

Legislative Journal

TUESDAY, JUNE 10, 1975

Session of 1975

159th of the General Assembly

Vol. 1, No. 47

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:

Eternal Father, we praise Thee for the fruits of Thy creation; we thank Thee for the assurance of Thy love and care; and we beseech Thee to constantly guide and direct the work of our hands. As these stewards of Thine become engulfed in the financial affairs of this Commonwealth, we humbly ask that Thou wilt counsel these legislators, so that they may listen with heartfelt compassion, so that they may counsel and debate with firmness of conviction, and so that they may vote with clearness of mind and resoluteness of purpose for the best interests of the citizens of this great Keystone State. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Monday, June 9, 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 thanks the gentleman.

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.

MASTER ROLL CALL

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

The roll was taken and was as follows:

YEAS—197

Abraham	George	McIntyre	Schweder
Anderson, J. H.	Giammarco	McLane	Scirica
Arthurs	Gillespie	Mebus	Seltzer
Barber	Gillette	Menhorn	Shane

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

NOT VOTING—6

Caputo	Gleason	Thomas	Zearfoss
Dininni	McGraw		

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

WELCOME

The SPEAKER. The Chair is pleased to welcome Mr. and Mrs. Phillip Hopkins, who are visiting with us from Denver, Colorado. They are the son and daughter-in-law of Representative Forest Hopkins.

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. MISCEVICH. Mr. Speaker, yesterday it seemed that the master roll-call machine did not work and some of us did not get on the master roll. Is there a way that we could be notified whether we are recorded before we leave here today?

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

CALENDAR

LOCAL GOVERNMENT BILLS
ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 996, printer's No. 1142**, entitled:

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206, No. 331), authorizing appropriations for observances and celebrations.

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—188

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

NAYS—0

NOT VOTING—15

Caputo	Gallen	Hutchinson, W.	Tayoun
Dininni	Gleeson	Johnson, J.	Thomas
Englehart	Goodman	McGraw	Zearfoss
Fawcett	Hammock	Pievsky	

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. 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.

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—187

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

NAYS—0

NOT VOTING—16

Berson	Gallen	Hutchinson, W.	Tayoun
Caputo	Gleeson	Johnson, J.	Thomas
Dininni	Goodman	McGraw	Wojdak
Fawcett	Hammock	Pievsky	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 Schuylkill, Mr. Goodman. For what purpose does the gentleman rise?

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

The SPEAKER. The gentleman will state it.

Mr. GOODMAN. I would like to be recorded as voting in favor of House bill No. 996 and House bill No. 951.

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

Agreeable to order,

The House proceeded to third 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.

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—190

Abraham	Geisler	McIntyre	Schmitt
Anderson, J. H.	George	McLane	Schweder
Arthurs	Giammarco	Mebus	Scirica
Barber	Gillespie	Menhorn	Seltzer
Bellomini	Gillette	Milanovich	Shane
Bennett	Gleason	Miller, M. E.	Shelhamer
Beren	Goodman	Miller, M. E., Jr.	Shelton
Berlin	Green	Milliron	Shuman
Berson	Greenfield	Miscevich	Shupnik
Bittle	Grieco	Moehlmann	Sirianni
Blackwell	Gring	Morris	Smith, E.
Bonetto	Halverson	Mrkonic	Smith, L.
Bradley	Hamilton, J. H.	Mullen	Spencer
Brandt	Hasay	Mullen, M. P.	Stahl
Brunner	Haskell	Musto	Stapleton
Burns	Hayes, D. S.	Myers	Stout
Butera	Hayes, S. E.	Novak	Sullivan
Cassar	Hepford	Noye	Sweeney
Cimini	Hill	O'Brien	Taddonio
Cohen	Hopkins	O'Connell	Taylor
Cole	Hutchinson, A.	O'Donnell	Toll
Cowell	Irvis	O'Keefe	Trello
Crawford	Itkin	Oliver	Turner
Cumberland	Katz	Pancoast	Ustynoski
Davies	Kelly, A. P.	Parker, H. S.	Valicenti
Davis, D. M.	Kelly, J. B.	Perri	Vann
DeMedio	Kernick	Perry	Vroon
Deverter	Kistler	Petrarca	Wagner
Dicarlo	Klingaman	Pitts	Walsh, T. P.
DiDonato	Knepper	Polite	Wansacz
Dietz	Koiter	Pratt	Wargo
Dombrowski	Kowalyshyn	Prendergast	Weidner
Dorr	Kusse	Pyles	Westerberg

Doyle	LaMarca	Rappaport	Whelan
Dreibelbis	Laudadio	Reed	Whittlesey
Eckensberger	Laughlin	Runniger	Wilson
Englehart	Lynch	Renwick	Wilt, R. W.
Fawcett	Lederer	Rhodes	Wilt, W. W.
Fee	Lehr	Richardson	Worrlow
Fischer	Letterman	Rieger	Wright
Fisher	Levi	Ritter	Yahner
Flaherty	Lincoln	Romanelli	Yohn
Foster, A.	Manderino	Ross	Zeller
Foster, W.	Manmiller	Ruggiero	Zord
Fryer	McCall	Ryan	Zwickl
Gallagher	McClatchy	Saloom	
Garzia	McCue	Salvatore	Fineman,
Geesey	McGinnis	Scheaffer	Speaker

NAYS—0

NOT VOTING—13

Caputo	Hammock	McGraw	Thomas
Dininni	Hutchinson, W.	Pievsky	Wojdak
Gallen	Johnson, J.	Tayoun	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.

Agreeable to order,

The House proceeded to third 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.

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	George	McLane	Schweder
Anderson, J. H.	Giammarco	Mebus	Scirica
Arthurs	Gillespie	Menhorn	Seltzer
Barber	Gillette	Milanovich	Shane
Bennett	Gleason	Miller, M. E.	Shelhamer
Beren	Goodman	Miller, M. E., Jr.	Shelton
Berlin	Green	Milliron	Shuman
Berson	Greenfield	Miscevich	Shupnik
Bittle	Grieco	Mochlmann	Sirianni
Blackwell	Gring	Morris	Smith, E.
Bonetto	Halverson	Mrkonic	Smith, L.
Bradley	Hamilton, J. H.	Mullen, M. P.	Spencer
Brandt	Hasay	Mullen	Stahl
Brunner	Haskell	Musto	Stapleton
Burns	Hayes, D. S.	Myers	Stout
Butera	Hayes, S. E.	Novak	Sullivan
Cassar	Hepford	Noye	Sweeney
Cimini	Hill	O'Brien	Taddonio
Cohen	Hopkins	O'Connell	Taylor
Cole	Hutchinson, A.	O'Donnell	Toll
Cowell	Irvis	O'Keefe	Trello
Crawford	Itkin	Oliver	Turner
Cumberland	Katz	Pancoast	Ustynoski
Davies	Kelly, A. P.	Parker, H. S.	Valicenti
Davis, D. M.	Kelly, J. B.	Perri	Vann
DeMedio	Kernick	Perry	Vroon
Deverter	Kistler	Petrarca	Wagner
Dicarlo	Klingaman	Pitts	Walsh, T. P.
DiDonato	Knepper	Polite	Wansacz
Dietz	Koiter	Pratt	Wargo
Dombrowski	Kowalyshyn	Prendergast	Weidner
Dorr	Kusse	Pyles	Westerberg
Doyle	LaMarca		Whelan
Dreibelbis	Laudadio		Whittlesey

Eckensberger	Laughlin	Renninger	Wilson
Englehart	Lederer	Renwick	Wilt, R. W.
Fawcett	Lehr	Rhodes	Wilt, W. W.
Fee	Letterman	Richardson	WorriLOW
Fischer	Levi	Rieger	Wright
Fisher	Lincoln	Ritter	Yahner
Flaherty	Lynch	Romanelli	Yohn
Foster, A.	Manderino	Ross	Zeller
Foster, W.	Manmiller	Ruggiero	Zord
Fryer	McCall	Ryan	Zwinkl
Gallagher	McClatchy	Saloom	Fineman,
Garzia	McCue	Salvatore	Speaker
Geesey	McGinnis	Scheaffer	
Geisler	McIntyre	Schmitt	

NAYS—0

NOT VOTING—14

Bellommi	Gleeson	McGraw	Thomas
Caputo	Hammock	Pievsky	Wojdak
Dininni	Hutchinson, W.	Tayoun	Zearfoss
Gallen	Johnson, J.		

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. 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.

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	McLane	Schweder
Anderson, J. H.	George	Mebus	Scirica
Arthurs	Giammarco	Menhorn	Seltzer
Barber	Gillespie	Milanovich	Shane
Bellommi	Gillette	Miller, M. E.	Shelhamer
Bennett	Goodman	Miller, M. E., Jr.	Shelton
Beren	Green	Milliron	Shuman
Berlin	Greenfield	Miscevich	Shupnik
Berson	Grieco	Moehlmann	Sirianni
Bittle	Gring	Morris	Smith, E.
Blackwell	Halverson	Mrkonic	Smith, L.
Bonetto	Hamilton, J. H.	Mullen	Spencer
Bradley	Hasay	Mullen, M. P.	Stahl
Brandt	Haskell	Musto	Stapleton
Brunner	Hayes, D. S.	Myers	Stout
Burns	Hayes, S. E.	Novak	Sullivan
Butera	Hepford	Noye	Sweeney
Cessar	Hill	O'Brien	Taddonio
Cimini	Hopkins	O'Connell	Taylor
Cohen	Hutchinson, A.	O'Donnell	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.	Ferri	Vann
Davis, D. M.	Kernick	Perry	Vroon
DeMedio	Kistler	Petrarca	Wagner
Deverter	Klingaman	Pitts	Walsh, T. P.
Dicarlo	Knepper	Polite	Wansacz
DiDonato	Kolter	Pratt	Wargo
Dietz	Kowalyshyn	Prendergast	Weldner
Dombrowski	Kusse	Pyles	Westerberg
Dorr	LaMarca	Rappaport	Whelan
Doyle	Laudadio	Reed	Whittlesey
Dreibelbis	Laughlin	Renninger	Wilson

Eckensberger	Lederer	Renwick	Wilt, R. W.
Englehart	Lehr	Rhodes	Wilt, W. W.
Fawcett	Letterman	Richardson	WorriLOW
Fee	Levi	Rieger	Wright
Fischer	Lincoln	Ritter	Yahner
Fisher	Lynch	Romanelli	Yohn
Flaherty	Manderino	Ross	Zeller
Foster, A.	Manmiller	Ruggiero	Zord
Foster, W.	McCall	Ryan	Zwinkl
Fryer	McClatchy	Saloom	
Gallagher	McCue	Salvatore	Fineman,
Garzia	McGinnis	Scheaffer	Speaker
Geesey	McIntyre	Schmitt	

NAYS—1

Gleason

NOT VOTING—13

Caputo	Hammock	McGraw	Thomas
Dininni	Hutchinson, W.	Pievsky	Wojdak
Gallen	Johnson, J.	Tayoun	Zearfoss
Gleason			

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

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

GAME AND FISHERIES BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third 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.

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—185

Abraham	Geisler	McGinnis	Schmitt
Anderson, J. H.	George	McIntyre	Schweder
Arthurs	Giammarco	McLane	Scirica
Barber	Gillespie	Mebus	Seltzer
Bennett	Gillette	Menhorn	Shane
Beren	Gleason	Milanovich	Shelhamer
Berlin	Goodman	Miller, M. E.	Shelton
Berson	Green	Miller, M. E., Jr.	Shupnik
Bittle	Greenfield	Milliron	Sirianni
Blackwell	Grieco	Miscevich	Smith, E.
Bonetto	Gring	Moehlmann	Smith, L.
Bradley	Halverson	Morris	Spencer
Brandt	Hamilton, J. H.	Mrkonic	Stahl
Brunner	Hasay	Mullen, M. P.	Stapleton
Burns	Haskell	Mullen	Stout
Butera	Hayes, D. S.	Musto	Sullivan
Cessar	Hayes, S. E.	Myers	Sweeney
Cimini	Hepford	Novak	Taddonio
Cohen	Hill	Noye	Taylor
Cole	Hopkins	O'Brien	Toll
Cowell	Hutchinson, A.	O'Connell	Trello
Crawford	Irvis	O'Donnell	Turner
Cumberland	Itkin	Oliver	Ustynoski
Davies	Katz	Pancoast	Valicenti
Davis, D. M.	Kelly, A. P.	Parker, H. S.	Vann
DeMedio	Kelly, J. B.	Ferri	Wagner
Deverter	Kernick	Perry	Walsh, T. P.
DiDonato	Kistler	Petrarca	Wansacz
Dietz	Klingaman	Pitts	Wargo
Dombrowski	Knepper	Polite	Weldner
Dorr	Kolter	Pratt	Westerberg
	Kowalyshyn	Prendergast	Whelan

Doyle	Kusse	Pyles	Whittlesey
Dreibelbis	LaMarca	Rappaport	Wilson
Eckensberger	Laudadio	Reed	Wilt, R. W.
Englehart	Laughlin	Renwick	Wilt, W. W.
Fawcett	Lederer	Rhodes	Worrilow
Fee	Lehr	Richardson	Wright
Fischer	Letterman	Rieger	Yahner
Fisher	Levi	Ritter	Yohn
Flaherty	Lincoln	Romanelli	Zeller
Foster, A.	Lynch	Ross	Zord
Foster, W.	Manderino	Ruggiero	Zwinkl
Fryer	Manmiller	Ryan	
Gallagher	McCall	Saloom	Fineman,
Garzia	McClatchy	Salvatore	Speaker
Geesey	McCue	Scheaffer	

NAYS—1

O'Keefe

NOT VOTING—17

Bellomini	Hammock	Plevsky	Thomas
Caputo	Hutchinson, W.	Renninger	Vroon
Dininni	Johnson, J.	Shuman	Wojdak
Gallen	McGraw	Tayoun	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.

WELCOME

The SPEAKER. The Chair would like to welcome a group who are in a study exchange program of Rotary International representing Taiwan and the Republic of China. They are here as the guests of the House.

Agreeable to order,

The House proceeded to third consideration of **House bill No. 926, printer's No. 1059**, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), further regulating the issuance of special permits and providing a penalty.

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—188

Abraham	Geisler	McIntyre	Schmitt
Anderson, J. H.	George	McLane	Schweder
Arthurs	Giammarco	Mebus	Seirica
Barber	Gillespie	Menhorn	Seltzer
Bellomini	Gillette	Miljanovich	Shane
Bennett	Gleason	Miller, M. E.	Shelton
Beren	Goodman	Miller, M. E., Jr.	Shuman
Berlin	Green	Milliron	Shupnik
Berson	Greenfield	Miscevich	Sirianni
Bittle	Grieco	Moehlmann	Smith, E.
Blackwell	Gring	Morris	Smith, L.
Bonetto	Halverson	Mrkonie	Spencer
Bradley	Hamilton, J. H.	Mullen	Stahl
Brandt	Hasay	Mullen, M. P.	Stapleton
Brunner	Haskell	Musto	Stout
Burns	Hayes, D. S.	Myers	Sullivan
Butera	Hayes, S. E.	Novak	Sweeney
Cessar	Hepford	Noye	Taddonio
Cimini	Hill	O'Brien	Taylor
Cohen	Hopkins	O'Connell	Toll
Cole	Hutchinson, A.	O'Donnell	Trelto
Cowell	Iris	O'Keefe	Turner
Crawford	Itkin	Oliver	Ustynoski
Cumberland	Katz	Pancoast	Valicenti

Davies	Kelly, A. P.	Perrri	Vann
Davis, D. M.	Kelly, J. B.	Perry	Vroon
DeMedio	Kernick	Petrarca	Wagner
Deverter	Kistler	Pitts	Walsh, T. P.
Dicarlo	Klingaman	Polite	Wansacz
DiDonato	Knepper	Pratt	Wargo
Dietz	Kolter	Prendergast	Weidner
Dombrowski	Kowalshyn	Pyles	Westerberg
Dorr	Kusse	Rappaport	Whelan
Doyle	LaMarca	Reed	Whittlesey
Dreibelbis	Laudadio	Renninger	Wilson
Eckensberger	Laughlin	Renwick	Wilt, R. W.
Englehart	Lederer	Rhodes	Wilt, W. W.
Fawcett	Lehr	Richardson	Worrilow
Fee	Letterman	Rieger	Wright
Fischer	Levi	Ritter	Yahner
Fisher	Lincoln	Romanelli	Yohn
Flaherty	Lynch	Ross	Zeller
Foster, A.	Manderino	Ruggiero	Zord
Foster, W.	Manmiller	Ryan	Zwinkl
Fryer	McCall	Saloom	
Gallagher	McClatchy	Salvatore	Fineman,
Garzia	McCue	Scheaffer	Speaker
Geesey	McGinnis		

NAYS—1

Shelhamer

NOT VOTING—14

Caputo	Hammock	Parker, H. S.	Thomas
Dininni	Hutchinson, W.	Plevsky	Wojdak
Gallen	Johnson, J.	Tayoun	Zearfoss
Gleeson	McGraw		

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. 932, printer's No. 1489**, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), adding the term "resident" and specifying the meaning of the term for the purpose of the act.

On the question,

Will the House agree to the bill on third consideration?

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

Amend Title, page 1, line 6, by removing the period after "act" and inserting: and repealing language concerning unnaturalized persons of foreign birth.

Amend Sec. 2 (Sec. 301), page 2, lines 17 and 18, by inserting a bracket before "and" in line 17 and after "States," in line 18

Amend Sec. 2 (Sec. 301), page 2, line 19, by inserting brackets before and after "a citizen of the United States of America and"

Amend Sec. 3, page 2, line 26, by striking out "The first paragraph of section" and inserting: Section

Amend Sec. 3, page 2, line 26, by inserting after "act,": the first paragraph

Amend Sec. 3, page 2, line 27, by inserting after "(No. 36),": the second, third and fourth paragraphs amended December 10, 1970 (P. L. 896, No. 282).

Amend Sec. 3 (Sec. 302), page 3, line 3, by inserting brackets before and after "citizen of the United States and a bonafide"

Amend Sec. 3 (Sec. 302), page 3, line 5, by removing the comma after "act"

Amend Sec. 3 (Sec. 302), page 3, line 5, by inserting a bracket before "and"

Amend Sec. 3 (Sec. 302), page 3, lines 5 and 6, by striking out "or her"

Amend Sec. 3 (Sec. 302), page 3, line 10, by inserting a bracket after "authorized,"

Amend Sec. 3 (Sec. 302), page 3, lines 10 and 11, by inserting a bracket before "bank" in line 10 and after

“a” in line 11 and inserting immediately thereafter: current Pennsylvania

Amend Sec. 3 (Sec. 302), page 3, line 11, by inserting brackets before and after “drivers license.” and inserting immediately thereafter: registration card, or

Amend Sec. 3 (Sec. 302), page 3, lines 15 and 17, by inserting a bracket before “identification” in line 15 and after “papers,” in line 17 and inserting immediately thereafter: verifying residency, and the establishment of his or her identity to the satisfaction of the authority issuing the license,

Amend Sec. 3 (Sec. 302), page 4, line 7, by striking out all of said line and inserting: A resident disabled veteran of any war whose disability consists of the loss of one or more limbs or the loss of the use of one or more limbs, or who presents a physician’s certificate of total or one hundred percent disability, and who meets the above qualifications shall be issued such license upon application to any county treasurer without the payment of the above license fee provided for the use of the Commonwealth. The application for the issuance of a license in such case shall in addition to the other information required, contain a statement that the applicant is a war veteran and that his disability was service incurred. The county treasurer may likewise require of such applicant the production of such applicant’s discharge papers.

[Any resident of the Commonwealth who is in full-time active service with the armed forces of the United States other than temporary active duty for training, and during the time he is on official military leave, furlough, pass or on medical leave from such fulltime active service shall during the duration of the conflict in Vietnam, be issued such license upon application to any county treasurer within the Commonwealth without the payment of the above license fee provided for the use of the Commonwealth.

The application for the issuance of a license in such case, shall, in addition to the other information required, give the serial number of the branch of service to which the applicant is attached, together with the applicant’s rank, company, battalion, regiment, division, and other military organization. The applicant shall also furnish for the perusal of the county treasurer the official military papers stating that said applicant is on official military leave, furlough, pass or on medical leave.]

Section 4. Section 303 of the act, amended December 10, 1974 (No. 267), is amended to read:

Section 303. Nonresident Hunting [and Alien] License Fees.—Every [citizen of the United States who is a] nonresident of this Commonwealth, upon application made, in writing, to any agent authorized to issue such licenses, or to the commission, unless any such person has been disqualified for a license in the manner hereinafter specified, and upon payment to said agent or commission of forty dollars and thirty-five cents (\$40.35) shall be entitled to the license herein designated as a Nonresident Hunter’s License and a tag with the number of the license thereon, which shall entitle the holder to hunt for all wild birds and wild animals which may legally be hunted in this Commonwealth, until the close of the license year. Other licenses valid for use by non-residents [and aliens] shall be as follows:

Nonresident trapper’s license which shall be issued only upon application to the Commission in Harrisburg and which shall be effective for the same period as hunters’ licenses shall entitle the holder to take through the use of traps or deadfalls only wild birds and wild animals which may legally be trapped in this Commonwealth, except beavers, forty dollars (\$40). Nothing in this clause shall be construed to prohibit the holder of a nonresident trapper’s license from using a sidearm or a rifle not larger than a .22 rimfire caliber to kill legally caught birds and animals.

[Every unnaturalized person, upon written application made to any county treasurer of Pennsylvania, any field division office of the Pennsylvania Game Commission, or any agent authorized by the Commission to issue non-resident hunting licenses setting forth satisfactory evidence of his mental and physical fitness to carry and use firearms and presentation of proof of legal entry into the United States, unless any such person has been disquali-

fied for a license in the manner hereinafter specified, and upon the payment to any county treasurer in Pennsylvania, any field division office of the Pennsylvania Game Commission, or any agent authorized by the Commission to issue non-resident hunting licenses the fee of forty dollars and thirty-five cents (\$40.35) shall be entitled to an alien hunter’s license, and the proper tag issued therewith, but the one issuing said license shall indicate on the face of the license that the holder is an alien.]

Amend Sec. 4, page 4, line 8, by striking out “4.” and inserting: 5.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Elk, Mr. Renwick.

Mr. RENWICK. Mr. Speaker, these amendments are rather clarifying amendments. The bill as written was not very clear regarding the word “alien” and, as you know, we had trouble a year ago with this bill because of the word “alien.” The bill was vetoed by the Governor because we used that word “alien” in there, and by these amendments we are eliminating the word and are hopeful the bill will be okayed by the Governor.

On the question recurring,

Will the House agree to the amendments?

Amendments were agreed to.

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—187

Abraham	Geisler	McGinnis	Schweder
Anderson, J. H.	George	McIntyre	Scirica
Arthurs	Giammarco	McLane	Seltzer
Barber	Gillespie	Mebus	Shane
Bellomint	Gillette	Menhorn	Shelhamer
Bennett	Gleason	Milanovich	Shelton
Beren	Goodman	Miller, M. E.	Shuman
Berlin	Greenfield	Miller, M. E., Jr.	Shupnik
Berson	Green	Milliron	Sirianni
Bittle	Grieco	Miscevich	Smith, E.
Blackwell	Gring	Moehlmann	Smith, L.
Bonetto	Halverson	Morris	Spencer
Bradley	Hamilton, J. H.	Mrkonje	Stahl
Brandt	Hasay	Mullen, M. P.	Stapleton
Brunner	Haskell	Mullen	Stout
Burns	Hayes, D. S.	Musto	Sullivan
Butera	Hayes, S.E.	Myers	Sweeney
Cessar	Hepford	Novak	Taddonio
Cimini	Hill	Noye	Taylor
Cohen	Hopkins	O'Brien	Toil
Cole	Hutchinson, A.	O'Connell	Trello
Cowell	Irvis	O'Donnell	Turner
Crawford	Itkin	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	Pitts	Walsh, T. P.
Dicarlo	Klingaman	Polite	Wansacz
DiDonato	Knepper	Pratt	Wargo
Dietz	Kolter	Prendergast	Weidner
Dombrowski	Kowalyszyn	Pyles	Westerberg
Dorr	Kusse	Rappaport	Whelan
Doyle	LaMarca	Reed	Whittlesey
Dreibelbis	Laudadio	Renninger	Wilson
Eckensberger	Laughlin	Renwick	Wilt, R. W.
Engelhart	Lederer	Richardson	Wilt, W. W.
Fawcett	Lehr	Rieger	WorriLOW

Fee	Letterman	Ritter	Wright
Fischer	Levi	Romanelli	Yahner
Fisher	Lincoln	Ross	Yohn
Flaherty	Lynch	Ruggiero	Zeller
Foster, A.	Manderino	Ryan	Zord
Foster, W.	Manmiller	Saloom	Zwiski
Fryer	McCall	Salvatore	
Gallagher	McClatchy	Scheaffer	Fineman,
Garzia	McCue	Schmitt	Speaker
Geesey			

Fischer	Letterman	Rieger	Wright
Fisher	Levi	Ritter	Yahner
Flaherty	Lincoln	Romanelli	Yohn
Foster, A.	Lynch	Ross	Zeller
Foster, W.	Manderino	Ruggiero	Zord
Fryer	Manmiller	Ryan	Zwiski
Gallagher	McCall	Saloom	
Garzia	McClatchy	Salvatore	Fineman,
Geesey	McCue	Scheaffer	Speaker

NAYS—1

O'Keefe

NOT VOTING—15

Caputo	Hammock	Oliver	Thomas
Dininni	Hutchinson, W.	Pievsky	Wojdak
Gallen	Johnson, J.	Rhodes	Zearfoss
Gleeson	McGraw	Tayoun	

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. 971, printer's No. 1109, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), authorizing three-day licenses to residents of the Commonwealth to hunt on regulated shooting grounds and increase the issuing agents fee for issuing such licenses.

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	Geisler	McGinnis	Schmitt
Anderson, J. H.	George	McIntyre	Schweder
Arthurs	Giammarco	McLane	Scirica
Barber	Gillespie	Mebus	Seltzer
Bellomini	Gillette	Menhorn	Shane
Bennett	Gleason	Milanovich	Shelhamer
Beren	Goodman	Miller, M. E.	Shelton
Berlin	Green	Miller, M. E., Jr.	Shuman
Berson	Greenfield	Milliron	Shupnik
Bittle	Grieco	Miscevich	Sirianni
Blackwell	Gring	Moehlmann	Smith, E.
Bonetto	Halverson	Morris	Smith, L.
Bradley	Hamilton, J. H.	Mrkonie	Spencer
Brandt	Hasay	Mullen	Stahl
Brunner	Haskell	Mullen, M. P.	Stapleton
Burns	Hayes, D. S.	Musto	Stout
Butera	Hayes, S. E.	Myers	Sweeney
Cessar	Hepford	Novak	Taddonio
Cimini	Hill	Noye	Taylor
Cohen	Hopkins	O'Brien	Toll
Cole	Hutchinson, A.	O'Connell	Trello
Cowell	Irvis	O'Donnell	Turner
Crawford	Itkin	O'Keefe	Ustynoski
Cumberland	Katz	Pancoast	Valicenti
Davies	Kelly, A. P.	Parker, H. S.	Vann
Davis, D. M.	Kelly, J. B.	Perri	Vroon
DeMedio	Kernick	Perry	Wagner
Deverter	Kistler	Petrarca	Walsh, T. P.
Dicarlo	Klingaman	Pitts	Wansacz
DiDonato	Knepper	Polite	Wargo
Dietz	Kolter	Pratt	Weidner
Dombrowski	Kowalshyn	Prendergast	Westerberg
Dorr	Kusse	Pyles	Whelan
Dreibelbis	LaMarca	Rappaport	Whittlesey
Eckensberger	Laudadio	Reed	Wilson
Engelhart	Laughlin	Renninger	Wilt, R. W.
Fawcett	Lederer	Renwick	Wilt, W. W.
Fee	Lehr	Richardson	Worrtlow

NAYS—0

NOT VOTING—17

Caputo	Hammock	Oliver	Tayoun
Dininni	Hutchinson, W.	Pievsky	Thomas
Doyle	Johnson, J.	Rhodes	Wojdak
Gallen	McGraw	Sullivan	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.

PARLIAMENTARY INQUIRY

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

Mr. GLEASON. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GLEASON. On House bill No. 932, did we vote on the amendment or was it on the final passage? Did we have two votes, one on the amendment and one on final passage?

The SPEAKER. The House voted twice, once on the amendment and once on final passage.

Mr. GLEASON. I thank the Speaker.

Agreeable to order,

The House proceeded to third consideration of House bill No. 979, printer's No. 1117, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), increasing the fees for special permits.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—180

Abraham	Geisler	McIntyre	Salvatore
Anderson, J. H.	George	McLane	Scheaffer
Arthurs	Giammarco	Mebus	Schmitt
Barber	Gillespie	Menhorn	Schweder
Bellomini	Gillette	Milanovich	Scirica
Bennett	Gleason	Miller, M. E.	Seltzer
Beren	Goodman	Miller, M. E., Jr.	Shane
Berlin	Green	Milliron	Shelton
Berson	Greenfield	Miscevich	Shupnik
Bittle	Grieco	Moehlmann	Sirianni
Blackwell	Gring	Morris	Smith, E.
Bonetto	Halverson	Mrkonie	Smith, L.
Bradley	Hamilton, J. H.	Mullen	Spencer
Brandt	Haskell	Mullen, M. P.	Stahl
Brunner	Hayes, D. S.	Musto	Stapleton
Burns	Hayes, S. E.	Myers	Stout
Butera	Hepford	Novak	Sweeney
Cessar	Hill	Noye	Taddonio
Cimini	Hopkins	O'Brien	Taylor
Cohen	Hutchinson, A.	O'Connell	Toll
Cowell	Irvis	O'Donnell	Trello

Crawford	Itkin	O'Keefe	Turner
Cumberland	Katz	Oliver	Ustynoski
Davies	Kelly, A. P.	Pancoast	Valicenti
Davis, D. M.	Kelly, J. B.	Parker, H. S.	Vann
DeMedio	Kernick	Perri	Vroon
Deverter	Kistler	Perry	Wagner
Dicarlo	Klingaman	Petrarca	Walsh, T. P.
DiDonato	Knepper	Pitts	Wansacz
Dietz	Kolter	Polite	Weidner
Dombrowski	Kowalshyn	Pratt	Westerberg
Dorr	Kusse	Prendergast	Whelan
Doyle	LaMarca	Pyles	Whittlesey
Dreibelbis	Laudadio	Rappaport	Wilt, R. W.
Eckensberger	Laughlin	Reed	Wilt, W. W.
Englehart	Lederer	Renninger	Worrillow
Fawcett	Lehr	Renwick	Wright
Fee	Letterman	Richardson	Yahner
Fischer	Levi	Rieger	Yohn
Fisher	Lincoln	Ritter	Zeller
Flaherty	Lynch	Romanelli	Zord
Foster, A.	Manmiller	Ross	Zwikl
Foster, W.	McCall	Ruggiero	
Gallagher	McClatchy	Ryan	Fineman,
Garzia	McCue	Saloom	Speaker
Geesey	McGinnis		

NAYS—7

Cole	Hasay	Shuman	Wilson
Fryer	Shelhamer	Wargo	

NOT VOTING—16

Caputo	Hammock	McGraw	Tayoun
Dininni	Hutchinson, W.	Pievsky	Thomas
Gallen	Johnson, J.	Rhodes	Wojdak
Gleeson	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.

Agreeable to order,

The House proceeded to third consideration of **House bill No. 999, printer's No. 1549**, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), imposing certain restrictions on rights granted and authorizing the commission to grant additional rights on State game lands.

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	Garzia	McGinnis	Schmitt
Anderson, J. H.	Geisler	McIntyre	Schweder
Arthurs	George	McLane	Setrica
Barber	Giammarco	Mebus	Seltzer
Bellomini	Gillespie	Menhorn	Shane
Bennett	Gillette	Milanovich	Shelhamer
Beren	Gleason	Miller, M. E.	Shelton
Berlin	Goodman	Miller, M. E., Jr.	Shupnik
Berson	Green	Milliron	Smith, E.
Bittle	Greenfield	Miscevich	Smith, L.
Blackwell	Grieco	Moehlmann	Spencer
Bonetto	Gring	Morris	Stahl
Bradley	Halverson	Mrkonje	Stapleton
Brandt	Hamilton, J. H.	Mullen, M. P.	Stout
Brunner	Hasay	Mullen	Sweeney
Burns	Haskell	Musto	Taddonio
Butera	Hayes, D. S.	Myers	Taylor
Cessar	Hepford	Novak	Toll
Cimini	Hill	O'Brien	Trello
Cohen	Hopkins	O'Connell	Turner
Cote	Hutchinson, A.	O'Donnell	Ustynoski
Cowell	Irvis	Oliver	Valicenti

Crawford	Itkin	Pancoast	Vann
Cumberland	Kelly, A. P.	Parker, H. S.	Vroon
Davis, D. M.	Kelly, J. B.	Perri	Walsh, T. P.
Davies	Kernick	Perry	Wansacz
DeMedio	Kistler	Petrarca	Wargo
Deverter	Klingaman	Polite	Weidner
Dicarlo	Knepper	Pratt	Westerberg
DiDonato	Kolter	Pyles	Whelan
Dietz	Kowalshyn	Rappaport	Whittlesey
Dombrowski	Kusse	Reed	Wilson
Doyle	LaMarca	Renninger	Wilt, R. W.
Dreibelbis	Laudadio	Renwick	Wilt, W. W.
Eckensberger	Laughlin	Rhodes	Worrillow
Englehart	Lederer	Richardson	Wright
Fawcett	Lehr	Rieger	Yahner
Fee	Levi	Ritter	Yohn
Fischer	Lincoln	Romanelli	Zeller
Fisher	Lynch	Ross	Zord
Flaherty	Manderino	Ruggiero	Zwikl
Foster, A.	Manmiller	Ryan	
Foster, W.	McCall	Saloom	Fineman,
Fryer	McClatchy	Salvatore	Speaker
Gallagher	McCue	Scheaffer	

NAYS—11

Dorr	Katz	O'Keefe	Shuman
Geesey	Letterman	Pitts	Wagner
Hayes, S.E.	Noye	Prendergast	

NOT VOTING—15

Caputo	Hammock	Pievsky	Thomas
Dininni	Hutchinson, W.	Sirianni	Wojdak
Gallen	Johnson, J.	Sullivan	Zearfoss
Gleeson	McGraw	Tayoun	

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 lady from Susquehanna, Miss Sirianni. For what purpose does the lady rise?

Miss SIRIANNI. I rise to a question of personal privilege.

The SPEAKER. The lady will state it.

Miss SIRIANNI. My button will not work. What did you do, turn it off?

The SPEAKER. How does the lady desire to be recorded?

Miss SIRIANNI. Yea.

The SPEAKER. The lady will be recorded in the affirmative.

BUSINESS AND COMMERCE BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 958, printer's No. 1094**, entitled:

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

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

NAYS—0

NOT VOTING—17

Caputo	Hutchinson, W.	Pratt	Thomas
Diminni	Johnson, J.	Romanelli	Wagner
Gallen	McGraw	Sullivan	Wojdak
Gleeson	Plevsky	Tayoun	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.

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. LETTERMAN. On House bill No. 999, I voted in error and I would like to be recorded in the affirmative, please.

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

**CONSERVATION BILL
ON THIRD CONSIDERATION**

Agreeable to order,

The House proceeded to third consideration of House bill No. 304, printer's No. 335, entitled:

An Act amending "The Clean Streams Law," approved June 22, 1937 (P. L. 1937, No. 394), permitting the Department of Environmental Resources to certify certain laboratories.

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, lines 1 to 16 by striking out all of said lines and inserting: Amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined." creating the Department of Environmental Resources and defining its functions, powers and duties, transferring certain boards and commissions to such department, abolishing the Sanitary Water Board, the Air Pollution Commission and certain other boards and commissions; placing the Navigation Commission for the Delaware River and its navigable tributaries in the Department of Transportation; transferring the functions of the Geographic Board to the Pennsylvania Historical and Museum Commission placing the Valley Forge Park Commission and the Washington Crossing Park Commission in the Pennsylvania Historical and Museum Commission and repealing inconsistent acts and providing for certification of certain laboratories.

Amend Bill, page 1, lines 19 to 25; page 2, lines 1 to 8 by striking out all of said lines and inserting:

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 1926-A. Laboratories.—The Department of Environmental Resources shall have the power and its duty shall be:

(1) To require that analytical test results and reports which are submitted to the department be performed only by laboratories which meet standards established by the Environmental Quality Board by rule or regulation, which will insure that the data submitted is reliable and adequate to meet the needs of the department. Such standards may include, but are not limited to, standards for analytical methods, laboratory procedures, equipment, quality control, staffing, records, reports and other output, and any other matters that may affect the quality of laboratory performance.

(2) To periodically inspect and certify laboratories that meet the standards established under clause (1) and for this purpose to charge a reasonable fee not greater than the administrative cost of providing this service, according to rules and regulations established by the Environmental Quality Board. Fees collected under this section shall be deposited in the special fund known as "The Clean Water Fund," established pursuant to the act of June 22, 1937 (P. L. 1937, No. 394), known as "The Clean Streams Law," to be used in the manner provided therein.

Section 2. The sum of \$120,000, or as much thereof as may be necessary, is hereby appropriated to the Department of Environmental Resources for the fiscal year July 1, 1975 to June 30, 1976, for the purpose of this act.

Section 3. This act shall take effect immediately.

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, to my knowledge, there is no opposition to these amendments.

The SPEAKER. The gentleman will have to explain the amendments on the floor.

Mr. W. W. WILT. The amendment simply establishes a method of certifying private laboratories to do work for the Department of Environmental Resources, and also establishes that the department will be required to provide forms so that these reports from the various laboratories will be on a uniform basis rather than the way it is recorded at the present time.

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

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

Bill as amended was agreed to.

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—188

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

NAYS—1

Hasay

NOT VOTING—14

- | | | | |
|---------|----------------|----------|----------|
| Caputo | Hammock | Plevsky | Thomas |
| Dininni | Hutchinson, W. | Sullivan | Wojdak |
| Gallen | Johnson, J. | Tayoun | Zearfoss |
| Gleeson | McGraw | | |

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.

WOMEN'S CLUB WELCOMED

The SPEAKER. The Chair is pleased to welcome the Ellsworth Women's Club from Ellsworth in Washington County and Mr. Steve Morgo, newly elected magistrate of Bentworth.

These folks are here as the guests of the gentleman from Washington, Mr. Stout.

GIRL SCOUTS WELCOMED

The SPEAKER. The Chair is also pleased to welcome to the hall of the House 33 Girl Scouts from Fredonia, Mercer County, Pennsylvania.

The young people are here today with their leaders, Mrs. Patricia Friede and Mrs. Elaine Shearer.

They are the guests of the gentleman from Mercer, Mr. R. W. Wilt.

LAW AND JUSTICE BILLS
ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 208, printer's No. 1132, entitled:**

An Act prohibiting certain prisoners from participating in certain training programs until their minimum sentence has been served.

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 Philadelphia, Mr. Richardson.

Mr. RICHARDSON. Mr. Speaker, I would like to interrogate the prime sponsor of the bill.

The SPEAKER. Will the gentleman from Allegheny, Mr. Fisher, consent to interrogation?

Mr. FISHER. I shall, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. RICHARDSON. Mr. Speaker, I am not clear on just what certain prisoners are and I would like to have some clarification as to the prohibiting of them being involved in certain training programs.

Mr. FISHER. Mr. Speaker, I could not hear the question of Mr. Richardson.

Mr. RICHARDSON. I raise the question as to House bill No. 208 and I ask, what is the purpose of the prohibiting of certain prisoners to be involved in certain programs?

Mr. FISHER. Yes, Mr. Speaker, the purpose of the bill on the prohibition against certain prisoners from being in programs is because over the last number of years in the Commonwealth there have been an unusually large number of escapes by prisoners who had been committed to penal institutions throughout the Commonwealth, who escaped after they had been, or during the period of time they were being, transferred to training programs outside institutions where the security was lax. We have had a number of examples of such escapes in the western part of the state over the last 3 years. The exact figures I do not have as to how many there have been overall.

But the purpose of this bill would be that if a person escapes during his period of incarceration and after this person is recaptured, if in fact he is recaptured, he would then be ineligible for transfer to any training programs outside an institution, such as a pre-release program, a furlough program or any other work-release program until his minimum sentence has been served.

Mr. RICHARDSON. Mr. Speaker, it is my understanding that the bill as it reads now states that a person coming into prison is eligible for being a part of a training program. Would this not presently, in the language as it reads, prohibit him from being a part of that program?

Mr. FISHER. If I understand your question, Mr. Speaker—I had some difficulty hearing it—correctly, a person who was transferred into an institution would be eligible for a program under the pre-release rules and under the Pre-release Act as this legislature has passed in prior terms. Unless he escaped, he would have the same eligibility as any other person had. But the purpose of this bill, as I previously indicated, is to prohibit the transfer and retransfer into these programs of prisoners who have escaped or attempted to escape from institutions throughout this Commonwealth.

Mr. RICHARDSON. Is the number of individuals who have escaped from these programs a very minimal number? Would you not say that if you look at the overall particular pre-release program, whereby individual prisoners are allowed to go out on these particular furloughs, that the overall program has been a success; that there has just been a minimal number of individuals who have escaped; that there has not been a rampant escape process here in terms of the number of individuals who have got away? Would you not say that the number is very small in light of the fact that we have a program that has worked successfully? There have been some whom we have read about and heard about that certainly raise some questions, but I do not think that it is anywhere in the high percentile.

I raise that question because I think it should be of some concern to the members. It seems that when we do have these programs that there are some individuals who do get away or do escape. But I think that we should look at the entire program in itself, not just piecemeal. Would you not say that the number is small?

Mr. FISHER. Mr. Speaker, I think that you have partially answered your own question. I am not saying that the percentage of the people who have escaped from these programs throughout the state, percentagewise, is large. In fact, it is probably lower than 5 percent if you take the whole total.

What I am trying to deter by this legislation is this: These people who may be prone to escape and may have thoughts in their minds once they are given some freedom outside the walls of these secure institutions, if they

do escape and if they are recaptured, although the program is beneficial and beneficial to the overwhelming majority of the population in the institutions, these people are going to forfeit their future eligibility for participation in these programs if they are recaptured. I believe that such an amendment to the laws of this Commonwealth would not only strengthen the pre-release program but also serve to act as a deterrent against those who have created the bad publicity throughout the Commonwealth for the program.

Mr. RICHARDSON. Mr. Speaker, I am quite concerned about this piece of legislation because I know that there has been an attempt in the past to try and get rid of certain programs such as these. I am just wondering in my own mind—and the language does not necessarily clear it up for me—at this particular time whether or not there is an indication that there is going to be a move to try to eliminate that type of program. I would think that perhaps the bill itself needs to be looked at in relationship to that, because we have seen over and over again that—

Mr. Speaker, could I have a little attention?

Mr. SPEAKER. Would the conversations on the floor please break up immediately? Will the members please give their attention to the speakers on the floor and will all the members take their seats?

Mr. RICHARDSON. I am concerned with this piece of legislation that it not move in the realm where the pre-release program is eliminated altogether. I am saying that the language at this particular time is certainly confusing and ambiguous to me and I would hope that perhaps it could have further study.

MOTION TO RECOMMIT

Mr. RICHARDSON. I would ask that we recommit this bill, House bill No. 208, to the Judiciary Committee for further study by the Subcommittee on Corrections and Rehabilitation.

The SPEAKER. Has the gentleman moved for recommitment of this bill?

Mr. RICHARDSON. Yes, I have made a motion.

The SPEAKER. There is a motion before the House that House bill No. 208, printer's No. 1132, be recommitted to the Committee on Judiciary.

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

Mr. FISHER. On the motion to recommit, Mr. Speaker, I would oppose the motion to recommit at this time.

A similar motion was made to recommit the bill from the Law and Justice Committee to the Judiciary Committee. Subsequent to that time, the bill was thoroughly considered by the Law and Justice Committee. There was testimony taken from the Bureau of Corrections.

I believe that the bill is ready for final passage and I would urge all members to vote against the motion to recommit.

On the question,

Will the House agree to the motion?

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

YEAS—21

Barber
Berson
Blackwell

Lederer
Manderino
Mullen, M. P.

Rhodes
Richardson
Ross

Toll
Vann

Greenfield
Irvis
Laughlin

O'Donnell
O'Keefe
Oliver

Shane
Shelton
Shupnik

Fineman,
Speaker

NAYS—167

Abraham	Gallagher	Manmiller	Saloom
Anderson, J. H.	Gallen	McCall	Scheaffer
Arthurs	Garzia	McClatchy	Schmitt
Bellomini	Geesey	McCue	Schweder
Bennett	Geisler	McGinnis	Scirica
Beren	George	McIntyre	Seltzer
Berlin	Giammarco	McLane	Shelhamer
Bittle	Gillespie	Mebus	Shuman
Eonetto	Gillette	Menhorn	Sirianni
Bradley	Gleason	Milanovich	Smith, E.
Brandt	Goodman	Miller, M. E.	Smith, L.
Brunner	Green	Miller, M. E., Jr.	Spencer
Burns	Grieco	Milliron	Stahl
Butera	Gring	Miscevich	Stapleton
Cessar	Halverson	Moehlmann	Stout
Cimini	Hamilton, J. H.	Morris	Sweeney
Cohen	Hasay	Mrkonie	Taddonio
Cole	Haskell	Mullen	Taylor
Cowell	Hayes, D. S.	Musto	Trelo
Crawford	Hayes, S. E.	Myers	Turner
Cumberland	Hepford	Novak	Ustykoski
Davies	Hill	Noye	Valicenti
Davis, D. M.	Hopkins	O'Brien	Vroon
DeMedio	Hutchinson, A.	O'Connell	Wagner
Deverter	Itkin	Pancoast	Walsh, T. P.
Dicarlo	Katz	Parker, H. S.	Wansacz
DiDonato	Kelly, A. P.	Perri	Wargo
Dietz	Kelly, J. B.	Perry	Weidner
Dombrowski	Kernick	Petrarca	Westerberg
Dorr	Kistler	Pitts	Whelan
Doyle	Klingaman	Polite	Whittlesey
Dreibelbis	Knepper	Pratt	Wilson
Eckensberger	Kolter	Prendergast	Wilt, R. W.
Englehart	Kowalyszyn	Pyles	Wilt, W. W.
Fawcett	Kusse	Reed	Worriflow
Fee	LaMarca	Renninger	Wright
Fischer	Laudadio	Renwick	Yahner
Fisher	Lehr	Rieger	Yohn
Flaherty	Letterman	Ritter	Zeller
Foster, A.	Levi	Romanelli	Zord
Foster, W.	Lincoln	Ruggiero	Zwickl
Fryer	Lynch	Ryan	

NOT VOTING—15

Caputo	Hutchinson, W.	Rappaport	Thomas
Dininni	Johnson, J.	Salvatore	Wojdak
Gleeson	McGraw	Sullivan	Zearfoss
Hammock	Pievsky	Tayoun	

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

On the question recurring,
Shall the bill pass finally?

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

Mr. RICHARDSON. Mr. Speaker, I would urge the members to certainly look at this piece of legislation, since they chose not to recommit it, as one of concern. It affects a lot of persons across this entire state. In our emotionalism sometimes we tend to react instead of pre-act. I think you will find that we are getting rid of a lot of programs that are very helpful to a lot of people across this Commonwealth.

I would think that the language, as it reads there, does not do what the gentleman wants it to do. Therefore, I would urge that the members vote against the bill and look at maybe considering a piece of legislation that would do something to help the overall pre-release program.

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—172

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

NAYS—17

Barber	Irvis	Reed	Wagner
Berson	LaMarca	Rhodes	
Blackwell	Manderino	Richardson	Fineman,
Greenfield	O'Donnell	Ross	Speaker
Hammock	Oliver	Toll	

NOT VOTING—14

Caputo	Johnson, J.	Rappaport	Thomas
Dininni	McGraw	Sullivan	Wojdak
Gleeson	Mullen, M. P.	Tayoun	Zearfoss
Hutchinson, W.	Pievsky		

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.

PARLIAMENTARY INQUIRY

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

Mr. RITTER. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RITTER. House bill No. 304, which was the bill before this one—and it has already been passed—was amended.

House bill No. 304 originally was an amendment to the Clean Streams Law. Apparently the entire bill was stricken and all that remained then was just the bill number, and in its place was inserted an amendment to the Administrative Code. In addition, it called for a \$120,000 appropriation for this coming fiscal year. My inquiry is: Is it parliamentarily possible to completely

amend a bill, including the title, and instead of amending the clean streams law amend the Administrative Code?

The SPEAKER. Well, there is no question that an amendment cannot be offered which will completely change the intent and purpose of the bill.

The gentleman, however, has been late in raising the point of order.

Mr. RITTER. I realize that, Mr. Speaker.

You were going very quickly and I was not able to even find the amendment.

The SPEAKER. The Chair would suggest to the gentleman that he file a motion for reconsideration of the vote by which this bill passed finally and reconsideration of the vote by which the amendment was adopted.

Mr. RITTER. One further question, Mr. Speaker. Because the bill, as originally drawn and as it has now been amended, deals with the establishment of laboratories to check the quality of the water, on that basis, is it possible, then, that the amendment is an acceptable amendment?

The SPEAKER. Well, the amendment has been voted upon by the House, so therefore it has been adopted by the House.

The question that the gentleman has raised will be determined at such time as the matter comes before the House again on a reconsideration motion.

Mr. RITTER. I thank the Chair, Mr. Speaker.

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

Mr. W. W. WILT. Mr. Speaker, the original intent has not been changed. It was discovered that the original bill was an amendment to—

The SPEAKER. Mr. Wilt, the Chair hesitates to interrupt, but the matter is not really before the House at the moment.

Agreeable to order,

The House proceeded to third 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.

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—187

- Abraham Anderson, J. H. Arthurs Barber Bennett Beren Berlin Berson Bittle Blackwell Bonetto Bradley Brandt Brunner Burns Geisler George Giammarco Gillespie Gillette Gleason Goodman Green Greenfield Grieco Gring Halverson Hamilton, J. H. Hammock Hasay McCue McGinnis McIntyre McLane Mebus Menhorn Milanovitch Miller, M. E. Miller, M. E., Jr. Milliron Miscevlch Moehlmann Morris Mrkonjc Mullen Salvatore Scheaffer Schmitt Schweder Scirica Seltzer Shane Shelhamer Shelton Shuman Shupnik Sirianni Smith, E. Smith, L. Spencer

- Butera Cessar Cimini Cohen Cole Cowell Crawford Cumberland Davies Davis, D. M. DeMedio Deverter Dicarlo DiDonato Dietz Dombrowski Dorr Doyle Dreibelbis Eckensberger Englehart Fawcett Fee Fischer Fisher Flaherty Foster, A. Foster, W. Fryer Gallagher Gallen Garzia Geesey Haskell Hayes, D. S. Hayes, S. E. Hepford Hill Hopkins Hutchinson, A. Irvis Itkin Katz Kelly, A. P. Kelly, J. B. Kernick Kistler Klingaman Knepper Kolter Kowalyshyn Kusse LaMarca Laudadio Laughlin Lederer Lehr Letterman Levi Lincoln Lynch Manderino Manmiller McCall McClatchy Mullen, M. P. Musto Myers Novak Noye O'Brien O'Connell O'Donneil O'Keefe Oliver Pancoast Parker, H. S. Perri Perry Petrarca Pitts Polite Pratt Prendergast Pyles Rappaport Reed Renninger Renwick Richardson Rieger Ritter Romanelli Ross Ruggiero Ryan Saloom Stahl Stapleton Stout Sweeney Taylor Toll Trello Turner Ustynoski Valicenti Vann Vroon Wagner Walsh, T. P. Wansacz Wargo Weidner Westerberg Whelan Whittlesey Wilson Wilt, R. W. Wilt, W. W. WorriLOW Wright Yahner Zeller Zord Zwick Fineman, Speaker

NAYS—0

NOT VOTING—16

- Bellomini Caputo Dininni Gleeson Hutchinson, W. Johnson, J. McGraw Pievsky Rhodes Sullivan Taddonio Tayoun Thomas Wojdak Yohn 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.

A. D. THOMAS ELEMENTARY SCHOOL WELCOMED

The SPEAKER. The Chair is pleased to welcome the fourth-grade class of the A. D. Thomas Elementary School of Hazleton.

They are here under the leadership of Mr. Eugene Gallagher, who is the principal, as well as their teachers.

The Chair is especially pleased to welcome Venisa Ustynoski, who is the daughter of Representative James Ustynoski and who is with the group.

STATE GOVERNMENT BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 240, printer's No. 1493, entitled:

An Act authorizing and directing the Department of Property and Supplies, with the approval of the Department of Public Welfare and the Governor, to convey to the Township of Upper St. Clair 2.87 acres of land, more or less, situate in the Township of Upper St. Clair, Allegheny County, Commonwealth of Pennsylvania.

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

Table listing names of members who voted 'YEAS' (183 total). Includes names like Abraham, Anderson, J. H., Barber, Bennett, Beren, Berlin, Berson, 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, Dreibelbis, Eckensberger, Englehart, Fawcett, Fee, Fischer, Fisher, Flaherty, Foster, A., Foster, W., Fryer, Gallagher, Gallen, Garzia, Geesey, Geister, George, Giammarco, Gillespie, Gillette, Gleason, Goodman, Green, Grieco, Gring, Halverson, Hamilton, J. H., Hasay, Haskell, Hayes, D. S., Hayes, S.E., Hepford, Hill, Hopkins, Hutchinson, A., Irvis, Itkin, Katz, Kelly, A. P., Kelly, J. B., Kernick, Kistler, Klingaman, Knepper, Kolter, Kowalshyn, LaMarca, Laudadio, Laughlin, Lederer, Lehr, Letterman, Levi, Lincoln, Lynch, Manderino, Manmiller, McCall, McClatchy, McCue, McGinnis, McIntyre, McLane, Mebus, Menhorn, Milanovich, Miller, M. E., Miller, M. E., Jr., Milliron, Misceovich, 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, Pitts, Polite, Pratt, Pyles, Rappaport, Reed, Renninger, Renwick, Richardson, Rieger, Ritter, Romanelli, Ross, Ruggiero, Ryan, Salvatore, Scheaffer, Schmitt, Schweder, Scirica, Seltzer, Shane, Shelhamer, Shuman, Shupnik, Sirianni, Smith, E., Smith, L., Spencer, Stahl, Stapleton, Stout, Sweeney, Taddonio, Taylor, Toll, Trello, Turner, Ustynoski, Valicenti, Vann, Vroon, Wagner, Walsh, T. P., Wansacz, Wargo, Weidner, Westerberg, Whelan, Whittlesey, Wilson, Wilt, R. W., Wilt, W. W., Worriow, Wright, Yahner, Yohn, Zeller, Zord, Zwiki, Fineman, Speaker

NAYS—1

Shelton

NOT VOTING—19

Table listing names of members who did not vote (19 total). Includes names like Arthurs, Bellomini, Caputo, Dininni, Gleason, Greenfield, Hammock, Hutchinson, W., Johnson, J., McGraw, Pievsky, Prendergast, Rhodes, Saloom, Sullivan, Tayoun, Thomas, Wojdak, 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.

QUESTIONS OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. ARTHURS. Mr. Speaker, I failed to vote on that particular issue. I would like to be recorded as voting in the affirmative on House bill No. 240, please.

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

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

Mr. HAMMOCK. Mr. Speaker, my switch was locked on the last vote.

The SPEAKER. How does the gentleman desire to be recorded on the last vote?

Mr. HAMMOCK. I would like to be recorded as voting in the affirmative on House bill No. 240.

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

Agreeable to order,

The House proceeded to third 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.

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—185

Table listing names of members who voted 'YEAS' (185 total). Includes names like Abraham, Anderson, J. H., Arthurs, Barber, Bellomini, Bennett, Beren, Berlin, Bittle, Blackwell, Bonetto, Bradley, Brandt, Brunner, Burns, Butera, Cessar, Cimini, Cohen, Cowell, Crawford, Cumberland, Davies, Davis, D. M., DeMedio, Deverter, Dicarlo, DiDonato, Dietz, Dombrowski, Dorr, Doyle, Dreibelbis, Eckensberger, Englehart, Fawcett, Fee, Fischer, Fisher, Flaherty, Foster, A., Foster, W., Fryer, Gallagher, Gallen, Garzia, Geesey, Geister, George, Giammarco, Gillespie, Gillette, Gleason, Goodman, Green, Greenfield, Grieco, Gring, Halverson, Hamilton, J. H., Hammock, Hasay, Haskell, Hayes, D. S., Hayes, S. E., Hepford, Hill, Hopkins, Hutchinson, A., Irvs, Itkin, Katz, Kelly, A. P., Kelly, J. B., Kernick, Kistler, Klingaman, Knepper, Kolter, Kowalshyn, Kusse, LaMarca, Laudadio, Laughlin, Lederer, Lehr, Letterman, Levi, Lincoln, Lynch, Manderino, Manmiller, McCall, McClatchy, McCue, McGinnis, McIntyre, McLane, Mebus, Menhorn, Milanovich, Miller, M. E., Jr., Milliron, Misceovich, 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, Pitts, Polite, Pratt, Prendergast, Pyles, Rappaport, Reed, Renninger, Renwick, Richardson, Rieger, Ritter, Romanelli, Ruggiero, Ryan, Salvatore, Scheaffer, Schmitt, Schweder, Scirica, Seltzer, Shane, Shelhamer, Shelton, Shuman, Shupnik, Sirianni, Smith, E., Smith, L., Spencer, Stahl, Stapleton, Stout, Sweeney, Taddonio, Taylor, Toll, Trello, Turner, Ustynoski, Valicenti, Vann, Vroon, Wagner, Walsh, T. P., Wansacz, Wargo, Weidner, Westerberg, Whelan, Whittlesey, Wilson, Wilt, R. W., Wilt, W. W., Worriow, Wright, Yahner, Yohn, Zeller, Zord, Zwiki, Fineman, Speaker

NAYS—0

NOT VOTING—18

Table listing names of members who did not vote (18 total). Includes names like Berson, Caputo, Cole, Hutchinson, W., Johnson, J., McGraw, Rhodes, Ross, Saloom, Fayoun, Thomas, Wojdak

Dininni Miller, M. E. Sullivan Zearfoss
Gleeson Pievsky

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

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. ROSS. Mr. Speaker, I would like to be recorded as voting in the affirmative on House bill No. 974, please.

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

**LABOR RELATIONS BILLS
ON THIRD CONSIDERATION**

Agreeable to order,

The House proceeded to third 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.

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?

HOUSE BILL No. 528 PASSED OVER TEMPORARILY

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

Mr. RICHARDSON. Mr. Speaker, are we voting on House bill No. 528?

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

Mr. RICHARDSON. I would like to interrogate Mr. Sullivan if possible.

The SPEAKER. Is the gentleman from Philadelphia, Mr. Sullivan, in the hall of the House?

Is there any other House member familiar with the provisions of House bill No. 528 who can respond to the interrogation of the gentleman, Mr. Richardson?

Mr. RICHARDSON. Can we ask that it be passed over, Mr. Speaker?

The SPEAKER. Without objection, House bill No. 528 will be temporarily passed over.

Agreeable to order,

The House proceeded to third 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 employee's choice of practitioner of the healing arts.

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—142

Abraham	Geister	McIntyre	Salvatore
Arthurs	George	McLane	Schmitt
Barber	Giammarco	Menhorn	Schweder
Beilomini	Gillespie	Milanovich	Scirca
Bennett	Gillette	Miller, M. E.	Swane
Berlin	Goodman	Miller, M. E., Jr.	Shelhamer
Berson	Green	Milliron	Shelton
Bittie	Greenfield	Miscovich	Shuman
Blackwell	Gring	Morris	Shupnik
Bonetto	Halverson	Mrkonic	Smith, L.
Bradley	Hammock	Mullen, M. P.	Spencer
Brandt	Hosay	Mullen	Stapleton
Brunner	Haskell	Musto	Stout
Burns	Hayes, D. S.	Myers	Sweeney
Cessar	Hepford	Novak	Taddonio
Cohen	Hopkins	Noye	Taylor
Cole	Hutchinson, A.	O'Brien	Toll
Cowell	Irvic	O'Donnell	Trello
Crawford	Itkin	O'Keefe	Ustynoski
Davis, D. M.	Katz	Oliver	Valicenti
DeMedio	Kelly, A. P.	Parker, H. S.	Vann
Dicarlo	Kernick	Perri	Walsh, T. P.
DiDonato	Knepper	Perry	Wansacz
Dombrowski	Kolter	Petrarca	Wargo
Doyle	Kowalshyn	Pratt	Weidner
Dreibelbis	Kusse	Prendergast	Whelan
Eckensberger	LaMarca	Rappaport	Wilson
Englehart	Laudadio	Reed	Wilt, R. W.
Fee	Laughlin	Renninger	WorriLOW
Fischer	Lederer	Renwick	Wright
Fisher	Letterman	Richardson	Yahner
Flaherty	Lincoln	Rieger	Zeller
Fryer	Lynch	Ritter	Zwick
Gallagher	Manderino	Romanelli	
Garzia	McCall	Ross	Fineman,
Geesey	McCue	Ruggiero	Speaker

NAYS—45

Anderson, J. H.	Gleason	McGinnis	Seltzer
Butera	Grizzo	Manmiller	Sirianni
Cimini	Hamilton, J. H.	Mebus	Smith, E.
Cumberland	Hayes, S. E.	Moehlmann	Stahl
Davies	Hill	O'Connell	Turner
Deverter	Kelly, J. B.	Pancoast	Vroon
Dorr	Kistler	Pitts	Wagner
Dietz	Klingaman	Polite	Whittlesey
Fawcett	Lehr	Pyles	Wilt, W. W.
Foster, A.	Levi	Ryan	Yohn
Foster, W.	McClatchy	Scheaffer	Zord
Gallen			

NOT VOTING—16

Boren	Hutchinson, W.	Rhodes	Thomas
Caputo	Johnson, J.	Saloom	Westerberg
Dininni	McGraw	Sullivan	Wojdak
Gleeson	Pievsky	Tayoun	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.

**RECONSIDERATION OF VOTE
ON HOUSE BILL No. 304**

Mr. RITTER moved that the vote by which HOUSE BILL No. 304, printer's No. 335, entitled:

An Act amending "The Clean Streams Law," approved June 22, 1937 (P. L. 1987, No. 394), permitting the Department of Environmental Resources to certify certain laboratories.

was agreed to on final passage on Tuesday, June 10, 1975, be reconsidered.

Mr. ECKENBERGER 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?

RECONSIDERATION OF VOTE ON AMENDMENTS TO HOUSE BILL No. 304

Mr. RITTER moved that the vote by which the Wilt amendments to House bill No. 304, printer's No. 335, were agreed to on June 10, 1975, be reconsidered.

Mr. ECKENBERGER seconded the motion.

On the question, Will the House agree to the motion? Motion was agreed to.

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

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

Mr. W. W. WILT. Mr. Speaker, this amendment does not change the original intent of the bill.

It was discovered that we would have been amending the wrong act. Therefore, this amendment was drawn to amend Act 175, which established the Department of Environmental Resources.

It simply provides, as I mentioned before, that the department would set up a method of certifying private laboratories which do work for the Commonwealth.

The amendment further provides, Mr. Speaker, that a uniform method of reporting would be established. That is all the bill does.

The department is very anxious to have this legislation, and I ask for an affirmative vote on the amendment.

BILL PASSED OVER

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

Mr. W. W. WILT. Mr. Speaker, I ask that House bill No. 304, printer's No. 335, be passed over in order.

The SPEAKER. Without objection, House bill No. 304, printer's No. 335, will go over in order.

QUESTIONS OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. KLINGAMAN. Mr. Speaker, on House bill No. 1044, printer's No. 1198, I voted in error. I would like to be recorded in the affirmative.

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

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

Mr. GRIECO. Mr. Speaker, on House bill No. 1044, I

voted in error. I would like to change my "no" vote to "yes."

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

The Chair recognizes the gentleman from Lycoming, Mr. Cimini.

Mr. CIMINI. I voted in error on House bill No. 1044. I would like my vote to be recorded in the affirmative.

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

TRANSPORTATION BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third 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.

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—185

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

NAYS—0

NOT VOTING—18

Caputo	Hammock	Ritter	Tayoun
Dininni	Hutchinson, W.	Saloom	Thomas
Flaherty	McGraw	Stout	WorriLOW
Gleeson	Pievsky	Sullivan	Zearfoss
Gring	Rhodes		

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

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. RITTER. Would you record me in the affirmative on House bill No. 584?

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

Agreeable to order,

The House proceeded to third 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.

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	Geesey	McCue	Scirica
Anderson, J. H.	Geisler	McGinnis	Seltzer
Arthurs	George	McIntyre	Shane
Barber	Giammarco	McLane	Shelhamer
Bellomini	Gillespie	Mebus	Shelton
Bennett	Gillette	Menhorn	Shuman
Beren	Gleason	Milanovich	Shupnik
Berlin	Goodman	Miller, M. E.	Sirianni
Berson	Green	Miller, M. E., Jr.	Smith, E.
Bittle	Greenfield	Milliron	Smith, L.
Blackwell	Grieco	Miscevich	Spencer
Bonetto	Gring	Moehlmann	Stahl
Bradley	Halverson	Morris	Stapleton
Brandt	Hamilton, J. H.	Mrkonic	Stout
Brunner	Hasay	Mullen	Sweeney
Burns	Haskell	Mullen, M. P.	Taddonio
Butera	Hayes, D. S.	Musto	Taylor
Cessar	Hayes, S. E.	Myers	Tayoun
Cimini	Hepford	Novak	Toll
Cohen	Hill	Noye	Trello
Cole	Hopkins	O'Brien	Turner
Cowell	Hutchinson, A.	O'Connell	Ustynoski
Crawford	Irviss	O'Donnell	Valicenti
Cumberland	Itkin	O'Keefe	Vann
Davies	Johnson, J.	Pancoast	Vroon
Davis, D. M.	Katz	Parker, H. S.	Wagner
DeMedio	Kelly, A. P.	Perri	Walsh, T. P.
Deverter	Kelly, J. B.	Perry	Wansacz
Dicarlo	Kernick	Petrarca	Wargo
DiDonato	Kistler	Pitts	Weidner
Dietz	Klingaman	Polite	Westerberg
Dombrowski	Knepper	Pratt	Whelan
Dorr	Kolter	Prendergast	Whittlesey

Doyle	Kowalyszyn	Pyles	Wilson
Dreibelbis	Kusse	Rappaport	Wilt, R. W.
Eckensberger	LaMarca	Reed	Wilt, W. W.
Englehart	Laudadio	Renninger	Wojdak
Fawcett	Laughlin	Renwick	WorriLOW
Fee	Lederer	Rieger	Wright
Fischer	Lehr	Ritter	Yahner
Fisher	Letterman	Romanelli	Yohn
Flaherty	Levi	Ross	Zeller
Foster, A.	Lincoln	Ruggiero	Zord
Foster, W.	Lynch	Ryan	Zwinkl
Fryer	Manderino	Salvatore	
Gallagher	Manmiller	Scheaffer	Fineman,
Gallen	McCall	Schmitt	Speaker
Garzia	McClatchy	Schweder	

NAYS—0

NOT VOTING—14

Caputo	Hutchinson, W.	Rhodes	Sullivan
Dininni	McGraw	Richardson	Thomas
Gleeson	Oliver	Saloom	Zearfoss
Hammock	Pievsky		

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

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

TAX BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 603, printer's No. 1519**, 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.

On the question,

Will the House agree to the bill on third consideration?

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

Mr. RYAN. Mr. Speaker, would the gentleman, Mr. McCue, consent to interrogation?

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

Mr. McCUE. Yes, Mr. Speaker.

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

Mr. RYAN. Mr. Speaker, would the gentleman advise me as to whether or not this is a tax on real estate?

Mr. McCUE. Yes, Mr. Speaker, this is a tax on real estate.

Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, I am not speaking on behalf of junkyards, but it seems to me, if my Constitutional Law 101 still applies, that there is some question as to whether or not a bill such as this would be constitutional in that it is not uniform in my judgment.

What the sponsor of this bill attempts to do is increase real estate taxes by \$50 for every car that is junked and remains on real property. Now that is a very worthwhile cause, I am sure. The problem I have with it, however, is that it is not like an amusement tax if there is a tax on cars; but rather the way this bill is drafted, it is an actual real estate tax.

It seems to me that if we pass a bill such as this and then we decide that we do not like dairy trucks parked at a dairy, we can impose a real estate tax that is chargeable as a lien against real estate for every dairy truck that is located on a property. Or, if we do not like

farmers, we will impose a real estate—and the key to this is real estate taxes—tax on the number of cows in a herd or cars on a used-car lot.

I think the townships have a right to put a use tax on under existing laws for certain reasons, such as the amusement tax, but I seriously question the constitutionality of imposing a real estate tax that can be liened by the municipality just because of the use of this property.

The constitution requires uniformity. We could not, if we wanted, lower or raise assessments to encourage industry in the state, for instance, because of the constitution. We required a constitutional amendment to give senior citizens a break, because of the uniformity clause. And although I have no love for junkyards, I do have some thought and some love for the constitution, and I think this flies in the face of it.

I make no special appeal; I am simply voting "no" against it. And I call to the attention of the members the provisions of the constitution and ask you to make your own judgment on it.

CONSTITUTIONALY QUESTIONED

The SPEAKER. Does the gentleman, Mr. Ryan, desire to raise the question of constitutionality for a determination?

Mr. RYAN. I had not thought of it, but that is all right. I would do that; I would so move, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Ryan, has raised the question of the constitutionality of the provisions of House bill No. 603.

QUESTION OF CONSTITUTIONALITY WITHDRAWN

Mr. RYAN. Mr. Speaker, I am advised that there is a suggested motion to recommit this bill because evidently there had been some agreement that it was going to be recommitted, which I was unaware of. I withdraw my test of the constitutionality, awaiting the motion.

The SPEAKER. The Chair thanks the gentleman.

HOUSE BILL No. 603 RECOMMENDED

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

Mr. BENNETT. Mr. Speaker, at this point I am about to make the motion to recommit.

The reason for it, Mr. Speaker, is that I have been advised by one of the members of my committee that the motion in committee was to have House bill No. 603 reported from committee and rereferred to the Transportation Committee.

Because of that motion that was made in the Business and Commerce Committee, Mr. Speaker, I now move that House bill No. 603 be recommitted to the Transportation Committee.

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

Mr. McCUE. Mr. Speaker, I would oppose the motion to recommit. Apparently the bill was considered. It was apparently amended in committee. I feel that the House can dispose of the bill on the floor without further consideration in committee and the taking up of additional time of the House. I would oppose the motion.

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

The yeas and nays were required by Messrs. BENNETT and McCUE and were as follows:

YEAS—155

Table listing names of members who voted 'YEAS' (155 total). Includes names like Abraham, Anderson, J. H., Arthurs, Barber, Bellomini, Bennett, Beren, Berlin, Berson, Bittle, Blackwell, Bonetto, Bradley, Brandt, Brunner, Butera, Cohen, Cole, Cowell, Crawford, Cumberland, Davies, DeMedio, Deverter, Dicarolo, DiDonato, Dietz, Dombrowski, Dorr, Doyle, Dreibelbis, Eckensberger, Englehart, Fawcett, Fee, Flaherty, Foster, A., Fryer, Gallagher, Garzia, Geisler, George, Giammarco, Gillespie, Gillette, Goodman, Green, Greenfield, Halverson, Hamilton, J. H., Hayes, D. S., Hayes, S. E., Hepford, Hill, Irvis, Itkin, Johnson, J., Kelly, A. P., Kelly, J. B., Kernick, Kistler, Klingaman, Kowalyshyn, LaMarca, Laudadio, Laughlin, Lederer, Lehr, Letterman, Levi, Lincoln, Lynch, Manderino, Manmiller, McCall, McClatchy, McGinnis, McIntyre, McLane, Milanovich, Milliron, Mischevich, Moehlmann, Morris, Mrkonic, Mullen, M. P., Mullen, Musto, Myers, Novak, Noye, O'Brien, O'Connell, O'Keefe, Oliver, Pancoast, Parker, H. S., Perry, Petrarca, Pitts, Polite, Pratt, Prendergast, Pyles, Rappaport, Reed, Renninger, Renwick, Richardson, Rieger, Ritter, Romanelli, Ross, Ruggiero, Ryan, Salvatore, Scheaffer, Schmitt, Schweder, Shane, Shelhamer, Shelton, Shuman, Shupnik, Sirianni, Smith, E., Smith, L., Spencer, Stapleton, Stout, Sweeney, Taylor, Tayoun, Toll, Trello, Turner, Valicenti, Vann, Wagner, Walsh, T. P., Wansacz, Wargo, Weidner, Westerberg, Whelan, Whittlesey, Wojdak, Worriow, Yahner, Yohn, Zeller, Zord, Zwinkl, Fineman, Speaker.

NAYS—34

Table listing names of members who voted 'NAYS' (34 total). Includes names like Burns, Cessar, Cimint, Davis, D. M., Fischer, Fisher, Gallen, Gleason, Grieco, Gring, Hasay, Haskell, Hopkins, Hutchinson, A., Katz, Knepper, Kolter, Kusse, McCue, Mebus, Menhorn, Miller, M. E., Miller, M. E., Jr., O'Donnell, Perri, Scirica, Stahl, Taddonio, Ustynoski, Vroon, Wilson, Wilt, R. W., Wilt, W. W., Wright.

NOT VOTING—14

Table listing names of members who did not vote (14 total). Includes names like Caputo, Dininni, Geesey, Gleeson, Hammock, Hutchinson, W., McGraw, Plevsky, Rhodes, Saloom, Seltzer, Sullivan, Thomas, Zearioss.

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

The SPEAKER. The bill is so recommitted.

CONSUMER PROTECTION BILLS ON THIRD CONSIDERATION

Agreeable to order, The House proceeded to third 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.

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

NAYS—16

Anderson, J. H.	Foster, A.	McCue	Renninger
Davies	Kusse	Mebus	Scheaffer
Dorr	Lehr	Pitts	Stahl
Dietz	Levi	Pyles	Vroon

NOT VOTING—12

Caputo	Hutchinson, W.	Pievsky	Sullivan
Dininni	McGraw	Rhodes	Thomas
Gleeson	O'Connell	Saloom	Zearfoss

The majority required by the constitution having vote 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 Luzerne, Mr. O'Connell. For what purpose does the gentleman rise?

Mr. O'CONNELL. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. O'CONNELL. Mr. Speaker, I missed my switch on House bill No. 742, printer's No. 1418. Had I voted, I would have voted in the negative.

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

Agreeable to order,

The House proceeded to third 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.

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—191

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

NAYS—0

NOT VOTING—12

Bellomini	Gleeson	Pievsky	Sullivan
Caputo	Hutchinson, W.	Rhodes	Thomas
Dininni	McGraw	Saloom	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.

BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 249, printer's No. 272, entitled:

An Act amending "The Administrative Code of 1929,"

approved April 9, 1929 (P. L. 177, No. 175), creating a State Board of Marriage and Family Counselor Examiners as a departmental administrative board in the Department of State.

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

BILL RECOMMENDED

Mr. IRVIS moved that House bill No. 249 be recommitted to the Committee on Appropriations.

On the question,
Will the House agree to the motion?
Motion was agreed to.

Agreeable to order,
The House proceeded to third consideration of **House bill No. 250, printer's No. 273**, entitled:

An Act providing for the licensing and regulation of marriage and family counselors; making certain acts illegal and prescribing penalties.

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

BILL RECOMMENDED

Mr. IRVIS moved that House bill No. 250 be recommitted to the Committee on Appropriations.

On the question,
Will the House agree to the motion?
Motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. W. W. WILT. Mr. Speaker, I was out of my seat when the vote on House bill No. 1044, printer's No. 1198, was taken. I would like to be recorded in the affirmative, please.

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

Agreeable to order,

The House proceeded to third consideration of **House bill No. 957, printer's No. 1093**, entitled:

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

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 Mercer, Mr. Bennett.

Mr. BENNETT. Mr. Speaker, House bill No. 957 is an almost identical bill to a bill that passed this House in

the closing days of the last session. It is a bill that amends the revenue bond and mortgage bill to include in the range of activities eligible for that funding certain transportation facilities, nursing homes, industrial parks, and facilities for the furnishing of electric energy, gas, and water available on reasonable demand to members of the general public.

I think it is a good bill. As I indicated, the bill had passed this House in the last session.

Apparently I owe an apology to the Republican members. It was not discussed in their caucus. If there are any questions, I would be more than happy to answer them. If there are none, Mr. Speaker, I would appreciate an affirmative vote.

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—179

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

NAYS—8

Crawford	McClatchy	Smith, E.	Zeller
Hamilton, J. H.	Pitts	Vroon	Zord

NOT VOTING—16

Caputo	Hutchinson, W.	Rhodes	Thomas
Dininni	McGraw	Saloom	Wilson
Gleeson	Mullen, M. P.	Shelhamer	Wojdak
Hammock	Pievsky	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.

BILLS ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill No. 361, printer's No. 398**, entitled:

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853, No. 155), providing for the levying of taxes following a county-wide reassessment of real property.

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. 577, printer's No. 1347**, entitled:

An Act amending the "Vital Statistics Law of 1953," approved June 29, 1953 (P. L. 304, No. 66), requiring the Bureau of Vital Statistics to issue birth certificates in the name the applicant is actually using.

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. 826, printer's No. 929**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes approved November 25, 1970 (P. L. 707, No. 230), further providing for the grading of offenses relating to bad checks.

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. 1103, printer's No. 1264**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, redefining the definition of firearms.

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. 1219, printer's No. 1550**, entitled:

An Act amending the "Home Rule Charter and Optional Plans Law," approved April 13, 1972 (P. L. 184, No. 62), providing for the Government Study Commission to establish new or revised districts for inclusion into a proposed charter.

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. 1276, printer's No. 1468**, entitled:

An Act amending the "State Horse Racing Law," approved December 11, 1967 (P. L. 707, No. 331), changing terms and further providing for the location of horse race meetings, license renewal, employment of public employees.

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

Ordered, to be transcribed for third consideration.

HOUSE RESOLUTION No. 68

Mr. IRVIS called up **HOUSE RESOLUTION No. 68, printer's No. 808**, entitled:

House of Representatives recommending that our State Liquor Stores refrain from purchasing Gallo Wine products until the company grants farm workers the opportunity to hold secret ballot elections.

On the question,

Will the House adopt the resolution?

RESOLUTION RECOMMENDED

Mr. BURNS moved that House resolution No. 68 be recommitted to the Committee on Rules.

On the question,

Will the House agree to the motion?

Motion was agreed to.

HOUSE RESOLUTION No. 76 ADOPTED

Mr. IRVIS called up **HOUSE RESOLUTION No. 76, printer's No. 1516**, entitled:

House of Representatives objects strenuously to the invasion of Cyprus by Turkey and her resort to arms.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Messrs. REED and MEBUS and were as follows:

YEAS—161

Abraham	Garza	McIntyre	Schmitt
Arthurs	Geisler	McLane	Schweder
Barber	George	Mebus	Scirica
Bellomini	Giammarco	Menhorn	Seltzer
Bennett	Gillette	Milanovich	Shelhamer
Beren	Goodman	Miller, M. E.	Shane
Berlin	Green	Miller, M. E., Jr.	Shelton
Berson	Greenfield	Milliron	Shuman
Bittle	Grieco	Miscevich	Shupnik
Blackwell	Halverson	Mullen, M. P.	Sirianni
Bonetto	Hayes, D. S.	Mullen	Smith, E.
Brandt	Hepford	Musto	Smith, L.
Brunner	Hill	Myers	Stahl
Burns	Hopkins	Novak	Stapleton
Butera	Hutchinson, A.	Noye	Stout
Cessar	Irvis	O'Brien	Sweeney
Cimrini	Itkin	O'Connell	Taylor
Cohen	Johnson, J.	O'Donnell	Toll
Cole	Katz	Oliver	Trello
Cowell	Kelly, A. P.	O'Keefe	Turner
Crawford	Kelly, J. B.	Pancoast	Ustynoski
Cumberland	Kernick	Parker, H. S.	Vallenti
Davies	Kistler	Perri	Vann
Davis, D. M.	Klingaman	Perry	Vron
DeMedio	Knepper	Petrarca	Wansacz
Deverter	Kolter	Pitts	Weidner
Dicarlo	Kowalshyn	Polite	Westerberg
Dietz	Kusse	Pratt	Whittlesey
Dombrowski	LaMarca	Prendergast	Wilt, R. W.
Dorr	Laudadio	Rappaport	Wilt, W. W.
Dreibelbis	Laughlin	Reed	Wojdak
Engelhart	Lederer	Renninger	Worrilow
Fawcett	Letterman	Renwick	Wright
Fee	Levi	Rhodes	Yahner
Fischer	Lincoln	Richardson	Yohn
Fisher	Lynch	Rieger	Zord
Flaherty	Manderino	Romanelli	Zwickl
Foster, W.	Manmiller	Ross	
Fryer	McCall	Ruggiero	Fineman,
Gallagher	McClatchy	Ryan	Speaker
Gallen	McGinnis	Scheaffer	

NAYS—14

Anderson, J. H.	Gleason	Lehr	Tayoun
Bradley	Hasay	McCue	Wagner
Foster, A.	Haskell	Moehlmann	Walsh, T. P.
Gillespie	Hayes, S. E.		

NOT VOTING—28

Caputo	Gring	Plevsky	Taddonio
DiDonato	Hamilton, J. H.	Pyles	Thomas
Dinfini	Hammock	Ritter	Wargo
Doyle	Hutchinson, W.	Saloom	Whelan
Eckensberger	McGraw	Salvatore	Wilson
Geesey	Morris	Spencer	Zearfoss
Gleeson	Mrkoncic	Sullivan	Zeller

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

QUESTION OF INFORMATION

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

Mr. RICHARDSON. Mr. Speaker, I tried to get to the microphone when you were dealing with House resolution No. 68. Is it my understanding that that resolution was recommitted to the Committee on Rules?

The SPEAKER. The resolution was recommitted to the Committee on Rules.

Mr. RICHARDSON. May I ask why?

The SPEAKER. The gentleman is late in raising the question at this time.

Mr. RICHARDSON. I know. I tried to get to the microphone before you recommitted it.

The SPEAKER. The Chair would suggest to the gentleman that he consult with the gentleman, Mr. Burns, who was the mover of the motion.

Mr. RICHARDSON. Thank you.

HOUSE SCHEDULE

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I should like to announce to the floor how the remainder of the day appears to me.

We are going to ask, the minority leader and I, for a recess of approximately an hour, to begin immediately. It will not be necessary for the Democrats to meet in caucus. Let me correct that. It might be necessary, but I do not think I have the energy to face them. The Democrats, for whatever reason, will not meet in caucus today. I am informed by Mr. Butera that he will ask for a caucus on the part of the Republicans. That will take approximately an hour.

We would both ask that you report promptly to the floor at the end of the recess. We will be on the floor then for approximately 45 minutes, and then I will ask for a lunch break which will take us until 1:30.

By 1:30 all the mechanics for the amendment procedure to be followed on House bills Nos. 1333, 1334, 1335 and 1336 should have been completed. I would anticipate a long and perhaps tiring afternoon, but I would urge you to report back to the floor promptly at the end of the recess. That will be approximately quarter of 12.

RULES COMMITTEE MEETING CONTINUED

Mr. IRVIS. An announcement for the members of the

Rules Committee: The meeting which was scheduled to be held in my office at 12 noon will be continued until a later announced time. We are not—I repeat, we are not—canceling the Rules Committee meeting; we are delaying it until a later time in the afternoon.

I have no further announcement, Mr. Speaker.

FINANCE COMMITTEE MEETING

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, there is an announcement:

I have just been informed the House Finance Committee meeting scheduled for 11:30 is being called immediately.

QUESTION OF INFORMATION

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

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

The SPEAKER. The gentleman will state it.

Mr. VANN. I canceled a meeting of the Urban Affairs Committee for today at the request of the leadership. We do have urgent business to take up.

I am wondering if there is any way, because of the "Sunshine" law, that we could have that meeting now.

The SPEAKER. Was a meeting advertised for today?

Mr. VANN. Yes, it was. It was advertised for 1:30 today. We had two—11:30 yesterday; 1:30 today, yes.

The SPEAKER. The gentleman can continue the 1:30 meeting and hold the meeting later in the day.

The gentleman would be in order under the provisions of the "Sunshine" law by continuing the meeting scheduled for 1:30 and holding it at a later hour.

REPUBLICAN CAUCUS

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

Mr. O'CONNELL. Mr. Speaker, I would just like to announce that there will be a brief caucus for the Republicans. We would like them to report there immediately upon the recess.

Thank you.

LAW AND JUSTICE COMMITTEE MEETING CANCELED

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

Mr. ECKENSBERGER. Mr. Speaker, the Law and Justice Committee meeting scheduled for 11:30 this morning is hereby canceled.

The SPEAKER. The Chair thanks the gentleman.

ANNOUNCEMENTS

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

Mr. BONETTO. Mr. Speaker, I would like to make two announcements.

One, the meeting scheduled for 3:30 of the Transportation Committee is hereby canceled.

Secondly, for the members of the Allegheny delegation on both sides of the aisle, I ask that a meeting be

held in room 246, the Appropriations Committee meeting room, upon the call of the recess.

LOCAL GOVERNMENT COMMITTEE MEETING CANCELED

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

Mr. FRYER. Mr. Speaker, the Local Government Committee meeting scheduled for 11:30 is hereby canceled.

The SPEAKER. The Chair thanks the gentleman.

FINANCE COMMITTEE MEETING

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

Mr. BRUNNER. Mr. Speaker, to correct the majority leader, the House Finance Committee's meeting scheduled at 11:30 will be held at 11:30 in room 140.

The SPEAKER. The Chair thanks the gentleman.

CONSUMER PROTECTION COMMITTEE MEETING

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

Mr. SCHMITT. Mr. Speaker, this is to announce that the Consumer Protection Committee meeting scheduled for 1:30 will be in recess until 7:30 this evening, at which time a special meeting will be held.

URBAN AFFAIRS COMMITTEE MEETING CANCELED

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

Mr. VANN. Mr. Speaker, after hearing your answer, I think it is better to let the members of the Urban Affairs Committee know that the meeting originally scheduled for 1:30 today is still canceled.

The SPEAKER. Did the gentleman say that his meeting has been canceled?

Mr. VANN. Yes.

The SPEAKER. The Chair thanks the gentleman.

BILL REREPORTED AS AMENDED

HOUSE BILL No. 379 By Mr. GALLAGHER

An Act amending the "Pennsylvania Farmland and Forest Land Assessment Act of 1974," approved December 19, 1974 (No. 319), requiring the State Tax Equalization Board to consider preferential use assessments for school subsidy purposes.

Rereported from Committee on Appropriations.

BILL REPORTED AND CONSIDERED FIRST TIME AND TABLED

SENATE BILL No. 310 By Mr. PETRARCA

An Act amending the act of May 2, 1947 (P. L. 136, No. 56), entitled "An act relating to Federal aid to political subdivision or municipality authority for the development of public airports," authorizing the Department of Transportation to approve projects and the disbursement of Federal funds with certain exceptions.

Reported from Committee on Transportation.

PARLIAMENTARY INQUIRY

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

Mr. SCHMITT. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SCHMITT. Mr. Speaker, I had a bill submitted to my committee, the Consumer Protection Committee, that inadvertently was sent there when it should have gone to the Conservation Committee.

I am not sure, under the new rules, what the mechanics are in transferring this to the Conservation Committee.

The SPEAKER. The gentleman will have to report the bill out of committee and make a request of the majority leader that he include in his motion a request that the bill be referred or recommitted to the Committee on Conservation.

Mr. SCHMITT. Thank you, Mr. Speaker.

The SPEAKER. The bill will go to the Rules Committee, and the Chair suggests to the gentleman, Mr. Schmitt, that he communicate with the majority leader.

BILLS REPORTED AND CONSIDERED FIRST TIME AND RECOMMITTED TO COMMITTEE ON RULES

HOUSE BILL No. 77 By Mr. PETRARCA

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58, No. 32), directing the issuance of special registration plates of disabled veterans; exempting motor vehicles bearing such plates from certain parking restrictions for limited times; and prescribing penalties.

Reported from Committee on Transportation.

HOUSE BILL No. 171 By Mr. SCHMITT

An Act repealing the "Unfair Sales Act," approved August 11, 1974 (P. L. 900, No. 344).

Reported from Committee on Consumer Protection.

HOUSE BILL No. 172 By Mr. SCHMITT

An Act repealing the act of June 5, 1935 (P. L. 266, No. 115), entitled "An act to protect trade-mark owners, distributors, and the public against injuries and uneconomic practices in the distribution of articles of standard quality under a distinguished trade-mark, brand or name.

Reported from Committee on Consumer Protection.

HOUSE BILL No. 288 By Mr. PETRARCA

An Act amending the "Forest Reserves Municipal Financial Relief Law," approved May 17, 1929 (P. L. 1798, No. 591), increasing the amount of money paid for road benefits.

Reported from Committee on Transportation.

HOUSE BILL No. 696 By Mr. GALLAGHER

An Act amending the "Community College Act of 1963," approved August 24, 1963 (P. L. 1132, No. 484), further providing for tuition for students resident in an area which is not a local sponsor of a community college.

Reported from Committee on Education.

HOUSE BILL No. 1135 By Mr. GALLAGHER

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

Reported from Committee on Education.

HOUSE BILL No. 1189

By Mr. McCALL

An Act authorizing the Department of Environmental Resources, with the approval of the Governor, to convey title of the Altoona Acid Mine Drainage Treatment Plant to the City of Altoona, subject to a right of reverter for stated conditions.

Reported from Committee on Conservation.

QUESTION OF PERSONAL PRIVILEGE

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

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

Mr. LEHR. Mr. Speaker, I voted in error on House resolution No. 76. I wish to be recorded as voting "aye."

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

HOUSE BILLS INTRODUCED AND REFERRED

By Mr. BUTERA

HOUSE BILL No. 1407

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), excluding the sale and use of vegetable seeds from the tax for education.

Referred to Committee on Finance.

By Messrs. IRVIS, BERLIN, Mrs. KELLY, Messrs. OLIVER, PRATT, Mrs. TOLL and Mr. ROMANELLI

HOUSE BILL No. 1408

An Act providing for the planning of a housing code program and the establishment and enforcement of minimum housing standards; fixing certain responsibilities and duties of owners and occupants; * * *

Referred to Committee on Business and Commerce.

By Messrs. SHELHAMER, YAHNER, Miss SIRIANNI, Messrs. WEIDNER, SHUMAN, MORRIS, W. W. FOSTER, COLE, GRIECO, ZELLER, THOMAS and DREIBELBIS

HOUSE BILL No. 1409

An Act amending the Bakery Law approved May 22, 1933 (P. L. 912, No. 168), and prohibiting certain persons from working in a bakery.

Referred to Committee on Agriculture.

SENATE MESSAGE**BILLS FOR CONCURRENCE**

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

SENATE BILL No. 213

An Act amending the act of May 23, 1947 (P. L. 274, No. 112), entitled "An act to validate the title to real estate for which a deed or transfer was properly executed and recorded without containing a certificate setting forth the residence of the grantee," further providing for the applicability of the act.

Referred to Committee on Judiciary.

SENATE BILL No. 363

An Act amending the act of June 16, 1836 (P. L. 715, No. 186), entitled "Reference and Arbitration Law,"

changing the amount which may be arbitrated in counties of the third class.

Referred to Committee on Judiciary.

SENATE BILL No. 423

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), entitled "The Second Class Township Code," further providing for the number of meetings for which supervisors may be compensated.

Referred to Committee on Local Government.

SENATE BILL No. 477

An Act amending the act of May 3, 1933 (P. L. 242, No. 86), entitled, as amended, "Beauty Culture Law," providing for temporary certificates of registration.

Referred to Committee on Professional Licensure.

SENATE BILL No. 510

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

Referred to Committee on Local Government.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. WOJDAK, IRVIS, MANDERINO, WARGO, GALLAGHER, DeMEDIO, ROMANELLI, ENGLEHART, LaMARCA, PRENDERGAST, CAPUTO, GEISLER, TRELLO, MISCEVICH, ABRAHAM, MENHORN, BONETTO, NOVAK, Mrs. GILLETTE, Mr. OLIVER, Mrs. TOLL, Mrs. KELLY, Messrs. GEORGE, SCHWEDER, COWELL, Mrs. KERNICK, Messrs. WALSH, SWEENEY, COHEN, MUSTO, SCHMITT, SHUPNIK, WANSACZ, McLANE, REED, KOWALYSHYN, RUGGIERO, O'DONNELL, BRADLEY, LAUGHLIN, RITTER, ECKENSBERGER, ZWIKL, PERRY, DOMBROWSKI, GILLESPIE, DOYLE, GARZIA, STAPLETON, LETTERMAN, PIEVSKY, ARTHURS, FEE, O'KEEFE, BELLOMINI, TAYLOR, McCALL, MORRIS, DiCARLO, GREEN, PRATT, COLE, MILLIRON, LINCOLN and DAVIS

(Concurrent) RESOLUTION No. 109

That there hereby be created a Task Force consisting of 14 members of the General Assembly. Seven from the House of Representatives to be appointed by the Speaker of the House of Representatives, and seven from the Senate to be appointed by the President pro tempore of the Senate. The Speaker and the President pro tempore shall designate one of its appointees to serve as co-chairman of such Task Force.

Referred to Committee on Rules.

By Messrs. O'CONNELL, BEREN, GALLEN, GEESEY, LEHR, VROON, MEBUS, WESTERBERG, HASAY, McCLATCHY, SCHEAFFER, KUSSE, W. W. FOSTER, Mrs. CRAWFORD and Mr. BURNS

RESOLUTION No. 110

The House of Representatives request that the majority leadership, in consultation with the minority leadership, set aside Tuesday, June 17, 1975 for a special order of business to discuss the medical malpractice problem, and related legislation to remedy the problem.

Referred to Committee on Rules.

SENATE BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 34

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.

SENATE BILL No. 56

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 Judicial 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.

SENATE BILL No. 115

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

SENATE BILL No. 235

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.

SENATE BILL No. 313

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

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

RECESS

The SPEAKER. Without objection, this House now stands in recess until 11:45.

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****SENATE MESSAGE****HOUSE BILL CONCURRED IN BY SENATE**

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

HOUSE BILL No. 552

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), entitled "Liquor Code," further providing for Sunday hours of sale.

With information that the Senate has passed the same without amendment.

HOUSE 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 read as follows:

HOUSE BILL No. 552

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), further providing for Sunday hours of sale.

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

NEW VOICES OF HARRISBURG WELCOMED

The SPEAKER. At this time, the Chair wants to welcome a singing group that is going to entertain the House -- Mr. Olin Harris and the New Voices of Harrisburg.

The New Voices of Harrisburg is an organization that has been in existence for 5 years and is comprised of young people between the ages of 14 and 18.

They have appeared throughout the Commonwealth and have been very much involved in aiding charitable and civic endeavors.

Mr. Olin Harris is a Harrisburg area gentleman who has been particularly noted for his work with young people of this area.

The singing group and Mr. Harris are the guests of the gentleman from Dauphin, Mr. Reed.

The Chair would hope that the House will extend a very warm welcome to this group and to Mr. Harris.

(A musical program was presented.)

NEW VOICES OF HARRISBURG THANKED

The SPEAKER. Thank you, Mr. Harris.

The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I want to convey the thanks of the House of Representatives to Mr. Olin Harris and to the singing group. We thank you very, very much and welcome you here again.

The SPEAKER. Would the majority leader yield to the gentleman, Mr. Reed, who I see wants to make an observation about his guests?

Mr. IRVIS. Certainly, Mr. Speaker.

ANNOUNCEMENT

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Reed.

Mr. REED. Mr. Speaker, I only wish to make the announcement that House citations have already been approved and are in my hands, and will be presented in just a moment in the lobby in the rear of the hall of the House to Mr. Olin Harris and to the New Voices of Harrisburg, as you proceed with your business.

I thank the House for their attentiveness during this proceeding.

Thank you.

HOUSE SCHEDULE

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I would ask the indulgence of the House for a period of about 5 minutes.

I am awaiting a report from the Committee on Finance. It is my hope that the committee will be ready to report a bill to transfer \$169.5 million from the parent reimbursement fund for aid to parochial students' parents to the general fund.

I have just been informed that that bill has been voted out of committee. I would ask that the House, Mr. Speaker, remain in session long enough for that bill to be reported to the floor so that I may call a Rules Committee meeting for the purposes of reviewing that same bill to report it back, if possible, to the floor for action.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, I presume, then, we are going to recess until what time?

The SPEAKER. The Chair would suggest that we recess until 1:30, to give the members an opportunity to have some lunch.

Mr. IRVIS. Yes; that would be the suggestion of the majority leader, 1:30, Mr. Minority Leader.

Mr. BUTERA. I wonder if we could extend that until 2 o'clock? We have not yet finished our caucus.

Mr. IRVIS. Certainly, Mr. Minority Leader.

Mr. Speaker, I would be in agreement, too.

REPUBLICAN CAUCUS

Mr. BUTERA. Then what I would ask for is for the Republicans to proceed immediately to the caucus room and have lunch after the caucus is terminated.

We are almost finished, but it may take at least until 1 o'clock, and then we will report back to the floor at 2 o'clock.

The SPEAKER. The House will continue to remain in session for the purpose of receiving the report.

The Republican members of the House may proceed immediately to their caucus room.

NO DEMOCRATIC CAUCUS

Mr. IRVIS. Mr. Speaker, with the Speaker's permission, there will be no need for the Democrats to report for caucus. There is no need for you to remain on the floor.

The only business before the House will be the acceptance of the report of the Committee on Finance and an announcement by the majority leader calling for a Rules Committee meeting.

RULES COMMITTEE MEETING

Mr. IRVIS. Mr. Speaker, I now call for a Rules Committee meeting in my office promptly at 1:30.

There is no further business on the floor until 2 o'clock. There will be no need for the Democrats to remain in their seats.

QUESTION OF INFORMATION

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. This bill that was just voted out of the Finance Committee, what consideration will that be on?

The SPEAKER. It will receive automatic first read-

ing, be recommitted to the Rules Committee, be reported out of Rules Committee, be up for second reading.

Mr. BUTERA. Well, it can only get one reading.

The SPEAKER. It will be on second reading as it appears on tomorrow's calendar.

Mr. BUTERA. Okay.

Mr. IRVIS. Mr. Speaker, I have been advised that I made an incorrect announcement. I thought I announced that the meeting of the Rules Committee would be at 1:30. Apparently, I misstated the time. The meeting of the Rules Committee is in my office at 1:30.

BILL REPORTED AND CONSIDERED FIRST TIME AND RECOMMITTED TO COMMITTEE ON RULES

HOUSE BILL No. 1151

By Mr. BRUNNER

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

Reported from Committee on Finance.

BILL REPORTED AS AMENDED AND CONSIDERED FIRST TIME AND RECOMMITTED TO COMMITTEE ON RULES

HOUSE BILL No. 1207

By Mr. BRUNNER

An Act amending the "Pennsylvania Cigarette Tax Act," approved July 22, 1970 (P. L. 513, No. 178), changing provisions relating to payment of certain revenues.

Reported from Committee on Finance.

RECESS

The SPEAKER. Without objection, the Chair now declares the House in recess until 2 p.m.

The Chair hears no objection. This House is now in recess.

AFTER RECESS

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

THE SPEAKER (Herbert Fineman) IN THE CHAIR

BILL REREPORTED AS COMMITTED

HOUSE BILL No. 1207

By Mr. IRVIS

An Act amending the "Pennsylvania Cigarette Tax Act," approved July 22, 1970 (P. L. 513, No. 178), changing provisions relating to payment of certain revenues.

Rereported from Committee on Rules.

CALENDAR

CONSIDERATION OF HOUSE BILL No. 528 RESUMED

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

Mr. RICHARDSON. Mr. Speaker, during the recess I spoke to Mr. Sullivan, and the cloudy areas that were in the bill were cleared up and we can roll the bill.

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—114

Abraham	Garzia	Mebus	Ross
Arthurs	Geisler	Menhorn	Ruggiero
Barber	George	Milanovich	Ryan
Bellomini	Giammarco	Miller, M. E., Jr.	Saloom
Bennett	Gillespie	Miller, M. E.	Salvatore
Beren	Goodman	Milliron	Schweder
Berlin	Greenfield	Miscevich	Scirica
Berson	Hammock	Mullen, M. P.	Shelton
Blackwell	Hopkins	Mullen	Shupnik
Bonetto	Hutchinson, A.	Musto	Stapleton
Bradley	Ireis	Myers	Sullivan
Brunner	Itkin	Novak	Taylor
Burns	Johnson, J.	O'Brien	Tayoun
Butera	Kelly, A. P.	O'Connell	Toll
Cohen	Kernick	O'Donnell	Trello
Cole	Kalter	O'Keefe	Valicenti
Cowell	Kowalyszyn	Oliver	Vann
Crawford	LaMarca	Perry	Wansacz
DeMedio	Laudadio	Petrarca	Wargo
Dicarlo	Laughlin	Prendergast	Whelan
DiDonato	Lederer	Pratt	Wilson
Dombrowski	Letterman	Rappaport	Wojdak
Doyle	Lincoln	Reed	Worrilow
Dreibelbis	Lynch	Ronwick	Wright
Eckensberger	Manderino	Rhodes	Yahner
Englehart	McCall	Richardson	Zwikel
Fawcett	McIntyre	Rieger	
Fee	McGinnis	Ritter	Fineman, Speaker
Gallagher	McLane	Romanelli	

NAYS—78

Anderson, J. H.	Gleason	McCue	Sirianni
Bittle	Green	Manmiller	Smith, E.
Brandt	Grieco	Meehlmann	Smith, L.
Cessar	Gring	Morris	Spencer
Cimini	Halverson	Mrkonic	Stahl
Cumberland	Hamilton, J. H.	Noye	Stout
Davies	Hasay	Pancoast	Taddonio
Davis, D. M.	Haskell	Parker, H. S.	Turner
Deverter	Haves, D. S.	Perri	Ustynoski
Dietz	Haves, S. E.	Pitts	Vroon
Dorr	Hill	Polite	Wagner
Fischer	Katz	Pyles	Weidner
Fisher	Kelly, J. B.	Renninger	Westerberg
Flaherty	Kistler	Scheaffer	Whittlesey
Foster, A.	Klingaman	Schmitt	Wilt, R. W.
Foster, W.	Knepper	Seltzer	Wilt, W. W.
Fryer	Kusse	Shane	Yohn
Gallen	Lehr	Shelhamer	Zeller
Gcesey	Levi	Shuman	Zord
Gillette	McClatchy		

NOT VOTING—11

Caputo	Hepford	Pievsky	Walsh, T. P.
Dintini	Hutchinson, W.	Sweeney	Zearfoss
Gleeson	McGraw	Thomas	

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 INFORMATION

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

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

The SPEAKER. The gentleman will state it.

Mr. W. W. WILT. Mr. Speaker, would I be in order to move that House bill No. 304, printer's No. 335, on page 4, be recommitted to the Committee on Conservation?

The SPEAKER. The Chair was unable to hear the gentleman.

Mr. W. W. WILT. Mr. Speaker, would I be in order to move that House bill No. 304, printer's No. 335, on page 4 of today's calendar, be recommitted to the Committee on Conservation?

The SPEAKER. The bill is not before us at the moment, Mr. Wilt. We will return to it if necessary.

MRS. KUSSE WELCOMED

The SPEAKER. The Chair is pleased to welcome Mrs. Bob Kusse, the wife of one of our members, who is a visitor with us today.

PARLIAMENTARY INQUIRY

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

Mr. ECKENSBERGER. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ECKENSBERGER. Mr. Speaker, would I be in order in proposing a temporary rule under which this House shall operate with regard to the treatment of the budget matter?

The SPEAKER. Is the gentleman addressing himself to a special order of business?

Mr. ECKENSBERGER. No, Mr. Speaker. I would propose a rule which says that anyone who offers an amendment to the budget as proposed, and as it is before us, tell the membership where that additional money shall be taken from or what the source of that additional revenue shall be.

Would I be in order in proposing a temporary rule of that type?

The SPEAKER. It would have a salutary effect, Mr. Eckensberger, but I am afraid that the rule is not a part of the rules of this House and would, therefore, be out of order.

Mr. ECKENSBERGER. Thank you, Mr. Speaker.

PREFERRED APPROPRIATION BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 1333, printer's No. 1558, entitled:

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

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—151

Abraham	Gillespie	Miller, M. E.	Scirica
Arthurs	Gillette	Miller, M. E., Jr.	Seltzer
Barber	Gleason	Milliron	Shane
Bellomini	Goodman	Miscevich	Shelhamer
Bennett	Green	Meehlmann	Shelton
Beren	Greenfield	Morris	Shuman
Berlin	Grieco	Mullen	Shupnik

Berson	Gring	Mullen, M. P.	Sirianni
Bittle	Hamilton, J. H.	Musto	Smith, L.
Blackwell	Haskell	Myers	Spencer
Bonetto	Hayes, D. S.	Novak	Stapleton
Bradley	Hill	O'Brien	Stout
Brandt	Hopkins	O'Connell	Sullivan
Brunner	Hutchinson, A.	O'Donnell	Taddonio
Burns	Irvis	O'Keefe	Taylor
Eutera	Itkin	Oliver	Tayoun
Cole	Katz	Parker, H. S.	Toll
Cowell	Kelly, A. P.	Perri	Trello
Crawford	Kelly, J. B.	Perry	Turner
Cumberland	Kernick	Petrarca	Ustynoski
Davis, D. M.	Kolter	Pievsky	Vann
DeMedio	Kowalyshyn	Pratt	Wagner
Deverter	Kusse	Prendergast	Walsh, T. P.
DiDonato	LaMarca	Rappaport	Wansacz
Dombrowski	Laudadio	Reed	Wargo
Doyle	Laughlin	Renwick	Westerberg
Dreibelbis	Lederer	Rhodes	Whelan
Eckensberger	Letterman	Richardson	Wilson
Englehart	Levi	Rieger	Wilt, R. W.
Fee	Lincoln	Ritter	Wojdak
Fisher	Manderino	Romanelli	Worrlow
Flaherty	Manmiller	Ross	Wright
Foster, W.	McCall	Ruggiero	Yahner
Fryer	McIntyre	Ryan	Zohn
Gallagher	McLane	Saloom	Yobki
Garzia	Mebus	Salvatore	
Geisler	Menhorn	Schmitt	Fineman,
George	Milanovich	Schweder	Speaker
Giammarco			

NAYS—38

Anderson, J. H.	Geesev	McCue	Scheaffer
Cessar	Halverson	McGinnis	Smith, E.
Cimini	Hasay	Mrkonic	Stahl
Davies	Hayes, S. E.	Noye	Vroon
Dietz	Kistler	Pancoast	Weidner
Dorr	Klingaman	Pitts	Whittlesey
Fawcett	Knepper	Polite	Wilt, W. W.
Fischer	Lehr	Pyles	Zeller
Foster, A.	Lynch	Renninger	Zord
Gallen	McClatchy		

NOT VOTING—14

Caputo	Gleeson	Johnson, J.	Thomas
Cohen	Hammock	McGraw	Valicenti
Dicarlo	Hepford	Sweeney	Zearfoss
Dininni	Hutchinson, W.		

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

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

QUESTIONS OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. COHEN. I rise to be recorded in the affirmative on the last bill, House bill No. 1333.

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

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

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

The SPEAKER. The gentleman will state it.

Mr. HEPFORD. Mr. Speaker, had I voted, I would have voted "no" on House bill No. 528 and "yes" on House bill No. 1333.

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

Agreeable to order,

The House proceeded to third consideration of House bill No. 1334, printer's No. 1559, entitled:

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.

On the question,

Will the House agree to the bill on third consideration?

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Thank you, Mr. Speaker.

I have a general statement which I want to make concerning the bills which are before us which make up what I call a general appropriation bill, and afterwards I would like to address some questions to Mr. Wojdak. I think this is probably the appropriate time to do that.

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

Mr. BUTERA. One week ago this House heard from the Welfare Rights Organization, which came here to tell us that its membership wanted help voted them from the public treasury and that they wanted jobs. This week we received a message delivered in the same way from the state employees' union. They want the Governor to keep his commitments, as they see them, to them.

This type of action by both of these groups represents participatory democracy and is nothing more than an exercise of citizens' rights to assemble, to speak, and to petition for redress of grievance.

I state this because, to outside observers, it might seem that the legislative branch is being coerced on fiscal matters by these actions. These observers would be correct in judging that we are coerced, but they would be blaming the wrong group in naming the Welfare Rights Organization or the state employees.

Mr. Speaker, this House is being coerced by the power-brokers of the Shapp administration and by its allies in the legislature.

The most blatant form of coercion has come through the planned stall and delay in the introduction of the budget and its presentation to us. This is June 10, and less than 10 normal legislative days remain in this fiscal year.

You will note also that only part of the budget is before us today. The large number of nonpreferred appropriations are mysteriously missing. We are not certain of their projected levels of spending, but we are certain that at some point through this process the nonpreferred appropriations, with all of their attendant pressure, will be used as hostages for something which will resemble the enactment of a state budget. This is an old trick, and only serves to further point out the ridiculous situation in which we find ourselves and the ridiculous procedure with which we go about enacting budgets in Pennsylvania.

The timing of this budget is dictated by tactics based upon doing a railroad job. If the new fiscal year is to begin with a budget on time, there can be no time given to the public to examine what it is that we are processing at such enormous costs.

We have been told in the press that behind this tactic of stall is the theory that certain politicians did not want the public to have time to put pressure on legislators. Is that not curious? What they mean is that they want to keep the legislators isolated from the people on this issue and keep the legislators bottled up in the Shapp pressure cooker.

We are also under the coercive influence of being faced with a document whose authorship is in question. We are told that it is a document written by this House, but this cannot be so for it flies in the face, line by line, of testimony received by this House in hearing after hearing.

This document bears a striking resemblance not to the needs of the state but to the needs of Mr. Shapp, whose judgments are so often governed by political expediency. Take a look at how this budget apportions funds to state agencies, and make up your own mind.

The two constitutional departments charged with being the watchdogs of the State Treasury—the State Treasurer and the Auditor General—receive a combined increase of \$134,000. The State Treasurer is given an increase of 1.8 percent, and the Auditor General, 0.9 percent.

How does this stack up with the comparable general governmental expense money given to Mr. Shapp's more favored activities which are supposed to be watched over by the fiscal offices?

The Governor's office itself, an increase of \$181,000—or 10.3 percent.

The Agriculture Department, \$1.9 million—or 16.8 percent.

Community Affairs gets a boost of \$487,000—or 9.6 percent.

Education gets an increase of \$1,443,000—or 12 percent.

The Justice Department goes up \$770,000—or 14.6 percent.

Property and Supplies is boosted by \$2,782,000—or 11.9 percent.

Revenue gets an increase of \$4,508,000—or 10.4 percent.

Welfare is boosted \$3,315,000—or 19.9 percent.

These are just the general government categories. These take account or are responsible for taking account for the payment of the employes, primarily, together with other incidental supplies, et cetera.

These are the facts. They reflect political discrimination. They reflect bad government. They reflect the theory that it is good politics to starve the watchdog and to fatten the sacred cows of the political pasture.

I use these comparisons to measure the inequity of the budget which, we are told, has been authored by the membership of this House.

Who is trying to kid whom?

This budget is laced with inequity, and it is quite clear that the Governor has managed to benefit his own agencies with handsome increases, while cutting back the two watchdog departments so severely that they will be unable to meet even ordinary cost increases associated with inflation and payroll increases.

The inequity does not end there, however. It is reflected in money for public programs as well. Take a look at the money for schools in Pennsylvania.

As a member of this House during the past 13 years, I take a back seat to no one in exhibiting concern for and acting upon the needs of the children of our cities. From the time of Governor Scranton onward, we have acted generously to ever increase state aid in the cities for

schools. But as we did this, we recognized that there are other Pennsylvanians in need all across the state.

This budget, with its uncertain authorship, deals with the financial problems of only two school districts—Philadelphia and Pittsburgh.

The Philadelphia school system, we are told, through bureaucratic magic, is to receive \$36 million; and Pittsburgh would get an increase of \$10 million. The more than 500 other school districts are to get a big fat zero.

As we look around the state at the plight of the school districts, it is obvious why this budget is of the late-blooming variety, why it is being dealt with behind the scenes, why certain leaders do not want the people to have time to study it.

Even while this House prepares to accommodate the legitimate financial pressures of Philadelphia and Pittsburgh, there is trouble elsewhere.

In Delaware County, 13 of the 15 school districts face a decrease in state subsidy while budgets are climbing between 8 and 10 percent. Tax increases are predicted to range between 14 and 25 mills.

In the Ellwood City area of Lawrence County, represented by Mr. Pratt, citizens are faced with a projected 11.5-mill increase.

In Indiana County, millage increases threaten everywhere. One school district faces the possibility of a 25-mill increase.

In Lackawanna County, school costs are pressuring school boards in all sectors. In the Dunmore district, as Mr. Wargo knows, a boost of 28 mills is projected.

In the city of Scranton, the pressure for new money is on Mr. McLane. I am sure he is aware of the tax increases which must come later this year.

And in the Abington district, represented by Mr. Wansacz, the taxpayers are rebelling at a proposed 24-mill increase, and unless outside relief comes, there will be at least a 17-mill increase just ahead.

In Clearfield County, hold-the-line efforts may succeed this year, but red ink looms for next year, and difficulties remain in settling teacher contracts.

In Adams County, school districts face similar problems. Costs are going up; millage is going up concurrently. In the Gettysburg district, the projected boost is 9 mills.

Even in the Richland School District in Cambria County, represented by Mr. Englehart, there is a proposed 4-mill increase.

In Allegheny County, 19 school districts are considering raising school taxes.

In my own district, there is a 13-percent increase and a 19-mill projected increase in our school budget.

I stop with these few examples, Mr. Speaker, because it is my assumption that each and every member is aware of what his or her problem is back home and is sensitive to that need.

In each case, other than in Philadelphia, the districts which are in financial trouble are attempting and struggling to meet their costs. In Philadelphia, when there is a problem, it is called a deficit.

The point is, however, that school costs are a major problem for all of us, regardless of where we live.

These few districts which I have cited represent the statewide problem outside of the two large cities where 75 percent of the people live and pay taxes. These examples have included every type of district—rural, suburban, small town and city, smaller city.

I use them to measure the inequity of this budget which, we are told, is authored by the membership of this House. That just cannot be so.

Who is trying to kid whom?

I believe that all members on the minority side and, indeed, many on the majority are also uneasy about the economic thinking which went into the writing of this budget. The budget was written to accommodate pressures of the political sort and with no regard to bolstering the economic climate of Pennsylvania—the job-producing private sector.

This is a budget of despair. It is a budget which fails to lend a helping hand or a boost to the hundreds of job-development programs which have been developed at the community level through many bipartisan efforts throughout this state and emanating from bipartisan efforts within this state government.

In a moment when the authors of the budget insist that times are going to get better and produce higher tax yields to save the state from ever-increasing taxation, no significant help is extended to make these good times happen.

Why not now increase, at least in symbolic fashion, our investment in PIDA to help produce new jobs and to tell the world that we hold confidence in Pennsylvania's future?

Why was the WIN program cut in half this year?

Does it not make sense to place seed in the ground that it may grow and produce a harvest? Are we so negative and pessimistic that we are fearful of such a planting?

Would it not be good, in terms of public morale within Pennsylvania and in the eyes of the nation, to express confidence in ourselves by making a significant bet on tomorrow?

Mr. Speaker, I cite this reactionary quirk in this budget's philosophical outlook to indicate that it is a strange document, indeed, if it in fact was authored by the membership of this House.

Again, who is trying to kid whom?

The budget we are asked to bless is more than twice as big as the one Mr. Shapp so bitterly complained about just 4 years ago. Yet, if we were to ask the average producer and taxpayer of Pennsylvania what it is that they are getting out of this larger spending, few could answer. Most people do not get much of anything except reports of a government in disorder, leaderless, and a tax bill which will become much larger either now or next year.

Actually, I do not think anyone is kidding anybody anymore.

It is our understanding that someone has already put together a sufficient number of votes in the Democratic Party to beat back most, if not all, floor amendments, thus sending this bill on to the Senate.

We will not today strike a ludicrous pose and attempt to rewrite this bill, item by item. That has been attempted in the past; it has not worked, because it is quite clear to all of us who have spent time on state budgets that until we arrive at the point where we write budgets in this House together, there can be no rewriting of a budget offered by a strong, overly strong, executive.

We will offer a few commonsense amendments to serve what we believe to be in the public interest and to support the principle of equity. As these amendments are offered, it will be clear that they will die an ignoble

death, unless on one or another we receive some independent Democratic help.

We need votes from the majority side today. I appeal now to your conscience and to your commitment to represent your constituency at home, and to place its interests ahead of the constituency in the office of the Governor.

Finally, it is my hope, Mr. Speaker, that the institutions dependent upon the nonpreferred appropriations which I mentioned earlier will not be held in hostage as has happened in the past. That is an ugly scene.

I would suggest to all members that they think well today and act accordingly. Pretense at a later date that you were misled, that you were fooled, that you did not know what the effect was going to be a year from now, will fall on deaf ears. It will have a hollow ring.

Mr. Speaker, I would like to ask Mr. Wojdak a short series of questions.

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

Mr. WOJDAK. Yes, I shall, Mr. Speaker.

Mr. Speaker, with Mr. Butera's permission, prior to the interrogation, I was wondering if I could make a brief response to his comments.

The SPEAKER. Will the gentleman, Mr. Butera, yield?

Mr. BUTERA. If I can ease the gentleman's mind, I am not going to be asking him any questions about any of the things which I have already discussed. But if he feels it will be lost later, I do not have any great objection.

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

Mr. WOJDAK. Mr. Speaker, I would like to yield at this time to Mr. Manderino.

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

Mr. MANDERINO. Mr. Speaker, in brief response to the minority leader, let me simply say that I expected his comments; this side of the aisle expected his comments. I guess it is that kind of speech that minorities are constrained to make each year when the budget is introduced and each year when the task of getting the budget passed and getting the Commonwealth on course must be faced by members of the General Assembly. But there are a few pointed remarks that I should make in response to what he had to say.

I think it does no good to this General Assembly or to the enlightenment of the members of the General Assembly to hear consistently words from the minority such as "stall and delay" and "the Shapp pressure cooker" and the nonpreferreds "being held hostage" for something. These are words that I am sure sound good. I do not think they mean very much in a discussion of the budget.

He seemed very concerned about the two fiscal offices not receiving the same increase, and he made a big point about that. I am informed, Mr. Butera, and I think that you should be informed, Mr. Butera, that the money for general government operation in each of those departments, the moneys that you criticized that this budget bill provides, as not being in line with others that are receiving, are more moneys than each of those fiscal offices requested in general government operations. That is significant. We have given them—we have not cut them; we have given them—what they thought they could live with and more.

So to criticize a percentage in the manner in which you criticized it, seems to me to be the wrong tactic. Let me say to you that I appreciate your concern for the school-tax payers in Lackawanna County and Clearfield County, and all these counties in the state, a concern which, frankly, I never saw demonstrated in the past, by you or the other side of the aisle. But, let me say to you, that last year this General Assembly pumped over a \$110 million additional dollars into local school districts by a change in the formula, and that change in the formula that we effectuated last year, I know that you are aware, pumped an additional \$120 million into those school districts this year. Rather than to harp on those districts that may be facing increases, I think that it is well to point out, Mr. Butera, Mr. Minority Leader, that many, many, many school districts across this state have been able to avert tax increases over the past several years because of the work of this General Assembly in changing the formula and in pumping new moneys into those districts. I know that you are aware of it.

Time after time the minority leader stands at the microphone, and has done so in the past several days, past week, and talked about all that the administration does in secrecy and how we are put to crisis terms because we are considering this budget without proper facts just several weeks before the fiscal year is to expire. I might ask the minority leader why he does not question his minority appropriations chairman who has an appropriations as substantial as that of the majority's. What has he been doing, what has the staff of the Minority Appropriations Committee been doing, since Shapp, the Governor, presented his budget to us in March? What work have they done? Rather than to hide behind what is not true, that this is a governor's budget, you ought to question yourself on what we have done, both sides, perhaps, in response to the governor's budget and the governor's message regarding the operations of government. This was given to us in March, and I am sure that the eminently well-qualified Mr. Seltzer, who has chaired the Appropriations Committee, knows much about the budget. I am sure that his staff has been working and I am sure that the budget that will finally be adopted will be a budget of the General Assembly.

To talk about the "Shapp pressure cooker" and to talk about the pressure that is being put upon members of the General Assembly is simply unfair. But as I said when I began, this was the kind of speech that we expect from the minority party every time the budget is to be adopted. The finger is always pointed in another direction. The finger is always pointed elsewhere as to why the process takes us to June before a budget is adopted. I say, let us begin here today to work the budget. Let us settle our differences. Let us make accommodations that the majority of this General Assembly feels should be made, if any. Let us review the work of the majority members of the Appropriations Committee, the staff of the Appropriations Committee, as the same work is embodied in the appropriation bills before us today. Let us make the decision of whether or not the bills before us represent valid spending programs for the Commonwealth in the next fiscal year. And let us eliminate from our discussion terms of "stall and delay" and "pressure-cooker politics" and "nonpreferreds being held hostage," because that will not help this Commonwealth have a valid budget for the next fiscal year.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Thank you, Mr. Speaker.

Just briefly, I find it very curious that the gentleman's memory does not go back very far, particularly as it relates to actions by this speaker and this side regarding moneys to local school districts.

Certainly he can remember last year when we proposed and took exception with the Governor on that very point, and, through those efforts put forth by the then majority in coalition with some of the then minority, were we successful in increasing state aid to local school districts to avert, as much as we could, local tax increases.

If he does not remember that, in stating that I have not shown that kind of concern in the past, then I would refer him to the time prior to last year when school subsidies were substantially increased in 1971 or 1972, I am not certain which. I believe he was a part of that move, which again was a coalition of Republicans and Democrats separate from the Governor and disagreeing with the Governor, to bolster aid to local school districts.

That argument falls flat. When I point my finger to the administration, I point it properly because we are seeing a perpetuation of a system whereby we give inordinate power in the structuring of state budgets to the executive branch, to the Governor.

That is the case this year; that was not the case in the past 2 years. And I think it is the kind of direction which we should be avoiding rather than continuing.

Now, Mr. Speaker, turning to Mr. Wojdak.

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

Mr. WOJDAK. I shall, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. BUTERA. I will refer to this series of bills as the general appropriation bill, even though it is a series of four bills.

Can you tell us whether the Governor is familiar with these bills, to your knowledge?

Mr. WOJDAK. To my knowledge, he is intimately familiar with the bills.

Mr. BUTERA. He is intimately familiar?

Does he support the bills?

Mr. WOJDAK. I assume he does support the bills.

Mr. BUTERA. Have you discussed with him his proposal, and now the proposal of at least some of the majority members, of taking the money which is in the parental reimbursement nonpublic school aid fund from that fund and placing it into the general fund?

Mr. WOJDAK. That had been discussed some time ago, and if your question is, is he in favor of transferring that fund? yes, he is.

Mr. BUTERA. Yes; I believe he originally suggested it.

Did you ever discuss with him that this money is non-recurring in that once it is transferred this particular fiscal year, there will not be an opportunity to transfer a like amount of money in future years?

Mr. WOJDAK. I do not know that I specifically discussed that point, but that is a true statement of fact.

Mr. BUTERA. Will you agree that this particular transfer, and the funds which will be received by the general fund accordingly, will be used to finance ongoing projects rather than projects which will also cease when the money ceases?

Mr. WOJDAK. Well, in the transfer into the general fund, of course it will be used to finance ongoing projects.

Mr. BUTERA. Is it safe to assume that those ongoing projects will have to be funded again in the next fiscal year and that the money used this year to fund them will not be available?

Mr. WOJDAK. Well, in the next fiscal year, various projects will have to be performed, but that will be the responsibility of the assembly, to determine what they would like to fund or not fund.

Mr. BUTERA. Then is it safe to assume that the tax dollars which are contemplated being transferred to the general fund from the nonpublic school fund will not recur and, therefore, must be replaced by other tax dollars?

Mr. WOJDAK. No, not necessarily. It will depend on what the tax yields would indicate in the next fiscal year.

Mr. BUTERA. Well, a tax is a tax whether—

Mr. WOJDAK. You are talking in very general terms. I do not have a crystal ball to determine what is downstream in the next fiscal year.

Mr. BUTERA. But it is clear that the money which will be transferred from this fund to the general fund will be used to finance ongoing state projects rather than projects which will cease within this fiscal year.

Mr. WOJDAK. Well, the cigarette tax will continue to keep coming in and will be the source of the fund for financing ongoing projects. You are talking in very general terms. For instance, one particular item that will not occur again or will not reoccur is the money put aside for the advance payment for vo-tech education in Philadelphia and Pittsburgh. That will not be a recurring item.

Mr. BUTERA. Are you stating then that the money which is being sought to be directed toward the Philadelphia and Pittsburgh schools in advance for vocational-technical training will not be requested by those two school districts next year?

Mr. WOJDAK. Your question is, will it come from the general fund or will it go into—

Mr. BUTERA. No. You made a statement that the money which we are seeking to give to the Philadelphia and Pittsburgh schools, the additional money, that is, the payment in advance for vocational-technical training, or education, will not recur next year because they are being paid a double shot this year.

Mr. WOJDAK. It will reoccur, but not in the amount of \$46 million.

Mr. BUTERA. Do you for a moment believe that those two school districts are not going to come back to this legislature next year and ask to have this same amount of money included in their appropriation?

Mr. WOJDAK. I cannot stand here with any certainty and tell you they are going to come back for additional money or not come back for additional money.

Mr. BUTERA. I can stand here and tell you that they are and that there is no such thing as a one-shot appropriation to either of those two school districts.

Mr. WOJDAK. You have communication, Mr. Speaker, with sources that I do not have communication with.

Mr. BUTERA. I think if you just call upon your common sense and call upon your past legislative experience when one-shot appropriations have been made in the past, then you will concur with my conclusion. It does not even take a crystal ball.

What is the amount that is to be transferred from the nonpublic school fund to the general fund?

Mr. WOJDAK. The amount is \$169 million.

Mr. BUTERA. And of that amount, what will be collected in the next fiscal year?

Mr. WOJDAK. The cigarette tax, as I recall, generates approximately \$24 million a year.

Mr. BUTERA. So that while we are transferring approximately \$170 million, we can only expect to receive, by this action, \$24 million in the next fiscal year?

Mr. WOJDAK. That is correct.

Mr. BUTERA. You have been quoted as saying that the economy may get so good in the next fiscal year that increased tax yields will cover any deficit which is built in by using the Governor's figures—and I presume your figures as well—by the present level of state spending?

Mr. WOJDAK. I do not believe I said that the economy will get so good. I said if it levels off or if there is an upturn in the economy, increased tax yields will result.

Mr. BUTERA. Have you discussed this with the Secretary of Revenue?

Mr. WOJDAK. On occasion, yes.

Mr. BUTERA. Does he agree with you?

Mr. WOJDAK. Yes, he does.

Mr. BUTERA. Did he agree with you at any Appropriations Committee hearing which he attended?

Mr. WOJDAK. In searching my memory, I do not recall any specific conversations. Conversations did occur. Where they occurred, I do not recall. He was in general agreement with my analysis of it.

Mr. BUTERA. Is this budget predicated in any way or has it been presented to any group as indicating that it will not require increases next year, provided your assumptions and those of the Revenue Secretary are correct?

Mr. WOJDAK. Assuming the projections are correct—or the assumptions, as you call them—no tax increase would be required next year, unless, of course, this General Assembly, in its wisdom, decides to increase various programs or add new programs to our state spending structure.

Mr. BUTERA. Are we basing this upon your assumptions or upon the Secretary of Revenue's assumptions?

Mr. WOJDAK. It is not only my assumptions, but it is from various economic studies that have been done as to where the economy is going.

Mr. BUTERA. Do you anticipate an increase beyond what we were originally told by the Governor in the collection of the sales and use tax?

Mr. WOJDAK. Do you mean for the following fiscal year or this fiscal year?

Mr. BUTERA. The following fiscal year.

Mr. WOJDAK. I would assume, with the leveling off or the upturn in the economy, there would be reflected in the tax yields an increase in sales tax.

Mr. BUTERA. How about for this coming fiscal year?

Mr. WOJDAK. For the 1975-76 fiscal year, that also would be true.

Mr. BUTERA. How much more?

Mr. WOJDAK. I do not know exactly, sir.

Mr. BUTERA. Well, how much more for the coming fiscal year upon which this budget has to be based?

Mr. WOJDAK. The figures at this time would range anywhere from \$50 million to \$80 million.

Mr. BUTERA. In the sales and use tax?

Mr. WOJDAK. No; not restricted solely to the sales

and use tax but all the tax yields; namely, the personal income tax.

Mr. BUTERA. Whose estimate is this?

Mr. WOJDAK. That is our estimate.

Mr. BUTERA. When you say "our," you mean yours, your Appropriations Committee and staff?

Mr. WOJDAK. That is correct, the analysis of the Appropriations Committee.

Mr. BUTERA. Does the Secretary of Revenue agree with that?

Mr. WOJDAK. In general, he does.

Mr. BUTERA. Do you anticipate increases in the personal income tax?

Mr. WOJDAK. Yes.

Mr. BUTERA. For the 1975-76 fiscal year?

Mr. WOJDAK. Yes.

Mr. BUTERA. Over that which the Governor suggested to us in March?

Mr. WOJDAK. Well, the Governor in February or March did not have available to him some of the trends that we have been seeing during the past several months since then.

What has occurred is a phenomenon in the personal income tax. Despite the fact that we have a high degree of unemployment, we also have a rising employed population. That phenomenon has led us to the conclusion that the personal income-tax yields are rising and the assumption is that they will continue to rise.

Mr. BUTERA. By how much over that estimate upon which the Governor based his budget?

Mr. WOJDAK. At this date, somewhere in the area of \$50 to \$80 million.

Mr. BUTERA. For the coming fiscal year?

Mr. WOJDAK. For the coming fiscal year.

Mr. BUTERA. How about the corporate net income tax?

Mr. WOJDAK. I am sorry, Mr. Speaker, I did not hear that.

Mr. BUTERA. How about the corporate net income tax yields? Do you anticipate increases in the coming fiscal year as well as the following fiscal year?

Mr. WOJDAK. Yes, we do.

Mr. BUTERA. Do you know how much?

Mr. WOJDAK. Well, that would be included within the yields of \$50 to \$80 million. I do not know what the exact breakout is.

Mr. BUTERA. Well, perhaps you could circulate—for the benefit of us, at least, on this side—your estimates for the coming fiscal year, 1975-76, as well as any trends you see for the following fiscal year of 1976-77. Could you give us the information upon which you are basing your assumptions?

Mr. WOJDAK. Surely.

Mr. BUTERA. By when?

Mr. WOJDAK. I would have to get the staff together to accumulate that data.

Mr. BUTERA. Within a week?

Mr. WOJDAK. I assume within a week.

Mr. BUTERA. Now turning to the projections, Mr. Speaker, for those four categories of public welfare which we commonly term as public assistance, that is, the medical assistance, the county costs, the public assistance, and, I believe, the SSI program, there have been shifting projections in the bill which is before us which differ from those which were presented to us by the Governor in March. Is that not correct?

Mr. WOJDAK. That is correct.

Mr. BUTERA. Did any of these shifting projections come to light during your hearings?

Mr. WOJDAK. Yes, they did.

Mr. BUTERA. At which one?

Mr. WOJDAK. During the hearing that Secretary Beal attended on the Welfare Department, there was extensive questioning by myself and other members of the committee as to what his projections were based on.

Mr. BUTERA. Does he agree with the amount which is included in this particular budget?

Mr. WOJDAK. What had occurred, Mr. Speaker, was this: The projections that the Welfare Department had made were based on a rising case load from last fall, in the months of October, November and December. What the Welfare Department did was take that drastic situation during the fall months and extend it over a 12-month period. We had the benefit of looking at the trend for the months of January, February, March and April. During those 4 months, the projections made by the Welfare Department had fallen about 80 percent short of what they had anticipated. Carrying those actual figures forward, we determined that the projections were miscalculated by approximately \$65 million.

Mr. BUTERA. Would it not be somewhat over \$65 million, since you also are projecting a 7-percent increase in the public-assistance grants whereas the Governor's budget only proposed a 6-percent increase?

Mr. WOJDAK. Well, the difference between the 6-percent and 7-percent increase is approximately \$45 million.

Mr. BUTERA. So it would be the \$65 million plus that amount that you found in error?

Mr. WOJDAK. Yes, that is correct, \$65 million plus that amount.

Mr. BUTERA. One point I think we have failed to establish regarding the revenue estimates: Is the general appropriation bill or series of bills before us predicated upon your revenue estimates or upon the Department of Revenue's revenue estimates?

Mr. WOJDAK. They are predicated upon the information that is forwarded to us and, I assume, every member of the General Assembly by the Revenue Department.

Mr. BUTERA. Has the Revenue Department increased its estimates over that which it gave to the Governor when he presented his proposal?

Mr. WOJDAK. Mr. Speaker, the official estimate will not be made until July 1. What we have done on the information furnished to us by the Revenue Department is made our estimates and projected them forward. The official estimate will not be made until July 1.

Mr. BUTERA. Have you been assured by the Revenue Department that the official estimate will concur with that which you have given to this House?

Mr. WOJDAK. Well, the official estimate will not be determined until then and there will be no official opinion from the Revenue Department. All that they will furnish us with, on an up-to-date basis, including today, are the various facts and trends that they see happening.

Mr. BUTERA. Do you have any unofficial opinion from the Revenue Department?

Mr. WOJDAK. No, I do not.

Mr. BUTERA. What would happen, then, if the Revenue Department's official estimates came in at less than you thought they were going to come in at?

Mr. WOJDAK. In that event, this House or the Senate or the Conference Committee would have to cut

back on this budget, or the Governor could blue-line individual items so as to balance the budget.

Mr. BUTERA. Do you anticipate that happening?

Mr. WOJDAK. No, I do not.

Mr. BUTERA. Have you ever discussed the entire question of the state employes' request with the Governor?

Mr. WOJDAK. Well, when you say "the entire state employes' request," what figure are you referring to?

Mr. BUTERA. I am referring to the requests which have been made of the Governor by the state employes, and about which they demonstrated yesterday, asking for increases over that which had been offered by the administration in their current negotiations.

Mr. WOJDAK. No, I have not.

Mr. BUTERA. Do you know whether the Governor ever informally committed himself to the state employes' union to meet these requests?

Mr. WOJDAK. To my knowledge, he has not committed himself, but I really would not know that. I would assume that his commitment would go to that amount of money included within our budget which reflects somewhere near a 9-percent increase for most state employes.

Mr. BUTERA. Do you know whether he committed himself to them before the last election?

Mr. WOJDAK. I really do not know that.

Mr. BUTERA. Do you know if he encouraged them to pursue their requests as they did yesterday?

Mr. WOJDAK. I do not know that.

Mr. BUTERA. Did you consult, in the area of educational costs, with members of this House prior to seeking the increase of the \$46 million for the Philadelphia and Pittsburgh schools?

Mr. WOJDAK. Yes, I did.

Mr. BUTERA. And what was your result of those inquiries that you made?

Mr. WOJDAK. In my discussions with various members of this House—really, on both sides of the aisle—I found that they were in favor of that increase for the Philadelphia and Pittsburgh public schools.

Mr. BUTERA. Did you ask them about their individual districts?

Mr. WOJDAK. No, I did not.

In referring to that statement—and you mentioned it in your earlier remarks—the school subsidy formula is law, and we are really locked into that formula. The amount of money breaking out of that formula is the amount of money going to each school district, including Philadelphia and Pittsburgh. That \$46-million amount was only to bring Philadelphia and Pittsburgh up to par with the other school districts in this state.

Mr. BUTERA. Well, have you advised the members that once this is accomplished through the administrative route, that unless the two school districts request the same amount of money next year in some other manner, that they will have deficits of this amount plus whatever else they accumulate next year?

Mr. WOJDAK. I do not know that that is a true statement, but I surely have not advised them of that.

Mr. BUTERA. In the area of mass transportation, does this budget anticipate meeting our commitment to mass transit facilities around the state, particularly in southeastern Pennsylvania, regarding projected deficits?

Mr. WOJDAK. Yes, I believe it does.

Mr. BUTERA. What is the amount that you seek for mass transit?

Mr. WOJDAK. You mean for the southeastern region? I believe it is \$53 million.

Mr. BUTERA. No, I mean for the entire state. Is it not \$70 million?

Mr. WOJDAK. It is \$70 million.

Mr. BUTERA. And what was it last year?

Mr. WOJDAK. The same amount.

Mr. BUTERA. Have circumstances changed, particularly in the southeastern part of the state, which may indicate that the deficit will be higher this year than it was last year?

Mr. WOJDAK. No; I have no knowledge to that effect.

Mr. BUTERA. You are aware that there was a strike in Philadelphia?

Mr. WOJDAK. Yes, I am.

Mr. BUTERA. And you are aware that the strike was settled based upon public statements made to the effect that the increased deficit created by the settlement would be covered by state appropriations?

Mr. WOJDAK. I do not know who made that statement. I do not believe the Governor made it, nor any member of this House.

Mr. BUTERA. Did you ever discuss with the Governor whether he made this statement?

Mr. WOJDAK. No, I have not. I did not see that public statement, if it was made.

Mr. BUTERA. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the bill on third consideration?

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

Amend Sec. 2, page 1, line 19, by striking out "September" and inserting: June

On the question,

Will the House agree to the amendment?

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

Mr. WOJDAK. Mr. Speaker, this is an amendment to House bill No. 1334. It is a technical amendment.

When the Legislative Reference Bureau drafted the bill, changing it from a 15-month budget to a 12-month budget, they made the correction in the heading of the bill but did not make the correction in the body of the bill. It is only a technical amendment.

On the question recurring,

Will the House agree to the amendment?

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

YEAS—191

Abraham	George	McLane	Scirica
Anderson, J. H.	Giammarco	Mebus	Seltzer
Arthurs	Gillespie	Menhorn	Shane
Barber	Gillette	Milanovich	Shelhamer
Bellomini	Gleason	Miller, M. E.	Shelton
Bennett	Goodman	Miller, M. E., Jr.	Shuman
Beren	Green	Milliron	Shupnik
Berlin	Greenfield	Miscevich	Sirianni
Berson	Grieco	Moehlmann	Smith, E.
Bittle	Gring	Morris	Smith, L.
Blackwell	Halverson	Mrkonic	Spencer
Bonetto	Hamilton, J. H.	Mullen	Stahl
Bradley	Hammock	Mullen, M. P.	Stapleton
Brandt	Haskell	Musto	Stout
Brunner	Hayes, D. S.	Myers	Sullivan
Burns	Hayes, S. E.	Novak	Sweeney
Butera	Hepford	Noye	Taddonio
Cessar	Hill	O'Brien	Taylor
Cimini	Hopkins	O'Connell	Tayoun

Cohen	Hutchinson, A.	O'Donnell	Toll
Cole	Hutchinson, W.	O'Keefe	Trello
Cowell	Irvic	Oliver	Turner
Crawford	Itkin	Pancoast	Ustynoski
Cumberland	Johnson, J.	Parker, H. S.	Valicenti
Davies	Katz	Perris	Vann
Davis, D. M.	Kelly, A. P.	Perry	Vroon
DeMedio	Kelly, J. B.	Petrarca	Wagner
Deverter	Kernick	Pievsky	Walsh, T. P.
Dicarlo	Kistler	Pitts	Wansacz
DiDonato	Klingaman	Polite	Wargo
Dietz	Kolter	Pratt	Weidner
Dombrowski	Kowalyszyn	Prendergast	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	Wojdak
Fischer	Letterman	Rieger	WorriLOW
Fisher	Levi	Ritter	Wright
Flaherty	Lincoln	Romanelli	Yahner
Foster, A.	Lynch	Ross	Yohn
Foster, W.	Manderino	Ruggiero	Zeller
Fryer	Manmiller	Ryan	Zord
Gallagher	McCall	Saloom	Zwikl
Gallon	McClatchy	Schaeffer	
Garzia	McCue	Schmitt	Fineman,
Geesey	McIntyre	Schweder	Speaker

NAYS—3

Fawcett	Hasay	McGinnis
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NOT VOTING—9

Caputo	Knepper	Rhodes	Thomas
Dininni	McGraw	Salvatore	Zearfoss
Gleeson			

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.

MOTION TO PASS OVER HOUSE BILL No. 1334

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

Mr. ITKIN. Mr. Speaker, I would like to move that we pass over this bill until we consider House bill No. 1336, please.

The SPEAKER. Is the gentleman making a formal motion?

Mr. ITKIN. Yes, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Wojdak or he majority leader.

Mr. WOJDAK. Mr. Speaker, I request a vote on that motion.

The SPEAKER. A vote will be taken.
Does the gentleman have a position on the motion?
Mr. WOJDAK. Yes. I am opposed to the motion.

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

Mr. ITKIN. I know that there are a considerable number of amendments to be offered to House bill No. 335 which can have an effect on the total substantial amount of money, both in House bill No. 1336 and House bill No. 1334. Since the moneys are interchangeable in part between some programs in the general fund and the revenue sharing fund, I think that until we vote on House bill No. 1336, it behooves us to hold off on House bill No. 1334.

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

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

YEAS—87

Abraham	Gillette	Manmiller	Smith, L.
Anderson, J. H.	Grieco	McClatchy	Spencer
Beren	Gring	McCue	Stahl
Bonetto	Halverson	McGinnis	Taddonio
Brandt	Hamilton, J. H.	Mebus	Tayoun
Burns	Hasay	Miller, M. E., Jr.	Turner
Butera	Haskell	Moehmann	Ustynoski
Cessar	Hayes, D. S.	Mullen, M. P.	Vroon
Cimini	Hayes, S. E.	O'Connell	Wagner
Cowell	Hepford	Pancoast	Weidner
Crawford	Hill	Parker, H. S.	Westerberg
Cumberland	Hutchinson, W.	Perri	Whelan
Davies	Itkin	Pitts	Whittlesey
Deverter	Katz	Polite	Wilson
Dorr	Kistler	Pyles	Wilt, R. W.
Fawcett	Klingaman	Renninger	Wilt, W. W.
Fisher	Knepper	Ryan	WorriLOW
Flaherty	Kusse	Schaeffer	Wright
Foster, A.	Lederer	Scirica	Yohn
Foster, W.	Lehr	Seltzer	Zeller
Gallen	Levi	Sirianni	Zord
Geesey	Lynch	Smith, E.	

NAYS—103

Arthurs	Giammarco	Miller, M. E.	Ross
Barber	Gillespie	Milliron	Ruggiero
Bellomini	Gleason	Miscevich	Saloom
Bennett	Goodman	Morris	Schmitt
Berlin	Green	Mrkonic	Schweder
Berson	Greenfield	Mullen	Shane
Blackwell	Hammock	Musto	Shehamer
Bradley	Hopkins	Myers	Shelton
Brunner	Irvic	Novak	Shuman
Cohen	Johnson, J.	Noye	Shupnik
Cole	Kelly, A. P.	O'Brien	Stapleton
Davis, D. M.	Kelly, J. B.	O'Donnell	Stout
DeMedio	Kernick	O'Keefe	Sullivan
Dicarlo	Kolter	Oliver	Taylor
DiDonato	Kowalyszyn	Perry	Toll
Dietz	LaMarca	Petrarca	Valicenti
Dombrowski	Laudadio	Pievsky	Vann
Doyle	Laughlin	Pratt	Walsh, T. P.
Dreibelbis	Letterman	Prendergast	Wansacz
Eckensberger	Lincoln	Rappaport	Wargo
Fee	Manderino	Reed	Wojdak
Fischer	McCall	Renwick	Yahner
Fryer	McIntyre	Richardson	Zwikl
Gallagher	McLane	Rieger	
Garzia	Menhorn	Ritter	Fineman,
Geisler	Milanovich	Romanelli	Speaker
George			

NOT VOTING—13

Bittle	Gleeson	Rhodes	Thomas
Caputo	Hutchinson, A.	Salvatore	Trello
Dininni	McGraw	Sweeney	Zearfoss
Englehart			

So the question was determined in the negative and the motion was not 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?

(A roll-call vote was taken, which indicated 130 yeas and 60 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 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, on House bill No. 528 and House bill No. 1333, I understand that I am recorded in the negative. I wish to be recorded in the affirmative.

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

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

Mrs. CRAWFORD. Mr. Speaker, on House bill No. 1044, I inadvertently voted "yes" on that bill and I meant to vote "no."

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

WELCOME

The SPEAKER. The Chair welcomes members of the Delaware County Intermediate Unit No. 25—Mr. Joseph Breslin, Mary Yurchenco, David Connery, Howard Turner, Robert Borden and David Deakyne.

These folks are all guests of the delegation from Delaware County.

GOLDENMAN FAMILY WELCOMED

The SPEAKER. Mr. and Mrs. Ernest Goldenman and family from Minnesota are visiting here today as the guests of Mr. Geesey.

HOUSE BILLS INTRODUCED AND REFERRED

By Mr. GEORGE, Mrs. KELLY, Messrs. REED, PETRARCA, MYERS, MRKONIC, GREEN, DeMEDIO, USTYNOSKI, TRELLO, ABRAHAM, MISCEVICH, Mrs. TOLL, Messrs. SCHMITT, WARGO, LEVI and McCUE **HOUSE BILL No. 1410**

An Act amending "The Support Law," approved June 24, 1937 (P. L. 2045, No. 397), further providing for re-payment.

Referred to Committee on Judiciary.

By Messrs. M. P. MULLEN, RENWICK, RIEGER, SCHMITT, TRELLO, LEDERER, HALVERSON, KATZ, O'DONNELL, McINTYRE, Mrs. KELLY, Messrs. REED, TAYOUN, DOMBROWSKI, YAHNER, GARZIA, BURNS, Mrs. GILLETTE, Messrs. HAMMOCK, O'KEEFE, POLITE, M. E. MILLER, JR., LYNCH, USTYNOSKI, HAMILTON, PERRY, SULLIVAN, STAPLETON, GLEASON, McCLATCHY, RAPPAPORT, ROMANELLI, WRIGHT, GILLESPIE, GIAMMARCO, DiDONATO and McGINNIS **HOUSE BILL No. 1411**

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), further providing for purchase of books for nonpublic school children.

Referred to Committee on Education.

By Messrs. M. P. MULLEN, RENWICK, RIEGER, SCHMITT, TRELLO, LEDERER, HALVERSON, KATZ, O'DONNELL, McINTYRE, Mrs. KELLY, Messrs. REED, TAYOUN, DOMBROWSKI, YAHNER, GARZIA, BURNS, Mrs. GILLETTE, Messrs. HAMMOCK, O'KEEFE, POLITE, M. E. MILLER, JR., LYNCH, USTYNOSKI,

HAMILTON, PERRY, SULLIVAN, STAPLETON, GLEASON, McCLATCHY, RAPPAPORT, ROMANELLI, WRIGHT, GILLESPIE, GIAMMARCO, McGINNIS and DiDONATO **HOUSE BILL No. 1412**

An Act amending the act of January 25, 1966 (1965 P. L. 1546, No. 541), entitled "An act providing scholarships and providing funds to secure Federal funds for qualified students of the Commonwealth of Pennsylvania who need financial assistance to attend postsecondary institutions of higher learning, making an appropriation, and providing for the administration of this act," providing that students attending nonpublic schools be permitted to secure advanced scholarship funding; making provisions for payment in advance to nonpublic school students or their parents of scholarship grants exempting nonpublic school students from other provisions of the act; and authorizing the use of funds for administering the new provisions.

Referred to Committee on Education.

By Messrs. BONETTO, KOLTER, LAUGHLIN, GREEN, MILLIRON, ZWIKL, RITTER and BEREN **HOUSE BILL No. 1413**

An Act amending the "Pennsylvania No-fault Motor Vehicle Insurance Act," approved July 19, 1974 (No. 176), correcting errors of reference.

Referred to Committee on Consumer Protection.

By Messrs. SULLIVAN, LAUDADIO, RIEGER, McINTYRE, McGINNIS, SHELTON, BONETTO and PERRY **HOUSE BILL No. 1414**

An Act authorizing the use in clubs of slot machines registered with the Department of Revenue and providing for their registration upon payment of an annual registration fee, imposing a tax and making appropriations.

Referred to Committee on Liquor Control.

By Mr. WOJDAK **HOUSE BILL No. 1415**

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

Referred to Committee on Finance.

By Messrs. NOYE, REED, HALVERSON, KLINGAMAN, HOPKINS, MANMILLER, DAVIES, M. E. MILLER, JR., BURNS, CIMINI, PYLES and DIETZ **HOUSE BILL No. 1416**

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), removing the prohibition on a dependent from qualifying for special forgiveness on income taxes.

Referred to Committee on Finance.

By Messrs. O'BRIEN, GOODMAN, WRIGHT, McCALL, BRADLEY, ITKIN, MUSTO, ABRAHAM, LINCOLN, ZORD, MISCEVICH, BITTLE, SHELHAMER, DAVIS, LAUDADIO, GEORGE, LEHR, TAYLOR, SWEENEY, PETRARCA, IRVIS, MANDERINO, W. W. WILT, BURNS, TURNER, USTYNOSKI, CESSAR, A. K. HUTCHINSON, KOLTER, Mrs. KERNICK, Messrs. O'CONNELL and GEESEY **HOUSE BILL No. 1417**

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053, No. 286), further providing for the automatic adjustment of rates by restricting the costs of the fuel adjustment permitted.

Referred to Committee on Consumer Protection.

By Messrs. BENNETT, IRVIS, SHELTON, RIEGER, BUTERA, Mrs. CRAWFORD and Mr. HEPFORD
HOUSE BILL No. 1418

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), further providing for the membership of the State Board of Examiners of Public Accountants.

Referred to Committee on Professional Licensure.

By Messrs. RAPPAPORT, FRYER, MORRIS, GREEN, DeMEDIO, MEBUS, LEVI, S. E. HAYES and CUMBERLAND
HOUSE BILL No. 1419

An Act amending the "Home Rule Charter and Optional Plans Law," approved April 13, 1972 (P. L. 184, No. 62), prohibiting a vote within five years after defeat by the electorate.

Referred to Committee on Urban Affairs.

SENATE MESSAGE

BILLS FOR CONCURRENCE

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

SENATE BILL No. 195

An Act relating to the practice of physical therapy.

Referred to Committee on Professional Licensure.

SENATE BILL No. 196

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," providing for a State Board of Physical Therapy Examiners in the Department of State.

Referred to Committee on Professional Licensure.

SENATE BILL No. 531

An Act amending the act of July 31, 1968 (P. L. 738, No. 233), entitled "The Pennsylvania Fair Plan Act," removing a condition governing applicability of the act.

Referred to Committee on Consumer Protection.

SENATE BILL No. 552

An Act amending the act of December 11, 1967 (P. L. 707, No. 331), entitled "State Horse Racing Law," further providing for refusal of admittance to and ejection of persons from race tracks.

Referred to Committee on State Government.

MALFUNCTION OF VOTING MACHINE

The SPEAKER. The Chair understands that the voting apparatus is temporarily in a state of disrepair.

REQUEST TO ADDRESS HOUSE

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

Mr. ZELLER. Mr. Speaker, while we are waiting, will you entertain my introducing a bill?

The SPEAKER. The gentleman may send the bill forward.

Mr. ZELLER. May I have a note on it, please, while we are waiting?

The SPEAKER. The Chair would hope that the gentleman would defer his remarks. The Chair understands that the machine is just about ready to go.

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. KISTLER. Mr. Speaker, I am not recorded, I believe, on House bill No. 1334.

The SPEAKER. How does the gentleman desire to be recorded?

Mr. KISTLER. As voting "aye."

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

Agreeable to order,

The House proceeded to third consideration of **House bill No. 1335, printer's No. 1560, entitled:**

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

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—145

Abraham	Gillespie	Milanovich	Scirica
Arthurs	Gillette	Miller, M. E.	Seltzer
Barber	Goodman	Milliron	Shane
Bellomini	Green	Miscevich	Shelhamer
Bennett	Greenfield	Morris	Shelton
Beren	Grizzo	Mrkonje	Shupnik
Berlin	Hamilton, J. H.	Mullen	Smith, L.
Berson	Hammock	Mullen, M. P.	Spencer
Bittle	Haskell	Musto	Stapleton
Blackwell	Hayes, D. S.	Myers	Stout
Bonetto	Hepford	Novak	Sullivan
Bradley	Hopkins	Noye	Sweeney
Brunner	Hutchinson, A.	O'Brien	Taylor
Burns	Irvis	O'Donnell	Tayoun
Butera	Itkin	O'Keefe	Toll
Cessar	Johnson, J.	Oliver	Trello
Cohen	Kelly, A. P.	Parker, H. S.	Ustynoski
Cole	Kelly, J. B.	Perry	Valicenti
Cowell	Kernick	Petrarca	Vann
DeMedio	Kistler	Pievsky	Wagner
Dicarlo	Knepper	Pratt	Walsh, T. P.
DiDonato	Kowalyshyn	Prendergast	Wansacz
Dombrowski	LaMarca	Rappaport	Wargo
Doyle	Laudadio	Reed	Westerberg
Drebelbis	Laughlin	Renninger	Wilson
Foster, W.	Lederer	Renwick	Wilt, R. W.
Fryer	Letterman	Rhodes	Wojdak
Eckensberger	Lincoln	Richardson	Worrilow
Engelhart	Lynch	Rieger	Wright
Fee	Manderino	Ritter	Yahner
Fisher	Manmiller	Romanelli	Yohn
Flaherty	McCall	Ross	Zord
Gallagher	McCue	Ruggiero	Zwickl
Garzia	McIntyre	Salvatore	
Geisler	McLane	Scheaffer	Fineman,
George	Mebus	Schmitt	Speaker
Giammarco	Menhorn	Schweder	

NAYS—48

Anderson, J. H.	Gallen	Levi	Saloom
Brandt	Geesey	McClatchy	Shuman
Cimini	Gleason	McGinnis	Smith, E.
Crawford	Gring	Miller, M. E., Jr.	Stahl
Cumberland	Halverson	Moehlmann	Taddonio
Davies	Hasay	O'Connell	Turner
Deverter	Hayes, S. E.	Pancoast	Vroon
Dietz	Hill	Perri	Weidner

Dorr	Hutchinson, W.	Pitts	Whelan
Fawcett	Katz	Polite	Whittlesey
Fischer	Klingaman	Pyles	Wilt, W. W.
Foster, A.	Kusse	Ryan	Zeller

NOT VOTING—10

Caputo	Gleeson	McGraw	Thomas
Davis, D. M.	Kolter	Sirianni	Zearfoss
Dininni	Lehr		

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

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

The SPEAKER. The gentleman will state it.

Mr. CIMINI. Mr. Speaker, I voted in error on House bills Nos. 1333 and 1335 and I would like to be recorded in the affirmative.

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

Agreeable to order,

The House proceeded to third consideration of **House bill No. 1336, printer's No. 1561, 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.

On the question,

Will the House agree to the bill on third consideration?

MOTION TO TABLE HOUSE BILL No. 1336

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

Mr. M. P. MULLEN. Mr. Speaker, this is, of course, the general appropriation bill, and rather than get into an amendment fight, I was going to offer a motion that the bill be tabled.

I am not trying to delay the adoption of the budget; I would like to see the budget adopted as quickly and as soon as possible. But the reason I wanted to offer the motion is because the bill which the minority leader was referring to, the bill which would require that \$169 million be transferred from the parent reimbursement fund to the general fund, is absolutely necessary based upon the present budget which is encompassed in this bill, House bill No. 1336.

In my opinion, it would put all the members in an embarrassing position and a difficult position to offer amendments which might cost money or might delete money from the general appropriation bill without actually having the money which the drafters of this particular bill think is necessary to balance a budget.

So I offer a motion to lay the bill on the table until the bill requiring the transfer of the \$169 million is voted, which I believe is going to be tomorrow. Yes. Mr. Irvis said that the earliest it could be voted would be Thursday. But I just cannot see how we can adopt a bud-

get without admittedly getting involved in a situation like this without the money, because no one knows how that vote is going to go.

So, therefore, I make the motion to lay it on the table and, hopefully, we can resolve this matter next week.

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

Mr. SELTZER. Mr. Speaker, I rise to support the motion of the gentleman from Philadelphia, Mr. Mullen. We, too, are very concerned about passing a budget on time. It is important to all of us; it is important to all of Pennsylvania. However, I think it is more important that we pass a complete budget, a budget that is fiscally sound and fiscally funded.

So, Mr. Speaker, I ask the members on this side, as well as any friends I have on the other side, to vote in support of the motion offered by Mr. Mullen.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I rise to oppose the motion to table.

For the information of those members who are serving for the first time and going through this indoctrination of fire, this may seem a very difficult time, but it is in no way more difficult than it will always be for you as a member of the General Assembly. To table this particular bill until tomorrow delays merely the pain of decision.

We are not legally obliged to guarantee how much money is available before we pass a budget.

All the figures you have heard so far are merely estimates. They are subject to change eventually when the official estimate comes in.

It is a fact that we estimate now that it will be necessary for us to transfer \$169 million from the aid-to-the-parochial-parents' fund into the general fund.

We have placed on your desks today a memorandum from the Pennsylvania Catholic Conference, part of which I will now quote: ". . . we do not feel we should continue to advocate that the money in the Parent Reimbursement Fund be kept out of the General Fund until the parents' case is resolved." This is precisely the point which I have publicly argued in the last several days from this microphone and others.

House bill No. 1207 will be on the calendar on second reading tomorrow. It will be available for a vote and final passage, hopefully, on Thursday. If it is the will of the House to transfer the funds, it may do so at that time. It may do so having already passed the general appropriation bill.

It is not incumbent upon the House to delay; rather it is incumbent upon the House to move forward to solve the budgetary problems of this Commonwealth as rapidly as we can. I do not, anymore than does any other member in this House, I am sure, wish to inflict fiscal injuries to this Commonwealth by further delay. I certainly do not accuse Mr. Mullen of that. But I suggest to the members that those of you who are going to vote in favor of House bill No. 1207 on Thursday will be as ready to vote for it then, if you have passed the budget, as you would be if we delayed the budget vote until Friday.

I can see no urgency in the motion to table and I, therefore, urge the members to vote in the negative on the motion.

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

Mr. M. P. MULLEN. Mr. Speaker, in answer to the majority leader, first of all, all the members of the Democratic caucus received from the majority Appropriations Committee last week a statement indicating the amount of moneys that were available for budgetary purposes. Now clearly it has on this paper \$169 million. Now the problem we face, if we vote on the budget and we appropriate \$169 million—and then the majority chairman of the Appropriations Committee indicated that if we adopted the budget which is basically before us in four bills, three of which we passed already and the present bill that we are discussing now, if we were to adopt those four bills in toto together with the nonpreferreds, which were to be passed by the Senate—we would only have \$5 million left over. The problem we face is that this is contingent upon getting the \$169 million.

Now you heard the minority leader and Mr. Wojdak in a discussion a little while ago, and I do not think they brought out what the minority leader was trying to point out in regards to the \$169 million. He asked the majority chairman, Mr. Wojdak, how much money would be taken out of the fund this year. Well, the answer is, approximately \$150 million. Now that is a one-shot deal because the \$150 million has accumulated over a period of time.

Now Mr. Wojdak indicated that in the new fiscal period beginning July 1, 1975, the revenue yield from the cigarette tax at 10 percent would only be \$2 million, so that would be \$24 million. So not only would you be short this year, but you would be short \$150 million next year; so double that figure. It is just inconceivable to me that anyone could adopt a budget not really knowing what they want to do.

I do not see anything you can do except table the bill until you vote either “yes” or “no” on the \$169 million.

That is the reason I ask that the bill be tabled. And then next week or whenever the bill comes up, we will vote upon it, and then you make a basic decision.

Thank you.

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

The SPEAKER. The Chair would bring to the attention of the House that this is not a debatable motion.

The Chair has allowed the widest latitude possible to this point and would like to resolve the question.

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

The yeas and nays were required by Messrs. M. P. MULLEN and SELTZER and were as follows:

YEAS—92

Abraham	Hamilton, J. H.	Mebus	Smith, E.
Anderson, J. H.	Hasay	Moehlmann	Smith, L.
Beren	Haskell	Mullen, M. P.	Spencer
Bittle	Hayes, D. S.	Myers	Stahl
Brandt	Hayes, S.E.	Noye	Taddonio
Butera	Hepford	O'Connell	Tayoun
Cessar	Hill	Pancoast	Trello
Cimini	Hopkins	Parker, H. S.	Turner
Crawford	Itkin	Perrl	Ustynoski
Cumberland	Katz	Pitts	Vroon
Davies	Kistler	Polite	Wagner
Davis, D. M.	Klingaman	Pyles	Walsh, T. P.
DiDonato	Kreninger	Renninger	Weidner
Dietz	Kusse	Renwick	Westerberg
Fawcett	Lederer	Rieger	Whelan

Fisher	Lehr	Salvatore	Whittlesey
Foster, A.	Levi	Schaeffer	Wilson
Foster, W.	Lynch	Schmitt	Wilt, R. W.
Gallen	McClatchy	Scirica	Wilt, W. W.
Giammarco	McCue	Seltzer	Worriflow
Grieco	McGinnis	Shelhamer	Yahner
Gring	McIntyre	Shuman	Yohn
Halverson	Manmiller	Sirianni	Zeller

NAYS—103

Arthurs	Gallagher	Manderino	Richardson
Barber	Garzia	McCall	Ritter
Bellomini	Geesey	McLane	Romanelli
Bennett	Geisler	Menhorn	Ross
Berlin	George	Milanovich	Ruggiero
Berson	Gillespie	Miller, M. E.	Saloom
Blackwell	Gillette	Miller, M. E., Jr.	Schweder
Bonetto	Gleason	Milliron	Shane
Bradley	Goodman	Miscevich	Shelton
Brunner	Green	Morris	Shupnik
Burns	Greenfield	Mrkonic	Stapleton
Cohen	Hammock	Mullen	Stout
Cole	Hutchinson, A.	Musto	Sullivan
Cowell	Hutchinson, W.	Novak	Taylor
DeMedio	Irvis	O'Brien	Toil
Deverter	Johnson, J.	O'Donnell	Valicenti
Dicarlo	Kelly, A. P.	O'Keefe	Vann
Dombrowski	Kelly, J. E.	Oliver	Wansacz
Dorr	Kernick	Perry	Wargo
Doyle	Kolter	Petrarca	Wojdak
Dreibelbis	Kowalyszyn	Pievsky	Wright
Eckensberger	LaMarca	Pratt	Zord
Englehart	Laudadio	Prendergast	Zwiski
Fee	Laughlin	Rappaport	
Fischer	Letterman	Reed	Fineman, Speaker
Flaherty	Lincoln	Rhodes	
Fryer			

NOT VOTING—8

Caputo	Gleeson	Ryan	Thomas
Dininni	McGraw	Sweeney	Zearfoss

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

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

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

Amend Sec. 2, page 15, line 8, by striking out “6,516,000” and inserting: 8,688,000

Amend Sec. 2, page 15, by inserting between lines 8 and 9: For auxiliary services to nonpublic school students 19,547,000

Amend Sec. 2, page 15, by inserting between lines 14 and 15: For student school supplies 2,172,000

Amend Sec. 2, page 17, line 2, by striking out “6,000,-000” and inserting: 12,000,000

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

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

Mr. WOJDAK. Mr. Speaker, the amendments that I am about to introduce are in response to recent Supreme Court decisions, attempting to get aid to our nonpublic schools. The amendments are broken into four parts.

The first part, via a shared-time concept, would appropriate \$20.6 million to nonpublic schools.

The second aspect of the amendment would appropriate \$2.1 million, increasing the reimbursable cost for textbooks from \$15 to \$20.

The third aspect of the amendment—and this is really an idea that I derived from Mr. Gleason—would give \$5 per pupil to nonpublic school students, resulting in another \$2.1 million, for a total of approximately \$25 million in aid to nonpublic school students.

In addition, it would increase the amount to the IAG, the Institutional Assistance Grant, from \$6 million—

which is presently in House bill No. 1336—to \$12 million. Those are the four aspects of the amendment. Mr. Speaker, I would urge adoption of these amendments.

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

Mr. SELTZER. Mr. Speaker, will the gentleman from Philadelphia, Mr. Wojdak, permit himself to be interrogated?

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

Mr. WOJDAK. I shall, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. SELTZER. As I followed your recitation on the floor, Mr. Speaker, it would indicate that it is a series of four amendments offered in one. Is that correct?

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

Mr. SELTZER. Mr. Speaker, are you writing the language as to how it will be spent into the bill with your amendments?

Mr. WOJDAK. No. I have two pieces of enabling legislation, which are prepared and which I offer for anyone's signature.

Mr. SELTZER. So then, Mr. Speaker, the response to my inquiry is that it will take enabling legislation to be passed by this General Assembly before this \$25 million can be spent?

Mr. WOJDAK. That is correct, Mr. Speaker. I have two of the bills and I believe Mr. Gleason has the third bill, the enabling legislation for the third aspect of the amendment.

Mr. SELTZER. Mr. Speaker, can the gentleman indicate to the membership of the House where this \$25 million is coming from?

Mr. WOJDAK. Yes. In our revenue estimates, we have projected a \$50- to \$80-million tax yield over and above this present fiscal year.

In preparing House bill No. 1336 and the series of bills accompanying it, we have been working with a very conservative estimate of \$50 million. We have indications to date, with the present trend and the tax yields as they are occurring, that it would more closely approximate the higher figure of \$80 million.

Mr. SELTZER. Mr. Speaker, I would ask unanimous consent to make a few remarks on the amendments.

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

Mr. SELTZER. Mr. Speaker, the increased moneys that are available, as described to you by Mr. Wojdak, come from four different sources: additional revenues for 1974-75, which he has indicated will be higher than were originally anticipated; increased lapses for 1974-75 over and above what the Governor's budget had indicated; increased revenues for 1975-76 above those which had been indicated in the Governor's budget; and some savings and cuts in various appropriations throughout the budget.

Mr. Speaker, I attended the same Appropriations Committee hearings that the gentleman from Philadelphia, Mr. Wojdak, attended, and I think I was very diligent in my attendance and in listening to the testimony that was presented. In every case in these items of increased revenues, increased lapses, and increased revenues for next year, there was not one word of testimony that was presented to the Appropriations Committee, either in the House or in the Senate hearings, which would indicate the radical changes that have been presented to-

day by the gentleman from Philadelphia, Mr. Wojdak, to balance the cost of this bill before us.

Mr. Speaker, the \$25 million, which is the additional cost for these amendments offered by the gentleman, is part and parcel of the entire cost of the general fund appropriation for 1975-76.

Mr. Speaker, until the Department of Revenue is willing to publicly testify that the revenues for the remainder of this year are "X" number of million dollars more than were anticipated, and when the Budget Secretary of this Commonwealth indicates publicly that the lapses will be three times or four times as much now as they were when we held our hearings in April, and, again, when the Secretary of Revenue publicly announces that the revenues for 1975-76 are going to be considerably more than he testified to in the hearings just 45 days ago, I think it is incumbent upon us all to use some fiscal discretion, Mr. Speaker, and vote "no" on any increases in this budget. I so ask the members to do.

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

Mr. WOJDAK. Mr. Speaker, the gentleman, Mr. Seltzer, knows that the official revenue figure will not be available until July 1. If you follow the train of his logic, we could not possibly act on any budget until July 1. That is just not the case. We have the responsibility of estimating what our tax yields will be and putting together a budget consistent with what those estimates are.

If you follow through what Mr. Seltzer is saying, the Revenue Department would end up writing our budget. It is our responsibility to write that budget consistent with what we see as reasonable tax yields, and that can only be done by estimates. We cannot possibly have any solid, hard figures locked in cement from which to work at this date. We do it as reasonable men with reasonable projections.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, I do not quarrel with the gentleman's projected spending in the nonpublic school area. However, I do quarrel with the magic that he is playing with regard to revenue estimates next year and revenue receipts in the current fiscal year. You cannot write budgets willy-nilly when it comes to basing them on the projected receipts to pay the bill.

We are not permitted, and this House should not permit the Appropriations Committee chairman or anyone else, to, on a weekly basis, increase arbitrarily the amount of money upon which our budget is to be based.

If this bill had been voted last week, presumably, the gentleman could not have offered these amendments because last week, in effect, he told us that revenues were going to be of a certain amount. This week, because we have a problem, or he has a problem, funding the nonpublic schools that he cannot get out of, we just simply are told that revenues are going to be higher than they were going to be last week and last month and, indeed, last March.

Until we get the courage to change the approach which we take to making budgets, we are going to continually find ourselves in this ridiculous situation.

Next week or the week after, when we see this bill back from the Senate, we are going to be told that

revenues are changed again just to balance the budget. Then next May or June we are going to be told there are deficits. This is not the way to proceed; it is fiscally unsound.

I just wish that the gentleman who is now making these revenue projections, be he a staff member or a member of this House, or a group of both, would have helped us last year when we attempted to change this system and, hopefully, will help us yet this year and in this session so as to permit the legislature to make the revenue estimates. Then that which he says perhaps can be official today.

I would remind every member of this House, we are at the mercy of the administration. The gentleman refuses to tell us whether the administration concurs with his revenue estimates. We are just voting in the blind, and it is wrong to proceed anymore in this fashion.

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

Mr. WOJDAK. Mr. Speaker, one thing is not changed—I believe the figures were given to the press last week—the estimates range from \$50 to \$80 million. Nothing is changed. They are the same figures today that I had indicated last week. Those figures have changed from the Governor's estimates because the Governor had made his projected revenue yields back in February. Based on the later information that we have, we are now able to make those projections of \$50 to \$80 million. Nothing has changed from last week. We are working with the same figures. In fact, during that lapse of 1 week, we have indications that we are moving upward in that. We had, up to that point, only worked with the \$50-million figure. We are now projecting that upward because of later information that we do have.

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

Mr. M. P. MULLEN. Mr. Speaker, would Mr. Wojdak consent to interrogation?

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

Mr. WOJDAK. I shall.

The SPEAKER. The gentleman may proceed.

Mr. M. P. MULLEN. Mr. Speaker, first of all, I compliment the gentleman in helping us out of a tight situation. Certainly I am in agreement with this.

But looking at your budget document, or the statement you submitted to the caucus last week, you told the caucus that this was a "bare bones" budget. You indicated in that particular document that you had already revised your estimated figures over and above what was originally submitted by the Governor. As a matter of fact, you increased them from \$4.283 billion up to \$4.333 billion, roughly \$50 million. Then you indicated that you needed \$169 million, and then you indicated, at the bottom of the page, that if we adopted the total budget package which you wanted us to adopt last week, we would have \$5 million less.

Now I am not condemning you, because I knew this. As a matter of fact, the budget is loaded with more money. This is why I wanted it to get back to the Appropriations Committee, so that we could rewrite the budget in the Appropriations Committee that would truly reflect the interests of all the people of the state

and not a few. But you are recognizing some of them now.

What I am asking you now is: How do you get this additional \$31 million?

Mr. WOJDAK. Mr. Speaker, the document that Mr. Mullen is referring to—as I indicated earlier, nothing has changed. The revenue estimates, I said, would fall within the range of the parameters anywhere from \$50 to \$80 million. I indicated earlier that we had been working with the low side of the conservative estimate of \$50 million. That is the figure that Mr. Mullen sees in front of him. Since that time we have indications that that will be moving upward because of present tax collections in the Revenue Department. It is moving upward toward \$80 million. And it is on that basis that I submitted the amendments a few minutes ago.

Mr. M. P. MULLEN. Mr. Speaker, we had placed on our desks, just a few minutes ago, a memo from the Pennsylvania Catholic Conference in which they agreed to withdraw support from my position on the parent reimbursement fund. Did this memo have anything to do with the amendments that you put in the bill now?

Mr. WOJDAK. Absolutely.

Mr. M. P. MULLEN. Well, will you tell the members of the General Assembly what deal you made with the Pennsylvania Catholic Conference?

The SPEAKER. The question is out of order.

Mr. M. P. MULLEN. Well, Mr. Speaker, may I just say this: Last week we were not going to give the non-public schools anything except what was in the bill, which was \$6¼ million for textbooks. With Mr. Wojdak's amendment, we are now giving them \$31 million. And I will tell you right now that the price for that \$31 million was this letter. I do not think that this letter is good because what it does—and it is on everyone's desk—is actually tell the parents of Pennsylvania, you better take a promise instead of cash, and we will be able to get \$31 million, which is a good deal for them, but I do not think that it is a good deal for the Pennsylvania citizens who were the beneficiaries of this money.

I have no other questions. Thank you.

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

Mr. SELTZER. Mr. Speaker, my objection to the amendments is not on the subject matter to which they relate to being expended for; my objection is due to the money not being available except by someone's pencil.

Mr. Speaker, this \$25-plus million will be in addition to the \$170 million which will not repeat itself. Mr. Speaker, the \$170 million plus the \$25 million, or a total of \$195 million, will be additional nonrevenues coming in next year, an additional cost we are foisting on the people. This will have to be made up in the 1976-77 budget.

And, Mr. Speaker, if we want to be fiscally sound, if we do not want to add additional unnecessary taxes to the citizens of Pennsylvania, there are times when we must stand on our feet and look at sexy programs and ask, can we afford them at this time?

Mr. Speaker, I understand that these are very sexy programs which are being offered, and, historically, because of the support of this type of program, it will eventually pass and may pass today. But, Mr. Speaker, when

we pass these programs, are you who are going to vote for the programs also raising your hands to vote "aye" maybe this year or next year to support the additional revenues to replace this amount of money which will not be coming in next year?

You cannot hide behind a rock. It will not go away. It is here; it is here today; it will be here tomorrow; and the problem will be here until it is faced and resolved by a majority of this General Assembly.

Vote for your sexy programs, but as the gentleman from Philadelphia, Mr. Wojdak, says, the sexy program is not being voted on today. Those bills are just being introduced today. What you are voting on today is \$25 million which you do not have.

I ask that you members think about the \$170 million which you are not going to have. Think about the \$25 million, which is the cost of these amendments, and think about the other amendments—which you have a stack of this high—which are going to increase the budget untold millions of dollars if they are accepted. Think about Mr. Bonetto's problem of \$60 million. Think about the city of Philadelphia's problems, the resolution of which they have not even put in bill form yet. Put the package together. Look at the complete fiscal problems of Pennsylvania and all its political subdivisions, and then let us vote a budget that takes care of those problems and let us be men, and let us be women, and let us be strong and support the cost of those programs. Let us do it in a budget, not piecemeal it.

For years past we have been criticized—we Republicans—because we wanted to present a budget in toto at one time and you picked it apart and you compared it—

The SPEAKER. Will the gentleman suspend?

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. RITTER. Mr. Speaker, this is going to be a long day, and I ask that the rule be enforced that we debate the amendment and only the amendment.

The SPEAKER. The Chair, on a matter of this importance, Mr. Ritter, wants to extend the widest latitude possible to the members.

I think the discussion of the parameters of the entire problem are very much pertinent to the discussion of the amendments.

The Chair will allow the gentleman to proceed.

Mr. SELTZER. I thank the Chair. I will try to confine my remarks more to the amendment.

But the \$25 million these amendments cost, Mr. Speaker, is only a small part of the total increased cost, of all the amendments, collectively, which are being offered, many of which will be adopted.

Mr. Speaker, there are amendments on our side that are going to be offered, and I hope some of them are adopted. But we have asked our members, in good conscience, where they offer amendments to expend more money that in the same amendment they reduce expenditures somewhere else. I do not know whether they followed our request, but I ask that all the members of this House try to follow the same guidelines.

We are in a fiscal bind, or can be in a dire fiscal bind in this Commonwealth, if we overspend. If we live within the revenues that are available, we can get out of here without a tax increase.

Mr. Speaker, this is the time—there is no better time—to really search in our hearts and our minds which sexy programs we can afford and which sexy programs we shall temporarily reject.

Mr. Speaker, with these elongated remarks, I ask the members to vote "no" on the amendment.

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

Mr. GLEASON. I happen to be one Republican who does not believe that assistance given to a child with a speech handicap or help given to a child with a learning disability is sexy. I think it is justice.

For those of you who have qualms about the whole budget process—and I share those with my minority leader—I am prepared, as Mr. Seltzer has indicated, to advance an amendment which will make significant cuts elsewhere in the general appropriations budget and which will equal approximately the \$25 million which Mr. Wojdak has presented to you in terms of his amendment.

But to allow the 434,000 children in Pennsylvania who could benefit by these services to be held hostages, as the saying goes, to questions of fiscal responsibility, political sexuality, is, to my way of thinking, something that we should avoid.

I am asking the members on this side, as well as the members on the other side, to support Mr. Wojdak's amendment for these children and for the universities and colleges, because I know that when the final package is completed we will have a balanced budget.

Whether this money will come from the \$170 million, whether it will come from significant budget cuts, whether it will come from unexpected revenues, which Mr. Wojdak seems to talk about, is something which will eventually be decided. But right now the issue is right before us.

As I see it, the issue is simple, distributive justice, and I would hope that the members of this House could support the Wojdak amendment. And for the information of those who want to know if I have any legislative plans, I have two bills for introduction and I am going to hold them until after the session for others to co-sponsor them.

Thank you.

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, I have no comments. The gentleman expressed the comments that I wanted to make.

Thank you.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. The approach which Mr. Gleason just took is absolutely the only sound one yet advanced on this particular amendment.

I do not criticize the amendment. I am going to vote in favor of it. What I criticize is the method of offering amendments, I do not care for what program. This one happens to be high on my priority list. What I question is the offering of amendments which are going to cost

money and then just saying, in support of those amendments, that we are going to receive some nebulous amount of money in addition and that is going to cover the cost of these amendments. That is wrong.

If that were the rule rather than the exception in this House, we would have a budget of about \$8 billion, because each of us could stand and set forth our proposed increase in spending and then just not worry about the other side of the ledger. That is what I think Mr. Wojdak attempts to do, and that is what I am so very critical of, and I would hope that it would stop.

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. Very briefly, Mr. Speaker, the gentleman who just spoke to you decries the entry of this General Assembly in the revenue estimates and looking at the administration's revenue estimates, and making a decision on whether or not those, in our opinion, are proper.

Just a few minutes ago at the microphone he indicated that part of his budget reform puts the legislature directly into revenue-estimating.

For the first time this General Assembly has had the guts to look at the administration's figures and make an independent determination of those and have stuck by those independent determinations and can provide, as we are providing, additional aid to nonpublic schools in categories of aid that will probably be constitutional, because they are increasing appropriations to programs already in existence and programs recognized as being constitutional.

I can see no reason for supporting the position of anyone who comes to the microphone and, on one hand, decries the fact that we are entering into the revenue-estimate picture for the first time and, on the other hand, tells us that we should not do this.

I do not understand the minority leader. I will never understand the minority when it comes to budget time.

I suggest, Mr. Speaker, that all the members vote for these amendments of Mr. Wojdak and let us get on with the budget.

The SPEAKER. The Chair would urge the membership to try, at this point, to begin to confine their comments not to the revenue procedures or how revenues are calculated but to the amendments that are before the House. Otherwise, we will be here until the wee hours of the morning handling these amendments.

The Chair recognizes, with that admonition, the minority leader.

Mr. BUTERA. And I am going to violate it immediately.

I realize the position in which you find yourself, but I cannot sit here and hear that kind of statement made which is so false to remain on the record.

I have not decried this House from making revenue estimates. What I have decried is that this House has not had the courage this year to do what it did last year, to give the legislature the authority to make revenue estimates. That is exactly where it belongs. You voted against it last year. The gentleman who just spoke did.

What I was trying to say at least was that Mr. Wojdak does not tell us whether the Revenue Department agrees with his revenue estimates. The reason that is per-

tinient is because we have not changed the law yet to give this legislature the power to make revenue estimates.

I strongly suggest that we do so. But until we do so and until we hire competent staff to so estimate, we are merely guessing. And that was the point I was trying to make.

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

The yeas and nays were required by Messrs. WOJDAK and SELTZER and were as follows:

YEAS—178

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

NAYS—17

Cumberland	Fischer	O'Connell	Weidner
Davies	Fryer	Shane	Westerberg
Deverter	Hayes, S. E.	Shuman	Wilt, W. W.
Dietz	Kusse	Stahl	Zeller
Dorr			

NOT VOTING—8

Caputo	Fawcett	McGraw	Thomas
Dininni	Gleason	Seltzer	Zearfoss

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. STAHL. I was incorrectly recorded on the last

vote. I wish to be recorded as voting "aye" on the Wojdak amendments to House bill No. 1336.

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

On the question,

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

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

Amend Sec. 2, page 46, line 21, by striking out "Pamphlet"

On the question,

Will the House agree to the amendment?

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

Mr. WOJDAK. Mr. Speaker, this again is a technical amendment requested by the Legislative Reference Bureau. Apparently the word "pamphlet" has been too restrictive for various items that they must publish. They have asked us to change the wording so as to allow them to publish various consolidated statutes in addition to the Pamphlet Laws. They felt that the word "pamphlet" was too restrictive and have asked us to change that. It is in the nature of a technical amendment.

On the question recurring,

Will the House agree to the amendment?

Amendment was agreed to.

On the question recurring,

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

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

Amend Sec. 2, page 11, lines 29 and 30; page 12, lines 1 through 14, by striking out all of said lines

Amend Sec. 2, page 12, line 15, by striking out "As an additional" and inserting: As a

On the question,

Will the House agree to the amendments?

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

Mr. ARTHURS. Excuse me, Mr. Speaker; I did not know we were going to go alphabetically.

The SPEAKER. We are not going alphabetically.

Mr. ARTHURS. I thought we were taking a vote in caucus. Excuse me.

My amendment, Mr. Speaker, is found on page 11 and page 12 of House bill No. 1336. In essence, what it would do is strike that part of the bill which has to do with retrenchment.

My reason for this—and I might start out by saying that I am in favor of retrenchment but not in the manner which this bill is advocating, because the bill says that there will be a certain percentage, a 5-percent reduction in the current faculty, 5 percent in the current administration, and one vice president in each of our institutions that we support.

There is a memo that has recently gone out from Secretary Pittenger to our state colleges and our state university in which he has indicated and he has set up a retrenchment timetable. And I am asking that we

give this type of directive to our state colleges an opportunity of working. In other words, what the secretary is telling the state colleges and the university to do by directive is to submit their plan, to furnish to them the number of people that they can cut.

I am very much interested in this type of procedure because we do have some state colleges and the university which are increasing their enrollment. In other areas of the state we have some of our state colleges which have a reduction in their enrollment, and I do not think that it is the proper way just to come across with a 5-percent across-the-board reduction. I think that a more feasible way can be reached by operating and having it operate under the direction of the Secretary of Education and under his proposal.

For that reason, I would ask at this time that we do adopt my amendment, which would eliminate the retrenchment program at this time and give the Department of Education a chance to have their program instituted and see if it is not workable. If it is not workable, then we can initiate legislation to cover this. I would ask for support of the amendment.

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

Mr. SHANE. I have been asked to yield to the majority whip.

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, I rise in support of the amendment. The essence of the amendment is to remove from the appropriation bill conditions placed upon the appropriation in the Department of Education.

This question of whether or not conditions can legally be placed upon appropriations has arisen a number of times in Pennsylvania.

The Constitution of Pennsylvania indicates, and I will quote from the constitution:

The general appropriation bill shall embrace nothing but appropriations for the executive, legislative and judicial departments of the Commonwealth, for the public debt and for public schools.

The history and the purpose of this section with the language "nothing but appropriations" for these purposes is well established. It was designed to prevent the very condition that the appropriation bill seeks to place upon the appropriations to the Department of Education.

In the General Appropriation Act of 1933, the General Assembly, in its appropriation to state-owned medical and surgical hospitals, tacked on a provision that such appropriation would set annual salaries for the superintendent and certain other personnel in the hospitals.

The Attorney General, William Schnader, in Official Opinion No. 81 of 1933-34, after noting that such salary language proviso was an attempt to limit salaries and thus deprive the executive board of the power now conferred upon it by the Administrative Code to classify state employes and to fix their salaries, declared that such provision was unconstitutional, an unconstitutional rider, and in violation of Article III of Pennsylvania's Constitution.

We again faced the same question in 1957. In the General Appropriation Act of 1957, the General Assembly, in connection with an appropriation to the Pennsylvania Aeronautics Commission, attempted to add language to such appropriation which not only established precise fiscal procedures but actually repealed an act of 1956.

There was an Attorney General's opinion regarding that matter. Attorney General McBride, in Opinion No. 16 of 1957, noted that such provisions which established fiscal procedures and repealed existing law were unconstitutional riders. This is what he said:

. . . it is precisely this type of material which Article III, Section 15—

at that time; it is now section 11—

was designed to exclude from an appropriation act. These added matters are not "appropriations for the ordinary expenses . . . of the Commonwealth . . .", they are regulations governing expenditure of funds and a repealer. If the legislature wants to impose special requirements on the Department of Military Affairs and the Pennsylvania Aeronautics Commission in the handling of these funds, it must do so . . . apart from the general appropriation bill.

We again faced the same question in 1961 when the General Assembly passed an appropriation act. In that act, in addition to the amount appropriated for school districts, the legislature wrote therein a subsidy formula which provided for additional payments to school districts in cases where such districts suffered a loss of total state subsidies by virtue of increased market valuations.

At that time Attorney General Anne X. Alpern, in Official Opinion No. 237 of 1961, observing that such language was contrary to the provisions of the Public School Code relating to school subsidies, stated that it was an unconstitutional rider because of such language and, in effect, constituted an amendment to the code, and stated: ". . . the insertion of these provisions violates Article III, Section 15." And again that is now section 11. "If the Legislature desires to amend the School Code, it can accomplish that objective by a bill amending the Public School Code of 1949."

These opinions cited clearly indicate that the kind of provisions that Mr. Arthurs attempts to strike from the appropriation bill are clearly unconstitutional. Being unconstitutional, they will be of no force and effect, will not have life, and will not be effectual and should be removed.

We again were faced with a similar question just a couple of years ago when Mr. Mullen had amended in the Appropriations Committee, as this bill came from the Appropriations Committee, into the Department of Welfare's budget, a provision that the moneys appropriated to the Department of Welfare could not be used for abortions. That particular provision never became effective as Mr. Mullen at that time moved to revert to a prior printer's number, which removed the language that he had inserted which would have put an unconstitutional provision in the appropriation of money. We did not have to face the exact issue at that time but would have had that particular provision remained.

It is clear that the language which Mr. Arthurs seeks to remove by his amendment is unconstitutional. I want

to quote from an opinion of Attorney General Alpern, whom I above referred to, in speaking of the effect that such language would have in any general appropriation bill. If any general appropriation bill, or any amendment or supplement thereto passes the General Assembly with "riders" attached, even with such approval of the General Assembly, it is ineffective, for such—and that would be the approval of the assembly—cannot "breathe life into an unconstitutional 'rider'".

I think it is all well and good to consider the Shane proposal, which is actually in the appropriation bill. It may have merit. The retrenchment procedure certainly is something that this General Assembly should consider. It, however, would be unconstitutional as a rider to the general appropriation bill, as I have explained, it being in violation of Article III, section 11, of the Constitution of Pennsylvania—and it is well documented that this kind of rider cannot stand.

I would suggest that we all support Mr. Arthurs' amendment which will strike this language from the general appropriation bill. Thank you, Mr. Speaker.

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

Mr. SHANE. Mr. Speaker, first, a personal comment: It is with a certain amount of surprise and anger that I listened to an elaborate constitutional argument from a leader of the party of which I am a member, that he did not bother to discuss with me or even mention to me prior to articulating that argument on the floor of the House. I have to say, as a member of the Democratic caucus, I generally expect better treatment from my leaders and I will not forget it.

Secondly, on the constitutional arguments, I would like to point out, first of all, that I do sincerely believe that this General Assembly can attach specific conditions to the appropriation of money. I remind you of two prior successful efforts in the past along this line. Reference was made to a Mullen condition that attempted to prohibit appropriations to hospitals that permit abortions. Reference was not made to a Mullen condition that prohibited the giving of birth-control devices and information to hospitals. In other words, an appropriation was conditioned on not giving birth-control devices or information, and that condition was adopted by the General Assembly as a condition to an appropriation. Secondly, I remind you of the amendments of Senator Snyder which were a condition attached to an appropriation requiring the listing of faculty salaries and faculty loads at state-related institutions.

Mr. Speaker, for a long time I have felt it was important for this General Assembly to try to develop a legislative oversight function. It seemed to me that we should be doing more than simply passing laws and appropriating money. It seemed to me that we should begin to give specific directions to the bureaucracies as to certain things that should be done and how money should be spent.

As a person who has been a worker in higher education for approximately 8 years, it is my sincere belief that any state-owned or state-related institution in this Commonwealth is at least 5 percent overstaffed. Even at institutions such as the one that is in my district, Indiana University of Pennsylvania, where we have had an increase in student body, even as of this year when many other schools have a declining enrollment, I can

assure you that there is at least 5 percent overstaffing in Indiana University. There are departments where there are, frankly, too many teachers, and, in my judgment, a wholesome but modest pruning is in order.

Actually, the negotiations going on between Secretary Pittenger and the State College Faculty Union involves retrenchment much deeper than 5 percent. At Indiana University of Pennsylvania the proposal is to retrench approximately 100 out of 560 faculty, which is almost 20 percent. What I am proposing to do, Mr. Speaker, is set a minimum of 5 percent that must be adhered to. The negotiations will probably go on above that amount. There are some schools where there is a declining student enrollment where retrenchment may be much, much deeper than 5 percent. As I said, at Indiana it is going to be close to 20 percent.

These are matters that can be negotiated. This legislative oversight language can fit quite nicely with whatever is decided upon by the Department of Education and the State College Faculty Union.

I do not take this step lightly. I have offered this legislative oversight language at some political risk to myself. I have, to a certain extent, alienated a group of people who have supported me vigorously with their time and their funds in my last two campaigns. There are certain friends of mine from the Indiana University who no longer speak to me because of this step I have taken.

I, therefore, am not making this statement to draw attention or pity to myself. I am simply making this statement to assure you that what I am undertaking I am sincere in, and I believe that this is the step we need to take.

I therefore urge you to begin to develop our function of legislative oversight in this body. It has been done for several years in Wisconsin, Florida and California, language just like this. Let us assert our oversight function and defeat this amendment.

Thank you.

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

Mr. ARTHURS. Mr. Speaker, just one brief remark here, and that is, I do not question the sincerity of Mr. Shane in any manner whatsoever.

Secondly, I appreciate the remarks of Mr. Manderino, my majority whip, but I do not want to lose sight of the fact that my reason for this amendment is this: I do believe retrenchment is necessary, but I think it should be done on a more equitable basis. All I am asking is that we give the secretary's plan an opportunity to work. That is why I am asking for support of this amendment. Let us give Secretary Pittenger's proposal here a chance to be initiated and see the results of that. I ask for support.

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

Mr. SELTZER. Mr. Speaker, I listened to the majority whip, but I am confused as to his conclusion. Has he suggested that this is an unconstitutional section or part of the appropriation bill and, therefore, we will vote on the constitutionality?

The SPEAKER. No. He has suggested that the language, as it appears, is of no force and effect since it is unconstitutional. He is, therefore, supporting the

amendment offered by the gentleman, Mr. Arthurs, which seeks to delete that section.

Mr. SELTZER. Mr. Speaker, if the question were put on the constitutionality of it and were supported by a majority of these members, the unconstitutionality part, then that would delete that part from the bill, would it, Mr. Speaker?

The SPEAKER. It would still take an amendment to delete it. So the question of constitutionality will be resolved by the vote on the amendment.

Mr. SELTZER. Mr. Speaker, will the majority whip permit himself to be interrogated on a question or two on this?

The SPEAKER. Will the majority whip consent to interrogation?

Mr. MANDERINO. I shall, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. SELTZER. Mr. Speaker, as I listened, you cited all these references to past rulings. Material such as this was held to be unconstitutional by various Attorneys General of this Commonwealth and by the House itself. So my specific question, Mr. Speaker, is: Would this objection also be to the oversight language that is in the Department of Justice for Farview Hospital?

Mr. MANDERINO. Mr. Speaker, the test of whether or not the condition is incidental to or an integral part of the appropriation does not depend on the fact that it has been tacked on to an appropriation. It depends on whether or not such restrictive condition has the net effect of amending, repealing, suspending, regulating, or otherwise affecting existing law or regulation.

If the particular Farview amendment that you are talking about suspends existing regulations or law or in any way affects or alters the same, it would be an unconstitutional provision. I have not looked at that specific language. I probably will when we get to that portion of the bill.

Mr. SELTZER. Mr. Speaker, if the gentleman will look at his leisure to page 22 of the bill on lines 15, 16, 17 and 18, you will see the reference to Farview, and it would appear to me that it is just as restrictive as the language that is being amended by Mr. Arthurs. And I would hope that we will be consistent in whatever position we take on the two amendments.

Mr. MANDERINO. I intend to be consistent. Mr. Speaker, within the parameters that I discussed with you about whether or not we are affecting existing law.

The SPEAKER. Just by way of assuaging the hurt feelings of the gentleman, Mr. Shane, the Chair would advise the gentleman that Mr. Manderino was under the impression that the language that now appears in the bill was language to be inserted by an amendment which you were to offer. He did not know, as a matter of fact, that that language was in the bill.

The memorandum from which he was reading concerning the constitutionality was a memorandum that had been prepared for him, not in anticipation of deleting that section of the bill in which you are interested but rather in anticipation of another amendment to be offered.

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

Mr. BURNS. Mr. Speaker, just briefly, I rise to support the Arthurs amendment and to notify the House that if this amendment passes, I have another amend-

ment that would take out the remaining lines because I agree fully with Mr. Manderino and I agree with Mr. Arthurs.

I think Mr. Arthurs has the proper approach here, and if this amendment passes, I will offer an amendment to take out the rest of the remaining lines down to 26.

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

Mr. ECKENSBERGER. Mr. Speaker, I rise to oppose the amendment and would respectfully address myself to the issue of constitutionality.

If I may, I would like to quote to the membership section 11 of Article III at length. It is not that long.

The general appropriation bill shall embrace nothing but appropriations for the executive, legislative and judicial departments of the Commonwealth, for the public debt and for public schools. All other appropriations shall be made by separate bills, each embracing but one subject.

Now, Mr. Speaker, I recognize that we may have some cases that have interpreted this particular section in a given way. May I suggest, however, that it is possible that those cases may be stale and that the court ought once again to address itself to the language on this in the constitution.

It seems rather clear to me that the section of the constitution we are talking about regarding appropriations directs itself to the identity of the recipient, not with regard to language that may be inserted by the House or Senate. I think the fact that there is a concluding sentence that says "All other appropriations shall be made by separate bills . . ." justifies that conclusion. I ask the members, therefore, to vote against the amendment.

Thank you, Mr. Speaker.

The SPEAKER. For the information of the gentleman, the legal references made by the gentleman, Mr. Manderino, were not to cases but rather to a series of opinions of three Attorneys General, the last of which was I think only 2 years ago, interpreting the section of the constitution in question.

Mr. ECKENSBERGER. Mr. Speaker, I think that further justifies the court's taking a look at it, and I suggest that we vote against the amendment.

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

Mr. LINCOLN. Mr. Speaker, would the gentleman, Mr. Arthurs, submit to brief interrogation?

The SPEAKER. Will the gentleman from Butler, Mr. Arthurs, consent to interrogation?

Mr. ARTHURS. I will, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. LINCOLN. Mr. Speaker, has the gentleman taken the time to inquire as to what the percentage of instructional costs are at the state-owned institutions?

Mr. ARTHURS. Yes, I have, Mr. Speaker. It has me greatly concerned, and I am speaking about the one in my area. This is why I am presently carrying on, not necessarily an investigation, but making many inquiries on why and who is doing what function.

I am very much concerned about how much it is costing us to operate our state colleges, and this is

exactly why I am in favor of a retrenchment, but done in the proper fashion and in the proper manner.

Mr. LINCOLN. Mr. Speaker, what do you feel is the proper manner?

Mr. ARTHURS. I feel that the proper manner is, and let me say this, I feel the one that has been proposed by Secretary Pittenger is at least the right beginning. I do not know whether you have a copy of this or not, but I would be more than pleased to furnish it to you. But what it is doing is asking each state college and the university to make proposals on certain amounts and not on a direct percentage basis like we are asking.

These are negotiable. The secretary's staff is sitting down with the college and their staff to go over each one of these proposals. There has been a whole guideline set up here, Mr. Speaker, to do this. It just has not been a flat statement to make cuts. There is quite a study.

I am sure that any plan can be changed and made better by any one individual on certain issues. But what I am saying is that Secretary Pittenger's proposal is much better and much more workable and more feasible than the proposal is that we have before us in the budget today.

Mr. LINCOLN. Mr. Speaker, in effect then, what you are saying is, do not take action; let us study it a little bit further and then take action?

Mr. ARTHURS. No. What I am saying here is that the secretary has set up a timetable beginning on April 28--and I do not want to go over this too long. These plans have to be included and proposed by June 30. Each president shall submit to the secretary by July 14 some of these proposals, and the end of it is September. It has to be finished by September 8, 1975. I do not think that is delaying.

Mr. LINCOLN. And what is the effect of that if it is not done by September 8, 1975, Mr. Speaker?

Mr. ARTHURS. Then I think that is when we, as a legislative body, if we are not satisfied, can come back and propose proper legislation to require them to do it.

Mr. LINCOLN. In other words, then you are proposing time-delaying tactics rather than action?

Mr. ARTHURS. No, I am not. I am just trying to be a little bit sensible about it.

Mr. LINCOLN. Thank you, Mr. Speaker.

Mr. Speaker, I would like to have an opportunity to make a few remarks.

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

Mr. LINCOLN. Mr. Speaker, I think that my respect for Mr. Shane has grown immensely today. I think for the stand he has had to take on this particular matter is one that everyone, who is fortunate enough to serve in this body regrets the day that they have to take that type of stand.

I think that through the efforts of the Education Committee in these past 5 months, we have found out that the cost of instruction at our state-owned and state-related colleges is unbelievably high. At West Chester it is 85 percent. And I will tell you, it takes courage to stop that type of ridiculous spending, and the only way we are going to do it is in the manner that is proposed in House bill No. 1333. I say today, let us do it. Let us show the courage to start moving that figure

down to a reasonable 70 to 75 percent. Do it by voting against Mr. Arthurs' amendment today.

Thank you.

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

Mr. SCHWEDER. Mr. Speaker, I rise in opposition to the amendment that is offered.

For the past 4 months I have been on the road at most of the state colleges—we have four to get to yet—along with three other Representatives—Mr. DiCarlo, Mr. Marvin Miller, Jr., and Mr. Parker. We have spent time in every school and have looked at all their fiscal records and at the size of their faculties, and I can honestly report that they are staffed, overstaffed well above the 5 percent that is called for here. And when I came back and I spoke with Mr. Shane in regard to this, I said, perhaps what we should do is spell out language and provide a certain percentage in each department, calling for a retrenchment according to how overstaffed they were in each department.

One of the fallacies I see in the argument against this today is that we are not calling for 5 percent across the board. We are saying that each school shall cut back a minimum of 5 percent. It does not mean that they cut 5 percent out of each department. You go to certain departments, and if you have to cut 10 percent in one department and 2 percent in another, you still come up with the figure of a total cut of 5 percent.

And if we delay this action and wait until after September 8, it will be too late for us to act, because we are required by the Association of University Professors that those who are to be retrenched or removed from their jobs are given 1 year's notice, and the academic year of 1975-76 will have started at that point and we will be too late to act upon it after the year has started, and the retrenchment will not take place until the following academic year after that one. It is time now for us to stand up and call for the retrenchment, and I ask for a negative vote against the amendment.

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

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

YEAS—72

Abraham	Garzia	McCue	Ryan
Arthurs	Geisler	Menhorn	Scirica
Barber	George	Milanovich	Shelhamer
Bellomini	Giammarco	Miscevich	Shupnik
Berson	Green	Mullen	Spencer
Bittle	Grieco	Noye	Stout
Blackwell	Hammock	Oliver	Taddonio
Bonetto	Haskell	Pancoast	Toll
Brunner	Hayes, D. S.	Parker, H. S.	Ustynoski
Burns	Hepford	Perry	Valicenti
Cessar	Hopkins	Pitts	Vann
Cimini	Irvis	Polite	Wagner
Cohen	Johnson, J.	Rappaport	Wojdak
Crawford	Kelly, A. P.	Renwick	Wright
DeMedio	Kistler	Richardson	Yahner
Dombrowski	Knepper	Romanelli	
Englehart	Kowalyszyn	Ross	Fineman, Speaker
Fee	Levi	Ruggiero	
Fryer	Manderino		

NAYS—121

Anderson, J. H.	Gring	Miller, M. E.	Seltzer
Bennett	Halverson	Miller, M. E., Jr.	Shane
Berlin	Hamilton, J. H.	Milliron	Shelton
Bradley	Hasay	Moehlmann	Shuman

Brandt	Hayes, S. E.	Morris	Sirianni
Butera	Hill	Mrkonje	Smith, E.
Cole	Hutchinson, A.	Mullen, M. P.	Smith, L.
Cowell	Hutchinson, W.	Musto	Stahl
Cumberland	Itkin	Myers	Stapleton
Davies	Katz	Novak	Sullivan
Davis, D. M.	Kelly, J. B.	O'Brien	Sweeney
Deverter	Kernick	O'Connell	Taylor
DiCarlo	Klingaman	O'Donnell	Trello
Dorr	Kolter	O'Keefe	Turner
Doyle	Kusse	Perri	Vroon
Dreibelbis	LaMarca	Petrarca	Walsh, T. P.
Eckensberger	Laudadio	Pievsky	Wansacz
Fawcett	Laughlin	Pratt	Wargo
Fischer	Lederer	Prendergast	Weidner
Fisher	Lehr	Pyles	Westerberg
Flaherty	Letterman	Reed	Whelan
Foster, A.	Lincoln	Renninger	Whittlesey
Foster, W.	Lynch	Rhodes	Wilson
Gallagher	Manmiller	Rieger	Wilt, R. W.
Gallen	McCall	Ritter	Wilt, W. W.
Geesey	McClatchy	Saloom	WorriLOW
Gillespie	McGinnis	Salvatore	Yohn
Gillette	McIntyre	Scheaffer	Zeller
Gleason	McLane	Schmitt	Zord
Goodman	Mebus	Schweder	Zwick
Greenfield			

NOT VOTING—10

Beren	Dietz	McGraw	Thomas
Caputo	Dininni	Tayoun	Zearfoss
DiDonato	Gleeson		

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

QUESTIONS OF PERSONAL PRIVILEGE

The SPEAKER. The Chair recognizes the gentleman from 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, will you please change my vote from "aye" to "nay" on the Arthurs' amendment to House bill No. 1336?

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

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

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

The SPEAKER. The gentleman will state it.

Mr. WOJDAK. Mr. Speaker, on that last vote on the Arthurs amendment to House bill No. 1336, I mistakenly voted "yes." It was my intention to vote in the negative.

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

MR. SULLIVAN REQUESTED TO PRESIDE

The SPEAKER. Will the gentleman from Philadelphia, Mr. Sullivan, please come to the desk for the purpose of temporarily presiding?

THE SPEAKER PRO TEMPORE
(Joseph A. Sullivan) IN THE CHAIR

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

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

Amend Sec. 2, page 12, line 5, by striking out "five" and inserting: two and one-half

Amend Sec. 2, page 12, line 6, by striking out "five" and inserting: two and one-half

On the question,

Will the House agree to the amendments?

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, this amendment cuts it from 5-percent retrenchment to 2½-percent retrenchment. The reason I am cutting it to 2½-percent retrenchment is because the 5-percent retrenchment is going to lead to a cutback of needed people.

It is very easy to be taught as a legislative body, although it might be taught from Mr. Shane as an individual due to his close association with state colleges, but the fact is that people in my district who come from deprived backgrounds who are going to colleges, who are the first people in their family ever to go to college, are the ones who are going to be hurt by this kind of cutback.

I think that there are a lot of places in the budget where we can save funds, but I think to single out the state colleges and say the only place in the state budget where there has to be retrenchment mandated in this kind of language is the state colleges is wrong. It is unfair to the college faculty; it is unfair to the students who are going to be affected.

I fully subscribe to the arguments advanced by Mr. Manderino, but the House has already voted against his position, which I think was a correct position. I think that a moderate cut of 2½ percent is far better than a cut of 5 percent and I urge the support of my amendment.

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

Mr. SHANE. Thank you, Mr. Speaker.

Mr. Speaker, my wife is a member of the State College Faculty Union; I am a member of the State College Faculty Union. In informal social moments with friends of mine who are leaders in the State College Faculty Union, they agree that I am on the right track, that there is some overstaffing, that 5 percent is not a harsh percentage. If we reduce it to 2½ percent, it almost becomes meaningless and academic.

I appreciate the members supporting me on the last amendment and I urge you to hang with me on this one and vote "no" on this amendment. Thank you.

QUESTION OF INFORMATION

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. W. W. WILT. If House bill No. 1336 should be enacted as presently written and it is tested in the courts and declared unconstitutional, would that mean that the entire general appropriation bill would be unconstitutional?

THE SPEAKER (Herbert Fineman) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Philadelphia, Mr. Sullivan, for temporarily presiding.

If in fact the language to which the House is now addressing itself should be found to be unconstitutional, it would just have the force of no effect and be a nullity and would not affect the balance of the bill.

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

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

Mr. GARZIA. Mr. Speaker, I support this amendment of 2½-percent retrenchment.

I have only one college in my area, and we are very fortunate. It seems like they do not have an oversupply of teachers or professors. So I hope that you people will support this amendment.

Thank you.

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

Mr. RICHARDSON. Mr. Speaker, I rise to support the amendment. I would like to rise because I feel that although I do not have a college necessarily in my immediate legislative district, I do have many persons who do attend college from my district.

We are forced into a situation this time where I feel that unless this House of Representatives deals with it very honestly, we are going to find ourselves looking at a lot of college students here within the next week or so.

We find that many of the students, particularly yesterday who came from Cheyney State College and from Lincoln University and other colleges across the state where there is a small minority or small colleges, are affected tremendously by this. And I think that when you talk about a 5-percent cut or retrenchment and when you look at colleges such as West Chester where there is a large number of faculty members, then the 5 percent does not look like much.

I would think that since the amendment did not pass cutting out the whole retrenchment program, perhaps maybe the members could see light to vote for a half of that, or 2½ percent. I think it is not something that is not reasonable. I think it is very reasonable.

And I think the House has an obligation to remember that, you know, we have talked a lot about human needs and human services. But one of the things that I feel we have really left off is the fact that we are allocating a lot of moneys to the Bicentennial and we want to talk about a celebration in 1976 which talks about celebrating the 1776 Revolution, and it would seem to me that our revolution begins today. It means that we should begin to try to do whatever it is that is possible and human within our own hearts and our own minds to deal with the fact that we do have a number of deprived young people going to college who are trying to make it—some who might even become legislators one day; some who might become doctors or lawyers.

I feel that it is very important that we pay attention to that and we not let them down. Let us remember that we could certainly always find moneys for other things. Let us try to find moneys to make sure that students can stay in school and further their education.

Thank you.

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

Mr. LINCOLN. Mr. Speaker, I rise to oppose this amendment. I believe if we are going to do the job, we should do it properly, and to do it properly is to leave the bill as it is.

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

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

YEAS—52

Arthurs	Englehart	Levi	Shelton
Barber	Fee	McCue	Shupnik
Berson	Garzia	Miller, M. E.	Stout
Bittle	Geisler	Miscevich	Toll
Blackwell	George	Myers	Ustynoski
Brunner	Giammarco	Parker, H. S.	Vann
Burns	Green	Pievsky	Wagner
Butera	Greenfield	Pratt	Wilson
Cessar	Grieco	Rappaport	Wright
Cimini	Hammock	Renwick	Yahner
Cohen	Hayes, D. S.	Richardson	
Crawford	Johnson, J.	Romanelli	Fineman,
DeMedio	Kelly, A. P.	Ryan	Speaker
DiDonato	Knepper		

NAYS—137

Abraham	Halverson	Mebus	Schmitt
Anderson, J. H.	Hamilton, J. H.	Menhorn	Schweder
Bellomini	Hasay	Milanovich	Scirica
Bennett	Haskell	Miller, M. E., Jr.	Seltzer
Beren	Hayes, S. E.	Milliron	Shane
Berlin	Hepford	Moehlmann	Shelhamer
Bonetto	Hill	Morris	Shuman
Bradley	Hopkins	Mrkonic	Sirianni
Brandt	Hutchinson, A.	Mullen, M. P.	Smith, E.
Cole	Hutchinson, W.	Mullen	Smith, L.
Cowell	Irvis	Musto	Spencer
Cumberland	Itkin	Novak	Stahl
Davies	Katz	Noye	Stapleton
Davis, D. M.	Kelly, J. B.	O'Connell	Taddonio
Deverter	Kernick	O'Donnell	Taylor
Dicarlo	Kistler	O'Keefe	Trello
Dombrowski	Klingaman	Oliver	Turner
Dorr	Kolter	Pancoast	Valicenti
Doyle	Kowalyshyn	Perri	Vroon
Dreibelbis	Kusse	Perry	Walsh, T. P.
Eckensberger	LaMarca	Petrarca	Wansacz
Fischer	Laudadio	Pitts	Wargo
Fisher	Laughlin	Polite	Weidner
Flaherty	Lederer	Prendergast	Westerberg
Foster, A.	Lehr	Pyles	Whelan
Foster, W.	Letterman	Reed	Whittlesey
Fryer	Lincoln	Renninger	Wilt, R. W.
Gallagher	Lynch	Rhodes	Wilt, W. W.
Gallen	Mandertno	Ritter	Wojdak
Gillespie	Manmiller	Ross	Worriow
Gillette	McCall	Ruggiero	Yohn
Geesey	McClatchy	Saloom	Zeller
Gleason	McGinnis	Salvatore	Zord
Goodman	McLane	Scheaffer	Zwikl
Gring			

NOT VOTING—14

Caputo	Gleeson	Rieger	Tayoun
Dietz	McGraw	Sullivan	Thomas
Dininni	McIntyre	Sweney	Zearfoss
Fawcett	O'Brien		

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. TAYOUN. Mr. Speaker, I would like to be recorded as voting in the affirmative on the Cohen amendments to House bill No. 1336.

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

On the question recurring,

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

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

Amend Sec. 2, page 12, line 25, by inserting after "institutions": hired after June 30, 1975

On the question,

Will the House agree to the amendment?

HOUSE SCHEDULE

The SPEAKER. For the information of the House, we intend to run to approximately 6 o'clock tonight.

The task of disposing of the long list of amendments that have been indicated to the Chair that will be offered will take much beyond the hour of 6 o'clock. We will, on the motion of the majority leader at the conclusion of the day, move to put House bill No. 1336 and the amendments on the table and reconvene tomorrow morning promptly at 9:30 and again pursue the question of the amendments.

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

Mr. COHEN. Mr. Speaker, this amendment modifies the second of Mr. Shane's condition precedents. It says that only those faculty members and other university employes hired after July 1, 1975, shall be deprived the privilege of free tuition for themselves or for their children.

The reason I am offering this amendment is because there are many, many faculty people and many, many other employes who for years, in the course of spending their family budgets, have acted in reliance that they will be eligible to get free tuition. There are many faculty people, I am sure, who were hired when their kids were 6 and 7 years old, who are now ready to send their kids to college and who have not laid money away in order to pay for their college tuition because they expected that, when the day came, they would get free tuition.

The argument Mr. Shane advances is, let them go to PHEAA. Well, if they all go to PHEAA, the effect is that we are going to slash the PHEAA money available to other people.

I think it is a totally unfair labor practice to take away benefits that people have always assumed they were going to get. I think it is also totally unfair to the faculty people and it is totally unfair to the other students in this Commonwealth who will have their PHEAA benefits slashed in order to pay for this. I urge the adoption of my amendment.

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

Mr. SHANE. Thank you, Mr. Speaker. I do not know what some of the constituent gripes in your district are, but probably one of the biggest constituent gripes in my

district is free tuition for the children of college professors. People are really red hot on this subject.

A few years ago when college professors' salaries were very low, it may have been appropriate for free tuition to be a fringe benefit. But now these ladies and gentlemen have upgraded themselves through the process of collective bargaining, and I feel the fringe benefit of free tuition for college education for their children is obsolete.

Again, to try to reinforce my sincerity to you on this subject, I point out that I have two of my children here today whose education I am going to pay for out of my own pocket rather than take advantage of this fringe benefit should we decide to abolish it.

Now if we accepted the argument of the gentleman from Philadelphia, we could never alter a condition of employment. There are tenured professors at some of these institutions who may be retrenched under our 5-percent-retrenchment mandate. We have altered a condition of their employment.

I see nothing wrong with abolishing a program that I think is repugnant to the vast majority of our citizens in Pennsylvania. And if we do it, let us do it totally. So I urge you to defeat this amendment and let us go along with the language in the bill which gets rid of free tuition.

Now on PHEAA, we are going to expand and integrate that with the Federal program, so whoever has legitimate financial need can get help from PHEAA. Let us get rid of this free-tuition fringe benefit.

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

Mr. COHEN. Mr. Speaker, if my amendment passes, everybody hired as of July 1, 1975 will not have free tuition. What it does is say that anybody who has acted in reliance over a period of time in planning his family budget, that that person will be able to have the contract that he entered into, the understanding that he entered into, carried out.

I would not want to be a labor organizer among college teachers if this thing passes. We are going to pay dearly in the increased militants of college faculty if we do this. I would urge the adoption of this amendment.

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

Mr. BURNS. Mr. Speaker, may I ask to interrogate Mr. Shane, please? Just one short question, Mr. Speaker.

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

Mr. SHANE. I shall, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. BURNS. Mr. Speaker, if this amendment does not go in and if the bill stays as we have it in print now, what effect does that have under Act 195 for future negotiations between the colleges or the state or whomever the college professors negotiate with to negotiate free tuition for their youngsters?

Mr. SHANE. Once the General Assembly of Pennsylvania has spoken and said we wish to abolish free tuition, no one can put it back into practice through collective bargaining; we will have ended the matter, and short of an overturning judgment by the Supreme Court of the United States or the Supreme Court of Pennsylvania, that is it. And I do not think they will do it.

We can alter conditions of employment by speaking and mandating certain things as a legislative body.

Mr. BURNS. Mr. Speaker, I just submit to you that if we do that and what you say is correct, then we have effectively negated a portion of Act 195 where we limit the power of the unions to negotiate with the college presidents or the state or whomever they do it with.

Mr. SHANE. If we decide we want to abolish free tuition, I do not think any collective-bargaining process can stop us.

Mr. BURNS. What was the last remark, Mr. Speaker? I did not hear it, I am sorry.

Mr. SHANE. If we decide we want to abolish free tuition, which I hope we do, no collective-bargaining process can stop us.

Mr. BURNS. Well, I submit to you then that we have taken away one of labor's tools and that we, as a General Assembly, have taken away the right of a union to bargain for that particular condition. I object to that type of thing, and I would support Mr. Cohen's amendment just based on that particular point.

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

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

YEAS—28

Bittle	Englehart	Miscevich	Stapleton
Bonetto	Haskell	Myers	Toll
Burns	Hayes, D. S.	Noye	Ustynoski
Cohen	Hutchinson, A.	Ruggiero	Vann
Cowell	Kowalyszyn	Ryan	Wagner
DeMedio	LaMarca	Shelton	Whittlesey
DiDonato	Miller, M. E.	Shupnik	Wright

NAYS—167

Abraham	Giammarco	McIntyre	Scheaffer
Anderson, J. H.	Gillespie	McLane	Schmitt
Arthurs	Gillette	Mebus	Schweder
Barber	Gleason	Menhorn	Scirica
Bellomini	Goodman	Milanovich	Seltzer
Bennett	Green	Miller, M. E., Jr.	Shane
Beren	Greenfield	Milliron	Shelhamer
Berlin	Grieco	Mochlmann	Shuman
Berson	Gring	Morris	Sirianni
Blackwell	Halverson	Mrkonje	Smith, E.
Bradley	Hamilton, J. H.	Mullen, M. P.	Smith, L.
Brandt	Hasay	Mullen	Spencer
Brunner	Hayes, S. E.	Musto	Stahl
Butera	Hepford	Novak	Stout
Cessar	Hill	O'Brien	Sullivan
Cimini	Hopkins	O'Connell	Sweeney
Cole	Hutchinson, W.	O'Donnell	Taddonio
Crawford	Irvis	O'Keefe	Taylor
Cumberland	Itkin	Oliver	Tayoun
Davies	Katz	Pancoast	Trello
Davis, D. M.	Kelly, A. P.	Parker, H. S.	Turner
Deverter	Kelly, J. B.	Perri	Valicenti
Dicarlo	Kernick	Perry	Vroon
Dietz	Kistler	Petrarca	Walsh, T. P.
Dombrowski	Klingaman	Pievsky	Wansacz
Dorr	Knepper	Pitts	Wargo
Doyle	Kolter	Polite	Weidner
Dreibelbis	Kusse	Pratt	Westerberg
Eckensberger	Laudadio	Prendergast	Whelan
Fawcett	Laughlin	Pyles	Wilson
Fee	Lederer	Rappaport	Wilt, R. W.
Fischer	Lehr	Reed	Wilt, W. W.
Fisher	Letterman	Renninger	Wojdak
Flaherty	Levi	Renwick	WorriLOW
Foster, A.	Lincoln	Rhodes	Yahner
Foster, W.	Lynch	Richardson	Yohn
Fryer	Manderino	Rieger	Zeller
Gallagher	Manmiller	Ritter	Zord
Gallen	McCall	Romanelli	Zwinkl
Garzia	McClatchy	Ross	
Geesey	McCue	Safoom	Fineman,
Geisler	McGinnis	Salvatore	Speaker
George			

NOT VOTING—8

Caputo Dinhnt	Gleeson Hammock	Johnson, J. McGraw	Thomas Zearfoss
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So the question was determined in the negative and the amendment was not agreed to.

On the question recurring,

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

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

Amend Sec. 2, page 19 by inserting between lines 27 and 28: For free fish license settlement for Vietnam veterans 301,583

On the question,

Will the House agree to the amendment?

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

Mr. NOYE. Thank you, Mr. Speaker.

The first amendment, marked number "1", deals with an appropriation to the Pennsylvania Fish Commission of \$301,583. The reason for this is that in 1967 this General Assembly passed a law that stated that the Fish Commission was to issue a free fishing license to any resident of the Commonwealth who is in full-time active service with the Armed Forces of the United States, to any disabled veteran of any war, and to any resident who is a patient in Pennsylvania's state-owned and -supported institutions. And it states—

PARLIAMENTARY INQUIRY

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

Mr. MORRIS. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MORRIS. It would be a great help to all of us who have to wade through a hundred amendments here if the gentlemen who are offering amendments would begin by stating the page and line that we are dealing with so that we could follow them in the bill. I cannot go through a hundred amendments—

The SPEAKER. That indeed would be helpful.

Will those people who are offering amendments please identify the page and the line number of the bill in question, House bill No. 1336, to which the amendment is applicable?

Mr. NOYE. Page 19 by inserting between lines 26 and 27—

The SPEAKER. The gentleman may proceed.

Mr. NOYE. By this act, Act 323 of 1967, we mandated that the Fish Commission supply these fishing licenses, and in the concluding section of that act it stated that the Department of Revenue shall pay annually to the Fish Commission fund the amount of these free licenses.

Mr. Speaker, the General Assembly never paid a cent of this money that is owed the Fish Commission and it dates back to 1968. I have a copy of the audit report for each year, and the audit report is only up through 1973. The 1974 audit is not complete, so this figure of \$301,000 owed to the Fish Commission is only through 1973. Now this is a long time to wait for their money, but I think since we mandated it by law, we have a re-

sponsibility to pay to the Fish Commission the money that we owe them. I ask for an affirmative vote.

The SPEAKER. The Chair recognizes the gentleman from Elk, Mr. Renwick.

Mr. RENWICK. Mr. Speaker, I rise in support of this amendment and I feel that we, as legislators, should all, in total, vote for this amendment for the simple reason that years ago the legislature said to the Fish Commission, you give out the license; you give the free license, and we will reimburse you. Well, that was fine; that was well and good, but we never reimbursed them; they never got their money.

What Mr. Noye's amendment does here now is set up the fund so that the Fish Commission can be reimbursed, and let me tell you this, this is one commission that needs the funds right now, and this is one way of giving it to them.

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

Mr. WOJDAK. Mr. Speaker, I oppose this amendment. The Fish Commission, in its request, had never requested this kind of money. The Governor's office had not requested it. We granted what the Fish Commission had asked for, to the penny.

Now, in addition to what they are getting here, there is income within the Fish Commission which they use for their various purposes. I think the increase is unjustified and I would ask the members to vote in the negative.

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

Mr. NOYE. Mr. Speaker, in the last session of the General Assembly we passed a piece of legislation that ordered the payment of this bill. It passed the House of Representatives overwhelmingly and died in the Senate.

I think it is time we own up to our responsibility to these independent commissions. They are in financial need, and when we slap programs on them that they did not request to begin with and then expect them to swallow the cost involved, I think it is just asking a little too much. I ask for an affirmative vote.

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

Mr. WOJDAK. Mr. Speaker, apparently the Fish Commission can handle that within the confines of that commission with the income that they do have coming in.

They at no time made a request for the kind of money that this amendment is attempting to provide for them. They received exactly what they had requested. I am assuming they know what kinds of moneys they need, what problems they have. At no time did anyone make us aware of this kind of need within the Fish Commission. They are getting exactly what they requested.

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

Mr. GREENFIELD. Mr. Speaker, I would like to interrogate the sponsor of the amendment.

The SPEAKER. Will the sponsor of the amendment consent to interrogation?

Mr. NOYE. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.
 Mr. GREENFIELD. Could you tell me what loss the Fish Commission realizes by giving out a license?
 Mr. NOYE. Well, that is a little hard to determine, considering the fact—
 Mr. GREENFIELD. What are you trying to reimburse?
 Mr. NOYE. We are reimbursing the cost of the license.
 Mr. GREENFIELD. How much does that amount to?
 Mr. NOYE. Well, today it is \$7.50 per license.
 Mr. GREENFIELD. What is your computation as to the number—Is the actual printing cost of the license \$7.00?

Mr. NOYE. I am saying that the actual cost to the Fish Commission is hard to determine in that it would involve the number of fish that the individual caught, the number of fish that were caught by the stocking program. It would be hard to determine other than just the price of the license sales.

Mr. GREENFIELD. As I see it, the only loss would be that of printing additional licenses, which I am told is a somewhat minimal figure. Therefore, I do not see where the Fish Commission suffers a loss of any revenue.

You would just be adding additional revenue to the Fish Commission, and I would oppose the amendment. Thank you.

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

Mr. ITKIN. Mr. Speaker, it appears that the amendment is improperly drawn. The insertion between lines 26 and 27, on page 19, would be an appropriation to the Department of Environmental Resources and not to the Fish Commission.

Mr. NOYE. You are looking at the second amendment, Mr. Speaker.

Mr. ITKIN. I am looking at "Noye 1."

The SPEAKER. The amendment should read: ". . . inserting between lines 27 and 28."

Mr. ITKIN. That is correct, Mr. Speaker.

The SPEAKER. The Chair does not imagine that it will be a matter of considerable and major confusion to the membership if they recognize that the insertion is to be between lines 27 and 28 rather than between lines 26 and 27.

If the amendment should be adopted, the amendment clerk will make the necessary corrections, if the House has no objection?

The Chair hears no objection.

Mr. ITKIN. Thank you, Mr. Speaker.

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

This is only an amendment to the Fish Commission. Let us get down to the important things.

Mr. RITTER. I realize that, Mr. Speaker, but as the gentleman, Mr. Wojdak, said, the Fish Commission has not indicated that there was any loss to them.

I wanted to point out that we are not issuing free licenses any longer to military personnel. My son is a prime example. He is home on leave this month and he paid \$7.50 for a fishing license, that he is going to use for about 11 days.

I think that the money they had not collected in the past 4 or 5 years should not have to be paid at this particular moment. They are not issuing any free li-

censes any longer. They have not been free for about the last year or so. I ask that we defeat the amendment.

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

The yeas and nays were required by Messrs. NOYE and RENWICK and were as follows:

YEAS—78

Anderson, J. H.	Giammarco	McIntyre	Shelhamer
Bennett	Grieco	Mebus	Shuman
Beren	Gring	Miller, M. E.	Sirianni
Bittle	Halverson	Miller, M. E., Jr.	Smith, L.
Brandt	Haskell	Moehlmann	Spencer
Burns	Hayes, D. S.	Myers	Stahl
Butera	Hayes, S. E.	Noye	Tayoun
Cimini	Hepford	Pancoast	Turner
Cumberland	Hill	Parker, H. S.	Ustynoski
Davies	Hopkins	Perri	Vroon
Deverter	Johnson, J.	Polite	Wagner
Dietz	Katz	Pyles	Weidner
Dorr	Klingaman	Renninger	Westerberg
Fawcett	Kusse	Renwick	Wilson
Fischer	Laudadio	Ryan	Wilt, R. W.
Foster, A.	Lederer	Saloom	Wilt, W. W.
Fryer	Lehr	Scheaffer	WorriLOW
Gallen	Letterman	Scirica	Wright
Geesey	Levi	Seltzer	Yahner
George	Manmiller		

NAYS—114

Abraham	Geisler	Menhorn	Ruggiero
Arthurs	Gillespie	Milanovich	Salvatore
Barber	Gillette	Milliron	Schmitt
Bellomini	Gleason	Miscevich	Schweder
Berlin	Goodman	Morris	Shane
Berson	Green	Mrkonic	Shelton
Blackwell	Greenfield	Mullen, M. P.	Shupnik
Bonetto	Hamilton, J. H.	Mullen	Smith, E.
Bradley	Hammock	Musto	Stapleton
Brunner	Hasay	Novak	Stout
Cessar	Hutchinson, A.	O'Brien	Sweeney
Cohen	Hutchinson, W.	O'Connell	Taddonio
Cole	Irvis	O'Donnell	Taylor
Cowell	Itkin	O'Keefe	Toll
Crawford	Kelly, A. P.	Oliver	Trello
Davis, D. M.	Kelly, J. B.	Perry	Vann
DeMedio	Kernick	Petrarca	Walsh, T. P.
Dicarlo	Knepper	Pievsky	Wansacz
Dombrowski	Kowalyszyn	Pitts	Wargo
Doyle	LaMarca	Pratt	Whelan
Dreibelbis	Laughlin	Prendergast	Whittlesey
Eckensberger	Lincoln	Rappaport	Wojdak
Englehart	Lynch	Reed	Yohn
Fee	Manderino	Rhodes	Zeller
Fisher	McCall	Richardson	Zord
Flaherty	McClatchy	Rieger	Zwilk
Foster, W.	McCue	Ritter	
Gallagher	McGinnis	Romanelli	Fineman,
Garzia	McLane	Ross	Speaker

NOT VOTING—11

Caputo	Gleason	McGraw	Vallcenti
DiDonato	Kistler	Sullivan	Zearfoss
Dininni	Kolter	Thomas	

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

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

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

Amend Sec. 2, page 17 by inserting between lines 15 and 16: Funds shall be paid from this appropriation only so long as all regulations of the department are submitted to the Committee on Conservation of the House of Representatives and the Committee on Environmental Resources of the Senate for review and study. No regulation shall be valid until approved by resolution of the General Assembly.

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

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

Mr. NOYE. Mr. Speaker, the second amendment raises the point that was discussed earlier. It places a stipulation on the appropriation to the Department of Environmental Resources. It amends page 17 by inserting between lines 15 and 16.

The amendment reads:

Funds shall be paid from this appropriation only so long as all regulations of the department are submitted to the Committee on Conservation of the House of Representatives and the Committee on Environmental Resources of the Senate for review and study. No regulation shall be valid until approved by resolution of the General Assembly.

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

Mr. RITTER. Mr. Speaker, I urge the defeat of this amendment.

The Federal-State Relations Committee had a proposal to require every department soliciting Federal funds to submit their request through a joint committee we were going to create, and, in effect, the General Assembly would have a veto power over the application of Federal funds. After considerable discussion, it was our opinion that that is almost an unconstitutional delegation of power, in that the administrative departments are required by law to run the various departments. The General Assembly, by giving them power to promulgate rules and regulations, is in no position to rule on every rule or regulation that they, in fact, promulgate.

By requiring in this bill that no funds shall be paid under this appropriation—and only for this department in particular—until certain committees have the right to review and until this General Assembly provides so by resolution, it seems to me would be curtailing the operations of the administrative branch and it would severely restrict, to a great degree, the performance of the administrative branch. There is that separation of power that we have to recognize, and I think the amendment, therefore, may very well be unconstitutional. In any event, I believe we ought to defeat it.

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

Mr. COWELL. Mr. Speaker, would the gentleman, Mr. Noye, submit to a question or two, please?

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

Mr. NOYE. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. COWELL. I would just like a little clarification on how the author of the amendment intends to deal with current regulations. Am I correct in understanding that all current regulations of the department would have to be submitted and approved by the General Assembly before any funds could be really used during the next fiscal year?

Mr. NOYE. That is not the intent of this amendment; no, sir. It would only deal with future regulations.

Mr. COWELL. Does the amendment correctly or

accurately speak to that intention, then? As I read it, it says, "all regulations."

Mr. NOYE. It would only deal with regulations that would be promulgated after the receiving of this appropriation. It is tied to this appropriation.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, I would submit that the language is a little unclear and we may be creating a real mess with the language, although I am in sympathy with the intent of Mr. Noye. Thank you.

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

Mr. WOJDAK. Mr. Speaker, Mr. Ritter really explained the objections to this amendment, namely, that it would severely inhibit the commission. I do not see the purpose of this.

What it would require is the House Committee—and I do know that that committee really has the time or the expertise—to pass on every regulation via resolution by this House. You would not only severely inhibit the commission but would put, really, an unjust burden on this House.

I ask for the defeat of the amendment, Mr. Speaker.

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

Mr. A. C. FOSTER. Mr. Speaker, I rise to strongly support the amendment offered by the gentleman, Mr. Noye. From all areas of my district, I have received repeated complaints that the Department of Environmental Resources has negated legislation which we have passed and subverted the intent of that legislation. In many cases their regulations are almost diametrically opposed to legislative intent. I think this would be the appropriate time to address ourselves to this matter and I strongly urge an affirmative vote on this amendment.

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

Mr. LETTERMAN. Mr. Speaker, I rise to oppose this amendment. I think that any time a regulation is set by a department, any one of us, we legislators, can draw up a bill to eliminate that regulation. I think that that is the recourse we have. I think that this would prohibit any department from working properly and setting regulations. I would oppose this strenuously.

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

Mr. NOYE. Mr. Speaker, I introduced this amendment to this appropriation symbolically to send a message to the Department of Environmental Resources, which has gone far beyond its boundaries in its interpretation of many pieces of legislation that we have sent them for the last several years. There has been a blatant disregard by the bureaucrats, particularly in that department, for our intentions. I think it is time that the legislature pull back some of the control over this giant that we have created. We have created a monster in this department. It is time that we do something to clip its wings. We are the ones who have to answer to the people back home. We are the people who have to explain why the DER can do the things that they have been doing. It is tough to tell people that what we did when we passed a piece of legislation and what they

are doing are two different things. I think it is time we serve notice on them by including this amendment to the appropriation bill.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I oppose Mr. Noye's amendment. I can sympathize with the irritation the gentleman may have suffered, but I would point out to the House of Representatives that all he would do is to substitute a new bureaucracy for an old, established one. We have no way in the world that we are going to be able to ride herd on the regulations of the DER or any other group of regulations. We have not yet learned how to provide oversight on the statutes we pass. So I would urge a "no" vote, and let us get on with the business of the day.

PARLIAMENTARY INQUIRY

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

Mr. LINCOLN. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LINCOLN. Would the Chair rule as to the germaneness of this amendment to House bill No. 1336, please?

The SPEAKER. The amendment is germane, although the Chair thinks it is unconstitutional. The Chair would indicate to the membership of the House, without addressing itself to the merits of the proposal, by way of expressing the hope that this is not a precedent-setting procedure that we are seeing here today. You just cannot encumber a general appropriation bill with substantive language which has the effect of altering, modifying, repealing or changing existing law. This is a nullity. The Attorney General of the Commonwealth will so rule, and it will have no force and effect.

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

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

YEAS—73

Abraham	Fryer	McClatchy	Sirianni
Anderson, J. H.	Gallen	McCue	Smith, L.
Beren	Geesey	McGinnis	Spencer
Bittle	Gleason	Manmiller	Stahl
Brandt	Gring	Miller, M. E., Jr.	Taddonio
Burns	Halverson	Moehlmann	Turner
Butera	Hesay	Mrkonic	Vroon
Cessar	Haskell	Noye	Wagner
Cimini	Hayes, D. S.	O'Connell	Weidner
Crawford	Hayes, S. E.	Pancoast	Whelan
Cumberland	Hepford	Pitts	Whittlesey
Davies	Hill	Polite	Wilson
Deverter	Hopkins	Pyles	Wilt, R. W.
Dietz	Klingaman	Renninger	Wilt, W. W.
Dorr	Kusse	Ryan	WorriLOW
Fawcett	Lehr	Scheaffer	Wright
Fischer	Levi	Shelhamer	Zeller
Foster, A.	Lynch	Shuman	Zord
Foster, W.			

NAYS—120

Arthurs	Gillette	Milanovich	Saloom
Barber	Goodman	Miller, M. E.	Salvatore
Bellomini	Green	Milliron	Schmitt
Bennett	Greenfield	Miscevich	Schweder
Berlin	Grieco	Morris	Sclrica
Berson	Hamilton, J. H.	Mullen, M. P.	Shane

Blackwell	Hammock	Mullen	Shelton
Bonetto	Hutchinson, A.	Musto	Shupnik
Bradley	Hutchinson, W.	Myers	Smith, E.
Brunner	Irvis	Novak	Stapleton
Cohen	Itkin	O'Brien	Stout
Cole	Johnson, J.	O'Donnell	Sullivan
Cowell	Katz	O'Keefe	Sweeney
Davis, D. M.	Kelly, A. P.	Oliver	Taylor
DeMedio	Kernick	Parker, H. S.	Tayoun
Dicarlo	Kistler	Perri	Toll
DiDonato	Knepper	Perry	Trello
Dombrowski	Kolter	Petrarca	Ustynoski
Doyle	Kowalshyn	Pievsky	Vann
Dreibelbis	LaMarca	Pratt	Walsh, T. P.
Eckensberger	Laudadio	Prendergast	Wansacz
Englehart	Laughlin	Rappaport	Wargo
Fee	Lederer	Reed	Westerberg
Fisher	Letterman	Renwick	Wojdak
Flaherty	Lincoln	Richardson	Yahner
Gallagher	Manderino	Rieger	Yohn
Garzia	McCall	Ritter	Zwinkl
Geisler	McIntyre	Romanelli	
George	McLane	Ross	Fineman,
Giammarco	Mebus	Ruggiero	Speaker
Gillespie	Menhorn		

NOT VOTING—10

Caputo	Kelly, J. B.	Seltzer	Valicenti
Diminnl	McGraw	Thomas	Zearfoss
Gleeson	Rhodes		

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

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

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

Amend Sec. 2, page 50, line 28, by removing the period after "Constitution" and inserting: and for offices for justices and judges of the Supreme and Superior Courts in the county of their residence.

Amend Sec. 2, page 51, line 22, by inserting after "shall": , except for county offices of justices and judges of the Supreme and Superior Courts,

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

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

Mr. BONETTO. Mr. Speaker, the first amendment I am offering reads: "Amend Sec. 2, page 50, line 28, by removing the period after 'Constitution' and inserting 'and for offices for justices and judges of the Supreme and Superior Courts in the county of their residence.'"

What this amendment really does is amend the court costs of the general budget to reflect the costs for residence, offices, and staff of the appellate court judges residing within their counties. This is no change in money. All it does is put the cost into the court costs, and I ask for an affirmative vote on the amendment.

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

Mr. WOJDAK. Mr. Speaker, I rise to oppose the amendment. Working within the confines of our revenue estimates and within the parameters of the money available, I would have to oppose this amendment because it exceeds the amount put in this budget package.

I am going to be rising to oppose this entire package of amendments that Mr. Bonetto is going to offer here today because it has the effect of blowing this budget

totally out of proportion. I cannot argue with many of the individual merits of some of the amendments. It is purely a question, on every amendment, of the amount to be spent on these items.

Now in our judgment in putting together this budget, we have decided there must be a point at which we have to stop. We have decided that point where we must stop, consistent, again, with available revenues and money within the framework of this budget. This is one of the attempts to exceed that amount, and I am opposing this amendment and asking for a negative vote from the membership.

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

Mr. BONETTO. Mr. Speaker, this amendment in no way changes the amount of the court costs; it only changes the formula by which it is doled out to the counties. Currently for counties that have appellate court judges residing within their county and having offices within their county, that expense must be paid by the county itself. All we are doing is changing the formula for the court costs. There is absolutely no change in the amount of money within the budget.

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

Mr. WOJDAK. Mr. Speaker, may I interrogate the gentleman, Mr. Bonetto?

The SPEAKER. Will the gentleman consent to interrogation?

Mr. BONETTO. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. WOJDAK. Mr. Speaker, let me ask this question: Who will pay for it, Mr. Speaker?

Mr. BONETTO. It will be paid out of the court cost moneys within the budget.

Mr. WOJDAK. Is there going to be a further request, then, from the court-cost budget to supplement that for the additional cost that they will be paying rather than the counties?

Mr. BONETTO. No, all it does—

The SPEAKER. Will the gentleman yield?

We only have three-quarters of an hour remaining in today's session, ladies and gentlemen. I would appreciate your attention to the speakers on the floor.

The gentleman may proceed.

Mr. BONETTO. No, I do not think so, because the \$445,000 statewide would come from the \$24 million in the court costs that you already have within your budget.

Mr. WOJDAK. Mr. Speaker, if all the gentleman is doing in this amendment is rearranging the spending priorities within that budget, I really could not object to that.

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

Mr. SELTZER. Mr. Speaker, if I understood the gentleman from Allegheny correctly, he indicated that the total amount of money which will be appropriated for court costs statewide will be in the parameter of \$24 million. Is that correct?

Mr. BONETTO. At least that is my understanding as to what House bill No. 1336 is all about.

Mr. SELTZER. Can the gentleman indicate to us how

much more of the \$24 million Allegheny county courts will now receive if his amendment is adopted?

Mr. BONETTO. Seventy-five thousand dollars.

Mr. SELTZER. Can the gentleman indicate to the members of this House how much money the other county courts throughout Pennsylvania will lose if this is adopted?

Mr. BONETTO. The total cost to the Commonwealth in this court-cost budget would be \$445,000 which provides for the cost of the offices and office staff of the appellate court judges within the county of their residence.

Mr. SELTZER. Let me rephrase my question then, Mr. Speaker: If we are starting off with \$24 million—which is the amount of money that is currently in this bill—and we are going to change the formula to provide additional money for the courts of Allegheny county—

Mr. BONETTO. May I interrupt you, Mr. Speaker?

Mr. SELTZER. Yes.

Mr. BONETTO. I am not asking for additional money. I am asking that the formula for the court costs of \$24 million be changed to reflect that this portion of the payment be made for the appellate court judges who have offices and staff in the counties in which they reside.

Mr. SELTZER. Can the gentleman indicate what the loss of appropriations will be to the other 66 counties in Pennsylvania if this amendment is adopted?

Mr. BONETTO. The total amount to the state, including Allegheny County, would be \$445,000. So if you subtract the \$75,000 that Allegheny would get, I would presume that it would be approximately \$360,000 for the rest of the state.

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

Mr. WOJDAK. Mr. Speaker, the net effect, as I see it, of this rearranging, is that counties without Superior Court judges, in the apportionment of the funds to be distributed, will in fact receive less. So any county without a Superior Court judge, or appellate court judge, I should say, in apportioning the money will be shortchanged in their county-court cost. That is the net effect of this. That net effect will be to shortchange those counties without appellate court judges to the tune of \$445,000. Is that correct?

Mr. BONETTO. Correct.

Mr. WOJDAK. Mr. Speaker, I am changing my position again. With that in mind, I would oppose it. It would, in the distribution, favor those counties with appellate judges and really shortchange those counties without appellate court judges. It would seem to me to be unfair to rearrange it in that fashion and I would oppose the amendment.

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

Mr. FISHER. Mr. Speaker, I rise in support of the amendment sponsored by Mr. Bonetto and to point out to the members of the House the reason which I feel would justify the inclusion of the amendment in the general appropriation bill.

Just counting roughly, at the present time in the Supreme and Superior Courts of the Commonwealth, there are five judges who are from Allegheny County

and who have offices in the city-county building in Allegheny County. Approximately 3 years ago, when this General Assembly allotted more judges to the common pleas court, it was necessary for the court of common pleas to completely reconstruct one floor in the city-county building to house the common pleas court judges because at that time, and at this time also, these five appellate court judges were taking up the space. It is my feeling that all of the western counties in the western district of this Commonwealth benefit by the fact that these judges of the higher court have offices located in western Pennsylvania. I believe that there should be a readjustment of the \$24 million, and that Allegheny County should not have to bear the brunt of this \$75,000 annually to house these judges. For this reason, I urge the members on both sides to support the Bonetto amendment.

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

Mr. ROMANELLI. Mr. Speaker, I urge all of my colleagues in western Pennsylvania to realize Allegheny County's plight here. The court is housed in our county; therefore, we are responsible for the cost. All of the western Pennsylvania counties use the facilities of the court. So I am appealing to the fairness of the members.

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

Mr. ITKIN. Mr. Speaker, \$75,000 is not a lot of money to Allegheny County. It will not affect its taxes one iota. What we are talking about here is a question of simple propriety. Just look at any county. The court costs for a given year are made to the court of common pleas of that county. If a resident of that county should be elected to the appellate court, subsequently, next year, because the appellate court judge will have an office in that home county, the common pleas court of that county will receive less appropriation. I think this is a question of equality and not one of substance. You are only dealing with \$75,000 to Allegheny County.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, the House is going to be faced with a series of amendments to be offered by Allegheny County members. I would ask the members to listen carefully to each individual amendment and make a judgment on each individual amendment. Some amendments merely shift money around; others may cost additional money. This is one of the former, and I join with my colleagues from Allegheny County in urging the members of this House to support the amendment.

It is inequitable for Allegheny County, or any other county, for that matter, which has to have the seat of an appellate court in its midst to bear the expense of that seat. That expense ought to be, in justice, borne by all of the Commonwealth, and that is all this amendment does. I ask for its support.

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

Mr. SELTZER. Mr. Speaker, so that the membership

of the House is not confused with the other amendments that are going to be offered by the gentleman, please be wary. This one makes sense, and I ask the members on this side to support it.

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

The yeas and nays were required by Messrs. BONETTO and WOJDAK and were as follows:

YEAS—145

Abraham	Grieco	Miller, M. E., Jr.	Seltzer
Arthurs	Hamilton, J. H.	Miscevich	Shane
Barber	Hammock	Moehlmann	Shelton
Bennett	Hasay	Mrkonic	Shupnik
Beren	Haskell	Mullen	Sirianni
Berlin	Hayes, D. S.	Mullen, M. P.	Smith, E.
Bittle	Hepford	Musto	Spencer
Blackwell	Hutchinson, W.	Myers	Stahl
Bonetto	Irvis	Novak	Stapleton
Bradley	Itkin	O'Brien	Stout
Brandt	Johnson, J.	O'Connell	Sweeney
Brunner	Katz	O'Donnell	Taddonio
Burns	Kelly, A. P.	O'Keefe	Tayoun
Butera	Kelly, J. B.	Oliver	Toll
Cessar	Kernick	Pancoast	Trello
Cimini	Kistler	Parker, H. S.	Turner
Cohen	Klingaman	Perri	Ustynoski
Cole	Knopper	Perry	Valicenti
Cowell	Kolter	Petrarca	Vann
Davies	Kowalyszyn	Pievsky	Wagner
DeMedio	LaMarca	Pratt	Walsh, T. P.
Doyle	Laudadio	Prendergast	Wansacz
Engelhart	Laughlin	Pyles	Wargo
Fee	Lederer	Rappaport	Weifner
Fischer	Letterman	Reed	Westerberg
Fisher	Lincoln	Renninger	Whittlesey
Flaherty	Lynch	Rhodes	Wilson
Gallagher	Manderino	Richardson	Wilt, R. W.
Garzia	Manmiller	Rieger	Worrlow
Geisler	McCall	Ritter	Wright
Giammarco	McClatchy	Romanelli	Yohn
Gillespie	McIntyre	Ross	Zord
Gillette	McLane	Ryan	Zwinkl
Gleason	Mebus	Saloom	
Goodman	Menhorn	Salvatore	Fineman,
Green	Milanovich	Scheaffer	Speaker
Greenfield	Miller, M. E.	Schmitt	

NAYS—50

Anderson, J. H.	Fawcett	Kusse	Schweder
Bellomini	Foster, A.	Lehr	Scirica
Berson	Foster, W.	Levi	Shelhamer
Crawford	Fryer	McCue	Shuman
Cumberland	Gallen	McGinnis	Smith, L.
Davis, D. M.	Geesey	Milliron	Taylor
Deverter	George	Morris	Vroon
Dicarlo	Gring	Noye	Whelan
Dietz	Halverson	Pitts	Wilt, W. W.
Dombrowski	Hayes, S. E.	Polite	Wojdak
Dorr	Hill	Renwick	Yahner
Dreibelbis	Hopkins	Ruggiero	Zeller
Eckensberger	Hutchinson, A.		

NOT VOTING—8

Caputo	Dininni	McGraw	Thomas
DiDonato	Gleeson	Sullivan	Zearfoss

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

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

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

Amend Sec. 2, page 27, by inserting between lines 28 and 29:

For medical assistance for public nursing home care on behalf of persons at each public medical institution

operated by a county, county institution district or municipality, on the basis of audited cost as determined by the Auditor General of the Commonwealth of Pennsylvania. Such audits and certification of rates to the Department of Public Welfare shall be completed no later than September 30 of each year for the next preceding year and all moneys due shall be paid by the Department of Public Welfare no later than one month following receipt of the audit and certification. Payments to counties, county institutional districts or municipalities shall be made as follows:

The Commonwealth of Pennsylvania, Department of Public Welfare shall pay to the counties, in addition to the Federal share, the difference between the audited cost of each facility and the amount of the Federal contribution. Such amounts shall not exceed the current rates of payment for such care paid to private and non-profit skilled nursing and intermediate care facilities. The policy of the department of levying an administrative charge on such payments is eliminated. If it is determined by the department that any individual being cared for in public skilled nursing and intermediate care facilities is ineligible for the Federal share for any reason other than financial, the Commonwealth of Pennsylvania, Department of Public Welfare, shall participate with the public nursing home in paying the cost of such care. The participation by the department shall be limited to fifty per cent of the amount which would have been paid had the patient been eligible for skilled or intermediate care 34,000,000

On the question,

Will the House agree to the amendment?

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

Mr. BONETTO. Mr. Speaker, Pennsylvania currently provides matching funds for Federal medicaid payments to all private nursing homes. It does not provide matching funds for public nursing homes. So this amendment amends section 2, page 27, by inserting language between lines 28 and 29. The total cost of this project is \$34 million.

The SPEAKER. The Chair recognizes the gentleman from Beaver, Mr. Laughlin.

Mr. LAUGHLIN. Mr. Speaker, could I please ask Mr. Bonetto a few questions?

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

Mr. BONETTO. Yes.

The SPEAKER. The gentleman may proceed.

Mr. LAUGHLIN. Mr. Speaker, has Allegheny County, ever conceived the thought of changing their county home and hospital—Kane, in particular—to a nonprofit type situation as Beaver County has done, which has saved our county upwards of \$750,000? Thus you would be able to get the state and Federal funds you are after because it would no longer be a public institution.

Mr. BONETTO. That thought has been given a lot of consideration by the county commissioners of Allegheny County. But the \$34 million that I am talking about affects practically every county in this state that has public nursing homes. Allegheny County is not asking for \$34 million.

Kane Hospital, which is situated in Allegheny County could be changed as Beaver County has done, and I understand that you are the first county in the state that has done so. But there is the very serious consideration that if such funding is not provided by this General Assembly, it will have to fund it in some other

manner, and I think it is possible that the county commissioners would go private.

Mr. LAUGHLIN. Mr. Speaker, in view of that, I would suggest, rather than ask the Pennsylvania House of Representatives to put out \$34 million and give a very serious problem to a balanced budget, that you take that message back to your commissioners and have them change it rather than come here for it. Thank you.

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

Mr. BONETTO. Mr. Speaker, in answer to what the gentleman from Beaver County has said, it makes absolutely no difference whether I submit an amendment for public nursing homes in this Commonwealth by this vehicle or ask the county commissioners of the various counties of this Commonwealth to go private because, if they do go private, you are going to have to pay it one way or the other. Therefore, it could mean that there would be probably more money for a nonprofit and private organization than there is under this type of amendment.

The SPEAKER. The Chair recognizes the gentleman from Beaver, Mr. Laughlin.

Mr. LAUGHLIN. Mr. Speaker, I do not like to disagree with Mr. Bonetto, but the major portion of those funds comes from the Federal Government and not from the state government, so he is misleading the House in that last statement.

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

Mr. WOJDAK. Mr. Speaker, in response to the last statement made, it would seem to me that it is a local problem that could be dealt with on the local level by converting it into a nonprofit corporation. At that point, the Federal Government would pick up 55 percent of those costs at Kane Hospital.

Now what Mr. Bonetto is attempting to do here by using this vehicle in order to get \$7.7 million into Allegheny County, he is multiplying the statewide effect to approximately \$34 million, and, again, not living within the reasonable parameters of this budget. That one-county attempt that he is attempting to make, is going to have a multiple and spreading effect statewide.

I would urge the membership to vote in the negative on this matter.

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

Mr. ROMANELLI. Mr. Speaker, what a lot of the members may fail to recognize is that if the Allegheny County commissioners opt to put a referendum on the ballot to turn the Health Department of Allegheny County back to the state, it is going to cost them far more than \$6 million or \$34 million. It will cost them the entire cost of our Health Department.

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

Mr. ITKIN. Mr. Speaker, this, too, is a matter of equity. but here the costs are substantial. The question is: Should the state justify providing matching money to private homes and then ignore those that are public institutions?

The Representative from Beaver County is quite correct. We could, in fact, through a loophole, convert that particular facility into a private, nonprofit facility, get the same services, and then force the state, under its own laws, to comply and provide this money.

Now the question is: Why should we do that? What is to be gained by doing that? Should not all nursing homes be funded, private and public? That is the question that I think has to be answered today. Thank you.

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

Mr. BONETTO. Mr. Speaker, the gentleman from Beaver County said that I was misleading this General Assembly. I am not. I am saying to this General Assembly that if Allegheny County or any county that has a public nursing home goes private, they will receive 55 percent from the Federal Government, and then you will be required to spend 45 percent from the state government. So it makes absolutely no difference whether I submit the amendment or I do not. You are going to end up paying anyway.

I am saying to you that it is the county's responsibility. We are proud of Kane Hospital. We want to keep it as a county facility, but we need help from this General Assembly. That is the reason we are submitting this amendment, not only for Kane Hospital but for all public nursing homes in the Commonwealth.

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

The yeas and nays were required by Messrs. BONETTO and WOJDAK and were as follows:

YEAS—55

Abraham	Hayes, D. S.	Mullen, M. P.	Shelton
Bonetto	Irvig	Mullen	Sweeney
Brunner	Itkin	Myers	Taddonio
Cessar	Kernick	Novak	Tayoun
Cowell	Knepper	Oliver	Trello
Englehart	LaMarca	Parker, H. S.	Valicenti
Fee	Lederer	Petrarca	Vann
Fischer	Levi	Prendergast	Whittlesey
Fisher	Lincoln	Renwick	Wilson
Flaherty	Lynch	Rhodes	Wilt, R. W.
Geisler	McIntyre	Romanelli	Worrlow
George	Menhorn	Ross	Yahner
Giammarco	Miscevich	Ryan	Zord
Gillette	Mrkonic	Schmitt	

NAYS—138

Anderson, J. H.	Garzia	McCall	Schweder
Arthurs	Geesey	McClatchy	Scirica
Barber	Gillespie	McCue	Seltzer
Bellomani	Gleason	McGinnis	Shane
Bennett	Goodman	McLane	Shelhamer
Beren	Green	Milanovich	Shuman
Berlin	Greenfield	Miller, M. E.	Shupnik
Berson	Grieco	Miller, M. E., Jr.	Siranni
Bittle	Gring	Milliron	Smith, E.
Blackwell	Halverson	Moehlmann	Smith, L.
Bradley	Hamilton, J. H.	Morris	Spencer
Burns	Hammock	Musto	Stahl
Butera	Haskell	Noye	Stapleton
Cimini	Hayes, S. E.	O'Brien	Stout
Cohen	Hepford	O'Connell	Taylor
Cole	Hill	O'Donnell	Toll
Crawford	Hopkins	O'Keefe	Turner
Cumberland	Hutchinson, A.	Pancoast	Ustynoski
Davies	Hutchinson, W.	Perri	Vroon
Davis, D. M.	Johnson, J.	Perry	Wagner
DeMedio	Katz	Pievsky	Walsh, T. P.
Deverter	Kelly, A. P.	Pitts	Wansacz
Dicarlo	Kelly, J. B.	Polite	Wargo
Dietz	Kistler	Pratt	Weidner
Dombrowski		Pyles	Westerberg

Dorr	Klingaman	Rappaport	Whelan
Doyle	Kolter	Reed	Wilt, W. W.
Dreibelbis	Kowalyszyn	Renninger	Wojdak
Eckensberger	Kusse	Richardson	Wright
Fawcett	Laudadio	Rieger	Yohn
Foster, A.	Laughlin	Ritter	Zeller
Foster, W.	Lehr	Ruggiero	Zwilk
Fryer	Letterman	Saloom	
Gallagher	Manderino	Salvatore	Fineman,
Gallen	Manmiller	Scheaffer	Speaker

NOT VOTING—10

Brandt	Dininni	Mebus	Thomas
Caputo	Gleeson	Sullivan	Zearfoss
DiDonato	McGraw		

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

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

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

Amend Sec. 2, page 25, line 22, by striking out "46,039,000" and inserting: 53,239,000

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

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

Mr. BONETTO. Mr. Speaker, this amendment amends section 2, page 25, line 22, by striking out "46,039,000" and inserting "53,239,000".

The SPEAKER. Does the gentleman desire to be further recognized?

Mr. BONETTO. Yes, Mr. Speaker.
At the present time, the Commonwealth is mandated to pay 60 percent of the cost of the Child Grant-in-Aid Program. We are asking that this 60 percent be increased to 80 percent. The total cost to the Commonwealth for every county in the Commonwealth is \$7.2 million.

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

Mr. WOJDAK. Mr. Speaker, I again oppose this amendment for the reasons that I enumerated earlier.

Representative Hammock has a bill that seeks to find some equitable means of reimbursement. I would suggest to the gentleman from Allegheny County that that would probably be the vehicle to go with, rather than attempting to get that benefit for Allegheny County at this time and having the multiple effect, again, of going outside the parameters of this budget. Mr. Speaker, I would ask for a negative vote on this amendment.

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

The yeas and nays were required by Messrs. BONETTO and WOJDAK and were as follows:

YEAS—41

Abraham	Itkin	Mullen, M. P.	Schmitt
Brunner	Kelly, J. B.	Mullen	Shelton
Cessar	Kernick	Myers	Sweeney
Cowell	Knepper	Novak	Taddonio
Davies	Lederer	Parker, H. S.	Tayoun
Fischer	Lincoln	Prendergast	Trello
Fisher	McIntyre	Reed	Valicenti
Flaherty	Menhorn	Renwick	Vann
Geisler	Miscevich	Rhodes	Wilson

Gillette Irvic	Mrkonic	Romanelli	Zord
NAYS—152			
Anderson, J. H.	Giammarco	McCue	Scirica
Arthurs	Gillespie	McGinnis	Seltzer
Barber	Gleason	McLane	Shane
Bellomini	Goodman	Mebus	Shelhamer
Bennett	Green	Milanovich	Shuman
Beren	Greenfield	Miller, M. E.	Shupnik
Berlin	Grieco	Miller, M. E., Jr.	Sirianni
Berson	Gring	Milliron	Smith, E.
Bittle	Halverson	Moehlmann	Smith, L.
Blackwell	Hamilton, J. H.	Morris	Spencer
Bradley	Hammock	Musto	Stahl
Brandt	Hasay	Noye	Stapleton
Burns	Haskell	O'Brien	Stout
Butera	Hayes, S. E.	O'Connell	Taylor
Cimini	Hayes, D. S.	O'Donnell	Toll
Cohen	Hopford	O'Keefe	Turner
Cole	Hill	Oliver	Ustynoski
Crawford	Hopkins	Pancoast	Vroon
Cumberland	Hutchinson, A.	Perri	Wagner
Davis, D. M.	Hutchinson, W.	Perry	Walsh, T. P.
DeMedio	Johnson, J.	Petrarca	Wansacz
Deverter	Katz	Pievsky	Wargo
Dicarlo	Kelly, A. P.	Pitts	Weldner
Dietz	Kistler	Polite	Westerberg
Dombrowski	Klingaman	Pratt	Whelan
Dorr	Kolter	Pyles	Whittlesey
Doyle	Kowalshyn	Rappaport	Wilt, R. W.
Dreibelbitz	Kusse	Renninger	Wilt, W. W.
Eckensberger	LaMarca	Richardson	Wojdak
Engelhart	Laudadio	Rieger	Worrlow
Fawcett	Laughlin	Ritter	Wright
Fee	Lehr	Ross	Yabner
Foster, A.	Letterman	Ruggiero	Yohn
Foster, W.	Levi	Ryan	Zeller
Fryer	Lynch	Saloom	Zwilk
Gallen	Manderlino	Salvatore	
Garzia	Manmiller	Scheaffer	Fineman,
Geesey	McCall	Schweder	Speaker
George	McClatchy		

NOT VOTING—10

Bonetto	Dininni	McGraw	Thomas
Caputo	Gallagher	Sullivan	Zearfoss
DiDonato	Gleeson		

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

On the question recurring,

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

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

Amend Sec. 2, page 27, by inserting between lines 23 and 24:

For the cost of caring for any person in a facility under the Mental Health and Mental Retardation Act of 1966 which person has been convicted or sentenced for a crime or is under a court order for observation 5,472,000

On the question,

Will the House agree to the amendment?

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

Mr. BONETTO. Mr. Speaker, this amendment amends section 2, page 27, by inserting between lines 23 and 24 the total sum of \$5,472,000.

The reason for this amendment, Mr. Speaker, is that several years ago this General Assembly decided, in its wisdom, to pay for all prison costs in the Commonwealth. Unfortunately, we made a mistake. We failed to pay for prisoners who were sentenced to mental institutions. They should have been included in that particular bill several years ago.

So the statewide cost to the Commonwealth of \$5,472,000 is the basis of this amendment. Based upon the fact that Mr. Wojdak has made a rock-bottom estimate of a \$50-million surplus to an \$80-million surplus, I find nothing wrong with inserting \$5,472,000 for a mistake that was made by the General Assembly several years ago.

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

Mr. WOJDAK. Mr. Speaker, first, as to the reference of the revenue estimate, you are correct. I had estimated it at \$50 to \$80 million. I have been working with the \$50-million figure.

The amendment for the aid to nonpublic schools will cost approximately \$30 million. So we have reached the limit of the revenue estimate. So in answer to the statement you made, Mr. Speaker, the money is no longer available.

Mr. BONETTO. Your subtraction is wrong, Mr. Speaker, because 30 from 50 leaves 20.

Mr. WOJDAK. Pardon?

Mr. BONETTO. Thirty from fifty leaves twenty.

Mr. WOJDAK. We had used the \$50 million as the low range of the estimate. The difference between that \$50 million and \$80 million was \$30 million. That amount was used for the aid to nonpublic schools. So there is really no money left within that revenue estimate.

As to the particular item that this amendment speaks to, when the county refers a patient for observation or testing or sentencing, the county is required to pay those costs. What Mr. Bonetto would like to do here is have the county costs picked up by the state. It would have an effect in Allegheny County of approximately \$1.2 million, and statewide it would have the multiple effect of costing the state, say, \$5.4 million.

It also has the additional hazard, inasmuch as the state would be picking up the cost, that the counties would have the tendency to overcommit. That is a danger that I do not think this Assembly wants to face. That would have the effect of again skyrocketing the cost at a future date. So I would oppose the amendment, Mr. Speaker, and ask for a negative vote.

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

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

May I direct a brief question to Mr. Bonetto?

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

Mr. BONETTO. Yes.

The SPEAKER. The gentleman may proceed.

Mr. M. E. MILLER, JR. Just as a point of clarification your amendment speaks to the issue and affects all counties. Is that correct?

Mr. BONETTO. All 67 counties.

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

Mr. Speaker, if I might interject a point that may influence some of our members from the rural counties, these commitments as Mr. Wojdak pointed out, are county commitments, but they are judicial commitments

Secondly—and I think that this is very important—the yearly costs in my county for the noncurrent commitments we have run an average of \$26,000 a year

These can be very excessive costs to the treasuries of our smaller counties, and I would ask the members from the rural areas to consider this issue.

Thank you kindly.

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

Mr. FISHER. Thank you, Mr. Speaker.

I rise to support the amendment that Mr. Bonetto has offered. One of the problems with the county paying the costs, in cases such as the commitments to Farview, is that most of these commitments are pre-trial commitments, in that a person is found to be incompetent to stand trial at that time due to some mental disability. A commitment under the law is made initially for a 60-day period, with the Farview Institution being required to report back to the committing judge of that county at various intervals as to the condition of that individual. One of the big problems, and one of the reasons that the Allegheny County problem is so acute—and I would imagine that the problem in Philadelphia County may even be more acute—is that with the crime rate in the urban areas that these counties have, there are many people committed under the Mental Health Act who are criminal-court commitments—they are committed before trial—who go to Farview, and because of their inability to stand trial, may stay there for periods sometimes up to 15 to 20 years, not that this is proper. We are presently studying the Mental Health Act to determine how we can get these people from the Farview Institution out of the institution and back into more humane surroundings for periods that do not go up to that time period of 15 to 20 years.

However, the counties are obligated to pay these costs for this entire period of time. I think that, certainly, if the state is going to pick up the tab for commitments to our penal institutions, the state should likewise pick up the tab for the commitments to Farview. I would urge the support of all the members for the Bonetto amendment.

Thank you.

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

Mr. DiCARLO. Mr. Speaker, just a question on the amendment: Can the amendment be divided?

Here is the question I have: Presently in the Health and Welfare Committee, we have House bill No. 201 which, in essence, is the same language which is in this amendment.

Although Mr. Bonetto is correct in stating the inequity that is involved as far as commitment or sentencing, one of the problems we had concerned an individual under court order for observation. It is felt by the committee at this present time that if an individual is referred by the judicial branch for observation, that cost should be picked up for the county.

My question is, can the amendment be divided? The first part would be "which person has been convicted or sentenced for a crime." The second part would be "under a court order for observation."

The SPEAKER. The amendment is incapable of division.

Mr. DiCARLO. Mr. Speaker, with that in mind, since House bill No. 201 is before the Committee on Health

and Welfare and since we have researched it and are looking at the problems involved, especially the additional costs involved for observation, I would ask that we vote against this amendment.

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

Mr. BONETTO. Mr. Speaker, the intent of this amendment is not for observations ordered by the court; it is for prisoners who are sentenced to mental institutions. That is the cost which we are trying to get, as far as the amendment is concerned. That is the intent of the amendment. I think the legislative intent of this amendment is clarifying enough to warrant support for this amendment.

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

Mr. DiCARLO. Mr. Speaker, just looking at the amendment, it very specifically says: "For the cost of caring for any person in a facility under the Mental Health and Mental Retardation Act of 1966 which person has been convicted or sentenced for a crime or is under a court order for observation." That is the part of the amendment that gives me the problem.

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

Mr. ROMANELLI. Mr. Speaker, we have no guarantee that House bill No. 201 will come out of committee. So I think the proper time to correct the inequity is now, with this amendment.

Thank you, Mr. Speaker.

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

Mr. SELTZER. Mr. Speaker, as I read the amendment offered by the gentleman, he is writing substantive legislation into the general appropriation bill. I ask the Chair to review the amendment.

The SPEAKER. The Chair does not view the amendment being offered by the gentleman, Mr. Bonetto, as an attempt to write substantive language, but rather as a delineation of an appropriation.

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

Mr. ITKIN. Mr. Speaker, I did not hear your answer to the question on whether the amendment is divisible.

The SPEAKER. The amendment is not divisible.

Mr. ITKIN. Thank you.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Messrs. BONETTO and WOJDAK and were as follows:

YEAS—53

Abraham	Halverson	Miller, M. E., Jr.	Saloom
Bonetto	Irviss	Miscevich	Schmitt
Bradley	Itkin	Moehlmann	Shelton
Brunner	Kelly, J. B.	Mrkonic	Shupnik
Cessar	Kernick	Mullen, M. P.	Smith, E.
Cowell	Kistler	Mullen	Sweeney
DeMedio	Knepper	Myers	Taddonio
Fischer	Laudadio	Novak	Tayoun
Fisher	Laughlin	Parker, H. S.	Trello
Flaherty	Lederer	Renwick	Valicenti
Geisler	Lincoln	Rhodes	Vann
George	McIntyre	Romanelli	Wagner
Gillette	Menhorn	Ross	Wilson
Gring			

NAYS—141

Anderson, J. H.	Geesey	McGinnis	Scirica
Arthurs	Giammarco	McLane	Seltzer
Barber	Gillespie	Mebus	Shane
Bellomini	Gleason	Milanovich	Shelhamer
Bennett	Goodman	Miller, M. E.	Shuman
Beren	Green	Milliron	Sirianni
Berlin	Greenfield	Morris	Smith, L.
Berson	Grieco	Musto	Spencer
Bittle	Hamilton, J. H.	Noye	Stahl
Blackwell	Hammock	O'Brien	Stapleton
Brandt	Hasay	O'Connell	Stout
Burns	Haskell	O'Donnell	Taylor
Butera	Hayes, D. S.	O'Keefe	Toll
Cimini	Hayes, S. E.	Oliver	Turner
Cohen	Hepford	Pancoast	Ustynoski
Cole	Hill	Perri	Vroon
Crawford	Hopkins	Perry	Walsh, T. P.
Cumberland	Hutchinson, A.	Petrarca	Wansacz
Davies	Hutchinson, W.	Pievsky	Wargo
Davis, D. M.	Johnson, J.	Pitts	Weidner
Deverter	Katz	Polite	Westerberg
Dicarolo	Kelly, A. P.	Pratt	Whelan
Dietz	Klingaman	Prendergast	Whittlesey
Dombrowski	Kolter	Pyles	Wilt, R. W.
Dorr	Kowalyszyn	Rappaport	Wilt, W. W.
Doyle	Kusse	Reed	Wojdak
Dreibelbis	LaMarca	Renninger	Worrilow
Eckensberger	Lehr	Richardson	Wright
Engelhart	Letterman	Rieger	Yahner
Fawcett	Levi	Ritter	Yohn
Fee	Lynch	Ruggiero	Zeller
Foster, A.	Manderino	Ryan	Zord
Foster, W.	Manmiller	Salvatore	Zwikl
Fryer	McCall	Scheaffer	
Gallen	McClatchy	Schweder	Fineman.
Garzia	McCue		Speaker

NOT VOTING—9

Caputo	Gallagher	McGraw	Thomas
DiDonato	Gleeson	Sullivan	Zearfoss
Dininni			

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

On the question recurring,

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

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

Amend Sec. 2, page 27, by inserting between lines 28 and 29:

For grants to county departments of health and to municipalities under the act of August 24, 1951 (P. L. 1304, No. 315), known as the "Local Health Administration Law," 3,605,500

On the question,

Will the House agree to the amendment?

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

Mr. BONETTO. Mr. Speaker, this amendment amends section 2, page 27, by inserting between lines 28 and 29 the total sum of \$3,605,500.

There are six counties in Pennsylvania that operate a public-health department. Allegheny County is one of them. We are asking for an increase from \$1.50 to \$2.25 per capita state reimbursement to counties that operate that public-health facility.

Serious consideration has been given in Allegheny County to place the question of the health departments on a referendum. Failure to get some help in this particular area could very well mean that the health department of Allegheny County will be turned back to the Commonwealth, which at that time would cost far more than \$10 million. I ask serious consideration from the

members of the General Assembly in making this appropriation.

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

Mr. PARKER. Mr. Speaker, Allegheny County would prefer to maintain its own health department, but is finding this financial burden intolerable.

The six counties which operate their own health departments are entitled to a 75-percent per capita increase for inflation alone.

The \$5.10 per capita which is spent by Allegheny County should be reimbursed to a greater extent by the state.

I have a much longer statement, but I ask unanimous consent to submit it for the record.

The SPEAKER. The Chair thanks the gentleman.

The gentleman will send his statement forward for the record.

STATEMENT SUBMITTED FOR THE RECORD

Mr. PARKER submitted the following statement for the Legislative Journal:

COMPARISON OF STATE AID TO ALLEGHENY AND PHILADELPHIA COUNTIES

Since 1971-72 Allegheny County's per capita share of state aid has grown from \$240.90 to \$426.55, or an increase of \$185.65 per capita. Philadelphia County's growth rate per capita moved from \$331.31 to \$577.94, or an increase of \$246.63 per capita. In percentage terms, state assistance to Allegheny County between 1971-72 and 1975-76 has grown by almost 77 percent as compared to a 43 percent growth rate for Philadelphia County. In 1971-72, Philadelphia received \$90.41 more per capita in state assistance than Allegheny; for 1975-76 the proposed budget difference is \$151.39, which has changed considerably from 1971-72. When public and medical assistance are excluded from the analysis, the differences in per capita aid between the two counties become less.

An analysis was made of the major state-aid programs where Philadelphia County receives more than Allegheny County on a per capita basis. These differences in state aid per capita are accounted for largely by public and medical assistance and supplemental SSI payments. In 1974-75, Allegheny County received \$173,-635,000 less than Philadelphia County, while holding population constant. This amount increased to \$237,696,-000 under the 1975-76 Budget. When public and medical assistance and SSI are excluded, these dollar discrepancies are reduced to \$53,877,000 and \$76,936,000, respectively. The table below shows by program and category the number of dollars Allegheny County should have received, more or less, based on the amount of assistance Philadelphia County was receiving on a per capita basis. The major areas where Allegheny County should be receiving additional state assistance include basic education, mass transit, court expenses, community mental health, higher education, child welfare, day care, library aid, school health exams and grants, institutions, and billing for inmates.

TABLE B

ALLEGHENY COUNTY AND PHILADELPHIA COUNTY
STATE AID BASED ON POPULATION

	Dollars Allegheny County Should Have Received (More or Less) (82% of Philadelphia)	
	1974-75 Actual	1975-76 Proposed in Governor's Budget
PERSONS AND PROPERTY		
Assumption of Billings for Inmates	+\$ 4,721,000	+\$ 5,329,000
Reimbursement—County Court Expense	+ 4,586,000	+ 2,125,000
Other (State Police, Probation and Parole, Military Affairs and Justice)	- 7,626,000	- 8,287,000
HEALTH		
Community Mental Health	+\$ 5,249,000	+\$ 5,990,000
Clean Streams	- 1,511,000	- 1,490,000
Institutions (MH/HR)	+ 7,210,000	+ 1,571,000
Drug Program	+ 180,000	- 67,000
Other (School Health Exams, T.B., Health Grants)	+ 642,000	+ 448,000
INTELLECTUAL DEVELOPMENT		
Library Aid	+\$ 182,000	+\$ 224,000
Scholarship Aid-PHEAA ..	- 2,509,000	- 2,509,000
Basic Education	+ 28,330,000	+ 39,148,000
Higher Education	+ 18,928,000	+ 22,623,000
SOCIAL DEVELOPMENT		
Day Care	+\$ 2,373,000	+\$ 2,389,000
Child Welfare	+ 4,088,000	+ 4,829,000
Youth Development Centers ..	- 1,126,000	- 316,000
Aid to Elderly	+ 1,493,000	+ 2,062,000
Other (JD, Aging)	+ 87,000	+ 87,000
ECONOMIC DEVELOPMENT AND MAINTENANCE		
Public and Medical Assistance	+\$115,126,000	+\$154,118,000
Supplemental SSI	+ 4,632,000	+ 6,642,000
Utility Tax Refund	+ 405,000	+ 415,000
Redevelopment and Housing Assistance	- 767,000	- 767,000
PIDA and Development	- 106,000	+ 44,000
Other (Tourist promotion, Bicentennial, Vocational Rehabilitation, Commu- nity Action, Occupational Disease, Recreation and Planning Assistance)	- 1,058,000	- 1,465,000
TRANSPORTATION		
Mass Transit	+\$ 19,064,000	+\$ 19,064,000
Highway Maintenance and Construction	- 32,165,000	- 15,668,000
Port Development	+ 820,000	+ 820,000
RECREATION		
Parks, Public TV and Museums	+ 387,000	+ 337,000
Total	\$173,635,000	\$237,696,000

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

Mr. WOJDAK. Mr. Speaker, on this particular amend-ment—the local health services—there are only six coun-ties that are reimbursed and they are already getting

more than the other 61 counties combined, because they really get nothing.

What happened is that they felt it was more feasible to reimburse them at the rate of \$1.50 for the six urban areas that are presently getting this type of state money.

Again, the net effect, statewide, will be \$5.1 million, with \$2.2 million going into Pittsburgh.

Mr. BONETTO. That is incorrect.

Mr. WOJDAK. Well, those are the figures I have.

Mr. BONETTO. That is incorrect, Mr. Speaker.

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

Mr. BONETTO. You are taking the figures from \$1.50 to \$3.00, and we have cut that back to \$2.25.

I would like to mention the six counties involved.

Mr. WOJDAK. Well, you are correct, Mr. Speaker.

Mr. BONETTO. —Allegheny, the Bi-City Health Bu-reau which covers Allentown and Bethlehem, Bucks, Chester, Erie and Philadelphia.

Now Mr. Wojdak just mentioned the fact that these six counties are getting more than the rest of the 61 counties combined, but the health departments in the other 61 counties are being funded by the Common-wealth, under the Department of Health.

If the Department of Health and the Commonwealth are interested in getting these six counties back, we will gladly give them to them, but it will cost them a lot more than they are paying now.

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

Mr. RITTER. Mr. Speaker, coming from one of those counties that Mr. Bonetto mentioned, I intend to vote against the amendment.

The Bi-City Health Bureau would certainly like to have more money, and I would like to be able to give it to them, but I think we have to live with what we have. They are getting \$1.50 per person now in the Bi-City Health Bureau. As I said, maybe they would like to have more and I would like to give them more, but I think this is not the time to do it. I am going to vote in the negative on the amendment.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Messrs. BONETTO and WOJDAK and were as follows:

YEAS—43

Abraham	Flaherty	Mrkonic	Sweeney
Bellomini	Geisler	Mullen, M. P.	Taddonio
Bonetto	Gillette	Mullen	Tayoun
Brunner	Irvis	Myers	Trello
Burns	Itkin	Novak	Valicenti
Cessar	Johnson, J.	Parker, H. S.	Vann
Cowell	Kernick	Renninger	Weidner
DeMedio	Lincoln	Rhodes	Wilson
Dombrowski	McIntyre	Romanelli	Wright
Fischer	Menhorn	Shelton	Zord
Fisher	Miscevich	Shupnik	

NAYS—150

Anderson, J. H.	Gleason	McCatchy	Salvatore
Arthurs	Goodman	McCue	Scheaffer
Barber	Green	McGinnis	Schmitt
Bennett	Greenfield	McLane	Schweder
Beren	Grieco	Mebus	Scirica
Berlin	Gring	Milanovich	Seltzer
Berson	Halverson	Miller, M. E.	Shane
Bittle	Hamilton, J. H.	Miller, M. E., Jr.	Shelhamer
Blackwell	Hammock	Milliron	Shuman

Bradley	Hasay	Moehlmann	Sirianni
Brandt	Haskell	Morris	Smith, E.
Butera	Hayes, D. S.	Musto	Smith, L.
Cimini	Hayes, S. E.	Noye	Spencer
Cohen	Hepford	O'Brien	Stahl
Cole	Hill	O'Connell	Stapleton
Crawford	Hopkins	O'Donnell	Stout
Cumberland	Hutchinson, A.	O'Keefe	Taylor
Davies	Hutchinson, W.	Oliver	Toll
Deverter	Katz	Pancoast	Turner
Dicarlo	Kelly, A. P.	Perri	Ustynoski
Dietz	Kelly, J. B.	Perry	Vroon
Dorr	Kistler	Petrarca	Wagner
Doyle	Klingaman	Pievsky	Walsh, T. P.
Dreibelbis	Knepper	Pitts	Wansacz
Eckensberger	Kolter	Polite	Wargo
Englehart	Kowalyszyn	Pratt	Westerberg
Fawcett	Kusse	Prendergast	Whittlesey
Fee	LaMarca	Pyles	Wilt, R. W.
Foster, A.	Laudadio	Rappaport	Wilt, W. W.
Foster, W.	Laughlin	Reed	Wojdak
Fryer	Lederer	Renwick	Worrilow
Gallagher	Lehr	Richardson	Yahner
Gallen	Letterman	Rieger	Yohn
Garzia	Levi	Ritter	Zeller
Geesey	Lynch	Ross	Zwickl
George	Manderino	Ruggiero	
Giammarco	Manmiller	Ryan	Fineman,
Gillespie	McCall	Saloom	Speaker

NOT VOTING—10

Caputo	Dininni	Sullivan	Whelan
Davis, D. M.	Gleeson	Thomas	Zearfoss
DiDonato	McGraw		

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

On the question recurring,

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

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

Amend Sec. 2, page 27, by inserting between lines 1 and 2: For administration cost of the food stamp program2,900,000

On the question,

Will the House agree to the amendment?

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

Mr. BONETTO. This amendment amends section 2, page 27, by inserting between lines 1 and 2 the sum of \$2,900,000.

Mr. Speaker, counties are required by state law to pay 50 percent of the administrative cost of food stamps in this Commonwealth. It is the opinion of the county commissioners of Allegheny County and the Allegheny County delegation that this program is a state function and a Federal function. For the entire state it is \$2,900,000. We feel that this money should be paid by the Commonwealth and not by the counties involved.

The counties are willing to operate this program for the Commonwealth, providing the Commonwealth comes up with the money to pay for the administrative costs. This is exactly what this amendment will do.

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

Mr. WOJDAK. Mr. Speaker, this is another case of attempting to get approximately a half million dollars into Allegheny County, with a statewide effect of close to \$3 million. Again, it is a question of money. I cannot say that it is a totally unjustified request; it is a

case of money. I would ask the membership to oppose the amendment.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Messrs. BONETTO and WOJDAK and were as follows:

YEAS—41

Abraham	Gillette	Miscovich	Sweeney
Bonetto	Irvis	Mrkonic	Taddonio
Brunner	Itkin	Mullen, M. P.	Taylor
Cessar	Kernick	Mullen	Tayoun
Cowell	Knepper	Myers	Trello
DeMedio	Laughlin	Novak	Valicenti
Englehart	Lederer	Parker, H. S.	Vann
Fischer	Lincoln	Romanelli	Wansacz
Fisher	McIntyre	Saloom	Wilson
Flaherty	Menhorn	Shelton	Zord
Garzia			

NAYS—152

Anderson, J. H.	Gillespie	McLane	Schmitt
Arthurs	Gleason	Manmiller	Schweder
Barber	Goodman	Mebus	Scirca
Bellomini	Green	Milanovich	Seltzer
Bennett	Greenfield	Miller, M. E.	Shane
Beren	Grieco	Miller, M. E., Jr.	Shelhamer
Berlin	Gring	Milliron	Shuman
Berson	Halverson	Moehlmann	Shupnik
Bittle	Hamilton, J. H.	Morris	Sirianni
Blackwell	Hammock	Musto	Smith, E.
Bradley	Hasay	Noye	Smith, L.
Brandt	Haskell	O'Brien	Spencer
Burns	Hayes, D. S.	O'Connell	Stahl
Butera	Hayes, S. E.	O'Donnell	Stapleton
Cimini	Hepford	O'Keefe	Stout
Cohen	Hill	Oliver	Toll
Cole	Hopkins	Pancoast	Turner
Crawford	Hutchinson, A.	Perri	Ustynoski
Cumberland	Hutchinson, W.	Perry	Vroon
Davies	Johnson, J.	Petrarca	Wagner
Deverter	Katz	Pievsky	Walsh, T. P.
Dicarlo	Kelly, A. P.	Pitts	Wargo
Dietz	Kelly, J. B.	Polite	Weidner
Dombrowski	Kistler	Pratt	Westerberg
Dorr	Klingaman	Pyles	Whelan
Doyle	Kolter	Prendergast	Whittlesey
Dreibelbis	Kowalyszyn	Rappaport	Wilt, R. W.
Eckensberger	Kusse	Reed	Wilt, W. W.
Fawcett	LaMarca	Renninger	Wojdak
Fee	Laudadio	Renwick	Worrilow
Foster, A.	Lehr	Richardson	Wright
Foster, W.	Letterman	Rieger	Yahner
Fryer	Levi	Ritter	Yohn
Gallagher	Lynch	Ross	Zeller
Gallen	Manderino	Ruggiero	Zwickl
Geesey	McCall	Ryan	
Geisler	McClatchy	Salvatore	Fineman,
George	McCue	Scheaffer	Speaker
Giammarco	McGinnis		

NOT VOTING—10

Caputo	Dininni	Rhodes	Thomas
Davis, D. M.	Gleeson	Sullivan	Zearfoss
DiDonato	McGraw		

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

On the question recurring,

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

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

Amend Sec. 2, page 28, by inserting between lines 24 and 25: For grants to counties for election expenses at the rate of 75¢ per ballot in even numbered year elections1,554,000

On the question,

Will the House agree to the amendment?

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

Mr. BONETTO. This amendment amends section 2, page 28, by inserting between lines 24 and 25 the sum of \$1,554,000 for payment of state elections in even-numbered years.

I would like to mention to the members of the General Assembly that Allegheny County will be faced with a special election in the 43rd senatorial district this year. I would like to also mention to the members of the General Assembly that the cost to Allegheny County and its taxpayers will be \$48,000 for that election.

In view of the fact that it is a state election, it is our opinion that the cost should be borne by the Commonwealth, and, statewide, at 75 cents per ballot, it would amount to approximately \$1,554,000.

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

Mr. WOJDAK. Mr. Speaker, what Mr. Bonetto is suggesting and what the amendment is doing is that for any statewide elections, which are presently paid for by the local county boards or local county commissioners, that on those particular statewide elections, the state bear the expense of that.

Bear in mind that the county commissioners pay for not only local elections and state elections but national elections. To carry Mr. Bonetto's logic through the national election, he can make the request of the Federal Government to pay for that.

Again, it is a question of money. I am not saying it is an unreasonable request, but the multiple effect is something we cannot live with, within the parameters of the budget. I would ask for a negative vote.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Messrs. BONETTO and WOJDAK and were as follows:

YEAS—41

Abraham	Green	Menhorn	Romanelli
Bonetto	Halverson	Miscevich	Shelton
Brunner	Irvig	Mrkonc	Sweeney
Cessar	Itkin	Mullen, M. P.	Taddonio
Cowell	Kelly, J. B.	Mullen	Tayoun
DeMedio	Kernick	Myers	Trello
Fischer	Knepper	Novak	Valicenti
Fisher	Lederer	O'Brien	Vann
Flaherty	Lincoln	Parker, H. S.	Wargo
Geisler	McIntyre	Rhodes	Zord
Gillette			

NAYS—153

Anderson, J. H.	Giammarco	McLane	Scirica
Arthurs	Gillespie	Mebus	Seltzer
Barber	Gleason	Milanovich	Shane
Bellomini	Goodman	Miller, M. E.	Shelhamer
Bennett	Greenfield	Miller, M. E., Jr.	Shuman
Beren	Grieco	Milliron	Shupnik
Berlin	Gring	Moehlmann	Sirianni
Berson	Hamilton, J. H.	Morris	Smith, E.
Bittle	Hammock	Musto	Smith, L.
Blackwell	Hasay	Noye	Spencer
Bradley	Haskell	O'Connell	Stahl
Brandt	Hayes, D. S.	O'Donnell	Stapleton
Burns	Hayes, S. E.	O'Keefe	Stout
Butera	Hepford	Oliver	Taylor
Cimini	Hill	Pancoast	Toll
Cohen	Hopkins	Perri	Turner
Cole	Hutchinson, A.	Perry	Ustynoski
Crawford	Hutchinson, W.	Petrarca	Vroon
Cumberland	Johnson, J.	Pievsky	Wagner
Davies	Katz	Pitts	Walsh, T. P.

Deverter	Kelly, A. P.	Polite	Wansacz
Dicarlo	Kistler	Pratt	Weidner
Dietz	Klingaman	Prendergast	Westerberg
Dombrowski	Kolter	Pyles	Whelan
Dorr	Kowalyshyn	Rappaport	Whittlesey
Doyle	Kusse	Reed	Wilson
Dreibelbis	LaMarca	Renninger	Wilt, R. W.
Eckensberger	Laudadio	Renwick	Wilt, W. W.
Englehart	Laughlin	Richardson	Wojdak
Fawcett	Lehr	Rieger	WorriLOW
Fee	Letterman	Ritter	Wright
Foster, A.	Levi	Ross	Yahner
Foster, W.	Lynch	Ruggiero	Yohn
Fryer	Manderino	Ryan	Zeller
Gallagher	Manmiller	Saloom	Zwickl
Gallen	McCall	Salvatore	
Garzia	McClatchy	Scheaffer	Fineman,
Geesey	McCue	Schmitt	Speaker
George	McGinnis	Schweder	

NOT VOTING—9

Caputo	Dininni	McGraw	Thomas
Davis, D. M.	Gleeson	Sullivan	Zearfoss
DiDonato			

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

On the question recurring,

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

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

Amend Sec. 2, page 29, by inserting between lines 21 and 22: For the costs of the operation of the purchase of service program with the Port Authority of Allegheny County5,200,000

On the question,

Will the House agree to the amendment?

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

Mr. BONETTO. This amendment, Mr. Speaker, will amend section 2, page 29, by inserting between lines 21 and 22 the sum of \$5,200,000.

Last year, Mr. Speaker, the Department of Transportation advised the Port Authority of Allegheny County that they would receive \$22 million from the state for the fiscal year 1974-75. For some reason or another, PennDOT has arbitrarily reduced this amount to \$16.4 million. We are asking, in this amendment, that the Port Authority be given exactly the amount they have been promised by PennDOT for the fiscal year 1974-75.

This is probably what we would normally call, for the Port Authority, a deficiency appropriation.

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

Mr. WOJDAK. Mr. Speaker, as a result of the fuel crisis, the ridership is up on the public transportation systems. They are all operating at a deficit, but if in fact their operating costs are cut back, we could live within the amounts provided for them.

Again, it is a question of a statewide effect and not being affordable in this present budget, and I would ask for a negative vote.

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

Mr. BONETTO. Mr. Speaker, I would like to make mention to the General Assembly what effect this could have for the failure of PennDOT to give this money to the Port Authority.

There is very serious consideration being given at the present time for cutting back services, not only in Allegheny County but in the surrounding counties. Also, there is a very serious possibility of a lay off of approximately 400 men and women who work for the Port Authority at the present time.

With that in mind, if we wish to preserve the jobs of 400 people and their families, based upon the promise that was made by PennDOT indicating that they would give \$22 million to the Port Authority for the fiscal year 1974-75, I am asking the General Assembly to seriously consider this and vote in favor of this amendment.

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

Mr. WOJDAK. Mr. Speaker, we have similar requests from many of the public transit systems, totaling somewhere in the area of \$25 million. There is no reason, in my mind, to single out Allegheny County without treating every county fairly.

And again, to fund the kinds of requests that we are receiving from public transit systems, I would advise the General Assembly to vote in the negative on this.

The SPEAKER. The Chair recognizes the gentleman from Beaver, Mr. Laughlin.

Mr. LAUGHLIN. Mr. Speaker, could I ask a few questions of Mr. Wojdak?

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

Mr. WOJDAK. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. LAUGHLIN. Mr. Speaker, has the Philadelphia Port Authority—SEPTA, I believe it is called—in any way been cut back by PennDOT for their state appropriation?

Mr. WOJDAK. To my knowledge, they have not.

Mr. LAUGHLIN. Well, then, Mr. Speaker, I do not know how you can sustain the argument you just made against the Port Authority of Allegheny County, since your particular end of the state has not been curtailed at all in funds and whereas the Port Authority of Allegheny County, which services much of western Pennsylvania, has been cut back.

I would think that Mr. Bonetto's request is in line and I would request the House to support his amendment.

Mr. WOJDAK. Mr. Speaker, I am sorry, I misled the gentleman. The transit authorities are being funded at the same level as last fiscal year. Neither SEPTA nor any other transit system is getting the kind of money they are requesting.

In response to your question before, I assumed what you meant by that was whether there was an increase for the SEPTA system. There has not been. We have fallen short of their request. Every system is being funded at the same level.

Mr. LAUGHLIN. Mr. Speaker, I am talking about the funds from last year that they were committed to that the state did not deliver. I believe those are the funds Mr. Bonetto is talking about, are they not?

Mr. BONETTO. That is correct.

Mr. WOJDAK. It is the same story—none of them got what they requested even last year.

Mr. LAUGHLIN. The same amount and the same percentage, Mr. Speaker?

Mr. WOJDAK. Approximately the same amount; well, not the same amount; the same percentage.

Mr. LAUGHLIN. Thank you.

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

Mr. MISCEVICH. Mr. Speaker, just recently PennDOT ordered some of the ramps closed to downtown Pittsburgh. The Governor had ordered that the people in Allegheny County ride the mass transit system, which we do not have. The only thing close to a mass transit system is the Port Authority.

The Department of Transportation said that you had to have at least three to four people in your car to enter the downtown area or you would be fined \$15 and your license would be suspended. We need the Port Authority to haul our people into our downtown area.

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

Mr. BONETTO. Mr. Speaker, in comparing SEPTA with the Port Authority of Allegheny County, I wish to inform the General Assembly that of the total amount of money appropriated to all transit systems in this state, approximately 90 percent of the moneys go to SEPTA and the Port Authority. This we are willing to admit. What this money is for is the deficit that is brought about in the Port Authority or SEPTA or any other authority in this state. Yet the Port Authority of Allegheny County was the only authority that was cut and not given its full share in the last year's budget for the fiscal year 1974-75. SEPTA received their full amount last year. The Altoona Authority received their full amount. Every other authority received their full amount. The only authority that was cut was the Port Authority of Allegheny County.

We are asking that the money be restored by giving us the \$5.2 million. We are not talking about next year's budget; we are talking about something they took away from us that they should have given to us in the 1974-75 budget which ends June 30 of this year.

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

Mr. WOJDAK. Mr. Speaker, that is just not true. No one was funded at their full level or their full requested amount; not SEPTA or any other system, including the Allegheny system.

Now when you talk about the SEPTA system, you are talking about a 5-county area. When you are talking about the Allegheny system, you are really only talking about a portion of Allegheny County. Any shortage that you had, every other transit system in the state suffered the same way.

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

Mr. BONETTO. Mr. Speaker, I wish to correct the Appropriations Committee chairman on the remarks that he has just made, which are not true.

The SPEAKER. Will the gentleman suspend?

POINT OF ORDER

The SPEAKER. 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. The gentleman will state it.

Mr. O'DONNELL. Mr. Speaker, in view of the fact that it is 6 o'clock, can we enforce the rule on speaking twice?

The SPEAKER. This is the last amendment that the gentleman, Mr. Bonetto, is offering. We should be finished within the next several moments. Let us conclude the debate as reasonably as possible.

Mr. BONETTO. I am saying to you that the moneys appropriated to all of the authorities of this Commonwealth last year were all funded in accordance with what they had requested. They were not cut. If they were cut, they were cut prior to the Appropriations Committee hearings, and Mr. Seltzer would know that.

In Mr. Seltzer's budget last year, he was giving the Port Authority of Allegheny County \$22 million. And for some reason or other, after January 1 of this year, we were told that we were going to get \$5.2 million less. No other authority was told that same statement.

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

Mr. ITKIN. Not only that, Mr. Speaker, but at the same time when PennDOT cut the Port Authority's anticipated income from the state for this operation assistance, SEPTA received \$2 million more than they were told they would receive at the Appropriations Committee hearings. I think that requires an answer.

I would like to know if the former Appropriations Committee chairman, Mr. Seltzer, would consent to a brief interrogation?

The SPEAKER. Will the gentleman from Lebanon, Mr. Seltzer, consent to interrogation?

Mr. SELTZER. I will, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. ITKIN. Mr. Speaker, perhaps you can clarify this problem for us. Was it not true that last year SEPTA was told they were going to get \$51 million in your Appropriations Committee hearings?

Mr. SELTZER. Mr. Speaker, in all candor, I do not recall the amount of money that was supposed to be allocated to any of the various transit authorities throughout Pennsylvania. But I can say that it was my opinion that the total amount of money appropriated for mass transit in 1974-75 anticipated paying all of the anticipated deficits of all the transit authorities throughout Pennsylvania.

Now we made a very substantial increase last year for deficits of authorities, including SEPTA and including PAT, which are the two large authorities.

How or why PAT was, apparently, cut this \$5.2 million over what was anticipated when this General Assembly passed the appropriation bill. I have no knowledge. I had no knowledge it was done until a few moments ago when the gentleman from Allegheny intimated to us, or told us, that it was.

And so, Mr. Speaker, whatever problem is here was not founded here in this General Assembly. Apparently it was a problem that has been created by the executive in the allocation of the funds, or else the transit authority of Allegheny County ran \$5 million more of a deficit than was anticipated when we passed the appropriation bill last year.

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

Mr. BONETTO. Mr. Speaker, the Port Authority did not run over by \$5.2 million. They were appropriated \$22 million last year. After January 1 of this year, the Secretary of Transportation informed the Port Authority of Allegheny County that they would receive only \$16.4 or \$16.6 million, which left them \$5.2 million short of their appropriation. All we are asking for is the original appropriation.

I am asking everybody to support this amendment.

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

Mr. ROMANELLI. That is true, Mr. Speaker. Allegheny County is not asking for an additional appropriation. Twenty-two million dollars were appropriated in last year's PennDOT budget for the Port Authority of Allegheny County. They budgeted and spent on the basis of \$22 million. Then they were cut out \$5.2 million, so we are left holding the bag for the \$5.2 million.

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

Mr. RITTER. Mr. Speaker, I must differ with Mr. Bonetto. The transit authority that is in the area I represent did not get funded the anticipated deficit that they had asked for; they were cut back on that. They received money for the transportation of senior citizens, and then after we had the money and had expended the money, the department came along and said that the figures were not accurate and we were asked to refund some money that we had been appropriated or that it would be withheld from this year's appropriation.

So I do not know about other authorities, but the transit authority in my particular area did not get the money that they should have gotten either. And, again, if we are going to do it for the Port Authority of Allegheny County, then we ought to be doing it for all the others, and I think that cost would be astronomical. Again, I am going to oppose the amendment.

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

Mr. W. D. HUTCHINSON. Would the gentleman, Mr. Bonetto, consent to interrogation?

The SPEAKER. Will the gentleman from Allegheny, Mr. Bonetto, consent to interrogation?

Mr. BONETTO. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. W. D. HUTCHINSON. Mr. Speaker, do I understand the gentleman correctly that the Department of Transportation cut back on the funds appropriated; that the funds had been appropriated and not the full amount of the appropriation was paid to PAT?

Mr. BONETTO. I have been informed by the Port Authority of Allegheny County that the appropriation for 1974-75 was \$22 million. To this date they received \$16.4 million and were told that they would not receive any more.

Mr. W. D. HUTCHINSON. Now can the gentleman, Mr. Speaker, or any other gentleman advise me as to the reason for that cutback?

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

Mr. WOJDAK. Mr. Speaker, that money was appropriated in a lump sum. The Secretary of Transportation disbursed that money and in fact, as Mr. Ritter said

earlier, did not fulfill the request made by any transit authority.

Now when Mr. Bonetto talks about the \$22 million, that may have been the request and they may in fact have not received that full amount. That same story is true with every other transit system. They had requested "X" number of dollars and were not funded for the entire amount of their request.

What Mr. Bonetto is saying is that they had assumed that, of the \$22 million, they would receive all of it. There were not sufficient moneys to go around and they were shorted, as was every other transit system.

In fact, it strikes me as I am thinking about this that even if Mr. Bonetto's amendment were to pass, there are no assurances that he would get the money. It is in a lump sum. We do not sit here and line-item this appropriation for Allegheny County or SEPTA or Philadelphia County or any other county in the state. The secretary will disburse those funds, and after he makes a determination of what the deficits are, I am sure it again is going to fall short of the request in every county transit system.

Mr. W. D. HUTCHINSON. Mr. Speaker, would the gentleman from Philadelphia answer one other question? Mr. WOJDAK. Yes, Mr. Speaker.

Mr. W. D. HUTCHINSON. Is the gentleman saying then that the Secretary of Transportation, as is usual, had discretion with respect to the determination of the amounts and the expenditure of this appropriation, and in exercising that discretion with PAT, as with others did not fund the full amount?

Mr. WOJDAK. That is correct.

Mr. W. D. HUTCHINSON. Thank you.

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

Mr. TRELLO. Mr. Speaker, I very humbly ask the members of this General Assembly to support the Bonetto amendment, and I can say this only because of the sincerity of our port authority in Allegheny County in seriously trying to raise the money themselves.

They have raised our rates twice in the past year. The average ride in Allegheny County costs 65 cents; SEPTA's average ride is 35 cents. So I can honestly say that the Port Authority of Allegheny County has sincerely tried not to come here and ask this House for any more money. So I would like to have everybody support this Bonetto amendment.

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

Mr. ITKIN. Mr. Speaker, I can understand why the Philadelphia delegation is not strong in support of this amendment. Obviously, when the Secretary of Transportation gave SEPTA \$2 million more last year than they needed, and the thing is that they will continue to receive that \$2 million under the same formula, why should they complain?

What we are complaining about is that you are saying you are holding us to the same level as of last year. You just admitted in your remarks today that Allegheny County was shortchanged. And what you are saying is that we were shortchanged last year and we are going to hold things the same this year and we will be short-changed this year.

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

Mr. WOJDAK. Mr. Speaker, what Mr. Itkin says is true. Allegheny County was shortchanged in its request. That is true of every other county, including the SEPTA system.

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

The yeas and nays were required by Messrs. BONETTO and WOJDAK and were as follows:

YEAS—72

Abraham	Haskell	Milanovich	Salvatore
Anderson, J. H.	Hepford	Milliron	Schmitt
Beren	Hill	Miscevich	Shelhamer
Bonetto	Irvis	Mrkonic	Shelton
Brandt	Itkin	Mullen, M. P.	Scirica
Brunner	Johnson, J.	Mullen	Spencer
Butera	Katz	Myers	Stahl
Cessar	Kelly, J. B.	Novak	Sweeney
Cowell	Kernick	Pancoast	Taddonio
DeMedio	Kistler	Parker, H. S.	Taylor
Fischer	Knepper	Perri	Tayoun
Fisher	Laughlin	Petrarca	Trello
Flaherty	Lederer	Polite	Valicenti
Geisler	Lincoln	Renninger	Vann
Gillette	McCue	Rhodes	Wargo
Gleason	McIntyre	Romanelli	Wilt, R. W.
Grieco	Mebus	Ross	WorriLOW
Hamilton, J. H.	Menhorn	Ryan	Zord

NAYS—121

Arthurs	Gallen	McClatchy	Shane
Earber	Garzia	McGinnis	Shuman
Bellomini	Geesey	McLane	Shupnik
Bennett	George	Miller, M. E.	Sirianni
Berlin	Giammarco	Miller, M. E., Jr.	Smith, E.
Berson	Gillespie	Moehlmann	Smith, L.
Bittle	Goodman	Morris	Stapleton
Blackwell	Green	Musto	Stout
Bradley	Greenfield	Noye	Toll
Burns	Gring	O'Brien	Turner
Cimini	Halverson	O'Connell	Ustynoskt
Cohen	Hammock	O'Donnell	Vroon
Cole	Hasay	O'Keefe	Wagner
Crawford	Hayes, S. E.	Oliver	Walsh, T. P.
Cumberland	Hopkins	Perry	Wansacz
Davies	Hutchinson, A.	Pievsky	Weidner
Deverter	Hutchinson, W.	Pitts	Westerberg
Dicarlo	Kelly, A. P.	Pratt	Whelan
Dietz	Klingaman	Prendergast	Whittlesey
Dombrowski	Kolter	Pyles	Wilson
Dorr	Kowalshyn	Rappaport	Wilt, W. W.
Doyle	Kusse	Reed	Wojdak
Dreibelbis	LaMarca	Renwick	Wright
Eckensberger	Laudadio	Richardson	Yahner
Englehart	Lehr	Rieger	Yohn
Fawcett	Letterman	Ritter	Zeller
Fee	Levi	Ruggiero	Zwickl
Foster, A.	Lynch	Saloom	
Foster, W.	Manderino	Scheaffer	Fineman,
Fryer	Manmiller	Schweder	Speaker
Gallagher	McCall	Seltzer	

NOT VOTING—10

Caputo	Dininni	McGraw	Thomas
Davis, D. M.	Gleason	Sullivan	Zearfoss
DiDonato	Hayes, D. S.		

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

HOUSE BILL No. 1336 AND AMENDMENTS TABLED

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I move that House bill No. 1336 together with the amendments be laid upon the table.

On the question,
Will the House agree to the motion?
Motion was agreed to.

REQUEST FOR RECONSIDERATION

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

Mr. LINCOLN. Mr. Speaker, earlier today I made a written request, along with Mr. Cole, for a reconsideration of the vote by which House bill No. 528 passed. Is there a chance that that could be taken care of today?

The SPEAKER. That will be taken care of tomorrow, Mr. Lincoln.

Mr. LINCOLN. Thank you.

LEGISLATION TO BE INTRODUCED

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

Mr. ZELLER. Mr. Speaker, I introduced a bill earlier, and, due to the budget, we did not discuss it.

I would like to mention to the members, if they want to get on it, it is helping volunteer junior firemen under the child labor law to go to the fires and be able to get off school the next day. Under the child labor law they cannot do that, and for anyone who wants to get on it, it is up on the desk. Thank you.

LEGISLATION TO BE INTRODUCED

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

Mr. GLEASON. Mr. Speaker, the package of bills which underlie the budget amendments—two bills introduced by Mr. Wojdak; two bills by myself—are available for any other member of the House who has not sponsored either set of bills. I will leave them up here at the front desk. There may be some members of the House who would like to sponsor these bills, because I have the impression that they very well might be considered by the House on the floor here.

APPROPRIATIONS COMMITTEE MEETING

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

Mr. WOJDAK. Mr. Speaker, the call tomorrow is for 9:30. I had scheduled an Appropriations Committee meeting for 9:30. I am not canceling the meeting entirely for 9:30, but it will not be held at 9:30. At the first available break that we have during the session, we will hold the Appropriations Committee meeting at that time.

COMMITTEE REPORTS

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

Mr. BRUNNER. Mr. Speaker, would you please return to reports of committees?

The SPEAKER. Without objection, the Chair returns to reports of committees and recognizes the gentleman who reports the following bills, which the clerk will read. The Chair hears no objection.

BILLS REPORTED AS AMENDED AND CONSIDERED FIRST TIME AND RECOMMITTED TO COMMITTEE ON RULES

HOUSE BILL No. 373 By Mr. BRUNNER

An Act amending "The Local Tax Enabling Act," approved December 31, 1965 (P. L. 1257, No. 511), providing for notice to employes prior to filing a notice and demand for collection of delinquent taxes with employers.

Reported from Committee on Finance

HOUSE BILL No. 1107 By Mr. BRUNNER

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further changing certain definitions with respect to gratuities connected with certain sales and hotel occupancy taxes.

Reported from Committee on Finance

ADJOURNMENT

Mr. ABRAHAM moved that this House do now adjourn until Wednesday, June 11, 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 6:12 p.m., e.d.t.) the House adjourned.