

Legislative Journal

TUESDAY, APRIL 29, 1975

Session of 1975

159th of the General Assembly

Vol. 1, No. 36

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:

Heavenly Father, we humbly pray that Thou wilt make the minds of Thy faithful people to be of one will, so that Thy workmen may ever present a concerted effort to accomplish Thy truth. Grant to each of us the power to love those things which Thou dost command, and desire those things which Thou dost promise to all Thine own. Teach us the true joys of life, and challenge us to fix our hearts upon those things which are the real source of that joy. To Thee be the honor, the glory, and the praise, forever and ever, world without end. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Monday, April 28, 1975, will be postponed until printed.

HOUSE BILLS INTRODUCED AND REFERRED

By Messrs. NOYE, SHELHAMER, KLINGAMAN, HALVERSON, HASKELL, R. W. WILT, M. E. MILLER, HOPKINS, RENWICK, YAHNER, RUGGIERO, PITTS, SCHEAFFER, DORR, A. C. FOSTER, ANDERSON, ZELLER, ZWIKL, GRING, HASAY, W. W. FOSTER, POLITE, USTYNOSKI, GRIECO, WAGNER, TURNER, ZEARFOSS and DAVIES **HOUSE BILL No. 1110**

An Act amending the act of June 1, 1956 (1955 P. L. 1944, No. 655), entitled "An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities, boroughs, incorporated towns and townships; for their road, street and bridge purposes; conferring powers and imposing duties on local officers and the Department of Highways; and making an appropriation out of the Motor License Fund; and repealing existing legislation," providing for the determination of population from the school census and making an editorial correction.

Referred to Committee on Education.

By Mr. A. K. HUTCHINSON **HOUSE BILL No. 1111**

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania authorizing political activity by judges.

Referred to Committee on Judiciary.

By Messrs. A. K. HUTCHINSON and LAUDADIO

HOUSE BILL No. 1112

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932, No. 317), providing for the vesting of pension benefits after twenty years of service.

Referred to Committee on Urban Affairs.

By Messrs. A. K. HUTCHINSON, LAUDADIO, PETRARCA, MANDERINO and KOLTER

HOUSE BILL No. 1113

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, adding certain employees to the State Employees' Retirement System.

Referred to Committee on State Government.

By Messrs. DREIBELBIS, SHELHAMER, YAHNER, R. W. WILT, FRYER, KLINGAMAN, W. W. FOSTER, BRANDT, COLE, BRADLEY, MORRIS, WEIDNER, A. C. FOSTER, THOMAS and GRIECO

HOUSE BILL No. 1114

An Act amending "The Liquid Fuels Tax Act," approved May 21, 1931 (P. L. 149, No. 105), providing for the Department of Agriculture to make distribution of certain reimbursements and refunds.

Referred to Committee on Transportation.

By Mr. M. E. MILLER, JR. **HOUSE BILL No. 1115**

An Act authorizing review of certain architectural plans for public buildings by historical agencies of municipalities, counties and townships and providing for resolution of disagreements by governing bodies.

Referred to Committee on State Government.

By Messrs. M. E. MILLER, JR. and HASAY

HOUSE BILL No. 1116

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), limiting period citation remains part of licensee's record and providing for expunging certain action from the record.

Referred to Committee on Liquor Control.

By Messrs. ZWIKL, MILLIRON, HASKELL, McCALL, TAYLOR, DOMBROWSKI, BELLOMINI, MORRIS, SHUMAN and GREENFIELD **HOUSE BILL No. 1117**

An Act amending the "Senior Citizens Property Tax Assistance Act," approved March 11, 1971 (P. L. 104, No. 3), further defining "income."

Referred to Committee on Finance.

By Messrs. M. E. MILLER, JR. and SELTZER

HOUSE BILL No. 1118

An Act amending the "Group Life Insurance Policy Law," approved May 11, 1949 (P. L. 1210, No. 367), providing for dependent group life insurance.

Referred to Committee on Consumer Protection.

By Messrs. DeMEDIO, RITTER, FRYER, MEBUS
and WEIDNER **HOUSE BILL No. 1119**

An Act amending the "Pennsylvania Municipalities Planning Code," approved July 31, 1968 (P. L. 805, No. 247), further providing for membership on zoning hearing boards.

Referred to Committee on Local Government.

By Messrs. DeMEDIO, RITTER, FRYER, MEBUS and
WEIDNER **HOUSE BILL No. 1120**

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), further providing for the care of certain cemeteries and making an editorial change.

Referred to Committee on Local Government.

By Messrs. IRVIS, MANDERINO, BERSON,
ENGLEHART and BELLOMINI
HOUSE BILL No. 1121

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736, No. 338), providing for the establishment of the Workmen's Compensation Supersedeas Fund, and requiring annual reports of compensation paid.

Referred to Committee on Labor Relations.

By Messrs. DeMEDIO, FISHER, MANDERINO,
ENGLEHART, BERSON, Mrs. KELLY,
Messrs. BENNETT, BRUNNER, LAUDADIO and
LEVI **HOUSE BILL No. 1122**

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), creating a State Board of Hearing Aid Dispensers as a departmental administrative board in the Department of State.

Referred to Committee on Consumer Protection.

By Messrs. DeMEDIO, FISHER, MANDERINO,
ENGLEHART, BERSON, Mrs. KELLY,
Messrs. BENNETT, BRUNNER, LAUDADIO and
LEVI **HOUSE BILL No. 1123**

An Act relating to the dispensing and sale of hearing aids, providing for the registration and regulation of hearing aid dispensers, making certain acts illegal, and prescribing penalties.

Referred to Committee on Consumer Protection.

By Messrs. DeMEDIO, ENGLEHART, STOUT,
BRUNNER, RENNINGER, VROON, PITTS,
Mrs. CRAWFORD and Mr. A. K. HUTCHINSON
HOUSE BILL No. 1124

An Act amending "The Realty Transfer Tax Act," approved December 27, 1951 (P. L. 1742, No. 467), excluding from the tax certain transfers to corporations.

Referred to Committee on Finance.

By Messrs. WOJDAK, GALLAGHER, ENGLEHART
and BRUNNER **HOUSE BILL No. 1125**

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further defining tangible personal property.

Referred to Committee on Finance.

By Mr. WRIGHT **HOUSE BILL No. 1126**

An Act amending the "Senior Citizens Property Tax Assistance Act," approved March 11, 1971 (P. L. 104, No. 3), including certain single persons within the act.

Referred to Committee on Finance.

By Messrs. CAPUTO, GEISLER, ABRAHAM,
COWELL, TRELLO, FLAHERTY, M. M. MULLEN,
MISCEVICH, MENHORN, Mrs. KERNICK,
Messrs. MRKONIC and ITKIN

HOUSE BILL No. 1127

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723, No. 230), authorizing the purchase of certain insurance against errors and omissions.

Referred to Committee on Local Government.

By Messrs. REED, SCHWEDER, KOWALYSHYN,
DiDONATO, TAYOUN, Mrs. KELLY,
Messrs. BERLIN, PRATT, MILLIRON, McLANE
and STAPLETON **HOUSE BILL No. 1128**

An Act establishing the Tricentennial Commission of Pennsylvania to plan and develop Pennsylvania's participation in the commemoration of the founding of this Commonwealth; providing for the appointment of members and the powers and duties of the commission; and making an appropriation.

Referred to Committee on State Government.

By Messrs. SALVATORE, SHANE, LEHR, FRYER,
VROON, Mrs. WHITTLESEY, Messrs.
WESTERBERG, HALVERSON, USTYNOSKI,
KOWALYSHYN, WEIDNER, LEVI, KUSSE and
McCLATCHY **HOUSE BILL No. 1129**

An Act relating to the promotion of the health, safety and welfare of the people of the Commonwealth by defining medical malpractice, creating a Medical Practitioners Peer Review Board, setting standards for malpractice insurance policies, establishing a period of limitations for malpractice suits, establishing rules for discovery and establishing standards for witnesses in malpractice cases.

Referred to Committee on Judiciary.

By Messrs. KISTLER, VANN, PERRY, M. E. MILLER,
S. E. HAYES, HASKELL, RENWICK, REED,
ENGLEHART, SHANE, COLE, BRADLEY,
FISCHER, MILANOVICH, GLEASON, GEORGE,
DREIBELBIS, GOODMAN, W. D. HUTCHINSON,
WHELAN, KLINGAMAN and STOUT

HOUSE BILL No. 1130

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

Referred to Committee on State Government.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN
BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 30

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.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR
CONCURRENCE

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

HOUSE BILL No. 295

A Supplement to the act of May 28, 1937 (P. L. 955, No. 265), entitled, as amended, "An act to promote public health, safety, morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income; . . .," providing for civil service protection for certain employees of certain housing authorities.

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

The SPEAKER. The bill will appear on the calendar.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. A. K. HUTCHINSON, PETRARCA, KOLTER, LAUGHLIN, LAUDADIO, SCHEAFFER, VROON, RENNINGER, DeMEDIO, TRELLO, FLAHERTY, Mrs. GILLETTE, Messrs. REED, O'BRIEN, SCHMITT, ITKIN, Mrs. KERNICK, Messrs. NOVAK, ZELLER, GREEN, ROMANELLI and ZORD RESOLUTION No. 88

The Speaker of the House of Representatives appoint the members of the Mines and Energy Management Committee to investigate, explore and determine the causes, effects and solutions to price of coal problems.

Referred to Committee on Rules.

By Messrs. ZORD, POLITE, HALVERSON, WESTERBERG, SPENCER, KUSSE, SCHEAFFER, LEHR and WEIDNER (Concurrent) RESOLUTION No. 89

The General Assembly of the Commonwealth of Pennsylvania respectfully requests the Congress of the United States to propose to the people an amendment to the Constitution of the United States or to call a convention for such purpose as provided by law, to add to the Constitution an article.

Referred to Committee on Rules.

LEAVE OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip.

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

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, I request a temporary leave for Mr. HILL.

The SPEAKER. The Chair thanks the gentleman.

MASTER ROLL CALL

The SPEAKER. The Chair is about to take today's master roll. The members will take their seats. Only those members in their seats will be permitted to be recorded on the master roll. The members will proceed to vote.

The roll was taken and was as follows:

YEAS—201

Table listing names of members who voted 'YEAS' (201 total). Includes names like Abraham, Anderson, J. H., Arthurs, Barber, Bellomini, Bennett, Beren, Berlin, Berson, Bittle, Blackwell, Bonetto, Bradley, Brandt, Brunner, Burns, Butera, Caputo, Cessar, Cimini, Cohen, Cole, Cowell, Crawford, Cumberland, Davies, Davis, D. M., DeMedio, Deverter, Dicarolo, DiDonato, Dietz, Dininni, Dombrowski, Dorr, Doyle, Dreibelbis, Eckensberger, Englehart, Fawcett, Fee, Fischer, Fisher, Flaherty, Foster, A., Foster, W., Fryer, Gallagher, Gallen, Garzia, Geesey, Geisler, George, Giammarco, Gillespie, Gillette, Gleason, Gleeson, Goodman, Green, Greenfield, Grieco, Gring, Halverson, Hamilton, J. H., Hammock, Hasay, Haskell, Hayes, S. E., Hayes, D. S., Hepford, Hill, Hopkins, Hutchinson, A., Hutchinson, W., Irvis, Itkin, Johnson, J., Katz, Kelly, A. P., Kelly, J. B., Kernick, Kistler, Klingaman, Knepper, Kolter, Kowalyszyn, Kusse, LaMarca, Laudadio, Laughlin, Lederer, Lehr, Letterman, Levi, Lincoln, Lynch, Manderino, Mann Miller, McCall, McClatchy, McCue, McGinnis, McIntyre, McLane, Mebus, Menhorn, Milanovich, Miller, M. E., Miller, M. E., Jr., Milliron, Miscevic, Moehlmann, Morris, Mrkonic, Mullen, M. P., Mullen, Musto, Myers, Novak, Noye, O'Brien, O'Donnell, O'Keefe, Oliver, Pancoast, Parker, H. S., Perri, Perry, Petrarca, Pievsky, Pitts, Polite, Pratt, Prendergast, Pyles, Rappaport, Reed, Renninger, Renwick, Rhodes, Richardson, Rieger, Ritter, Romanelli, Ross, Ruggiero, Ryan, Saloom, Salvatore, Scheaffer, Schmitt, Schweder, Scirica, Seltzer, Shane, Shelhamer, Shelton, Shuman, Shupnik, Sirianni, Smith, E., Smith, L., Spencer, Stahl, Stapleton, Stout, Sullivan, Sweeney, Taddonio, Taylor, Tayoun, Thomas, Toll, Trello, Turner, Ustynoski, Valicenti, Vann, Vroon, Wagner, Walsh, T. P., Wansacz, Wargo, Weidner, Westerberg, Whelan, Whittlesey, Wilson, Wilt, R. W., Wilt, W. W., Wojdak, Worrilow, Wright, Yahner, Yohn, Zearfoss, Zeller, Zord, Zwickl, Fineman, Speaker.

NOT VOTING—2

McGraw O'Connell

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

CALENDAR

BILL ON FINAL PASSAGE POSTPONED

Agreeable to order,

The bill having been called up from the postponed calendar by Mr. SULLIVAN the House resumed consideration on final passage of HOUSE BILL No. 308, printer's No. 339, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), establishing the salaries of the chairman and members of the Pennsylvania Liquor Control Board.

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 Philadelphia, Mr. Salvatore.

Mr. SALVATORE. Mr. Speaker, House bill No. 308 will not mean any new taxes for the Pennsylvania tax-

payers. House bill No. 308 will rectify a wrong in a state-owned and -operated business which grosses \$550 million a year. The wrong I am referring to is the salaries of the chairman and the board members of this state business which have been frozen since 1960. The business I am referring to is the state liquor control system.

At the present time the board members receive \$17,000 a year and the chairman receives \$18,000 a year for operating a business that is over half a million dollars. Mr. Speaker, at the present time there are over 100 employes of the Liquor Control Board who are earning more than the \$18,000 that is paid to the board chairman. I have no quarrel with these people being given pay increments or cost-of-living increases, because all of us certainly realize this need, especially when the family budget of all Pennsylvanians is soaring out of sight.

Mr. Speaker, during the past 15 years when the buying power of the dollar has diminished, when the price of food, clothing, and other necessities of our family life has increased, the chairman of the Liquor Control Board and its members have had a frozen salary. They have not received a cost-of-living increase or pay increments even though the state business has become a big business rivaling that of some of our major businesses and industries in Pennsylvania.

House bill No. 308 would bring their salaries into the 1970's, commensurate with the responsibilities of directing this big business. House bill No. 308 would set the annual salary of each board member at \$24,000 a year instead of the present \$17,000. House bill No. 308 will set the chairman's salary at \$25,000 instead of the present \$18,000.

Mr. Speaker, the most important thing is that if these individuals had been covered by the cost-of-living increases or increments, they would now be receiving \$31,000 a year. So you can see that House bill No. 308 is modest in keeping with the present state of the economy, while it is also a much needed amendment to our present Liquor Code in rectifying a wrong.

Mr. Speaker, I ask each member of the General Assembly if they would be willing to have the responsibility for a half-million-dollar business which continues to grow each year while receiving a frozen salary check for 15 years.

Thank you, Mr. Speaker.

The SPEAKER. I am sure that the gentleman meant to say half a billion dollars.

Mr. SALVATORE. Yes. Thank you for the correction.

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

Mr. SULLIVAN. Mr. Speaker, I would like to reiterate everything that Mr. Salvatore said, but also to add one very important thing: that these members now are full-time employes. They do not have outside interests. We helped to make this a full-time job by certain legislation that we have passed over the years. One of the things, of course, being the "Sunshine" law, which has these men conducting hearings, keeps them in their offices, keeps them on the job for five days a week. Another very important thing is that this money does not come from the general fund; it comes from the monies made by the liquor sales and taxes of the state. They are the only

agency that contributes any money to the general fund in the Commonwealth of Pennsylvania, and it is over \$50 million a year. They conduct a \$550-million-dollar-a-year business and I wonder what they would do in private industry, how much money they would make for conducting the same kind of business. I urgently ask your support on this piece of legislation.

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—116

Anderson, J. H.	Gleason	Milanovich	Salvatore
Arthurs	Gleeson	Milliron	Schmitt
Barber	Goodman	Miscevich	Scirica
Bellomini	Green	Moehlmann	Shelhamer
Bennett	Greenfield	Morris	Shelton
Beren	Hamilton, J. H.	Mullen, M. P.	Shupnik
Berlin	Hammock	Mullen	Stout
Berson	Hasay	Musto	Sullivan
Blackwell	Hopkins	Myers	Sweeney
Bonetto	Hutchinson, A.	Novak	Taddonio
Bradley	Irvis	O'Brien	Tayoun
Brunner	Itkin	O'Keefe	Toll
Burns	Johnson, J.	Oliver	Trello
Butera	Katz	Pancoast	Ustynoski
Caputo	Kelly, A. P.	Perri	Vann
Cessar	Klingaman	Petrarca	Wansacz
Cole	LaMarca	Plevsky	Wargo
DeMedio	Laudadio	Polite	Weidner
DiDonato	Laughlin	Pratt	Whelan
Dombrowski	Lederer	Prendergast	Wilson
Doyle	Letterman	Pyles	Wojdak
Engelhart	Lynch	Rappaport	WorriLOW
Fawcett	Manderino	Reed	Wright
Fee	McCall	Renninger	Yahner
Flaherty	McClatchy	Rieger	Zeller
Gallagher	McGinnis	Romanelli	Zwikl
Garzia	McIntyre	Ross	
Gelsler	McLane	Ruggiero	Fineman,
Giammarco	Mebus	Ryan	Speaker
Gillespie	Menhorn		

NAYS—65

Abraham	Fisher	Kowalyszyn	Seltzer
Bittle	Foster, A.	Kusse	Shane
Brandt	Foster, W.	Lehr	Shuman
Cimini	Fryer	Levi	Sirianni
Cowell	Geesey	Lincoln	Smith, E.
Crawford	George	Manmiller	Smith, L.
Cumberland	Gillette	McCue	Taylor
Davies	Grieco	Miller, M. E.	Thomas
Davis, D. M.	Gring	Miller, M. E., Jr.	Turner
Deverter	Halverson	Mrkonic	Vroon
Dicarlo	Haskell	Noye	Westerberg
Dietz	Hayes, D. S.	Parker, H. S.	Whittlesey
Dininni	Hayes, S. E.	Pitts	Wilt, R. W.
Dorr	Kelly, J. B.	Renwick	Wilt, W. W.
Dreibelbis	Kernick	Scheaffer	Yohn
Eckensberger	Kolter	Schweder	Zord
Fischer			

NOT VOTING—22

Cohen	Knepper	Richardson	Stapleton
Gallen	McGraw	Ritter	Valentini
Hepford	O'Connell	Saloom	Wagner
Hill	O'Donnell	Spencer	Walsh, T. P.
Hutchinson, W.	Perry	Stahl	Zearfoss
Kistler	Rhodes		

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

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

AGRICULTURE BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 212, printer's No. 235, entitled:

An Act reenacting and amending the act of September 29, 1951 (P. L. 1615, No. 414), entitled "An act to authorize the Secretary of Public Assistance of the Commonwealth of Pennsylvania to apply to the Secretary of Agriculture of the United States for the return of assets of the former Pennsylvania Rural Rehabilitation Corporation, to receive, deposit and administer such assets for rural rehabilitation or other authorized purposes and to enter into agreements with the Secretary of Agriculture of the United States with respect to the future administration of said assets," transferring functions and duties to the Department of Agriculture and creating a Policy Committee to allocate the funds.

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—180

- Abraham Anderson, J. H. Arthurs Barber Bellomini Bennett Beren Berlin Berson Bittle Bonetto Bradley Brandt Brunner Burns Butera Caputo Cessar Cimini Cole Cowell Crawford Cumberland Davies Davis, D. M. DeMedio Deverter Dicarlo DiDonato Dietz Dininni Dombrowski Dorr Doyle Dreibelbis Eckensberger Englehart Fawcett Fee Fischer Fisher Flaherty Foster, A. Foster, W. Fryer Gallagher Garzia Geesey 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. Hopkins Hutchinson, A. Irvis Itkin Johnson, J. Katz Kelly, A. P. Kelly, J. B. Kernick Klingaman Kolter Kowalshyn Kusse LaMarca Laudadio Laughlin Lederer Lehr Letterman Levi Lincoln Lynch Manderino Manmiller McCall McClatchy McCue McGinnis McIntyre McLane Mebus Menhorn Milanovich Miller, M. E. Miller, M. E., Jr. Milliron Miscovich Moehlmann Morris Mrkonjic Mullen, M. P. Musto Myers Novak Noye O'Brien O'Donnell O'Keefe Oliver Pancoast Parker, H. S. Perri Petrarca Pievsky Pitts Polite Pratt Prendergast Pyles Rappaport Reed Renninger Riewick Rieger Romanelli Ross Ruggiero Salvatore Scheaffer Schmitt Schweder Scirica Seitzer Shane Shelhamer Shelton Shuman Shupnik Sirlanni Smith, E. Smith, L. Stout Sullivan Sweeney Taddonio Taylor Tayoun Thomas Toll Turner Ustynoski Vann Vroon Wagner Wansacz Wargo Weidner Westerberg Whelan Whittlesey Wilson Wilt, R. W. Wilt, W. W. Wojdak Worrilow Wright Yahner Yohn Zeller Zord Zwinkl Fineman, Speaker

NAYS—0

NOT VOTING—23

- Blackwell Cohen Gallen Hepford Hill Hutchinson, W. Kistler Knepper McGraw Mullen O'Connell Perry Rhodes Richardson Ritter Ryan Saloom Spencer Stahl Stapleton Valicenti Walsh, T. P. Zearfoss

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.

LAW AND JUSTICE BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 449, printer's No. 498, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, approved November 25, 1970 (P. L. 707, No. 230), adding provisions relating to the disposition of television tubes.

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—178

- Abraham Anderson, J. H. Arthurs Barber Bellomini Bennett Beren Berlin Berson Bittle Bonetto Bradley Brandt Brunner Burns Butera Caputo Cessar Cimini Cole Cowell Crawford Cumberland Davies Davis, D. M. DeMedio Deverter Dicarlo DiDonato Dietz Dininni Dombrowski Dorr Doyle Dreibelbis Eckensberger Englehart Fawcett Fee Fischer Fisher Flaherty Foster, A. Foster, W. Fryer Gallagher Garzia Geesey 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. Hopkins Hutchinson, A. Irvis Itkin Johnson, J. Katz Kelly, A. P. Kelly, J. B. Kernick Klingaman Kolter Kowalshyn Kusse LaMarca Laudadio Laughlin Lederer Lehr Letterman Levi Lincoln Lynch Manmiller McCall McClatchy McCue McGinnis McIntyre McLane Mebus Menhorn Milanovich Miller, M. E. Miller, M. E., Jr. Milliron Miscovich Moehlmann Morris Mrkonjic Mullen, M. P. Musto Myers Novak Noye O'Brien O'Keefe Oliver Pancoast Parker, H. S. Perri Petrarca Pievsky Pitts Polite Pratt Prendergast Pyles Rappaport Reed Renninger Riewick Rieger Romanelli Ross Ruggiero Ryan Salvatore Scheaffer Schmitt Schweder Seirica Seitzer Shane Shelhamer Shelton Shuman Shupnik Sirlanni Smith, L. Spencer Stout Sullivan Sweeney Taddonio Taylor Tayoun Thomas Toll Turner Ustynoski Vann Vroon Wagner Wansacz Wargo Weidner Westerberg Whelan Whittlesey Wilson Wilt, R. W. Wilt, W. W. Wojdak Worrilow Wright Yahner Yohn Zeller Zord Zwinkl Fineman, Speaker

NAYS—2

- Eckensberger Fryer

NOT VOTING—23

- Blackwell Cohen Gallen Hepford Kistler Knepper Manderino McGraw O'Donnell Perry Rhodes Richardson Stahl Stapleton Valicenti Walsh, T. P.

Hill	Mullen	Ritter	Zearfoss
Hutchinson, W.	O'Connell	Saloom	

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.

LOCAL GOVERNMENT BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 724**, printer's No. 1136, entitled:

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206, No. 331), providing for the filling of certain vacancies with registered electors.

On the question,

Will the House agree to the bill on third consideration?

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

Amend Title, page 1, line 5, by striking out all of said line and inserting: residents of the township.

Amend Sec. 1 (Sec. 531), page 1, line 16, by striking out "registered elector" and inserting: resident of the township

Amend Sec. 2 (Sec. 532), page 2, line 5, by striking out "registered elector" and inserting: resident of the township

Amend Sec. 3 (Sec. 533), page 2, line 11, by striking out "registered electors." and inserting: residents of the township.

On the question,

Will the House agree to the amendments?

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

Mr. GARZIA. Mr. Speaker, my amendment reads: "if the person has to be a resident of the township."

I do not think that they have to be a registered voter to hold office in the second class township. As long as they are a homeowner and taxpayer, I do not think they should be restricted to be a registered voter in order to be appointed to auditor or any other office in the township.

I think it is discriminatory by forcing them to be registered. Usually they will register after appointed to a position, and I hope that the amendment will pass.

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

Mr. FRYER. Mr. Speaker, I rise to oppose the proposed amendment. This matter was considered very carefully in the Local Government Committee, and the feeling of the majority of that committee was that an elective auditor who would be appointed should be a registered elector.

I believe that this legislature should do all that it can to promote the election process. The proponent of the amendment feels that as long as a person is a resident of that area that he or she should be appointed. It is our feeling that the person should be a registered elector. He or she should have enough interest in the election process so that they would help to generate registration.

I might also point out to the members of the House that the Borough Code of this Commonwealth is identical with our position; that is, the person must be a registered elector. If you believe as the majority members of the

Local Government Committee felt when they considered this issue, you will oppose this amendment, and I urge your opposition to this amendment in the interest of the elective process and also the uniformity of the codes of this Commonwealth.

QUESTION OF PERSONAL PRIVILEGE

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

Mr. W. D. HUTCHINSON. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. W. D. HUTCHINSON. May I have my name added to the master roll call, Mr. Speaker, and had I been in my seat, I would have voted "no" on House bill No. 308, "aye" on House bill No. 212 and "aye" on House bill No. 449.

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

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

Mr. MORRIS. Mr. Speaker, I would just like to add to what Mr. Fryer said, that to be elected to the office of auditor under our local municipal codes, you have to be a registered elector. I do not see what the point of having a distinction between someone who is appointed to fill a vacancy and someone who is elected can be. I urge defeat of this amendment.

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

Mr. MEBUS. Mr. Speaker, I do not want to be repetitious but I do want to reenforce the observations made by the gentleman from Chester and the gentleman from Berks. I am in accord with their feeling and I would certainly hope that these amendments would be voted down. It seems ridiculous to have somebody who is not sufficiently interested to be a registered elector to be appointed to some elective post.

As I read the amendment, it does not even indicate that a man must be a citizen of the Commonwealth or a citizen of the United States; it merely says a resident of the township. It makes no more distinction than that, and I think it is quite improper. I hope that everybody will vote these amendments down.

Thank you.

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

Mr. GARZIA. If a person, even though he may not be an American citizen—if he lives in the United States, I consider him an American citizen—he should be elected to a position. I do not know why he has to be a registered voter to even be appointed as a borough auditor.

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

Mr. VROON. Just one more thought that I would like to express on this amendment: If the individual were to be running for office for the first time and he were to circulate petitions, the only requirement would be, of course, that he would be a resident of the township. There is no requirement that he be a registered voter.

For that reason, I think that we hardly have the right

to bar any resident of a township from being appointed to office. The chances are that once appointed to the office he would readily become a registered elector.

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

Mr. FRYER. I hate to overburden the House but I would like to make this additional point, and that is this: Basically we are doing nothing other, on an appointment, than we are doing for the person if he wants to run for the office—he must be a registered elector. And I urge the defeat of this proposed amendment.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. GARZIA and FRYER and were as follows:

YEAS—8

Doyle	Gillespie	O'Keefe	Sirianni
Garzia	Hutchinson, A.	Renninger	Vroon

NAYS—179

Abraham	Geesey	McCue	Schmitt
Anderson, J. H.	Geisler	McGinnis	Schweder
Arthurs	George	McIntyre	Scirica
Barber	Giammarco	McLane	Seltzer
Bellomini	Gillette	Mebus	Shane
Bennett	Gleason	Menhorn	Shelhamer
Beren	Gleeson	Milanovitch	Shulton
Berlin	Goodman	Miller, M. E.	Shupnik
Berson	Green	Miller, M. E., Jr.	Smith, E.
Bittle	Greenfield	Milliron	Smith, L.
Blackwell	Grieco	Miscevich	Spencer
Bonetto	Gring	Moehlmann	Stout
Bradley	Halverson	Morris	Sullivan
Brandt	Hamilton, J. H.	Mrkonie	Sweeney
Brunner	Hammock	Mullen	Taddonio
Burns	Hasay	Mullen, M. P.	Taylor
Butera	Haskell	Musto	Tayoun
Caputo	Hayes, D. S.	Myers	Thomas
Cessar	Hayes, S. E.	Novak	Toll
Cimint	Hopkins	Noye	Trello
Cole	Hutchinson, W.	O'Brien	Turner
Cowell	Irvis	O'Donnell	Ustynoski
Crawford	Itkin	Oliver	Wansacz
Cumberland	Johnson, J.	Pancoast	Wargo
Davies	Katz	Parker, H. S.	Weidner
Davis, D. M.	Kelly, A. P.	Perri	Westerberg
DeMedio	Kelly, J. B.	Petrarca	Whelan
Deverter	Kernick	Pievsky	Whittlesey
Dicarlo	Klingaman	Pitts	Wilson
Dietz	Kolter	Polite	Wilt, R. W.
Dininni	Kowalshyn	Pratt	Wilt, W. W.
Dombrowski	Kusse	Prendergast	Wojdak
Dorr	LaMarca	Pyles	Worrlow
Dreibelbis	Laudadio	Rappaport	Wright
Eckensberger	Laughlin	Reed	Yahner
Englehart	Lederer	Renwick	Yohn
Fawcett	Lehr	Rhodes	Zearfoss
Fee	Letterman	Rieger	Zeller
Fischer	Levi	Romanelli	Zord
Fisher	Lincoln	Ross	Zwickl
Flaherty	Lynch	Ruggiero	
Foster, A.	Manderino	Ryan	
Foster, W.	Manmiller	Saloom	
Fryer	McCall	Salvatore	
Gallagher	McClatchy	Scheaffer	Fineman, Speaker
Gallen			

NOT VOTING—16

Cohen	Kistler	Perry	Stapleton
DiDonato	Knepper	Richardson	Vaicenti
Hepford	McGraw	Ritter	Wagner
Hill	O'Connell	Stahl	Walsh, T. P.

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

On the question recurring,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

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

YEAS—186

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

NAYS—1

Garzia

NOT VOTING—16

Cohen	Kistler	Perry	Stahl
DiDonato	Knepper	Rhodes	Stapleton
Hepford	McGraw	Richardson	Vaicenti
Hill	O'Connell	Ritter	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 third consideration of House bill No. 725, printer's No. 1137, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), providing for the filling of certain vacancies with registered electors.

On the question,

Will the House agree to the bill on third consideration?

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

Amend Title, page 1, line 5, by striking out all of said line and inserting: residents of the township.

Amend Sec. 1 (Sec. 420), page 1, line 17, by striking out "registered elector" and inserting: resident of the township

Amend Sec. 1 (Sec. 420), page 2, line 1, by striking out "registered elector," and inserting: resident of the township,

Amend Sec. 1 (Sec. 420), page 2, lines 19 and 20, by striking out "registered electors" and inserting: residents of the township

Amend Sec. 2 (Sec. 421), page 3, line 2, by striking out "registered elector" and inserting: resident of the township

Amend Sec. 2 (Sec. 422), page 3, line 7, by striking out "registered electors." and inserting: residents of the township.

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

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

Mr. GARZIA. Same argument as on House bill No. 724.

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

The yeas and nays were required by Messrs. GARZIA and FRYER and were as follows:

YEAS—11

Bellomini	Garzia	McIntyre	Ruggiero
Dombrowski	Gillespie	Renninger	Vroon
Doyle	Hutchinson, A.	Rieger	

NAYS—177

Abraham	Geisler	McGinnis	Seltzer
Anderson, J. H.	George	McLane	Shanc
Arthurs	Giammarco	Mebus	Shelhamer
Barber	Gillette	Menhorn	Shelton
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
Bonetto	Gring	Morris	Stout
Bradley	Halverson	Mrkonic	Sullivan
Brandt	Hamilton, J. H.	Mullen	Sweeney
Brunner	Hammock	Mullen, M. P.	Taddonio
Burns	Hasay	Musto	Taylor
Butera	Haskell	Myers	Tayoun
Caputo	Hayes, D. S.	Novak	Thomas
Cessar	Hayes, S. E.	Noye	Toll
Cimini	Hopkins	O'Brien	Trello
Cole	Hutchinson, W.	O'Donnell	Turner
Cowell	Irvis	O'Keefe	Ustynoski
Crawford	Itkin	Oliver	Vann
Cumberland	Johnson, J.	Pancoast	Wagner
Davies	Katz	Parker, H. S.	Wansacz
Davis, D. M.	Kelly, A. P.	Perri	Wargo
DeMedio	Kelly, J. B.	Petrarca	Weidner
Deverter	Kernick	Pievsky	Westerberg
Dicarlo	Klingaman	Pitts	Whelan
Dietz	Kolter	Polte	Whittlesey
Dininni	Kowalyszyn	Pratt	Wilson
Dorr	Kusse	Prendergast	Wilt, R. W.
Dreibelbis	LaMarca	Pyles	Wilt, W. W.
Eckensberger	Laudadio	Rappaport	Wojdak
Englehart	Laughlin	Reed	Worrilow
Fawcett	Lederer	Renwick	Wright
Fee	Lehr	Rhodes	Yahner
Fischer	Letterman	Romanelli	Yohn
Fisher	Levi	Ross	Zearfoss
Flaherty	Lincoln	Ryan	Zeller
Foster, A.	Lynch	Saloom	Zord
Foster, W.	Manderino	Salvatore	Zwick
Fryer	Manmiller	Scheaffer	
Gallagher	McCall	Schmitt	Fineman,
Gallen	McClatchy	Schweder	Speaker
Geesey	McCue	Scirica	

NOT VOTING—15

Cohen	Kistler	Perry	Stapleton
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DiDonato	Knepper	Richardson	Valicenti
Hepford	McGraw	Ritter	Walsh, T. P.
Hill	O'Connell	Stahl	

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

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

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

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

YEAS—187

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

NAYS—1

Garzia

NOT VOTING—15

Cohen	Kistler	Perry	Stapleton
DiDonato	Knepper	Richardson	Valicenti
Hepford	McGraw	Ritter	Walsh, T. P.
Hill	O'Connell	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. 908, printer's No. 1031, entitled:

An Act amending "The Borough Code," approved February 1, 1966 (1965, P. L. 1656, No. 581), increasing amount of levy permitted for fire protection.

On the question,

Will the House agree to the bill on third consideration?

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

Amend Sec. 1 (Sec. 1302), page 2, line 1, by striking out "township" and inserting: borough

On the question,

Will the House agree to the amendment?

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

Mr. FRYER. Mr. Speaker, when this bill was drawn there was an error, and all we are doing with this amendment, a corrected amendment, is striking out "township" and inserting "borough."

On the question recurring,

Will the House agree to the amendment?

Amendment was agreed to.

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—189

- | | | | |
|-----------------|-----------------|--------------------|-------------|
| Abraham | Garzia | McCue | Schweder |
| Anderson, J. H. | Geesey | McGinnis | Scirica |
| Arthurs | Geisler | McIntyre | Seltzer |
| Barber | George | McLane | Shane |
| Bellomint | Giammarco | Mebus | Shelhamer |
| Bennett | Gillespie | Menhorn | Shelton |
| Beren | Gillette | Milanovich | Shuman |
| Berlin | Gleason | Miller, M. E. | Shupnik |
| Berson | Gleeson | Miller, M. E., Jr. | Sirianni |
| Bittle | Goodman | Milliron | Smith, E. |
| Blackwell | Green | Miscevich | Smith, L. |
| Bonetto | Greenfield | Mochmann | Spencer |
| Bradley | Grieco | Morris | Stout |
| Brandt | Gring | Mrkonic | Sullivan |
| Brunner | Halverson | Mullen | Sweeney |
| Burns | Hamilton, J. H. | Mullen, M. P. | Taddonio |
| Butera | Hammock | Musto | Taylor |
| Caputo | Hasay | Myers | Tayoun |
| Cessar | Haskell | Novak | Thomas |
| Cimini | Hayes, D. S. | Noye | Toll |
| Cole | Hayes, S. E. | O'Brien | Trello |
| Cowell | Hopkins | O'Donnell | Turner |
| Crawford | Hutchinson, A. | O'Keefe | Ustynoski |
| Cumberland | Hutchinson, W. | Oliver | Vann |
| Davies | Irvig | Pancoast | Vroon |
| Davis, D. M. | Itkin | Parker, H. S. | Wagner |
| DeMedio | Johnson, J. | Perri | Wansacz |
| Deverter | Katz | Petrarca | Wargo |
| Dicarlo | Kelly, A. P. | Pievsky | Weidner |
| DiDonato | Kelly, J. B. | Pitts | Westerberg |
| Dietz | Kernick | Polite | Whelan |
| Dininni | Klingaman | Pratt | Whittlesey |
| Dombrowski | Kolter | Prendergast | Wilson |
| Dorr | Kowalshyn | Pyles | Wilt, R. W. |
| Doyle | Kusse | Rappaport | Wilt, W. W. |
| Dreibelbis | LaMarca | Reed | Wojdak |
| Eckensberger | Laudadio | Renninger | Worrlow |
| Englehart | Laughlin | Renwick | Wright |
| Fawcett | Lederer | Rhodes | Yahner |
| Fee | Lehr | Rieger | Yohn |
| Fischer | Letterman | Romanelli | Zearfoss |
| Fisher | Levi | Ross | Zeller |
| Flaherty | Lincoln | Ruggiero | Zord |

- | | | | |
|------------|-----------|-----------|----------|
| Foster, A. | Lynch | Ryan | Zwilk |
| Foster, W. | Manderino | Saloom | Fineman, |
| Fryer | Manmiller | Salvatore | Speaker |
| Gallagher | McCall | Scheaffer | |
| Gallen | McClatchy | Schmitt | |

NAYS—0

NOT VOTING—14

- | | | | |
|---------|-----------|------------|--------------|
| Cohen | Knepper | Richardson | Stapleton |
| Hepford | McGraw | Ritter | Valicenti |
| Hill | O'Connell | Stahl | Walsh, T. P. |
| Kistler | 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.

HOUSE BILL No. 855 PASSED OVER

The SPEAKER. Will the majority whip advise the Chair if there is an amendment to be offered to House bill No. 855?

Mr. MANDERINO. Yes, Mr. Speaker, Mr. Shelhamer is to offer an amendment.

Mr. Shelhamer advises us that he does not have the amendment. We will pass over that bill, if the Speaker pleases, until tomorrow's vote.

The SPEAKER. We are passing over, then, the three bills in that package.

Mr. SHELHAMER. Mr. Speaker, I believe the amendment to House bill No. 856 is ready. Is that correct, Mr. Manderino?

The SPEAKER. House bill No. 855 will be passed over.

The Chair thanks the gentleman.

GENERAL ASSEMBLY-RELATED BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 856, printer's No. 974, entitled:

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.

On the question,

Will the House agree to the bill on third consideration?

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

Amend Title, page 1, line 12, by removing the period after "payment" and inserting: and conforming language to the reports of the Commonwealth Compensation Commission.

Amend Sec. 1 (Sec. 14), page 2, line 4, by inserting brackets before and after "seven thousand two hundred dollars (\$7,200)" and inserting immediately thereafter: fifteen thousand six hundred dollars (\$15,600)

Amend Sec. 1 (Sec. 14), page 2, lines 5 and 6, by inserting brackets before and after "ten cents (10¢)" and inserting immediately thereafter: twelve cents (12¢)

Amend Sec. 1 (Sec. 14), page 2, lines 12 and 13, by inserting a bracket before "eight" in line 12 and after "\$8,400," in line 13 and inserting immediately thereafter: five thousand dollars (\$5,000),

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, I believe that the amendment is agreed to, but, pursuant to the rules of the House, an explanation of the amendment is in order.

This is an amendment which simply states, in that section of the law setting out compensation for legislators, the current compensation for legislators; that is, the 15.6 and the 12 cents a mile that we are paid for mileage.

Presently we are being paid and receiving our mileage under a separate act which involved the Compensation Commission. This is molding into that section of the law that speaks to compensation for legislators the current salary and the current mileage. There was no change to the compensation or mileage.

On the question recurring,
Will the House agree to the amendments?
Amendments were agreed to.

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

Bill as amended was agreed to.

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

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. The Chair recognizes the gentleman from 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. I would like to be voted in accordance with the following submitted statement:

Mr. Speaker, I was unavoidably detained and was not voted on the following bills. Please have the record corrected to show that I would have voted in the following manner:

House bill No. 212, printer's No. 235, "yea."

House bill No. 308, printer's No. 339, "yea."

House bill No. 449, printer's No. 498, "yea."

Garzia amendment to House bill No. 724, "nay."

House bill No. 724, printer's No. 1136, "nay."

Garzia amendment to House bill No. 908, printer's No. 1031, "nay."

House bill No. 908, printer's No. 1031, "yea."

The SPEAKER. The statement will be entered in the record.

BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 327, printer's No. 358**, entitled:

An Act amending the act of July 19, 1974 (No. 175), entitled "An act requiring public agencies to hold certain meetings and hearings open to the public and providing penalties," providing for certain executive sessions.

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

Amend Title, page 1, line 4 by removing the period after "sessions" and inserting: and further defining agency.

Amend Bill, page 1, lines 7 through 10, by striking out all of said lines and inserting: Section 1. Section 1, act of July 19, 1974 (No. 175), entitled "An act requiring public agencies to hold certain meetings and hearings open to the public and providing penalties," is amended to read:

Section 1. As used in this act:

"Agency" means any branch, department, board, authority or commission of the Commonwealth of Pennsylvania, any political subdivision of the Commonwealth, or any State, municipal, township or school authority, school board, school governing body, commission, the board of trustees of all State-aided colleges and universities, the board of trustees of all State-owned and State-related colleges and universities and all community colleges, or similar organization created by or pursuant to a statute which declares in substance that the organization performs or has for its purpose the performance of an essential governmental function: Provided, That the term "agency" shall include the courts of common pleas when appointing members of boards of education, the General Assembly, or any State department, board, authority or commission to include the Governor's cabinet when meeting on official policy making business.

"Formal action" means the taking of any vote on any resolution, rule, order, motion, regulation or ordinance or the setting of any official policy. Meetings, pre-trial conferences, hearings, and formal action by the judiciary or judicial branch shall not be subject to the provisions of this act.

Section 2. Section 3 of the act is amended by adding a clause to read:

Amend Sec. 2, page 2, line 11 by striking out "2." and inserting: 3.

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

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

Mr. ITKIN. Mr. Speaker, this is a very simple amendment. What it would do would be to add to the "sunshine" law that when boards of judges in the Court of Common Pleas make appointments to the school board they must be subject to the "sunshine" law. Presently such appointments are made in secret and outside the public view.

In Allegheny County this year, the board of judges are making five new appointments to the Pittsburgh School Board. We would like to have the opportunity that these appointments be made where the public can scrutinize their decisions.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, if the House will recall, the gentleman from Allegheny offered this same amendment to an earlier "sunshine" bill and I asked him if he would withdraw the amendment. He did so most courteously, and I promised that I would support his amendment at a later time. I now rise to this microphone to urge the House to support the amendment. I think it is a worthy amendment and ought to be adopted.

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

The yeas and nays were required by Messrs. ITKIN and IRVIS and were as follows:

YEAS—187

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

NAYS—2

Hamilton, J. H. Hasay

NOT VOTING—14

Cohen	Kistler	O'Connell	Stapleton
DiDonato	Knepper	Perry	Valicenti
Hepford	McGraw	Richardson	Walsh, T. P.
Hill	Mullen, M. P.		

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.

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	Geisler	McIntyre	Schweder
Anderson, J. H.	George	McLane	Scirica
Arthurs	Giammarco	Mebus	Seltzer
Bellomini	Gillespie	Menhorn	Shane
Bennett	Gillette	Milanovich	Shelhamer
Beren	Gleason	Miller, M. E.	Shelton
Berlin	Gleeson	Miller, M. E., Jr.	Shuman
Berson	Goodman	Milliron	Shupnik
Bittle	Green	Miscevich	Sirianni
Bonetto	Greenfield	Moehlmann	Smith, E.

Bradley	Grieco	Morris	Smith, L.
Brandt	Gring	Mrkonic	Spencer
Brunner	Halverson	Mullen	Stahl
Burns	Hamilton, J. H.	Mullen, M. P.	Stout
Butera	Hasay	Musto	Sullivan
Caputo	Haskell	Myers	Sweeney
Cessar	Hayes, D. S.	Novak	Taddonio
Cimini	Hayes, S. E.	Novak	Taylor
Cole	Hopkins	O'Brien	Tayoun
Cowell	Hutchinson, A.	O'Donnell	Thomas
Crawford	Hutchinson, W.	O'Keefe	Toll
Cumberland	Irvis	Oliver	Trello
Davis	Itkin	Pancoast	Turner
Davis, D. M.	Johnson, J.	Parker, H. S.	Ustynoski
DeMedio	Katz	Perri	Vann
Deverter	Kelly, A. P.	Petrarca	Vron
Dicarlo	Kelly, J. B.	Plevsky	Wagner
Dietz	Kernick	Pitts	Wansacz
Dininni	Klingaman	Polite	Wargo
Dombrowski	Kolter	Pratt	Weidner
Dorr	Kowalyshyn	Prendergast	Westerberg
Doyle	Kusse	Pyles	Whelan
Dreibelbis	LaMarca	Rappaport	Whittlesey
Eckensberger	Laudadio	Reed	Wilson
Engelhart	Laughlin	Renninger	Wilt, R. W.
Fawcett	Lederer	Renwick	Wilt, W. W.
Fee	Lehr	Rhodes	Wojdak
Fischer	Letterman	Rieger	WorriLOW
Fisher	Levi	Ritter	Yahner
Flaherty	Lincoln	Romanelli	Yohn
Foster, A.	Lynch	Ross	Zearfoss
Foster, W.	Manderino	Ruggiero	Zeller
Fryer	Manmiller	Ryan	Zord
Gallagher	McCall	Saloom	Zwicki
Gallen	McClatchy	Salvatore	
Garzia	McCue	Scheaffer	Fineman, Speaker
Geesey	McGinnis	Schmitt	

NAYS—0

NOT VOTING—17

Barber	Hepford	McGraw	Stapleton
Blackwell	Hill	O'Connell	Valicenti
Cohen	Kistler	Perry	Walsh, T. P.
DiDonato	Knepper	Richardson	Wright
Hammock			

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.

LOCAL GOVERNMENT BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 751, printer's No. 849, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932, No. 317), providing for titles of bills to be read and requiring copies to be available.

On the question,

Will the House agree to the bill on third consideration?

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

Mr. RITTER. Mr. Speaker, I apologize; I thought I had talked to Mr. Fryer yesterday and told him I was not going to offer the amendment. I apologize for any delay.

On the question recurring,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

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

YEAS—186

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

NAYS—0

NOT VOTING—17

Blackwell	Hammock	Knepper	Rappaport
Cohen	Hepford	McGraw	Richardson
DiDonato	Hill	O'Connell	Stapleton
Engelhart	Kistler	Perry	Walsh, T. P.
Gring			

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

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. BARBER. Mr. Speaker, on House bill No. 327, printer's No. 358, I would like to be recorded as "yes," please.

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

STUDENTS WELCOMED

The SPEAKER. The Chair is pleased to welcome 29 students from Big Spring High School in Newville, Pennsylvania. The students are here with their instructor, Mrs. Janet Oyler.

They are the guests of Representative Fred Noye.

BILLS ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of House bill No. 154, printer's No. 782, entitled:

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206, No. 331), authorizing an increase in the amount of tax for fire fighting under certain circumstances.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of House bill No. 504, printer's No. 558, entitled:

An Act amending the "Outdoor Advertising Control Act of 1971," approved December 15, 1971 (P. L. 596, No. 160), making certain exemptions to permits and further providing for tags in connection with permits.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of House bill No. 522, printer's No. 576, entitled:

An Act amending "The General Appropriation Act of 1974," approved June 26, 1974 (No. 21-A), further providing for the use of certain appropriations.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of House bill No. 678, printer's No. 762, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), authorizing appropriations for observances and celebrations.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of House bill No. 813, printer's No. 916, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), making an editorial change to conform to existing law.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of House bill No. 907, printer's No. 1030, entitled:

An Act amending "The First Class Township Code," ap-

proved June 24, 1931 (P. L. 1206, No. 331), providing for appropriations for building hospitals.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 927, printer's No. 1060**, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), further restricting the selling of racoon.

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

Ordered, to be transcribed for third consideration.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 54

Mr. IRVIS called up the following report of the Committee of Conference on Senate bill No. 54, which was read:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 54, entitled: "An act amending the act of December 5, 1936 (1937 P. L. 2897, No. 1), entitled 'An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties,' FURTHER DEFINING "WEEK" FOR DETERMINING THE PAYMENT OF BENEFITS AND eliminating the waiting week for unemployment compensation,"

respectfully submit the following bill as our report:

HERBERT ARLENE
THOMAS M. NOLAN
ROBERT C. JUBELIRER

(Committee on the part of the Senate.)

HARRY A. ENGLEHART, JR.
A. JOSEPH VALICENTI
JOHN S. RENNINGER

(Committee on the part of the House of Representatives.)

An Act amending the act of December 5, 1936 (1937 P. L. 2897, No. 1), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State

Treasurer; and prescribing penalties," eliminating the waiting week for unemployment compensation.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Subsection (e) of section 401, act of December 5, 1936 (1937 P. L. 2897, No. 1), known as the "Unemployment Compensation Law," amended December 5, 1974 (No. 262), is amended to read:

Section 401. Qualifications Required to Secure Compensation.—Compensation shall be payable to any employe who is or becomes unemployed, and who—

* * *

(e) [Has been unemployed for a waiting period of one week, unless the Governor upon the occurrence of a disaster declares that a state of emergency exists, in which event the department may suspend the waiting week requirement with respect to unemployment resulting directly from such disaster.]

No week shall be counted as a week of unemployment for the purposes of this [subsection] section (1) unless it occurs within the benefit year which includes the week with respect to which such employe claims compensation, or (2) if compensation has been paid or is payable with respect thereto, or (3) unless the employe was eligible for compensation with respect thereto under all other provisions of this section and was not disqualified with respect thereto under section 402(a), (b), (d), (e), (f), (g), [and] (h) and (i). [Provided, notwithstanding any other provision of this subsection, That when an individual has been paid benefits in his current benefit year equal to four times his weekly benefit amount, he shall be eligible to receive benefits on his waiting period claim in accordance with the terms of this act.]

* * *

Section 2. The first paragraph of subsection (c) of section 501 of the act, amended May 29, 1945 (P. L. 1145, No. 408), is amended to read:

Section 501. Determination of Compensation Appeals.—

* * *

(c) The department shall promptly examine each claim [for waiting week credit and each claim] for compensation and on the basis of the facts found by it shall determine whether or not the claim is valid.

* * *

Section 3. This act shall take effect immediately.

On the question,

Will the House adopt the report of the Committee of Conference?

REMARKS SUBMITTED FOR THE RECORD

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

Mr. DOMBROWSKI. Mr. Speaker, I would like to offer these remarks for the record on Senate bill No. 54.

The SPEAKER. The gentleman will send the remarks to the desk.

Mr. DOMBROWSKI submitted the following remarks for the Legislative Journal:

My colleagues in the House will recall that when we deliberated on Senate bill 54 last month, the House amended the measure to re-define a benefit week as any seven consecutive days. Under the present unemployment compensation law, the benefit week runs from Sunday to Saturday.

This means that an employe who works in a plant which operates 24 hours a day, 7 days a week, may be deprived of benefits if the last day he worked was on Sunday. His benefit week does not begin until the following Sunday and therefore he may lose all or part of that week's benefits.

The Senate has seen fit to remove that amendment

from the bill and to retain the calendar week provision of the present law.

In the interests of passing Senate bill 54, I urge my fellow members of the House to vote their approval of the bill as it has been returned from the Senate.

I believe it is necessary in this time of rising unemployment to eliminate the waiting week for jobless benefits so that those who are out of work can get necessary assistance right away.

That still does not solve the problem of those who work in a seven-day-a-week operation, and there are several such plants in my district and many more around the state.

That problem is addressed in House bill 689, which I have sponsored, and which is now before the House Labor Relations Committee.

I believe House bill 689 proposes a necessary reform of our unemployment compensation system, and I am hopeful that it will be the means of correcting this problem. I will offer an amendment to the bill which would make the benefit week for factories operating on a 7-day-a-week, 24-hour-a-day schedule, from Monday through Sunday.

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

Mr. RENNINGER. Thank you, Mr. Speaker.

I think that as a member of the conference committee I supported the improvement of the legislation and returned the legislation to where it had been when it came out of the Senate, and I ask for concurrence, although I will vote against it as a point of protest because I think the bill in the long run will be very costly when we try to rebuild our workmen's compensation fund.

Right now your unemployed are long-term unemployed, so this bill will cost only about \$8 million a year. But when things turn around and we start to build our economy back, which I certainly hope we can do, then this bill will become very costly, and it is only on that basis that I oppose it; I think it is basically unsound.

Thank you for the opportunity of commenting, Mr. Speaker.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

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

YEAS—154

- | | | | |
|--------------|-----------------|--------------------|-----------|
| Abraham | George | Manderino | Ruggiero |
| Arthurs | Giammarco | Manmiller | Ryan |
| Barber | Gillespie | McCall | Saloom |
| Bellomini | Gillette | McCue | Salvatore |
| Bennett | Gleason | McIntyre | Schmitt |
| Beren | Gleason | McLane | Schweder |
| Berlin | Goodman | Menhorn | Scirica |
| Berson | Green | Milanovich | Shane |
| Blackwell | Greenfield | Miller, M. E. | Shelhamer |
| Bonetto | Grieco | Miller, M. E., Jr. | Shelton |
| Bradley | Gring | Milliron | Shupnik |
| Brunner | Halverson | Miscevich | Spencer |
| Burns | Hamilton, J. H. | Morris | Stahl |
| Butera | Hammock | Mekonte | Stout |
| Caputo | Hasay | Mullen | Sullivan |
| Cessar | Haskell | Musto | Sweeney |
| Cimini | Hayes, D. S. | Myers | Taddonio |
| Cole | Hayes, S. E. | Novak | Taylor |
| Cowell | Hopkins | Noye | Tayoun |
| Davis, D. M. | Hutchinson, A. | O'Brien | Toll |
| DeMedio | Hutchinson, W. | O'Donnell | Trello |

- | | | | |
|--------------|--------------|---------------|------------------|
| Deverter | Irvis | O'Keefe | Ustynoski |
| Dicarlo | Itkin | Oliver | Valicenti |
| Dietz | Johnson, J. | Pancoast | Vann |
| Dininni | Katz | Parker, H. S. | Wagner |
| Dombrowski | Kelly, A. P. | Perri | Wansacz |
| Doyle | Kernick | Petrarca | Wargo |
| Eckensberger | Kowalshyn | Pievsy | Whelan |
| Englehart | Klingaman | Pratt | Whittlesey |
| Fee | Kolter | Prendergast | Wilson |
| Fischer | LaMarca | Pyles | Wojdak |
| Fisher | Laudadio | Rappaport | Worrlow |
| Flaherty | Laughlin | Reed | Yahner |
| Foster, W. | Lederer | Renwick | Yohn |
| Fryer | Lehr | Rhodes | Zeller |
| Gallagher | Letterman | Rieger | Zwikl |
| Gallen | Levi | Ritter | |
| Garzia | Lincoln | Romanelli | Fineman, Speaker |
| Geisler | Lynch | Ross | |

NAYS—36

- | | | | |
|-----------------|--------------|-----------|-------------|
| Anderson, J. H. | Geesey | Polite | Turner |
| Bittle | Kelly, J. B. | Renninger | Vroon |
| Brandt | Kistler | Scheaffer | Weidner |
| Crawford | Kusse | Seltzer | Westerberg |
| Cumberland | McClatchy | Shuman | Wilt, R. W. |
| Davies | McGinnis | Sirianni | Wilt, W. W. |
| Dorr | Mebus | Smith, E. | Wright |
| Fawcett | Moehlmann | Smith, L. | Zcarfoss |
| Foster, A. | Pitts | Thomas | Zord |

NOT VOTING—13

- | | | | |
|------------|---------|---------------|--------------|
| Cohen | Hill | Mullen, M. P. | Richardson |
| DiDonato | Knepper | O'Connell | Stapleton |
| Dreibelbis | McGraw | Perry | Walsh, T. P. |
| Hepford | | | |

The majority required by the constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

CONCURRENCE IN SENATE AMENDMENTS TO HOUSE BILL No. 57

Mr. IRVIS called up for concurrence in Senate amendments, from page 7 of today's calendar, House bill No. 57, printer's No. 695.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 57

An Act making an appropriation to the Chief Clerk of the House of Representatives for reimbursement of legislative expenses incurred in attending a conference for new members.

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

The clerk read the following amendments made by the Senate:

Amend Section 1, page 1, line 1, by striking out after "of" the figures "\$7,500" and inserting in lieu thereof "\$5,000"

On the question,

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

Mr. IRVIS. Mr. Speaker, I request that the House do concur in the amendments made by the Senate to House bill No. 57.

On the question recurring,

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

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

YEAS—192

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

NAYS—0

NOT VOTING—11

Cohen	Hill	O'Connell	Stepleton
Dreibelbis	Knepper	Perry	Waish, T. P.
Hepford	McGraw	Richardson	

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

Ordered, That the clerk inform the Senate accordingly.

CONCURRENCE IN SENATE AMENDMENTS TO HOUSE BILL No. 182

Mr. IRVIS called up for concurrence in Senate amendments, from page 8 of today's calendar, House bill No. 182, printer's No. 1080.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 182

An Act amending the act of July 19, 1974 (No. 175), entitled "An act requiring public agencies to hold certain meetings and hearings open to the public and providing penalties," providing for public notice in case of certain meetings of the General Assembly.

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

The clerk read the following amendments made by the Senate:

Amend Title, page 1, line 5, by striking out after "Assembly" all the remainder of said line; line 6, by striking out all of said line.

Amend Bill, page 2, lines 27 through 30, by striking out all of said lines; page 3, lines 1 through 4, by striking out all of said lines; line 5, by striking out after "Section" the number "3." and inserting in lieu thereof "2."

On the question,

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, when the House of Representatives sent to the Senate House bill No. 182, it included language which excluded from the purview of the Sunshine Act party caucuses and meetings of the Ethics Committee. We obviously considered those exemptions to be critical.

The Senate has struck from the bill those two exemptions. Consequently, I am asking the members, on the motion to concur, that they vote in the negative so that the bill may be sent to a committee of conference.

Thank you, Mr. Speaker.

On the question recurring,

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

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

YEAS—10

Fischer	Greenfield	Renninger	Vroon
Fisher	Hayes, D. S.	Taddonio	Zearfoss
Gallen	Kelly, J. B.		

NAYS—180

Abraham	George	McLane	Scirica
Anderson, J. H.	Giammarco	Mebus	Seltzer
Arthurs	Gillespie	Menhorn	Shane
Barber	Gillette	Milanovich	Shelhamer
Bellomini	Gleason	Miller, M. E.	Shelton
Bennett	Gleeson	Miller, M. E., Jr.	Shuman
Beren	Goodman	Milliron	Shupnik
Berlin	Green	Miscevich	Sirianni
Berson	Grieco	Mochlmann	Smith, E.
Bittle	Gring	Morris	Smith, L.
Blackwell	Halverson	Mrkonic	Spencer
Bonetto	Hamilton, J. H.	Mullen	Stahl
Bradley	Hammock	Musto	Stout
Brandt	Hasay	Myers	Sullivan

Brunner	Haskell	Novak	Sweeney
Burns	Hayes, S. E.	Noye	Taylor
Butera	Hopkins	O'Brien	Tayoun
Caputo	Hutchinson, A.	O'Donnell	Thomas
Cessar	Hutchinson, W.	O'Keefe	Toll
Cimini	Irvis	Oliver	Trello
Cole	Itkin	Pancoast	Turner
Cowell	Johnson, J.	Parker, H. S.	Ustynoski
Crawford	Katz	Perri	Valicenti
Cumberland	Kelly, A. P.	Petrarca	Vann
Davies	Kernick	Pievsky	Wagner
Davis, D. M.	Kistler	Pitts	Wansacz
DeMedio	Klingaman	Polite	Wargo
Deverter	Kolter	Pratt	Weidner
Dicarlo	Kowalyshyn	Prendergast	Westerberg
Dietz	Kusse	Pyles	Whelan
Dininni	LaMarca	Rappaport	Whittlesey
Dombrowski	Laudadio	Reed	Wilson
Dorr	Laughlin	Renwick	Wilt, R. W.
Doyle	Lederer	Rhodes	Wilt, W. W.
Eckensberger	Lehr	Rieger	Wojdak
Englehart	Letterman	Ritter	Worrlow
Fawcett	Levi	Romanelli	Wright
Fee	Lincoln	Ross	Yahner
Flaherty	Lynch	Ruggiero	Yohn
Foster, A.	Manderino	Ryan	Zeller
Foster, W.	Manmiller	Saloom	Zord
Fryer	McCall	Salvatore	Zwikel
Gallagher	McClatchy	Scheaffer	
Garzia	McCue	Schmitt	Fineman,
Geesey	McGinnis	Schweder	Speaker
Geisler	McIntyre		

NOT VOTING—13

Cohen	Hill	Mullen, M. P.	Richardson
DiDonato	Knepper	O'Connell	Stapleton
Dreibelbis	McGraw	Perry	Walsh, T. P.
Hepford			

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

Ordered, That the clerk inform the Senate accordingly.

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. RITTER. Mr. Speaker, had I been in my seat when the following bills were called, I would have voted in the affirmative on House bills Nos. 308, 449, 724 and 725.

Thank you, Mr. Speaker.

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

HOUSE RESOLUTION No. 38 ADOPTED

Mr. IRVIS called up HOUSE RESOLUTION No. 38, printer's No. 1241, entitled:

House of Representatives urges the United States Government to take action in the case of Alvara Urea of Peru.

On the question,

Will the House adopt the resolution?

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

YEAS—171

Abraham	Geesey	McCue	Schmitt
Arthurs	Geisler	McIntyre	Schweder
Barber	George	McLane	Scirica
Bellomini	Giammarco	Mebus	Shane
Bennett	Gillespie	Menhorn	Shelhamer

Beren	Gillette	Milanovich	Shelton
Berlin	Gleason	Miller, M. E.	Shupnik
Berson	Gleeson	Miller, M. E., Jr.	Sirianni
Bittle	Goodman	Milliron	Smith, E.
Blackwell	Green	Miscevich	Stahl
Bradley	Greenfield	Moehlmann	Stout
Brandt	Grieco	Morris	Sullivan
Brunner	Gring	Mrkonc	Sweeney
Burns	Halverson	Mullen	Taddonio
Butera	Hamilton, J. H.	Musto	Taylor
Caputo	Hammock	Myers	Tayoun
Cessar	Hasay	Novak	Thomas
Cimini	Hayes, S. E.	Noye	Toll
Cole	Hayes, D. S.	O'Brien	Trello
Cowell	Hopkins	O'Donnell	Ustynoski
Crawford	Hutchinson, A.	Oliver	Valicenti
Cumberland	Hutchinson, W.	Pancoast	Vann
Davies	Irvis	Parker, H. S.	Vroon
Dietz	Itkin	Perri	Wagner
DeMedio	Johnson, J.	Petrarca	Wansacz
Deverter	Katz	Pievsky	Wargo
Dicarlo	Kelly, A. P.	Pitts	Westerberg
DiDonato	Kernick	Polite	Whelan
Dietz	Klingaman	Pratt	Whittlesey
Dininni	Kolter	Pyles	Wilson
Dombrowski	Kowalyshyn	Rappaport	Wilt, R. W.
Dorr	Kusse	Reed	Wilt, W. W.
Doyle	Laudadio	Renninger	Wojdak
Eckensberger	Laughlin	Renwick	Worrlow
Englehart	Lederer	Rhodes	Wright
Fawcett	Lehr	Rieger	Yahner
Fee	Letterman	Ritter	Yohn
Fischer	Levi	Romanelli	Zearfoss
Fisher	Lincoln	Ross	Zeller
Flaherty	Lynch	Ruggiero	Zwikel
Fryer	Manderino	Ryan	
Gallagher	Manmiller	Saloom	Fineman,
Gallen	McCall	Salvatore	Speaker
Garzia			

NAYS—16

Anderson, J. H.	Kelly, J. B.	Prendergast	Spencer
Foster, A.	LaMarca	Scheaffer	Turner
Foster, W.	McClatchy	Shunan	Weidner
Haskell	McGinnis	Smith, L.	Zord

NOT VOTING—16

Bonetto	Hill	Mullen, M. P.	Richardson
Cohen	Kistler	O'Connell	Seltzer
Dreibelbis	Knepper	O'Keefe	Stapleton
Hepford	McGraw	Perry	Walsh, T. P.

So the question was determined in the affirmative and the resolution was adopted.

HOUSE RESOLUTION No. 49 ADOPTED

Mr. IRVIS called up HOUSE RESOLUTION No. 49, printer's No. 602, entitled:

House of Representatives directing the Judiciary Committee to investigate operation of the State Regional Correctional Facility No. 5, Westmoreland County.

On the question,

Will the House adopt the resolution?

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

YEAS—187

Abraham	Geesey	McClatchy	Scirica
Anderson, J. H.	Geisler	McCue	Seltzer
Arthurs	George	McGinnis	Shane
Barber	Giammarco	McIntyre	Shelhamer
Bellomini	Gillespie	McLane	Shelton
Bennett	Gillette	Mebus	Shuman
Beren	Gleason	Menhorn	Shupnik
Berlin	Gleeson	Milanovich	Sirianni
Berson	Goodman	Miller, M. E.	Smith, E.
Bittle	Green	Miller, M. E., Jr.	Spencer
Blackwell	Greenfield	Milliron	Stahl
Bonetto	Grieco	Miscevich	Stout
Bradley	Gring	Moehlmann	Sullivan
Brandt	Halverson	Morris	Sweeney
Brunner	Hamilton, J. H.	Mrkonc	Taddonio

Burns	Hammock	Mullen	Taylor
Butera	Hasay	Musto	Tayoun
Caputo	Haskell	Myers	Thomas
Cessar	Hayes, D. S.	Novak	Toll
Cimini	Hayes, S.E.	Noye	Trello
Cole	Hopkins	O'Brien	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.	Johnson, J.	Perri	Wagner
DeMedio	Katz	Petrarca	Wansacz
Deverter	Kelly, A. P.	Pievsky	Wargo
DiDonato	Kelly, J. B.	Pitts	Weidner
Dietz	Kernick	Polite	Westerberg
Diminni	Kistler	Pratt	Whelan
Dombrowski	Klingaman	Pyles	Whittlesey
Dorr	Kolter	Rappaport	Wilson
Doyle	Kowalshyn	Reed	Wilt, R. W.
Dreibelbis	Kusse	Renninger	Wilt, W. W.
Eckensberger	LaMarca	Renwick	Wojdak
Engelhart	Laudadio	Rieger	Worrilow
Fawcett	Laughlin	Ritter	Wright
Fee	Lederer	Romanelli	Yahner
Fischer	Lehr	Ross	Yohn
Fisher	Letterman	Ruggiero	Zearfoss
Flaherty	Levi	Ryan	Zeller
Foster, A.	Lincoln	Saloom	Zord
Foster, W.	Lynch	Salvatore	Zwidi
Fryer	Manderino	Scheaffer	
Gallagher	Manmiller	Schmitt	Fineman,
Gallen	McCall	Schweder	Speaker
Garzia			

NAYS—4

Dicarlo	O'Donnell	Rhodes	Smith, L.
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NOT VOTING—12

Cohen	Knepper	O'Connell	Richardson
Hepford	McGraw	Perry	Stapleton
Hill	Mullen, M. P.	Prendergast	Walsh, T. P.

So the question was determined in the affirmative and the resolution was adopted.

HOUSE RESOLUTION No. 59 ADOPTED

Mr. IRVIS called up **HOUSE RESOLUTION No. 59, printer's No. 645**, entitled:

Speaker of the House of Representatives directing Mines and Energy Management Committee to investigate and determine whether allegation of the electrical utilities is correct.

On the question,
Will the House adopt the resolution?

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

Amend Resolution, page 1, line 10 by removing the period after "condition" and inserting: ; and be it further **RESOLVED**, That the committee may hold hearings, take testimony, and make its investigation at such places as it deems necessary within this Commonwealth. It may issue subpoenas under the hand and seal of its chairman commanding any person to appear before it and to answer questions touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee deems necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Any person who wilfully neglects or refuses to testify before the committee or to produce any books, papers, records or documents, shall be subject to the penalties provided by the laws of the Commonwealth in such case. Each member of the committee shall have power to administer oaths and affirmations to witnesses appearing before the committee.

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

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

Mr. ITKIN. Mr. Speaker, this amendment would provide subpoena power to the Committee on Mines and Energy Management. It would seem to me that such a resolution, if passed without this amendment, would not provide the committee with any of the tools necessary to ascertain the correct information. If the committee is to do its job and function well, it must have the power to acquire the records of the utilities and the coal companies in this matter. Therefore, I think it is required of us to give the committee subpoena power.

Thank you.

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

Mr. GLEASON. Mr. Speaker, I was going to ask, until I saw Mr. Itkin's amendment, that the bill be passed over, because I share Mr. Itkin's sentiments or beliefs that the committee, getting into the question particularly of the increased cost of coal to the utilities, must have the effective tools with which to operate, to find facts and to make recommendations to this House for possible legislation. So I would ask that every member of the House support the Itkin amendment. This could be one of the most important committee activities of this session.

I read a newspaper article the other day, Mr. Speaker, that the United States Department of Justice had begun preliminary inquiries into the rising cost of coal throughout the United States. And there is some very significant work being done by the Federal Trade Commission as well as the Justice Department in Washington.

I think that we can be part of this entire process of investigation, particularly of the increased cost of coal. But in order for us to be effective as a legislative body, it seems to me that the committee should have the tools; namely, the power of subpoena, if necessary, and, hopefully, adequate staff to ask the right kinds of questions and to get the right kind of information. So I would hope that the members of the House would approve this amendment to this resolution.

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

The yeas and nays were required by Messrs. ITKIN and GLEASON and were as follows:

YEAS—191

Abraham	George	McIntyre	Selrica
Anderson, J. H.	Giammarco	McLane	Seltzer
Arthurs	Gillespie	Mebus	Shane
Barber	Gillette	Menhorn	Shelhamer
Bellomini	Gleason	Milanovich	Shelton
Bennett	Gleason	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
Bonetto	Halverson	Mrkoncic	Stahl
Bradley	Hamilton, J. H.	Mullen, M. P.	Stout
Brandt	Hammock	Mullen	Sullivan
Brunner	Hasay	Musto	Sweeney
Burns	Haskell	Myers	Taddonio
Butera	Hayes, D. S.	Novak	Taylor
Caputo	Hayes, S. E.	Noye	Tayoun
Cessar	Hepford	O'Brien	Thomas
Cimini	Hopkins	O'Donnell	Toll
Cole	Hutchinson, A.	O'Keefe	Trello
Cowell	Hutchinson, W.	Oliver	Turner
Crawford	Irvis	Pancoast	Ustynoski
Cumberland	Itkin	Parker, H. S.	Valicenti
Davies	Johnson, J.	Perri	Vann

Davis, D. M.	Katz	Petrarca	Vroon
DeMedio	Kelly, A. P.	Pievsky	Wagner
Deverter	Kelly, J. B.	Pitts	Wansacz
Dicarlo	Kernick	Polite	Wargo
Dietz	Kistler	Pratt	Weidner
Dininni	Klingaman	Prendergast	Westerberg
Dombrowski	Kolter	Pyles	Whelan
Dorr	Kowalyszyn	Rappaport	Whittlesey
Doyle	Kusse	Reed	Wilson
Eckensberger	Laudadio	Renninger	Wilt, R. W.
Englehart	Laughlin	Renwick	Wilt, W. W.
Fawcett	Lederer	Rhodes	Wojdak
Fee	Lehr	Rieger	Worrlow
Fischer	Letterman	Ritter	Wright
Fisher	Levi	Romanelli	Yahner
Flaherty	Lincoln	Ross	Yohn
Foster, A.	Lynch	Ruggiero	Zearfoss
Foster, W.	Manderino	Ryan	Zeller
Fryer	Manmiller	Saloom	Zord
Gallagher	McCall	Salvatore	Zwinkl
Gallen	McClatchy	Scheaffer	
Garzia	McCue	Schmitt	Fineman,
Geesey	McGinnis	Schweder	Speaker
Geisler			

NAYS—1

LaMarca

NOT VOTING—11

Cohen	Hill	O'Connell	Stapleton
DiDonato	Knepper	Perry	Walsh, T. P.
Dreibelbis	McGraw	Richardson	

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?

The yeas and nays were required by Messrs. IRVIS and ITKIN and were as follows:

YEAS—191

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

Garzia	McCue	Schmitt	Fineman,
Geesey	McGinnis	Schweder	Speaker
Geisler			

NAYS—1

LaMarca

NOT VOTING—11

Cohen	Hill	O'Connell	Stapleton
DiDonato	Knepper	Perri	Walsh, T. P.
Dreibelbis	McGraw	Perry	

So the question was determined in the affirmative and the resolution as amended was adopted.

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. RICHARDSON. Mr. Speaker, had I been present in my seat, I would have voted "yes" on House bills Nos. 308, 212, 449, 724, 725, 751, 908, and 327; "yes" on the conference report on Senate bill No. 54; "yes" on concurrence in Senate amendments to House bill No. 57; "no" on House bill No. 182; "yes" on House resolutions Nos. 38, 49, and 59; "yes" on the amendments to House resolution No. 59.

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

ANNOUNCEMENT

The SPEAKER. The Chair would request the co-operation of the membership in this regard: If members are late reporting to the floor and as a consequence have missed being recorded on several roll calls, the Chair will be happy to recognize the member for the purpose of having his presence noted so that he can vote. But any further remarks concerning how the member would have voted if he had been present in the hall of the House, I would hope that the members would defer making those remarks for the record until after the calendar has been completed.

It seems rather unfair to the members who are here to have to interrupt the proceedings of the House to entertain the comments of those as to how they would have voted had they been present. So if the Chair can solicit that cooperation, it would be most appreciative.

HOUSE RESOLUTION No. 81 ADOPTED

Mr. IRVIS called up **HOUSE RESOLUTION No. 81, printer's No. 1052**, entitled:

House to conduct an investigation for an operating farm at Landis Valley.

On the question,
Will the House adopt the resolution?

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

YEAS—194

Abraham	Geisler	McGinnis	Schmitt
Anderson, J. H.	George	McIntyre	Schweder
Arthurs	Giammarco	McLane	Scirica
Barber	Gillespie	Mebus	Seltzer

Bellomini	Gillette	Menhorn	Shane
Bennett	Gleason	Milanovich	Shelhamer
Beren	Gleeson	Miller, M. E.	Shelton
Berlin	Goodman	Miller, M. E., Jr.	Shupnik
Berson	Green	Milliron	Sirianni
Bittle	Greenfield	Miscevich	Smith, E.
Blackwell	Grieco	Moehlmann	Smith, L.
Bonetto	Gring	Morris	Spencer
Bradley	Halverson	Mrkonie	Stahl
Brandt	Hamilton, J. H.	Mullen, M. P.	Stout
Brunner	Hammock	Mullen	Sullivan
Burns	Hasay	Musto	Sweeney
Butera	Haskell	Myers	Taddonio
Caputo	Hayes, D. S.	Novak	Taylor
Cessar	Hayes, S. E.	Noye	Tayoun
Cimini	Hepford	O'Brien	Thomas
Cole	Hopkins	O'Donnell	Toll
Cowell	Hutchinson, A.	O'Keefe	Trello
Crawford	Hutchinson, W.	Oliver	Turner
Cumberland	Irvis	Pancoast	Ustynoski
Davis	Itkin	Parker, H. S.	Valicenti
Davis, D. M.	Johnson, J.	Perri	Vann
DeMedio	Katz	Perry	Vroon
Deverter	Kelly, A. P.	Petrarca	Wagner
Dicarlo	Kelly, J. E.	Pievsky	Wansacz
DiDonato	Kernick	Pitts	Wargo
Dietz	Kistler	Polite	Weidner
Diminni	Klingaman	Pratt	Westerberg
Dombrowski	Kolter	Prendergast	Whelan
Dorr	Kowalshyn	Pyles	Whittlesey
Doyle	Kusse	Rappaport	Wilson
Dreibelbis	LaMarca	Reed	Wilt, R. W.
Engelhart	Laudadio	Renninger	Wilt, W. W.
Fawcett	Laughlin	Renwick	Wojdak
Fee	Lederer	Rhodes	Worrilow
Fischer	Lehr	Richardson	Wright
Fisher	Letterman	Rieger	Yahner
Flaherty	Levi	Ritter	Yohn
Foster, A.	Lincoln	Romanelli	Zearfoss
Foster, W.	Lynch	Ross	Zeller
Fryer	Manderino	Ruggiero	Zord
Gallagher	Manmiller	Ryan	Zwicki
Gallen	McCall	Saloom	
Garzia	McClatchy	Salvatore	Fineman,
Geesey	McCue	Scheaffer	Speaker

NAYS—2

Eckensberger Shuman

NOT VOTING—7

Cohen Hill Knepper McGraw O'Connell Stapleton Walsh, T. P.

So the question was determined in the affirmative and the resolution was adopted.

QUESTION OF INFORMATION

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

Mr. VALICENTI. Mr. Speaker, on the tabled bill, House bill No. 1020, printer's No. 1171, it states that the bill was referred to the Committee on Labor Relations. We referred that to the Health and Welfare Committee. Would it be on the next calendar?

The SPEAKER. Would the gentleman take the matter up with the Chair following the completion of the voting on resolutions?

Mr. VALICENTI. All right, sir.

HOUSE RESOLUTION No. 85 ADOPTED

Mr. IRVIS called up HOUSE RESOLUTION No. 85, printer's No. 1177, entitled:

House of Representatives memorializing Congress to act on problems besetting Federal Black Lung Benefit Program.

On the question, Will the House adopt the resolution?

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

YEAS—194

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

NAYS—1

Kelly, J. B.

NOT VOTING—8

Cohen Hill McGraw Stapleton DiDonato Knepper O'Connell Walsh, T. P.

So the question was determined in the affirmative and the resolution was adopted.

HOUSE RESOLUTION No. 86

Mr. IRVIS called up HOUSE RESOLUTION No. 86, printer's No. 1242, entitled:

House of Representatives directing the Education Committee to investigate admission procedures, practices and policies of Pennsylvania colleges and universities.

On the question, Will the House adopt the resolution?

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

Mr. RHODES. Mr. Speaker, would the chief sponsor of the resolution submit to a brief interrogation on this resolution?

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

Mr. BERLIN. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. RHODES. Mr. Speaker, this resolution is a resolution, I gather, charging the Education Committee or the Higher Education Subcommittee to conduct an investigation into admission policies. What is the reason for the submission of this resolution? Is there any particular reason?

Mr. BERLIN. Yes. There are a number of schools in my district that have made their dissatisfaction known to myself and to a number of other Representatives regarding what they feel are strange and capricious practices with respect to admitting and assigning the various students—

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

Mr. VANN. We cannot, back here, hear what the gentleman is saying. I wonder, would he speak a little louder, a little clearer in his microphone, please?

The SPEAKER. Will the gentleman yield?

It would help considerably if the rest of the members on the floor would cease their own conversations.

The gentleman will try again.

Mr. BERLIN. There have been a number of schools in my district that have expressed their dissatisfaction with the admissions and the assignment of campuses to students who are apparently well qualified. We have had a number of instances where a student could have been assigned to a local campus but wound up at the far end of the state, burdening him and, in the long term, burdening the state because of the financial assistance required. We have not been able to uncover a reasonable answer as to why this takes place.

There have been numerous other complaints with respect to the more specialized institutions, the medical schools and the law schools in particular. We would like to know now, since we do provide a great deal of funding, what those standards are and what is the reasoning behind the assignments of students to various campuses throughout the state.

Mr. RHODES. Mr. Speaker, when you say there are schools in your area that have had objections or concerns about admission policies, do you mean high schools in your area?

Mr. BERLIN. Yes, that is correct, Mr. Speaker.

Mr. RHODES. Have you or anyone to your knowledge taken these objections or concerns to the administration or the trustees of these various schools and colleges and universities of the Commonwealth that you are concerned about?

Mr. BERLIN. Yes. We have made an effort, I think a concerted effort, on behalf of the individuals to uncover the reasoning, but that reasoning does not include the information that would satisfy the requests. So we have, then, a mysterious set of standards and rationality and criteria, and I find that unsatisfactory as an answer.

Mr. RHODES. When you say "colleges and universities of the Commonwealth of Pennsylvania," do you mean to include private schools also?

Mr. BERLIN. The investigation would include the private schools, depending on the time and the resources of the committee.

Mr. RHODES. Is your investigation a subpoena-empowered investigation?

Mr. BERLIN. I do not believe so.

Mr. RHODES. Thank you, Mr. Speaker.

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

Mr. HAMMOCK. May I please interrogate the gentleman?

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

Mr. BERLIN. I will, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. HAMMOCK. Mr. Speaker, in your remarks to the question raised by Mr. Rhodes, you indicated that there were some problems in the schools of higher education, namely, the professional schools. What schools are you talking about?

Mr. BERLIN. I did not say there were problems in the institutions.

Mr. HAMMOCK. You mentioned medical schools, did you not?

Mr. BERLIN. That is right. I have had numerous complaints that students who apparently were well qualified were not accepted.

Mr. HAMMOCK. What schools are you talking about, Mr. Speaker?

Mr. BERLIN. The University of Pennsylvania Law School, the University of Pennsylvania Medical School, and several others. I do not recall. We received a large number of complaints with respect to the fact that they were not admitted to any of the schools that they applied to, and on the surface it appeared that the individuals involved were well qualified. So we have not been able to uncover exactly why, in reasonable terms, they were refused or denied admission.

Mr. HAMMOCK. Mr. Speaker, would it not seem more logical, if people or students from your district were having problems being admitted to the well-known University of Pennsylvania, that you could work this out with the high schools in that area and certainly the admissions office at the University of Pennsylvania? Why bring this matter before the Pennsylvania General Assembly if it is a specialized problem?

Mr. BERLIN. Mainly because we will be voting on the appropriations to a great many of these universities—

Mr. HAMMOCK. I am sorry, I cannot hear you, Mr. Speaker.

Mr. BERLIN. Mainly because we provide them with financial support each year and as a result I believe we have an obligation to ensure that the practices involved are fair; that there are no discriminatory practices.

Mr. HAMMOCK. I am not clear as to what you mean by "discriminatory practices."

Mr. BERLIN. Well, I do not know. If there is some reason why an individual is denied admission and that reason is not made clear to the individual who is making the inquiry, then I would have to look for other reasons. And until I can establish what the standards are, I feel that it is our responsibility to at least probe to assure that every resident of the state has an equal opportunity to apply and to gain admission.

Mr. HAMMOCK. Mr. Speaker, you say in your resolution that many qualified and capable people are being turned away from our colleges and universities and be-

ing denied the opportunity to advance themselves. Do you have anything, any information, a reason, to believe that that is happening across this state or is it only as a result of the problems in your district?

Mr. BERLIN. That is why I want the investigation.

I believe, on the basis of those Representatives who have spoken to me, I can say that they have had similar problems in their districts. So, apparently, the problem extends across the Commonwealth.

Mr. HAMMOCK. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, I rise in opposition of this bill. I opposed this bill when it was before the Rules Committee and I oppose it here again on the floor of the House.

I really question what right, if any, we have to go into the private colleges and private universities of this Commonwealth to determine their admissions' policies. I can understand Mr. Berlin asking the House Education Committee to go into the admissions' policies of state-related schools or state-supported schools in any way, but to have the Education Committee of this House go into private universities, such as Villanova or Swarthmore, St. Joe's College, Widener, just to name a few, to check into their admissions' policy, when these schools do not have their hands in the pockets of the Commonwealth, I think is entirely wrong.

I know that the other side of this debate, as far as my objection goes, is that state scholarships are available to students attending these schools. If that is the case, then I think we should also have the jurisdiction, which I know we cannot get, to go into schools outside the Commonwealth of Pennsylvania that also have students there attending on state scholarships.

I think we are going far beyond our rights in attempting to legislate or investigate the private school system. If we want to do that, let us give them some additional money. Let us bring them in as state-related schools and support them. But until we are doing something that gives us a right to go into their records, I do not think we have any right to go in and investigate their admissions' policies.

If there is a complaint under the—I forget the fancy words; Mr. Shane can probably help me—fair educational standards act or whatever, let it be filed—

The SPEAKER. Equal Educational Opportunities Act.

Mr. RYAN. Thank you, Mr. Speaker. I forgot the fancy words. I miss all these lettered bureaus.

But if the bureaucracy is offended, there is a procedure to take care of this without the House going in and looking into it.

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

Mr. SHANE. Thank you, Mr. Speaker.

Mr. Speaker, among my many scarlet sins is included 5 years as the dean of admissions at the University of Pennsylvania Law School. And I can tell you that when you are faced with 1,500 to 2,000 applications, and you have got 150 places for those who are entering first-year class at the law school, you are bound to make some very difficult choices that are going to make a lot of people unhappy. Indeed, it seemed that the top 1,000 applicants were all first-string varsity football players and presi-

dents of student governments and A-minus students, and it was virtually impossible to make meaningful choices amongst these people. I sometimes argue that maybe we would be better off just to have a lottery.

So I think the deans of admissions at these various schools are trying hard to select who they think are the best applicants from large numbers, but they are bound to make certain people unhappy in the process of making difficult choices.

At the undergraduate level today in Pennsylvania, we have de facto open admissions. With the exceptions of a few high-demand curriculums, such as nursing and business, it is virtually possible for just about any high school student to get into some kind of post-high school institution these days because of the decline in demand. This is quite a comedown from the brisk admissions' competition that existed 7 or 8 years ago in Pennsylvania.

Perhaps there is more legitimate complaint at the area of the graduate school level where there are often 2,000 or 3,000 applications for 100 or 200 places in some of the medical schools and the law schools.

So I am, I guess, reluctantly going along with this resolution. I am again reminded of the RAF pilot, Chumley, who was asked to go up during the Battle of London because they needed a futile gesture at that point, and perhaps that is what this is too. But I have participated in many futile gestures on the floor of this House and I guess another one will not do any more damage.

Thank you, Mr. Speaker.

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

Mr. GARZIA. I rise to support this resolution. My thought is, if they receive taxpayers' money, the schools should be opened up to investigation.

Thank you.

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

Mr. GEORGE. Mr. Speaker, I wonder if I could interrogate Mr. Shane.

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

Mr. SHANE. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. GEORGE. Mr. Speaker, I am sure that you have at your disposal more facts and figures relating to higher education than I. That is the purpose for which I rise, to ask you for information only.

Can you tell me, Mr. Speaker, for instance, at the University of Pennsylvania, what percentage of those enrolled in the school of medicine and the school of law and the school of pharmacology are residents and citizens of Pennsylvania?

Mr. SHANE. The University of Pennsylvania has the lowest percentage, as I can tell, of Pennsylvania residents in their medical school. I think they also have less than one-half of their undergraduates from Pennsylvania.

I have not been associated with the law school for 5 years. I have not seen any figures in particular for the law school, but I would not be surprised if it is about 50 percent. I am not quite as up on the figures, strangely enough, for the law school because I have seen more

recent figures for the medical school and the undergraduate portion of the University of Pennsylvania.

Mr. GEORGE. Thank you.

Mr. Speaker, might I add a point to this bill?

The SPEAKER. This is a resolution. The gentleman is in order and may proceed.

Mr. GEORGE. I am amazed at the colleagues before me who bring up the point of what is our responsibility here in the House and how far it goes and how we should delegate it.

I rise to say that in the months that we will be facing, we will be sitting here on this floor discussing how much money should be appropriated to said schools. All we want to know is, are the kids from Pennsylvania getting a fair share, due to the fact they are entitled to an education in Pennsylvania? I support this resolution.

Thank you.

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

Mr. MCGINNIS. Mr. Speaker, I support the resolution also. I think that an investigation of the admission practices of the colleges of Pennsylvania should be conducted by the Education Committee. For instance, I had a young lady call me who wanted to go into the University Campus of Penn State. She had 1100 SAT's. When I called Penn State, they told me that they were changing it to 1150 SAT's. I said, "What are you going to do with the football team?"

Thank you.

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

Mr. ITKIN. Mr. Speaker, would the chairman of the Education Committee consent to interrogation?

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

Mr. GALLAGHER. I would be more than happy, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. ITKIN. Mr. Speaker, if this resolution is passed, it would be the responsibility of the Education Committee and, in large measure, the chairman of the Education Committee to carry out the requirements of the resolution?

Mr. GALLAGHER. That is correct.

Mr. ITKIN. I am concerned and I want to know whether the resolution would apply, in your judgment, to the investigation of the universities in Pennsylvania with branch campuses and not just limited to the question of admissions to that given university, but the assignment of students to particular campuses vis a vis the main campus relative to the branch campuses?

Mr. GALLAGHER. To Mr. Itkin, that is correct. The committee would be appointed by myself, as chairman, to investigate the practices on all campuses not just the major campus.

Sometimes these problems do arise at that kind of a situation where students with high SAT's and high school transcripts will apply to, for example, Penn State, and looking forward to going to the main campus, if they live in Philadelphia, they may wind up in Punxsutawney Campus or Allentown Campus rather than the main campus.

This does apply throughout the state, not just to the southeastern area. We have problems from students

coming from Allegheny County looking forward to, for example, Penn State and their main campus. They sometimes have not received the admissions to the main campus, and the reasons why are very vague and capricious, as this resolution indicates.

This also makes it rather clear to the public that the committee is going to apply itself to the admission practices of all the colleges and universities in the Commonwealth.

We have in Pennsylvania an Educational Equal Opportunities Act that applies to everybody and not just men. This applies to women getting into engineering schools, to law schools and the med schools. We have problems at Penn State Hershey Medical Center where we will have students who have a SAT of 1200 to 1300 and be denied admissions at that medical school, and they had been in the 5-year program attached to the Hershey Medical Center. The same thing applies to Jefferson Medical College, Hahnemann, et cetera. It goes on and on and on.

I think it is time that we start applying ourselves. Being chairman of the committee, the resolution does not embarrass me in the least to show that the General Assembly wants this committee to conduct an investigation in depth into who is being admitted and why they are not being admitted. We would like to know why. Are the high schools falling down? Are the SAT's nebulous now? What is real criteria for admissions to college?

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

Mr. ITKIN. Mr. Speaker, in view of what Mr. Gallagher has informed the House, I support the resolution.

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

Mr. ZELLER. Thank you, Mr. Speaker.

I agree with Mr. Gallagher in regard to, I believe he said, the need of the investigation. I agree with the sponsor of it. I have documented cases of, I would say, discrimination—and when I say documented, documented as far back as 1971—of youngsters who cannot get into law school, cannot get into medical school, and they have the money to pay for it and they have the grades. They were denied. I think you and I know why, and if I get into that area, I am going to open up a real hornet's nest.

I think there has never been a time—

Mr. HAMMOCK. Mr. Speaker, I would ask the gentleman to clarify his remarks and let us open up the hornet's nest.

Mr. ZELLER. Mr. Speaker, that is my business whether or not I want to open up the hornet's nest for the benefit of this House.

The SPEAKER. The gentleman is out of order. All comments like that are out of order.

The gentleman will proceed to make his remarks. He has been recognized.

Mr. ZELLER. Thank you, Mr. Speaker.

And as far as Mr. Ryan's remarks are concerned, if we give scholarships to these colleges that he is talking about, that is public funds, and we have a right to investigate those colleges. If they are accepting these scholarships, the funds that are coming from taxpayers,

then we have a right to find out how and where they are being used. There is no question about that.

If we are talking about open government, we are talking about the right to know, and then, as Mr. Gallagher says, the Equal Opportunities Act applies to everyone. I think there was a case out in the State of Washington which was proven and the young man won his case. We all have this right.

So I support this wholeheartedly and I believe it is about time that we have, what you call, fresh air getting into our colleges and get rid of the so-called scarlet sins that Mr. Shane talked about and the so-called gestures of the House, and let us get on with the investigation.

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

Mr. HAMMOCK. Mr. Speaker, a few moments ago I tried to apply some fact but I apparently failed.

The question I asked the chief sponsor of the bill was why this bill was being sponsored, and then several moments later the gentleman takes the floor and he says some vague remark, you all know why; you all know what this applies to. Well, I for one do not know and I would like the gentleman to clarify his remarks.

Indeed, the Equal Opportunities Act applies to all, but I would like to have the gentleman to present his case and not make some veiled remarks. I will have something else to say when the gentleman clarifies his remarks.

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

Mr. RENNINGER. Thank you very much, Mr. Speaker.

I strongly support this resolution. I do not look upon this as an investigation but the exercise of a very proper oversight function in this Commonwealth. I know from personal experience the systems of admissions that are being used and tested are very vital to the kind of product you get in the community later on. I think we, as a legislative body, have a distinct responsibility here. I am perfectly aware of the fact, and I know of a particular case where one of the finest trial lawyers in this state, by any standards of today's admission policies, would not have been admitted. I think that is crazy and I think the opportunity should be open more, certainly in the early classes.

In the medical field, as well as the other profession of which I am a member, I feel that too many young people going through the educational process really do not bloom. We have often talked in the hiring halls of the profession about the late bloomers. Some people get it all together about the second year of law school and they turn out to be crackerjack lawyers, and these are men and women whom I associated with 20 years ago when I speak of that vintage. I do not have the street experience of what the present give and take is in the selection process, but I think we certainly have a responsibility to look into it, a responsibility to confirm it if it is sensible, to object if it is wrong, and to produce a better educational structure and production if we can, and I think there are tests.

Thank you very much.

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

Mr. DAVIES. Thank you, Mr. Speaker.

I rise to support the resolution. After 22 years in the public schools of Pennsylvania, I have seen many students, who are highly qualified, be turned down after even successfully completing a regular college career here in Pennsylvania and who are seeking something in the professions.

I speak particularly to those young ladies in the Commonwealth who have been turned down, particularly, in the pursuit of a profession in medicine, in law, and, of course, in engineering. I think that it is not only there but in many other areas that we also check the matter of the validity of the testing systems that we use for admission to all people under that Equal Opportunities Act, as well.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, I again rise to oppose the resolution. Directing my remarks initially to those of Mr. Zeller, the mere fact that a student receives a state scholarship does not, in my judgment, affect the right of the Commonwealth to go into the school where that student elects to matriculate.

Now the scholarship is given to the student; it is not given to the school. Granted he is using that money to go to the school, but the funds we provide to these students are taxpayers' funds for Pennsylvania residents, not to the school because this money goes outside the state. It is not the school itself that is the object of our bounty, but rather the students of Pennsylvania who are attending school. So, I do not think that is enough, the mere fact that they are on a scholarship.

I am curious, Mr. Speaker, as to why this bill was amended. When the bill was originally introduced as House resolution No. 86, there was a provision that the investigation be limited to those colleges and universities receiving state aid. This makes some sense to me. But to go into a witch-hunt area—and that is what I see it as—by a group from the House Education Committee—and I am not trying to take anything away from Mr. Gallagher's committee—but if you think of the numbers of colleges and universities in this Commonwealth and if we think that the House Education Committee is capable in a time frame of investigating the admissions' policy of all these colleges and universities, we are kidding ourselves. There is no way they are going to be able to do a good job on all the colleges and universities of this Commonwealth in a 2-year term, not in a 4-year term, with a subcommittee of the Education Committee.

I just think it is outrageous that we impose ourselves on the admissions' practices of privately owned universities and colleges. I can understand, and I have been the recipient of many of the gripes of disappointed parents whose children have not been admitted to medical school and have not been admitted to law school, and I have written letters the same as everyone of you to the various trustees and deans of admissions, recommending a boy or girl for admission to graduate school.

If this is our principal complaint, let us limit it to the graduate schools and here, I think, the committee could probably do a reasonably good job within the time frame of our term of office. But to think for a minute that a subcommittee of the House Education Committee

is going to be able to go throughout this entire Commonwealth and look into the admissions' policies of all the universities and colleges of this Commonwealth, I think is completely unrealistic.

I strongly suggest that this bill, although not intended as a sham, is, in effect, going to operate as one. It is just impossible to do a job like this right with a subcommittee. Why do they not limit it to the graduate schools if that is the complaint or limit it to the state-related or limit it to the state colleges? But to open up this whole field of higher education admission practices is absolutely ridiculous in my mind.

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

Mr. DiCARLO. Mr. Speaker, I share the concern of the sponsor who introduced the resolution, but I also am empathetic with Mr. Ryan's comments and I think his points are very valid. I would like to see a large part of the investigation stem right around the graduate studies and professional schools. I have some comments that I want to make here, especially about medical schools, because we know—

PARLIAMENTARY INQUIRY

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

Mr. ARTHURS. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ARTHURS. Mr. Speaker, I just want to find out when it might be proper to revert to the prior printer's number on this House resolution?

The SPEAKER. The gentleman is in order to move to revert to a prior printer's number, which is in essence an amendment, at any time prior to the vote on final passage.

Mr. ARTHURS. Mr. Speaker, I do not care whether I do it before Mr. DiCarlo's remarks or not, but I would like to so move.

The SPEAKER. The Chair would prefer if the gentleman would yield to Mr. DiCarlo and let him complete his remarks, then the Chair will recognize the gentleman.

Mr. DiCARLO. Mr. Speaker, I think my remarks would be more germane to the motion, and I think that my remarks probably would be supportive of that motion. So, if it is in order, I would yield at this time and let the gentleman offer the motion and then re-enforce the motion, if I can.

PARLIAMENTARY INQUIRY

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

Mr. ARTHURS. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ARTHURS. Mr. Speaker, one other point of inquiry. If we do revert to the prior printer's number, or the original printer's number is what I am really interested in, 1178, could the bill then be debated as it appeared under printer's No. 1178, which was the original?

The SPEAKER. The bill would be in order for debate at that point.

PARLIAMENTARY INQUIRY

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

Mr. RHODES. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RHODES. Mr. Speaker, does a motion to refer or recommit, that kind of a motion, take precedence over a motion to revert to a prior printer's number?

The SPEAKER. A motion to recommit takes precedence over a motion to revert to a prior printer's number.

Mr. RHODES. Mr. Speaker, could I make that motion at this time?

The SPEAKER. The motion is in order at any time.

MOTION TO RECOMMIT

Mr. RHODES. Mr. Speaker, I would like to make a motion to recommit the bill to the Rules Committee, and could I speak on that motion?

The SPEAKER. There is a motion on the floor to recommit House resolution No. 86, printer's No. 1179, to the Rules Committee. The gentleman is in order to speak on the motion if he will limit his remarks to the motion for recommitment.

The Chair recognizes the gentleman, Mr. Rhodes.

Mr. RHODES. Just briefly, Mr. Speaker, I would like to associate myself with the comments of the minority whip and to point out that we have hundreds of colleges, private and public in the Commonwealth. This resolution that is now drafted is very vague and it needs to be tightened up, and I do not think that we can do it on the floor today. We should let this happen in the Rules Committee.

Thank you, Mr. Speaker.

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

Mr. DiCARLO. Yes, Mr. Speaker. I oppose the motion for recommitment. I think that the matter in front of us is a very urgent matter, and I would like to put a few statistics on the record of what is happening in Pennsylvania, especially in graduate studies—

The SPEAKER. Would the gentleman please confine his remarks to the reasons for or against recommitment?

Mr. DiCARLO. Mr. Speaker, I believe that because of what is happening in Pennsylvania is in essence relative to the recommitment motion. I believe my facts would support the reason why we should not recommit the bill, but debate it and pass the resolution.

The SPEAKER. The gentleman will proceed.

Mr. DiCARLO. The percentage of Pennsylvania applicants accepted by the medical schools varies from 20.5 percent at the Philadelphia College of Osteopathic Medicine to 2.8 percent for the Pennsylvania State University Medical School at Hershey. We also find that applicants to Hahnemann, the University of Pennsylvania and Hershey Medical School find it harder to gain admission, and for that it goes to 4.2 percent for Hahnemann, 5.6 per cent for the University of Pennsylvania, and at Hershey Medical School it goes all the way down to 2.8 percent of all applicants. We find there has been a steady drop in the proportion of Pennsylvania resi-

dents applying for admission to the medical schools of Pennsylvania.

Although Hershey, in 1971 and 1972, had the highest proportion of Pennsylvania applicants—and that was 44.3—they only accepted 2.8 percent of Pennsylvania applicants in its first-year class.

We also find that the proportion of female applicants, although this has been rising rapidly, is at a percentage of 22.5 percent in all institutions with the sole exception of Hahnemann, where the male increase has been increasing at a higher proportion.

Mr. Speaker, I think what these statistics are saying—and these were put together 2 years ago and, unfortunately, it was another study that we had and nobody did anything about it—is that we are showing that there is a problem in Pennsylvania. Pennsylvania applicants are not getting accepted, and the ones who are are very, very few, and then we find that there is regional discrepancy.

I would ask this chamber to vote against the recommittal motion. I think the investigation is valid and I ask you to vote "no."

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

Mr. RHODES. Mr. Speaker, I respect the Chair's latitude in allowing the previous speaker to explain a little bit beyond the motion the reasons for his opposition to it.

But let me explain that the comments the speaker made, I think, speak directly to the point of why we ought to recommit. If in fact there is a problem in Pennsylvania in terms of medical schools and professional schools—and I am the first person to admit there may very well be such a problem—this resolution in its prior or in its current printer's number does not speak to that matter. If we revert to the prior printer's number or if we allow it to stay the way it is, we still have a broad-based investigation and it opens it up for the Education Committee to pick and choose and to be arbitrary in the kind of investigation it is going to conduct.

If the House wants a narrow resolution drawn specifically to the matters the speaker previously brought up, we need to recommit this resolution to the Rules Committee and have them draft the resolution over again. I guarantee the members of this chamber that I, for one, would support such a specifically drawn resolution on the matter of professional and medical schools, but that is not what we are talking about today.

To recommit to the Rules Committee is not to bury this resolution. It is going to come back. This is a pressing issue.

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

Mr. GREENFIELD. Mr. Speaker, as a sponsor of the resolution, it has occurred to me that my purpose in sponsoring the resolution was primarily to see that the graduate schools did receive the attention of the committee. And apparently from the discussion here, this would be such a wide-range investigation that the medical schools and the graduate schools, where the problem does exist, would not get the attention that is required. I, therefore, would also urge that we recommit this

resolution so that it could be properly amended and properly reconsidered.

Mr. Speaker, I have a large number of students, to be honest and truthful in the matter, who do apply to the undergraduate schools and it is my experience that the complaints and the problems are very negligible as far as the undergraduate schools. I do think that we ought to get into the situation of determining what the problem may be in the graduate area and I think that that is what this resolution should be limited to. Therefore, although I am a sponsor, I also will vote to recommit the resolution.

Thank you, Mr. Speaker.

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

Mr. GALLAGHER. Mr. Speaker, I rise to oppose the recommittal of the resolution to the Rules Committee. The reason is that during the time the resolution was with the Rules Committee, it was amended in the Rules Committee, and line 10 was stricken out as to state-sided Pennsylvania colleges and universities because of the Pennsylvania Educational Equal Opportunities Act, and we felt that we should have that opportunity to look into all colleges and universities in the Commonwealth under that act which has been in our books for over 6 or 8 years. This gives us the opportunity to look into the graduate work, the undergraduate work, even the community colleges. I think referring it back to the Rules Committee would have it basically coming back the same way. I think that we ought to consider voting "no" on recommittal of this bill and go back to the next issue of voting for the resolution.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Messrs. RHODES and BERLIN and were as follows:

YEAS—56

Anderson, J. H.	Itkin	Myers	Shelton
Barber	Kelly, J. B.	Oliver	Shuman
Beren	Kistler	Pancoast	Shupnik
Bittle	Kowalyshyn	Parker, H. S.	Smith, L.
Blackwell	Kusse	Prendergast	Spencer
Brandt	Lederer	Renwick	Stahl
Crawford	McIntyre	Rhodes	Taddonio
DeMedio	McLane	Richardson	Vann
DiDonato	Mebus	Rieger	Wargo
Englehart	Miller, M. E., Jr.	Romanelli	Westerberg
Callagher	Miscevich	Ruggiero	Wojdak
Greenfield	Moehmann	Ryan	Worriow
Hammock	Mullen, M. P.	Scirica	Yahner
Hutchinson, W.	Musto	Seltzer	Yohn

NAYS—138

Abraham	Fryer	Levi	Salvatore
Arthurs	Gallen	Lincoln	Scheaffer
Bellomini	Garzia	Lynch	Schmitt
Bennett	Geesey	Manderino	Schweder
Berlin	Geisler	Manmiller	Shane
Berson	George	McCall	Shelhamer
Bonetto	Clammarco	McClatchy	Sirianni
Bradley	Gillespie	McCue	Smith, E.
Brunner	Gillette	McGinnis	Stout
Burns	Gleason	Merhorn	Sullivan
Butera	Gleeson	Milanovich	Sweeney
Caputo	Goodman	Miller, M. E.	Taylor
Cessar	Green	Milliron	Thomas
Cimini	Grieco	Morris	Toll
Cole	Gring	Mrkonjc	Trello
Cowell	Halverson	Mullen	Turner
Cumberland	Hamilton, J. H.	Novak	Ustynoski
Davies	Hasay	Noye	Valicenti
Davis, D. M.	Haskell	O'Brien	Vroon
Deverter	Hayes, D. S.	O'Donnell	Wagner

Dicarlo	Hayes, S. E.	O'Keefe	Wansacz
Dietz	Hepford	Perri	Weidner
Dininni	Hopkins	Perry	Whelan
Dombrowski	Hutchinson, A.	Petrarca	Whittlesey
Dorr	Irvis	Pievsky	Wilson
Doyle	Katz	Pitts	Wilt, R. W.
Dreibelbis	Kelly, A. P.	Polite	Wilt, W. W.
Eckensberger	Kernick	Pratt	Wright
Fawcett	Klingaman	Pyles	Zearfoss
Fee	Kolter	Rappaport	Zeller
Fischer	LaMarca	Reed	Zord
Fisher	Laudadio	Renninger	Zwikel
Flaherty	Laughlin	Ritter	
Foster, A.	Lehr	Ross	Fineman,
Foster, W.	Letterman	Saloom	Speaker

NOT VOTING—9

Cohen	Knepper	O'Connell	Tayoun
Hill	McGraw	Stapleton	Walsh, T. P.
Johnson, J.			

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

DEMOCRATIC WOMEN'S CLUB WELCOMED

The SPEAKER. The Chair at this time would like to recognize 41 members of the Ross Township Democratic Women's Club.

These people are here today as the guests of the gentleman from Allegheny, Mr. Menhorn.

PHOENIXVILLE STUDENTS WELCOMED

The SPEAKER. We also have a group of sixth-grade pupils and their teachers from the Phoenixville Area School System.

They are the guests of the gentleman from Chester, Mr. Vroon.

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

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

Mr. SHANE. Thank you, Mr. Speaker.

When I spoke previously on this resolution, I said it looked to me like a futile gesture. However, I agree with Mr. Ryan's remarks. If we can restrict this inquiry to the graduate schools, the professional schools, the medical schools, the law schools, then I think we have focused in sufficiently that we might be able to accomplish something of lasting value. I would hope that either through the understanding of these prime sponsors of the resolution with the committee members or possibly through some amendment of this House resolution, if we just focus on the graduate professional schools, which are clearly the primary source of complaint, then you have a workable problem for the committee to address themselves to. But, if, as Mr. Ryan says, we focus on all the undergraduate institutions of Pennsylvania, it is an impossible task.

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

Mr. VANN. Mr. Speaker, since there seems to be so much controversy—

Mr. ARTHURS. Mr. Speaker, point of parliamentary inquiry.

The SPEAKER. The Chair recognizes the gentleman from Butler, Mr. Arthurs. The gentleman will state his point of parliamentary inquiry.

Mr. ARTHURS. Are these gentlemen speaking on the reverting back to the prior printer's number? Just so we know where that stands.

The SPEAKER. Does the gentleman desire to place before the House once again his motion to revert to a prior printer's number?

Mr. ARTHURS. I do, Mr. Speaker.

Mr. VANN. Mr. Speaker.

The SPEAKER. Will the gentleman, Mr. Vann, yield for just a moment.

There is a motion before the House to revert to a prior printer's number.

The Chair recognizes the gentleman, Mr. Vann.

Mr. VANN. Mr. Speaker, since there seems to be so much controversy on this resolution, I wonder if it would not be wiser at this time to pass over this resolution temporarily and give those pro and con chances to make amendments in order to make a better resolution. I would ask that we pass over it at this time.

The SPEAKER. There is a motion on the floor at the moment.

The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I have listened to the debate with some interest and I want to point out certain things to the members.

Number one, the Education Committee can do exactly what this resolution calls for with or without the resolution. It has the power to do that.

Number two, I object to the reversion to the prior printer's number because that reversion would send this resolution to a special committee, and I have said here publicly on the floor that I will object to any such special investigatory committees henceforward when the investigatory process could be handled by a standing committee.

Now I would suggest to those members who are interested particularly in this investigation that they consider the suggestion made by Mr. Vann. If your desire is to limit this investigation to be conducted by the standing committee, then an amendment to the resolution ought to be offered rather than the motion to revert to a prior printer's number, which takes it out of the hands of the Education Committee and puts it into a special bipartisan committee. If the motion to revert stands, then I object to that motion to revert on the basis of what I have just stated.

Thank you, Mr. Speaker.

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

Mr. ARTHURS. Mr. Speaker, that would be fine as far as I as an individual am concerned, but there is one thing that bothers me. If we could pass over this resolution temporarily for the day so that there could be amendments prepared and presented today so we could act upon it tomorrow, then this would be fine. But we must remember that we are not going to have another voting session until June sometime, and I think we have a lot of lost time there when arrangements could be made.

I as an individual would be willing to pass over it temporarily until I and anyone else who might have interest in this could have amendments prepared and presented today.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, if there is no objection from the chief sponsor, Mr. Berlin, I have no objection to rescheduling the resolution and passing it over for today's session. We will reschedule it for Wednesday.

The SPEAKER. Does the gentleman, Mr. Arthurs, withdraw his motion for reversion?

Mr. ARTHURS. After one bit of inquiry. You are saying we will pass over it today, offer amendments tomorrow, and then when would we have a chance to act on this again?

Mr. IRVIS. Tomorrow.

Mr. ARTHURS. As far as final passage?

Mr. IRVIS. Tomorrow.

Mr. ARTHURS. Fine; I am satisfied.

MOTION WITHDRAWN

The SPEAKER. The gentleman, Mr. Arthurs, withdraws his motion to revert to a prior printer's number. The resolution will go over in order today.

HOUSE RESOLUTION No. 87 ADOPTED

Mr. IRVIS called up **HOUSE RESOLUTION No. 87, printer's No. 1179**, entitled:

Urging Sub-Committee on Welfare to examine and investigate the implementation of agreement with Paid Prescriptions, Inc. and its effect on druggists.

On the question,

Will the House adopt the resolution?

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

YEAS—194

Abraham	Garzia	McCue	Scheaffer
Anderson, J. H.	Geesey	McGinnis	Schmitt
Arthurs	Geisler	McIntyre	Schweder
Barber	George	McLane	Scirica
Bellomini	Giammarco	Mebus	Seltzer
Bennett	Gillespie	Menhorn	Shane
Beren	Gillette	Milanovich	Shelhamer
Berlin	Gleason	Miller, M. E.	Shelton
Berson	Gleeson	Miller, M. E., Jr.	Shuman
Bittle	Goodman	McHiron	Shupnik
Blackwell	Green	Miscevich	Sirianni
Bonetto	Greenfield	Moehlmann	Smith, E.
Bradley	Grieco	Morris	Smith, L.
Brandt	Gring	Mrkonic	Spencer
Brunner	Halverson	Musto	Stahl
Burns	Hamilton, J. H.	Mullen, M. P.	Stout
Butera	Hammock	Mullen	Sullivan
Caputo	Hasay	Myers	Sweeney
Cessar	Haskell	Novak	Taddonio
Cimini	Hayes, D. S.	Noye	Taylor
Cohen	Hayes, S. E.	O'Brien	Thomas
Cole	Hepford	O'Donnell	Toll
Cowell	Hopkins	O'Keefe	Trello
Crawford	Hutchinson, A.	Oliver	Turner
Cumberland	Hutchinson, W.	Pancoast	Ustynoski
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
DiDonato	Kernick	Pitts	Weidner
Dietz	Kistler	Polite	Westerberg
Dininni	Klingaman	Pratt	Whelan
Dombrowski	Kolter	Prendergast	Whittlesey
Dorr	Kowalshyn	Pyles	Wilson
Doyle	Kusse	Rappaport	Wilt, R. W.
Dreibelbis	LaMarca	Reed	Wilt, W. W.
Eckensberger	Laudadio	Renninger	Wojdak
Englehart	Laughlin	Renwick	Worrilow
Fawcett	Lederer	Rhodes	Wright
Fee	Lehr	Richardson	Yahner
Fischer	Letterman	Rieger	Yohn

Fisher	Levi	Ritter	Zearfoss
Flaherty	Lincoln	Romanelli	Zeller
Foster, A.	Lynch	Ross	Zord
Foster, W.	Manderino	Ruggiero	Zwickl
Fryer	Manmiller	Ryan	
Gallagher	McCall	Saloom	Fineman,
Gallen	McClatchy	Salvatore	Speaker

NAYS—0

NOT VOTING—9

Hill	McGraw	Stapleton	Valicenti
Kelly, J. B.	O'Connell	Tayoun	Walsh, T. P.
Knepper			

So the question was determined in the affirmative and the resolution was adopted.

CONCURRENT RESOLUTION

TIME OF NEXT MEETING

In the House of Representatives
April 29, 1975

RESOLVED, (the Senate concurring), That when the House of Representatives adjourns this week it reconvene on Monday, May 5, 1975; and be it further

RESOLVED, That when the House of Representatives adjourns the week of May 5, 1975 it reconvene on Tuesday, May 27, 1975 unless sooner recalled by the Speaker of the House of Representatives; and be it further

RESOLVED, That when the House of Representatives adjourns the week of May 27, 1975 it reconvene on Monday, June 2, 1975; and be it further

RESOLVED, That when the Senate adjourns this week it reconvene on Monday, June 2, 1975 unless sooner recalled by the President Pro Tempore of the Senate.

On the question,

Will the House adopt the resolution?

Resolution was adopted.

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

HOUSE SCHEDULE

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, an announcement: Mr. Speaker, it will be necessary for us to recess until 2 p.m. We will be on the floor for a period of about 1 hour. There will be at least one vote. There is a deficiency bill which must come over from the Senate, and I will ask that we take up that deficiency vote today and it will require that the members be on the floor for that vote.

Also at the same time, I will be lifting from the table a number of bills, some of which will be scheduled for tomorrow's vote and some will be scheduled for a later date.

I have had inquiries from the members concerning scheduling for the week. I have cautioned all those who have inquired of me that they had better keep their bags unpacked at least until Thursday. I do not know at the moment whether it will be necessary to have you here on Thursday but that is a very distinct possibility. Thank you, Mr. Speaker.

BILLS REPORTED AND CONSIDERED FIRST TIME AND TABLED

HOUSE BILL No. 527 By Mr. ROMANELLI

An Act amending the "Liquor Code," approved April

12, 1951 (P. L. 90, No. 21), further regulating the transfer of a license.

Reported from Committee on Liquor Control.

HOUSE BILL No. 720 By Mr. BRUNNER

An Act amending the act of May 6, 1970 (P. L. 355, No. 119), entitled "An act validating Tax Claim Bureau deeds made prior to December 31, 1952 where the property was not properly posted or the certificate of posting was not filed," extending the cut-off date.

Reported from Committee on Finance.

HOUSE BILL No. 848 By Mr. BRUNNER

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.

Reported from Committee on Finance.

HOUSE BILL No. 957 By Mr. STOUT

An Act amending the "Industrial and Commercial Development Authority Act," approved August 23, 1967 (P. L. 251, No. 102), revising the title of the act; defining, further defining, and reordering certain terms; and further providing for purposes and powers.

Reported from Committee on Business and Commerce.

HOUSE BILL No. 958 By Mr. STOUT

An Act amending the "Pennsylvania Industrial Development Authority Act," approved May 17, 1956 (P. L. 1609, No. 537), making an editorial change.

Reported from Committee on Business and Commerce.

QUESTIONS OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. HEPFORD. Mr. Speaker, is it the appropriate time to indicate votes on bills?

The SPEAKER. The Chair will accept the remarks of the gentleman.

Mr. HEPFORD. Mr. Speaker, I was in the chamber of the House immediately prior to the master roll and then went to the majority caucus room to address a group of students. Had I been in my seat, I would have voted "aye" on House bills Nos. 212, 449, 724, 751 and 327; "aye" on the conference report on Senate bill No. 54; "aye" on concurrence in Senate amendments to House bill No. 57; and "nay" on concurrence in Senate amendment to House bill No. 182. Thank you, Mr. Speaker.

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

Mr. ZEARFOSS. Mr. Speaker, had I been in my seat when the vote was taken on House bill No. 308, I would have voted in the negative. On House bills Nos. 212 and 449, I would have voted in the affirmative.

PARLIAMENTARY INQUIRY

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

Mr. ZEARFOSS. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ZEARFOSS. Mr. Speaker, under rule 39 of the House rules, it indicates that petitions, remonstrances, memorials and other papers shall be presented by a member and then they are referred by the Speaker to a committee, and the Speaker shall report to which committee the petitions were sent. Last week I filed a petition for impeachment. I would like to know whether the Speaker has referred that petition to a committee.

The SPEAKER. The Speaker acted on the petition of the gentleman on the day that the petition was received and the petition was referred to the Rules Committee.

Mr. ZEARFOSS. Mr. Speaker, one further question: Is it mandatory that the Rules Committee consider this petition or do they have a choice in the matter?

The SPEAKER. The Speaker knows of no rule that requires the Rules Committee to mandatorily consider the petition.

Mr. ZEARFOSS. Is it subject to a discharge resolution, Mr. Speaker?

The SPEAKER. Any resolution or bill is subject to a discharge resolution.

Mr. ZEARFOSS. That would include a petition, Mr. Speaker, such as this?

The SPEAKER. The Chair believes that a discharge resolution would be applicable, subject to further search of the rules.

Mr. ZEARFOSS. Thank you, Mr. Speaker.

The SPEAKER. My initial impression is that it would be subject to a discharge resolution.

Mr. ZEARFOSS. Thank you, Mr. Speaker.

LEGISLATION TO BE INTRODUCED

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

Mr. DEVERTER. Thank you, Mr. Speaker.

Mr. Speaker, last month on the floor of this House, I questioned the gimmicks and the methods being used by the Pennsylvania lottery division to boost sagging sales. At that time I stated that the concept of the lottery to gain additional revenue without further taxation was laudatory. The idea of using this money to aid and create state programs to benefit our senior citizens was and is a pretty good idea. I took issue with the state lottery division degenerating into a legalized hustle.

Mr. Speaker, several questions were posed at that time to the ladies and gentlemen of the General Assembly which I believe require answers, not only to the satisfaction of the members but also to explain the "who wins what" numbers games to the people of Pennsylvania.

Today I am introducing legislation which would amend the state lottery law of 1971 by requiring the approval of the General Assembly for the types and manner of promoting and conducting lotteries in our state.

The General Assembly created the lottery and the time has come for the General Assembly to correct what has become a glaring deficiency in the law: almost complete confusion among those attempting to determine if they are winners, and, I believe, a source of embarrassment to all members of the General Assembly.

Briefly, Mr. Speaker, my amendment would require that the Secretary of Revenue shall not establish, change, operate or administer the lottery or lotteries, or promul-

gate rules and regulations relating to the establishment or change of a lottery system until the General Assembly approves by concurrent resolution.

Mr. Speaker, the proposed establishment or change of a lottery, if that does occur, shall be deemed approved should the General Assembly fail to act within 90 calendar days from the date it was presented to the legislature.

Mr. Speaker, the present chaos and confusion surrounding the Pennsylvania lottery is a sad commentary on the understaffed and overworked talent which both bodies have available to assist the members in the General Assembly in performing their duties.

We legislate; we create laws; but we do not have the present capability of monitoring these laws to insure that the original intent of the General Assembly in creating laws, such as the state lottery, is neither misused, abused or degenerates into a confused mess such as we are faced with today.

I would hope that all members would call for quick consideration and swift approval of this amendment and return the lottery to its original intent.

I will leave the bill on the desk for additional sponsors for those of you who feel that we do have some accountability to the people of this Commonwealth.

Thank you, Mr. Speaker.

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

Mr. RITTER. Mr. Speaker, may I respond to some of the remarks the gentleman made?

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

Mr. RITTER. First, he said that practically all of the members of the General Assembly are embarrassed by the operation of the lottery, and I want the record to show that I am not embarrassed in any way by the operation of the Pennsylvania lottery. I do not think it is a confused process over there; I do not think it is an organized hustle. If the gentleman wants to say that those are his remarks, fine, but he is certainly not speaking for this member of the assembly. And I think that some of his remarks really have not been proven, other than it is his own personal opinion, and I think the record ought to show that.

Mr. DeVERTER. And I believe, Mr. Speaker, that that was my intent.

LEGISLATION TO BE INTRODUCED

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

Mr. STAHL. Thank you, Mr. Speaker.

I am going to introduce some legislation to prevent what I would call a new supermarket rip-off.

As some of the members may be aware, the American supermarkets are trying to sell customers something new—packages without prices.

There is a major change taking place in food retailing. Grocery stores are beginning to use a computerized check-out system. This system makes it unnecessary for the supermarket to put prices on the items they sell, and if present plans are carried out, prices will no longer appear on items in your supermarket. They will only be on the shelves.

The supermarket industry plans to take prices off merchandise despite the fact that there is a great consumer opposition to such action. For example, in a study last year of the 37 most important characteristics of a store, shoppers ranked all prices clearly labeled second only to cleanliness in the stores.

Two developments in the industry have made dramatic change possible—one, industrywide adoption of the Universal Product Code, and, two, the installation of computerized checkout systems in the stores.

Now I will not go at this time into the technical problems, but you can readily see that a dishonest merchant can charge whatever price he deems he can get away with no matter what is on the shelf because the products are not individually marked. I am introducing legislation which will prevent this and prevent a new supermarket rip-off.

For those members who are in their offices, they may call me in my office—I am in B-7—and when we return here to the floor, the bill will be laid upon the desk.

Thank you, Mr. Speaker.

STUDENTS WELCOMED

The SPEAKER. The Chair is pleased to welcome a group of 6th grade students from Our Lady of Fatima School in Secane. These students are here with their teachers and are the guests of Messrs. O'Keefe, Doyle and Gillespie.

RECESS

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I move that this House do now recess until 2 p.m.

On the question,

Will the House agree to the motion?

Motion was agreed to.

The SPEAKER. This House is now in recess until 2 p.m.

AFTER RECESS

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

THE SPEAKER (Herbert Fineman) IN THE CHAIR

HOUSE BILLS INTRODUCED AND REFERRED

By Messrs. PETRARCA, BELLOMINI, GARZIA, BRADLEY, GLEESON, TRELLO, MRKONIC, DeMEDIO, MANDERINO, WEIDNER, WRIGHT, MEBUS, GEORGE, KOLTER, STOUT, SALOOM, OLIVER, BARBER, LAUGHLIN, LETTERMAN and SCHMITT
HOUSE BILL No. 1131

An Act reenacting section 13 of the "State Lottery Law," approved August 26, 1971 (P. L. 351, No. 91), exempting lottery prizes from State and local taxation and making a repeal.

Referred to Committee on State Government.

By Mr. McCLATCHY, Mrs. CRAWFORD,
Mrs. KELLY, Mrs. GILLETTE, Mrs. FAWCETT,
Messrs. MCGINNIS, POLITE, Mrs. TOLL,
Mrs. KERNICK, Messrs. O'DONNELL, LEDERER,
MEBUS, GALLEN, BRANDT, O'CONNELL,
GIAMMARCO, VALICENTI, ZORD, R. W. WILT,
ZEARFOSS, LYNCH, RICHARDSON and LEHR

HOUSE BILL No. 1132

An Act amending the Pennsylvania Consolidated Statutes approved November 25, 1970 (P. L. 707, No. 230), prohibiting the administration of polygraph testing to any victim of a nonconsensual sex offense.

Referred to Committee on Law and Justice.

By Messrs. GALLAGHER, GREENFIELD, PANCOAST and WILSON

HOUSE BILL No. 1133

An Act making appropriations to the Pennsylvania Higher Education Assistance Agency for payment of higher education scholarship grants, guaranteeing loans and providing lender participation incentives, securing and distributing Federal financial assistance and administration of agency programs.

Referred to Committee on Education.

By Messrs. GALLAGHER, SHANE, GREENFIELD, PANCOAST and WILSON

HOUSE BILL No. 1134

An Act amending the act of July 18, 1974 (No. 36-A), entitled "An act making appropriations to the Pennsylvania Higher Education Assistance Agency, ***" making the appropriations available to carry out certain other acts.

Referred to Committee on Education.

By Messrs. GALLAGHER, SHANE and PANCOAST

HOUSE BILL No. 1135

An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343, No. 176), further providing for refund of tuition or related fees by State-owned educational institutions.

Referred to Committee on Education.

By Messrs. BONETTO, NOVAK, MISCEVICH, ITKIN, TRELLO, M. M. MULLEN, MRKONIC, ROMANELLI, Mrs. GILLETTE, Messrs. PARKER and KOLTER

HOUSE BILL No. 1136

A Joint Resolution proposing an amendment to the Constitution of Pennsylvania reducing the number of Senators and Representatives in the General Assembly and providing for their election and term of office.

Referred to Committee on State Government.

By Mr. BONETTO

HOUSE BILL No. 1137

An Act regulating the operation of motor vehicles salvage yards, and providing penalties.

Referred to Committee on Transportation.

By Messrs. BONETTO, GEORGE, KOLTER, ARTHURS and STOUT

HOUSE BILL No. 1138

An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343, No. 176), providing for direct refunds of moneys erroneously received by the Department of Transportation and making an editorial change.

Referred to Committee on Transportation.

By Messrs. BONETTO, GEORGE, KOLTER, ARTHURS and STOUT

HOUSE BILL No. 1139

An Act amending "The Vehicle Code," approved April

29, 1959 (P. L. 58, No. 32), further providing for the inspection of truck tractors and trailers.

Referred to Committee on Transportation.

By Messrs. BONETTO and STOUT

HOUSE BILL No. 1140

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), transferring certain duties from the Bureau of Traffic Safety to the Department of Education.

Referred to Committee on Education.

By Messrs. BONETTO and STOUT

HOUSE BILL No. 1141

An Act amending the act of May 20, 1937 (P. L. 728, No. 193), entitled "An act providing for the creation of a Board of Arbitration of Claims arising from contracts with the Commonwealth, ***," making certain changes in the board and providing for interest on an award.

Referred to Committee on State Government.

By Mr. KATZ, Mrs. KELLY, Mr. GIAMMARCO and Mrs. TOLL

HOUSE BILL No. 1142

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), requiring a school nurse to be on the premises in schools for the handicapped in first class school districts.

Referred to Committee on Education.

By Mr. KATZ

HOUSE BILL No. 1143

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), requiring certain licensees to post a list of certain tax exempt items.

Referred to Committee on Finance.

By Messrs. DeMEDIO, STOUT, LAUDADIO, SHANE, BRUNNER, PYLES, McCLATCHY, Mrs. FAWCETT, Messrs. MCGINNIS, POLITE, FISCHER and W. W. WILT

HOUSE BILL No. 1144

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58, No. 32), requiring school bus operators to undergo a safety education course every two years.

Referred to Committee on Transportation.

By Messrs. BONETTO, KOLTER, STOUT,

ANDERSON and GEESEY

HOUSE BILL No. 1145

An Act amending the "State Highway Department Law," approved May 31, 1911 (P. L. 468, No. 193), further providing for retainages.

Referred to Committee on Transportation.

By Messrs. BONETTO, KOLTER, ARTHURS, STOUT, ANDERSON and GEESEY

HOUSE BILL No. 1146

An Act amending the "Fuel Use Tax Act," approved January 14, 1952 (P. L. 1965, No. 550), exempting highway construction machinery or equipment from the tax.

Referred to Committee on Transportation.

By Messrs. BONETTO, STOUT, ANDERSON and GEESEY

HOUSE BILL No. 1147

An Act amending the "Sproul Highway Law," approved May 31, 1911 (P. L. 468, No. 193), changing the rate of interest paid to contractors on amounts of money returned.

Referred to Committee on Transportation.

By Messrs. FISCHER, HASKELL, R. W. WILT,
DeMEDIO, STOUT and BRUNNER

HOUSE BILL No. 1148

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), authorizing the Department of Transportation to conduct stationary scales and buildings to house such scales.

Referred to Committee on Transportation.

By Messrs. FISCHER, HASKELL, R. W. WILT,
DeMEDIO, STOUT and BRUNNER

HOUSE BILL No. 1149

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58, No. 32), harmonizing certain language, making an editorial change, authorizing peace officers to have certain vehicles and tractors weighed at Department of Transportation stationary scales on the Interstate Highway System for violations thereon or other stationary scales and making provision for distribution of certain fines, penalties and forfeited bail.

Referred to Committee on Transportation.

By Messrs. MANDERINO, A. K. HUTCHINSON,
PETRARCA, LAUDADIO, DeMEDIO and SALOOM
HOUSE BILL No. 1150

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

Referred to Committee on Education.

By Mrs. WHITTLESEY, Messrs. DREIBELBIS,
KUSSE, W. D. HUTCHINSON, ZEARFOSS and
BRUNNER
HOUSE BILL No. 1151

An Act amending the "Senior Citizens Property Tax Assistance Act," approved March 11, 1971 (P. L. 104, No. 3), further defining single person and providing for a phase out of single persons.

Referred to Committee on Finance.

By Messrs. W. W. WILT and MILLIRON
HOUSE BILL No. 1152

An Act providing for the establishment of areas for retail electric supply; providing for reviews of areas where conflicts may exist; imposing powers and duties on the Public Utility Commission and providing for the assessment of costs.

Referred to Committee on Finance.

By Messrs. BARBER, ROSS, JOHNSON, VANN,
Mrs. KELLY, Mr. OLIVER, Mrs. TOLL, Messrs.
GIAMMARCO, HAMMOCK and RICHARDSON
HOUSE BILL No. 1153

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), further providing for eligibility for assistance.

Referred to Committee on Health and Welfare.

By Messrs. IRVIS, OLIVER, ROSS, LINCOLN,
O'DONNELL, GRIECO, BERLIN, Mrs. KELLY,
Messrs. WEIDNER, COHEN, Mrs. TOLL,
Mr. TAYOUN, Mrs. FAWCETT, Messrs. REED,
McLANE, HAMMOCK and ROMANELLI
HOUSE BILL No. 1154

An Act providing a fund in each State college and State university to provide financial assistance to students with economic problems.

Referred to Committee on Education.

By Messrs. IRVIS, OLIVER, ROSS, D. S. HAYES,
O'DONNELL, BERLIN, Mrs. KELLY, Mr. COHEN,
Mrs. TOLL, Messrs. HAMMOCK, ROMANELLI,
REED and Mrs. FAWCETT
HOUSE BILL No. 1155

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), further providing for the withholding of State appropriations, requiring instructions in venereal diseases in secondary schools.

Referred to Committee on Education.

By Messrs. FLAHERTY, MRKONIC, GEISLER,
CAPUTO, SCHMITT, M. M. MULLEN, ITKIN,
MISCEVICH, TRELLO, COWELL, Mrs. KELLY,
Messrs. REED, A. K. HUTCHINSON,
Mrs. GILLETTE, Messrs. NOVAK, ZWIKL,
ZELLER, GREEN, COHEN, ABRAHAM,
ROMANELLI, VALICENTI, TADDONIO,
M. E. MILLER and BONETTO

HOUSE BILL No. 1156

An Act making it unlawful to have pay toilet facilities under certain circumstances and prescribing penalties.

Referred to Committee on Health and Welfare.

By Messrs. FLAHERTY, GEISLER, CAPUTO,
M. M. MULLEN, ITKIN, RHODES and IRVIS
HOUSE BILL No. 1157

An Act amending the act of August 24, 1961 (P. L. 1135, No. 508), entitled "An act imposing a tax for general public school purposes in school districts of the first class A on salaries, wages, commissions and other compensation earned by residents thereof, and on the net profits earned from businesses, professions or other activities conducted by residents thereof; ***," providing for exemption of taxpayers under the act from other like taxes of certain political subdivisions.

Referred to Committee on Urban Affairs.

By Messrs. MOEHLMANN, ENGLEHART, KELLY and
PIEVSKY
HOUSE BILL No. 1158

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), providing for a limited exemption from taxation and establishing certain reciprocity.

Referred to Committee on Finance.

By Messrs. BRANDT, ANDERSON, M. E. MILLER, JR.,
MOEHLMANN, M. E. MILLER and MILLIRON
HOUSE BILL No. 1159

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), excluding earnings from loans to restore certain historical landmarks from the classes of income.

Referred to Committee on Finance.

By Mr. BRANDT, Mrs. GILLETTE, Messrs. TRELLO,
M. E. MILLER, JR., MOEHLMANN, GRING,
M. E. MILLER and MILLIRON
HOUSE BILL No. 1160

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further providing for exclusions from taxation.

Referred to Committee on Finance.

By Messrs. D. S. HAYES, DOMBROWSKI,
HOPKINS and BELLOMINI
HOUSE BILL No. 1161

An Act making an emergency appropriation to the Department of Environmental Resources for erosion control at Presque Isle State Park.

Referred to Committee on Appropriations.

By Messrs. HOPKINS, DOMBROWSKI,
LETTERMAN, DiCARLO, NOYE, D. S. HAYES,
KLINGAMAN and M. E. MILLER

HOUSE BILL No. 1162

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58, No. 32), further providing for requiring the display of lights on motor vehicles and extending penalties.

Referred to Committee on Transportation.

By Messrs. WRIGHT, D. S. HAYES and BURNS

HOUSE BILL No. 1163

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further providing for credits against tax imposed by other states.

Referred to Committee on Finance.

By Messrs. McCALL, WANSACZ, McLANE, O'BRIEN,
MUSTO, BRADLEY, GOODMAN, WARGO,
USTYNOSKI, COLE, SCHWEDER, BURNS,
WRIGHT and TAYLOR

HOUSE BILL No. 1164

An Act amending the "Anthracite Standards Law," approved May 31, 1947 (P. L. 368, No. 168), changing and adding definitions, imposing administrative and enforcement powers on the Department of Environmental Resources and its mine inspectors in lieu of the Anthracite Committee and Commonwealth agents including record preservation.

Referred to Committee on Mines and Energy Management.

By Mrs. FAWCETT, Messrs. HALVERSON,
WEIDNER, McGINNIS, POLITE and PYLES

HOUSE BILL No. 1165

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58, No. 32), further providing for exceptions to the right of way rules.

Referred to Committee on Transportation.

By Messrs. YOHN, SHANE, KELLY, BERSON and
BONETTO

HOUSE BILL No. 1166

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

Referred to Committee on State Government.

By Mr. BARBER, Mrs. KELLY, Messrs. OLIVER,
LEDERER, VANN, RIEGER, Mrs. TOLL,
Messrs. JOHNSON, ROSS, GIAMMARCO and
RICHARDSON

HOUSE BILL No. 1167

An Act amending the "Public Welfare Code," amended June 13, 1967 (P. L. 31, No. 21), adding a definition of "local office" and further providing for powers of the department as to public assistance, changing county boards to advisory boards and redefining the powers and duties and further defining public assistance administration at the departmental and local levels.

Referred to Committee on Health and Welfare.

By Messrs. STAHL, ROMANELLI, RENNINGER,
Mrs. GILLETTE, Messrs. ABRAHAM, TRELLO,
FLAHERTY, MRKONIC, Mrs. TOLL, Messrs.

VROON, KISTLER and GRIECO

HOUSE BILL No. 1168

An Act requiring items of food and household products to be individually marked as to price.

Referred to Committee on Consumer Protection.

By Mrs. CRAWFORD, Messrs. SPENCER and
BERSON

HOUSE BILL No. 1169

An Act amending the "Mechanics' Lien Law of 1963," approved August 24, 1963 (P. L. 1175, No. 497), further defining certain terms.

Referred to Committee on Judiciary.

By Messrs. SCHEAFFER, NOYE and W. W. FOSTER

HOUSE BILL No. 1170

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

Referred to Committee on Local Government.

By Messrs. McCUE, LaMARCA, Mrs. GILLETTE,
Messrs. SHUMAN and WILSON

HOUSE BILL No. 1171

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for the selection of public officers.

Referred to Committee on State Government.

By Mr. SCIRICA

HOUSE BILL No. 1172

An Act declaring and adopting the song "Pennsylvania—Gee! It's Great!" by Henry and Roberta Shaffner, as the State song of the Commonwealth.

Referred to Committee on State Government.

By Messrs. SCIRICA, BERSON, McCLATCHY,
PYLES, Mrs. WHITTLESEY, Messrs.

W. D. HUTCHINSON, MEBUS, RENNINGER,
BEREN, HASKELL and SHANE

HOUSE BILL No. 1173

An Act providing for footpaths and bicycle trails as part of the public highway system and authorizing the expenditure of Motor License Fund moneys therefor.

Referred to Committee on Conservation.

By Messrs. MEBUS, SCIRICA, McCLATCHY, PYLES,
O'KEEFE, DOYLE and A. C. FOSTER

HOUSE BILL No. 1174

An Act amending the "Local Tax Collection Law," approved May 25, 1945 (P. L. 1050, No. 394), changing provisions relating to penalties.

Referred to Committee on Finance.

By Messrs. MANMILLER, LAUDADIO, NOYE,
BITTLE, W. W. WILT, YAHNER, RUGGIERO,
LEVI, McCLATCHY, HASKELL and KUSSE

HOUSE BILL No. 1175

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

Referred to Committee on Conservation.

SENATE MESSAGE**BILLS FOR CONCURRENCE**

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

SENATE BILL No. 25

An Act establishing child protective services; providing procedures for reporting and investigating the abuse of children; providing immediate access to a central register on child abuse; investigating such reports; providing for taking protective action; placing duties on the Department of Public Welfare and county child welfare agencies; and providing penalties.

Referred to Committee on Judiciary.

SENATE BILL No. 128

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining the term unlawful as it relates to gambling.

Referred to Committee on Judiciary.

SENATE BILL No. 130

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, including additional offenses relating to gambling in this definition of "racketeering activity".

Referred to Committee on Judiciary.

SENATE BILL No. 131

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the crime of conducting, financing, managing, supervising, directing or owning an illegal gambling or lottery business for the crime of conspiring to obstruct the criminal laws of the Commonwealth, changing the penalty for engaging in unlawful lotteries, gambling or pool selling and bookmaking; and/or any ordinance of any political subdivision thereof with the intent to facilitate an illegal gambling or lottery business for the crimes of aggravated engaging in gambling and in lotteries and for penalties and forfeitures.

Referred to Committee on Judiciary.

SENATE BILL No. 159

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), entitled "Liquor Code," further providing for the sale of liquor and/or malt and brewed beverages at city-owned art museums.

Referred to Committee on Liquor Control.

SENATE BILL No. 362

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," increasing the membership of the Industrial Board in the Department of Labor and Industry.

Referred to Committee on Labor Relations.

HOUSE RESOLUTION INTRODUCED AND REFERRED

By Messrs. PETRARCA, BELLOMINI, GARZIA, BRADLEY, GLEESON, KOLTER, TRELLO, MRKONIC, DeMEDIO, MANDERINO, WEIDNER, WRIGHT, GEORGE, STOUT, SALOOM, OLIVER, BARBER, LAUGHLIN, LETTERMAN and SCHMITT
(Concurrent) **RESOLUTION No. 90**

The General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States

to enact legislation exempting legal lottery winnings from the Federal income tax.

Referred to Committee on Rules.

SENATE MESSAGE**HOUSE RESOLUTION CONCURRED IN**

The clerk of the Senate, being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives
April 29, 1975

RESOLVED, (the Senate concurring), That when the House of Representatives adjourns this week it reconvene on Monday, May 5, 1975; and be it further

RESOLVED, That when the House of Representatives adjourns the week of May 5, 1975 it reconvene on Tuesday, May 27, 1975 unless sooner recalled by the Speaker of the House of Representatives; and be it further

RESOLVED, That when the House of Representatives adjourns the week of May 27, 1975 it reconvene on Monday, June 2, 1975; and be it further

RESOLVED, That when the Senate adjourns this week it reconvene on Monday, June 2, 1975 unless sooner recalled by the President Pro Tempore of the Senate.

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. Mr. Speaker, I would like to have my name added to the master roll.

It was previously reported today that I had a leave of absence. I was away from here this morning, but I am back and I will submit a record of how I would have voted on the bills had I been here.

The SPEAKER. The Chair thanks the gentleman.

VOTING RECORD SUBMITTED FOR THE JOURNAL

Mr. HILL submitted the following voting record for the Legislative Journal:

House bill No. 308—"nay";
Conference report on Senate bill No. 54—"nay";
Concurrence in Senate amendments to House bill No. 182—"nay";
House resolution No. 38—"nay";
House bill No. 724—"aye";
House bill No. 725—"aye";
House bill No. 908—"aye";
House bill No. 327—"aye";
Concurrence in Senate amendments to House bill No. 57—"aye";
House resolution No. 49—"aye";
House resolution No. 59—"aye";
House resolution No. 81—"aye";
House resolution No. 85—"aye"; and
House resolution No. 87—"aye."

4-H STUDENTS WELCOMED

The SPEAKER. The Chair is pleased to welcome 80

4-H students from Snyder, Union, Montour and Northumberland Counties.

They are the guests of the gentlemen, Messrs. Thomas, Bradley, Wagner and Shelhamer.

QUESTION OF INFORMATION

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

Mr. KATZ. May I ask the Chair a question?

The SPEAKER. Is this a parliamentary inquiry or just a plain old question?

Mr. KATZ. It is just an inquiry.

The SPEAKER. The gentleman will state his plain old question.

Mr. KATZ. I would like to know why I am being denied the right to secure books for my district down in the chief clerk's office. I just went down there because tonight I have to speak to a group of Girl Scouts. They told me that I cannot have anything unless I sign a memo; someone has to look at it, and nobody will answer me. All I want are animal books, bird books, any kind of books. I believe I have a right to that.

The SPEAKER. The gentleman looks so nice today I think he has a right to it, too, and if the gentleman will see me after session, why we will cure his problem.

REMARKS SUBMITTED FOR THE RECORD

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

Mr. YOHN. Mr. Speaker, I would like unanimous consent to insert the following remarks into the record.

The SPEAKER. The gentleman will send the remarks to the desk.

Mr. YOHN presented the following remarks for the Legislative Journal:

Mr. Speaker, we have made progress in recent years in the area of reforming the legislative process. But we have done nothing about the unwieldy size of the legislature. Each year reforms are proposed, only to gather dust in committee or to pass one house and die in the other.

I am introducing legislation today to reduce the size of the House of Representatives from 203 members to 131 and to increase the term of office to 4 years.

This legislation makes no mention of the Senate, because in past years we have never been able to reach agreement with the Senate on the appropriate number or term of office for both houses of the legislature. Perhaps by going ahead on our own with reform, we can finally achieve the results we are hoping for.

This reduction in size should lead to far greater efficiency both here in Harrisburg and at home.

The increased responsibilities of each individual legislator will make the position more attractive to able people who now hesitate to leave well-paying jobs in private industry for government.

Each legislator could have a legislative office in the home district with adequate staff to handle the many calls and letters which pour in each day.

Longer terms would eliminate the problems inherent in a system in which members are constantly seeking reelection.

The sooner we can bring ourselves to reduce our own size, the sooner we can eliminate some of the problems inherent in our present system. And when we have our own house in order, we will be in a far better position to work for other improvements in state government.

Mr. Speaker, I ask you and my colleagues today to join with me in enacting this reform legislation.

STUDENTS WELCOMED

The SPEAKER. The Chair wants to welcome 85 eighth-grade students from St. Charles Borromeo School in Drexel Hill, Delaware County, and their teachers and sponsors, Father Francis Lewis, Sister Barbara Miriam, Sister Marian Gerad and Mr. John McCarry.

They are the guests of Messrs. Doyle and Stapleton.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 189

An Act amending the act of June 26, 1974 (No. 21-A), entitled "The General Appropriation Act of 1974," providing for increases in certain appropriations made to the Department of Environmental Resources, the Department of Health, the Department of Justice and the Department of Public Welfare, for an appropriation to the Department of Labor and Industry adding an appropriation for employees of the Chief Clerk of the Senate, making deficiency appropriations for incidental expenses and Legislative printing and expenses of the House of Representatives, for the House Special Leadership Account (R), for the House Special Leadership Account (D), for the Legislative Budget and Finance Committee, and providing for the purchase of National flags.

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

The clerk read the following amendments made by the Senate:

Amend Title, page 1, line 8, by inserting after "committees" the following: providing for increases in certain appropriations made to the Department of Environmental Resources, the Department of Health, the Department of Justice and the Department of Public Welfare, for an appropriation to the Department of Labor and Industry, adding an appropriation for employees of the Chief Clerk of the Senate.

Line 17, by striking out after "(R,)" the word "and"; and by inserting after "(D)," the following: "for the Legislative Budget and Finance Committee and providing for the purchase of National flags"

Amend bill, page 1, line 22, by striking out after "Section 1." all the remainder of said line; lines 23 and 24, by striking out all of said lines; line 25, by striking out at the beginning of the line "and House Special Leadership Account (D), of section" and inserting immediately thereafter "Section 2."

Amend Section 1, page 2, line 1, by inserting after "1974" the following: is amended by adding appropriations to the Department of Labor and Industry and to the Chief Clerk of the Senate, and by increasing certain appropriations to the Department of Environmental Resources, the Department of Health, the Department of Justice, the Department of Public Welfare, incidental expenses and legislative printing and expenses of the House of Representatives and the Legislative Budget and

Finance Committee, and by amending the purchase of flags by the General Assembly; the appropriation to the Department of Public Welfare, the Legislative Budget and Finance Committee, and the appropriation for the purchase of flags, amended and

Amend bill by inserting after page 2 the following:

I. EXECUTIVE DEPARTMENT

TO THE DEPARTMENT OF ENVIRONMENTAL RESOURCES

* * *

For reimbursement to municipalities toward the costs incurred by them in the enforcement of the Sewage Facilities Act 600,000

TO THE DEPARTMENT OF HEALTH

For salaries, wages and all necessary expenses for the proper administration of the Department of Health including research and health information, medical facilities review, health services development, disease prevention, detection and diagnosis, outpatient treatment, inpatient treatment and life maintenance 27,675,000

In addition to this amount, all moneys received from the Federal government or from any other source as contributions for these programs shall be paid into the general fund and credited to this appropriation.

TO THE DEPARTMENT OF JUSTICE

For the salaries, wages and all necessary expenses for the proper administration of the Department of Justice including revenue collection and administration, criminal law enforcement, and regulation of consumer products and promotion of fair business practices 6,653,000

In addition to this amount, all moneys received from the Federal government or from any other source as contributions for these programs shall be paid into the general fund and credited to this appropriation.

TO THE DEPARTMENT OF LABOR AND INDUSTRY

* * *

Payment to employees and charges for medical services incurred in connection with the defense of claims against the Commonwealth under the Pennsylvania Occupational Disease Act and the Pennsylvania Workmen's Compensation Act 2,100,000

II. LEGISLATIVE DEPARTMENT

TO THE SENATE

For the salaries, wages and all necessary expenses for the following purposes:

* * *

Salaries and wages of employees of the Chief Clerk to be allocated and disbursed at the direction of the President pro tempore 300,000

Amend bill, page 5, by inserting after line 11 the following:

TO THE LEGISLATIVE BUDGET AND FINANCE COMMITTEE

For the salaries, wages and all necessary expenses for the work of the Legislative Budget and Finance Committee 250,000

TO THE CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES AND THE SECRETARY OF THE SENATE JOINTLY

For the purchase of Pennsylvania and National flags to be sent to residents of Pennsylvania 20,000

On the question,

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, the members have had distributed House bill No. 189, printer's No. 1301, delivered to the House as amended by the Senate.

I would suggest that each member avail himself of the opportunity of scanning this bill with us for the next few minutes. This bill contains deficiency appropriations, some of which are critical for the operation of government immediately, and we are going to call the bill up for concurrence in Senate amendments.

Prior to calling it, however, I have asked the chairman of the Appropriations Committee, together with the minority chairman of the Appropriations Committee, Mr. Seltzer, to explain the bill line by line so that no one leaves this chamber unaware of the contents of the measure. Mr. Speaker, I will yield the floor now to the chairman of the Appropriations Committee.

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

Mr. WOJDAK. Mr. Speaker, may I ask, is Mr. Seltzer ready to proceed on this?

I would like to take it line by line in explanation. If you turn to page 3, the deficiency appropriation for the Department of Environmental Resources is \$400,000, which will go to cover sewage facility enforcement grants made to municipalities for on-site inspection of sewage facilities. These grants cover 50 percent of the cost of each enforcement program.

Now the deficiency resulted from two items: first, the increased municipal government knowledge of the reimbursement program; and, secondly, the passage of Act 208, which required all local sewage enforcement officers to be certified by the state. This led the municipalities to a, hire additional inspectors; b, make part-time inspectors full-time employees; and, thirdly, it increased the pay of full-time inspectors.

Mr. Seltzer, do you have questions on this, sir?

Mr. SELTZER. No.

Mr. WOJDAK. Is there any interrogation from the members or Mr. Speaker?

The SPEAKER. If they want to interrogate you, they will let you know.

Mr. LETTERMAN. Mr. Speaker, I do.

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

Mr. LETTERMAN. I would like to know one thing: Are you telling me that you are going to reimburse municipalities for sending someone to school to train them as a sewage inspector for on-lot systems? Is that what this deficiency appropriation is for?

Mr. WOJDAK. Well, one of the items is for inspectors. Your question is whether we are reimbursing municipalities to send these inspectors to school?

Mr. LETTERMAN. Yes. Is that what you said? That is what you did tell me.

Mr. WOJDAK. The answer to your question is "Yes."

Mr. LETTERMAN. What expense is involved for the municipality to do that since they do collect for every on-lot sewage system they inspect? Those people are paid plenty for that job, so what are we paying for?

Mr. WOJDAK. We are paying half the cost.

Mr. LETTERMAN. Half the cost of what?

Mr. WOJDAK. Half the cost of the expenditure of enforcement at the local level, at the municipal level.

Mr. LETTERMAN. Okay, fine, I understand that. But I just think it is bad because these people go out and charge our constituents plenty of money for inspecting an on-lot sewage system. I do not see any expense involved for the municipalities. I do not see where the expense for the municipality is, because those people are paid per inspection. And if you ask me, \$25 for an inspection is plenty for one man. He can inspect as high as 25 and 30 a day. I just think it is a real bad part of this thing, unless there is a better explanation. I am sure that any one of us who lives out in the country certainly realize this is the kind of inspection that goes on.

Who put this request in?

Mr. WOJDAK. Mr. Speaker, it is not a new program. Now if you are questioning the intent of the legislation, I can understand that. We are only speaking to the deficiency involved in this act. Now your questions are apparently directed towards the legislation itself.

Mr. LETTERMAN. Yes. I would like to know who asked us to put this in? Environmental Resources?

Mr. WOJDAK. That is correct.

Mr. LETTERMAN. And they say they owe that to the municipalities?

Mr. WOJDAK. That is correct.

Mr. LETTERMAN. Okay, I can accept that. Thank you.

The SPEAKER. The gentleman, Mr. Wojdak, may proceed.

Mr. WOJDAK. The next deficiency is to the Department of Health. It is a deficiency for \$2.5 million in general government for renal dialysis.

The Governor had originally requested \$2.3 million based on 300 patients. The actual need has now reached something in excess of 1,000 patients this year. So the total cost of the program will be \$4.3 million and the deficiency appropriation needed to care for these additional patients will be \$2.5 million.

The SPEAKER. The gentleman may proceed.

Mr. WOJDAK. The next deficiency appropriation is to the Department of Justice. The total deficiency appropriation is for \$766,000 and it will cover the following items: There is a deficiency appropriation for \$289,000 to make up for salary increases that were not included for the Department of Justice in the final version of the 1974-75 general fund bill. Secondly, it is to replace that \$289,000 borrowed from the Justice Department operating expenses to meet those salary increases. By switching funds, the department was able to meet the salary increases but was not able to meet data processing, travel and consulting obligations.

It also covers the state monies used to match Federal grants for the special prosecutor in the city of Philadelphia.

The next deficiency appropriation is to the Department of Labor and Industry. The total deficiency is \$2.1 million for occupational disease payments. The legisla-

ture had originally reduced the Governor's budget request for this fiscal year from \$22.9 million to \$22,115,000. Now the original request of \$22.9 million had been based on an average case load of approximately 6,800 people. The case load had actually increased to a number in excess of 9,000, and the deficiency appropriation is being used to cover the additional case load.

The next deficiency appropriation is to the Department of Public Welfare. The total deficiency is for \$8 million, and it will be used for two items. The first item is for mental hospitals. This arose over a Federal court order requiring the U. S. Department of Labor to enforce the Fair Labor Standards Act in non-Federal facilities, and it required Pennsylvania to pay patients in the state hospitals or state-operated institutions for work which they were performing. If you break out the figures, you are talking about approximately 1,500 patients at \$40 a week on an average for 30 weeks, from December of 1974 up until the end of the fiscal year, and that figure comes to \$1.8 million.

The second item: Act 249, which we had passed, had removed the liability of parents and spouses for persons over 18 years of age in mental hospitals and schools for the retarded, and that act was effective October 12 of 1974. The institutions are going to lose approximately \$6.2 million, and that makes up the second item of this deficiency appropriation totaling \$8 million.

The next deficiency appropriation is for the House and Senate for various salaries in terms of the Senate for various expenses to be incurred in operating moneys for the chief clerk's office. We have already gone over that and we have already passed that.

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

Mr. HASKELL. Mr. Speaker, will the gentleman from Philadelphia, Mr. Wojdak, consent to interrogation?

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

Mr. WOJDAK. Yes, I will, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. HASKELL. Would the gentleman explain to us in a little bit more detail why the additional \$300,000 is needed for employes, for the salaries and wages of members of the Senate?

Mr. WOJDAK. Mr. Speaker, I am told that that request for an additional \$300,000 is for moneys for additional staff for various Senators because of the unequal portion there now. There are 30 Democrats and 20 Republicans. They had been sharing that money equally. There are seven Senators without any staff members. This \$300,000 is going for that staffing.

Mr. HASKELL. Is this an agreement or an arrangement that has been made between the leadership of the House and the leadership of the Senate as far as this bill is concerned, that they are to receive additional staff members?

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. The answer to that is "No," Mr. Speaker. But the answer, it seems to me, is equally obvious to every intelligent member on the floor.

Now if the gentleman wants me to elucidate, I will elucidate. Does the gentleman want me to?

Mr. HASKELL. Please, Mr. Speaker.

Mr. IRVIS. I would assume that when the \$150,000 increase for the Republicans on the floor of the House reached the Senate, the Senate Republicans decided they wanted \$150,000.

I would assume that when the \$150,000 on the floor of the House for the Democrats reached the Senate, the Democrats on the floor of the Senate wanted \$150,000. Despite the fancy language, I would think that explains it fully.

Thank you, Mr. Speaker.

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

The SPEAKER. The Chair recognizes the gentleman from Fayette, Mr. Lincoln.

Mr. LINCOLN. Would the gentleman, Mr. Wojdak, consent to interrogation?

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

Mr. WOJDAK. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. LINCOLN. Mr. Speaker, concerning the \$300,000, just to make one thing clear for me and some of the other members, this is not a deficiency appropriation; this is a brand new appropriation? Is that correct?

Mr. WOJDAK. It is a supplemental appropriation.

Mr. LINCOLN. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I move that the House do concur in the amendments inserted by the Senate to House bill No. 189, printer's No. 1301.

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

Mr. HASKELL. Mr. Speaker, I would further like to interrogate both Mr. Wojdak and Mr. Seltzer on some of the items in this bill.

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

Mr. HASKELL. Mr. Speaker, I find that whoever drafted this bill has a unique sense of humor in the fact that incidental expenses amount to over \$500,000.

I am wondering if the two gentlemen or either one of them would explain a little bit further to the members exactly the additional \$100,000 need.

Mr. WOJDAK. Well, the deficiency there or the increase is \$100,000, not \$500,000. I assume you are referring to miscellaneous expenses and the incidental expenses?

Mr. HASKELL. Right.

Mr. WOJDAK. Is that correct?

Mr. HASKELL. That is correct, Mr. Speaker.

Mr. WOJDAK. Those are moneys that the chief clerk uses to pay for various expenses, travel, printing, expenses such as that in operating the House.

Mr. HASKELL. Mr. Speaker, why do we need the additional \$100,000 though?

The SPEAKER. Because Al Katz wants those books.

Mr. HASKELL. So do we, Mr. Speaker.

Mr. Speaker, can I hear the answer from Mr. Wojdak in little different terms?

The SPEAKER. The gentleman wants an answer in little different terms.

Mr. WOJDAK. I am not sure what the question is. Are you asking me what particular type of expenses are included in that account?

Mr. HASKELL. Mr. Speaker, I am asking how the additional \$100,000 is going to be used?

Mr. WOJDAK. I am advised that the type of expenses are travel expenses, stenographic expenses, expenses such as that. We have been eating away at this account because of the failure to pass this bill or because of the length of time it takes to pass a bill.

Mr. HASKELL. Thank you.

Mr. Speaker, if I could move down to line 19 to the section that refers to the House Special Leadership Account, both Republican and Democratic, where there is an additional \$150,000 for each side of the aisle in the Leadership Account.

Would you explain to us what the Leadership Account is and why the additional \$150,000 is needed?

Mr. WOJDAK. You are referring to line 19. Line 20 is "Account" and it is marked "(R)", so I will defer to Mr. Seltzer.

Mr. HASKELL. Mr. Speaker, would the gentleman, Mr. Seltzer, care to answer that question?

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

Mr. SELTZER. Mr. Speaker, the House Special Leadership Account (R) is that account which is administered by the elected caucus leaders of the Republican caucus. It can be expended for those purposes which are described in the rules of the House and in the general accounting procedures and auditing procedures of this House and within the wisdom of those elected caucus leaders to provide services for the Republican members of this House.

Mr. HASKELL. Mr. Speaker, an additional question for Mr. Seltzer: Is the \$150,000 going to be divided among the different caucus offices or is it a lump sum that all of them will have to agree on before it is expended?

Mr. SELTZER. If the gentleman would read the enabling legislation, he would see that it is all administered by a joint committee of the elected leadership of the caucus, not one caucus leader, but all of them act as a committee on behalf of the Republican caucus.

Mr. HASKELL. Mr. Speaker, one additional question for Mr. Seltzer: Why the additional \$150,000?

Mr. SELTZER. Because in the wisdom of the caucus leadership of the Republican caucus, they feel that they need this additional money to provide additional service, better service, to the Republican caucus of the House of Representatives.

Mr. HASKELL. Mr. Speaker, that is questionable whether it is wisdom or not in a decision such as that, but I will accept the gentleman's explanation.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, let me clarify it a bit further. This particular fund is one of three funds from which this side and the other side finance its operations and nothing else. The one fund is called a statutory fund, and that is one which lists employes in a statute; the second fund is called the legislative management fund; and this is the third fund.

Each one of these employes, both minority and majority, is on public record in the chief clerk's office for anyone's inspection. The basic expenditures from the particular fund which the gentleman is questioning is research staff and administrative assistants to minority

committee chairman. I do not know how the majority handles its fund.

If the gentleman is concerned and if you have a question which you are not asking, please ask it outright and forthright and you will get an answer. If you want to go up to Mr. Ryan's office, you can get it within 1 minute, from Sue Kistler, exactly who is paid out of this fund. It has nothing at all to do with any leadership staff; it is caucus staff. It is not in any way attached to any kind of contingent funds or anything else.

Mr. HASKELL. I thank the gentleman, Mr. Speaker. I would like to ask the minority leader one more question, if he would consent to interrogation.

The SPEAKER. Will the minority leader answer the question?

Mr. BUTERA. Yes.

The SPEAKER. The gentleman may proceed.

Mr. HASKELL. Is there not perhaps an oversight here? I see no provisions for a "Lombardo" fund. Do you have any answer to that?

Mr. BUTERA. I did not get the question, Mr. Speaker.

The SPEAKER. Will the gentleman repeat the question?

Mr. HASKELL. I think there must be an oversight in this bill because there is no provision here for a special "Lombardo" fund. I am wondering if maybe there is an oversight. Do you have any comment on that, Mr. Minority Leader?

Mr. BUTERA. I presume that is a facetious question. Is it a serious question? I did not hear the question.

The SPEAKER. Is the gentleman insisting on an answer to the question or is he withdrawing the question?

Mr. BUTERA. Let me say this, Mr. Speaker: The present complement of staff people in those general categories which I gave the total payroll exceeds the amount which has presently been appropriated for many reasons. The additional funds are required to meet the payroll that is presently listed and public.

Mr. HASKELL. Mr. Speaker, obviously I was being facetious and I apologize to the gentleman.

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

Mr. SHANE. This is a bit of a sticky wicket.

The SPEAKER. It becomes more sticky as you keep talking about it.

Mr. SHANE. Now that we have embraced the tar baby, I guess there is nothing more we can do.

I just want to comment that if there had been a little better stewardship over these resources in the waning months of 1974, we would not be in the current pickle that we are in, wherein the other body exacted \$300,000 in tribute as the price for sending this bill back to us.

I hope that Mrs. Phyllis Kernick's amendments to our rules will foreclose the possibility of an embarrassing incident like the one we are now mired in today from ever recurring in this body.

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

Mr. SELTZER. Mr. Speaker, if the gentleman wants to speak on stewardship, I suggest he speak to the \$28 million that the executive has overspent rather than the few hundred thousand dollars that he is blaming the General Assembly for overspending.

Mr. SHANE. I just thought of all the mag typewriters.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, I thought we had this discussion once before and I think it was adequately explained by Mr. Wojdak after a thorough investigation. Now I will say it once more and this will be the last time. In the operation of this House in the past 2 years or in the 2 years prior to that, there was no overexpenditure by this part of the General Assembly. Did you hear that? None. In the prior 2 years, in 1971 and 1972, there was approximately \$550,000 which we had to ask for in deficiencies, in one account. However, in that particular term, there was lapsed money in excess of that \$550,000; likewise in this situation.

There are 11 line items in the chief clerk's office. The one line item which we had problems with in 1971-72 and 1973-74 is this particular line item. However, in each of the other 10 line items, at least for the first half of this fiscal year, less, far less, than half of the money appropriated was expended. Most probably at the end of this fiscal year, there will be a lapse in this particular office within this part of the General Assembly, far exceeding the amount of money which is being requested to cover the operation of the chief clerk's office in this one account for this 6 months' duration.

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

Mr. HASKELL. Will the gentleman from Philadelphia, Mr. Wojdak, consent to further interrogation?

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

Mr. WOJDAK. I shall, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. HASKELL. One final item, Mr. Speaker, which has to do with the appropriation on line 29—\$250,000 for the Legislative Budget and Finance Committee. Over the years this has been a source of controversy, at least the funding of this committee and the work that they have produced. I wonder if the gentleman would attempt to justify an additional \$90,000 for the Legislative Budget and Finance Committee?

Mr. WOJDAK. Mr. Speaker, Mr. Haskell is correct, it was controversial and there had been controversy over it. They had been funded month by month. They had only been funded up to April. This is to cover the additional months in this fiscal year.

Mr. HASKELL. Thank you, Mr. Speaker.

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

Mr. DiCARLO. Mr. Speaker, speaking for the majority of legislators who are forced to eat at Harry's rather than Lombardo's, can I finish some interrogation on the bill, since we did not have the opportunity to caucus on this?

Mr. Seltzer and Mr. Butera gave an explanation about the House Special Leadership Account. Do the Democrats fall under the same guidelines?

Mr. WOJDAK. Yes. You can take Mr. Seltzer's explanation and just substitute the word "Democrat."

Mr. DiCARLO. Okay. On the last page, page 6, there is \$20,000 for the Secretary of the Senate for purchase of Pennsylvania national flags. Could you explain that, please? Is this the rule, that the Senators can get their flags free and the House members have to buy them?

Mr. WOJDAK. Well, the Chief Clerk and the Secre-

tary of the Senate can now hand out, I guess, Pennsylvania flags. This will include national flags also.

Mr. DiCARLO. I pay for my flags. I do not understand that. I have been paying \$8 a piece for them for the last 3 years. Is somebody ripping me off down there?

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

Mr. WOJDAK. As I understand it, an individual member must pay for the flags. These flags are sent to servicemen. We had been providing state flags; we will now provide national flags at the request of a serviceman.

Mr. DiCARLO. Mr. Speaker, am I right that the Senate gets free flags, and are we, indeed, subsidizing the other chamber with this appropriation?

Mr. WOJDAK. It is my understanding that the Senate members do not get free flags.

Mr. DiCARLO. I think that is inadequate, Mr. Speaker, and I would like to have you check on that.

The second question: I am wondering—because we did not have the chance to caucus on this legislation and because I have some doubts about some expenditures—and I need a ruling from the Chair, is this legislation divisible? Otherwise, can we vote on it item by item?

The SPEAKER. Do you want to rethink that question?

Okay, the gentleman reconsiders that question.

Mr. DiCARLO. Mr. Speaker, I was under the impression we were going to have a caucus. Are we going to adjourn for a caucus and we can hold this bill?

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, we had considered—"we" meaning Bob Butera and I as leaders—taking both memberships off the floor for a caucus, but I do not want to do that. I do not want to start the process over again of going off the floor, popping back on the floor, going off the floor. I would much rather sit through the interrogation on the floor and get it settled on the floor.

We are going to caucus, but we are going to caucus on other matters when we adjourn for today. So the caucus idea, as far as I am concerned, is out. I would rather not do that.

If you have any further questions—even though, in fact, I am sitting here worrying about whether the Senate is going to say, to the devil with the House, we are going home and not wait for the message, in which case everything we have done here will be futile—I would rather sweat through them on the floor and get it over with than take the members off the floor and bring them back on the floor after caucus. I do not want to start these quick off-the-floor caucuses all over again.

The SPEAKER. For the information of the gentleman, the Senate is keeping the desk open, waiting for a message from the House as to the outcome of the concurrence in Senate amendments. If the House were to, in any way, alter the amendments, it would take action by the Senate. That body as I understand, has departed, which would necessitate this bill then being passed over until the Senate returns in June and, hence, the departments that are waiting on the money would be deprived of having that money.

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

Mr. LETTERMAN. Mr. Speaker, I am really amazed that the Senate would have the gall to go home, due to the fact that we have a—

The SPEAKER. The gentleman is not in order.

Mr. LETTERMAN. Okay, I will start out another way then.

The thing that really is appalling about this entire bill is this: We sent an appropriation bill over for \$4.8 million for prisons and correctional institutions. The deficiency appropriation is not in here. Now they are going home and they have done nothing about it, and I am of the understanding that the institutions cannot even meet payroll for May 28. They have \$300,000 worth of food on order which cannot be lifted, and the Senate can go home without doing anything about it. I do not believe that this can be Pennsylvania. I think it must be some other state that we are working in.

But I really think this is something that has to be talked about in this bill. I do not know when it is going to come about that people are going to realize, due to the mass unemployment that we have in the State of Pennsylvania, that we are also increasing the amount of prisoners we have in each one of our institutions.

I do not know how many of you have read that at Rockview alone, just last week, two men got out, came down here to Duncannon, killed a woman while she was closing her place of business. They say these are the only two people who have escaped from Rockview this year. They do not escape anymore from the interior of the prison because we did repair the fence. But now is the time of the year when we send the prisoners out in the fields to work at this type of an institution and we have one guard to 25 men, and he has no gun and he has no way to keep them there. I think the problem is really getting bad now. Guards at these institutions, more of them, are starting to have nervous breakdowns and this type of reaction from the kind of work they are in. What we really need is this appropriation bill, this deficiency appropriation, so that we can hire more guards, and we really need them.

The SPEAKER. The Chair is trying to be as flexible as possible with the gentleman, but the gentleman's remarks are not germane to the matter that is before the House at the moment.

Mr. LETTERMAN. Is this not a deficiency appropriation bill?

The SPEAKER. This is a deficiency appropriation and the appropriation the gentleman is referring to is not embodied in House bill No. 189. It is not before the House.

Mr. LETTERMAN. That is the question I have. Why is it not? We sent it over to them. What is going to happen to it?

The SPEAKER. For the information of the gentleman, the Chair has been informed, after having made inquiry about that particular appropriation, that it is a matter of considerable controversy in the other chamber, and rather than hold up the remaining deficiencies, which the Senate chamber has agreed upon, they agreed to handle that at a later date.

Mr. LETTERMAN. Thank you very much.

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

Mr. ITKIN. Mr. Speaker, I personally feel that the answers given to the questions on the floor of this House are not adequate. I am disturbed with the majority leader's denial of Mr. DiCarlo's request for a caucus. I think there are a number of questions that require answers before this bill can be voted.

I, for one, did not vote for this piece of legislation originally and, unless that information comes forward to give us a justification of why we should vote for this bill, I cannot vote to concur. I would hope, therefore, that if this is the view of many of the members of this House so as not to vote in ignorance and not to extend a blank check, that you request this caucus.

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

Mr. ECKENSBERGER. Mr. Speaker, just a few questions to either or both Mr. Wojdak and Mr. Seltzer, if I may.

The SPEAKER. The gentleman may proceed.

Mr. ECKENSBERGER. Mr. Speaker, is it true that when we passed House bill No. 189 for the first time in this chamber that it called for an expenditure of slightly over \$1 million?

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

Mr. ECKENSBERGER. The present expenditure called for in House bill No. 189, with the Senate amendments, would make it approximately \$15 million. Is that correct?

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

Mr. ECKENSBERGER. So that the other chamber added approximately \$14 million?

Mr. WOJDAK. That is correct.

Mr. ECKENSBERGER. Do either or both of you have an opinion as to whether we are in a position financially, fiscally, to pass a bill like this and still come within our budgetary requirements?

Mr. WOJDAK. Mr. Speaker, there is no new money involved in any of these deficiencies. They have all been included within the Governor's budget. The money is provided and will be provided through lapses. I am informed that there is sufficient cash on hand to cover all the deficiencies, but there is no new money involved in any of these requests.

Mr. ECKENSBERGER. Is the gentleman saying, Mr. Speaker, that we will have no deficiencies at the end of this fiscal year providing that we concur in the Senate amendments to House bill No. 189?

Mr. WOJDAK. Well, there are several other individual bills out, one of which is for the deficiency for the institutions that Mr. Letterman referred to. I am advised that there is also sufficient money and there will be money lapsed to cover those appropriations. I cannot answer the question as to whether there is sufficient cash on hand at this date to cover those additional deficiencies.

Mr. ECKENSBERGER. Does Mr. Seltzer agree with those responses that were just given to my questions by Mr. Wojdak?

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

Mr. SELTZER. Mr. Speaker, if I can refer the gentleman and the other members of the House to page 50 of volume I of the Governor's budget—any of you who may have it in your desk—you will see that there is a total

of \$28,566,000 for deficiency and pending appropriations. Other than the legislative appropriations in this bill, every one of the increased appropriations is covered in a deficiency or pending appropriation as found on page 50 of volume I.

It is by understanding that the remaining unappropriated balance in 1974-75 is \$141,000 or thereabouts. If we do not pass any of these deficiency or pending appropriations, our balance, our surplus at the end of this year would be that much more over and above the \$141,000 or the \$28.6 million which the total would be. The Governor, when he put this budget together, anticipated these deficiencies and these supplemental appropriations and so provided in his budget document to us.

Now there are three items of pending appropriations which are not included in this bill. Mr. Letterman spoke to one of them, that is, the \$4.8 million for the prisons. Another one is \$5.5 million for the state colleges and universities. That bill, as well as the prison bill, is moving in separate legislation. And the third one is for the Bicentennial mass transportation project, which I understand has not moved as yet. Now I hope I answered the gentleman's question.

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

Mr. ZELLER. Mr. Speaker, when the honorable Governor addressed this body—I believe it was February—he stated that at the end of this session we could possibly be in the area around \$250 million in the red. Is that a true statement?

The SPEAKER. The Governor's budget indicated that, for a 12-month fiscal period, the most likely deficit figure would be \$240 million. At the end of the following 12-month fiscal period, it would be another \$100 million, and that if the General Assembly adopted a 15-month budget, there would be no deficit at all at the end of the 15 months, but the deficit at the beginning of the following fiscal 12-month period would be \$400 million.

Mr. ZELLER. \$400 million.

Thank you very much.

I think that should be a message to us to hold the line.

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Perry, Mr. Noye.

Mr. NOYE. Would the gentleman from Philadelphia, Mr. Wojdak, consent to brief interrogation?

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. NOYE. Mr. Speaker, on the first item that we covered, the deficiency appropriation to the Department of Environmental Resources, last year it was listed as \$200,000. This is a line item. Of that \$200,000, was all that money spent or was any of that lapsed?

Mr. WOJDAK. No, that was all spent, Mr. Speaker.

Mr. NOYE. And to follow a step further what Mr. Letterman was trying to get across, they are asking an additional \$400,000 this year to implement Act 208. Is that what you stated?

Mr. WOJDAK. Could you repeat the question, please?

Mr. NOYE. You were saying that the money primarily is being used for the implementation of Act 208.

Mr. WOJDAK. Mr. Speaker, if I understand the thrust of that question, the \$200,000 had been budgeted on a projected basis rather than an actual. As we have lived through the fiscal year, the actual cost will be approximately \$600,000.

Mr. NOYE. To carry us through July 1?

Mr. WOJDAK. That is correct.

Mr. NOYE. And the bulk of that money then, as I understand your answer previously, was used in the implementation of Act 208 or the training of sewage enforcement officers?

Mr. WOJDAK. That is only one of the reasons.

Mr. NOYE. What were the additional reasons?

Mr. WOJDAK. Mr. Speaker, there are several reasons. One was the increased municipal government knowledge of the reimbursement program, more municipalities becoming aware of it who made actual application. So the actual expenditures have far exceeded the projected expenditures that we had estimated at the beginning of fiscal 1974-75.

Secondly, under Act 208, which required all local sewage enforcement officers to be certified by the state, that led municipalities, first, to hire additional inspectors; second, to make part-time inspectors full-time employees; and, third, to increase the pay of full-time inspectors.

Mr. NOYE. Mr. Speaker, I was under the impression that these sewage enforcement officers were being paid a fee for their services each time they were called upon and they were not being paid by the municipality. Am I incorrect? Are the municipalities paying a sewage enforcement officer a salary?

Mr. WOJDAK. Mr. Speaker, I am told that the municipalities do in fact pay a salary. The first I had heard about a fee—and there may very well be a fee being charged—was when Mr. Letterman raised it earlier.

Mr. NOYE. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I request that the House do concur in the amendments inserted by the Senate.

On the question recurring,

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

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

YEAS—116

Anderson, J. H.	Gillette	Miller, M. E.	Seltzer
Arthurs	Gleason	Moehlmann	Shane
Barber	Gleeson	Morris	Shelhamer
Bellomini	Grieco	Musto	Shelton
Bennett	Gring	Myers	Shupnik
Beren	Halverson	Novak	Smith, L.
Berlin	Hammock	O'Brien	Spencer
Berson	Haskell	O'Donnell	Stout
Bittle	Hayes, D. S.	Oliver	Sullivan
Blackwell	Hill	Pancoast	Sweeney
Bonetto	Hutchinson, A.	Parker, H. S.	Toll
Bradley	Irvis	Perri	Trello
Brandt	Johnson, J.	Perry	Ustynoski
Brunner	Katz	Petrarca	Vann
Burns	Kelly, A. P.	Pievsky	Walsh, T. P.
Butera	Kelly, J. B.	Polite	Wargo
Caputo	Kistler	Pratt	Westerberg
Cessar	Kowalshyn	Prendergast	Whelan
Cohen	Kusse	Rappaport	Wilt, R. W.
Cole	LaMarca	Richardson	Wilt, W. W.
Davies	Laudadio	Rieger	Wojdak

DeMedio	Laughlin	Ritter	Worrilow
DiDonato	Letterman	Romanelli	Yohn
Dombrowski	Manderino	Ross	Zearfoss
Englehart	McCall	Ruggiero	Zord
Fee	McClatchy	Ryan	Zwikl
Fisher	McLane	Salvatore	
Gallagher	Mebus	Schmitt	Fineman,
Garzia	Menhorn	Scirica	Speaker
Geisler	Milanovich		

NAYS—73

Abraham	Gallen	Lincoln	Scheaffer
Cimini	Geesey	Lynch	Schweder
Cowell	George	Manmiller	Shuman
Crawford	Gillespie	McCue	Smith, E.
Cumberland	Goodman	McGinnis	Stahl
Davis, D. M.	Green	Miller, M. E., Jr.	Taddonio
Deverter	Hasay	Millron	Taylor
Dicarlo	Hayes, S. E.	Miscevich	Thomas
Dietz	Hepford	Mrkonic	Turner
Dorr	Hopkins	Noye	Vroon
Doyle	Hutchinson, W.	O'Keefe	Wagner
Dreibelbis	Itkin	Pitts	Wansacz
Eckensberger	Kernick	Pyjes	Weidner
Fawcett	Klingaman	Reed	Whittlesey
Fischer	Knepper	Renninger	Wilson
Flaherty	Kolter	Renwick	Wright
Foster, A.	Lehr	Rhodes	Yahner
Foster, W.	Levi	Saloom	Zeller
Fryer			

NOT VOTING—14

Dininni	Lederer	Mullen, M. P.	Stapleton
Giannmarco	McGraw	O'Connell	Tayoun
Greenfield	McIntyre	Sirjanni	Valicenti
Hamilton, J. H.	Mullen		

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

Ordered, That the clerk inform the Senate accordingly.

BILLS TAKEN FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, the Rules Committee has instructed me to remove the following bills from the table for a vote, and I so move: House bill No. 408; House bill No. 723; House bill No. 70; House bill No. 97; House bill No. 697; House bill No. 156; House bill No. 713; House bill No. 994; Senate bill No. 56; and Senate bill No. 235.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILLS TAKEN FROM TABLE AND RERE-FERRED TO APPROPRIATIONS COMMITTEE

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Also, Mr. Speaker, the Rules Committee has instructed me to remove the following bills from the table and rerefer them to the Appropriations Committee for fiscal notes, and I so move: House bill No. 50; House bill No. 880; House bill No. 1011; House bill No. 1020; and Senate bill No. 24.

Thank you, Mr. Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. The Chair recognizes the lady from

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

Miss SIRIANNI. I rise to a question of personal privilege.

The SPEAKER. The lady will state it.

Miss SIRIANNI. Mr. Speaker, my button was inoperative on the last vote. I would like to be recorded as voting "no" on concurrence in Senate amendments to House bill No. 189.

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

HOUSE BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor and the same being correct, the titles were read as follows:

HOUSE BILL No. 57

An Act making an appropriation to the Chief Clerk of the House of Representatives for reimbursement of legislative expenses incurred in attending a conference for new members.

HOUSE BILL No. 189

An Act amending the act of June 26, 1974 (No. 21-A), entitled "The General Appropriation Act of 1974," providing for increases in certain appropriations made to the Department of Environmental Resources, the Department of Health, the Department of Justice and the Department of Public Welfare, for an appropriation to the Department of Labor and Industry, adding an appropriation for employees of the Chief Clerk of the Senate, making deficiency appropriations for incidental expenses and Legislative printing and expenses of the House of Representatives, for the House Special Leadership Account (R), for the House Special Leadership Account (D), for the Legislative Budget and Finance Committee, and providing for the purchase of National flags.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor and the same being correct, the title was publicly read as follows:

SENATE BILL No. 30

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.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I ask that the House be declared in recess until 5 p.m. I believe that is time enough for the committees to meet and report out bills, if any.

During that time period, Mr. Speaker, I would call for a caucus of the Democratic Party immediately. We are going to be discussing the school teachers' retirement bill and the deficiency appropriation for the state colleges.

I would suggest that any interested Democrats repair immediately to the caucus room.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, I would request the Republican members to proceed to the caucus room for the purpose of the same discussion.

RECESS

The SPEAKER. Without objection, this House now stands in recess until 5 p.m.

AFTER RECESS

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

THE SPEAKER PRO TEMPORE (Peter E. Perry) IN THE CHAIR

HOUSE RESOLUTION INTRODUCED AND REFERRED

By Messrs. RICHARDSON, BARBER, HAMMOCK, ROSS, Mrs. TOLL, Mrs. KELLY, Messrs. JOHNSON, OLIVER, REED and BLACKWELL.

RESOLUTION No. 91

The Speaker of the House of Representatives appoint a committee of nine members of the House of Representatives, five of whom shall be members of the majority party and four of whom shall be members of the minority party, to investigate the controversy at the Philadelphia State Hospital at Byberry relative to the quality of care given to the mentally retarded patients of this institution to determine what legislative action is needed to assure quality care of such patients.

Referred to Committee on Rules.

SENATE MESSAGE

BILL FOR CONCURRENCE

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

SENATE BILL No. 379

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, revising provisions relating to retirement for State employees and officers.

Referred to Committee on Appropriations.

ADJOURNMENT

Mr. FEE moved that this House do now adjourn until Wednesday, April 30, 1975, at 9:30 a.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and (at 5:12 p.m., e.d.t.) the House adjourned.