

# Legislative Journal

TUESDAY, JUNE 3, 1975

Session of 1975

159th of the General Assembly

Vol. 1, No. 44

## HOUSE OF REPRESENTATIVES

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

THE SPEAKER (Herbert Fineman) IN THE CHAIR

### PRAYER

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

Almighty God our Father, it is with heartfelt thanks and everlasting praise that we turn to Thee in the morning hours of this day. We are most grateful for the comfort and assurance of Thy divine care in the life of each of us, and we humbly pray that we may never forget to extend to Thee the honor, glory, and praise due unto Thy name. O God, in the midst of the tensions, turmoil and confusion which confront these stewards of Thine, grant them the keenness of understanding to select that which is right and good; fill them with the determination to stand firm and true to their convictions, and bless them in the accomplishment of that which will prove most beneficial to those they serve as well as to Thee. In Thy blest name, we pray. Amen.

### JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of May 5, 6 and 7, 1975?

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

### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Monday, June 2, 1975, will be postponed until printed.

### LEAVES 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 have no further requests for leaves of absence.

The SPEAKER. The Chair thanks the gentleman.

### HOUSE BILLS INTRODUCED AND REFERRED

By Messrs. NOYE and MRKONIC

**HOUSE BILL No. 1330**

An Act amending "The Game Law," approved June 3,

1937 (P. L. 1225, No. 316) requiring a fluorescent orange color to be worn by hunters when hunting big game and providing a penalty.

Referred to Committee on Game and Fisheries.

By Mr. BEREN

**HOUSE BILL No. 1331**

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206, No. 331), providing for a special election to fill a vacancy on the board of township commissioners.

Referred to Committee on Local Government.

By Mr. WOJDAK

**HOUSE BILL No. 1332**

An Act repealing the act of May 18, 1949 (P. L. 1451, No. 428), entitled "An act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans; creating a special fund in the State Treasury to be known as the World War II Veterans' Compensation Fund; defining the powers and duties of the Governor, the Auditor General, the State Treasurer, and the Board of Finance and Revenue in relation thereto; and providing for the payment of interest on and the redemption and refunding of such bonds; and making an appropriation," and transferring funds from the World War II Veterans' Compensation Fund into the General Fund.

Referred to Committee on Appropriations.

By Mr. WOJDAK

**HOUSE BILL No. 1333**

An Act making an appropriation to the Department of Community Affairs for housing and redevelopment assistance.

Referred to Committee on Appropriations.

By Mr. WOJDAK

**HOUSE BILL No. 1334**

A Supplement to the act of (P. L. , No. ), entitled "An act to provide for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal period July 1, 1975 to June 30, 1976, and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1975," itemizing appropriations required from the Federal Revenue Sharing Trust Fund for the proper operations of the several departments of the Commonwealth authorized to spend Federal Revenue Sharing Trust Fund moneys.

Referred to Committee on Appropriations.

By Mr. WOJDAK

**HOUSE BILL No. 1335**

An Act providing for adoption of capital projects to be financed from current revenues of the General Fund, and making appropriations.

Referred to Committee on Appropriations.

By Mr. WOJDAK

**HOUSE BILL No. 1336**

An Act to provide for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for

the fiscal period July 1, 1975 to June 30, 1976, and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1975.

Referred to Committee on Appropriations.

By Mr. WILSON **HOUSE BILL No. 1337**

An Act making an appropriation to the Delaware Valley College of Science and Agriculture at Doylestown, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. GARZIA **HOUSE BILL No. 1338**

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships," approved April 29, 1937 (P. L. 487, No. 115), further extending the time period before removing names from certain registration lists for not voting.

Referred to Committee on Urban Affairs.

By Messrs. KOWALYSHYN, RUGGIERO, SELTZER, KISTLER and W. W. FOSTER

**HOUSE BILL No. 1339**

An Act amending the Pennsylvania Consolidated Statutes approved November 25, 1970 (P. L. 707, No. 230), providing for the investment of funds.

Referred to Committee on Judiciary.

By Messrs. KOWALYSHYN, RUGGIERO, SELTZER, KISTLER and W. W. FOSTER

**HOUSE BILL No. 1340**

An Act amending the "Public School Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 350, No. 77), further providing for the investment of funds.

Referred to Committee on Education.

**BILLS REPORTED AND CONSIDERED  
FIRST TIME AND REREFERRED TO  
COMMITTEE ON RULES**

**HOUSE BILL No. 1333** By Mr. SHANE

An Act making an appropriation to the Department of Community Affairs for housing and redevelopment assistance.

Reported from Committee on Appropriations.

**HOUSE BILL No. 1334** By Mr. SHANE

A Supplement to the act of (P. L. , No. ), entitled "An act to provide for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal period July 1, 1975 to June 30, 1976, and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1975," itemizing appropriations required from the Federal Revenue Sharing Trust Fund for the proper operations of the several departments of the Commonwealth authorized to spend Federal Revenue Sharing Trust Fund moneys.

Reported from Committee on Appropriations.

**HOUSE BILL No. 1335** By Mr. SHANE

An Act providing for adoption of capital projects to be financed from current revenues of the General Fund, and making appropriations.

Reported from Committee on Appropriations.

**HOUSE BILL No. 1336**

By Mr. SHANE

An Act to provide for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal period July 1, 1975 to June 30, 1976, and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1975.

Reported from Committee on Appropriations.

**MASTER ROLL CALL**

The SPEAKER. The Chair is about to take up the business of the master roll call. Only those members in their seats are permitted to vote.

The roll was taken and was as follows:

**YEAS—195**

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

**NOT VOTING—8**

Berson	Dininni	Giammarco	Wright
Cessar	Fawcett	Hammock	Zord

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

**CALENDAR**

**GENERAL ASSEMBLY-RELATED BILLS  
ON FINAL PASSAGE**

Agreeable to order,

The House proceeded to the consideration on final passage of **House bill No. 855, printer's No. 1356**, entitled:

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

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—167

- |                 |                 |                    |             |
|-----------------|-----------------|--------------------|-------------|
| Abraham         | Geisler         | McCue              | Salvatore   |
| Anderson, J. H. | George          | McGinnis           | Scheaffer   |
| Arthurs         | Gillespie       | McIntyre           | Schmitt     |
| Barber          | Goodman         | McLane             | Schweder    |
| Bellomini       | Green           | Mebus              | Scirica     |
| Bennett         | Greenfield      | Menhorn            | Seltzer     |
| Beren           | Grieco          | Milanovich         | Shane       |
| Bittle          | Gring           | Miller, M. E.      | Shelhamer   |
| Blackwell       | Halverson       | Miller, M. E., Jr. | Shelton     |
| Bonetto         | Hamilton, J. H. | Milliron           | Shuman      |
| Bradley         | Hasay           | Miscevich          | Sirianni    |
| Brandt          | Haskell         | Moehlmann          | Smith, E.   |
| Brunner         | Hayes, D. S.    | Morris             | Smith, L.   |
| Butera          | Hayes, S. E.    | Mrkonie            | Spencer     |
| Caputo          | Hepford         | Mullen             | Stapleton   |
| Cessar          | Hill            | Musto              | Sullivan    |
| Cimini          | Hopkins         | Myers              | Taddonio    |
| Cohen           | Hutchinson, A.  | Novak              | Tayoun      |
| Cole            | Hutchinson, W.  | Noye               | Thomas      |
| Cowell          | Irvis           | O'Brien            | Toll        |
| Crawford        | Itkin           | O'Keefe            | Trello      |
| Cumberland      | Katz            | Oliver             | Turner      |
| Davies          | Kelly, A. P.    | Pancoast           | Ustynoski   |
| DeMedio         | Kelly, J. B.    | Parker, H. S.      | Vann        |
| Deverter        | Kernick         | Perri              | Vroon       |
| Dicarlo         | Klingaman       | Petrarca           | Wagner      |
| DiDonato        | Knepper         | Pievsky            | Wansacz     |
| Dietz           | Kolter          | Pitts              | Wargo       |
| Dombrowski      | Kowalyshyn      | Polite             | Weidner     |
| Dorr            | Kusse           | Pratt              | Westerberg  |
| Dreibelbis      | LaMarca         | Prendergast        | Whittlesey  |
| Foster, A.      | Laudadio        | Pyles              | Wilson      |
| Foster, W.      | Laughlin        | Rappaport          | Wilt, R. W. |
| Fryer           | Lederer         | Reed               | Wilt, W. W. |
| Eckensberger    | Lehr            | Renwick            | Yahner      |
| Englehart       | Letterman       | Richardson         | Yohn        |
| Fee             | Levi            | Rieger             | Zeller      |
| Fischer         | Lincoln         | Ritter             | Zord        |
| Fisher          | Manderino       | Romanelli          | Zwikel      |
| Flaherty        | Manmiller       | Ruggiero           |             |
| Gallen          | McCall          | Ryan               |             |
| Garzia          | McClatchy       | Saloom             | Fineman,    |
| Geesey          |                 |                    | Speaker     |

NAYS—1

- Gleason

NOT VOTING—35

- |              |               |           |              |
|--------------|---------------|-----------|--------------|
| Berlin       | Gillette      | O'Donnell | Taylor       |
| Berson       | Gleeson       | Perry     | Valicenti    |
| Burns        | Hammock       | Rhodes    | Walsh, T. P. |
| Davis, D. M. | Johnson, J.   | Renninger | Whelan       |
| Dininni      | Kistler       | Ross      | Wojdak       |
| Doyle        | Lynch         | Shupnik   | Worrilow     |
| Fawcett      | McGraw        | Stahl     | Wright       |
| Gallagher    | Mullen, M. P. | Stout     | Zearfoss     |
| Giammarco    | O'Connell     | Sweeney   |              |

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

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

QUESTIONS OF PERSONAL PRIVILEGE

The SPEAKER. The Chair recognizes the gentleman

from 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 wish to be recorded in the affirmative on House bill No. 855.

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

The Chair recognizes the lady from Allegheny, Mrs. Gillette.

Mrs. GILLETTE. I wish to be recorded in the affirmative on House bill No. 855.

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

Agreeable to order,

The House proceeded to the consideration on final passage of **House bill No. 856, printer's No. 1357**, 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, providing a procedure for changing mileage and conforming language to the reports of the Commonwealth Compensation Commission.

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

The question is, shall the bill pass finally?

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

YEAS—165

- |                 |                 |                    |             |
|-----------------|-----------------|--------------------|-------------|
| Abraham         | Gallen          | McCue              | Schmitt     |
| Anderson, J. H. | Garzia          | McGinnis           | Schweder    |
| Arthurs         | Geisler         | McIntyre           | Scirica     |
| Barber          | George          | McLane             | Seltzer     |
| Bellomini       | Gillespie       | Mebus              | Shane       |
| Bennett         | Gillette        | Menhorn            | Shelton     |
| Beren           | Gleason         | Milanovich         | Shuman      |
| Berlin          | Goodman         | Miller, M. E.      | Sirianni    |
| Bittle          | Green           | Miller, M. E., Jr. | Smith, E.   |
| Blackwell       | Greenfield      | Milliron           | Smith, L.   |
| Bonetto         | Grieco          | Miscevich          | Spencer     |
| Bradley         | Gring           | Moehlmann          | Stahl       |
| Brandt          | Hamilton, J. H. | Morris             | Stapleton   |
| Brunner         | Haskell         | Mrkonie            | Sullivan    |
| Burns           | Hayes, D. S.    | Mullen             | Taddonio    |
| Butera          | Hayes, S. E.    | Musto              | Taylor      |
| Caputo          | Hill            | Myers              | Tayoun      |
| Cessar          | Hopkins         | Novak              | Thomas      |
| Cimini          | Hutchinson, A.  | Noye               | Toll        |
| Cohen           | Hutchinson, W.  | O'Brien            | Trello      |
| Cole            | Irvis           | O'Keefe            | Turner      |
| Cowell          | Itkin           | Oliver             | Ustynoski   |
| Crawford        | Katz            | Pancoast           | Vann        |
| Cumberland      | Kelly, A. P.    | Parker, H. S.      | Vroon       |
| Davies          | Kelly, J. B.    | Perri              | Wagner      |
| DeMedio         | Kernick         | Petrarca           | Wansacz     |
| Deverter        | Klingaman       | Pievsky            | Wargo       |
| Dicarlo         | Knepper         | Pitts              | Weidner     |
| DiDonato        | Kolter          | Polite             | Westerberg  |
| Dietz           | Kowalyshyn      | Pratt              | Whittlesey  |
| Dombrowski      | Kusse           | Prendergast        | Wilson      |
| Dorr            | LaMarca         | Pyles              | Wilt, R. W. |
| Doyle           | Laudadio        | Rappaport          | Wilt, W. W. |
| Dreibelbis      | Laughlin        | Reed               | Wright      |
| Eckensberger    | Lederer         | Renwick            | Yahner      |
| Englehart       | Lehr            | Richardson         | Yohn        |
| Fee             | Levi            | Rieger             | Zeller      |
| Fischer         | Lincoln         | Ritter             | Zwikel      |
| Fisher          | Manderino       | Romanelli          |             |
| Flaherty        | Manmiller       | Ruggiero           | Fineman,    |
| Foster, A.      | McCall          | Ryan               | Speaker     |
| Foster, W.      | McClatchy       | Salvatore          |             |
| Fryer           |                 |                    |             |

NAYS—7

- |         |           |           |      |
|---------|-----------|-----------|------|
| Fischer | Halverson | Saloom    | Zord |
| Geesey  | Hasay     | Scheaffer |      |

NOT VOTING—31

Berson	Hepford	O'Donnell	Sweeney
Davis, D. M.	Johnson, J.	Perry	Valicenti
Dininni	Kistler	Renninger	Walsh, T. P.
Fawcett	Letterman	Rhodes	Whelan
Gallagher	Lynch	Ross	Wojdak
Giammarco	McGraw	Shelhamer	Worrlow
Gleeson	Mullen, M. P.	Shupnik	Zearfoss
Hammock	O'Connell	Stout	

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 Columbia, Mr. Shelhamer. For what purpose does the gentleman rise?

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

The SPEAKER. The gentleman will state it.

Mr. SHELHAMER. Mr. Speaker, I was on the master roll call but my switch failed to operate on the last vote. I would like to be recorded in the affirmative on House bill No. 856, please.

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

GENERAL ASSEMBLY-RELATED BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 857, printer's No. 975, entitled:

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

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—175

Abraham	Garzia	McClatchy	Scheaffer
Anderson, J. H.	Geesey	McCue	Schmitt
Arthurs	Geisler	McGinnis	Schweder
Barber	George	McIntyre	Scirica
Bellomini	Gillespie	McLane	Seltzer
Bennett	Gillette	Mebus	Snane
Beren	Gleason	Menhorn	Shelhamer
Berlin	Goodman	Milanovich	Shelton
Bittle	Green	Miller, M. E.	Shuman
Blackwell	Greenfield	Miller, M. E., Jr.	Sirianni
Bonetto	Gring	Milliron	Smith, E.
Bradley	Halverson	Miscevich	Smith, L.
Brandt	Hamilton, J. H.	Moehlmann	Spencer
Brunner	Hasay	Morris	Stahl
Burns	Haskell	Mrkoncic	Stapleton
Butera	Hayes, D. S.	Mullen	Sullivan
Caputo	Hayes, S. E.	Musto	Taddonio
Cessar	Hepford	Myers	Taylor
Cimini	Hill	Novak	Tayoun

Cohen	Hopkins	Noye	Thomas
Cole	Hutchinson, A.	O'Brien	Toll
Cowell	Hutchinson, W.	O'Connell	Trello
Crawford	Irvis	O'Keefe	Turner
Cumberland	Itkin	Oliver	Ustynoski
Davies	Katz	Pancoast	Vann
Davis, D. M.	Kelly, A. P.	Parker, H. S.	Vron
DeMedio	Kelly, J. B.	Perri	Wagner
Deverter	Kernick	Petrarca	Wansacz
Dicarlo	Klingaman	Pievsky	Wargo
DiDonato	Knepper	Pitts	Weidner
Dietz	Kolter	Polite	Westerberg
Dombrowski	Kowalyszyn	Pratt	Whittlesey
Dorr	Kusse	Prendergast	Wilson
Doyle	LaMarca	Pyles	Wilt, R. W.
Dreibelbis	Laudadio	Rappaport	Wilt, W. W.
Eckensberger	Laughlin	Reed	Wright
Engelhart	Lederer	Renwick	Yahner
Fee	Lehr	Richardson	Yohn
Fischer	Letterman	Rieger	Zeller
Fisher	Levi	Ritter	Zord
Flaherty	Lincoln	Romanelli	Zwikel
Foster, A.	Manderino	Ryan	
Foster, W.	Manmiller	Saloom	Fineman,
Fryer	McCall	Salvatore	Speaker
Gallen			

NAYS—0

NOT VOTING—28

Berson	Hammock	Perry	Sweeney
Dininni	Johnson, J.	Renninger	Valicenti
Fawcett	Kistler	Rhodes	Walsh, T. P.
Gallagher	Lynch	Ross	Whelan
Giammarco	McGraw	Ruggiero	Wojdak
Gleeson	Mullen, M. P.	Shupnik	Worrlow
Grieco	O'Donnell	Stout	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.

OUTDOOR ADVERTISING BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third 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.

On the question,

Will the House agree to the bill on third consideration?

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

Amend Title, page 1, line 7, by inserting after "appropriations,"": further regulating outdoor advertising,

Amend Sec. 1, page 1, line 12, by striking out "7," and inserting: 4, subsection (a) of section 5, section 7, and subsection (a) of section 9,

Amend Sec. 1, page 1, line 14, by striking out "is" and inserting: are

Amend Bill, page 1, by inserting between lines 14 and 15:

Section 4. Control of Outdoor Advertising.—To effectively control outdoor advertising, while recognizing it to be a legitimate commercial use of property and an integral part of the business and marketing function, no outdoor advertising device shall be erected or maintained within six hundred sixty feet of the nearest edge of the right-of-way if any part of the advertising or informative contents is visible from the main-traveled way of an interstate or primary highway or more than six hundred sixty feet from the nearest edge of such a right-of-way and visible aforesaid, if located outside of urban areas and erected with the purpose of its message being read from such a main traveled way, except:

(1) [Directional and other official] Official signs and notices which are required or authorized by law and which shall conform to the national standards promulgated by the Secretary of Transportation of the United States pursuant to section 131 of Title 23, United States Code.

(2) Outdoor advertising devices advertising the sale or lease of the real property upon which they are located.

(3) Outdoor advertising devices advertising activities conducted on the property on which they are located.

(4) Outdoor advertising devices in zoned or unzoned commercial or industrial areas along those portions of the interstate system constructed on right-of-way, any part of the width of which was acquired on or before July 1, 1956.

(5) Outdoor advertising devices in areas zoned commercial or industrial along the interstate system and lying within the boundaries of any incorporated municipality as such boundaries existed on September 21, 1959, and devices located in any other area which, as of September 21, 1959, was clearly established by law as industrial or commercial.

(6) Outdoor advertising devices in zoned or unzoned commercial or industrial areas along the primary system.

(7) Outdoor advertising devices in the specific interest of the traveling public which are authorized to be erected or maintained by the secretary and which are designed to give information in the interest of the traveling public.

[(8) Any other outdoor advertising devices permitted or authorized along the interstate system by the official agreement executed June 23, 1961, between the Commonwealth and the Federal Government; provided such outdoor advertising devices do not violate the provisions of Title 23, U. S. Code, "Highways."]

(8) Outdoor advertising devices more than six hundred sixty feet from the nearest edge of the right-of-way within urban areas.

(9) Directional signs, including but not limited to, signs pertaining to natural wonders, scenic and historical attractions, and other points of interest to the traveling public.

(10) Any other outdoor advertising devices permitted or authorized along the interstate system by the official agreement executed June 23, 1961, between the Commonwealth and the Federal Government; provided such outdoor advertising devices do not violate the provisions of Title 23, U.S. Code, "Highways."

Section 5. Control Criteria for Size, Spacing and Lighting.—(a) In order to promote the reasonable, orderly and effective display of outdoor advertising while remaining consistent with the purposes of this act and with customary use in this Commonwealth, the secretary shall strictly adhere to the criteria prescribed by this section in promulgating regulations to effectively control those signs, displays and devices provided for under clauses (4) through (6) of section 4 of this act and erected subsequent to the effective date of this act: Provided, however, That such regulations shall not apply to outdoor advertising devices erected within six months after the effective date of this act under a lease dated prior to the effective date of this act and filed with the department and recorded in the recorder's office of the county in which the device would be located within thirty days following the effective date of this act: And, provided further, That should any outdoor advertising device excluded from such regulations fall into such state of disrepair that it becomes necessary to rebuild or repair a major portion of the physical structure of such outdoor advertising device, then, in such event, such outdoor advertising device, if rebuilt or repaired, shall thereafter conform to such regulations at no cost to the Commonwealth. Exception may be made for signs destroyed due to acts of God, vandalism, or other tortious acts.

\* \* \*

Amend Sec. 1 (Sec. 7), page 2, line 9, by removing the period after "owner" and inserting: except in the case of a free permit where the device or structure is not owned by the service club or religious organization,

the permit shall be affixed thereto by the service club or religious organization.

Amend Bill, page 2, by inserting between lines 9 and 10:

Section 9. Compensation for Removal of Outdoor Advertising Devices.—[(a) Just compensation shall be paid upon the removal of any outdoor advertising device (1) lawfully in existence on the effective date of this act; (2) lawfully on any highway made a part of the interstate or primary system on or after the effective date of this act; or (3) otherwise lawfully erected on or after the effective date of this act.] (a) Just compensation shall be paid for the removal of signs lawfully erected or lawfully in existence but not permitted to be maintained under this act, whether or not a message exists thereon. Lawfully erected signs shall also include those that had been in the progress of erection in the period between December 15, 1971 and June 15, 1972 as evidenced by leases dated prior to December 15, 1971 and filed with the department and recorded in the recorder's office of the county in which the device would be located prior to January 15, 1972.

\* \* \*

Amend Sec. 2, page 2, line 10, by striking out "60 days." and inserting: immediately.

On the question,

Will the House agree to the amendments?

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

Mr. RITTER. Mr. Speaker, as briefly as I can, it looks like an extensive amendment but, really, inasmuch as the Federal Government made some new changes in the Highway Beautification Act, what we are doing with this amendment is to conform our Pennsylvania law to the new Federal law on outdoor advertising.

Perhaps the major feature is that, up until this moment, billboards in the rural areas could be placed more than 660 feet from the nearest edge of the right-of-way. What the Federal Government has done now is to say, in effect, if you can see the sign in the rural area, it is illegal to have it up unless it is specifically zoned that way, and there are not that many areas that are zoned.

So what we are doing is bringing the Pennsylvania law into conformity with the new Federal law, and I would ask your support for the amendments.

On the question,

Will the House agree to the amendments?

Amendments were agreed to.

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—171

Abraham	Geisler	McCue	Scheaffer
Anderson, J. E.	George	McGinnis	Schmitt
Arthurs	Gillespie	McGraw	Schweder
Barber	Gillette	McIntyre	Scirica
Bellomini	Gleason	Mebus	Seltzer
Bennett	Goodman	Menhorn	Shane
Beren	Green	Milanovich	Shelhamer
Berlin	Greenfield	Miller, M. E.	Shelton
Bittle	Grieco	Miller, M. E., Jr.	Shuman

Blackwell	Gring	Milliron	Sirianni
Bonetto	Halverson	Miscevich	Smith, E.
Bradley	Hamilton, J. H.	Mochlmann	Smith, L.
Brandt	Hasay	Morris	Spencer
Brunner	Haskell	Mrkonic	Stahl
Burns	Hayes, D. S.	Mullen	Stapleton
Butera	Hepford	Musto	Sullivan
Caputo	Hill	Myers	Taddonio
Cessar	Hopkins	Novak	Taylor
Cimini	Hutchinson, A.	O'Brien	Tayoun
Cohen	Hutchinson, W.	O'Connell	Toll
Cole	Irvis	O'Keefe	Trello
Cowell	Itkin	Oliver	Turner
Crawford	Katz	Pancoast	Ustynoski
Cumberland	Kelly, A. P.	Parker, H. S.	Valicenti
Davies	Kelly, J. B.	Perri	Vann
Davis, D. M.	Kernick	Petrarca	Vroon
DeMedio	Klingaman	Plevsky	Wagner
Dicarlo	Knepper	Polite	Weidner
DiDonato	Kolter	Pratt	Westerberg
Dombrowski	Kowalyshyn	Prendergast	Whelan
Dorr	Kusse	Pyles	Whittlesey
Doyle	LaMarca	Rappaport	Wilson
Dreibelbis	Laudadio	Reed	Wilt, R. W.
Eckensberger	Laughlin	Renninger	Wilt, W. W.
Englehart	Lederer	Renwick	Wright
Fee	Lehr	Richardson	Yahner
Fischer	Letterman	Rieger	Yohn
Fisher	Levi	Ritter	Zeller
Flaherty	Lincoln	Romanelli	Zord
Foster, A.	Manderino	Ruggiero	Zwikel
Foster, W.	Manmiller	Ryan	
Fryer	McCall	Saloom	Fineman, Speaker
Garzia	McClatchy	Salvatore	
Geesey			

NAYS—9

Deverter	McLane	Pitts	Wansacz
Dietz	Noye	Thomas	Wargo
Hayes, S. E.			

NOT VOTING—23

Berson	Gleeson	O'Donnell	Sweeney
Diminnl	Hammock	Perry	Walsh, T. P.
Fawcett	Johnson, J.	Rhodes	Wojdak
Gallagher	Kistler	Ross	Worrlow
Gallen	Lynch	Shupnik	Zearfoss
Giammarco	Mullen, M. P.	Stout	

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

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. RENNINGER. Mr. Speaker, may I be recorded in the affirmative on House bills Nos. 855, 856 and 857?

The SPEAKER. The gentleman's presence will be noted and his remarks spread upon the record.

LAW AND JUSTICE BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 70, printer's No. 72, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing an additional offense relating to the placement of materials onto the surface of a roadway.

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

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

The question is, shall the bill pass finally?

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

YEAS—181

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

NAYS—0

NOT VOTING—22

Bellomini	Giammarco	Mullen, M. P.	Sweeney
Berson	Gleeson	O'Donnell	Walsh, T. P.
Diminnl	Hammock	Perry	Wojdak
Fawcett	Johnson, J.	Rhodes	Worrlow
Gallagher	Kistler	Stout	Zearfoss
Gallen	Lynch		

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. 453, printer's No. 502, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, redefining an offense relating to persons to whom firearms shall not be delivered.

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

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

The question is, Shall the bill pass finally?

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

Mr. HASKELL. Mr. Speaker, will the gentleman from Centre, Mr. Letterman, consent to interrogation?

The SPEAKER. Will the gentleman from Centre, Mr. Letterman, consent to interrogation?

Mr. LETTERMAN. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. HASKELL. Mr. Speaker, there was some discussion in our caucus regarding this bill and what it contains. I wonder if the gentleman would explain the bill to us, please.

Mr. LETTERMAN. Yes, Mr. Speaker. I called last evening to Jim Spicer, and he confirmed that the Federal law does say 21 years of age.

Now there was a question brought up about what do we do with the State Police. Well, the State Police do not have to have the gun registered in their individual name because it is an issued piece of equipment from the State Police of Pennsylvania.

All this does is make the state law coincide with the Federal law. We are having a lot of trouble with the sheriffs of Pennsylvania. Whenever a man goes in to register a pistol, the Federal law says 21 years of age and the state law says 18, so they have to go by the Federal law because it supersedes.

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

Mr. HASKELL. Mr. Speaker, is this the bill that also relates to the size of shotguns?

Mr. LETTERMAN. No; there is another bill to do that.

Mr. HASKELL. This is just to conform with the Federal Fire Arms Act.

Mr. LETTERMAN. On handguns.

Mr. HASKELL. On handguns.

Mr. LETTERMAN. For long guns, I have another bill in for that one.

Mr. HASKELL. Thank you, Mr. Speaker.

On the question recurring,  
Shall the bill pass finally?

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

YEAS—174

Abraham	Garzia	McLane	Schweder
Anderson, J. H.	Geesey	Mebus	Scirica
Arthurs	Geisler	Menhorn	Seltzer
Barber	Gillespie	Milanovich	Shane
Bellomini	Gillette	Miller, M. E.	Shelhamer
Bennett	Gleason	Miller, M. E., Jr.	Shelton
Beren	Goodman	Milliron	Shupnik
Berlin	Green	Miscevich	Sirianni
Bittle	Grieco	Moehlmann	Smith, L.
Blackwell	Gring	Morris	Smith, E.
Bonetto	Hamilton, J. H.	Mrkonic	Spencer
Bradley	Haskell	Mullen, M. P.	Stahl
Brandt	Hayes, D. S.	Musto	Stapleton
Brunner	Hayes, S. E.	Myers	Sullivan
Burns	Hepford	Novak	Taddonio
Caputo	Hill	Noye	Taylor

Cessar	Hopkins	O'Brien	Tayoun
Cimini	Hutchinson, W.	O'Connell	Thomas
Cohen	Irvis	O'Keefe	Toll
Cole	Itkin	Oliver	Trello
Cowell	Katz	Pancoast	Turner
Crawford	Kelly, A. P.	Parker, H. S.	Ustynoski
Cumberland	Kelly, J. B.	Perri	Valicenti
Davies	Kernick	Petrarca	Vann
Davis, D. M.	Klingaman	Pievsky	Vroon
DeMedio	Knepper	Pitts	Wagner
Deverter	Kolter	Polite	Wansacz
Dicarlo	Kowalshyn	Pratt	Wargo
DiDonato	LaMarca	Prendergast	Weidner
Dombrowski	Laudadio	Pyles	Westerberg
Dorr	Laughlin	Rappaport	Whelan
Doyle	Lederer	Reed	Whittlesey
Dreibelbis	Lehr	Renninger	Wilson
Eckensberger	Letterman	Renwick	Wilt, R. W.
Englehart	Levi	Richardson	Wilt, W. W.
Fee	Lincoln	Rieger	Wright
Fischer	Manderino	Ritter	Yahner
Fisher	Manmiller	Romanelli	Yohn
Flaherty	McCall	Ross	Zeller
Foster, A.	McClatchy	Ruggiero	Zord
Foster, W.	McCue	Ryan	Zwickl
Fryer	McGinnis	Salvatore	
Gallagher	McGraw	Scheaffer	Fineman,
Gallen	McIntyre	Schmitt	Speaker

NAYS—8

Dietz	Halverson	Hutchinson, A.	Saloom
George	Hasay	Kusse	Shuman

NOT VOTING—21

Berson	Greenfield	Mullen	Sweeney
Butera	Hammock	O'Donnell	Walsh, T. P.
Dininni	Johnson, J.	Perry	Wojdak
Fawcett	Kistler	Rhodes	Worrlow
Giammarco	Lynch	Stout	Zearfoss
Gleeson			

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

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

STATE GOVERNMENT BILLS  
ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 97, printer's No. 1272, entitled:

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," adding to the powers and duties of presidents of certain State Colleges and State Universities.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—182

Abraham	Garzia	McGraw	Schmitt
Anderson, J. H.	Geesey	McIntyre	Schweder
Arthurs	Geisler	McLane	Scirica
Barber	George	Mebus	Seltzer
Bellomini	Gillespie	Menhorn	Shane
Bennett	Gillette	Milanovich	Shelhamer
Beren	Gleason	Miller, M. E.	Shelton

Berlin	Goodman	Miller, M. E., Jr.	Shuman
Bittle	Green	Milliron	Shupnik
Blackwell	Greenfield	Miscevich	Sirianni
Bonetto	Grieco	Moehlmann	Smith, E.
Bradley	Gring	Morris	Smith, L.
Brandt	Halverson	Mrkonic	Spencer
Brunner	Hamilton, J. H.	Mullen, M. P.	Stahl
Burns	Hasay	Musto	Stapleton
Butera	Haskell	Myers	Sullivan
Caputo	Hayes, D. S.	Novak	Taddonio
Cessar	Hayes, S. E.	Noye	Taylor
Cimini	Hepford	O'Brien	Tayoun
Cohen	Hill	O'Connell	Thomas
Cole	Hopkins	O'Keefe	Toll
Cowell	Hutchinson, A.	Pancoast	Trello
Crawford	Hutchinson, W.	Parker, H. S.	Turner
Cumberland	Irvis	Perri	Ustynowski
Davis	Itkin	Perri	Valicenti
Davis, D. M.	Katz	Petrarca	Vann
DeMedio	Kelly, A. P.	Pievsky	Vron
Deverter	Kelly, J. B.	Pitts	Wagner
Dicarilo	Kernick	Polite	Wansacz
DiDonato	Klingaman	Pratt	Wargo
Dietz	Kolter	Prendergast	Weidner
Dombrowski	Kowalshyn	Pyles	Westerberg
Dorr	Kusse	Rappaport	Whelan
Doyle	Laudadio	Reed	Whittlesey
Dreibelbis	Laughlin	Renninger	Wilson
Eckensberger	Lederer	Renwick	Wilt, R. W.
Englehart	Lehr	Richardson	Wilt, W. W.
Fee	Letterman	Rieger	Wright
Fischer	Levi	Ritter	Yahner
Fisher	Lincoln	Romanelli	Yohn
Flaherty	Manderino	Ross	Zeller
Foster, A.	Manmiller	Ruggiero	Zord
Foster, W.	McCall	Ryan	Zwikel
Fryer	McClatchy	Saloom	
Gallagher	McCue	Salvatore	Fineman, Speaker
Gallen	McGinnis	Scheaffer	

NAYS—1

LaMarca

NOT VOTING—20

Berson	Hammock	Mullen	Sweency
Dinninl	Johnson, J.	O'Donnell	Walsh, T. P.
Fawcett	Kistler	Perry	Wojdak
Giammarco	Knepper	Rhodes	WorriLOW
Gleeson	Lynch	Stout	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.

Agreeable to order,

The House proceeded to third consideration of House bill No. 516, printer's No. 570, entitled:

An Act amending the "Solicitation of Charitable Funds Act," approved August 9, 1963 (P. L. 628, No. 337), exempting certain nonprofit library associations from the act.

On the question,

Will the House agree to the bill on third consideration?

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

Amend Sec. 1 (Sec. 4), page 2, line 6, by striking out "Nonprofit" and inserting: Public nonprofit

Amend Sec. 1 (Sec. 4), page 2, line 7, by removing the period after "governments" and inserting: and file an annual fiscal report with the State Library System and the Commission on Charitable Organizations.

On the question,

Will the House agree to the amendments?

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

Mr. ENGLEHART. The purpose of the amendment,

Mr. Speaker, is to limit the bill to public nonprofit libraries, instead of nonprofit libraries.

On the question,

Will the House agree to the amendments?

Amendments were agreed to.

On the question,

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

Bill as amended was agreed to.

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

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

YEAS—182

Abraham	Geesey	McGinnis	Salvatore
Anderson, J. H.	Geisler	McGraw	Scheaffer
Arthurs	George	McIntyre	Schmitt
Barber	Gillespie	McLane	Schweder
Bennett	Gillette	Mebus	Scirica
Beren	Gleason	Menhorn	Seltzer
Berlin	Goodman	Milanovich	Shane
Bittle	Green	Miller, M. E.	Shelton
Blackwell	Greenfield	Miller, M. E., Jr.	Shuman
Bonetto	Grieco	Milliron	Shupnik
Bradley	Gring	Miscevich	Sirianni
Brandt	Halverson	Moehlmann	Smith, E.
Brunner	Hamilton, J. H.	Morris	Smith, L.
Burns	Hasay	Mrkonic	Spencer
Butera	Haskell	Mullen, M. P.	Stahl
Caputo	Hayes, S. E.	Mullen	Stapleton
Cessar	Hayes, D. S.	Musto	Sullivan
Cimini	Hepford	Myers	Taddonio
Cohen	Hill	Novak	Taylor
Cole	Hopkins	Noye	Tayoun
Cowell	Hutchinson, A.	O'Brien	Thomas
Crawford	Hutchinson, W.	O'Connell	Toll
Cumberland	Irvis	O'Keefe	Trello
Davis	Itkin	Oliver	Turner
Davis, D. M.	Katz	Pancoast	Ustynowski
DeMedio	Kelly, A. P.	Parker, H. S.	Valicenti
Deverter	Kelly, J. B.	Perri	Vann
Dicarilo	Kernick	Petrarca	Vron
DiDonato	Klingaman	Pievsky	Wagner
Dietz	Knepper	Pitts	Wansacz
Dorr	Kolter	Polite	Wargo
Doyle	Kowalshyn	Pratt	Weidner
Dreibelbis	Kusse	Prendergast	Westerberg
Eckensberger	LaMarca	Pyles	Whelan
Englehart	Laudadio	Rappaport	Whittlesey
Fee	Laughlin	Reed	Wilson
Fischer	Lederer	Renninger	Wilt, R. W.
Fisher	Lehr	Renwick	Wilt, W. W.
Flaherty	Letterman	Richardson	Wright
Foster, A.	Levi	Rieger	Yahner
Foster, W.	Lincoln	Ritter	Zeller
Fryer	Manderino	Romanelli	Zord
Gallagher	Manmiller	Ross	Zwikel
Gallen	McCall	Ruggiero	
Garzia	McClatchy	Ryan	Fineman, Speaker
	McCue	Saloom	

NAYS—0

NOT VOTING—21

Bellomini	Hammock	Perry	Walsh, T. P.
Berson	Johnson, J.	Rhodes	Wojdak
Dinninl	Kistler	Shelhamer	WorriLOW
Fawcett	Lynch	Stout	Yohn
Giammarco	O'Donnell	Sweency	Zearfoss
Gleeson			

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

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



LOCAL GOVERNMENT BILLS ON THIRD CONSIDERATION

Agreeable to order, The House proceeded to third consideration of House bill No. 408, printer's No. 1274, entitled:

An Act amending the "County Pension Law," approved August 31, 1971 (P. L. 398, No. 96), authorizing the county treasurer to be the secretary of the board.

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—183

- Abraham, Anderson, J. H., Arthurs, Barber, Bellomini, Bennett, Beren, Berlin, Bittle, Blackwell, Bonetto, Bradley, Brandt, Brunner, Burns, Butera, Caputo, Cessar, Cimini, Cohen, Cole, Cowell, Crawford, Cumberland, Davies, Davis, D. M., DeMedio, Deverter, Dicarlo, DiDonato, Dietz, Dombrowski, Dorr, Doyle, Dreibelbis, Eckensberger, Englehart, Fee, Fischer, Fisher, Flaherty, Foster, A., Foster, W., Fryer, Gallagher, Gallen, Garzia, Geesey, Geisler, George, Gillespie, Gillette, Gleason, Goodman, Green, Greenfield, Grieco, Gring, Halverson, Hamilton, J. H., Hasay, Haskell, Hayes, D. S., Hayes, S. E., Hepford, Hill, Hopkins, Hutchinson, A., Hutchinson, W., Irvis, Itkin, Katz, Kelly, A. P., Kelly, J. B., Kernick, Klingaman, Knepper, Kolter, Kowalshyn, Kusse, LaMarca, Laudadio, Laughlin, Lederer, Lehr, Letterman, Levi, Lincoln, Manderino, Manmiller, McCall, McClatchy, McCue, McGinnis, McGraw, McIntyre, McLane, Mebus, Menhorn, Milanovich, Miller, M. E., Miller, M. E., Jr., Milliron, Mischevich, Moehlmann, Morris, Mrkonic, Mullen, Mullen, M. P., Musto, Myers, Novak, O'Brien, O'Connell, O'Keefe, Oliver, Pancoast, Parker, H. S., Perri, Petrarca, Pievsky, Pitts, Polite, Pratt, Prendergast, Pyles, Rappaport, Reed, Renninger, Renwick, 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, Sullivan, Taddonio, Taylor, Tayoun, Thomas, Toll, Trello, Ustynoski, Valicenti, Vann, Vroon, Wagner, Wansacz, Wargo, Weidner, Westerberg, Whelan, Whittlesey, Wilt, R. W., Wilt, W. W., Wright, Yahner, Yohn, Zeller, Zord, Zwick, Fineman, Speaker

NAYS—1

Noye

NOT VOTING—19

- Berson, Dininni, Fawcett, Giammarco, Gleeson, Hammock, Kistler, Lynch, Johnson, J., O'Donnell, Perry, Rhodes, Stout, Sweeney, Turner, Walsh, T. P., Wojdak, Worriflow, 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.

Agreeable to order, The House proceeded to third consideration of House bill No. 723, printer's No. 1275, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723, No. 230), authorizing the chief deputy coroner to act as the coroner and the chief deputy sheriff to act as sheriff in cases of vacancies in the offices of coroner or sheriff.

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

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

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

YEAS—181

- Abraham, Anderson, J. H., Arthurs, Barber, Bellomini, Bennett, Beren, Berlin, Bittle, Blackwell, Bonetto, Bradley, Brandt, Brunner, Burns, Butera, Caputo, Cessar, Cimini, Cohen, Cole, Cowell, Crawford, Cumberland, Davies, DeMedio, Deverter, Dicarlo, DiDonato, Dietz, Dombrowski, Dorr, Doyle, Dreibelbis, Eckensberger, Englehart, Fee, Fischer, Fisher, Flaherty, Foster, A., Foster, W., Fryer, Gallagher, Gallen, Garzia, Geesey, Geisler, George, Gillespie, Gillette, Gleason, Goodman, Green, Greenfield, Grieco, Gring, Halverson, Hamilton, J. H., Haskell, Hayes, D. S., Hayes, S. E., Hepford, Hill, Hopkins, Hutchinson, A., Hutchinson, W., Irvis, Itkin, Katz, Kelly, A. P., Kelly, J. B., Kernick, Klingaman, Knepper, Kolter, Kowalshyn, Kusse, LaMarca, Laudadio, Laughlin, Lederer, Lehr, Letterman, Levi, Lincoln, Manderino, Manmiller, McCall, McClatchy, McCue, McGinnis, McGraw, McIntyre, McLane, Mebus, Menhorn, Milanovich, Miller, M. E., Miller, M. E., Jr., Milliron, Mischevich, Moehlmann, Morris, Mrkonic, Mullen, Mullen, M. P., Musto, Myers, Novak, Noye, O'Brien, O'Connell, O'Keefe, Oliver, Pancoast, Parker, H. S., Perri, Petrarca, Pievsky, Pitts, Polite, Pratt, Prendergast, Pyles, Rappaport, Reed, Renninger, Renwick, 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, Sullivan, Taddonio, Taylor, Tayoun, Thomas, Toll, Trello, Turner, Ustynoski, Valicenti, Vann, Vroon, Wagner, Wansacz, Wargo, Weidner, Westerberg, Whelan, Whittlesey, Wilt, R. W., Wilt, W. W., Wright, Yahner, Yohn, Zeller, Zord, Zwick, Fineman, Speaker

NAYS—2

Hasay

Rappaport

NOT VOTING—20

- Berson, Davis, D. M., Dininni, Fawcett, Giammarco, Gleeson, Hammock, Johnson, J., Kistler, Lynch, O'Donnell, Perry, Rhodes, Sirianni, Stout, Sweeney, Walsh, T. P., Wojdak, Worriflow, 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.

LABOR RELATIONS BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 713, printer's No. 807, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736, No. 338), providing an additional coverage.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

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

YEAS—181

- Abraham, George, McIntyre, Schweder, Anderson, J. H., Gillespie, McLane, Scirica, Arthurs, Gillette, Menhorn, Seltzer, Bellomini, Gleason, Milanovich, Shane, Bennett, Goodman, Miller, M. E., Shelhamer, Beren, Green, Miller, M. E., Jr., Shelton, Berlin, Greenfield, Milliron, Shuman, Bittle, Grieco, Misceovich, Shupnik, Blackwell, Gring, Moehlmann, Sirianni, Bonetto, Halverson, Morris, Smith, E., Bradley, Hamilton, J. H., Mrkonje, Smith, L., Brandt, Hasay, Mullen, Spencer, Brunner, Haskell, Mullen, M. P., Stahl, Burns, Hayes, D. S., Musto, Stapleton, Butera, Hayes, S. E., Myers, Sullivan, Caputo, Hepford, Novak, Taddonio, Cessar, Hill, Noye, Taylor, Cimini, Hopkins, O'Brien, Tayoun, Cohen, Hutchinson, A., O'Connell, Thomas, Cole, Hutchinson, W., O'Keefe, Toll, Cowell, Irvin, Pancoast, Turner, Cumberland, Kelly, A. P., Parker, H. S., Ustynoski, Davis, D. M., Katz, Perri, Valicenti, DeMedio, Kelly, J. B., Petrarca, Vann, Deverter, Kernick, Plevsky, Vroon, Dicarlo, Klingaman, Pitts, Wagner, DiDonato, Knepper, Polite, Wansacz, Doyle, Kolter, Pratt, Wargo, Eckensberger, Kowalshyn, Prendergast, Weidner, Englehart, Kusse, Pyles, Westerberg, Fee, LaMarca, Rappaport, Whelan, Fischer, Laudadio, Reed, Whittlesey, Flaherty, Laughlin, Renninger, Wilson, Fryer, Lederer, Renwick, Wilt, R. W., Gallagher, Lehr, Richardson, Wilt, W. W., Gallen, Letterman, Rieger, Wright, Garzia, Levi, Ritter, Yahner, Geisler, Lincoln, Manderino, Zeller, McClatchy, Manmiller, Ross, Zord, McCall, Romanelli, Stout, Ryan, Scheaffer, Schmitt

NAYS—0

NOT VOTING—22

- Barber, Giammarco, Mebus, Sweeney, Berson, O'Donnell, Walsh, T. P., Cohen, Hammock, Perry, Wojdak, Crawford, Johnson, J., Rhodes, Worrilow, Dininni, Kistler, Stout, Zearfoss, Fawcett, Lynch

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. 1121, printer's No. 1289, entitled:

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.

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—154

- Abraham, George, McCue, Saloom, Arthurs, Gillespie, McGraw, Salvatore, Barber, Gillette, McIntyre, Schmitt, Bellomini, Gleason, McLane, Schweder, Bennett, Goodman, Menhorn, Scirica, Beren, Green, Milanovich, Shane, Berlin, Greenfield, Miller, M. E., Shelhamer, Blackwell, Grieco, Miller, M. E., Jr., Shelton, Bonetto, Gring, Milliron, Shuman, Bradley, Hamilton, J. H., Misceovich, Shupnik, Brandt, Hayes, D. S., Morris, Smith, E., Brunner, Hayes, S. E., Mrkonje, Smith, L., Burns, Hepford, Mullen, M. P., Spencer, Stahl, Hill, Mullen, Musto, Stapleton, Caputo, Hopkins, Hutchinso, A., Myers, Sullivan, Cessar, Hutchinson, W., Novak, Taddonio, Cimini, Irvin, Noye, Taylor, Cohen, Kelly, A. P., O'Brien, Tayoun, Cole, Kelly, J. B., O'Connell, Thomas, Cowell, Kelly, J. B., Oliver, Toll, Cumberland, Kernick, Parker, H. S., Ustynoski, Davis, D. M., Klingaman, Perri, Valicenti, DeMedio, Knepper, Petrarca, Vann, DiDonato, Kolter, Plevsky, Wagner, Dombrowski, Kowalshyn, Pratt, Wargo, Doyle, Kusse, Prendergast, Whelan, Dreibelbis, LaMarca, Pyles, Whittlesey, Eckensberger, Laudadio, Rappaport, Wilson, Englehart, Laughlin, Reed, Wilt, R. W., Fee, Lederer, Renninger, Wilt, W. W., Fischer, Letterman, Renwick, Wright, Flaherty, Levi, Richardson, Yahner, Fryer, Lincoln, Rieger, Gallagher, Manderino, Ritter, Yahner, Gallen, Manmiller, Romanelli, Zeller, Garzia, McCall, Ross, Zord, Geisler, McClatchy, Ryan, Scheaffer, Schmitt

NAYS—28

- Anderson, J. H., Foster, A., McGinnis, Sirianni, Bittle, Foster, W., Moehlmann, Turner, Crawford, Geesey, Pancoast, Vroon, Davies, Halverson, Pitts, Weidner, Dietz, Hasay, Polite, Westerberg, Dorr, Haskell, Scheaffer, Zeller, Fisher, Lehr, Seltzer, Zord

NOT VOTING—21

- Berson, Johnson, J., Perry, Walsh, T. P., Dininni, Kistler, Rhodes, Wansacz, Fawcett, Lynch, Ruggiero, Wojdak, Giammarco, Mebus, Stout, Worrilow, Gleeson, O'Donnell, Sweeney, Zearfoss, 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.

APPROPRIATION BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 994, printer's No. 1140, entitled:

An Act providing for appropriations for building hospitals in incorporated towns.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

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

YEAS—179

- Abraham, Anderson, J. H., Arthurs, Barber, Beren, Berlin, Bittle, Blackwell, Bonetto, Bradley, Brandt, Brunner, Burns, Butera, Cessar, Cimini, Cohen, Cole, Cowell, Crawford, Cumberland, Davies, Davis, D. M., DeMedio, Deverter, Dicarlo, DiDonato, Dietz, Dombrowski, Dorr, Doyle, Dreibeibis, Eckensberger, Englehart, Fee, Fischer, Fisher, Flaherty, Levi, Foster, A., Foster, W., Fryer, Gallagher, Gallen, Garzia, Geesey, Geisler, George, Gillespie, Gillette, Gleason, Goodman, Green, Greenfield, Grieco, Gring, Halverson, Hamilton, J. H., Hasay, Haskell, Hayes, D. S., Hayes, S. E., Hepford, Hill, Hopkins, Hutchinson, A., Hutchinson, W., Irvis, Itkin, Katz, Kelly, A. P., Kelly, J. B., Kernick, Klingaman, Knepper, Kolter, Kowalshyn, Kusse, LaMarca, Laudadio, Laughlin, Lederer, Lehr, Letterman, Levi, Lincoln, Manderino, Manmiller, McCall, McClatchy, McCue, McGinnis, McGraw, McIntyre, McLane, Menhorn, Milanovich, Miller, M. E., Miller, M. E., Jr., Milliron, Misceovich, Moehlmann, Morris, Mrkoncic, Mullen, Mullen, M. P., Musto, Myers, Novak, Noye, O'Brien, O'Connell, O'Keefe, Oliver, Pancoast, Parker, H. S., Perri, Petrarca, Pievsky, Pitts, Polite, Pratt, Prendergast, Pyles, Rappaport, Reed, Renninger, Renwick, Richardson, Rieger, Ritter, Romanelli, Ross, Ruggiero, Ryan, Saloom, Scheaffer, Schmitt, Schweder, Scrica, Seltzer, Shane, Shelhamer, Shelton, Shuman, Shupnik, Srianni, Smith, E., Smith, L., Spencer, Stahl, Stapleton, Sullivan, Taddonio, Taylor, Tayoun, Thomas, Toll, Turner, Ustynoski, Valicenti, Vann, Vroon, Wagner, Wansacz, Wargo, Weidner, Westerberg, Whelan, Whittlesey, Wilson, Wilt, R. W., Wilt, W. W., Wright, Yahner, Yohn, Zeller, Zord, Zwinkl, Fineman, Speaker

NAYS—0

NOT VOTING—24

- Bellomini, Bennett, Berson, Caputo, Dininni, Fawcett, Giammarco, Gleeson, Hammock, Johnson, J., Kistler, Lynch, Mebus, O'Donnell, Perry, Rhodes, Salvatore, Stout, Sweeney, Trello, Walsh, T. P., Wojdak, Worrilow, 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.

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. BENNETT. I was a little short on the switch. Would you vote me in the affirmative on House bill No. 994?

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

Agreeable to order,

The House proceeded to third consideration of Senate bill No. 56, printer's No. 56, entitled:

A Supplement to the act of July 12, 1973 (No. 11-A), entitled "An act to provide for the expenses of the Executive, Legislative and Judiciary Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 1973, to June 30, 1974, and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1973," providing for a deficiency in an appropriation to the Department of Education made by the act for the fiscal year ending June 30, 1974.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

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

YEAS—179

- Abraham, Anderson, J. H., Arthurs, Barber, Bellomini, Bennett, Beren, Berlin, Bittle, Blackwell, Bonetto, Bradley, Brandt, Brunner, Burns, Butera, Caputo, Cessar, Cimini, Cohen, Cole, Cowell, Crawford, Cumberland, Davies, Davis, D. M., DeMedio, Deverter, Dicarlo, DiDonato, Dietz, Dombrowski, Dorr, Doyle, Geesey, Gelsler, George, Gillespie, Gillette, Gleason, Goodman, Green, Greenfield, Grieco, Gring, Halverson, Hamilton, J. H., Hasay, Haskell, Hayes, D. S., Hayes, S. E., Hepford, Hill, Hopkins, Hutchinson, A., Hutchinson, W., Irvis, Itkin, Katz, Kelly, A. P., Kelly, J. B., Kernick, Klingaman, Knepper, Kolter, Kowalshyn, Kusse, LaMarca, McCue, McGinnis, McGraw, McIntyre, McLane, Menhorn, Milanovich, Miller, M. E., Miller, M. E., Jr., Milliron, Misceovich, Moehlmann, Morris, Mrkoncic, Mullen, Mullen, M. P., Musto, Myers, Novak, Noye, O'Brien, O'Connell, O'Keefe, Oliver, Pancoast, Parker, H. S., Perri, Petrarca, Pievsky, Pitts, Polite, Pratt, Prendergast, Pyles, Scheaffer, Schmitt, Schweder, Scrica, Seltzer, Shane, Shelhamer, Shelton, Shupnik, Srianni, Smith, E., Smith, L., Spencer, Stahl, Stapleton, Sullivan, Taddonio, Taylor, Tayoun, Thomas, Toll, Trello, Turner, Ustynoski, Valicenti, Vann, Vroon, Wagner, Wansacz, Wargo, Weidner, Westerberg, Whelan, Whittlesey

Dreibelbis	Laudadio	Rappaport	Wilson
Englehart	Laughlin	Reed	Wilt, R. W.
Fee	Lederer	Renninger	Wilt, W. W.
Fischer	Lehr	Renwick	Wright
Fisher	Letterman	Richardson	Yahner
Flaherty	Levi	Rieger	Yohn
Foster, A.	Lincoln	Ritter	Zord
Foster, W.	Manderino	Romanelli	Zwinkl
Fryer	Manmiller	Ross	
Gallagher	McCall	Ruggiero	Fineman,
Gallen	McClatchy	Salvatore	Speaker
Garzia			

NAYS—4

Eckensberger	Saloom	Shuman	Zeller
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NOT VOTING—20

Berson	Hammock	O'Donnell	Sweeney
Dininni	Johnson, J.	Perry	Walsh, T. P.
Fawcett	Kistler	Rhodes	Wojdak
Giammarco	Lynch	Ryan	Worrilow
Gleason	Mebus	Stout	Zearfoss

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

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

Agreeable to order,

The House proceeded to third consideration of **Senate bill No. 235, printer's No. 692**, entitled:

An Act making a supplemental appropriation to the Department of Education for the operation, maintenance and administration of the State colleges and state-owned university.

On the question,

Will the House agree to the bill on third consideration?

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

Amend Sec. 1, page 1, line 6, by striking out "\$3,800,000," and inserting: \$5,500,000,

On the question,

Will the House agree to the amendment?

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

Mr. SHANE. Thank you, Mr. Speaker.

Ladies and gentlemen of the House, Senate bill No. 235, as originally written, provided a supplemental appropriation of \$5.5 million for the current fiscal year for the 14 state colleges. It passed the Senate at the \$5.5 million level by a vote of 44 "yes" and 1 "no." When the bill came to the House Appropriations Committee, it was reduced from \$5.5 million to \$3.8 million.

I offer this amendment, returning the bill to the original figure of \$5.5 million supplemental appropriation for the 14 state colleges and urge your affirmative vote. The colleges have many unpaid vendors' bills for educational supplies, telephone services, electricity, and they have an opportunity to buy coal at this year's price if they can get this supplemental appropriation prior to June 20, because the Secretary of Administration has agreed to extend the deadline for these kinds of purchases until June 20. So I urge your "yes" vote on this supplemental appropriation.

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

Mr. DOMBROWSKI. Mr. Speaker, I rise to support the amendment offered by Mr. Shane.

When we discussed this amendment earlier in the month of May, there was talk that nobody had approached the schools to see what their financial needs were. I took it upon myself to contact the 14 state colleges, and each of the business managers has replied. I have the information available for anybody who may have any questions.

They need the \$5.5 million. At \$3.8 million they can, maybe, survive some but they would run into a deficit. They have curtailed many of their activities just to reach the level of \$5.5 million. If we reduce it to \$3.8 million like the House Appropriations Committee did, they would each go into a deficit for the 1975-76 fiscal year.

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

Mr. WOJDAK. Mr. Speaker, I rise to oppose the amendment. As Mr. Shane indicated, the bill did come from the Senate at \$5.5 million. We in the Appropriations Committee amended it to \$3.8 million. Now we did that for several reasons.

One of the reasons is that for the spring term there had been a tuition increase in the receipts of \$1.3 million. In addition, there had been a windfall for the state colleges of \$1.4 million as the result of a lapse from their faculty expenses. Now that totaled \$2.7 million. Both items were unexpected. Both items were not known to the State Senate when they passed the bill at \$5.5 million. For those reasons we amended the bill to \$3.8 million.

I would suggest to this House that is all the state colleges need at this point, and, in fact, I have very serious doubts as to whether they could even expend that or contract for that amount prior to the expiration of this fiscal year.

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

Mr. ZELLER. I want to back up what Mr. Wojdak, the chairman of the Appropriations Committee, has stated because, with all respect to my good friend, Mr. Dombrowski, I think anyone can contact budget directors, presidents or lobbyists for state colleges and they will certainly tell you and show you figures which prove their point—their point, that is—what they want you to know.

Let us not be so naive because I have a lot of mail from state college students who are really concerned, who see the waste and extravagance in administrative areas and know very well that there is so much fat, so much entrenchment, that it is time we start carving these people, and I mean carving them up as far as the budget is concerned, and we should start right now.

If we vote this in at \$5.5 million as Mr. Shane has requested, we lock ourselves into the budget for state colleges telling them that they are right, they are not wrong, they are right, because we are telling them that they have a deficiency from last year. They have problems, so, therefore, they are going to have problems next year. Therefore they are right.

I think it is time that we let these people know where the bear took a walk in the buckwheat. It is about time we start slowing them down, and let us straighten them out once and for all and let us start doing some carving. This is a very good place to start.

Thank you.

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

Mr. SHANE. A couple of brief replies to some of the points that have been made: First of all, on the augmentations for the second semester, part of that is a wash transaction in that food revenues, food charges, were increased but the amount paid to the catering services was increased, so you had an increase in food revenue of \$579,000 that went right out to the caterer. Then \$600,000 came from students who were expected to drop out in midyear who did not, probably because of the poor job market; \$304,000 was for Federal grants specifically earmarked for workshops and could be spent for nothing else; \$71,000 was for auxiliary room rent and phone charges; something that went right out to the renters and the phone company.

The point is this really: The Secretary of Administration has agreed to defer the deadline for various needed purchases to June 20. We can buy coal and heating oil in the month of June at these institutions for a lot lower price than they are probably going to be able to pay for them in the coming fiscal year.

Another example of how some of the institutions have deferred necessary maintenance is West Chester State College where they have a swimming pool that has a defective roof over it, and they have not been able to scrape up the money to fix the defective roof. Therefore, nobody swims in the swimming pool for about the last year. Also the library at West Chester State College, they tell me, has not bought a book since last November.

I think many of these institutions have quite a few vendors who are not yet paid for supplies delivered during the current fiscal year. I agree we should cut the fat, but I believe we should live up to commitments that we made during the current year. If you will see in today's GA bill, I am the author of some language that calls for 5-percent retrenchment of faculty and administration at the state colleges. So I believe I am credible on the point when I say I, myself, personally am trying to cut the fat at these institutions, but I am trying to give them fair warning when I try to cut the fat because I have been talking about this retrenchment for the last 2 or 3 months. But to get them through the remainder of this fiscal year, I sincerely believe they need the total \$5.5 million supplemental appropriation to take care of severe maintenance problems that have been deferred too long and to pay for educational supplies and fuel to keep these institutions running. So I hope you will give us some support on this amendment.

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

Mr. DOMBROWSKI. Mr. Speaker, just for the information of Mr. Zeller, the figures that were given to me can be documented if he would take the time to contact any of the business managers that I have contacted. They each, without fail, have in the last line in her letter said that if we need any further documentation, please do not hesitate to call.

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

Mr. GRIECO. Mr. Speaker, I rise to support the amendment.

During the past 2 months I spoke to four college presidents, and they tell me they need the money.

Thank you.

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

Mr. WOJDAK. Mr. Speaker, for the information of this House, the original request had been for \$5.5 million. If in fact this bill passes at that figure of \$5.5 million, plus the \$2.7 million which had been unanticipated and unexpected, the total amount going to the state colleges, which would have to be expended by June 20, would be \$8.2 million.

One of the reasons we cut it back to \$3.8 million is that we are taking into consideration that unexpected windfall of \$2.7 million. So if the bill passes with the amendment of \$3.8 million plus the \$2.7 million, they are going to have more money than they had originally requested. The original request was \$5.5 million to expend, or a million dollars more than they had anticipated and a million dollars more than they had requested.

Mr. Shane had talked about various items that the state colleges need, such as coal. What happened in this situation was this: Last fall, everyone had anticipated that the state colleges would be in for a deficiency appropriation. At that time money was set aside for payment of faculty salaries, so that they could not come in at this stage and say that they needed the money for faculty salaries.

There is no faculty person who will go unpaid because of what happened last fall. Money was set aside for that payment. At the same time they were warned that we were in a very tight fiscal situation and that they had best watch their expenditures.

We did an analysis of their expenditures and we separated their expenditures into two categories—a discretionary category, which would include coal and electricity expenses, items such as that.

The state colleges, in fact, lived within the budget for those necessary items.

The other category that we separated expenses into was nondiscretionary expenses. That would be things such as library books, various items such as that, which they had discretion to spend or not expend, items which were not absolutely necessary for running the school.

Despite the fact that they were warned last fall of this very tight fiscal situation, they exceeded the expenditures in the discretionary area by 47 percent. Now no one can stand here today and tell me they need coal and electricity. All of that has been provided for, and they, in fact, have lived within their budget.

They have exceeded their budget in discretionary items and some of the items I could run through for you. For instance, travel. They have increased their expenses in travel by 275 percent. Consulting fees have increased substantially. Special conference expenses have increased. Advertising has increased. Travel has increased; items such as that. It is in this area that they have exceeded their budget, having practically a 9-month warning that we would be facing a very tight fiscal situation. Despite all that, they are now going to end up with \$1 million more than they had originally requested.

If, in fact, you were to go with Mr. Shane's amendment, you are talking about giving them \$2.7 million more than they had requested. They do not need it. I

do not see how they can possibly spend it by the June 20 deadline, and I would ask for a "no" vote on the amendment.

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

Mrs. CRAWFORD. Mr. Speaker, I rise to support the amendment.

I checked with West Chester State College when I heard the possibility that they would only have less than 3 weeks to spend this money once it is appropriated and I put the question to the president of the college: Can you spend this money without being wasteful? We do not want to appropriate money that is going to be just spent for the sake of being spent. He said, "Mrs. Crawford, we have—I can show you—all these unpaid bills. It will not be any problem at all to have a useful purpose for the money that we will receive."

In addition to that, I have noticed since I have been up here that we have been very neglectful of our state colleges. Our priorities have not been with them. That is one of the reasons they are in such a terrible position as they are now.

As far as conservation of funds is concerned, I could not agree more that they have got to be saving in every respect that they can be. I have nosed around West Chester and I am satisfied that they are trying to retrench and trying to do all that they can within the limits imposed on them.

Of course, part of their problem is the state contract with the teacher's union. It was one that does not allow them to retrench as far as faculty is concerned for 1 year. So this does put a handicap on them as far as savings in this area.

So that I am convinced that this money is needed. If we do not give it to them now, we are going to have problems with the next year's budget. They are going to be in the same position then as they are now. I am going to support the amendment.

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the amendment offered by Mr. Shane. Last year when we passed the budget, the Governor proposed a very austere budget; in fact, I think with no increase for these particular institutions. The General Assembly saw fit to grant the very substantial—what I considered substantial—increase over the Governor's budget. Now we made no further commitment to these institutions. We told them the money that they had to spend. It was an increase—what I consider substantial—over the previous year. They did not live within it, if the facts are that they need the money.

I think it is very important to take the remarks of Mrs. Crawford and analyze what the college presidents are saying: "We can find very useful purposes for this money." What else would you expect them to say? They are going to spend every dime we give them.

The point that we have to make is, that when we make an appropriation to a college, which is a reasonable appropriation, they are expected to live within that appropriation and not come back the very next year or before that year is out and say, you know we spent more money than you gave us, so how about giving us another

\$5.5 million? That is what is happening here. We appropriated money; they did not live within the money that we gave them, which was a reasonable amount; and they are coming back and asking for more. Even that being the case, the Appropriations Committee of this House has made the decision that they do not need \$5.5 million, that they can get along well with \$3.8 million. And they have changed that figure to \$3.3 million from the original proposal. And I think that we ought to put some stock in the work that the Appropriations Committee has done.

You know, this week perhaps and maybe next week, we are going to have many opportunities to face the issue of biting the bullet on financial matters, and I think it is a good place to start right here, right now. I think that, sure, it is nice to give these college presidents—whom many of you are friends with, who maybe do you favors so far as students are concerned from time to time, to give them what they want. We ought to give them only what we appropriate and what they honestly need to do the job that we have outlined for them to do. And our Appropriations Committee, that I have so very much confidence in, has told us that that job can be done with \$3.8 million in a deficiency appropriation. That is giving them \$3.8 million over and above what we asked them to run their schools on when we appropriated money last year. I think that is sufficient and I think that we ought to bite the bullet for the first time here today, if that is what you consider it, because we are going to have to face that issue in the next several days and perhaps next week. Very pointedly, and it is a good place to start, we ought to defeat this amendment and begin the fiscal responsibility that we are going to have to show if we want to avoid a tax increase this year.

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

Mr. PANCOAST. Mr. Speaker, I rise to support the amendment that has been offered. The state colleges this year have been operating on a very restricted budget. They have abolished vacant positions. They have not been able to do the retrenchment in the faculty that they should like to have done. Materials, books and supplies have certainly been in short supply, and I think that if we are going to maintain the quality of the educational programs of these state institutions, we need the money. They will be able to encumber it by making commitments in contracts that will help them, and they are going to have to face, of course, again next year a very restrictive budget. I rise to support the amendment.

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

Mr. RICHARDSON. Mr. Speaker, I rise to support Mr. Shane's amendment, and I rise for several reasons. As a member of the Education Committee, there have been several things that have happened on our committee and we have received several letters concerning this very important issue. And I feel that something such as state colleges that are state owned and state related and as they relate to us, that we have an obligation as legislators to take on the responsibility.

It seems to me that there has been a lot of discussion about what is not needed and the fact that it might not be able to be spent before June 20, 1975. When we spoke to these colleges and in a couple public hearings that we

did have, they indicated very strongly that there was a strong need to have a high increase of monies to be able to finish out this particular year. They were colleges, as Mr. Shane stated and I think it just needs to be reiterated, where there was maintenance work that needed to be done so that the certain recreational kinds of facilities that were inside of the colleges would be able to be utilized, and this seems to me that this is a disrespect for us not to look at that today in terms of their sincerity.

We spoke to Cheyney State College and that is another college here in the State of Pennsylvania that is running into the same problems, and I feel that it is our responsibility and obligation to support the amendment, to support the drive that is here today to deal with that, because, as we know, if we do not take care of our colleges, where we are supposed to be educating our young and where with all these cutbacks everything goes down, it seems to me that a human service, such as education that should be a prime factor to all of us, should be something that we should support. I do not think that we can bypass it; I do not think it is something that we can just shunt off as hearsay. But I think that it is something that we have to deal with as a responsibility.

I would like the members of this House to take into strong consideration that we are dealing with youth, that we are dealing with a situation that when you go to college you would certainly want the facility that you are in to at least be operable, clean, and to have the kind of responsible atmosphere that all of us can live with. I think that if you have been around to some of these colleges and you have seen some of the problems that exist on these college campuses yourselves, then you would have an opportunity to deal with it.

I rise to support the amendment and I rise and ask that the rest of the members do so.

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

Mr. DOMBROWSKI. Mr. Speaker, first of all I would just like to remind the Legislature that when Mr. Wojdak speaks of the Appropriations Committee, I think it was split just like it appears that we are here on the floor, and this is why we are here, to try to get a point across to the people. I understand that it came out of committee on a pretty close vote or it was cut down by a close vote.

To support the lady, Mrs. Crawford, from West Chester, I would just like to read a paragraph from a letter from West Chester school. It says:

West Chester State College assumed, as did the other state colleges, that a pro-rated portion of the supplemental appropriation would be forthcoming. Specifically we assumed that the College would receive a minimum of \$500,000 as its pro-rated share. To hold expenditures down to this subsistence level, the College eliminated virtually all classroom supplies, maintenance supplies, travel, printing, emergency repairs, etc., for the second semester now ending. Storeroom supplies were depleted and many hazardous repair projects were deferred. One major building remains unused because of a dangerous roof for which there is no funding. Expenditures for the second semester alone were cut at least \$250,000 below the subsistence level.

They were assuming that they were going to get a slice of the \$12.2 million, not the \$5.5 million.

Thank you.

The SPEAKER. The Chair recognizes the lady from Susquehanna, Miss Sirianni.

Miss SIRIANNI. Mr. Speaker, I would like to clarify a misunderstanding, I believe. My colleague, Mrs. Crawford, stated that the state colleges said they can spend the money for outstanding bills; not that they could find a way to spend the money. There is a difference.

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

Mr. HOPKINS. Earlier this year we helped out the state-related schools. I think that we should help the state colleges that are a creation of this assembly in the same manner as we helped the state-related schools. This is a small amount of money that they are asking for. They really need more. They have kept good budgets, and I think we should support them.

Thank you.

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

Mr. ZELLER. Mr. Speaker, I would like to add a little humor to this rather dull subject. I was wondering where Mr. Councilman Earl Vann was when Mr. Dombrowski spoke 3 times. I am all for you, Dom, but I just want to let Earl know that you did violate a law.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I find myself torn between two duties as I stand here at the microphone. I was born and reared at a time when this country began changing from individualism to socialism. We have not progressed completely away from individualism nor completely toward socialism, but we have moved in the direction of socialism.

I thought as a young man, and I think as a middle-aged man, that we moved in the right direction. But I also think that we have to be realistic in the pace at which we move.

Those of you who have served here with me in the past know that I have stated publicly before that if I had my wish, I would have only public education and no private colleges whatsoever; that I would not destroy those private colleges which exist, but had I been in at the creation, we would not have created public colleges and private colleges; we would have educated all the people at the same level and in the same schools.

I therefore philosophically agree with those gentlemen and ladies who argue that the 14 state colleges belong to us and that we have probably not financed them as well as we should have.

I am by nature a spender, not a saver. I do not place a high value on the dollar bill. It does not survive very well. But as majority leader I have another obligation besides following my own personal philosophy. Personally, I would love to go back to the state colleges and say, here is another \$10 million, here is another \$15 million, I know you will spend it well. I do trust their administrative staffs. I am not suspicious of their motives. I think that there are moneys which can be spent and ought to be spent. But I want to utter the first word

of caution at this microphone that you will hear from me, but it will not be the last. Unless you are prepared to face voting for increased taxes for the people of this Commonwealth, you had better not vote for this increase or any other. It is true that we are talking about the 1974-75 budget, not 1975-76. But if you vote for this amendment out of loyalty to state colleges, out of your own personal philosophy, your own personal beliefs, then you had better do so facing the very, very real possibility that if this pattern persists, of every time someone says to you, this is a very, very good program and we have not supported it sufficiently, and you decide to vote for it on that basis, then you had better be prepared when we ask you to vote for more taxes to vote "yes." Because that is precisely the road that we will be following.

I reiterate, I am not saying that if you vote for this amendment per se, it means more taxes. What I am warning you about is a pattern of conduct which I have seen emerge on the floor of this House from time to time which goes something like this: Oh, well, that is only a couple million dollars; that is a little amount of money; we can find it. And you keep adding a couple million dollars together, next thing you are up to a hundred million dollars and some leader has to say, now we have to increase taxes. Then all of you say, oh, no, not me. This is a very serious decision the House is going to make this morning. It is the first of many serious decisions.

I am going to vote "no." I am going to vote "no" for the same reason as when my son asks me for money for a new car, I say to him, we cannot afford it. We cannot afford to increase this budget at this time. We cannot afford to establish a pattern of conduct of increasing budgets, not unless we are individually ready to bring in more revenue to state government, and the only way that can be done is by higher taxes.

I ask for a negative vote, and a very thoughtful negative vote, Mr. Speaker.

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

Mr. DAVIES. Thank you, Mr. Speaker.

I rise to support the amendment on the evidence that was given to me by certain members of the faculty of the one school that is in my district, or close to my district rather, and also on the matter of those students who spoke to me. Many of them who approached me about the conditions there and some of the things which do exist as far as those particular needs that they have, as well as the administrators of the school, and the matter of what the other people spoke to—those commitments that they have to meet of those increases that they had for the balance of the year and by the very thing of the inflationary spiral, that we all fear and all have to take into consideration as far as our expenditures.

The other thing that I resent is the fact that it is implied that I would vote for it just on the basis of some favor sought through either a college president or something like that. My vote is based only on the evidence that has been given to me by those people involved and the evidence that I received from that particular administration, students and faculty

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Perry, Mr. Noye.

Mr. NOYE. Thank you, Mr. Speaker.

I think all of us are in agreement that the state colleges' budgets are very austere and they are quite concerned about their financial stability. The only question that is to be determined is, just how much more money they need to meet their obligations.

I rise to support the amendment offered by Mr. Shane for this reason: Earlier today, 182 of you expressed support for House bill No. 97, which gives the presidents of the state colleges the right to make donations to local fire companies to provide fire protection to those institutions. We all know that if you support this in principle, you are basically supporting the need for more money, because the state colleges, by giving them that right, have no money to pay that bill. There was only one negative vote on that piece of legislation. I think if we are going to support that idea in principle, then we ought to support the idea in principle of giving the state colleges some money in which to purchase, if necessary, that fire protection.

Not only just that, but the points were made on the obligations that are already owed. This amount of money that is requested, most of that is going to be chewed up in already owed obligations. I do not think there is a question of trying to spend all the money by June 20.

I would hope that if you supported House bill No. 97 about a half an hour ago, you could support Mr. Shane's amendment.

Thank you.

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

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

YEAS—105

Abraham	Green	Lincoln	Rieger
Anderson, J. H.	Greenfield	Manmiller	Romanelli
Barber	Grieco	McCue	Scirica
Bellomini	Gring	McIntyre	Shane
Beren	Halverson	Milanovich	Shelhamer
Bittle	Hasay	Miller, M. E.	Shuman
Blackwell	Haskell	Milliron	Sirianni
Brandt	Hayes, D. S.	Miscevich	Smith, L.
Burns	Hepford	Morris	Spencer
Cessar	Hill	Mullen	Stahl
Cimini	Hopkins	Mullen, M. P.	Stapleton
Cohen	Hutchinson, A.	Myers	Stout
Cole	Hutchinson, W.	Novak	Taylor
Cowell	Itkin	Noye	Tayoun
Crawford	Johnson, J.	O'Keefe	Thomas
Davies	Katz	Pancoast	Trello
Davis, D. M.	Kernick	Parker, H. S.	Ustynoski
DeMedio	Kistler	Petrarca	Valicenti
Dombrowski	Klingaman	Pievsy	Vron
Fischer	Knepper	Pitts	Wagner
Fisher	Kolter	Polite	Weidner
Foster, W.	Kowalyshyn	Pratt	Whittlesey
Fryer	Laughlin	Reed	Wilson
Gallen	Lederer	Renninger	Wilt, R. W.
Garzia	Letterman	Renwick	Wright
George	Levi	Richardson	Zwilk
Gleason			

NAYS—86

Arthurs	Geesey	Miller, M. E., Jr.	Shupnik
Bennett	Geisler	Mochlmann	Smith, E.
Berlin	Gillespie	Mrkonc	Sullivan
Berson	Gillette	Musto	Sweeney
Bonetto	Goodman	O'Brien	Taddonio
Bradley	Hamilton, J. H.	O'Connell	Turner
Brunner	Hayes, S. E.	O'Donnell	Toll
Butera	Irvis	Oliver	Vann



Caputo	Kelly, A. P.	Perri	Walsh, T. P.
Cumberland	Kelly, J. B.	Prendergast	Wansacz
Deverter	Kusse	Pyles	Wargo
Dicarlo	LaMarca	Rappaport	Westerberg
DiDonato	Laudadio	Rhodes	Whelan
Dietz	Lehr	Ritter	Wilt, W. W.
Dorr	Lynch	Ryan	Wojdak
Doyle	Manderino	Saloom	Yahner
Dreibelbis	McCall	Salvatore	Yohn
Eckensberger	McClatchy	Scheaffer	Zeller
Englehart	McGinnis	Schmitt	Zord
Fee	McGraw	Schweder	
Foster, A.	McLane	Seltzer	Fineman,
Gallagher	Menhorn	Shelton	Speaker

NOT VOTING—12

Dininni	Giammarco	Mebus	Ruggiero
Fawcett	Gleeson	Perry	Worrilow
Flaherty	Hammock	Ross	Zearfoss

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

On the question,

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

Bill as amended was agreed to.

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

The question is, Shall the bill pass finally?

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

Mr. SHANE. Just to thank the members of the House for their support of the state colleges. Thank you very much.

On the question recurring,

Shall the bill pass finally?

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

YEAS—180

Abraham	George	McGinnis	Scirica
Anderson, J. H.	Gillespie	McGraw	Seltzer
Arthurs	Gillette	McIntyre	Shane
Barber	Gleason	McLane	Shelhamer
Bellomini	Goodman	Milanovich	Shelton
Bennett	Green	Miller, M. E.	Shuman
Beren	Greenfield	Miller, M. E., Jr.	Shupnik
Berlin	Grieco	Milliron	Sirianni
Bittle	Gring	Miscevich	Smith, E.
Blackwell	Halverson	Morris	Smith, L.
Bonetto	Hasay	Mrkonic	Spencer
Bradley	Haskell	Mullen	Stahl
Brandt	Hayes, D. S.	Mullen, M. P.	Stapleton
Brunner	Hayes, S. E.	Musto	Stout
Burns	Hepford	Myers	Sullivan
Eutera	Hill	Novak	Sweeney
Caputo	Hopkins	Noye	Taddonio
Cessar	Hutchinson, A.	O'Brien	Taylor
Cimini	Hutchinson, W.	O'Connell	Tayoun
Cohen	Irvis	O'Donnell	Thomas
Cole	Itkin	O'Keefe	Toll
Cowell	Johnson, J.	Oliver	Trello
Crawford	Katz	Pancoast	Turner
Cumberland	Kelly, A. P.	Parker, H. S.	Ustynski
Davies	Kelly, J. B.	Petrarca	Vallicenti
Davis, D. M.	Kernick	Pievsky	Vann
DeMedio	Kistler	Pitts	Vroon
Dicarlo	Klingaman	Polite	Wagner
DiDonato	Knepper	Pratt	Walsh, T. P.
Dietz	Kolter	Pyles	Wansacz
Dombrowski	Kowalshyn	Rappaport	Wargo
Dorr	Kusse	Reed	Weidner
Doyle	LaMarca	Renninger	Westerberg
Dreibelbis	Laudadio	Renwick	Whittlesey
Englehart	Laughlin	Rhodes	Wilson
Fee	Lederer	Richardson	Wilt, R. W.

Fischer	Lehr	Rieger	Wilt, W. W.
Fisher	Letterman	Romanelli	Wright
Flaherty	Levi	Ross	Yahner
Foster, A.	Lincoln	Ruggiero	Yohn
Foster, W.	Lynch	Ryan	Zord
Fryer	Manderino	Saloom	Zwickl
Gallagher	Manmiller	Scheaffer	
Gallen	McCall	Schmitt	Fineman,
Garzia	McClatchy	Schweder	Speaker
Geisler	McCue		

NAYS—11

Deverter	Menhorn	Ritter	Wojdak
Eckensberger	Moehlmann	Salvatore	Zeller
Hamilton, J. H.	Perri	Whelan	

NOT VOTING—12

Berson	Geesey	Hammock	Prendergast
Dininni	Giammarco	Mebus	Worrilow
Fawcett	Gleeson	Perry	Zearfoss

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

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

WELCOME

The SPEAKER. The Chair is pleased to welcome the following guests: Millie Montuoro, Jane Gallagher, Irene Smith, Anna Marie Therese and Millie Rizzo, representing the Pennsylvania Federated Democratic Women's Clubs in Allegheny County.

These women are here as the guests of the Allegheny County delegation.

LAW AND JUSTICE BILL  
ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 94, printer's No. 1414**, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), authorizing certain Campus Police to assist certain municipal authorities in emergency situations.

On the question,

Will the House agree to the bill on third consideration?

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

Amend Title, page 1, line 20, by inserting after "determined.": prohibiting homosexuals from performing duties relating to corrections, mental illness, mental retardation, juveniles or the State Police and

Amend Bill, page 1, by inserting between lines 24 and 25: Section 1. The act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," is amended by adding a section to read:

Section 214.1. Limitations on Duties of Homosexuals.—Notwithstanding any other provision in law to the contrary, no department, board, commission or other agency shall permit any employe who is an admitted homosexual or has been convicted in a court of law of homosexual activity or has been adjudicated a homosexual at a private hearing before his or her hiring authority to perform duties in connection with any penal, reformatory or correctional institution, hospital for the mentally ill or any other institution for the mentally retarded or for juvenile delinquents and dependents or as a member of the Pennsylvania State Police.

Any person adjudicated a homosexual by administrative action shall be entitled to all normal rights of appeal provided for pursuant to the act of June 4, 1945 (P. L. 1388, No. 442), known as the "Administrative Agency Law."

All applicants for the restricted positions set out above shall swear and affirm that to the best of their knowledge, they have disclosed all instances where they are or have been in violation of the act of December 6, 1972 (P. L. 1482, No. 334), known as the "Crimes Code."

Amend Sec. 1, page 1, line 25, by striking out "1." and inserting: 2.

Amend Sec. 1, page 1, lines 26 through 27, by striking out " , act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929,"" and inserting: of the

Amend Sec. 2, page 2, line 27, 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 Blair, Mr. Wilt.

Mr. W. W. WILT. Mr. Speaker, this amendment is basically the same as the amendment to House bill No. 94 that was discussed in both caucuses yesterday.

However, it was brought to my attention during the caucus that there was a probable error in the original amendment. It provided that known homosexuals could not be assigned to certain positions within the hospitals and schools for the mentally ill and mentally retarded, Pennsylvania State Police, and certain correctional institutions. So we had the amendment redrafted, and I think that particular problem has been cleared, or corrected.

Mr. Speaker, I have had numerous communications during the past couple of months on this particular issue, especially from the members of the Pennsylvania State Police, from the top to the bottom of that organization, people in education, people in administrative positions at the various mental hospitals and schools for the mentally retarded. I am certain that a great majority of the citizens of this Commonwealth would be in favor of this amendment.

Thank you.

On the question recurring,

Will the House agree to the amendments?

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

YEAS—173

Abraham	Garzia	McCue	Schmitt
Anderson, J. H.	George	McGinnis	Schweder
Arthurs	Gillespie	McGraw	Scirica
Barber	Gillette	McIntyre	Seltzer
Bellomini	Gleason	McLane	Shane
Bennett	Goodman	Menhorn	Shelhamer
Beren	Green	Milanovich	Shuman
Bittle	Grieco	Miller, M. E.	Shupnik
Blackwell	Gring	Miller, M. E., Jr.	Sirianni
Bonetto	Halverson	Milliron	Smith, E.
Bradley	Hamilton, J. H.	Miscevich	Smith, L.
Brandt	Hasay	Morris	Spencer
Brunner	Haskell	Mrkonjic	Stahl
Burns	Hayes, D. S.	Mullen, M. P.	Stapleton
Eutera	Hayes, S. E.	Mullen	Stout
Caputo	Hepford	Musto	Sweeney
Cessar	Hill	Myers	Taddonio
Cimini	Hopkins	Novak	Taylor
Cole	Hutchinson, A.	Noye	Tayoun
Cowell	Hutchinson, W.	O'Brien	Thomas
Crawford	Johnson, J.	O'Connell	Turner
Cumberland	Katz	O'Keefe	Ustynoski
Davies	Kelly, A. P.	Pancoast	Valicenti

Davis, D. M.	Kernick	Parker, H. S.	Vann
DeMedio	Kistler	Perri	Vroon
Devcrter	Klingaman	Petrarca	Wagner
Dicarlo	Knepper	Pitts	Walsh, T. P.
DiDonato	Kolter	Polite	Wansacz
Dietz	Kowalshyn	Pratt	Wargo
Dombrowski	Kusse	Prendergast	Weidner
Dorr	LaMarca	Pyles	Westerberg
Doyle	Laudadio	Reed	Whelan
Dreibelbis	Laughlin	Renninger	Whittlescy
Eckensberger	Lederer	Renwick	Wilson
Englehart	Lehr	Rieger	Wilt, R. W.
Fee	Letterman	Ritter	Wilt, W. W.
Fischer	Levi	Romanelli	Wojdak
Fisher	Lincoln	Ross	Wright
Flaherty	Lynch	Ruggiero	Yahner
Foster, A.	Manderino	Ryan	Yohn
Foster, W.	Manmiller	Saloom	Zcller
Fryer	McCall	Salvatore	Zord
Gallagher	McClatchy	Schaeffer	Zwikel
Gallen			

NAYS—13

Cohen	O'Donnell	Rhodes	Toll
Greenfield	Oliver	Richardson	
Irvis	Pievsky	Sullivan	Fineman, Speaker
Moehlmann	Rappaport		

NOT VOTING—17

Berlin	Geisler	Itkin	Shelton
Berson	Giammarco	Kelly, J. B.	Trelio
Dininni	Gleeson	Mebus	WorriLOW
Fawcett	Hammock	Perry	Zearfoss
Geesey			

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

On the question,

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

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

Amend Title, page 1, line 22 by removing the period after "situations" and inserting: , and restricting the powers of departments, boards and commissions relating to school pupils.

Amend Bill, page 1, by inserting between lines 24 and 25:

Section 1. The act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," is amended by adding a section to read:

Section 529. Assignment of School Pupils.—No department, board or commission shall have the power to order the assignment of any pupil in kindergarten, elementary or secondary school to any school other than the school nearest the pupil's home without the consent of the pupil's parent or guardian except that nothing in this section shall repeal any entrance requirement of a school which has entrance requirements. Any order issued by a department, board or commission heretofore which has not yet been implemented, ordering assignment of any pupil in kindergarten, elementary, or secondary school to any school other than the school nearest the pupil's home shall be null, void and unenforceable. All departments, boards and commissions shall cease, desist and withdraw any and all actions pending which are contrary to this section. No department, board or commission shall enter into or continue any legal proceeding dealing with the assignment of pupils to any elementary, kindergarten, or secondary school other than the school nearest the pupil's home.

Amend Sec. 1, page 1, line 25 by striking out "1." and inserting: 2.

Amend Sec. 1, page 1, lines 26 and 27 by striking out " , act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929,"" and inserting: of the act,

On the question,

Will the House agree to the amendments?

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

Mr. SALVATORE. Mr. Speaker, what I am doing in this amendment is adding a section to the Administrative Code whereby no school pupil can be assigned to any school but the school nearest his home unless they have the consent of the parents or the guardian.

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

Mr. GALLAGHER. Mr. Speaker, would the gentleman again explain that amendment?

Mr. SALVATORE. In essence, the amendment says, Mr. Speaker, that no department, board or commission shall have the power to assign any child to any school other than the school nearest his home.

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

Mr. GALLAGHER. Will the gentleman from Philadelphia, Mr. Salvatore, consent to interrogation?

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

Mr. SALVATORE. I will, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. GALLAGHER. Your amendment is an amendment to the Administrative Code?

Mr. SALVATORE. To the Administrative Code. I add a section to the Administrative Code.

Mr. GALLAGHER. And what section are you amending?

Mr. SALVATORE. I am not amending; I am adding a section. I am creating section 529.

Mr. GALLAGHER. Unfortunately, I do not have a copy of your amendment.

Mr. SALVATORE. We distributed copies to everyone.

Mr. GALLAGHER. I cannot find it.

Mr. SALVATORE. I will be glad to furnish you with a copy.

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

Mr. GALLAGHER. Mr. Speaker, I do have a copy of the amendment in front of me now, and this is adding a section to the Administrative Code which is not germane to the Administrative Code per se.

What the gentleman is trying to say is that no department, board or commission shall assign students to a school, et cetera. The only people who can assign students to a school are the school districts. There is no authority in the Administrative Code that gives any board or commission the authority to reassign or assign students to any other school. That authority lies in the local school directors by the school code. Therefore, I think this amendment is not germane to the entire issue.

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

Mr. SALVATORE. Mr. Speaker, I have to disagree with my worthy colleague, Mr. Gallagher, but the Human Relations Commission can, and that is a commission.

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

Mr. GALLAGHER. Mr. Speaker, firstly, the question is not germane. Secondly, the Human Relations Commission cannot order. The only thing they can do is

to go to court and ask the court to issue the order. The authority lies, again, and again, with the local school board.

Your school board in Philadelphia, even though they are not elected and even though they cannot do other things, have the authority to assign students to any school in their district. They cannot assign pupils outside their district, and no Human Relations Commission has that authority. You may think they do, but they do not, and the only way they would have it would be if they go to court and ask the court either for a mandamus or for an order to do so. So this is not part of the Human Relations Commission's authority and it is not part of the Administrative Code.

What you are saying is that you do not trust your school directors, you do not trust your school board. We trust our school directors in Bucks County, and we know where students are going to be assigned, and they are going to be assigned to the schools in the community, in the neighborhood, in the district, and not in the near city.

I think you are beating a dead horse that you tried last year. It does not work. And your amendment, again, is not germane to the Administrative Code.

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

Mr. SALVATORE. I will yield to my colleague, Mr. McGinnis.

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

Mr. MCGINNIS. Mr. Speaker, in reply to Mr. Gallagher: The amendment that is offered is word for word with the amendment that was offered, I believe, to Senate Bill No. 1310 in the last session, which passed the House, I believe, 169 to 18.

This amendment does not address itself to a local school board; it does not address itself to Federal guidelines on integration and busing. It actually addresses itself to the Human Relations Commission to stop meddling in the school districts of Pennsylvania, and they have come into school districts and ordered busing and ordered changes.

The only thing this amendment does is remove that power from the Human Relations Commission which the legislature gave them. It has nothing to do with the Federal guidelines or with local school boards.

Thank you very much.

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

Mr. SALVATORE. In response to Mr. Gallagher, I do trust my school board, but my school board is faced with a crisis. First of all, they have a financial problem and they are trying to balance a budget, and, further, they are being ordered and have been ordered and they keep coming up with plans and every plan calls for busing of the children.

Now people who live in my district live there because they chose to live there, and they chose to live there to rear their children there and send their children to the school closest to their homes. We are thinking about the safety, the well-being and the education of our children. We do not want to educate our children to be bus drivers.

**POINT OF ORDER**

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

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

The SPEAKER. The gentleman will state it.

Mr. GALLAGHER. Mr. Speaker, I move that this amendment is not germane. I ask for a ruling of the Chair.

The SPEAKER. The gentleman raises the point of order as to the germaneness of the amendment, and the Chair, based upon the advice as imparted to the Chair by the Parliamentarian, rules that the amendment is not germane.

**RULING APPEALED**

Mr. SALVATORE. Can I have a vote on that, Mr. Speaker?

The SPEAKER. Of course.

The gentleman from Philadelphia, Mr. Salvatore, takes an appeal from the ruling of the Chair on the matter of germaneness. Does the Chair see a second to the appeal?

Mr. BUTERA. I just want to ask one thing.

The SPEAKER. The second is present on the appeal.

The Chair would ask the gentleman from Washington, Mr. DeMedio, to preside during the taking of a roll on the appeal.

The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, I wonder if prior to relinquishing the Chair, more for the purposes of the precedent rather than this specific amendment, if you could give the reasoning of the Parliamentarian as to why this is not germane.

I believe the bill does seek to amend the Administrative Code, and the amendment seeks to place a section into the Administrative Code. I think we better clarify that for futures prior to relinquishing.

The SPEAKER. As the Chair understands it, there is no department, board or commission in state government at the moment that has the power to order the assignment of any pupil in a kindergarten, elementary or other school. Therefore, there is no amendment to the Administrative Code that will lie since the power in the first instance does not exist.

The powers to order the assignment are vested in the School Code, and, therefore, the amendment should properly be to the School Code.

Mr. BUTERA. Then is it clear, Mr. Speaker, that your ruling of nongermaneness is not based upon the fact that this seeks to amend the Administrative Code and the amendment seeks to amend the Administrative Code and so does the bill?

The SPEAKER. That is correct.

**MR. DeMEDIO REQUESTED TO PRESIDE**

The SPEAKER. Will the gentleman from Washington, Mr. DeMedio, please come to the desk for the purpose of presiding?

Those members voting in the affirmative will be voting to sustain the ruling of the Chair; those members voting in the negative will be voting to override the ruling of the Chair.

**THE SPEAKER PRO TEMPORE (A. J. DeMedio) IN THE CHAIR**

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

Mr. KATZ. I would like to say something before the vote is taken. Am I in order?

The SPEAKER pro tempore. There is nothing before the Chair at this time except the taking of the vote.

Mr. KATZ. Mr. Speaker, is this motion debatable?

The SPEAKER pro tempore. I have been informed that it is not. All that is before the House at this time is the vote.

The members will proceed to vote.

**PARLIAMENTARY INQUIRY**

The SPEAKER pro tempore. The Chair recognizes the minority leader. For what purpose does the gentleman rise?

Mr. BUTERA. I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BUTERA. Are the reasons for the ruling debatable?

The SPEAKER pro tempore. I have been informed that we were in error. The motion is debatable.

The Chair returns to the gentleman from Philadelphia, Mr. Katz. The gentleman may proceed.

Mr. KATZ. Mr. Speaker, for the information of the House, in the last legislative session, Senate bill No. 1400, which was vetoed by the Governor on December 27, 1974, and unfortunately we were out of session, so we had no chance to override the Governor's veto on Senate bill No. 1400.

**POINT OF ORDER**

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. O'Donnell. For what purpose does the gentleman rise?

Mr. O'DONNELL. I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. O'DONNELL. Is the only issue, Mr. Speaker, before the House on germaneness?

The SPEAKER pro tempore. The gentleman is correct.

Mr. O'DONNELL. And so, Mr. Speaker, any remarks on the substance of the amendment are out of order?

The SPEAKER pro tempore. The gentleman appears to be correct.

Mr. Katz, you seem to be out of order.

Mr. KATZ. It will not be the first time.

The SPEAKER pro tempore. Will the gentleman please . . .

Mr. KATZ. I will confine my remarks.

The SPEAKER pro tempore. If the gentleman wishes to continue, will he please confine his remarks to the question of germaneness?

Mr. KATZ. No problem. I already said what I wanted to say.

In reference to Senate bill No. 1400, and I will stop there, it would seem to me that this amendment that is being offered by Mr. Salvatore is the same thing as in the previous year, and, therefore, I do not see how the

Chair could possibly rule that this amendment is not germane to the bill that is presently on the calendar. So, therefore, for the record, I would say that we should vote for Mr. Salvatore's amendment and not to uphold the ruling of the Chair.

Thank you.

The SPEAKER pro tempore. The gentleman is reminded that the question of germaneness was not raised at that time last year.

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

Mr. SALVATORE. Mr. Speaker, I have nothing to say at this point in time other than to say that this issue will not go away; we will confront it another day.

### POINT OF ORDER

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. VANN. Mr. Speaker, it is perfectly obvious that this gentleman is out of order. He has a right to say anything he wants to say on the issue before the House. He is not stating the facts according to what we are supposed to be talking about, and I would suggest that you also tell him that he is out of order.

The SPEAKER pro tempore. The gentleman is correct.

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

Mr. ITKIN. Mr. Speaker, to discuss the germaneness of the question.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. ITKIN. Mr. Speaker, this amendment, whether certain people may agree to it or not, certainly applies to the Administrative Code. The Administrative Code provides the creation of the agencies, departments, boards and commissions of the Commonwealth. It seems to me that on the question of germaneness, the list of duties and obligations of those departments should be set out in the Administrative Code.

So, consequently, any restriction of power should be germane to the Administrative Code on a department, board or commission which was created under the Administrative Code.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Montgomery, Mr. Butera.

Mr. BUTERA. Mr. Speaker, on the question of germaneness, I think that it is clear that there is at least one commission which has been created by this legislature which does have the power as interpreted through several court decisions to order racial balancing of school districts, and that is the Human Relations Commission.

In so doing, that power carries with it, as interpreted, I think, by the commission rather than by the courts, the allocation of students per school within a school district on a percentage of black students and a percentage of white students. I suggest to you that the reason given for the ruling on nongermaneness, is erroneous because

there is at least one commission which does have that power as defined by several court decisions and by rulings of the commission itself.

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

Mr. RAPPAPORT. I thank the Chair.

I shall confine my remarks to the germaneness of this particular amendment. The points raised by the minority leader are very persuasive. However, I believe he is referring to the Human Relations Commission, a commission I do not intend to stand here and defend.

The Human Relations Commission, as I understand it, was created by a separate act and may very well not be under the Administrative Code.

I might say to this House that I am also not talking about the issue presented here. My own neighborhood school in my home neighborhood is 49 percent black and 51 percent white. Yet under the most recent plan this is not considered to be an integrated school, so I hold no brief for some of the plans that are coming out.

The point that I am making here is that this is neither the time nor the place to make those decisions. The bill which is sought to be amended, House bill No. 94, states in its preamble: "Amending the act of . . . entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department . . .'"

The board that my friend, Mr. Salvatore, is attacking, is the Philadelphia School Board, which is not an agency of the executive department of this Commonwealth. It is for that reason that this amendment is not germane and the ruling of the Chair should be upheld.

If Mr. Salvatore believes in this and I believe that he does, then he should prepare a separate bill and introduce it. I am sure, seeing the emotion of this House, that it will receive very careful consideration. But this is not the way to do it. This is neither the time nor is this the bill. I would therefore ask that the ruling of the Chair be sustained.

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

Mr. HASKELL. Mr. Speaker, when we are finished with the debate, I wonder if the Chair would restate the question and indicate what a "yea" and "nay" would mean?

Thank you.

The SPEAKER pro tempore. The Chair will do that at the proper time.

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

Mr. GLEASON. Mr. Speaker, I think one of the earlier speakers said we are going to have to face this issue, but, as I see it, the issue before the body today is that of germaneness. It has nothing to do with the merits. So I think some of the arguments being advanced in favor of its being nongermane are really aimed at the merits of the question, but that few are willing to discuss those.

I think the gentleman from Allegheny, Mr. Itkin, probably put it as clearly as anybody else can, and that is, we are amending the Administrative Code and we have at any time the power to delineate and set forth the powers of the departments, boards and commissions of

state government, which is what the Administrative Code is all about.

So I think that we should dispel any notion that this is directed at a school board, that this is directed at anything. I think we should dispel any notion that because, perhaps, a given department or board or agency or commission does not have the power to order busing that we cannot do anything about that. We can right now legislate and say that in the future, no department, board or commission of state government shall have the power to order busing. Really that is the honest way of looking at this, and Mr. Itkin is the one who really told it the way it is.

That is what, I think, the issue is: Does this legislative body have the power to say, whether or not the conditions presently exist, that in the future, any department, board or commission of state government shall not have the power to order busing?

I think the answer to that is "yes," because otherwise we are saying by a vote sustaining the ruling of the Chair that we are powerless in this area. I do not think we are. I think that the question is germane. I ask the members of this body to vote "no" on the ruling of the Chair.

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

Mr. SALVATORE. Mr. Speaker, on the question of germaneness, as the minority leader stated, this is aimed at the Human Relations Commission, not at the School District of Philadelphia or any local school board.

I think that what you are trying to do here is not test the germaneness of the bill, but I think what you are saying is, if you vote for the germaneness of this bill, you do not want children bused, and if you vote that this is not germane, then you want your children bused.

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. IRVIS. Thank you, Mr. Speaker.

Mr. Speaker, let us get on with the business of the day, and I call for a vote immediately on the question of whether or not the Chair has ruled correctly.

I ask the members on this side to vote in support of the ruling of the Chair and vote "yes." I call for the vote, Mr. Speaker.

The SPEAKER pro tempore. All those voting to uphold the ruling of the Chair as to germaneness will vote in the affirmative; all those opposed will vote in the negative.

On the question,

Will the House sustain the ruling of the Chair?

The yeas and nays were required by Messrs. SALVATORE and RAPPAPORT and were as follows:

YEAS—94

Abraham	Flaherty	McGraw	Romanelli
Arthurs	Gallagher	McLane	Ross
Barber	Garza	Menhorn	Ruggiero
Bellomini	Geisler	Milanovich	Schmitt
Bennett	George	Milliron	Schweder
Berlin	Gillette	Miscevich	Shane
Berson	Goodman	Morris	Shelton
Blackwell	Green	Mullen	Shuman
Bonetto	Hammock	Musto	Shupnik
Bradley	Hutchinson, A.	Novak	Stout
Brunner	Irvis	O'Brien	Sweeney
Caputo	Johnson, J.	O'Donnell	Taylor

Cohen	Kelly, A. P.	Oliver	Toll
Cole	Kelly, J. B.	Perry	Trello
Cowell	Kernick	Petrarca	Valicenti
Davis, D. M.	Kolter	Pratt	Vann
DeMedio	Kowalyshyn	Prendergast	Walsh, T. P.
Dicarlo	LaMarca	Rappaport	Wansacz
DiDonato	Laudadio	Reed	Wargo
Dombrowski	Laughlin	Renwick	Yahner
Dreibelbis	Letterman	Rhodes	Zwinkl
Eckensberger	Lincoln	Richardson	
Englehart	Manderino	Rieger	Fineman,
Fee	McCall	Ritter	Speaker

NAYS—101

Anderson, J. H.	Grieco	McIntyre	Smith, E.
Beren	Gring	Miller, M. E.	Smith, L.
Bittle	Halverson	Miller, M. E., Jr.	Spencer
Brandt	Hamilton, J. H.	Moehlmann	Stahl
Burns	Hasay	Mrkonic	Stapleton
Butera	Haskell	Myers	Sullivan
Cessar	Hayes, D. S.	Nove	Taddonio
Ciminl	Hayes, S. E.	O'Connell	Tayoun
Crawford	Hepford	O'Keefe	Thomas
Cumberland	Hill	Pancoast	Turner
Davies	Hopkins	Parker, H. S.	Ustynoski
Deverter	Hutchinson, W.	Perri	Vroon
Dietz	Itkin	Plevsky	Wagner
Dorr	Katz	Pitts	Weidner
Doyle	Klingaman	Polite	Westerberg
Fischer	Knepper	Pyles	Whelan
Fisher	Kusse	Renninger	Whittlesey
Foster, A.	Lederer	Ryan	Wilson
Foster, W.	Lehr	Saloom	Wilt, R. W.
Fryer	Levi	Salvatore	Wilt, W. W.
Gallen	Lynch	Scheaffer	Wojdak
Geesey	Manmiller	Seirica	Wright
Gillespie	McClatchy	Seltzer	Yohn
Gleason	McCue	Shelhamer	Zeller
Gleeson	McGinnis	Sirianni	Zord
Greenfield			

NOT VOTING—8

Dininni	Giammarco	Mebus	Worrilow
Fawcett	Kistler	Mullen, M. P.	Zearfoss

Less than the majority required by the constitution having voted in the affirmative, the question was determined in the negative and the ruling of the Chair was not sustained.

THE SPEAKER (Herbert Fineman) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman, Mr. DeMedio, for temporarily presiding.

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

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

Mr. RAPPAPORT. Mr. Speaker, I rise to question the constitutionality of this particular amendment. Mr. Speaker, the Supreme Court of the United States, as well as the appellate courts of this state, has made numerous rulings since 1954 on the assignment of pupils to various schools. The Supreme Court has laid down certain standards which must be followed. The courts have laid down certain rules which must be followed. As I said earlier, Mr. Speaker, I have not always agreed with those rules, but that is what the law is and that is what the constitutional doctrine is at the present time.

I would point out that under this amendment, the disciplinary schools in the city of Philadelphia would have to be abolished. No child could be sent, for instance, to the Boone School, which is in my district and receives disruptive children from all over the city. No child could be sent to that school without the permission

of his parents. That means that disruptive children must be kept in their neighborhood schools. "Disruptive" is a frequent word that we use in Philadelphia for kids who carry knives.

It means that children who are in need of special education—the unfortunates, the mentally retarded—could not be sent to special schools without the permission of their parents.

The courts have ruled that in both cases this type of assignment is unconstitutional and that the other children have rights as well, that children with learning disabilities have the right to the type of education which is in line with their needs.

It would, therefore, raise the question of constitutionality on the basis that, whether it is the local school board or the State Human Relations Commission, this power cannot be taken away from them but would be immediately upset by a court.

Thank you, Mr. Speaker.

The SPEAKER. The Chair refers the matter of constitutionality to the House for a decision under the rules of the House.

The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, on the question of constitutionality, I should like to correct the impression given by Mr. Rappaport. In no way would this amendment, should it pass or not, affect any decision or any power to make decisions by any court in this land.

The decisions of the courts have been, generally, that de facto segregation is identical to intentional segregation, and the courts have drawn an analogy between the two fact situations, and I think quite properly so. This amendment in no way affects that prevailing view in the courts of this country.

All that this amendment seeks to do is to transfer the decision-making from a state board, a state commission or a state department to the more properly designated institution, that of the local school board. And I think it is improper to indicate to this House that in voting for or against this amendment, or as for or against the constitutionality of this amendment, that in some way we are seeking to restrict the court's authority or the local school board's authority, or of a local human relations commission's authority to make rulings regarding where children go to school. This in no way affects that prevailing view of the courts, and I would urge that the members vote in favor of the constitutionality of this amendment.

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

Mr. RAPPAPORT. Mr. Speaker, would the sponsor of this amendment, Mr. Salvatore, consent to a brief interrogation?

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

Mr. SALVATORE. Yes, I will, Mr. Speaker.

The SPEAKER. Is the interrogation limited to the matter of constitutionality?

Mr. RAPPAPORT. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. RAPPAPORT. Mr. Speaker, I believe you have just heard the argument made by the minority leader?

Mr. SALVATORE. Most of it. What I could hear.

Mr. RAPPAPORT. Mr. Speaker, does the gentleman

agree with the argument made by the minority leader that this amendment is not directed at the Philadelphia School Board at all but is directed only at the state Human Relations Commission?

Mr. SALVATORE. That is right, Mr. Speaker.

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

The SPEAKER. The question before the House is the constitutionality of the amendment offered by the gentleman, Mr. Salvatore.

Those members desiring to uphold the constitutionality of the amendment will vote in the affirmative; those members voting, in effect, against the constitutionality of the amendment will vote in the negative.

On the question,

Will the House sustain the constitutionality of the amendments?

The yeas and nays were required by Messrs. RAPPAPORT and SALVATORE and were as follows:

YEAS—139

Abraham	Gleeson	Miller, M. E., Jr.	Sirianni
Anderson, J. H.	Goodman	Miscevich	Smith, E.
Bennett	Greenfield	Moehlmann	Smith, L.
Beren	Grieco	Mrkoncic	Spencer
Bittle	Gring	Mullen, M. P.	Stapleton
Bradley	Halverson	Mullen	Stahl
Brandt	Hamilton, J. H.	Musto	Stout
Burns	Hasay	Myers	Sullivan
Butera	Haskell	Novak	Sweeney
Cessar	Hayes, D. S.	Noye	Taddonio
Cimini	Hayes, S. E.	O'Brien	Taylor
Cole	Hepford	O'Connell	Tayoun
Crawford	Hill	O'Keefe	Thomas
Cumberland	Hopkins	Pancoast	Trello
Davies	Hutchinson, W.	Parker, H. S.	Turner
Davis, D. M.	Itkin	Perri	Ustynoski
Deverter	Katz	Perry	Valicenti
Dicarlo	Kelly, J. B.	Pievsky	Vroon
DiDonato	Kernick	Pitts	Wagner
Dietz	Knepper	Polite	Walsh, T. P.
Dorr	Kowalyszyn	Pratt	Wansacz
Doyle	Kusse	Pyles	Weidner
Dreibelbis	Lederer	Renninger	Westerberg
Eckensberger	Lehr	Rieger	Whelan
Fischer	Levi	Ritter	Whittlesey
Fisher	Lincoln	Romanelli	Wilson
Flaherty	Lynch	Ruggiero	Wilt, R. W.
Foster, A.	Manmiller	Ryan	Wilt, W. W.
Foster, W.	McCall	Saloom	Wojdak
Fryer	McClatchy	Salvatore	Wright
Gallen	McCue	Scheaffer	Yohn
Garzia	McGinnis	Scirica	Zeller
Geesey	McIntyre	Seltzer	Zord
Gillespie	Menhorn	Shelhamer	Zwick
Gleason	Miller, M. E.	Shuman	

NAYS—52

Arthurs	George	McGraw	Ross
Barber	Gillette	McLane	Schmitt
Berlin	Green	Milanovich	Schweder
Blackwell	Hutchinson, A.	Milliron	Shane
Bonetto	Irvic	Morris	Shelton
Brunner	Johnson, J.	O'Donnell	Shupnik
Cohen	Kelly, A. P.	Oliver	Toll
Cowell	Klingaman	Petrarca	Vann
DeMedio	Kolter	Prendergast	Wargo
Dombrowski	LaMarea	Rappaport	Yahner
Englehart	Laudadio	Reed	
Fee	Laughlin	Renwick	Fineman,
Gallagher	Letterman	Richardson	Speaker
Geister	Manderino		

NOT VOTING—12

Bellomini	Dininni	Hammock	Rhodes
Berson	Fawcett	Kistler	Worrlow
Caputo	Giammarco	Mebus	Zearfoss

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

affirmative, and the constitutionality of the amendments were sustained.

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

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

YEAS—162

Abraham	Gallagher	McCue	Seirica
Anderson, J. H.	Gallen	McGinnis	Seltzer
Arthurs	Garzia	McGraw	Shelhamer
Bennett	Geesey	McLane	Shuman
Beren	Geisler	Menhorn	Shupnik
Berlin	Gillespie	Milanovich	Sirianni
Bittle	Gleason	Miller, M. E.	Smith, E.
Bonetto	Gleeson	Miller, M. E., Jr.	Smith, L.
Bradley	Goodman	Miscevich	Spencer
Brandt	Green	Moehlmann	Stahl
Brunner	Greenfield	Morris	Stapleton
Burns	Grieco	Mrkonjc	Stout
Butera	Gring	Mullen	Sullivan
Caputo	Halverson	Musto	Sweeney
Cessar	Hamilton, J. H.	Myers	Taddonio
Cimini	Hasay	Novak	Taylor
Cohen	Haskell	Noye	Tayoun
Cole	Hayes, D. S.	O'Brien	Thomas
Cowell	Hayes, S. E.	O'Connell	Trello
Crawford	Hepford	O'Donnell	Turner
Cumberland	Hill	O'Keefe	Ustynoski
Davis	Hopkins	Pancoast	Valicenti
Davis, D. M.	Hutchinson, W.	Parker, H. S.	Vroon
DeMedio	Itkin	Perri	Wagner
Deverter	Katz	Perry	Walsh, T. P.
Dicarlo	Kelly, A. P.	Petrarca	Wansacz
DiDonato	Kernick	Pievsky	Wargo
Dietz	Kistler	Pitts	Weidner
Dombrowski	Klingaman	Polite	Westerberg
Dorr	Kowalshyn	Pyles	Whelan
Doyle	Kusse	Renninger	Whittlesey
Dreibelbis	Laudadio	Renwick	Wilson
Eckensberger	Laughlin	Rieger	Wilt, R. W.
Englehart	Lederer	Ritter	Wilt, W. W.
Fee	Lehr	Romanelli	Wojdak
Fischer	Levi	Ruggiero	Wright
Fisher	Lincoln	Saloom	Yahner
Flaherty	Lynch	Salvatore	Zeller
Foster, A.	Manmiller	Scheaffer	Zord
Poster, W.	McCall	Schweder	Zwick
Fryer	McClatchy		

NAYS—30

Barber	Knepper	Oliver	Shane
Blackwell	Kolter	Pratt	Shelton
George	LaMarca	Prendergast	Toll
Gillette	Letterman	Rappaport	Vann
Hutchinson, A.	Manderino	Reed	Yohn
Irvis	McIntyre	Richardson	
Johnson, J.	Milliron	Ross	Fineman,
Kelly, J. B.	Mullen, M. P.	Schmitt	Speaker

NOT VOTING—11

Bellomini	Fawcett	Mebus	Worrilow
Berson	Giammarco	Rhodes	Zearfoss
Dininni	Hammock	Ryan	

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?

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

Mr. DiCARLO. Mr. Speaker, just a point of order. There have been two extremely technical amendments, at least in my estimation, that have been put in the bill. Is it possible that you can hold the bill over until we see it in print and review it?

The SPEAKER. The Chair recognizes the majority leader. What is the desire of the majority leader?

Mr. IRVIS. Mr. Speaker, in reply to the gentleman, it is certainly possible, but I do not think that we shall ask for it. This House has clearly made its decision. It made its decision, and you, Mr. Speaker, made yours in voting for each one of these two amendments. I would assume that the House made an intelligent decision. That may be an assumption not warranted by the facts, but I do so assume. Therefore, I call for the vote.

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

Mr. DiCARLO. Mr. Speaker, in response to the majority leader: The point is that two amendments were offered. The amendments were not covered very thoroughly when we had the time to review them in caucus. There are a couple of questions that come up in my mind about additional amendments to the bill and I would like to have the opportunity to pursue that tonight, and, if I feel that need be, to offer those amendments on the bill.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I would prefer that we go ahead and discuss the amendments so that the gentleman may have those amendments elucidated as far as necessary and get on with the business of the voting.

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

Mr. DiCARLO. Mr. Speaker, I will yield to the wishes of the majority leader.

On the question recurring,  
Shall the bill pass finally?

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

YEAS—176

Abraham	Garzia	Manmiller	Schmitt
Anderson, J. H.	Geesey	McCall	Schweder
Arthurs	Geisler	McClatchy	Seirica
Bellomini	George	McCue	Seltzer
Bennett	Gillespie	McGinnis	Shelhamer
Beren	Gillette	McGraw	Shelton
Berlin	Gleason	McIntyre	Shuman
Bittle	Gleeson	McLane	Shupnik
Bonetto	Goodman	Menhorn	Sirianni
Bradley	Green	Miller, M. E.	Smith, E.
Brandt	Greenfield	Milliron	Smith, L.
Brunner	Grieco	Miscevich	Spencer
Burns	Gring	Morris	Stahl
Butera	Halverson	Mrkonjc	Stapleton
Caputo	Hamilton, J. H.	Mullen	Stout
Cessar	Hasay	Musto	Sullivan
Cimini	Haskell	Myers	Sweeney
Cohen	Hayes, D. S.	Novak	Taddonio
Cole	Hayes, S. E.	Noye	Taylor
Cowell	Hepford	O'Brien	Tayoun
Crawford	Hill	O'Connell	Thomas
Cumberland	Hopkins	O'Donnell	Trello
Davis	Hutchinson, A.	O'Keefe	Turner
Davis, D. M.	Hutchinson, W.	Pancoast	Ustynoski
DeMedio	Itkin	Parker, H. S.	Valicenti
Deverter	Katz	Perri	Vroon
Dicarlo	Kelly, A. P.	Perry	Wagner
DiDonato	Kelly, J. B.	Petrarca	Walsh, T. P.



Dietz	Kernick	Pievsky	Wansacz
Dombrowski	Kistler	Pitts	Wargo
Dorr	Klingaman	Polite	Weidner
Doyle	Knepper	Pratt	Westerberg
Dreibelbis	Kolter	Pyles	Whelan
Eckensberger	Kowalyszyn	Reed	Whittlesey
Englehart	Kusse	Renninger	Wilson
Fee	Laudadio	Renwick	Wilt, R. W.
Fischer	Laughlin	Rieger	Wilt, W. W.
Fisher	Lederer	Ritter	Wojdak
Flaherty	Lehr	Romanelli	Wright
Foster, A.	Letterman	Ruggiero	Yahner
Foster, W.	Levi	Ryan	Yohn
Fryer	Lincoln	Saloom	Zeller
Gallagher	Lynch	Salvatore	Zord
Gallen	Manderino	Scheaffer	Zwick

NAYS—18

Barber	LaMarca	Prendergast	Toll
Berson	Miller, M. E., Jr.	Rappaport	Vann
Blackwell	Moehlmann	Richardson	
Irvis	Mullen, M. P.	Ross	Fineman,
Johnson, J.	Oliver	Shane	Speaker

NOT VOTING—9

Dininni	Hammock	Milanovich	Worrlow
Fawcett	Mebus	Rhodes	Zearfoss
Giammarco			

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

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

WELCOME

The SPEAKER. The Chair is pleased to welcome a group of sixth-grade students from the Andrew Jackson school in Williamsport, Pennsylvania. They are here with their leader, Ms. Barbara Saar.

They are the guests of the gentleman from Lycoming, Mr. Cimini.

MOTOR VEHICLES BILL  
ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 210, printer's No. 233, entitled:

An Act amending the "Motor Vehicle Sales Finance Act," approved June 28, 1947 (P. L. 1110, No. 476), further providing for finance charges for certain motor vehicles.

On the question,

Will the House agree to the bill on third consideration?  
Bill was agreed to.

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

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

Mr. SCHMITT. Mr. Speaker, I rise to oppose the passage of House bill No. 210, printer's No. 233, which is on the Motor Vehicle Sales Finance Act. The bill proposes to change the add-on rate from 6 to 7 percent in the bill on new automobiles. I would like to point out to the members of this House that 6 to 7 percent means an increase of about 15 percent in the interest rate because the interest rate as written into this bill is an add-on interest, not a simple interest such as you pay on your

mortgage. Therefore, it is equivalent to approximately double what it purports to be. In other words, the 6 percent add-on rate goes to approximately 12 percent and the 7 percent add-on rate goes close to 14 percent; actually, 13 plus a fraction.

In my opinion, this is inflationary at a time when we need to curb the inflation as much as possible. This represents a 15 percent increase in the cost of money on new cars and would be as similar to you if you were paying 60 cents for gasoline to suddenly have it raised to 69 cents.

Mr. Speaker, we are presently in an era when interest rates are falling, and I can give you very specific examples that occurred within the past year. To give you the recent trend in interest rates, I would like to point out to the members of the House that in October of 1974, the prime interest rate was 11.68 percent. In November it fell to 10.83 percent; in December it fell to 10.50 percent; in January it fell to 10.05 percent; in February of this year it fell to 8.96 percent; in March, 7.93 percent; in April to 7.50 percent; and in the current month of May 1975, it has fallen to 7.25 percent.

At a time when interest rates are falling, I think that it is very crucial that we do not do anything to increase interest rates in any area or spectrum of the economy. Mr. Speaker, I oppose the passage of this bill.

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

Mr. VROON. Mr. Speaker, I rise to refute what Mr. Schmitt was just talking about. The lowering of the interest rate has nothing to do with the merits of this bill. This bill is only going to place a higher maximum on interest rates to make it possible for more money to be allocated for the financing of automobiles.

The marketplace will set the actual rate of interest. What we are trying to do here is to give a free chance to the marketplace to set its own level. This is certainly a step in the wrong direction, to try to retain a level which is unrealistic. Actually, when the marketplace operates the way it should, a lot of people will be able to finance their automobiles at less than 6 percent in certain instances. We are not fixing the rate; we are trying to take off an unrealistic ceiling.

There is one other very important matter that I think the members of this House ought to consider very seriously. We are dealing with automobiles here and we are dealing with a major industry in our economy. As you all know, the sale of automobiles has fallen off drastically. This has resulted in the layoff of a large number of our people. We want automobiles to come back, and anything that we do to hinder the resurgence of the automobile industry is a step in the wrong direction. Let us give it a good shot in the arm, and let us pass this bill.

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

Mr. SALOOM. Mr. Speaker, I stand here to oppose House bill No. 210 also. Certain legislation such as this and almost identical to it passed the House and the Senate in the last session, and the Governor saw, in his wisdom at that time, to veto the same type of legislation. Of course, last fall the money was much tighter than it is today.

Last night as I was watching the news in Western Pennsylvania, an ad came on from one of the banks, one

of the larger banks, in western Pennsylvania, advertising for automobile loans. I believe this bill will add to the consumer price of automobiles and I believe that House bill No. 210 should be defeated.

Thank you.

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

Mr. BURNS. Mr. Speaker, I would like to rise in opposition to this bill. I would like to remind the members of the House that a 7-percent interest rate really means 21 percent. I contend that if the banks get this kind of money for interest on automobiles, that is that much more out of the home-building industry that is hurting so badly now.

I also contend that the reason that the people are not buying cars is not that they cannot get financing; it is because they are holding back because of the unemployment and the other situations that are affecting us today, not because of financing. I am sure the automobile dealers can finance anything for anyone who wants to buy. I urge a "no" vote on this bill.

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

Mr. SCHMITT. Mr. Speaker, in reply to Mr. Vroon's statement and to refute it, is it not incongruous that at a time when the automobile manufacturers are offering rebates to induce people to buy automobiles, at the same time we should be raising the interest rates which would deter that man from buying that automobile? It makes good sense that if they are in a position to rebate money at this time on the purchase of a new automobile, we certainly should not be encouraging an increase in the interest rate which makes the car more expensive. I oppose the bill.

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

Mr. TRELLO. Mr. Speaker, I would like to remind the members of this House that any car that is 2 years old has been charged an interest rate of 9 percent for the past 15 years. Any car that is 2 years old or older has been charged 12 percent for the last 15 years. I think this act here saying 7 percent does not mean that they are going to charge 7 percent. That is a "may" bill, saying that they are allowed to charge 7 percent. But nobody is rising in opposition to the 9 percent and the 12 percent, and I think this is a good bill to loosen up some money for the automobile industry. I urge them to support it.

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

Mr. VROON. Mr. Speaker, I think it is very necessary to clarify one point here. We are talking about a 7-percent finance charge; we are not talking about an interest charge. This comes out to a true interest, not of 21 percent, as my colleague just stated, but an interest rate, true interest, of something like 12.83. That is very important. This is a matter of fact, not a matter of opinion.

Secondly, it is very important to realize that this rate has not been changed since 1945. This is an old-fashioned way of trying to contain the rate. A lot of things have happened in our economy since that time.

If you retain this rate of 6 percent, you are going to stifle the sale of automobiles, because money will not flow into that area to enable people to buy and finance their cars.

This is very important, a step in the right direction, a progressive step. Do we want a comeback in our economy or do we not? Do we want people to come back and work in our automobile plants or do we not?

I think it is about time that we look at things realistically and start giving our economy a shot in the arm.

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

Mr. ITKIN. Mr. Speaker, I rise here today to oppose this piece of legislation. I remember when this legislation came before us in the last session and I think I may have voted for the bill. If I did, I voted because at that time the prime rate was so high that there was some legitimacy to the argument that in order to get financing for new motor vehicles, this would be necessary. Today we find that the prime rate has decreased some 4 to 5 percent, giving enough differential so that there should be sufficient moneys available for new-car financing.

I would like to point out that this change applies only to new cars under \$10,000, and what the bill would do would be to increase the add-on from 6 to 7 percent. In terms of simple interest, that is from 12 to 14 percent. So what we would be doing by this bill would be increasing the differential from something like 4 percent to something in excess of 6 percent over and above the prime rate.

With the high price of new automobiles today, it is having a deleterious effect on the dealers to get rid of their cars. It is hurting the steel industry. It is hurting the auto industry. People are being placed on unemployment. If you contribute to this by increasing the finance rates, added to the fact of the high increase in the cost of new cars today, you are going to compound the felony. You are just going to make the economic situation worse. I do not think it is needed at this time and, therefore, I oppose the bill.

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, I rise in opposition to House bill No. 210. In October of 1974 when we passed a piece of legislation which would do exactly what this bill purports to do—to raise the add-on interest rate on new automobiles from a 6-percent add-on to a 7-percent add-on—the advocates of that legislation at that time pointed out, and very purposefully pointed out, that the prime rate at that time had reached the 11-percent level so that the persons seeking financing for new cars could not attract to that market the money necessary to do the financing, and it was a very valid argument.

But as Mr. Schmitt has pointed out, since that time, since October of 1974 when the prime rate was 11.68, it has continuously dropped. It dropped in November of 1974 to 10.83; in January of 1975 it was 10.05; in February it was 8.96; in March it was 7.93; in April it was 7.50; and for May, although the final rate is not in yet, it would appear that the figure is going to be about 7.5. Now the valid argument that existed in October of 1974 does not exist today. There is no problem financing new automobiles at a 6-percent add-on rate.

Now you can say that money and the cost of money will achieve its own level or its own rate so far as finance charge or an interest rate is concerned dependent upon the market conditions; you can say that, but it just is not entirely true.

If any of you have purchased products at the local service station and you would look at the receipt that you get, on the back of that receipt they will have listed the finance charge that you pay on that particular item in the various states. And on the same credit card you could pay an interest rate of anywhere from 10 percent to 18 percent, depending upon what that particular state law says the interest rate will be. And you pay that interest rate.

Now that is not necessarily to say the same thing would happen in the automobile market. But we have chosen in Pennsylvania—and I think with good advice and good reason—we have chosen to put a ceiling on the add-on interest rate that can be charged when an individual purchases a new car on credit.

Now you can argue that we should have no ceiling, but I think that we should have a ceiling to protect those people who would be charged in excess of what the competitive rate should be. We have made that decision and we have used, since 1945 or 1948, the 6-percent add-on. Now there is no reason to change that 6-percent add-on unless there is a problem that there is not enough difference between the prime rate and the money that the automobile dealers can attract to finance new automobiles. And that just is not the case today.

The prime rate is down to 7 percent. There is a sufficient spread between that and the true interest of about 12 percent that they are able to charge on new cars, which is equivalent to the 6-percent add-on. There is absolutely no reason, although there might have been in October of 1974, to pass this kind of legislation today in June of 1975.

The facts that warranted the arguments that were made in favor of the 7-percent add-on last year just do not exist today. And to allow the 7-percent add-on is really just to allow some person to have to pay that kind of an interest rate—because some will pay that kind of interest rate and millions and millions of dollars are going to be taken out of the consumers' pockets unnecessarily—because we deemed that we should change that 6-percent add-on, without sufficient reason. I oppose House bill No. 210.

The SPEAKER. The Chair recognizes the gentleman from Mercer, Mr. Bennett.

Mr. BENNETT. Mr. Speaker, I have waited, hopefully, to be the last speaker on this particular bill.

The SPEAKER. Does the gentleman desire to yield?  
Mr. BENNETT. Yes, if there are other speakers.

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

Mr. VROON. Back to the subject of prime rates: In the first place, the movement of the prime rate is irrelevant here because this rate has been fixed at 6 percent and not changed since 1945, and the prime rate has varied up and down several times since that time.

Secondly, the prime rate has this kind of effect on the market: When the prime rate goes down, it means money is a lot more plentiful. When the prime rate goes up, money is more scarce. With the prime rate going

down, there is a lot of money available and, hence, there will be a lot of money being lent to people at 6 percent or less.

The free movement of the market will constrain people from charging the full 7 percent. The 7 percent is only a ceiling. Actually, these rates will be fixed at the marketplace of money. This is tied to prime rates to some extent, but it reflects how much money is available, and when more money is available, less money will be charged for automobile financing.

This is not dictating a 7-percent rate by any means. This is only making it possible for people who would like to have an automobile and who need to pay 7 percent and would rather pay 7 percent for an automobile than not have it at all. That is really what it amounts to, and I strongly urge that we be realistic and look very hard at what the marketplace really is like.

One more fact about the marketplace of money and the interest charges: There is going to be a very large deficit in the Federal budget in this year. We are going to have to be financing something like \$70 billion worth of new debts, and this is going to have a tendency to drive interest rates up again. And here again, if you are not realistic and give enough elbow room in here for the charging of an appropriate marketplace rate of interest, people are going to be hurt in the purchase of automobiles and the automobile industry will be hurt, too.

The SPEAKER. The Chair recognizes the gentleman from Tioga, Mr. Spencer.

Mr. SPENCER. Just a couple brief remarks. No. 1: I think Mr. Manderino made a good case for raising the interest rates on financing automobiles to 7 percent. He talked about the fluctuating rates and prime; that is exactly what should be done with financing of cars. Unfortunately, that bill is not before us, but we have a second best bill, and that is, to take off the handcuffs that were placed on financial institutions in 1945 limiting them to 6 percent add-on. They should have some degree of variance in there, and 1 percent more is not too much.

Therefore, I urge all of you to vote for this bill, and for one other added reason, to echo what was said by my predecessor, Mr. Speaker, that July 1 the Federal Government is going on the marketplace to purchase \$60 billion worth of bonds. This money, according to the experts in the economy field, feel that by the end of the year this will drive interest rates up as high as 15 percent.

Now we should not again keep our auto industry shackled and handcuffed to 6 percent, and I urge all my colleagues to vote in favor of this bill.

The SPEAKER. The Chair recognizes the gentleman from Mercer, Mr. Bennett.

Mr. BENNETT. Mr. Speaker, although I am not a sponsor of this bill, I am the chairman of the committee from which it came. There was a lot of talk in committee on the pros and cons of it. I think, Mr. Speaker, that many of us on the floor of this House are reluctant to vote for increases, whether it be in the budget or in finance charges or whatever, but, Mr. Speaker, I am convinced that Mr. Vroon and Mr. Spencer have made good arguments in favor of this bill.

For whatever it is worth, the person who mentioned that the bill was vetoed in the last session, that is true, and for whatever it is worth, I spoke with the front

office and they have indicated that the bill will not be vetoed in this session if it passes the House and the Senate. Obviously, the bill has not been changed since 1945. It is time for a change, and I will ask all the members of the House to vote in favor of House bill No. 210.

**STUDENTS WELCOMED**

The SPEAKER. The Chair is pleased to welcome to the hall of the House the senior state government class of Palmerton High School.

They are here as the guests of the gentleman from Carbon, Mr. McCall.

**FOURTH-GRADE STUDENTS WELCOMED**

The SPEAKER. We also have a group of 44 fourth-grade students from Indian Rock School in York County, Pennsylvania. They are here with their teachers, Mrs. Lehner and Mrs. Pottorff.

They are the guests of the gentleman from York, Mr. Lehr and Mr. Anderson.

**ANNOUNCEMENT**

The SPEAKER. Now the Chair would like to advise the members of the House as to the course of action to be followed until the call of the recess.

The voting machine is temporarily in a state of disrepair, and we are waiting for the repair of the machine before we take the vote on House bill No. 210. During the interim the House will be entertained by a singing group which I want to introduce at this time. Immediately after the singing group has concluded its presentation, we will vote on House bill No. 210, and then the majority leader will announce the call of a recess an hour later in the day.

**PRESENTATION BY "THE NEW APPROACH"**

The SPEAKER. The group that is going to entertain the membership of the House is called The New Approach. This is a singing group comprised of young people whose ages range from 11 to 28 years. They were organized 11 years ago in Northampton County. This group has held many benefit shows to assist worthy causes.

In 1970, one of its members, Tim Caracio, unhappily passed away from cancer while he was a student at the University of Pittsburgh. As a tribute to this young man, The New Approach has held an annual show for the benefit of cancer research at Pitt's Presbyterian Hospital. More than \$15,000 has been raised to date and given for that cause.

The group is under the direction of Mrs. Jean Pinto, and the group and members are the guests of the gentleman from Northampton, Mr. Ruggiero.

I would hope that the House would welcome these people enthusiastically at this time.

(A musical program was presented)

**WELCOME**

The SPEAKER. At this time let me also welcome a group of women from the Pennsylvania Federation of Democratic Women from Allegheny county. They in-

clude Alice Joyce, Dorothy Snyder, Mary Dwulit, Ruth Ofcansky, Vi Cain, Gaby Toth, Margaret Polosky and Mary G. DeGrazia.

**HOUSE BILL No. 210 VOTED**

The SPEAKER. The Chair now returns to the calendar and calls up House bill No. 210 for a vote. All members present will proceed to vote.

On the question recurring,  
Shall the bill pass finally?

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

**YEAS—84**

Anderson, J. H.	Gleason	McClatchy	Scirica
Arthurs	Goodman	McGinnis	Seltzer
Bennett	Grieco	Morris	Sirianni
Beren	Gring	Musto	Smith, E.
Bittle	Halverson	Noye	Smith, L.
Brandt	Haskell	O'Connell	Spencer
Brunner	Hayes, D. S.	O'Donnell	Stout
Butera	Hepford	Pancoast	Thomas
Cessar	Hill	Parker, H. S.	Turner
Cimini	Hopkins	Pitts	Ustynoski
Crawford	Hutchinson, W.	Polite	Vron
Davies	Kelly, J. B.	Pratt	Wagner
DeMedio	Knepper	Prendergast	Weidner
Dorr	Kowalyszyn	Pyles	Westerberg
Dreibelbis	Kusse	Rappaport	Whelan
Englehart	LaMarca	Renninger	Whittlesey
Fisher	Laudadio	Renwick	Wilt, R. W.
Foster, A.	Lehr	Ritter	Wilt, W. W.
Foster, W.	Letterman	Ryan	Yahner
Geesey	Lynch	Salvatore	Yohn
Gillespie	Manmiller	Scheaffer	Zwikl

**NAYS—83**

Berlin	Gillette	Menhorn	Schmitt
Bonetto	Green	Milanovich	Schweder
Bradley	Greenfield	Miller, M. E.	Shane
Burns	Hamilton, J. H.	Miller, M. E., Jr.	Shelhamer
Caputo	Hasay	Milliron	Shuman
Cole	Hayes, S. E.	Miscevich	Shupnik
Cowell	Irvis	Moehlmann	Stapleton
Cumberland	Itkin	Mrkonje	Taddonio
Davis, D. M.	Katz	Mullen, M. P.	Taylor
Deverter	Kelly, A. P.	Mullen	Tayoun
Dicarlo	Kernick	Myers	Toll
Dietz	Kistler	Novak	Trello
Dombrowski	Klingaman	O'Brien	Wansacz
Doyle	Kolter	O'Keefe	Wargo
Eckensberger	Laughlin	Oliver	Wilson
Fischer	Lederer	Perri	Wright
Flaherty	Levi	Perry	Zeller
Fryer	Lincoln	Petrarca	Zord
Gallagher	Manderino	Reed	
Garzia	McCall	Romanelli	Fineman, Speaker
Geisler	McLane	Saloom	

**NOT VOTING—36**

Abraham	Fee	McIntyre	Stahl
Barber	Gallen	Mebus	Sullivan
Bellomini	Giammarco	Pievsky	Sweeney
Berson	Gleason	Rhodes	Valicenti
Blackwell	Hammock	Richardson	Vann
Cohen	Hutchinson, A.	Rieger	Walsh, T. P.
DiDonato	Johnson, J.	Ross	Wojdak
Dininni	McCue	Ruggiero	Worrlow
Fawcett	McGraw	Shelton	Zearfoss

Less than the majority required by the constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

**RECESS**

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

**AFTER RECESS**

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

**THE SPEAKER (Herbert Fineman)  
IN THE CHAIR****RECONSIDERATION OF VOTE ON  
HOUSE BILL No. 210**

Mr VROON moved that the vote by which **HOUSE BILL No. 210**, printer's No. 233, entitled:

An Act amending the "Motor Vehicle Sales Finance Act," approved June 28, 1947 (P. L. 1110, No. 476), further providing for finance charges for certain motor vehicles.

was defeated on final passage on Tuesday, June 3, 1975, be reconsidered.

Mr. W. W. WILT seconded the motion.

On the question,

Will the House agree to the motion?

Motion was agreed to.

On the question recurring,

Shall the bill pass finally?

**BILL PLACED ON FINAL PASSAGE  
POSTPONED CALENDAR**

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

Mr. VROON. Mr. Speaker, I move that House bill No. 210 be placed on the final passage postponed calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

The SPEAKER. The bill will be placed on the final passage postponed calendar.

**QUESTION OF PERSONAL PRIVILEGE**

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

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

The SPEAKER. The gentleman will state it.

Mr. RUGGIERO. Mr. Speaker, this morning when the vote was taken on the Shane amendment to Senate bill No. 235, I was out of my seat coordinating the program which was presented this morning. I would like to have my vote recorded in the affirmative.

Also, on House bill No. 210, I would like to be recorded as voting in the affirmative.

Thank you.

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

**ANNOUNCEMENT BY SPEAKER**

The SPEAKER. An announcement for the members of this House. This announcement is from Representative Berlin:

I would appreciate your reminding all House Members

that a special class in cardiopulmonary resuscitation training will be made available to members and staff on June 17 and June 18. Those interested members may gain admittance by calling Mr. William Dethlefs at 787-8741. Everyone is urged to attend since this training is a critical part of the new emergency medical services plan being developed for the Capitol complex.

**CALENDAR****LIQUOR BILL  
ON THIRD CONSIDERATION**

Agreeable to order,

The House proceeded to third consideration of **House bill No. 527**, printer's No. 581, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), further regulating the transfer of a license.

On the question,

Will the House agree to the bill on third consideration?

**MOTION TO RECOMMIT**

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

Mr. CAPUTO. Mr. Speaker, I move that House bill No. 527 be recommitted to the Committee on Liquor Control.

On the question,

Will the House agree to the motion?

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

Mrs. TOLL. I would like the House to object to that motion, Mr. Speaker.

**BILL PASSED OVER TEMPORARILY**

There being no objection, **HOUSE BILL No. 527**, printer's No. 581, was passed over temporarily at the request of the SPEAKER.

**TAX BILLS ON THIRD CONSIDERATION**

Agreeable to order,

The House proceeded to third consideration of **House bill No. 720**, printer's No. 817, entitled:

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.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

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

YEAS—177

Abraham	George	McIntyre	Schweder
Anderson, J. H.	Gillespie	McLane	Scirica

Arthurs	Gillette	McGraw	Seltzer
Barber	Gleason	Menhorn	Shane
Bennett	Goodman	Miller, M. E.	Shelhamer
Beren	Green	Miller, M. E., Jr.	Shuman
Berlin	Greenfield	Milliron	Shupnik
Blackwell	Grieco	Moehlmann	Sirianni
Bonetto	Gring	Morris	Smith, E.
Bradley	Halverson	Mrkonie	Smith, L.
Brandt	Hamilton, J. H.	Mullen, M. P.	Spencer
Brunner	Hasay	Musto	Stahl
Burns	Haskell	Myers	Stapleton
Butera	Hayes, D. S.	Novak	Stout
Caputo	Hayes, S. E.	Noye	Taddonio
Cessar	Hepford	O'Ericn	Taylor
Cimini	Hill	O'Connell	Tayoun
Cole	Hopkins	O'Donnell	Thomas
Cowell	Hutchinson, A.	O'Keefe	Toll
Crawford	Hutchinson, W.	Oliver	Trello
Cumberland	Irvis	Pancoast	Turner
Davies	Itkin	Parker, H. S.	Ustynoski
Davis, D. M.	Johnson, J.	Perri	Vann
DeMedio	Katz	Perry	Vroon
Deverter	Kelly, A. P.	Petrarca	Wagner
Dicarlo	Kelly, J. B.	Pievsky	Walsh, T. P.
DiDonato	Kistler	Pitts	Wansacz
Dietz	Klingaman	Polite	Wargo
Dombrowski	Knepper	Pratt	Weidner
Dorr	Kolter	Pyles	Westerberg
Doyle	Kowalyszyn	Rappaport	Whelan
Dreibelbis	Kusse	Reed	Whittlesey
Eckensberger	LaMarca	Renninger	Wilson
Englehart	Laudadio	Renwick	Wilt, W. W.
Fischer	Lederer	Richardson	Wojdak
Fisher	Lehr	Rieger	Wright
Flaherty	Levi	Ritter	Yahner
Foster, A.	Lincoln	Romanelli	Yohn
Foster, W.	Lynch	Ross	Zeller
Fryer	Manderino	Ruggiero	Zord
Gallagher	Manmiller	Ryan	Zwinkl
Gallen	McCall	Saloom	
Garzia	McClatchy	Salvatore	Fineman,
Geesey	McCue	Schaeffer	Speaker
Geisler	McGinnis	Schmitt	

NAYS—2

Fee Wilt, R. W.

NOT VOTING—24

Bellomini	Giammarco	Mebus	Shelton
Berson	Gleason	Milanovich	Sullivan
Bittle	Hammock	Miscevich	Sweeney
Cohen	Kernick	Mullen	Valicenti
Dininni	Laughlin	Prendergast	WorriLOW
Fawcett	Letterman	Rhodes	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.

Agreeable to order,

The House proceeded to third consideration of Senate bill No. 34, printer's No. 34, entitled:

An Act amending the act of June 25, 1919 (P. L. 581, No. 274), entitled "An act for the better government of cities of the first class of this Commonwealth," further providing for the negotiation of temporary loans.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—186

Abraham	Gillespie	McGraw	Schmitt
Anderson, J. H.	Gillette	McIntyre	Schweder

Arthurs	Gleason	McLane	Scirica
Bellomini	Gleason	Menhorn	Seltzer
Bennett	Goodman	Milanovich	Shane
Beren	Green	Miller, M. E.	Shelhamer
Berlin	Greenfield	Miller, M. E., Jr.	Shuman
Bittle	Grieco	Milliron	Shupnik
Bonetto	Gring	Miscevich	Sirianni
Bradley	Halverson	Moehlmann	Smith, E.
Brandt	Hamilton, J. H.	Morris	Smith, L.
Brunner	Hasay	Mrkonie	Spencer
Burns	Haskell	Mullen	Stahl
Butera	Hayes, D. S.	Mullen, M. P.	Stapleton
Caputo	Hayes, S. E.	Musto	Stout
Cessar	Hepford	Myers	Taddonio
Cimini	Hill	Novak	Taylor
Cole	Hopkins	Noye	Tayoun
Cowell	Hutchinson, A.	O'Ericn	Thomas
Crawford	Hutchinson, W.	O'Connell	Toll
Cumberland	Irvis	O'Donnell	Trello
Davies	Itkin	O'Keefe	Turner
Davis, D. M.	Johnson, J.	Oliver	Ustynoski
DeMedio	Katz	Pancoast	Valicenti
Deverter	Kelly, A. P.	Parker, H. S.	Vann
Dicarlo	Keily, J. B.	Perry	Vroon
DiDonato	Kernick	Petrarca	Wagner
Dietz	Kistler	Pievsky	Walsh, T. P.
Dombrowski	Klingaman	Pitts	Wansacz
Dorr	Knepper	Polite	Wargo
Doyle	Kolter	Pratt	Weidner
Dreibelbis	Kowalyszyn	Prendergast	Westerberg
Eckensberger	Kusse	Pyles	Whelan
Englehart	LaMarca	Rappaport	Whittlesey
Fee	Laudadio	Reed	Wilson
Fischer	Laughlin	Renninger	Wilt, R. W.
Fisher	Lederer	Renwick	Wilt, W. W.
Flaherty	Lehr	Richardson	Wojdak
Foster, A.	Letterman	Rieger	Wright
Foster, W.	Levi	Ritter	Yahner
Fryer	Lincoln	Romanelli	Yohn
Gallagher	Lynch	Ross	Zeller
Gallen	Manderino	Ruggiero	Zord
Garzia	Manmiller	Ryan	Zwinkl
Geesey	McCall	Saloom	
Geisler	McClatchy	Salvatore	Fineman,
George	McGinnis	Schaeffer	Speaker

NAYS—1

McCue

NOT VOTING—16

Barber	Dininni	Mebus	Sullivan
Berson	Fawcett	Perri	Sweeney
Blackwell	Giammarco	Rhodes	WorriLOW
Cohen	Hammock	Shelton	Zearfoss

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

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

JUDICIARY BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 749, printer's No. 847, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes relating to breach of privacy of telephone communications.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—186

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

NAYS—0

NOT VOTING—17

Berson	Giammarco	Mebus	Sweeney
Cohen	Grieco	Prendergast	Trello
Dininni	Hammock	Shelton	Worriflow
Fawcett	Manderino	Sullivan	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.

**TRANSPORTATION BILL  
ON THIRD CONSIDERATION**

Agreeable to order,

The House proceeded to third consideration of House bill No. 735, printer's No. 833, entitled:

An Act amending the "Township State Highway Law," approved June 22, 1931 (P. L. 594, No. 203), changing a route in Hanover Township, Northampton County.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—189

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

NAYS—0

NOT VOTING—14

Berson	Hammock	Prendergast	Toll
Dininni	Knepper	Shelton	Worriflow
Fawcett	McIntyre	Sweeney	Zearfoss
Giammarco	Mebus		

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.

**CONSIDERATION OF HOUSE BILL No. 527  
RESUMED**

The SPEAKER. The gentleman, Mr. Caputo, has moved that House bill No. 527 be recommitted to the Committee on Liquor Control. The lady, Mrs. Toll, has opposed the motion.

Does anyone desire to be further recognized?

The Chair recognizes the gentleman from Philadelphia, Mr. O'Donnell.

Mr. O'DONNELL. Mr. Speaker, on the motion to recommit, I would urge the House to vote against the motion.

The bill provides for a hearing on license transfers from person to person. This is a matter of some substance in our neighborhood. We feel that the people in our community should have a right to be heard on the sub-

ject of whether or not that transfer should take place. It can change the character of the bar and affect the character of the neighborhood. This is a matter of some concern to us. I would ask the House to vote against the motion to recommit.

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

Mr. ZELLER. Mr. Speaker, I echo the same sentiments. As a matter of fact, I saw it happen in my own area. A transfer of a license brought an organization in that no one could live with. As a mayor of a community, I can tell you from experience it is horrible. So let us have some control over these individuals.

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

Mrs. TOLL. I appreciate the efforts of the other members who spoke against the recommittal motion.

I just want to add that the only reason I introduced this bill was at the request of community and civic groups in my district who had problems resulting from the present regulations under the Liquor Code. That is the only reason I have introduced this bill. I would like to have the members support me in opposing this motion for recommittal.

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

Mr. CAPUTO. Mr. Speaker, if this amendment were adopted, the privilege or the right to transfer an existing business to some other individual would be seriously jeopardized. Anyone who is presently the owner of a licensed establishment, a bar, would be unable to make a deal to sell it because of the condition that people in the neighborhood might object to the new owner.

Under existing law, they cannot object to an existing restaurant business. Even if this amendment were adopted, there is nothing in the code that would permit such persons to object to a person-to-person transfer. Now I am not talking about a new bar going into a neighborhood. I believe, in such instances, the people of that neighborhood have a right to protest the creation or moving of a bar into their neighborhood. We already have that in the law. Notices must be posted in such instances.

However, where there is an existing restaurant and some other person wants to buy that existing restaurant, the Liquor Control Board under our present law is bound to look into the character and reputation of the purchasing individual. They need not transfer to some person—in fact, they cannot transfer to some person—who is disreputable or if he has any kind of a record if he wants to buy a bar. If he does not have a good reputation, they cannot transfer.

Now assume for the purpose of argument that the people in the neighborhood wanted to object to an individual who was buying an existing business. Now remember, I am talking about an existing business. They could come in for personal reasons and object. There would then have to be a hearing which costs the taxpayers money, and, despite their objections, if the board, in their opinion, felt that such a person who wanted to buy that business was reputable, they could still transfer it despite the objections of the people in the neighborhood.

Now nothing in this amendment or nothing in the bill before this House would give the persons objecting to a person-to-person transfer the right to go to court or take an appeal from the action of the Liquor Board.

I say that it is a bill that should not be considered without further amendments. If this bill were amended to provide that a person aggrieved by the action of the liquor board in permitting a person-to-person transfer could go to court and have his grievance adjudicated by the court, there might be some merit to this legislation. But merely to permit people to come in and object to a person-to-person transfer without giving them any further right of appeal or objection in the court is, in my opinion, a waste of time, effort and money to adopt the bill as is.

That is why I moved that the bill be sent back to the Liquor Control Committee for further study and possible further amendments to make it a good bill. I ask everyone to support the motion to recommit.

The SPEAKER. In the absence of any objection to the remarks of the gentleman, the Chair extended the widest latitude to the gentleman, in spite of the fact that we are on a motion for recommittal. The Chair will not entertain any further debate at this time on anything other than the motion for recommittal.

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

Mr. COHEN. Mr. Speaker, I just want to correct something that Mr. Caputo said.

The SPEAKER. The gentleman is not in order.

The gentleman will confine his remarks to the matter of recommittal.

The Chair recognizes the gentleman from Philadelphia, Mr. O'Donnell.

Mr. O'DONNELL. I appreciate the latitude the Chair has afforded this matter.

On the motion to recommit, I think it is important that the members of this House, those of us who feel that the community should have control over the things that affect its life and those of us who do not, should have an opportunity to debate the merits of that issue and vote it. It should be presented to the members of this House as it has been in this bill. Therefore, let us get a vote on it and see who stands where. Thank you.

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

Mr. RENNINGER. I support Mrs. Toll's position that the bill not be recommitted, Mr. Speaker.

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

The yeas and nays were required by Messrs. CAPUTO and O'DONNELL and were as follows:

## YEAS—40

Abraham	George	McLane	Rcnwick
Bellomini	Gleason	Menhorn	Romanelli
Bonetto	Gleeson	Milliron	Saloom
Brandt	Hasay	Miscevich	Salvatore
Brunner	Hill	Mrkonic	Trello
Caputo	Hutchinson, A.	Mullen	Valicenti
Dombrowski	LaMarca	Novak	Wansacz
Englehart	Laudadio	Perri	Wargo
Fisher	Laughlin	Petrarca	Whelan
Geisler	McGraw	Prendergast	Yahner



NAYS—152

Anderson, J. H.	Giilette	Mebus	Shane
Arthurs	Goodman	Milanovich	Shelhamer
Barber	Green	Miller, M. E.	Shuman
Bennett	Greenfield	Miller, M. E., Jr.	Shupnik
Beren	Grieco	Moehlmann	Sirianni
Berlin	Gring	Morris	Smith, E.
Bittle	Halverson	Mullen, M. P.	Smith, L.
Blackwell	Hamilton, J. H.	Musto	Spencer
Bradley	Haskell	Myers	Stahl
Burns	Hayes, D. S.	Noye	Stapleton
Butera	Hayes, S. E.	O'Brien	Stout
Cessar	Hepford	O'Connell	Sullivan
Cimini	Hopkins	O'Donnell	Taddonio
Cohen	Hutchinson, W.	O'Keefe	Taylor
Cole	Irvis	Oliver	Tayoun
Cowell	Johnson, J.	Pancoast	Thomas
Crawford	Katz	Parker, H. S.	Toll
Cumberland	Kelly, A. P.	Perry	Turner
Davies	Kelly, J. B.	Pievsky	Ustynoski
DeMedio	Kernick	Pitts	Vann
Deverter	Kistler	Polite	Vroon
Dicarlo	Klingaman	Pratt	Wagner
DiDonato	Hopkins	Pyles	Walsh, T. P.
Dietz	Kolter	Rappaport	Weidner
Dorr	Kowalyszyn	Reed	Westerberg
Doyle	Kusse	Renninger	Whittlesey
Dreibelbis	Lederer	Rhodes	Wilson
Eckensberger	Lehr	Richardson	Wilt, R. W.
Fee	Letterman	Rieger	Wilt, W. W.
Fischer	Levi	Ritter	Wojdak
Flaherty	Lincoln	Ross	Wright
Foster, A.	Lynch	Ruggiero	Yohn
Foster, W.	Manderino	Ryan	Zeller
Fryer	Manmiller	Scheaffer	Zord
Gallagher	McCall	Schmitt	Zwinkl
Gallen	McClatchy	Schweder	
Garzia	McCue	Scirica	Fineman,
Geesey	McGinnis	Seltzer	Speaker
Gillespie	McIntyre		

NOT VOTING—11

Berson	Fawcett	Itkin	Worriiow
Davis, D. M.	Giammarco	Shelton	Zearfoss
Dininni	Hammock	Sweeney	

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

STATEMENT ON HOUSE BILL No. 527

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

Mr. LETTERMAN. Mr. Speaker, I said before that I had an amendment to House bill No. 527. It is being prepared to be handed out to the members.

HOUSE BILL No. 527 PASSED OVER

The SPEAKER. The bill will be passed over.

TRANSPORTATION BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of Senate bill No. 313, printer's No. 314, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—192

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

NAYS—1

Haskell

NOT VOTING—10

Davis, D. M.	Giammarco	Shelton	Wilt, W. W.
Dininni	Hammock	Sweeney	Worriiow
Fawcett	Saloom		

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

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. W. W. WILT. Mr. Speaker, could I be recorded in the affirmative, please, on Senate bill No. 313, printer's No. 314?

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

Mr. W. W. WILT. Thank you, Mr. Speaker.

GAME AND FISHERIES BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 969, printer's No. 1107, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), further regulating damage done by hunters.

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 differnt days and agreed to and is now on final passage. The question is, shall the bill pass finally?

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

YEAS—195

Table listing names of members who voted 'YEAS' for the Game and Fisheries Bill. 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, Dicarlo, DiDonato, Dietz, Dombrowski, Dorr, Doyle, Dreibelbs, Eckensberger, Englehart, Fee, Fischer, Fisher, Flaherty, Foster, A., Foster, W., Fryer, Gallagher, Gallen, Garzia, Geesey, Geisler, George, Gillespie, Gillette, Gleason, Gleeson, Goodman, Green, Greenfield, Gring, Halverson, Hamilton, J. H., Hasay, Haskell, Hayes, D. S., Hayes, S. E., Hepford, Hill, Hopkins, Hutchinson, A., Hutchinson, W., Irvis, Itkin, Johnson, J., Katz, Kelly, A. P., Kelly, J. B., Kernick, Kistler, Klingaman, Knepper, Kolter, Kowalyszyn, Kusse, LaMarca, Laudadio, Laughlin, Lederer, Lehr, Letterman, Levi, Lincoln, Lynch, Manderino, Manmiller, McCall, McClatchy, McCue, McGinnis, McGraw, McIntyre, McLane, Menhorn, Milanovich, Miller, M. E., Miller, M. E., Jr., Milliron, Miscevich, Moehlmann, Morris, Mrkonic, Mullen, M. P., Mullen, Musto, Myers, Novak, Noye, O'Brien, O'Connell, 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, 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, Wright, Yahner, Yohn, Zearfoss, Zeller, Zord, Zwinkl, Fineman, Speaker

NAYS—0

NOT VOTING—8

Table listing names of members who did not vote: Dininni, Fawcett, Giammarco, Grieco, Hammock, Mebus, Shelton, WorriLOW

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.

HEALTH AND WELFARE BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 726, printer's No. 823, entitled:

An Act amending the act of July 5, 1957 (P. L. 485, No. 276), entitled "An act for the protection of the public health and welfare and the prevention of fraud and deception in the manufacture or sale of packaged non-alcoholic drinks; \* \* \*," further defining the content of sugar in certain non-alcoholic drinks.

On the question,

Will the House agree to the bill on third consideration?

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

Amend Sec. 1 (Sec. 4), page 2, lines 24 and 25, by striking out "Diet" or "Calorie Reduced." and inserting: as specified in Federal Food and Drug Regulations.

On the question,

Will the House agree to the amendment?

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

Mr. SHELHAMER. Thank you, Mr. Speaker.

The amendments that I am offering to House bill No. 726 today would allow some drinks that would have come under the provisions of House bill No. 726 to be required to be labeled as "diet or calorie reduced drinks." The amendments that I would have placed in the bill today place that upon a Federal standard so that any company operating within Pennsylvania would not have to label their beverages differently within Pennsylvania from without. It would then come under Federal regulation. I would suggest that the amendments be accepted.

On the question,

Will the House agree to the amendments?

Amendments were agreed to.

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—195

Table listing names of members who voted 'YEAS' for the Health and Welfare Bill. Includes names like Abraham, Anderson, J. H., Arthurs, Barber, Bellomini, Bennett, Beren, Berlin, Berson, Bittle, Blackwell, Bonetto, Bradley, Brandt, Brunner, Burns, Butera, Caputo, George, Gillespie, Gillette, Gleason, Gleeson, Goodman, Green, Greenfield, Gring, Halverson, Hamilton, J. H., Hasay, Haskell, Hayes, D. S., Hayes, S. E., Hepford, Hill, McGraw, Mischevich, Moehlmann, Morris, Mrkonic, Mullen, M. P., Mullen, Musto, Myers, Novak, Noye, Schweder, Scirica, Seltzer, Shane, Shelhamer, Shuman, Shupnik, Sirianni, Smith, E., Smith, L., Spencer, Stahl, Stapleton, Stout, Sullivan, Sweeney, Taddonio, Taylor

Cessar	Hopkins	O'Brien	Tayoun
Cimini	Hutchinson, A.	O'Connell	Thomas
Cohen	Hutchinson, W.	O'Donnell	Toll
Cole	Irviss	O'Keefe	Trello
Cowell	Itkin	Oliver	Turner
Crawford	Johnson, J.	Pancoast	Ustynoski
Cumberland	Katz	Parker, H. S.	Valicenti
Davies	Kelly, A. P.	Perri	Vann
Davis, D. M.	Kelly, J. B.	Perry	Vroon
DeMedio	Kernick	Petrarca	Wagner
Deverter	Kistler	Pievsky	Walsh, T. P.
Dicarlo	Klingaman	Pitts	Wansacz
DiDonato	Knepper	Polite	Wargo
Dietz	Kolter	Prendergast	Weidner
Dombrowski	Kowalshyn	Pyles	Westerberg
Dorr	Kusse	Rappaport	Whelan
Doyle	LaMarca	Reed	Whittlesey
Dreibelbs	Laudadio	Renninger	Wilson
Eckensberger	Laughlin	Renwick	Wilt, R. W.
Englehart	Lederer	Rhodes	Wilt, W. W.
Fee	Lehr	Richardson	Wojdak
Fischer	Letterman	Rieger	Wright
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	Zwikl
Gallen	McClatchy	Salvatore	
Garzia	McCue	Scheaffer	Fineman,
Geesey	McGinnis	Schmitt	Speaker
Geisler			

NAYS—0

NOT VOTING—8

Dininni	Giammarco	Mebus	Shelton
Fawcett	Hammock	Pratt	Worrilow

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

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

**BILLS ON SECOND CONSIDERATION**

Agreeable to order,  
The House proceeded to second consideration of **House bill No. 344, printer's No. 381**, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey to the Canonsburg-Houston Joint Authority a certain tract of land in Cecil Township, Washington County.

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. 528, printer's No. 1518**, entitled:

An Act amending the "Child Labor Law," approved May 13, 1915 (P. L. 286, No. 177), authorizing the employment of minors as entertainers in certain licensed establishments.

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. 584, printer's No. 653**, entitled:

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

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. 603, printer's No. 1579**, entitled:

An Act authorizing cities, boroughs, townships and incorporated towns to impose by ordinance a tax upon real estate encumbered by junked or abandoned vehicles.

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. 742, printer's No. 1418**, entitled:

An Act amending Title 15 (Corporations and Unincorporated Associations) of the Pennsylvania Consolidated Statutes, permitting fraternal benefit societies to pay certain dividends.

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. 840, printer's No. 943**, entitled:

An Act amending the "Pennsylvania Loyalty Act," approved December 22, 1951 (P. L. 1726, No. 463), requiring the loyalty oath of all applicants for Commonwealth employment.

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. 910, printer's No. 1495**, entitled:

An Act requiring certain institutions to provide instruction in the handling and treatment of victims of rape and adding certain requirements for schools of nursing and candidates for licenses as registered nurses.

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. 925, printer's No. 1058**, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), increasing the penalty for hunting without a nonresident hunter's license.

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. 950, printer's No. 1086**, entitled:

An Act amending the "Pawnbrokers License Act," approved April 6, 1937 (P. L. 200, No. 51), requiring the thumbprint of pledger in certain cases.

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. 951, printer's No. 1496**, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), changing the provisions relating to additional supervisors and providing for a referendum.

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. 968, printer's No. 1106**, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), further regulating the use of recorded calls or sounds or electronically amplified imitations of calls or sounds for use in hunting any wild birds or wild animals.

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. 974, printer's No. 1112**, entitled:

An Act amending the act of September 1, 1965 (P. L. 459, No. 235), entitled "An act requiring that certain buildings and facilities constructed with Commonwealth funds adhere to certain principles; \* \* \*," providing for certain exemptions from enforcement.

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. 1044, printer's No. 1198**, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736, No. 338), further providing for certain provisions relating to the employe's choice of practitioner of the healing arts.

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. 1092, printer's No. 1253**, entitled:

An Act amending the "Surface Mining Conservation and Reclamation Act," approved May 31, 1945 (P. L. 1198, No. 418), requiring the reclamation plan to be filed with the county planning commission.

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. 1104, printer's No. 1265**, entitled:

An Act amending "The Controlled Substance, Drug, Device and Cosmetic Act," approved April 14, 1972 (P. L. 233, No. 64), changing a reference from drug abuser to drug dependent person.

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. 1119, printer's No. 1497**, entitled:

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.

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. 1120, printer's No. 1288**, entitled:

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.

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. 1127, printer's No. 1498**, entitled:

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.

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. 1138, printer's No. 1315**, entitled:

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.

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

Ordered, to be transcribed for third consideration.

### HOUSE RESOLUTION No. 96 ADOPTED

Mr. IRVIS called up **HOUSE RESOLUTION No. 96, printer's No. 1514**, entitled:

Urging proclamation of June 3, 1975, to be designated Garment Workers' Day in honor of the 75th anniversary of the union.

On the question,

Will the House adopt the resolution?

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

(A roll-call vote was taken which indicated 192 yeas and 3 nays, but due to malfunction of the voting machine there was no printout.)

### QUESTIONS OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. PERRY. Mr. Speaker, I would like to be recorded as voting in the affirmative on the following bills: House bills Nos. 70, 97, 408, 453, 504, 516, 713, 723, 855, 856, 857, 994, 1121, and Senate bill No. 235.

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

The Chair recognizes the gentleman from Beaver, Mr. Milanovich. For what purpose does the gentleman rise?

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

The SPEAKER. The gentleman will state it.

Mr. MILANOVICH. Mr. Speaker, I would like to be recorded as voting in the affirmative on House bills Nos. 94 and 527.

The SPEAKER. The gentleman will be so recorded.

### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor, being introduced, presented the following communication in writing from His Excellency, the Governor, which was read:

#### APPROVAL OF HOUSE BILL No. 295

Commonwealth of Pennsylvania  
Governor's Office, Harrisburg

June 2, 1975

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 295, Printer's No. 1155, entitled "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 the organization of such housing authorities; defining their powers and duties; providing for the exercise of such powers, including the acquisition of property by purchase, gift or eminent domain, the renting and selling of property, and including borrowing money, issuing bonds, and other obligations, and giving security therefor; prescribing the remedies of obligees of housing authorities; authorizing housing authorities to enter into agreements, including agreements with the United States, the Commonwealth, and political subdivisions and municipalities thereof; defining the application of zoning, sanitary, and building laws and regulations to projects built or maintained by such housing authorities; exempting the property and securities of such housing authorities from taxation; and imposing duties and conferring powers upon the State Planning Board, and certain other State officers and departments, providing for civil service protection for certain employees of certain housing authorities."

MILTON J. SHAPP  
Governor

### QUESTIONS OF PERSONAL PRIVILEGE

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

Mr. A. C. FOSTER. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. A. C. FOSTER. May I be recorded in the affirmative on House resolution No. 96?

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

Mr. STAHL. May I be recorded in the affirmative on House resolution No. 96?

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

### SENATE MESSAGE

#### SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 54

The clerk of the Senate, being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on Senate bill numbered and entitled as follows:

#### SENATE BILL No. 54

An Act amending the act of December 5, 1936 (1937, P. L. 2897, No. 1), entitled "Unemployment Compensation Law," eliminating the waiting week for unemployment compensation.

#### 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. 54

An Act amending the act of December 5, 1936 (1937, P. L. 2897, No. 1), entitled "Unemployment Compensation Law," eliminating the waiting week for unemployment compensation.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### STATEMENT BY MINORITY LEADER

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Thank you, Mr. Speaker. I would like to address some remarks to the House regarding the budget situation.

We read today in the press that some members of the House are asking us to finally pass a \$4.5-billion budget this week. The main bill, as I understand it, in a package of appropriation bills, is House bill No. 1336 and I believe that bill was just introduced a day or a day and a half ago.

Mr. Speaker, for 5 months this state government has been drifting. It has been presided over by a Governor of many years' experience; a Governor who got exactly what he had asked for in the last election—4 more years and political dominance over both Houses of the legislature.

I have several questions regarding the Governor: First, how is he doing? Is he hard at work? Does he have his priorities straight? Does he have priorities? If so, what are they? Is he dealing openly and above-board with the legislature? And what about the future of state spending and taxation?

On March 4, the Governor introduced his 1975 budget and urged this legislature to meet its immediate responsibilities. One of his remarks that day was, and I

quote, "I prepared a program without a tax increase. It's up to the legislature to decide what kind of budget it wants."

One Democratic leader, Senator Nolan, responded by observing, and I quote, "This is the Governor's recommendation. It was prepared with little, if any, legislative input or counsel." Senator Nolan went unchallenged in his observation.

Now 3 months later, this House has been presented with a massive document which directly or indirectly involves a potential shortage of \$400 million, by the Governor's own admission. The budget document was dropped in the legislative lap, and the Governor took the public position that he had developed a program without a tax increase and suggested that it was up to the legislature not to derail his plan, all of which had been prepared in his own version of secrecy.

It is now June 3, and less than a dozen normal legislative days remain before this fiscal year ends. We have before us a general appropriations bill, or four of them, which are still wet with printer's ink and possibly all sorts of other types of ink. I do not know and you do not know, if you are a member of the House minority or a rank-and-file member of the majority, what is in the bill. We are asked to accept the decisions of the Governor with moderate changes, and we are asked to accept those which have been unchallenged or, if they have been challenged, it has been done so in the inner sanctums of his exclusive political domain.

I now read directly from a document which I sent to all the House members—to the new members, and a copy to all others—on March 6.

Although it places me, in reading this document, in a position of one who says "I told you so," I proceed to give you what was in that document, and, hopefully, you will take it as candid advice. It read as follows:

#### An Open Letter to All New Members:

I am sending this open letter—  
on March 6, 1975, this was—

to new members as a means of passing on my observations about the budget process under which the Commonwealth operates, and to suggest ways in which you can be influential.

The House experience during the past several budget periods has been that we have been forced to deal with budget recommendations prepared in secrecy by Governors. They have been written to guarantee support of the entire budget recommendation by special interest causes which generate lobbying activities within the Legislature. Sometimes, necessary and publicly beneficial funding is deliberately withheld by the Chief Executives. I predict this technique will be used this year. Here's how it works:

Governors present "balanced" budgets which are often marked by deliberately under-estimated revenues. The budgets appear austere, but items are omitted which Governors know the General Assembly will have to write in. Then, the Legislature is blamed for "spending" and the resultant taxes.

Sometimes, Governors "revise" their revenue estimates long after the budget has been introduced—thus "finding" money to meet cost increases. While the Legislature struggles with wrong figures, the Governor suddenly appears as Santa Claus with money in hand.

Some people consider this old political strategy to be clever. I consider it to be less than honest. The Legislature is made to appear incompetent and lacking in responsibility.

The difficulty we face springs from the evils of the budget process itself, rather than the executive political habits which it permits. The hallmark of the existing system is secrecy.

You, as a Legislator, are the last to know what is in a budget during its formulative stage. Others, such as outside politicians, special interest lobbyists, members of the executive and others, are kept fully informed. Lobby alliances are forged step by step, tactics devised on how best to entrap the Legislature, and the often naive press is manipulated through "news leaks" about the mysterious, and yet unborn, Governor's budget.

During recent weeks, for example, private colleges have been "leaked" information about the coming budget and, as a result, stories are now being generated in the press throughout Pennsylvania to the effect that private colleges are in trouble and are going to take their problem to the Legislature. While leaving you in the dark, Governor's tacticians evade responsibility, and stir up lobby forces against you. You will find that this tactic, devised in secrecy, will be used to trigger the entire spectrum of interests receiving state funds.

When the budget arrives, surrounded by a flurry of words about "mandates" and frugality, and a lecture to the Legislature about its responsibility, the ball game is over if Legislators don't go to work with some back-bone. We are going to need it this year.

... others will tell you that the administration's word is gospel on fiscal matters, and that it is the obligation of Legislators to march in lock-step to give Governors what they demand. This isn't so, and we will need enlightened freshmen voting power this year to prove it again.

I skipped on to ask the new members to support budget reform by saying:

I close by bringing to your attention House bills 136 through 138, the budget process reform package, which were passed last session by the House, but killed elsewhere by the Governor. They would modernize, democratize, and strip secrecy from the budget process.

We solicit your informed and conscientious support in getting action on this budget reform package. You will be strengthening your own resources as a public official and will be directly benefiting your constituency by helping us.

I close by asking that you keep an open mind on the Governor's budget which will be sent to us next week; and insist upon full disclosure and candor. Most importantly, beware of administration tactics designed to deceive the public, and to place you in an unfair position.

That is the end of that part of my letter which I quoted.

It is now June 3. The state government is in disorder; it is drifting; it is still operating in the same kind of secrecy; and narrow political interests are being placed above the public interest. I say to you that if the House acquiesces in the default of public service, if we remain indecisive and inoperative and captive of outside forces, we will deserve the wrath and contempt of the people of Pennsylvania.

We now have a gun at our head on the budget matter. If we can take proper time to do a job for both government and taxpayers on the budget, we will be attacked by the Governor and his allies for being without responsibility in meeting the new fiscal year with a budget. If we meet the fiscal-year deadline, we will then be guilty of budgeting in secrecy, by deal, by evasion of our legitimate responsibilities to the people.

Though I am sure that some of the leaders in this House, at least those who have been privileged to share the Governor's confidence and help him to develop his strategy, have all sorts of excuses for the stall on the 1975 Budget, I will view all such excuses with a jaundiced eye.

As I review the pattern of stall and delay, I find it at work in area after area, on major issues, on major bills which are before this legislature. I sent you a brief list last week of several major items as a reminder. Contrast that with the obscure and often inconsequential products which our committees have been wrestling with unproductively. Then transfer that method of operation to the handling of the budget, and you will then know exactly what is going on between here and the office of the Governor.

I close by reminding the members of this House who served last session that Mr. Shapp, 1 year ago and 2 years ago—earlier than June 3—was busy lobbying to get an early resolution to budget matters. He was scurrying around the state making speeches. On each occasion he labeled the then majority of this House—the Republicans—as being dilatory, unresponsive, et cetera. He was busy meeting with civic organizations and encouraged them to form a group, an ad hoc-type committee, known as the June Budget Action Committee. He was leaking stories to the press to stir up opinion, and he was encouraging publishers to spank the legislature. Where is he now?

(Visitors present in balcony and beyond railing interrupted House proceedings.)

The SPEAKER. The House will be at ease until we have some order in the House, and the minority leader will then be able to continue.

The House will be at ease. The Chair requests the members to retain their seats and be at ease.

Will the members please retain their seats?

The Chair would request that we maintain order in the House by the membership of the House.

Members will take their seats, please. Will the members take their seats?

Will the sergeant at arms make certain that everyone behind the rail of the House is seated, please?

The House will continue to remain at ease.

The House will be in order. The members will now take their seats. Will all the members please be seated?

The Chair recognizes the minority leader, who may proceed.

Mr. BUTERA. Thank you, Mr. Speaker.

What I was about to say—

The SPEAKER. Will the members please refrain from conversation on the floor at this time and remain in their seats?

Will the sergeant at arms manage to keep the doors to the House closed?

The minority leader may proceed.

Mr. BUTERA. Mr. Speaker, sometimes people have a way of explaining what I am driving at in a method far better than those of us are accustomed to on the floor of this House or in any legislative body.

The appeal which we just heard is a very valid one. It goes to the heart of the problem facing this country and, indeed, this Commonwealth. And all of the econo-

mists with all of their degrees cannot explain it any better than those of our visitors when they ask for jobs.

Nowhere in the budget which we are going to be asked to consider are there any meaningful proposals which go to that basic problem. Would it not be better that we sit down together early in a legislative session, decide what the top priorities are, debate them, and make meaningful proposals rather than the current system which this particular Governor has seen fit to perpetuate, of dumping a document on our lap with which we have no input and expecting us to rubber-stamp it, and then forcing us, with our backs against the wall, to do just that?

In this particular document, nowhere is the problem of jobs addressed. And where is the Governor? What has he been doing? Why is he so silent this year? What is his game? Where do we fit, or don't we? Where do the people of Pennsylvania fit, or don't they?

I ask, where has the Governor been and what has he been doing? I do not know. Eighty-eight of my colleagues on this side do not know, and it is my guess that 100 or so of the majority members do not know. Since he has seen fit to perpetuate a system which is rotten to the core, I await his response or the response of anybody else who wants to speak for him.

And, finally, at some time in this session I implore not just the new members but I look to them especially, particularly after they are finished having gone through this process, or the mockery of a process, to support us in changing the system by which budgets are formulated so that we do not have to face this prospect next year, the year after, and for the balance of this particular Governor's term.

Thank you, Mr. Speaker, for your courtesy.

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, in brief response to the gentleman, the system that is "rotten to the core," as he describes it, is the system that has been in effect. Governors of his party have presented their budget, balanced as they have balanced the same, to the General Assembly. The General Assembly takes that budget and works with it. This is a system that is mandated by the Constitution of Pennsylvania. The Constitution of Pennsylvania requires the Governor to present a budget to the General Assembly. It requires that that budget be balanced.

The Governor of this Commonwealth, on the 18th day of March, presented to this General Assembly a budget. That budget that was proposed was a balanced budget. It proposed to spend the revenues that were expected to be collected by the Commonwealth in the next fiscal year. The Appropriations Committee of this House has held some 18 days of public hearings regarding that budget.

And you may speak to the past, about a legislature rubber-stamping the Governor's budget, but you are not speaking of the reality of the budget that is introduced into the House of Representatives this day.

The budget that is prepared and in bill form, and which will appear on the calendar, is a budget where every aspect of the document presented to us by the Governor was questioned. There were some \$149 million in cuts made. There were some \$70 million in

spending proposals added that were not in the Governor's budget. The lapsed figures changed; the revenue estimates changed.

This is a budget prepared after the budgetary process that the constitution, the laws of the Commonwealth and the rules of this House provide for. It is not the Governor's budget; it is the budget of the Appropriations Committee and the staff of the Appropriations Committee who have worked diligently to make meaningful changes in the document the Governor proposed.

To stand up and talk about programs for jobs is, in my opinion, hypocritical on the part of the minority leader. This budget recognizes, as best we can recognize within present revenues, the obligations that the Commonwealth has to all of its citizens, whether it be groups such as are demonstrating here today or the group that we will probably have demonstrating next week or persons who do not have the wherewithal to come and demonstrate before the General Assembly. It is a budget that attempts, attempts as best we can, to solve those problems, and it is a budget that the laws of the Commonwealth, the constitution and the rules of this House provide for.

I think that you are unfair to say that the system that is "rotten to the core" is being perpetuated by this Governor. This Governor is acting within the law, within the precepts of the constitution, and it is up to this General Assembly to react as we are reacting and as we will react in the balance of this week and in the weeks to come.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, if I could just respond very briefly, I understand that the Governor has not violated the law, nor did I allege that he had. What I am asking you to do—and some year we are going to do it together—is to rock the boat and change the system. And the only way we can do that, which is what we tried to do the last 2 years, is for the majority to stand up and do it.

Now I know we have a budget in front of us, but nobody in here knows what is in it because it was just presented to us. I had a member of the majority last week tell me that he tried to find out last week—and he is in the majority—and he could not find out.

This week I suppose we are all privy to it. I became privy by way of a newspaper this morning, and I was intrigued to find that, yes, we were told that there was some new money found—which I predicted on March 6 would happen—and, yes, we were told that revenue estimates next year would be higher—and I predicted that on March 6—because that is the way they manipulate us. I say that we have to stop that if we are ever going to be credible. We have got to stop Governors—and I am including all of them, not just this one—from utilizing this system to the detriment of those of us who are closest to the people. That is the plea I make.

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

Mr. WOJDAK. Mr. Speaker—

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

I want to give that gentleman an opportunity to be heard.

Will the members please remain in their seats? Will the members please remain in their seats? Will the members please remain in their seats? Please. Please.

Go on, sir.

(A gentleman outside the rail of the House began speaking.)

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

Mr. RYAN. Mr. Speaker, I suggest to the Speaker that if the Speaker wants to allow this person and others to address the House—

The SPEAKER. Not others.

Mr. RYAN. —it should be after this House adjourns, and if the members want to stay here and listen, they can stay. Other than that, I believe the rules of this House should be abided by.

The Chair instructs the members of this House to take their seats, and I see no reason why the guests are not subject to the same rules.

The SPEAKER. Will the gentleman please refrain for one moment?

Every citizen of this Commonwealth has a right to petition his Representative to spread his grievances. That is part of the democratic process. And while this procedure might be unusual and while this procedure represents a sharp deviation from what is normal, traditional conduct in this House, it is a procedure that can be tolerated in view of what has been transpiring here today. And I am suggesting to the members of this House, in view of this situation, that we be flexible and we be tolerant and give this one gentleman a brief opportunity to speak, at which time we will resume our normal procedure.

The Chair recognizes the gentleman from Beaver, Mr. Laughlin. For what purpose does the gentleman rise?

Mr. LAUGHLIN. Mr. Speaker, I rise to support your position. I do not think we are going to get too much done if this House is permitted to be disrupted any further, and I think by allowing the gentleman to speak, he will get his say in and then we can get back to our business and get out of here.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, this man may very well have something important to say. I cannot believe, however, that it is any more important than what the doctors have to say, what the mental health-mental retardation people have to say. And where do we stop if we allow this precedent to be set today?

I strenuously object to any deviation from the rules, or this House is going to go completely to pot. No one knows what will happen next as far as everyone being permitted to come before the floor of this House and address it. It is highly unusual; I strongly protest it; and if the Speaker is going to permit it, I would ask that there be a roll-call vote on the Speaker's motion to suspend the rules.

#### MOTION TO ADJOURN

The SPEAKER. The Chair recognizes the gentleman from Tioga, Mr. Spencer.



Mr. SPENCER. In view of the dangerous precedent expressed by the Speaker, I now move that this House adjourn until 10 o'clock tomorrow morning.

The SPEAKER. The Chair recognizes the majority leader on the motion.

Mr. IRVIS. Mr. Speaker, I am opposed to the motion for adjournment. There is further business before this House and it is necessary that we conduct it. I ask for a negative vote on the motion.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Messrs. SPENCER and IRVIS.

(A roll-call vote was taken which indicated 69 yeas and 114 nays, but due to malfunction of the voting machine there was no printout.)

Motion was not agreed to.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, I call to the attention of the House rule 8 of the House rules, which states:

Subject to the direction of the Speaker, the Chief Clerk shall have supervision and control over the Hall of the House, the caucus and committee rooms and all other rooms assigned to the House.

During the sessions of the Legislature the Hall of the House shall not be used for public or private business other than legislative matters except by consent of the House. During periods of recess of the House such use may be authorized by the Speaker without the consent of the House.

I am suggesting to the Speaker that if he is to follow the rules of this House, he will withdraw his earlier decision and perhaps follow my recommendation, that if this gentleman wants to address us and if we are willing to sit here to be addressed, that it be done during a period of recess. Other than that, then I ask that the Speaker make a motion to suspend the rules. I am not going to make such a motion.

The SPEAKER. Will the majority leader and the gentleman, Mr. Ryan, come to the desk?

(A conference was held at Speaker's podium.)

### STATEMENT BY SPEAKER

The SPEAKER. Members will take their seats. Is Mrs. Brookins in the hall of the House?

Mrs. Brookins, this House is going to be declared in recess for a period of 5 minutes. The Chair invites you as the president of the Welfare Rights Organization, during the period of this 5-minute recess, to address the members of the House.

The Chair would hope that during the call of this recess, the members will remain in their seats, and at the expiration of the recess, we will resume session once again.

This is Mrs. Louise Brookins.

The House is now declared in recess.

### RECESS

(Mrs. Louise Brookins addressed the members.)

### AFTER RECESS

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

### THE SPEAKER (Herbert Fineman) IN THE CHAIR

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

Mr. WOJDAK. Mr. Speaker, over the weekend of March 8 and 9, the minority leader sent a letter to freshman members of the House which accused the Governor of preparing his budget in secret while working with various lobbying groups to presell the budget to the legislature. He also accused the Governor of intentionally cutting out of the budget necessary and popular programs, knowing that the legislature would have to put them back while allowing other programs in the budget to increase. The remarks I am about to make, Mr. Speaker, is one way of responding to these accusations, inasmuch as the minority leader has chosen to voice them on the floor of this House today.

Mr. Speaker, in 1972, when the Republican Party assumed control of the House of Representatives, they made tax relief the dominant theme of their fiscal policy and attempted to assume the role of "budget cutters." They began this act by passing a resolution to limit general fund spending to \$3.7 billion. The resolution passed before the Governor's budget message could even be given. The House Republicans then spent the next 2 years violating their own resolution and simultaneously cutting taxes excessively while building into the budget large increases in spending.

The House Republicans' first appropriation bill, after the spending-ceiling resolution, appropriated \$3.5 billion. It increased all appropriations by an amount 8 percent over the previous year. The bill ignored the needs and the priorities of the committee's programs and was riddled with errors. As everyone expected, the bill had to be supplemented with deficiency appropriations, and by the time the House Republicans were done with the 1973-74 budget, it was almost \$2 million greater than the amount requested by the Governor and \$230 million higher than the spending ceiling which they themselves had proposed. In addition to these appropriations, they also passed bills which incurred new program costs totaling almost \$164 million and capital bills for the 1973-74 budget authorizing new projects totaling somewhere in the neighborhood of \$219 million.

In summary, during the first budget which they were responsible for in the House, they began the negotiations with a promise of fiscal austerity, which they knew they could not live up to, and then violated all rules of fiscal responsibility by building into the budget cost increases and tax decreases which did not balance. In short, Mr. Speaker, they did exactly what they are now accusing the Governor of doing.

During the second budget which they were responsible for in fiscal year 1974-75, the House Republicans repeated the same act. This time they broke the Governor's budget up into "packages" and reported it out of

the Appropriations Committee in a form that totaled \$135 million more than the Governor requested. When the press criticized them for this apparent turnabout in political philosophy, they withdrew the welfare appropriation back into the Appropriations Committee and reduced it arbitrarily by \$60 million. This undefendable cut brought their version of the budget on paper to a level below the Governor's request. It was not until the budget went into a conference committee with the Senate that the General Assembly could deal with the budget responsibly. Once again, they were guilty of the same sins that Mr. Butera has accused the Governor of committing.

After the second budget was passed in 1974-75, the House Republicans were warned by the Governor that only \$8 million remained to be appropriated in the general fund. They then ignored his warnings and reported out of committee dozens of bills which kept the House calendar full of spending legislation from September through the end of November of 1974. The result, Mr. Speaker, was a monumental effort by the Senate to control the budget before the damage could be done, and almost \$42-million worth of vetoes by the Governor, and over \$210-million worth of capital projects had to be blue-lined out of the bills.

Mr. Speaker, the House Appropriations Committee has drafted this budget and not the Governor. After extensive hearings and examination of every aspect of the requested budget, we have established our own priorities.

We have made cuts in the vicinity of \$150 million.

We have made reallocations of approximately \$70 million.

We have examined all figures on lapses and revenues and verified them to our own satisfaction.

We have returned to a 12-month fiscal year and tried to meet the needs of the Commonwealth without a tax increase.

Not all of us, I am sure, will agree on every figure in this budget. That, I think, is to be expected. But I think it is time that we proceed with the task of resolving those differences.

The budget which was introduced in House bill No. 1333 will cause many of us to face difficult decisions. To meet the deficits which were incurred by 2 years of Republican control in the House of Representatives, we have had to resort to use of the parent reimbursement fund and rather severe cuts in many programs. We must now face the task of allocating what are scarce resources to programs which produced the most benefits to our constituents. That task, Mr. Speaker, is going to be very difficult, but we can do it if we face the budget process rationally and set aside the political rhetoric and the fiscal hypocrisy of the past 2 years.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Thank you, Mr. Speaker.

In brief reply to Mr. Wojdak, I think it is important, at least for the new members and for some of the older members who forget, to clarify the very basic premise upon which he based his brief remarks.

On January 2, 1973, I received a letter at my hotel—that was the day prior to our being sworn in—a six-page letter from the Governor, hand delivered. In that letter

the Governor made his basic budget pitch, and the entire letter was devoted to that central theme.

The theme was that Governor Shapp was going to reduce taxes. It was his theme, not ours. And when questioned the next day, because the press got the letter, probably before I did—that was the purpose of it—I refused to concur in that theme. And I refused for several months, because I did not know it was possible to cut taxes since we could not get into the Governor's office to find out what the real facts were. It was not until it was absolutely clear—and I wish I had the record because the gentleman probably concurred with me once we determined it was possible—and it was only after we got the information that we concluded that, yes, the Governor was right, the people were being overtaxed and we had an obligation to return that overtax, that we adopted that policy.

So when you start developing an argument based upon a false premise, your entire argument falls.

All you have to do to poke additional holes in that kind of an argument is read your own campaign literature of last year; that is, if you used that blue piece which most House candidates used, paid for by the Governor's campaign—I think you each had to contribute a \$100 to it—in which it was stated—and I paraphrase: Despite Republican control of the House, the Governor was able to reduce taxes by \$300-and-some million. That argument does not hold water. There was an overtax. We all acknowledged it. Almost everyone of us who was here adopted that position because it was proven.

I say to you that if it were not for our diligence in ferreting out those facts, the Governor would not have been able to have made that statement in his campaign literature to the people.

So that kind of an argument does not hold any water. It was a bipartisan effort which produced the rectification of what was an overtaxed situation.

I feel sorry for you in a way that you won the election last year because I do not know who you are going to blame next year. I did not know we had so much power in the last 2 years. We controlled just one-third of a three-legged stool and yet I guess you are finally acknowledging that we were responsible for being able to finally justify the return of money which had been improperly collected from the people for the 2 years prior.

So that argument does not make it. We do not buy it.

The approach that we were attempting to get you to adopt and get the Governor to adopt 2 years ago, last year, this year, and, indeed, back into the Shafer administration, when we attacked him for the same kind of improper budgeting, was that budgets can only grow as the tax base grows. The moment you exceed that, you are asking for trouble. Most likely next year, in the passage of this year's budget, you are asking for trouble. You are not going to have us to blame, unfortunately. Perhaps somehow you will figure a way to do that.

But I suggest that unless and until the entire process is changed, we will continue to have a crisis in Pennsylvania, fiscally, about every 5 years. That has been the cycle. It will continue.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I wish to report from the

Rules Committee House bills Nos. 1333, 1334, 1335 and 1336.

The SPEAKER. The clerk will read the reports.

### POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. SELTZER. Mr. Speaker, apparently I was derelict in my duties and was not here today when the chairman of the Appropriations Committee reported these four bills to the calendar. I had not realized they had already been reported to the floor of the House, and now I hear them being reported from Rules as already being considered. I have a problem, Mr. Speaker.

The SPEAKER. The gentleman will state his problem.

Mr. SELTZER. My problem is whether to be adjudicated as an obstructionist or bring to the attention of the Chair a gross violation of a rule of this House.

The rule I refer to is rule 45, and I read, ". . . provided such majority vote numbers at least fourteen members . . .", and that refers to the number of affirmative votes needed in the Committee on Appropriations to report legislation to the floor.

As I read the morning press, I was reminded of the fact that the vote yesterday in committee was 13 to 6. So am I an obstructionist or am I bringing to the attention of the Chair and the members of this House a gross violation of a rule of this House?

The SPEAKER. The Chair does not recognize the gentleman as an obstructionist nor does the Chair recognize the validity of the objection.

If the gentleman had raised his objection on a timely basis, the point would have been well taken. But since the bills were reported out of the Appropriations Committee, they were since rereferred to the Rules Committee under the rules of the House and have been reported out of the Rules Committee.

Mr. SELTZER. Mr. Speaker, if I may continue.

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

Mr. SELTZER. I read from the clean copy of the rules that was presented to each member by the majority leader, dated March 20, at the top of page 34, and I quote: "No committee report of the Appropriations Committee shall"—s-h-a-l-l—"be recognized by the House, unless the same has been acted upon by a majority . . ."—and that is the rest of the rule.

I do not believe, no matter what the time limit, that the point the Chair is raising bears any relevance to the rule since the rule is very specific and says that the House shall not, under any circumstances—which I am adding—even consider a report which has not met these minimum requirements.

The SPEAKER. The fact is, the House has considered the report. If the gentleman had raised his point of order prior to consideration by the House, the point of order would have been well taken and at that point the majority leader would have had to make a motion to waive the rules of the House, which in all probability would have prevailed.

Mr. SELTZER. Then if I may further make inquiry of

the Speaker, as I understand it, what the gentleman is saying is that the rule is not self-executing; that some member of the House must stand up here and call it to the attention of the House.

The SPEAKER. If the point of order had been raised, the Speaker would have acted accordingly at that time. The defect, if any, I believe has been cured by virtue of the fact that the House acted affirmatively on the report and thus in essence cured whatever defect existed.

Mr. SELTZER. Mr. Speaker, I suppose I should ask this question of the chairman of the Appropriations Committee or the majority leader. The question is this: In the report of the committee that was presented to the floor this morning, did it indicate at that time the number of affirmative votes and the number of negative votes on this legislation when it was reported from the committee last evening?

The SPEAKER. Is the gentleman addressing an inquiry to the chairman of the Appropriations Committee?

Mr. SELTZER. I am addressing it to the Speaker. If the chairman of the Appropriations Committee and the majority leader would care to answer, I suppose they might have more information than the Speaker would on this subject, but I am broaching the question to the Speaker.

The SPEAKER. The Speaker is unable to respond to the gentleman. The Speaker was not in attendance at the Appropriations Committee hearing.

Mr. SELTZER. I am referring to the report of the committee. I would believe that the Speaker was in the Chair this morning when the report was given to the House.

The SPEAKER. The Speaker has already responded to the objection raised by the gentleman.

Mr. SELTZER. My question to the Speaker was: When the report was given this morning, was part of that report the number of affirmative votes and the number of negative votes on the legislation as it was being reported?

The SPEAKER. The Chair is unable to respond to the gentleman. The Chair did not look at the report of the committee.

Mr. SELTZER. Then, Mr. Speaker, it would be very difficult for a member of this House to raise the objection at the time if they had no knowledge of the number of affirmative votes that were given on the legislation when it was reported from committee.

The SPEAKER. Was the gentleman in the committee at the time of the report?

Mr. SELTZER. Yes, Mr. Speaker, the gentleman was there.

The SPEAKER. Did the gentleman count the votes?

Mr. SELTZER. No, Mr. Speaker, I did not count the votes. I believe someone on the majority side made the count and announced it. Somewhere along the line I read it in the press this morning. We did not know the number. It was announced that a majority having voted in the affirmative, the bill is reported.

The SPEAKER. Did the gentleman have the right to challenge the vote at that time, if he was present?

Mr. SELTZER. I find myself in a very difficult position, Mr. Speaker, debating with the gentleman in the Chair. Besides, I think that the point the Chair is raising is rather irrelevant to the rule of this House.

The SPEAKER. The Chair has already ruled on the gentleman's point. Now the gentleman has raised a point of order and the Chair has responded specifically to the point of order. If the gentleman is unsatisfied with the Speaker's ruling on the point of order or the clarification given by the Speaker, the gentleman has a right to resort to an appeal from the decision of the Chair.

The clerk will read the reports of committee.

### BILLS REREPORTED AS COMMITTED

#### HOUSE BILL No. 1333

By Mr. IRVIS

An Act making an appropriation to the Department of Community Affairs for housing and redevelopment assistance.

Rereported from Committee on Rules.

#### HOUSE BILL No. 1334

By Mr. IRVIS

A Supplement to the act of (P. L. , No. ), entitled "An act to provide for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal period July 1, 1975 to June 30, 1976, and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1975," itemizing appropriations required from the Federal Revenue Sharing Trust Fund for the proper operations of the several departments of the Commonwealth authorized to spend Federal Revenue Sharing Trust Fund moneys.

Rereported from Committee on Rules.

#### HOUSE BILL No. 1335

By Mr. IRVIS

An Act providing for adoption of capital projects to be financed from current revenues of the General Fund, and making appropriations.

Rereported from Committee on Rules.

#### HOUSE BILL No. 1336

By Mr. IRVIS

An Act to provide for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal period July 1, 1975 to June 30, 1976, and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1975.

Rereported from Committee on Rules.

Mr. SELTZER. Mr. Speaker, I object to the report of the committee.

The SPEAKER. The Chair would read to the gentleman—it has just been pointed out to the Chair—section 285 of the Manual of Legislative Procedure as follows:

Actions are not infrequently taken by legislative bodies which are in violation of general parliamentary rules, of rules adopted by the body or of an adopted authority without formally suspending the rules but without objection being made by any member, this may be regarded as implied suspension and the action taken in violation of the rule is valid so long as the body had the authority to suspend the rules violated.

That is precisely on point and in conformity with what the Speaker had earlier said.

### QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. The Chair recognizes the gentleman

from Westmoreland, Mr. Saloom. For what purpose does the gentleman rise?

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

The SPEAKER. The gentleman will state it.

Mr. SALOOM. Mr. Speaker, when the vote was taken on Senate bill No. 313, I had a malfunction in my switch. I would like to be recorded in the affirmative.

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

### QUESTION OF INFORMATION

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

Mr. KNEPPER. Mr. Speaker, since this is a question-and-answer period, I rise to a question of information.

The SPEAKER. The gentleman will state it.

Mr. KNEPPER. I am slightly concerned that my colleagues and I and the committees this day and yesterday may have been acting in violation of Act 175 of last year, known as the "Sunshine" law. I would like to have some clarification from the Speaker, if I might.

The SPEAKER. Will the gentleman bring to the attention of the Speaker the nature of the violation in question?

Mr. KNEPPER. It is my understanding, Mr. Speaker, that under the current laws that exist now—and I realize that we have passed in this House, House bill No. 182, which would exempt the General Assembly from public notice and which I, incidentally, support, however, this has not become law—but it is my understanding that under the law as it stands now, public notice must be given 33 days prior to a regularly scheduled meeting; 24 hours prior to a special or rescheduled meeting.

During the noon break, I happened to be perusing the local newspaper to find out that the legal notice or public notice which announced the sessions of the General Assembly of yesterday was being given public notice today, 24 hours after the fact, as well as for today and tomorrow. I am just wondering in what position this puts the voting records of those of us who voted in the House this morning.

The SPEAKER. Well, obviously, it is improper to advertise notice of a meeting that has already taken place. That, in my opinion, is highly improper, although I have not seen the notice and I assume that what the gentleman is telling me is correct.

However, yesterday was a moot. So far as today and tomorrow are concerned, while technically the "Sunshine" law might have been violated, it was not violated in spirit because the press has been present all day to account for the actions of the members of the General Assembly in reporting to the general public, and that is the important aspect of the "Sunshine" law.

Mr. KNEPPER. I would agree with the Speaker there.

I might point out that in the public notice for yesterday it specifically—and this was signed by Vincent Scarcelli, the chief clerk—mentioned that the House Rules Committee and the Appropriations Committee, I believe, were to meet yesterday—yes, Monday, June 2,—as well as, of course, today and tomorrow and the Appropriations Committee on Thursday. My point is only this: I would like to see it clarified once and for all as to where we stand

in relationship to the public-notice provisions of the law at this point. Have we been advertising in the past? Is it unnecessary for us to advertise? If it is unnecessary and it is a moot point, then we should not really be spending our money at this point.

The SPEAKER. As the Chair understands the situation, advertisements have continued to be placed by the chief clerk. While the Speaker would certainly like to see the other chamber act upon House bill No. 182, which would alleviate the situation, until such time as that bill is acted upon and signed by the Governor, we have to abide by existing law which requires the notice requirement. The House will continue to insert the notice requirements until the law is changed.

Mr. KNEPPER. Would the Speaker then ensure that the chief clerk puts the notices in 24 hours or so prior to the meeting instead of the day after?

The SPEAKER. Well, the Speaker will ensure only that the message will get to the chief clerk with a clear indication that the Speaker is expecting the chief clerk to be in compliance with the requirements of the law.

Mr. KNEPPER. Well, I would appreciate that and I think it would help to make the rest of us feel better to know that if we are taking formal action which must be in a public meeting, that we, of course, have a properly constituted public meeting.

The SPEAKER. The Chair thanks the gentleman for bringing it to the attention of the Chair.

### DEMOCRATIC CLUB MEMBERS WELCOMED

The SPEAKER. The Chair would like to welcome some guests—Mrs. Sub and Mrs. Montelone—from the Emma Guffey Miller Democratic Club of Slippery Rock.

They are here as the guests of the gentleman from Butler, Mr. Green.

### RESOLUTIONS REPORTED AS COMMITTED

#### HOUSE RESOLUTION No. 68 By Mr. WARGO

That the sentiment of the House of Representatives of the Commonwealth of Pennsylvania, is hereby expressed in support of the migrant farm workers' quest for a more dignified life, by recommending that our State Liquor Stores refrain from purchasing Gallo wine products until such time as the Gallo Wine Company grants its farm workers the opportunity to hold secret ballot elections to freely select membership in the labor organization of their choice.

Reported from Committee on Rules.

#### HOUSE RESOLUTION No. 99 (Concurrent) By Mr. WARGO

That the General Assembly of the Commonwealth of Pennsylvania directs the Joint State Government Commission through a task force to be appointed by the Speaker of the House and the President pro tempore of the Senate to conduct a thorough study of the feasibility of developing a medical fast delivery system utilizing helicopters throughout the State. In conducting this study, the task force should consider the economic feasibility of such a system, the possible use of State Police, National Guard and other personnel, equipment and facilities, and whether such a system should be organized on a State or county-wide basis.

Reported from Committee on Rules.

### PARLIAMENTARY INQUIRY

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

Mr. S. E. HAYES. Thank you, Mr. Speaker.

I did not want to intervene at the time you were making your ruling in response to Representative Seltzer's question, but I do have a question of the Chair, Mr. Speaker, if I may pose that question.

The SPEAKER. The gentleman will state his inquiry.

Mr. S. E. HAYES. Mr. Speaker, whose responsibility is it to assure that a bill is being properly reported from a committee?

The SPEAKER. The member of the committee who is given the assignment of reporting by the chairman of the committee.

Mr. S. E. HAYES. And then, Mr. Speaker, what expectations are you placing upon the membership as a whole with respect to whether or not a bill is properly reported?

The SPEAKER. The Chair is expecting that each member will do whatever is necessary to participate in the legislative process and to make sure that the rules of the House are being complied with, whatever that may entail.

Mr. S. E. HAYES. Specifically, Mr. Speaker, you are saying that each of us must assure that the bill was properly reported with respect to the number of affirmative votes which were cast in the committee?

The SPEAKER. No. If the member is so inclined, he may pursue that course of action. For instance, the rules of the House specifically say that members cannot debate a motion to recommit a bill to committee and must confine their debate to the question on the motion to recommit or not to recommit. Yet we all know that debate is held on the merits of the bill, and members sit quiet and do not do anything, in spite of the fact that the rules say it is contrary to the rules. But if someone rises to a point of order, the Chair will have to rule in favor of the point of order because the rules specifically say so. If the House neglects or omits or is so inclined not to act on the trespass of the rules, the Speaker is inclined to accede to the wishes of the House.

Mr. S. E. HAYES. I think you understand the difficulty I am alluding to, Mr. Speaker. I believe that there are probably a great number of us who were of the assumption that the person deemed responsible for properly reporting the bill had done so, and for that reason we gave our consent today to the bill's first reading. But it seems that hereafter we are going to have to be more cautious to see whether or not the bill has been properly reported by the chairman or the person designated by the chairman. Is that correct, Mr. Speaker?

The SPEAKER. It is not a question of it being correct or incorrect. It is certainly within the purview of the responsibility of each individual member.

Mr. S. E. HAYES. Thank you, Mr. Speaker.

### PARLIAMENTARY INQUIRY

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

Mr. PANCOAST. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PANCOAST. Mr. Speaker, on page 16 of today's calendar, House bill No. 208, printer's No. 1132, is on its 15th day as a tabled bill. Am I correct in my understanding that this bill will appear on tomorrow's calendar, under our rule 22, as a second consideration bill?

The SPEAKER. That is correct. The bill received automatic first consideration when it was reported out. The bill will automatically go to the calendar and be on second consideration tomorrow.

Mr. PANCOAST. Thank you.

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

Mr. SELTZER. Mr. Speaker, I just want to clarify something. As I understand the response of the Speaker to my inquiry was, that it is our responsibility to be here as members and object at the time a bill is reported from committee. My question is, or my further problem is, that under the daily order of business, reports of committees are way down in order after the calendar is completed. It is my understanding that that bill was apparently reported out when we first got into session today, and because of someone taking the liberty of changing our order of business, even if I would have been on my toes and would have known what was going on and could have objected at the proper time, you took that privilege away from me by changing the order of business by placing the reports of committees immediately after the prayer or the correction and approval of the Journal.

It is a rather difficult position I find myself in or any other member will find himself in. If we count on a certain time being needed to go from item 1 in the order of business to item 9, which is reports of committees, and then if the session is called at 11 o'clock, and we know that it takes 15 minutes to get to item 9, and we get here at 12 minutes after, and all at once you have reported bills from committee, it puts us at a rather distinct disadvantage, Mr. Speaker. How can we stop this from happening in the future, even if we all want to be on our toes and be diligent and make these proper objections at the proper time, if the proper time has been changed to some prior time?

The SPEAKER. The Chair appreciates the difficulty in which the gentleman finds himself. If the gentleman insists upon the motion to waive the rules of the House so that a piece of business may be transacted other than in the order in which the rules provide, the majority leader, I am certain, will be happy to accommodate the gentleman by placing the motion before the House.

Mr. SELTZER. Mr. Speaker, I do not want to beat a dead dog; the dog is dead. But another problem was raised and it was raised by Mr. Knepper, and if I may continue in this vein, I had not thought of the "Sunshine" law, wherein not only must the House give notice but it is my understanding a committee must give notice of 24 hours of a special meeting. We received notice of the Appropriations Committee meeting yesterday around 12 o'clock, that it was going to be held around 3 o'clock, and at 1 o'clock it was changed to 5 o'clock. My question is, was that in violation of the "Sunshine" law?

The SPEAKER. The Chair does not hold himself out to be an expert on the "Sunshine" law—

Mr. SELTZER. Neither am I, Mr. Speaker, that is why I am asking you an elementary question.

The SPEAKER. —nor an expert on any law.

The point has been made by the gentleman, Mr. Knepper. The Chair has responded as best he could to the point of order that was raised.

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

Mr. WOJDAK. Mr. Speaker, as to the last point that Mr. Seltzer raised, he, in fact, raised that point in the committee hearing, and I asked him if he was making a motion to continue the hearing. He said, no, he was raising it but he was not making a motion, and on that basis we proceeded.

Mr. SELTZER. Mr. Speaker, I am glad that I have enough power to—what is the word I am reaching for?

Mr. WOJDAK. Hold up the meeting.

Mr. SELTZER. Forego the laws of this Commonwealth.

### LEGISLATION TO BE INTRODUCED

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

Mr. ECKENSBERGER. Mr. Speaker, I ask unanimous consent to make a few brief remarks regarding some bills I am about to introduce.

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

Mr. ECKENSBERGER. Mr. Speaker, the Law and Justice Committee has been working diligently regarding the district magistrates of our Commonwealth. We have formulated what we call a magisterial district reform act. The act is extensive. We believe that it will go a long way in helping to resolve some of the problems that are being experienced at that level of administering justice.

We invite the cosponsorship of all the members of the House and we will have the bill available on the desk if anyone indicates such a desire.

Thank you, Mr. Speaker.

### PERMISSION TO ADDRESS HOUSE

Mr. GALLEN requested and obtained unanimous consent to address the House.

Mr. GALLEN. Mr. Speaker, today the decorum of this House was absolutely shattered. Mr. Speaker, I feel that the Chair was dilatory in not restoring order more promptly in this House, one; and number two, Mr. Speaker, I think that the precedent-setting action really forced on us by the Chair is not in the best interest of the members of this General Assembly nor in the interest of good government in Pennsylvania. And I do strenuously object to those actions.

The SPEAKER. That is surprising coming from you, Mr. Gallen.

Mr. GALLEN. It did not surprise me coming from you either.

The SPEAKER. For the information of the gentleman, there was no precedent-setting action. The House was in recess at the time the gentleman spoke to the House and the Chair has that prerogative to allow someone to address the members of the House at a time when the House is in recess. And the Chair could not think of a better demonstration of the democratic process in action and the right of each citizen to petition for redress of his grievances than what took place here today. And so ends it.

**HOUSE SCHEDULE**

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, if we may now return to the normal order of business, I think practically everyone has had his say today and I would like to have mine for a moment.

We probably will not be in session on Thursday, although that decision has yet not been made. Some of you asked me, shall we cancel our scheduled meetings? And my answer has been, do not cancel at this moment. I will give you a definite answer as to whether or not we shall be in session on Thursday the first thing tomorrow morning. The probability is now that we shall not be, which means that it may be necessary to change scheduling for next week. And I say that to the committee chairmen, who I hope are paying some attention, because if it is necessary for me to call up for a vote the budget bills next week, it means, of course, committee meetings will not be held.

I would also like to point out to the House that we have additional business to take care of, but I understand that certain members, relying on the schedule that we passed out, have now left the floor of the House and, consequently, I will not call up, Mr. Speaker, House bill No. 527, on page 5, for an amendment. I will ask Mr. Letterman to hold that amendment until tomorrow. But that bill will be called up for amendment tomorrow instead of today.

Also, Mr. Speaker, the Rules Committee has instructed me to make a motion, and I so move, to report out the following resolutions:

House resolution No. 68 and House resolution No. 99.

I will wait until those resolutions are read across the desk.

**BILLS REMOVED FROM TABLE FOR CALENDAR**

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. The Rules Committee has instructed me to remove the following bills from the table for a vote, and I so move:

House bill No. 240;  
House bill No. 249;  
House bill No. 250;  
House bill No. 1276;  
House bill No. 463;  
House bill No. 869;  
House bill No. 926;  
House bill No. 971;  
House bill No. 979;  
House bill No. 999; and  
House bill No. 1164.

On the question,  
Will the House agree to the motion?  
Motion was agreed to.

**BILLS REMOVED FROM TABLE AND REREFERRED**

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, the Rules Committee has instructed me to remove from the table and to rerefer the following bills to the Appropriations Committee, and I so move:

House bill No. 115;  
House bill No. 614; and  
House bill No. 883.

On the question,  
Will the House agree to the motion?  
Motion was agreed to.

**BILL REMOVED FROM TABLE AND REREFERRED**

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, the Rules Committee has instructed me to remove from the table and to rerefer the following bill to the Labor Relations Committee, and I so move:

House bill No. 458, printer's No. 507.

On the question,  
Will the House agree to the motion?  
Motion was agreed to.

**PARLIAMENTARY INQUIRY**

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

Mr. DAVIES. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DAVIES. Mr. Speaker, I have corrections from previous days' Journals. Shall I entertain those now or wait until you reach that topic tomorrow?

The SPEAKER. The Chair will recognize the gentleman in the morning when we approve Journals.

Mr. DAVIES. Thank you, Mr. Speaker.

**PARLIAMENTARY INQUIRY**

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

Mr. DORR. I rise to a further clarification on a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DORR. Mr. Speaker, one further clarification in connection with rule 22: This rule makes the delineation between first of June and other times and calls for bills to be automatically reported to the Rules Committee when they are reported from committee. My question is: How do we read that rule in connection with whether or not bills are read for the first time when they come out of the substantive committee to the floor?

The SPEAKER. The subject matter to which the gentleman addresses himself was discussed at the Rules Committee this morning. A course of action was agreed upon by all the members at the Rules Committee. The bills will receive automatic first reading, and when they are reported out of the Rules Committee, they will appear on second reading calendar.

Mr. DORR. So that the normal procedure pertains; that is, a bill, when reported from the substantive committee even after June, receives automatic first reading on its report from the substantive committee. Is that correct?

The SPEAKER. That is correct.

Mr. DORR. Is it correct, Mr. Speaker, that when a bill is reported from committee, it must be read over the desk?

The SPEAKER. The bills are read across the desk, so they get automatic first reading.

Mr. DORR. What happens if a bill is inadvertently not read across the desk when it is reported from committee?

The SPEAKER. Then it does not get automatic first reading and will, therefore, appear on the first reading calendar on the following day.

Mr. DORR. Now suppose that situation pertains when a bill is reported from the Rules Committee?

The SPEAKER. Well, at that point, before it goes to the Rules Committee, it will have already received automatic first reading. So, therefore, when it comes from the Rules Committee, it will appear on second reading calendar.

Mr. DORR. And it is not necessary that it be read across the desk?

The SPEAKER. That is correct.

It will be read across the desk in that the clerk will read the report of the committee and say that the chairman of the Rules Committee rereports House bill No. 1500, and the Speaker says nothing further because it has already received first consideration. When it appears on the calendar it will be at second consideration level.

Mr. DORR. My question is: Suppose he fails to do that?

The SPEAKER. Well, has that omission taken place thus far?

Mr. DORR. I am not sure, Mr. Speaker.

The SPEAKER. Well, we will deal with that subject if it should arise.

Mr. DORR. Do you want me to check the record of the day, Mr. Speaker, to find out if it arose?

The SPEAKER. The gentleman is free to check whatever he wants to check.

Mr. DORR. Suppose I raise this objection tomorrow. Is it going to be too late to raise the objection in the event that it did occur?

The SPEAKER. The Chair will be happy to recognize the gentleman for any valid objection on any rule of

the House. The rules of the House have not been trespassed upon seriously at anytime during the session. If the gentleman is not enamored of any rule of the House, we will try our best to accommodate his point of view when he raises the objection.

Mr. DORR. Then that pertains to tomorrow, even though it happened today?

The SPEAKER. It pertains to any day.

### QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. STOUT. Mr. Speaker, I was not present in the hall of the House when votes were taken in this morning's session. I would like the record to show that if I were present, I would have voted in the affirmative on the following bills:

House bill No. 855;  
House bill No. 453;  
House bill No. 97;  
House bill No. 516;  
House bill No. 408;  
House bill No. 723;  
House bill No. 713;  
House bill No. 1121;  
House bill No. 994;  
House bill No. 70;  
House bill No. 856;  
House bill No. 857;  
Senate bill No. 56; and  
Ritter amendment to House bill No. 504.

Thank you.

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

### ADJOURNMENT

Mr. PRATT moved that this House do now adjourn until Wednesday, June 4, 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 4:13 p.m., e.d.t.) the House adjourned.