

Legislative Journal

THURSDAY, MARCH 20, 1975

Session of 1975

159th of the General Assembly

Vol. 1, No. 25

HOUSE OF REPRESENTATIVES

The House convened at 9:30 a.m., e.d.t.

THE SPEAKER (Herbert Fineman) IN THE CHAIR

PRAYER

REVEREND DOCTOR DAVID R. HOOVER, chaplain of the House of Representatives and pastor of St. Paul's Lutheran Church, McConnellsburg, Pennsylvania, offered the following prayer:

Almighty and Everlasting Father, we come before Thee in this penitential season of the year with the full recognition that we need the forgiveness which is Thine to give. We know that we have failed to do all which Thou hast expected of us, and we have done many things which we should not have done. Therefore, O God, we turn to Thee with the utmost awareness that Thou art able to cleanse us from the sin and iniquity which has engulfed us. Pardon our shortcomings, remove from each of us the taint and stain which recalls our past, rekindle our zeal, and inspire all of us with the determination to face the future as true and faithful stewards of Thine. Amen.

JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of February 24 and 25, 1975?

If not, and without objection, the Journals are approved.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Wednesday, March 19, 1975, will be postponed until printed.

HOUSE BILLS INTRODUCED AND REFERRED

By Messrs. BURNS, PYLES, WRIGHT, WEIDNER and RENNINGER **HOUSE BILL No. 844**

An Act amending the "State Horse Racing Law," approved December 11, 1967 (P. L. 707, No. 331), further providing for disposition of State admission tax.

Referred to Committee on Finance.

By Messrs. SALVATORE, HAMILTON, PERRI, KATZ, PETRARCA, SULLIVAN and LETTERMAN **HOUSE BILL No. 845**

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 53, No. 32), further providing for operator license cards.

Referred to Committee on Transportation.

By Messrs. SHANE, GALLAGHER, PANCOAST, KELLY, O'DONNELL, COWELL, SCHWEDER, McLANE and M. E. MILLER, JR.

HOUSE BILL No. 846

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), further granting additional power to the State Board of Education in relation to certain degree programs at certain colleges or universities.

Referred to Committee on Education.

By Messrs. BERSON and SPENCER

HOUSE BILL No. 847

An Act amending the "Commonwealth Documents Law," approved July 31, 1968 (P. L. 769, No. 240), providing for certain certifications by the Legislative Reference Bureau.

Referred to Committee on Judiciary.

By Messrs. GEORGE, BERLIN, A. K. HUTCHINSON, PETRARCA, LETTERMAN, McCALL, SHANE, COLE, REED, SCHWEDER, McLANE, BRADLEY, DREIBELBIS and GREEN **HOUSE BILL No. 848**

An Act amending "The Local Tax Enabling Act," approved December 15, 1965 (P. L. 1257, No. 511), prohibiting the levying, assessing or collecting of an occupation tax in certain cases.

Referred to Committee on Finance.

By Messrs. GALLAGHER and PANCOAST

HOUSE BILL No. 849

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), providing for bargaining rights for administrative and supervisory professional employees.

Referred to Committee on Education.

By Messrs. TAYOUN, GIAMMARCO, MYERS, McINTYRE, SHELTON, RIEGER, DiDONATO and KATZ **HOUSE BILL No. 850**

An Act defining and regulating town-watch units for further protection of communities against crime; imposing powers and duties on local police departments; and making an appropriation.

Referred to Committee on Law and Justice.

By Messrs. GARZIA, STAPLETON, O'KEEFE, DOYLE and GILLESPIE **HOUSE BILL No. 851**

An Act amending the "Minor Judiciary Fee Bill," approved January 7, 1952 (P. L. 1841, No. 492), further providing for certain fees in civil cases.

Referred to Committee on Law and Justice.

By Messrs. DOYLE, GARZIA, STAPLETON, O'KEEFE and GILLESPIE **HOUSE BILL No. 852**

An Act amending the "Minor Judiciary Jurisdiction

Law," approved July 7, 1879 (P. L. 194, No. 211), making jurisdiction changes.

Referred to Committee on Law and Justice.

By Mrs. KELLY, Messrs. IRVIS, HAMMOCK, MANDERINO, BERLIN, WOJDAK, BERSON, GALLAGHER, RAPPAPORT, PIEVSKY, FEE, MRKONIC, HOPKINS, TAYOUN, JOHNSON, Mrs. TOLL, Mr. OLIVER, Mrs. KERNICK, Messrs. GREEN, LINCOLN, ROSS, RUGGIERO, BLACKWELL, REED, KOWALYSHYN, ECKENBERGER, RITTER, DOMBROWSKI, BELLOMINI, GARZIA, MILLIRON and O'KEEFE
HOUSE BILL No. 853

An Act relating to health care, prescribing the powers and duties of the Department of Health, establishing and providing the powers and duties of the Health Care Policy Board; providing for licensure, rate approval, certification of need of health care providers; creating a health advocate; prescribing penalties; and making an appropriation.

Referred to Committee on Health and Welfare.

By Messrs. LAUDADIO, RUGGIERO, DeMEDIO, BENNETT, GREEN, WARGO, GREENFIELD, LETTERMAN, GEORGE, PETRARCA, GALLEN, MORRIS, HASKELL, McCLATCHY, FISHER, COWELL, M. E. MILLER, KNEPPER, MRKONIC, CAPUTO, ARTHURS, LEVI, McCALL, W. W. WILT, YAHNER, Mrs. GILLETTE, Messrs. REED, VALICENTI, R. W. WILT, GRING, SHELTON, CIMINI, TURNER, Mrs. FAWCETT, Messrs. FINEMAN, DOMBROWSKI, KOWALYSHYN, TRELLO, BELLOMINI, STOUT, WANSACZ, LAUGHLIN, MYERS, IRVIS, BRUNNER, MANDERINO, ENGLEHART, GRIECO, Mrs. CRAWFORD, Mr. GALLAGHER, Mrs. KERNICK, Messrs. SHELHAMER, ROMANELLI, ABRAHAM, MENHORN, MISCEVICH, RENWICK, DeVERTER, S. E. HAYES, LYNCH, WILSON, PRENDERGAST, BITTLE, RYAN, SCHWEDER, MUSTO, CESSAR, PARKER, L. E. SMITH, HAMMOCK, RICHARDSON, MILLIRON, PERRY, DREIBELBIS, O'DONNELL, SULLIVAN, FISCHER, HALVERSON, MANMILLER, DORR, SHUPNIK, SALOOM, DININNI, HOPKINS, NOYE, MILANOVICH, PRATT, COLE, LEDERER, GIAMMARCO, TAYOUN, JOHNSON, CRESLER, M. M. MULLEN, GOODMAN, GLEESON, VANN, DiDONATO, McINTYRE, BERSON, ZELLER, PIEVSKY, RAPPAPORT, RHODES, LINCOLN, SCIRICA, Miss SIRIANNI, Messrs. WHELAN, WAGNER, BARBER, Mrs. TOLL, Messrs. OLIVER, RIEGER, BONETTO, Mrs. KELLY, Messrs. D. S. HAYES, DOYLE, GILLESPIE, O'KEEFE, ZORD, TADDONIO, KUSSE, FEE, McCUE, COHEN, SCHEAFFER, SCHMITT, SHANE, DIETZ, ANDERSON, SHUMAN, KELLY, KOLTER, GEESEY, O'CONNELL, BERLIN, BUTERA, A. K. HUTCHINSON, ZWIKL, DAVIS, ITKIN, NOVAK, DiCARLO and O'BRIEN
HOUSE BILL No. 854

An Act amending the "Pennsylvania Solid Waste-Resource Recovery Development Act," approved July 20, 1974 (No. 198), providing for demonstration projects;

providing for grants; imposing powers and duties on the Department of Environmental Resources and the Environmental Quality Board and making an appropriation.

Referred to Committee on Conservation.

By Messrs. FINEMAN, IRVIS, COLE, WARGO, WANSACZ, COWELL, McCALL, SCHWEDER, CAPUTO, McLANE, PRENDERGAST, LaMARCA, DOYLE, GILLESPIE, BERSON, STAPLETON, O'DONNELL, GARZIA, WOJDAK, SHANE, MILANOVICH, ZEARFOSS, D. S. HAYES, HOPKINS, M. E. MILLER, JR., KNEPPER, M. E. MILLER, DeMEDIO, Mrs. KERNICK, Messrs. MRKONIC, MEBUS, MENHORN, PRATT and Mrs. TOLL
HOUSE BILL No. 855

An Act authorizing the General Assembly to meet on certain dates for organizational meetings, requiring the Secretary of the Commonwealth to issue Certificates of Election at certain times.

Referred to Committee on State Government.

By Messrs. FINEMAN, IRVIS, COLE, WARGO, McCALL, SCHWEDER, COWELL, WANSACZ, McLANE, RAPPAPORT, PRENDERGAST, LaMARCA, DOYLE, STAPLETON, GILLESPIE, BERSON, O'DONNELL, GARZIA, WOJDAK, SHANE, ZEARFOSS, D. S. HAYES, HOPKINS, M. E. MILLER, JR., KNEPPER, M. E. MILLER, DeMEDIO, MEBUS, MENHORN, PRATT and Mrs. TOLL
HOUSE BILL No. 856

An Act amending the "Public Official Compensation Law," approved June 1, 1956 (P. L. 1959, No. 657), making a change relating to time of payment.

Referred to Committee on State Government.

By Messrs. FINEMAN, IRVIS, COLE, WARGO, WANSACZ, McLANE, COWELL, McCALL, SCHWEDER, PRENDERGAST, LaMARCA, DOYLE, GILLESPIE, STAPLETON, BERSON, O'DONNELL, GARZIA, WOJDAK, SHANE, ZEARFOSS, D. S. HAYES, HOPKINS, M. E. MILLER, JR., KNEPPER, M. E. MILLER, DeMEDIO, Mrs. KERNICK, Messrs. MRKONIC, MEBUS, MENHORN, PRATT and Mrs. TOLL
HOUSE BILL No. 857

An Act amending the "Legislative Officers and Employees Law," approved January 10, 1968 (P. L. 925, No. 417), changing a provision relating to election of certain officers.

Referred to Committee on State Government.

By Messrs. KUSSE, SPENCER and WESTERBERG
HOUSE BILL No. 858

An Act amending the "Pennsylvania Solid Waste Management Act," approved July 31, 1968 (P. L. 788, No. 241), providing for certain counties to receive a State subsidy and making an appropriation.

Referred to Committee on Conservation.

By Messrs. RICHARDSON, BLACKWELL, ROSS, JOHNSON, LEDERER, VANN, GREENFIELD, DiCARLO, BARBER, GIAMMARCO, Mrs. TOLL, Mrs. KELLY, Messrs. OLIVER, MYERS, DiDONATO, SALVATORE, McINTYRE, RIEGER, RUGGIERO, RHODES, PERRI and USTYNOSKI
HOUSE BILL No. 859

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), limiting the case load for each case worker.

Referred to Committee on Health and Welfare.

By Messrs. A. C. FOSTER, ANDERSON, DORR,
LEHR, GEESEY, KOLTER and RENWICK

HOUSE BILL No. 860

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), requiring the commission to post roads within game lands with county boundary markers.

Referred to Committee on Game and Fisheries.

By Messrs. ENGLEHART, PIEVSKY, DORR and
KELLY

HOUSE BILL No. 861

An Act amending the "State Harness Racing Law," approved December 22, 1959 (P. L. 1978, No. 728), increasing the number of racing days; changing a penalty; changing the rate of tax and further providing for its disposition.

Referred to Committee on Business and Commerce.

By Messrs. TAYOUN, VANN, M. P. MULLEN,
GIAMMARCO, MYERS, LEDERER, OLIVER,
Mrs. KELLY, Mrs. TOLL, Messrs. ROSS,
BLACKWELL, GREENFIELD, PERRY,
PIEVSKY, RAPPAPORT, KATZ, PERRI,
BERSON and JOHNSON

HOUSE BILL No. 862

An Act making an emergency appropriation to the Southeastern Pennsylvania Transit Authority.

Referred to Committee on Appropriations.

By Messrs. WILSON and PERRY

HOUSE BILL No. 863

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for six-year terms for Senators and four-year terms for Members of the House of Representatives.

Referred to Committee on State Government.

By Mr. GLEESON

HOUSE BILL No. 864

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 53, No. 32), providing for the payment of an additional sum to the department upon application for a certificate of title and providing for the dispersal of said sum upon compliance with certain conditions.

Referred to Committee on Transportation.

By Mr. GLEESON

HOUSE BILL No. 865

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), providing a minimum rental for polling places.

Referred to Committee on State Government.

By Messrs. GLEESON, JOHNSON, GIAMMARCO,
LEDERER, BERSON, HAMMOCK, O'BRIEN,
SULLIVAN, MYERS, RICHARDSON,
LETTERMAN, WOJDAK and Mrs. TOLL

HOUSE BILL No. 866

An Act amending the "Pennsylvania No-fault Motor Vehicle Insurance Act," approved July 19, 1974 (No. 178), providing for relief from purchase of special risk insurance by certain persons and return of licenses and registrations.

Referred to Committee on Consumer Protection.

By Messrs. GLEESON, ARTHURS, PIEVSKY and
LETTERMAN

HOUSE BILL No. 867

An Act amending the "Pennsylvania Industrial Development Authority Act," approved May 17, 1958 (P. L. 1609, No. 537), providing certain exceptions for certain research and development facilities and making an appropriation.

Referred to Committee on Business and Commerce.

By Mr. GLEESON

HOUSE BILL No. 868

An Act authorizing the Department of Commerce to guarantee the repayment of principal and interest on certain loans.

Referred to Committee on Business and Commerce.

By Messrs. LaMARCA, RENWICK, WESTERBERG,
BUTERA, RYAN, RITTER, JOHNSON,
DOMBROWSKI, BELLOMINI, D. S. HAYES,
CUMBERLAND, SPENCER, MYERS and HOPKINS

HOUSE BILL No. 869

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 53, No. 32), creating additional classes of commercial motor vehicles and truck tractors, prescribing registration fees therefor, prescribing maximum gross weights of combinations of which such additional classes are a part, and changing penalties.

Referred to Committee on Transportation.

By Mrs. TOLL, Messrs. RUGGIERO, PERRI,
O'DONNELL, Mrs. KELLY, Messrs. OLIVER,
RAPPAPORT, POLITE, KLINGAMAN, ROSS,
TRELLO and ABRAHAM

HOUSE BILL No. 870

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), further providing for the composition of the real estate commission and making editorial changes.

Referred to Committee on Professional Licensure.

By Mrs. TOLL, Messrs. RUGGIERO, PERRI,
O'DONNELL, Mrs. KELLY, Messrs. TADDONIO,
RAPPAPORT, ROSS, OLIVER, KLINGAMAN,
Mrs. KERNICK, Messrs. TRELLO and ABRAHAM

HOUSE BILL No. 871

An Act amending the "Real Estate Brokers License Act of 1929," approved May 1, 1929 (P. L. 1216, No. 427), establishing the procedure for securing the approval of a place of business or a branch office.

Referred to Committee on Professional Licensure.

By Messrs. LAUDADIO, LETTERMAN,
Mrs. GILLETTE, Messrs. VALICENTI, DeMEDIO,
MORRIS, CAPUTO and M. E. MILLER

HOUSE BILL No. 872

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (1937 P. L. 2897, No. 1), authorizing any county, city, borough, incorporated town or township to come within the provisions of the act.

Referred to Committee on Labor Relations.

By Messrs. TRELLO, M. M. MULLEN, MRKONIC,
CAPUTO, MISCEVICH, MENUORN, Mrs. KELLY,
Messrs. CESSAR, ZORD, FISHER, ABRAHAM,
SWEENEY, Mrs. GILLETTE and Mr. COWELL

HOUSE BILL No. 873

An Act declaring and adopting the song "Pennsylvania," by Gertrude Martin Rohrer, as the State song of the Commonwealth.

Referred to Committee on State Government.

By Messrs. KNEPPER, M. E. MILLER, DOYLE, SHANE, TURNER, W. D. HUTCHINSON, SHELHAMER, HASKELL, DIETZ, RHODES, DiCARLO, SCIRICA, HOPKINS, Mrs. KERNICK, Messrs. PITTS and GREENFIELD

HOUSE BILL No. 874

An Act requiring certain records of the Commonwealth, its agencies, political subdivisions, certain authorities and other agencies receiving or dispensing public funds or performing essential governmental functions to be open for examination and inspection by citizens of this Commonwealth; authorizing citizens to make extracts, copies, photographs, tapes of photostats of such records; providing for remedial relief from the courts of common pleas; and providing penalties.

Referred to Committee on Judiciary.

By Messrs. SCHWEDER, McCALL, ZWIKL, KOWALYSHYN, MILANOVICH and O'DONNELL

HOUSE BILL No. 875

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58, No. 32), further providing for registration fees for suburban motor vehicles.

Referred to Committee on Transportation.

By Messrs. SCHWEDER, COLE, M. E. MILLER, JR., ECKENSBERGER, ZWIKL, KOWALYSHYN, GEORGE and RITTER

HOUSE BILL No. 876

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), further providing for form of official primary ballot labels on voting machines and placement of nominees.

Referred to Committee on State Government.

By Messrs. SCHWEDER, M. E. MILLER, JR., COLE, McLANE, McCALL, ZWIKL, KOWALYSHYN, MILANOVICH, O'DONNELL and RITTER

HOUSE BILL No. 877

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58, No. 32), requiring damage repair stickers on certain motor vehicles and trailers and providing penalties.

Referred to Committee on Transportation.

By Messrs. MILLIRON, DiCARLO, PRATT, REED, McLANE, LINCOLN, COHEN, IRVIS, BERLIN, M. E. MILLER, GREEN, LETTERMAN, DOYLE, RHODES, GILLESPIE, O'KFEFE, GARZIA, STAPLETON, Mrs. KELLY, Messrs. PYLES, M. M. MULLEN, McINTYRE, CAPUTO, ARTHURS, GEORGE, HOPKINS, ZWIKL, ZELLER, WHELAN, SHANE, FISHER, MEBUS, YOHN, VROON, COWELL, Mrs. GILLETTE, Mrs. CRAWFORD, Messrs. ABRAHAM, BLACKWELL, MISCEVICH and DOMBROWSKI

HOUSE BILL No. 878

An Act making an appropriation to the Department of Public Welfare for the publicizing of the "Operation Peace of Mind" program.

Referred to Committee on Appropriations.

By Messrs. RHODES, IRVIS, BERSON, HAMMOCK, LINCOLN, ENGLEHART, RICHARDSON, RENNINGER, W. D. HUTCHINSON, YOHN, HASKELL, CAPUTO, FLAHERTY, M. M. MULLEN, TRELLO, ROMANELLI, ITKIN, SCHMITT, MUSTO, COWELL, Mrs. GILLETTE, Messrs. STAPLETON,

BONETTO, BLACKWELL, BARBER, ROSS, Mrs. TOLL, Messrs. JOHNSON, OLIVER, MORRIS, GREENFIELD, KELLY and R. W. WILT

HOUSE BILL No. 879

An Act establishing a homestead exemption from judgments and liens; providing for procedures, and providing certain remedies and defenses.

Referred to Committee on Judiciary.

By Messrs. RHODES, FINEMAN, IRVIS, BERSON, PRENDERGAST, HAMMOCK, ENGLEHART, ROMANELLI, RICHARDSON, LINCOLN, SPENCER, M. M. MULLEN, RENNINGER, W. D. HUTCHINSON, YOHN, CAPUTO, FLAHERTY, TRELLO, ITKIN, SCHMITT, MUSTO, COWELL, Mrs. GILLETTE, Messrs. MENHORN, STAPLETON, BONETTO, BLACKWELL, BARBER, ROSS, Mrs. TOLL, Messrs. JOHNSON, OLIVER, MORRIS, GREENFIELD, KELLY, HASKELL and R. W. WILT

HOUSE BILL No. 880

An Act providing further exemptions from executions; establishing certain exclusions and making a repeal.

Referred to Committee on Judiciary.

SENATE MESSAGE

BILLS FOR CONCURRENCE

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

SENATE BILL No. 63

An Act designating a traffic route in Fayette County as the General George C. Marshall Parkway.

Referred to Committee on Transportation.

SENATE BILL No. 115

An Act reenacting and amending the act of March 11, 1971 (P. L. 104, No. 3), entitled, as amended, "Senior Citizens Property Tax Assistance Act," eliminating references to "assistance."

Referred to Committee on Finance.

SENATE BILL No. 230

An Act amending the act of June 22, 1931 (P. L. 594, No. 203), entitled "Township State Highway Law," deleting Route 11112 in Cambria County.

Referred to Committee on Transportation.

SENATE BILL No. 292

An Act authorizing the Borough of Shamokin Dam to transfer certain Project 70 lands in Snyder County to the Department of Transportation for a highway project under certain conditions.

Referred to Committee on Transportation.

SENATE BILL No. 313

An Act deleting from the State Highway system certain State highway routes and abandoning and vacating the same to Allegheny County.

Referred to Committee on Transportation.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. WESTERBERG, RITTER, W. W. WILT, RENWICK and W. W. FOSTER

RESOLUTION No. 74

The House of Representatives of the Commonwealth of Pennsylvania respectfully urges the Congress of the United States to amend the Clean Air Act to maintain the 1975 automotive emission requirements through 1980.

Referred to Committee on Rules.

By Messrs. ANDERSON, ZEARFOSS, PANCOAST, MOEHLMANN, WHELAN, KUSSE, MILLIRON and GRING
RESOLUTION No. 75

The Chairman of the Committee on Finance appoint a select committee composed of four Democrats and three Republicans from among the members of the committee to review the operations of the Treasury Department and the Board of Finance and Revenue of the Commonwealth of Pennsylvania with respect to the banking and investment of Commonwealth funds to determine whether or not current practices serve the public interest.

Referred to Committee on Rules.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority leader.

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

The SPEAKER. The Chair recognizes the minority leader.

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

The SPEAKER. The Chair thanks the gentlemen.

MASTER ROLL CALL

The SPEAKER. The Chair is about to take today's master roll. Members will take their seats, and only those members in their seats will be recorded.

The roll was taken and was as follows:

YEAS—192

Abraham	George	Manderino	Schweder
Anderson, J. H.	Giammarco	Manmiller	Scirica
Arthurs	Gillespie	Mebus	Seltzer
Barber	Gillette	Menhorn	Shane
Bellomini	Gleason	Milanovich	Shelhamer
Bennett	Gleason	Miller, M. E.	Shelton
Beren	Goodman	Miller, M. E., Jr.	Shuman
Berlin	Green	Milliron	Shupnik
Berson	Greenfield	Miscevich	Sirianni
Bittle	Grieco	Mochlmann	Smith, E.
Blackwell	Gring	Morris	Smith, L.
Bradley	Halverson	Mrkonic	Spencer
Brandt	Hamilton, J. H.	Mullen, M. P.	Stahl
Brunner	Hammock	Mullen	Stapleton
Burns	Hasay	Musto	Stout
Butera	Haskell	Myers	Sweeney
Caputo	Hayes, D. S.	Novak	Taddonio
Cessar	Hayes, S. E.	Noye	Tayoun
Cimini	Hepford	O'Connell	Thomas
Cole	Hill	O'Keefe	Toll
Cowell	Hopkins	Oliver	Trello
Crawford	Hutchinson, A.	Pancoast	Turner
Cumberland	Hutchinson, W.	Parker, H. S.	Ustynoski
Davies	Irvis	Perri	Valicenti
Davis, D. M.	Itkin	Perry	Vann
DeMedio	Johnson, J.	Petrarca	Vroon
Deverter	Katz	Pievsky	Wagner
Dicarlo	Kelly, A. P.	Pitts	Wansacz
Dietz	Kelly, J. B.	Polite	Wargo
Dininni	Kernick	Pratt	Weidner
Dombrowski	Kistler	Prendergast	Westerberg
Dorr	Klingaman	Pyles	Whelan
Doyle	Knepper	Rappaport	Whittlesey
Dreibelbis	Kowalyszyn	Reed	Wilson
Eckensberger	Kusse	Reminger	Wilt, R. W.
Englehart	LaMarca	Renwick	Wilt, W. W.
Fawcett	Laudadio	Rhodes	Wojdak
Fee	Laughlin	Richardson	Worrilow

Fischer	Lederer	Rieger	Wright
Fisher	Lehr	Ritter	Yahner
Flaherty	Letterman	Romanelli	Yohn
Foster, A.	Levi	Ross	Zearfoss
Foster, W.	Lincoln	Ruggiero	Zeller
Fryer	Lynch	Ryan	Zord
Gallagher	McCall	Saloom	Zwick
Gallen	McClatchy	Saivatore	
Garzia	McCue	Scheaffer	Fineman,
Geesey	McIntyre	Schmitt	Speaker
Geisler	McLane		

NAYS—0

NOT VOTING—11

Bonetto	Kolter	O'Brien	Taylor
Cohen	McGinnis	O'Donnell	Walsh, T. P.
DiDonato	McGraw	Sullivan	

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

CALENDAR

ELECTION CODE BILL ON FINAL PASSAGE

Agreeable to order,

The House proceeded to the consideration on final passage of **House bill No. 229, printer's No. 951**, entitled:

An Act amending "The Notary Public Law," approved August 21, 1953 (P. L. 1323, No. 373), reducing the residency requirement for eligibility, providing for surrender of the seal and for a penalty and further providing for the approval of applications.

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—176

Abraham	Geisler	McLane	Scirica
Anderson, J. H.	George	Mebus	Seltzer
Arthurs	Giammarco	Menhorn	Shane
Barber	Gillespie	Milanovich	Shelhamer
Bellomini	Gillette	Miller, M. E.	Shelton
Bennett	Gleason	Miller, M. E., Jr.	Shuman
Beren	Gleason	Milliron	Shupnik
Berlin	Goodman	Miscevich	Sirianni
Berson	Green	Moechlmann	Smith, L.
Bittle	Greenfield	Morris	Spencer
Blackwell	Grieco	Mullen	Stapleton
Bradley	Halverson	Musto	Stout
Brunner	Hamilton, J. H.	Myers	Sweeney
Burns	Hammock	Novak	Taddonio
Butera	Hasay	Noye	Thomas
Caputo	Haskell	O'Connell	Toll
Cessar	Hayes, D. S.	O'Keefe	Trello
Cimini	Hayes, S. E.	Oliver	Turner
Cole	Hepford	Pancoast	Ustynoski
Cowell	Hopkins	Parker, H. S.	Valicenti
Crawford	Hutchinson, W.	Perri	Vann
Cumberland	Irvis	Petrarca	Vroon
Davies	Itkin	Pievsky	Wagner
Davis, D. M.	Katz	Pitts	Wansacz
DeMedio	Kelly, A. P.	Polite	Wargo
Deverter	Kelly, J. B.	Pratt	Weidner
Dicarlo	Kernick	Prendergast	Westerberg
DiDonato	Klingaman	Pyles	Whelan
Dietz	Knepper	Rappaport	Whittlesey
Dininni	Kowalyszyn	Reed	Wilson
Dombrowski	Kusse	Renninger	Wilt, R. W.
Dorr	Laudadio	Renwick	Wilt, W. W.
Doyle	Laughlin	Rhodes	Wojdak
Eckensberger	Lederer	Richardson	Worrilow
Fawcett	Lehr	Rieger	Wright
Fee	Letterman	Ritter	Yahner
Fischer	Levi	Romanelli	Yohn
Fisher	Lincoln	Ross	Zearfoss
Flaherty	Lynch	Ruggiero	Zeller

Foster, A.	Manderino	Ryan	Zord
Foster, W.	Manmiller	Saloom	Zwikel
Gallagher	McCall	Scheaffer	
Gallen	McClatchy	Schmitt	Fineman,
Garzia	McCue	Schweder	Speaker
Geesey	McIntyre		

NAYS—4

Fryer	Mrkonje	Salvatore	Stahl
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NOT VOTING—23

Bonetto	Hill	McGinnis	Smith, E.
Brandt	Hutchinson, A.	McGraw	Sullivan
Cohen	Johnson, J.	Mullen, M. P.	Taylor
Dreibelbis	Kistler	O'Brien	Tayoun
Engelhart	Kolter	O'Donnell	Walsh, T. P.
Gring	LaMarca	Perry	

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.

CONSUMER PROTECTION BILL ON FINAL PASSAGE

Agreeable to order,

The House proceeded to the consideration on final passage of **House bill No. 175, printer's No. 853**, entitled:

An Act creating the Department of Consumer Advocate, establishing its powers and duties and providing the method of its financing.

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

The question is, Shall the bill pass finally?

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, on House bill No. 175, printer's No. 853, although I am not personally pleased with some of the amendments which were inserted—and I reiterate that on the passage of this bill we may well be saddling the Commonwealth with an additional debt burden which many of us do not yet anticipate—in re-reading the bill I have decided that I will personally support the bill. As majority leader, I urge the Democratic Party to support the bill in its present condition. I call for an affirmative vote.

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

Mr. RENNINGER. Mr. Speaker, I wish to thank the majority leader and the majority party for accepting the amendments we have put in. We feel that more of them should be accepted.

I personally will support the bill also. It is not quite in the form that I would like to see it in. I hope it will achieve that through the legislative process and I have every confidence that that will happen. For that reason, I support the bill and I hope others will, too.

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

Mr. ZELLER. Mr. Speaker, thank you.

House bill No. 175 in its original form or in its present form, and with all respect to all members, appears to me to be nothing but a good-tasting frosting on a rotten cake.

I believe that we all know the public has been hitting us hard in regard to something to be done in regard to

the soaring cost of energy and I can understand the members who are in a bad spot to try to do something, even though knowing in their own hearts that it is rather difficult to get anything accomplished through this method.

But the public will not know this for a long time and the smoke will have cleared away and they will think that they are getting a good deal, just like on no-fault insurance. That is another one that is going to be one that time will only tell what kind of shape we are in.

I would like to read to you, with all respect to the Speaker, an editorial that was distributed throughout the Capitol, I understand. I found it in the privy, by the way. It was good reading material for the time because it took up some time. Anyway, one portion of it was relating to bills that should have been passed last session, but due to the fact that we go by a constitutional majority, it just does not happen in regard to the bills they are referring to. It says here: "A more important measure that failed was House Bill 142, which received 100 affirmative and only 76 negative votes on June 3, 1974. This bill would have banned retroactive and temporary rate increases by the Public Utility Commission."

Now there are two things that are bothering me. One is that we have the means here, as legislators representing our people, to take action in regard to the PUC in setting what I call legislation that is going to guide them in the right direction. We say that by April 1, also, there will be an appointment made to the five-person commission. There are now two who are supposed to be friendly with the consumer, and there is a possibility that the Governor would appoint someone, if it is confirmed by the Senate, that would take care of that third person, to give the board the status of a consumer board, a board that is worried about and concerned with the consumer.

Now I think we ought to let that method go through the trial system, instead of having a fox placed in to watch the chicken house, by having an advocate placed in there to watch the advocates. By doing this we are creating another Cabinet post and we are talking about a time when we have soaring costs, and now we are going to create more jobs.

We have to take care of someone. I am not saying who. I am saying that the leadership, in their desire to make it look as though we are working for the public, is trying to guide us in that direction. And I have it from a very good source that this is exactly what it is going to be. They know very well, very well, that the advocate, as one individual—how can they do the job where a majority of three on a commission, who has all the power to do it, could do it? And now we are going to take one person and we are going to say he is going to be like, in effect, a god. That is impossible. The milk commission is a fine example.

So without anymore ado, I know there is going to be a lot of argument on this with drumbeaters in regard to this particular bill. And it is going to look good back home in copy. It will look real good for you; it will look beautiful, because you are going to be working for the people. But, in effect, there is going to be no action.

There will be a lot of court cases; there will be a lot of lawyers' fees. They will make out like madmen. But the public is still going to pay the bill.

So what do you say we let the system that is in

there; let the Governor appoint the proper person; let us get the majority on that board; let us guide them in the right direction; let them do the job that they were designed to do, rather than creating another department—another Cabinet post I should say—that is going to do absolutely nothing.

It is a political move. It is going to look good for the Governor, whatever his moves are for 1976. It is going to look real good. And I say you are going to be used and our people are going to be used. So I am voting "no."

Thank you.

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

Mr. PYLES. Mr. Speaker, I rise in opposition to the bill in its present form for a number of reasons. It still, in my judgment, has a lot of defects.

One defect is the fact that every member of this department is going to be a political appointee. There were attempts on the floor two days ago to amend that aspect. It was attempted to bring those subordinates to the deputies of this department within the purview of the Civil Service of this state. There were a number of people who rose in opposition to that, pointing out that this organization could not do its job effectively unless the supervisors had complete authority over everyone.

I would say, having served in the Federal Government for 25 years, that the people who process and develop the procedures for the policy set by the higher supervisors, those who have longevity and those who have security of jobs, are the most loyal performers of the work. Therefore, I supported the amendment to make sure that those who are in the subordinate jobs of this department were covered by civil service and had longevity and security.

The main reason, however, that I object to the bill in its present form, as I expressed when I introduced my amendment to make it an independent advocate—which did not receive its just consideration by this House because of some deficiency by a clerk of this organization that my amendment did not get around—I believe that good management principles indicate that when you divide the span of control of an executive, such as the Governor of this state, so broadly by departments as we are creating here today, his efficiency to manage is so much diluted that the people of the Commonwealth will not be properly served through the executive branch. My recommendation was to establish an independent agency instead of having a cabinet-level department.

I, probably more than anyone on this floor today, have studied the advocacy for consumers, going back to 1961. I have reviewed the testimony and the transcripts of the testimony given at the U. S. Congress on last year's Senate bill No. 707, and I know what people are saying about a consumer advocate. From all the information I have been able to assemble, it is my judgment that the independent agency is the best forum that this House can give the consumer of this State to represent him. Therefore, Mr. Speaker, I am in opposition to the bill in its present form.

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. By the statement of the majority leader, he said that this would saddle us with an additional financial burden. If this is the case, would this not necessitate the need for an additional financial fiscal note?

The SPEAKER. I do not believe the majority leader was making reference to additional cost over and above that which was contemplated by the original fiscal note.

Mr. DREIBELBIS. Then could I interrogate the majority leader, please?

The SPEAKER. Will the majority leader consent to interrogation?

Mr. IRVIS. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. DREIBELBIS. I was wondering, Mr. Speaker, what the impact of your statement was on the additional cost. I had thought that it was a \$200,000 sum that the state was supposed to appropriate and that was all, no matter what happened in the advocacy.

Mr. IRVIS. Your thinking is quite accurate, sir. What I meant by my statement is that I cannot conceive, in the eventuality of this bill being passed, that the bill can be limited in its cost to \$200,000. We may pass it at \$200,000 and the Senate may pass it at \$200,000, but with that amendment that went in there on the mines and energy and every Mrs. Jones who has a complaint being allowed to call the consumer advocate and it is his duty and obligation to investigate, it seems to me pretty obvious that you are not going to be able to control this at \$200,000.

What I am actually hoping is that there will be additional amendments to this bill which will make it a little more sane, a little more workable.

There is no need for an additional fiscal note, because the bill does contain, as you said, the upper limits of what could be spent for this fiscal year.

Mr. DREIBELBIS. An additional question, Mr. Speaker: The fiscal note we had showed the amounts that were going to be generated by the rates from the utility bills. We struck that out, as I remember, and therefore that would change substantially, as I understand, the fiscal implication of the moneys allowed for the expenditures by this advocacy. Is that not correct?

Mr. IRVIS. I do not think that is so, sir. I think the upper limits that could be spent for the fiscal year 1974-75 is the \$200,000 and no more.

Mr. DREIBELBIS. And how about the amendment that went in to allow for the farm advocacy part in the Milk Marketing Board? Would that not require a fiscal note of some kind?

Mr. IRVIS. No, Mr. Speaker. The upper limits are still \$200,000. What the House did was to take the \$200,000 and further subdivide it and dilute it, but it did not authorize any increased expenditures.

Mr. DREIBELBIS. I thank the gentleman, Mr. Speaker.

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

Mr. LETTERMAN. Mr. Speaker, may I interrogate the majority leader, please?

The SPEAKER. Will the majority leader consent to interrogation?

Mr. IRVIS. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. LETTERMAN. Sir, do you feel that we should have a 5-year estimate of what this bill would cost for a fiscal note? Is that not the policy?

Mr. IRVIS. No, Mr. Speaker. As far as I know, if a bill carries a fixed appropriation, that in itself is the fiscal note. My anticipation that the bill may cost more eventually does not necessitate that we have an additional fiscal note.

Mr. LETTERMAN. Has Mr. Kalodner been spending money from this \$200,000 now?

Mr. IRVIS. I cannot answer that question because I do not know what Mr. Kalodner spends—

Mr. LETTERMAN. Well, how would he be paying for what he is already fighting then?

Mr. IRVIS. May I suggest that you interrogate Mr. C. L. Schmitt, who may be a little bit more conversant with where the money comes from.

I am informed as I stand at the microphone that the money comes from the Justice Department and could not actually come from \$200,000 which has not yet been appropriated.

I can answer that positively. Mr. Kalodner nor anyone else can spend money which is not yet appropriated by the General Assembly. But if the inference of your question is, is he spending in anticipation of being repaid from the \$200,000, I am informed that that is not so.

Mr. LETTERMAN. Thank you very much.

Mr. Speaker, I would like to make a statement for the record.

The SPEAKER. The gentleman may proceed.

Mr. LETTERMAN. I cannot possibly vote for this bill. I think that we have a department that should be taking care of these matters now and I think that this is just another plum, and I know that it looks real good for me to vote for it for my constituents. I just want the record to show that I am opposed to it because I feel it is going to be an additional burden on our financial crisis that we are in right now. I cannot possibly vote for it and I would certainly hope that a lot of other people here take that under consideration.

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Mifflin, Mr. DeVerter.

Mr. DeVERTER. Thank you, Mr. Speaker.

I rise in opposition to House bill No. 175 also and I do so for a variety of reasons, but I would like to just state a few of them, some of which were in a recent editorial in our local press. I think their words probably best describe my feelings and probably of many others here in the House, and it may be unpopular to vote against such legislation as this, but their words went something like this:

Massive bureaucracies and red tape are probably two of the worst problems facing Pennsylvania citizens as they try to make their state government work for and with them.

I suspect one of the biggest weaknesses which has already been alluded to this morning is that this legislation is unnecessary. I feel those regulatory agencies we are trying to regulate under another consumer advocate is just more red tape, more jobs, more state tax dollars

going right down the drain. Somewhere I think this legislature must get a handle and make those agencies perform the way they are supposed to perform.

In addition, I guess one of the most difficult things that I find wrong with the bill is that even though we have a consumer advocate, he can pick and choose what cases he wants to take up before those regulatory agencies. I do not think this is fair to the people whom he is supposed to represent, and I think it is kind of silly for us to go that route.

Mr. Kalodner's name came up here this morning. I am wondering how many of you have been lobbied by him for this bill. You have heard the majority leader, you have heard the Speaker, the majority whip and even members on our side indicate that we are going to be facing a very severe fiscal situation. How we can, in good conscience, in the 1975-76 year, pile several more millions of tax dollars into an agency that is not needed is beyond me.

I think also that we are placing entirely too much power, if you will, in the hands of one individual, and that would be the consumer advocate. And you can bet your bottom dollar, as he begins to hire people, he is going to keep on hiring and each year he is going to come back and he is going to add some more and the bill is going to grow and grow and grow.

Finally, do we need reform in our state regulatory agencies? The answer is almost certainly "yes." But, unfortunately, I and many others do not believe that House bill No. 175 will achieve this.

Thank you very much, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Bradford, Mr. Turner.

Mr. TURNER. Mr. Speaker, I rise in total opposition to this bill.

Two days ago my good friend, Mr. LaMarca, stated that he was concerned about the possibility of putting 2,000 to 3,000 more people on the payroll either under civil service or under some union contract.

This House is going to buy one of the biggest white elephants it has ever seen. And while we are talking about animals, we are talking about a camel. If he gets his head in this tent, I can tell you we will rue today when we get out of this mess.

This fiscal deficit that we are already facing has got to come from the taxpayers. The public utilities cannot pay this without raising their rates.

I can tell you, Mr. Speaker, we are buying a big fat white elephant. And it may not show up in 1975 or 1976, but we are saddling our kids and our whole community life with a burden that we cannot handle. I plead with you to knock this bill out.

Thank you, Mr. Speaker.

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

Mr. ECKENSBERGER. Mr. Speaker, I rise to support House bill No. 175, although my support might be considered to be somewhat reluctant. But I do believe that there is a basic issue involved and presented by House bill No. 175 which we should consider very carefully. That basic question revolves about the manner in which we look at and consider the being of the Public Utility Commission as well as the other regulatory agencies that are mentioned in the bill.

If we consider these agencies to be judicial bodies or

quasi-judicial bodies, then the agencies are acting as a court. And if they are acting as a court, these bodies certainly cannot be advocates for anyone.

It seems to me this is exactly what is occurring at the present time. The PUC is considering the matters presented to it and it is not necessarily, or hopefully not, taking sides. They are acting in a judicial capacity. Now if you conclude with me that that is the manner in which these agencies are acting, then certainly the public should have some representation before these regulatory bodies.

Comments have been made on the floor this morning that there will be a rather large expense attributed to the taxpayers or assessed to the taxpayers as a result of the creation of this office. But I know and perhaps you also are receiving complaints about the fuel-adjustment costs as well as other rates which are now being visited upon our taxpayers. It seems to me that if the consumer advocate, as we create it here, can save the taxpayers money, then the creation of the office is well worth our efforts here.

I said that I was supporting this reluctantly, and that is, first, because I recognize that there will be an added cost to our budget. I do not like to do that.

I know that the bill also in its amended form should perhaps receive further treatment with regard to language, et cetera, other policy matters. I have long been thankful that we have a bicameral legislature, because it seems to me that many times we get hung up on issues in this body and I am sure that the same thing happens in the other body. Now we hope that if improvements are to be made in the bill—and I think that there can be—it will be done by the other chamber.

Mr. Speaker, I reluctantly ask that we all support this measure.

Thank you.

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

Mr. O'CONNELL. Mr. Speaker, I rise in opposition to House bill No. 175 for several reasons.

First of all, last year, in the last session, we did a considerable amount of work on Senate bill No. 1410. Senate bill No. 1410, in my opinion, went a lot further toward being a true consumer advocate than does House bill No. 175.

Secondly, passing this over and passing it over lightly because of the financial impact does not really disturb me or concern me, for I honestly believe that we could cut the budget in other areas and apply a reasonable amount of money to this particular concept. I frankly believe that there is nothing more important today than a true consumer advocate, and if that be the case, then I think he must be adequately financed.

I would be willing, for one, to do some research in regard to the budget, with the possibility of cutting in other areas to add sufficient moneys to this particular bill so that the people in the Commonwealth would truly have a consumer advocate.

This, in my judgment, is sheer window dressing, and there seems to be an awful rush to get this bill passed or at least to have it considered. I am suspect as to the reasons for this passage and for the rush to pass it, and actually, in fact, I think it was almost railroaded to the point that we have come to it presently. It is much like applying a Band-Aid when a tourniquet is really needed.

I firmly believe that it will leave the people in my district and the people in the Commonwealth wanting

for a true consumer advocate, and I have had enough problems with that at this particular time.

So because I do not really believe that it goes far enough and I do not really believe it offers the protection that it should offer, therefore, I intend to oppose it.

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Jefferson, Mr. Smith.

Mr. L. E. SMITH. Mr. Speaker, this bill has been labeled a consumer protection bill. In my mind, I think it would be better labeled a consumer fraud bill. We are leading the people of Pennsylvania right down another rosy path by telling them we are really concerned about your utility rates and we are doing something about it when we are not doing anything.

If Pennsylvania were unique in the skyrocketing utility costs, I would agree that there is something wrong in Pennsylvania. But our utility rates are not any higher than utility rates in all surrounding states and all over this nation.

If there is something wrong with the regulatory agencies involved, we have the power and it is our obligation and duty to restructure those agencies to better meet the needs of the people of the Commonwealth.

This is another layer of bureaucracy that we really do not need, and I do not believe there is anyone in this chamber who thinks for one minute that the cost of this bill is going to stop at \$2 million. Three or four years from now it will be \$5 million. If I read the people of my district correctly, they are not looking for more government; they are looking for better government, and this is not it.

The SPEAKER. The Chair recognizes the gentleman from Armstrong, Mr. McCue.

Mr. McCUE. Mr. Speaker, I, too, can see a lot of things wrong with this bill, a lot of things wrong with the concept. However, my experience is that there are some things wrong with the concept of the PUC law.

I feel, from my knowledge of the situation in my area, that at least this bill will provide the people with something that they do not have now. It will be some vehicle for the public to redress their grievances.

In my area at this time the local water company has come out with a request for a 40-percent increase on the water. The people are completely at odds as to what to do. They do not know where to turn. They are, in effect, at the mercy of the regulatory agencies.

Before being active in the legislature, I was a general practitioner of law. I represented individual people; I represented small governmental units, boroughs and townships. In that capacity I have had the frustrating experience of trying to fight rate increases before the PUC. The borough I represented had approximately 2,000 citizens, so its budget was rather limited. And on three different occasions I tried to prevent a water increase. So I think that the real problem is with the PUC law itself. Perhaps we could do a better job by amending the PUC law. Perhaps we could do a job by having other provisions.

While I recognize that this consumer advocate is an evil of bureaucracy and that he will be hiring employees and that many of these people may have a vested interest in the troubles of the consumers, at least he will be a person to whom the frustrated public can turn and give their complaints. Of course, right now about the

only place they can turn is to us as individual Representatives.

The problem in the PUC, as I see it, is in the formula in providing for a rate increase, because there are the three factors—the gross return, and we know what it is; the investment of the PUC, which I find out is not just the dollars invested but the utility company's own appraisal as to what the worth is of their land, property, buildings, reservoirs, and so on; and the expenses. And there is no way that the public can audit the expenses that the utility claims that it has to have.

While I recognize that the consumer advocate is not going to change the PUC law, he will be able to hear the complaints; he will be able to receive the petitions of the public; and perhaps he will be able to do a better job of either changing the law or trying to make an audit of these things.

In my opinion, the PUC experts—that is, the employes, the staff—should be doing that right now. The employes of the utility companies are motivated; they are motivated to do a job. But I think this is one of the inherent problems of a governmental agency—to have these people be motivated for the public as a whole—because there is no one particular person who is interested.

While I see many problems in the bill that we have before us, I think it will be a better situation than we have now, and for that reason I do intend to vote for it.

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

Mr. PANCOAST. Mr. Speaker, I rise in opposition to House bill No. 175.

Historically, the independent regulatory commission was created by legislative bodies for the very purpose of protecting the interests of the public. If our independent regulatory bodies are not doing the job for which they were created, the responsibility rests with us in not performing proper oversight functions.

It seems to me that the best consumer advocate for the people of the Commonwealth of Pennsylvania are those elected Representatives in the General Assembly of the Commonwealth of Pennsylvania.

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

Mr. GALLEN. Mr. Speaker, our distinguished majority leader is fond of admonishing new members concerning the dangers that they may encounter in voting one way or the other on certain legislation. I would like to caution the new members that we face what is truly an unbalanced budget and one which cries for new revenues.

We are here today to spend more money with a bill which I am not so sure will accomplish the purpose that it is aimed to accomplish. And, Mr. Speaker, I consider this bill not a consumer protection bill but a taxpayer-be-damned bill. I urge that you oppose it.

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

Mr. GARZIA. Mr. Speaker, I rise to support this bill. I can say to the gentleman, Mr. Gallen, you ought to go through the process we have now with consumer protection. I went through it, and I think this bill will be a heck of a lot better than we have now.

Thank you.

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

Mr. RAPPAPORT. Thank you, Mr. Speaker.

Mr. Speaker, I must confess that I had many reservations about this bill when I first read it, many of the reservations that were expressed by the gentleman from Montgomery, Mr. Pancoast.

I am against building more bureaucracies and bureaucracies to watch bureaucracies, and I believe that Parkinson's Law does indeed rule our government. However, that is not the case with this particular bill.

We have a problem in our administrative agencies not only in Pennsylvania but in other states and with the Federal Government that this fourth branch of government is all things to all men. The staff prosecutes the case; the staff writes the opinion of the agency; and the staff argues the appeal. We have the same problem in many of our municipal charters where the city solicitor is also counsel to the various agencies who, therefore, are bound by the opinions of the city solicitor—and it is true on the state level, where we are bound by the opinions of the attorney general—although the agency may not agree with them.

We are trying to eliminate that problem from these rather important adjudicatory agencies. What we are doing is taking away from the agency the advocate's role and we are giving that to another office completely. We are not duplicating the PUC. We are taking away a function from the PUC and giving it to another agency. We are taking away from the PUC the advocate's function and we are giving it to the consumer advocate. We are not duplicating. We are transferring a function so as to bring the adversary system into play in these administrative agencies.

It is for that reason, Mr. Speaker, that I intend to support this bill as it is. I am not particularly happy with some of the amendments that went in, but we must start someplace and this is the place to start.

Thank you.

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

Mr. TRELLO. Mr. Speaker, as a freshman in this General Assembly, I rise to support this bill. Previous to coming to this General Assembly, I served as a local councilman for 10 years in a borough of approximately 9,000 people. In a small town like the borough that I come from, you deal with people who live below the tracks, above the tracks, in the Heights, or Main Street, and you really learn the problems.

I have never received one complaint in regard to the price of liquor; I never received one complaint about the banking. The complaints that I received on the local level, where the real people are, where the real complaints are, where the consumers are, were about their utility bills.

Now if anybody is going to stand up here and tell me that this is a bad bill, well, I can tell them this is the first step to the beginning of something good. And I urge all the freshmen like myself and all the other good people who are here to serve their constituents to vote for House bill No. 175.

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

Mr. DORR. Mr. Speaker, I rise to support the concept of a consumer advocate. I supported a reasonably good consumer advocate bill in the last session and voted for

it and I have made many public statements in the campaign to that effect.

What the people of this state do not need is another political demagogue, one who, in fact, has been so anxious to grab this vehicle that he has been unable to refrain from haunting these halls this past week. What they do not need is the responsibility to pay twice for that political demagoguery in terms of not only the taxes they must pay to support the bureaucrats but the additional prices they must pay to support the businesses which must fight that political demagoguery in the regulatory agency.

Mr. Speaker, what we have before us in House bill No. 175 is not a consumer advocate bill. It is a political and bureaucratic boondoggle bill, and I shall not vote for it.

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

Mr. KUSSE. Mr. Speaker, I have heard a number of members rise today to speak in opposition to the bill. Many of them have indicated that they favor the idea of a consumer advocacy and yet they do not like the way this bill is drawn. Similarly, I have heard a number of members rise to speak in favor of the bill, but almost without exception they have indicated that they, too, are not satisfied with the way the bill is drawn, or they have indicated that they are reluctantly going to support it. It seems to me that almost without exception everyone who has spoken on this bill has indicated they do not like the way the bill is drawn.

MOTION TO RECOMMIT

Mr. KUSSE. I therefore suggest we recommit it. I move we recommit the bill to the Consumer Protection Committee.

PARLIAMENTARY INQUIRY

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

Mr. MANDERINO. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANDERINO. Was there not a previous attempt made to recommit the bill?

The SPEAKER. There was.

Mr. MANDERINO. Is it possible to make another?

The SPEAKER. The initial motion to recommit was made at a point when the bill was at a different stage than it is today. Therefore, it is in order.

Mr. MANDERINO. Then I would ask, Mr. Speaker, that all members vote against recommitment.

We have taken the time of the House; we have faced the issue. We have taken a bill; we have amended it. We have put it in the form that evidently a majority of the members of this House wanted to put it in.

Those people who have expressed dissatisfaction with it have expressed dissatisfaction with their point of view being turned down by a majority of this House, because had they had additional amendments, we certainly would have considered them.

The will of the House has been expressed in this bill, right or wrong, with deficiency or without. And I do not think the way to handle this bill is to recommit it. I think we ought to face the issue. We ought to send it through the legislative process. We should not try to duck the issue by a motion to recommit.

I urge every member of the House, this side and the other, who is interested in a consumer advocate and interested in the public back home getting a fair shake, to vote against recommitment.

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, we added an amendment on line 12, page 3, that says that any individual who is appointed as the consumer advocate shall not seek public office. And before I cast my vote for or against recommitment, I want to know if we here in the House have the authority to subordinate the constitutional right of an individual to seek public office.

The SPEAKER. As the Chair recalls the conversation on the floor, there was some discussion as to the propriety of that language because it might be violative of constitutional inhibitions.

Mr. DREIBELBIS. I was wondering if from that time until now we had any interpretation of that.

The SPEAKER. The Chair had not solicited any interpretation.

Mr. DREIBELBIS. Thank you.

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

Mr. ZELLER. I request that only those in their seats vote.

On the question,

Will the House agree to the motion?

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. HILL. Had I been in my seat, I would have voted in the affirmative on House bill No. 229.

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

On the question recurring,

Will the House agree to the motion?

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

YEAS—71

Anderson, J. H.	Foster, W.	Letterman	Shuman
Beren	Gallen	Levi	Sirianni
Bittle	Geesey	Manmiller	Smith, L.
Brandt	Gillette	McClatchy	Spencer
Butera	Goodman	Miller, M. E., Jr.	Stahl
Cessar	Grieco	Moehlmann	Stout
Cimini	Gring	Noye	Thomas
Crawford	Halverson	O'Connell	Turner
Cumberland	Hamilton, J. H.	Pancoast	Ustynoski
Davies	Hayes, S. E.	Parker, H. S.	Wagner
Deverter	Hapford	Perri	Westerberg
Dietz	Hill	Pitts	Whelan
Dintini	Hopkins	Polite	Whittlesey
Dorr	Hutchinson, W.	Prundergast	Wilt, R. W.
Dreibelbis	Katz	Fyles	Wilt, W. W.
Fawcett	Kelly, J. B.	Ryan	Zearfoss
Fisher	Klingaman	Scheaffer	Zeller
Foster, A.	Kusse	Seitzer	

NAYS—105

Abraham	Gleason	Milanovich	Scirica
Arthurs	Green	Miller, M. E.	Shane
Barber	Greenfield	Milliron	Shelhamer
Bellomini	Hammock	Miscevich	Shupnik
Berlin	Hasay	Morris	Smith, E.
Berson	Haskell	Mrkonic	Stapleton
Bradley	Hayes, D. S.	Mullen, M. P.	Taddonio
Brunner	Hutchinson, A.	Mullen	Toll
Burns	Irvis	Musto	Trello
Caputo	Itkin	Novak	Valicenti
Cole	Kelly, A. P.	O'Keefe	Vann
Cowell	Kernick	Oliver	Vron
Davis, D. M.	Kistler	Petrarca	Wansacz
DeMedio	Knepper	Pratt	Wargo
Dicarlo	Kowalyshyn	Rappaport	Weidner
Dombrowski	LaMarca	Reed	Wilson
Doyle	Laudadio	Renninger	Wojdak
Eekensberger	Laughlin	Renwick	Worrilow
Englehart	Lederer	Rhodes	Wright
Fee	Lehr	Richardson	Yahner
Fischer	Lincoln	Ritter	Yohn
Flaherty	Lynch	Romanelli	Zord
Gallagher	Manderino	Ross	Zwikel
Garzia	McCall	Ruggiero	
George	McCue	Salvatore	Fineman,
Giammarco	McLane	Schmitt	Speaker
Gillespie	Menhorn	Schweder	

NOT VOTING—27

Bennett	Gleason	Myers	Shelton
Blackwell	Johnson, J.	O'Brien	Sullivan
Bonetto	Kolter	O'Donnell	Sweeney
Cohen	McGinnis	Perry	Taylor
DiDonato	McGraw	Pievsky	Tayoun
Fryer	McIntyre	Rieger	Walsh, T. P.
Geisler	Mebus	Saloom	

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

On the question recurring,
Shall the bill pass finally?

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

Mr. W. W. WILT. Mr. Speaker, may I ask a question of Mr. Wojdak, please?

The SPEAKER. Will the gentleman from Philadelphia, Mr. Wojdak, consent to interrogation?

Mr. WOJDAK. I shall, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. W. W. WILT. Mr. Speaker, as I recall, the fiscal note stated that the estimate was \$200,000 as provided in the bill for the balance of the present fiscal year, and the fiscal note was the same?

Mr. WOJDAK. That is correct, Mr. Speaker.

Mr. W. W. WILT. On page 5 of the bill, line 10, it says: "In addition the Office of Farm Advocacy shall receive an appropriation equal to the amount of funds spent by the Consumer Advocate in any proceedings before the Milk Marketing Board." At the time the fiscal note was developed, was that provision in the bill?

Mr. WOJDAK. No; that provision was not in the bill, Mr. Speaker.

Mr. W. W. WILT. Mr. Speaker, after the ruling yesterday that we could not vote the amendment, which would have cost about \$41,000 or \$42,000, until we received an official fiscal note, and after the statements given both yesterday and today by the majority leader that the amendments that have been inserted will cost an enormous amount of money, how can we possibly vote on this bill in its present form without having some faint idea of what the cost might be?

Mr. WOJDAK. Mr. Speaker, I had raised that question on one of the amendments, and there was a determination

that the \$200,000 appropriation, the start-up cost for this bill, would have to be used for what had originally been in the bill as well as the additions. It would just be spread thinner among the various agencies that would be handled.

I had raised that specific question—I believe it was on Mr. Zearfoss' amendment—and it was determined at that time that the \$200,000 was the limit that could be appropriated for this fiscal year.

Mr. W. W. WILT. But we have no idea whatsoever. It might be \$500,000; it might be \$5 million for next year?

Mr. WOJDAK. Well, if you are asking me if I know what the projected costs are, I do not, sir.

Mr. W. W. WILT. Thank you.

MOTION TO RECOMMIT

Mr. W. W. WILT. I would move that this bill be re-committed to the Committee on Appropriations so that we might get some idea. I cannot vote for it and I just feel it is in violation of the rules.

The SPEAKER. The gentleman's motion is out of order.

Mr. W. W. WILT. A motion to recommit to Appropriations is out of order?

The SPEAKER. Yes. We just voted on a motion to recommit.

Mr. W. W. WILT. Not to Appropriations.

The SPEAKER. A motion to recommit was just voted upon, Mr. Wilt, and a motion to recommit to a committee other than the one cited in the original motion I regard as dilatory.

If the gentleman had raised his point of order at the time of the offering of amendments, the point might have been well taken.

MOTION TO TABLE

Mr. W. W. WILT. Mr. Speaker, would a motion to lay the bill on the table so that it might be given some study be in order?

The SPEAKER. A motion to lay on the table would be in order.

Mr. W. W. WILT. I so move.

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

Mr. BUTERA. Just a point of parliamentary inquiry so we do not face this again.

I think it is irrelevant what you think about the gentleman's motion, whether it is dilatory or not. I would personally rather see a motion to table than a motion to recommit. But I think a motion to recommit to Appropriations is in order, regardless of whether it is dilatory or not.

The SPEAKER. Well, as long as this individual is occupying the Speaker's chair, it is not irrelevant.

If you do not agree with the decision of this particular individual, then you take an appeal.

Mr. BUTERA. No; it has nothing to do with the individual. That is the point.

The SPEAKER. That is precisely the point. The obligation of the Speaker is to make decisions on points of order that are raised, and I have made a decision.

Mr. BUTERA. Question of parliamentary inquiry: Do the rules of the House permit a motion to recommit at this juncture to a committee other than that to which there has already been a motion directed?

The SPEAKER. The rules of the House say—well, as a matter of fact, there is nothing in the rules on it, but Mason's specifically says that a motion to recommit without specifying a committee is in order provided the Speaker feels that it is not dilatory and provided it is at a different stage from which the previous motion was made.

Mr. BUTERA. I did not realize that. I will accept that if that is the rule, but it was always my impression that that motion was always in order, particularly if it were different from the one offered before. But if that is the way the rules are, as you suggest them, then you do have that discretion. I did not think you had it.

The SPEAKER. Now, if I did not make such a ruling, what could ensue is this, someone embarking upon dilatory procedure, following the fall of a motion to recommit to Appropriations, could then move to recommit to Business and Commerce and then to Agriculture and so forth down 21 committees.

Mr. BUTERA. I understand that, and that would be wrong. All I wanted to do was hear the rule stated, and if that is the way it is, that is fine. You do have that discretion and anyone has the right to challenge your ruling.

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

Mr. WOJDAK. Mr. Speaker, may I interject something? Even if it were referred to Appropriations, the figure of \$200,000 would not change, based on the Speaker's ruling from yesterday. So no additional information will be gathered as to the appropriation for this fiscal year.

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

Mr. ZEARFOSS. Mr. Speaker, I am for a consumer advocate. I was a sponsor of this bill when it was introduced. As a matter of fact, my name was on it twice, by some mistake, and so when I withdrew my name, I had to withdraw it twice.

The bill has been improved by amendments, but the bill has, in my view, two very serious deficiencies that will impel me to vote against it. The first is that the scope is so narrow that what we are doing is deluding the consumers of Pennsylvania into thinking that they are getting a consumer advocate bill when, in fact, they are not.

The second deficiency is that there are no safeguards in the bill whatsoever to prevent its use for political purposes. As a matter of fact, the structure of the bill in the present form would encourage the use of the office for political purposes.

For those two reasons I must vote against it. I would hope that the Senate, if it passes this House, would take care of at least the latter deficiency by inserting the right of confirmation.

Thank you, Mr. Speaker.

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

Mr. A. C. FOSTER. Mr. Speaker, will the gentleman from Westmoreland, Mr. Schmitt, consent to answer a few brief questions?

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

QUESTION OF INFORMATION

The SPEAKER. The Chair recognizes the gentleman

from Blair, Mr. Wilt. For what purpose does the gentleman rise?

Mr. W. W. WILT. I rise to a question of information.

The SPEAKER. The gentleman will state it.

Mr. W. W. WILT. Mr. Speaker, what is the issue before the House at the present time, sir?

The SPEAKER. Shall the bill pass finally?

Mr. W. W. WILT. No; a motion to table, sir.

The SPEAKER. The gentleman is correct. There is a motion before the House to table the bill.

The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, again, to move to table a bill that has been worked on and now expresses, evidently, the majority of the members' views on this particular subject that has gone through the amendment process for 4½ to 5 hours, gone through 19 amendments, allowing the House to express itself and try to shape the bill into the form that members of this body, by majority, have decided upon, I think is ducking the issue and trying to hide behind the skirts of the motion to table.

I would ask every member interested in a consumer advocate bill and the protection of the people to vote against the motion to table.

The SPEAKER. For what purpose does the gentleman, Mr. Foster, rise?

Mr. A. C. FOSTER. Mr. Speaker, to speak on the motion to table.

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

The Chair would bring to the attention of the gentleman rule 59: "A motion to lay on the table is not debatable, is not subject to amendment and carries with it the main question and all other pending questions which adhere to it, except when an appeal is laid on the table."

If the gentleman insists, the Chair will give the gentleman an opportunity, in spite of the rules, to discuss the motion, but the Chair would hope that the gentleman would be extremely brief so that we may get down to the real issue.

Mr. A. C. FOSTER. With respect to that then, Mr. Speaker, I will make a statement at a later date.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Bucks, Mr. Renninger.

Mr. RENNINGER. Mr. Speaker, I want to be recognized when we get to the merits of the bill.

As far as laying on the table is concerned, I would remind those of you who have a business orientation that there has been an expression of people indicating that the bill is not completely to their liking. In the business we often say that if nobody likes the deal, it is probably a good deal. With all the interests being considered, I certainly and heartily oppose the motion to table.

Let us get on and pass this legislation, and I would like to be recognized on the merits of the bill.

On the question,

Will the House agree to the motion?

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

YEAS—53

Anderson, J. H.	Foster, A.	Manmiller	Spencer
Bittle	Foster, W.	Mochlmann	Stahl

Brandt	Gallen	Noye	Stout
Butera	Geesey	O'Connell	Thomas
Cessar	Grieco	Pitts	Turner
Cimini	Hamilton, J. H.	Polite	Ustynoski
Cumberland	Hayes, S. E.	Pyles	Vroon
Davies	Hepford	Ryan	Wagner
Deverter	Hill	Scheaffer	Weidner
Dietz	Hutchinson, W.	Seltzer	Westerberg
Dininni	Kusse	Shuman	Wilt, W. W.
Dorr	Letterman	Sirianni	Zearfoss
Dreibelbis	Levi	Smith, L.	Zeller
Fawcett			

NAYS—124

Abraham	Gleason	McLane	Ruggiero
Arthurs	Goodman	McBus	Salvatore
Barber	Green	Menhorn	Schmitt
Bellomini	Greenfield	Milanovich	Schweder
Bennett	Gring	Miller, M. E.	Scirica
Berlin	Halverson	Miller, M. E., Jr.	Shane
Berson	Hanmock	Milliron	Shelhamer
Bradley	Hasay	Miscevich	Shupnik
Brunner	Haskell	Morris	Smith, E.
Burns	Hayes, D. S.	Mrkonic	Stapleton
Caputo	Hutchinson, A.	Mullen, M. P.	Taddonio
Cole	Irvis	Mullen	Toll
Cowell	Itkin	Musto	Trello
Crawford	Hopkins	Novak	Valicenti
Davis, D. M.	Katz	O'Keefe	Vann
DeMedio	Kelly, A. P.	Oliver	Wansacz
Dicarlo	Kernick	Pancoast	Wargo
Dombrowski	Kistler	Parker, H. S.	Whelan
Doyle	Klingaman	Perri	Whittlesey
Eckensberger	Knepper	Petrarca	Wilson
Englehart	Kowalyszyn	Pratt	Wilt, R. W.
Fee	LaMarca	Priendergast	Wojdak
Fischer	Laudadio	Rappaport	Worriow
Fisher	Laughlin	Reed	Yahner
Flaherty	Lederer	Renninger	Wright
Fryer	Lehr	Renwick	Yohn
Gallagher	Lincoln	Rhodes	Zord
Garzia	Lynch	Richardson	Zwilk
George	Manderino	Ritter	
Giammarco	McClatchy	Romanelli	Fineman,
Gillespie	McCall	Ross	Speaker
Gillette	McCue		

NOT VOTING—26

Beren	Johnson, J.	O'Brien	Shelton
Blackwell	Kelly, J. B.	O'Donnell	Sullivan
Bonetto	Kolter	Perry	Sweeney
Cohen	McGinnis	Pievsky	Taylor
DiDonato	McGraw	Rieger	Tayoun
Geisler	McIntyre	Saloom	Walsh, T. P.
Gleeson	Myers		

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

STUDENTS WELCOMED

The SPEAKER. The Chair would like to welcome at this time a group of ninth graders from Rothrock High School in Mifflin County. They are accompanied by their teacher, Mr. Ronald Hines.

They are the guests of the gentleman from Mifflin, Mr. DeVerter.

On the question recurring,
Shall the bill pass finally?

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

Mr. PYLES. Thank you, Mr. Speaker.

On the debate on House bill No. 175, I have heard from my colleagues a lot of implications and the problems they are faced with in coming to a conclusion on their thoughts. I would like to remind them of four things: One, on Tuesday of this week, this body passed House resolution No. 66, which establishes a task force of the Joint State Government Commission to study the Public Utility Com-

mission and the code and the statute by which they operate.

Therefore, in my judgment, this is the tool and the avenue to go through to improve the rate structures and all the other devices used by the utilities in order to get rate increases, to review the statute and the law rather than through a consumer advocate.

Secondly, I would like to remind my colleagues who are having problems with their constituents complaining about the rate increases that a number of years ago this body, this General Assembly established a Bureau of Consumer Protection in the Department of Justice. That department presently is fully staffed to take care of complaints from your constituents. They are charged with the responsibility to represent the consumer.

The third item I would like to bring to the attention of the members of this body is—and I stated this on Tuesday—if you look at page 33 of the Governor's new budget as the budget is broken down by program, under Consumer Protection, he has \$60.7 million set aside for consumer protection without this new department he is proposing.

Fourth, one of my freshman colleagues—and I am a freshman too—points out that in his area he is not having any problems with the Liquor Control Board.

I would like to remind that gentleman that in 1973, before the joint General Assembly, the Governor, in his "State-of-the-Commonwealth Message" said, "I have now control of the Liquor Control Board and there will be no price increases." That is what he said.

Just three months ago, 300 items on the shelves in the liquor establishments of this state were increased. Before the Liquor Control Board right now, there is an increase on 400 more items.

If the gentleman's constituency is not complaining about the liquor prices, the reason, I assume, is because the Governor of this state said that he was going to take care of that and I assume that they are going to the Governor with their complaints and not the members of the General Assembly.

Thank you, Mr. Speaker.

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

Mr. RENNINGER. Mr. Speaker, I want to just get something through to this House as to why you need and this Commonwealth needs and why business needs a consumer advocate.

Let us come back to the practicalities of the operation of business. There is some attitude that within the corporate suite no one makes a mistake. Well, that is a lot of nonsense. The facts of life are that business, the bigger it is, the more bureaucratic it is. It is the same problem we have with government departments. They get so big that they cannot even remember what they are doing, and when they come in for a rate increase, we have to pick up the bill for the waste that goes on and the inefficiency of keeping Joe's brother on the payroll and some lawyer who is getting \$80,000 a year who ought to get \$10,000. Those things should be questioned.

The expenses of these utilities, the expenses of the milk operators, the expenses of these people have to be questioned. They do not get questioned in a vacuum that goes on in these regulatory agencies. That is the problem. What we want is for our businesses to be healthy. We want people running them who are really

competent. We want people to do things to the best measure and the capability of what we can attract to do the job.

Lord knows, it is probably never going to be a perfect system, but the public should never have a question in its mind that somebody is testing the assertion of these people. You all read about monumental rate increases and you all read that somebody has to pay those bills. The public will pay what has to be paid if they are satisfied that the things that are being listed as expenses or necessities are really so.

The public is reflecting its own skepticism from its own daily life. The people in this state or any state in this nation are not very dumb. When they see a pricing practice that hits them over the head—they know what goes on in the supermarket. The guys run around and change the prices on them and everything else. The gals are just as smart. They are running around to another store, wearing out cars and using up batteries because we have these practices in business. Lord knows, that is what the competitive system is like.

But when these people seek a monopoly, for example in the utilities, all they have to do is send out a bill for whatever their expenses are. Somebody has to test these things.

Only last week there were stories floating around the newspapers that some of these jerks were paying \$23 a barrel for oil last year when they could have gotten it for \$5. Well, I think if you have purchasing agents who are that dumb, I think a consumer advocate should be questioning those kinds of expenses and people like that should be thrown out on their ear.

That is what we are talking about here. We do not want our businesses to become public charges. We already have the Penn Central Railroad, and is that not a dilly? We do not need any more.

What we want in those corporate suites, just as we want in the departments of government and every place else, are people who can really run things, who can run them with a firm hand and do the job that business always likes to say it is proud of doing.

I think that this thing has to be questioned. I am not completely satisfied with this bill. But I certainly know what we are trying to reach and I certainly know that the appearance of a lawyer, with qualified backup material like economists and people like that, can challenge the wild statements of people who come down from New York or someplace else as experts. You all know what an expert is. He is a guy who comes from someplace else who you do not know. These people are affecting your lives.

The efficiency of these companies is what we need. I think you all know that today the utilities are going to have trouble going to the market. They are going to have trouble going to the market as long as the public has questions in its mind about the performance. People are not going to invest in companies they have some doubt about or doubt the reputation of those companies before the commissions' regulatory agencies. There is no question about that.

So I do not think that you should let all the questions that have been raised block out in your mind the real target here. The target here is that we should be questioning the people who come before the regulatory agencies with someone other than the agency itself which cannot, and has proven it cannot, do the job.

If the public had confidence in them, you would not have the problem. There has not been a distortion here. I think when Vern Pyles tells you what happens in the liquor bill thing, you know, that is pretty wild. Here is a regulatory agency in the industry and nobody over there is saying, I do not feel like paying half a buck more for my scotch. Why? They might have money coming out their ears. Why should we pay for that? I am not interested in Schenley on the big board. I want Schenley to charge me a fair price. I want them to get a fair profit. I am the first guy to fight any attack on the profit motive. I am all for it and I am full of it myself.

But I think that you have to be practical from your own experience as people. You have all lived in this world and you have all observed what goes on. Do not think the people back home are that dumb that they do not understand it too.

So let us go ahead with this. We will get the bill patched up. I have every confidence in this legislative process that we will develop a bill that nobody is going to like but the darn thing will probably work. I heartily support this legislation, as somewhat limited as I think it is. So I want to be very clear with you that the objective is sound and it is necessary and we need it now.

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Mifflin, Mr. DeVerter.

Mr. DeVERTER. Will the gentleman, Mr. Wojdak, consent to a brief interrogation, please?

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

Mr. WOJDAK. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. DeVERTER. Mr. Speaker, yesterday or the day before, I guess it was, we took out that portion of the bill which had the public utilities picking up the cost or a portion of the cost of House bill No. 175. Is that correct?

Mr. WOJDAK. That is correct, Mr. Speaker.

Mr. DeVERTER. In addition to that amount of money, there was also to be \$200,000 appropriated from the general fund. Is that correct?

Mr. WOJDAK. No; that is not correct, Mr. Speaker.

Mr. DeVERTER. Where was the \$200,000 to come from?

Mr. WOJDAK. The \$200,000 was start-up cost for this fiscal year.

Mr. DeVERTER. That was to come from where, Mr. Speaker?

Mr. WOJDAK. That will come from the general fund.

Mr. DeVERTER. I believe that is what I said, from the general fund.

Mr. WOJDAK. Well, you said in addition to the amount that would be derived from the Public Utility section.

The \$200,000 is distinct from the future funding. The \$200,000 is only applicable to this fiscal year and was start-up cost to get the office of consumer advocate started.

Mr. DeVERTER. All right. If that be the case, and we were to tax the utilities ahead for the consumer to represent them in front of that body—the PUC—where would the money come from for the Milk Marketing Board and the Insurance Commission?

Mr. WOJDAK. In the original plan, the moneys for the Milk Marketing Board and the Insurance Department were coming from the general fund. There was an

amendment for funding of the public utilities section. That also is now coming from the general fund.

In the original bill, it would have been via an assessment, the same assessment procedure by which the Public Utility Commission is presently funded.

Mr. DeVERTER. Is it not conceivable, Mr. Speaker, that with the change that was made that it would take more than the \$200,000 to start the consumer advocate bureau?

Mr. WOJDAK. Well, I had originally raised that question. The determination was made by the Chair, and I believe it was in Mr. Zearfoss' amendment that the additional duties of the consumer advocate would have to be funded for this fiscal year from the \$200,000.

Mr. DeVERTER. But there is the possibility, though, that additional revenue would be needed to fund that?

Mr. WOJDAK. It has been limited to \$200,000 for start-up costs.

If your question is, will there be additional moneys needed on a 5-year projection, the answer is "yes."

Mr. DeVERTER. Well, the point I am trying to get at, Mr. Speaker, is this: Our rules say that regardless, when an amendment is made to a bill that substantially changes it—which I believe occurred on Tuesday of this week—which may result in an increase in the expenditure of Commonwealth funds or which may entail a loss of revenue—it does not say "shall;" it says "may"—that possibility is there is it not?

Mr. WOJDAK. Mr. Speaker, this question keeps arising. The \$200,000 is the limit for this fiscal year. You can add as many amendments as you care to. The determination has been made that the start-up appropriation of \$200,000 is all the office is going to get for this year. You can add additional amendments to cover the Liquor Control Board or whatever. It is going to be limited to \$200,000.

Mr. DeVERTER. All right. Let us go to another point. Several weeks ago we had an appropriation bill in front of us. I do not remember the exact total of the entire bill, but there was \$4.8 million in it, I know, for the Corrections Bureau to pick up additional costs in the way of heat, light, and so forth, as well as additional food costs. At that time, you indicated that that \$4.8 million was not available. I should elaborate a little further on that, I guess, in that you said you hoped it would be there in the form of lapses. If that be the case, have the lapses come about? And is there, in fact, now \$200,000 to fund this bill? Or are we going to base our hopes and dreams on the consumer advocate bill that perhaps there are enough funds left over in lapses to fund this?

Mr. WOJDAK. Well, there are several questions there, Mr. Speaker. As to the first question on the \$4.8 million for correctional institutions, on that deficiency appropriation, you are correct. I did say that it would come via lapses. Those lapses have occurred.

As to the \$200,000, that would have to come via lapses also.

As of today, there is approximately \$12 million available, first for that deficiency and for other deficiencies that we may pass or other bills that will cost money.

Mr. DeVERTER. Those funds are presently available to fund any additional appropriation bills that come before this House?

Mr. WOJDAK. No, no, I did not say that. I said there is \$12 million available today, which would cover the deficiency appropriation approved by this House for \$4.8

million and it will be an amount sufficient to cover the \$200,000 start-up costs for the office of consumer advocate.

Mr. DeVERTER. Thank you, Mr. Speaker.

If I may, Mr. Speaker—

The SPEAKER. The Chair recognizes the gentleman.

Mr. DeVERTER. Mr. Speaker, in light of us not being sure, I would just like to reemphasize the fact that we are again adding to the total cost of state government. We do not have any indicator as to what the cost of this bill will be in the 1975-76 year, and I think for the members of this General Assembly to go out on a limb, such as we intend to do, is just ill conceived and ill advised. I would suggest that the members reconsider their vote and vote "no" on this bill.

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

Mr. POLITE. Mr. Speaker, I rise to oppose House bill No. 175, even though I believe in the consumer advocate. That is why I supported House bill No. 1410 last session. But when I hear great statesmen, such as, Mr. Eckensberger, from Lehigh, say they support it reluctantly, and my friend, Mr. Rappaport from Philadelphia, say he supports it with reservations, I am wondering whether this is the proper vehicle to achieve what we want. So, therefore, Mr. Speaker, I do oppose it and I hope that my colleagues will join me.

Thank you, sir.

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

Mr. A. C. FOSTER. Mr. Speaker, would the gentleman, Mr. Schmitt, consent to interrogation?

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

Mr. SCHMITT. I shall, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. A. C. FOSTER. Mr. Speaker, my questions will be in the realm of regulatory agencies.

First, with respect to the Insurance Department, is it not true that within the Insurance Department itself there is what is commonly referred to as the ombudsman section?

Mr. SCHMITT. I believe you are right, sir.

Mr. A. C. FOSTER. And this addresses itself to complaints of the public. Is this correct?

Mr. SCHMITT. It is to accept the complaints against the insurance companies or the department, for that matter, to be investigated by the department with the report going back to the particular complainant. It has nothing to do, as I see it, with defending a rate increase or appearing before a ratemaking board.

Mr. A. C. FOSTER. But there are, within the Insurance Department itself, those who espouse the cause of our constituents and the people of this Commonwealth with respect to rate increases. In fact, this is the very nature of this regulatory agency.

Mr. SCHMITT. Are you asking that as a question?

Mr. A. C. FOSTER. Yes.

Mr. SCHMITT. I do not think that is totally accurate.

Mr. A. C. FOSTER. Has the Insurance Department—in fact, Mr. Denenburg told us a few months back that the Insurance Department had—become most responsive to the interests of the people? Would you say that this is an inaccurate statement?

Mr. SCHMITT. No, I think the Insurance Department is sensitive to the wishes of the public and to the

fact that the public is complaining about high rates and poor claim adjustment experience and that sort of thing. But they are not, in the true sense of the word, a consumer's advocate in that they have to make their case and then rule upon their own case. They become prosecutor, judge and jury in toto. I think it is a necessary function of the consumer advocate to be totally disassociated from the Insurance Department in projecting his point of view in favor of the public.

Mr. A. C. FOSTER. But in this realm of disassociation, is there not one possibility that the consumer advocate then is blind to all aspects of the case?

Mr. SCHMITT. That he is doing what?

Mr. A. C. FOSTER. Is it not true that the consumer advocate would be blind to certain aspects of the case?

Mr. SCHMITT. The consumer advocate—I am sorry, but the one word I do not hear.

Mr. A. C. FOSTER. Would the consumer advocate not then be blind to many of the aspects of the case?

Mr. SCHMITT. You are saying "blind"?

Mr. A. C. FOSTER. Blind, yes.

Mr. SCHMITT. I would not think so. I would think that he would be sufficiently knowledgeable to know the ratemaking process and what the Insurance Department's responsibilities are and what his responsibilities would be. His role would be to be truly a consumer advocate to represent the public, the consuming public that pays the insurance premiums.

Mr. A. C. FOSTER. Now, Mr. Speaker, to go to the matter of the Public Utilities Commission, would you agree that utility protests in general are of the greatest concern to the people of this Commonwealth, that this is the single major complaint we hear?

Mr. SCHMITT. If I understand your question, you are saying that the Public Utility Commission is the most outstanding or most singular target of the people in their criticism and judgment. Is that what you are saying? I cannot hear too well over here.

Mr. A. C. FOSTER. Mr. Speaker, my question was: Is not the subject of utility rates the greatest problem facing the people of the Commonwealth today, one that is resolved by the Public Utility Commission?

Mr. SCHMITT. If it is of major importance to the people, the answer is yes.

Mr. A. C. FOSTER. Now there is legislation pending which would completely recodify the Public Utility Code and attempt to restructure the commission. Is that correct?

Mr. SCHMITT. That is correct.

Mr. A. C. FOSTER. And would you support such legislation?

Mr. SCHMITT. I would have to give it some considerable thought. But this would be a long-range process, and what we need is action now. We need for the people to be represented presently, and that is the purpose of the consumer advocate bill. The people who are screaming about the 200- and 300-percent increases and 100- and 200-percent increases in their utility bills are looking to someone to help them now, and that is why we need the consumer advocate. And I would say, even if I were to stretch this to the ridiculous position of saying that the consumer advocate is nothing more than a placebo, I would say it would be worth the money we are spending in order to satisfy the minds of the public that we represent.

Mr. A. C. FOSTER. So, in brief, you would conclude

that rather than attempt to restructure the Public Utility Commission, we should go with the vehicle with which you are less than ecstatic.

Mr. SCHMITT. I would say not only is a restructure of the Public Utility Commission necessary but of the Insurance Commission and other commissions too. But this is a long-range proposition; it is something that is not done overnight. We need help now. The consumer advocate is to be here now and help people now.

Mr. A. C. FOSTER. Thank you, Mr. Speaker.

I promised to be brief, so I will desist. But I would like to make a statement.

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

Mr. A. C. FOSTER. In interrogating the gentleman from Westmoreland, I was trying to bring out the point that what we are really addressing ourselves to is a matter of assisting the consumer by restructuring the existing regulatory agencies. I think perhaps that this is the direction in which we should go. And I do not think we should kid ourselves that there are people in here who are pro-consumer and others who are anti-consumer. I do not think there is an anti-consumer member of this General Assembly. It all boils down to a matter of method. And I certainly admire the concept of consumer advocacy, but within the parameters of our present financial situation in Pennsylvania. I think it behooves us to give careful consideration before we embark on a program such as we have here, of admittedly limited benefits. And I think if we are all honest here today, we will admit that the benefits contained in this bit of legislation here are quite limited, severely limited, and are sharply offset by the bureaucracy it would create.

I am reluctant to vote against the bill, because I think we need consumer legislation. But, on the other hand, we have already missed the opportunity to recommit the bill for further study and we have also missed the opportunity to lay the bill upon the table pending legislation which would address the problems that we have here today.

Now the answer I get to my inquiries is that we must move immediately, that we must pass this immediately. I can scarcely believe that that is true, because the fate of the Commonwealth is not going to hinge, certainly, on the fate of this particular piece of legislation. Since it is already too late to lay this bill upon the table—I cannot make that motion again; I wished to make it earlier; I cannot—I can only caution the members when they vote on this that they might remember that a few years ago the cry was to save the environment, save the environment, and, indeed, it was a legitimate concern. But what happened? We got people who went overboard in this field. They charged in before they gave adequate consideration to what they did. And today we are paying the cost of this in dollars and in bureaucracy as well.

So I intend to vote "no" on this bill. I would urge you to do likewise. For those of you who have expressed a great reluctance on this, I do not know why you simply do not come along with us and vote "no" on the bill. I can only remind you of an old limerick about a girl who apparently knew a few things too. It went like this:

There was a young lady from Trent,
Who said that she knew what it meant.

When men asked her to dine

Over liquor and wine

She knew what it meant, but she went.

The SPEAKER. Now there is one to ponder.

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. LETTERMAN. Last week I requested that my name be deleted from House bill No. 175, printer's No. 853. It was done as far as the House calendar and the House history were concerned, but it was not taken off the House bill itself. I would like that entered on the record.

The SPEAKER. The gentleman's remarks will be noted for the record.

Mr. LETTERMAN. Thank you.

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

Mr. MENHORN. Mr. Speaker, as one of the original cosponsors of this bill, I would like to urge the passage of it today.

As others have said, I am not too happy with some of the amendments, but I am not asking that my name be withdrawn.

Just as a matter of observation, if we do not soon get on with the passage of it, I do not think we are going to have to worry about the fiscal impact. It will take care of itself through attrition.

The SPEAKER. The Chair shares the gentleman's sentiments.

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

Mr. HEPFORD. Mr. Speaker and members of the House, I would like to point something out on this bill that I know we are not going to change. I know you are going to pass this bill, but certainly it should be placed in the record, and that is, with respect to section 8 of the bill which deals with subpoenas.

This bill gives your consumer advocate unlimited power to issue subpoenas. It is a new principle in this Commonwealth. I know of no individual who has this. Recently, in the paper, the new Attorney General of this Commonwealth said—and the press printed—that he desired to have the power of subpoena like district attorneys have. If he said that, I am amazed, because no district attorney has the power of subpoena. I certainly trust we will not pass legislation granting the Attorney General of this Commonwealth the power of subpoena.

And I point out that in this bill you are giving the consumer advocate this power. You are saying, if you want protection, you have to go get it. That is exactly the reverse of the history of the judicial process in this Commonwealth. I trust it will be corrected. Just as in all other matters, there must be some form of litigation instituted here before somebody before they must run for protection, and that should be the place where the consumer advocate should go to seek his subpoena.

I caution you in that respect and trust that it will be corrected. I trust we shall not see the day in this Com-

monwealth when the Attorney General, whether he is appointed or elected, has the power of subpoena without going through some judicial process or agency where there is a formal statement of complaint filed and a subpoena issued by that agency or by that court or by that directive. That is the law of the Commonwealth. It is not as heretofore printed in the public press, as I read the Attorney General said it is. I point that out because I trust that will be changed in this bill before it is finally signed into law.

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

Mrs. CRAWFORD. Mr. Speaker, would Mr. Schmitt consent to interrogation?

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

Mr. SCHMITT. Yes, Mr. Speaker.

The SPEAKER. The lady may proceed.

Mrs. CRAWFORD. Mr. Speaker, did I hear you right when you were talking to Mr. Foster that you made the statement that we are giving the public a sugar pill? In other words, in passing this legislation, we are giving them a sugar pill in order to bolster up their attitude towards government.

Mr. SCHMITT. I did not say that. What I did say was that even if I took the ridiculous position that this was only a placebo, it would be worth the money invested if it satisfied the minds of the public.

The SPEAKER. The Chair congratulates the lady for interpreting the word "placebo" for the members of the House.

Mrs. CRAWFORD. You are welcome, Mr. Speaker.

Well, I am glad that you qualified that because I could not vote for this bill if this is what we are doing—throwing a bone that really is not going to be worth much to the public. Certainly, with the millions of dollars that this department is going to cost the public, they want something for their money and not a placebo.

Mr. SCHMITT. I agree 100 percent. You just misinterpreted the statement I made.

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

Mr. ZELLER. Thank you, Mr. Speaker.

This is my second time up.

The SPEAKER. I am counting.

Mr. ZELLER. Thank you, boss.

I would like to refer to a couple of statements, and one was in reference to Mr. Renninger's statement in regard to the so-called experts. He refers to them as little drips, and I would say that Mr. Renninger is right for a change, in that we have created, with all these little drips, a tidal wave that has washed us into this swamp of problems. And there is no question about it, Mr. Renninger, you are right.

Now it is our job to stand up to our responsibilities and bring about legislation that will properly give the commission, the PUC or whatever commission, the notice and the tools to do the job. I heard a member, whom I respect, stand on the floor, as many of us have, to note past experiences as either a councilman or commissioner or whatever. That is fine. But I would like to remind these people what we are talking about.

When we were local-government people, we always told our people how fearful we were of big government. We have got to watch this regional government. The

local economy we are losing; they are taking it away from us. And then we get on the floor when we get to Harrisburg and we forget about all these statements we told our people back home, and now, all of a sudden, we are for big government.

As Mr. Hepford stated very eloquently, this advocate is going to have subpoena power. He is going to have so much power he is going to be like a little god, and you watch that power. He will whip you into shape. It is all according to who this little god is going to be, who is going to be appointed by our honorable Governor, with all respect to him. You talk about cookie jars and you talk about treatment tanks—you have not seen anything yet.

Now, Mrs. Crawford, I respect you and I like what you brought out with regard to the sugar pill, but I will tell you that it is a little bit more than a sugar pill, and I said it earlier. If this goes through, it is going to be the sweetest-tasting frosting on the most rotten cake we ever created.

The SPEAKER. The Chair recognizes the gentleman from Clearfield, Mr. George.

Mr. GEORGE. Mr. Speaker, I rise to make an observation and the observation is this: I am not only proud to be a member of this body of esteem but I also observed this morning that there is much courage. The courage was well demonstrated by the refusal to commit or table this bill.

Just last week I had the great privilege of entertaining a group of fourth graders. Today in the classroom they are teaching Political Science and this is what they are told: There are many ways to achieve programs that are most beneficial to the people, and the greatest way to achieve that program is through the process of legislation and through the proposals that are made by this esteemed body that is represented by an overall representation from all of the people.

I say this: There are many things that are said about a legislator that I do not really believe are true, and, in apology, I must admit I said them about my opponent.

But I say today that the people are hollering and they are crying. They want things done, and they have a problem. The only way that this problem can be surmounted is through this process, this legislative device. They are crying, and the cry is loud and clear. They are asking these people to admit there is more to coming to Harrisburg than a suitcase full of tailor-made suits, that it takes courage, and they are asking them to apply this courage and do something about the problems that have been facing these people for years.

Just a while ago, I heard about the great demands of the public utilities and why are we not doing something to apply some means to restrict them. Well, 2 years ago and 4 years ago and 6 years ago this was not done, but the moment that a consumer advocate bill is placed before us, now we are saying, let us apply this to the PUC. This is what this does, and I urge support of this bill.

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

Mr. STAHL. Mr. Schmitt, you are not going to believe this, but you are going to get some help over here.

The most cogent arguments for this legislation really have not been stated as yet. Our present judicial system

is a result of many years of change, change similar to that which we are dealing with today.

At one time the kings or the earls or the dukes were the sole arbiters of right and wrong, without adversary proceedings. As time went on, it was obvious that something was needed. Advocates were appointed to represent both sides of the argument. Today the regulatory agencies are in the same boat as the old kings; they are today expected to take both sides—industry and the consumer—at the same time.

Let us face it, that kind of situation is ridiculous, because a man cannot split himself into two different personalities, and that is what we are expecting a regulatory body to do, to be both the advocate, the judge, and the advocate for the other side. It is impossible. What is needed is an adversary proceeding before these regulatory agencies with the industry representing itself on one side and the consumers on the other, with the regulatory agencies acting as viewers or judges. This is the real reason that the PUC and others have failed.

The present law, therefore, actually encourages failure on their part. It is not really the members of the PUC who are at fault, it is not the Insurance Department which is at fault, it is not the members of the Milk Marketing Board who are at fault; it is the law that encourages failure. Therefore, we need to make some changes.

I am in agreement that this legislation needs a lot of work and that is why I voted, on every occasion, to improve it by amendment, and that is why I voted to table this bill and recommit this bill because I think the idea is sound and I do not want to see it become a political boondoggle.

I am hopeful, and sincere in my hope, that the Senate, the other body, will make the necessary changes. In that hope, I am going to vote for this legislation.

Thank you.

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

Mr. PRATT. Thank you, Mr. Speaker.

I rise to support this bill. I would like to read a letter that I received sometime in February from a constituent. He stated:

I am writing to you to protest the electric company's.

My bill has more than doubled plus adding on for coal increases.

The fuel oil has also more than doubled.

If the utility companies can do this for the same number of K.W. you don't stand much of a chance on Social Security.

That is the name of the game.

Now one thing that has not been brought up here today is the terrible rip-off of billions and billions of dollars by the utility companies. This is happening to the citizens of this Commonwealth. I have heard maneuvering, I have heard garbage talk, about the budget, the increase in the budget, but yet this House in the last session was not reluctant to increase the budget by \$140 million, let alone the spending by certain select committees last year. But yet they stand up and protest the increase that this bill may have on the budget. I say we should be concerned with the billions of dollars of rip-off to the citizens of this Commonwealth.

We badly need this bill, and I urge everybody to support it.

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

Mr. MANDERINO. Mr. Speaker, I think we have heard a variety of interesting arguments for and against the bill. The more interesting ones, at least interesting to me, were the arguments against the bill.

We talked about the PUC and its original intent. That, to the people of Pennsylvania, does not mean a doggone thing. The operation of that commission presently, the manner in which it operates, the persons who are on the board, the decisions that they make, do affect the people of Pennsylvania and are affecting the people of Pennsylvania every day. That is what we should be concerned with. Can the PUC and its operation in ratemaking be assisted and can the consumer gain a measure of protection that he does not presently have by the passage of this consumer advocate bill?

I have heard people talk about the cost of this bill. The manner of funding the bill, I had a concern with. The original intent was to fund the bill from rates. This General Assembly decided, this House of Representatives decided, that a different manner of funding the consumer advocate was desirable—the same people who are going to pay the bill. The original formula that was in the bill would have saved a strain on the general fund. But if we can stand the strain on the general fund, which evidently this House has decided that we can, then so be it. But the concept of the consumer advocate intervening in rate cases, protecting the people, is still intact and that is the important thing.

You talk about the cost of this bill. Well, let me talk a little bit about cost. In its wildest estimate, I have only heard of a couple of million dollars if this General Assembly would ever appropriate it in future years. In one case just recently, which I am sure every one of you has read about—the Philadelphia Electric case—the PUC Board decided against staff recommendation to put an increase in rates in effect that is costing the people of Philadelphia \$34 million in one shot. The staff did not think it was needed, that staff that was paid for by the rates paid by the people.

If you are interested in cost, if you are interested in those people back home and what they have to pay and what comes out of the senior citizen's pocket, let me tell you, there are a lot of senior citizens paying that \$34 million which the staff did not feel they should pay. That is the kind of cost that we ought to consider—the cost to the consumer ultimately. I do not think there is one consumer paying a utility bill across this Commonwealth who will object to paying for the consumer advocate if the consumer advocate does the job the consumer advocate is intended to do.

I have heard arguments about picking and choosing cases; I have heard arguments about it does not go far enough; I have heard arguments that we had a better bill last year. Well, this General Assembly and this House of Representatives, at least, in 4½ hours of debate decided by a majority vote of its members that this was the vehicle we would use this year.

I have heard motions to recommit and motions to table and I have heard it stated that there is not one person who is anti-consumer in this House of Representatives. And when I heard that statement, I began to wonder whether or not we had any persons in the assembly here in the House who might be pro-utility. I do not know whether you can be pro-utility and pro-consumer at the

same time, but I have heard statements on the floor of the House where Representatives try to cast themselves in that light, and maybe it is possible.

But I do know what is possible. It is possible for you today to take the first step to give ratepayers across the Commonwealth of Pennsylvania paying utility rates, paying for milk, and paying insurance premiums, an advocate who can intervene in the proceedings where those rates are made, to protect them, to bring their position forward, to bring expert testimony to bear upon the issue. We do not have that now. The Bureau of Consumer Protection is not permitted to intervene in rate cases. That is what we are doing here. We are giving the consumer advocate the right to intervene; we are giving the consumer advocate the wherewithal to do a job once he does intervene.

I think that all the arguments you heard against were makeshift arguments, were paperweight arguments, were arguments really designed by opponents of the whole concept of the consumer advocate.

If you are in favor of the concept of the consumer advocate, if you are in favor of people who pay the rates being represented, then you will vote for the consumer advocate bill that is before us today, House bill No. 175.

Thank you.

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

Mr. O'CONNELL. Mr. Speaker, I rise to make these remarks with some apprehension.

The point that I would like to make here is that after some 20 years of personal experience in government, I have almost come to believe that what we really need is someone to protect us from government itself.

You know, this is a little bit like mixed emotions. I do not know if this definition of mixed emotions will suit you or not, but I look at mixed emotions much like the guy who turned around just in time to see his mother-in-law going over the bank in his brand new Cadillac. This is why I say this.

But cost of government has really increased beyond any comparison that you want to make. You point out any utility, you point out any business, you point out any labor contract in this Commonwealth, and the cost of government has increased beyond anything you want to compare it with. That is what it seems to me we ought to be doing, amending this to have a taxpayers' advocate.

In several states that concept has been adopted, and that concept is working where this advocate can really and truly appear before the bureaucracy on behalf of the taxpayers and as a friend of the taxpayers.

As I sit here and listen to the arguments on both sides, and I have been, I guess, part of the action—if that is the case, I plead guilty—it is almost time that we created that kind of a concept so that, in fact, we could be protecting the people from government itself. That is where the problem lies.

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

Mr. VALICENTI. Thank you, Mr. Speaker.

We started this morning at 9:30. It is 11:30 now. We are on the second bill of the calendar. I know I am interested in a few bills that I talked to the majority leader about. I think that this bill has been debated enough. I think that everybody has spoken their piece

very well. I think they have given their opinions very well. I think that they know how they are going to vote on this bill. Why prolong it? I want to go home for Easter. Why stay here? Let us get the calendar going. Let us vote the darn bill. I move the previous question. Vote it.

Excuse me, Mr. Speaker. You go ahead.

The SPEAKER. Do you want to come up to this Chair?

Mr. VALICENTI. Mr. Speaker, please do not do that to me. No.

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

Mr. M. E. MILLER. Mr. Speaker, I know this is imperfect legislation. As a matter of fact, in the time I have been here, the only perfect bills I have seen introduced are my own. Then somebody invariably renders them imperfect through amendments, but I accept that.

The PUC, in the 20 years I have been a newspaperman and a legislator, has been the most arrogant, the most high-handed, the most tight-fisted, the most closed-mouth agency of state government.

Shortly after we enacted the Sunshine Act, a group of citizens from either York or Philadelphia went to the PUC and they were told by the counsel of the PUC, yes, under the Sunshine Act we have to let you in, but we do not have to listen to anything you have to say. That is not only arrogant, that is almost tyrannical.

What the PUC really did was say, we do not care what the legislature—the people's representatives of Pennsylvania—says about listening to the people. We are not going to do it.

I do not know of a single agency in state government that deserves or needs a consumer advocate more than the PUC.

Now there is one other thing that I think we ought to know, and that is, that none of us in this assembly earn less than \$15,600 a year. The increases in electric bills do not really affect our life style, but they do affect the life style of many people. Some people are saying, well, I really cannot buy as much food this week because my light bill was \$20 more. These same people, when they seek redress, merely get the closed-door treatment at the PUC.

As for this being a symbolic act, perhaps it is. But this hall is filled with symbolism. Our flags are symbolism; our murals are symbolism. They become something, at least, for people to rally around.

I support this bill. I say let us rally around the consumer advocate and make the PUC more responsive to people.

Thank you.

On the question recurring,
Shall the bill pass finally?

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

YEAS—155

Abraham	George	Lynch	Ruggiero
Arthurs	Giannarco	Manderino	Saloom
Barber	Gillespie	Manmiller	Salvatore
Bellomini	Gillette	McCall	Scheaffer
Beren	Gleason	McClatchy	Schmitt
Berlin	Gleeson	McCue	Schweder
Berson	Goodman	McLane	Scirica
Bittle	Green	Mebus	Shane
Blackwell	Greenfield	Menhorn	Shelhamer

Bradley	Grieco	Milanovich	Shuman
Brandt	Gring	Miller, M. E.	Shupnik
Brunner	Halverson	Miller, M. E., Jr.	Smith, E.
Burns	Hammock	Milliron	Stahl
Butera	Hasay	Miscevich	Stapleton
Caputo	Haskell	Morris	Stout
Cessar	Hayes, D. S.	Mrkonic	Sweeney
Cimini	Hepford	Mullen	Taddonio
Cole	Hill	Mullen, M. P.	Toll
Cowell	Hopkins	Musto	Trello
Crawford	Hutchinson, A.	Novak	Ustynoski
Davies	Hutchinson, W.	Noye	Valicenti
Davis, D. M.	Iris	Oliver	Vann
DeMedio	Itkin	O'Keefe	Vroon
Dicarlo	Katz	Parker, H. S.	Wansacz
Dininni	Kelly, A. P.	Perri	Wargo
Dombrowski	Kelly, J. B.	Perry	Whelan
Doyle	Kernick	Petrarca	Whittlesey
Dreibelbis	Kistler	Pievsky	Wilson
Eckensberger	Klingaman	Pratt	Wilt, R. W.
Englehart	Knepper	Prendergast	Wojdak
Fee	Kowalyszyn	Rappaport	Worrlow
Fischer	LaMarca	Reed	Wright
Fisher	Laudadio	Renninger	Yahner
Flaherty	Laughlin	Renwick	Yohn
Foster, W.	Lederer	Rhodes	Zord
Fryer	Lehr	Richardson	Zwikl
Gallagher	Letterman	Ritter	
Garzia	Levi	Romanelli	Fineman,
Geesey	Lincoln	Ross	Speaker
Geisler			

NAYS—30

Andersen, J. H.	Hamilton, J. H.	Pyles	Turner
Cumberland	Hayes, S. E.	Ryan	Wagner
Deverter	Kusse	Seltzer	Weidner
Dietz	Moehlmann	Sirianni	Westerberg
Dorr	O'Connell	Smith, L.	Wilt, W. W.
Fawcett	Pancoast	Spencer	Zearfoss
Foster, A.	Pitts	Thomas	Zeller
Gallen	Polite		

NOT VOTING—18

Bennett	Kolter	O'Brien	Sullivan
Bonetto	McGinnis	O'Donnell	Taylor
Cohen	McGrav	Rieger	Tayoun
DiDonato	McIntyre	Shelton	Walsh, T. P.
Johnson, J.	Myers		

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.

WELCOME

The SPEAKER. The Chair is pleased to welcome Mr. and Mrs. Clarence Keiser and Mr. and Mrs. Vernon Cook, who are the parents of two young pages serving this week, Donald Keiser and Jimmy Cook.

They are the guests of the gentlemen from Lehigh County, Messrs. Zeller, Eckensberger, Ritter and Zwikl.

LOCAL GOVERNMENT BILLS
ON FINAL PASSAGE

Agreeable to order,

The House proceeded to the consideration on final passage of **House bill No. 13, printer's No. 954**, entitled:

An Act authorizing volunteer fire ambulance and rescue companies and members thereof to enter State premises to fight fire under certain conditions; and providing for legal advice from the Attorney General for such persons in certain cases.

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—184

Anderson, J. H.	Geesey	McClatchy	Schweder
Abraham	George	McCue	Scirica
Arthurs	Giammarco	McLane	Seltzer
Barber	Gillespie	Mebus	Shane
Bellomini	Gillette	Menhorn	Shelhamer
Bennett	Gleason	Milanovich	Shuman
Beren	Gleeson	Miller, M. E.	Shupnik
Berlin	Goodman	Miller, M. E., Jr.	Sirianni
Berson	Green	Milliron	Smith, E.
Bittle	Greenfield	Miscevich	Smith, L.
Blackwell	Grieco	Moehlmann	Spencer
Bradley	Gring	Morris	Stahl
Brandt	Halverson	Mrkonic	Stapleton
Brunner	Hamilton, J. H.	Mullen	Stout
Burns	Hammock	Mullen, M. P.	Sweeney
Butera	Hasay	Musto	Taddonio
Caputo	Haskell	Novak	Thomas
Cessar	Hayes, D. S.	Noye	Toll
Cimini	Hayes, S. E.	O'Connell	Trello
Cole	Hepford	O'Keefe	Turner
Cowell	Hill	Oliver	Ustynoski
Crawford	Hopkins	Pancoast	Valicenti
Cumberland	Hutchinson, A.	Parker, H. S.	Vann
Davies	Hutchinson, W.	Perri	Vroon
Davis, D. M.	Irviss	Perry	Wagner
DeMedio	Itkin	Petrarca	Wansacz
Deverter	Katz	Pitts	Wargo
Dicarlo	Kelly, A. P.	Polite	Weidner
Dietz	Kelly, J. B.	Pratt	Westerberg
Dininni	Kernick	Prendergast	Whelan
Dombrowski	Kistler	Pyles	Whittlesey
Dorr	Klingaman	Rappaport	Wilson
Doyle	Knepper	Reed	Wilt, R. W.
Dreibelbis	Kowalyshyn	Renninger	Wilt, W. W.
Eckensberger	Kusse	Renwick	Wojdak
Englehart	LaMarca	Rhodes	WorriLOW
Fawcett	Laudadio	Richardson	Wright
Fee	Laughlin	Ritter	Yahner
Fischer	Lederer	Romanelli	Yohn
Fisher	Lehr	Ross	Zearfoss
Flaherty	Letterman	Ruggiero	Zeller
Foster, A.	Levi	Ryan	Zord
Foster, W.	Lincoln	Saloom	Zwikl
Fryer	Lynch	Salvatore	
Gallagher	Manderino	Scheaffer	Fineman,
Gallen	Manmiller	Schmitt	Speaker
Garzia	McCall		

NAYS—0

NOT VOTING—19

Bonetto	Kolter	O'Brien	Sullivan
Cohen	McGinnis	O'Donnell	Taylor
DiDonato	McGraw	Pievsky	Tayoun
Geisler	McIntyre	Rieger	Walsh, T. P.
Johnson, J.	Myers	Shelton	

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 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, when House bill No. 175 was called for a vote, I was called from the floor of the House. I would like to have the record show that I would have voted in the affirmative.

The SPEAKER. The gentleman's remarks will be noted for the record.

Agreeable to order,

The House proceeded to the consideration on final passage of House bill No. 452, printer's No. 953, entitled:

An Act amending the "Eminent Domain Code," approved June 22, 1964 (Sp. Sess. P. L. 84, No. 6), further providing for the appointment of viewers in counties of the first and second class.

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—180

Abraham	Garzia	McCall	Schmitt
Anderson, J. H.	Geesey	McClatchy	Schweder
Arthurs	George	McCue	Scirica
Barber	Giammarco	McLane	Shane
Bellomini	Gillespie	Mebus	Shelhamer
Bennett	Gillette	Menhorn	Shuman
Beren	Gleason	Milanovich	Shupnik
Berlin	Gleeson	Miller, M. E.	Sirianni
Berson	Goodman	Miller, M. E., Jr.	Smith, E.
Bittle	Green	Milliron	Smith, L.
Blackwell	Greenfield	Miscevich	Spencer
Bradley	Grieco	Moehlmann	Stahl
Brandt	Gring	Morris	Stapleton
Brunner	Halverson	Mrkonic	Stout
Burns	Hamilton, J. H.	Mullen	Sweeney
Butera	Hammock	Mullen, M. P.	Taddonio
Caputo	Hayes, S. E.	Musto	Thomas
Cessar	Hasay	Novak	Toll
Cimini	Haskell	O'Connell	Trello
Cole	Hayes, D. S.	O'Keefe	Turner
Cowell	Hepford	Oliver	Ustynoski
Crawford	Hill	Pancoast	Valicenti
Cumberland	Hopkins	Parker, H. S.	Vann
Davies	Hutchinson, A.	Perri	Vroon
Davis, D. M.	Hutchinson, W.	Perry	Wagner
DeMedio	Irviss	Petrarca	Wansacz
Deverter	Itkin	Pitts	Wargo
Dicarlo	Kelly, A. P.	Polite	Weidner
Dietz	Kelly, J. B.	Pratt	Westerberg
Dininni	Kernick	Prendergast	Whelan
Dombrowski	Kistler	Pyles	Whittlesey
Dorr	Klingaman	Rappaport	Wilson
Doyle	Knepper	Reed	Wilt, R. W.
Dreibelbis	Kowalyshyn	Renninger	Wojdak
Eckensberger	Kusse	Renwick	WorriLOW
Englehart	LaMarca	Rhodes	Wright
Fawcett	Laudadio	Richardson	Yahner
Fee	Laughlin	Ritter	Yohn
Fischer	Lederer	Romanelli	Zearfoss
Fisher	Lehr	Ross	Zeller
Flaherty	Letterman	Ruggiero	Zord
Foster, A.	Levi	Ryan	Zwikl
Foster, W.	Lincoln	Saloom	
Fryer	Lynch	Salvatore	Fineman,
Gallagher	Manderino	Scheaffer	Speaker
Gallen	Manmiller		

NAYS—2

Katz	Noye
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NOT VOTING—21

Bonetto	McGinnis	O'Donnell	Sullivan
Cohen	McGraw	Pievsky	Taylor
DiDonato	McIntyre	Rieger	Tayoun
Geisler	Myers	Seltzer	Walsh, T. P.
Johnson, J.	O'Brien	Shelton	Wilt, W. W.
Kolter			

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 Blair, Mr. Wilt. For what purpose does the gentleman rise?

Mr. W. W. WILT. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. W. W. WILT. Mr. Speaker, I would like to be recorded as voting in the affirmative on House bill No. 452. My switch did not operate.

The SPEAKER. The gentleman's remarks will be noted on the record.

**HUMAN RELATIONS BILL
ON FINAL PASSAGE**

Agreeable to order,

The House proceeded to the consideration on final passage of **House bill No. 56, printer's No. 952**, entitled:

An Act amending the "Pennsylvania Human Relations Act," approved October 27, 1955 (P. L. 744, No. 222), prohibiting discrimination because of the marital status of any individual, providing for hearing examiners and hearings to be conducted by them, providing a penalty and making an editorial change.

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—178

Abraham	Garzia	McClatchy	Schmitt
Anderson, J. H.	Geesey	McCue	Schweder
Arthurs	Geisler	McLane	Scirica
Barber	George	Mebus	Seltzer
Bellomini	Giammarco	Menhorn	Shane
Bennett	Gillette	Milanovich	Shelhamer
Beren	Gleeson	Miller, M. E.	Shuman
Berlin	Goodman	Miller, M. E., Jr.	Shupnik
Berson	Green	Milliron	Sirianni
Bittle	Greenfield	Miscevich	Smith, E.
Blackwell	Gring	Mrkonic	Smith, L.
Bradley	Halverson	Moehlmann	Spencer
Brandt	Hamilton, J. H.	Morris	Stapleton
Brunner	Hammock	Mullen	Stout
Burns	Haskell	Mullen, M. P.	Sweeney
Butera	Hayes, D. S.	Musto	Taddonio
Caputo	Hayes, S. E.	Novak	Thomas
Cessar	Hepford	Noye	Toll
Cimini	Hill	O'Connell	Trello
Cole	Hopkins	O'Donnell	Turner
Cowell	Hutchinson, A.	O'Keefe	Ustynoski
Crawford	Hutchinson, W.	Oliver	Valicenti
Cumberland	Irvis	Pancoast	Vann
Davies	Itkin	Parker, H. S.	Vroon
Davis, D. M.	Katz	Perri	Wagner
DeMedio	Kelly, A. P.	Perry	Wansacz
Deverter	Kelly, J. B.	Petrarca	Weidner
Dicarlo	Kernick	Pitts	Westerberg
Dietz	Kistler	Polite	Whelan
Dininni	Klingaman	Prendergast	Whittlesey
Dombrowski	Knepper	Pyles	Wilson
Doyle	Kowalyshyn	Rappaport	Wilt, R. W.
Dreibelbis	Kusse	Reed	Wilt, W. W.
Eckensberger	LaMarca	Renninger	Wojdak
Englehart	Laudadio	Renwick	Worrilow
Fawcett	Laughlin	Rhodes	Wright
Fee	Lederer	Richardson	Yahner
Fischer	Lehr	Ritter	Yohn
Fisher	Letterman	Romanelli	Zearfoss
Flaherty	Levi	Ross	Zeller
Foster, A.	Lincoln	Ruggiero	Zord
Foster, W.	Lynch	Ryan	Zwinkl
Fryer	Manderino	Saloom	
Gallagher	Manmiller	Salvatore	
Gallen	McCall	Scheaffer	

NAYS—5

Dorr	Hasay	Stahl	Wagner
Gillespie			

NOT VOTING—20

Bonetto	Johnson, J.	Myers	Shelton
Cohen	Kolter	O'Brien	Sullivan

DiDonato	McGinnis	Pievsky	Taylor
Gleason	McGraw	Pratt	Tayoun
Grieco	McIntyre	Rieger	Walsh, T. P.

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.

TAX BILL ON FINAL PASSAGE

Agreeable to order,

The House proceeded to the consideration on final passage of **House bill No. 314, printer's No. 961**, entitled:

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further defining "dividends" and providing for taxation as personal income on installment payments of real and personal property and further providing for tax returns.

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

The question is, shall the bill pass finally?

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

YEAS—186

Abraham	Geesey	McCall	Scheaffer
Anderson, J. H.	Geisler	McClatchy	Schmitt
Arthurs	George	McCue	Schweder
Barber	Giammarco	McLane	Scirica
Bellomini	Gillespie	Mebus	Seltzer
Bennett	Gillette	Menhorn	Shane
Beren	Gleeson	Milanovich	Shelhamer
Berlin	Gleeson	Miller, M. E.	Shuman
Berson	Goodman	Miller, M. E., Jr.	Shupnik
Bittle	Green	Milliron	Sirianni
Blackwell	Greenfield	Miscevich	Smith, E.
Bradley	Grieco	Moehlmann	Smith, L.
Brandt	Gring	Morris	Spencer
Brunner	Halverson	Mrkonic	Stapleton
Burns	Hamilton, J. H.	Mullen	Stout
Butera	Hammock	Mullen, M. P.	Sweeney
Caputo	Hasay	Musto	Taddonio
Cessar	Haskell	Novak	Thomas
Cimini	Hayes, D. S.	Noye	Toll
Cole	Hayes, S. E.	O'Connell	Trello
Cowell	Hepford	O'Donnell	Turner
Crawford	Hill	O'Keefe	Ustynoski
Cumberland	Hopkins	Oliver	Valicenti
Davies	Hutchinson, A.	Pancoast	Vann
Davis, D. M.	Hutchinson, W.	Parker, H. S.	Vroon
DeMedio	Irvis	Perri	Wagner
Deverter	Itkin	Perry	Wansacz
Dicarlo	Katz	Petrarca	Wargo
Dietz	Kelly, A. P.	Pitts	Weidner
Dininni	Kelly, J. B.	Polite	Westerberg
Dombrowski	Kernick	Pratt	Whelan
Dorr	Kistler	Prendergast	Whittlesey
Doyle	Klingaman	Pyles	Wilson
Dreibelbis	Knepper	Rappaport	Wilt, R. W.
Eckensberger	Kowalyshyn	Reed	Wilt, W. W.
Englehart	Kusse	Renninger	Wojdak
Fawcett	LaMarca	Renwick	Worrilow
Fee	Laudadio	Rhodes	Wright
Fischer	Laughlin	Richardson	Yahner
Fisher	Lederer	Ritter	Yohn
Flaherty	Lehr	Romanelli	Zearfoss
Foster, A.	Letterman	Ross	Zeller
Foster, W.	Levi	Ruggiero	Zord
Fryer	Lincoln	Ryan	Zwinkl
Gallagher	Lynch	Saloom	
Gallen	Manderino	Salvatore	
Garzia	Manmiller		

NAYS—0

NOT VOTING—17

Bonetto	McGinnis	O'Brien	Sullivan
Cohen	McGraw	Rieger	Taylor
DiDonato	McIntyre	Shelton	Tayoun
Johnson, J.	Myers	Stahl	Walsh, T. P.
Kolter			

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.

GAME AND FISHERIES BILL ON FINAL PASSAGE

Agreeable to order,

The House proceeded to the consideration on final passage of House bill No. 409, printer's No. 955, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), providing for the use of semi-automatic rifles for handicapped individuals.

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

Table listing names of members who voted 'YEAS' for the Game and Fisheries Bill, including Abraham, Anderson, J. H., Arthurs, Barber, Bellomini, Bennett, Beren, Berlin, Bittle, Blackwell, Bradley, Brandt, Brunner, Burns, Butera, Caputo, Cessar, Cimini, Cole, Cowell, Crawford, Cumberland, Davies, Davis, D. M., DeMedio, Deverter, Dicarolo, Dietz, Dininni, Dombrowski, Dorr, Doyle, Dreibelbis, Eckensberger, Englehart, Fawcett, Fee, Fischer, Fisher, Flaherty, Foster, A., Foster, W., Fryer, Gallagher, and Gallen.

NAYS—12

Table listing names of members who voted 'NAYS' for the Game and Fisheries Bill, including Berson, Haskell, Hutchinson, W., LaMarca, Miller, M. E., Jr., Perry, Prendergast, Rappaport, Ritter, Schweder, Wojdak, and Zwickl.

NOT VOTING—16

Table listing names of members who did not vote for the Game and Fisheries Bill, including Bonetto, Cohen, DiDonato, Johnson, J., Kolter, McGinnis, McGraw, McIntyre, Myers, O'Brien, Rieger, Shelton, Sullivan, Taylor, Tayoun, Walsh, T. P., and Fineman, Speaker.

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.

MEDICAL BILL ON FINAL PASSAGE

Agreeable to order,

The House proceeded to the consideration on final passage of House bill No. 45, printer's No. 960, entitled:

An Act amending the "Mental Health and Mental Retardation Act of 1966," approved October 20, 1966 (3rd Sp. Sess. P. L. 96, No. 6), further providing for requirements for directors of State facilities.

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—180

Table listing names of members who voted 'YEAS' for the Medical Bill, including Abraham, Anderson, J. H., Arthurs, Barber, Bellomini, Bennett, Beren, Berlin, Berson, Bittle, Blackwell, Bradley, Brandt, Brunner, Burns, Butera, Caputo, Cessar, Cimini, Cole, Cowell, Crawford, Cumberland, Davies, Davis, D. M., DeMedio, Deverter, Dicarolo, Dietz, Dininni, Dombrowski, Dorr, Doyle, Dreibelbis, Eckensberger, Englehart, Fawcett, Fee, Fischer, Fisher, Flaherty, Foster, A., Foster, W., Fryer, Gallagher, and Gallen.

NAYS—5

Table listing names of members who voted 'NAYS' for the Medical Bill, including Hasay, Hutchinson, W., Wagner, Whelan, and Whittlesey.

NOT VOTING—18

Table listing names of members who did not vote for the Medical Bill, including Bonetto, Cohen, DiDonato, Johnson, J., Kolter, McGinnis, McGraw, McIntyre, Myers, O'Brien, Rieger, Shelton, Sullivan, Taylor, Tayoun, Walsh, T. P., and Fineman, Speaker.

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 Bucks, Mr. Renninger. For what purpose does the gentleman rise?

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

The SPEAKER. The gentleman will state it.

Mr. RENNINGER. Mr. Speaker, I inadvertently neglected to vote. I would like to be recorded as voting in the affirmative on House bill No. 45.

The SPEAKER. The remarks of the gentleman will be noted for the record.

RECONSIDERATION OF VOTE ON HOUSE RESOLUTION No. 47

Mr. KELLY moved that the vote by which HOUSE RESOLUTION No. 47, printer's No. 536, was adopted on Wednesday, March 19, 1975, be reconsidered.

Mr. FISHER seconded the motion.

On the question,

Will the House agree to the motion?

Motion was agreed to.

On the question recurring,

Will the House adopt the resolution?

RECONSIDERATION OF VOTE ON RITTER AMENDMENT TO HOUSE RESOLUTION No. 47

Mr. KELLY moved that the vote by which the Ritter amendment to House resolution No. 47, printer's No. 536, was defeated on Wednesday, March 19, 1975, be reconsidered.

Mr. FISHER 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 amendment?

The clerk read the following amendment for the information of the House:

Amend first "Resolved" clause, page 1, lines 12 to 14, by striking out "Speaker of the House of Representatives" in line 12, all of line 13 and "majority party and four from the minority party, to" in line 14 and inserting: Subcommittee on Corrections and Rehabilitation of the House Standing Committee on Judiciary

On the question recurring,

Will the House agree to the amendment?

The SPEAKER. For the benefit of the members of the House, you will recall that yesterday there was a resolution on the calendar, House resolution No. 47, calling for the creation of a House bipartisan committee to investigate problems connected with the imprisonment and incarceration of youthful offenders. That resolution called for the creation of a special House committee.

The amendment offered by the gentleman, Mr. Ritter, was for the purpose of having that undertaking assigned to the Standing House Committee on Judiciary.

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

Mr. KELLY. Mr. Speaker, yesterday I supported the Ritter amendment, but I must confess I did not take the opportunity to speak because I had not given the proposed resolution very close scrutiny.

This resolution proposes to create a committee which has statewide subpoena power to look into the problems which we are encountering in our institutions presently treating youthful offenders.

About 5 years ago when I first came here, with the assistance of Mr. Scirica, I commenced on this voyage with a committee which was at that time known as the Select Committee Investigating State Correctional Institutions. In the last term, my second term, that committee became known as an ad hoc committee. Now in this term of the legislature, the committee has been given full recognition, and that committee has become a Standing Subcommittee of the Judiciary Committee. That, by all means, is the logical place for this pursuit of work to be done.

It is my recommendation to the House of Representatives that the Ritter amendment be accepted. Mr. Richardson, who is the sponsor of House resolution No. 47, is a member of the Judiciary Subcommittee on Corrections, and I have discussed with Mr. Richardson and other members of that committee the possibility of Mr. Richardson being appointed as head of a task force and receiving the subpoena powers enumerated in his resolution within the Judiciary Subcommittee.

So it is my recommendation—and I hope the House will pursue this—that we reconsider the Ritter amendment, adopt it and permit Mr. Richardson to continue his investigation within and as a part of the House Judiciary Subcommittee on Corrections.

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

Mr. RITTER. Mr. Speaker, just to again repeat what I said yesterday about the reason for the offering of the amendment, and the same arguments which were used yesterday would apply again today.

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

Mr. BURNS. To speak on the motion, Mr. Speaker.

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

Mr. BURNS. Mr. Speaker, I listened to Mr. Kelly and I listened to Mr. Richardson yesterday and, although I somewhat agree with them, I cannot help but say that Mr. Richardson has taken this ball from the beginning and, if you go back into last session, I remember numerous days on which Mr. Richardson stood here on the floor of the House calling our attention to problems which existed in the Youth Development Center in Philadelphia. To follow that up, he went down and investigated those problems, and, because of his investigations, there were substantial changes made at that Youth Development Center.

I think Mr. Richardson has the ball, he has the facts, he has done the job up until now, and I would urge everyone to support Mr. Richardson's special committee because I think they are the ones who are going to get this job done. I commend him for his activities in the

past and I just hope the House sticks with him and votes along the same lines as they did yesterday.

Thank you.

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

Mr. RICHARDSON. Mr. Speaker, I have listened to the comments of Mr. Kelly and others who met outside. We are against the amendment to this resolution. I want the resolution to stand as it is, House resolution No. 47.

As I stood on this floor yesterday, I stood with convictions and understanding that the youth in this state seemingly are not a top priority and that the situation has not changed overnight, that the same situations that are going on in these institutions are still existing there today. I know there has been a lot of lobbying and there has been some discussion this morning with other members concerning this particular resolution, and I want to say that House resolution No. 47 is designed purposely to put into the resolution subpoena power to go out into the particular various institutions and grab the documents and get the other papers and books that are necessary to complete the investigation.

When this task force was proposed to us at the time after the resolution was passed, which was today, here in the House, I objected solely because of the fact that what we tried to work out was a situation where we could design Philadelphia to be incorporated in this particular resolution in dealing with the youth institutions in Philadelphia.

I feel strongly that we have a problem in the state as it relates to youth and I have not changed from last night. I just believe and it seems to me that it is a political move to try to now avert attention from the direction of youth in the State of Pennsylvania and that they are being abused constantly everyday.

Yesterday I described to you the lives of young people in these institutions as being like a roach, that you step on it and you keep on moving. I say to you this morning that it is imperative that a resolution like this that has been drawn up is approved by members of this House, including members of this Subcommittee on Judiciary and the Subcommittee on Corrections, that we have a viable resolution that will deal with the problem.

It seems to me that we sometimes come to grips with ourselves in relating to particular situations because of our own egotistical relationship to a particular problem. In this particular matter, I feel that it is something that is not only personal but is also a collective thought of a lot of members who certainly see what is going on in these youth institutions across this state. Something must happen and something must happen now, that chronologically and historically, as I laid out yesterday, a progress month-by-month kind of report which we went through in terms of last year's session, that we step into the youth study center, Mr. Blackwell and I and others in the city of Philadelphia, on July 24 of 1974, calling for immediate investigation then of the institution and the problems which existed there. The fact of the matter is that in 1974, the early part of 1974, a youth was burned to death at Glen Mills. Earlier in 1973, a girl was burned at Sleighton Farms. I am saying to you here this morning that there has not been any change within these institutions with the ineffective supervisors and administrators who continue to operate. Whether it

be the control of the Department of Public Welfare or whether it be the control of the Judiciary or the Department of Justice, I am saying that it seems to me that we are not putting our best foot forward in dealing with this particular problem.

I feel very strongly that we have an opportunity now with the select committee, with the subpoena power, to go into these institutions to deal with the particular problem and bring back a report to this House. This is something that is unique. There is much difference in the kinds of things that have been fought for on this floor before, because this is something that we have been intricately involved in. We have sweat; we have cried; we have seen the kinds of conditions which existed with no one caring. But when you can see in some of these institutions, as we saw, a young lady wallowing in filth and the supervisor there at the institution had no concern whatsoever, that there were sanitary belts that young girls used that were passed out from one girl to another which were never cleaned, that there were sneakers which were inside of the institution that were in three boxes that the young people there had to put on after many, many years of use, I am saying to you it is just an indication that the lack of concern and conviction and commitment to deal with this particular issue is not something that we can just overlook and sidestep and say, appoint it to the Subcommittee on Corrections. I am saying that it is going to be swallowed up, that it is not going to get to the heart and the meat of what we have to do. I am not trying to assert the powers of the Subcommittee on Corrections. I want to make that very clear. I just believe very strongly that there should be a committee that deals solely and primarily with youth in getting it done.

In conclusion, I just want to say that I have looked at the entire situation. I have looked at it objectively; I have known the struggle which exists between Mr. Kelly and Mr. Scirica in terms of trying to get a subcommittee in the House for the last 5 or 6 years, or whatever it was. I am saying that in no way does this subvert the powers of that committee in terms of doing what it has to do and reporting bills and reporting the kinds of information that need to be reported to this House in dealing with it especially. It is just that because of the fight that we have had thus far and the fight which we fought for 3 months at the end of last year before the session was over, when we took the mike everyday on this floor and discussed the problems as they truly existed, it seems to me that we would be concerned with trying to clean up the problem of youth offenders and why the institutions at this present time have, percentagewise, 99 percent black, why the rehabilitation programs have not been working, and to bring back a report and study to this House which would be in, I guess, the best light to share the real problems as they truly exist.

I would urge the support of House resolution No. 47 and I would urge that the House vote against the amendment as it presently stands against House resolution No. 47.

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

Mr. GREENFIELD. Mr. Speaker, I rise also in opposition to Mr. Kelly's motion to reconsider the Ritter amendment.

Mr. Speaker, as I tried to say yesterday, it is my firm conviction that on critical matters and matters as outlined by Mr. Richardson, where abuses are being identified, where a critical situation exists within the Commonwealth, that a regular committee cannot always crank up as quickly as necessary, cannot always give the kind of attention in depth and the kind of study that is needed. Special committees have served the purpose in the past, and I think in this kind of situation can serve very ably with the kind of enthusiasm, the kind of informed individuals who are generally assigned to those committees because of their particular interest in the situation.

If we take the position here as a policy matter that, under no circumstances, when abuses, when critical situations, demand our attention, that we are going to carte blanche and forever outlaw the need for special committees, I think we are doing a disservice to the people of this Commonwealth.

I strongly support Mr. Richardson. He has outlined a series of conditions throughout this Commonwealth which need looking into, which need the immediate full-staff, full-time, consideration of a group of legislators to go into it immediately, to come back as quickly as possible to this House, with as full and complete a report as possible. I do not think that a regular subcommittee or committee, with its volume of work, with its further considerations, can do the job.

I urge you to support the position of Mr. Richardson and to vote against this particular amendment.

Thank you, Mr. Speaker.

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

Mr. SCIRICA. Thank you, Mr. Speaker.

I rise to support the Ritter amendment. I appreciate the language of this resolution and I approve of it and I appreciate the need for subpoena power and I approve of that. Most of all, I appreciate the work of Mr. Richardson in this area.

The question, however, is, can this problem be best approached through the medium of a special select subcommittee or should it be handled through the duly constituted Standing Committee of the House Subcommittee on Judiciary on Corrections and Rehabilitation, of which Mr. Charles Hammock is the chairman?

I think select committees serve an important function when we zero in on one particular problem in a particularly small area. But the language in this resolution is quite broad. It calls for the investigation of all juvenile institutions, all juvenile institutions, whether they be detention homes or correctional facilities, not just within Philadelphia but within the Commonwealth as a whole.

For this reason, because of the broad scope of the resolution, I think it would be best handled within the standing subcommittee. For that reason, I support Mr. Ritter's amendment.

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

Mr. BLACKWELL. Mr. Speaker, I rise to speak against Mr. Ritter's amendment. I feel the same as Mr. Burns: Mr. Richardson has provided the leadership which allows the committee that went into the Youth Study Center to expose to the public what was going on there and I feel that Mr. Richardson should be allowed to continue that investigation throughout the state.

We talk about special committees, and I think we do need a special committee because children are special. I am going to say the same thing that I said yesterday. No one questions the integrity of this subcommittee. What we question is whether or not it has the empathy—not the sympathy, but the empathy—that they need to investigate this problem and to solve the situation the way it should be solved.

Now a subcommittee dealing with youth is one thing; a subcommittee dealing with all the correctional institutions of this Commonwealth is another. Mr. Richardson's resolution calls for an investigation of youth institutions. He initiated the investigations, and I think it would be downright disrespectful to him—and I am a member of that committee—to allow anyone else to continue this investigation. Mr. Richardson has done a commendable job, and I am sure he will go a step further.

What we are trying to do, in case you do not know it, is to allow old ladies to walk down the street without having their pocketbooks snatched, to allow old men, when they become retired, to walk down the street with their cane and enjoy life, the life that was intended for them when they have worked hard all their lives. The only way you can do this is to advocate the people who understand this problem, who are trying to solve this problem from the extent that they understand it. We want to get to the root cause of why the youth in this Commonwealth create so many problems. Mr. Richardson has started it; he has done a commendable job.

We are asking you to support this resolution in its original form. Allow him to continue this job, and I assure you that one day you will be proud that you supported this resolution, because we will have solved the problem of the youth creating so much damage in this Commonwealth. Support the resolution in its original form. Let us not deviate from the fact that Mr. Richardson started this investigation and he should be allowed to continue it. This is not a political thing. Children are not political. We love these children. We stay up night after night after night, not because we have subpoena powers but because we are concerned.

We went into the Youth Study Center and Mr. Richardson went all the way to Jersey to get a judge to sign an order allowing us to enter a youth study center. No one here did that. Even when I said to him, Dave, let us hold it up for a day, Dave said, Lu, I am going tonight.

So let us support Mr. Richardson's resolution in its original form. Let us reject the amendment and support the resolution and let us get on with the business of trying to protect the children of this Commonwealth, because that is what we are trying to do; we are trying to stop so many young people from going to jail and we are trying to get rid of these sick people in these institutions who are working with our sick children. The only way we can do that is do it with people who are concerned and not with people who always feel it is a job.

Thank you very much.

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

Mr. RHODES. Mr. Speaker, it is with reluctance I rise on this motion, but I think I have to say something about this amendment which is now pending on the floor, to essentially divert the special investigation from a special select committee to the regular business of the House

Subcommittee on Judiciary on Corrections and Rehabilitation.

Let me try to lay this problem out, at least as I see it, for the membership. First of all, it is not a question of whether or not we should ever have select investigating committees in the House. I do not think that is the policy question being decided today. We decide each of these things as they come along seriatim. It is the purpose of the House to consider the merits of any proposal for any special investigating committee which comes before it. I do not think we are establishing any policy today by voting up or down on the Ritter amendment.

But I think the key issue which you all have to consider is the one that has been raised. I think, by the members who want the resolution to remain intact, which is, how we feel toward the youth of the Commonwealth I do not really think the question of our concerns for young people in Pennsylvania simply breaks down into whether or not we want this special investigating committee. In fact, I think if we consider it carefully, if we genuinely have the concern of the youth of this Commonwealth—those of Philadelphia included—at heart, we would not want a committee adopted as we did yesterday. But I am not going to get into an argument about whether or not our view or that view or whatever view is better for youth.

Let me just lay out a few facts. First, when the House created the Subcommittee on Corrections and Rehabilitation, it finalized a long process toward making special in the House this problem of how we deal with those who offend our laws in Pennsylvania, both youth and adult offenders.

For the whole time which I have been in the House, this subcommittee has been working on the problem of youth. Right now in the subcommittee, there is a plan for extensive investigation into the very questions raised by this resolution. More importantly—and this I hope the members will carefully consider—though we may be able to have a small effect by carrying on certain kinds of investigations in various institutions, the real effect of any investigation, any study by this chamber, is not in the immediate reaction of the administrators of these various institutions, because this is not the problem. I could list you all kinds of bizarre and terrible facts about life and juvenile detention in Pennsylvania. But if we could deal with each case individually, we still would not get at the root problems of juvenile corrections and treatment of offenders in Pennsylvania. These problems are basic, having to do not only with the law governing juveniles but the law governing the Department of Welfare and our adult correction system. These are basic, complicated issues involving the very way we run our criminal system and our custody systems in Pennsylvania. Therefore, it would be an easy thing to say we could deal with this problem by raising or focusing on a couple of bizarre instances, but this would be shirking our responsibility. The real problems are basic, dynamic problems dealing with the system of criminal justice we have in Pennsylvania, and that is what the subcommittee is dealing with.

We have acts which are coming in now to totally revolutionize juvenile justice in Pennsylvania. There are all kinds of bills coming from all directions on this question now. This is not a time to divorce that careful consideration of legislation from the particular investigation of

particular problems. This is not a time to divorce those to proper undertakings of the subcommittee.

Let me explain the effect of adopting the Ritter amendment. If we adopt the Ritter amendment, then we would create within the subcommittee a proper investigation of that subcommittee of the specific problems which Mr. Richardson and others have raised about juvenile detention. As members of that subcommittee they have raised these questions before and the committee was moving in those directions. With the subpoena power you would grant the committee, through this resolution amended by Mr. Ritter, you would, in effect, put to motion the very study on a specific level that the members have spoken of as being so important in their particular area at Philadelphia and across the Commonwealth which has to do with juveniles. But by adopting the Ritter amendment, you would not at the same time create confusion in juvenile justice in Pennsylvania from the point of view that this chamber, which is the principal chamber dealing with juvenile justice in Pennsylvania, at the very time we are at a crossroads, important crossroads, in deciding in Pennsylvania what we are going to do with juveniles. This is a critical period. We are going to make some basic decisions in this session about juveniles, not the immediate long-time changes.

Therefore, I urge the membership to adopt the Ritter amendment. It is a sound amendment. Adopting it is not voting against juveniles. It is, in effect, voting for them in a responsible way which is what we all must do.

Thank you, Mr. Speaker.

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

Mr. LEDERER. Mr. Speaker, this is the second time I rose to speak to the House in 9 months, so you know I do not do it often.

For 7 years I was in adult corrections and I have seen the failures of the juvenile system, and you better, as House members and responsive leaders, deal with it now. I ask you to defeat the Ritter amendment.

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

Mr. FISHER. Mr. Speaker, I rise again on this issue of the Ritter amendment, as I did yesterday, to speak on behalf of the Ritter amendment.

As a new member in the House of Representatives and also as a member on the Subcommittee of Corrections and Rehabilitations, I am concerned with the youth problems, not only in Philadelphia involving the Youth Study Center and the youth in that area but the youth throughout the state, the youth in Allegheny county and the youth in Pennsylvania.

I would like to point out to the members that House Resolution No. 47, as has been indicated by some of the other speakers, is a resolution that would give a select committee broad powers to investigate youth problems throughout the Commonwealth of Pennsylvania.

In the last 2 months, the Subcommittee on Corrections and Rehabilitation has embarked on investigation concerning the youth problems in the Commonwealth of Pennsylvania. So, incidentally, the only institution that we have visited so far is the Youth Center Study in Philadelphia. We are scheduled to visit other youth study centers, including the Juvenile Detention Home in

Allegheny county and including the Youth Correctional Institution in Camp Hill.

I believe it will be an injustice not only to that committee but to the whole House to now create another select committee to go about and create a separate investigation and duplicate the investigation of this standing subcommittee.

For these reasons, I urge all of your support for the Ritter amendment. Thank you very much.

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

Mr. ROMANELLI. Mr. Speaker, I would like to ask Mr. Richardson—and I am sure, in fact, I am positive, that his intentions are well meaning but I would like to ask Mr. Richardson—if he would go one step further, if his resolution is adopted, and also include juvenile pre-release centers in his investigation, because I have a problem in my district, Mr. Speaker, that I feel deserves special investigation, and I would support the resolution to adopt a special committee.

Thank you.

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

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

YEAS—113

Abraham	Fryer	Lynch	Sirianni
Anderson, J. H.	Gallagher	Manmiller	Smith, E.
Bellomini	Gallen	McCall	Smith, L.
Bennett	Geesey	McClatchy	Spencer
Berlin	Gleason	McCue	Stahl
Brandt	Goodman	Mebus	Stout
Brunner	Grieco	Miller, M. E.	Taddonio
Cessar	Gring	Miller, M. E., Jr.	Thomas
Cimini	Hamilton, J. H.	Milliron	Trello
Cole	Hasay	Miscevich	Turner
Cowell	Haskell	Mrkonie	Valicenti
Crawford	Hayes, S. E.	Mullen	Vroon
Davies	Hepford	Novak	Wagner
Davis, D. M.	Hill	Noye	Weidner
DeMedio	Hopkins	Pancoast	Whelan
Deverter	Hutchinson, A.	Parker, H. S.	Whittlesey
Dininni	Hutchinson, W.	Perri	Wilt, R. W.
Dombrowski	Itkin	Petrarca	Wilt, W. W.
Dorr	Kelly, J. B.	Pitts	Worrilow
Dietz	Kernick	Polite	Yahner
Doyle	Kistler	Pyles	Yohn
Dreibelbis	Klingaman	Rhodes	Zearfoss
Eckensberger	Knepper	Ritter	Zeller
Fawcett	Kusse	Ryan	Zord
Fischer	Laudadio	Saloom	Zwikel
Fisher	Laughlin	Salvatore	
Flaherty	Lehr	Scheaffer	Fineman,
Foster, A.	Levi	Schweder	Speaker
Foster, W.	Lincoln	Scirica	

NAYS—71

Arthur	Gillette	Moehlmann	Schmitt
Barber	Gleason	Morris	Seltzer
Beren	Green	Mullen, M. P.	Shane
Berson	Greenfield	Musto	Shelhamer
Bittle	Halverson	O'Connell	Shuman
Blackwell	Hammock	O'Keefe	Shupnik
Bradley	Hayes, D. S.	Oliver	Stapleton
Burns	Irvis	Pievsky	Sweeney
Butera	Katz	Pratt	Toll
Caputo	Kelly, A. P.	Prendergast	Ustynoski
Cumberland	Kowalshyn	Rappaport	Vann
Dicarlo	LaMarca	Reed	Wansacz
Englehart	Lederer	Renninger	Wargo
Fee	Letterman	Renwick	Westerberg
Garzia	Manderino	Richardson	Wilson
George	McLane	Romanelli	Wojdak
Giammarco	Menhorn	Ross	Wright
Gillespie	Milanovich	Ruggiero	

NOT VOTING—19

Bonetto	Koiter	O'Brien	Sullivan
Cohen	McGinnis	O'Donnell	Taylor
DiDonato	McGraw	Perry	Tayoun
Geisler	McIntyre	Rieger	Walsh, T. P.
Johnson, J.	Myers	Shelton	

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

On the question,
Will the House adopt the resolution as amended?
Resolution as amended was adopted.

LABOR BILLS ON THIRD CONSIDERATION

Agreeable to order,
The House proceeded to third consideration of **House bill No. 242, printer's No. 265**, entitled:

An Act requiring that flag protection be provided against following trains occupying the same track.

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—132

Abraham	Gillette	McLane	Scheaffer
Arthurs	Gleason	Manmiller	Schmitt
Barber	Gleeson	Menhorn	Schweder
Bellomini	Goodman	Milanovich	Scirica
Bennett	Green	Miller, M. E.	Shane
Berlin	Greenfield	Miller, M. E., Jr.	Shelhamer
Berson	Halverson	Milliron	Shuman
Blackwell	Hamilton, J. H.	Miscevich	Shupnik
Bradley	Hammock	Morris	Smith, L.
Brunner	Haskell	Mrkonie	Spencer
Burns	Hayes, D. S.	Mullen, M. P.	Stapleton
Caputo	Hepford	Novak	Sweeney
Cole	Hopkins	O'Connell	Thomas
Cowell	Hutchinson, A.	O'Keefe	Toll
Davis, D. M.	Hutchinson, W.	Oliver	Trello
DeMedio	Irvis	Perri	Turner
Dicarlo	Itkin	Petrarca	Ustynoski
Dininni	Katz	Pievsky	Valicenti
Dombrowski	Kelly, A. P.	Polite	Vann
Doyle	Kernick	Pratt	Wansacz
Dreibelbis	Kistler	Prendergast	Wargo
Eckensberger	Klingaman	Pyles	Whelan
Englehart	Kowalshyn	Rappaport	Whittlesey
Fee	LaMarca	Reed	Wilson
Fischer	Salvatore	Renwick	Wilt, R. W.
Fisher	Laughlin	Rhodes	Worrilow
Fryer	Lederer	Richardson	Wright
Gallagher	Letterman	Ritter	Yahner
Gallen	Levi	Romanelli	Yohn
Garzia	Lincoln	Ross	Zwikel
Geisler	Lynch	Ruggiero	
George	Manderino	Saloom	Fineman,
Giammarco	McCall	Salvatore	Speaker
Gillespie	McCue		

NAYS—48

Anderson, J. H.	Dorr	Kusse	Sirianni
Beren	Fawcett	Lehr	Smith, E.
Bittle	Foster, A.	McClatchy	Stout
Brandt	Foster, W.	Mebus	Taddonio
Butera	Geesey	Moehlmann	Vroon
Cessar	Grieco	Noye	Wagner
Cimini	Gring	Pancoast	Weidner
Crawford	Hasay	Parker, H. S.	Westerberg
Cumberland	Hayes, S. E.	Pitts	Wilt, W. W.
Davies	Hill	Renninger	Zearfoss
Deverter	Kelly, J. B.	Ryan	Zeller
Dietz	Knepper	Seltzer	Zord

NOT VOTING—23

Bonetto	McGinnis	O'Brien	Sullivan
Cohen	McGraw	O'Donnell	Taylor
DiDonato	McIntyre	Perry	Tayoun
Flaherty	Mullen	Rieger	Walsh, T. P.
Johnson, J.	Musto	Shelton	Wojdak
Kolter	Myers	Stahl	

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.

Agreeable to order,

The House proceeded to third consideration of **House bill No. 243, printer's No. 266**, entitled:

An Act relating to meal periods for railroad freight train and engine crews, prescribing offenses and penalties therefor.

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?

The Chair recognizes the gentleman from Chester, Mr. Vroon. For what purpose does the gentleman rise?

Mr. VROON. I rise to oppose this bill. Mr. Speaker, I believe in giving people a fair time to eat. I am not inhuman. I recognize the humane aspects of this bill, but I must say, in all fairness to the people of this Commonwealth, we should very carefully avoid getting involved in collective bargaining chores either for labor or for management.

I do not believe in favoring management any more than I favor labor. This is purely a collective-bargaining deal, and I do not think, in all fairness to the people of this Commonwealth, we can afford to take sides in a collective-bargaining argument or dispute. If we see fit to pass this particular bill, where will it stop? Will the teamsters come up next and ask us to legislate a rest period for the truck drivers? Or will the retail clerks' union come up next and ask us to stop the checking lines in the super-market to get some time to eat? Where will it stop? Can we justify paying special favor to one particular union for one little particular collective-bargaining agreement?

I see an obligation to serve all of the populace. I think we all have an obligation to serve all of the populace. That means that we must carefully avoid impairing any essential services where the populace is involved.

In this particular case, I see a very definite danger of impairing the essential services of the railroads. I vitally oppose this bill and urge a negative vote.

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

Mr. VALICENTI. Mr. Speaker, the gentleman said he is not against anybody having a lunch period, which is fine. Then he brought up the issue that then we would have to pass legislation for the truckers, which was explained yesterday, and I am not going to prolong this thing because pretty soon we want to go to lunch and we want to eat.

Then he brought up about the truckers. Now he knows as well as I do and everybody in this House, if a trucker

is rolling along and he feels like he wants to grab a sandwich or something, he comes to a stop, he stops, whether it is for 1 hour, 2 hours, 3 hours, 4 hours, whatever it is. This has nothing to do with this bill.

Instead of prolonging the darn thing, Mr. Speaker, I move that you roll the bill. I wish the bill would be rolled. Let us not prolong this thing.

The SPEAKER. The Chair recognizes the gentleman from Erie, Mr. DiCarlo.

Mr. DiCARLO. Yes, Mr. Speaker, I just want to make a couple of comments. We had a large amount of debate on the bill yesterday and, during the interrogation, we had some people get on the floor and tell us that the train would have to stop and the people would have to take meals.

Let us be realistic. I know and you know and everybody else on this floor knows that no railroad train is going to stop in the middle of a run to have a meal.

What the bill is really doing, if it goes into effect, is it really means that the railroads are going to have to employ another engineer or another fireman or whatever it is. What it is going to do is create employment in the railroad industry. Now I do not have any objection to that. But the only thing that bothers me is the sham that this piece of legislation put over us in the way it was presented. I think that the bill could have been presented to this House, say, perhaps, there was health, there were safety regulations, and there was need for additional men on the railroad, and if it would have done that, it was fine; but I think that the vehicle was used to simply try and hide something and pull the wool over our eyes, and I object to that type of tactic.

On the question recurring,

Shall the bill pass finally?

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

YEAS—105

Abraham	Gillespie	Manderino	Saloom
Bellomini	Gillette	McCall	Salvatore
Bennett	Gleason	McCue	Schmitt
Berlin	Goodman	McLane	Schweder
Berson	Green	Milanovich	Shane
Blackwell	Greenfield	Miller, M. E.	Shupnik
Brunner	Halverson	Milliron	Smith, L.
Burns	Hammock	Morris	Stapleton
Caputo	Hayes, D. S.	Mrkonje	Stahl
Cole	Hepford	Mullen, M. P.	Sweeney
Cowell	Hopkins	Mullen	Toll
Davis, D. M.	Hutchinson, A.	Musto	Trello
DeMedio	Hutchinson, W.	Novak	Valicenti
Dininni	Irvis	O'Keefe	Vann
Dombrowski	Itkin	Oliver	Wansacz
Doyle	Katz	Perri	Wargo
Eckensberger	Kelly, A. P.	Perry	Whelan
Englehart	Kernick	Petrarca	Whittlesey
Fee	Kistler	Pratt	Wilson
Fischer	Kowalyshyn	Prendergast	Wojdak
Flaherty	LaMarca	Rappaport	Worrilow
Gallagher	Laudadio	Reed	Yahner
Gallen	Laughlin	Renwick	Zwikel
Garzia	Lederer	Rhodes	
Geisler	Letterman	Richardson	Fineman,
George	Lincoln	Ritter	Speaker
Giammarco	Lynch	Ruggiero	

NAYS—77

Anderson, J. H.	Fryer	Miller, M. E., Jr.	Sirianni
Arthurs	Geesey	Miscevich	Smith, E.
Beren	Grieco	Moehlmann	Spencer
Bradley	Gring	Noye	Stout
Brandt	Hamilton, J. H.	O'Connell	Taddonio
Butera	Hasay	Pancoast	Thomas

Cessar	Haskell	Parker, H. S.	Turner
Cimini	Hayes, S. E.	Pitts	Ustynoski
Crawford	Hill	Polite	Vroon
Cumberland	Kelly, J. B.	Pyles	Wagner
Davies	Klingaman	Renninger	Weidner
Deverter	Knepper	Romanelli	Westerberg
Dicarlo	Kusse	Ross	Wilt, R. W.
Dietz	Lehr	Ryan	Wilt, W. W.
Dorr	Levi	Scheaffer	Wright
Dreibelbis	Manmiller	Scirica	Yohn
Fawcett	McClatchy	Seltzer	Zearfoss
Fisher	Mebus	Sheihamer	Zeller
Foster, A.	Menhorn	Shuman	Zord
Foster, W.			

NOT VOTING—21

Barber	Johnson, J.	Myers	Shelton
Bittle	Kolter	O'Brien	Sullivan
Bonetto	McGinnis	O'Donnell	Taylor
Cohen	McGraw	Pievsky	Tayoun
DiDonato	McIntyre	Rieger	Walsh, T. P.
Gleeson			

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 Berks, Mr. Stahl. For what purpose does the gentleman rise?

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

The SPEAKER. The gentleman will state it.

Mr. STAHL. Mr. Speaker, would you record me as voting in the affirmative on House bill No. 242?

The SPEAKER. The gentleman's remarks will be noted on the record.

Agreeable to order,

The House proceeded to third consideration of **House bill No. 244, printer's No. 267**, entitled:

An Act requiring speed recorders on locomotives.

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?

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

Mr. BEREN. Thank you, Mr. Speaker.

I wonder if the chief sponsor of the bill, Mr. Valicenti, would consent to interrogation.

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

Mr. VALICENTI. Yes, sir.

The SPEAKER. The gentleman may proceed.

Mr. BEREN. Mr. Speaker, are you aware of the position of the Department of Transportation with regard to House bill No. 244?

Mr. VALICENTI. Would you repeat that, please?

Mr. BEREN. Mr. Speaker, are you aware of the position of the Department of Transportation with regard to House bill No. 244?

Mr. VALICENTI. No, no, I am not.

Mr. BEREN. Mr. Speaker, I read this paragraph to you from the final report of their legal counsel. I will read it now: (Reading:)

Based upon the impending preemption of this area of railroad safety regulation by the action of the FRA, and in light of the laws and authorities above outlined, passage of H. B. 244 would appear to be inadvisable.

Would you have any reason to disagree with my reading of that statement of the position of the Department of Transportation?

Mr. VALICENTI. No. If you say that that is their opinion, fine.

Mr. BEREN. Thank you, Mr. Speaker.

Are you aware of the fact that in the budget that was presented to us by the Governor within the last 2 weeks that the funds for mass transit were exactly the same for the 1975-76 fiscal year, which is now 15 months, as they were for the 1974-75 fiscal year?

Mr. VALICENTI. If you say so, but I have to make one comment on it. You are talking about the funds for mass transit. We passed a bill here a few years back providing funds for mass transit, and my county was allotted \$40 million and we only got \$38 million. So I do not know why you are bringing up that point. It does not mean a damn thing to me.

Mr. BEREN. Mr. Speaker, does not the provision of House bill No. 244 apply to mass transit?

Mr. VALICENTI. Just like I told you before, Mr. Speaker, we did not get our money from mass transit; we are trying to straighten out our problems on mass transit, and I do not know what this bill has to do with mass transit.

Mr. BEREN. Mr. Speaker, have you read the fiscal note?

Mr. VALICENTI. The fiscal note?

Mr. BEREN. Yes.

Mr. VALICENTI. If I am not mistaken on the fiscal note, the way they compiled this I think it was \$8 million per year. I really do not know.

Mr. BEREN. Mr. Speaker, may I read this to you?

Mr. VALICENTI. Yes, go ahead.

Mr. BEREN. The Pennsylvania Department of Transportation interprets this bill as requiring "every multiple-unit car operated by the Southeast Pennsylvania Transportation Authority and the Pittsburgh Area Transportation Authority, in connection with commuter rail service operations, to have a speed recording device. Approximately 500 such locomotives are presently in operation.

"The estimated cost of the speed-recorder device, including installation, is \$1,500 per unit."

In light of that, Mr. Speaker, does not this bill affect the operation of mass transit in the two major urban areas of the state?

Mr. VALICENTI. No. I think that most of them have these speed recorders anyhow at the present time. If you are talking about mass transit in any one particular county or one particular area, I cannot understand what it has to do with this bill.

Mr. BEREN. Well, Mr. Speaker, the fiscal note relating to the bill and the bill itself specifically states that mass transit operations are covered by this bill.

Mr. BEREN. When I say "specifically," I refer to the language on line 6, ". . . of steam, diesel, electric or otherwise propelled locomotives . . ." I would assume that electric is the one that refers to mass transit.

Mr. VALICENTI. I do not know if you know, but in

Allegheny County we are trying to get a skybus for mass transit. This is actually a safety precautionary measure, and I imagine that it would probably be incorporated into their particular mass transit plans that they have.

Mr. BEREN. Thank you, Mr. Speaker.

Mr. Speaker, the legal opinion that was furnished by the Department of Transportation clearly indicates, as I read before, that passage of House bill No. 244 would be inadvisable. Mr. Speaker, it would be inadvisable because the Federal Railway Association is ready to act in this area right now, and indeed they are ready to act in this area, requiring this device at a lower rate of speed than indeed the legislation calls for.

Additionally, we are faced with a problem of funding mass transit. Most of us from the southeastern portion of the state know that a strike is in progress or is about to end, but the key factor in the strike is the fact that the budget for 15 months was exactly the same as the budget for 12 months. Therefore, there was less money available for mass transit.

If we are going to pass an unnecessary bill—one that would require our transit authorities to go out and buy these devices over the next several years and then find out that the Federal Government is going to preempt our actions in this state—it would seem to me that we are requiring an expenditure by the state as well as by counties, such as Pittsburgh in the western end of the state, Montgomery, Bucks, Delaware, Chester and Philadelphia in the southeastern area of the state, for absolutely no valid purpose at all. As the result of that, Mr. Speaker, I would ask that House bill No. 244 not pass.

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

Mr. ENGLEHART. Mr. Speaker, I rise to support House bill No. 244. The gentleman's last argument, using the budget as the reason we are not going to pass it, might sound persuasive but it really begs the question. If we took that attitude, we would quit building sewer treatment plants for the boroughs, townships, cities because they cost too much money and we do not have it; we would let the streams go ahead and get dirty.

This proposal simply reenacts and puts into force of law what every railroad in Pennsylvania is doing except two. They are the people who are in the business. They must think it is a safety device. They must think it is important.

If you ever had a relative or a friend who has been killed or hurt in a railroad accident, you might understand that it would be nice for those people to be able to get hold of the exact record of the speed of those trains. They all do not just loaf around at a 10- or 15-mile-an-hour rate. I ask that we vote "yes" on the bill.

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

Mr. FISHER. Mr. Speaker, will the gentleman, Mr. Valicenti, consent to interrogation?

The SPEAKER. Would the gentleman, Mr. Valicenti, consent to interrogation?

Mr. VALICENTI. For a moment. We are going to go to lunch at 12:30.

The SPEAKER. The gentleman may proceed.

Mr. FISHER. Mr. Speaker, when the bill in question was drafted, did you intend the bill to apply to mass

transit vehicles such as are used by SEPTA and the Port Authority, including streetcars?

Mr. VALICENTI. Streetcars? You have got to be kidding. When did we have streetcars?

Mr. FISHER. We have streetcars in Allegheny County, Mr. Speaker.

Mr. VALICENTI. We are going to get rid of them.

You know yourself, I do not want to say it is a stupid question, because I reprimanded another Representative here a few years back when he called some of us ignorant who got up and talked about a bill. As far as the streetcar is concerned, it can only go so fast.

There is nothing wrong with this bill. It is a safety measure. If you have mass transit, naturally they are going to put a safety measure on it.

You are talking about a streetcar. You know that that is not a locomotive. It is run by electricity. It is not diesel operated.

For heavens sake, let us run the bill and let us get it over with. The only thing you are doing is prolonging something that you have no basis for.

MOTION TO RECOMMIT

Mr. FISHER. Mr. Speaker, I think that under the wording of the bill in section 1, in line with what Mr. Valicenti has just said, that the streetcar, whether or not it falls in the definition of locomotive, is at least powered by electricity. And I believe that based on this fact and the fact that the bill apparently is not intended to apply to local mass transit—apparently it does apply to local mass transit—and in light of the fiscal note that has been rendered by the House Committee on Appropriations, I would move to recommit House bill No. 244 to the Committee on Transportation for further study.

The SPEAKER. Will the majority leader indicate if he recalls whether or not there was a motion made yesterday to recommit House bill No. 244?

Mr. IRVIS. No, Mr. Speaker. There was no motion made to recommit House bill No. 244.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. CAPUTO. Mr. Speaker, reading of the bill will show that it applies to railroad locomotives, and I oppose the motion to recommit.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Messrs. FISHER and CAPUTO and were as follows:

YEAS—79

Anderson, J. H.	Gring	Miller, M. E., Jr.	Stahl
Beren	Hamilton, J. H.	Moehlmann	Stout
Bittle	Hasay	Noye	Taddonio
Brandt	Haskell	Pancoast	Thomas
Butera	Hayes, S. E.	Parker, H. S.	Turner
Cessar	Hepford	Pitts	Ustynoski
Cimini	Hill	Polite	Vroon
Crawford	Hopkins	Pyles	Wagner
Davies	Kelly, J. B.	Renninger	Weidner
Deverter	Kistler	Ryan	Westerberg
Dietz	Klingaman	Salvatore	Whittlescy
Dorr	Knepper	Scheaffer	Wilson
Dreibelbis	Kusse	Scirica	Wilt, R. W.
Fawcett	Lehr	Seltzer	Wilt, W. W.
Fisher	Levi	Shane	Worrilow
Foster, A.	Lynch	Shelhamer	Yohn
Foster, W.	McClatchy	Shuman	Zearfoss

Gallen	McCue	Sirianni	Zeller
Geesey	Manniller	Smith, E.	Zord
Grieco	Mebus	Spencer	

NAYS—106

Abraham	Gallagher	Letterman	Rhodes
Arthurs	Garzia	Lincoln	Richardson
Barber	Geisler	Manderino	Ritter
Bellomini	George	McCall	Romanelli
Bennett	Giammarco	McLane	Ross
Berlin	Gillespie	Menhorn	Ruggiero
Berson	Gillette	Milanevich	Saloom
Blackwell	Gleason	Miller, M. E.	Schmitt
Bradley	Goodman	Milliron	Schweder
Brunner	Green	Miscevich	Shupnik
Burns	Greenfield	Morris	Smith, L.
Caputo	Halverson	Mrkonic	Stapleton
Cole	Hammock	Mullen, M. P.	Sweeney
Cowell	Hayes, D. S.	Mullen	Toll
Cumberland	Hutchinson, A.	Musto	Trello
Davis, D. M.	Hutchinson, W.	Novak	Valicenti
DeMedio	Itkin	O'Connell	Vann
Dicarlo	Johnson, J.	O'Keefe	Wansacz
Dininni	Katz	Oliver	Wargo
Dombrowski	Kelly, A. P.	Perri	Whelan
Doyle	Kernick	Perry	Wojdak
Eekensberger	Kowalshyn	Petrarca	Wright
Engelhart	LaMarca	Pratt	Yahner
Fee	Laudadio	Prendergast	Zwinkl
Fischer	Laudadio	Rappaport	
Flaherty	Laughlin	Reed	
Fryer	Lederer	Renwick	

NOT VOTING—18

Bonetto	McGinnis	O'Donnell	Sullivan
Cohen	McGraw	Pjevsky	Taylor
DeDonato	McIntyre	Rieger	Tayoun
Gleeson	Myers	Shelton	Walsh, T. P.
Kolter	O'Brien		

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. SHANE. Mr. Speaker, I voted incorrectly on that last vote. I intended to vote "no" on the recommittal motion on House bill No. 244.

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

ANNOUNCEMENT

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I have been questioned as to what the schedule of the House will be today. We do intend to break for lunch. We would like to break at 12:30, and that hour has now arrived. I ask that you come back here promptly at 1:30 so that we may continue the debate on the floor.

It would be totally impolite to Mr. Beren for me to ask that we break at this point in his argument. But I would suggest that those of you who are prepared to argue, if you think you are going to take another 15 or 20 minutes, let us know so that we can break now and we will come back and pick it up afterwards. If the argument is to be brief, then we can delay the lunch period for 5 or 6 minutes and then break and let the House go on.

Will the gentleman advise me as to the length of his debate?

Mr. BEREN. Mr. Speaker, I only intend to be a minute

or so, but I would prefer to have my remarks made immediately prior to our voting on the bill rather than have them made now and then have 3 or 4 other members get up and then we break for lunch, because I think the impact would be lost.

Mr. IRVIS. Mr. Speaker, I simply cannot control who will rise and who will speak on this floor, and I see now that we have six to speak here. I am now about to request those members who feel constrained to speak to let me know immediately by standing so we can calculate whether we should continue this debate after the lunch period or end it now and take the vote.

There are Messrs. Itkin, O'Connell and Beren. If they can confine their remarks to another 5 minutes, we will then take the vote immediately and break for lunch. It will cut our lunch period down by 5 or 6 minutes, but I think we can stand that. I know I can.

Thank you, Mr. Speaker.

QUESTIONS OF PERSONAL PRIVILEGE

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

Mr. E. H. SMITH. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. E. H. SMITH. Mr. Speaker, because of mechanical difficulty, I arrived late this morning in Harrisburg. I would like to be recorded as voting in favor of House bill No. 229.

The SPEAKER. The gentleman's remarks will be noted for the record.

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

Mr. PERRY. Mr. Speaker, I failed to vote on House bill No. 222. Will you have the record show that I voted in the affirmative.

The SPEAKER. The gentleman's remarks will be noted for the record.

The Chair recognizes the gentleman, Mr. Thomas.

Mr. THOMAS. Mr. Speaker, I inadvertently voted "aye" and I wish to be recorded "no" on House bill No. 242.

The SPEAKER. The gentleman's remarks will be noted for the record.

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

Mr. JOHNSON. I would like to be recorded "aye" on House bill No. 175, Mr. Speaker.

The SPEAKER. The gentleman's remarks will be noted for the record.

Does the gentleman, Mr. Itkin, desire to be recognized now?

Mr. ITKIN. Yes, Mr. Speaker.

On the question recurring,
Shall the bill pass finally?

The SPEAKER. Will the gentleman, Mr. Beren, yield to the gentleman, Mr. Itkin?

Mr. BEREN. I would be most happy to, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Beren, I assume, wants to be the anchorman on this argument.

Mr. ITKIN. He may, Mr. Speaker.

Mr. BEREN. That is correct, Mr. Speaker.

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

Mr. ITKIN. Mr. Speaker, I just felt compelled to make some comments and observations relating to Mr. Beren's observations today.

As far as the mass transit consideration goes and as far as the Port Authority Transit of Allegheny County, which is the public mass transportation organization for the county, there is only one rail line that the Port Authority Transit operates, and that is the B & O McKeesport line. It leases the trains from the B & O. There is just one locomotive involved, which runs about 13 or 14 trips from the McKeesport area into downtown Pittsburgh. So, therefore, the cost imposed on the Port Authority Transit would be limited to one or perhaps two recording devices, to the best of my knowledge.

As far as SEPTA goes, the rail lines are not operated by SEPTA, but SEPTA does provide subsidies to the Reading and the Penn Central railroad systems. The recording devices, therefore, are not an obligation by SEPTA. They are an obligation on the Penn Central and Reading railroads. Under no way would SEPTA be obligated to increase its subsidies for that particular purpose.

Thank you.

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

Does the gentleman, Mr. O'Connell, desire to be recognized?

Does the gentleman, Mr. Beren, yield to the gentleman, Mr. O'Connell?

Mr. BEREN. Yes, Mr. Speaker.

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

Mr. O'CONNELL. Thank you, Mr. Speaker.

Would Mr. Wojdak consent to a brief interrogation?

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

Mr. WOJDAK. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. O'CONNELL. Thank you, Mr. Speaker.

Mr. Speaker, I have before me the fiscal note on House bill No. 244. Would you be kind enough to advise me and the House as to how SEPTA and PAT are financed?

Mr. WOJDAK. Well, they are funded, surely, via state funds. You know that and I think that is the answer to your question. I think that is the answer you are seeking.

Mr. O'CONNELL. No, I would like to know who else participates in the funding of SEPTA and PAT, other political subdivisions.

Mr. WOJDAK. It is my understanding that the funding is via local, state and Federal governments.

Mr. O'CONNELL. If that is true, then I would suggest that the fiscal note before us is deficient because it only indicates here the state costs, and, in accordance with the rules, it must indicate the cost to the local municipalities or other governments.

Mr. WOJDAK. I assume you are referring to the third paragraph of the fiscal note.

Mr. O'CONNELL. No, I would rather indicate that it is in the last paragraph, which also would take exception to Mr. Itkin's statement that it is based on the num-

ber of cars in operation. This would require a total expenditure by SEPTA and PAT over the next 2 years of some \$750,000. And it indicates that it would be reflected in the capital projects for both SEPTA and PAT and the state would pay one-sixth of that share. My question is: Who pays the other five-sixths?

Mr. WOJDAK. Well, the local government would have a cost expenditure in that, I believe, as well as the Federal Government.

Your question is: What is the cost to the local municipalities or to Philadelphia and Pittsburgh, in this instance?

Mr. O'CONNELL. And the five southeastern counties that are involved in SEPTA, and I do not know, other than Allegheny, which ones may be involved and whether Westmoreland or other counties are involved in that particular section.

What I am indicating here, Mr. Speaker, is the fact the fiscal note is deficient in that regard. I think until that information is properly before the House for consideration, that House bill No. 244 ought to be laid upon the table.

MOTION TO TABLE

Mr. O'CONNELL. Therefore, Mr. Speaker, I so move.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Messrs. O'CONNELL and WOJDAK and were as follows:

YEAS—71

Anderson, J. H.	Grieco	Manmiller	Spencer
Beren	Halverson	Mebus	Stahl
Bittle	Hamilton, J. H.	Moehlmann	Taddonio
Brandt	Hasay	Noye	Thomas
Butera	Haskell	O'Connell	Turner
Cessar	Hayes, D. S.	Pancoast	Ustynoski
Cimini	Hayes, S. E.	Parker, H. S.	Vroon
Cumberland	Hill	Pitts	Wagner
Davies	Hopkins	Polite	Weidner
Deverter	Kelly, J. B.	Pyles	Westerberg
Dorr	Klingaman	Renninger	Whittlesey
Dietz	Knepper	Ryan	Wilt, R. W.
Fawcett	Kusse	Salvatore	Wilt, W. W.
Fisher	Lehr	Scheaffer	Worriow
Foster, A.	Levi	Scirica	Yohn
Foster, W.	Lynch	Seltzer	Zearfoss
Gallen	McClatchy	Sirjanni	Zord
Geesey	McCue	Smith, E.	

NAYS—113

Abraham	Geisler	McCall	Ruggiero
Arthurs	George	McLane	Saloom
Barber	Giammarco	Menhorn	Schmitt
Bellomini	Gillespie	Milanovich	Schweder
Bennett	Gillette	Miller, M. E.	Shane
Berlin	Gleason	Miller, M. E., Jr.	Shelhamer
Berson	Goodman	Milliron	Shuman
Blackwell	Green	Miscevich	Shupnik
Bradley	Greenfield	Morris	Smith, L.
Brunner	Gring	Mrkonic	Stapleton
Burns	Hammock	Mullen, M. P.	Stout
Caputo	Hepford	Mullen	Sweeney
Cole	Hutchinson, A.	Musto	Toll
Cowell	Hutchinson, W.	Novak	Trello
Davis, D. M.	Irvis	O'Keefe	Valicenti
DeMedio	Itkin	Oliver	Vann
Dicarlo	Johnson, J.	Perri	Wansacz
Dininni	Katz	Perry	Wargo
Dombrowski	Kelly, A. P.	Petrarca	Whelan
Doyle	Kernick	Pratt	Wilson
Dreibelbis	Kistler	Prendergast	Wojdak
Eckensberger	Kowalshyn	Rappaport	Wright
Englehart	LaMarca	Reed	Yahner
Fee	Laudadio	Renwick	Zeller
Fischer	Laughlin	Rhodes	Zwikel
Flaherty	Lederer	Richardson	

Fryer	Letterman	Ritter	Fineman,
Gallagher	Lincoln	Romanelli	Speaker
Garzia	Manderino	Ross	

NOT VOTING—19

Bonetto	Kolter	O'Brien	Sullivan
Cohen	McGinnis	O'Donnell	Taylor
Crawford	McGraw	Pievsky	Tayoun
DiDonato	McIntyre	Rieger	Walsh, T. P.
Gleeson	Myers	Shelton	

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

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. O'Connell. For what purpose does the gentleman rise?

Mr. O'CONNELL. Perhaps I was presumptuous there. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. O'CONNELL. In light of the question that I raised to the majority appropriations chairman, would the Chair rule on whether this is properly before us or improperly before us as regards to the fiscal note?

The SPEAKER. The Chair is of the opinion that the matter is properly before the House. The quality of the fiscal note is not a condition precedent as long as there has been a fiscal note. As a matter of fact, there has been the practice on many of the fiscal notes to see the language on those notes that indicates the cost will be minimal. I never accepted that in the past as really being educational for the benefit of the members of the House because whether it is \$100,000 or \$400,000, the members should know. But that never deterred the House from moving ahead before as long as there was a fiscal note.

I would hope that the Appropriations Committee chairman would endeavor to make sure that the fiscal notes are as informative as possible for the benefit of the members, though.

Mr. O'CONNELL. Once again though, Mr. Speaker, my question is, in light of the responses that I received from the chairman, there is in this fiscal note a deficiency and the fact being that there is not any local cost identified in this fiscal note. So although there is an amount here, there is a requirement in the rule that, in the instances of fiscal impact upon local municipalities, that that information be provided. That is not part of this fiscal note.

The SPEAKER. There is a requirement in the rule only that there be a fiscal note.

Mr. O'CONNELL. That is not so, Mr. Speaker. I think it was rule 19 (a), line 26.

The SPEAKER. As soon as the Speaker gets his hands on a copy of the rules, we will come to a resolution of the problem.

Mr. O'CONNELL. Thank you.

The SPEAKER. Now what part of the rule is the gentleman referring to? What portion of 19, (a)?

Mr. O'CONNELL. Page 13, line 26, rule 19 (a).

The SPEAKER. "No bill, except a General Appropriation bill or any amendments thereto, which may require an expenditure of Commonwealth funds or funds of any political subdivision or which may entail a loss of revenues shall be reported from committee until the committee chairman has requested a fiscal note from the Appropriations Committee, and the fiscal note has been attached thereto which shall be provided by the Appropriations

Committee." Now the point that the gentleman raised is what?

Mr. O'CONNELL. I indicate, Mr. Speaker, that I believe the note is deficient in the fact that it does not provide the cost to the local government and the political subdivisions.

The SPEAKER. Can the gentleman who is chairman of the Appropriations Committee cure the deficiencies by the time we reconvene this afternoon?

Mr. WOJDAK. Mr. Speaker, if I may respond.

The SPEAKER. The Chair recognizes the gentleman, Mr. Wojdak.

Mr. WOJDAK. The costs would be borne two-thirds by the Federal Government, one-sixth by the state, and one-sixth by the local government, in the case of Pittsburgh, the city of Pittsburgh and whatever other counties are involved with PAT. In the case of SEPTA, it would be borne by Philadelphia and the surrounding counties making up SEPTA. That cost would be one-sixth of the total. It is not stated in the fiscal note, but that is what the figure would be. It would be one-sixth of \$750,000, or \$125,000, that it would cost SEPTA and PAT.

Mr. O'CONNELL. I think in accordance with your calculations that that is true. The mathematics are there.

I have a further question in that regard and I do not know whether this has ever been investigated or not, as to whether or not in this sort of capital project there would be, in fact, participation by the Federal Government?

Mr. WOJDAK. Mr. Speaker, I do not know the answer to that question.

QUESTION OF INFORMATION

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

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

The SPEAKER. The gentleman will state it.

Mr. BERLIN. With respect to the argument on the floor now, the operation of SEPTA as we know it requires that each of the municipalities donate a lump-sum payment annually to support the operation of SEPTA.

When we impose a requirement for speed recorders that has to be met by SEPTA, that means that SEPTA will change its priorities for capital expenditures. It need not mean that the municipalities are going to be assessed a higher payment each year. So, consequently, I doubt whether there is a fiscal impact on the municipalities.

It means that the priorities of expenditures for capital expenditures on the part of SEPTA will change, but that the communities and municipalities involved need not, again, be assessed a higher impact or a high financial responsibility.

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

Mr. O'CONNELL. Thank you, Mr. Speaker.

I appreciate the comments of the gentleman and respect the remarks, but it has been my experience around here for the past 8 years that some deficiencies have occurred both in SEPTA and PAT. We have been begged to come up with the additional money for funding. Now how they manipulate the funds inbetween really does not matter a great deal to me. What I would

like to know specifically, and I think the House is entitled to know, is the amount of the funds that are going to be manipulated.

The SPEAKER. I think the Appropriations Committee chairman has already indicated the figures that are in question.

The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, may I respectfully suggest that we get on with the voting on this bill? I think we have heard enough debate on it. Let us get on with it and get it cleared up.

On the question recurring,
Shall the bill pass finally?

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

Mr. BEREN. Thank you, Mr. Speaker.

First, if I may reply to Mr. Itkin's arguments with regard to the purchase of services from the Reading Railroad or the Penn Central, the plain fact of the matter is that we, the state, and we, the southeastern counties, make up the deficits. We purchase the services and the costs come from us.

But I think that in our arguments we have overlooked what I started off with as my first point of view, that is, the point of view of the Department of Transportation, which very succulently said it would appear that the passage of House bill No. 244 would be inadvisable.

The reason it would be inadvisable is that the Federal Government is ready to preempt the states in this area. Not only are they ready to preempt the states in this area of regulation, but they are doing it with more care because they are going to go to a 3-mile-an-hour recorder rather than a 4-mile-an-hour recorder that this bill calls for.

So I guess the question we have to ask ourselves as elected Representatives is this: Do we want to pass a bill that is going to require the various levels of government in this state, be it state government or county government, to go ahead and expend money for some recording devices for the next 2 years that soon will be preempted by the Federal Government with recording devices that will be more accurate? In other words, do you want to go ahead and waste a lot of money? My suggestion is that we do not.

On the question recurring,
Shall the bill pass finally?

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

YEAS—113

Abraham	George	Lincoln	Ross
Arthurs	Giammarco	Manderino	Ruggiero
Farber	Gillespie	McCall	Saloom
Bellomint	Gillette	McLane	Salvatore
Bennett	Gleason	Menhorn	Schmitt
Berlin	Gleeson	Milanovich	Schweder
Berson	Goodman	Miller, M. E.	Shane
Blackwell	Green	Milliron	Shuman
Bradley	Greenfield	Miscevich	Shupnik
Brunner	Grieco	Morris	Smith, L.
Burns	Hammock	Mrkonic	Stapleton
Caputo	Hayes, D. S.	Mullen, M. P.	Sweeney
Cole	Hepford	Mullen	Tolt
Cowell	Hopkins	Musto	Trello
Davis, D. M.	Hutchinson, A.	Novak	Valicenti
DeMedio	Hutchinson, W.	O'Keefe	Vann
Dicarlo	Irvis	Oliver	Wansacz
Dininni	Itkin	Perri	Wargo
Dombrowski	Johnsor, J.	Perry	Whelan

Doyle	Katz	Petrarca	Wilson
Eckensberger	Kelly, A. P.	Pratt	Wojdak
Englehart	Kernick	Prendergast	Wright
Fee	Klingaman	Rappaport	Yahner
Fischer	Kowalshym	Reed	Yohn
Flaherty	LaMarca	Renwick	Zwkl
Fryer	Laudadio	Rhodes	
Gallagher	Laughlin	Richardson	Fineman,
Garzia	Lederer	Ritter	Speaker
Geisler	Letterman	Romanelli	

NAYS—72

Anderson, J. H.	Geesey	Mebus	Spencer
Beren	Gring	Miller, M. E., Jr.	Stahl
Bittle	Halverson	Mochlmann	Stout
Brandt	Hamilton, J. H.	Noye	Taddonio
Butera	Hasay	O'Connell	Thomas
Cessar	Haskell	Pancoast	Turner
Cimini	Hayes, S. E.	Parker, H. S.	Ustynoski
Cumberland	Hill	Pitts	Vroon
Davies	Kelly, J. B.	Polite	Wagner
Deverter	Kistler	Pyles	Weidner
Dietz	Knepper	Renninger	Westerberg
Dorr	Kusse	Ryan	Whittlesey
Dreibelbis	Lehr	Scheaffer	Wilt, R. W.
Fawcett	Levi	Scirica	Wilt, W. W.
Fisher	Lynch	Seltzer	Worritow
Foster, A.	Manmiller	Shelhamer	Zearfoss
Foster, W.	McClatchy	Sirianni	Zeller
Gallen	McCue	Smith, E.	Zord

NOT VOTING—18

Bonetto	McGinnis	O'Donnell	Sullivan
Cohen	McGraw	Pievsky	Taylor
Crawford	McIntyre	Rieger	Tayoun
DiDonato	Myers	Shelton	Walsh, T. P.
Kolter	O'Brien		

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.

RECESS

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I move that this House be in recess until 1:30.

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

The SPEAKER. This House is now in recess until 1:30.

AFTER RECESS

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

THE SPEAKER (Herbert Fineman) IN THE CHAIR

KEFAUVER ELEMENTARY SCHOOL STUDENTS WELCOMED

The SPEAKER. The Chair is pleased to welcome to the hall of the House, a group of students from Kefauver Elementary School, Gettysburg, Pennsylvania. They are accompanied by Mrs. Schwartz and other adults.

They are the guests of Mr. Cole of Adams County.

DEMOCRATIC STATE COMMITTEEMEN WELCOMED

The SPEAKER. The Chair is pleased to welcome to

the hall of the House, Messrs. Joseph Colecio, Sr., Joseph Colecio, Jr., and William Sniscak.

They are the guests of the gentleman from Carbon County, Mr. McCall.

LEAVES OF ABSENCE

The SPEAKER. Without objection, the Chair returns to leaves of absence and recognizes the majority whip.

Mr. MANDERINO. I request leaves of absence for the balance of this week's session for Messrs. O'Brien and Kolter.

The SPEAKER. The Chair hears no objection. Leaves are granted.

CALENDAR

TAX BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 360, printer's No. 397, entitled:

An Act amending the act of April 6, 1830 (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.

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—159

- | | | | |
|-----------------|-----------------|--------------------|-------------|
| Abraham | Garzia | McClatchy | Schmitt |
| Anderson, J. H. | Geesey | McCue | Schweder |
| Arthurs | Geisler | McLene | Scirica |
| Barber | George | Mebus | Seltzer |
| Bellomini | Giammarco | Menhorn | Shuman |
| Bennett | Gillespie | Milanovich | Shupnik |
| Boren | Gillette | Miller, M. E. | Sirianni |
| Berlin | Gleason | Miller, M. E., Jr. | Smith, E. |
| Bittle | Gleason | Milliron | Smith, L. |
| Blackwell | Green | Miscevich | Spencer |
| Bradley | Greenfield | Mochlmann | Stapleton |
| Brunner | Grieco | Morris | Stout |
| Burns | Gring | Mrkonic | Sweeney |
| Butera | Halverson | Mullen | Taddonio |
| Caputo | Hamilton, J. H. | Musto | Thomas |
| Cessar | Hasay | Novak | Toll |
| Cimini | Haskell | Noye | Trello |
| Cole | Hayes, S. E. | O'Connell | Ustynoski |
| Cowell | Hopford | O'Donnell | Valicenti |
| Crawford | Hopkins | O'Keefe | Vann |
| Cumberland | Irvis | Pancoast | Vroon |
| Davies | Itkin | Parker, H. S. | Wagner |
| Davis, D. M. | Katz | Perri | Wansacz |
| DeMedio | Kelly, A. P. | Petrarca | Wargo |
| Deverter | Kelly, J. E. | Plevsky | Weidner |
| Dietz | Kernick | Pitts | Westerberg |
| Dininni | Klingaman | Polite | Whelan |
| Dombrowski | Knepper | Pratt | Wilson |
| Dorr | Kowalyszyn | Prendergast | Wilt, R. W. |
| Doyle | Kusse | Pyles | Wilt, W. W. |
| Dreibelbis | LaMarca | Reed | Wright |
| Eckensberger | Laudadio | Renwick | Yahner |
| Engelhart | Laughlin | Rhodes | Yohn |
| Fawcett | Lederer | Richardson | Zearfoss |
| Fee | Lehr | Ritter | Zeller |
| Fischer | Letterman | Ruggiero | Zord |
| Fisher | Levi | Ryan | Zwickl |
| Flaherty | Manderino | Saloom | |

- | | | | |
|------------|-----------|-----------|----------|
| Foster, A. | Manmiller | Salvatore | Fineman, |
| Foster, W. | McCall | Scheaffer | Speaker |
| Gallen | | | |

NAYS—0

NOT VOTING—44

- | | | | |
|--------------|----------------|---------------|--------------|
| Berson | Hill | Mullen, M. P. | Shelhamer |
| Bonetto | Hutchinson, A. | Myers | Shelton |
| Brandt | Hutchinson, W. | O'Brien | Stahl |
| Cohen | Johnson, J. | Oliver | Sullivan |
| Dicarlo | Kistler | Perry | Taylor |
| DiDonato | Kolter | Rappaport | Tayoun |
| Fryer | Lincoln | Renninger | Turner |
| Gallagher | Lynch | Rieger | Walsh, T. P. |
| Goodman | McGinnis | Romanelli | Whittlesey |
| Hammock | McGraw | Ross | Wojdak |
| Hayes, D. S. | McIntyre | Shane | Worrlow |

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. Rappaport. For what purpose does the gentleman rise?

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

The SPEAKER. The gentleman will state it.

Mr. RAPPAPORT. Mr. Speaker, may I be recorded in the affirmative on House bill No. 360, please?

The SPEAKER. The Chair recognizes the gentleman from Fayette, Mr. Lincoln.

Mr. LINCOLN. Mr. Speaker, I would like to be recorded in the affirmative on House bill No. 360, please.

The SPEAKER. The Chair recognizes the gentleman from Erie, Mr. Hayes.

Mr. D. S. HAYES. Mr. Speaker, I would also like to be recorded in the affirmative on House bill No. 360, please.

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

Mr. RENNINGER. Mr. Speaker, I would like to be recorded in the affirmative on House bill No. 360.

With so many men stuck in the elevators, I wonder if we could just run the vote over again and save a lot of paperwork.

Mr. GALLEN. I was going to make that suggestion. Mr. Speaker.

The SPEAKER. Does the gentleman from Berks, Mr. Gallen, desire to be recorded in the affirmative on House bill No. 360?

Mr. GALLEN. I am recorded.

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

Mr. NOVAK. I would like to be recorded in the affirmative on House bill No. 360.

The SPEAKER. The Chair recognizes the gentleman from Erie, Mr. DiCarlo.

Mr. DICARLO. I would like to be recorded in the affirmative on House bill No. 360.

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

Mr. ZELLER. I would like to be recorded in the affirmative on House bill No. 360.

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

Mr. LAUGHLIN. I would like to be recorded in the affirmative on House bill No. 360.

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

Mr. SHELHAMER. I would like to be recorded in the affirmative on House bill No. 360.

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

Mr. FRYER. I wish to be recorded in the affirmative also.

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

Mr. ROMANELLI. I would like to be recorded in the affirmative on House bill No. 360.

The SPEAKER. The gentleman's remarks will be noted on the record.

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

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

The SPEAKER. The gentleman will state it.

Mr. TURNER. Mr. Speaker, had I been in my seat, I would have voted in the affirmative on House bill No. 360, printer's No. 397. I got caught in the elevator.

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

The Chair recognizes the gentleman from Berks, Mr. Stahl. For what purpose does the gentleman rise?

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

The SPEAKER. The gentleman will state it.

Mr. STAHL. May I be recorded in the affirmative on House bill No. 360?

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

Mr. HILL. Mr. Speaker, may I be recorded in the affirmative on House bill No. 360?

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

LOCAL GOVERNMENT BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 366, printer's No. 403**, entitled:

An Act amending the "Second Class County Jury Selection Act," approved December 6, 1972 (P. L. 1376, No. 292), deleting certain salary requirements, providing for a master list, further defining offenses and penalties, clarifying appeal procedure and providing protection for juror's employment.

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?

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

Mr. ITKIN. To discuss the bill.

The SPEAKER. The gentleman may proceed.

Mr. ITKIN. Mr. Speaker, House bill No. 366, printer's No. 403, seems to have a technical error in it. I would like to refer to page 3 of the bill, starting with line 28 of the bill. It says:

Names of persons which have been obtained by the jury commission from the lists mentioned in section 7,—

Now these lists have been bracketed out in the bill and are deleted from the bill.

MOTION TO LAY HOUSE BILL NO. 366 ON TABLE

Mr. ITKIN. Therefore, Mr. Speaker, I do not think we are in position to move this bill at this time and I make a motion to lay it on the table.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I have consulted with the gentleman from Allegheny County. There is a technical question about the bill. I do not agree that it is an error. I do not think the technical question rises to sufficient heights to obstruct passage of the bill and, therefore, I oppose the motion to table.

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

Mr. CAPUTO. I oppose the motion to table for the same reasons as the majority leader.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Messrs. ITKIN and CAPUTO and were as follows:

YEAS—11

Davies	Foster, A.	Salvatore	Valicenti
Dorr	Halverson	Spencer	Zeller
Eckensberger	Itkin	Taddonio	

NAYS—163

Abraham	Geesey	McCall	Saloom
Anderson, J. H.	Geister	McClatchy	Scheaffer
Arthurs	George	McCue	Schmitt
Barber	Giammarco	McLane	Schweder
Bellomini	Gillette	Mebus	Scirica
Bennett	Gleason	Menhorn	Seltzer
Beren	Gleeson	Milanovich	Shelhamer
Berlin	Green	Miller, M. E.	Shuman
Berson	Greenfield	Miller, M. E., Jr.	Shupnik
Bittle	Grieco	Milliron	Sirianni
Blackwell	Gring	Miscevich	Smith, E.
Bradley	Hamilton, J. H.	Morris	Smith, L.
Brandt	Hammock	Mrkonjic	Stapleton
Brunner	Hasay	Mullen, M. P.	Stout
Burns	Haskell	Mullen	Sweeney
Butera	Hayes, S. E.	Musto	Thomas
Caputo	Hayes, D. S.	Novak	Toll
Cessar	Hepford	Noye	Trello
Cimini	Hill	O'Connell	Ustynoski
Cole	Hopkins	O'Donnell	Vann
Cowell	Hutchinson, A.	O'Keefe	Vroon
Crawford	Hutchinson, W.	Pancoast	Wagner
Cumberland	Irvis	Parker, H. S.	Wansacz
Davis, D. M.	Katz	Perry	Wargo
DeMedio	Kelly, A. P.	Petrarca	Weidner
Deverter	Kelly, J. B.	Pievsky	Westerberg
Dicarlo	Kernick	Pitts	Whelan
Diminni	Klingaman	Polite	Whittlesey
Dietz	Knepper	Pratt	Wilson
Dombrowski	Kowalshyn	Prendergast	Wilt, W. W.
Doyle	Kusse	Pyles	Wojdak
Dreibelbis	LaMarca	Rappaport	Worriow
Englehart	Laudadio	Reed	Wright
Fawcett	Laughlin	Renninger	Yahner
Fee	Lederer	Renwick	Yohn
Fischer	Lehr	Richardson	Zearfoss
Fisher	Levi		Zord

Flaherty	Lincoln	Ritter	Zwikel
Foster, W.	Lynch	Romanelli	
Fryer	Manderino	Ruggiero	Fineman,
Gallen	Manmiller	Ryan	Speaker
Garzia			

NOT VOTING—29

Bonetto	Kolter	O'Brien	Stahl
Cohen	Letterman	Oliver	Sullivan
DiDonato	McGinnis	Rhodes	Taylor
Gallagher	McGraw	Rieger	Tayoun
Gillespie	McIntyre	Ross	Turner
Goodman	Mochlmann	Shane	Walsh, T. P.
Johnson, J.	Myers	Shelton	Wilt, R. W.
Kistler			

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

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

Mr. ITKIN. Mr. Speaker, obviously I am not going to be able to stop this bill from passing, but I would just like to point out that this is how good legislation ends up to be poor in the courts and it comes back to us again in future sessions to be corrected. Thank you.

On the question recurring,
Shall the bill pass finally?

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

YEAS—174

Abraham	Geesey	McCall	Scheaffer
Anderson, J. H.	Geisler	McClatchy	Schweder
Arthurs	George	McCue	Scirica
Barber	Giammarco	McLane	Seltzer
Bellomini	Gillespie	Mebus	Shane
Bennett	Gillette	Menhorn	Shelhamer
Beren	Gleason	Milanovich	Shuman
Berlin	Gleeson	Miller, M. E.	Shupnik
Berson	Green	Miller, M. E., Jr.	Sirianni
Bittle	Greenfield	Milliron	Smith, E.
Blackwell	Grieco	Miscevich	Smith, L.
Bradley	Gring	Moehlmann	Spencer
Brandt	Hamilton, J. H.	Morris	Stahl
Brunner	Hammock	Mrkonic	Stapleton
Burns	Hasay	Mullen, M. P.	Stout
Butera	Haskell	Musto	Sweeney
Caputo	Hayes, D. S.	Novak	Taddonio
Cessar	Hayes, S. E.	Noye	Thomas
Cimini	Hepford	O'Connell	Toll
Cole	Hill	O'Donnell	Trello
Cowell	Hopkins	O'Keefe	Turner
Crawford	Hutchinson, W.	Pancoast	Ustynoski
Cumberland	Irviss	Parker, H. S.	Vroon
Davis, D. M.	Itkin	Perri	Wagner
DeMedio	Katz	Perry	Wansacz
Deverter	Kelly, A. P.	Petrarca	Wargo
Dicarlo	Kelly, J. B.	Plevsky	Weidner
Dietz	Kernick	Pitts	Westerberg
Dininni	Kistler	Polite	Whelan
Dombrowski	Klingaman	Pratt	Whittlesey
Dorr	Knepper	Prendergast	Wilson
Doyle	Kowalshyn	Pyles	Wilt, R. W.
Dreibelbis	Kusse	Rappaport	Wilt, W. W.
Englehart	LaMarca	Reed	Wojdak
Fawcett	Laudadio	Renninger	Worrilow
Fee	Laughlin	Renwick	Wright
Fischer	Lederer	Richardson	Yahner
Fisher	Lehr	Ritter	Yohn
Flaherty	Letterman	Romanelli	Zearfoss
Foster, A.	Levi	Ross	Zeller
Foster, W.	Lincoln	Ruggiero	Zord
Fryer	Lynch	Saloom	Zwikel
Gallen	Manderino	Salvatore	
Garzia	Manmiller	Schmitt	Fineman,
			Speaker

NAYS—5

Davies	Goodman	Halverson	Hutchinson, A.
Eckensberger			

NOT VOTING—24

Bonetto	McGinnis	Oliver	Taylor
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Cohen	McGraw	Rhodes	Tayoun
DiDonato	McIntyre	Rieger	Valicenti
Gallagher	Mullen	Ryan	Vann
Johnson, J.	Myers	Shelton	Walsh, T. P.
Kolter	O'Brien	Sullivan	Wojdak

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.

Agreeable to order,

The House proceeded to third consideration of House bill No. 631, printer's No. 709, entitled:

An Act amending the "Home Rule Charter and Optional Plans Law," approved April 13, 1972 (P. L. 184, No. 62), changing provisions relating to terms of office.

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—182

Abraham	Garzia	Manderino	Scheaffer
Anderson, J. H.	Geesey	Manmiller	Schmitt
Arthurs	Geisler	McCall	Schweder
Barber	George	McClatchy	Scirica
Bellomini	Giammarco	McCue	Seltzer
Bennett	Gillespie	McLane	Shane
Beren	Gillette	Mebus	Shelhamer
Berlin	Gleason	Menhorn	Shuman
Berson	Gleeson	Milanovich	Shupnik
Bittle	Goodman	Miller, M. E.	Sirianni
Blackwell	Green	Miller, M. E., Jr.	Smith, E.
Bradley	Greenfield	Milliron	Smith, L.
Brandt	Grieco	Miscevich	Spencer
Brunner	Gring	Moehlmann	Stahl
Burns	Halverson	Morris	Stapleton
Butera	Hamilton, J. H.	Mrkonic	Stout
Caputo	Hammock	Mullen, M. P.	Sweeney
Cessar	Hasay	Musto	Taddonio
Cimini	Haskell	Novak	Thomas
Cole	Hayes, D. S.	Noye	Toll
Cowell	Hayes, S. E.	O'Connell	Trello
Crawford	Hepford	O'Donnell	Turner
Cumberland	Hill	O'Keefe	Ustynoski
Davis	Hopkins	Pancoast	Vroon
Davis, D. M.	Hutchinson, A.	Parker, H. S.	Wagner
DeMedio	Hutchinson, W.	Perri	Wansacz
Deverter	Irviss	Perry	Wargo
Dicarlo	Itkin	Petrarca	Weidner
Dietz	Katz	Plevsky	Westerberg
Dininni	Kelly, A. P.	Pitts	Whelan
Dombrowski	Kelly, J. B.	Polite	Whittlesey
Dorr	Kernick	Pratt	Wilson
Doyle	Kistler	Prendergast	Wilt, R. W.
Dreibelbis	Klingaman	Pyles	Wilt, W. W.
Eckensberger	Knepper	Rappaport	Wojdak
Englehart	Kowalshyn	Reed	Worrilow
Fawcett	Kusse	Renninger	Wright
Fee	LaMarca	Renwick	Yahner
Fischer	Laudadio	Rhodes	Yohn
Fisher	Laughlin	Richardson	Zearfoss
Flaherty	Lederer	Ritter	Zeller
Foster, A.	Lehr	Romanelli	Zord
Foster, W.	Letterman	Ruggiero	Zwikel
Fryer	Levi	Ryan	
Gallagher	Lincoln	Saloom	Fineman,
Gallen	Lynch	Salvatore	Speaker

NAYS—0

NOT VOTING—21

Bonetto	McGraw	Oliver	Taylor
Cohen	McIntyre	Rieger	Tayoun
DiDonato	Mullen	Ross	Valicenti
Johnson, J.	Myers	Shelton	Vann
Kolter	O'Brien	Sullivan	Walsh, T. P.
McGinnis			

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.

HIGHWAY BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 560, printer's No. 956, entitled:**

An Act amending the "Rural State Highway Law," approved June 22, 1931 (P. L. 594, No. 203), by changing and deleting certain routes in Union County.

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

- | | | | |
|-----------------|-----------------|--------------------|-------------|
| Abraham | Garzia | Lynch | Saloom |
| Anderson, J. H. | Geesey | Manderino | Salvatore |
| Arthurs | Geisler | Manmiller | Scheaffer |
| Barber | George | McCall | Schmitt |
| Bellomini | Giammarco | McClatchy | Schweder |
| Bennett | Gillespie | McCue | Scirica |
| Beren | Gillette | McLane | Seltzer |
| Berlin | Gleason | Mebus | Shane |
| Berson | Gleeson | Menhorn | Shelhamer |
| Bittle | Goodman | Milanovich | Shuman |
| Blackwell | Green | Miller, M. E. | Shupnik |
| Bradley | Greenfield | Miller, M. E., Jr. | Sirianni |
| Brandt | Grieco | Milliron | Smith, E. |
| Brunner | Gring | Miscevich | Smith, L. |
| Burns | Halverson | Moehlmann | Spencer |
| Butera | Hamilton, J. H. | Morris | Stahl |
| Caputo | Hammock | Mrkonic | Stapleton |
| Cessar | Hasay | Mullen, M. P. | Stout |
| Cimini | Haskell | Mullen | Taddonio |
| Cole | Hayes, D. S. | Musto | Thomas |
| Cowell | Hayes, S. E. | Novak | Toll |
| Crawford | Hepford | Noye | Trello |
| Cumberland | Hill | O'Connell | Turner |
| Davies | Hopkins | O'Donnell | Ustynoski |
| Davis, D. M. | Hutchinson, A. | O'Keefe | Vroon |
| DeMedio | Hutchinson, W. | Pancoast | Wagner |
| Deverter | Irvis | Parker, H. S. | Wansacz |
| Dicarlo | Itkin | Perri | Wargo |
| Dietz | Katz | Perry | Weidner |
| Dininni | Kelly, A. P. | Petrarca | Westenberg |
| Dombrowski | Kelly, J. B. | Pievsky | Whelan |
| Dorr | Kernick | Pitts | Whittlesey |
| Doyle | Kistler | Polite | Wilt, R. W. |
| Dreibelbs | Klingaman | Pratt | Wilt, W. W. |
| Eckensberger | Knepper | Prendergast | Wojdak |
| Englehart | Kolter | Pyles | Worrilow |
| Fawcett | Kowalyshyn | Rappaport | Wright |
| Fee | Kusse | Reed | Yahner |
| Fischer | LaMarca | Renninger | Yohn |
| Fisher | Laudadio | Renwick | Zearfoss |
| Flaherty | Laughlin | Rhodes | Zeller |
| Foster, A. | Lederer | Richardson | Zord |
| Foster, W. | Lehr | Ritter | |
| Fryer | Letterman | Romanelli | Fineman, |
| Gallagher | Levi | Ruggiero | Speaker |
| Gallen | Lincoln | Ryan | |

NAYS—0

NOT VOTING—22

- | | | | |
|-------------|----------|----------|--------------|
| Bonetto | McIntyre | Shelton | Vallcenti |
| Cohen | Myers | Sullivan | Vann |
| DiDonato | O'Brien | Sweeney | Walsh, T. P. |
| Johnson, J. | Oliver | Taylor | Wilson |
| McGinnis | Rieger | Fayoun | Zwikel |
| McGraw | Ross | | |

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.

CONSUMER PROTECTION BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 563, printer's No. 622, entitled:**

An Act amending the "Motor Vehicle Sales Finance Act," approved June 28, 1947 (P. L. 1110, No. 476), providing for an exemption from finance charges for FHA or VA insured sales on credit or loans.

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?

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

Mr. ECKENSBERGER. I wonder if the sponsor of this bill would advise us as to what the bill does.

The SPEAKER. The Chair recognizes the gentleman from Mercer, Mr. Bennett.

Mr. BENNETT. Mr. Speaker, House bill No. 563 is a bill that is designed to remove mobile homes from the Motor Vehicle Sales Finance Act. The reason for removing mobile homes from the Motor Vehicle Sales Finance Act is to provide for more areas of financing for those mobile homes.

I know that every member of this House is aware that the housing industry is at a low ebb and I further believe that every member of this House would want to do everything possible to allow persons who want homes to purchase them.

Now the way that this would be done is, if this bill becomes law, a person purchasing a mobile home will have the opportunity to not only go the route of the Motor Vehicle Sales Finance Act, but also the route of financing under VA and FHA financing. We feel that it is a good bill to that end.

We had a great deal of discussion in the Business and Commerce Committee. We invited gentlemen from the lending institutions, from the mobile home industry, from the Department of Revenue to testify in committee on the merits of the bill. Everyone at that meeting tended to believe that it is good legislation.

Does that answer the gentleman's question?

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

Mr. ECKENSBERGER. I wonder if the gentleman will consent to a brief interrogation?

The SPEAKER. Will the gentleman, Mr. Bennett, consent to a brief interrogation?

Mr. BENNETT. I will, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. ECKENSBERGER. Mr. Speaker, as I read the bill, it says that the maximum finance charge, as is presently indicated in the Motor Vehicle Sales Finance Act, would not apply to any sale on credit or loan insured or guaran-

teed in whole or in part by the Federal Housing Administration, the VA, or any other United States agency.

You are saying that the purpose behind our doing this is so that more mortgage money would be available to people who want to purchase mobile homes. Is that correct?

Mr. BENNETT. That is true, Mr. Speaker.

Mr. ECKENSBERGER. Do I understand that the maximum finance charge presently levied by the Motor Vehicle Sales Finance Act is 6 percent add-on, or approximately 11.5 percent?

Mr. BENNETT. That is true, Mr. Speaker.

Mr. ECKENSBERGER. Do I understand also that the interest rate charged through and by these Federal agencies is less than 11.5 percent?

Mr. BENNETT. That is true, Mr. Speaker.

And if I might elaborate on that, the members of this House will recall that in the last session we changed the mortgage finance act to today's law that essentially says it would be a floating interest based on the Federal bonds.

Members of the House will further recall that it was just, I believe, a week or 10 days ago that the Secretary of Banking and Mr. Bunting from that office of the Secretary of Banking advised us that the interest rate had been reduced from 9.25 to 9 percent, which is what it is today.

Mr. ECKENSBERGER. Now, Mr. Speaker, if you can presently obtain a loan at an interest rate which is less than the maximum rate, why do we need this bill?

Mr. BENNETT. The banks have been reluctant to give loans on mobile homes under the sales finance act as it is described as a motor vehicle.

Mr. ECKENSBERGER. Are you saying that the banks are reluctant to give loans at interest rates less than the maximum called for under the Motor Vehicle Sales Finance Act?

Mr. BENNETT. I would say that the banks in every case, whether it be a motor vehicle or whatever, are reluctant to give loans at less than the maximum interest they are allowed to charge.

Mr. ECKENSBERGER. Well, how will this bill affect that?

Mr. BENNETT. As I explained to the gentleman, Mr. Speaker, mobile homes, under the present law today, are regarded as a motor vehicle. You may not purchase a motor home in any other way than under the Motor Vehicle Sales Finance Act. That Motor Vehicle Sales Finance Act states, under present law, that it is a 6-percent interest add-on which is, as you said, Mr. Speaker, 11.5 percent.

It is the feeling of myself and the cosponsors of this legislation that we are, in effect and as a matter of fact, allowing more financing at a lower rate of interest.

Mr. ECKENSBERGER. I thank the gentleman, Mr. Speaker.

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

Mr. W. D. HUTCHINSON. Mr. Speaker, I listened very carefully to the interrogation and I have concern with this bill.

Will the gentleman submit to some further interrogation?

The SPEAKER. Will the gentleman from Mercer, Mr. Bennett, consent to interrogation?

Mr. BENNETT. I shall, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. W. D. HUTCHINSON. Is the gentleman saying that under current law a mobile home cannot, under any circumstances, be financed by a mortgage, either VA or FHA or conventional?

Mr. BENNETT. That is our understanding, Mr. Speaker.

Mr. W. D. HUTCHINSON. That the exclusive means of financing it is legally—I am not talking about economics now; I am talking legally—under the Motor Vehicle Sales Finance Act?

Mr. BENNETT. Sidebar.

Mr. W. D. HUTCHINSON. I beg your pardon.

Mr. BENNETT. A sidebar consultation here, if you will.

Mr. W. D. HUTCHINSON. Sure.

Mr. BENNETT. Mr. Speaker, I will yield to my esteemed colleague, the legal eagle of the Business and Commerce Committee, the gentleman from Philadelphia, Mr. Rappaport, if Mr. Hutchinson does not object.

Mr. W. D. HUTCHINSON. Fine.

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

Mr. RAPPAPORT. Thank you, Mr. Speaker, and I thank my friend from Mercer for those kind words.

The problem, Mr. Speaker, is that of a certificate of title. Bank counsel tend to be even more careful than township solicitors, if that is possible, in not sticking anybody's neck out.

The traditional form of security in a mobile home sale has been that certificate of title. We have run into the correlative problem in the local real estate assessment taxes of when does this mobile home become a house for the local real estate assessment purposes, and we had to pass a special provision for that.

The FHA and the VA can only finance houses, homes, things which are a part of real estate, and they say we must follow state law. What we are doing here is saying to FHA, VA, we are going to pass a bill to take care of everybody's solicitor who will not stick his neck out, and we are saying that it can be treated as real estate for the purposes of a mortgage and not get involved in this problem of certificate of title. People do not want to give up the certificate of title, because when they sell the house, the person who purchases it wants to get a bank loan and he cannot get it if he does not have the certificate of title, or if they want to move it, they are giving up that license plate. It is a real chicken-and-egg-type legal problem.

Mr. W. D. HUTCHINSON. Sir, may I ask another question? If this bill becomes law, will certificates of title no longer be available for mobile homes?

Mr. RAPPAPORT. Certificates of title will be available. We will just make it irrelevant for the financing end of it.

Mr. W. D. HUTCHINSON. Will it still not be possible, if this becomes law, to have a situation in which a lending officer at a bank or other institution will refuse to finance unless a certificate of title is produced? Will that be possible, Mr. Speaker?

Mr. RAPPAPORT. What we are saying is—and I have to admit this is like Alice in Wonderland—that a mobile home is what we say it is; no more, no less. If some people want certificates of titles for their own reasons, good luck to them, but we are not going to allow them, having a certificate of title or not having a certificate of title, to have anything to do with VA and FHA mortgages. We are just making it irrelevant whether they

have it or they do not have it. If they want to keep it, good luck to them. If they want to give it up, that is okay, too.

The SPEAKER. The Chair recognizes the gentleman from Mercer, Mr. Bennett.

Mr. BENNETT. Mr. Speaker, if the gentleman, Mr. Rappaport, will yield to me for a moment, perhaps I can shed some further light on Mr. Hutchinson's inquiry.

This point was addressed to in committee. It is the understanding of the sponsors of this particular legislation that the lending institutions, in lieu of a certificate of title, would secure a chattel mortgage on the mobile home if it were financed through the VA-FHA route.

Mr. W. D. HUTCHINSON. Thank you, Mr. Speaker.

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

Mr. W. D. HUTCHINSON. I still remain somewhat confused when I hear of chattel mortgages and FHA and VA loans. It has been my impression that the question of whether or not a mobile home is to be financed as real estate or to be financed as a vehicle depends upon whether or not it has become affixed to the realty.

If this problem runs through, it seems to me, not only FHA and VA but also conventional mortgages, as Mr. Rappaport indicated, and what is really needed here, it seems to me, is some means of converting it into real estate finally and definitively so that you do not have the problem with the title, some means so that the title perhaps can be canceled on the records of the Bureau of Motor Vehicles if it is to be a part of the real estate. That would remove all the problems which you talked about. I do not think this bill will solve them, Mr. Speaker.

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

Mr. RAPPAPORT. Mr. Speaker, Mr. Hutchinson is at a loss theoretically, as I was before the bill was explained to me, and he raises very real theoretical problems which this bill attempts to solve.

Some people want to keep their certificates of title for very real, legitimate reasons, and, because under present Pennsylvania law, that keeps that hunk of iron or aluminum or whatever it is a motor vehicle and the FHA and VA cannot give a mortgage on it and cannot guarantee a mortgage on it. This legislation says even though you have a certificate of title, for the purpose of getting a VA mortgage or an FHA mortgage, it is real estate—even though you have a certificate of title. That is what we are doing, we are solving, I think, Mr. Hutchinson's very real philosophical problem. At least that is what I am informed.

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

Mr. W. D. HUTCHINSON. Thank you, Mr. Speaker.

My problem is not philosophical; it is practical in understanding what this bill does. May I address one more question to the gentleman, Mr. Rappaport?

The SPEAKER. Will the gentleman from Philadelphia, Mr. Rappaport, consent to interrogation?

Mr. RAPPAPORT. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. W. D. HUTCHINSON. Mr. Speaker, if this bill becomes law, would a person desiring to finance a mobile

home have the option of financing it, a, under the Motor Vehicle Sales Finance Act, b, under VA or FHA, or, c, under conventional mortgaging?

Mr. RAPPAPORT. Mr. Speaker, I am informed and believe that as long as the owner has kept that certificate of title, which this legislation permits him to do, he could go any one of the three ways outlined by the gentleman.

Mr. W. D. HUTCHINSON. Thank you very much, Mr. Speaker.

I was concerned that we might be restricting the available means of financing in an industry which is important in my county and also in an area in which we do need all possible means of financing today.

Thank you.

Mr. RAPPAPORT. I might say, Mr. Speaker, as outlined by the chairman of the committee, this is a bill that was requested by the mobile home industry, and they feel it is going to solve their problems, and we on the committee were satisfied that it would.

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

Mr. KOWALYSHYN. Mr. Speaker, may I add something to what Mr. Rappaport stated in answer to Mr. Hutchinson?

As far as treating this sale as real estate, I understand that the requirements of real estate will have to be satisfied so far as a VA or a Federal Housing Administration mortgage loan is concerned, which means that the mortgagor will have to be the owner of the land on which the mobile home is stationed. So it is not a philosophical matter; it is a practical matter. The mortgagor is actually the owner of the real estate on which the mobile home will stand and that way will qualify for a federal mortgage loan.

So the overall effect is to have a very limited scope for the operation of this bill, but it is desired by the mobile home industry.

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

Mr. GRIECO. Mr. Speaker, I rise to try to explain this bill to my members.

Number one, it will help the senior citizens and the young married couples to purchase a home at a lower down-payment and many more years to pay off their mortgage. Under today's present market, they feel as though with this high inflation that the down-payments are too high to meet. I rise to ask my members to vote for the bill.

Thank you.

On the question recurring,
Shall the bill pass finally?

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

YEAS—180

Abraham	George	McCue	Schweder
Anderson, J. H.	Giammarco	McLane	Scirica
Arthurs	Gillespie	Mebus	Seltzer
Barber	Gillette	Menhorn	Shane
Bellomini	Gleason	Milanovich	Shelhamer
Bennett	Gleeson	Miller, M. E.	Shuman
Beren	Goodman	Miller, M. E., Jr.	Shupnik
Berlin	Green	Milliron	Sirianni
Berson	Greenfield	Miscevich	Smith, E.
Bittle	Grieco	Moehlmann	Smith, L.
Blackwell	Gring	Morris	Spencer

Bradley	Halverson	Mrkonic	Stahl
Brandt	Hamilton, J. H.	Mullen, M. P.	Stapleton
Brunner	Hammock	Mullen	Stout
Burns	Hasay	Musto	Sweeney
Butera	Haskell	Novak	Taddonio
Caputo	Hayes, D. S.	Noye	Thomas
Cessar	Hepford	O'Connell	Toll
Cimini	Hill	O'Donnell	Trello
Cole	Hopkins	O'Keefe	Turner
Cowell	Hutchinson, A.	Oliver	Ustynoski
Crawford	Hutchinson, W.	Pancoast	Valicenti
Cumberland	Irvis	Parker, H. S.	Vann
Davies	Itkin	Perri	Vroom
Davis, D. M.	Johnson, J.	Perry	Wagner
DeMedio	Katz	Petrarca	Wansacz
Deverter	Kelly, A. P.	Pievsky	Wargo
Dicarlo	Kelly, J. B.	Pitts	Weidner
Diminni	Kernick	Polite	Westerberg
Dombrowski	Kistler	Pratt	Whelan
Dorr	Klingaman	Prendergast	Whittlesey
Doyle	Knepper	Pyles	Wilson
Dreibelbis	Kowalshyn	Rappaport	Wilt, R. W.
Englehart	LaMarca	Reed	Wilt, W. W.
Fawcett	Laudadio	Renninger	Wojdak
Fee	Laughlin	Renwick	Worrlow
Fischer	Lederer	Rhodes	Wright
Fisher	Lehr	Richardson	Yahner
Flaherty	Letterman	Ritter	Yohn
Foster, A.	Levi	Romanelli	Zearfoss
Foster, W.	Lincoln	Ross	Zord
Gallagher	Lynch	Ruggiero	Zwick
Gallen	Manderino	Kyan	
Garzia	Manmiller	Salvatore	
Geesey	McCall	Scheaffer	
Geisler	McClatchy		

NAYS—8

Dietz	Fryer	Kusse	Schmitt
Eckensberger	Hayes, S. E.	Saloom	Zeller

NOT VOTING—15

Bonetto	McGinnis	O'Brien	Taylor
Cohen	McGraw	Rieger	Tayoun
DiDonato	McIntyre	Shelton	Walsh, T. P.
Kolter	Myers	Sullivan	

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.

**CONSERVATION BILL
ON THIRD CONSIDERATION**

Agreeable to order.

The House proceeded to third consideration of **House bill No. 594, printer's No. 799**, entitled:

An Act amending the "Pennsylvania Solid Waste Management Act," approved July 31, 1968 (P. L. 788, No. 241), providing for alternative plans for solid waste disposal.

On the question,

Will the House agree to the bill on third consideration?

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

Amend Sec. 2 (Sec. 6), page 2, line 14, by striking out "alternative"

Amend Sec. 2 (Sec. 6), page 2, line 17, by striking out "alternative"

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, this is a short amendment which we passed yesterday and I withdrew for purposes of finalizing the whole thing today. It was agreed to by both sides.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I concur with the statement made by Mr. Thomas. As you recall, yesterday there were several amendments to be offered. I am told by Mr. Laudadio and Mr. Thomas that all parties have agreed on the language of these amendments. Therefore, I would urge the adoption.

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

Mr. DORR. Mr. Speaker, I just have a couple of questions to clarify the language that was put into the amendment, if I may, of Mr. Thomas.

Mr. THOMAS. Mr. Speaker, you are on the wrong amendment. This is the short amendment which only removes the word "alternative."

On the question recurring,

Will the House agree to the amendments?

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

YEAS—184

Abraham	Geesey	Manmiller	Schmitt
Anderson, J. H.	Geisler	McCall	Schweder
Arthurs	George	McClatchy	Scirica
Barber	Giammarco	McCue	Seltzer
Bellomini	Gillespie	McLane	Shane
Bennett	Gillette	Mebus	Shelhamer
Beren	Gleason	Menhorn	Shuman
Berlin	Gleeson	Milanovich	Shupnik
Berson	Goodman	Miller, M. E.	Sirianni
Bittle	Green	Milliron	Smith, E.
Blackwell	Greenfield	Miscevich	Smith, L.
Bradley	Grieco	Morris	Spencer
Brandt	Gring	Mrkonic	Stahl
Brunner	Halverson	Mullen	Stapleton
Burns	Hamilton, J. H.	Mullen, M. P.	Stout
Butera	Hammock	Musto	Sweeney
Caputo	Hasay	Novak	Taddonio
Cessar	Haskell	Noye	Thomas
Cimini	Hayes, D. S.	O'Connell	Toll
Cole	Hayes, S. E.	O'Donnell	Trello
Cowell	Hepford	O'Keefe	Turner
Crawford	Hill	Oliver	Ustynoski
Cumberland	Hopkins	Pancoast	Vann
Davies	Hutchinson, A.	Parker, H. S.	Vroom
Davis, D. M.	Hutchinson, W.	Perri	Wagner
DeMedio	Irvis	Perry	Wansacz
Deverter	Itkin	Petrarca	Wargo
Dicarlo	Johnson, J.	Pievsky	Weidner
Dietz	Katz	Pitts	Westerberg
Diminni	Kelly, A. P.	Polite	Whelan
Dombrowski	Kelly, J. B.	Pratt	Whittlesey
Dorr	Kernick	Prendergast	Wilson
Doyle	Kistler	Pyles	Wilt, R. W.
Dreibelbis	Klingaman	Reed	Wilt, W. W.
Eckensberger	Knepper	Renninger	Wojdak
Englehart	Kowalshyn	Renwick	Worrlow
Fawcett	Kusse	Rhodes	Wright
Fee	LaMarca	Richardson	Yahner
Fischer	Laudadio	Ritter	Yohn
Fisher	Laughlin	Romanelli	Zearfoss
Flaherty	Lederer	Ross	Zeller
Foster, A.	Lehr	Ruggiero	Zord
Foster, W.	Letterman	Ryan	Zwick
Gallagher	Levi	Saloom	
Gallen	Lincoln	Salvatore	Fineman,
Garzia	Lynch	Scheaffer	Speaker
	Manderino		

NAYS—0

NOT VOTING—19

Bonetto	McGraw	O'Brien	Taylor
Cohen	McIntyre	Rappaport	Tayoun
DiDonato	Miller, M. E., Jr.	Rieger	Valicenti
Kolter	Moehlmann	Shelton	Walsh, T. P.
McGinnis	Myers	Sullivan	

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

On the question,

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

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

Amend Title, page 1, line 13, by removing the period after "disposal" and inserting: and granting certain powers to municipalities.

Amend Bill, page 2, by inserting after line 17: Section 3. The act is amended by adding a section to read:

Section 7.2. Additional Requirements for Landfill Operations.—The elected officials of any municipality where a sanitary landfill operation is proposed to be situated or in which an operating landfill wishes to expand its operation may prohibit the establishment or expansion of the sanitary landfill and shall, at the request of fifteen percent of the electors of said municipality, place said question on the ballot for a referendum of the people concerning the operation of a sanitary landfill within the municipality. The referendum shall be conducted under the provisions of the Pennsylvania Election Code relating to constitutional amendments. The elected officials shall be bound by the results of the referendum. Proposed means before the landfill is constructed.

Section 4. This act shall take effect immediately and section 7.2 shall apply to all landfill sites not under construction on the effective date hereof.

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 again, Mr. Speaker.

Mr. Speaker, this is a rerun of the controversial amendment which we worked on yesterday. All of those who had controversy with it had a share in addressing the amendment. You have copies of it on your desks and, in order not to prolong the debate, unless you have questions on it I will not go through it all again. If somebody asks questions, I will be only too glad to answer them, if I can.

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

Mr. DORR. Thank you, Mr. Speaker. May I interrogate Mr. Thomas?

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

Mr. THOMAS. Yes.

Mr. DORR. Now, Mr. Speaker. I do have questions, if I may. The last sentence of the amendment indicates the proposed means before the landfill is constructed. I would just like to pose a hypothetical to you and ask you your interpretation of the situation.

Suppose there is a solid waste authority established which has purchased a large tract of land, let us say for convenience sake, of a hundred acres on which it intends for the next 100 years to accommodate solid waste at a given municipality. Suppose further that that is located in some other municipality than the one which is to be served. That municipality authority would be using only, maybe say, one acre at a time or two acres at a time in developing that for actual use as a landfill authority, and let us say now that they have used five acres of it and they are using now the sixth and seventh acres of it as a landfill. Now if this bill, together with the amendment which you propose, goes into effect, in order to use the remaining 93 to 94 acres of the landfill, will it be necessary that there be no opposition from the township? In

other words, if the township where the landfill is located decided that they did not want it there and went through the procedure to ban the landfill, would the authority then have the opportunity to go ahead or would they be prevented under your bill?

Mr. THOMAS. The bill speaks to proposals or to expansion operations. Now if you are talking about an expansion operation, then they would have to comply with the terms of this amendment.

Mr. DORR. I understand that. But my question is: Is the situation that I indicated to you and explained to you, in your estimation, an expansion?

Mr. THOMAS. If it is in more than one phase for completion of a particular landfill operation, requiring an additional permit, it would be an expansion program. If it requires no additional permit, it is an existing, ongoing program and will not be affected in any way.

Mr. DORR. So you are indicating to me that your definition of "expansion" would depend on whether another permit is requested?

Mr. THOMAS. That is correct.

Mr. DORR. Thank you.

On the question recurring,

Will the House agree to the amendments?

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

YEAS—183

Abraham	Geesey	Manmiller	Scheaffer
Anderson, J. H.	Geisler	McCall	Schmitt
Arthurs	George	McClatchy	Schweder
Barber	Giammarco	McCue	Scirica
Bellomini	Gillespie	McLane	Seltzer
Bennett	Gillette	Mebus	Shane
Beren	Gleason	Menhorn	Shelhamer
Berlin	Gleeson	Milanovich	Shuman
Berson	Goodman	Miller, M. E.	Shupnik
Bittle	Green	Miller, M. E., Jr.	Smith, E.
Blackwell	Greenfield	Milliron	Smith, L.
Bradley	Grice	Miscevich	Stahl
Brandt	Gring	Moehlmann	Stapleton
Brunner	Halverson	Morris	Stout
Burns	Hamilton, J. H.	Mrkonje	Sweeney
Butera	Hammock	Mullen, M. P.	Taddonio
Caputo	Hasay	Mullen	Thomas
Cessar	Haskell	Musto	Toll
Cimini	Hayes, D. S.	Novak	Trello
Zole	Hayes, S.E.	Nove	Turner
Cowell	Hill	O'Connell	Ustynoski
Crawford	Hopkins	O'Donnell	Valicenti
Cumberland	Hutchinson, A.	O'Keefe	Vann
Davies	Hutchinson, W.	Oliver	Vroon
Davis, D. M.	Irvis	Pancoast	Wagner
DeMedio	Itkin	Parker, H. S.	Wansacz
Deverter	Johnson, J.	Perri	Wargo
Dicarlo	Katz	Petrarca	Weidner
Dietz	Kelly, A. P.	Plevsky	Westerberg
Dininni	Kelly, J. B.	Pitts	Whelan
Dombrowski	Kernick	Polite	Whittlesey
Dorr	Kistler	Pratt	Wilson
Doyle	Klingaman	Prendergast	Wilt, R. W.
Dreibelbis	Knepper	Pyles	Wilt, W. W.
Eckensberger	Kowalyshyn	Reed	Wojdak
Englehart	Kusse	Renninger	Worrlow
Fawcett	LaMarca	Renwick	Wright
Fee	Laudadio	Rhodes	Yahner
Fischer	Laughlin	Richardson	Yohn
Fisher	Lederer	Ritter	Zearfoss
Flaherty	Lehr	Romanelli	Zeller
Foster, A.	Letterman	Ross	Zord
Foster, W.	Levi	Ruggiero	Zwick
Fryer	Lincoln	Ryan	
Gallagher	Lynch	Saloom	Fineman,
Gallen	Manderino	Salvatore	Speaker
Garzia			

NAYS—0

NOT VOTING—20

Bonetto	McGinnis	Perry	Spencer
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Cohen
DiDonato
Hepford
Kolter

McGraw
McIntyre
Myers
O'Brien

Rappaport
Rieger
Shelton
Sirrianni

Sullivan
Taylor
Tayoun
Walsh, T. P.

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

The SPEAKER. The bill and amendments will be passed over temporarily.

GENERAL ASSEMBLY-RELATED BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 8, printer's No. 8**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania changing the number of members required to constitute the vote by which bills shall pass the General Assembly.

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?

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

Mr. SHELHAMER. Mr. Speaker, House bill No. 8 is a constitutional amendment, as I understand it, that would seek to authorize this legislature to pass legislation with less than a constitutional majority. I would like to speak against that concept for a few seconds, if I might.

This House, just a few weeks ago, debated substantially the rules—

The SPEAKER. Will the gentleman suspend?

This is a rather important measure for the members of this House to make a decision upon. I think it behooves every member to listen carefully to the debate on both sides of the issue.

The gentleman may proceed.

Mr. SHELHAMER. Thank you, Mr. Speaker. A few weeks ago this House involved itself in a debate as to how many members it should take to discharge a bill from a committee to the floor of the House, or as in this case, to the Rules Committee. This House decided overwhelmingly, after being led in that debate and discussion by our majority whip, that we should, in fact, set an arbitrary figure of 10 people at least; not a majority of the quorum present, but a minimum, or a constitutional minimum, is what we were establishing, of 12 people to vote a bill out of committee.

Now I happen to agree with that kind of concept because I think there are some safeguards in that kind of a concept. The safeguards are these: Any bill that comes out has had a complete airing by at least some kind of a constitutional majority of people who have looked at it. This House presently has a constitutional majority of 102. I am sure that our forefathers, in drawing that constitutional majority, had in mind that nothing should pass this great Commonwealth of ours, this House, and become law unless the majority of the people from all over Pennsylvania had an opportunity to look at that legislation, dissect it, debate it, thoroughly digest it and, if it met with their approval to then vote "yes" or "no."

House bill No. 8 would change that concept. As I understand it, it would allow a substantial minority of people in this House, perhaps as low as 50, to pass legislation that could, in fact, be enacted into law, and you know how difficult it is to run repealers and get such bills repealed.

It is, in fact, if you will look at the sponsors of this bill, a move to reduce the size of the House and this legislature, because most of those same people who would speak for this kind of a constitutional amendment would also be for reducing the size of the legislature. It is a direct thrust. I consider that those of us who come from upstate areas will stand to lose representation through a loss of members in the House and through the loss of the voting privilege. I think for that reason we should very carefully consider our vote in voting for this measure.

Thank you, Mr. Speaker.

The SPEAKER. The Chair would just desire to make one observation since there has been a reference to the sponsorship of the bill.

The principal sponsor of the bill happens to be the Speaker, and the Speaker's position, contrary to the gentleman's observation on reducing the size of the House, is a position that is not firm or fixed in any one direction. I could live with the size of the House as it is or live with it in a reduced number.

To those people who argue that a smaller body is a more efficient body, I have only in candor to tell you that the action in the General Assembly, in the Pennsylvania General Assembly, has always been in the House where we have had the larger body.

I also know that there is a danger in reducing the size of the body in terms of lobbyists making a much more material and substantial input with a lesser number of legislators to deal with.

On the other hand, I have taken the position that if reducing the size of the body is the price that the public is asking of the General Assembly to restore the respect and admiration and the esteem for the General Assembly by the general electorate, I am willing to pay that price. But again, I repeat to you, I have no firm or fixed position one way or the other, and this bill was not designed in any way to accomplish the purpose of reducing the size of this body.

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

Mr. SHELHAMER. Thank you, Mr. Speaker. In response to that, I meant to cast no aspersions upon the chief sponsor of this legislation. What I meant to point out was that it would have the same effect as reducing the size of the legislature.

There may be those in this House, and there evidently are many, who believe that this House should be of a smaller number, that legislation would pass better with a smaller number. I only invite your attention to another chamber in this Capitol and ask you whether they do any better than we do.

Thank you.

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

Mr. S. E. HAYES. Thank you, Mr. Speaker. I would like to echo the words of Representative Shelhamer in supporting the present constitutional requirement as

found in Article III, sections 4 and 5, and in opposition to House bill No. 8.

I suppose by the end of this afternoon we will have all blunted our swords on each other's armor concerning this matter and there will be many words spoken. But I think that the basic question we have to first ask ourselves is, do we or do we not believe in majority rule?

Now those who are supporting House bill No. 8 will quickly say, but we are; we are saying, the majority of those voting, and is that not the majority? I suggest that it is not. It may be our majority, but it is not the people's majority. If we are willing to accept that lesser definition of majority, it will be much like saying that we are in favor of justice; well, not quite, just a little bit of justice.

We are going to decide this afternoon whether or not we are supportive of the present constitutional standard and safeguard or whether or not we are going to allow ourselves to fall prey to the nonstandard of absenteeism. Presently, it requires 102 votes, as we all know, to have a House or Senate bill pass this chamber. With the nonstandard of the proposed legislation, where you say that a majority of those present will decide on any particular day, I would like to remind you that on one day a bill could fail, having received 95 votes in the affirmative, and on another day it could pass when receiving a lesser number, say 90.

Now I ask you, is that latter system, in fact, a standard? Do we subscribe to constitutional rule which is a standard? Do we, in fact, subscribe to majority rule in the pure sense? If the answer to that is "yes," if the answer is "yes" to each and every one of those questions, then I suggest that we must remain steadfast in our safeguarding the constitutional requirements presently provided our people in Article III.

After all of the debate and after all the illustrations that we give here today, I suggest that there is still but one thing that we can guarantee our people, and that is this, whatever becomes law, be it what we personally as individual Representatives believe to be right or wrong, whatever becomes law, we can at least say to the people whom we have been elected to represent, whatever the law is, it was at least passed by a majority of those persons you elected to represent you. It makes no matter whether we agree with that law or disagree. We can at least say to our people, it is the law of this Commonwealth because a majority of those people elected said it shall be the law. Never ever, under the lesser system, will you be able to say that unless there are present here 203 Representatives and 50 Senators in the other chamber.

After all the words are spilled today, which way do you want to face the people you represent? Do you want to be able to say that the law was passed by a majority of your elected Representatives, or do you want to say, well, it was passed by a majority who showed up on a particular day? It was pretty snowy outside, but at least it was passed by a majority who were able to make it through the snow to Harrisburg.

I would ask you to support Article III in its present form and stand in opposition to House bill No. 8.

Thank you, Mr. Speaker.

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

Mr. SWEENEY. Mr. Speaker, I rise to oppose House

bill No. 8, but I think that in our consideration of House bill No. 8, we should not allow ourselves to be swayed by the passionate arguments for or against the reduction in the size of the legislature. I feel that in considering House bill No. 8, that is an irrelevant argument. If the size of the House should be reduced, then it should be incumbent and, indeed, mandatory on the smaller legislature that a majority of those people be necessary to pass the bill, to make a bill law.

The same reasoning would then demand that we maintain this system and not destroy the constitutional mandate, not change it, make majority rule, and not disenfranchise so many people in this Commonwealth of Pennsylvania who could be disenfranchised by having less than the majority necessary to pass a bill. I oppose House bill No. 8.

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

Mr. RITTER. Mr. Speaker, I rise to support the bill. I think in answer to the gentleman, Mr. Hayes, about whether we would go back home at some future date and tell the people that less than a majority voted for a bill, this is a constitutional amendment which will require the approval of the people. So, therefore, if the people approve this constitutional amendment, they are saying in effect that is what they want. It seems to me that that is what the argument ought to be, and if the people decide in their wisdom that less than a constitutional majority is sufficient, as it is in the Federal Congress, it seems to me that it should be good enough for us.

The argument was raised that this is exactly the same system that is followed in the Federal Government. I do not hear anyone complaining about less than a constitutional majority passing a bill in Congress. I do not think that same argument would raise its head here. I think we ought to accept the bill.

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, I think it was Winston Churchill who said that the democratic form of government was the worst form of government conceived except for any other form of government.

We have our problems when we are democratic and when we let the majority rule, but I think it is a good system. There is not a member of this House—I have not checked, but let us say a substantial number—who would be sitting here right now, elected to the position he is fulfilling, if it took a constitutional majority of those people who are eligible to vote who have not registered, who did not turn out at the polls when it was snowing, to get him here. He would not be here.

We operate with majorities in many instances—majorities of those present, those entitled to vote and present, willing to vote, willing to consider, willing to deliberate.

In the last session of the assembly, 14 bills, getting a majority vote of persons present and voting, persons interested, failed because there was not a constitutional majority. One of those bills that I can recall would have prohibited the Public Utility Commission from putting in retroactive rate increases, which they are prone to do. That bill had 100 votes in favor and 76 against, but it failed. There were 176 persons here deliberating the issue, interested in the issue and voting on the issue. It is

my opinion that that bill should have passed, but the constitution prevented it from passing because of the requirement of the 102 votes.

The constitution requires a majority of those elected to pass legislation and, once they are elected, it does not make any difference whether they resign or are unable to act or do not appear. In all of those cases, their votes are really recorded as "no" votes, because not only must the proponents of legislation overcome the opposition of everyone who is here and everyone who is deliberating the issue, but they must overcome the opposition of the "no" votes registered because they are "no" votes if they are not here. They are counted in the negative when you need a constitutional majority. You must overcome that to pass legislation.

If the Federal Congress can declare war with a majority of those present and voting, I think that we ought to be able here to pass legislation that might affect license plates, might affect school issues, might affect any host of things on the state level, without the restriction of a constitutional majority.

There is nothing sanctimonious about 102 votes or a constitutional majority that we should preserve it because we have had it so long. I think it is time to come into the 20th century.

In the Federal Congress and in the Senate, we have seen some recent moves against the filibuster, limiting the filibuster, limiting the power of minorities, limiting the power of minorities to obstruct. This is a step in that direction.

If a majority of the people here, present and voting, deliberating on an issue are in favor of the issue, we ought to have the power to pass it.

We have safeguards. This session of the Assembly would have to pass this constitutional amendment. The next session of the legislature would have to pass it, and the people would have to agree with us; the electorate would vote statewide. It would be placed on the ballot and they would really decide, do they want us to operate with the 102 constitutional majority presently required or can a majority of those present act? I think we ought to give the people a chance to speak on the issue. I think it is time to make a change, in the spirit of reform that I have witnessed in this legislature in these last several sessions. I think this is a logical, reasonable step to take. I urge an affirmative vote on House bill No. 8.

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

Mr. GLEASON. Mr. Speaker, I also support the passage of House bill No. 8.

Just in case there is any question about the bipartisan nature of those who are proposing this amendment, I would just ask the members of the House to recognize who preceded me, my very good friend from Westmoreland County, Mr. Manderino. This question, Mr. Speaker, does, indeed, cut across partisan lines.

What we are really confronted with here is not speculation, which is what the opponents of this measure would give us. They speculate about the effects of a change. What we are confronted with here, Mr. Speaker, is history. This amendment is a response to the history of this legislature, crippled as it has been by what I consider to be our archaic constitutional provisions. Let me recite just briefly some of the problems involved with having

a 102-vote requirement in the House and a 26-vote requirement in the Senate.

When the present Lieutenant Governor assumed his office, he was a member of the Senate. The number of the Democrats in the Senate dropped from 26 to 25, leaving the Senate without a constitutional majority.

During the 1967-68 session, the Republicans in this House had a bare 104 to 99 majority at the beginning of the session. Each party, however, lost four members through death or resignation and, thus, neither party had enough members to pass legislation on its own.

During that unhappy 1967-68 session, which increased the sales tax—and there is no question, in retrospect, but that that sales tax increase was necessary—that sales tax increase occurred by virtue of a violation of the very constitution we are seeking to amend here today.

I will not go into the details of who voted whom, but we all know what that history is, at least those of us who have studied the legislative process. We do know that there was probably an unconstitutional vote thrown in favor of the sales tax. Once again the legislature, Mr. Speaker, was humiliated and castigated in the press because of this system.

In the Scranton administration, there were four vacancies. The critical unemployment compensation reform bill was before this House and very much at stake. A dying legislator had to be flown in on a stretcher for his vote.

In the big income tax fight early in the Shapp administration, one of the legislators admitted that after 4 hours of debate and exhaustion, he was too damn tired to know what he had voted for. Legislators disappeared and the State Police were sent to find them. Four legislators at one time reported that they got lost during a tax vote. All of these problems, Mr. Speaker, are directly attributable to our constitutional requirement of a mathematical majority of the entire House and Senate for the passage of legislation.

Because of our present constitutional requirement—and this is the point that Mr. Manderino made so well—if a member is absent for whatever reason, he automatically votes "no." As you have pointed out, Mr. Speaker, if an election contest is tied up in the courts, there still is, in effect, a "no" vote cast for that seat on every single bill.

I suggest to you, Mr. Speaker, that the present situation which allows the absentee to vote "no" really constitutes in these days of narrow party margins in the House and Senate something which is very akin to a tyranny of the minority.

To those of you who are concerned, as Mr. Shelhamer is, that we would in return substitute a tyranny of the majority, I would say, look about you in this House, see the diversity that we have, a diversity not only of political parties but of interests that everyone of us represent. We have urban-suburban conflicts; we have rural-urban conflicts.

I am suggesting to you, Mr. Speaker, and to the members of the House that should this eventually become the constitution of this state, become incorporated in the constitution of the state, we will have taken a very long stride forward to breaking up the excessive partisanship which today makes the majority caucus a target for the Governor and for every special-interest group on important pieces of legislation.

I believe sincerely, Mr. Speaker, this constitutional

change will make it more possible for a coalition of Republicans and Democrats to get together on the important issues. Most important of all, I believe that it will truly ensure the role of the majority in this House and in the Senate.

I would say to Mr. Hayes, in response to what he said, I want to be able to say when I go home, if we change our constitution, that, indeed, the majority of the House has ruled just as you, the people, rule when you go to the polls to vote on election day. That is the way it is. It should be at the election polls, and I suggest, Mr. Speaker, that is the way it ought to be here. Let us cast off these shackles and take a long step forward to bring our legislature into the 20th century.

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

Mr. SHANE. Thank you, Mr. Speaker.

I just want to elaborate briefly on the last point that Mr. Gleason made.

Political scientists have said that the Pennsylvania legislature is one of the most viciously partisan legislative bodies in the United States. From bitter experience, I would say, from one observer's point of view, it is probably true. Democrats hack on Republicans; Republicans hack on Democrats. I have done my share and probably some have said I have done more than my share.

I feel that this particular bill, this particular constitutional amendment, may reduce that vicious partisanship a few notches. I think that will be good for all of us.

Mr. Gleason has said that it will make it possible for coalitions to form. The leaders of the respective political parties, I think, would feel less pressure to twist arms so vigorously to get everybody to fall into line.

It has been my thought that we have taken some of the slogans of football and brought them into government and business to rationalize forsaking our conscience to be a team player. We often hear around here, stick with the team; be a team player.

I would like to paraphrase the Bible passage which says, what does it profit a man to stick with the team at the cost of his true self? Everyone of us has felt these moral conflicts on particular issues.

If our leaders can work towards a simple majority vote, I think there would be less leaning on people, less intimidating of people; positions will tend to be less frozen along hard partisan lines.

Apart from the efficiency of carrying out the business of this body, which I think is A-Plus, if we can reduce the really hardball partisanship that takes place here in this body, I think we will be making a major contribution to those colleagues who will follow us in this august body.

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

Mr. ECKENSBERGER. Mr. Speaker, I rise to oppose House bill No. 8. The reasons that have already been articulated opposing the bill are satisfactory to me. However, I would like to add for the record and for those members who may be interested, this fact: I have in my hand a book entitled, "The Sometime Governments," which represents a critical study of the 50 American legislatures by the Citizens' Conference on State Legislatures. It is written by John Burns, and the most recent copyright date is 1971.

On page 164 of the text, which enumerates the recom-

mendations made by this citizens' conference, it states as follows, and I quote recommendation No. 52: "Require roll call on passage of bills." That is the title of it and the explanation or detailed statement is as follows: "A recorded roll call should be required on final passage of any legislative measure, and it should require a constitutional majority to pass any bill on final action by either house."

Now it seems to me that this citizens' conference would have taken into consideration all of the arguments that have been advanced by those who are in favor of the bill.

On the basis of those arguments that have already been articulated and on the basis of that recommendation, I would suggest to the members that we have ample reason for opposing House bill No. 8.

Thank you, Mr. Speaker.

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

Mr. S. E. HAYES. Thank you, Mr. Speaker.

I would like to respond to some of the arguments which have been advanced by several individuals.

As I indicated in my previous remarks, I think that we could probably spill many words here this afternoon talking about issues which failed and issues which passed. And when I was preparing myself for this afternoon, I thought possibly I should start through Pennsylvania's long legislative history to analyze these so-called difficulties, and then I thought, but why do that? It really makes no matter. We are talking about the principle of majority rule and the constitutional safeguard. The record is replete with examples of where bills should have passed and did not; the history is replete with examples of where laws did not pass and should not have passed. It all depends on which side of the street you are walking. For every issue that Mr. Gleason can mention, I suppose we can find a substantial number in this chamber who would say, whoa, we were not in favor of that bill passing.

And this brings us to what Mr. Manderino said. He gave one illustration. And I have no particular difficulty in appreciating the gentleman's position on a bill affecting utilities, but I do have strong objection to what the gentleman said. He said that the constitution prohibited that bill from passing. The constitution did not prohibit that bill from passing; absenteeism prevented that bill from passing. Let us not lay at the feet of the constitution the fact that that bill did not pass. Now there was a substantial number here who disagreed with that bill, but let us assume for a moment that there would have been other members voting in favor and the bill would have passed finally. The point is, the constitution did not prohibit that in the least instance. The failure, for whatever reason, be it a good reason or a reason not so good—that is why the bill failed, Mr. Manderino.

Our good friend, Mr. Ritter, made reference to the United States Congress, and said that the people are not complaining. I am not so sure about that. I believe that there are people complaining about the United States Congress, and I am not here to defame that legislative body, but let us not delude ourselves by thinking that the United States Congress has reached utopia in the area of the legislative process.

Mention was made about the declaration of war. Let us reflect upon that comment and Mr. Ritter's comment.

Few times in the history of this Republic have the people been divided against themselves more rigorously than during the 1960's, during the Vietnam war.

I ask you here today: Do you believe the people of this nation would have been satisfied during those troubled times to have war declared by that Congress with less than a majority of those Congressmen elected to either chamber? I suggest that in that context the people would at least hope that a majority of those elected would have voted for that declaration of war. Let us not compare the declaration of war in Congress with bus license plates in Pennsylvania to try to drum up an illogical analogy. Do you really think that the people will say, we are satisfied with a basic quorum deciding whether or not this nation, its resources—young men and women—are to go to war? I suggest not, if the people were given that choice. They are not being given that choice, however.

We are here today and we are highly motivated by what we want to accomplish and we become frustrated that our wishes must achieve 102 votes up there. And I can appreciate that, but what we do here today with regard to House bill No. 8 will come into play, not during our short tenure in office but in the many years yet down the road.

Much talk was given to the fact of partisanship. Those of us who have been here for a couple of years—and certainly there are many here longer than I have had the honor of serving—know that many, many, many, maybe most, House bills and Senate bills which come before this chamber are not decided just on a partisan basis. What are we doing here right now? Mr. Gleason is a man of my party and we are standing in opposition to each other today. I ask you to go to the Journals. Page after page will illustrate that we consider many bills which do not have singular partisan overtones. Yes, there are those which do, certainly. But I suggest to you that the people in the streets are not as concerned about that as they are about what we did do here.

Do you think that your constituents would be satisfied with your looking them in the eye and saying, the income tax vote was taken; your taxes have been increased. They will say, you mean the majority of the Representatives voted for it? Well, not a majority of those elected; the majority of those who were there that day. Do you really think that they will be satisfied with that answer? I suggest not.

We heard about how planes brought people in and how people were brought in on a stretcher and how constitutional votes were being cast. I ask you, is that the fault of the Commonwealth's constitution? It is not the constitution's fault. That is our fault as frail leaders of this Commonwealth to either perpetrate that type of leadership or to allow it to happen as back-benchers. It is not the constitution's fault.

Let us for a moment, however, assume that the vote on the board is deadlocked at 90-90. Is there anyone in this chamber who cares to stand up and take the microphone this afternoon and say that there will be no effort whatsoever to find another "yes" vote, if that seems to be what the leadership wants? Do you think the people will be allowed to stay in their home district if we know that in that home district there is a "yes" vote, a vote that can be cast to break the 90-90 deadlock? We who have been here for a while know very well that that vote will be brought here. Let us not fool ourselves that we

will, all of a sudden, rid ourselves of those kinds of partisan or political overtones.

And while I speak of that, let me bring to your attention a phrase in legislative circles—"taking a walk." Those of us who have been here for a while know what that means. "Taking a walk" means exactly that, leaving one's seat here, leaving the House chamber, going downtown or possibly to the shore, for that matter.

Right now that magic number is 102. There is no one in this chamber who can tell us what that magic number will be if we amend this constitution; it is that fickle.

Let us assume that the board is locked at 100-100. We may not be able to convince two more members or one more member under the proposed system to cast a "yes" vote. But we may be able to convince that person or persons to take a walk, allowing the remaining Representatives to decide for the people of Pennsylvania what the law is to be.

I stated earlier that absenteeism will become the common denominator, as it is the common denominator in the United States Congress, as it is the common denominator in any other state in this Union that has such a constitution.

We heard talk about the dead man. Let us compare that problem with the day-by-day problem of absenteeism. I went through the Legislative Journal. I just happened to pick out two particular years, for no particular reason except to see what the pattern of attendance is, and let me say this about attendance: I am not here to defame those persons who must be absent for one reason or another—the matter of a death in one's family, the matter of illness, or whatever the case may be. There are those times when an absence is necessary. March 31, 1971—I picked it out of the Legislative Journal—On that day we considered a voting rights bill. When the vote was taken on that bill, there were 38 members not voting in this chamber.

On the same day, on Senate bill No. 18, a vote was taken affecting an appropriation to the Pennsylvania Higher Education Assistance Agency. Only a couple of weeks ago, we can recall how interested the young people of this Commonwealth were in their education. On that particular bill, 40 members were not voting. Mr. Speaker, over two million Pennsylvanians were not represented at that time. Two million Pennsylvanians were not being represented. Think about it.

May 26, 1971: House bill No. 500, which was an amendment to the Landlord and Tenant Act, 29 members not voting. On other bills that day, 35 members not voting; 22 members not voting.

December 1, 1971: 22 members not voting; 19 members not voting; 20 members not voting.

January 26: 31 members not voting; 26 members not voting.

I have many more days here, but I believe the point is made, that on a day-by-day basis, the greatest problem is not with dead men who, for unfortunate reasons, were taken from us here on earth; the day-by-day problems, be it for good reasons or reasons not so good, is absenteeism.

Now for those who can take comfort in saying, well, it was the Representative's fault if he or she were not interested enough to be here. That is his fault or her fault. Think about that statement. Who must suffer under that type of governance? The Representative who we can blame, or the people who were not represented,

or the people who must live by the law, whatever it may be?

Let us not assume that all laws are good. All of us know that some laws are not so good.

Let us not comfort ourselves by saying, it is the Representative's fault. If he does not care enough to get here, that is his fault. If she is too busy doing other things, that is her fault. That may be true on its face, but it is the people of this Commonwealth who have to live by that law.

Mr. Speaker, I support Article III of our constitution as it is presently constituted. I do not believe that we should substitute a visible safeguard, a standard, as painful as it may be to those of us who serve today, because we do not always achieve what we would personally will for 11 million Pennsylvanians.

I suggest that the constitution is not prohibiting us from passing reasonable legislation. It is not prohibiting us because a particular bill that Mr. Manderino called to our attention failed. It says, you must be there. A majority of you who have been elected by the people must be there to vote in favor.

It makes no matter to me what the Congress does. It has this nation wallowing in a \$500-billion debt. Pennsylvania does not have that debt. Why? We have a constitution which states that the general fund revenues and expenditures must be balanced. There are many things we could point to that warn us, do not follow the United States Congress.

Let us protect the safeguard that our constitution has for our people. It is not for our personal convenience as Representatives; it is a safeguard for the people of this Commonwealth.

Thank you, Mr. Speaker.

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

Mr. RICHARDSON. Mr. Speaker, I rise in opposition to House bill No. 8 on final passage and I rise today to say that I feel that as we look back over this bill, we begin to see that the safeguards are really in opposition to minority members here in the House. Also, the fact of the matter really remains that when it comes down to it, when you talk about a constitutional majority, it is the only thing which really gets anything passed in this House.

I would like to take issue with Mr. Gleason, who indicated that he had dates going back to 1968 when four members were sick on one side and four members on the other side were sick and there was not a constitutional majority left in the House.

It would seem to me it would be better to try to impose a safeguard that would deal with putting in a bill or putting in an amendment that would take care of that problem, that when a member becomes sick or dies that there does become a constitutional majority based on those members who are present.

The fact of the matter is that what this does is just allow a simple majority to vote on any piece of legislation and pass it. I am opposed to that.

I think as we look back—and as I look back particularly at my 2 terms here, and I was a freshman legislator last year—we see that a lot of times bills did not pass this House without the constitutional majority. In fact, one of our bills concerning public utilities would not have passed without a constitutional majority. So I do feel

that it is important that we understand that the shackles which are presently being initiated around our brain need to be removed and more objective thinking needs to be taken in relation to how the bills are being designed to hurt us and really not help us.

We have seen over the last 2 years also that when members are absent and are not here, then it is just one of those things. They are just not here. That does not mean that the person who died or the person who was taken ill and could not return to work or because of a vacant seat that the member was totally absent from the legislature. There has not been a special election; therefore, a member is not appointed.

I do not think we can get caught up in the game that is being played now on the Representatives. I think the Representatives here cannot afford or allow themselves to be caught in a trick to be forced to feel that a simple majority will answer and solve the problem as it presently relates to us.

Back home I know that had it not been for a constitutional majority of the electorate in our districts, we would not be here. We ran as independent Democrats and that is the only way we got here.

I am saying that it seems to me the real issue today in front of us, Mr. Speaker, is for us to look at it in its entirety. It is not a subjective matter; it is something that should be looked at very objectively. And as we begin to look at our own convictions and why we are here, we should begin to realize that it is the people of this Commonwealth whom we are fighting for, whom we fought for this morning in terms of one dimension—we fought for our youth this morning.

We have to stand up above all others and be counted. The rest of the state is watching us as being the model, design and pattern for others to follow. I would just hope that the rest of the members would take that into accord and vote "no" on House bill No. 8.

Thank you very much.

The SPEAKER. While the Chair obviously disagrees with the gentleman, Mr. Hayes, the Chair wants to take the opportunity to congratulate the gentleman on a very fine presentation.

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

Mr. ZELLER. Mr. Speaker, I had quite a lengthy statement to make, but I am going to close it up because I feel—and with the request of many of the good members here—that I do not know of anything that I have heard that has been better than what Mr. Hayes stated here today. Certainly it could be recommended for a citation with those remarks of keeping our democracy pure and wholesome and representing the people.

I have just one final statement. I would hate to see this House get involved in some of the things that we are involved with federally and being mired down in the mud as we are in this world today, and which would allow us to get into the same quagmire, by saying we are going to have a simple majority. It will be real simple, pure and simple.

Thank you.

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

Mr. GLEASON. Thank you, Mr. Speaker. I will be very brief. This will be the second and last time I am

going to speak on this subject, and I hope, perhaps, other members might follow my lead.

We have heard some reference today here, Mr. Speaker, about that PUC bill last year. Mr. Hayes very eloquently discussed possibilities as to why that bill was defeated, and I do not know why it was defeated. I am not seeking to cast blame or responsibility, but I know one thing, Mr. Speaker, I know that 74 members of this body controlled and had the say over 100 of them. And if that is the pure rule of the majority, I think that is ridiculous. That is not the rule of the majority; that is an absurdity. Every time anybody here gets frustrated when they see the Senate of the United States employing the filibuster rule to kill civil rights legislation, to kill voting rights legislation, to kill national health insurance, what you are seeing occurring in the Senate of the United States of America is exactly what Mr. Hayes has advocated for the House of Representatives and will continue to advocate for the Senate also.

It is the rule of the minority, and that is exactly what is occurring. I am not suggesting, by any means, Mr. Speaker, that Mr. Hayes allies himself to any of those interests. What we are talking about is the structure of voting in the House and the Senate of Pennsylvania. What we have now is the rule by the minority, because if you are absent, you automatically cast a "no" vote.

I suggest, Mr. Speaker, that we should approve this amendment so that the people of Pennsylvania can, themselves, vote on it, not this year but after the next session of this General Assembly.

When this referendum goes to the electorate, only a simple majority of their votes is needed to approve it. That is the way it ought to be in this House and in the Senate.

Thank you.

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

Mrs. KERNICK. Mr. Speaker, I have a great deal of respect for the voters of this Commonwealth. They were smart enough to send 203 members of this House to Harrisburg. I think they are intelligent enough to make the decision on a constitutional amendment. I support House bill No. 8.

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

Mr. MANDERINO. Mr. Speaker, very briefly, Mr. Hayes did quite a bit of research to tell us how many people did not vote back in 1971, 1973. He did not have to go that far. Today, in this House of Representatives, on one measure, 24 did not vote; on others, 23, 16, 27, 29. When we passed House bill No. 360, 44 people were not voting.

I say to you that the people who are here today working ought to be able to decide measures by a majority of those people interested and those people who are here. I think that is the way it ought to be.

Mr. Hayes says that we should not look at legislation that failed and consider that that legislation should have passed because some one Representative personally willed that it should pass. I did not personally will that that legislation which I talked about should pass. I voted for it, but this House willed that it pass. 100 persons elected by the people voted for it to pass and only 74 voted for it to be defeated, but it was defeated and it was defeated because the minority added to their ranks everyone who was not here. Everyone who is absent

is added to the minority in the passage of legislation. That is not 20th century; that is not the way it ought to be, and we ought to change it. We are not changing it. We are really asking the people, do you want to change it?

There has been some favorable editorial comment across the Commonwealth on House bill No. 8. The Patriot here in Harrisburg had a very favorable editorial.

I think the people are asking for a chance to vote on the issue. They have heard the stories and read the papers about how the roll call has been left open for many hours to try to get that 102nd vote or to get the last two votes when the opposition did not have anywhere near 100. That is not right. We are simply saying, give the people of Pennsylvania a chance to decide whether it is right.

Very briefly on another matter, Mr. Speaker, I want to point out to the House, to those members who consider the labor calendar as important, that this particular proposition had appeared on the labor calendar in the opposed column. It was reported to me this morning that labor, the AFL-CIO, had withdrawn its opposition. I talked with Harry Boyer about 20 minutes ago and he confirmed with me that they had, indeed, withdrawn their opposition. I simply state this, that for those members who do not want to vote a position as opposed to labor, they would not be. Mr. Boyer wanted me to make that announcement that labor's opposition has been withdrawn to this legislation.

The SPEAKER. Let us make a decision as to whether there will be a rule of the minority or the rule of the majority, as long as we do not abide by a rule of the mob.

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

Mr. PERRY. Thank you, Mr. Speaker.

I rise in support of House bill No. 8.

Mr. Speaker, our forefathers, in writing the Constitution of the United States, deemed it wise to put a provision in there that a majority of those voting could pass legislation, and that has stood the test of time for almost 200 years. I do not know of any move to change that provision in the constitution.

In my legislative district, there is a population of approximately 56,000 people, and there would be 32,000 of those citizens who would be eligible to register and vote. I won the last election with a total vote of 10,000, which is one-third of what would be a constitutional majority of the citizens of my legislative district. What applies to my district applies to probably all 203 legislative districts. None of us would be here serving in this legislature if an election required a constitutional majority of the citizens of that district.

The Federal Government has operated, as I said a few moments ago, for almost 200 years with this provision, with a majority of those present voting in favor of legislation, and the information which was presented in our committee was that 44 states operate under that rule. I do not think that our legislative record is superior to those 44 states which are operating like the Federal Government.

The people who wrote the Federal Constitution—Madison, with the advice of Jefferson—advised that when the constitution, any constitution, needed changing, it should be changed.

So I would ask the members of this House to pass House bill No. 8. Let the next session determine whether

it should allow the people of the Commonwealth to vote in a referendum on this question, and let the people decide what legislation they want, how they want this House to operate on passing legislation.

Thank you, Mr. Speaker.

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

Mr. ITKIN. Mr. Speaker, I would like to make some observations about this bill which have not been previously noted.

As it seems to me, this particular piece of legislation would reduce the effect and impact in the coordinate equality of this branch of government with the executive.

Right now when the Governor proposes legislation to this legislature, it requires him to get support of a constitutional majority of both chambers before he can act on the bill. On the other hand, if we change this particular system, then all he will need will be a simple majority of those available on any given day to receive his programs and enact them into law.

Now the converse is not true with the bill as it is now drafted. If the Governor feels—any Governor, and I just do not want to cast aspersions on the present one, but any Governor receiving legislation from this General Assembly can at his own personal option veto the bill.

Now if the arguments are correct that have been raised on the floor of this House today in support of House bill No. 8, then why would you require that 136 bodies be here to override the Governor's veto? Why would it require two-thirds of 50 in the Senate to do the same? Obviously if it is the will of a simple majority to enact legislation, then no individual, be he the Governor or anyone else, should have that authority.

I consider this particular piece of legislation as one to reduce the power and influence of the General Assembly in the operations of this Pennsylvania government.

In addition, Mr. Speaker, there is no majority. We have a majority of individuals formed collectively because they are groups of minorities.

Pennsylvania is a very diverse state, and we all come here representing and supporting some element of a minority. Legislation passes here and in the Senate on the basis that the minorities get together in common and agree that it is in their best interest to have a piece of legislation effected into law.

Now if you reduce the numbers required to effect the passage of legislation, then, in effect, what you may be promoting is the opportunity to ignore minorities, the opportunity to disqualify certain individuals from having input because their votes are not required.

Now I take very special exception to this particular piece of legislation because I come from a county where there is a strong feeling that we always come up second class. In fact, that is what we are designated under law; we are a second class county. Others that are third and fourth class may feel that they are further behind, but as far as I am concerned, I feel strongly when Philadelphia County has 25 percent more people than Allegheny County and receives 50 percent more in state revenues. And I recognize the fact that we would not get what we are getting today unless we did not have the opportunity to say, collectively, that that bill shall or shall not become law; you need our votes.

That is the pragmatics of the situation, and any person who wants to talk about the theoretics and the academics

does not belong here, because I learned 6 months after I was here that theory is out the window. What counts is getting what is needed back to your community. There are needs all over the state. Every community has needs, and there has got to be an equity provided.

So, Mr. Speaker, I do not feel that this is a good piece of legislation that this House ought to support.

Thank you.

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

Mr. VANN. Mr. Speaker, I had intended not to speak on this subject and let my vote show how I felt about it. But I rise to object strongly to a statement made to this body by the majority whip of this floor, and that is that Mr. Harry Boyer asked him to convey to this body that labor was in favor of this bill.

If labor or Mr. Boyer are in favor of it, then I feel that they should be on this floor with their representatives and let us know how they feel about it. They lobby. They come here and they tell us how they feel on certain bills. And they pressure us to vote on certain bills.

I make this statement as a friend of labor because my personal voting record is 100 percent in favor of labor, but I will not accept—and I want the record to show this—any statement by any member of this House as to how any particular pressure group feels about a bill. I will accept the written record, and labor says that they are opposed to this.

Ofttimes the individuals of labor disagree on certain bills—Mr. Boyer, Mr. Johnson, et cetera. So, therefore, I do not impugn in any way the statement that the majority whip made, but I do say it was not in good taste to try to persuade or pressure those of us who may be pro-labor to cast our vote in favor of that bill. I want the record to show that I resent that.

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. MANDERINO. Mr. Vann indicated that I expressed the words here that labor was in favor of this legislation. My words were that labor has withdrawn its opposition as expressed in the printed calendar delivered to the members.

I further stated and I will repeat it, that I talked personally with Harry Boyer, president of Pennsylvania AFL-CIO, at quarter to 3, and he told me that labor had, in fact, withdrawn its opposition.

I do not know whether Mr. Vann does not believe me, feels that I am lying, but I took that as his comment.

The SPEAKER. The Chair recognizes the gentleman from Montour, Mr. Wagner.

Mr. WAGNER. Thank you, Mr. Speaker.

Mr. Speaker, there was talk earlier about party blocs and the twisting of arms and the interests of various interest groups, and I have been here long enough to know there are also county delegations and there are county blocs.

Four counties, Mr. Speaker, have 84 legislators in this assembly. Six counties have 100. We are all here on a

proportionate population basis. But those of us who are not from large counties do not have large blocs, and I am a bloc of one in my county.

I do grant that it will be easier and more efficient to pass legislation, but I sometimes think that in the interest of efficiency we do forget the minorities and, I will say, minority counties, but I mean basically those of us who do not have the voice down here in a large bloc and also the various other minority groups that do not have large interests in their own districts, whether they are ethnic minorities or what have you.

So for the reasons voiced by Mr. Hayes, in the interest of protecting the citizens and the minorities, the present setup is to protect minority groups and minority areas from the majority vote, and I strongly urge and hope that we keep the present system.

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

Mr. GARZIA. I rise to support this bill. If I understand the bill right, all we are doing is having the people vote for it on a referendum vote, whether they want to change the system or leave the system as is.

I will recommend that those who oppose this bill go back to your districts and you tell the people on election day to vote it down. It is as simple as that. So let us go on with the voting, please.

PARLIAMENTARY INQUIRIES

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

Mr. KUSSE. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KUSSE. If this proposal became law, how many votes would be required to override a Governor's veto?

The SPEAKER. The constitution requires a two-thirds vote to override the governor's veto, and that provision of the constitution is not being changed.

Mr. KUSSE. That part is not being changed?

The SPEAKER. That is correct.

Mr. KUSSE. Well, would it also be true as it would refer to nonpreferred appropriations? It would still require the same number?

The SPEAKER. That is correct.

Mr. KUSSE. Another question, sir: What number constitutes a quorum in the House?

The SPEAKER. A quorum, as presently constituted as 203, would be 102 votes.

Mr. KUSSE. One hundred and two. So then it would be possible for legislation to be passed with only 52 affirmative votes?

The SPEAKER. That is correct.

Mr. KUSSE. And since this legislation does refer to both bodies, I assume I am not out of order in asking a question about the Senate. What is a quorum in the Senate presently?

The SPEAKER. Twenty-six votes.

Mr. KUSSE. So it would then be possible for only 14 affirmative votes to cause the successful passage of legislation?

The SPEAKER. That is correct.

Mr. KUSSE. Thank you.

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

Mr. McCLATCHY. Mr. Speaker, a parliamentary question.

The SPEAKER. The gentleman will state his question.

Mr. McCLATCHY. If this amendment passed and we had 30 members absent, could the rules of the House be waived with 87 votes then?

The SPEAKER. The number of votes that are required for the purpose of waiving the rules of the House are determined by the rules of the House themselves, not by a constitutional requirement. That number can be changed at any time.

Mr. McCLATCHY. Well, could the rules be changed then with 87 votes?

The SPEAKER. The rules could not be waived unless the rules of the House were changed.

Mr. McCLATCHY. Well, then, my second question: Could the rules of the House be changed with 87 votes?

The SPEAKER. Could the rules of the House be changed with 87 votes? Not as the rules of the House are presently constituted because, notwithstanding whatever the constitution may say, if this bill is adopted, the rules prevail unless the rules are in conflict with the constitution. And there would be no conflict.

Mr. McCLATCHY. Well, my question was: If we had 30 members absent and we had the ability to change the rules that day with 87 votes, we could do it then?

The SPEAKER. If the rules of the House were changed to equate to the new constitutional amendment, therefore, a simple majority could change the rules of the House, unless the House provided to the contrary and said a number higher than a simple majority would be required.

Mr. McCLATCHY. Those rules could be changed with 87 votes, though, that day. If we instituted the rules at the beginning of the session and any day during the session we had 30 members absent, we could again change the whole ball game with 87 votes. Is that right?

The SPEAKER. At the beginning of the session there are no rules.

Mr. McCLATCHY. I understand that.

The SPEAKER. And in the face of the constitution then having been amended, the Chair would assume that a simple majority would prevail on the question of establishing rules for that day.

Thereafter, the House could decide that it would take more than a simple majority to change the rules of the House and incorporate that requirement in the rules of the House.

Mr. McCLATCHY. We could change that requirement, too, with 87 votes?

The SPEAKER. That is correct.

Mr. McCLATCHY. And we could also remove the Speaker with 87 votes?

The SPEAKER. That is correct.

Mr. McCLATCHY. Thank you, Mr. Speaker. I—

The SPEAKER. That ought to encourage you.

Mr. McCLATCHY. Mr. Speaker, no.

I think the ramifications of this bill are ridiculous. I would say I would not support the bill.

Thank you.

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

Mr. PANCOAST. Mr. Speaker, I rise in support of

House bill No. 8. We have been hearing a great deal of political philosophy here today. We have heard reference to remarks of political scientists, and I certainly must agree with the remarks that were made by the gentleman from Indiana with respect to the political scientists' attitude toward this particular problem.

Democracy is not only majority rule; it is minority right. And we sometimes forget that there are always two sides to the coin of democracy.

What we have here, of course, in Pennsylvania is not majority rule but extraordinary majority rule. What House bill No. 8 is attempting to do is provide for majority rule—that majority rule, of course, being a majority of the majority, since a quorum necessary for the effective operation of this body is a constitutional majority of 102 members, and it would be necessary, of course.

Now we can look at various statistics and mathematics to show that certain things can happen. I think this, however, avoids a particular issue that has really not been referred to today. Dr. Sidney Wise of Franklin and Marshall College, in his *Analysis of the Legislative Process in Pennsylvania*—a book with which we are all familiar—I think makes a very essential observation with respect to the constitutional majority, and if you will bear with me, I would like to quote from Dr. Wise.

One of the most delicate responsibilities of the leaders is a direct result of the constitutional requirement that a bill can only pass when it receives a constitutional majority. Most legislative bodies require only a majority of those voting, assuming of course that a quorum is present. The Pennsylvania requirement that 102 votes are needed in the House and 26 in the Senate can immeasurably complicate the lives of the leaders. This is especially so when the majority party has a very slim majority, a situation which . . . has been quite common in the past decade.

Dr. Wise continues:

In discussing the problem of the constitutional majority, one Senator has said, "What we have in the General Assembly most of the time is two minority parties." This cryptic analysis means that when a few members of the majority party stray from the party's position, neither party can command the support necessary to make decisions. The Majority Leader (often with the help of other leaders and where appropriate, the Governor's office) finds himself negotiating the changes necessary to win over the recalcitrants, carefully avoiding those changes that will create new rebels. There may even be occasions when a Majority Leader may find it possible (and necessary) to sweeten a proposal in order to acquire one or two critical votes from the minority side. In a Legislature which reveres party discipline, this is a delicate venture.

The Minority Leaders have sometimes found it necessary to negotiate with several of their own members in order to supply the majority party with enough votes so that some very controversial measure can get the requisite majority. This is a chore that calls for great tact. After all the debate ends, there is the moment when even the

most thorny questions must be voted on. When a Minority Leader is in the position of having to "deliver" votes, he must be immensely sensitive to the pressures which his members confront, and he must know the constituencies. Whether the issue is taxes or religion or the environment, every legislator and each district has a unique combination of forces, and the Majority or Minority Leader who makes feasible demands can often make the difference.

Mr. Speaker, I think this is one of the essential reasons why House bill No. 8 should be supported. I think the passage of the proposed amendment would improve the procedures and effectiveness of this legislative body and eliminate some of its less desirable practices. I urge the support of House bill No. 8 to permit the voters of the Commonwealth of Pennsylvania to determine what our constitution should provide.

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

Mr. HEPFORD. Mr. Speaker, the people, I think, have very clearly spelled this into the constitution. We had a recent constitutional convention.

In the 12 years that I have been in this House, I have seen a party, the entire group, stand up and march out of this House because of conduct. I have seen other Speakers in this House adjourn this House when the vote was taken and the switch was locked, pick up the mace and march out that door and say, it is done, and people throw their calendars and books on both sides.

I have heard members of this House say that if this rule were changed—I have seen a lot of bad legislation passed with the 102 votes required by the constitution; I would hate to see what would pass if you needed a simple majority, where people could say, I didn't vote for it.

But I do not want to say to the people who ask me in a civics class, How many votes do you need to pass legislation in Pennsylvania? We required one man and one vote, and each represents 58,000 people. How many votes do you need to pass legislation? You say, Well, I don't know. What do you mean you don't know? Well, I don't know. Well, how do you know whether a bill is going to pass or not? Well, I don't know. Well, when do you know? Do you know when you'll know?

How many members sitting on this floor have sat where Mr. Fineman sits? How many members on this floor sat where Mr. Fineman sits 12 years ago? How many men on this floor can stand up and take an oath and testify to the operation of that Speaker's chair 12 years ago and as it is today?

The citizens of this Commonwealth consider and have sold to them this type of legislation when I cannot answer them when they ask, How many votes do you need to pass legislation? And I will say, I can't tell you. And they say, Well, how many do you need to defeat legislation? And I can say I was there and I voted, when the only way you know that you are not going to change your laws in the Commonwealth is if you can get 102 men to appear and vote "no."

I trust you all will exercise good judgment in presenting issues to the people of this Republic. They have the right, but you have the responsibility. You have been in this hall and you have seen it operate. You have a responsibility to carry the message back to the people

to save the Republic. They have the right to vote anything in. We can vote communism in tomorrow, socialism in; take care of anybody from the cradle to the grave. It is the right of this country and it is the right of the people, and I will defend the right of the people until I die to defend this constitution, to vote for it. But I want to go out and tell the people why they should not vote for it and why, in the 200th anniversary of this Republic, we ought to return other governments to the majority of the control of the people's Representatives before they enact new laws that control them.

The SPEAKER. I think we ought to vote on this thing when the flag is unfurled. That is it, Joe; bring your flag up.

The Chair recognizes the majority leader.

Mr. IRVIS. I just want to say, Joe, that I do not know what you said but you sure said it great.

The SPEAKER. There is just one further observation: I do not think that numbers are sacrosanct. Very recently this chamber almost unanimously passed a constitutional amendment reducing the numbers that were needed for gubernatorial appointment.

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

Mr. COWELL. Mr. Speaker, I will try to be very brief. I have certainly been impressed this afternoon by the presentations of those gentlemen who have argued in opposition to House bill No. 8. But as I sat here, it has occurred to me—as we have listened for the last half hour—that most of the arguments that have been presented in opposition to this proposed constitutional amendment have seemingly been concessions—and I think undue concessions—to those individuals who, for whatever reason, good or bad, are not here, and seem to a great extent to forget those of us who are here day in and day out.

We have heard a great deal of talk and comment about majority rule. Right now what we have, what we operate under, does not guarantee majority rule in the sense that we may well have a majority of us who are here working day in and day out who favor a particular piece of legislation, but that does not necessarily get it passed. Sometimes the rule is by the minority that is here combined with those people who are not here, regardless of how they feel, up or down, on a particular piece of legislation. I think that is improper.

The other argument that has been presented is that we are going to have bad legislation passed, because you might well have an extreme situation of 52 or 53 people getting together to support legislation. I am not terribly concerned about that because, frankly, I do not think that is going to happen too frequently. I think that the first time we have that bad legislation passed—and a number of people have noted already that maybe we already have, even under our present constraints, bad legislation being passed—the first time we have had legislation passed with only 52 or 53 people, I think the gentlemen down there in the corner to my left are going to make it very clear to the public why that bad legislation was being passed. And I think there are few of us who are really going to be able to tolerate the heat, who are going to be able to go back to explain to our constituents why that bad legislation passed while we were not prepared to be in Harrisburg to argue against it and vote against it.

Thank you very much.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, I can say honestly that when this House bill No. 8 was brought to the floor today, I did not know how I was going to vote.

I am bothered and disturbed by the remarks of Mr. Kusse and the response of the Chair that would seem to indicate that a simple majority of those present can pass legislation—and that seems fair to many—yet we still would need 102 to discharge a committee; we still would need two-thirds of 203 to pass a nonpreferred bill; we would still need two-thirds to override the Governor's veto. What is fair for the passage of statutory legislation would certainly seem to be equally fair for the other areas that we vote in.

And then I listened to further comments about majority and that it should be fair that a majority of those present, provided we have a quorum, be sufficient to enact legislation. I listened closely to this and then I was reminded of what took place here on January 7 and thereafter, and I call to your attention what you enacted as the rules of this House. Rule 45 of this House says—I will paraphrase it; I have it here; I can read it—that a committee can operate with a quorum. Well, that is as it should be. But your committees cannot pass a bill out of it unless you have 10 affirmative votes. That is what this House did with our own rules. You can have a quorum of 12 and your committee can operate, but unless you have 10—not a majority, but 10—affirmative votes, you cannot bring that bill out of committee. And then some of these same people sit here and say it is fair that we turn it into law with a simple majority of those present. I find this inconsistent. And I wonder if the same people who will vote for House bill No. 8 will vote to change these rules so that a majority of the people present, assuming there is a quorum, at a committee meeting can pass a simple bill out of the committee. Look at the restrictions we placed on our committee vote—10 out of 12—conceivably, to get a bill out of a committee.

And I really question the motive, plural, of some of the proponents of this legislation when I look at these proponents and I consider how they voted on our own rules. And I do not say that as a knock; I think I say it simply that, look what we did here to our rules which you evidently, you the majority—and that crosses party lines; I do not mean that as the majority party—when you as a majority adopted a rule so very restrictive and then today you suggest that we make laws with a majority of those present, yet we cannot bring a bill out of committee unless we have at least 10 affirmative votes.

I agree with Mr. Hayes and I am particularly concerned with the points raised by Mr. Kusse, and I have now reached a decision that I will vote in the negative, and I do that without the Speaker's comments of the flag being unfurled by Mr. Hepford.

The SPEAKER. The Chair would hope that no other member would take the floor to question the motives of anyone else who propounds a particular piece of legislation.

The motives of this particular individual who is sponsoring this legislation were to bring the Pennsylvania legislature into consort with the nature of the operation in most other states in this nation and to do something to help the legislative process.

Now the difficulty with the gentleman's reasoning in

citing the inconsistencies is that most of the conflicts that the gentleman makes reference to are incorporated in the rules of the House, not frozen into law—

Mr. RYAN. A point of parliamentary inquiry, Mr. Speaker.

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

Mr. RYAN. Mr. Speaker, I ask a point of parliamentary inquiry, please.

PARLIAMENTARY INQUIRY

The SPEAKER. The gentleman will state his point of parliamentary inquiry.

Mr. RYAN. It would seem to me, Mr. Speaker, that you are debating me. Do I have the right to respond to you?

The SPEAKER. Of course.

Mr. RYAN. Thank you.

The SPEAKER. The Speaker has never cut anybody off from debate on this floor.

Mr. RYAN. No; I meant debate with the Speaker.

The SPEAKER. You are free to debate with the Speaker at any time.

Mr. RYAN. Thank you, sir.

The SPEAKER. The Speaker is merely making an observation that the inconsistency that the gentleman refers to refers to the rules that are inconsistent, except with one situation, and that is the number of votes needed to override a gubernatorial veto, which happens to be in the constitution.

Now I would assume that if this constitutional amendment were adopted and it passed two rounds of the General Assembly and was approved by the people, the legislature would then proceed to conform the rules of the House to be more in line with the new legislation that was adopted, namely, that a majority would prevail. And this individual, for one, would support a change in the rules enabling the discharge of a bill from committee on a vote of a simple majority.

Mr. RYAN. Mr. Speaker, number one, I said "motive" and then I added the word "plural." I did not mean to refer to the principal sponsor of the resolution. The question I asked was somewhat rhetorical. I did not particularly expect an answer on it from the Speaker.

With regard to the other points mentioned by the Speaker, I would say it is my understanding, Mr. Speaker, that to override the Governor's veto is something more than a rule of the House; to pass a nonpreferred bill is something more than a rule of the House; and to discharge a committee, I believe, is something more than a rule of the House, although I am not sure of that.

The SPEAKER. That is a rule of the House.

Mr. RYAN. All right. Thank you, Mr. Speaker.

But, nevertheless, to override a veto and to pass a nonpreferred bill, and these are constitutional safeguards, it would seem to me that if House bill No. 8 were to be consistent, then perhaps it would be two-thirds of those present and voting on the day that the override was called for a vote or the day that a nonpreferred appropriation was called for a vote. It would seem to be more consistent is what I mean.

And when I question motive, what occurred to me, frankly, Mr. Speaker—and I think this could mitigate against your party—perhaps, if this passes, in 3 years we have at least a 50-50 chance, hopefully, that we will have a Governor then and that will be about the time

of the next administration, and with some luck maybe we will be in the majority and this would work to help us. So I may be speaking against my own interests. But the fact remains that it is inconsistent, and it seems to me that the tough decisions we make on this floor include overriding a gubernatorial veto, and yet we keep that at two-thirds of the members elected. It is not a tough thing, perhaps, to pass a nonpreferred, but it is certainly as important—at least to those beneficiaries of the bills—that we have two-thirds on a nonpreferred bill, and it seems inconsistent that a simple two-thirds of those present would not be sufficient.

The thing that scares me, though, or upsets me, I suppose, is this rule 45. I do not understand why we need 10 out of 12 to pass something out of committee. I am still against it.

The SPEAKER. There is just one last observation I want to make. The mere fact that a certain number is designated in the constitution—

PARLIAMENTARY INQUIRY

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

Miss SIRIANNI. I rise to a parliamentary inquiry.

The SPEAKER. The lady will state it.

Miss SIRIANNI. Mr. Speaker, if you want to debate this issue, should you not relinquish the Chair?

The SPEAKER. Is that important to you, Miss Sirianni?

Miss SIRIANNI. Yes, it is, Mr. Speaker.

The SPEAKER. The Speaker is not debating; the Speaker is making an observation. The observation that I wanted to make—and I am sorry that I offend the lady—is the fact that there are other numbers that are spelled out in the constitution. For instance, the constitution says that it takes two-thirds of the members of the Senate to confirm.

Now we have just passed a piece of legislation reducing that number, and the members of this House and the members of the other chamber did not view this as an attack upon the constitution for the checks and balances that were designed by the framers of that constitution. So there is nothing sacrosanct about any particular number as designated in the constitution.

On the question recurring,

Shall the bill pass finally?

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

YEAS—57

Bellomini	Gillespie	Menhorn	Scirica
Berlin	Gillette	Milanovich	Shane
Berson	Gleason	Morris	Shupnik
Burns	Green	O'Keefe	Stapleton
Caputo	Greenfield	Oliver	Toil
Cole	Hopkins	Pancoast	Wargo
Cowell	Hutchinson, A.	Perry	Whelan
DeMedio	Irvic	Petrarca	Wojdak
Dombrowski	Kelly, A. P.	Pratt	Wright
Doyle	Kelly, J. B.	Rappaport	Yohn
Fee	Kernick	Reed	Zearfoss
Gallagher	Laudadio	Renninger	
Garzia	Lederer	Ritter	Fineman,
Geisler	Manderino	Schmitt	Speaker
Giammarco	McLane	Schweder	

NAYS—124

Abraham	Foster, W.	Lynch	Seltzer
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Anderson, J. H.	Fryer	Manmiller	Shelhamer
Arthurs	Gallen	McCall	Shuman
Barber	Geesey	McClatchy	Sirianni
Bennett	George	McCue	Smith, E.
Beren	Grieco	Mebus	Smith, L.
Bittle	Gring	Miller, M. E.	Spencer
Blackwell	Halverson	Miller, M. E., Jr.	Stahl
Bradley	Hamilton, J. H.	Milliron	Stout
Brandt	Hammock	Miscevich	Sweeney
Brunner	Hasay	Moehlmann	Taddonio
Butera	Haskell	Mrkonic	Thomas
Cessar	Hayes, D. S.	Mullen	Trello
Cimini	Hayes, S. E.	Musto	Turner
Crawford	Hepford	Novak	Ustynoski
Cumberland	Hill	Noye	Valicenti
Davies	Hutchinson, W.	O'Connell	Vann
Davis, D. M.	Itkin	Parker, H. S.	Vroon
Deverter	Johnson, J.	Perri	Wagner
Dicarlo	Katz	Pitts	Wansacz
Dietz	Kistler	Polite	Weidner
Dininni	Klingaman	Prendergast	Westerberg
Dorr	Knepper	Pyles	Whittlesey
Dreibelbis	Kowalshyn	Renwick	Wilson
Eckensberger	Kusse	Richardson	Wilt, R. W.
Englehart	LaMarca	Romanelli	Wilt, W. W.
Fawcett	Laughlin	Ruggiero	WorriLOW
Fischer	Lehr	Ryan	Yahner
Fisher	Letterman	Saloom	Zeller
Flaherty	Levi	Salvatore	Zord
Foster, A.	Lincoln	Scheaffer	Zwikl

NOT VOTING—22

Bonetto	McGinnis	O'Donnell	Shelton
Cohen	McGraw	Pievsky	Sullivan
DiDonato	McIntyre	Rhodes	Taylor
Gleeson	Mullen, M. P.	Rieger	Tayoun
Goodman	Myers	Ross	Walsh, T. P.
Kolter	O'Brien		

Less than the majority required by the constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

HOUSE COMMENDED

The SPEAKER. The Speaker wants to congratulate the House on the nature of the presentations that were made on both sides of the issue today. I think it was highly illuminating. The presentation, for the most part, was orderly, and the House is entitled to congratulations.

APPROPRIATION BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 282, printer's No. 305, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323, No. 130), changing an appropriation.

On the question,

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

The SPEAKER. The Chair recognizes the gentleman from Fayette, Mr. Lincoln.

Mr. LINCOLN. Mr. Speaker, I have an amendment to House bill No. 282.

I have been informed by the Appropriations chairman that the fiscal note has been made available to the members.

The SPEAKER. The Chair reconsiders its decision that the bill was agreed to on third consideration.

On the question recurring,

Will the House agree to the bill on third consideration?

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

Amend Title, page 1, line 4, by inserting after "there-to," ": providing for an increase to veterans' organizations for observance of Memorial Day and Veterans' Day, providing funds to observe Independence Day, July fourth and

Amend Sec. 1 (Sec. 1921), page 1, line 12, by removing the period after "Day" and inserting: ; Veterans' Day and Independence Day.

Amend Sec. 1 (Sec. 1921), page 2, line 10, by inserting after "\$500)": for each day

Amend Sec. 1 (Sec. 1921), page 2, line 11, by inserting brackets before and after "and Armistice Day." and inserting: , Veterans' Day and Independence Day, July fourth: Provided, That for July 4, 1976 a sum not to exceed one thousand dollars (\$1,000) may be appropriated.

Amend Bill, page 2, by inserting after line 12: Section 2. This act shall take effect immediately.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Fayette, Mr. Lincoln.

Mr. LINCOLN. Mr. Speaker, this is the same amendment that was passed by the House yesterday until an objection was raised by the Appropriations Committee chairman that it would have to go back to the Appropriations Committee for a fiscal note.

The bill itself is a change to the County Code, which will allow the counties, if they so desire, to increase their appropriation to local veterans' organizations for Armistice Day and Memorial Day from \$300 to \$500.

The amendments we are offering today will include the Fourth of July in that section of the County Code so that the county officials can, if they so desire, give up to \$500 to each veterans' organization for that particular day.

There is one other change. For one Fourth of July only—that would be July 4, 1976—the appropriation may be up to \$1,000.

I would appreciate an affirmative vote.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. LINCOLN and IRVIS and were as follows:

YEAS—186

Abraham	Geesey	McCall	Schmitt
Anderson, J. H.	George	McClatchy	Schweder
Arthurs	Giammarco	McCue	Scirica
Barber	Gillespie	McLane	Seltzer
Bellomini	Gillette	Mebus	Shane
Bennett	Gleason	Menhorn	Shelhamer
Beren	Gleeson	Milanovich	Shuman
Berlin	Goodman	Miller, M. E.	Shupnik
Berson	Green	Miller, M. E., Jr.	Sirianni
Bittle	Greenfield	Milliron	Smith, E.
Blackwell	Grieco	Miscevich	Smith, L.
Bradley	Gring	Morris	Spencer
Brandt	Halverson	Mrkonic	Stahl
Brunner	Hamilton, J. H.	Mullen, M. P.	Stapleton
Burns	Hammock	Mullen	Stout
Butera	Hasay	Musto	Sweeney
Caputo	Haskell	Novak	Taddonio
Cessar	Hayes, D. S.	Noye	Thomas
Cimini	Hayes, S.E.	O'Connell	Toll
Cole	Hepford	O'Donnell	Trello
Cowell	Hill	O'Keefe	Turner
Crawford	Hopkins	Oliver	Ustynoski
Cumberland	Hutchinson, A.	Pancoast	Valicenti
Davies	Hutchinson, W.	Parker, H. S.	Vann
Davis, D. M.	Irvis	Perri	Vroon
DeMedio	Itkin	Perry	Wagner
Deverter	Johnson, J.	Petrarca	Wansacz
Dicarlo	Katz	Pievsky	Wargo
Dietz	Kelly, A. P.	Pitts	Weidner
Dininni	Kelly, J. B.	Polite	Westerberg
Dombrowski	Kernick	Pratt	Whelan

Dorr	Kistler	Prendergast	Whittlesey
Doyle	Klingaman	Pyles	Wilson
Dreibelbis	Knepper	Rappaport	Wilt, R. W.
Eckensberger	Kowalyszyn	Reed	Wilt, W. W.
Englehart	Kusse	Renninger	Wojdak
Fawcett	LaMarca	Renwick	Worrilow
Fee	Laudadio	Rhodes	Wright
Fischer	Laughlin	Richardson	Yahner
Fisher	Lederer	Ritter	Yohn
Flaherty	Lehr	Romanelli	Zearfoss
Foster, A.	Letterman	Ross	Zeller
Foster, W.	Levi	Ruggiero	Zord
Fryer	Lincoln	Ryan	Zwick
Gallagher	Lynch	Saloom	
Gallen	Manderino	Salvatore	
Garzia	Manmiller	Scheaffer	Fineman, Speaker

NAYS—0

NOT VOTING—17

Bonetto	McGinnis	Myers	Sullivan
Cohen	McGraw	O'Brien	Taylor
DiDonato	McIntyre	Rieger	Tayoun
Geisler	Moehlmann	Shelton	Walsh, T. P.
Kolter			

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

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

Bill as amended was agreed to.

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

HOUSE BILL No. 282 CONSIDERED ON FINAL PASSAGE

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

Mr. IRVIS. To make a motion, Mr. Speaker. Mr. Speaker, this bill has been before the House and has been considered on three different occasions, amended and agreed to. The bill is in print. The amendment is in print on the members' desks. I move that the House act finally on the vote on this bill.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, I support the gentleman in his move and have always supported this particular concept. In the past session we were thwarted on many occasions in attempting to do this.

I think it is wise that we point out to the House that we are adopting a policy which, I think makes sense. Since the amendment is in print and the bill is in print, we do meet the constitutional requirement. I think it is important that we now recognize that we have established this precedent. I hope it persists.

PARLIAMENTARY INQUIRY

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

Mr. POLITE. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. POLITE. Mr. Speaker, should we not suspend the rules first before voting on this bill?

The SPEAKER. No, there is no need to suspend the rules. Neither the rules of the House nor the constitution require that a bill that is amended be reprinted to incorporate the amendments. The constitution and the

rules merely require that the amendment be in print and the bill be in print.

Mr. POLITE. Thank you, sir.

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—187

Abraham	George	McClatchy	Schmitt
Anderson, J. H.	Giammarco	McCue	Schweder
Arthurs	Gillespie	McLane	Scirica
Barber	Gillette	Mebus	Seltzer
Bellomini	Gleason	Menhorn	Shane
Bennett	Gleeson	Milanovich	Shelhamer
Beren	Goodman	Miller, M. E.	Shuman
Berlin	Green	Miller, M. E., Jr.	Shupnik
Berson	Greenfield	Millron	Sirianni
Bittle	Grieco	Miscevich	Smith, E.
Blackwell	Gring	Moehlmann	Smith, L.
Bradley	Halverson	Morris	Spencer
Brandt	Hamilton, J. H.	Mrkonic	Stahl
Brunner	Hammock	Mullen, M. P.	Stapleton
Burns	Hasay	Mullen	Stout
Butera	Haskell	Musto	Sweeney
Caputo	Hayes, D. S.	Novak	Taddonio
Cessar	Hayes, S. E.	Noye	Thomas
Cimini	Hepford	O'Connell	Toll
Cole	Hill	O'Donnell	Trello
Cowell	Hopkins	O'Keefe	Turner
Crawford	Hutchinson, A.	Oliver	Ustynoski
Cumberland	Hutchinson, W.	Pancoast	Valicenti
Davies	Irvis	Parker, H. S.	Vann
Davis, D. M.	Itkin	Perri	Vroon
DeMedio	Johnson, J.	Perry	Wagner
Deverter	Katz	Petrarca	Wansacz
Dicarlo	Kelly, A. P.	Pievsky	Wargo
Dietz	Kelly, J. B.	Pitts	Weidner
Dininni	Kernick	Polite	Westerberg
Dombrowski	Kistler	Pratt	Whelan
Dorr	Klingaman	Prendergast	Whittlesey
Doyle	Knepper	Pyles	Wilson
Dreibelbis	Kowalyszyn	Rappaport	Wilt, R. W.
Eckensberger	Kusse	Reed	Wilt, W. W.
Englehart	LaMarca	Renninger	Wojdak
Fawcett	Laudadio	Renwick	Worrilow
Fee	Laughlin	Rhodes	Wright
Fischer	Lederer	Richardson	Yahner
Fisher	Lehr	Ritter	Yohn
Flaherty	Letterman	Romanelli	Zearfoss
Foster, A.	Levi	Ross	Zeller
Foster, W.	Lincoln	Ruggiero	Zord
Fryer	Lynch	Ryan	Zwick
Gallagher	Manderino	Saloom	
Gallen	Manmiller	Salvatore	
Garzia	McCall	Scheaffer	Fineman, Speaker
Geesey			

NAYS—0

NOT VOTING—16

Bonetto	Kolter	Myers	Sullivan
Cohen	McGinnis	O'Brien	Taylor
DiDonato	McGraw	Rieger	Tayoun
Geisler	McIntyre	Shelton	Walsh, T. P.

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.

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 30, printer's No. 476**, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333, No. 320), entitled "Pennsylvania Election Code," extending certain dates with respect to reports of contributions.

On the question,

Will the House agree to the bill on second consideration?

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

Amend Bill, page 12, by inserting after line 26: Section 2. This act shall take effect immediately and shall be retroactive to July 21, 1974.

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

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

Mr. BERSON. Mr. Speaker, this is a technical amendment to Senate bill No. 30 and maybe a word of explanation is required. As many of you will recall, last year we passed Act 201 which required that business entities holding no-bid contracts report all political contributions to the Secretary of the Commonwealth by February 15. As the deadline approached, both Mr. Beren and I—Mr. Beren was the principal sponsor of Act 201—were inundated with various requests for interpretations of what this act meant. The Attorney General was inundated with requests for information as to what the act meant and so was the Secretary of the Commonwealth. Because the Attorney General could not figure out what the act meant, he, on his own motion, extended the filing date.

As Senate bill No. 30 has emerged from the State Government Committee, it simply provides for an extension of time for the filing of the information required under Act 201. This technical amendment is designed to make sure that nobody is prosecuted for failure to file during this interim period before we pass the amended Senate bill No. 30, which is now on second consideration. That is all the technical amendment that is before us is intended to do.

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

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

YEAS—183

- Abraham Anderson, J. H. Arthurs Barber Bellomini Bennett Beren Berlin Berson Bittle Blackwell Bradley Brandt Brunner Burns Butera Caputo Cessar Cimini Cole Cowell Crawford Cumberland Davies DeMedio Deverter Dicarlo Dietz Dininni Dombrowski Dorr Doyle Dreibelbs Eckensberger Englehart Fawcett Fee Fischer Geisler George Giammarco Gillespie Gillette Gleason Gleeson Goodman Green Greenfield Grieco Gring Halverson Hamilton, J. H. Hammock Hasay Haskell Hayes, D. S. Hayes, S. E. Hepford Hill Hopkins Hutchinson, A. Hutchinson, W. Irvis Itkin Johnson, J. Katz Kelly, A. P. Kelly, J. B. Kernick Kistler Klingaman Knepper Kowalshyn Kusse Laudadio Laughlin McCall McClatchy McLane Mebus Menhorn Milanovich Miller, M. E. Miller, M. E., Jr. Milliron Misceovich Moehlmann Morris Mrkonic Mullen, M. P. Mullen Musto Novak Noye O'Connell O'Donnell O'Keefe Oliver Pancoast Perri Perry Petrarca Pievsky Pitts Polite Pratt Prendergast Pyles Rappaport Reed Renninger Renwick Rhodes Richardson Schmitt Schweder Scirica Seltzer Shane Shelhamer Shuman Shupnik Sirianni Smith, E. Smith, L. Spencer Stahl Stapleton Stout Sweeney Taddonio Thomas Toll Trello Turner Ustynoski Valicenti Vann Vroon Wagner Wansacz Wargo Weidner Westerberg Whelan Whittlesey Wilson Wilt, R. W. Wilt, W. W. Wojdak Worrilow Wright

- Fisher Flaherty Foster, A. Foster, W. Fryer Gallagher Gallen Garzia Geesey Lederer Lehr Letterman Levi Lincoln Lynch Manderino Manmiller Ritter Romanelli Ross Ruggiero Ryan Saloom Salvatore Scheaffer Yahner Yohn Zearfoss Zeller Zwick Fineman, Speaker

NAYS—0

NOT VOTING—20

- Bonetto Cohen Davis, D. M. DiDonato Kolter LaMarca McCue McGinnis McGraw McIntyre Myers O'Brien Parker, H. S. Rieger Shelton Sullivan Taylor Tayoun Walsh, T. P. Zord

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

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

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

CONSIDERATION OF HOUSE BILL No. 594 RESUMED

HOUSE BILL No. 594 RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I move to recommit House bill No. 594, printer's No. 799, to the Appropriations Committee for the purpose of a fiscal note.

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

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

Mr. THOMAS. Mr. Speaker, I just want a clarification for the House. There are a lot of questions on my side and I am not sure the Speaker did exactly what he meant to do. The bill, as amended, should be referred to the Appropriations Committee, and he did not say "as amended."

It does require a fiscal note according to rule 19 (a) and it is proper that it go there. Being a peace-loving, law-abiding citizen, I would hate to stir up the rules any more today.

The SPEAKER. The bill has been amended and, of course, its recommittal carries with it the amendment.

ANNOUNCEMENT

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, the members have had placed on their desks a copy of the rules of the House as of this date. They are not the official rules of the House. I caution you on that. These are the rules prepared by staff as we best understand them to be.

The majority leader appended a note saying that these were a "clean copy" of the rules, and I understand there is some comment to come from certain members about the adjectival use of the word "clean."

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

Mr. STAHL. Mr. Speaker, might I make a few remarks regarding that?

We just received a note, as Mr. Irvis has indicated, to the effect that he has given us a clean copy of the House rules which, of course, implies that a previous draft thereof was somehow unclean, with which statement my colleagues on this side of the aisle will certainly and wholeheartedly agree.

Therefore, Mr. Speaker, might I inquire of the majority leader whether some new magical parliamentary method was employed to make previously unclean rules clean?

Mr. IRVIS. Mr. Speaker, I know of no new magical parliamentary procedure to do anything and it is lucky for certain members of this House that I do not.

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

Mr. GALLEN. Mr. Speaker, for just a moment I would like to have a word today about Mr. Stahl since he is on his feet here.

This Saturday Mr. Stahl is going to embark on the sea of matrimony, and I think it would be nice if everybody would give him a round of applause and wish him well.

Mr. STAHL. I am going to need it.

The SPEAKER. Eventually we all get silly.

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

Mr. VANN. Mr. Speaker, may I personally extend to Mr. Stahl my deepest sympathy.

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

Mr. ROMANELLI. I would like to inform Mr. Stahl, do not worry about it. Marriage is a three-ring circus—an engagement ring, a wedding ring, and suffering.

ANNOUNCEMENT

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I give this information to the House on a congratulatory note. A number of the members have come to my desk and asked, how are we doing? We have done very well indeed. As of the same date in 1973, this House had passed 33 bills, as of March 20. During this week alone, sitting in session Tuesday, Wednesday, and Thursday, you have passed 50 bills and, in addition to that, five others for a total of 55.

I want to congratulate the members of the House and I want to thank you for your patience with the new system. It is beginning to function and I think that we may well get you out on time.

Thank you and congratulations.

HOUSE BILLS INTRODUCED AND REFERRED

By Messrs. MUSTO, SHUPNIK, O'BRIEN, O'CONNELL and HASAY **HOUSE BILL No. 881**

An Act amending the act of December 22, 1959 (P. L. 1978, No. 728), referred to as the State Harness Racing Law, requiring corporations to race in the county in which they are licensed.

Referred to Committee on Business and Commerce.

By Messrs. MUSTO, SHUPNIK, O'BRIEN, O'CONNELL and HASAY **HOUSE BILL No. 882**

An Act amending the act of December 11, 1967 (P. L. 707, No. 331), referred to as the Thoroughbred Horse Racing Law, requiring corporations to race in the county in which licensed.

Referred to Committee on Business and Commerce.

By Messrs. DeMEDIO, ZELLER, MRKONIC, SHUMAN, DOMBROWSKI, HOPKINS, COLE, LYNCH, PETRARCA, SALVATORE, KATZ, PYLES, M. M. MULLEN, CIMINI, NOVAK, MISCEVICH, GILLESPIE, LAUDADIO, A. K. HUTCHINSON, STOUT and BELLOMINI **HOUSE BILL No. 883**

An Act providing plans for the encouragement of certain Vietnam veterans to return to school to complete their secondary education; imposing certain duties on the Department of Education and each of the school districts of the Commonwealth and making an appropriation.

Referred to Committee on Military and Veterans Affairs.

By Messrs. W. W. WILT and WESTERBERG **HOUSE BILL No. 884**

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58, No. 32), providing for the operation of vehicles when approaching or overtaking buses and providing a penalty.

Referred to Committee on Transportation.

By Mrs. FAWCETT, Messrs. RENNINGER, BURNS, WRIGHT, WEIDNER, WILSON, SHANE, GALLAGHER and BERLIN **HOUSE BILL No. 885**

An Act amending the "Pennsylvania Municipalities Planning Code," approved July 31, 1968 (P. L. 805, No. 247), adding a definition; adding requirements for comprehensive plans; * * * and providing penalties.

Referred to Committee on Urban Affairs.

By Messrs. KATZ, PERRI, SALVATORE and LEVI **HOUSE BILL No. 886**

An Act amending the "Public School Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 350, No. 77), bringing certain part-time teachers within the definition full-time employe and allowing credit for part-time service.

Referred to Committee on Education.

By Mr. KATZ **HOUSE BILL No. 887**

An Act prohibiting any abortion referral agency or any individual who procures an abortion from seeking or receiving or seeking and receiving any remuneration from any person other than the recipient of the referral; for any person who performs an abortion to give or attempt to give any remuneration to any other person for the benefit of the referral and providing penalties.

Referred to Committee on Judiciary.

By Messrs. RAPPAPORT, FINEMAN, BERSON, BERLIN, Mrs. TOLL, Messrs. ITKIN, PIEVSKY, KATZ, GREENFIELD and BEREN **HOUSE BILL No. 888**

An Act making an appropriation to the trustees of Dropsie University at Philadelphia, Pennsylvania.

Referred to Committee on Appropriations.

By Messrs. FINEMAN, IRVIS, MANDERINO, RYAN, WARGO, BUTERA, BENNETT, WOJDAK, GALLAGHER, BRUNNER, RITTER, PERRY, SHELTON, LAUDADIO, O'BRIEN, VALICENTI,

FRYER, Mrs. KELLY, Messrs. BERSON,
LYNCH, LaMARCA, SHELHAMER, BONETTO,
GALLEN, HILL, PARKER and W. W. WILT

HOUSE BILL No. 889

An Act amending the "Legislative Officers and Employees Law," approved January 10, 1968 (1967 P. L. 925, No. 417), providing additional compensation for the Chairman and Minority Chairman of each Standing Committee of the House of Representatives.

Referred to Committee on State Government.

By Mr. KATZ **HOUSE BILL No. 890**

An Act amending the act of October 17, 1969 (P. L. 263, No. 106), entitled "An act providing for the Traffic Court of Philadelphia," declaring writ servers to be law enforcement officers for certain purposes.

Referred to Committee on Urban Affairs.

By Messrs. KATZ, PERRI and SALVATORE
HOUSE BILL No. 891

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), providing for the reclamation of certain licenses in cities of the first class.

Referred to Committee on Liquor Control.

By Messrs. VALICENTI, ABRAHAM, NOVAK,
Mrs. GILLETTE, Messrs. DOMBROWSKI, COWELL,
MISCEVICH, M. M. MULLEN, MRKONIC,
FLAHERTY, GIAMMARCO, ROMANELLI,
CAPUTO, Mrs. KELLY, Messrs. CESSAR,
ZORD, M. E. MILLER, WANSACZ, WALSH,
Mrs. KERNICK, Messrs. TRELLO, KOLTER,
PETRARCA, PRENDERGAST, A. K. HUTCHINSON,
LAUDADIO, LaMARCA, PERRY, MUSTO,
ARTHURS, SCHMITT and SALOOM

HOUSE BILL No. 892

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736, No. 338), providing additional compensation for disabled persons.

Referred to Committee on Labor Relations.

By Messrs. ENGLEHART, VALICENTI, NOVAK,
FEE, MANDERINO, DOMBROWSKI,
BELLOMINI, Mrs. GILLETTE, Messrs. COWELL,
ROMANELLI, M. E. MILLER, HASKELL,
TRELLO, ABRAHAM, BLACKWELL, ROSS,
WARGO, MUSTO, MRKONIC, FLAHERTY and
FISCHER **HOUSE BILL No. 893**

An Act providing for precautions to be taken in the proximity of high-voltage lines for the prevention of accidents; providing powers of administration and enforcement to the Department of Labor and Industry and prescribing penalties for violations.

Referred to Committee on Labor Relations.

By Messrs. ENGLEHART, VALICENTI, NOVAK,
FEE, MANDERINO, DOMBROWSKI,
BELLOMINI, Mrs. GILLETTE, Messrs. COWELL,
ROMANELLI, M. E. MILLER, HASKELL,
TRELLO, ABRAHAM, BLACKWELL, ROSS,
WARGO, MUSTO, MRKONIC, FLAHERTY and
FISCHER **HOUSE BILL No. 894**

An Act relating to the safety of workmen in the construction and maintenance of electric service, ensuring that consumers will receive more adequate and reliable electric service and conferring powers and imposing duties on the Department of Labor and Industry and courts of common pleas.

Referred to Committee on Labor Relations.

By Messrs. LYNCH, WORRILOW, ZEARFOSS and
GLEASON **HOUSE BILL No. 895**

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58, No. 32), requiring police officers to warn of results for refusal to take breath test.

Referred to Committee on Transportation.

By Messrs. WILSON and PERRY
HOUSE BILL No. 896

An Act amending Title 72 (State Government) of the Pennsylvania Consolidated Statutes, revising provisions relating to State employees and officers.

Referred to Committee on State Government.

By Messrs. STAHL, REED, NOYE, HOPKINS,
WRIGHT, McCLATCHY, KNEPPER,
W. D. HUTCHINSON and RHODES
HOUSE BILL No. 897

An Act providing for a public employment program in economically depressed areas.

Referred to Committee on Labor Relations.

By Messrs. SALOOM, HALVERSON, LINCOLN,
PETRARCA, ITKIN, MRKONIC, FLAHERTY,
CAPUTO, TRELLO, M. M. MULLEN,
ROMANELLI, M. P. MULLEN, BONETTO,
Mrs. KERNICK, Messrs. PERRY, BELLOMINI,
DOMBROWSKI, O'BRIEN, A. K. HUTCHINSON,
DAVIS and PIEVSKY **HOUSE BILL No. 898**

An Act amending the "Public Official Compensation Law," approved June 1, 1956 (P. L. 1959, No. 657—1955), providing for payment by the Commonwealth of expenses incurred on behalf of judges.

Referred to Committee on Judiciary.

By Messrs. SALOOM, HALVERSON, LINCOLN,
PETRARCA, KOLTER, ITKIN, BONETTO,
CAPUTO, FLAHERTY, MRKONIC, M. P. MULLEN,
TRELLO, ROMANELLI, M. M. MULLEN,
MISCEVICH, ABRAHAM, COWELL, RHODES,
Mrs. KERNICK, Messrs. PERRY, BELLOMINI,
DOMBROWSKI, O'BRIEN, DAVIS and PIEVSKY
HOUSE BILL No. 899

An Act amending "The County Code," approved August 9, 1955 (P. L. 232, No. 130), discontinuing the requirement that counties pay part of the cost of the food stamp program.

Referred to Committee on Urban Affairs.

By Messrs. SALOOM, HALVERSON, LINCOLN,
PETRARCA, ITKIN, BONETTO, CAPUTO,
FLAHERTY, MRKONIC, M. M. MULLEN,
M. P. MULLEN, BELLOMINI, DOMBROWSKI,
TRELLO, ROMANELLI, ABRAHAM, COWELL,
RHODES, Mrs. KERNICK, Messrs. PERRY,
O'BRIEN, YAHNER, DAVIS and PIEVSKY
HOUSE BILL No. 900

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), providing for payment of the cost of medical assistance for county public nursing home care.

Referred to Committee on Health and Welfare.

By Messrs. SALOOM, HALVERSON, LINCOLN,
ITKIN, BONETTO, CAPUTO, FLAHERTY,

MRKONIC, TRELLO, ROMANELLI, COWELL,
M. M. MULLEN, RHODES, Mrs. KERNICK,
Messrs. M. P. MULLEN, PERRY, BELLOMINI,
DOMBROWSKI, O'BRIEN, A. K. HUTCHINSON,
DAVIS and PIEVSKY **HOUSE BILL No. 901**

An Act amending the "Mental Health and Mental Retardation Act of 1966," approved October 20, 1966 (3rd Sp. Sess., P. L. 96, No. 6), providing for payment by the Commonwealth of expenses of keeping convicts or persons committed for observation in connection with criminal proceedings in a facility.

Referred to Committee on Judiciary.

By Messrs. SALOOM, WHELAN, LINCOLN,
PETRARCA, Mrs. KERNICK and Mr. DAVIS
HOUSE BILL No. 902

An Act declaring and adopting the song "Pennsylvania," by Gertrude Martin Rohrer, as the State song of the Commonwealth.

Referred to Committee on State Government.

By Messrs. SALOOM, WHELAN, HALVERSON and
DAVIS **HOUSE BILL No. 903**

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), providing for payment of a portion of personal income taxes to municipalities.

Referred to Committee on Finance.

By Messrs. SALOOM, WHELAN, HALVERSON and
PETRARCA **HOUSE BILL No. 904**

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58, No. 32), further providing for the inspection of towed recreational vehicles.

Referred to Committee on Transportation.

By Mr. WOJDAK **HOUSE BILL No. 905**

A Supplement to the act of October 10, 1974 (No. 245), entitled "An act providing for the capital budget for the fiscal year 1974-1975," itemizing public improvement projects to be acquired or constructed by The General State Authority, together with their estimated financial costs, authorizing the incurring of debt without the approval of the electors for the purpose of financing the public improvement projects, stating the estimated useful life of the projects and making an appropriation.

Referred to Committee on Appropriations.

By Messrs. WOJDAK, CAPUTO, KNEPPER,
PARKER, ZORD, M. M. MULLEN, TRELLO,
GEISLER, ROMANELLI and SWEENEY
HOUSE BILL No. 906

An Act amending the act of May 1, 1907 (P. L. 135, No. 109), entitled "An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas, *** repealed by the said act of twenty-fourth of May, one thousand eight hundred and eighty-seven," increasing the compensation of official stenographers for copies of stenographic notes.

Referred to Committee on Judiciary.

By Messrs. MORRIS, FRYER, MEBUS, ARTHURS,
PETRARCA, YAHNER, RUGGIERO, GARZIA,
DOYLE, BURNS, O'KEEFE, ABRAHAM, TRELLO,
MISCEVICH, WEIDNER, GRING and NOYE
HOUSE BILL No. 907

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206, No. 331), providing for appropriations for building hospitals.

Referred to Committee on Local Government.

By Messrs. RUGGIERO, MORRIS, MEBUS, FRYER,
PETRARCA, ABRAHAM, TRELLO, ARTHURS,
WEIDNER, DeMEDIO, LEVI, DOYLE, O'KEEFE,
BURNS, NOYE, W. D. HUTCHINSON, GRING,
GARZIA and YAHNER **HOUSE BILL No. 908**

An Act amending "The Borough Code," approved February 1, 1966 (1965 P. L. 1656, No. 581), increasing amount of levy permitted for fire protection.

Referred to Committee on Local Government.

By Messrs. FRYER, RUGGIERO, MORRIS, MEBUS,
PETRARCA, ABRAHAM, TRELLO, ARTHURS,
SALOOM, WEIDNER, LEVI, DeMEDIO, DOYLE,
O'KEEFE, BURNS, NOYE, W. D. HUTCHINSON,
GRING, GARZIA and YAHNER
HOUSE BILL No. 909

An Act amending "The County Code," approved August 9, 1955 (P. L. 323, No. 130), discontinuing the requirement that counties pay part of the cost of the food stamp program.

Referred to Committee on Local Government.

By Mr. McCLATCHY, Mrs. KELLY, Mrs. FAWCETT,
Mrs. TOLL, Mr. COHEN, Mrs. CRAWFORD,
Messrs. MEBUS, GALLEN, DOYLE, KELLY,
KNEPPER and ZORD **HOUSE BILL No. 910**

An Act requiring certain institutions to conduct courses of instruction in the handling and treatment of victims of rape and adding certain requirements for schools of nursing and candidates for licenses as registered nurses.

Referred to Committee on Law and Justice.

By Mr. McCLATCHY, Mrs. KELLY, Mr. DiCARLO,
Mrs. TOLL, Mrs. CRAWFORD, Mr. STAHL,
Mrs. FAWCETT, Mr. GALLEN, Mrs. WHITTLESEY,
Mr. W. D. HUTCHINSON, Mrs. GILLETTE,
Mrs. KERNICK, Messrs. ZWIKL, LEDERER,
O'DONNELL, BRADLEY, MEBUS and KELLY
HOUSE BILL No. 911

An Act prescribing certain powers and duties on the Commissioner of the Pennsylvania State Police concerning victims of rape.

Referred to Committee on Law and Justice.

By Mr. McCLATCHY, Mrs. KELLY, Mr. DiCARLO,
Mrs. TOLL, Mrs. CRAWFORD, Mrs. FAWCETT,
Messrs. GALLEN, W. D. HUTCHINSON,
Mrs. GILLETTE, Mrs. KERNICK, Messrs. ZWIKL,
LEDERER, O'DONNELL, BRADLEY, MEBUS,
STAHL and KELLY **HOUSE BILL No. 912**

An Act providing for the establishment of a team of recognized authorities in the field of the treatment of rape victims for the purpose of conducting public education seminars and making an appropriation.

Referred to Committee on Law and Justice.

By Messrs. W. W. WILT and MILLIRON
HOUSE BILL No. 913

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58, No. 32), changing the income requirement of persons entitled to a reduced registration fee.

Referred to Committee on Transportation.

By Messrs. PRENDERGAST, KOWALYSHYN,
RUGGIERO and SCHWEDER
HOUSE BILL No. 914

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58, No. 32), further providing for the passing of school buses and increasing penalties.

Referred to Committee on Transportation.

By Messrs. DOYLE, SCHMITT, GILLESPIE, O'KEEFE, GARZIA, LETTERMAN, KNEPPER and DOMBROWSKI **HOUSE BILL No. 915**

An Act amending the "Motor Vehicle Sales Finance Act," approved June 28, 1947 (P. L. 1110, No. 476), providing for changes in the amount of a refund for prepayment of the contract.

Referred to Committee on Business and Commerce.

By Messrs. DOYLE, SCHMITT, GILLESPIE, O'KEEFE, GARZIA, LETTERMAN, KNEPPER and DOMBROWSKI **HOUSE BILL No. 916**

An Act amending the "Consumer Discount Company Act," approved April 8, 1937 (P. L. 262, No. 66), providing for changes in the amount of a refund for prepayment of the contract.

Referred to Committee on Business and Commerce.

By Messrs. DOYLE, SCHMITT, GILLESPIE, O'KEEFE, GARZIA, LETTERMAN, KNEPPER and DOMBROWSKI **HOUSE BILL No. 917**

An Act amending the "Goods and Services Installment Sales Act," approved October 28, 1966 (1st Sp. Sess., P. L. 55, No. 7), providing for changes in refunds for prepayment of contracts.

Referred to Committee on Business and Commerce.

By Messrs. DOYLE, SCHMITT, GILLESPIE, O'KEEFE, GARZIA, LETTERMAN, KNEPPER and DOMBROWSKI **HOUSE BILL No. 918**

An Act amending the "Banking Code of 1965," approved November 30, 1965 (P. L. 847, No. 356), further providing for rebate of unearned charges on installment loans.

Referred to Committee on Business and Commerce.

By Messrs. WOJDAK, FINEMAN, IRVIS, SALVATORE, MANDERINO, VANN, BUTERA, RUGGIERO, LINCOLN, MORRIS, PETRARCA, PRENDERGAST, LaMARCA, SALOOM, ARTHURS, ROMANELLI, O'KEEFE, GILLESPIE, GARZIA, DeMEDIO, ENGLEHART, HAMILTON, SHUPNIK, BELLOMINI, YAHNER, LAUDADIO, RENWICK, NOVAK, TRELLO, PERRI, OLIVER, BURNS, WRIGHT, LEVI, WEIDNER, NOYE, GRING, FISHER, FLAHERTY, LETTERMAN, DOMBROWSKI, PIEVSKY, WHELAN, HASAY, PYLES, WILSON, BERSON, GALLAGHER, BERLIN, STOUT, RAPPAPORT, BRUNNER, GEISLER, CAPUTO, SWEENEY, SCHMITT, BARBER, PERRY, W. D. HUTCHINSON, O'CONNELL, A. K. HUTCHINSON, BLACKWELL, ROSS, GIAMMARCO, JOHNSON, Mrs. TOLL, Mrs. KELLY, Messrs. WANSACZ, McLANE, SCHWEDER, REED, KOWALYSHYN, GEORGE, LEDERER, SHANE and GLEASON

HOUSE BILL No. 919

An Act amending the act of May 29, 1956 (P. L. 1804, No. 600), entitled "An act providing for the establishment of police pension funds or pension annuities in certain boroughs, towns and townships, and the regulation and maintenance thereof; ***," changing the age and

service requirements for retirement by members of the police force.

Referred to Committee on Law and Justice.

By Messrs. ZWIKL, PERRY, McCALL, RITTER, LEDERER, DiCARLO, MILLIRON, BERLIN, FISHER, LAUDADIO, O'DONNELL, KELLY, KNEPPER, BURNS, CUMBERLAND, HASKELL, FISCHER, R. W. WILT, PARKER and COWELL **HOUSE BILL No. 920**

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for four-year terms for Members of the House of Representatives.

Referred to Committee on State Government.

By Messrs. ZWIKL, RITTER, ECKENSBERGER, ZELLER, O'DONNELL, BRADLEY, SCHWEDER, McLANE and M. E. MILLER, JR. **HOUSE BILL No. 921**

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58, No. 32), requiring warning signs to be installed at intersections where a delayed light is used for traffic turning across traffic.

Referred to Committee on Transportation.

By Messrs. M. E. MILLER, VALICENTI, FISCHER, HASKELL, ZORD, KNEPPER, MUSTO, M. M. MULLEN, TRELLO, MENHORN, HOPKINS, R. W. WILT, MILLIRON, BURNS, CUMBERLAND and FINEMAN

HOUSE BILL No. 922

An Act providing for the display of the National and Pennsylvania flags on all public buildings.

Referred to Committee on State Government.

By Messrs. WAGNER, SHELFHAMER, HASAY, TURNER, SPENCER, Miss SIRIANNI, Messrs. SALOOM and RENWICK

HOUSE BILL No. 923

An Act amending the act of May 8, 1889 (P. L. 136, No. 153), entitled "An act to amend an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, Anno Domini one thousand eight hundred and seventy-four, providing for the incorporation and regulation of electric light, heat and power companies," restricting the areas where utility companies may exercise the power of eminent domain and imposing additional duties on the Public Utility Commission.

Referred to Committee on Consumer Protection.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. FINEMAN and REED

RESOLUTION No. 76

The House of Representatives of the Commonwealth of Pennsylvania objects strenuously to the invasion of Cyprus by Turkey and her resort to arms to achieve her unlawful goals.

Referred to Committee on Rules.

By Messrs. M. P. MULLEN, RENWICK, WALSH, DOMBROWSKI, DeMEDIO, LINCOLN, BRUNNER, ARTHURS, YAHNER, GALLAGHER, KOWALYSHYN, LAUGHLIN, HOPKINS, WARGO, BRADLEY, McCLATCHY, FEE, CAPUTO,

MUSTO, HAMILTON, KATZ, MILLIRON,
Mrs. GILLETTE, Messrs. TAYLOR, PETRARCA,
SHUMAN, DOYLE, CESSAR, LEDERER, SCHMITT,
TAYOUN, GALLEN, M. M. MULLEN, HALVERSON,
VALICENTI and PITTS

(Concurrent) **RESOLUTION No. 77**

The General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States to pass an amendment to the United States Constitution guaranteeing that all constitutional rights, including due process and equal protection of the law, apply to the unborn in the same manner and to the same extent as to all other citizens of the United States.

Referred to Committee on Rules.

By Messrs. WRIGHT, DeMEDIO, LYNCH and BURNS
RESOLUTION No. 78

The House of Representatives of the Commonwealth of Pennsylvania urge the Governor to use all the power and prestige of his office to convince the United States Department of Health, Education and Welfare to have a Veterans' Home located at the old Valley Forge General Hospital site.

Referred to Committee on Rules.

By Messrs. BERLIN, BENNETT, DeMEDIO,
DOMBROWSKI, PETRARCA, SALOOM,
SHELHAMER, CAPUTO, STOUT, ENGLEHART,
WRIGHT, WEIDNER and BURNS

(Concurrent) **RESOLUTION No. 79**

The General Assembly of the Commonwealth of Pennsylvania solemnly and respectfully urges that the Supreme Court of Pennsylvania recognize the magnitude of public trust in the constable as a law enforcement official and the proportionate responsibilities growing out of that trust.

Referred to Committee on Rules.

By Messrs. SALVATORE and KATZ
RESOLUTION No. 80

The Speaker of the House of Representatives appoint a bipartisan five-member special committee, three from the majority party and two from the minority party, to investigate the entire Pennhurst cottage-type modular unit project authorized by the act of June 30, 1972 (P. L. 721, No. 167), known as the "Capital Budget Act for Fiscal Year 1971-1972, Public Improvement Project Itemization Supplement—The General State Authority," with a view to having the construction errors corrected not only for this project but for all future projects by means of proposed legislation to prevent the recurrence of such shoddy work on State construction.

Referred to Committee on Rules.

By Mr. M. E. MILLER **RESOLUTION No. 81**

It is the sense of the House of Representatives that land should be reserved for an operating farm at Landis Valley.

Referred to Committee on Rules.

LEGISLATION TO BE INTRODUCED

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

Mr. STAHL. Mr. Speaker, today, I am introducing

legislation which, hopefully, will avoid the cataclysmic results of our worsening economy. The national economy is worsening at an alarming rate and, according to most experts, there is no end in sight. Present laws do not meet the problem as it now exists and especially as it will exist some few months down the road.

To illustrate the problem, just a very few months ago, we were at 5½ percent unemployment in this Commonwealth. Today, we are probably over 8½ percent. It is projected that by spring of next year or as early as fall of 1975, we will have 10½ percent unemployment in Pennsylvania. Therefore, emergency action must be taken and broad steps are called for.

Therefore, Mr. Speaker, I am introducing the public temporary employment act of 1975, which gives to the Governor the right to declare an economic emergency when the unemployment rate of any area of the Commonwealth reaches 8 percent or more for two consecutive quarters. As administered by the Department of Labor and Industry, job positions may be created in the Commonwealth level, and, in addition, all other subdivisions of the Commonwealth may be able to participate in this program if they contribute towards the cost of employment, up to 25 percent of the cost of providing these jobs.

In order to avoid lingering on the program, all applicants shall be issued a certificate of need, issued to them by the Department of Labor and Industry, which will certify that the applicant has exhausted all employment possibilities; there is no private employment available to the applicant; and the applicant has current job applications with at least three employers for jobs for which the applicant is reasonably qualified. Further, temporary employment under this act shall not exceed 1 year.

Mr. Speaker, I would like to further point out that with this temporary employment, we can avoid the spectre of burgeoning welfare rolls due to unemployed persons having no other recourse. Forcing an honest workingman and his family onto the welfare rolls is demeaning at best. When this workingman goes to the welfare rolls, let us not forget that he may very well lose his home, for which he has worked for many, many years, because of the liens placed against him to the extent of welfare payments he receives.

Further, I would like to point out that this bill helps the economic situation in the Commonwealth by infusing purchasing dollars into the economic mainstream.

Mr. Speaker, I urge all members who are interested in saving Pennsylvania's economy and the dignity of the displaced workingman to join me in sponsoring this legislation.

Thank you.

ADJOURNMENT

Mr. MANDERINO moved that this House do now adjourn until Monday, April 7, 1975, at 1 p.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and (at 4:12 p.m., e.d.t.) the House adjourned.