MALADY, SCHMITT, DeMEDIO, MANDERINO, WOJDAK, VALICENTI, WESTERBERG, EARLY, LAUGHLIN, W. W. FOSTER, LINCOLN, KNEPPER, McMONAGLE, FEE, RENWICK, ENGLEHART, ROMANELLI, MUSTO, D. M. DAVIS, NOVAK, DOYLE, STOUT, YAHNER, BRUNNER, ARTHURS, GOODMAN, R. O. DAVIS, W. D. HUTCHINSON and BURNS  
**HOUSE BILL No. 2236**

An Act providing for grants or loans to volunteer fire companies for the purpose of establishing or modernizing facilities that house fire fighting equipment or purchasing new fire fighting apparatus equipment and training; establishing a revolving fund for such purpose; providing for the administration of the act by the Department of Community Affairs; and making an appropriation.

Referred to Committee on State Government.

By Messrs. WOJDAK, ZEARFOSS, SALVATORE, HALVERSON, GLEESON, DREIBELBIS, CAPUTO, GEISLER, PIEVSKY, BIXLER, HAMMOCK, KATZ, PERRI, RICHARDSON and BERSON  
**HOUSE BILL No. 2237**

An Act relating to the compensation system for persons injured in motor vehicle accidents; requiring insurance for all motor vehicles operated or required to be registered in the Commonwealth of Pennsylvania; defining the elements of compensable damage and modifying the collateral source rule in motor vehicle accident cases;  
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Referred to Committee on Consumer Protection.

By Messrs. RICHARDSON, BLACKWELL, WILLIAMS, DiCARLO, HAMMOCK, BARBER, OLIVER, SHELTON, RAPPAPORT, Mrs. TOLL, Messrs. RITTER, LAUGHLIN, RHODES, DOMBROWSKI, SHANE and WOJDAK  
**HOUSE BILL No. 2238**

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

Referred to Committee on Education.

By Mr. BUTERA  
**HOUSE BILL No. 2239**

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), further providing for election expenses and penalties in connection therewith.

Referred to Committee on State Government.

## SENATE MESSAGE

### BILLS FOR CONCURRENCE

The clerk of the Senate, being introduced, presented for concurrence bills numbered and entitled as follows:

#### SENATE BILL No. 655

An Act amending the act of March 31, 1937 (P. L. 160, No. 43), entitled "An act creating a commission to be known as the Pennsylvania Public Utility Commission; . . ." clarifying certain language relating to qualification of members of the commission.

Referred to Committee on Consumer Protection.

#### SENATE BILL No. 1234

An Act amending the act of May 11, 1949 (P. L. 1210), entitled "An act relating to group life insurance; . . ." further providing for the payment of premiums from funds contributed by insured persons.

Referred to Committee on Consumer Protection.

#### SENATE BILL No. 1410

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," changing the confirmation requirements for certain gubernatorial appointments.

Referred to Committee on Rules.

#### SENATE BILL No. 1431

An Act amending the act of July 20, 1917 (P. L. 1158, No. 401), entitled "An act to fix, regulate and establish the fees to be charged and received by constables in this Commonwealth," further providing for mileage of constables.

Referred to Committee on Judiciary.

### HOUSE RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. PARKER, TADDONIO, KELLY, CESSAR, ZORD and GEISLER  
**RESOLUTION No. 195**

Rule 14 of the House of Representatives be amended.

Referred to Committee on Rules.

By Mr. WILLIAMS  
**RESOLUTION No. 196**

The House of Representatives of the Commonwealth of Pennsylvania memorialize the United States Congress to enact legislation that would amend the United States Constitution to provide that, "all children have a basic and fundamental right to a basic education."

Referred to Committee on Rules.

### WELCOME

The SPEAKER. The Chair is pleased to welcome to the hall of the House today Mrs. William Mackowski, Mary Beth Mackowski, her daughter, and Mrs. Jean Hawley, her sister, all of Bradford. Also with them today is Gary Jaffer, an AFS exchange student from Barmera, Australia.

They are the guests of the gentleman from McKean, Mr. Westerberg.

**BILLS REPORTED AND CONSIDERED  
FIRST TIME**

**HOUSE BILL No. 484** By Mr. S. E. HAYES

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), providing for the recycling of waste materials and appropriating the revenue derived therefrom.

Reported from Committee on State Government.

**HOUSE BILL No. 523** By Mr. S. E. HAYES

An Act amending "The Realty Transfer Tax Act," approved December 27, 1951 (P. L. 1742, No. 467), requiring the department to supply the recorders of deeds with dispensing machines for realty transfer stamps.

Reported from Committee on State Government.

**HOUSE BILL No. 695** By Mr. S. E. HAYES

An Act providing for the continuation of compensation and benefits for certain employes of the Commonwealth or a school district while they are combating a fire and for additional leave time for certain employes to perform duties as a volunteer fireman.

Reported from Committee on State Government.

**HOUSE BILL No. 871** By Mr. S. E. HAYES

An Act amending the "Pennsylvania Athletic Code," approved August 31, 1955 (P. L. 531, No. 131), creating the Boxers' Fund and the Boxers' Fund Board and providing for administration thereof.

Reported from Committee on State Government.

**HOUSE BILL No. 1568** By Mr. S. E. HAYES

An Act relating to public officials; restricting the employment of relatives by public officials.

Reported from Committee on State Government.

**HOUSE BILL No. 1624** By Mr. S. E. HAYES

An Act amending the "Volunteer Firemen's Relief Association Act," approved June 11, 1968 (P. L. 149, No. 84), further providing for the use of the funds of the association.

Reported from Committee on State Government.

**HOUSE BILL No. 1745** By Mr. S. E. HAYES

A Joint Resolution proposing an amendment to article two, section four of the Constitution of the Commonwealth of Pennsylvania providing for a change in the date of the first annual session meeting.

Reported from Committee on State Government.

**HOUSE BILL No. 1789** By Mr. S. E. HAYES

An Act amending the act of June 30, 1972 (P. L. 721, No. 167), entitled "A supplement to the act of November 12, 1971 (P. L. 538, No. 140), entitled 'An act providing for the capital budget for the fiscal year 1971-1972,' itemizing public improvement projects to be acquired or constructed by The General State Authority, together with their estimated financial costs," changing the amount for a project at the Harrisburg International Airport.

Reported from Committee on State Government.

**HOUSE BILL No. 1997** By Mr. S. E. HAYES

An Act authorizing the Pennsylvania Historical and

Museum Commission to acquire by gift on behalf of the Commonwealth the real property connected with the Fort Hunter Museum in Susquehanna Township, Dauphin County, providing for its control, management, supervision, restoration, improvement and maintenance; and receipt of certain funds in connection therewith.

Reported from Committee on State Government.

**HOUSE BILL No. 2033** By Mr. S. E. HAYES

An Act amending the act of May 11, 1973 (P. L. No. 13), entitled "An act providing for grants to individual non-farm owners of homes or personal property damaged or destroyed by certain floods; establishing the amount of the grants and making an appropriation," increasing the amount which may be allocated by the Governor.

Reported from Committee on State Government.

**HOUSE BILL No. 2034** By Mr. S. E. HAYES

An Act amending the act of July 7, 1972 (P. L. 64, No. 18A), entitled "An act making appropriations for emergency and disaster relief in connection with flooding and tropical storm disaster in the Commonwealth," to transfer funds among the several appropriations.

Reported from Committee on State Government.

**HOUSE BILL No. 2215** By Mr. S. E. HAYES

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), requiring business entities to report certain contributions to the Secretary of the Commonwealth, and imposing duties on the Secretary of the Commonwealth.

Reported from Committee on State Government.

**HOUSE BILL No. 2216** By Mr. S. E. HAYES

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for the continuous reporting of any campaign debt until the same is extinguished.

Reported from Committee on State Government.

**HOUSE BILL No. 2217** By Mr. S. E. HAYES

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for the reporting of ticket purchases for campaign activities under certain conditions.

Reported from Committee on State Government.

**HOUSE BILL No. 2218** By Mr. S. E. HAYES

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for certain addresses to be provided.

Reported from Committee on State Government.

**HOUSE BILL No. 2219** By Mr. S. E. HAYES

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for a single campaign treasurer.

Reported from Committee on State Government.

**HOUSE BILL No. 2220** By Mr. S. E. HAYES

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for contributions to be by check or money order.

Reported from Committee on State Government.

**HOUSE BILL No. 2221** By Mr. S. E. HAYES

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for the regulation of certain political contributions entering the Commonwealth.

Reported from Committee on State Government.

**HOUSE BILL No. 2222** By Mr. S. E. HAYES

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for changes in the filing dates for contributions and disbursements.

Reported from Committee on State Government.

**HOUSE BILL No. 2223** By Mr. S. E. HAYES

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for the registration of political committees and certain penalties.

Reported from Committee on State Government.

**HOUSE BILL No. 2225** By Mr. S. E. HAYES

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for copies to be available to the public at a minimum cost.

Reported from Committee on State Government.

**HOUSE BILL No. 2226** By Mr. S. E. HAYES

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for the retention of records, receipts and vouchers.

Reported from Committee on State Government.

**HOUSE BILL No. 2227** By Mr. S. E. HAYES

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for a random audit of filed expense accounts on an office basis, and imposing duties on the Commonwealth Court.

Reported from Committee on State Government.

**HOUSE BILL No. 2228** By Mr. S. E. HAYES

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for a civil cause of action for certain violations of the election code, imposing a statute of limitations, conferring certain jurisdiction and providing for damages.

Reported from Committee on State Government.

**HOUSE BILL No. 2229** By Mr. S. E. HAYES

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for certain changes in receiving or giving any political contribution.

Reported from Committee on State Government.

**HOUSE BILL No. 2230** By Mr. S. E. HAYES

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for reasonable expenses to auditors, and making certain revisions.

Reported from Committee on State Government.

**HOUSE BILL No. 2231** By Mr. S. E. HAYES

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for a sworn affidavit of compliance.

Reported from Committee on State Government.

**HOUSE BILL No. 2232** By Mr. S. E. HAYES

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing for the General Assembly to furnish copies of election code changes to the Secretary of the Commonwealth for distribution and imposing additional duties on the Secretary of the Commonwealth.

Reported from Committee on State Government.

**SENATE BILL No. 285** By Mr. S. E. HAYES

An Act amending the act of June 3, 1937 (P. L. 1333, No. 320), entitled "Pennsylvania Election Code," increasing the compensation of election officers.

Reported from Committee on State Government.

**SENATE BILL No. 594** By Mr. S. E. HAYES

An Act authorizing the incurring of debt for additional projects, without approval of the electors, to complete projects in the category of public improvements by acquisition of original furniture and equipment to be acquired by the Department of Property and Supplies, stating the estimated useful life of such projects and making an appropriation.

Reported from Committee on State Government.

**SENATE BILL No. 595** By Mr. S. E. HAYES

A Supplement to the act of 1973 (P. L. No. ), entitled "An act providing for the capital budget for the fiscal year 1973-1974," itemizing public improvement projects of the Department of Property and Supplies, together with their estimated financial cost.

Reported from Committee on State Government.

**SENATE BILL No. 1118** By Mr. S. E. HAYES

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," providing for campus police for community colleges.

Reported from Committee on State Government.

**STUDENT COUNCIL WELCOMED**

The SPEAKER. The Chair is pleased to welcome to the hall of the House today 42 members of the student council of Cameron County High School, who are with us today with Gregg Formel, president, and with their advisers, Mr. and Mrs. Larry Boring and Mr. Max Narbey.

They are the guests of the gentleman from McKean, Mr. Westerberg.

**CAPTAIN OF FIRE DEPARTMENT WELCOMED**

The SPEAKER. We are also pleased to have with us today William Gasior, who is captain of the fire department for the city of Pittsburgh.

He is the guest of the gentleman from Pittsburgh, Mr. Romanelli.

**STUDENTS WELCOMED**

The SPEAKER. The Chair is pleased to welcome to the hall of the House today Sister Michelle O'Leary, who is principal of the St. Regis Elementary School from the Oakland area of Pittsburgh, and her eighth grade students.

They are the guests of the gentleman from Pittsburgh, Mr. Romanelli.

## LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip.

Mr. RYAN. Mr. Speaker, I request leaves of absence for Mr. GRING for the week's session, and for Messrs. SCHULZE and PERRI for today's session.

The SPEAKER. The Chair recognizes the minority whip.

Mr. IRVIS. Mr. Speaker, I request leaves of absence for Messrs. RHODES, TAYOUN, MARTINO, BARBER and OLIVER for today's session.

The SPEAKER. Without objection, leaves are granted.

## CALENDAR

## BILLS ON FIRST CONSIDERATION

Agreeable to order,

The House proceeded to the first consideration of House bill No. 435, printer's No. 2972, entitled:

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further defining the term "net gains or income."

Said bill was considered the first time and agreed to.

Agreeable to order,

The House proceeded to the first consideration of House bill No. 1710, printer's No. 2977, entitled:

An Act to facilitate health planning through regulating the quality and quantity of health care in this Commonwealth; providing for the licensure of facilities and the certification of need for expansion of service; prescribing penalties; and making an appropriation.

Said bill was considered the first time and agreed to.

Agreeable to order,

The House proceeded to the first consideration of House bill No. 2018, printer's No. 2978, entitled:

An Act relating to health care costs; prescribing the powers and duties of the Department of Health; and creating an advisory council and prescribing its powers and duties.

Said bill was considered the first time and agreed to.

Agreeable to order,

The House proceeded to the first consideration of House bill No. 2124, printer's No. 2976, entitled:

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), excluding certain self-service operations from sales tax.

Said bill was considered the first time and agreed to.

## BILLS ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of House bill No. 782, printer's No. 902, entitled:

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), excluding certain seeds and plants from the tax on sales.

On the question,

Will the House agree to the bill on second consideration?

## BILL RECOMMENDED

Mr. BUTERA moved that House bill No. 782 be recommended to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Motion was agreed to.

Agreeable to order,

The House proceeded to second consideration of House bill No. 1505, printer's No. 2804, entitled:

An Act amending Title 18 (crimes and offenses) of the Consolidated Pennsylvania Statutes, adding and grading the crime of eavesdropping.

On the question,

Will the House agree to the bill on second consideration?

## BILL RECOMMENDED

Mr. BUTERA moved that House bill No. 1505 be recommended to the Committee on Law and Justice.

On the question,

Will the House agree to the motion?

The SPEAKER. The Chair recognizes the minority leader.

Mr. FINEMAN. Mr. Speaker, there is a motion before the House to recommit House bill No. 1505.

This bill was sent to the Judiciary Committee on October 22, 1973. The Judiciary Committee held extensive deliberation on this bill. This bill is a bipartisan bill. It has at least six Republican sponsors on it. The committee even amended the bill, and the bill is now before the House for its consideration.

As I understand it, this bill is now being recommitted simply because another member of the House, who introduced a somewhat similar bill 3 weeks after my bill was introduced, has requested that this bill be recommitted so that he can have his bill considered by the House.

Now I have no particular pride of authorship about any piece of legislation, but I certainly think it improper to recommit a bill for this particular purpose and to say that simply because someone else has a bill that may or may not be similar to it, they should have their bill considered.

I am quite willing to have the other gentleman act as a sponsor on this bill. I am quite willing to listen to any amendments he may have to offer on this bill to make it a better bill, but I certainly oppose the idea that this House is not mature enough to make a decision on its own about the merits or demerits of any particular legislation.

I would ask the members of this House, out of a sense of fairness, not to vote for this motion to recommit the bill so that the members of this House have an opportunity to deliberate publicly on what is a very important subject matter, the subject matter of eavesdropping, which is in no way proscribed against by our laws in the Commonwealth at the present time.

I thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the motion?

## MASTER ROLL CALL

The SPEAKER. This is the first roll call of the day and will serve as the master roll call.

On the question recurring,

Will the House agree to the motion?

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

## YEAS—93

Anderson, J. H.	Cekas	McGinnis	Stahl
Beren	Gleason	Mobus	Taddonio
Bittle	Grieco	Miller, M. E.	Thomas
Brandt	Halverson	Miller, M. E., Jr.	Turner
Burkardt	Hamilton, J. H.	Noye	Ustynoski
Burns	Hasay	O'Connell	Vacca
Butera	Hayes, S. E.	Pancoast	Vipond
Eyerly	Hepford	Parker, H. S.	Volpe
Cessar	Hill	Piper	Wagner
Cheuchio	Hutchinson, W.	Pitts	Weidner
Crawford	Jones	Polite	Westerberg
Dager	Kahle	Renninger	Whittlesey
Davis, R.	Katz	Rowe	Wilson
Deverter	Kelly, J. B.	Ruane	Wilt, R. W.
Dinnini	Kennedy	Ryan	Wilt, W. W.
Doer	Kester	Salvatore	Worrslow
Dorsey	Klingaman	Scheaffer	Wright
Fawcett	Kusse	Scirica	Yohn
Foor	Lehr	Seltzer	Zearfoss
Foster, A.	Lynch, Frank	Semsnoff	Zimmerman
Foster, W.	Maloney	Smith, C.	
Fox	McClatchy	Smith, E.	
Frankenburg	McCue	Smith, L.	
Geesey	McCurdy	Spencer	

## NAYS—89

Arthurs	Gallagher	Loughlin	Ruggiero
Bellommi	Gallen	Letterman	Saloom
Bennett	Gelsler	Lincoln	Scanlon
Berson	Gillette	Malady	Schmitt
Bixler	Gleason	Mandertino	Shane
Blackwell	Goodman	McGraw	Shelhamer
Bonetto	Greenfield	McMonagle	Shelton
Brunner	Hammock	Morris	Shuman
Caputo	Haskell	Mullen, M. P.	Shupnik
Davis, D. M.	Hayes, D. S.	Musto	Stout
DeMedio	Homer	Myers	Toll
Dicarlo	Hopkins	Novak	Valicenti
Dombrowski	Hutchinson, A.	O'Brien	Vann
Doyle	Irvis	Petrarca	Walsh, J. T.
Dreibelbis	Itkin	Pievsky	Walsh, T. P.
Early	Johnson, J.	Prendergast	Wargo
Eckensberger	Kelly, A. P.	Rappaport	Wells
Engelhart	Knepper	Renwick	Wise
Fee	Kolter	Richardson	Wojdak
Fenrich	Kowalshyn	Rieger	Yahner
Fineman	LaMarca	Ritter	Zeller
Fischer	Laudadio	Romanelli	Zwinkl
Fryer			

## NOT VOTING—17

Barber	Kistler	Perry	Tayoun
Berkes	Martino	Rhodes	Trusto
Comer	Oliver	Schulze	Williams
Gring	Perri	Sullivan	Zord
Harrier			

So the question was determined in the affirmative and the motion was agreed to.

The SPEAKER. The bill is so recommitted.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1864, printer's No. 2468, entitled:**

An Act amending the act of December 9, 1969 (P. L. 333, No. 141), entitled "An act enabling certain minors' consent to donate blood," changing the age of consent for blood donations.

And said bill having been considered the second time and agreed to,

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1947, printer's No. 2583, entitled:**

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58, No. 32), further providing for restric-

tion of additional particular vehicles to designated lanes on multi-lane highways.

And said bill having been considered the second time and agreed to,

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 2117, printer's No. 2837, entitled:**

An Act amending the "Senior Citizens Property Tax Assistance Act," approved March 11, 1971 (P. L. 104, No. 3), changing certain restrictions as to time for reimbursement of certain claims.

And said bill having been considered the second time and agreed to,

Ordered, to be transcribed for third consideration.

## QUESTIONS OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. HARRIER. Mr. Speaker, may I be placed on the master roll call, please?

The SPEAKER. The gentleman will be so recorded.

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

Mr. HAMMOCK. Mr. Speaker, may I have my name added to the master roll and be recorded in the negative on the motion to recommit House bill No. 1505?

The SPEAKER. The gentleman will be so recorded.

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 769, printer's No. 839, entitled:**

An Act amending 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 and judges of the orphans' courts, the judges of the County Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County, certain associate judges not learned in the law, certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts," further regulating expenses of judges called to assist in another district.

On the question,

Will the House agree to the bill on second consideration?

Mr. MALONEY requested and obtained unanimous consent to offer the following amendment, which was read:

Amend Sec. 1 (Sec. 10), page 2, line 11 by inserting after "district.": The provisions hereof shall in no way affect the right of any such judge to the pay provided by law for his services in this capacity.

On the question,

Will the House agree to the amendment?

Amendment was agreed to.

On the question,

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

Mr. MALONEY requested and obtained unanimous consent to offer the following amendment, which was read:



Amend Sec. 1 (Sec. 10), page 2, line 9 by striking out "twelve cents (12¢)" and inserting: fifteen cents (15¢)

On the question, Will the House agree to the amendment? Amendment was agreed to.

SENATE BILL, No. 769 PASSED OVER TEMPORARILY

The SPEAKER. Without objection, Senate bill No. 769 will be passed over temporarily awaiting the Englehart amendments. The Chair hears no objection.

QUESTIONS OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. KISTLER. Mr. Speaker, will you please record me on the master roll call?

The SPEAKER. The gentleman will be so recorded.

The Chair recognizes the gentleman from Fayette, Mr. Trusio.

Mr. TRUSIO. I wish to have my name added to the master roll call, Mr. Speaker.

The SPEAKER. The gentleman will be so recorded.

Agreeable to order,

The House proceeded to second consideration of Senate bill No. 1009, printer's No. 1957, entitled:

An Act amending the act of May 2, 1945 (P. L. 382, No. 104), entitled "Municipality Authorities Act of 1945," enlarging powers of the Authority with regard to contracts for insurance, hospitalization and medical services and annuities and establishment of pension plans.

On the question,

Will the House agree to the bill on second consideration?

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

Amend Sec. 1 (Sec. 4), page 3, line 3, by striking out "NON-PROFIT"

Amend Sec. 1 (Sec. 4), page 3, line 4, by striking out "SERVICES PLAN" and inserting: service

On the question,

Will the House agree to the amendments? Amendments were agreed to.

On the question,

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

Bill as amended was agreed to.

Ordered, that the bill as amended be prepared for third consideration.

MARIE TAYLOR WELCOMED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today Marie Taylor, a social science instructor at the Urban Career Institute of O.I.C. in Philadelphia. Ms. Taylor is the guest of the gentleman from Philadelphia, Mr. Richardson.

BIJLS ON FINAL PASSAGE

Agreeable to order,

The House proceeded to the consideration on final passage of House bill No. 247, printer's No. 2971, entitled:

An Act amending the "Public School Employees' Retirement Code of 1959," approved June 1, 1959 (P. L. 350), redefining "final average salary."

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

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

YEAS—177

Table listing names of members who voted 'YEAS' in four columns: Anderson J. E., Fryer, Malady, Scirica; Arthur, Gallagher, Maloney, Seltzer; Bellomini, Gallen, Menderino, Semanoff; Bennett, Geesey, McClatchy, Shane; Beren, Geisler, McCue, Shelhamer; Borson, Gekas, McCurdy, Shuman; Bittle, Gillette, McGinnis, Smith, C.; Sixler, Gleason, McGraw, Smith, E.; Blackwell, Gleason, McMonagle, Smith, L.; Bonetto, Goodman, Mebus, Spencer; Brandt, Greenfield, Miller, M. E., Stahl; Brunner, Grieco, Miller, M. E., Jr., Stout; Burkardt, Halverson, Morris, Taddonio; Burns, Hamilton, J. H., Mullen, M. P., Thomas; Butera, Harrier, Musto, Toll; Eyerly, Hassay, Myers, Trusio; Caputo, Haskell, Novak, Turner; Cessar, Hayes, D. S., Noye, Ustynock; Checchio, Hayes, S. E., O'Eric, Vacca; Crawford, Hepford, O'Connell, Valicenti; Dager, Homer, Panceast, Vipond; Davis, D. M., Hutchinson, A., Parker, H. S., Volpe; Davis, R., Hutchinson, W., Petrarca, Wagner; DeMedto, Irvia, Petrarka, Walsh, J. T.; Deverter, Itkin, Pievaky, Walsh, T. P.; Dicarlo, Johnson, J., Piper, Wargo; Dinnini, Jones, Polite, Weidner; Dombrowski, Kahle, Prandergast, Wells; Dorr, Katz, Rappaport, Westenberg; Dorsey, Kelly, A. P., Renninger, Whittlesey; Doyle, Kelly, J. B., Renwick, Wilson; Drethebia, Kennedy, Richardson, Wilt, R. W.; Early, Kester, Rieger, Wilt, W. W.; Eckensberger, Kistler, Ritter, Wise; Englehart, Klingaman, Romanelli, Wojdak; Fawcett, Knepper, Rowe, Worrlow; Fee, Kolter, Ruane, Wright; Fenrich, Kowalyshyo, Ruggiero, Yalmer; Fineman, Kusse, Ryan, Yohn; Fischer, Laughlin, Saloom, Zeartoss; Forr, Lehr, Salvatore, Zeller; Foster, A., Letterman, Scanlon, Zimmerman; Foster, W., Lincoln, Scheaffer, Ford; Fox, Lynch, Frank, Schmitt, Zwick; Frankenburg

NAYS—1

Hammock

NOT VOTING—21

Table listing names of members who did not vote in four columns: Barber, LaMarca, Rhodes, Vann; Berkes, Laudadio, Schulze, Williams; Comer, Martino, Shelton; Gring, Oliver, Shupnik, Lee; Hill, Perri, Sullivan, Speaker; Hopkins, Perry, Tavoun

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

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

QUESTIONS OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. HAMMOCK. Mr. Speaker, may I please be recorded in the affirmative on House bill No. 247?

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

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

Mr. LAUDADIO. Mr. Speaker, I would like the record to show that had I been here and not attending a meeting, I would have voted in the affirmative on House bill No. 247.

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

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

Mr. HILL. Mr. Speaker, I was on the telephone when the vote was taken on House bill No. 247. Had I been in my seat, I would have voted in favor of the bill.

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

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

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

The SPEAKER. The gentleman will state it.

Mr. DeMEDIO. Mr. Speaker, on House bill No. 247, Mr. Laudadio's button was stuck on the red. Would that be removed and the record show that he did not vote on House bill No. 247?

The SPEAKER. The vote of Mr. Laudadio will be stricken from the record.

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

Mr. COMER. Mr. Speaker, may I have my name added to the master roll?

The SPEAKER. The gentleman will be so recorded.

The Chair recognizes the gentleman from Erie, Mr. Hopkins.

Mr. HOPKINS. Mr. Speaker, I would like to be recorded in the affirmative on House bill No. 247.

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

Agreeable to order,

The House proceeded to the consideration on final passage of House bill No. 1056, printer's No. 2973, entitled:

An Act prescribing the procedure under which an owner may have land devoted to agricultural use, agricultural reserve use or forest reserve use valued for tax purposes at the value it has for such uses and providing for reassessment and certain interest payments when such land is applied to other uses.

#### RECONSIDERATION OF VOTE ON HOUSE BILL No. 1056

Mr. THOMAS moved that the vote by which HOUSE BILL No. 1056, printer's No. 2973, was agreed to as amended on third consideration on Tuesday, April 23, 1974, be reconsidered.

Mr. SHELHAMER seconded the motion.

On the question,

Will the House agree to the motion?

Motion was agreed to.

On the question recurring,

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

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

Amend Sec. 2, page 2, by inserting between lines 4 and 5:

"Farmer-owner-operator." A natural person who derives income from the agricultural yield of land devoted to agricultural use which he owns and operates.

Amend Sec. 6, page 4, line 18, by striking out "SUBSECTION (B)" and inserting: subsections (b) or (c)

Amend Sec. 6, page 5, by inserting between lines 10 and 11:

(c) A present owner or a farmer-owner-operator of land devoted to agricultural use and subject to preferential assessment may split-off not more than ten acres in any year without incurring roll-back taxes on the remaining land and without impairing the right of the remaining land to continue its preferential assessment status so long as it otherwise meets the requirements of this act. In each such case, the land separated shall be subject to roll-back taxes as set forth in section 8 (b).

Amend Sec. 6, page 5, line 11, by striking out "(C)" and inserting: (d)

Amend Sec. 8, page 5, line 22, by striking out "When" and inserting: Except for present owner and farmer-owner-operator roll-back taxes for split-offs of land previously in agricultural use as provided in subsection (b) of this section, when

Amend Sec. 8, page 7, by inserting between lines 3 and 4:

(b) When part of any tract of land in agricultural use receiving preferential assessment under this act is split-off by a present owner or farmer-owner-operator as authorized by section 6 (c) the land so removed shall be subject to roll-back taxes in the current tax year, the year of change, and in four of the previous tax years or the number of years of preferential tax assessment up to five, plus interest at a rate derived as hereinbefore provided pursuant to section 301 of the act of January 30, 1974 (P. L. No. 6).

Amend Sec. 8, page 7, line 4, by striking out "(b)" and inserting: (c)

On the question,

Will the House agree to the amendments?

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

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, last week we had a long extended debate on some amendments to House bill No. 1056, better known as "the clean and green bill."

Following that debate and all of the considerations by the gain and loss of some of the amendments, and in discussing with various concerned parties the differences that arose here on the floor of the House as well as the differences that are being considered across the Commonwealth, a number of interested parties throughout the week put their heads together and came up with some new language, as you see it in the amendment which I am about to talk about.

The primary contention, as I gathered it from all those who voiced opposition on the floor of the House and elsewhere, was that of a bonanza of tax benefits to land speculators, and I was advised by the leadership on both sides of the aisle that if we could come up with some regulatory language that would cramp the style of the land speculator, the bill would be a lot more palatable. That is exactly what we tried to do and what I think we did do in a fashionable form in this particular amendment.

We are trying to settle the primary contentions in the

new language that you have before you and prevent the urban sprawl because of abuse by the speculators.

Now in no way does this language defer or give anyone any special privileges over and above the local zoning and planning laws by which they must now abide. I think that is paramount and should be kept foremost in your mind as you consider this particular amendment.

The thrust of the amendment is that a present owner of land, upon passage of this bill, or a farmer-owner-operator—and then we define farmer-owner-operator—of such land “devoted to agricultural use and subject to preferential assessment may split-off not more than 10 acres in any year without incurring roll-back taxes on the remaining land and without impairing the right of the remaining land to continue its preferential assessment status so long as it otherwise meets the requirements of this act. In each such case, the land separated shall be subject to the roll-back taxes as set forth in section 8 (b).”

The last part of the amendment deals with rollback, and on the agricultural use portion only it reverts from a 10- to a 5-year rollback.

Mr. Speaker, in brief that is the amendment, and I would like passage of this so that we can get something in the form of a land-use bill that may be palatable to all segments of Pennsylvania over to the Senate for their consideration.

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

Mr. A. C. FOSTER. Mr. Speaker, without attempting to belabor the members with extended debate again today, I would like to point out that we discussed this bill at great length last week. We covered the essential portions of this amendment previously.

What we are trying to do in this bill is to protect the individual who wants to farm in a land area of high market value. This we can do with the bill as it exists. If we incorporated the present amendment, we will be going back to a great degree to where we were last week and where we decided we did not want to be. I would urge a negative vote on the amendment.

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

Mr. DREIBELBIS. Thank you, Mr. Speaker.

This amendment, Mr. Speaker, is a particularly crippling amendment to this bill, and I do not share the same views as Mr. Thomas, even for the farmer himself.

Now I certainly do not think that this is totally supported by the leadership on both sides of the aisle, as he indicated in his remarks, and for that I would like to address a couple issues and I will be brief.

This amendment, as it is to be put in, is a particular encroachment on the very intent of the bill. The intent of the bill is for the preservation of lands, mostly productive lands, for the producing of food and fiber for our society.

Now what this amendment would do, if we allowed this amendment to go in, would be to preserve agricultural reserve lands and preserve forest lands and forest reserve lands, but allow developments and the selling off of the agricultural production land. This would mean that the agriculturally productive land would be by far and away the most vulnerable lands to be developed or to be utilized for purposes other than the stated categories in the bill.

I think this is particularly injurious not only to the people who are going to help pay the bill to carry this land in preferential assessment, but to the productive people themselves. It will put such a burden onto the remaining producers of land that they may not be able to carry the burden of providing food and fiber.

I would suggest that it is very important that we defeat this amendment and that we treat the agricultural reserve, the agricultural production lands and the forest reserve, each of them, equally.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Bedford, Mr. Foor.

Mr. FOOR. Mr. Speaker, I see this amendment exactly from the opposite way that the gentleman who just spoke described it.

Farmers do not have bank accounts—or mostly they do not. The only assets they have are their land and their cattle and their machinery, and they certainly cannot sell their cattle or their machinery and stay in business.

As I said the other day, if they get into financial difficulties—and believe me, it is easy for a farmer to get into financial difficulties—the only way he is going to get well financially is to sell a piece of his land. Now we have got it so that he can sell only 10 acres, no more than that.

If he has to borrow the money at today's interest rates—and mostly the banks do not want to lend money to farmers—the only way he is going to have to get well is to sell a few acres of his land to get that money to continue operation.

Last night I had a call from the man who I believe is the biggest farmer in Bedford County. He farms about 500 acres. He is 68 years old. He has no children. He has been operating in the red for the last 2 years and he wants to quit. His farm, if it were sold today, would probably bring \$300,000. Well, nobody can buy that farm and afford to operate it. Even 6-percent interest on \$300,000, I believe, is \$18,000, and there is no farmer going to clear \$18,000 a year by working 12 to 16 hours a day.

This only affects the farmer who first goes into the thing. The next person who buys the farm or inherits the farm—no matter how he gets the farm—knows then that he has a rollback on the entire parcel if he sells more than 10 acres.

I believe this is the only way we can make this bill so that farmers will go into the bill and take advantage of it and keep farmland in production. If you make it the way it is now, I actually believe it is going to force farmers who get into financial difficulties to sell their whole farm, because if they sell enough land to get out of their financial difficulties, the rollback would take more of the money than they could afford and they would have to give up the whole land for development.

So I would ask an affirmative vote on this amendment.

Thank you, Mr. Speaker.

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

Mr. WEIDNER. Mr. Speaker, I, too, must rise to support this amendment and I agree heartily with my colleague from Bedford County.

I interviewed quite a number of the farmers in upper Bucks County, which is my farming region, and they tell me that the way the bill is at the present time, they

would not even enter into a contract of that kind. They are now under Act 515, and it is a 10-year contract but with a 5-year rollback. They said that they would not take a chance on nature destroying crops or whatever nature could do to them to wipe them out of business without some provision for selling a portion of the farm. The last remark that was made by one of the farmers was that if this bill goes through, he would sell immediately and live happily ever after on the money that he is making now.

I think if we go back to the original amendment, the purpose of that amendment was to preserve our farms. What this bill at the present time will do is drive the farmer to sell immediately, and we will do away with our open space, our farmers and our food and fiber that we are obtaining at the present time from these farmers.

#### AMENDMENT DIVIDED

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

Mrs. CRAWFORD. Mr. Speaker, could this question be divided?

The SPEAKER. It is divisible.

Mrs. CRAWFORD. I would like to have it divided into two parts.

The SPEAKER. Would the lady indicate how she would like to have it divided?

Mrs. CRAWFORD. I imagine the first part would stop at "Amend Sec. 8, page 7 . . ." In other words, the split-off would be separate from the 5-year rollback.

The SPEAKER. In other words, the split-off or the break in the amendment that would be divided would be just prior to "Amend Sec. 8, page 7, by inserting between lines 3 and 4."

Mrs. CRAWFORD. Is Mr. Thomas available? I think maybe it should be "Amend Sec. 8, page 5." Is that right? "Amend Sec. 8, page 5," starting from there on down. That would separate the two questions.

The SPEAKER. The issue will be divided as the lady has requested.

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

Mr. DREIBELBIS. Thank you, Mr. Speaker.

I will be very brief if I may speak to the first part of the amendment. Is that what we are going to be voting on?

The SPEAKER. The gentleman is correct.

Mr. DREIBELBIS. I see this differently from my friend from Bedford, Mr. Foor.

This amendment has not been discussed in our caucus, so I would like to enlighten at least this side of the aisle as to what the effect of this amendment does.

This amendment is really allowing productive land to die by inches. In other words, what it does is allow a farmer-owner-operator to take 10 acres of his land every year and to take it out of production and to sell it without providing a rollback. So, in essence, if a gentleman had a 100-acre farm and he could, over 10 years, sell the whole thing at its highest and best use while the community gave preferential treatment to that land as a whole, he could take those 10 acres out of production each year and therefore consume the whole productive farm to the "disbenefit" of the farmer himself, the farming community and society.

So I think that even the farmers themselves, the ones

I have spoken to in my area—and I am not speaking against the farmer; I think that I speak as a farm-oriented legislator here in the House—would not support this type of amendment allowing for not only preferential treatment for taxes but preferential split-offs.

For that reason, I would ask for the defeat of this half of the amendment.

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

Mr. ZELLER. Mr. Speaker, for the past 2 weeks, ever since we had the debate here in the House, I have talked to members of the Lehigh County Farmers' Association who are members of the Pennsylvania Farmers' Association, and after explaining to them exactly many of the items that Mr. Foster and Mr. Dreibelbis have mentioned, they agreed that to bring about the type of amendment that is brought up here today would be farmland dying by the inches, meaning they want the best of two worlds again.

They would want to say, we want to stay in farming and you are going to knock us out of farming unless we have it, but still they want to be able to sell land. So it just does not make sense. In other words, they want to have the chance to be able to say, I want a lower tax rate and at the same time I want the prerogative to sell anytime I want to to a developer.

So, really, this amendment is a developer's amendment. It is not a farmer's amendment. It is an amendment designed by the developers and, as far as I am concerned, it needs to be given a good burial.

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Columbia, Mr. Shelhamer.

Mr. SHELHAMER. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support this amendment. I rise to support it because I believe it is the only way we can get participation from the agricultural community into this act.

Unless this particular provision, which I consider the utmost important part—all else is secondary to this part to split off this portion of this land—is accepted, then I maintain that most of the people in agriculture will not place their property under this program.

Now there are several restraints that are already provided in this amendment. One of the restraints is that, first off, he must be an owner-operator. Number two, he may not split off more than 10 acres; and, number three, he may not split off unless he has the approval of the planning and zoning board in that particular municipality.

If all three of those conditions are met, then he is being asked to pay back the amount of taxes that he benefited by from that particular piece of ground. It seems to me that is treating him fairly and that will bring the majority of agriculture into this program, and I think when we pass the "clean and green," that is what we are talking about. I would urge an affirmative vote on this amendment.

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

Mrs. CRAWFORD. Mr. Speaker, for clarification, is this the first part of the amendment now?

The SPEAKER. This is the first part of the amendment that we are voting on, and it is the part of the amend-

ment that is above the line, "Amend Sec. 8, page 5, line 22. . . ."

On the question,

Will the House agree to Part I of the Thomas amendments?

The yeas and nays were required by Messrs. THOMAS and A. C. FOSTER and were as follows:

YEAS—98

Table listing names of members who voted 'YEAS' for Part I of the Thomas amendments. Includes names like Anderson, J. H., Bellomini, Bittle, Blackwell, Bonetto, Brandt, Brunner, Burkardt, Butera, Chocchlo, Comer, Davis, D. M., DeMedio, Deverter, Dicarlo, Dininni, Dorr, Fee, Foor, Foster, W., Frankenburg, Fryer, Gallen, Geesey, Gelsler, Gekas, Goodman, Griceo, Halverson, Hamilton, J. H., Harrier, Hassy, Haskell, Hayes, D. S., Hayes, S. E., Rejford, Hill, Hopkins, Hutchinson, A., Hutchinson, W., Johnson, J., Jones, Kahle, Katz, Kelly, A. P., Klingaman, Kusse, Laudadio, Lehr, Lincoln, McCue, McCurdy, McMonagle, Mebus, Miller, M. E., Miller, M. E., Jr., Mulico, M. P., Novak, Noye, O'Brien, O'Connell, Pancoast, Petrarca, Ppfer, Polite, Renninger, Rowe, Ruane, Ryan, Saloom, Salvatore, Scheaffer, Schmitt, Seltzer, Semanoff, Shelhamer, Shuman, Shupnik, Smith, C., Spencer, Stahl, Stout, Thomas, Trusto, Turner, Ustynoski, Vacca, Wagner, Weidner, Westberg, Whittlesy, Wilt, R. W., Witt, W. W., Wise, Yahn, Yohn, Zimmerman, Lee, Speaker.

NAYS—86

Table listing names of members who voted 'NAYS' for Part I of the Thomas amendments. Includes names like Arthura, Bennett, Beren, Berson, Bixler, Burns, Byerly, Caputo, Cessar, Crawford, Dager, Davis, R., Dombrowski, Dorsey, Doyle, Dretbelbis, Early, Eckensberger, Englehart, Fawcett, Fineman, Fischer, Foster, A., Fox, Gallagher, Gillette, Gleason, Gleason, Greenfield, Hammock, Homer, Irvic, Itkin, Kelly, J. B., Kennedy, Kester, Kistler, Knepper, Kolter, Kowalshyn, LaMarca, Laughlin, Lettman, Lynch, Frank, Malady, Maloney, Mandelino, McClatchy, McGinnis, Morris, Musto, Myers, Parker, H. S., Plevsky, Pitts, Prendergast, Rappaport, Renwick, Richardson, Rieger, Ritter, Romanelli, Ruggiero, Scanlon, Scirica, Shane, Shelton, Smith, E., Smith, L., Tadgonio, Toll, Valicenti, Vipond, Volpe, Walsh, J. T., Walsh, T. P., Wargo, Wells, Wilson, Wojdak, Wortlow, Wright, Zearfoss, Zeller, Zord, Zwick.

NOT VOTING—15

Table listing names of members who did not vote on Part I of the Thomas amendments. Includes names like Barber, Berkes, Faurich, Gring, Martino, McGraw, Oliver, Perri, Perry, Rhodes, Schulze, Sullivan, Tayoun, Vann, Williams.

So the question was determined in the affirmative and Part I of the Thomas amendments was agreed to.

On the question,

Will the House agree to Part II of the Thomas amendments?

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

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, this is part of the amendment which reverts from a 10-year rollback for the agricultural use part of the bill only. It leaves the other two portions, the forest reserve and the agricultural reserve, exactly as they are. It only reverts for the agricultural portion from 10 to 5 years, as the bill was originally presented to

the floor of the House last week. I urge passage in this particular form.

Ohio just passed a land-use assessment bill. Their rollback is 4 years. New Jersey has had one for several years; their rollback is 3 years on agricultural land. And we are calling for a compromise figure here of 5 years.

Thank you.

The SPEAKER. The Chair recognizes the minority leader.

Mr. FINEMAN. Mr. Speaker, I am having a difficult time trying to understand where the equity lies in this particular amendment. As I see the situation, this is what happens: An owner of agricultural land can apply for preferential tax treatment on the theory that he is not able to cope with the heavy expenses of running this operation with the high tax rates that are in existence and he says to his neighbors, will you help subsidize me so I can stay in existence to keep this land productive? The neighbors say, okay, we will pick up part of your tax tab for you. Ten years go by and the owner of the land sells the land, makes a great profit on the land, is in pretty good shape now, and now he says to his neighbors, you have given me 10 years of free taxes, or partially free, but I am only going to pay you back five, in spite of the fact that I made a very nice profit.

I cannot quite see the equity or the fairness in that kind of a situation. It is one thing to help a man out during the time that he is struggling to get along, but once he sells the land and makes his profit, why should he not pay back that which he borrowed from his neighbors? There is no equity in this and that is why I oppose it, Mr. Speaker.

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

Mr. A. C. FOSTER. Mr. Speaker, inasmuch as we have adopted the previous portion of this amendment which allows for, in effect, almost unlimited split-offs, I think it is no more than fair at this point that we retain the 10-year rollback provision for the sake of the remainder of the taxpayers. I would urge a negative vote on this portion of the amendment.

On the question recurring,

Will the House agree to Part II of the Thomas amendments?

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

YEAS—78

Table listing names of members who voted 'YEAS' for Part II of the Thomas amendments. Includes names like Anderson, J. H., Gallen, Lehr, Saloom, Bittle, Geesey, Lincoln, Semanoff, Bonetto, Gosier, Maloney, Shelhamer, Brandt, Gekas, McCue, Shuman, Brunner, Goodman, McGraw, Smith, C., Burkardt, Griceo, Miller, M. E., Spencer, Butera, Halverson, Miller, M. E., Jr., Stout, Chocchlo, Harrier, Morris, Thomas, Comer, Hassy, Noye, Trusto, Crawford, Haskell, O'Brien, Turner, Davis, D. M., Hayes, D. S., O'Connell, Ustynoski, DeMedio, Hayes, S. E., Pancoast, Wagner, Deverter, Hopford, Petrarca, Weidner, Dininni, Hill, Pitts, Wilt, R. W., Dombrowski, Hopkins, Polite, Witt, W. W., Dorr, Hutchinson, A., Prendergast, Wise, Fee, Klingaman, Howe, Yahn, Foor, Klingaman, Ruane, Frankenburg, Kusse, Ruggiero, Lee, Laudadio, Ryan, Speaker.

## NAYS—106

Arthurs	Gallagher	McClatchy	Shupnik
Bellomini	Gillette	McCurdy	Smith, E.
Bennett	Gleason	McGinn's	Smith, L.
Beren	Gleason	McMonagle	Stahl
Berson	Greenfield	Mebus	Taddonio
Bixler	Hamilton, J. H.	Musto	Toll
Blackwell	Hammonk	Myers	Vacca
Burns	Homer	Novak	Valicenti
Byerly	Hutchinson, W.	Parker, H. S.	Vipond
Caputo	Irvis	Pievsky	Volpe
Cessar	Itkin	Piper	Walsh, J. T.
Dager	Johnson, J.	Rappaport	Walsh, T. P.
Davis, R.	Jones	Renninger	Wargo
Dicarlo	Kahle	Renwick	Wells
Norsey	Katz	Richardson	Westerberg
Doyle	Kelly, A. P.	Rieger	Whittlesey
Dreibelbis	Kelly, J. B.	Ritter	Wilson
Early	Kennedy	Romanelli	Wojdak
Eckensberger	Kester	Salvatore	Worrilow
Englehart	Kistler	Scanlon	Wright
Fawcett	Knepper	Schaeffer	Yohn
Fenrich	Kolter	Schmitt	Zearfos
Fineman	Laughlin	Sclrica	Zeller
Fischer	Letterman	Seltzer	Zimmerman
Foster, A.	Lynch, Frank	Shane	Zord
Fox	Malady	Shelton	Zwikel
Fryer	Mandirino		

## NOT VOTING—15

Barber	Martino	Perry	Tayoun
Berkes	Mullen, M. P.	Rhodes	Vann
Gring	Oliver	Schulze	Williams
LaMarca	Perri	Sullivan	

So the question was determined in the negative and Part II of the Thomas amendments was not agreed to.

On the question recurring,

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

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

Amend Title, page 1, line 2, by striking out "agricultural reserve use,"

Amend Sec. 2, page 1, lines 16 and 17, by striking out both of said lines

Amend Sec. 3, page 2, lines 8 and 9, by striking out "Agricultural Reserve,"

Amend Sec. 3, page 2, line 11, by striking out "agricultural reserve,"

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

Amend Sec. 3, page 2, line 25, by striking out "agricultural reserve use,"

Amend Sec. 3, page 3, line 4, by striking out "or agricultural reserve"

Amend Sec. 5, page 3, line 21, by striking out "agricultural reserve"

Amend Sec. 6, page 4, line 15, by striking out "agricultural reserve or"

Amend Sec. 7, page 5, lines 15 and 16, by striking out "or agricultural reserve,"

Amend Sec. 8, page 5, line 23, by striking out "agricultural reserve use"

Amend Sec. 8, page 5, lines 25 and 26, by striking out "a use other than agricultural, agricultural reserve or forest reserve," and inserting: other than an agricultural use or forest reserve use,

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Bedford, Mr. Foor.

Mr. FOOR. Mr. Speaker, this amendment merely strikes out of the bill "agricultural reserve" and "agricultural reserve use." This is a nebulous term and it is hard to define. We feel that it would be a stronger bill without the agricultural reserve in it, so I ask for an affirmative vote.

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

Mr. DREIBELBIS. I am sorry to delay the House, but we did not have these amendments in caucus so I would like to ask a question of Mr. Foor, if I may?

The SPEAKER. Will the gentleman from Bedford, Mr. Foor, consent to interrogation?

Mr. FOOR. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. DREIBELBIS. Mr. Speaker, I am not sure that I am opposed to your amendments because I am not sure what they do. If you strike out "agricultural reserve" from the bill entirely and if for some reason an elderly couple, who may have been sick, did not farm their land the previous year, would this completely negate their agreement and would they have to pay the rollback?

Mr. FOOR. I would not think so. If they had put the agricultural land in as agricultural use and did not farm it for a year, I still think it would be that way.

Mr. DREIBELBIS. How many years would it be until it would become agricultural reserve instead of agricultural use?

Mr. FOOR. Well, I would think that would be up to the county commissioners, who are going to set the rules and regulations for this thing. This would leave us with agricultural use, forest reserve and so forth, and take away the agricultural reserve. That is all.

Mr. DREIBELBIS. Well, I appreciate the intent of what you are trying to do, except that I think you are leaving the situation that only those who are actually farming that field would be the agricultural producers and you would eliminate everybody else, whether he had farmed 3 years previously or intended to farm the following year.

Mr. FOOR. Well, Mr. Speaker, I am sure that any farmer who is disabled would find somebody knocking at his door for the privilege of farming his land on a rental basis.

There are many people who feel that the way it is this would take in golf courses and personal estates, and so forth. That is the reason we want to take these out.

I think that any couple who had been ill and could not farm their land for a year or two would have no trouble whatsoever explaining to the county commissioners and could keep their land under agricultural-use formula.

## PARLIAMENTARY INQUIRY

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

Mr. DREIBELBIS. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DREIBELBIS. Mr. Speaker, the constitutional amendment that provided for this enabling legislation, which allowed for it, said that there could be tax preferential treatment for agricultural lands and agricultural reserve lands. Do we have the right to separate that and just take one segment of it?

The SPEAKER. It would be the opinion of the Chair that you would have. You could take up each individual issue in separate legislation for forest reserves, agricultural reserves and agricultural-use land.

Mr. DREIBELBIS. Okay; then I would like to speak briefly against the amendment.

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

Mr. DREIBELBIS. I, again, appreciate the intent of the gentleman from Bedford, Mr. Foor, but I am afraid this would put an undue hardship on many situations where people who are in agricultural reserve would put their farm in this program with the full intent of renting it a following year or their son coming home from the service and opening up the farm again in the following year.

And although I might support the idea of tightening up a little on the agricultural reserve, I believe to eliminate it entirely would be totally unfair, thus allowing for forest lands in reserve and not treating agricultural lands the same way, and so I would ask for a negative vote on the amendment.

### WELCOME

The SPEAKER. The Chair is pleased to welcome to the halls of the House today a group of Cub Scouts from Pack 36, Den 1, Lower Paxton Township of Dauphin County. They are with us today with their leader, Mrs. J. Thomas Weyant, and are the guests of the gentleman from Dauphin, Mr. Zimmerman.

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

Mr. LAUDADIO. Mr. Speaker, I would have to assume that this amendment, if adopted, would take out all of the sportsmen clubs in Pennsylvania and, for that purpose, I would ask all the members to vote in opposition on this amendment, because the land that is considered sportsmen's land would be actually considered in the agricultural-reserve section, and that would mean all of the things which we have asked for in the bill would be gone. I would ask the members to vote in opposition.

The SPEAKER. The Chair recognizes the gentleman from Columbia, Mr. Shelhamer.

Mr. SHELHAMER. Mr. Speaker, I rise to support the amendment and to explain a few of the features so that the House might better understand what we are doing here.

When the original bill came out, there were three sections under which landowners could really covenant land—agricultural land, agricultural reserve and forest land. The forest-land issue and the agricultural-land issue are areas that have constitutional backing. The agricultural reserve, however, is drawn very broadly. For instance, in Pennsylvania there is about 17 million acres of forest land. There is probably about 9 million acres of farmland, and all the rest of the land in Pennsylvania could, conceivably, if it were not paved or blacktopped, come under the agricultural-reserve area.

We are beginning to have second thoughts to feel that perhaps this area is too broad. It would not—and I feel as the gentleman from Westmoreland pointed out, and I agree with him—take out the hunter-sportsmen areas. It would remove those areas that are not farmed. But the areas which the sportsmen clubs own that are forested would still comply as they always did before. The areas that it would take out would be the large estates and the areas that were not producing an agricultural product or an agricultural commodity. It would probably prohibit golf courses and ski resorts, and so forth, from complying. But in trying to bring a bill that would be

specially drawn to two areas, it is felt that we could clarify it better strictly under agricultural or under forest reserve, and that is the reason for the amendment. I would urge its adoption.

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

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

If this amendment goes into the bill, in my estimation, it will be very disastrous to any future open space in the suburban counties surrounding Philadelphia.

I do not quite see the problem with letting people keep an estate and getting a tax break and then having to pay those taxes back when they sell it. We get the benefit down in our area of nice green open areas, and I think that is partially the reason for this legislation. Therefore, I oppose this amendment.

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

Mr. ZELLER. Just briefly, I agree with what Mr. McClatchy had to say.

The reason I do not agree with Mr. Shelhamer is the fact that the county board will make that decision. I am sure that if they feel it is not an agricultural reserve area, they are not going to lose the taxes. We are going to leave that up to the county board to make that decision.

There is no big problem on this issue, so let us vote against the amendment.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. FOOR and DREIBELBIS and were as follows:

### YEAS—50

Anderson, J. H.	Fox	Klingaman	Thomas
Bennett	Fryer	Lincoln	Trusio
Benson	Getzler	Miller, M. E.	Turner
Blackwell	Gekas	Noye	Uktynski
Bonetto	Goodman	Pievsky	Wagner
Butera	Greenfield	Pitts	Weidner
Byerly	Grillo	Ryan	Wells
Checchio	Hasay	Scheuffer	Westerberg
Davis, D. M.	Hayes, S. E.	Shelhamer	Witt, R. W.
Dorr	Hutchinson, W.	Shuman	Wise
Fee	Kahle	Smita, E.	Wright
Fineman	Katz	Stahl	Yahner
Foor	Kelly, A. P.		

### NAYS—130

Arthurs	Gallen	Maloney	Scanlon
Bellomini	Geesey	Mandirino	Schmitt
Boren	Gillette	McClatchy	Scirica
Bitillo	Gleason	McCue	Seltzer
Bixler	Gleason	McCurdy	Semanoff
Brandt	Halverson	McGinnis	Shane
Brunner	Hamilton, J. H.	McGraw	Shupnik
Burkardt	Hammock	McMonagle	Smith, C.
Burns	Harrier	Mebus	Smith, L.
Caputo	Haskell	Miller, M. E., Jr.	Spencer
Cassar	Hayes, D. B.	Morris	Stout
Comer	Hepford	Mullen, M. P.	Taddonto
Crawford	Hill	Musto	Vacca
Dager	Homer	Novak	Valicenti
Davis, R.	Hopkins	O'Brien	Vipond
DeMerio	Hutchinson, A.	O'Connell	Volpe
Deverter	Itkin	Pancoast	Walsh, J. T.
Dicarlo	Johnson, J.	Farker, H. S.	Walsh, T. P.
Dinanzi	Jones	Petrarca	Wargo
Dombrowski	Kelly, J. B.	Piper	Whittlescy
Dorsey	Kennedy	Polite	Wilson
Doyle	Kester	Prendergast	Wilt, W. W.
Dreibelbis	Knepper	Rappsport	Wojdak
Early	Kolter	Renninger	Wurflow
Eckensberger	Kowalshyn	Renwick	Yohn
Engelhart	Kusse	Richardson	Zearfoos
Fawcett	LaMarca	Ritter	Zeller

Fenrich	Laudadio	Romanelli	Zimmerman
Fischer	Laughlin	Rowe	Zord
Foster, A.	Lehr	Ruane	Zwikel
Foster, W.	Letterman	Ruggiero	
Frankenburg	Lynch, Frank	Saloom	Lee,
Gallagher	Malady	Salvatore	Speaker

## NOT VOTING—19

Barber	Martino	Rhodes	Tayoun
Berkes	Myers	Rieger	Toil
Gring	Oliver	Schulze	Vann
Irvis	Perri	Shelton	Williams
Kistler	Perry	Sullivan	

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

## QUESTIONS OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. BENNETT. Mr. Speaker, could I be recorded in the negative on Mr. Foor's amendment to House bill No. 1056?

The SPEAKER. The gentleman will be so recorded.

## FORMER MEMBER WELCOMED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today a former member of the House and a distinguished member of the bar in Philadelphia, Mr. Louis Sherman.

## WELCOME

The SPEAKER. The Chair is pleased to welcome Mr. Amo Mazia, secretary of Local 1388 of the Wean United Plant in Vandergrift, Pennsylvania.

Mr. Mazia is the guest of the gentleman from Westmoreland, Mr. Petrarca.

On the question recurring,

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

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

Amend Sec. 6, page 4, line 13, by inserting after "conveyance"; including a conveyance to an owner entirely exempt from taxation.

Amend Sec. 6, page 4, line 15, by inserting after "shall"; except when the separation occurs through condemnation.

Amend Sec. 8, page 5, line 26, by inserting after "or" where it appears the second time; except for condemnation thereof.

Amend Sec. 8, page 5, line 26, by inserting after "reason"; including a conveyance to an owner entirely exempt from taxation.

On the question,

Will the House agree to the amendments?

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

Mr. DREIBELBIS. Thank you, Mr. Speaker.

This amendment is the same one I offered last week that I said I would hold over until now. It was not explained in our caucus since I was asked to explain it on the floor.

I understand there may have been some confusion in the Republican caucus also as to this amendment.

What the amendment does is this: It says that there would be a rollback of taxes providing a conveyance was made to an owner entirely exempt from taxation. Now what that means is this: If you sold your farm to a state entity or any other entity that is totally exempt from taxation, the rollback would take place immediately. The intent of this was to keep the larger land-consuming entities from consuming land in the farm areas, not changing the use immediately, and therefore the seller would not be subject to the rollback but then in a year or two would change the use to development. The tax-exempt governmental entity that may have bought it is not taxable, therefore there would never be a rollback.

Unless this amendment is adopted, the municipality could suffer the loss of that land as an open space or as an agricultural-use land without ever acquiring the rollback. This would be an effort to stop the encroachment of the purchase of private land by public and state entities.

The second part of the amendment would say that this situation would not prevail providing the land was taken by condemnation such as by the Highway Department or DER. If they come in and condemn the person's land, then he would not be subject to the rollback provisions of the rest of his land just for that taking.

This amendment is marked with the Roman numeral II in case you are now confused by the number of amendments on your desk.

I would ask for support for the amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. O'Connell.

Mr. O'CONNELL. Mr. Speaker, would the gentleman, Mr. Dreibelbis, submit to a brief interrogation?

The SPEAKER. Will the gentleman, Mr. Dreibelbis, consent to interrogation?

Mr. DREIBELBIS. I would be happy to, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. O'CONNELL. Would one of these same entities, Mr. Speaker—the entity you referred to in the first part of the amendment—have the right of condemnation?

Mr. DREIBELBIS. No; they would not have the right, only by eminent domain. If they had the prerogative of eminent domain and used that tool to condemn the land, then the farmer himself would not be subject to the rollback. But if he sold voluntarily to the Department of Highways or any university or college or penitentiary or anything like that, then his land would be subject to the rollback.

I might also add that this puts the farmer in a little better position of acquiring a workable farm because it gives a little advantage to the farmer over the state or local municipality that buys tax free.

Mr. O'CONNELL. Would it not be possible, Mr. Speaker, to have condemnation to, in effect, acquire the land around any of these state institutions?

Mr. DREIBELBIS. I do not believe the state institutions themselves have the right of eminent domain. It is usually reserved for situations where the land is needed and cannot go through, such as for a road or park for DER or something like that. If it were condemned, then they should not suffer the rollback on the rest of their farm.



Mr. O'CONNELL. Would the General State Authority have the right of condemnation?

Mr. DREIBELBIS. I do not believe the General State Authority has the right of eminent domain for development, but I am not sure.

If they exercise any right of eminent domain and force the landowner into condemnation, then he would not be subject to the rollback. But if he voluntarily sold to the General State Authority, then he would be subject to the rollback.

Mr. O'CONNELL. My question was whether, if you could not do it by one way, could you accomplish it by another?

I am not totally familiar with procedures that might be available to any of the state institutions, but should the Commonwealth or any of these Commonwealth entities, for any reason, wish to acquire the land, I would have to assume, unless someone could indicate otherwise, that they would, in effect, have the right of condemnation.

Mr. DREIBELBIS. I am trying diligently, Mr. Speaker, to answer the gentleman's question. But what I am saying is that if someone from a penitentiary, for example, came to you as a farmer and offered you a price for your farm and you accepted—you voluntarily sold that parcel of land to them—then you would be subject to the rollback. However, if you resisted and did not sell and if they had the right of eminent domain—which I do not think they do—and if you conveyed it to them after they condemned it, then you would not be subject to it.

Mr. O'CONNELL. Thank you.

### PARLIAMENTARY INQUIRY

Mr. O'CONNELL. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. O'CONNELL. Is the amendment divisible?

The SPEAKER. It is.

### AMENDMENTS DIVIDED

Mr. O'CONNELL. I would like to request that it be divided.

I would suggest then that the second section begin with "Amend Sec. 8, page 5,".

The SPEAKER. The Chair understands that the way the gentleman wants the amendment divided is that the second part of the amendment would start with "Amend Sec. 8, page 5, line 26,".

Mr. O'CONNELL. Yes, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Columbia, Mr. Shelhamer.

Mr. SHELHAMER. Mr. Speaker, I am wondering if the gentleman would consent to going one line up ", except for condemnation thereof,".

Mr. O'CONNELL. Yes, I will, Mr. Speaker. I think that is probably a better approach.

The SPEAKER. Which means that you are then up to "Amend Sec. 6, page 4, line 15,". Is that correct?

Mr. O'CONNELL. Yes, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Columbia, Mr. Shelhamer.

Mr. SHELHAMER. Is the amendment so divided, Mr. Speaker?

The SPEAKER. The amendment is divided.

Mr. SHELHAMER. And we are now considering the first part?

The SPEAKER. The gentleman is correct.

Mr. SHELHAMER. Thank you, Mr. Speaker.

I rise to oppose the first part of this amendment, and let me tell you why I think it is important that you oppose it.

The first part of the amendment says that if a government entity—and all government entities insofar as I know have the right of condemnation, including county commissioners—has a need for a property, what happens is this—and it has happened in my area—the people who are going to do the negotiating, armed with the condemnation proceedings that they need, go out to the landowner and try to bargain with him. If they are able to coerce him or scare him or if he is not, perhaps, as mentally alert as he might be, he may, in fact, be subjected to signing that paper without a condemnation actually taking place.

In that event, that poor guy is going to be subjected to a rollback. But, on the other hand, if you wait, according to this amendment, until condemnation proceedings take place, then this amendment says that there shall not be any rollback. I agree with that. I agree that there should not be a rollback in either case, because I think all it is going to do is work a hardship on the landowner, subjecting him to undue pressure, and will not achieve what I feel the writer of this amendment wants to achieve.

It brings up a secondary question, however, that is, the rollback shall be applicable to the person who changes the use of the land. If that entity that changes the use of the land happens to be the Commonwealth of Pennsylvania, how do you roll back the taxes on a tax-exempt entity?

So what I am saying, again, is that the whole process is one that does not answer the question. We will be far better off not to consider it. I urge a negative vote on this amendment.

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

Mr. MALONEY. To support what Mr. Shelhamer has just said about the two parts of this amendment being offered and why I would suggest that we vote in the negative on both of them, I think can be illustrated by an example of the present practice under the realty transfer tax where, if there is a condemnation of a piece of real estate, regardless of who the condemnor is—the state or a local municipality or a branch of our government—the realty transfer tax of 2 percent is not paid. I know the practice in Philadelphia and in other sections of the state is that when the parties get together to discuss the piece of property to be purchased or condemned, they enter into a sort of amicable agreement that the property be condemned and a taking filed at the courthouse merely to avoid the 2 percent.

I think that same practice would probably obtain to the situation here where, on one hand, the amendment says that if there is a sale to a governmental entity, then there should be a rollback which, in my opinion, is going to increase the price that the state or the municipality is going to have to pay, and in the same amendment we are offered or given the situation where, if there is a condemnation, there would be no rollback.

I think there is a way to get around that and I would ask that you vote in the negative on both of these.

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

Mr. DREIBELBIS. Mr. Speaker, just briefly, the last gentleman's analysis of the transfer tax is not the same. Please remember that if and when this bill becomes law, somebody else is helping to carry this. Under his analysis, nobody is helping to pay those other taxes, and without this amendment there would be a total escape.

In answer to Mr. Shelhamer, I know an awful lot of farmers, but I have yet to find one who has been scared out of selling his farm.

To clarify to the House exactly what we are voting on, we are voting on that part of the amendment which says, "including a conveyance to an owner entirely exempt from taxation." There then would be a rollback, and it probably would be included in the sale price. But what I am saying is that the people of the municipality would then be receiving the money that is due them because the land has escaped their agricultural production or open-space concept.

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. O'Connell.

Mr. O'CONNELL. Mr. Speaker, I support the position of Mr. Maloney and Mr. Shelhamer and would request a negative vote.

If I understand it correctly, presently in the instance of a condemnation or a taking, the condemnee does now pay to the municipality at least that 1 year's taxes in which the condemnation took place.

I think there is a precedent established and I believe we ought to maintain it.

Thank you.

On the question,

Will the House agree to Part I of the Dreibelbis amendments?

The yeas and nays were required by Messrs. DREIBELBIS and SHELHAMER and were as follows:

## YEAS—39

Arthurs	Haskell	Pievsky	Walsh, T. P.
Berson	Homer	Rappaport	Wargo
Blackwell	Irvis	Richardson	Wilson
Burkardt	Itkin	Ritter	Wojdak
Burns	Johnson, J.	Romanelli	Wright
Dreibelbis	Kelly, A. P.	Scanlon	Zearfoss
Eckensberger	Kusse	Shane	Zeller
Fineman	LaMarca	Ustynowski	Zord
Greenfield	Lettermann	Vallcenti	Zwicki
Hammock	Malady	Walsh, J. T.	

## NAYS—143

Anderson, J. H.	Fryer	Lincoln	Schmitt
Bellomini	Gallagher	Lynch, Frank	Scirica
Beren	Gallen	Maloney	Seltzer
Bittle	Geesey	Manderino	Semanoff
Bixler	Geisler	McClatchy	Shelhamer
Bonetto	Gekas	McCue	Shuman
Brandt	Gillette	McCurdy	Shupnik
Brunner	Gleason	McGinnis	Smith, C.
Butera	Gleason	McGraw	Smith, E.
Byerly	Goodman	McMonagle	Smith, L.
Caputo	Grieco	Mebus	Spencer
Cessar	Halverson	Miller, M. E.	Stahl
Checchio	Hamilton, J. H.	Miller, M. E., Jr.	Stout
Comer	Harrier	Morris	Taddonto
Crawford	Hasay	Mullen, M. P.	Thomas
Dager	Hayes, D. S.	Musto	Toll
Davis, D. M.	Hayes, S. E.	Novak	Trusto
Davis, R.	Repford	Noye	Turner
DeMedio	Hill	O'Brien	Vacca
Deverter	Hopkins	O'Connell	Vipond
Dicarlo	Hutchinson, A.	Pancoast	Volpe
Dintani	Hutchinson, W.	Parker, H. S.	Wagner

Dombrowski	Jones	Petrarca	Weidner
Dorr	Kahle	Piper	Wells
Dorsey	Katz	Pitts	Westerberg
Doyle	Kelly, J. B.	Polite	Whittlesey
Early	Kennedy	Prendergast	Wilt, R. W.
Englehart	Kester	Renninger	Wilt, W. W.
Fawcett	Kistler	Renwick	Wise
Fee	Klingaman	Rowe	Worrlow
Fenrich	Knepper	Ruane	Yahner
Fischer	Kolter	Ruggiero	Yohn
Foor	Kowalyshyn	Ryan	Zimmerman
Foster, A.	Laughlin	Saloom	
Foster, W.	Lehr	Salvatore	Lee, Speaker
Fox	Laudadio	Scheaffer	
Frankenburg			

## NOT VOTING—17

Barber	Myers	Rhodes	Sullivan
Bennett	Oliver	Rieger	Tayoun
Berkes	Perrj	Schulze	Vann
Gring	Perry	Shelton	Williams
Martino			

So the question was determined in the negative and Part I of the Dreibelbis amendments was not agreed to.

On the question,

Will the House agree to Part II of the Dreibelbis amendments?

The yeas and nays were required by Messrs. DREIBELBIS and SHELHAMER and were as follows:

## YEAS—52

Bennett	Haskell	Musto	Vallcenti
Berson	Homer	Pancoast	Vipond
Blackwell	Irvis	Pievsky	Walsh, J. T.
Burkardt	Itkin	Polite	Walsh, T. P.
Burns	Johnson, J.	Rappaport	Wargo
Caputo	Kelly, A. P.	Renninger	Wilson
Dreibelbis	Kelly, J. B.	Ritter	Wojdak
Eckensberger	Kusse	Romanelli	Wright
Fineman	LaMarca	Scanlon	Yohn
Gallagher	Lettermann	Schmitt	Zearfoss
Gleeson	Malady	Shane	Zeller
Greenfield	McClatchy	Taddonio	Zwicki
Hammock	Mullen, M. P.	Ustynowski	Zord

## NAYS—128

Anderson, J. H.	Foster, A.	Kowalyshyn	Salvatore
Arthurs	Foster, W.	Laudadio	Scheaffer
Bellomini	Fox	Laughlin	Seltzer
Beren	Frankenburg	Lehr	Semanoff
Bittle	Fryer	Lincoln	Shelhamer
Bixler	Gallen	Lynch, Frank	Shuman
Bonetto	Geesey	Maloney	Shupnik
Brandt	Geisler	Manderino	Smith, C.
Brunner	Gekas	McCue	Smith, L.
Butera	Gillette	McCurdy	Spencer
Byerly	Gleason	McGinnis	Stahl
Cessar	Goodman	McGraw	Stout
Checchio	Grieco	McMonagle	Thomas
Comer	Halverson	Mebus	Toll
Crawford	Hamilton, J. H.	Miller, M. E.	Trusto
Dager	Harrier	Miller, M. E., Jr.	Turner
Davis, D. M.	Hasay	Morris	Vacca
Davis, R.	Hayes, D. S.	Novak	Volpe
DeMedio	Hayes, S. E.	Noye	Wagner
Deverter	Hepford	O'Brien	Weidner
Dicarlo	Hill	O'Connell	Wells
Dinanni	Hopkins	Parker, H. S.	Westerberg
Dombrowski	Hutchinson, A.	Petrarca	Whittlesey
Dorr	Hutchinson, W.	Piper	Wilt, R. W.
Dorsey	Jones	Pitts	Wilt, W. W.
Doyle	Kahle	Prendergast	Wise
Early	Katz	Renwick	Worrlow
Englehart	Kennedy	Rowe	Yahner
Fawcett	Kester	Ruane	Zimmerman
Fee	Kistler	Ruggiero	
Fenrich	Klingaman	Ryan	Lee, Speaker
Fischer	Knepper	Saloom	
Foor	Kolter		

## NOT VOTING—18

Barber	Oliver	Rieger	Sullivan
Berkes	Perrj	Schulze	Tayoun
Gring	Perry	Scirica	Vann
Martino	Rhodes	Shelton	Williams
Myers	Richardson	Smith, E.	

So the question was determined in the negative and Part II of the Dreibelbis amendments was not agreed to.

QUESTIONS OF PERSONAL PRIVILEGE

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

Mr. VIPOND. I rise to a question of personal privilege. The SPEAKER. The gentleman will state it.

Mr. VIPOND. Mr. Speaker, on the first part of Mr. Dreibelbis' amendment to House bill No. 1056, I was inadvertently voted in the negative. I would like to be recorded in the affirmative.

The SPEAKER. The gentleman will be so recorded.

The Chair recognizes the gentleman from Chester, Mr. Smith.

Mr. E. H. SMITH. Mr. Speaker, I failed to vote on the second part of Mr. Dreibelbis' amendment to House bill No. 1056. I would like to be recorded in the negative.

The SPEAKER. The gentleman will be so recorded.

On the question recurring,

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

Mr. JONES requested and obtained unanimous consent to offer the following amendment, which was read:

Amend Sec. 8, page 6, lines 13 to 30; page 7, lines 1 to 7, by striking out "at a rate derived from" in line 13, and all of lines 14 to 30, page 6; all of lines 1 to 6 and "providing penalties for violations of this act." in line 7, page 7, and inserting: on each year's roll-back tax at the rate of six per cent (6%) per annum.

On the question,

Will the House agree to the amendment?

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

Mr. JONES. Mr. Speaker, the amendment that I offer does not go to the merits of this bill. The amendment goes to the efficient administration of the bill if it becomes law.

Section 8 on page 6 provides that if a roll-back tax is imposed upon a landowner, the interest that he will have to pay on the roll-back tax shall be computed by averaging the maximum monthly interest rate that has been in effect during the period that the land has been in special use.

Now if you will recall, Act 6, which we passed earlier in this session, provides for the Secretary of Banking to determine the maximum interest rate every month.

So if this bill becomes law in its present form, the tax collector, when he goes to impose the interest on the roll-back tax, is going to have to go back and figure an average interest rate over each month. If it has been 10 years, he is going to have to find out what the maximum interest rate has been for the last 120 months and find an average and then impose the interest rate.

My amendment would simplify this tremendously. It would provide very simply that the interest on the roll-back tax would be computed at the rate of 6 percent per annum.

Now the argument is made that when the roll-back tax is imposed, the interest should be an additional penalty. Well, I say if you are going to use this complicated formula, the difference is not going to be enough to make

any difference in the sale of the property. If the property has gone from \$20,000 to \$200,000, a couple hundred dollars is not going to make the difference in whether he sells the property or whether he does not sell the property.

Further, if a landowner does not pay his taxes at all, he is presently charged 6 percent on his unpaid taxes. So I do not think it is fair that a farmer paying his interest on his roll-back taxes should be penalized any more than the fellow who has not paid his taxes at all.

So really, this is simply to provide that the tax collector, when he figures out what the roll-back interest is going to be on the roll-back taxes, will simply compute it at the rate of 6 percent for each year that the taxes have been rolled back, nothing more; nothing less.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Messrs. JONES and DREIBELBIS and were as follows:

YEAS—160

Anderson, J. H.	Gallen	McCue	Shuman
Arthur	Geesey	McCurdy	Shupnik
Bellomint	Geisler	McGinnis	Smith, C.
Bennett	Gekas	McGraw	Smith, E.
Beren	Gillette	McMonagle	Smith, L.
Bittle	Gleason	McBus	Spencer
Dixier	Gleeson	Miller, M. E.	Stahl
Bonetto	Goodman	Miller, M. E., Jr.	Stout
Brandt	Grleco	Morris	Taddonio
Brunner	Halverson	Mullen, M. P.	Thomas
Burkardt	Hamilton, J. H.	Musto	Toll
Burns	Harrier	Novak	Trusio
Butera	Hasay	Noye	Turner
Byerly	Haskell	O'Brien	Ustynoski
Chechito	Hayes, D. S.	O'Connell	Vacca
Comer	Hayes, S. E.	Pancoast	Valicenti
Dager	Hepford	Parker, H. S.	Vipond
Davis, D. M.	Hill	Petrarca	Volpe
Davis, R.	Hopkins	Piper	Wagner
DeMedio	Hutchinson, A.	Pitta	Walsh, J. T.
Deverter	Hutchinson, W.	Polte	Wargo
Dicarlo	Jones	Prendergast	Weidner
Dinnit	Kahle	Renninger	Wells
Dombrowski	Katz	Renwick	Westerberg
Dorr	Kelly, J. B.	Ritter	Whittlesey
Dorsey	Kennedy	Romanelli	Wilson
Doyle	Kester	Rowe	Wilt, R. W.
Early	Kistler	Ruane	Wilt, W. W.
Eckensberger	Klingaman	Ruggiero	Wise
Engelhart	Knepper	Ryan	Worrlow
Fawcett	Kolter	Saloom	Wright
Fee	Kowalshyn	Salvatore	Yahner
Fenrich	Kusse	Scanlon	Yohn
Fischer	Laudadio	Schcaffer	Zearfoss
Foor	Laughlin	Schmitt	Zeller
Foster, A.	Lehr	Scirica	Zimmerman
Foster, W.	Lincoln	Seltzer	Zwinkl
Fox	Lynch, Frank	Semanoff	
Frankenburg	Maloney	Shane	Lee, Speaker
Fryer	Manderino	Sholhamer	
Callagher	McClatchy		

NAYS—16

Berson	Hammock	Kelly, A. P.	Pievsky
Blackwell	Homer	LaMarca	Walsh, T. P.
Dreibelbis	Irvin	Letterman	Wojdak
Fineman	Itkin	Malady	Zord

NOT VOTING—23

Barber	Gring	Perry	Shelton
Berkes	Johnson, J.	Rappaport	Sullivan
Caputo	Martino	Rhodes	Tayoun
Cessar	Myers	Richardson	Vann
Crawford	Oliver	Rieger	Williams
Greenfield	Perri	Schulze	

So the question was determined in the affirmative and the amendment was agreed to.

On the question recurring,

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

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

Amend Sec. 6, page 4, line 15, by inserting after "shall": , except when the separation occurs through condemnation.

Amend Sec. 8, page 5, line 26, by inserting after "reason": , except condemnation thereof.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Columbia, Mr. Shelhamer.

Mr. SHELHAMER. Thank you, Mr. Speaker.

Mr. Speaker, this amendment deals directly with eminent domain condemnations.

Under the provisions of the present bill, with the exception of the farmer-operator, anyone who would sell off or would part with any part of his property will be subject to a 10-year rollback plus 6 percent interest. There are, however, some sales that are forced sales.

Let us assume that the Highway Department is going to take 1 acre of a 100-acre farm. The man does not want to sell the 1 acre, but his land is condemned. Under the provisions of the present bill, the whole 100 acres is rolled back on roll-back tax.

We are saying that where there is a forced sale under condemnation, the rollback should not be applicable. That is what this amendment is that I urge your support of at this time.

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

Mr. DREIBELBIS. Mr. Speaker, would Mr. Shelhamer submit to interrogation?

The SPEAKER. Will the gentleman, Mr. Shelhamer, consent to interrogation?

Mr. SHELHAMER. I shall.

The SPEAKER. The gentleman may proceed.

Mr. DREIBELBIS. While I agree with your concept, Mr. Speaker, that was the very essence of the second part of my amendment on which you asked for a negative vote. Could you explain it so that I could clarify it?

Mr. SHELHAMER. I asked for a negative vote on the first part of your amendment, I believe, if you will remember and check the record, Mr. Speaker. I did not speak against the second part of your amendment at all.

Mr. DREIBELBIS. I see.

Well, would it be your interpretation that the second part of my amendment did the same thing?

Mr. SHELHAMER. It did the same thing but in a different section of the bill and with different wording.

This amendment is different.

Mr. DREIBELBIS. Okay.

Mr. Speaker, I would like to ask for the support of Mr. Shelhamer's amendment.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. SHELHAMER and DREIBELBIS and were as follows:

YEAS—179

Anderson, J. H.	Fryer	Lincoln	Shane
Arthurs	Gallagher	Lynch, Frank	Shelhamer

Bellomini	Gallen	Malady	Shuman
Bennett	Geesey	Maloney	Shupnik
Baren	Geisler	Mandertao	Smith, C.
Borson	Gekas	McClatchy	Smith, E.
Bittle	Gillette	McCue	Smith, L.
Bixler	Gleason	McCurdy	Spencer
Blackwell	Gleason	McGinnis	Stahl
Bonetto	Greenfield	McGraw	Stout
Brandt	Grieco	McMonagle	Taddonio
Brauner	Halverson	Mebus	Thomas
Burkardt	Hamilton, J. H.	Miller, M. E.	Toll
Burna	Hammock	Miller, M. E., Jr.	Trusto
Bulera	Hartier	Morris	Turner
Byorly	Hassay	Mullen, M. F.	Ustynoski
Caputo	Haskell	Musto	Vacca
Cassar	Hayes, D. S.	Novak	Valicenti
Chicchio	Hayes, S. E.	Noye	Vipond
Comer	Hepford	O'Brien	Volpe
Crawford	Hill	Pancoast	Wagner
Dager	Homer	Parker, H. S.	Walsh, J. T.
Davis, D. M.	Hopkins	Petrarca	Walsh, T. P.
Davis, R.	Hutchinson, A.	Pievsky	Wargo
DeMedio	Hutchinson, W.	Piper	Weidner
Deverter	Irvin	Pitts	Wells
Dicarlo	Itkin	Polite	Westerberg
Dinomi	Johnson, J.	Prendergast	Whittlesey
Dombrowski	Jones	Rappaport	Wilson
Dorr	Kahle	Reininger	Wilt, R. W.
Dorsey	Katz	Ronwick	Wilt, W. W.
Doyle	Kelly, A. P.	Ritter	Wise
Dreibelbis	Kelly, J. B.	Romanelli	Wojdak
Early	Kennedy	Rowe	Worrlow
Eckensberger	Koster	Ruane	Wright
Engelhart	Kistler	Ruggiero	Yahner
Fawcett	Klingaman	Ryan	Yohn
Fee	Knepper	Saloom	Zarrows
Fenrich	Kolter	Salvatore	Zeller
Fineman	Kowalshyn	Scanlon	Zimmerman
Fischer	Kusse	Sehesaffer	Zord
Foor	Laughlin	Schmitt	Zwinkl
Foster, A.	Laudadio	Seirica	
Foster, W.	Lehr	Seltzer	Lee,
Fox	Letterman	Semanoff	Speaker
Frankenburg			

NAYS—2

O'Connell      LeMarcas

NOT VOTING—18

Barber	Myers	Richardson	Sullivan
Borkes	Oliver	Rieger	Tayoun
Goodman	Perri	Schutze	Vann
Gring	Perry	Shelton	Williams
Martino	Rhodes		

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

HOUSE BILL No. 1056 PASSED OVER TEMPORARILY

The SPEAKER. Without objection, House bill No. 1056 will be passed over temporarily awaiting the Gallen amendments.

The Chair hears no objection.

Agreeable to order,

The House proceeded to the consideration on final passage of House bill No. 1267, printer's No. 2974, entitled:

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), excluding veterans' and senior citizens' organizations and certain ice cream sales from sales and use tax.

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

The question is, shall the bill pass finally?

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

YEAS—170

Anderson, J. H.	Geisler	Malady	Shelhamer
Arthurs	Gekas	Maloney	Shuman

Bellomini	Gillette	Manderino	Shupnik
Bennett	Gleason	McClatchy	Smith, C.
Beren	Gleeson	McCue	Smith, E.
Bittle	Goodman	McCurdy	Smith, L.
Bixler	Greenfield	McGinnis	Spencer
Blackwell	Grieco	McGraw	Stahl
Bonetto	Halverson	McMonagle	Stout
Brandt	Hamilton, J. H.	Mebus	Taddonio
Burkardt	Hammock	Miller, M. E.	Thomas
Burns	Harrier	Miller, M. E., Jr.	Toll
Butera	Hasay	Morris	Trusto
Caputo	Hayes, D. S.	Mullen, M. P.	Turner
Cessar	Hayes, S. E.	Musto	Ustynoski
Checochio	Hepford	Novak	Vacca
Comer	Hill	Noye	Valicenti
Crawford	Homer	O'Brien	Vipond
Dager	Hopkins	O'Connell	Volpe
Davis, D. M.	Hutchinson, A.	Pancoast	Wagner
Davis, R.	Hutchinson, W.	Parker, H. S.	Walsh, J. T.
DeMedio	Irvia	Petrarca	Walsh, T. P.
Devertor	Itkin	Piper	Wargo
Dininni	Johnson, J.	Pitts	Weidner
Dombrowski	Jones	Polite	Wells
Dorr	Kable	Prendergast	Westerberg
Dorsey	Katz	Renninger	Whittlesey
Doyle	Kelly, A. P.	Renwick	Wilson
Dreibelbis	Kelly, J. B.	Ritter	Wilt, R. W.
Early	Kennedy	Romanelli	Wilt, W. W.
Eckensberger	Kester	Rowe	Wise
Englehart	Kistler	Ruane	Worrlow
Fawcett	Klingaman	Ruggiero	Wright
Fee	Knepper	Ryan	Yahner
Fischer	Kolter	Saloom	Yohn
Foor	Kowalyshyn	Salvatore	Zearfoss
Foster, A.	Kusse	Scanlon	Zeller
Foster, W.	LaMarca	Scheaffer	Zimmerman
Fox	Laudadio	Schmitt	Zord
Frankenburg	Laughlin	Scirica	Zwikel
Gallagher	Lehr	Seltzer	
Gallen	Lincoln	Semanoff	Lee,
Geesey	Lynch, Frank	Shane	Speaker

NAYS—8

Berson	Dicarlo	Haskell	Rappaport
Byerly	Fineman	Letterman	Wojdak

NOT VOTING—21

Barber	Martino	Pievsky	Shelton
Berkes	Myers	Rhodes	Sullivan
Brunner	Oliver	Richardson	Tayoun
Fenrich	Perri	Rieger	Vann
Fryer	Perry	Schulze	Williams
Gring			

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

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

QUESTIONS OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. PIEVSKY. Mr. Speaker, may I be recorded in the affirmative on House bill No. 1267?

The SPEAKER. The gentleman will be so recorded.

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

Mr. FRYER. Mr. Speaker, I would like to be recorded in favor of House bill No. 1267.

The SPEAKER. The gentleman will be so recorded.

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

Mr. ZEARFOSS. Mr. Speaker, on the two amendments to House bill No. 1056, printer's No. 2973, the last two amendments that were voted, I was out of my seat. Had

I been in my seat, I would have voted in the affirmative on both of those amendments.

The SPEAKER. The gentleman will be so recorded.

The Chair recognizes the gentleman from Washington, Mr. Brunner.

Mr. BRUNNER. Mr. Speaker, I would like my vote cast in the affirmative on House bill No. 1267.

The SPEAKER. The gentleman will be so recorded.

Agreeable to order,

The House proceeded to the consideration on final passage of House bill No. 1962, printer's No. 2975, entitled:

An Act amending the "Real Estate Tax Sale Law," approved July 7, 1947 (P. L. 1368, No. 542), requiring all counties to operate under the provisions of this act.

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

The question is, shall the bill pass finally?

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

YEAS—175

Anderson, J. H.	Gallagher	Lynch, Frank	Semanoff
Arthurs	Gallen	Mslady	Shane
Bellomini	Geesey	Maloney	Shelhamer
Bennett	Gelsler	Manderino	Shuman
Beren	Gekas	McClatchy	Shupnik
Berson	Gillette	McCue	Smith, C.
Bittle	Gleason	McCurdy	Smith, E.
Bixler	Gleeson	McGinnis	Smith, L.
Blackwell	Goodman	McGraw	Spencer
Bonetto	Greenfield	McMonagle	Stahl
Brandt	Grieco	Mebus	Stout
Brunner	Hamilton, J. H.	Miller, M. E.	Taddonio
Burkardt	Hammock	Miller, M. E., Jr.	Thomas
Burns	Harrier	Morris	Toll
Butera	Hasay	Mullen, M. P.	Turner
Byerly	Haskell	Musto	Ustynoski
Caputo	Hayes, D. S.	Novak	Vacca
Cessar	Hayes, S. E.	Noye	Valicenti
Checochio	Hepford	O'Brien	Vipond
Comer	Hill	O'Connell	Volpe
Crawford	Homer	Pancoast	Wagner
Dager	Hopkins	Parker, H. S.	Walsh, J. T.
Davis, R.	Hutchinson, A.	Petrarca	Walsh, T. P.
DeMedio	Hutchinson, W.	Pievsky	Wargo
Devertor	Itkin	Piper	Weidner
Dicarlo	Johnson, J.	Pitts	Wells
Dininni	Jones	Polite	Westerberg
Dombrowski	Kable	Prendergast	Whittlesey
Dorr	Katz	Rappaport	Wilson
Dorsey	Kelly, A. P.	Renninger	Wilt, R. W.
Doyle	Kelly, J. B.	Renwick	Wilt, W. W.
Dreibelbis	Kennedy	Ritter	Wise
Early	Kester	Romanelli	Wojdak
Eckensberger	Kistler	Rowe	Worrlow
Englehart	Klingaman	Ruane	Wright
Fawcett	Knepper	Ruggiero	Yahner
Fee	Kolter	Ryan	Yohn
Fenrich	Kowalyshyn	Saloom	Zeller
Fineman	Kusse	Salvatore	Zimmerman
Fischer	LaMarca	Scanlon	Zord
Foor	Laudadio	Scheaffer	Zwikel
Foster, A.	Laughlin	Schmitt	
Foster, W.	Lehr	Scirica	Lee,
Frankenburg	Letterman	Seltzer	Speaker
Fryer			

NAYS—6

Davis, D. M.	Halverson	Trusto	Zearfoss
Fox	Lincoln		

NOT VOTING—18

Barber	Myers	Richardson	Sullivan
Berkes	Oliver	Rieger	Tayoun
Gring	Perri	Schulze	Vann
Irvia	Perry	Shelton	Williams
Martino	Rhodes		

The majority required by the constitution having voted

in the affirmative, the question was determined in the affirmative.

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

### QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. RICHARDSON. Mr. Speaker, I was called from the floor of the House. I would like to be recorded in the affirmative on House bill No. 1267, printer's No. 2974, and also in the affirmative on House bill No. 1962, printer's No. 2975.

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

Agreeable to order,

The House proceeded to the consideration on final passage of Senate bill No. 605, printer's No. 2062, entitled:

An Act amending the act of May 17, 1921 (P. L. 682, No. 284), entitled "The Insurance Company Law of 1921," further regulating the establishment and maintenance of separate accounts by life insurance companies and providing for the issuance of variable life insurance and further regulating the writing of certain kinds of insurance by life insurance companies.

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

The question is, Shall the bill pass finally?

### SENATE BILL No. 605 TABLED

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

Mr. BEREN. Mr. Speaker, I move that Senate bill No. 605 be laid upon the table.

On the question,

Will the House agree to the motion?

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

Mr. ROMANELLI. Mr. Speaker, I would like to oppose the motion to table for the purpose of offering an amendment.

The SPEAKER. The gentleman from Allegheny opposes the motion to table.

The Chair recognizes the majority leader.

Mr. BUTERA. Mr. Speaker, I do not know what latitude you have on a motion to table, but I think to be fair to the gentleman, it would be appropriate to advise at least this side, because we did not cover it in the caucus, that Mr. Romanelli wants to offer an amendment to this bill similar to Senate bill No. 222, which is no-fault automobile insurance.

The Committee on Consumer Protection scheduled a meeting for tomorrow morning to consider that very subject matter. This subject will be discussed.

The purpose of Mr. Beren's motion is not to avoid the gentleman's amendment, but rather to take another look at a bill which is a very important subject matter to a lot of people, and I just want to make that very clear and

not deny the gentleman the right to advise the House that that was the purpose of his opposition.

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

Mr. ROMANELLI. Mr. Speaker, the gentleman offers the fact that they are going to meet and report out a bill. I do not know what that bill is.

The SPEAKER. The issue is not before us as far as the amendment is concerned. The only motion that is before us is whether the bill is going to be tabled.

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

Mr. ROMANELLI. Mr. Speaker, I oppose the motion to table for the purpose of offering a no-fault bill.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Messrs. BEREN and ROMANELLI and were as follows:

### YEAS—102

Anderson, J. E.	Gekas	McClatchy	Smith, E.
Beren	Gleason	McCue	Smith, L.
Bittle	Grizzo	McCurdy	Spencer
Brandt	Halverson	McGinnis	Stahl
Brunner	Hamilton, J. H.	Mebus	Taddonto
Burkardt	Harrier	Miller, M. E.	Thomas
Butera	Hasay	Miller, M. E., Jr.	Turner
Byerly	Haskell	Noye	Ustynoski
Cassar	Hayes, S. E.	O'Connell	Vacca
Checchio	Hopford	Pancoast	Vipond
Crawford	Hill	Parker, H. S.	Volpe
Dager	Hopkins	Piper	Wagner
Davis, R.	Hutchinson, W.	Pitts	Weidner
Deverter	Jones	Polite	Wells
Dintini	Kable	Renninger	Westerberg
Dorr	Katz	Rowe	Whittesey
Dorsey	Kelly, J. B.	Ruane	Witt, R. W.
Fawcett	Kennedy	Ryan	Witt, W. W.
Fischer	Kester	Saloom	Worrlow
Foor	Kistler	Salvatore	Yohn
Foster, A.	Klingeman	Scheaffer	Zearfoss
Foster, W.	Knopper	Schmitt	Zimmerman
Fox	Kusse	Scirca	Zord
Frankenburg	Lehr	Seltzer	
Gallen	Lynch, Frank	Sernanoff	Lee,
Geesey	Maloney	Smith, C.	Speaker

### NAYS—79

Arthurs	Fenrich	Letterman	Scanlon
Bellomina	Fineman	Lincoln	Shane
Bennett	Fryer	Malady	Shelhamer
Berson	Gallagher	Mandolino	Shuman
Bixler	Geisler	McGraw	Shupnik
Blackwell	Gillette	McMonagle	Stout
Bonetto	Gleeson	Morris	Toll
Burns	Goodman	Mullen, M. P.	Trusio
Caputo	Greenfield	Musto	Valicenti
Comer	Hammock	Novak	Walsh, J. T.
Davis, D. M.	Hayes, D. S.	O'Brien	Walsh, T. P.
DeMedio	Homer	Petrarca	Wargo
Dicarlo	Hutchinson, A.	Pievsky	Wilson
Dombrowski	Itkin	Prendergast	Wise
Doyle	Kelly, A. P.	Rappaport	Wojdak
Dreschelbis	Kolter	Renwick	Wright
Early	Kowalyszyn	Richardson	Yahner
Eckensberger	LaMarca	Ritter	Zeller
Engelhart	Laudadio	Romanelli	Zwicki
Fee	Laughlin	Ruggiero	

### NOT VOTING—18

Barber	Martino	Rhodes	Sullivan
Berkas	Myers	Rieger	Tayoun
Gring	Oliver	Schulze	Vann
Irvis	Perri	Shelton	Williams
Johnson, J.	Perry		

So the question was determined in the affirmative and the motion was agreed to.

The SPEAKER. The bill will be laid on the table.

**BILL ON FINAL PASSAGE POSTPONED**

Agreeable to order,

The bill having been called up from the postponed calendar by Mr. RYAN,

The House resumed consideration on final passage of House bill No. 643, printer's No. 2887, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58, No. 32), further providing for size of vehicles, tractors and loads; authorizing special permits for the transportation of housing units and changing penalties as to permit violations.

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

The question is, Shall the bill pass finally?

**HOUSE BILL No. 643 TABLED**

Mr. RYAN moved that House bill No. 643, printer's No. 2887, be laid upon the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

**BILLS ON THIRD CONSIDERATION**

Agreeable to order,

The House proceeded to third consideration of House bill No. 189, printer's No. 2968, entitled:

An Act establishing a scenic and recreation trails system; providing for the designation, administration, regulation and acquisition of scenic recreation and connecting side trails and trail rights-of-way; conferring powers and imposing duties upon the Department of Environmental Resources and providing penalties.

On the question,

Will the House agree to the bill on third consideration?

Mr. BUTERA moved that House bill No. 189, printer's No. 2968, be placed on the third consideration postponed calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

Agreeable to order,

The House proceeded to third consideration of House bill No. 190, printer's No. 2969, entitled:

An Act authorizing the Commonwealth of Pennsylvania, through the Department of Environmental Resources, to enter into such agreements and to acquire such interest as may be necessary to establish, protect and maintain the Appalachian Trail and providing for the establishment, protection and maintenance of such trail.

On the question,

Will the House agree to the bill on third consideration?

Mr. BUTERA moved that House bill No. 190, printer's No. 2969, be placed on the third consideration postponed calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

Agreeable to order,

The House proceeded to third consideration of House bill No. 1995, printer's No. 2929, entitled:

An Act amending "The Local Tax Enabling Act," ap-

proved December 31, 1965 (P. L. 1257, No. 511), further providing for collection of certain delinquent taxes from employers, etc.

On the question,

Will the House agree to the bill on third consideration?

Mr. BUTERA moved that House bill No. 1995, printer's No. 2929, be placed on the third consideration postponed calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

Agreeable to order,

The House proceeded to third consideration of House bill No. 2130, printer's No. 2970, entitled:

An Act establishing a Code of Ethics for the Administrative Branch of the Commonwealth and providing for its enforcement and for penalties.

On the question,

Will the House agree to the bill on third consideration?

**BILL RECOMMITTED**

Mr. BUTERA moved that House bill No. 2130 be re-committed to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Motion was agreed to.

Agreeable to order,

The House proceeded to third consideration of Senate bill No. 1259, printer's No. 2118, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225, No. 316), entitled "The Game Law," changing penalties for unlawful and mistaken acts relating to deer, elk, bear, wild birds and wild animals.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

**YEAS—181**

Anderson, J. H.	Fryer	Lynch, Frank	Shane
Arthur	Gallagher	Malady	Shelhamer
Bellommi	Gallen	Maloney	Shuman
Bennett	Geesey	Mandorino	Shupnik
Beren	Geisler	McClatchy	Smith, C.
Berson	Gekas	McCue	Smith, E.
Bittle	Gillette	McCurdy	Smith, L.
Bixler	Gleason	McGinnis	Spencer
Blackwell	Gleason	McGraw	Stahl
Bonetto	Goodman	McMonagle	Stout
Brandt	Greenfield	Mebus	Taddonio
Brunner	Grisco	Miller, M. E.	Thomas
Burkardt	Halverson	Miller, M. E., Jr.	Toll
Burns	Hamilton, J. H.	Morris	Trusto
Butera	Hammock	Mullen, M. P.	Turner
Ryerly	Harrier	Musto	Ustynoski
Caputo	Hasay	Novak	Vacca
Cassar	Haskell	Noye	Valicenti
Checchio	Hayes, D. S.	O'Brien	Vipond
Comer	Hayes, S. E.	O'Connell	Volpe
Crawford	Hepford	Pancoast	Wagner
Dager	Hill	Parker, H. S.	Walsh, J. T.
Davis, D. M.	Homer	Petrarca	Walsh, T. P.
Davis, R.	Hopkins	Pievsky	Wargo
DeMedto	Hutchinson, A.	Piper	Weidner
Deverter	Hutchinson, W.	Pitts	Wells
Dicarlo	Itkin	Polite	Westerberg

Dininfel	Jones	Treudergast	Whittlesey
Dombrowski	Kahle	Rappaport	Wilson
Dorr	Katz	Renninger	Wilt, R. W.
Dorsey	Kelly, A. P.	Renwick	Witt, W. W.
Doyle	Kelly, J. B.	Richardson	Wiss
Dreibelbis	Kennedy	Ritter	Wojdak
Early	Kester	Romanelli	Worrlow
Eckensberger	Kistler	Rowe	Wright
Englehart	Klingaman	Ruane	Yahner
Fawcett	Knepper	Ruggiero	Yohn
Foc	Kolter	Ryan	Zearfoss
Fonrich	Kowalshyn	Saloom	Zeller
Fineman	Kusse	Salvatore	Zimmerman
Fischer	LaMarca	Scanlon	Zord
Foor	Laudadio	Scheaffer	Zwick
Foster, A.	Laughlin	Schmitt	
Foster, W.	Lehr	Scirica	Lee,
Fox	Letterman	Seltzer	Speaker
Frankenburg	Lincoln	Semanoff	

NAYS—0

NOT VOTING—18

Farber	Martino	Rhodes	Sullivan
Berkes	Myers	Rieger	Tayoun
Gring	Oliver	Schulze	Vann
Irvis	Perrt	Shelton	Williams
Johnson, J.	Perry		

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

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

PARLIAMENTARY INQUIRY

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

Mr. RAPPAPORT. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RAPPAPORT. I note that the Speaker recommit- ted House bill No. 2130 to the Appropriations Commit- tee. The bill came from the Rules Committee, and I was wondering if there is significance in the fact that it is going to the Appropriations Committee.

The SPEAKER. The only significance, I guess, is that it probably requires the expenditure of funds and, under the rules of the House, it has to go back to committee.

Mr. RAPPAPORT. Thank you, Mr. Speaker.

BILLS ON THIRD CONSIDERATION POSTPONED

Agreeable to order,

The bill having been called up from the postponed calendar by Mr. THOMAS, the House resumed third con- sideration of HOUSE BILL No. 1314, PRINTER'S No. 1648, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58, No. 32), prohibiting disorderly prac- tices with a vehicle, motor vehicle or tractor, providing for the disposition of fines therefrom and providing a penalty.

On the question,

Will the House agree to the bill on third consideration?

HOUSE BILL No. 1314 TABLED

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

Does the gentleman wish at this time to make a re- committal motion?

Mr. RITTER. No, Mr. Speaker. Mr. Thomas and I agreed that we would put the bill on the table rather than recommit it, and I would rather move to have the bill laid upon the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

Agreeable to order,

The bill having been called up from the postponed cal- endar by Mr. W. D. HUTCHINSON, the House resumed third consideration of HOUSE BILL No. 1748, PRINTER'S No. 2771, entitled:

An Act to provide for the selection of jurors to serve in the courts of common pleas of this Commonwealth; de- fining the qualifications of such jurors; providing for the organization of a commission for the selection of jurors in certain counties and prescribing its powers and duties; providing for the compensation and expenses of jurors summoned to serve; providing penalties for violation of the act and for failure to serve; and repealing inconsistent acts.

On the question,

Will the House agree to the bill on third consideration?

Mr. SCIRICA requested and obtained unanimous con- sent to offer the following amendments, which were read:

Amend Sec. 7, page 4, line 13, by inserting after "count- y," which may be

Amend Sec. 7, page 5, line 30, by inserting after "of": the list or

Amend Sec. 7, page 6, line 1, by striking out "supple- mental"

Amend Sec. 7, page 6, line 1, by striking out "shall" and inserting: may

Amend Sec. 9, page 7, line 22, by inserting after "dis- qualification," his right to determine from the commis- sion

Amend Sec. 9, page 7, line 28, by removing the period after "sustained" and inserting: : Provided, That no notice of disqualification shall be required where it appears on the face of the juror qualification form that the prospec- tive juror is deceased or permanently removed from the jurisdiction.

Amend Sec. 13, page 9, line 7, by inserting after "excused": permanently or

Amend Sec. 13, page 9, line 8, by inserting after "neces- sary," and if excused for a limited period.

Amend Sec. 13, page 9, line 8, by striking out "which" and inserting: such

Amend Sec. 15, page 9, lines 20 and 21, by striking out "is authorized to create" and inserting: may authorize the creation of

On the question,

Will the House agree to the amendments?

Amendments were agreed to.

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

Mr. FRYER. Mr. Speaker, would the gentleman kindly explain to the members of the House what these agreed- to amendments do?

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

Mr. SCIRICA. I wonder if the gentleman has a copy of the bill, Mr. Speaker. The amendments amend about 8 different sections and I do not think he could understand anything unless he had a copy of the bill before him.

Mr. FRYER. I consider the gentleman to be a very competent member of this House. I am certain that he can give us the explanation.

The SPEAKER. Would the gentleman just explain the amendments?



Mr. SCIRICA. Mr. Speaker, many of the changes here are editorial. I cannot explain them unless somebody has a copy of the bill and is willing to go through them.

The SPEAKER. I think the gentleman from Berks is indicating that if they are editorial changes, he will take the gentleman's word that they are editorial. If there are any substantive changes, I think those are the ones he would like to have explained.

Mr. SCIRICA. There is only one area which has a little more than editorial change, and that concerns the disqualification or the notice of disqualification that must be given in the event the jury commissioners decide that a person is not qualified for jury service.

The bill provides that notice must be given to every person who files that form but who is disqualified. However, there are many instances where people are disqualified either by reason of death or because they have moved out of the state. This amendment would provide that in the event it appears on the face of the juror qualification form that a prospective juror is deceased or permanently removed from the jurisdiction, then no notice of disqualification has to be sent to them. However, where that does not appear, then a notice of disqualification must be sent, and the prospective juror then has the right to require from the jury board the reasons he has been disqualified. The rest of them are truly technical.

Mr. FRYER. I thank the gentleman.

Could the gentleman tell me who pays the cost for this process?

Mr. SCIRICA. The county pays the cost of this process, Mr. Speaker, but that is not the subject of the amendment; that is in the particular bill.

Mr. FRYER. I thank the gentleman.

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

Mr. BONETTO. Mr. Speaker, I have amendments to this particular bill. I have been waiting for the chairman of the Appropriations Committee to furnish us with a cost. I notified the leadership that we have not received a fiscal note on this thing yet.

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

Mr. SELTZER. Mr. Speaker, the gentleman is correct. We made the request to the budget office and we are awaiting their reply. As soon as we have it, the gentleman from Allegheny will receive it.

Mr. BONETTO. Right.

I notified him last week on this thing. The amendments were passed out to all the members. I would like to have this bill passed over until we get the fiscal note.

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

Mr. W. D. HUTCHINSON. Mr. Speaker, the bill, I believe, is on the 10th day on the calendar.

The SPEAKER. I think the disposition of the bill is to lay House bill No. 1748 on the table, together with the amendment that has been offered by the gentleman from Montgomery, Mr. Scirica, until we have the fiscal note for the amendments of the gentleman from Allegheny, Mr. Bonetto.

#### HOUSE BILL No. 1748 Tabled

The SPEAKER. The Chair recognizes the minority leader.

Mr. FINEMAN. I move that House bill No. 1748, together with the amendments, be laid upon the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

Agreeable to order,

The bill having been called up from the postponed calendar by Mr. BUTERA, the House resumed third consideration of **SENATE BILL No. 561, PRINTER'S No. 1091**, entitled:

An Act relating to unfair insurance practices; prohibiting unfair methods of competition and unfair or deceptive acts and practices; and prescribing remedies and penalties.

On the question,

Will the House agree to the bill on third consideration?

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

Amend Sec. 3, page 8, line 1, by inserting after "SURETYSHIP": title insurance,

Amend Sec. 3, page 8, lines 8 and 9, by striking out "SECTION 58-25-3 NMSA 1953." and inserting: 40 Pa.S. Ch.61 relating to Hospital Plan Corporations, 40 Pa.S. Ch.63 relating to Professional Health Services Plan Corporations, 40 Pa.S. Ch.65 relating to Fraternal and Beneficial Societies, 40 Pa.S. Ch.67 relating to Beneficial Societies and the act of December 29, 1972 (P. L. 1701, No. 364), known as the "Voluntary Nonprofit Health Service Act of 1972."

Amend Sec. 3, page 8, line 9, by inserting after "PLANS": , fraternal benefit societies and beneficial societies

Amend Sec. 5, page 11, line 4, by striking out "ACCIDENT, HEALTH OR TITLE"

Amend Sec. 5, page 11, by inserting between lines 6 and 7: (iii) making or permitting any unfair discrimination between individuals of the same class and essentially the same hazard with regard to underwriting standards and practices or eligibility requirements by reason of race, religion, nationality or ethnic group, age, sex, family size, occupation, place of residence or marital status. The terms "underwriting standards and practices" or "eligibility rules" do not include the promulgation of rates if made or promulgated in accordance with the appropriate rate regulatory act of this Commonwealth and regulations promulgated by the commissioner pursuant to such act.

Amend Sec. 5, page 11, lines 8 and 9, by striking out "LIFE INSURANCE, LIFE ANNUITY OR ACCIDENT AND HEALTH"

Amend Sec. 5, page 11, line 13, by striking out "OR ANNUITY"

Amend Sec. 5, page 11, lines 18 to 20, by striking out all of said lines and inserting: (9) Cancelling any policy of insurance covering owner-occupied private residential properties or personal property of individuals that has been in force for sixty days or more or refusing to renew any such policy unless the policy was obtained through material misrepresentation, fraudulent statements, omissions or concealment of fact material to the acceptance of the risk or to the hazard assumed by the company; or there has been a substantial change or increase in hazard in the risk assumed by the company subsequent to the date the policy was issued; or there is a substantial increase in hazards insured against by reason of willful or negligent acts or omissions by the insured; or the insured has failed to pay any premium when due whether such premium is payable directly to the company or its agent or indirectly under any premium finance plan or extension of credit; or for any other reasons approved by the commissioner pursuant to rules and regulations promulgated by the commissioner. No cancellation or refusal to

renew by any person shall be effective unless a written notice of the cancellation or refusal to renew is received by the insured either at the address shown in the policy or at a forwarding address. Such notice shall:

Amend Sec. 5, page 16, line 19, by inserting a period after "POLICY"

Amend Sec. 5, page 16, lines 19 to 22, by striking out "EXCEPT THAT NO INSURER SHALL" in line 19, all of lines 20 and 21; and "SUBSECTION (A) (9)." in line 22

Amend Sec. 6, page 17, line 6, by inserting after "OF" where it appears the second time: any

Amend Bill, page 21, by inserting between lines 27 and 28: Section 15. Repeals.—(a) The act of June 5, 1947 (P. L. 445, No. 202), known as "The Insurance Unfair Practices Act," is repealed absolutely.

(b) All other acts and parts of acts are repealed in so far as they are inconsistent herewith.

Amend Sec. 15, page 21, line 28, by striking out "15." and inserting: 16.

On the question,

Will the House agree to the amendments?

Amendments were agreed to.

On the question,

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

Bill as amended was agreed to.

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

**CONCURRENCE IN SENATE AMENDMENTS TO HOUSE BILL No. 377**

Mr. BUTERA called up for concurrence in Senate amendments, from page 11 of today's calendar, House bill No. 377, printer's No. 2883.

**SENATE MESSAGE**

**AMENDED HOUSE BILL RETURNED FOR CONCURRENCE**

The clerk of the Senate, being introduced, returned bill from the House of Representatives numbered and entitled as follows:

**HOUSE BILL No. 377**

An Act amending the act of November 25, 1970 (No. 230), entitled "Consolidated Pennsylvania Statutes," increasing amounts of wages, salary, vacation benefits or pensions payable to a family of a deceased employe in the absence of the appointment of a personal representative.

With the information that the Senate has passed the same with amendments in which the concurrence of the House of Representatives is requested.

The clerk read the following amendments made by the Senate:

Amend Section 1, page 1, line 17, by striking out after the bracketed "\$1,000" the amount "\$3,500" and inserting in lieu thereof "\$2,000"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. BUTERA. Mr. Speaker, I request that the House do concur in the amendments made by the Senate to House bill No. 377.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeable to the provisions of the constitution, the yeas and nays were taken and were as follows:

**YEAS—179**

Anderson, J. H.	Gallen	Malady	Shane
Arthurs	Gallagher	Manderino	Sheffner
Bellommi	Geesey	Maloney	Shuman
Bennett	Geisler	McClatchy	Shupnik
Beren	Gekas	McCue	Smith, C.
Berson	Gillette	McCurdy	Smith, E.
Bittle	Gleason	McCinnis	Smith, L.
Bixler	Gleason	McGraw	Spencer
Blackwell	Goodman	McMonagle	Stahl
Bonetto	Greenfield	Mebus	Stout
Brandt	Grieco	Miller, M. E.	Taddonio
Brunner	Halverson	Miller, M. E., Jr.	Thomas
Burkardt	Hamilton, J. H.	Morris	Toll
Burns	Harrier	Mullen, M. P.	Trusio
Butera	Hasay	Musto	Turner
Eyerly	Haskell	Novak	Ustynoski
Caputo	Hayes, D. S.	Noye	Vacca
Cassar	Hayes, S. E.	O'Brien	Valicenti
Cheochio	Hepford	O'Connell	Vipond
Comer	Hill	Pencoast	Volpe
Crawford	Homer	Parker, H. S.	Wagner
Dager	Hopkins	Petrarca	Walsh, J. T.
Davis, D. M.	Hutchinson, A.	Pievsky	Walsh, T. P.
Davis, R.	Hutchinson, W.	Piper	Wargo
Deverter	Itkin	Pitts	Weidner
Dicarlo	Johnson, J.	Polite	Wells
Dininni	Jones	Prendergast	Westerberg
Dombrowski	Kahle	Rappaport	Whittlesey
Dorr	Katz	Renninger	Wilson
Dorsey	Kelly, A. P.	Renwick	Wilt, R. W.
Doyle	Kelly, J. B.	Richardson	Wilt, W. W.
Dreibelbis	Kennedy	Ritter	Wise
Early	Kester	Romanelli	Wojdak
Eckensberger	Kistler	Rowe	Worrlow
Englehart	Klingaman	Ruane	Wright
Fawcett	Knepper	Ruggiero	Yahner
Fee	Kolter	Ryan	Yohn
Fenrich	Kowalshyn	Saloon	Zearfoss
Finerman	Kusse	Salvatore	Zeller
Fischer	LaMarca	Scanlon	Zimmerman
Foor	Laudadio	Scheaffer	Zord
Foster, A.	Laughlin	Schmitt	Zwikel
Foster, W.	Lehr	Serics	
Fox	Lincoln	Soltzer	
Frankenburg	Lynch, Frank	Semanoff	Lee, Speaker
Fryer			

**NAYS—0**

**NOT VOTING—20**

Barber	Irvis	Petri	Shelton
Berkes	Letterman	Perry	Sullivan
DeMedio	Martino	Rhodes	Tayoun
Gring	Myers	Riegler	Vann
Hammock	Oliver	Schulze	Williams

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

Ordered, That the clerk inform the Senate accordingly.

**BILLS ON SECOND CONSIDERATION**

Agreeable to order,

The House proceeded to second consideration of House bill No. 1603, printer's No. 2633, entitled:

An Act amending the act of August 14, 1967 (P. L. 239, No. 91), entitled "An act relating to gross physical neglect of or injury to children under eighteen years of age; \*\*\*" extending the act to sexual molestation, further providing for protective custody reports, imposing further duties on the county public child welfare agency and providing for reimbursements by the Commonwealth.

On the question,

Will the House agree to the bill on third consideration?  
Mrs. WHITTLESEY requested and obtained unanimous consent to offer the following amendments, which were read:

Amend Title, page 1, lines 7 and 8, by striking out "EXTENDING THE ACT TO SEXUAL MOLESTATION."

Amend Sec. 1, page 1, line 14, by striking out "THE TITLE AND SECTION" and inserting: Section

Amend Sec. 1, page 1, line 21, by striking out "are" and inserting: is

Amend Sec. 1 (Title), page 2, lines 1 to 7, by striking out all of said lines

Amend Sec. 1 (Sec. 3), page 2, line 13, by striking out "SEXUAL MOLESTATION"

Amend Sec. 1 (Sec. 3), page 2, line 23, by striking out "SEXUAL MOLESTATION"

Amend Sec. 2 (Sec. 3.1), page 3, lines 2 and 3, by striking out "SEXUAL MOLESTATION"

Amend Sec. 2 (Sec. 3.1), page 3, line 5, by striking out "NEGLECT OR MOLESTATION" and inserting: or neglect

Amend Sec. 2 (Sec. 3.1), page 3, line 8, by striking out "NEGLECT OR MOLESTATION" and inserting: or neglect

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the minority leader.

Mr. FINEMAN. May I ask the lady, Mrs. Whittlesey, a question?

The SPEAKER. Would the lady, Mrs. Whittlesey, consent to interrogation?

Mrs. WHITTLESEY. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. FINEMAN. Thank you, Mr. Speaker.

Is this the amendment you and I discussed, taking out sexual molestation?

Mrs. WHITTLESEY. That is correct.

Mr. FINEMAN. Thank you.

On the question recurring,

Will the House agree to the amendments?

Amendments were agreed to.

On the question,

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

Mr. SHELHAMER requested and obtained unanimous consent to offer the following amendment, which was read:

Amend Sec. 3 (Sec. 5), page 5, by inserting after line 10: Any individual convicted for any activity which requires the protective custody provisions of this act be to invoked shall be required to reimburse the Commonwealth for all funds expended by the Commonwealth for the victims of this activity.

On the question,

Will the House agree to the amendment?

Amendment was agreed to.

On the question recurring,

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

Bill as amended was agreed to.

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

**CONSIDERATION OF SENATE BILL No. 769 RESUMED**

On the question recurring,

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

Mr. ENGLEHART requested and obtained unanimous consent to offer the following amendment, which was read:

Amend Sec. 1 (Sec. 10), page 2, line 7, by striking out "the actual expenses not in excess of"

On the question,

Will the House agree to the amendment?

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

Mr. ENGLEHART. Mr. Speaker, under present law, when an active judge is assigned to another city or county by the Supreme Court Administrator to assist in cleaning up the backlog, he is paid \$50 a day for his expenses and his mileage. Senate bill No. 769 seeks to change this and say that he is to be paid his actual expenses not in excess of \$50. My amendment proposes to take that language out and go back to \$50 a day.

When we come to Harrisburg, we allow ourselves \$35 a day for expenses as a per diem allowance without producing receipts. If we enact Senate bill No. 769 as is, we are going to ask these judges to get receipts for their breakfast, for their lunch, and for their dinner—all the things we have been over time and time again. It proves, I think, a little bit ridiculous in the long run to try to keep these kinds of receipts together.

It is impossible in this day and age to go to either Pittsburgh or Philadelphia and stay overnight for less than \$50. I do not think we should ask these judges to do more than we do ourselves. I, therefore, request support for the amendment.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Messrs. ENGLEHART and RYAN and were as follows:

**YEAS—145**

Anderson, J. H.	Frankenburg	Malady	Shane
Arthur	Gallagher	Manderno	Shelhamer
Bellomini	Geesey	McClatchy	Shuman
Bennett	Gelsler	McCue	Shupnik
Beran	Gekas	McCurdy	Smith, C.
Berson	Gleason	McGraw	Smith, E.
Bittle	Gleason	McMonagle	Smith, L.
Blackwell	Goodman	Mebus	Spencer
Bonetto	Greenfield	Miller, M. E.	Stahl
Brandt	Grieco	Miller, M. E., Jr.	Thomas
Brunner	Hamilton, J. H.	Morris	Toll
Burkardt	Hammock	Mullen, M. P.	Trusio
Buters	Harrier	Musto	Turner
Byerly	Hayes, D. S.	Novak	Uatynoski
Caputo	Hill	Noye	Vacca
Cassar	Homer	O'Brien	Valicenti
Checchio	Hopkins	O'Connell	Volpe
Comer	Hutchinson, A.	Pancost	Wagner
Dager	Hutchinson, W.	Parker, H. S.	Walsh, J. T.
Davis, D. M.	Itkin	Petrarca	Walsh, T. P.
Davis, H.	Jones	Plevsky	Wargo
DiCarlo	Katz	Piper	Weldner
Dinhani	Kelly, A. P.	Polite	Westerberg
Dombrowski	Kelly, J. B.	Prendergast	Whittlesey
Dorr	Kennedy	Rappaport	Wilt, R. W.
Dorsey	Kester	Renninger	Wilt, W. W.
Doyle	Kistler	Richardson	Wise
Dreibelbis	Klingaman	Romanelli	Wojdak
Early	Kolter	Ruggiero	Worrlow
Englehart	Kowalyszyn	Ryan	Wright
Fawcett	Kusse	Saloom	Yahner
Fee	LaMarca	Sclavatore	Zearfos
Fenrich	Laudadio	Scanlon	Zwiffl
Fineman	Laughlin	Schesffer	
Foor	Lehr	Schmitt	
Foster, A.	Letterman	Scirica	Lee, Speaker
Fox	Lincoln	Semanoff	

NAYS—29

Bixler	Gillette	McGinnis	Vipond
Burns	Halverson	Pitts	Wells
Crawford	Hasay	Renwick	Wilson
DeMedio	Hayes, S. E.	Ritter	Yohn
Deverter	Kahle	Ruane	Zeller
Eckensberger	Knepper	Stout	Zimmerman
Fischer	Maloney	Teddonto	Zord
Fryer			

NOT VOTING—25

Barber	Irvis	Perri	Seltzer
Berkes	Johnson, J.	Perry	Shelton
Foster, W.	Lynch, Frank	Rhodes	Sullivan
Gallen	Martino	Rieger	Tayoun
Gring	Myers	Rowe	Vann
Haskell	Oliver	Schulze	Williams
Hepford			

So the question was determined in the affirmative and the amendment was agreed to.

On the question recurring,

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

Bill as amended was agreed to.

Ordered, that the bill as amended be prepared for third consideration.

Agreeable to order,

The House proceeded to second consideration of House bill No. 295, printer's No. 2562, entitled:

An Act amending the "Consolidated Pennsylvania Statutes," approved November 25, 1970 (No. 230), adding provisions relating to the valuation and assessment of real property subject to local taxation, making an appropriation, imposing duties on the State Tax Equalization Board, requiring certification of county directors of assessments and assessors, prescribing penalties and making repeals.

And said bill having been considered the second time and agreed to,

Ordered, to be transcribed for third consideration.

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

Mr. EARLY. Mr. Speaker, is it possible to dispose of the amendment to House bill No. 295 at the present time?

The SPEAKER. We are going to consider all amendments to House bill No. 295 tomorrow.

Mr. EARLY. Thank you, Mr. Speaker.

BILL ON THIRD CONSIDERATION

CONSIDERATION OF HOUSE BILL No. 1056 RESUMED

On the question recurring,

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

Mr. GALLEN requested and obtained unanimous consent to offer the following amendment, which was read:

Amend Sec. 2, page 1, line 15, by inserting after "products": including Christmas trees

On the question,

Will the House agree to the amendment?

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

Mr. GALLEN. Mr. Speaker, this is an extremely simple amendment. I talked to both Mr. Thomas and Mr. Shel-

hamer who agreed that it could go in uncontested, but I would like to explain it.

On page 1, under the definition of "agricultural commodity," it says, "Any and all plant and animal products produced in this State for commercial purposes." That would definitely include the growing of Christmas trees. There is no question there.

But we have a problem on page 2. Under the definition of "forest reserve," it says, "Land, ten acres or more, stocked by forest trees of any size and capable of producing timber or other wood products." I feel that the growing of Christmas trees could be in a gray area with regard to which definition it may come under.

All we are doing with this amendment is further defining "agricultural commodity" by saying, "Any and all animal products produced in this State for commercial purposes including Christmas trees," which is already included in that section.

I think it is a simple amendment and I would hope there would be no objection.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Messrs. GALLEN and DREIBELBIS and were as follows:

YEAS—180

Anderson, J. H.	Fryer	Lincoln	Semanoff
Arthur	Gallagher	Lynch, Frank	Shane
Bellomsta	Gallen	Malady	Shephamer
Bennett	Geesey	Maloney	Shuman
Beren	Geister	Manderino	Shupnik
Berson	Gekas	McCleathy	Smith, C.
Bittle	Gillette	McCue	Smith, E.
Bixler	Gleason	McCurdy	Smith, L.
Blackwell	Gleeson	McGinnis	Spencer
Bonetto	Goodman	McGraw	Stahl
Brandt	Greenfield	McMonagle	Stout
Brunner	Grieco	Mebus	Teddonto
Burkardt	Halverson	Miller, M. E.	Thomas
Burns	Hamilton, J. H.	Miller, M. E., Jr.	Toll
Butera	Hammock	Morris	Trusio
Byerly	Harrier	Mullen, M. P.	Turner
Caputo	Hasay	Musto	Ustynaski
Cesar	Haskell	Novak	Vacca
Checchio	Hayes, D. S.	Noye	Vallenti
Comer	Hayes, S. E.	O'Brien	Vipond
Crawford	Hepford	O'Connell	Volpe
Dager	Hill	Pancoast	Wagner
Davis, D. M.	Homer	Parker, H. S.	Walsh, J. T.
Davis, R.	Hopkins	Petrarca	Walsh, T. P.
DeMedio	Hutchinson, A.	Plevsky	Wargo
Deverter	Hutchinson, W.	Piper	Weidner
Dicarlo	Itkin	Pitts	Wells
Dininni	Johnson, J.	Polite	Westerberg
Dombrowaki	Jones	Prendergast	Whittlesey
Dorr	Kahle	Rappaport	Wilson
Dorsey	Katz	Renwick	Wilt, R. W.
Doyle	Kelly, A. P.	Richardson	Wilt, W. W.
Dreibelbis	Kelly, J. E.	Ritter	Wise
Early	Kennerty	Romanelli	Wojdak
Eckensberger	Kester	Rowe	Worriow
Englehart	Kistler	Ruane	Wright
Fawcett	Klingaman	Ruggiero	Yahner
Fee	Knepper	Ryan	Yohn
Fenrich	Kolter	Saloom	Zearfoss
Fineman	Kowalshyn	Salvatore	Zeller
Fischer	Kusse	Scanlon	Zimmerman
Foor	LaMarca	Scheaffer	Zwikel
Foster, A.	Laudadio	Schmitt	
Foster, W.	Laughlin	Scrics	Lee, Speaker
Fox	Lehr	Seltzer	
Frankenburg	Letterman		

NAYS—0

NOT VOTING—19

Barber	Myers	Rhodes	Tayoun
Berkes	Oliver	Rieger	Vann
Gring	Perri	Schulze	Williams
Irvis	Perry	Shelton	Zord
Martino	Renninger	Sullivan	

So the question was determined in the affirmative and the amendment was agreed to.

On the question recurring,

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

Bill as amended was agreed to.

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

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

Mr. BURKARDT. We have all heard of Christmas tree bills. This is the first time I have heard of a Christmas tree amendment.

RECONSIDERATION OF VOTE  
ON PART I OF THOMAS AMENDMENTS TO  
HOUSE BILL No. 1056

Mr. DREIBELBIS moved that the vote by which Part I of the Thomas amendments to House bill No. 1056 was agreed to on April 29, 1974, be reconsidered.

Mr. SHANE seconded the motion.

On the question,

Will the House agree to the motion?

Motion was agreed to.

On the question recurring,

Will the House agree to Part I of the Thomas amendments?

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

Mr. DREIBELBIS. Mr. Speaker, I had asked if that reconsideration could be taken up tomorrow. Do you want to handle it today?

The SPEAKER. The problem with holding it until tomorrow is that—depending upon, of course, whether you are successful or not—we would then have printed the bill with the amendment and then would have to reprint it and take it out. For that reason, I think, unless all the parties who are involved in it would rather have it taken up tomorrow, it would probably be better to consider it today.

Mr. DREIBELBIS. If we move to table it until tomorrow and take it out, would it then, again, be reprinted, Mr. Speaker?

The SPEAKER. It can be, but we would like to get this bill out of the way, if possible, and over to the Senate.

Mr. DREIBELBIS. All right. In view of that and on your recommendation, we can handle it today then, I guess.

I think that probably the House was a little confused when they voted on the first half of the Thomas amendment. And please understand that I do not intend to call up all of the amendments or the few amendments that were passed or defeated today which I did not agree with, but this one, in particular, I think the House was a little confused on.

Now, what the first-half of the Thomas amendment does is say: "A present owner of a farmer-owner-operator of land devoted to agricultural use and subject to preferential assessment may split-off not more than ten acres in any year without incurring roll-back taxes on the remaining land and without impairing the right of the

remaining land to continue its preferential assessment status . . ."

We voted on this last week similarly and collectively with the other ones to allow for almost unlimited split-off, and I really do not think that this is what we want in this bill. It destroys the great concept of keeping agricultural land in agricultural production, and for us to take one segment of this total bill and say, yes, these people can split it off without any injury from rollback, but all the rest of the categories cannot, I think, again, as I repeated earlier, that it would cause an encroachment on productive land, and that is the land which would be developed rather than reserve lands and forest lands. For that reason I think it is quite damaging to a very good and constructive bill in favor of those in agriculture and those who are helping to pay for it.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. BUTERA. Mr. Speaker, I disagree with the gentleman and support Mr. Thomas' amendment. I think it is confusing. I will acknowledge that, but I think this particular part of this amendment is totally different in concept from that which we rejected last week by supporting the amendment of Mr. Foster. I supported that amendment.

This amendment attempts to go to the root of the problem of keeping farmers on the land. We face a practical problem as well as a philosophical problem in this entire area. The practical problem is to not only provide the mechanism for granting the true farmer—not the speculator, the true farmer—an incentive to stay on his land, but we also have to encourage him to take advantage of this program.

As I understand it, there are a number of small farmers in Pennsylvania who operate their farms, who find it necessary, economically from time to time, as distinguished from an annual routine, to sell off small portions of land so as to keep themselves on their farm.

The way the amendment is written, it seems to me, protects against what I objected to, together with the gentleman and many others, last week or the week before, which would have possibly opened the doors to people whom we do not intend to protect under this legislation.

I think by two respects does this amendment protect the taxpayers: Number one, it provides that a minor split-off can only be utilized without damaging the balance of the tract, taxwise, to the owner if he, in fact, is either the present owner or he is the farmer-owner-operator of the particular tract. And I think that adequately safeguards against what we were concerned about last week, and that is having a speculator come in, buy a farm, keep it in operation by hiring a tenant, and then gradually selling off his tract. I think this amendment in no way permits that, and the only argument here is whether or not we should permit the legitimate farmer-operator from having this advantage as a further enticement to keep him on his land and keep the farmland in production. I think that is the question. You can go either way on it, but I do not think we should confuse this with last week's argument about the land investor, the land speculator, or a company who banks land.

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the gentleman

from Lycoming, Mr. Wise. For what purpose does the gentleman rise?

Mr. WISE. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WISE. Mr. Speaker, I thought we debated this about 2 hours ago and I do not know where we are. Could you enlighten us?

The SPEAKER. We did debate this 2 hours ago, but we have had a reconsideration of the vote by which the amendment passed and we are now back on a reconsideration of the first half of the amendment again.

Mr. WISE. Was that a voice vote?

The SPEAKER. The reconsideration was a voice vote.

Mr. WISE. Thank you, Mr. Speaker.

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

Mr. DREIBELBIS. Mr. Speaker, would I be in order to interrogate the majority leader, please?

The SPEAKER. Will the majority leader consent to interrogation?

Mr. BUTERA. Yes.

The SPEAKER. The gentleman may proceed.

Mr. DREIBELBIS. Mr. Speaker, if I had the same outlook about this amendment as the majority leader, I would certainly be in favor of it. However, I do not.

Now, maybe I could ask him, as an attorney, a legal question as it relates to this particular amendment. If I had a 100-acre farm and if I entered into an agreement with you, the farmer, and I conveyed to you over a 10-year agreement of sale a parcel of 10 acres of land each year for your completion and development, would that then allow me to be under the umbrella of this amendment?

Mr. BUTERA. Mr. Speaker, I would say "no." I think that is an outright sale of the entire tract. At least it is a beneficial transfer, if not a legal transfer, and I would say that that would not be permissible under this amendment.

Mr. DREIBELBIS. However, Mr. Speaker, it says in this amendment that as long as he does not split off more than a 10-acre tract. He could convey 10 acres each year in a continuing development-type situation and still be hiding and escaping these roll-back taxes.

Mr. BUTERA. Mr. Speaker, number one, I think in your hypothetical—if I am incorrect, correct me—you suggested that the whole farm be sold and perhaps it be conveyed 10 acres per year under an agreement, and I say that under those circumstances that would not be permissible. There would be a rollback immediately.

If, for example—to change your hypothetical—instead, every year a farmer would take 10 acres and sell it out of his 100 acres, the fact of the matter is that if he did that every year, he would pay 10 years' rollback on each 10 acres, so he is not escaping the rollback. And if, in fact, he embarked on that kind of a program to its completion, he would have been subjected to the 10-year rollback, and I think, again, we have a protection in that regard. This amendment does not do away with rollback; it preserves the remainder for the farmer, hopefully, to stay on it.

I do not know if I can answer every possible hypothetical question as to whether somebody can cheat the balance of the taxpayers. I presume that as long as we have laws, we are going to have people trying to disobey them. We will then plug that kind of a loophole. But

my basic argument on this amendment is that as we can foresee the situation at this time, both practically as well as legally, we are precluding the kind of situation from occurring that we talked about last week.

Mr. DREIBELBIS. Mr. Speaker, I have no more questions. I have run out of listening. At the same time I do have a fear that although I am quite in favor of orderly development, in most cases the development in Pennsylvania may have been orderly, and probably has—I think we have read all over the state a great deal about the "clean and green" and we have heard that all of the communities are certainly in favor of the "clean and green," and they hope to be beneficiaries of it also—but we have listened to a situation of not allowing for windfall situations of tax shelter. I think this happens to be one and I do not think we should allow it in, because the farmer who needs to be on the farm, without this amendment there is nothing in the bill that prevents him from getting into the program and being fully protected and keeping him on the farm and keeping his land from being encroached upon anymore than agricultural reserve or forest reserve.

Mr. BUTERA. Mr. Speaker, if I may, there is one exception to that, and that is the very marginal small farmer who needs an extra two, three, four, five thousand dollars of extra income in a given year for a given purpose. It seems to me that that particular person is the very person who we are seeking to protect here, and I think this amendment does it adequately.

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

Mr. ZELLER. Mr. Speaker, we hear these remarks that this is designed to help the true farmer. They use this "true farmer" appeal to lure us into this amendment.

Really, the individual he is talking about who needs the \$2,000 or \$3,000, if he has any land, can make a loan on that very easily. There is no problem about that at all.

What does he want to sell it for? If he is a true farmer, he has no problem with the present split-off provision, if he wants to keep it just for his family.

This is a "true developer" amendment. Now, please, Mr. Speaker, if this amendment goes through, you might as well forget about it, because you are going to have development. This will truly allow the best of two worlds, and the speculators have won their case.

Now let me read to you—I passed it out last week—and contrary to what we have heard on the floor of this House, and I talked to Mr. Metzger by telephone just last Tuesday and he told me that the Pennsylvania Federation of Sportsmen does not go along with this sort of operation. As a matter of fact, under section (2) of their resolution, they definitely state that: "Split off provisions only for members of the immediate family. All other sub-divisions should incur the full tax penalty on the original contract area."

They do not go along. In talking to him on the telephone, he definitely told me that they are not for this type of split off.

Now if you want to go against the Federation of Sportsmen in the State of Pennsylvania and you want to go against the farmer and you want to aid the realtors, just vote for this amendment.

Thank you.

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

Mr. SHANE. Thank you, Mr. Speaker.

When the majority leader tells me that today's amendment is totally different from the amendments we considered 2 weeks ago, it confuses me. Indeed, it boggles my mind, because my recollection is that as House bill No. 1056 came to us originally, it provided for a split off of portions of the farmland and a 5-year rollback.

Now two particular groups corresponded with us, the Pennsylvania Environmental Council and the Pennsylvania Grange, saying that they opposed all split offs, with the exception of a 2-acre split off for immediate relatives for a home, and they favored a 10-year rollback. I believe it was the Pennsylvania Farmers' Association which vigorously supported the bill in its original form.

Then 2 weeks ago Mr. Foster and Mr. Dreibelbis offered amendments that would eliminate the split off, with the exception of the immediate family members. That is my recollection, anyhow. We had a vigorous and weighty policy debate on that subject.

One of the points that we discussed was the fact that if a split off was permitted, then the farmer would be able to sell his choice land next to the road for commercial development for "ticky-tacky" hamburger stands or whatever he wanted to put up there, and that this contradicted the advertised purpose of the constitutional amendment as it was merchandised to the voters in May of 1973.

Now this body made a rather clear decision, I thought, 2 weeks ago that they would not favor any split offs, with the exception of a conveyance to somebody in the immediate family. It is all right. This body certainly has the prerogative to change its mind or reverse its field, but I think the members should clearly know what they are doing.

Therefore, I respectfully disagree with the majority leader's statement that the concept of this amendment is totally different from the amendments we considered 2 weeks ago when Mr. Foster and Mr. Dreibelbis came before us.

Indeed, it is my humble opinion that if we retain the split-off provisions in House bill No. 1056, we have then forsaken the worthy policy goals that the voters of Pennsylvania approved of in May of 1973 and the bill has degenerated into nothing more than a taxpayer rip-off.

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

Mr. LAUDADIO. Mr. Speaker, I would like to interrogate the gentleman from Lehigh, Mr. Zeller.

The SPEAKER. Will the gentleman from Lehigh, Mr. Zeller, consent to interrogation?

Mr. ZELLER. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. LAUDADIO. Mr. Speaker, would you tell the members of the House what day that resolution was issued by the Pennsylvania Federation of Sportsmen's Clubs?

Mr. ZELLER. The letter is dated February 5, 1974.

Mr. LAUDADIO. Would you also tell the members of this House if there was a statewide convention of the Federation of Sportsmen's Clubs since the day of that resolution?

Mr. ZELLER. Well, even at that time, and this was as late as Tuesday, Mr. Metzger still said that this provision holds. So what does that have to do with it, Mr. Speaker? That came from the president, Mr. Metzger.

Mr. LAUDADIO. Mr. Speaker, that is all the questions I want to ask the gentleman from Lehigh.

I was with Mr. Metzger last Thursday night in Johnstown and I want to tell the members of the House that the statement you are making is not accurate. I want to say to you that the members of the federation, the officers, have had discussions with the various members of the General Assembly, such as Reno Thomas, Kent Shelhamer and others. We have authority to work out compromises from time to time, and that was a compromise which was worked out by the officers and the leaders of the Pennsylvania Federation of Sportsmen's Clubs with the farm group. I say to you today that we had that authority, and we still have that authority, to support the amendments as we are supporting them today.

Further, I want to point out to you that I do not think that you, Mr. Speaker, are going to be the spokesman for the Pennsylvania Federation of Sportsmen's Clubs. I am sure, as an officer, I have never betrayed not only the federation, but the members of this House when I have come before this body and I would like the record to state that.

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

Mr. ZELLER. Mr. Speaker, with all respect to Mr. Laudadio, I had never taken him to task on it. As a matter of fact, he has gone so far as taking me to task.

I happen to be a sportsman and just last Saturday I talked to one of his officers, a fellow from Lehigh County, and, Mr. Laudadio does not speak for him or for Lehigh County then, because they are for this amendment the way you people passed it.

I did not want to get into this with him, Mr. Speaker, but this is what he said. So, therefore, he is not getting on the floor of this House and speaking for 167,000 sportsmen in Pennsylvania anytime he wants a deal like that. Do not give me that.

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

Mr. LAUDADIO. Mr. Speaker, I really do not want to belabor the House; the hour is late; but I think that I can only say that I have been elected to the high office of secretary of this statewide organization and I have had to feel for the sportsmen for many years as an officer, and I am sure that the members of this House know that I would not, again, betray them or give them a false impression as to what the federation views are.

I am not sure what some individual in Lehigh County or some other area may have stated, but I am fully aware of the discussions that took place at the state convention. The delegates made decisions for their respective counties and there were no dissenting votes at the time of our convention in March. So, Mr. Speaker, I say to the gentleman from Lehigh, if the Lehigh County Federation was in opposition of the compromise that we worked out, they did not indicate it in convention.

The SPEAKER. The Chair recognizes the gentleman from Columbia, Mr. Shelhamer.

Mr. SHELHAMER. Thank you, Mr. Speaker.

Mr. Speaker, while we are on the subject of sportsmen, I would also like to relay the complete assurance of the Pennsylvania Rifle and Pistol Association for it, basically the central and eastern part of the state who also give their approval to this particular compromise.

Let me speak for a second to the issue brought up by

the majority leader that this is a completely different version from that which was voted down overwhelmingly 2 weeks ago.

The gentleman, Mr. Butera, is correct, it is a completely different issue; and it is complete in at least several different sections.

Now the areas that it is different in follow in this particular way: Number one, the old bill, as brought out of committee, would have allowed a split off for any landowner, or in any amount. This particular bill narrows it, number one, to an owner-operator only. Number two, it says no more than 10 acres may be split off. And, number three, the bill requires that split off to be at the option or at the privilege of the planning and zoning officers of that particular municipality.

Now I think that that is a good provision, it is a fair provision. And it is probably the only way that we are going to get any amount, or the largest amount, of the farmland into this particular bill, because to do anything less than that will see most of the farmers reject that particular kind of philosophy.

Lastly, let me say this: I admit that there are some farmers, just as there are in any other group that you would like to cover, whether they are bankers, ministers or legislators, who are different from the majority of the rest of them, who are out to make a fast buck, those people who really are the developers, as there are some of us who point out there are some. There is an easy way for them to usurp this particular bill. They can simply, if they want to, put their land in 10-acre blocks. Then they can sell it off as they wish.

Now if you want to require the landowner to go to those sorts of ends to participate in this particular legislation, then you can do that by passing a bill that is that restrictive. But I say to you that if you do that, you are guaranteeing that you will not get the participation of agriculture. Vote "no" on this amendment.

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

Mr. ZELLER. Mr. Speaker, there are a couple contradictions here and I would like to straighten them out.

One is the fact that all through the testimony—and anybody who has been at those hearings all last year—the Federation of Sportsmen backed what I stated here, and I am going to read it to you word for word through the entire hearings.

Now all of a sudden at the last moment we have a complete turnabout, a complete about-face. How can that happen? How can one individual, with all respect to him, get up here and say—when I had it right from the president, I swear to the good Lord. Last week the president of the Pennsylvania Federation of Sportsmen told me this himself, personally. I have it from our officers in Lehigh County, one of the largest Federation of Sportsmen groups in the State of Pennsylvania. They are for it, as it states here from the Federation of Sportsmen—no split-offs, only the immediate part of the family.

Then we have Mr. Shelhamer get up here and make the bald-faced statement that they could take 10 acres each of a 100-acre parcel. Show me a guy who is going to do it. Whom is he going to sign it over to? He cannot do it on his own. He would not meet the provisions of the bill. So do not try to tell us that. Do not try and wheel and deal this thing through using statements like that. It just does not work.

So you fellows are trying to bring something in here for the developers. Where does the farmer stand on this deal? So for goodness' sake, do not be sold a bill of goods. We have got the Ringling Brothers and Barnum & Bailey Circus in act here.

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

Mr. EARLY. Mr. Speaker, will Mr. Laudadio consent to brief interrogation?

The SPEAKER. Will the gentleman from Westmoreland, Mr. Laudadio, consent to interrogation?

Mr. LAUDADIO. I will, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. EARLY. In the back of the room here, we heard you say that you would not betray the sportsmen again. I was wondering when you betrayed them the first time?

Mr. LAUDADIO. If I said that, I would have to say that I have never done anything like that.

Mr. EARLY. I did not think you did, but I was wondering when it did happen.

Thank you.

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

Mr. SHANE. Mr. Speaker, I guess one's opinion as to how the baloney is sliced depends on one's point of view.

My subjective impression of the action taken by this body 2 weeks ago was that this body decided to oppose split-offs, except for immediate family members. That policy statement, that statement of opinion, was not really qualified by the people who would be able to take advantage or not take advantage of that split-off.

It is still my sincere opinion that this body is completely reversing itself today on the issue of whether split-offs of farmland should be permitted. It is fine for the body to reverse itself, but I do not want to see any cute rationalizations to grease the path.

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

Mr. ANDERSON. Mr. Speaker, a little while ago, unfortunately, we rejected an amendment that was offered by the gentleman from Bedford, Mr. Foor. That is the amendment that gives a break to those who own estates, who are not really interested in agriculture, and I think it is a shame that the amendment was defeated.

If we knock out the amendment that was just put in, we might as well forget the whole bill.

Now my farm happens to be located in such an area that I do not expect to ever have to take advantage of this bill at all. I am far enough away from development that they are not pushing in on us. I suppose you could say I am out in the sticks.

But I know in York County the people who are affected by this are certainly not going to have anything to do with this bill if this amendment that was just put in is knocked out.

We can write a bill, fine. We can pass it. But what good is it if no one takes advantage of the bill, and they are not going to unless this amendment is in.

Thank you, Mr. Speaker.

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

Mr. W. W. WILT. One brief question of Mr. Laudadio, please.



The SPEAKER. Will the gentleman from Westmoreland, Mr. Laudadio, consent to interrogation?

Mr. LAUDADIO. I will.

The SPEAKER. On any subject other than the Federation of Sportsmen, the gentleman may proceed.

Mr. W. W. WILT. On no other subject.

Mr. Speaker, as I understand the particular amendment concerning the split-off as it is now in the bill in its present form, did you as an official representative of the Pennsylvania Federation of Sportsmen's Clubs agree to that amendment?

Mr. LAUDADIO. Yes, Mr. Speaker.

Mr. W. W. WILT. Thank you, Mr. Speaker; that is all I need to know.

The SPEAKER. The Chair recognizes the gentleman from Columbia, Mr. Shelhamer.

Mr. SHELHAMER. Mr. Speaker, would you please rephrase the question so we understand which way—

The SPEAKER. The vote is on the first part of the amendment. In other words, all we are doing is just revoting on the amendment offered by the gentleman from Snyder, Mr. Thomas, on the first part of the amendment.

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

Mr. SHELHAMER. Mr. Speaker, then those people who voted "yes," if they are still of the same mind, will vote "yes." Am I correct?

The SPEAKER. The gentleman is correct. If you are in favor of the amendment offered by the gentleman from Snyder, Mr. Thomas, you vote in the affirmative; otherwise, in the negative.

On the question recurring,

Will the House agree to Part I of the Thomas amendments?

The yeas and nays were required by Messrs. DREIBELBIS and THOMAS and were as follows:

YEAS—98

Anderson, J. H.	Crieco	McCue	Shelhamer
Bellomini	Halverson	McCurdy	Shuman
Bennett	Hamilton, J. H.	McGraw	Smith, C.
Bittle	Hammock	Mebus	Smith, L.
Brandt	Harrier	Miller, M. E.	Spencer
Brunner	Hassay	Miller, M. E., Jr.	Stahl
Burkardt	Haskell	Novak	Stout
Butera	Hayes, D. S.	Novc	Thomas
Comer	Hayes, S. E.	O'Brien	Trusio
Davis, D. M.	Hepford	O'Connell	Turner
DeMedio	Hill	Pancoast	Ustynoski
Deverter	Hopkins	Petrarca	Vacca
Dininni	Hutchinson, A.	Pievsky	Wagner
Dorr	Hutchinson, W.	Piper	Weidner
Dorsey	Jones	Polite	Westerberg
Engelhart	Kahle	Ronninger	Wilt, R. W.
Fee	Katz	Rowe	Wilt, W. W.
Foor	Kester	Ruane	Wise
Foster, W.	Kistler	Ryan	Yahner
Frankenburg	Klingaman	Saloom	Yohn
Gallen	Kusse	Salvatore	Zimmerman
Geesey	Laudadio	Schaeffer	
Gelsler	Lehr	Seltzer	
Gekas	Lincoln	Semanoff	Lee, Speaker
Goodman	McClatchy		

NAYS—85

Arthurs	Fischer	Letterman	Scirica
Beren	Foster, A.	Lynch, Frank	Shane
Berson	Fox	Malady	Shupnik
Bixler	Fryer	Maloney	Smith, E.
Blackwell	Gallagher	Mandertno	Taddonto
Bonetto	Gillette	McGinnis	Toil
Burns	Gleason	McMonagle	Valcenti
Byerly	Gleason	Morris	Vipond

Caputo	Greenfield	Mullen, M. P.	Volpe
Cessar	Homer	Musto	Walsh, J. T.
Crawford	Iryis	Parker, H. S.	Walsh, T. P.
Dager	Itkin	Pitte	Wargo
Davis, R.	Johnson, J.	Prendergast	Wells
Dicarlo	Kelly, A. P.	Rappaport	Whittlesey
Dombrowski	Kelly, J. B.	Renwick	Wilson
Doyle	Kennedy	Richardson	Worrlow
Dreibelbis	Knepper	Ritter	Wojdak
Early	Kolter	Romanelli	Wright
Eckensberger	Kowalyshyn	Ruggiero	Zearfoss
Fawcett	LaMarca	Scanlon	Zeller
Fenrich	Laughlin	Schmitt	Zwick
Fineman			

NOT VOTING—18

Barber	Myers	Rieger	Tayoun
Berkes	Oliver	Schulze	Vann
Checchio	Petri	Shelton	Williams
Gring	Perry	Sullivan	Zord
Martino	Rhodes		

So the question was determined in the affirmative and Part I of the Thomas amendments was agreed to.

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

Bill as amended was agreed to.

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. ZORD. On that last vote, my switch was inoperative. I would like to be recorded in the negative on Part I of the Thomas' amendment to House bill No. 1056.

The SPEAKER. The gentleman will be so recorded.

SENATE MESSAGE

HOUSE RESOLUTION CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

HOUSE RESOLUTION No. 62

Memorializing United States Congress to enact the National Catastrophic Insurance Act of 1973.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 647

The clerk of the Senate, being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House bill numbered and entitled as follows:

HOUSE BILL No. 647

An Act making an appropriation to the Beacon Lodge Camp for the Blind, Lewistown, Pennsylvania.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned bills

from the House of Representatives numbered and entitled as follows:

**HOUSE BILL No. 43**

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

**HOUSE BILL No. 1269**

An Act amending the act of April 29, 1959 (P. L. 58, No. 32), entitled "The Vehicle Code," restricting the use of learners' permits and junior operator's license of persons under eighteen years of age.

**HOUSE BILL No. 1370**

An Act reenacting and amending clause XLI of section 702 act of May 1, 1933 (P. L. 103, No. 69), entitled "The Second Class Township Code," validating ordinances heretofore attached to the township ordinance book and not recorded directly upon the pages thereof.

**HOUSE BILL No. 1733**

An Act amending the act of February 1, 1966 (P. L. 1656, No. 581), entitled "The Borough Code," authorizing taxation for the purpose of appropriating funds to support ambulance and rescue squads.

**HOUSE BILL No. 1734**

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), entitled "The Second Class Township Code," authorizing taxation for the purpose of appropriating funds to support ambulance and rescue squads.

**HOUSE BILL No. 1735**

An Act amending the act of June 24, 1931 (P. L. 1206, No. 331), entitled "The First Class Township Code," authorizing taxation for the purpose of appropriating funds to support ambulance and rescue squads.

With information that the Senate has passed the same without amendment.

**SENATE MESSAGE**

**AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE**

The clerk of the Senate, being introduced, returned bill from the House of Representatives numbered and entitled as follows:

**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.

**HOUSE BILL No. 860**

An Act authorizing residents of Pennsylvania to purchase black powder in contiguous states.

**HOUSE BILL No. 1204**

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), entitled "The Second Class Township Code," further regulating the filling of a vacancy in the office of supervisor and providing for the appointment of the township solicitor.

**HOUSE BILL No. 1388**

An Act amending the act of August 9, 1955 (P. L. 323, No. 130), entitled "The County Code," establishing a mileage rate for county officials and employees.

With the information that the Senate has passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER. The bills will appear on the calendar.

**HOUSE BILL No. 1729 REMOVED FROM TABLE**

Mr. BUTERA moved that House bill No. 1729, printer's No. 2550, be taken from the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

On the question recurring,

Will the House agree to the bill on second consideration?

Bill was agreed to.

Ordered, to be transcribed for third consideration.

**HOUSE BILLS SIGNED BY SPEAKER**

Bills numbered and entitled as follows having been prepared for presentation to the Governor and the same being correct, the titles were read as follows:

**HOUSE BILL No. 43**

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

**HOUSE BILL No. 647**

An Act making an appropriation to the Beacon Lodge Camp for the Blind, Lewistown, Pennsylvania.

**HOUSE BILL No. 977**

An Act amending "The Administrative Code," approved April 9, 1929 (P. L. 177, No. 175), authorizing the Department of Property and Supplies and other administrative departments to permit the State Public School Building Authority to participate in purchase contracts entered into by the Commonwealth.

**HOUSE BILL No. 1269**

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58, No. 32), restricting the use of learners' permits and junior operator's license of persons under eighteen years of age.

**HOUSE BILL No. 1370**

An Act reenacting and amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), validating ordinances heretofore attached to the township ordinance book and not recorded directly upon the pages thereof.

**HOUSE BILL No. 1533**

An Act amending Title 1 (general provisions) of the Consolidated Pennsylvania Statutes, changing provisions on bills to amend the Consolidated Statutes, conferring additional powers and duties upon the Legislative Reference Bureau and providing for the effect of statutes that do not conform to requirements on format.

**HOUSE BILL No. 1574**

An Act relating to the purchase of brass and bronze cemetery vases, receptacles or markers with penalty provisions.

**HOUSE BILL No. 1733**

An Act amending "The Borough Code," approved

February 1, 1966 (P. L. 1656, No. 581), authorizing taxation for the purpose of appropriating funds to support ambulance and rescue squads.

#### HOUSE BILL No. 1734

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), authorizing taxation for the purpose of appropriating funds to support ambulance and rescue squads.

#### HOUSE BILL No. 1735

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206, No. 331), authorizing taxation for the purpose of appropriating funds to support ambulance and rescue squads.

Whereupon,

The SPEAKER, in the presence of the House signed the same.

### SENATE BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor and the same being correct, the titles were publicly read as follows:

#### SENATE BILL No. 359

An Act amending the act of July 20, 1917 (P. L. 1158, No. 401), entitled "An act to fix, regulate and establish the fees to be charged and received by constables in this Commonwealth," changing the fee for serving a complaint in landlord and tenant proceedings.

#### SENATE BILL No. 404

An Act amending the act of August 9, 1955 (P. L. 323, No. 130), entitled "The County Code," increasing expense and travel allowances.

#### SENATE BILL No. 982

An Act amending the act of June 22, 1931 (P. L. 594, No. 203), entitled "Rural State Highway Law," deleting a route in East Franklin Township, Armstrong County.

#### SENATE BILL No. 983

An Act amending the act of May 13, 1945 (P. L. 809, No. 323), entitled "An act removing certain roads or sections of road from the State highway system; and providing for their future maintenance and construction," removing a route in Armstrong County.

#### SENATE BILL No. 1344

An Act amending the act of May 5, 1933 (P. L. 284, No. 104), entitled, as amended, "Malt Beverage Tax Law," providing for emergency malt or brewed beverage tax credits.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 403

Mr. MEBUS presented the report of the Committee of Conference on Senate bill No. 403.

The SPEAKER. The report will be laid over for printing under the rules.

### BILL REPORTED AS AMENDED

#### SENATE BILL No. 1430 By Mr. R. W. WILT

An Act amending the act of December 22, 1959 (P. L. 1978, No. 728), entitled, as amended, "State Harness Racing Law," authorizing racing on Sundays.

Reported from Committee on Agriculture and Dairy Industries.

### COMMITTEE MEETINGS

CONSUMER PROTECTION, Mr. Foor, chairman, Room 246, Tuesday, April 30, 1974, at 9:30 a.m., e.d.t.

JUDICIARY, Mr. Spencer, chairman, Room 115 A, Tuesday, April 30, 1974, at 10:30 a.m., e.d.t.

LAW AND JUSTICE, Mr. Zord, chairman, Room 401, Tuesday, April 30, 1974, at 9:30 a.m., e.d.t.

RULES, Mr. Butera, chairman, Room 140, Tuesday, April 30, 1974, at 10:30 a.m., e.d.t.

SPECIAL COMMITTEE ON STATE WATER PLAN, Mr. Pitts, chairman, Room 115 A, Tuesday, April 30, 1974, at 9:15 a.m., e.d.t.

SUBCOMMITTEE ON CORRECTIONS, Mr. Scirica, chairman, Room 243 A, Tuesday, April 30, 1974, at 11 a.m., e.d.t.

SUBCOMMITTEE TO STUDY REAL ESTATE COMMISSION, Mr. Dager, chairman, Room 243 A, Tuesday, April 30, 1974, at 9 a.m., e.d.t.

URBAN AFFAIRS, Mr. Hamilton, chairman, Room 243 A, Tuesday, April 30, 1974, at 10 a.m., e.d.t.

### CITATIONS

The following citations were read, considered and adopted:

#### CONGRATULATING THE CARBONDALE PUBLIC LIBRARY

##### HOUSE OF REPRESENTATIVES

WHEREAS, Carbondale Public Library of Carbondale, Pennsylvania is celebrating its one hundredth anniversary with a week long celebration to include displays, book giveaways, guest appearances by authors, a banquet and concert by the Carbondale Area High School Band.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania extends its best wishes and congratulations to the Carbondale Public Library and its staff on its one hundredth anniversary and commends it on the service it has provided to the community of Carbondale;

and further directs that a copy of this citation be delivered to Carbondale Public Library, 24 Sixth Avenue, Carbondale, Pennsylvania 18407.

JONATHAN VIPOND

#### CONGRATULATING THE FRIENDS OF POLAND SOCIETY

##### HOUSE OF REPRESENTATIVES

WHEREAS, May third is hereby recognized as the Constitution of Poland Day or the Konstytucja Trzeciego Maja; and

WHEREAS, The Polish Constitution was patterned after the United States Constitution to provide freedom, justice and liberty for all citizens of Poland.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates the Friends of Poland Society on this historic occasion and wish them well on this day as well as the rest of the year;

and further directs that a copy of this citation be delivered to The Friends of Poland Society, c/o Mr. Peter Sokolowski, 301 Maple Street, Old Forge, Pennsylvania 18078.

JONATHAN VIPOND

#### COMMENDING FRANCIS X. ANTONELLI

##### HOUSE OF REPRESENTATIVES

WHEREAS, The West Hazleton Improvement Club recently held its forty-sixth Annual Sports Banquet. This

fine organization sponsors this banquet every year to commend the athletes and cheerleaders of the West Hazleton High School. As a member of the club, Francis X. Antonelli is instrumental in the outstanding success this annual event has had.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates the West Hazleton Improvement Club on the occasion of its forty-sixth Annual Sports Banquet, commends Francis X. Antonelli and all the other members on their work in making this event such a success, and wishes the club and its members every success in the years ahead; and further directs that a copy of this citation be delivered to Francis X. Antonelli, 7 Diamond Avenue, West Hazleton, Pennsylvania 18201.

JAMES J. USTYNOSKI

COMMENDING FRED M. CHESLOCK  
HOUSE OF REPRESENTATIVES

WHEREAS, The West Hazleton Improvement Club recently held its forty-sixth Annual Sports Banquet. This fine organization sponsors this banquet every year to commend the athletes and cheerleaders of the West Hazleton High School. As a member of the club, Fred M. Cheslock is instrumental in the outstanding success this annual event has had.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates the West Hazleton Improvement Club on the occasion of its forty-sixth Annual Sports Banquet, commends Fred M. Cheslock and all the other members on their work in making this event such a success, and wishes the club and its members every success in the years ahead; and further directs that a copy of this citation be delivered to Fred M. Cheslock, 738 North Vine Street, Hazleton, Pennsylvania 18201.

JAMES J. USTYNOSKI

COMMENDING GEORGE LOHRKE  
HOUSE OF REPRESENTATIVES

WHEREAS, The West Hazleton Improvement Club recently held its forty-sixth Annual Sports Banquet. This fine organization sponsors this banquet every year to commend the athletes and cheerleaders of the West Hazleton High School. As a member of the club, George Lohrke is instrumental in the outstanding success this annual event has had.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates the West Hazleton Improvement Club on the occasion of its forty-sixth Annual Sports Banquet, commends George Lohrke and all the other members on their work in making this event such a success, and wishes the club and its members every success in the years ahead; and further directs that a copy of this citation be delivered to George Lohrke, 117 North Third Street, West Hazleton, Pennsylvania 18201.

JAMES J. USTYNOSKI

COMMENDING RICHARD I. BERNSTEIN, ESQ.  
HOUSE OF REPRESENTATIVES

WHEREAS, The West Hazleton Improvement Club recently held its forty-sixth Annual Sports Banquet. This fine organization sponsors this banquet every year to commend the athletes and cheerleaders of the West Hazleton High School. As a member of the club, Richard I. Bernstein, Esquire is instrumental in the outstanding success this annual event has had.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates the West Hazleton Improvement Club on the occasion of its forty-sixth Annual Sports Banquet, commends Richard I. Bernstein, Esq., and all the other members on their work making this event such a success, and wishes the club and its members every success in the years ahead; and further directs that a copy of this citation be delivered to Richard I. Bernstein, Esquire, 119 Main St., Conyngham, Pennsylvania 18219.

JAMES J. USTYNOSKI

COMMENDING CARL W. WARG  
HOUSE OF REPRESENTATIVES

WHEREAS, The West Hazleton Improvement Club recently held its forty-sixth Annual Sports Banquet. This fine organization sponsors this banquet every year to commend the athletes and cheerleaders of the West Hazleton High School. As a member of the club, Carl W. Warg is instrumental in the outstanding success this annual event has had.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates the West Hazleton Improvement Club on the occasion of its forty-sixth Annual Sports Banquet, commends Carl W. Warg and all the other members on their work in making this event such a success, and wishes the club and its members every success in the years ahead; and further directs that a copy of this citation be delivered to Carl W. Warg, 226 North Broad Street, West Hazleton, Pennsylvania 18201.

JAMES J. USTYNOSKI

COMMENDING DOMONIC ANTONELLI  
HOUSE OF REPRESENTATIVES

WHEREAS, The West Hazleton Improvement Club recently held its forty-sixth Annual Sports Banquet. This fine organization sponsors this banquet every year to commend the athletes and cheerleaders of the West Hazleton High School. As a member of the club, Domonic Antonelli is instrumental in the outstanding success this annual event has had.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates the West Hazleton Improvement Club on the occasion of its forty-sixth Annual Sports Banquet, commends Domonic Antonelli and all the other members on their work in making this event such a success, and wishes the club and its members every success in the years ahead; and further directs that a copy of this citation be delivered to Domonic Antonelli, Frederick Drive, Conyngham, Pennsylvania 18219.

JAMES J. USTYNOSKI

COMMENDING WILLIAM F. NENSTIEL  
HOUSE OF REPRESENTATIVES

WHEREAS, The West Hazleton Improvement Club recently held its forty-sixth Annual Sports Banquet. This fine organization sponsors this banquet every year to commend the athletes and cheerleaders of the West Hazleton High School. As a member of the club, William F. Nenstiel is instrumental in the outstanding success this annual event has had.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates the West Hazleton Improvement Club on the occasion of its forty-sixth Annual Sports Banquet, commends William F. Nenstiel and all the other members on their work in making this event such a success, and wishes the club and its members every success in the years ahead; and further directs that a copy of this citation be delivered to William F. Nenstiel, 115 E. Broad Street, West Hazleton, Pennsylvania 18201.

JAMES J. USTYNOSKI

COMMENDING ANTHONY STISH, SR.  
HOUSE OF REPRESENTATIVES

WHEREAS, The West Hazleton Improvement Club recently held its forty-sixth Annual Sports Banquet. This fine organization sponsors this banquet every year to commend the athletes and cheerleaders of the West Hazleton High School. As a member of the club, Anthony Stish, Sr. is instrumental in the outstanding success this annual event has had.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates the West Hazleton Improvement Club on the occasion of its forty-sixth Annual Sports Banquet, commends Anthony Stish,

Sr. and all the other members on their work in making this event such a success, and wishes the club and its members every success in the years ahead; and further directs that a copy of this citation be delivered to Anthony Stish, Sr., 437 Allen Street, West Hazleton, Pennsylvania 18201.

JAMES J. USTYNOSKI

#### CONGRATULATING MARY SCRIPKO

##### HOUSE OF REPRESENTATIVES

WHEREAS, The Saint Thomas District High School has been declared champions of the Class C Division by the Diocese of Pittsburgh for the 1973-74 season. The team was also State runner-up in the Class C Division. Their overall record was twenty-one wins and three losses. As a member of the team, Marty Scripko was an integral part of Saint Thomas's drive to the championship.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Marty Scripko and all the members of the Saint Thomas District High School basketball team on being declared champions of the Class C Division, Pittsburgh Diocese, commends them on their outstanding record and team play, and wishes them every success in the future; and further directs that a copy of this citation be delivered to Marty Scripko, St. Thomas District High School, 1025 Braddock Avenue, Braddock, Pennsylvania 15104.

A. JOSEPH VALICENTI

#### CONGRATULATING JEFF BABYAK

##### HOUSE OF REPRESENTATIVES

WHEREAS, The Saint Thomas District High School has been declared champions of the Class C Division by the Diocese of Pittsburgh for the 1973-74 season. The team was also State runner-up in the Class C Division. Their overall record was twenty-one wins and three losses. As a member of the team, Jeff Babyak was an integral part of Saint Thomas's drive to the championship.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Jeff Babyak and all the members of the Saint Thomas District High School basketball team on being declared champions of the Class C Division, Pittsburgh Diocese, commends them on their outstanding record and team play, and wishes them every success in the future; and further directs that a copy of this citation be delivered to Jeff Babyak, St. Thomas District High School, 1025 Braddock Avenue, Braddock, Pennsylvania 15104.

A. JOSEPH VALICENTI

#### CONGRATULATING TIM KEARNEY

##### HOUSE OF REPRESENTATIVES

WHEREAS, The Saint Thomas District High School has been declared champions of the Class C Division by the Diocese of Pittsburgh for the 1973-74 season. The team was also State runner-up in the Class C Division. Their overall record was twenty-one wins and three losses. As a member of the team, Tim Kearney was an integral part of Saint Thomas's drive to the championship.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Tim Kearney and all the members of the Saint Thomas District High School basketball team on being declared champions of the Class C Division, Pittsburgh Diocese, commends them on their outstanding record and team play, and wishes them every success in the future; and further directs that a copy of this citation be delivered to Tim Kearney, St. Thomas District High School, 1025 Braddock Avenue, Braddock, Pennsylvania 15104.

A. JOSEPH VALICENTI

#### CONGRATULATING TERRY COLES

##### HOUSE OF REPRESENTATIVES

WHEREAS, The Saint Thomas District High School has

been declared champions of the Class C Division by the Diocese of Pittsburgh for the 1973-74 season. The team was also State runner-up in the Class C Division. Their overall record was twenty-one wins and three losses. As a member of the team, Terry Coles was an integral part of Saint Thomas's drive to the championship.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Terry Coles and all the members of the Saint Thomas District High School basketball team on being declared champions of the Class C Division, Pittsburgh Diocese, commends them on their outstanding record and team play, and wishes them every success in the future; and further directs that a copy of this citation be delivered to Terry Coles, St. Thomas District High School, 1025 Braddock Avenue, Braddock, Pennsylvania 15104.

A. JOSEPH VALICENTI

#### CONGRATULATING MIKE PREZIOSI

##### HOUSE OF REPRESENTATIVES

WHEREAS, The Saint Thomas District High School has been declared champions of the Class C Division by the Diocese of Pittsburgh for the 1973-74 season. The team was also State runner-up in the Class C Division. Their overall record was twenty-one wins and three losses. As a member of the team, Mike Preziosi was an integral part of Saint Thomas's drive to the championship.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Mike Preziosi and all the members of the Saint Thomas District High School basketball team on being declared champions of the Class C Division, Pittsburgh Diocese, commends them on their outstanding record and team play, and wishes them every success in the future; and further directs that a copy of this citation be delivered to Mike Preziosi, St. Thomas District High School, 1025 Braddock Avenue, Braddock, Pennsylvania 15104.

A. JOSEPH VALICENTI

#### CONGRATULATING BOB DROWSER

##### HOUSE OF REPRESENTATIVES

WHEREAS, The Saint Thomas District High School has been declared champions of the Class C Division by the Diocese of Pittsburgh for the 1973-74 season. The team was also State runner-up in the Class C Division. Their overall record was twenty-one wins and three losses. As a member of the team, Bob Drowser was an integral part of Saint Thomas's drive to the championship.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Bob Drowser and all the members of the Saint Thomas District High School basketball team on being declared champions of the Class C Division, Pittsburgh Diocese, commends them on their outstanding record and team play, and wishes them every success in the future; and further directs that a copy of this citation be delivered to Bob Drowser, St. Thomas District High School, 1025 Braddock Avenue, Braddock, Pennsylvania 15104.

A. JOSEPH VALICENTI

#### CONGRATULATING GEORGE TAYLOR

##### HOUSE OF REPRESENTATIVES

WHEREAS, The Saint Thomas District High School has been declared champions of the Class C Division by the Diocese of Pittsburgh for the 1973-74 season. The team was also State runner-up in the Class C Division. Their overall record was twenty-one wins and three losses. As a member of the team, George Taylor was an integral part of Saint Thomas's drive to the championship.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates George Taylor and all the members of the Saint Thomas District High School basketball team on being declared champions of the Class C Division, Pittsburgh Diocese, commends them on their outstanding record and team play, and wishes them every success in the future;

and further directs that a copy of this citation be delivered to George Taylor, St. Thomas District High School, 1025 Braddock Avenue, Braddock, Pennsylvania 15104.

A. JOSEPH VALICENTI

CONGRATULATING MARTY PEKOR

HOUSE OF REPRESENTATIVES

WHEREAS, The Saint Thomas District High School has been declared champions of the Class C Division by the Diocese of Pittsburgh for the 1973-74 season. The team was also State runner-up in the Class C Division. Their overall record was twenty-one wins and three losses. As a member of the team, Marty Pekor was an integral part of Saint Thomas's drive to the championship.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Marty Pekor and all the members of the Saint Thomas District High School basketball team on being declared champions of the Class C Division, Pittsburgh Diocese, commends them on their outstanding record and team play, and wishes them every success in the future; and further directs that a copy of this citation be delivered to Marty Pekor, St. Thomas District High School, 1025 Braddock Avenue, Braddock, Pennsylvania 15104.

A. JOSEPH VALICENTI

BIRTHDAY GREETINGS TO ARDANA GOODRICH

HOUSE OF REPRESENTATIVES

WHEREAS, Ardana Goodrich, prominent Washington resident, is celebrating her ninety-third birthday this year. She was born May 7, 1881.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, pauses in its deliberation to note the ninety-third birthday of Ardana Goodrich and to join her many friends and neighbors to wish her many happy returns of the day. and further directs that a copy of this citation be delivered to Ardana Goodrich, 75 South Street, Washington, Pennsylvania 15301.

ROGER RAYMOND FISCHER

CONGRATULATING JAY R. RIGGLE

HOUSE OF REPRESENTATIVES

WHEREAS, Jay R. Riggle has been named to the Prep All America Football Program for 1973-74. The announcement of the award was made by the editors of Coach and Athlete Magazine, and it makes Jay Riggle eligible for the Prep All-American Football National Awards; Prep One Hundred Squad, Super Eleven Team and Cum Laude. The criteria for nomination to this select group included outstanding athletic ability, sportsmanship, leadership, and service to the team and the community. The program is an annual honor roll of outstanding football players from high school teams throughout the country.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Jay R. Riggle on the occasion of his being named to the Prep All America Football Program for 1973-74, commends him on his many fine attributes that earned him this distinction, and wishes him every success in the future; and further directs that a copy of this citation be delivered to Mr. Jay R. Riggle, 623 McGovern Road, Houston, Pennsylvania 15342.

ROGER RAYMOND FISCHER

CONGRATULATING DR. WILLIAM A. HARRIS

HOUSE OF REPRESENTATIVES

WHEREAS, Dr. William A. Harris was recently inducted into the Pennsylvania Wrestling Coaches Hall of Fame. The induction ceremonies took place at the PIAA Class A Championship held at State College. Dr. Harris, former coach of Washington High School, was presented with a

plaque signifying his induction by John Kopack, president of the Pennsylvania Wrestling Coaches Association.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Dr. William A. Harris on the occasion of his being inducted into the Pennsylvania Wrestling Coaches Hall of Fame, commends him on those attributes that earned him this distinction, and wishes him every success in the future; and further directs that a copy of this citation be delivered to Dr. William A. Harris, 34 South Watson Avenue, Washington, Pennsylvania 15301.

ROGER RAYMOND FISCHER

CONGRATULATING MR. AND MRS. JOHN REESER

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. John Reeser celebrated their golden wedding anniversary recently. Their happy union has been blessed by seven children, and seven grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Reeser, nee Estella Hess and Mr. Reeser were married in Reading April 19, 1924 by Reverend Henry Warmkessel.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. John Reeser 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. John Reeser, R. D. 2, Douglassville, Pennsylvania 19518.

LESTER K. FRYER

CONGRATULATING  
MR. AND MRS. JOHN J. LEIBENSPERGER

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. John J. Leibensberger celebrated their golden wedding anniversary recently. Their happy union has been blessed by three children, four grandchildren, and nine great-grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Leibensberger, nee Schell and Mr. Leibensberger were married by Reverend William Dry at Kutztown, on April 19, 1924.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. John J. Leibensberger 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. John J. Leibensberger, 231 West Weiss Street, Topton, Pennsylvania 19562.

LESTER K. FRYER

CONGRATULATING  
MR. AND MRS. ELLIOTT NEWMARK

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Elliott Newmark celebrated their thirty-first wedding anniversary recently. Their happy union has been blessed by two children. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Newmark, nee Nora Blackall, and Mr. Newmark were married April 22, 1943 in New York, New York.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Elliott Newmark on their thirty-first 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. Elliott Newmark, 4707 Clearview Drive, Camp Hill, Pennsylvania 17011.

ALVIN KATZ

COMMENDING THE ROXBOROUGH HIGH SCHOOL  
HOUSE OF REPRESENTATIVES

WHEREAS, The future of our nation rests upon the efforts of each generation to preserve the sound traditions of the past; and

WHEREAS, The qualities of responsible citizenship are rooted in the teachings of the home, church, and school, where each future citizen is exposed to the requirements and disciplines necessary to successfully enter into and master the challenges of an ever-changing society; and

WHEREAS, For one-half century, the Roxborough High School, in Philadelphia, Pennsylvania, serving the communities of Roxborough, Manayunk, Wissahickon, Andorra, and East Falls, has served the educational needs of the people; and

WHEREAS, The Roxborough High School, through the efforts of parents, pupils, and teachers, through fifty years of progress, has produced citizens who have managed the affairs of society at all levels.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania commends and salutes the Roxborough High School in its Fiftieth Anniversary and requests that this citation become part of the permanent historical records of the Commonwealth of Pennsylvania; and further directs that a copy of this citation be delivered to the Home and School Association of Roxborough High School, Ridge and Fountain Streets, Philadelphia, Pennsylvania 19128.

JOHN H. HAMILTON, JR.

CONGRATULATING CRAIG KORYAK  
HOUSE OF REPRESENTATIVES

WHEREAS, Craig Koryak, captain of the 1973-74 Class C Champions of the Pittsburgh Diocese, the St. Thomas District Basketball Team, was selected Player of the Year by the coaches of the Class C Division; and

WHEREAS, Craig led his team in scoring in the three years he has been playing, scoring eleven hundred points during his career. He was also voted the most valuable player in the Catholic League All-Star Game.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates team captain, Craig Koryak of the 1973-74 St. Thomas District Class C Championship Basketball Team, Pittsburgh Diocese, on his leadership during their successful season and on his selection as Player of the Year by his division coaches and as most valuable player in the Catholic League All-Star Game, all crowning events in a splendid three-year career, and wishes him much future success; and further directs that a copy of this citation be delivered to Mr. Craig Koryak, 1025 Braddock Avenue, Braddock, Pennsylvania 15104.

A. JOSEPH VALICENTI

CONGRATULATING MR. JOE BELECHAK  
HOUSE OF REPRESENTATIVES

WHEREAS, Mr. Joe Belechak was assistant coach of the St. Thomas District High School Basketball Team, Braddock, Pennsylvania who were the Class C Pittsburgh Diocesan Champions for the 1973-74 season.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Mr. Joe Belechak, assistant coach of the St. Thomas District High School Basketball Team, Braddock, Pennsylvania, the 1973-74 Pittsburgh Diocesan Class C Champions, on his contribution toward the successful team season; and further directs that a copy of this citation be delivered to Mr. Joe Belechak, 1025 Braddock Avenue, Braddock, Pennsylvania 15104.

A. JOSEPH VALICENTI

CONGRATULATING MR. ED WELSH  
HOUSE OF REPRESENTATIVES

WHEREAS, Mr. Ed Welsh was assistant coach of the St. Thomas District High School Basketball Team, Brad-

dock, Pennsylvania who were the Class C Pittsburgh Diocesan Champions for the 1973-74 season.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Mr. Ed Welsh, assistant coach of the St. Thomas District High School Basketball Team, Braddock, Pennsylvania, the 1973-74 Pittsburgh Diocesan Class C Champions, on his contribution toward the successful team season; and further directs that a copy of this citation be delivered to Mr. Ed Welsh, 1025 Braddock Avenue, Braddock, Pennsylvania 15104.

A. JOSEPH VALICENTI

CONGRATULATING MR. GEORGE MALACKANY  
HOUSE OF REPRESENTATIVES

WHEREAS, Mr. George Malackany was assistant coach of the St. Thomas District High School Basketball Team, Braddock, Pennsylvania who were the Class C Pittsburgh Diocesan Champions for the 1973-74 season.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Mr. George Malackany, assistant coach of the St. Thomas District High School Basketball Team, Braddock, Pennsylvania, the 1973-74 Pittsburgh Diocesan Class C Champions, on his contribution toward the successful team season; and further directs that a copy of this citation be delivered to Mr. George Malackany, 1025 Braddock Avenue, Braddock, Pennsylvania 15104.

A. JOSEPH VALICENTI

CONGRATULATING MR. CLARENCE WARGO  
HOUSE OF REPRESENTATIVES

WHEREAS, Mr. Clarence Wargo, Coach of the 1973-74 Pittsburgh Diocesan Class C Champions, the St. Thomas District High School Basketball Team, was, in addition, noted Coach of the Year by his fellow coaches of the Class C Division. His selection as Coach of the Year is the third time this honor has been accorded him. He is a member of St. Roberts Parish in North Versailles, Pennsylvania.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Mr. Clarence Wargo, Coach of the 1973-74 Pittsburgh Diocesan Class C Champions, the St. Thomas District High School Basketball Team, on guiding his young men to and through their winning season and on being voted Coach of the Year in his division for the third time; and further directs that a copy of this citation be delivered to Mr. Clarence Wargo, 1025 Braddock Avenue, Braddock, Pennsylvania 15104.

A. JOSEPH VALICENTI

COMMENDING EUGENE TETER  
HOUSE OF REPRESENTATIVES

WHEREAS, The West Hazleton Improvement Club recently held its forty-sixth Annual Sports Banquet. This fine organization sponsors this banquet every year to commend the athletes and cheerleaders of the West Hazleton High School. As a member of the club, Eugene Teter is instrumental in the outstanding success this annual event has had.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates the West Hazleton Improvement Club on the occasion of its forty-sixth Annual Sports Banquet, commends Eugene Teter and all the other members on their work in making this event such a success, and wishes the club and its members every success in the years ahead; and further directs that a copy of this citation be delivered to Eugene Teter, 232 North Broad Street, West Hazleton, Pennsylvania 18201.

JAMES J. USTYNOSKI

COMMENDING G. MARVIN KRAPP  
HOUSE OF REPRESENTATIVES

WHEREAS, The West Hazleton Improvement Club re-

cently held its forty-sixth Annual Sports Banquet. This fine organization sponsors this banquet every year to commend the athletes and cheerleaders of the West Hazleton High School. As a member of the club, G. Marvin Krapf is instrumental in the outstanding success this annual event has had.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates the West Hazleton Improvement Club on the occasion of its forty-sixth Annual Sports Banquet, commends G. Marvin Krapf and all the other members on their work in making this event such a success, and wishes the club and its members every success in the years ahead; and further directs that a copy of this citation be delivered to G. Marvin Krapf, 314 W. Broad Street, West Hazleton, Pennsylvania 18201.

JAMES J. USTYNOSKI

COMMENDING LEO KUBITSKY  
HOUSE OF REPRESENTATIVES

WHEREAS, The West Hazleton Improvement Club recently held its forty-sixth Annual Sports Banquet. This fine organization sponsors this banquet every year to commend the athletes and cheerleaders of the West Hazleton High School. As a member of the club, Leo Kubitsky is instrumental in the outstanding success this annual event has had.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates the West Hazleton Improvement Club on the occasion of its forty-sixth Annual Sports Banquet, commends Leo Kubitsky, and all the other members on their work in making this event such a success, and wishes the club and its members every success in the years ahead; and further directs that a copy of this citation be delivered to Leo Kubitsky, 415 Winters Avenue, West Hazleton, Pennsylvania 18201.

JAMES J. USTYNOSKI

COMMENDING JULIUS SCHNEIDER  
HOUSE OF REPRESENTATIVES

WHEREAS, The West Hazleton Improvement Club recently held its forty-sixth Annual Sports Banquet. This fine organization sponsors this banquet every year to commend the athletes and cheerleaders of the West Hazleton High School. As a member of the club, Julius Schneider is instrumental in the outstanding success this annual event has had.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates the West Hazleton Improvement Club on the occasion of its forty-sixth Annual Sports Banquet, commends Julius Schneider and all the other members on their work in making this event such a success, and wishes the club and its members every success in the years ahead; and further directs that a copy of this citation be delivered to Julius Schneider, 601 Quincy Street, West Hazleton, Pennsylvania 18201.

JAMES J. USTYNOSKI

CONGRATULATING  
MR. AND MRS. AMMON SNYDER  
HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Ammon Snyder celebrated their golden wedding anniversary recently. Their happy union has been blessed by one daughter, Emma, and five grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Snyder, nee Emma King, and Mr. Snyder were married April 27, 1924 by Reverend F. F. Yoder at the First Church of God, Elizabethtown.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Ammon Snyder 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. Ammon Snyder, R. D. 1, Elizabethtown, Pennsylvania 17022.

KENNETH E. BRANDT

TRIBUTE TO MILDRED G. HENDRICKS  
HOUSE OF REPRESENTATIVES

WHEREAS, Mildred G. Hendricks freely donated time and energy to aid the citizens who fell victim to the worst natural disaster in the history of the Commonwealth, Hurricane Agnes of June 1972.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, pauses in its deliberations to pay tribute to Mildred G. Hendricks in recognition of deeds done following the flooding and devastation brought to this Commonwealth as a result of Hurricane Agnes, June 1972; and further directs that a copy of this citation be delivered to Mildred G. Hendricks, Port Royal, Pennsylvania 17082.

FRED C. NOYE

CONGRATULATING  
MR. AND MRS. CARMEN REDD  
HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Carmen Redd celebrated their golden wedding anniversary recently. Their happy union has been blessed by two children and three grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Redd, nee Emma Butkofsky, and Mr. Redd were married April 14, 1934 in Shamokin, Pennsylvania.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Carmen Redd 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. Carmen Redd, 915 Pine Street, Kulpmont, Pennsylvania 17834.

PAUL G. RUANE

CONGRATULATING  
MR. AND MRS. GEORGE SHERMAN  
HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. George Sherman celebrated their golden wedding anniversary recently. Their happy union has been blessed by three children, four grandchildren, and 2 great-grandchildren. These two people are highly respected by friends, neighbors, and acquaintances as representing the finest in American life. Mrs. Sherman, nee Margaret Erdman and Mr. Sherman were married April 5, 1924 in Saint John's Reformed Church by Reverend Charles Schneder.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. George Sherman 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. George Sherman, 39 North Marshall Street, Shamokin, Pennsylvania 17027.

PAUL G. RUANE

CONGRATULATING THE KIWANIS CLUB OF  
EBENSBURG, RANDOLPH MYERS, AND  
DR. HOWARD DUNEGAN  
HOUSE OF REPRESENTATIVES

WHEREAS, The Kiwanis Club of Ebensburg is cele-



brating its fiftieth anniversary. Randolph Myers and Dr. Howard Dunegan has the distinction of being the only two members who have fifty consecutive years of membership to their credit. Mr. Larry P. Fronheiser is the current president.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates the Kiwanis Club of Ebensburg, Randolph Myers, and Dr. Howard Dunegan on fifty consecutive years of community service, commends the club and all its members, past and present for their generosity and interest in the community, and wishes them all every success in the years ahead;

and further directs that a copy of this citation be delivered to Mr. Larry P. Fronheiser, President, Kiwanis Club of Ebensburg, R. D. 1, Ebensburg, Pennsylvania 15931.

HARRY A. ENGLEHART, JR.

CONGRATULATING WILLIAM "BILL" BERRY  
HOUSE OF REPRESENTATIVES

WHEREAS, William "Bill" Berry of Philadelphia has done an outstanding job as a basketball coach and in his work with and for the black youth of Philadelphia. This active sixty-three year old currently coaches the Philadelphia Coits of the National Amateur Basketball Association. Although Bill has had great success coaching his teams, his true accomplishments have been as a builder of people. Throughout his life, he has devoted his time, money and self to the black youth of the ghetto. As an example of the respect he has earned, in 1967 two of his former students created the Bill Berry League in his honor to further put to work his ideas of sports and humanity, and this league has now expanded to include leagues in several sports for youth of all ages. Because of the devotion of this man, not one of the youth enrolled in his league has ever gotten into serious trouble.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates William "Bill" Berry on his coaching accomplishments and on his work with the black youth of Philadelphia, commends this distinguished gentleman on his unselfish efforts over the years, and wishes him every success in the future; and further directs that a copy of this citation be delivered to Mr. William Berry, 2229 Dickinson Street, Philadelphia, Pennsylvania 19146.

EARL VANN

CONGRATULATING  
MR. AND MRS. CHARLES H. MENGEL  
HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Charles H. Mengel celebrated their fiftieth wedding anniversary recently. Their happy union has been blessed by two children, five grandchildren, and three great-grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mr. and Mrs. Charles H. Mengel were married on April 24, 1924 by the late Reverend Lawrence Miller in the parsonage of St. Michael's Church, Hamburg.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Charles H. Mengel 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 H. Mengel, R. D. 1, Bethel, Pennsylvania 19507.

WILLIAM G. PIPER

CONGRATULATING  
MR. AND MRS. IRA BECKER  
HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Ira Becker celebrated their golden wedding anniversary with a dinner in Haag's Restaurant, Shartlesville. Their happy union has been

blessed by two children, and five grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mr. and Mrs. Ira Becker were married on April 19, 1924 in the parsonage at Kutztown by the late Reverend Jacob W. Bitner.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Ira Becker 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. Ira Becker, R. D. 1, White Oak Lane, Leesport, Pennsylvania 19533.

WILLIAM G. PIPER

CONGRATULATING MR. AND MRS. JOHN H. STAMM  
HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. John H. Stamm celebrated their golden wedding anniversary at a luncheon given by their children in the Ontelaunee Grange Hall on April 19, 1974. Their happy union has been blessed by two children, six grandchildren, and three 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. John H. Stamm 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. John H. Stamm, 2237 Penn Avenue, West Lawn, Pennsylvania 19609.

WILLIAM G. PIPER

CONGRATULATING RENEE MUTH  
HOUSE OF REPRESENTATIVES

WHEREAS, Renee Muth is a member of the Immaculata College Basketball Team that won the Association for Intercollegiate Athletics for Women National Basketball Championship for the third year in a row; and

WHEREAS, Under the enthusiastic and able coaching of Kathy Rush and her staff, the girls continue to capture basketball honors.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Renee Muth for her individual contribution to the Immaculata College Basketball Team Championship honors, and extends best wishes to all the girls in future endeavors;

and further directs that a copy of this citation be delivered to Renee Muth, Immaculata College, Immaculata, Pennsylvania 19345.

RICHARD T. SCHULZE

CONGRATULATING MICHAEL KOWAL  
HOUSE OF REPRESENTATIVES

WHEREAS, Michael Kowal has had an outstanding scholastic athletic career at Ambridge Area High School. He has been a letterman at Ambridge in track and field for the past three years and has won the Central Catholic Decathlon Championship as well as the AAU Decathlon Championship in Philadelphia. In addition to being an outstanding athlete, Mike is also a good student.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Michael Kowal on his outstanding scholastic athletic career at Ambridge Area High School, commends him on his prowess as an athlete and as a student, and wishes him further success in the future;

and further directs that a copy of this citation be delivered to Michael Kowal, Economy Borough, Baden, Pennsylvania 15005.

CHARLES LAUGHLIN

CONGRATULATING THE FREEDOM AREA HIGH SCHOOL FOOTBALL TEAM AND COACH LEONARD WATKUS

HOUSE OF REPRESENTATIVES

WHEREAS, The Freedom Area High School football team under the able direction of coach Leonard Watkus was the 1973 Class A Champions of the M.A.C. Conference. The team compiled an outstanding record of eight wins, one tie, and no losses. Special mention should also be given to Donald Bradow, Athletic Director, and Robert Cercone, Superintendent of Schools, who were part of this undefeated season.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates the Freedom Area High School football team and coach Leonard Watkus on their winning the Class A Championship of the M.A.C. Conference, commends them on their skill, determination, and teamwork and wishes them continued success in the future;

and further directs that a copy of this citation be delivered to Freedom Area High School Football Team, c/o Leonard Watkus, Freedom Area High School, Freedom, Pennsylvania 15042.

CHARLES LAUGHLIN

CONGRATULATING MAYOR JAMES MANSUETI

HOUSE OF REPRESENTATIVES

WHEREAS, Mayor James Mansueti of the Borough of Aliquippa is being honored by the Sons of Columbus of Aliquippa for his outstanding civic contributions to the community in his capacity as Mayor. Mr. Mansueti is also a former councilman of the borough.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Mayor James Mansueti on the occasion of his being honored by the Sons of Columbus of Aliquippa for his outstanding civic contributions to the community, commends him for his many years of service, and wishes him every success in the future;

and further directs that a copy of this citation be delivered to Mayor James Mansueti, Borough of Aliquippa, 300 Franklin Avenue, Aliquippa, Pennsylvania 15001.

CHARLES LAUGHLIN

CONGRATULATING HUBERT S. POST

HOUSE OF REPRESENTATIVES

WHEREAS, Hubert S. Post of Washington was recently named "Auctioneer of the Year" by the Pennsylvania Auctioneers Association. The award was presented in conjunction with National Auction Week by Michael W. Quinn, secretary of the association.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Hubert S. Post on the occasion of his being named "Auctioneer of the Year" by the Pennsylvania Auctioneers Association, commends him on his excellence in this traditional American activity, and wishes him every success in the future; and further directs that a copy of this citation be delivered to Mr. Hubert S. Post, 395 Duncan Avenue, Washington, Pennsylvania 15301.

ROGER RAYMOND FISCHER

CONGRATULATING SAMMY ANGOTTI

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. Salvatore (Sammy) Angotti, Washington, Pennsylvania native, was named to the Boxing Hall of Fame, and was honored for his outstanding contributions to Western Pennsylvania athletics at a banquet held in Greentree. Sammy won the NBA lightweight title in 1940 and retired undefeated in 1943. The following year he started a successful comeback, again winning the crown. Sammy retired from his ring career in 1950 with a record of 81 wins, 23 losses and 7 draws.

Now therefore, the House of Representatives of the

Commonwealth of Pennsylvania, congratulates Sammy Angotti for his outstanding career in athletics and for achieving the acclaim he so richly deserves and wishes him happiness in the future; and further directs that a copy of this citation be delivered to Mr. Salvatore (Sammy) Angotti, Massillon, Ohio 44646.

ROGER RAYMOND FISCHER

CONGRATULATING DR. KUNJ B. KICHLU

HOUSE OF REPRESENTATIVES

WHEREAS, Dr. Kunj B. Kichlu recently was honored by the Women's Medical Auxiliary Committee of Erie in recognition of his past service to medicine. Dr. Kichlu was born in India, immigrated to the United States in 1913, and received his medical degree from Hahnemann Medical College in 1931. He began his private practice in Erie in 1932, and served the United States as a medical examiner during World War II. Dr. Kichlu is a past president of the Exchange Club and secretary and past president of the Torch Club of Erie.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Dr. Kunj B. Kichlu on the occasion of his being honored by the Medical Auxiliary of Erie, commends him on his many services to medicine and the people of Erie, and wishes him the best of good health and happiness in the years ahead;

and further directs that a copy of this citation be delivered to Dr. Kunj B. Kichlu, 1741 West 26th Street, Erie, Pennsylvania 16508.

DAVID S. HAYES

CONGRATULATING DR. JOHN M. HOLLINGSWORTH

HOUSE OF REPRESENTATIVES

WHEREAS, Dr. John M. Hollingsworth was recently honored by the Women's Medical Auxiliary Committee for his service to medicine. Dr. Hollingsworth is presently chief of out patient and admissions at The Veteran's Administration Hospital. He is a graduate of the University of Pittsburgh School of Medicine, saw service in World War II as a flight surgeon, and was the 1969 recipient of the "Man of the Year" award given by the Girard Chamber of Commerce. Among his many accomplishments is the enviable record of never having lost a baby in over two thousand deliveries.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Dr. John M. Hollingsworth on the occasion of his being honored by the Women's Medical Auxiliary Committee, commends him for his outstanding service to medicine and the community, and wishes him every success in the future; and further directs that a copy of this citation be delivered to Dr. John M. Hollingsworth, 4611 Sunnysdale Boulevard, Erie, Pennsylvania 16509.

DAVID S. HAYES

CONGRATULATING ELIZABETH SMITH

HOUSE OF REPRESENTATIVES

WHEREAS, Elizabeth Smith recently won first place honors at the State Career Development Conference of the Distributors Education Clubs of America. She won the award on the basis of a manual entitled "Studies in Marketing-Jewelry Industry." Miss Smith is a junior at Ft. LeBoeuf High School and is a member of the Erie County Technical School DECA Chapter.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Elizabeth Smith on the occasion of her winning first place honors at the State Career Development Conference of DECA, commends her for her intelligence, hard work, and interest in the business community, and wishes her every success in the future; and further directs that a copy of this citation be delivered to Miss Elizabeth Smith, R. D. 1, Union City, Pennsylvania 16438.

DAVID S. HAYES

CONGRATULATING PAULA IRWIN  
HOUSE OF REPRESENTATIVES

WHEREAS, Paula Irwin recently won first place honors at the State Career Development Conference of the Distributors Education Clubs of America. She won the award on the basis of her manual entitled "Studies in Marketing-Specialty Store." Paula is a senior at Union City High School and plans to attend the State University of New York at Alfred and pursue a career in marketing.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Paula Irwin on winning first place honors at the State Career Development Conference of DECA, commends her on her ambition, intelligence, and interest in the business community, and wishes her every success in the future; and further directs that a copy of this citation be delivered to Miss Paula Irwin, R. D. 4, Smiley Hill, Union City, Pennsylvania 16438.

DAVID S. HAYES

CONGRATULATING FRANCIS B. MIDDENDORF  
HOUSE OF REPRESENTATIVES

WHEREAS, Francis B. Middendorf of Girard is retiring after many years of service to the community as a pharmacist.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Francis B. Middendorf on the occasion of his retirement, commends him on his many years of service to the community, and wishes him the best of good health and happiness in his retirement; and further directs that a copy of this citation be delivered to Mr. Francis B. Middendorf, 212 Chestnut Street, Girard, Pennsylvania 16417.

DAVID S. HAYES

CONGRATULATING JULIE DRAKES  
HOUSE OF REPRESENTATIVES

WHEREAS, Julie Drakes took third place honors in the Shadow Box competition at the State Career Development Conference of the Distributors Education Clubs of America. In the shadow box competition, the student is given two hours to construct a shadow box using merchandise and display materials provided at the time of the competition. The shadow box is then judged on its power to attract attention, selling power, arrangement, lighting and technical excellence. Miss Drakes is a junior at North East High School and is a member of the Erie County Technical School DECA Chapter.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Julie Drakes on the occasion of her winning third place honors at the State Career Conference of DECA, commends her on her skill, hard work, and interest in the business community, and wishes her every success in the future; and further directs that a copy of this citation be delivered to Miss Julie Drakes, 7111 Findley Lake Road, R. D. 2, North East, Pennsylvania 16438.

FOREST W. HOPKINS  
DAVID S. HAYES

CONGRATULATING ROD SMITH  
HOUSE OF REPRESENTATIVES

WHEREAS, Rod Smith, of Waterford, Erie County, a student at Fort LeBoeuf, which compiled a seventeen win, three loss, and one tie record and was a Section One B champion, is one of two ninth graders chosen to the All-County Mat Squad.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its hearty congratulations to Rod Smith on his outstanding accomplishment; and further directs that a copy of this citation be delivered to Rod Smith, R. D. 2, Waterford, Erie County, Pennsylvania 16441.

DAVID S. HAYES

COMMENDING PHYLLIS HAMMOND  
HOUSE OF REPRESENTATIVES

WHEREAS, Phyllis Hammond is a member of the "I Am Somebody" Committee of the Human Relations Committee of the Pastorious Elementary School of Philadelphia. The purpose of the program is to instill self-pride and self-worth in the students.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, commends Phyllis Hammond for her tireless efforts in serving on the committee of the "I Am Somebody" Committee of the Human Relations Committee of Pastorious Elementary School; and further directs that a copy of this citation be delivered to Phyllis Hammond, Chelton & Sprague Streets, Philadelphia, Pennsylvania 19131.

DAVID P. RICHARDSON

CONGRATULATING MARK NOWAKOWSKI  
HOUSE OF REPRESENTATIVES

WHEREAS, The Saint Thomas District High School has been declared champions of the Class C Division by the Diocese of Pittsburgh for the 1973-74 season. The team was also State runner-up in the Class C Division. Their overall record was twenty-one wins and three losses. As a member of the team, Mark Nowakowski was an integral part of Saint Thomas's drive to the championship.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Mark Nowakowski and all the members of the Saint Thomas District High School basketball team on being declared champions of the Class C Division, Pittsburgh Diocese, commends them on their outstanding record and team play, and wishes them every success in the future; and further directs that a copy of this citation be delivered to Mark Nowakowski, St. Thomas District High School, 1025 Braddock Avenue, Braddock, Pennsylvania 15104.

A. JOSEPH VALICENTI

CONGRATULATING JOHN ROGEL  
HOUSE OF REPRESENTATIVES

WHEREAS, The Saint Thomas District High School has been declared champions of the Class C Division by the Diocese of Pittsburgh for the 1973-74 season. The team was also State runner-up in the Class C Division. Their overall record was twenty-one wins and three losses. As a member of the team, John Rogel was an integral part of Saint Thomas's drive to the championship.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates John Rogel and all the members of the Saint Thomas District High School basketball team on being declared champions of the Class C Division, Pittsburgh Diocese, commends them on their outstanding record and team play, and wishes them every success in the future; and further directs that a copy of this citation be delivered to John Rogel, St. Thomas District High School, 1025 Braddock Avenue, Braddock, Pennsylvania 15104.

A. JOSEPH VALICENTI

CONGRATULATING THE READING BUSINESS AND  
PROFESSIONAL WOMEN'S CLUB, INC.  
HOUSE OF REPRESENTATIVES

WHEREAS, The Reading Business and Professional Women's Club, Inc., of Reading, Pennsylvania recently celebrated its fiftieth anniversary. Chartered in Pennsylvania on January 17, 1924, this organization has elevated the standards for women in business, promoted the interests of business and professional women, brought about a spirit of co-operation among business and professional women throughout the United States, and donated both time and money to many charitable and civic projects.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates The Read-

ing Business and Professional Women's Club, Inc., on its fiftieth anniversary and commends it on its outstanding contributions to womankind, the business community and the Commonwealth;

and further directs that a copy of this citation be delivered to The Reading Business and Professional Women's Club, Inc., Reading, Pennsylvania.

HAROLD J. STAHL, JR.

CONGRATULATING  
EDGAR FINLEY SHANNON, JR.  
HOUSE OF REPRESENTATIVES

WHEREAS, Edgar Finley Shannon, Junior, has served as the President of the University of Virginia and has announced that he will retire at the end of this academic year; and

WHEREAS, Edgar Finley Shannon has distinguished himself as an educator, an administrator, and a Rhodes Scholar; and

WHEREAS, He has demonstrated his dedication to his country by serving in the United States Navy during World War II and for many years thereafter; and

WHEREAS, He has been a credit to the institutions which have provided him with his education, including, Harvard University, Oxford University, Duke University, and Washington and Lee; and

WHEREAS, He has made welcome the sons and daughters of the Commonwealth of Pennsylvania while President of the University of Virginia and he has provided the nation with leadership in the field of education.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Edgar Finley Shannon, Jr., on his retirement and thanks him for his service to education and the citizens of the Commonwealth who have been educated at the University of Virginia;

and further directs that a copy of this citation be delivered to Mr. Edgar Finley Shannon, Jr., Carr's Hill, Charlottesville, Virginia.

A. J. DeMEDIO

CONGRATULATING TOM ZDROJKOWSKI  
HOUSE OF REPRESENTATIVES

WHEREAS, The Saint Thomas District High School has been declared champions of the Class C Division by the Diocese of Pittsburgh for the 1973-74 season. The team was also State runner-up in the Class C Division. Their overall record was twenty-one wins and three losses. As a member of the team, Tom Zdrojowski was an integral part of Saint Thomas's drive to the championship.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Tom Zdrojowski and all the members of the Saint Thomas District High School basketball team on being declared champions of the Class C Division, Pittsburgh Diocese, commends them on their outstanding record and team play, and wishes them every success in the future;

and further directs that a copy of this citation be delivered to Tom Zdrojowski, St. Thomas District High School, 1025 Braddock Avenue, Braddock, Pennsylvania 15104.

A. JOSEPH VALICENTI

ADJOURNMENT

Mr. DORR moved that this House do now adjourn until Tuesday, April 30, 1974, at 1 p.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and (at 6:09 p.m., e.d.t.) the House adjourned.