

Legislative Journal

TUESDAY, JUNE 17, 1975

Session of 1975

159th of the General Assembly

Vol. 1, No. 51

HOUSE OF REPRESENTATIVES

The House convened at 10:30 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:

Away from the hustle and bustle of life, O God, we pause to spend a few quiet moments with Thee. We realize that when the difficulties of life beset us and the anxieties and tensions mount within us, we need to come apart and seek Thy counsel and guidance. At this moment we praise Thee, O God, for Thy steadfast love and everlasting grace, and we ask that Thy comforting strength may instill within us that confidence and assurance we need so vitally in life itself. O God, speak to these legislators through the challenges of life, calm their spirits in the turmoil of this day, and grant them Thy counsel in the deliberations of this hour. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Monday, June 16, 1975, will be postponed until printed.

REFERRALS

The SPEAKER. Without objection, the Chair will refer bills.

The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

By Messrs. TAYOUN, GIAMMARCO, McINTYRE, DiDONATO and BLACKWELL

HOUSE BILL No. 1475

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, authorizing exemption from taxation of historical properties privately owned.

Referred to Committee on Finance.

By Messrs. TURNER, KUSSE, CIMINI, WARGO, SCHMITT and MUSTO **HOUSE BILL No. 1476**

A Supplement to the act of June 18, 1974 (No. 120), entitled "An act creating the Municipal Police Officers' Education and Training Commission; providing for the commission's membership, selection, compensation, and removal; providing for the powers and duties of the commission; providing for the appointment and duties

of the chairman; providing for the act's applicability to the civil service laws; requiring training by certain political subdivisions and police departments; providing penalties for violation thereof; and making an appropriation," providing for the training of constables and the payment of their expenses in attending the training course.

Referred to Committee on Law and Justice.

By Messrs. VANN, LEVI, ZEARFOSS, RYAN, MORRIS and O'KEEFE **HOUSE BILL No. 1477**

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723, No. 230), authorizing certain county officers in counties having a Home Rule Charter or optional form of government to organize State associations.

Referred to Committee on Urban Affairs.

By Messrs. VANN, LEVI, ZEARFOSS, RYAN, MORRIS and O'KEEFE **HOUSE BILL No. 1478**

An Act amending "The County Code," approved August 9, 1955 (P. L. 323, No. 130), authorizing certain county officers in counties having a Home Rule Charter or optional form of government to organize State associations; and making an editorial change.

Referred to Committee on Urban Affairs.

By Messrs. DOMBROWSKI, BELLOMINI, TAYLOR, SCHWEDER, McLANE, DiCARLO, HOPKINS, D. S. HAYES, HASKELL and R. W. WILT **HOUSE BILL No. 1479**

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

Referred to Committee on Transportation.

By Messrs. BRUNNER, DeMEDIO and MILLIRON **HOUSE BILL No. 1480**

An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343, No. 176), changing the number of days notice to the Department of Revenue of judicial sales.

Referred to Committee on Finance.

By Messrs. BRUNNER, DeMEDIO and MILLIRON **HOUSE BILL No. 1481**

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), establishing a standard refund procedure and setting forth an appellate procedure for the taxpayer to the courts of this Commonwealth and making certain repeals.

Referred to Committee on Finance.

By Messrs. BRUNNER, DeMEDIO and MILLIRON
HOUSE BILL No. 1482

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), providing for an increase in the amount of interest assessed against repaid taxes.

Referred to Committee on Finance.

By Messrs. BRUNNER, DeMEDIO and MILLIRON
HOUSE BILL No. 1483

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further providing for certain additions to tax and increasing the interest rate.

Referred to Committee on Finance.

By Messrs. BRUNNER, DeMEDIO and MILLIRON
HOUSE BILL No. 1484

An Act amending the "Motor Boat Law," approved May 28, 1931 (P. L. 202, No. 121), transferring certain powers and duties of the Department of Revenue to the Pennsylvania Fish Commission.

Referred to Committee on Transportation.

By Messrs. BRUNNER, DeMEDIO and MILLIRON
HOUSE BILL No. 1485

An Act amending the "Inheritance and Estate Tax of 1961," approved June 15, 1961 (P. L. 373, No. 207), further providing for the valuation of certain interests and providing penalties and appeal procedures.

Referred to Committee on Finance.

By Messrs. BRUNNER, DeMEDIO and MILLIRON
HOUSE BILL No. 1486

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), adding provisions relating to the collection of certain tax assessments that the department deems to be in jeopardy.

Referred to Committee on Finance.

By Messrs. BRUNNER, DeMEDIO and MILLIRON
HOUSE BILL No. 1487

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), reducing the amount of time the department is required to wait before collecting taxes after a decision of the Board of Finance and Revenue.

Referred to Committee on Finance.

By Messrs. BRUNNER, DeMEDIO and MILLIRON
HOUSE BILL No. 1488

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), relating to certain bond requirements for collectors of tax.

Referred to Committee on Finance.

By Messrs. BRUNNER, DeMEDIO and MILLIRON
HOUSE BILL No. 1489

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), making an editorial correction.

Referred to Committee on Finance.

By Messrs. BRUNNER, DeMEDIO and MILLIRON
HOUSE BILL No. 1490

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

Referred to Committee on Finance.

By Messrs. BRUNNER, DeMEDIO and MILLIRON
HOUSE BILL No. 1491

An Act amending the "Dog Law of 1965," approved December 22, 1965 (P. L. 1124, No. 437), transferring certain functions from the Department of Revenue to the Department of Agriculture.

Referred to Committee on Agriculture.

By Messrs. BONETTO, BEREN and WILSON
HOUSE BILL No. 1492

An Act amending "The Administrative Code of 1929," approved April 29, 1929 (P. L. 177, No. 175), further providing for membership on the State Transportation Commission.

Referred to Committee on Transportation.

SENATE MESSAGE

TIME OF NEXT MEETING

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read:

In the Senate, June 16, 1975

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, June 23, 1975, and when the House of Representatives adjourns this week it reconvene on Monday, June 23, 1975.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate? Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip.

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

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, I have no 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.

The roll was taken and was as follows:

YEAS—196

Abraham	George	McGinnis	Schmitt
Anderson, J. H.	Giammarco	McGraw	Schweder
Arthurs	Gillespie	McIntyre	Scirica
Barber	Gillette	McLane	Seltzer
Bellomint	Gleason	Mebus	Shane
Bennett	Gleeson	Menhorn	Shelhamer
Beren	Goodman	Milanovich	Shelton
Berlin	Green	Miller, M. E.	Shuman
Berson	Greenfield	Miller, M. E., Jr.	Shupnik
Bittle	Grieco	Milliron	Strianni
Blackwell	Gring	Miscevich	Smith, E.
Bonetto	Halverson	Moehlmann	Smith, L.

Bradley	Hamilton, J. H.	Morris	Spencer
Brandt	Hammock	Mrkonic	Stahl
Brunner	Hasay	Mullen	Stapieton
Burns	Haskell	Mullen, M. P.	Stout
Butera	Hayes, D. S.	Musto	Sullivan
Caputo	Hayes, S. E.	Myers	Sweeney
Cessar	Hepford	Novak	Taddonio
Cimini	Hill	Noye	Taylor
Cohen	Hopkins	O'Brien	Tayoun
Cole	Hutchinson, A.	O'Connell	Toll
Cowell	Hutchinson, W.	O'Donnell	Trello
Crawford	Irvis	O'Keefe	Turner
Cumberland	Itkin	Oliver	Ustynoski
Davies	Johnson, J.	Pancoast	Vann
Davis, D. M.	Katz	Parker, H. S.	Vroon
DeMedio	Kelly, A. P.	Perry	Wagner
Deverter	Kelly, J. B.	Perry	Walsh, T. P.
Dicarlo	Kernick	Petrarca	Wansacz
DiDonato	Kistler	Pjevsky	Wargo
Dietz	Klingaman	Pitts	Weidner
Dombrowski	Knepper	Polite	Westerberg
Dorr	Kolter	Pratt	Whelan
Doyle	Kowalyszyn	Prendergast	Whittlesey
Dreibelbis	Kusse	Pyles	Wilson
Eckensberger	LaMarca	Rappaport	Wilt, R. W.
Englehart	Laudadio	Reed	Wilt, W. W.
Fee	Laughlin	Renninger	Wojdak
Fischer	Lederer	Renwick	Worrilow
Fisher	Lehr	Rhodes	Wright
Flaherty	Letterman	Rieger	Yahner
Foster, A.	Levi	Ritter	Yohn
Foster, W.	Lincoln	Romanelli	Zeller
Fryer	Lynch	Ross	Zord
Gallagher	Manderino	Ruggiero	Zwinkl
Gallen	Manmiller	Ryan	
Garzia	McCall	Saloom	Fineman,
Geesey	McClatchy	Scheaffer	Speaker
Geisler	McCue		

NOT VOTING—7

Dininni	Richardson	Thomas	Zearfoss
Fawcett	Salvatore	Valicenti	

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

MISS PENNSYLVANIA INTRODUCED

The SPEAKER. The Chair is prepared to get the membership off to a good start this morning, if you will settle down, by giving you an opportunity to meet in person Miss Pennsylvania. But you have got to be good before I do that.

The Chair recognizes the gentleman from Blair, Mr. Milliron.

Mr. MILLIRON. For the first time, Mr. Speaker, Altoona this year was the home of the Miss Pennsylvania Pageant, and being a bachelor I had a particular interest in this year's pageant. It was very encouraging.

There were 15 young ladies from across the state who had come to Altoona, representing their various districts, to participate in what is a scholarship pageant. Altoona this year raised over \$6,500 in scholarship moneys which will be used to further the education of those girls who were the semifinalists and the first, second, and third runners-up.

The winner this year was Miss Cumberland County from Mechanicsburg. The new Miss Pennsylvania for 1975, who will be going to Atlantic City the first week in September to represent the Commonwealth, is a girl from the Harrisburg area, a former student at the Harrisburg Area Community College, someone who is extremely talented. And this is something that I think we all overlook, and myself in particular.

Miss Connie Harness hopes to be studying at Julliard School of Music, which is one of the finest in the country. She has aspirations of being an opera singer.

Besides being very beautiful, it is my pleasure to present to the members of this House, Miss Pennsylvania, Miss Connie Harness.

The SPEAKER. The Chair recognizes the gentleman from Cumberland, Mr. Kistler.

Mr. KISTLER. Mr. Speaker, when one comes to fame, it is not unusual to be claimed by the world. Actually, our Miss Pennsylvania belongs to me. Yes, she is from the Cumberland Valley School District, which is a separate district as opposed to Mechanicsburg. She is a current student at the Harrisburg Area Community College and not a past one.

RULES SUSPENDED

Mr. KISTLER. I am wondering whether or not it would be in order, Mr. Speaker, to suspend the rules for the regular order of business in order that the House may adopt a citation offered by myself, Mr. Noye, Mr. Scheaffer and Mr. Bittle.

The SPEAKER. The gentleman, Mr. Kistler, moves that the rules of the House be temporarily suspended so that the House may immediately consider the adoption of a resolution.

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

The yeas and nays were required by Messrs. KISTLER and MILLIRON and were as follows:

YEAS—186

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

NAYS—0

NOT VOTING—17

Bellomini	Fisher	Renninger	Thomas
Bonetto	Gleeson	Rhodes	Valicenti
Caputo	McGraw	Richardson	Wilson
Dininni	O'Brien	Salvatore	Zearfoss
Fawcett			

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. RENNINGER. Mr. Speaker, I would like to be recorded in the affirmative on the motion to suspend the rules.

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

CITATION**HOUSE OF REPRESENTATIVES**

WHEREAS, Constance Faith Harness was crowned Miss Pennsylvania 1975 at the Miss Pennsylvania Pageant held in Altoona; and

WHEREAS, Constance Faith Harness, a graduate of Cumberland Valley High School and currently a music major student at Harrisburg Area Community College, won the preliminary talent competition at the pageant. Miss Harness plans to use her scholarship money to enter Juliard School of Music where she will be an opera major; and

WHEREAS, Constance Faith Harness previously was crowned Miss Jubilee Day 1974 in Mechanicsburg, Miss Carlisle Fair 1974 and Miss Cumberland Valley 1975 which entitled her to enter the Miss Pennsylvania Pageant. She was sponsored by the Exchange Club of Carlisle and represented Cumberland, Adams, Perry and Franklin Counties in the pageant.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Constance Faith Harness on the occasion of being crowned Miss Pennsylvania and on her outstanding musical talent, and extends to her best wishes and continued success in her future endeavors, especially when she represents the Commonwealth in the Miss America Pageant; and further directs that a copy of this citation be delivered to Constance Faith Harness, R.D. 4, White Birch Avenue, Mechanicsburg, Pennsylvania 17055.

GUY A. KISTLER
JOHN E. SCHEAFFER
KENNETH J. COLE
FRED C. NOYE
EUGENE R. GEESEY
R. HARRY BITTLE
WILLIAM O. SHUMAN

The SPEAKER. Those voting in favor of the resolution will please rise in place.

(Members voted.)

The SPEAKER. The resolution is unanimously adopted.

MISS PENNSYLVANIA PRESENTED

The SPEAKER. The Chair is pleased to present Miss Pennsylvania.

STATEMENT BY MISS PENNSYLVANIA

Miss HARNES. Thank you all very much.

Mr. Speaker, members of the Pennsylvania House of Representatives, and guests:

It is indeed an honor for me to be here today, a much greater honor than having my picture taken with a cat.

I am having a great time. I have met a lot of wonderful people here today, and in the few minutes that I have I would like to spend speaking about scholarships. I have been told to keep it to 130 words, so I am going to try and keep it down.

Scholarship is what the Miss America program is all about. I represent, as Miss Pennsylvania and a candidate for Miss America, all young women in this country who want to further their education, who want to advance and better themselves, and who need help in the form of scholarships to do this.

Out of the 15 talented and intelligent young women who competed against me, I would say that 14 of those girls needed to be in that competition and needed that scholarship money. All of us had a dream, and all of us were there for that reason.

Out of the 15 girls, 9 of them received scholarship moneys from the Miss America program.

So the Miss America program, which is under heavy criticism today, I only have praise for it and praise for the wonderful people, such as, Mr. Duane Bordel, the executive director from Altoona; Dolores Riley, who is my official chaperone; and for all the wonderful people in Altoona, Pennsylvania, who helped me to get closer to my dream of becoming an opera singer.

That is all I have to say, but I would like to express my thanks again to all of you wonderful people who have given me this opportunity of a lifetime. I never, ever dreamed of being able to address the House of Representatives, and it is such an honor.

I would also like to take this time to thank Representative Milliron from Blair County for making these arrangements.

Thank you very much.

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

Mr. NOYE. Mr. Speaker, I would like to make a couple comments, please.

The SPEAKER. Is this relative to the appearance of Miss Pennsylvania?

Mr. NOYE. Yes, Mr. Speaker.

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

Mr. NOYE. Mr. Speaker, I am very pleased to be able to say a few words today about Connie. I am very proud of the young lady because I had the good fortune to have her as a student when she was in ninth grade in high school. Before I came to the House, I taught school at Cumberland Valley.

This young lady is an outstanding young lady. She was, at the time, as one of my students an outstanding young lady, and she will be a great representative for the State of Pennsylvania in the Miss America Pageant come September. I am sure all of us have high hopes that she will bring home the tremendous honor of Miss America to the State of Pennsylvania.

Thank you, Mr. Speaker.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair wishes to advise the mem-

bership of the House that KYW of Philadelphia, KDKA of Pittsburgh, and WIIC-TV of Pittsburgh will be shooting film of the proceedings in the House today.

STUDENTS AND GUESTS WELCOMED

The SPEAKER. The Chair is also pleased to welcome Sister Cecilia Meighan, president of Mount Aloysius College, Cresson, Pennsylvania, and 24 students from the 72nd Legislative District, who are here as the guests of Mr. Whelan.

The Chair is also pleased to welcome to the hall of the House, Cub Scout Pack 52, Girl Scout Troop 119, and their parents and their cubmaster, Charles Chiodo, of Mahanoy City. They are the guests of the gentleman, Mr. Goodman.

The Chair also welcomes Mr. and Mrs. Charles Fromuth of Bucks County, who are the guests of Mr. Weidner.

The Chair is also pleased to welcome to the hall of the House Dr. Francis Michelini, president of Wilkes College in Wilkes-Barre, and Sister Scully, president of Carlow College in Pittsburgh. They are the guests of Messrs. Ustynoski and Cessar.

The Chair bids welcome to all of our guests today.

CALENDAR

SPECIAL ORDER OF BUSINESS

TAX BILL ON FINAL PASSAGE

The SPEAKER. Without objection, the Chair calls up as a special order of business, House bill No. 1207.

Agreeable to order,

The House proceeded to the consideration on final passage of **House bill No. 1207, printer's No. 1695, entitled:**

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.

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?

RECONSIDERATION OF VOTE ON HOUSE BILL No. 1207

Mr. IRVIS moved that the vote by which HOUSE BILL No. 1207, printer's No. 1695, was agreed to as amended on third consideration on Thursday, June 12, 1975, be reconsidered.

Mr. M. P. MULLEN seconded the motion.

On the question,

Will the House agree to the motion?

Motion was agreed to.

On the question recurring,

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

RECONSIDERATION OF VOTE ON MULLEN AMENDMENT TO HOUSE BILL No. 1207

Mr. IRVIS moved that the vote by which the M. P. Mullen amendment to HOUSE BILL No. 1207, printer's No. 1695, was agreed to on Thursday, June 12, 1975, be reconsidered.

Mr. MANDERINO seconded the motion.

On the question,

Will the House agree to the motion?

Motion was agreed to.

On the question recurring,

Will the House agree to the amendment?

The following amendment was reread by the clerk:

Amend Sec. 2 (Sec. 1202.1), page 2, line 2, by inserting after "FUND,": except that \$120,000,000 in said fund shall remain there to be disposed of under existing statutes,

On the question recurring,

Will the House agree to the amendment?

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

Mr. M. P. MULLEN. Mr. Speaker, I will be brief because I think we did go over most of the material the other day when we voted in favor of the amendment. But I think everyone ought to really consider what we are voting on today because this is vital to this year's budget, to next year's budget, and to the following year's budget.

Now if my amendment is adopted, what it in fact will do is retain \$120 million of the \$169 million in the trust fund for nonpublic-school parents. I think we all recognize that. And the question is, on that particular issue should we recognize a moral obligation—which all of us know that we have—to pay that money if the court should rule in our favor, or should we take that \$120 million and put it into next year's budget, thereby inflating next year's budget as well as the budget that would come after next year's budget? Now that is one way of looking at it from the standpoint of the nonpublic-school parents.

What we are doing here is exchanging potential cash for a promise, and I do not think that that is fair to nonpublic-school parents because they acted in reliance upon a law that we passed and I think they are entitled to be paid if the court should rule in their favor.

If the court should not rule in their favor, then we have a little nest egg which will help us balance next year's budget, which is going to be a crucial year for all of us and which we feel that we ought to balance without new taxes.

Now when you look at it from the other side, the side of fiscal responsibility, I think it is fiscal irresponsibility not to permit that money to stay where it is in the trust fund, because if we take that \$120 million and put it into the General Fund, we will be spending next year more money than we actually anticipate receiving from existing revenues. That automatically inflates the following year's budget by that amount of money—\$120 million—plus the mandated increases that we have, plus the other problems that we have. And I would say that next year's budget would require an additional \$500 million in new money, which would be \$200 million more than we anticipate receiving in revenues, and I think it is fiscally irresponsible to take that money out of the trust fund and to place a burden upon the following fiscal year.

Certainly if we adopt a 15-month budget next fiscal period, we will be able to balance a budget, but what we will face then in the following session of the General Assembly will be pretty close to a billion dollars in the hole and that will require a huge tax increase.

My solution to the problem is, if we adopt this amendment, we will then send the bill back to the Appropriations Committee, and I think it is a responsibility of every Republican and every Democrat to then work together to come up with a fiscally sound budget which will be in balance with the existing revenue, and we will not touch that \$120 million.

If you notice, in my amendment I have no objection to using the difference between \$120 and \$169 million because I know that we cannot use that and we are not obligated to use that. I am only speaking about \$120 million.

So for two reasons I ask you to support that amendment—number one, to recognize your obligation to the nonpublic-school parents and, number two, fiscal responsibility. And I ask all of you to vote for that budget, and I can assure you that if we succeed in inserting this amendment, I think that we can adopt a budget without new taxes this year.

Certainly there are going to have to be cuts, but I think there is plenty of room for cuts because last year we increased the budget by a half-billion dollars and this year we are proposing to increase it by \$440 million, so that is an increase in the budget of almost a billion dollars in 2 years. And anyone who can tell me, truthfully, that they cannot cut somewhere in that neighborhood from the budget is not fiscally responsible.

Thank you.

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

Mr. ZELLER. Mr. Speaker, all we have heard since we have been on this budget deliberation is that we will not have to raise taxes. That seems to be a catch phrase. And we have heard the word "compromise," and "compromise" is the most misused word that we have in the English language for the simple reason that we got into this problem because of so-called compromise—I will get my share; you will get your share—and nothing is considered for the people who have to pay the bill.

What I am getting at is the fact that I have done some figuring in regard to the \$120-million parent reimbursement money, plus \$25 million more coming at the end of June, or a total of \$145 million.

I am saying, first of all, that if you go into the \$145 million now, you are going to have to supply it next year. Along with that next year, you are going to have to supply approximately \$300 million in mandated increases.

You are going to have to deal with the revision of the public school formula to care for contracts, and it has been estimated in the area of \$150 million.

I also am aware of the fact that Philadelphia is going to be down here during the Bicentennial year, during election year, and it has been estimated they will be short some \$100 million next year. If the legislators approve even a half of that, this could run us into a \$595-million problem next year.

Now if you go into the 15-month budget of \$240 million that you so-call save, pick up, you are going to wind up with about \$400 million that we are going to have to find somewhere. These are the facts of life if we go into the \$120-million transfer now.

Some of the members have been considering passing the \$120 million, and I have heard them talk about it,

saying we have our ace in the hole. I know it is not before us yet, but we can discuss it—it has been discussed in caucus and was asked for by the minority chairman last night—and that is the Lincoln amendment.

Now the Lincoln amendment—and I am just going to mention it lightly—is not going to bring the revenue that you are talking about because it is going to take—

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. WALSH. Mr. Speaker, could Mr. Zeller speak to the amendment before the House?

The SPEAKER. The point of order is well taken. The gentleman will not discuss the amendment that is not before the House.

Mr. ZELLER. Thank you, Mr. Walsh.

PARLIAMENTARY INQUIRY

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

Mr. WALSH. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WALSH. Is the question before the House now just a straight reconsideration of the Mullen amendment which passed last week?

The SPEAKER. No. The question before the House is, will the House agree to the amendment?

The reconsideration motion has been adopted by the House and the question before the House is, Will the amendment being offered by the gentleman, Mr. Mullen, be adopted by the House?

Mr. WALSH. As it was presented last week.

The SPEAKER. As was presented last week.

Mr. WALSH. Thank you, Mr. Speaker.

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

Mr. ZELLER. Thank you, Mr. Speaker, and thank you, Mr. Walsh.

The problem we have is that some of these fellows who have been leading us down this so-called primrose path of irresponsibility, as far as fiscal responsibility is concerned, would not give you a nickel for a safe seat in a cyclone. As a matter of fact, they are going to lead you into a situation next year where you are either going to have to face it now, or next year we are going to have to raise taxes. There is no way out of it.

If you do not go into the \$120-million transfer now, you will not have to raise taxes this year and you will not have to raise taxes next year, because if the courts rule in favor of this money, you are going to have to be hit because they are going to rule it by the end of November of this year. This is what is set up. If it is appealed to the Supreme Court, it will be as early as June next year, and we are going to have to face it. So you are going to be hit hard, and the way to do it is to hold on to the \$120 million; do not allow yourself to be walked into what I call a real straitjacket of irresponsibility.

I know you are sincere. I am not kidding you or trying to browbeat you. I am telling you the facts are here

on the line. You have been—and I say it sincerely—misled, and I think it is about time that you start thinking about yourself and your district and your people. I do not mean yourself, but yourself as far as your people are concerned. They are concerned about you, and you are concerned about the people in your district.

The leadership does not vote for you. So I think it is about time we start thinking about our people back home and let us hold on to this money. Let us vote for holding on to the money and the \$120 million in the parent reimbursement fund.

Thank you.

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

Mr. TRELLO. Mr. Speaker, I rise to support the Mullen amendment for several good reasons. I, too, am concerned about the constituents in my district, and every school district in the United States as far as that is concerned.

If the nonpublic schools, parochial schools, should happen to close tomorrow—and I do not believe for one minute that they will, but I do happen to know that in my district and in other districts surrounding mine, many of them are in trouble today. But if they should happen to close—according to our present formula, it would cost the state an additional \$4 billion to educate these children on our present ratio and it would cost them an additional \$5 billion to house them. In fact, most of the school districts in my area are having problems housing the students today right now. They are renting church basements, they are renting buildings, just to house the children. So think about a tax increase on that level if they should happen to close.

If you are concerned about your constituents and if you are concerned about raising taxes, then let us support these nonpublic schools.

Thank you.

The SPEAKER. The Chair recognizes the lady from Allegheny, Mrs. Kernick.

Mrs. KERNICK. I think the basic issue here is: Do we want to increase taxes this year? Is a tax increase necessary? And your vote will depend on whether or not you believe that taxation without necessity is extortion. I happen to believe it is and I oppose the amendment.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I am in the process of renovating a home for myself and my family in the city of Pittsburgh. It is costing me an arm and a leg.

Some of you may know that I do wood sculpturing and woodwork as a hobby. There is a certain tool which may be available in another 6 or 7 months and it costs about \$490, and I had saved up \$500 over a period of time for that tool. I had it neatly put away in an envelope. Then my general contractor told me that he needed money in order to hire a man to steam off some old wallpaper, so I had to put that money in a checking account to pay the wallpaper man.

Now that is exactly the same situation we are in today. There is an immediate need for the \$120 million, an immediate need for it. There may be a future need for it; that we do not know. So far the courts have said to us, you cannot disburse that money the way you plan to do it.

Now the Mullen amendment, in effect, says, put the \$120 million in a brown envelope and tuck it away in a drawer just in case. The reason I am opposing the amendment is not because I oppose the possible need, and Marty knows this; it is because we have a more immediate need for the \$120 million. We need it right now. The vote on the Mullen amendment will determine, in my opinion, whether or not we pass a budget in the reasonable future. I see no magic way of filling a \$120-million hole in the budget. I do not see the votes for taxes on this floor to increase the income of the Commonwealth. I do not see a reappraisal of our revenues. I see that we have kicked a \$120-million hole in the proposed budget, and the only way that I see, as a nontechnician, to fill it is to take the \$120 million, which is now laying in a brown envelope, useless at the moment because of the court's ruling, and use it.

I do not think there is any question but what this General Assembly will rise to support the needs of the parents of parochial-school children if and when the courts say we may. But it simply does not make sense to me to know that we need the \$120 million to balance the budget—and we are very, very close to doing that. After some 83 or 84 or 85 amendments, we really are fairly close to the budget that we introduced. It does not make sense to me—and to throw that budget out the window, to tuck the \$120 million away in the envelope where maybe we will use it a year and a half from now, if the courts say so.

I do not stand at this microphone and tell you that if you vote for this budget, you will not have to vote for taxes. I do not know that. But I do stand here and tell you that unless you vote against the Mullen amendment, you will be asked to vote for taxes to balance the budget, for I can see no other road.

Now I respect Marty Mullen and have always respected him. I think he is wrong this time. I might do the same thing in this situation as he is doing, but I think he is wrong. I do not think there is a lot of fat in this budget. I do not think you can cut \$120 million out someplace. I do not think you can wave a magic wand and produce \$120 million more in revenue estimates.

I do not think we are going to solve this problem with this amendment even, but if we do not defeat this amendment, in my opinion, we cannot pass a budget in this House and we run closer and closer to the deadline when there will be no budget for this Commonwealth. If I did not believe that, I would certainly not say it to you.

I think this vote is very, very critical. There were some members of my caucus who said, Mr. Leader, you should have made it more clear to us; you should have taken us down into caucus and explained it. And I said to those younger members, you have my apologies; I assumed you understood the importance of that vote. But if there be anyone here today who does not understand the importance of this vote, it will not be because we have not tried to emphasize it.

There are only two roads which I see for the House of Representatives right now in the passage of a budget. Either we reject the Mullen amendment and utilize the \$120 million which he wishes to set aside in the brown envelope or we prepare ourselves to increase taxes. The only other alternative to those two roads will be chaos in this Commonwealth. And I urge you to think of my words, and I urge you to vote "no" on this amendment.

That "no" vote does not mean you are turning your back on parochial schools and on the kids in parochial schools. I will not do that, nor will you. It means that we will utilize the money now for the needs of now, and if later the court changes its mind, we will meet our obligation.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, I am a director of an insurance company. We recently had filed our annual report, and the annual report showed that we made less money in this fiscal year over last fiscal year. In interrogating the management of that company as to why that phenomenon occurred when we actually sold more insurance, I was told that when you are involved in the initial stages—the first 10 years of the insurance business—the more insurance you sell, the less money you are likely to make. Why? Because the insurance laws of the several states in which we are engaged in business require that we reserve money that we take in based upon potential claims made against that money in the future.

The point that Mr. Mullen has made is just that. The money is not useless in a fund; it earns interest at the going rates and it can be saved for when it is ultimately needed. That time will come when it is finally determined whether a claim may be made against that fund or, in the alternative, when that money must be placed into the general fund.

The significance of this amendment goes beyond that which is articulated by Mr. Mullen in saving the money for a possible claim made by parents of nonpublic-school children. It goes to the very heart of the problem which we have been discussing now for the sixth day, and that is that the process by which we structure budgets in Pennsylvania is backwards.

What happened in this instance, the current instance, is that we have before us a budget which anticipates the spending of a certain number of dollars, and only after that particular spending-limit amount had been arrived at have we looked for the means to pay the bill. And those who framed the budget found that we were some hundred-odd-million dollars short, and then conceived the concept of taking this money from the reserve account in which it is presently lodged to the general fund to meet current expenses. I say that is backwards. What we should do is determine how much we can afford to spend and then fit our spending into that level.

In short, what we are attempting to do here, or what you are attempting to do, those of you who vote against this amendment and for the budget, is to balance a budget which anticipates ongoing expenditures year after year after year with revenues, part of which cease at the close of this next fiscal year. That is a dangerous game. We played it once before in my time in this General Assembly, and that was in the last budget of the Shafer administration. We structured a budget—with my negative vote—which exceeded the amount of money which we knew we had to pay the bill and we then found ourselves in a chaotic situation in the ensuing year, which resulted in the passage of the income tax.

Secondly, and, I think, more seriously, what we are seeking to do in funding this budget with nonrecurring

dollars is, again, we are seeking to raise the hopes of people beyond their means. This is a situation which I think we all now can reflect upon from the sixties, at almost every level of government, and to do it here and not admit we are doing it is wrong.

We have been told that should we balance this year's budget by using these nonrecurring dollars, the economy, or the switch in the economy, will more than make up the loss of revenue in the next fiscal year, but we have no supporting documentation or evidence or facts or figures to support that allegation. Most of us feel that only by resorting to another gimmick next year, such as a 15-month budget on the revenue side to finance 12 months of expenditures, can we hope to balance the next year's budget.

So I think those points have to be made very, very clear so that everybody knows what he is doing on this particular vote at this particular time.

There may come a time at which the court has already acted and has indeed said, finally, that this money must be returned to the general fund and not to the parents. Or there may be a time when there is an equivalent amount of nonrecurring expenditure items to be funded by these nonrecurring dollars for which we, as a body, may properly transfer this money.

It is being sold—the transfer, that is—as a panacea. It is no such thing. And anybody who has gone through the various chaotic periods such as are being created for the future by actions taken by this legislature in the present, by raising false hopes, by enacting budgets which cannot be funded in the future, knows that there is no panacea. Spending brings taxation, not the opposite. Taxation does not bring spending, as many people would have you believe.

I think that we ought to hold on this decision until we have a lot more data in front of us, not the least of which is the level of expenditures which you intend to offer for the nonpreferreds.

We ought to know for sure what the level of the general fund budget is after it clears both Houses before we make the final determination of whether we want to balance that budget with nonrecurring dollars and bring almost certain chaos either next year or the year after.

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

Mr. NOVAK. Mr. Speaker, some 20 years ago, before I became involved in public service, I advised my dad, whom I hold in high esteem and who has supplied me with many words of wisdom, that I would be seeking public office. And he said to me, "Son, I don't know too much, but I am going to advise you in this fashion." He had some old cliches that he lived by, and he told me this: He said, "Son, if you fly by night, you travel in the dark." He also advised me that no man has the right to do as he pleases unless he pleases to do right. And the last one he told me, which I live by today, is this: "Never put off until tomorrow what you can do today."

Mr. Speaker, I come from a very highly Catholic area. I am sympathetic to the cause. But I want to face reality. I want to do today what we should do today. I do not want to put it off. So I am advising you to live by these three cliches—

The SPEAKER. I am sure we all understand that the

gentleman meant to say, never put off until tomorrow what we can do today.

Mr. NOVAK. That is exactly right, Mr. Speaker. Never put off until tomorrow what you can do today. That is precisely what I am saying. They also say, to err is human; to forgive, divine. I ask you for forgiveness.

Thank you very much.

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

Mr. CAPUTO. Mr. Speaker, in all the time that I have been in the legislature, I have never voted against an appropriation for the nonpublic schools, the students of the nonpublic schools or the parents of those students in those schools.

When Mr. Mullen's amendment was first suggested, I did not stand up to be counted. I indicated that I wanted to think about it and make some investigation. Personally, Mr. Speaker, I have just concluded my investigation. I have talked to several leaders of the Catholic Conference and some other spokesmen for the other nonpublic schools. I am happy to announce that they recognize the dilemma in which the House finds itself. They recognize that the courts have said that this money cannot be paid over to those schools, and despite the fact that there is a law suit pending, they realize that that law suit will certainly not be over before the end of the next fiscal period.

For that reason and in order to avoid a tax increase at this time, and because I feel it is absolutely necessary to have this money in the budget so that we can, as Mr. Butera has urged us, pass a balanced budget. I ask my friend from Allegheny County to vote to withdraw the amendments and transfer this appropriation back to the general fund.

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

Mr. RYAN. Mr. Speaker, I listened closely to Mr. Novak and the words of his father, do not put off until tomorrow what you can do today, and I think that is exactly what he will be doing if he fails to support the Mullen amendment. In other words, today you have in your hands the \$120 million that may be owed tomorrow.

I listened to the hypnotic voice of Mr. Irvis, who always is convincing until you listen to him closely sometimes, and I listened about his brown envelope and how he wanted to buy a piece of wood-carving machinery for some \$500 and instead had to use it, because of his priorities, to redecorate his home.

The difference between the situation we have today and the situation described in Mr. Irvis' example is that today we are not dealing with our own money. It is not our brown envelope; it is the brown envelope of someone else. These are trust moneys; these are escrow moneys. The bank cannot take the escrow moneys out of its account that it is holding in trust for someone else to use for its general purposes. They must be reserved.

Mr. Butera is entirely correct. Good business sense dictates, as well as the rules and regulations of the Insurance Department, that a reserve be set up for contingent liabilities. Any of you who have dealt with an insurance company, particularly in the field of negligence, know that the adjuster has set a reserve for your claim, your claim which is in litigation. If they believe the possible exposure is \$10,000, then that insurance

company, under the laws and regulations of this Commonwealth, must set aside that \$10,000, even though it has not yet been finally determined by a court of law. Just the contingent liability that they may have to pay it is reason enough and cause enough for them to set this money aside under our rules and laws of the Commonwealth.

In this case, we have some \$169 million between what is in the bank now and what will be received during the next fiscal year. We all agree that no more than \$120 million of it represents this contingent liability. Until such time as the court finally determines—that is, the highest court to which this case may be taken—against the parents, then that money, in my judgment, is the money of the parents; it is not ours to use morally. We are going to do it legally, perhaps, if Mr. Mullen's amendment fails.

If we were an insurance company, the rules of the Commonwealth of Pennsylvania would require that that money be set aside in a reserve account to protect against the contingent liability of an adverse ruling by a court of law.

I agree wholeheartedly with the statements of Mr. Butera and Mr. Zeller regarding the fiscal soundness of the Mullen proposal, that fiscally we are fools to transfer this money.

I listened to Mr. Irvis say quietly to the members that the votes are not on the floor today to vote for new taxes if you go for the Mullen amendment. I did not hear Mr. Irvis say that if we transfer the \$120 million out and after we have spent that \$120 million, the votes are on the floor to pass the taxes that would be needed to pay the parents the \$120 million that we are spending today.

I listened to Mr. Mullen, who is an acknowledged expert—at least in the eyes of most of the members of this body he is an acknowledged expert—in the field of appropriations. He is your former chairman for many years of the Appropriations Committee, with long service on that committee. I listened to him say that the Appropriations Committee can adjust the appropriation bill and they can find the \$120 million. We have a \$4.7 billion-plus or-minus budget to find the \$120 million in. That is not a huge task. Mr. Mullen says that it can be done. Last year as the Appropriations Committee chairman, he would stand up and we would agree with him. This year his expertise is no less. If he says it is there, it is there.

We are doing a disservice to the people of the Commonwealth if we do not adopt the Mullen amendment, both from a fiscal standpoint, a moral standpoint, and any other just commonsense standpoint. I would support the Mullen amendment.

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, fortunately or unfortunately, we gentlemen here in the Assembly are not running an insurance company; we are running a state; we are running the Commonwealth. We are trying to provide for the needs of individuals. The only reason for government existing is so that, banded together, things can be accomplished for people that could not be accomplished if they were acting individually.

This House, this week and last week, considered some 80 amendments to the general appropriation bill. Every amendment that we knew was to be considered was con-

sidered at least once, some more. We know what the bottom line of that budget is. There is no use talking about the appropriation process, the budgetary process, the manner in which we for years have done business here. The fact remains that it is the 17th day of June, and in this Commonwealth the wheels come to a halt at the end of the fiscal year, which is June 30. We have to pass the budget. There is no sense in kidding yourself. We know what the bottom line of that budget is. We have decided what the priorities are. We have decided that there are certain needs which must be met, certain services that we must provide. Those things cost money. Each individual service, each line in the budget transfers itself to some human need back home. We have made decisions regarding those needs and the level of funding for those needs.

I assume, after we made decisions on the budget and we came to the bottom line of the budget, that we are going to fund that budget. You either fund it with existing revenues or with additional revenues. No one has seriously challenged validly the fact that this \$120 million is needed to fund those needs which we decided over the past few days we are going to fund for the people of Pennsylvania.

Insurance companies, my friends, many believe, use their reserves to justify increased premiums. That is exactly what you are going to be doing, although we are not running an insurance company. You are going to use that reserve of \$120 million to try to justify to the people back home a tax increase that equates to that \$120 million.

The problems that we are facing in Pennsylvania with our budget are not unique to Pennsylvania. The inflationary spiral, the rising costs all across the board for goods and services have caused many of the major states to consider this year major tax increases. That is the route that we can take. I have not heard any of the people who were talking about the budgetary process, or any of the people on either side of the aisle who were talking about leaving this \$120 million where it is, talk about providing additional taxes that obviously are going to be necessary if we do not make this transfer.

The minority whip characterized the moral obligation; he characterized escrow funds; he characterized somebody else's brown envelope, and I say, hogwash. This money belongs to the people of Pennsylvania; it was taxed from the people of Pennsylvania; it will be used for services for the people of Pennsylvania. We are not going to give the money to some foreign country. We are not going to provide services for others; we are going to provide services for our people, our constituents. We have made adequate provision for the nonpublic-school aid that most of us feel is justified, is needed. This budget provides some \$42 million for that purpose.

We faced these kinds of problems in the past and this probably will not be the last time we face this kind of a problem. But the decision is easy. There is \$120 million that is needed. We are not talking about fiscal gimmickry; we are talking about actual dollars that were raised through a tax on the people of Pennsylvania that are available to the general fund of Pennsylvania, that were in Pennsylvania's general fund before the ill-fated Parent Reimbursement Act was passed by the Assembly. We are talking about dollars, morally, at a time when the people back home are having their

problems raising their families on the salaries that they have. Morally we have no right to impose an additional tax on those people because we will not make the move of this \$120-million fund.

The minority leader said that it is a dangerous game that we are playing. The dangerous game was started, the toss-up took place, in the middle of the floor last year when, playing for headlines, or playing to the voters, or whatever we were playing to, all of us decided to grant permanent tax relief. That is when the game started. We were warned at that time that we would be here this year worrying about how we were going to balance the budget. And we are here worrying about how we are going to balance the budget.

I voted for the final tax plan that did reduce taxes in Pennsylvania. We may have been wiser to have returned our surplus and kept the tax level as it was and we would not be here with this problem. But that was when the dangerous game was started.

Be that as it may, we have, in conclusion, decided pretty well what the bottom line of that budget is. You either vote for taxes for the \$120 million or you make this transfer, which it is our moral obligation to our people, to our constituents, to do, rather than to impose additional taxes on them at a time when they can ill afford to pay the taxes they are already paying and provide the needs of their individual families. I urge very strongly a negative vote on the Mullen amendment.

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

Mr. TAYOUN. Mr. Speaker, we go further into limiting the right of our freedom of choice to make decisions and to change the fiber of American morality when we make decisions such as we make today if we override the Mullen amendment. By overriding the Mullen amendment, we are doing more than balancing a budget. We are beginning to eliminate the ability, the right, the elective choice of thousands to have their children reared and educated as they choose.

We are not balancing the budget today. We are saying that there no longer is room for nonpublic education. Of course it has been said that we will rise to the occasion to help the nonpublic schools and of course we will vote the tax increases, and of course those who wish to send their children to nonpublic schools will be accused of creating the tax increases.

We have a history lag in that we retain the records of decision but not why these decisions were made. If we could retain the reasons why important decisions are made, we could go along with the move today to override the Mullen amendment, because people would know why we did it last year. But one year from today no one will remember that we took from the nonpublic schools to balance the budget. One year from today we will be blaming them for an unbalanced budget. This is obvious to me, and it is for this reason that I am asking everyone on this floor to vote strongly for the Mullen amendment. If we cannot balance without the \$120 million today, then let us vote for a tax increase today.

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

Mr. MCGINNIS. Mr. Speaker, in the last campaign I was campaigning outside of the steel mill in my district. A steelworker came to me and he said, "McGinnis, I'm

going to vote for you, but you have to promise me one thing. Stop doing things to me in Harrisburg that I can't afford."

This budget amounts to \$375 for every man, woman and child in this state, notwithstanding big brother in Washington. That is not taxpayers of this state; that is \$375 for every man, woman and child in this state. By voting the Mullen amendment, you make it \$365.

I heard someone talk about their father. I will talk about my grandfather. My grandfather said, "Pat, put the money in the envelope and steam the walls next year." Thank you.

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

Mr. IRVIS. Just to compliment him for having a grandfather who had paper on the walls; mine did not.

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

Mr. TURNER. Mr. Speaker, a few moments ago I heard the majority leader make the statement that if this House did not reject the Mullen amendment, this Commonwealth would face fiscal chaos. In other words, as I understand it, for the lack of \$120 million, this state is going to be in chaos.

Mr. Speaker, I would like to ask Mr. Wojdak if he would consent to interrogation?

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

Mr. WOJDAK. I shall, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. TURNER. Mr. Speaker, when the budget was in the process of being prepared, was it the opinion of the members of the Appropriations Committee that this \$120 million absolutely would have to be put into the revenue picture?

Mr. WOJDAK. It was and is an absolute must that the \$120 million be in the general fund, that it be transferred to the general fund or you face the possibility of taxes.

Mr. TURNER. My question to you, then, Mr. Speaker, is that if any corporation or any body, such as we, operated on the premise that we must have a given amount of money and that the House must vote this, then I suggest that this does take on the connotation of some phase of financial irresponsibility, because you had no way of knowing when you prepared this budget what the action of this House was going to be. And I submit to you, as the president of a corporation, that if I did this to my board of directors, I would be in real serious trouble, because I do not know what they are going to do and I am premising it on that basis. And this, I submit to you, is financial irresponsibility.

Mr. WOJDAK. Sir, it is not financial irresponsibility to bring choices to this floor and to have members vote on them. You are faced with an alternative here today and the choice is yours. You will either transfer the \$120 million or you will talk about new taxes. That is the choice that this House must make. They are the alternatives and the options that have been presented to you by the Appropriations Committee. Now I do not know how, by any stretch of the imagination, you characterize that as irresponsible. Those choices are yours to make. We presented the alternatives to you

that we are attempting to use as vehicles to get aid to nonpublic-school students.

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

Mr. ZELLER. Mr. Speaker, there have been some statements made here that I think could stand a few corrections and comments about.

One of the facts is that we talk about today and tomorrow and night and day and I think we ran into a situation that I would call organized confusion. As a matter of fact, if we do not face reality, we are going to do exactly what some of the members here have been talking about—walk our taxpayers into an increase in taxes next year unless we hold this line. I say this sincerely because—talk about the fat in the budget—a \$4-billion budget, prior to the \$440 million and a 7-percent increase across the board, even higher than the 3½ percent that you are giving the public employes, would come to \$280 million. Deduct \$280 million from your \$440 million and you come up with \$160 million. All we asked for was \$120 million to hold the line by leaving that money which Mr. Manderino talked about which belongs to the people and we should give it back to the people, and all that. You give it back to the people by going on this \$120-million transfer and you are going to walk those same taxpayers into taking more money out of their pockets next year because you will not be able to meet it.

Now we heard some scare tactics here today. We talked about brown envelopes; we talked about the caucus, that the younger members were stating that they would like to have been told all these things in the caucus. Well, I know the younger members were in that caucus and they already heard it. They were there and I was there, and I consider myself one of the young members. We were there and we heard all that hogwash. We heard every bit of it. And then you come up and you tell us that there are only two roads to go—that sounds like the road to Singapore or something like that—either you transfer the money or you raise taxes. But they do not talk about the third road. There is a third road of fiscal responsibility. And that third road is to hold the line. You know, when we go out and campaign, we tell our people we represent, hey, I am with you. I am going to come down to Harrisburg—like Mr. McGinnis said—and I am going to work for you. I am going to do justice by you. And then when we come down here we just tune it off. We are no longer on the same frequency with our taxpayers out there. And then we come down here and say, I am going to do you a lot of good. I am going to spend your money.

You know, it is easy to spend somebody else's money, but it is real tough to have a guy stand up here and say, look, I am going to hold the line. We are going to cut this thing across the board and we are going to save you some money. It is easy to give away, but it is very tough when you are at home and the kids come up and ask you for some dough or the car and you say, hey, look now, this is it. This is what the taxpayers are asking us. You know if you do not hear that cry out there, you are not tuned in.

I have one more item here, and this is the one in regard to Mr. Wojdak's statement. He did not answer Mr. Turner; he walked around that one like a dance

around a tulip bed. He talked about that Appropriations Committee. Well, you know that the other members of the Appropriations Committee, most of them, did not know what was going on because they were not told. I know they know what is going on. They are getting it real good, but they are not getting the same tune as you are getting.

The SPEAKER. Get to the amendment, Mr. Zeller.

Mr. ZELLER. Thank you, sir.

You know, we talk and you say that we have our choice; it is our alternative; we have a choice here; we make the decision; but on every suggestion that we have talked about, we got our heads beat in. You do not have anything to say about it. That leadership is going to mow you down because they have got the numbers. They can make their little so-called—I will not call them deals—arrangements here and there and they can get what they want. We do not have that power. We are just little guys out here trying to represent our people, and we get our heads caved in.

But I want to say a word of warning in closing. I would like to say to all the members here, just remember what you do today, and I mean remember sincerely, because that money does belong to the people, and the money in that little brown envelope is creating interest at the rate of \$9 million a year; \$800,000 a month. That money is making money for our people and that money can be used next year to help our people.

Let us talk about cuts now; let us talk about helping our people next year; let us say, hold this line and reach the cries of our people. Let us do justice by them and stop this lousy hogwash.

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

Mr. VROON. Mr. Speaker, I well remember a speech by Mr. Irvis last week in which Mr. Irvis very nicely and freely admitted that he was a spender. Mr. Irvis then proceeded to say, but at this particular time, however, I must step out of this role of spender; I must become a fiscal conservative.

Now I must disagree with Mr. Irvis. One of the characteristics of a spender is to look around for every piece of change he can find, and when he finds it he spends it. That is exactly what Mr. Irvis is proposing again. He wants to make us all spenders. He is not a fiscal conservative. He wants us all to be spenders like himself. A spender looks for a piece of change that is in a brown envelope and he says, good, I can blow this. That is exactly what we are being asked to do.

For another thing, let me put a very blunt question to the members of the House. If we did not have this \$120 million, if this had been spent for the purpose intended, what would you be doing now? What kind of a budget would you be proposing right now? This is the way we must look at this problem. What should we be responsible enough to do right now? Are you going to raise taxes, or are you going to cut the budget down to size? That is the sum of the question. Let us decide it that way.

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

Mr. LETTERMAN. Thank you, Mr. Speaker.

You know, it is amazing that at a time when this country is in such bad condition people would talk about

cutting, cutting. All the time this is all we hear. I agree that there are people probably in state employment who might not need that job as badly as it appears. But if we are going to cut now, we are going to put more people out of work and on the unemployment rolls.

I, for one, have a district that every day has an 18.8 percent unemployment rate. I do not think there is a man in this room who has that kind of an unemployment rate in his district. I can tell you right now that today is the crucial year which Mr. Mullen talks about, not next year. This is the crucial year. Mr. Mullen is always speaking about it being crucial. Who thinks that this year is not the most crucial time when you have this kind of unemployment?

Everybody in this country talks about the bad times. Nobody wants to talk about keeping people working and keeping people moving. I think it is time that we do exactly that.

Now as for fiscal irresponsibility, Mr. Mullen has always had my support, but I believe he is the one being irresponsible. He is asking the very people he supports to believe in a promise and a bill we passed that has been slammed down by the Supreme Court. He would ask us to put a tax on top of the heavy burden his own supporters are carrying. Not only these people would have to pay extra in this state, but also the rest of our constituents. I believe this to be irresponsible.

We all realize our responsibility and it should be to the total population of this state. This money has already been held up 3 years. I believe this is the time to keep taxes down and use this money.

I am man enough to go back to my district and explain it. I do not believe the nonpublic-school parents would want a tax put on our people because of holding up this money. If this money is ever approved by the Supreme Court, I, for one, will then, and only then, vote for the tax to pay this money.

I was the prime sponsor of the bus bill that allowed all nonpublic-school children to be bused. Is that in opposition to nonpublic schools? And I am a Protestant.

I believe we voted right to give them the reimbursement, but not to hold on to it when the courts say "no" and then have to slap a tax on all our people as an additional burden.

I listened to Mr. Butera and Mr. Ryan. They are speaking about private money of insurance companies that can be set aside. We are speaking about tax money belonging to all the people of Pennsylvania. We do not let our schools or our state institutions or this state invest money to build interest. We are not speaking about private money that insurance companies can set aside to build up into a nice nest egg. We are speaking about tax money belonging to the people of Pennsylvania. They paid that tax to be spent in that year. We will not even let our school or state invest money over a certain period of time to build interest. We demand that they spend it instead of building up interest. Why should we do it with the nonpublic-school parents' money?

Mr. Mullen had his chance to try to show us his way of balancing the budget by amendments. I have not seen his expertise brought forward by these amendments. Thank you.

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

Mr. M. P. MULLEN. Mr. Speaker, just a couple of

brief comments. First of all, Mr. Wojdak referred to the third alternative to balance the budget, the present budget, by cutting it. He said that if we did that, aid to nonpublic schools would suffer too. What he did not tell you is that in last year's budget we had \$33 million in there for nonpublic schools, and this year with his amendment we only have \$31 million.

I am not saying that we are going to balance this budget by making cuts to the extent that any department is going to get less than they did last year. Certainly not; we would not expect that. But even setting aside this \$120 million, we are still going to have \$320 million more this year than last year to balance the budget.

I say, if you are going to have an austere budget and you have \$320 million more to spend and you cannot come up with a good budget that way, something is wrong, especially when you consider the fact that I explained to you earlier that we increased the budget last year by \$500 million. So in a 2-year period, we are increasing the budget almost a billion dollars. This is not an austere budget; this is a spendthrift budget. I think the budget can be balanced if all of us act as sensible people and sit down together on a bipartisan basis and do what is right for all the people of Pennsylvania.

I am not saying that it is going to be necessary, if this amendment passes, to come up with new taxes this year. I say that it is not, and I say that all of us acting together as responsible legislators, thinking legislators, can come up with something which is reasonable, which makes common sense and can balance the budget without being fiscally irresponsible.

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

Mr. MEBUS. Mr. Speaker, everybody else has offered their observations on this, and I have kept my mouth shut for the last week or so, but I have some thoughts which I would like to present to this House which are not unlike those which I presented when we passed the income tax in 1971.

Everybody has talked about this year. We cannot forget next year. What would be the effect of transferring this \$120 million this year? It would be to encourage the growth of programs which would then be funded again next year at 1.8 percent, if you followed Mr. Cowell's suggestions of yesterday, so that any expenditures we make this year will certainly grow next year. This is like a cancer that feeds on itself. If we put that \$120 million in this year, what we are going to have to find next year is going to be a whole lot more than \$120 million. If we do not spend this \$120 million this year, it will mean that we will conceivably have to pass taxes this year, but not to the full extent of that \$120 million, and what we will grow to next year will not be as large as it would otherwise be.

So what I am trying to say is that if we are going to search for cuts—and we must search for cuts—then we are going to have to find them this year, and this is the way to begin. Because once we put that \$120 million in, it is going to feed on itself and we are going to rue the day that we did it and we will surely rue it especially if we have to have a significant increase in taxes next year, which is, in case anyone here has forgotten, another election year. Thank you.

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

Mr. SELTZER. Mr. Speaker, most of the oratory today and last week on this question had to do with the expending of the funds providing we could put them into a trust for nonpublic-school aid. Let me get away from the emotional part of it and just talk about the fiscal consequences. Mr. Mebus just alluded to the fact that what we are doing here by expending this money for any purpose is locking ourselves in to replacing this \$120 million next year with additional funds from some other source. Regardless of what the economic conditions are next year, this \$120 million will still have to be replaced by some other means, other than just the growth in the economy.

In addition to replacing that \$120 million, by expending it this year we will have lost the opportunity of investing these funds and earning money on them. Currently the State Treasurer is earning somewhere around 10 percent. Let us say that this would be a loss of earnings, then, of an additional \$12 million. To expend this money this year for ongoing programs and to fund the ongoing programs that we are going to pay for with this money will cost an additional 10 percent; 10 percent of \$120 million would be another \$12 million. We are talking somewhere in the area of an additional \$23 million which will have to be added to this, which will have to be replaced from some source other than a growth in our economy.

Mr. Speaker, no one wants to vote for taxes last year, this year, next year or any year. I am sure that the members of this House are going to go home and they are going to be prepared when they meet their constituents to tell them how they held down taxes and how they cut this budget to do it. Mr. Speaker, this budget has not been cut.

The chairman of the Appropriations Committee talks with great pride about what he has eliminated from this budget, what he has cut from this budget. Let us look at those items.

He took \$65 million from public assistance. That is not a cut in the budget; that is removing an additional \$65 million in fat that His Excellency, the Governor, had suggested this General Assembly appropriate. It was never needed when the budget was presented to us. It is not needed today and it will not be needed anytime during the 12 months of the next fiscal year.

He removed \$8 million from the Department of Education for special education. Again, it is not a cut in the special education program. We are going to fund every school district and every intermediate unit on special education. This, again, was not a cut, but \$8 million too much which was suggested to this General Assembly as being needed.

Then he cut \$29.5 million or \$30 million from school transportation. Again it was not a cut—

The SPEAKER. Will the gentleman yield?

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. LINCOLN. Is the gentleman, Mr. Seltzer, speaking on the amendments?

Mr. SELTZER. I would certainly hope so. That is why I asked to be recognized.

The SPEAKER. Will the gentleman yield? The question has been posed to the Chair.

Technically, the gentleman is not speaking on the amendment. The Chair would assume, however, that the questions are interrelated. The gentleman has to refer to the balance of the budget in order to deal with the amendment that is before the House.

The Chair would hope, however, that the gentleman would be brief on this particular point because, strictly, this is not on the amendment.

The gentleman may proceed.

Mr. SELTZER. Thank you, Mr. Speaker.

Mr. Speaker, the conclusion that I am trying to whet your appetites with is that this budget has not been cut. If you intend to go home and tell your people that you cut the budget, you will not be able to tell them this because it is not true.

By the adoption of the Mullen amendment, you will have provided an opportunity to utilize this money for various purposes.

Last week we had an amendment on one of those purposes. But it is so important that we do not expend this money for ongoing programs which build in to next year's budget a growing deficit.

I think it is so important that this General Assembly—this House and the other body—sit down and be fiscally responsible and review this budget from page 1 through to the very end and actually cut the budget. Let us not go home and hang our hats on these items which have been removed, not because they are cuts but because they were never needed. This budget can be cut. This budget can be cut the \$120 million. This budget can be cut \$220 million, if the will of this General Assembly is such to cut it. If you are in the mood to cut a budget, you can cut it. If you are not in the mood to cut the budget, we will never cut it.

Mr. Speaker, there was one other way that this budget was balanced. With a pencil we removed the revenues for this year and we added another \$80 million. With a pencil we removed the anticipated lapses for this year and we added another \$17 million. There are many things we can do with a pencil to make something balance, but there is only one way you can cut the budget, and that is, to really get into it and cut it program by program and department by department. This has not been done. This you have not been given the opportunity to do.

Mr. Speaker, this is a very serious time in the fiscal history of the Commonwealth of Pennsylvania. What you do today will have a great bearing, not only on this year but the following year, on the mood of this General Assembly for some years to come. If I can eliminate the emotion from the amendment offered by the gentleman from Philadelphia, Mr. Mullen, I ask that you support his amendment on purely good, sound fiscal ground. Thank you.

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

Mr. WOJDAK. Mr. Speaker, to reiterate what I said earlier, these are the alternatives that are presented here today with this issue: We can transfer the funds and balance this budget; if the fund is not transferred, we can go to taxes to make up that difference of \$120

million; or, thirdly, we can cut this budget to the tune of \$120 million.

I have been on this floor, as all of you have, for the last 6 or 7 days listening to various attempts made via amendments that speak to this budget. There were somewhere near 80 to 85 amendments, some of which attempted to cut the budget, some of which attempted to increase the budget.

I think this body has had its input into this budget, and it has expressed itself in majority terms as to what their feelings were. When you look at that range of 85 amendments, it speaks to nearly every item in that budget, and this House has expressed itself.

Mr. Mullen stands there and Mr. Seltzer stands there and they say, we can cut this budget. Mr. Mullen refers to some secret plan by having it go back into the Appropriations Committee. I did not hear any suggestions from him nor did I see any amendments proposed which would cut this budget to make up the difference he is talking about. I saw very few amendments from Mr. Seltzer speaking to the issue of cutting this budget.

In terms of responsibility, I think they have the responsibility on this floor, if they have ideas as to where we can cut out of the budget this so-called fat, to bring those ideas forward. This is the place to do it. Put it in front of this entire membership. Let us look at it and let us vote on it. If the ideas are sound, I am sure this membership will go along with it. I am sure they will vote in the majority to cut this budget if the so-called fat is in there.

The other area I want to touch on is that I think it is irresponsible to project a year ahead. Mr. Mullen said we face somewhere near a billion-dollar deficit. That is just not true.

Mr. Seltzer talked about a hole that we are facing in the future. I want to talk to that issue. Mr. DeVerter touched on that issue several days ago.

In putting this budget together, the projected deficit that we had anticipated in the initial stages was \$160 million for the next fiscal year. Built in to that projection is the use of this \$120 million. So you cannot think of it in terms of this \$120 million being a one-time shot into the budget, which it is, but it is figured in to that projection so that you are looking at a projected deficit of \$160 million. But this \$120 million is figured in to all the calculations.

There are nonrecurring items in that budget. For instance, the \$46 million for the Philadelphia and Pittsburgh schools and the Bicentennial money are nonrecurring expenses; they are expenses that we will not face next year. Putting all these together, the projected deficit is \$160 million. It is not a billion dollars, as Mr. Mullen referred to, or some figure close to that. In fact, with the cuts that did take place in this budget of approximately \$70 million—and I know there has been discussion about whether that really represents a cut—and what I mean by cut is this: We have cut the Governor's budget document by \$70 million, allowing for—and Mr. Mullen referred to this also—in general, a 9-percent increase in this budget, not because the Governor wishes to increase everything or that we wish to increase everything; there are normal operating increases. This government experiences the same type of inflation that you do in your family, that you do with your personal income. It is those types of expenses which lead to the increases that we are faced with. When Mr. Mullen refers to an

additional \$300 million or \$340 million in the budget, he is correct. That represents, in general, a 9-percent increase for the reasons that I have stated. There is inflation in this that the state suffers. There are new programs about which this General Assembly has expressed itself, which they wish to stay in this budget. It is those types of expenses that are included in that increase.

I might add that in general it is a 9-percent increase, while this country and the economy faced a 13-percent inflationary rate. So when I talk about it being a tight hold-the-line budget, it is a tight hold-the-line budget that will not necessitate new taxes.

If, in fact, the transfer is not made, again you are faced with the choices that I mentioned earlier. You are also faced with this: Next year, if you just automatically pull out that \$120 million, you are talking about a \$160-million deficit plus \$120 million. You are talking about a \$280-million deficit.

If the economy levels off or there is a growth factor and a turn up in the economy, that kind of deficit of \$160 million I am sure we can speak to in terms of tax revenues if there is an upswing in the economy. No matter what happens in the economy, we cannot speak to the projected deficit of \$280 million.

What you are really saying then, is that you are going to raise taxes now and face the possibility of raising taxes next year. The proposal that I am making is, by transferring that fund now you avoid taxes this year. If there is a leveling off or an upturn in the economy, you also face the very distinct possibility that you will not face taxes next year.

In my opinion, that is the fiscally responsible way to act in this issue—to keep the taxes down and to live within our budget means. That is what I mean by holding the line on this budget, by fiscal responsibility.

I would like to touch for a moment on the issue which this emanates from, and that is, aid to the nonpublic schools. The parent reimbursement fund—and you have heard this before, but I want to emphasize it now—has been declared unconstitutional by the United States Supreme Court. However, what Mr. Mullen is saying is, keep that fund there on the possibility that the court will change its mind. I have my doubts about that, but I am not going to stand here and give you a thousand-percent guarantee because that cannot be done.

But we have spoken to the issue of aid to nonpublic schools with the bills that are on the calendar. Those bills were the work of a lot of people, and there was input from many sectors of this Commonwealth and mainly from the Pennsylvania Catholic Conference. They have confidence in the bills that are on the calendar. They also have approved and feel it socially responsible and responsible to the taxpayers of this state that that fund be used, that that fund be transferred, so that not only the programs built into the bills on this calendar but other needed programs in this state can be funded.

The Pennsylvania Catholic Conference—that name has been bandied about here in the last few days—is a lobby group for the Roman Catholic Church. Its board of governors is made up of the bishops throughout the State of Pennsylvania. They are the ones who set policy and make these decisions, and their decision is carried out through their executive officers. It is their decision; they have approved the transfer; it is their decision. They have gone with the bills that are on the calendar and they have had tremendous input into those bills. That

is what they are recommending. And if Mr. Mullen is so concerned about the aid to nonpublic schools, so are they. The Pennsylvania Catholic Conference, through the bishops throughout this Commonwealth, are very concerned about it. They are approving the method and they are approving the action that we are taking.

I do not know who Mr. Mullen is speaking of and who he is concerned about. I know who he is concerned about, and what I am suggesting to him is that he is really acting in an irresponsible way, because if, in fact, that fund is not transferred and we have to go to taxes, he is going to be taxing the very people whom he is trying to help. If, in fact, that Supreme Court decision is not reversed, those very people who he is trying to help, namely, the Catholic parents, are going to have that tax burden on them, not only during the time it takes for the Supreme Court to reach its new decision but thereafter. I am sure that tax burden will more than equalize and level off what they expect to get on the hope that the Supreme Court will change its decision.

If, in fact, the Supreme Court does not change its decision, he has burdened not only those Catholic families but every family in this Commonwealth with a tax which can be avoided and should be avoided if we want to act responsibly. I would strongly urge a negative vote on Mr. Mullen's amendment.

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

Mr. LINCOLN. Mr. Speaker, would the gentleman, Mr. Irvis, submit to a brief interrogation?

The SPEAKER. Will the majority leader consent to interrogation?

Mr. IRVIS. I shall, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. LINCOLN. Mr. Speaker, as to House bill No. 1207, which Mr. Mullen's amendment speaks to, what was the purpose of House bill No. 1207 in its original form?

Mr. IRVIS. Mr. Speaker, to transfer the \$169 million from the Pennsylvania cigarette tax fund to the general appropriation.

Mr. LINCOLN. Upon passage of House bill No. 1207, Mr. Speaker, what will be the status of the original law which was passed which would allow the 10 percent to be placed into this fund?

Mr. IRVIS. The fund would be depleted and no longer would money be added to a special fund for the purposes of aid to parochial-school children.

Mr. LINCOLN. Mr. Speaker, can I assume, then, that upon the passage of House bill No. 1207 without the Mullen amendment, the means to pay the parents who were involved in the parent reimbursement fund will no longer exist?

Mr. IRVIS. That is correct, Mr. Speaker. The House of Representatives and the Senate some years ago set aside a special fund, or a special part of it, for aid to the parents of parochial-school children. This would eliminate that special fund. It would no longer exist.

Mr. LINCOLN. Mr. Speaker, we are, then, not just speaking about transferring \$169 million but we are also speaking about completely abolishing the mechanism to pay under this law?

Mr. IRVIS. That is correct, Mr. Speaker.

Mr. LINCOLN. Mr. Speaker, one further question:

Were you a member of this body at the time this particular law was passed?

Mr. IRVIS. Yes, Mr. Speaker.

Mr. LINCOLN. With what degree of difficulty or ease did this particular law become law?

Mr. IRVIS. That is a bit hard to answer, but as I recall, Mr. Speaker, it was a difficult passage. There were many of us—and incidentally, I voted to support it—

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. STAHL. Does the line of questioning have anything to do with the amendment which is before us?

The SPEAKER. Not really.

Mr. IRVIS. Am I permitted to answer the question, Mr. Speaker?

The SPEAKER. The gentleman may proceed.

Mr. IRVIS. I voted for this particular act, and, as I recall it, we did have some difficulty in getting the allocation there.

I would point out to my questioner that House bill No. 1207 does not eliminate the cigarette tax; it simply eliminates the special use to which we allocated those moneys.

Mr. LINCOLN. Thank you, Mr. Speaker.

Mr. Speaker, I would like to make some remarks in reference to Mr. Mullen's amendment.

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

Mr. LINCOLN. Mr. Speaker, I believe that every member of this House at one point or another must face the responsibilities of the duties they have been elected to perform. I find myself in a very difficult position on this particular issue. I recognize the responsibility of a balanced budget and I accept the fact that the \$120 million in question is needed to balance the current budget which we are working on. But I also find myself feeling a responsibility to the people who are involved in the \$120 million that we are talking about. I, personally, have no objection at this time to transferring that \$120 million if some assurance can be given that this particular fund will continue. I have an amendment which will do that.

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. STAHL. Did not the Chair rule previously that the gentleman could not speak to an amendment which was not yet before us?

The SPEAKER. The point of order is well taken.

Mr. LINCOLN. I withdraw that statement, Mr. Speaker.

The SPEAKER. The Chair would ask the gentleman, Mr. Lincoln, to refrain from commenting on any other amendments that may come before this House.

Mr. LINCOLN. Mr. Speaker, I am not asking any of my fellow members to vote either way. Personally, I am going to vote for the Mullen amendment. Possibly,

if the amendment passes, there can be a later attempt to change this law. Thank you.

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

Mr. WHELAN. Mr. Speaker, I rise to support the Mullen amendment. I have heard the majority whip make the statement that our Commonwealth should not be run like a bank or an insurance company. I am sure the government in the State of New York made the same statement. However, New York is now faced with cutting expenses and laying off some 17,000 employes. This was the result of total fiscal irresponsibility.

I feel that this money was put aside in 1971 when we gave the parents of nonpublic-school children 1.8 cents of the cigarette tax. That money was set aside for them in trust. I do not think that money should be taken at this time, particularly when we have a court case pending in the Commonwealth court.

It is my feeling that we should not raise taxes at this time either and that we should trim that budget by \$120 million. If it is the will of this body to increase taxes to meet this need and preserve that fund, it should be done now. However, I would prefer to see us reduce that budget by \$120 million. I know that my constituents are faced with belt-tightening procedures and I know they also want to preserve that fund.

I am a Protestant; I am not a Catholic; but I know the feeling of a vast majority of my people in my district. They are suffering the hold-the-line fact back home. It is time that we at the state government level held the line and reduced this budget by \$120 million. I urge your support of the Mullen amendment.

Thank you.

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

Mr. O'CONNELL. I will yield to Mr. Stahl for a second, Mr. Speaker.

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

Mr. STAHL. Would the gentleman, Mr. Wojdak, consent to interrogation, please?

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

Mr. WOJDAK. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. STAHL. Mr. Speaker, did you not just previously state that there would not be a tax increase next year if there is a business upturn or leveling off in the economy?

Mr. WOJDAK. Yes; I did. That is correct.

Mr. STAHL. And would the following statement be true: If there were no business upturn, there would be a tax increase next year?

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. BELLOMINI. Is he speaking on the amendment?

Mr. STAHL. Mr. Speaker, I am making some observations based on Mr. Wojdak's previous statements on the floor of the House to which I have a right of response, I believe.

The SPEAKER. The gentleman will proceed.

Mr. STAHL. Would the converse be true, that if there were no business upturn of any substantial nature or there were no leveling off, you would experience a tax increase next year?

Mr. WOJDAK. Well, if there were no leveling off or upturn, I am sure you would see a falloff in the tax yields, so the revenue estimates for the following year, I am sure, would fall off. Now you are asking me to guess at something that I cannot really tell at this point.

Mr. STAHL. On what rate of unemployment is your present revenue estimate—

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, the gentleman speaking now raised a point of order twice about someone not speaking on amendments. I raise the same point of order now.

The SPEAKER. The point of order is well taken.

We can get, if we want to, into all kinds of collateral issues that may or may not be relevant to the central question that is before the House, which is: Will the House agree to the amendments offered by the gentleman, Mr. Mullen?

Mr. STAHL. Mr. Speaker, I might point out that this line of questioning is necessary in order to pursue the statements that Mr. Wojdak made previously, and that is, that they will not—

The SPEAKER. The Chair has ruled on the gentleman's point of order.

Mr. STAHL. Well, that is the way the game is played. I realize that.

Mr. WOJDAK. I did not hear the question.

The SPEAKER. The Chair has ruled on the point of order raised by the gentleman, Mr. Ritter.

PARLIAMENTARY INQUIRY

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

Mr. STAHL. Might I question the Chair one second on this point of order?

The SPEAKER. Does the gentleman have a parliamentary inquiry?

Mr. STAHL. Yes.

The SPEAKER. The gentleman will state it.

Mr. STAHL. If a member on the floor of the House makes a statement in his remarks which was in order at the time that he made it, would he not have the opportunity to pursue a line of questioning which is to the point and relevant to the statement a previous member made?

The SPEAKER. There is a difference of opinion as to whether or not the interrogation is to the point.

The Chair does not believe the interrogation is to the point. And in addition, no one raised a point of order on the statements made by the gentleman, Mr. Wojdak.

Mr. STAHL. Mr. Speaker, might I make a few statements, then, which indicate an opposite viewpoint to that of Mr. Wojdak's?

The SPEAKER. The gentleman will proceed.

Mr. STAHL. The budget projections of Mr. Wojdak through 1976 and into, apparently, 1977, and for the remainder, as a matter of fact, of 1975, do not track with past history.

The Pennsylvania economy does not follow the United States economy. As you have seen in the past several months, our rate of unemployment was below the national average of unemployment. Our rate of sales of hard goods was somewhat higher than the rate of sales in the national economy. This always happens and what also always happens is that we slingshot through the national figures. This means, as we are experiencing now, that we have a higher rate of unemployment than exists throughout the nation. This is also true with economic recovery, that we lag well behind the rest of the nation in economic recovery. This has happened every time we have experienced a recession in the United States, today and in the past 30 years. It happens every time. It appears that the rate of unemployment will reach 10.25 to 10.5 percent in Pennsylvania.

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. Are we debating the national economy or are we debating Mr. Mullen's amendment?

The reason I raise that, Mr. Speaker, is that we have spent almost 2 hours of debate and, if we continue in this fashion, it is going to be the rest of the afternoon on this one amendment.

The SPEAKER. Will the gentleman, Mr. Stahl, try to be brief on this point, please?

Mr. STAHL. I will.

The point is that Pennsylvania's economy will lag well behind the national figures. There will be no business upturn for about 9 months after we experience a business upturn in the national figures. This means that we cannot rely upon the estimates given to you on this floor or in your caucuses because it simply will not happen.

If you analyze what has happened in the past, you have got to see that, and we are going to have to look at a tax increase next year if you spend the money this year. It has happened every time, and there is no reason and no reason has been given for us to believe that this will not happen, and the statistics will not be any better than they are right now. Thank you, Mr. Speaker.

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

Mr. MORRIS. Thank you, Mr. Speaker.

Mr. Speaker, I debated with myself for a long time before I got up here. I have been developing thoughts during the course of this debate amongst the members and in previous days when this question has been discussed and argued. I wondered if I could really say something which would be different from what other people had said which would add to the enlightenment here. After this soul-searching, I finally decided I must get up and speak.

I have heard a great many arguments here this morn-

ing and in the past on this particular question about moral duties, legal duties, trust funds, and so on.

Now before we decide what we are going to do about this amendment, I believe it is important for us to go back and just reiterate and think about what our legal and moral duties are in a situation like this and at all other times when we are dealing with the budget and taxes and so on.

Now basically, of course—and we all know this—our immediate duty is to produce a balanced budget this year. What is a balanced budget? I do not want to get into all the arguments that have been made on both sides about whether this budget is or is not balanced with the inclusion of the \$120 million and so on.

But what is a balanced budget? It works both ways. You do not spend more than your revenues or your projected revenues. But the balancing goes the other way, too. And again, I do not want to go back into the past and get involved in arguments in the past where there can be a lot of who-shot-John arguments, but the fact of the matter is that you are not supposed to have more revenues than you are going to spend. That is what a balanced budget is. It means balanced.

We have no right to hold back a fund, unless it actually be a trust fund, from the people of this Commonwealth on the grounds that we are going to use it next year. Our duty is to balance a budget this year. We are not running an insurance company or a bank or any business. We cannot capitalize earnings in the Commonwealth of Pennsylvania or any other government. This money, as Mr. Manderino said, belongs to the people now.

I do not think that our legal duty requires us to say that this fund is a trust fund. As a lawyer, I see absolutely no grounds for saying that. We might have a moral duty to hold it to protect the parents. Our moral duty, as I see it, is this—and a legal duty it will become, too—if the Supreme Court of the United States decides that some sum of money is owing to the people involved here whom Mr. Mullen is seeking to protect, we have not only a moral duty at that time—whether it costs taxes or not—but a legal duty to come up with that money.

We do not have at present a legal duty to hold that money and we do not have a moral duty, because, in fact, the legal duty is to do something else with it.

Now, let us assume for a moment that we pass Mr. Mullen's amendment and thereafter we go and we save \$120 million out of this budget. This is entirely a suppositious case which I am presenting just for the sake of argument. Okay, we save the budget \$120 million and we have got \$120 million over here now waiting. Mr. Seltzer and others would say we are holding this for next year. We have no legal right to hold that money. We should pass it back to the people with a one-shot tax rebate. Now think about that, Mr. Speaker.

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

Mr. GLEASON. Mr. Speaker, I must confess that the average person listening to the debate which has gone on far too long, I think, this morning would think that what we do here today relative to the \$120 million and, indeed, what we do here finally on the budget as it is before the House today is the final step. I would hope that all of the members of this House would recog-

nize that it is quite possible, if not quite likely, that what we are doing here today is only taking step one of a three-step process.

It is highly conceivable that this budget can pass the House, go to the Senate, the Senate will whack it out of shape even more, and we will nonconcur. Then, ultimately, Mr. Speaker, every member should know that it is quite possible, if not probable, that this budget is going to be written by six members of the General Assembly—three from the House and three from the Senate. And in all likelihood, it will be written by four Democrats—two from the House and two from the Senate.

The minority leader, in his earlier remarks relative to the \$120 million, made some very valid points. In effect, what he said to us is that we are operating in a vacuum, a very confusing vacuum. We do not know, for example, what the nonpreferred appropriations are going to be. We have not even finished so far today the entire budget process.

I am suggesting, Mr. Speaker, that we can lay aside this question of \$120 million until we get a final package from that conference committee or from the Senate. And if we need that \$120 million then to balance the budget without taxes, then we can call upon ourselves to pull that \$120 million out, because the constitution says the budget need not be balanced until it is presented to the Governor for his signature.

I am suggesting, Mr. Speaker, to the members that we can pull back that \$120 million in the future, even this year. And I think that to continue the debate regarding the \$120 million when we do not know the nonpreferred situation, when we do not know what the revenue yields are going to be, is, again, operating without the benefit of proper understanding and knowledge.

MOTION TO TABLE

Mr. GLEASON. Therefore, I am going to move at this time, Mr. Speaker, that we table the Mullen amendment for further study until such time as this House of Representatives has a completed document, a completed plan, with which to work. I so move.

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, I can only urge very strongly that we face the issue and that we not put off the issue.

To follow the reasoning of the gentleman who moved that we table this is futile: It is a gesture ill-conceived for us to even spend time in the House trying to adopt a budget and trying to express our intentions; we should just let the conferees write the bill every year and we either approve or disapprove. That is ridiculous. I think we ought to face the issue, face it now, and vote "no" on laying this on the table.

On the question,

Will the House agree to the motion?

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

Mr. GALEN. It is evident that this motion will go down. I think you could just call for a standing vote.

The SPEAKER. The Chair thanks the gentleman.

The clerk will strike the vote from the board.

Those voting in the negative on the motion to table will please rise in place. All other members will be seated. Please remain standing.

Members will be seated.

Those voting in the affirmative will please stand.

It is apparent that the negatives have it and the motion is not agreed to.

On the question recurring,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Beaver, Mr. Laughlin.

Mr. O'CONNELL. Mr. Speaker, are you punishing me for yielding to Mr. Stahl?

Mr. LAUGHLIN. Mr. Speaker, I will yield to Mr. O'Connell.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. O'CONNELL. Mr. Speaker, I really had not intended to get into this, but it is pretty difficult to sit in the seat and let it go by. This is the ninth budget that I have been involved in, and each one is truly a different experience. This one is indeed rather unique.

I have heard a lot of comments on the floor of this House that I hardly ever thought I would have heard uttered from the lips of the loyal opposition. When this is over, I am going to invite some of them to join our caucus.

I would like to suggest that the members of this House did speak to a lot of the problems and in fact did suggest that we reorder our priorities. They did this by the very many amendments that they offered.

I rise to support this amendment for the reasons that I believe there are shortfalls in this particular budget. Many of them were mentioned here on the floor of this House—Temple University, a very serious situation, mass transit, state employees, special education, public schools—and we could go on and mention a whole host of others that apparently have been passed up in the deliberations of this very important budget document.

Another thing that concerns me is that I have heard the chairman of the Appropriations Committee, Mr. Wojdak, indicate that these are his revenue estimates and that he based these estimates on figures that he was able to generate or develop. I would like to suggest that what he does is not really important. It is the Revenue Secretary and the Governor who really must certify the revenue estimates before you can really proceed with any kind of accuracy or with any kind of assurance that you are going in the proper direction. That is why I, to some degree, have been an advocate of budget reform. I think that we constantly work in a vacuum. We never have the facts; we do not know the lapses; we do not know the revenue figures; and we do not have a lot of other information before us at the time we are making these determinations.

I suggest, too, that the budget appears to be a whole series of planned errors and omissions, starting out with the proposal that the Governor made and then the reworking of it by the House Appropriations Committee. And I would just suggest that there were deletions to the tune of about \$78 million made by that committee,

and there were additions in revenues added. Revenue estimates were changed favorably by \$117 million.

This, to me, suggests a tremendous amount of error. I think that it is possible to get it down within 1 or 2 percent, and this, in my judgment, is not close enough.

Now to get down to the real problem. I am not a real advocate, nor have I ever been, of support in non-public schools. I was criticized in my first term here and I can remember that on one of the very first votes that I had to make, my bishop had me on the phone for 40 minutes trying to change my mind, and he was not successful.

Now, of course, we have a new bishop, and he apparently is part of the Catholic Conference. They are business people, and I would like to suggest to you that they have the better part of both worlds here. They will get this increased appropriation. Their appropriation is based on the proposal that Mr. Wojdak made, and he believes this to be a constitutional proposal. I trust and I hope it is, because let me tell you about a personal experience that I had in Bishop O'Reilly School in my town on my street.

My nephew happens to attend that school, as does most of my family except my own children, who I thought ought to go to public school, and they did. But this family goes to this particular school, and there was a long history of illness and there was not any income in the family. They applied for welfare benefits and they received them. But in the meantime they could not make this commitment to this school for the tuition. This year that young lad's time came to graduate, and before he could graduate—and out of the insurance proceeds there was less than \$1,000—that school demanded that he pay up, and he did because I suggested that he pay up.

Now let me tell you what I am going to do. I am going to deduct that from my contribution to St. Ignatius Church, to put the meat back on their table.

So what I am suggesting is that they are in fact business people right down to the wire, and let there be no uncertainty about it. I also know and I was not committed to nonpublic schools then, but I see the problems now. But the problem that I see facing us to a greater degree is an irresponsible, unrealistic budget situation. That is the reason I would like to propose to support Marty's amendment, because we have an opportunity of switching that \$120 million around in some critical areas.

Finally, let me say this, Mr. Speaker: I have heard Mr. Manderino, the majority whip, coin a phrase here during this debate. I believe it went something like "downstream." I would like to say, "up the creek, no paddle."

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Beaver, Mr. Laughlin.

Mr. LAUGHLIN. Mr. Speaker, could I please ask a question of either Mr. Manderino or Mr. Wojdak?

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

Mr. WOJDAK. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. LAUGHLIN. Mr. Speaker, what happens to funds that are appropriated to departments within the state at the end of the fiscal year if they are not spent?

Mr. WOJDAK. That money is lapsed.

Mr. LAUGHLIN. Where is it lapsed to, Mr. Speaker?

Mr. WOJDAK. To the general fund.

Mr. LAUGHLIN. Mr. Speaker, after that money is lapsed, we are then permitted, I presume, to appropriate it in the following year for whatever needs the legislature feels are appropriate. Is that correct?

Mr. WOJDAK. That is correct.

Mr. LAUGHLIN. Thank you, Mr. Speaker.

Mr. Speaker, may I have an opportunity to make a few remarks now?

The SPEAKER. The gentleman may proceed.

Mr. LAUGHLIN. Mr. Speaker, the state legislature in Pennsylvania some years ago passed a law appropriating moneys for nonpublic-school students and their parents. This law has been ruled unconstitutional by the courts. The state legislature had nothing to do with taking that money away from those people.

Effectively, I believe the Supreme Court of the United States has lapsed these funds back into the hands of the legislature, and I believe it is our duty to appropriate them in the appropriate manner for the people of Pennsylvania. And in this case, because of the fact that we are faced with the proposition of tax increases or holding the line on the budget, I believe these moneys are properly transferred to our general fund budget. So in doing that, I would urge all the members of the House to join with me to defeat the Mullen amendment.

Thank you.

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

Mr. PANCOAST. Mr. Speaker, would the gentleman from Philadelphia, the chairman of the Appropriations Committee, consent to interrogation?

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

Mr. WOJDAK. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. PANCOAST. Mr. Speaker, in your statement opposing the Mullen amendment and, of course, seeking transfer of the funds for present use, you made the statement that certain of the expenditures of this year would be nonrecurring expenditures, and I believe as one of your illustrations you used the appropriation to the Philadelphia school system for vocational-technical education. Is that correct?

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

Mr. PANCOAST. Would you please explain to me then your concept of a nonrecurring appropriation?

Mr. WOJDAK. In very simple terms, it is a one-shot expenditure that does not reoccur.

Mr. PANCOAST. In other words, are you really saying, therefore, that actually there is a double dip this year for the public schools in Philadelphia?

Mr. WOJDAK. No; I am not saying there is a double dip. Now you know what I mean by that, so let us not get into double dip.

The SPEAKER. In the interest of expediency, let us not rehash this. We went through it at considerable length yesterday. Let us try and stay on the amendment.

Mr. PANCOAST. One further question: Since it is a nonrecurring expenditure, is this a promise that Philadelphia will not be back here again next year for some sort of block grant?

The SPEAKER. The question is out of order, Mr. Pancoast.

Mr. PANCOAST. I beg your pardon, Mr. Speaker?

The SPEAKER. The question is out of order. It is not germane to the amendment that is before the House.

Mr. PANCOAST. If the funds are to be transferred and are nonrecurring expenditures, I think it is germane, Mr. Speaker.

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

Mr. KUSSE. Mr. Speaker, I am not of the Catholic faith, but I think I know now how a priest feels when he hears confession, because I feel like I have been hearing confessions all morning. We have heard the members explore their feelings, explain their vote, defend their positions, and I just cannot believe that any one of these speeches has changed anybody's mind.

I think the Chair has been most patient in allowing the greatest of latitude, but we have been at it now for a couple of hours, and could we not just express our sentiments by a "yes" or "no" vote on the board?

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

Mr. PERRY. Thank you, Mr. Speaker.

Mr. Speaker, we have heard all kinds of arguments pro and con on the Mullen amendment, and the issues covered a wide range of positions, Catholic and others, including pro-budget and against budget.

I want to speak only on the Catholic position. As a Catholic, I oppose the Mullen amendment. Let us not kid ourselves; the Catholic position, in my opinion, is most important to the members of this House both politically and economically.

The Pennsylvania Catholic Conference has informed the members of this House of the Catholic position. Are the proponents of the Mullen amendment telling us that the Catholic Conference, Catholic parents, Catholic students are in favor of the Mullen amendment? If that is what they are telling us, they are in error. The Catholic groups I spoke with are against the Mullen amendment, and this is authentic.

Those members of the House who want to support the official Catholic position should vote against the Mullen amendment. It is as simple as that.

This one issue is the Pennsylvania Catholic Conference, which officially represents all Catholic interests, versus Mr. Mullen. Make your choice. I thank you.

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

Mr. M. M. MULLEN. Mr. Speaker, I would like to ask Steve Wojdak one question.

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

Mr. WOJDAK. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. M. M. MULLEN. I have been sitting here for the last couple days—since January, in fact—and all I hear around here is blaming the Catholics for this nonpublic-school bill. I do not know why it is just Catholic.

I want to ask Mr. Wojdak, who else receives money from this nonpublic-school fund outside of the Catholics? What other denominations? He is the head of this Appropriations Committee, and I think he should have the answer.

Mr. WOJDAK. All nonpublic-school children.

Mr. M. M. MULLEN. Can you be more specific?

Mr. WOJDAK. Well, I assume it includes all faiths, all private schools, not necessarily even connected with any faith.

Mr. M. M. MULLEN. I am of the Catholic faith. I am proud of it and I am proud of my heritage. And Saturday afternoon I talked to my pastor about this Pennsylvania Catholic Conference. He said he does not know anything about it, and I—

MOTION TO MOVE PREVIOUS QUESTION

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

Mr. W. W. WILT. Mr. Speaker, I think we are getting into an area that is just a little bit too sensitive here and I would move the previous question.

The SPEAKER. The Chair quite agrees that the debate on the bill has not generated any antipathy one way or the other against any particular religious persuasion. I think we should keep it that way. That is not at issue here. The issue here is fiscal responsibility solely.

Mr. M. M. MULLEN. Every speaker who gets up here is talking about a Catholic bill or mentions Catholic in some manner or form. I want to tell you something: I served 5 years in the service—39 months overseas on foreign soil—and I did not ask anybody who was standing beside me, and I did not care, what they were, and neither did anybody else.

The SPEAKER. Does the gentleman desire to speak any further?

Mr. M. M. MULLEN. I would like to have a better answer from our chairman of the Appropriations Committee. I do not think that is a good enough answer.

The SPEAKER. The gentleman has responded, Mr. Mullen. He has indicated that the law that was struck down by the Supreme Court is applicable to all faiths and all religions and all private schools.

Mr. M. M. MULLEN. I would hope that whenever anybody gets up here to talk, they talk about a nonpublic-school bill and not refer to a certain religion or a certain denomination of any kind.

The SPEAKER. The gentleman is correct in his observation.

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

Mr. LaMARCA. Mr. Speaker, I am in accord with the sentiments of the gentleman and I think it is time that we get down to a vote.

I would like to give you a reason. I think the reason is analogous to a situation that I found myself in in my home.

PARLIAMENTARY INQUIRY

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

Mr. BENNETT. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BENNETT. Did I understand that the motion was made to move the previous question?

The SPEAKER. The motion to move the previous question requires a second by 20 members, and a second was not forthcoming.

Mr. W. W. WILT. They were not given an opportunity, Mr. Speaker. I ask for the 20 seconds at the present time, please.

The SPEAKER. We are almost through, Mr. Wilt.

Miss SIRIANNI. I second it.

The SPEAKER. We are almost through. Let us be patient just a little bit longer. We have almost completed the debate.

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

Mr. LaMARCA. I thank the 19 recalcitrant seconds who did not show.

All I wanted to point out was that this is analogous to a situation I had in my own home last week. We have a dog in our house who does not know he is a dog. I had one who knew he was a dog, but he went up to doggy heaven. We did not have any Catholic rites or any Protestant rites; we just buried the fellow. But with the new dog, my wife said to me last week at breakfast, "Gilligan needs a haircut." That is the name of the dog—Gilligan. We did not pick that because it is a Catholic name or a Protestant name; he just looks like a Gilligan. Anyway, she said, "Russ, he needs a haircut." I said, "Good; get a scissors and clip him." She said, "You can't do that. He's a French poodle." I said, "I don't care what he is. Why can't you cut his hair?" She said, "You've got to take him to a special place. It costs \$9." I said, "Nine dollars? He weighs 2½ pounds. I only pay a buck and a half."

What I am trying to say is that she began to tell me I was denying a member of the family, meaning that 2½-pound dog. And one word led to another and I reminded her of a few things, and she told me that I had not mowed the lawn, and I told her I would rather put cement out there than cut that damn grass anyway, and then I reminded her that she had not sewed a button on my coat. We had one helluva to-do and we forgot all about Gilligan. That was the issue.

I do not know whether he got a haircut on Monday or not. I will probably find out when I get back. But the point I am making is that we started out arguing about Gilligan, and here we started out arguing about a budget here, but somehow we have got ourselves just completely off the track.

I do not care what your protestations are regarding your faith or what your protestations are regarding money. We are talking about \$100-odd million that, number one, we cannot spend right now if we do get, or if we take it out, something else is going to happen to it and we do not know what.

We have forgotten completely whether or not we are going to go along with the principle that is advanced, that is, are we going to utilize some money that we have now, or are we going to put that money aside and hope that maybe later on we can spend it?

I think the issue is simple. I had not intended to go against the Mullen amendment, but I believe now, as a matter of fiscal responsibility, that we need that \$120 million or whatever it is. I am going to say we are going to need it now. But I am going to say it clearly so that all of you understand. If we support it and that money should be needed, I have a moral commitment from every man who took that money out of here today to say he is going to give it back to us the next time we need it for that cost.

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

Mr. ROMANELLI. Mr. Speaker, I think after all the rhetoric, you had better clarify the vote positions.

The SPEAKER. The issue before the House is, Will the House agree to the amendments offered by the gentleman, Mr. Mullen? Those desiring to support Mr. Mullen will be voting in the affirmative; those opposing the Mullen amendments will vote in the negative.

The Chair would ask each member to respond loudly and clearly to the call of his name and to rise in place as he does so.

The clerk will proceed to call the roll.

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

The yeas and nays were required by Messrs. M. P. MULLEN and WOJDAK and were as follows:

YEAS—74

Anderson, J. H.	Hammock	Mullen	Smith, E.
Beren	Hosay	Mullen, M. P.	Smith, L.
Bittle	Haskell	Myers	Spencer
Brandt	Hayes, D. S.	Noye	Stahl
Butera	Hill	O'Connell	Sweeney
Cimini	Katz	Pancoast	Tayoun
Crawford	Klingaman	Perri	Turner
Cumberland	Knepper	Pitts	Ustynowski
Davies	Kusse	Polite	Vann
DiDonato	Lederer	Pyles	Vroon
Dorr	Levi	Renninger	Westerberg
Flaherty	Lynch	Renwick	Whelan
Foster, A.	McClatchy	Ryan	Whittlesey
Foster, W.	McCue	Scheaffer	Wilson
Gallen	McGinnis	Scirica	Wilt, W. W.
George	McIntyre	Seltzer	Worrlow
Gring	Mebus	Shuman	Yahner
Halverson	Moehlmann	Sirianni	Zeller
Hamilton, J. H.	Mrkonic		

NAYS—119

Abraham	Gallagher	Lehr	Ritter
Arthurs	Garzia	Letterman	Romanelli
Barber	Geesey	Lincoln	Ross
Bellommi	Gelsler	Manderino	Ruggiero
Bennett	Giammarco	Manmiller	Saloom
Berlin	Gillespie	McCall	Schmitt
Berson	Gillette	McLane	Schweder
Blackwell	Gleason	Menhorn	Shane
Bonetto	Gleeson	Milanovich	Shelhamer
Bradley	Goodman	Miller, M. E.	Shelton
Brunner	Green	Miller, M. E., Jr.	Shupnik
Burns	Greenfield	Milliron	Stapleton
Caputo	Grieco	Miscevich	Stout
Cessar	Hayes, S. E.	Morris	Sullivan
Cohen	Hepford	Musto	Taddonio
Cole	Hopkins	Novak	Taylor
Cowell	Hutchinson, A.	O'Brien	Toll
Davis, D. M.	Hutchinson, W.	O'Donnell	Trello
DeMedio	Irvis	O'Keefe	Walsh, T. P.
Deverter	Itkin	Oliver	Wansacz
Dicarlo	Johnson, J.	Parker, H. S.	Wargo
Dietz	Kelly, A. P.	Perry	Weidner
Dombrowski	Kelly, J. B.	Petrarca	Wilt, R. W.
Doyle	Kernick	Pievsky	Wojdak
Dreibelbis	Kistler	Pratt	Wright
Eckensberger	Kolter	Prendergast	Zord
Engelhart	Kowalshyn	Rappaport	Zwikl
Fee	LaMarca	Reed	
Fischer	Laudadio	Rhodes	Fineman, Speaker
Fisher	Laughlin	Rieger	
Fryer			

NOT VOTING—10

Dinnini	Richardson	Valicenti	Yohn
Fawcett	Salvatore	Wagner	Zearfoss
McGraw	Thomas		

So the question was determined in the negative and the amendment was not 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, having voted in error, I wish the record to show that I want to be recorded in the affirmative on the Mullen amendment to House bill No. 1207; and in the negative on House bill No. 1207.

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

REQUEST FOR RECESS

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, there is another amendment to be offered, but because of the fact that the machine does have to be repaired, it is my suggestion that we break for lunch now, come back on the floor at 2:30, and take up the other amendment and the rest of the business.

RECESS

The SPEAKER. Without objection, the Chair now declares the House in recess until 2:30.

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

COMMITTEE REPORTS

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, would you return to reports of committees?

The SPEAKER. Without objection, the Chair returns to reports of committees.

The Chair hears no objection.

BILLS REREPORTED AS COMMITTED

HOUSE BILL No. 1438 By Mr. IRVIS

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.

Rereported from Committee on Rules.

HOUSE BILL No. 1439 By Mr. IRVIS

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), providing for auxiliary services for the benefit of children attending nonpublic schools in the Commonwealth.

Rereported from Committee on Rules.

HOUSE BILL No. 1440 By Mr. IRVIS

An Act amending the "Public School Code of 1949,"

approved March 10, 1949 (P. L. 30, No. 14), providing for the loan of textbooks and instructional materials for the benefit of children attending nonpublic schools in this Commonwealth.

Rereported from Committee on Rules.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

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

HOUSE BILL No. 187

An Act amending the act of December 15, 1959 (P. L. 1779, No. 673), entitled, as amended, "The Fish Law of 1959," providing for the displaying of the license certificate or other device.

HOUSE BILL No. 663

An Act amending the act of August 9, 1955 (P. L. 323, No. 130), entitled "The County Code," further providing for the liability of county officers and employes for their acts or omissions.

HOUSE BILL No. 664

An Act amending the act of February 1, 1966 (1965, P. L. 1656, No. 581), entitled "The Borough Code," providing for liability insurance for officers and employes.

HOUSE BILL No. 667

An Act amending the act of June 24, 1931 (P. L. 1206, No. 331), entitled "The First Class Township Code," providing for liability insurance for officers and employes.

HOUSE BILL No. 668

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), entitled "The Second Class Township Code," providing for liability insurance for township officers and employes.

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

LAW AND JUSTICE COMMITTEE MEETING CANCELED

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

Mr. ECKENSBERGER. Mr. Speaker, may I make an announcement regarding meetings of the Law and Justice Committee?

The SPEAKER. The gentleman may proceed.

Mr. ECKENSBERGER. Mr. Speaker, all scheduled meetings for the Law and Justice Committee for this week have been canceled. The next meeting of the committee will be held on Monday at 3:30 p.m.

The SPEAKER. The Chair thanks the gentleman.

COMMUNICATION FROM GOVERNOR

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

APPROVAL OF HOUSE BILLS Nos. 522 and 552

Commonwealth of Pennsylvania
Governor's Office, Harrisburg

June 16, 1975

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

I have the honor to inform you that I have this day approved and signed House Bill No. 552, Printer's No. 576, entitled "An Act amending the act of June 26, 1974 (No. 21-A), entitled 'The General Appropriation Act of 1974,' further providing for the use of certain appropriations."

MILTON J. SHAPP
Governor

June 16, 1975

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

I have the honor to inform you that I have this day approved and signed House Bill No. 522, Printer's No. 611, entitled "An Act amending the act of April 12, 1951 (P. L. 90, No. 21), entitled 'Liquor Code,' further providing for Sunday hours of sale."

MILTON J. SHAPP
Governor

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

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

HOUSE BILL No. 181

An Act amending the act of June 26, 1974 (No. 21-A), entitled "The General Appropriations Act of 1974," providing for a deficiency in the appropriation to the Department of Justice and in the appropriation to the Department of Public Welfare.

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

The clerk read the following amendments made by the Senate:

Amend Title, page 1, by inserting after line 10, the following: "and in the appropriation to the Department of Public Welfare."

Amend Section 1, page 1, line 17, by inserting after "amended" the following: "and an appropriation to the Department of Public Welfare is added"

Amend Section 1, page 2, by inserting after line 22 the following: "The additional \$4,800,000 deficiency is specifically allocated"

Amend Section 1, page 3, by inserting after line 6 the following:

TO THE DEPARTMENT OF PUBLIC WELFARE

* * *

For the operation, maintenance and administration of a university-based psychiatry program functioning as the consultive arm of the Commonwealth and providing medical, legal, neurologic, neuropsychologic and psychiatric consultation and educational services to correctional, criminal justice and other related agencies in the western region of Pennsylvania by an institution located in that region 400,000.

On the question,

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I move that the House do concur in the amendments inserted by the Senate to House bill No. 181.

On the question recurring,

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

The SPEAKER. The Chair advises the membership that the voting machine in the House is still not operative. We can take this vote by a standing vote or we can call the roll. The Chair would be pleased to move in either direction.

Is it agreeable to the majority and minority leader that we do this by a standing vote?

Mr. BUTERA. Yes, Mr. Speaker, after there is an explanation of the Senate amendments.

The SPEAKER. Will the majority leader or someone from the majority side explain the Senate amendments?

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

Mr. WOJDAK. Mr. Speaker, what the Senate has done—

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

QUESTION OF INFORMATION

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

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

The SPEAKER. The gentleman will state it.

Mr. LINCOLN. What happened to House bill No. 1207?

The SPEAKER. House bill No. 1207 will be disposed of. That is still before the House.

Mr. LINCOLN. Thank you.

PARLIAMENTARY INQUIRY

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

Mr. VANN. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. VANN. Inasmuch as the machine is broken, you are going to acquiesce to the will of the body on whether it is a voice vote or an individual vote. May I ask if we are going to use this same procedure on the rest of the bills today?

The SPEAKER. I will endeavor to tell you what the course of action is to be for the balance of the day in view of the difficulties that we are experiencing with the machine.

We intend to take this vote on the concurrence in Senate amendments; to act on an amendment being offered to House bill No. 1207 by the gentleman, Mr. Lincoln; and to also act upon House bill No. 1207 itself. Thereafter the House will adjourn for the day.

On the votes that are taken, we can either proceed by a manual roll call or by a standing vote. In either event, the Speaker will have to make certain that the total number of votes that are cast are counted in order to comply with the constitutional mandate that there be 102 votes when required.

Mr. VANN. My point in asking that question was,

Mr. Speaker, that this means we are not going to vote on the budget today. Is that right?

The SPEAKER. It is not likely that we will be voting on House bill No. 1336 today because of the mechanical difficulties with the machine. The Chair would expect that on House bill 1336 there would have to be at least 15, possibly more, roll calls.

Mr. VANN. Thank you.

PARLIAMENTARY INQUIRY

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

Mr. DiCARLO. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DiCARLO. You presently are considering Senate bill No. 181 and I do not know what Senate bill No. 181 is, let alone—

The SPEAKER. If the gentleman will take his chair and listen attentively, the gentleman, Mr. Wojdak, is about to explain it.

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

Mr. WOJDAK. Mr. Speaker, what the Senate, in its amendments to House bill No. 181, has done is this: They have taken that first deficiency bill that we passed here in the House for \$4.8 million—we passed that deficiency in a lump sum—and line-itemed and broken out the amounts going to each institution.

In addition to that, and subsequent to our passage of the bill, a deficiency arose at the Western Psychiatric Institute for psychological and psychiatric testing in the amount of \$400,000. The total cost of the deficiency will now be \$5.2 million rather than \$4.8 million as we had passed it. I would recommend concurrence in the Senate amendments.

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

Mr. SELTZER. Mr. Speaker, will the chairman of the Appropriations Committee stand for interrogation?

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

Mr. WOJDAK. I shall, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. SELTZER. Mr. Speaker, as I understand, the first part of the amendment was to line-item the institutions under the Bureau of Correction. Is that correct?

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

Mr. SELTZER. At no additional cost? The amount of money is the same as it was when it passed the House?

Mr. WOJDAK. That is correct.

Mr. SELTZER. The second part of the amendment is an increase of \$400,000 payable to the Department of Welfare for Western Psychiatric Institute to provide advisory services to the Department of Justice, Bureau of Correction, and to those penal institutions in western Pennsylvania. Have I characterized that fairly accurately?

Mr. WOJDAK. Well, it is a consulting arm of the Commonwealth expressed in the language of the amendment. In addition, it provides, and I will read them, “. . . medical, legal, neurological, neuropsychologic and psychiatric consultation and educational services to the

correctional . . ." institute or inmates of the correctional institutes.

Mr. SELTZER. In western Pennsylvania?

Mr. WOJDAK. That is correct.

Mr. SELTZER. My question is: Who is now providing that service for the institutions in central Pennsylvania and in eastern Pennsylvania?

Mr. WOJDAK. I do not know the answer to that off-hand, sir.

Mr. SELTZER. Mr. Speaker, it is my understanding that the answer is that there are none of these like services being provided in the other areas of the Commonwealth.

Mr. Speaker, it is also my understanding that this work has already been completed under a contract with the Department of Welfare. Is that correct?

Mr. WOJDAK. Could you repeat your question?

Mr. SELTZER. It is also my understanding, Mr. Speaker, that the work that is described in the amendment placed therein by the other body has already been done by the Western Psychiatric Institute for the Department of Welfare under a contract, and that all this does is to pay for work that has already been performed.

Mr. WOJDAK. Well, Mr. Speaker, the answer to that specific question we tried to determine this morning. I do not know the answer to it.

Mr. SELTZER. Mr. Speaker, I am sure that the response I gave to my own question is accurate.

Mr. Speaker, I am not going to rise here and object to the amendments placed in there by the Senate, but I think this is another illustration of the executive department going out and signing contracts between several agencies of the Commonwealth of Pennsylvania without the funds, and after the work has been completed, they then come before this General Assembly and ask us to pass an appropriation to pay for it.

I happen to think very highly of the Western Psychiatric Institute; certainly they have done fine work on behalf of the Commonwealth and I am sure the work they are doing here will be just as adequate and just as good. But my objection, Mr. Speaker, is to the method by which this General Assembly is being put under the gun to fund something that should have been funded before the fact and not after the fact.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Thank you, Mr. Speaker.

I wonder if, also, the gentleman could just explain—the bill is now being circulated, which I think is good—just so our members have some understanding, what the \$400,000 went for. Did it go for salaries? Did it go for clinical observation? What was it for? Just so that people have some idea.

Mr. WOJDAK. Okay. Let me say this: As of last Friday, the food supplies, et cetera, at the various prisons have run out. There is an immediate need for this bill, and when I say "an immediate need," I am referring to the line-item amounts going to the various institutions.

I am not going to stand here and defend the contract entered into by the department. Most of what Mr. Seltzer said is true and I am not going to defend that.

The first portion of this bill is absolutely necessary. As to the second portion, I agree with what Mr. Seltzer said. It is true; I am not going to defend it. It is something that was entered into on their own volition and

now they are coming to us for the money. That is a fact and it is true as he stated it.

The problem with the deficiency appropriation is that we are now in a position, as of last Friday, with the various food suppliers, food contractors, to supply necessary foods for these institutions. There is an immediate need for that.

Is that responsive enough, Mr. Speaker?

Mr. BUTERA. Yes, Mr. Speaker.

The SPEAKER. For the purpose of taking the standing roll call on this vote, the Chair would request the majority leader to move for the temporary suspension of the rules of the House so that we may proceed in that direction.

RULES SUSPENDED

Mr. IRVIS. Mr. Speaker, I do move that the rules of the House be temporarily suspended so that we may take a standing roll-call vote.

PARLIAMENTARY INQUIRY

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

Mr. DICARLO. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DICARLO. Mr. Speaker, I am still very confused on what is going on here and I do not quite understand what is happening. I am trying to pick it up. But just looking at the rules of the House, rule 30, I think that right now to act on this bill we are in violation of our own House rule. Very specifically it says: "When a House bill or joint resolution has been amended by the Senate and returned to the House for concurrence, it shall not be considered until placed on the calendar and copies thereof are on the desks of the members."

This is the first we heard the bill was coming up and the first that it has been discussed. I just want to know what we are voting on and why.

The SPEAKER. Which rule did the gentleman make reference to?

Mr. DICARLO. Rule 30, "House Bills Amended by the Senate."

The SPEAKER. The Chair would advise the majority leader that his motion to temporarily suspend the rules will cover not only rule 30 but also the rule requiring that the "ayes" and "nays" be recorded.

Mr. IRVIS. Thank you, Mr. Speaker.

I so move, Mr. Speaker.

On the question,

Will the House agree to the motion?

The SPEAKER. The Chair will have to take a manual roll call on this motion, so that from this point forward in today's proceedings, we can eliminate the necessity of a manual roll call.

The Chair would ask those members in section 1 who desire to vote "nay" on the motion to temporarily suspend the rules to please rise in place.

Section 1:

The gentleman from York, Mr. Dorr;

The gentleman from York, Mr. A. C. Foster;

The gentleman from Blair, Mr. W. W. Wilt; and

The gentleman from Chester, Mr. Vroon.

QUESTION OF INFORMATION

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

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

The SPEAKER. The gentleman will state it.

Mr. VROON. To what extent are the rules being suspended? Is this going to hold true for every vote throughout the rest of this day?

The SPEAKER. The rules are being suspended for the purpose of allowing the House to proceed on the vote concerning the concurrence in Senate amendments and the votes on House bill No. 1207.

A vote will be taken, but the roll call will not be manually called. Instead, the Speaker will proceed by taking standing votes as he is doing at the moment.

Mr. VROON. Very good.

The SPEAKER. Section 2 negative votes on motion to temporarily suspending the rules:

The gentleman from Armstrong, Mr. McCue.

Section 3:

None.

Section 4:

None.

The clerk will tabulate the vote.

On the motion, the "ayes" are 188; the "nays," 5.

The majority having voted in favor of the motion, the motion is agreed to and the rules are temporarily suspended.

CONCURRENCE IN SENATE AMENDMENTS

The SPEAKER. The Chair recognizes the majority leader for the purpose of making a motion.

Mr. IRVIS. Mr. Speaker, I now move that the House do concur in the amendments inserted by the Senate to House bill No. 181, printer's No. 1649.

On the question recurring,

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

The SPEAKER. Negative votes in section 1:

The gentleman from York, Mr. A. C. Foster;

The gentleman from York, Mr. Dorr;

The gentleman from Montgomery, Mr. McClatchy;

The lady from Chester, Mrs. Crawford;

The gentleman from Berks, Mr. Gallen;

The gentleman from Mifflin, Mr. DeVerter;

The gentleman from Washington, Mr. Fischer;

The gentleman from Crawford, Mr. Haskell;

The gentleman from Perry, Mr. Noye;

The gentleman from Montgomery, Mr. Polite;

The gentleman from Montgomery, Mr. McGinnis;

The gentleman from Blair, Mr. W. W. Wilt;

The gentleman from Schuylkill, Mr. Klingaman;

The gentleman from Chester, Mr. Vroon;

The gentleman from Chester, Mr. Pitts;

The gentleman from McKean, Mr. Westerberg; and

The gentleman from Chester, Mr. E. H. Smith.

Section 2:

The gentleman from Delaware, Mr. Zearfoss;

The lady from Delaware, Mrs. Whittlesey;

The gentleman from Cambria, Mr. Whelan;

The gentleman from Lancaster, Mr. Brandt;

The gentleman from Lancaster, Mr. Hill;

The gentleman from Bradford, Mr. Turner;
The gentleman from Cumberland, Mr. Scheaffer;
The gentleman from Philadelphia, Mr. Hamilton;
The gentleman from Wayne, Mr. W. W. Foster; and
The gentleman from York, Mr. Geesey.

Section 3:

The gentleman from Franklin, Mr. Shuman;

The gentleman from Fayette, Mr. Lincoln;

The gentleman from Lehigh, Mr. Zeller;

The gentleman from Erie, Mr. DiCarlo; and

The gentleman from Lehigh, Mr. Ritter.

Section 4:

None.

The clerk will tabulate the votes.

On the question of concurrence in Senate amendments, the "ayes" are 164; the "nays," 32.

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

Ordered, That the clerk inform the Senate accordingly.

STATEMENT BY MINORITY LEADER

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Are you finished with the announcement? I just want to make a couple remarks about that whole situation.

The SPEAKER. Yes.

Mr. BUTERA. At the risk of sounding like a broken record, the action which we just took on House bill No. 181, I think, was appropriate under the circumstances, but the circumstances are such that leave a great deal to be desired.

We passed this bill with great emergency on February 10. The administration waits until June 16 or 17, whenever it is, when the crisis appears, which Mr. Wojdak, I think, properly described, and then we have no other choice but to concur in an amendment which is probably also proper. But we have very little facts as to what Western Psychiatric did; who got paid for what; what were the results of what they did for \$400,000; and on and on.

I would just hope that those of you who have some influence with the innerworkings of this administration would please express your dissatisfaction with this kind of sloppy administration. When I do it, I get nowhere, obviously, and perhaps if one or two of you express yourself, we will not have continual repeats of this kind of what I think is just bad government.

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

Mr. DICARLO. Mr. Speaker, I would like your indulgence just for a couple of brief remarks on the same subject matter.

The SPEAKER. The gentleman may proceed.

Mr. DICARLO. Mr. Speaker, I, for once, concur with the minority leader.

As I look at this piece of legislation, I see it was reported from the Senate the 9th of June. We were down here all last week and we have been here 2 days this week, and I think it is very unfair and it is very untimely that members on both sides of the aisle have to vote blindly on any piece of legislation. I do not think it is right and I do not think it is fair.

In this case, it was only half a million dollars. At this point, though, half a million dollars is a lot of money.

As far as the minority leader talking about the administration, I doubt if there are too many on this side who can clear up that event. But I think perhaps the leadership in this chamber can help us out and keep this occurrence from happening again.

Thank you.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, again at the risk of sounding like a broken record, the leadership in this chamber, Mr. DiCarlo and everyone else do not control the flow of legislation from the Senate.

The bill came over here from the Senate. We were ready last week to receive the bill. We were alerted that the bill was coming over last week, and the Senate adjourned.

I have enough problems keeping the House in session without being called to task about what the Senate does not do.

The administration had nothing to do with how much delay we faced in this particular issue. If you wish to take out your umbrage on anyone, take it out on the Senate, because the Senate is the one which delayed the passage of this, not the House and not the executive department.

I suggest, Mr. Speaker, that we get on with our business with House bill No. 1207, and if we have any more private gripes, let us air them privately rather than publicly.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, I was not in any way criticizing the administration of this House or Senate. I think the gentleman is wrong when he says it is not the executive which slows these things down.

We passed the bill on February 10; there was a great urgency. It seems to me that that is the time for the Budget Secretary or someone in a department to alert the legislature that this ministerial act must be completed, so that we do not face these crises which are, I think, unnecessary.

CONSIDERATION OF HOUSE BILL No. 1207 RESUMED

On the question recurring,

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

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

Amend Sec. 2 (Sec. 1202.1), page 1, lines 16 to 18, by striking out "EXCEPT THAT ONE" in line 16, all of line 17 and "REMAIN THERE TO BE DISPOSED OF UNDER EXISTING STATUTES," in line 18

Amend Sec. 2 (Sec. 1202.1), page 1, line 19, by inserting after "collected: until June 30, 1976

Amend Sec. 2 (Sec. 1202.1), page 2, line 1, by inserting after "Fund.": Cigarette tax revenues collected on and after July 1, 1976 by the department shall be paid into the Parent Reimbursement Fund in accordance with the act of August 27, 1971 (P. L. 358, No. 92).

Section 3. This act shall take effect immediately.

On the question,

Will the House agree to the amendments?

PARLIAMENTARY INQUIRY

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

Mr. DOYLE. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DOYLE. Looking at the Lincoln amendment, are not the first three lines of the amendment now redundant since the reversal of the Mullen amendment?

The SPEAKER. The Chair would bring to the attention of the gentleman, Mr. Lincoln, that the gentleman's amendments are addressed to printer's No. 1695, and the printer's number for consideration before the House is 1657.

Mr. DOYLE. Mr. Speaker, on that point, I believe the question would be divisible. If I move to divide the question, the amendment would be exact as far as the second half of the amendment would be concerned.

The SPEAKER. Does the gentleman, Mr. Lincoln, have any objection to the division of the question since the first part of the amendment is, in essence, of no effect?

Mr. LINCOLN. I do not, Mr. Speaker.

The SPEAKER. Would the gentleman be agreeable to a division of the question after the words "in line 18"?

Mr. LINCOLN. I would, Mr. Speaker.

The SPEAKER. The gentleman has no objection to that division?

Mr. LINCOLN. No objection.

AMENDMENTS DIVIDED

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, I am sure it is an oversight. I do not happen to have a copy of this amendment, and I know several others—never mind.

The SPEAKER. What the first part of the gentleman's amendment does is to transfer the moneys in the cigarette tax account to the general fund, and that action has already been accomplished, so the gentleman is withdrawing the first part of his amendment.

For the record, this amendment will be to printer's No. 1657.

Does the gentleman, Mr. Doyle, have any further points of order to raise?

Mr. DOYLE. No, Mr. Speaker, but I would like to be recognized after Mr. Lincoln.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. LINCOLN. Mr. Speaker, do I understand correctly now that the amendment has been divided?

The SPEAKER. You have withdrawn the first part of the amendment.

Mr. LINCOLN. All right. I want that clear. The first part has been withdrawn then.

The SPEAKER. Withdrawn, and the only matter before us now is that portion of the printed material beginning with the words, "Amend Sec. 2, (Sec. 1202.1) . . ."

Mr. LINCOLN. Thank you, Mr. Speaker.

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

Mr. SELTZER. Mr. Speaker, there are two references to that section. Which one are you referring to?

The SPEAKER. The first one, line 19.

I assume that the withdrawal of the amendment should be as to, "Amend Sec. 2, (Sec. 1202.1), page 2." Is that not correct?

Mr. DOYLE. No, Mr. Speaker.

The SPEAKER. Will the gentlemen, Mr. Seltzer, Mr. Doyle, and Mr. Lincoln, come to the desk, please, promptly?

(Conference held at Speaker's podium.)

The SPEAKER. The Chair was correct in the first instance. If the members will look at the amendment that is in front of them, the first three lines of the amendment have been withdrawn. The only matter remaining to be disposed of in the amendment offered by the gentleman, Mr. Lincoln, is the material beginning with, "Amend Sec. 2 (Sec. 1202.1), page 1, line 19 . . ."

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

Mr. LINCOLN. Thank you, Mr. Speaker.

Mr. Speaker, the intent of this amendment is to assure that the receptacle by which we have been collecting moneys from the cigarette tax for the past 4 years that were paid into the parent reimbursement fund, will be kept alive.

Earlier today, another member of this House had offered an amendment to this bill and it was defeated. At that time, I stated that I supported transferring the money in this fund to the general fund to meet the current fiscal responsibilities of the coming budget.

I also stated that the only thing I objected to was the fact that this receptacle was being abolished totally by House bill No. 1207.

Mr. Speaker, I feel that if we are going to be totally responsible in our approach to this particular matter, it is incumbent upon us to give some assurances to the parents involved in this that we are not forgetting them, and that we are going to have the receptacle remain to collect more money if and when we can pay those moneys to these parents.

Earlier today, in questioning, I brought out the fact that we today decided to transfer money which was collected under a law which was passed in 1971. That particular law was in court under litigation for 4 years. I am of the personal opinion that the current law suit which has just been started due to a recent Supreme Court decision is going to take possibly that long to be determined again.

If this amendment is adopted, beginning July 1, 1976, \$24 million per fiscal year will be paid into this fund. Taking that one step further, if it does take 3 years for the courts to finally make a decision on this, that would mean there would be 2 years' moneys paid into the fund and we would have approximately \$50 million set aside.

We heard the figure \$120 million mentioned repeatedly for the last week or so. I personally believe that the courts are going to rule that the \$120 million must be paid. If I am still fortunate enough to be a member of this body at that time, I believe it would be much easier for me to find \$70 million than \$120 million.

I believe to approach this subject any other way is not only being irresponsible but unrealistic. I would urge a "yes" vote on this amendment.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, may I interrogate the gentleman from Fayette, Mr. Lincoln?

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

Mr. LINCOLN. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. RYAN. Mr. Speaker, as I understand your amendment, you, in effect, are saying that there is a possible liability to the parents of the nonpublic-school children that may arise after July 1, 1976, and that this amendment will create a fund to take care of that problem. Is that essentially it?

Mr. LINCOLN. With one change, Mr. Speaker. It is not creating a fund; it is keeping a fund in existence.

Mr. RYAN. Now that fund that you are keeping in existence, as the bill presently is, what is in that fund?

Mr. LINCOLN. Right now?

Mr. RYAN. Yes, assuming this bill passes without the Mullen amendment.

Mr. LINCOLN. Right now there would be no—

Mr. RYAN. Zero. Right?

Mr. LINCOLN. Assuming that the bill passes without the Mullen amendment?

Mr. RYAN. Yes.

Mr. LINCOLN. Zero.

Mr. RYAN. Zero?

Mr. LINCOLN. Right.

Mr. RYAN. So you are keeping your zero-amount fund intact to help these parents and then you will start to replenish that fund, as I understand your amendment, in July of 1976. Is that accurate?

Mr. LINCOLN. That is correct.

Mr. RYAN. And then these lucky parents who, perhaps, will be owed \$120 million will get it back at the rate of \$24 million a year, which would take 5 years for \$120 million, and that does not include the interest and everything that would have built up while it was sitting in the fund as the Mullen amendment would have left it. Is that correct?

Mr. LINCOLN. No, Mr. Speaker, that is your statement.

Mr. RYAN. Well how long does it take to accumulate \$120 million at the rate of \$24 million a year?

Mr. LINCOLN. Mr. Speaker, no one is saying that that money will not be paid immediately. The amount in the fund will be used to supplement what we will need to come up with \$120 million. You are saying that we will pay \$24 million a year for 5 years; I am not saying that.

Mr. RYAN. I thought I understood you to say that beginning in July of 1976 there would be cigarette-tax money accumulating in this fund that you are retaining at the rate of \$2 million a month or \$24 million a year.

Mr. LINCOLN. Yes, sir.

Mr. RYAN. And if the Mullen amendment had gone in, there would already have been in the fund, starting out, \$120 million. Is that accurate?

Mr. LINCOLN. That is correct.

Mr. RYAN. Now \$24 million a year times how many years equals the \$120 million that we just took away from them an hour ago?

Mr. LINCOLN. Fine.

Mr. RYAN. Now the next part of your statement that I would like to question, Mr. Speaker, is: What was this \$50 million or \$45 million that you said would necessarily

have to be paid out? You made some reference to \$40 or \$50 million and I did not catch it. Do you recall?

Mr. LINCOLN. Yes. I said that if it took 3 years for the courts to decide the legal issue before them now, that we would have 2 years of payments collected, which would total approximately \$50 million, which could be used toward the \$120-million payment which eventually must be paid.

Mr. RYAN. Now what would happen if the courts decided within the next year?

Mr. LINCOLN. Decided in which way, Mr. Speaker?

Mr. RYAN. Well, in favor of the parents. If they decide against the parents, this is all moot, it does not matter anyway.

Mr. LINCOLN. True.

If the courts decide within the next year that we are obligated to pay that \$120 million?

Mr. RYAN. Right.

Mr. LINCOLN. Then we would be obligated to come up with it.

Mr. RYAN. And this amendment really would not do anything to help them out? Right?

Mr. LINCOLN. At that time, no, sir. I did not say that, if you listened closely at the beginning of my statement.

Mr. RYAN. Well, if the fund is depleted and you would not have this fund start to be replenished until July of 1976, a court decision prior to 1976 would not be helped by this amendment, a favorable decision?

Mr. LINCOLN. Correct. That is correct.

Mr. RYAN. Now as I understand your amendment, you appear to be acknowledging that this liability may exist to these parents. Is that accurate or inaccurate?

Mr. LINCOLN. That is totally correct.

PARLIAMENTARY INQUIRY

Mr. RYAN. Mr. Speaker, may I raise a parliamentary inquiry?

The SPEAKER. The gentleman will state it.

Mr. RYAN. Mr. Speaker, there is on the desk of each of the members an amendment to House bill No. 1207, printer's No. 1657, with my name on it and it reads as follows. Do you have a copy, Mr. Speaker?

The SPEAKER. I do not.

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. LINCOLN. Mr. Speaker, is it correct, even under a point of parliamentary inquiry, to inject something that is not before the House into something that is?

The SPEAKER. The question before the House is, Shall the House adopt the amendment moved by the gentleman, Mr. Lincoln? The introduction of material concerning other amendments that may or may not be introduced is not properly before the House.

Mr. RYAN. Mr. Speaker, if you please, I sent a copy of this amendment to the desk for the Speaker to study prior to my offering this as an amendment to Mr. Lincoln's amendment, and I wanted the Speaker to have the opportunity to look it over prior to so offering so

that he could rule as to whether or not it is germane to the amendment offered by Mr. Lincoln.

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. Mr. Speaker, I would request that the Chair advise Mr. Ryan to either make his motion or not to make his motion.

The SPEAKER. The point of order is well taken.

Mr. RYAN. All right. Then let me restate my point of order or add a new one.

Mr. Speaker, I offer the following amendments to the amendment of Mr. Lincoln that has been submitted and is before the House.

PARLIAMENTARY INQUIRY

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

Mr. DOYLE. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DOYLE. Mr. Speaker, Mr. Ryan's amendment clearly states that it is an amendment to House bill No. 1207, with a particular printer's number. I do not see how that could be construed to be an amendment—

The SPEAKER. The copy that the Chair has in front of him is printer's No. 1657.

Mr. DOYLE. Well, regardless. It is not an amendment to an amendment, and it is clearly not germane to the issue.

The SPEAKER. Well, technically, the gentleman is correct. The amendment that the gentleman, Mr. Ryan, is offering is an amendment to House bill No. 1207, printer's No. 1657, and what, in essence, the gentleman is doing is offering an amendment to an amendment.

Mr. RYAN. Mr. Speaker, when I ordered these amendments that are before you right now, I asked that they be drafted in such a way that they could be offered as an amendment to Mr. Lincoln's amendment should the Mullen amendment not be successful. Now this is what I got, and I received this from the Reference Bureau, and one of the members of our staff specifically ordered them with the idea that they be offered as an amendment to Mr. Lincoln's amendment.

The SPEAKER. Well, the clear intent of the amendment is to be offered as an amendment to the amendment, and, while the gentleman, Mr. Doyle, may be technically correct, the Chair is going to allow the amendment to be offered as an amendment to an amendment.

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. Mr. Speaker, earlier today did we not vote for the second time on an amendment by Mr. Mullen?

The SPEAKER. We did.

Mr. LINCOLN. And what was incorporated in that amendment, sir?

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

Will the gentleman, Mr. Ryan, and the gentleman, Mr. Lincoln, come to the desk?

(Conference held at Speaker's podium.)

AMENDMENT WITHDRAWN

Mr. RYAN. I withdraw my amendment.

The SPEAKER. The gentleman, Mr. Ryan, withdraws his amendment.

The question recurs, Will the House agree to the amendment offered by the gentleman, Mr. Lincoln?

CONSTITUTIONAL POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. LETTERMAN. Mr. Speaker, I would like to have a vote on the constitutionality of this amendment. The amendment reads: "Cigarette tax revenues collected on and after July 1, 1976 by the department shall be paid into the Parent Reimbursement Fund . . ."

It has been declared illegal to put this money into this fund, and I, therefore, would suggest that this is unconstitutional. I would request a vote.

Thank you.

The SPEAKER. The gentleman, Mr. Letterman, has raised the question of constitutionality of the amendment offered by the gentleman, Mr. Lincoln.

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

Mr. LINCOLN. Mr. Speaker, I would oppose this motion. First off, the constitutionality of the fund has absolutely not been ruled on. The unconstitutionality of the act itself is the payment. The accrument of money in the fund is not affected one bit by the decision of the Supreme Court.

I would request a "no" vote on Mr. Letterman's motion.

The SPEAKER. The Chair will refer the matter of constitutionality to the floor.

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

Mr. DOYLE. Very briefly, Mr. Speaker, this is the very subject matter which is now winding its way up through the courts which will wind up before the Supreme Court as to the payment of the funds in the meantime. This is under consideration. It has not been declared unconstitutional.

The SPEAKER. The Chair now refers the matter of constitutionality to the membership of the House. Those voting in the negative will be voting to express their view that the amendment is unconstitutional.

On the question,

Will the House sustain the constitutionality of the Lincoln amendment?

The yeas and nays were required by Messrs. LETTERMAN and LINCOLN and were as follows:

YEAS—194

Abraham	George	McGinnis	Schmitt
Anderson, J. H.	Giammarco	McGraw	Schweder
Arthurs	Gillespie	McIntyre	Scirica
Barber	Gillette	McLane	Seltzer
Bellomini	Gleason	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	Mochlmann	Smith, L.
Bradley	Hamilton, J. H.	Morris	Spencer
Brandt	Hammock	Mrkonje	Stahl
Brunner	Hasay	Mullen	Stapleton
Burns	Haskell	Mullen, M. P.	Stout
Butera	Hayes, D. S.	Musto	Sullivan
Caputo	Hayes, S. E.	Myers	Sweeney
Cessar	Hepford	Novak	Taddonio
Cimini	Hill	Noye	Taylor
Cohen	Hopkins	O'Brien	Tayoun
Cole	Hutchinson, A.	O'Connell	Toll
Cowell	Hutchinson, W.	O'Donnell	Trello
Crawford	Irvis	O'Keefe	Turner
Cumberland	Itkin	Oliver	Ustynoski
Davies	Johnson, J.	Pancoast	Vann
Davis, D. M.	Katz	Parker, H. S.	Vroon
DeMedio	Kelly, A. P.	Perri	Wagner
Deverter	Kelly, J. B.	Perry	Walsh, T. P.
Dicarlo	Kernick	Petrarca	Wansacz
DiDonato	Kistler	Plevsky	Wargo
Dietz	Klingaman	Pitts	Weidner
Dombrowski	Knepper	Polite	Westerberg
Dorr	Kolter	Pratt	Whelan
Doyle	Kowalshyn	Prendergast	Whittlesey
Dreibelbis	Kusse	Pyles	Wilson
Eckensberger	LaMarea	Rappaport	Wilt, R. W.
Englehart	Laudadio	Reed	Wilt, W. W.
Fee	Laughlin	Rcnninger	Wojdak
Fischer	Lederer	Renwick	Worrlow
Flaherty	Lehr	Rhodes	Wright
Foster, A.	Levi	Rieger	Yahner
Foster, W.	Lincoln	Ritter	Yohn
Fryer	Lynch	Romanelli	Zeller
Gallagher	Manderino	Ross	Zord
Gallen	Manmiller	Ruggiero	Zwick
Garzia	McCall	Ryan	
Geesey	McClatchy	Saloom	Fineman,
Geisler	McCue	Scheaffer	Speaker

NAYS—2

Fisher Letterman

NOT VOTING—7

Dininni Richardson Thomas Zearfoss
Fawcett Salvatore Valicenti

The majority required by the constitution having voted in the affirmative, the question was determined in the affirmative, and the constitutionality of the amendment was sustained.

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

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

Mr. ZELLER. Mr. Speaker, with all respect to my good friend, Mr. Lincoln, and other members who may want to bring this action into being, I feel sincerely that this amendment is nothing but a ploy, a ploy to heal the wounds of a "no" vote on the Mullen amendment. It is a cover-up. It is a cover-up to tell the folks back home, "Look, I took the money away from you because we wanted to balance a fat budget and now I am going to give it back to you after the fact."

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. Do not the rules of this House explicitly contain language that says that no member shall question the intent or the integrity of another member when they are making a motion or offering amendments or a bill in this House?

On the question,

Will the House agree to the amendments?

The SPEAKER. The rules of the House have been spelled out repeatedly for the membership of this House during the course of the debate to the effect just expressed by the gentleman, Mr. Lincoln.

Mr. ZELLER. May I continue?

The SPEAKER. If the gentleman will abide by the rules of the House, the gentleman may proceed.

Mr. ZELLER. Mr. Speaker, I am abiding by the rules of the House. If I were to say to this House—

The SPEAKER. Will the gentleman yield?

It is going to be a long and difficult afternoon because of the roll-call situation. Let us not exacerbate that situation by unnecessary conversation on the floor.

The gentleman may proceed.

Mr. ZELLER. Mr. Speaker, why would I be wrong if I were to bring out my feelings as to the reasons why I feel this amendment is brought about if the leadership, many times in uttering, talk about deals and wheeling and dealing and arrangements, and the adjectives that have been used in the last few days are quite all right. But as soon as I say that this amendment is a means to heal the wounds of a "no" vote, I cannot understand why that is wrong. I cannot understand it.

The SPEAKER. The Chair did not rule the gentleman out of order. The Chair responded to an inquiry from the gentleman, Mr. Lincoln, and the Chair agrees with the gentleman, Mr. Lincoln. You cannot impugn, under the rules of this House, the motives of any member voting as he desires to vote.

The Chair did not indicate that the gentleman was out of order.

The gentleman may proceed, yes.

Mr. ZELLER. That sounded like a lot of double-talk, but I will go on.

The SPEAKER. You do not know when you have won.

Mr. ZELLER. Thank you, guiding angel.

The SPEAKER. I wish I could find levity in your performance, Mr. Zeller. I just cannot.

You have consistently been abrasive on this floor, not only to the Speaker but to other members of this House, when there is no need to be abrasive, and I am cautioning you not to pursue that course of action.

Now proceed with your comments.

Mr. ZELLER. Mr. Speaker, I have not been abrasive in my remarks unless the individual was abrasive to me, and that is exactly what happened. And I would suggest that you inquire into your own statements.

Now, as far as the court decision: Prior to July of 1976, if a court decision is handed down in favor of these parents, as Mr. Ryan stated, there will be zero amount of money in this so-called "save our vote" fund. This is the so-called "save our vote" fund. And if that zero amount of money is going to create a tax increase—that is what I am getting at—at that point in time there is going to be created a tax increase. And I do not know if anyone around here ever saw that when a tax is put on,

they have taken it off, except for the measly amount that was taken off last year.

Now what I am saying is that I feel sincerely that this has got to be voted down. This has got to be voted down to show how phony it is. It is absolutely a cry; it is like Ringling Brothers and Barnum & Bailey Circus.

Talk about my remarks, and I think you certainly should be the last one to make that remark to me about my remarks.

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

Mr. DOYLE. I will try to be brief, Mr. Speaker.

Unlike my colleague who just spoke, there was some language last week on the floor of the House about sexy issues and sexy bills, and I think this is one of those.

The fiscal conservatives can vote for it because it does not require the expenditure of any funds now. The big spenders can vote for it and support it because it would only require the expenditure of funds when the Supreme Court says it is all right to do so. Those who are concerned with this year's budget can support it because it does not muddy up the waters there. And those who said that they were concerned about next year's taxes can support it because it will be money set aside to pay it when it comes time to pay it.

This, in contrast to what the former gentleman said, is no ploy, but it simply shows and puts on record the resolve of this body to back up its commitment not only to the supporters of aid to nonpublic schools but to those parents of the students in those schools. It is a way of keeping faith with all those people who marched in Philadelphia and in Delaware County last week.

The issue is education, not religion, and this is one way we can show that this body is willing to back it up. We have in the past—and, by this vote, will show that we intend to do it in the future. That is all it is, simple and pure.

Thank you, Mr. Speaker.

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

Mr. M. P. MULLEN. Mr. Speaker, I oppose the amendment.

First of all, when you get licked, you get licked. We lost this morning.

This amendment is just something that is ridiculous to me. First of all, every person this morning who voted against my amendment certainly did so bearing in mind that they have an obligation, if the court should rule in our favor, to provide the funds.

What you are trying to do with this amendment is fool the people, in my opinion, and I do not think we ought to vote for it, because what you are saying is 1 year from now, in July of 1976, you are going back to the reimbursement formula. We do not need the reimbursement formula by then, because I am certain that a decision will be rendered by the court.

I think we faced the issue this morning. We made a basic decision, and the decision is that the money goes back to the fund with the understanding that if the court rules in our favor, we will be obligated to come up with the money. But to tell the people that you are going to go back to the fund again in July of 1976 and take \$24 million a year out of the general fund budget for that purpose I think is an insult to the people, because they are going to say, look, these people took cash away

from us and then 1 year from now they are going to put it back at the rate of \$24 million a year and it will take us 4 or 5 years to get our money.

This is not our intent at all. We clearly intend that if the court rules in our favor, the money will be provided immediately. So I think that the amendment should be voted down and the matter should be disposed of once and for all and we get on with the business of the House.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, I agree with Mr. Mullen. This is absolute fakery, and I am not directing that to the sponsor of the amendment; I am talking about this House if it adopts it.

This morning there were many words said about whether or not we have an obligation to these parents, and it was decided by that vote on reconsideration of the Mullen amendment that we may indeed have such a responsibility, but until the court says we do, we are not going to do anything about it.

Now, in effect, what happens with this amendment is that if the court says you owe the money to these parents, the next thing we will do is, we will hang our hat on this amendment, this law, and say, yes, we owe this \$120 million and we are going to pay you back the same way we are paying the teachers' pension fund back at the rate of \$5 million or \$10 million a year, instead of what you all proclaimed earlier today, that if the court comes down and says we owe the \$120 million, we will pass the legislation and pay the \$120 million; we will raise the taxes to pay for the \$120 million.

This is really throwing a bone. In fact, it is an insult, in my judgment. It is an insult to the intelligence of the people of the Commonwealth of Pennsylvania, when this morning we lifted \$120 million out of their escrow fund and this afternoon we are saying, well, if we owe it, we will pay it back to you at the rate of \$2 million a month starting in July of 1976. They do not even have the courtesy to say it will start when the obligation starts, when the decision of the Supreme Court comes down. This is absolutely ridiculous, and I agree with Mr. Mullen.

I would rather see this go down so that when the obligation comes up, we are forced to vote to pay the full obligation.

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

Mr. LINCOLN. Will the gentleman, Mr. Ryan, consent to brief interrogation?

The SPEAKER. Will the minority whip consent to interrogation?

Mr. RYAN. Yes, sir.

The SPEAKER. The gentleman may proceed.

Mr. LINCOLN. Mr. Speaker, are you an attorney?

Mr. RYAN. Well, not recently during this budget battle I have not been, but I have a license to practice law.

Mr. LINCOLN. Is that the answer then? You are an attorney?

Mr. RYAN. I have a license to practice law. Yes, yes.

Mr. LINCOLN. You are an attorney?

Mr. RYAN. I am an attorney, right.

The SPEAKER. The Chair takes judicial note of the

fact that the gentleman, Mr. Ryan, is a practicing attorney.

Mr. RYAN. No; do not use the word "practicing," Mr. Speaker.

Mr. GALLAGHER. Mr. Speaker, I was just going to say that Mr. Ryan is learned in the law.

Mr. RYAN. Learned in the law. Thank you, Mr. Gallagher. I forgot about that.

The SPEAKER. There are all kinds of practicing.

Mr. RYAN. All right; I will accept it if it is that broad.

The SPEAKER. The gentleman is an attorney.

Mr. LINCOLN. Thank you.

Mr. RYAN. According to the Pennsylvania Manual.

Mr. LINCOLN. If I have as much difficulty getting the answers to the hard questions I have for him, I am in trouble.

Mr. Speaker, in your experience as an attorney, have you had knowledge of cases of controversy which are taken before the courts for a constitutional determination, which do take a considerable amount of time?

Mr. RYAN. Mr. Speaker, I have had experience where—a considerable extent of time is a relative word. With or without a constitutional problem, the time limit goes back and forth depending on the length of the litigation; not the length, but according to the involvement of the litigation.

Mr. LINCOLN. Mr. Speaker, are you aware of the time involved in coming to the recent Supreme Court decision on the particular matter in front of us?

Mr. RYAN. Not intimately.

Mr. LINCOLN. But you are aware that it took approximately 4 years?

Mr. RYAN. That was for the first part. Yes; I am aware of that.

Mr. LINCOLN. Are you of the opinion then that to run the appeals of that decision through the court system again, it quite possibly could take that long again?

Mr. RYAN. Sure, it could quite possibly take that long. By the same token, it could be done in a much shorter period of time if the next step in litigation would be favorable and there would be no further appeal. So I could say that this could be finally resolved in a period of 24 hours to 6 years, 8 years. Who knows? But it could happen prior to July of '76.

Mr. LINCOLN. Being specific, Mr. Speaker, to this particular issue with the controversy surrounding it, in your opinion, if the courts would so rule that the parents who would be reimbursed under this act were in fact entitled to that money, at the Federal court level, you cannot envision then the opponents of that decision appealing that to the Pennsylvania Supreme Court?

Mr. RYAN. I can envision anything happening. I can also envision nothing happening. I can envision a stipulation, an agreement, saying we will not take it any further. I mean, there are all sorts of things that can happen. You cannot speculate on something like this. Or rather, I guess all you can do is speculate.

Mr. LINCOLN. But past precedents would be in favor of the assumption that the appeal will go from the Federal court to the Supreme Court of Pennsylvania to the Supreme Court of the land?

Mr. RYAN. I would kind of doubt that it would take exactly that course.

Mr. LINCOLN. Thank you, Mr. Speaker.

Mr. Speaker, I will be short and to the point.

I respect the membership of this body to express their opinions. I have heard many members of this body express opinions on other matters. And the fact that several of the previous speakers did not attack the amendment itself, but the intent of the person offering the amendment, to me is of some substance, because I do not think they have an argument with the amendment and the only alternative they have is to attack the motives of the person offering the amendment.

I stated prior to the vote this morning my feeling of responsibility toward a balanced budget and also my feeling that we should come up with a plan that would insure and assure the parents involved in this particular plan that we have not forgotten them. Now if that is phony, if that is trying to cover for a vote, then I will plead guilty to that.

Unfortunately, I do not possess the qualities of some of the people whom I serve with that allows me to enter into the emotions and the brain of other members so that I can express at the microphone their intentions.

The only way that I will return to this microphone on this particular matter is if somebody requests to interrogate me. I think the matter has been very clearly stated, both pro and con. I think the time has come that the members are going to have to say "yes" or "no."

Regardless of the outcome of the vote, I feel certain that everybody involved—the parents and the members of this House—will survive.

Thank you, Mr. Speaker.

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

Mr. SELTZER. Mr. Speaker, let me say this must be a day for dogs. This morning Mr. LaMarca repeated a story relating to his dog. Let me relate a story, Mr. Speaker, that the logic of this amendment reminds me of.

A friend of mine many years ago had his old hound dog growling at his feet one day because he was hungry, he was starved. So this friend of mine took the ax and chopped off his tail and threw it to Sam and said, "Sam, have a piece of meat."

This is the logic of this amendment, and I ask the members to vote "no."

The SPEAKER. Was that on the amendment?

Mr. SELTZER. That was on the amendment.

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

Mr. DOYLE. I did not want the time to go by without challenging the statement or the clear implication of what Mr. Ryan has said.

This is not a commitment or a plan to pay out over a 5-year period what is due, if the Supreme Court says it is due. This is a mere gesture that the beginning of such funds will be there when the need arises.

It seems rather ridiculous and ludicrous that all those people who bellowed and bled this morning in favor of aid to nonpublic schools are not now willing to cast their vote to this limited extent to back up what they said by their votes.

Thank you, Mr. Speaker.

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

Mr. WOJDAK. Mr. Speaker, I rise in favor of the amendment. I have heard a lot of characterizations as

to what Mr. Lincoln is doing here or what his intent is. I see it very simply as maintaining that receptacle of the parents reimbursement fund and, as of July 1, 1976, allowing that money to go in there.

At that point—and that is approximately a year from now—we will face the same kind of argument that we faced earlier in the day today. At that time we may have the benefit of the Supreme Court decision, and I view it solely as a hedge against that possibility.

Now I have very grave doubts that the Supreme Court is going to rule in favor of the parent reimbursement fund, but if in fact it does—and again there is a slight possibility—at least we have a hedge against that by maintaining this fund and using that receptacle to pour funds into. A year from now is when we will decide again, on the very same basis that we decided today, as to what we should do with that fund at that date. I would ask for a favorable vote on Mr. Lincoln's amendment.

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

Mr. ZELLER. Mr. Speaker, in regard to what Mr. Doyle said and his so-called character assassination of all of us in regard to our stand on the vote this morning, I guess it was quite well taken by the Chair.

I wanted to say this: It is well known why my vote was to hold on to this money; it was to cut the budget. I want Mr. Doyle to know that in no uncertain terms, and I want that known now: My reason for voting for that was to cut the budget to save the taxpayers of Pennsylvania some grief that we are walking ourselves into next year.

That is the reason, and not because we are any bleeding hearts or anything else. As a matter of fact, the bleeding-heart situation is coming out now in this amendment merely to cover up our mistake.

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

Mr. BURNS. Mr. Speaker, may I interrogate Mr. Lincoln for just a quick moment?

The SPEAKER. Will the gentleman from Fayette, Mr. Lincoln, consent to interrogation?

Mr. LINCOLN. I will, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. BURNS. Mr. Speaker, I hate to prolong this, but it seems to me that the story is now that this morning we voted to provide the \$120 million that is presently in the fund to the general fund of the budget by the defeat of the Mullen amendment.

My question is simply: Why does your amendment read July 1976? What is going to happen to that cigarette tax money starting July 1, 1975? If we are going to do what you ask, would not the wise thing be to begin this collection of the moneys into this separate fund as of July 1, 1975? Why the year wait?

Mr. LINCOLN. Mr. Speaker, the total projected revenues which would have been collected and placed in this fund as of June 30, 1976, were \$169 million. All the previous debate on using this approximately \$169 million in the past 2 weeks has been contingent on the fact that this money would be taken into the general fund up to and including June 30, 1976.

Right now, from what I understand, there is approximately \$145 million in this fund. The additional \$24 million which is needed to balance the budget will

be collected in the fiscal year that we are working on right now for a budget. So that is why the date June 30, 1976, is a cutoff date for transferring into the general fund, and July 1, 1976, is the beginning date for the money to begin to be accumulated in this particular fund.

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

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

Mr. M. P. MULLEN. Mr. Speaker, I would like to ask for a roll-call vote. I think the people of Pennsylvania are entitled to it.

The SPEAKER. The Chair intends to take a roll-call vote on this.

We will follow the same procedure as in the previous roll call. The members will stand in place and respond to the call of their names.

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

The yeas and nays were required by Messrs. LINCOLN and SELTZER and were as follows:

YEAS—112

Abraham	Geesey	Laughlin	Rieger
Arthurs	Geisler	Lehr	Romanelli
Barber	George	Levi	Ross
Bellomini	Giammarco	Lincoln	Ruggiero
Bennett	Gillespie	Manderino	Saloom
Beren	Gillette	Manmiller	Schmitt
Berlin	Gleeson	McCall	Schweder
Blackwell	Goodman	Mebus	Scirica
Bonetto	Green	Menhorn	Shane
Bradley	Greenfield	Milanovich	Shelton
Brunner	Grieco	Miller, M. E., Jr.	Shupnik
Burns	Halverson	Milliron	Stapleton
Caputo	Hamilton, J. H.	Miscevich	Stout
Cimini	Hasay	Mrkonic	Sullivan
Cohen	Hayes, D. S.	Mullen	Taylor
Cole	Hepford	Musto	Toll
Cowell	Hopkins	Novak	Trello
Davis, D. M.	Hutchinson, A.	O'Brien	Ustynoski
DeMedio	Irvic	O'Donnell	Wargo
Dicarlo	Itkin	Oliver	Whittlesey
Dombrowski	Johnson, J.	Perry	Wilson
Doyle	Katz	Petrarca	Wojdak
Eckensberger	Kelly, A. P.	Plevsky	Wright
Fee	Kernick	Pratt	Zord
Flaherty	Knepper	Prendergast	Zwilk
Foster, A.	Kolter	Pyles	
Foster, W.	Kowalyszyn	Rappaport	Fineman,
Gallagher	LaMarca	Reed	Speaker
Garzia	Laudadio		

NAYS—77

Anderson, J. H.	Haskell	Mullen, M. P.	Smith, L.
Berson	Hayes, S. E.	Myers	Spencer
Bittle	Hill	Noye	Stahl
Brandt	Hutchinson, W.	O'Connell	Taddonio
Butera	Kelly, J. B.	Pancoast	Tayoun
Cessar	Kistler	Parker, H. S.	Turner
Crawford	Klingaman	Perri	Vann
Cumberland	Kusse	Pitts	Vroon
Davies	Lederer	Polite	Wagner
Deverter	Letterman	Renninger	Walsh, T. P.
Dietz	Lynch	Renwick	Weidner
Dorr	McClatchy	Ritter	Westerberg
Dreibelbis	McCue	Ryan	Whelan
Engelhart	McGinnis	Scheaffer	Wilt, R. W.
Fischer	McIntyre	Seltzer	Wilt, W. W.
Fisher	McLane	Shelhamer	WorriLOW
Fryer	Miller, M. E.	Shuman	Yahner
Gallen	Mochlmann	Sirianni	Yohn
Gleason	Morris	Smith, E.	Zeller
Gring			

NOT VOTING—14

DiDonato	McGraw	Salvatore	Valicenti
Dininni	O'Keefe	Sweeney	Wansacz
Fawcett	Rhodes	Thomas	Zearfoss
Hammock	Richardson		

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

On the question recurring,

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

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

Amend Sec. 2 (Sec. 1202.1), page 2, line 2, by inserting after "FUND,"; except that forty-five million dollars (\$45,000,000) in said fund shall remain there to be disposed of under existing statutes,

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, this amendment, in conjunction with Mr. Lincoln's amendment that just went in, would give his fund that he has so generously made provision for in the Bicentennial year of 1976 a head start.

It would provide that \$45 million remain in the fund and that, beginning in July of 1976, the fund would again activate and start to accumulate money again at the rate of—

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. Mr. Speaker, earlier today we reconsidered or considered for the second time an amendment offered by Mr. Mullen which attempted to leave \$120 million in this particular fund.

I am contending that the amendment that Mr. Ryan is offering is out of order. It is the same amendment with a different figure inserted. Theoretically, we could have 169 amendments offered with 169 different dollar figures.

I would like the Chair to rule on whether this amendment is in order.

The SPEAKER. The Chair does not feel that the gentleman's point of order is well taken. It is true, conceivably, that a whole host of amendments reducing figures in each instance may be offered. But the Chair will not entertain any amendment that is offered for frivolous reasons, and the Chair will soon spot such a reason. I think this amendment is entirely different in its impact, and the Chair rules that the amendment is in order.

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

To continue, the House giveth; the House taketh away; and the House giveth again very little a moment ago.

As I was saying, Mr. Speaker, my amendment to House bill No. 1207, particularly in light of the generosity of the House a moment ago in providing for the obligation of the Commonwealth to start up again in the Bicentennial year of 1976, I feel it should have a head start. That head start would be in the amount of \$45 million, and that is exactly what my amendment does.

Whereas the Mullen amendment this morning would have transferred all but \$120 million, this amendment would transfer all but \$45 million. And when taken

with the Lincoln amendment, you would have the \$45 million, and a year from now, in July of 1976, the fund would start to replenish—presumably or hopefully the court would have decided then that the parents were entitled to the reimbursement—at the rate of some \$2 million a month.

Now I have been given to understand, Mr. Speaker, that the parent reimbursement fund—and maybe Mr. Wojdak can correct me—should pay out at the rate of approximately \$45 million a year. In other words, that is the obligation of the Commonwealth on a per-year basis should the courts find that these people are entitled to reimbursement. The reimbursement, I am told, is arrived at as \$120 million under the Mullen amendment because there was a period of time in excess of 2 years for which responsibility to pay may or may not be determined favorably.

Now I am not going to go through a long speech. I would hope that few others would. I simply say that all of the fiscal reasons that applied to the “yes” votes on the earlier Mullen amendment apply here, however to a lesser degree. But at least we are reducing state expenditures by some \$45 million in my case, whereas it was \$120 million under the Mullen amendment.

We are providing a head-start fund which would be supplemented by the Lincoln amendment that the House so generously voted on here a moment ago. So if we use Mr. Lincoln’s figure of a 4-year court delay, his \$75 million that would accumulate in 3 years, plus this \$45 million that I would leave in the fund, would take care of the obligation as it then accrued on the decision of the highest court to which the case would be taken.

I do not think anything else need be added to this. As I say and I repeat, anything that applied to the Mullen amendment earlier applies again here, only more so because this now can be used in conjunction with the Lincoln amendment which was not part of the Mullen amendment.

I would ask for a favorable response and reaction to this offer.

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

Mr. WOJDAK. Mr. Speaker, I am not going to belabor this House.

For all the reasons enumerated this morning and all that discussion we had for 2 hours, all of the same arguments are applicable to Mr. Ryan’s amendment that were applicable to Mr. Mullen’s amendment this morning.

Without going into any great detail, I would strongly urge a negative vote on Mr. Ryan’s amendment.

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

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

YEAS—64

Beren	Hamilton, J. H.	McIntyre	Smith, L.
Bittle	Hasay	Mebus	Spencer
Brandt	Haskell	Mochlmann	Stahl
Butera	Hayes, D. S.	Mullen, M. P.	Turner
Cessar	Hepford	Myers	Ustynoski
Cimini	Hill	Noye	Vann
Crawford	Katz	Pancoast	Vroon
Cumberland	Klingaman	Pitts	Westerberg
Davies	Kusse	Polite	Whelan
Dorr	Lederer	Pyles	Whittlesey

Foster, A.	Levi	Renninger	Wilson
Foster, W.	Lynch	Renwick	Worrlow
Gallen	Manmiller	Ryan	Wright
Gleason	McClatchy	Scheaffer	Yanner
Gring	McCue	Scirica	Yohn
Halverson	McGinnis	Smith, E.	Zeller

NAYS—122

Abraham	Fryer	Lehr	Ruggiero
Anderson, J. H.	Gallagher	Letterman	Saloom
Arthurs	Garzia	Lincoln	Schmitt
Barber	Geesey	Manderino	Schweder
Bellomini	Geisler	McCall	Seltzer
Bennett	George	McLane	Shane
Berlin	Giammarco	Menhorn	Shelhamer
Berson	Gillespie	Milanovich	Shelton
Blackwell	Gillette	Miller, M. E.	Shuman
Bonetto	Gleeson	Miller, M. E., Jr.	Shupnik
Bradley	Goodman	Milliron	Sirianni
Brunner	Green	Miscevich	Stapleton
Burns	Greenfield	Morris	Stout
Caputo	Grieco	Mrkonjc	Sullivan
Cohen	Hayes, S. E.	Musto	Taddonio
Cole	Hopkins	Novak	Taylor
Cowell	Hutchinson, A.	O'Brien	Tayoun
Davis, D. M.	Hutchinson, W.	O'Donnell	Toll
DeMedio	Irvis	Oliver	Trello
Deverter	Itkin	Parker, H. S.	Wagner
Dicarlo	Johnson, J.	Perry	Walsh, T. P.
Dietz	Kelly, A. P.	Petrarca	Wargo
Dombrowski	Kelly, J. B.	Pievsky	Weidner
Doyle	Kernick	Pratt	Wilt, R. W.
Dreibelbis	Kistler	Prendergast	Wilt, W. W.
Eckensberger	Knepper	Rappaport	Wojdak
Englehart	Kolter	Reed	Zord
Fee	Kowalshyn	Rieger	Zwikl
Fischer	LaMarca	Ritter	
Fisher	Laudadio	Romanelli	Fineman,
Flaherty	Laughlin	Ross	Speaker

NOT VOTING—17

DiDonato	Mullen	Rhodes	Thomas
Dininni	O'Connell	Richardson	Valicenti
Fawcett	O'Keefe	Salvatore	Wansacz
Hammock	Perri	Sweeney	Zearfoss
McGraw			

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

QUESTION OF INFORMATION

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

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

The SPEAKER. The gentleman will state it.

Mr. ECKENSBERGER. How am I recorded on the vote on Mr. Ryan’s amendments to House bill No. 1207?

The SPEAKER. In the negative.

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

Bill as amended was agreed to.

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

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

Mr. SELTZER. Mr. Speaker, the hole has been dug; the majority of the members of this House have fallen into it. You pulled in on top of you that additional amendment which takes away an additional \$25 million or \$28 million a year, a year from now. I just do not understand how so many intelligent people in Pennsyl-

vania can be taken in on one day. I ask a "no" vote on this bill.

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

Mr. WOJDAK. Mr. Speaker, again, I am not going to belabor the House. We have been around and around on this issue over the course of several days and many hours. I would recommend a "yes" vote and passage of this bill.

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

Mr. SHANE. As the prime sponsor of this bill, I have kept silent all day long while you people feuded and fussed over this bill all day long. So now let us get on with it and pass it.

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—123

Abraham	Garzia	Laughlin	Romanelli
Arthurs	Geesey	Lehr	Ross
Barber	Geisler	Letterman	Ruggiero
Bellomini	George	Lincoln	Saloom
Bennett	Giammarco	Mandertno	Schmitt
Berlin	Gillespie	Manmiller	Schweder
Berson	Gillette	McCall	Shane
Blackwell	Gleason	McLane	Shelhamer
Bonetto	Gleeson	Menhorn	Shelton
Bradley	Goodman	Milanovich	Shupnik
Brunner	Green	Miller, M. E.	Stapleton
Burns	Greenfield	Miller, M. E., Jr.	Stout
Caputo	Grieco	Milliron	Sullivan
Cessar	Halverson	Miscevich	Taddonio
Cohen	Haskell	Morris	Taylor
Cole	Hayes, D. S.	Mrkonic	Toll
Cowell	Hepford	Musto	Trello
Davis, D. M.	Hopkins	Novak	Vann
DeMedio	Hutchinson, A.	O'Brien	Wagner
Deverter	Hutchinson, W.	O'Donnell	Walsh, T. P.
Dicarlo	Irviss	Oliver	Wargo
Dombrowski	Itkin	Parker, H. S.	Weidner
Doyle	Johnson, J.	Perry	Wilson
Dreibelbis	Kelly, A. P.	Petrarca	Wilt, R. W.
Eckensberger	Kelly, J. B.	Pievsky	Wojdak
Englehart	Kernick	Pratt	Wright
Fee	Knepper	Prendergast	Zord
Fischer	Kolter	Rappaport	Zwilk
Fisher	Kowalyszyn	Reed	
Flaherty	LaMarca	Rieger	Fineman,
Fryer	Laudadio	Ritter	Speaker
Gallagher			

NAYS—62

Anderson, J. H.	Hayes, S. E.	Myers	Smith, E.
Beren	Hill	Noye	Smith, L.
Bittle	Katz	O'Connell	Spencer
Brandt	Kistler	Pancoast	Stahl
Butera	Klingaman	Pitts	Tayoun
Cimini	Kusse	Polite	Turner
Crawford	Lederer	Pyles	Ustynoski
Davies	Levi	Renninger	Vroon
Dietz	Lynch	Renwick	Westerberg
Dorr	McClatchy	Ryan	Whelan
Foster, A.	McCue	Scheaffer	Whittlesey
Foster, W.	McGinnis	Scirca	Worriolow
Gallen	McIntyre	Seltzer	Yahner
Gring	Mebus	Shuman	Yohn
Hamilton, J. H.	Moehlmann	Sirianni	Zeller
Hasay	Mullen, M. P.		

NOT VOTING—18

Cumberland	McGraw	Richardson	Valicenti
DiDonato	Mullen	Salvatore	Wansacz
Dininni	O'Keefe	Sweeney	Wilt, W. W.
Fawcett	Perri	Thomas	Zearfoss
Hammock	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.

BILLS ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill No. 171, printer's No. 176**, entitled:

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

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. 172, printer's No. 177**, entitled:

An Act repealing the act of June 5, 1935 (P. L. 266, No. 115), entitled "An act to protect trademark 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.

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. 379, printer's No. 1655**, entitled:

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.

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. 803, printer's No. 906**, entitled:

An Act clarifying the powers of constables, county detectives, sheriffs and deputy sheriffs.

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. 960, printer's No. 1277**, entitled:

An Act amending Title 18 (Crime and Offenses) of the Pennsylvania Consolidated Statutes, authorizing immediate trial or posting of security for appearance at trial in shoplifting cases.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 981, printer's No. 1119**, entitled:

An Act amending the "Vietnam Conflict Veterans' Compensation Act," approved July 18, 1968 (P. L. 405, No. 183), extending the act.

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. 1135, printer's No. 1312**, entitled:

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.

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. 1346, printer's No. 1575**, entitled:

An Act amending the "Surface Mining Conservation and Reclamation Act," approved May 31, 1945 (P. L. 1198, No. 418), removing the maximum age qualification for mine conservation inspector.

And said bill having been considered the second time and agreed to,
Ordered, to be transcribed for third consideration.

RULES SUSPENDED

The **SPEAKER**. The Chair recognizes the majority leader.

Mr. **IRVIS**. Mr. Speaker, I move that the House of Representatives suspend its rules to permit additions and deletions of sponsors on the following bills.

The **SPEAKER**. Can that motion be held until tomorrow in the hope that the voting apparatus will be operative?

Mr. **IRVIS**. Certainly, Mr. Speaker.

The **SPEAKER**. The Chair thanks the gentleman for withdrawing the motion.

RULES SUSPENDED TO ADD AND DELETE SPONSORS

The **SPEAKER**. The Chair recognizes the majority leader.

Mr. **IRVIS**. Mr. Speaker, I move that the House of Representatives suspend its rules to permit additions and deletions of sponsors on the following bills:

Additions:

- House bill No. 115—Mr. Grieco;
- House bill No. 171—Mr. Fineman;
- House bill No. 172—Mr. Whelan;
- House bill No. 440—Mrs. Whittlesey;
- House bill No. 840—Mr. Lehr;
- House bill No. 981—Mr. Reed;
- House bill No. 1035—Mr. Shuman;
- House bill No. 1199—Mr. Pratt;
- House bill No. 1324—Mr. Pratt;
- House bill No. 1438—Mr. Cohen;
- House bill No. 1439—Mr. Cohen;
- House bill No. 1440—Mr. Cohen; and
- House resolution No. 79—Mr. Cimini.

Deletions:

- House bill No. 1008—Mr. Scirica;

House bill No. 1207—Messrs. Geesey and Anderson; and
House bill No. 1367—Mr. Schweder.

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

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

YEAS—190

Abraham	Geisler	McClatchy	Scheaffer
Anderson, J. H.	George	McCue	Schmitt
Arthurs	Giammarco	McGinnis	Schweder
Barber	Gillespie	McGraw	Scirca
Bellomini	Gillette	McIntyre	Seltzer
Bennett	Gleason	McLane	Shane
Beren	Gleeson	Mebus	Shelhamer
Berlin	Goodman	Menhorn	Shelton
Berson	Green	Milanovich	Shuman
Bittle	Greenfield	Miller, M. E.	Shupnik
Blackwell	Grieco	Miller, M. E., Jr.	Sirianni
Bonetto	Gring	Milliron	Smith, E.
Bradley	Halverson	Miscevich	Smith, L.
Brandt	Hamilton, J. H.	Moehlmann	Spencer
Brunner	Hasay	Morris	Stahl
Burns	Haskell	Mrkonic	Stapleton
Butera	Hayes, D. S.	Mullen	Stout
Caputo	Hayes, S. E.	Mullen, M. P.	Sullivan
Cessar	Hepford	Musto	Taddonio
Cimini	Hill	Myers	Taylor
Cohen	Hopkins	Novak	Tayoun
Cole	Hutchinson, A.	Noye	Thomas
Cowell	Hutchinson, W.	O'Brien	Toll
Crawford	Irvis	O'Connell	Trello
Cumberland	Itkin	O'Donnell	Turner
Davies	Johnson, J.	Oliver	Ustynoski
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.
Dietz	Kistler	Petrarca	Wargo
Dombrowski	Klingaman	Plevsky	Weidner
Dorr	Knepper	Pitts	Westerberg
Doyle	Kolter	Polite	Whelan
Dreibelbis	Kowalyszyn	Pratt	Whittlesey
Eckensberger	Kusse	Prendergast	Wilt, R. W.
Englehart	LaMarca	Pyles	Wilt, W. W.
Fee	Laudadio	Rappaport	Wojdak
Fischer	Laughlin	Reed	WorriLOW
Fisher	Lederer	Renninger	Wright
Flaherty	Lehr	Renwick	Yahner
Foster, A.	Letterman	Rieger	Yohn
Foster, W.	Levi	Ritter	Zeller
Fryer	Lincoln	Romanelli	Zord
Gallagher	Lynch	Ross	Zwickl
Gallen	Manderino	Ruggiero	
Garzia	Manmiller	Ryan	Fineman,
Geesey	McCall	Saloom	Speaker

NAYS—1

Wilson

NOT VOTING—12

DiDonato	Hammock	Richardson	Valcenti
Dininni	O'Keefe	Salvatore	Wansacz
Fawcett	Rhodes	Sweeney	Zearfoss

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

LEGISLATION TO BE INTRODUCED

The **SPEAKER**. The Chair recognizes the gentleman from Lancaster, Mr. Brandt.

Mr. **BRANDT**. Thank you, Mr. Speaker.

PennDOT is lagging behind in the renewal of licenses for our heavier trucks. One of the main reasons is because of the economy. These individual owners and fleet operators are not renewing their licenses because of the uncertainty of work. Another main reason for the lag is because of the high cost of plates for this year, and they have to buy them for a full year.

I am introducing legislation today that will allow PennDOT to issue a 6 months' registration on commercial vehicles for classes 15 through 20. I feel this bill is needed and ask the members of this House to join in cosponsorship.

Thank you, Mr. Speaker.

PREFERRED APPROPRIATION BILL ON FINAL PASSAGE

Agreeable to order,

The House proceeded to the consideration on final passage of **House bill No. 1336, printer's No. 1735**, 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.

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?

RECONSIDERATION OF VOTE ON HOUSE BILL No. 1336

Mr. **NOYE** moved that the vote by which **HOUSE BILL No. 1336, printer's No. 1561**, was agreed to as amended on Tuesday, June 10, 1975, be reconsidered.

Mr. **RYAN** seconded the motion.

On the question,

Will the House agree to the motion?
Motion was agreed to.

On the question recurring,

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

RECONSIDERATION OF VOTE ON NOYE AMENDMENT TO HOUSE BILL No. 1336

Mr. **NOYE** moved that the vote by which his amendment was defeated on June 10, 1975, be reconsidered.

Mr. **RYAN** 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 following amendment re-offered by Mr. Noye, which was reread by the clerk?

Amend Sec. 2, page 19 by inserting between lines 26 and 27: For free fish license settlement for Vietnam veterans 301,583

On the question recurring,

Will the House agree to the amendment?

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

Mr. **NOYE**. Thank you, Mr. Speaker.

This amendment is the amendment that we offered the other day, which would add to the budget \$301,583 as payment to the Pennsylvania Fish Commission.

The House in its wisdom in 1967 passed Senate bill No. 893 by a vote of 198 to 0 to order the Fish Commission to issue free fishing licenses to all disabled veterans,

to all Vietnam veterans home on leave, and to any resident who was a patient in a Pennsylvania state-owned and state-supported institution.

This Senate bill eventually became Act 323 and the language mandated that the state reimburse the fish fund each subsequent year.

All of you have received a letter from the Pennsylvania Federation of Sportsman's Clubs which broke down the year-by-year payment that the state owes the Pennsylvania fish fund.

Since this amendment was offered, I also found out that the Pennsylvania Fish Commission has received from the Auditor General, Mr. Casey, a bill for some \$183,000. The reason for this is that the comptroller who is assigned to the Fish Commission from the Office of Administration made, in the Auditor General's opinion, an incorrect ruling. He allowed them to take Federal funds and spend them. The Auditor General insists that those funds were spent incorrectly, and that they should be placed back into the sinking fund of Project 70 money. That means the Pennsylvania Fish Commission, which is already on a very limited and tight budget, must now reimburse the sinking fund of Project 70 money by \$183,000. They just do not have the money to pay that bill. This money, \$301,000 plus, is rightfully theirs; the law states that it is theirs.

If you could vote for them to issue these free licenses and tell them that they will be reimbursed, it is inconceivable to me that you would not vote to reimburse them. I ask for an affirmative vote on this amendment.

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

Mr. **WOJDAK**. Mr. Speaker, I rise to oppose this amendment. I really do not follow the logic of Mr. Noye. The budget transmittal, or the request from the Fish Commission to the Governor's office, at no time requested the kind of money that Mr. Noye is talking about. The Governor's budget did not have it in there and the department did not request it. The other day when he offered the amendment was the first time I had heard about it.

We have checked on that, and we have no indication from the Fish Commission that they need that money, and I would ask for a negative vote on this amendment.

On the question recurring,

Will the House agree to the amendment?

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

YEAS—114

Abraham	Geesey	Lynch	Ryan
Anderson, J. H.	George	Manmiller	Scheaffer
Arthurs	Giammarco	McCall	Selrica
Bennett	Gillette	McClatchy	Seltzer
Beren	Gleason	McCue	Shelhamer
Bittle	Goodman	McGinnis	Sirianni
Brandt	Green	McIntyre	Smith, E.
Brunner	Grieco	Mebus	Smith, L.
Burns	Gring	Miller, M. E.	Spencer
Butera	Halverson	Miller, M. E., Jr.	Stahl
Cessar	Hamilton, J. H.	Miscevich	Stout
Cimini	Hasay	Moehmann	Taddonio
Cole	Haskell	Mrkonic	Tayoun
Crawford	Hayes, D. S.	Mullen	Turner
Cumberland	Hayes, S.E.	Myers	Ustynoski
Davies	Hepford	Novak	Vroon
DeMedio	Hill	Noye	Wagner
Deverter	Hopkins	O'Connell	Weidner
Dietz	Hutchinson, W.	Pancoast	Westerberg
Dorr	Katz	Parker, H. S.	Whelan

Dreibelbis	Kelly, J. B.	Perri	Whittlesey
Eckensberger	Kistler	Pitts	Wilson
Fischer	Klingaman	Polite	Wilt, R. W.
Fisher	Knepper	Pratt	Wilt, W. W.
Flaherty	Kusse	Pyles	Worrilow
Foster, A.	Laudadio	Reed	Wright
Foster, W.	Lederer	Renninger	Yahner
Fryer	Lehr	Renwick	Yohn
Gallen	Levi		

NAYS—74

Barber	Gleeson	Mullen, M. P.	Shane
Bellomini	Greenfield	Musto	Shelton
Berlin	Hutchinson, A.	O'Brien	Shuman
Berson	Irvis	O'Donnell	Shupnik
Blackwell	Itkin	O'Keefe	Stapleton
Bonetto	Johnson, J.	Oliver	Sullivan
Bradley	Kelly, A. P.	Perry	Taylor
Caputo	Kernick	Petrarca	Toll
Cohen	Kolter	Pievsky	Trello
Cowell	Kowalshyn	Prendergast	Vann
Dicarlo	LaMarca	Rappaport	Wansacz
Dombrowski	Laughlin	Rhodes	Wargo
Doyle	Lincoln	Rieger	Wojdak
Englehart	Manderino	Ritter	Zeller
Fee	McLane	Romanelli	Zord
Gallagher	Menhorn	Ross	Zwikel
Garzia	Milanovich	Ruggiero	
Geisler	Milliron	Schmitt	Fineman,
Gillespie	Morris	Schweder	Speaker

NOT VOTING—15

Davis, D. M.	Hammock	Saloom	Valicenti
DiDonato	Letterman	Salvatore	Walsh, T. P.
Dininni	McGraw	Sweeney	Zearfoss
Fawcett	Richardson	Thomas	

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

On the question recurring,

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

RECONSIDERATION OF VOTE ON RYAN AMENDMENT TO HOUSE BILL No. 1336

Mr. RYAN moved that the vote by which his amendment to HOUSE BILL No. 1336, printer's No. 1561, was defeated on Wednesday, June 11, 1975, be reconsidered.

Mr. NOYE 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 following amendment re-offered by Mr. Ryan, which was reread by the clerk?

Amend Sec. 2, page 22, by inserting after line 30: For salaries, wages and all necessary expenses for the proper administration of the Bureau of Occupational Injury and Disease Compensation 4,500,000

On the question recurring,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, you will recall that this amendment adds the amount of \$4,500,000 to the Department of Labor and Industry, which has been cut by approximately \$3.6 million, to provide the funds necessary for the administration and the expenses of operating the bureau that handles workmen's compensation and occupational diseases.

When we debated this amendment the other day, Mr. Wojdak indicated that there was some piece of legisla-

tion introduced in the Senate that would shift the burden of administering this fund to the insurance carriers who insured against workmen's compensation and occupational diseases. That Senate bill, which I believe is Senate bill No. 824, was introduced yesterday.

That Senate bill has not come out of committee. Not having come out of committee, it certainly has not passed the Senate. It not having passed the Senate, it is not before this House. There is no assurance that the bill will ever get through the Senate or the House, and I am suggesting that putting the \$4.5 million back in the budget causes no hardship nor does it cause a danger in a budgetary sense. I will explain it this way.

Initially, before explaining it, I would like to ask Mr. Wojdak a few questions. Would he consent to interrogation?

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

Mr. WOJDAK. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. RYAN. Mr. Speaker, would you agree that if the Senate bill—and I believe it is Senate bill No. 824 or 826, that we were referring to the other day—does not pass the House and the Senate and become law, that the money that constitutes my amendment would be necessary for the operation of the Department of Labor and Industry?

Mr. WOJDAK. Yes, it would be necessary and it would have to be inserted into the bill.

Mr. RYAN. Would the gentleman agree that if the amendment that I am offering today were agreed to and did become part of House bill No. 1336, and subsequent to this date the Senate bill passed and became law, that this money that we would have earmarked today to Labor and Industry would lapse?

Mr. WOJDAK. Yes, it would lapse.

The problem that I see in that, though, is that the Governor's office would have control of that lapse. I would prefer to keep that money within our discretion and within our domain here. I would prefer using the opposite tack—not putting it into the budget.

If, in fact, the Senate bill, which will provide the moneys necessary for the administration of this fund, does not pass by June 30, then we absolutely must put it in the budget.

The route you are suggesting is that we put the money in the budget; if the bill does pass, at that point the money will lapse. But we are in a different framework at that point. The budget secretary would have to lapse that money and would have control of that money at that point. I would prefer to have this General Assembly in control of that money and wait until the last possible date. If, in fact, the legislation does not pass, then we will have to put it in. I would prefer to have that money available to the General Assembly.

In order for us to use that lapsed money, it will take another piece of legislation which would have to pass both the Senate and the House. Meanwhile, that money would be in control of the Governor's office.

Again, I would prefer to have that money under our control. That is why I would oppose the amendment, Mr. Speaker.

Mr. RYAN. Mr. Speaker, is it not true that if Senate bill No. 824, which was introduced yesterday in the Senate, did not pass the Senate and House and become

law by July 1 of this year that there would be insufficient funds for the administration of the workmen's compensation program and the occupational disease program?

Mr. WOJDAK. Yes, but it is our intention that if that bill is not passed by July 1, to, in fact, put the money in there to administer that fund.

Mr. RYAN. How would you propose to do that?

Mr. WOJDAK. We could do that in the Senate when House bill No. 1336 reaches there or in conference committee, if there is a conference committee.

Mr. RYAN. Would it not be a safer bet, as far as the people who are the recipients of workmen's compensation and the occupational disease benefits are concerned, if just the opposite tack were taken? And that is the one that I propose, that the \$4.5 million be available and then, if by July 1 the Senate bill passes and becomes law, that the \$4.5 million be deleted at that time. They at least would be secure in the knowledge that the money is available to continue these programs.

Mr. WOJDAK. Your concern and your thoughts, legitimately so, I think, run along this line: You are assuming that there is absolutely no money in the general government operations for Labor and Industry to administer that fund. And I think your fear is the timing factor involved. There is sufficient money there, even on this timing factor that you are concerned about, to administer that fund.

At the time, even if it were a few days late, that that bill passed, we could, at that time, appropriate the money.

What I am suggesting to you—and I would not even consider that route; we are in total accord here—is that we see if we can get that bill through—and I suggest to you that we probably can—and save the state \$4.5 million. If, in fact, that does not occur by June 30, at that time, during the course of this bill moving through the Senate and back to the House and, I assume, ultimately, in a Conference Committee, at any of those stages we can accomplish what you are attempting to accomplish right now.

There is no conspiracy or devious mean or anything that I am attempting to use. It is purely an attempt to keep the money, that \$4.5 million, within our discretion for our uses rather than going the way that you suggest.

If we were to go the way that you suggest, that money would be in there; it would then be in the control of the executive department and, agreed, they would lapse it. We would then need legislation to use that money, which would have to pass both Houses. I would prefer to keep that kind of discretion in our control rather than in the control of the executive, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, I disagree with the gentleman, Mr. Wojdak, to a certain extent, and it is not a limited extent. He would have one believe that everyone is going to leap to the opportunity to vote "yes" in favor of this Senate bill that was introduced yesterday. I am not so sure that that is the case. I am not so sure that this bill is going to pass as easily and as quickly as Mr. Wojdak would have us believe.

Now he has not affirmatively said that he expected it

to enjoy the wholehearted support of the House and Senate, but he would leave the impression, at least with me, that he expects no problem with the bill becoming law. I do not see that as the fact.

I have not had the opportunity to examine the bill and I do not believe Mr. Wojdak has, so that right now we are speculating as to even what the bill says. I say to you, I have not seen it. From what I have heard of the bill, I would initially oppose the bill without certain amendments.

I am suggesting to this House that the safe course to protect the workmen's compensation administration and the occupational disease benefits and the administration of that program is to fund it.

If the Senate bill passes and it becomes law, it is no great effort on our part to introduce legislation to lapse—if I can use that term—that money ahead of time without the consent of the executive, except to the extent that it would be necessary for the Governor to sign the bill.

Mr. WOJDAK. That is the problem.

Mr. RYAN. That is the kind of bill that we can pass quickly, one where we are taking money and transferring it to another department. That will pass quickly. I do not know that the Senate bill that Mr. Wojdak is relying on as a substitute for the \$4.5 million, that I am offering with this amendment, will pass as quickly.

And I say to you that it is a lot easier to pass a bill in this House and in the Senate that transfers and takes away money than it is to pass a bill that makes substantive changes in the law.

And to play your cards right, if you are interested in the administration of the workmen's compensation program and the occupational disease, the black lung program, then I suggest to you that you should vote in the affirmative for this amendment.

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

Mr. WOJDAK. Mr. Speaker, I would urge a negative vote on this.

Under no circumstances will that bureau go unfunded. If, in fact, the legislation, Senate bill No. 824, is not passed by June 30, that money will be put into this budget. What I am saying to the Assembly is, we have a means of saving this Commonwealth \$4.5 million. And for the time period that we are talking about, about 13 days, I would recommend to you that we take the opportunity to look at that bill. If, in fact, it is not passed by June 30, we can then put the money in.

I would recommend a negative vote.

On the question recurring,

Will the House agree to the amendment?

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

YEAS—87

Anderson, J. H.	Grieco	McCue	Strianni
Beren	Gring	McGinnis	Smith, E.
Bittle	Halverson	McIntyre	Smith, L.
Brandt	Hamilton, J. H.	Mebus	Spencer
Burns	Hasay	Miller, M. E.	Stahl
Butera	Haskell	Miller, M. E., Jr.	Taddonio
Cessar	Hayes, D. S.	Moehmann	Tayoun
Cimini	Hayes, S. E.	Musto	Turner
Crawford	Hepford	Myers	Ustynoski
Cumberland	Hill	Noye	Vroon
Davies	Hopkins	O'Connell	Wagner

Deverter	Hutchinson, W.	Pancoast	Weidner
Dietz	Katz	Parker, H. S.	Westerberg
Dorr	Kistler	Perri	Wheilan
Fischer	Klingaman	Pitts	Whittlesey
Fisher	Kusse	Polite	Wilson
Foster, A.	Lederer	Pyles	Wilt, R. W.
Foster, W.	Lehr	Renninger	Wilt, W. W.
Gallen	Levi	Ryan	Worriow
Geesey	Lynch	Scheaffer	Wright
George	Manmiller	Scirca	Yohn
Gleason	McClatchy	Seltzer	

NAYS—106

Abraham	Garzia	McLane	Ruggiero
Arthurs	Geisler	Menhorn	Saloom
Barber	Giammarco	Milanovich	Schmitt
Bellomini	Gillespie	Milliron	Schweder
Bennett	Gillette	Miscevich	Shane
Berlin	Gleeson	Morris	Shelhamer
Berson	Goodman	Mrkonic	Shelton
Blackwell	Green	Mullen, M. P.	Shuman
Bonetto	Greenfield	Mullen	Shupnik
Bradley	Hutchinson, A.	Novak	Stapleton
Brunner	Irvic	O'Brien	Stout
Caputo	Idkin	O'Donnell	Sullivan
Cohen	Johnson, J.	O'Keefe	Taylor
Cole	Kelly, A. P.	Oliver	Toll
Cowell	Kelly, J. B.	Perry	Trello
Davis, D. M.	Kernick	Petrarca	Vann
DeMedio	Knepper	Pievsy	Walsh, T. P.
Dicarlo	Kolter	Pratt	Wansacz
Dombrowski	Kowalshyn	Prendergast	Wargo
Doyle	LaMarca	Rappaport	Wojdak
Dreibelbis	Laudadio	Reed	Yahner
Eckensberger	Laughlin	Renwick	Zeller
Engelhart	Letterman	Rhodes	Zord
Fee	Lincoln	Rieger	Zwilk
Flaherty	Manderlino	Ritter	
Fryer	McCall	Romanelli	Fineman, Speaker
Gallagher	McGraw	Ross	

NOT VOTING—10

DiDonato	Hammock	Sweeney	Valicenti
Dininni	Richardson	Thomas	Zearfoss
Fawcett	Salvatore		

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?

RECONSIDERATION OF VOTE ON ECKENSBERGER AMENDMENT TO HOUSE BILL No. 1336

Mr. ECKENSBERGER moved that the vote by which his amendment to HOUSE BILL No. 1336, printer's No. 1561, was defeated on Thursday, June 12, 1975, be reconsidered.

Mr. RYAN 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 following amendments, reoffered by Mr. Eckensberger, which were reread by the clerk?

Amend Sec. 2, page 50, line 16, by striking out "9,028,000" and inserting: 14,028,000

Amend Sec. 2, page 51, line 24, by striking out "14,000,000" and inserting: 9,000,000

On the question recurring,

Will the House agree to the amendments?

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

Mr. ECKENSBERGER. Mr. Speaker, this amendment was introduced last week to House bill No. 1336. It is a simple amendment in terms of the mechanics. It would simply transfer the sum of \$5 million from the county court costs to the appropriation for justices of the peace and community courts. This amendment would not increase the budget by one penny. As I said, it is simply a transfer of funds from one allocation to another.

The Governor excluded this particular appropriation completely when he made his recommendation to the legislature.

Earlier this session, the members of the House Law and Justice Committee, as well as other members of the House, introduced House bill No. 1375, which is the district magistrates' reform act. That act, if adopted, would increase the responsibility of district magistrates and give them full authority and jurisdiction to decide more cases so that fewer cases would get into the county-court level for disposition.

There is also a device in that bill which would level the case load across the Commonwealth for district magistrates and would require them to work full time.

The success of that bill, House bill No. 1375, is directly connected to the success of this amendment or any amendment which would add a \$5-million appropriation to the district magistrate appropriation.

One of the arguments which I have heard posed against the amendment was that we were trying to tap the wrong fund in getting the \$5 million. But, Mr. Speaker, I suppose that any other appropriation presently in House bill No. 1336 would be the wrong fund to tap, depending on whom you spoke to.

I suggest to the members that this is the right fund to seek for transfer, because the reform that would be brought about by House bill No. 1375 would reduce the number of cases that would get into the county courts and thereby reduce appropriately and proportionately the cost that the county would have with regard to processing those cases.

We have a further make-up provision in House bill No. 1375 which would double the amount of costs or increase the costs in summary offense violations under the Motor Vehicle Code from \$5 to \$10 and thereby make up approximately \$4 million in what would be lost of the \$5 million to the county-court costs.

Mr. Speaker, I request that all the members support this transfer. I believe that it is in the best interests of the district magistrate reform movement in the Commonwealth, which is long overdue.

Thank you, Mr. Speaker.

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

Mr. RUGGIERO. Will the gentleman, Mr. Eckensberger, consent to a brief interrogation?

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

Mr. ECKENSBERGER. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. RUGGIERO. Will the gentleman state when the pay increases contained in House bill No. 1375 would become effective?

Mr. ECKENSBERGER. Mr. Speaker, it would seem to me that, if my recollection is correct on that bill, it

would take effect immediately upon the signing of the bill by the Governor.

Mr. RUGGIERO. Would it be correct to state, then, that in order for those pay increases to become effective, House bill No. 1375 would have to pass the House and pass the Senate and go to the Governor?

Mr. ECKENSBERGER. That is correct, Mr. Speaker.

Mr. RUGGIERO. Does the gentleman know how that might affect the pay increases if that bill should pass after the November election?

Mr. ECKENSBERGER. I do not think that it would affect the salaries in any way. By that I mean, Mr. Speaker, that I do not think the election would affect the salary increase. In other words, those who would be elected would be able to receive the increase.

Mr. RUGGIERO. In other words, those elected would get those pay increases for the next term?

Mr. ECKENSBERGER. That is correct, Mr. Speaker. That is my opinion.

Mr. RUGGIERO. Thank you.

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

Mr. RUGGIERO. Mr. Speaker, I would oppose this amendment for three reasons.

Number one, we cannot be certain at this time what the fate of House bill No. 1375 shall be. I am a sponsor of that bill and I am for the pay increases, but I do not think we ought to take money at this time and allocate it for something that may happen.

Secondly, I believe that what we are doing here is wrong, because we are taking money from every county in Pennsylvania from a fund they are relying upon for court costs and we are using it for this speculative purpose.

Thirdly, there is no assurance that House bill No. 1375 will, in fact, ever be enacted in time to be able to use the funds that we are trying to allocate for this purpose.

For that reason, I think all of us should oppose this amendment.

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

Mr. HASKELL. Mr. Speaker, will the gentleman from Lehigh, Mr. Eckensberger, consent to interrogation?

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

Mr. ECKENSBERGER. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. HASKELL. Mr. Speaker, I am a little bit confused as to exactly what funds are being transferred where. I would like the gentleman to explain or clarify it for me.

In the present bill, House bill No. 1336, we are providing \$14 million to reimburse counties for court costs. You are introducing this amendment to increase salaries for the district justices which will amount to about \$5 million. Is that correct?

Mr. ECKENSBERGER. That is correct.

Mr. HASKELL. You are taking the \$5 million from the \$14 million, leaving \$8 million for reimbursement to the counties?

Mr. ECKENSBERGER. Leaving \$9 million, that is correct.

Mr. HASKELL. To replace this \$5 million, it will be contingent upon us passing new fees in the Motor Vehicle Code. Is that correct?

Mr. ECKENSBERGER. As contained in House bill No. 1375, that is correct.

Mr. HASKELL. What is the status of House bill No. 1375 at this time?

Mr. ECKENSBERGER. Presently it is in the Committee on Law and Justice.

Mr. HASKELL. In your opinion, what is the probability that that bill will be passed this session?

Mr. ECKENSBERGER. Do you want a percentage probability?

Mr. HASKELL. Yes, please.

Mr. ECKENSBERGER. Ninety percent.

Mr. HASKELL. Thank you, Mr. Speaker.

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

Mr. PRATT. Mr. Speaker, earlier this year a special task force of the Law and Justice Committee was formed to study the district magisterial system throughout the Commonwealth. As a result of that particular study, the Law and Justice Committee came up with a bill called the district magisterial reform act, which provides many of the things that Mr. Eckensberger has pointed out to the House today.

In order for that bill to see light, it will need certain funding. As Mr. Eckensberger has mentioned, this will not be new moneys, but this will be merely a transfer of funds from one source to another. It will not at all affect the overall budget.

The additional \$5 million will come from increased court costs, from \$5 to \$10. Of course, as someone mentioned, this is somewhat speculative in that House bill No. 1375 has not become law yet.

I anticipate it passing the House; I think it should, because I think it goes a long way towards reforming our lower judicial court system. I think it is a long time coming and I think it is a good thing. I think the members of the House should take a close look at this particular amendment that Mr. Eckensberger is offering us today. I urge all of my fellow members to vote in the affirmative. Thank you.

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. Thank you, Mr. Speaker.

Mr. Speaker, briefly, to remind the members of the argument made the other day regarding the removal of \$5 million, several years ago we agreed to take court costs as part of the state's obligation to counties. We are not putting any more money into the program this year than was put in last year.

Obviously, costs have increased and expenses have increased. So just putting in the same amount of money is a reduction to the counties in the percentage of the court costs we will be able to take and bear for the counties. To cut this back \$5 million would represent something like a 20-percent to 25-percent cut in the moneys that the 67 counties have received for court costs. I am sure that every individual county is projecting a budget counting on this money. I urge, as the members did overwhelmingly last week, that we defeat this amendment.

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

Mr. ECKENSBERGER. I yield to Mr. Polite.

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

Mr. POLITE. Mr. Speaker, according to my calculations, the increased amounts for the district justices and the salaries they are getting now—and I think 600 district justices is on the high side—I come up with about \$2,940,000, and not \$5 million.

If the gentleman from Lehigh, Mr. Eckensberger, can explain this to me, I would appreciate it because I think this is a needed bill, the one that has been introduced and will come out on the floor for debate. I know that we are going to give the district justices additional jurisdiction. I think we are going to save money in the end, perhaps, because we are going to increase the court costs on some of the violations. So I think this needs a little further study, unless Mr. Eckensberger can tell me how he got to the \$5 million.

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

Mr. ECKENSBERGER. Mr. Speaker, the research analyst for the committee took the total number of magistrates in the Commonwealth, of which there are approximately 600—588, to be exact—and we took the total amount of salary that they are presently receiving by total appropriation, and in getting an average, we had to add to that average to bring them all to \$19,500, and when you multiply that, you come out to approximately \$3.5 million or in that vicinity.

There are other benefits which must be added to that simply by the increase in the salary, plus the fact that we are creating a court administrator at the state level whose main function will be to level out the case load for all the district magistrates in the Commonwealth.

I would like to say that we can come in with an appropriation of less than \$5 million, but we wanted to make certain that there was enough money available to complete the program.

That is in response to the question which has been posed by Mr. Polite. When he has concluded, Mr. Speaker, I would like just a word or two.

Mr. POLITE. Mr. Speaker, I support this amendment. However, I want to know what happens to the funds if it is less than \$5 million that is going to be used to implement this new bill?

Mr. ECKENSBERGER. I suppose, Mr. Speaker, the answer is that that money lapses.

Mr. POLITE. Thank you, Mr. Speaker.

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

Mr. ECKENSBERGER. Mr. Speaker, just in brief response to Mr. Ruggiero: Certainly if we do not have this kind of money available by way of some appropriation, he and others voting against this appropriation are ensuring the defeat of House bill No. 1375 simply because we will not have enough money to implement the provisions of the act. I think this is the first step that we have to take in order to undertake the entire reform program. I respectfully request that we all support this.

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

Mr. WOJDAK. Mr. Speaker, I am not certain I follow Mr. Eckensberger's reasoning—if, in fact, the legislation he is proposing on the fee-schedule increases should pass—when he says that no moneys will be available

for the types of increases he is talking about. We can always do that at a later date and provide those types of increases. I would ask for a negative vote on the amendment.

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

Mr. RUGGIERO. Mr. Speaker, I just wanted to say what has already just been said, that this can be done at a later date and at an appropriate time. I do not think we ought to take \$5 million away from some other source at this time where they rely on it and give it to this speculative need because we are not sure what this legislation's fate is going to be.

On the question recurring,

Will the House agree to the amendments?

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

YEAS—64

Abraham	Gleason	McGinnis	Shuman
Anderson, J. H.	Gring	Mebus	Smith, L.
Bellomini	Halverson	Miller, M. E., Jr.	Spencer
Bittle	Hasay	Noye	Stahl
Brandt	Haskell	Pancoast	Stapleton
Burns	Hayes, D. S.	Petrarca	Turner
Butera	Hepford	Polite	Ustynoskt
Cumberland	Hill	Pyles	Weidner
Davies	Hopkins	Reed	Whittlesey
Dicarlo	Hutchinson, W.	Renninger	Wilson
Dombrowski	Klingaman	Renwick	Wilt, R. W.
Doyle	Laughlin	Ritter	Worriflow
Eckensberger	Lehr	Ryan	Wright
Foster, A.	Manmiller	Saloom	Yohn
Fryer	McCall	Seltzer	Zeller
George	McClatchy	Shelhamer	Zwikl

NAYS—121

Arthurs	Geisler	McCue	Ross
Barber	Giammarco	McIntyre	Ruggiero
Bennett	Gillespie	McLane	Scheaffer
Beren	Gillette	Menhorn	Schmitt
Berlin	Gleeson	Milanovich	Schweder
Berson	Goodman	Miller, M. E.	Scirica
Bonetto	Green	Milliron	Shane
Bradley	Greenfield	Miscevich	Shelton
Brunner	Grieco	Mochlmann	Shupnik
Caputo	Hamilton, J. H.	Morris	Smith, E.
Cessar	Hayes, S. E.	Mrkonic	Stout
Cohen	Hutchinson, A.	Mullen, M. P.	Sullivan
Cole	Irvic	Mullen	Taddonio
Cowell	Itkin	Musto	Taylor
Crawford	Johnson, J.	Myers	Tayoun
Davis, D. M.	Katz	Novak	Toll
DeMedio	Kelly, A. P.	O'Brien	Trello
Deverter	Kelly, J. B.	O'Connell	Vann
DiDonato	Kernick	O'Donnell	Vroon
Dietz	Kistler	O'Keefe	Wagner
Dorr	Knepper	Oliver	Wansacz
Dreibelbis	Kolter	Parker, H. S.	Wargo
Englehart	Kowalshyn	Perri	Westerberg
Fee	Kusse	Perry	Whelan
Fischer	LaMarca	Pievsky	Wojdak
Fisher	Laudadio	Pitts	Yahner
Flaherty	Lederer	Prendergast	Zord
Foster, W.	Levi	Rappaport	
Gallagher	Lincoln	Rhodes	Fineman,
Garzia	Lynch	Rieger	Speaker
Geesey	Manderino	Romanelli	

NOT VOTING—18

Blackwell	Hammock	Salvatore	Valicenti
Cimini	Letterman	Sirianni	Walsh, T. P.
Dinnini	McGraw	Sweeney	Wilt, W. W.
Fawcett	Pratt	Thomas	Zearfoss
Gallen	Richardson		

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 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 did not work on the last vote. I want to be recorded in the affirmative on the Eckensberger amendment to House bill No. 1336.

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

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

Mr. RENNINGER. I wish to be recorded in the affirmative also on the Eckensberger amendment to House bill No. 1336.

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

On the question recurring,

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

RECONSIDERATION OF VOTE ON GOODMAN AMENDMENT TO HOUSE BILL No. 1336

Mr. WOJDAK moved that the vote by which the Goodman amendment to HOUSE BILL No. 1336, printer's No. 1561, was agreed to on Wednesday, June 11, 1975, be reconsidered.

Mr. GOODMAN 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 following amendment re-offered by Mr. Goodman, which was reread by the clerk?

Amend Sec. 2, page 9, line 29, by striking out "650,000" and inserting: 1,000,000

On the question recurring,

Will the House agree to the amendment?

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

Mr. WOJDAK. Mr. Speaker, this is a reconsideration of Mr. Goodman's amendment wherein he added \$5 million to the PIDA fund.

As I indicated last week, I believe, there is presently in that fund \$15 million and a bond issue to be floated at the end of this month to the tune of \$35 million. The fund for the coming fiscal year will have in it \$50 million. I have been assured that it is sufficient to fulfill the requests being made, sufficient for all the needs of the PIDA fund. The additional \$5 million that was amended into the bill via Mr. Goodman's amendment really provides what I consider to be excess money and money not needed in the PIDA fund. I would recommend a negative vote on that amendment.

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

Mr. GOODMAN. Mr. Speaker, this amendment was fully debated, I think, last week. All those points were answered.

I would just like to ask the members to continue to support the PIDA program and vote for this amendment.

On the question recurring,

Will the House agree to the amendment?

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

YEAS—125

Abraham	Grieco	Miller, M. E.	Shelhamer
Anderson, J. H.	Gring	Miller, M. E., Jr.	Shelton
Bellomini	Halverson	Milliron	Shupnik
Beren	Hasay	Moehlmann	Sirianni
Bittle	Haskell	Mrkonic	Smith, E.
Bradley	Hayes, D. S.	Mullen, M. P.	Smith, L.
Brandt	Hayes, S. E.	Musto	Spencer
Brunner	Hepford	Myers	Stahl
Burns	Hill	Novak	Stout
Butera	Hopkins	Noye	Taddonio
Cessar	Hutchinson, W.	O'Brien	Taylor
Cimini	Katz	O'Connell	Tayoun
Crawford	Kelly, J. B.	Pancoast	Turner
Cumberland	Kistler	Parker, H. S.	Ustynoski
Davies	Klingaman	Perri	Vann
DeMedio	Knepper	Petrarca	Vroon
Deverter	Kusse	Pitts	Wagner
Dicarlo	Laughlin	Polite	Walsh, T. P.
DiDonato	Lederer	Prendergast	Wansacz
Dietz	Lehr	Pyles	Wargo
Dombrowski	Levi	Reed	Weidner
Dorr	Lynch	Renninger	Westerberg
Englehart	Manmiller	Renwick	Whelan
Fischer	McCall	Ruggiero	Whittlesey
Fisher	McClatchy	Ryan	Wilson
Foster, A.	McCue	Saloom	Wilt, R. W.
Foster, W.	McGinnis	Scheaffer	Wilt, W. W.
Gallen	McIntyre	Schmitt	WorriLOW
Geesey	McLane	Schweder	Wright
Giammarco	Mebus	Scirica	Yahner
Gleason	Milanovich	Seltzer	Yohn
Goodman			

NAYS—65

Arthurs	Gallagher	Kowalyszyn	Rieger
Barber	Garzia	LaMarca	Ritter
Bennett	Geisler	Laudadio	Romanelli
Berlin	George	Lincoln	Ross
Berson	Gillespie	Manderino	Shane
Blackwell	Gillette	Menhorn	Stapleton
Bonetto	Gleeson	Miscevich	Sullivan
Caputo	Green	Morris	Toll
Cohen	Greenfield	Mullen	Trelio
Cole	Hamilton, J. H.	O'Donnell	Wojdak
Cowell	Hutchinson, A.	O'Keefe	Zeller
Doyle	Irvis	Oliver	Zord
Dreibelbis	Itkin	Perry	Zwilk
Eckensberger	Johnson, J.	Plevsky	
Fee	Kelly, A. P.	Pratt	Fineman,
Flaherty	Kernick	Rappaport	Speaker
Fryer	Kolter	Rhodes	

NOT VOTING—13

Davis, D. M.	Letterman	Salvatore	Thomas
Dininni	McGraw	Shuman	Valicenti
Fawcett	Richardson	Sweeney	Zearfoss
Hammock			

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

TEACHERS WELCOMED

The SPEAKER. The Chair is pleased to welcome Dolores LaBuda and Barbara Kmetz, school teachers from the Duquesne School District.

They are here today as the guests of Representative Mrkonic.

On the question recurring,

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

RECONSIDERATION OF VOTE ON COWELL AMENDMENT TO HOUSE BILL No. 1336

Mr. COWELL moved that the vote by which Part III of the Cowell amendments to HOUSE BILL No. 1336, printer's No. 1561, were agreed to on Monday, June 16, 1975, be reconsidered.

Mr. WOJDAK 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 following Cowell amendments, Part III, which were reoffered and reread by the clerk?

Amend Sec. 2, page 2, line 19, by striking out "1,945,000" and inserting: 1,905,000

Amend Sec. 2, page 2, line 25, by striking out "3,565,000" and inserting: 3,560,000

Amend Sec. 2, page 2, line 27, by striking out "1,130,000" and inserting: 1,117,000

Amend Sec. 2, page 9, line 3, by striking out "749,000" and inserting: 746,000

Amend Sec. 2, page 10, line 18, by striking out "1,500,000" and inserting: 1,000,000

Amend Sec. 2, page 10, line 29, by striking out "5,579,000" and inserting: 5,499,000

Amend Sec. 2, page 11, line 20, by striking out "13,447,000" and inserting: 13,250,000

Amend Sec. 2, page 11, line 23, by striking out "1,374,000" and inserting: 1,360,000

Amend Sec. 2, page 17, line 15, by striking out "65,802,000" and inserting: 65,358,000

Amend Sec. 2, page 22, line 5, by striking out "7,623,000" and inserting: 7,185,000

Amend Sec. 2, page 23, line 27, by striking out "7,759,000" and inserting: 7,509,000

Amend Sec. 2, page 24, line 13, by striking out "26,144,000" and inserting: 25,640,000

Amend Sec. 2, page 24, line 23, by striking out "20,029,000" and inserting: 19,729,000

Amend Sec. 2, page 28, line 5, by striking out "44,643,000" and inserting: 43,670,000

Amend Sec. 2, page 29, line 30, by striking out "4,500,000" and inserting: 4,428,000

On the question recurring,

Will the House agree to Part III of the Cowell amendments?

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

Does the gentleman have a copy of the amendments?

Mr. COWELL. Mr. Speaker, earlier today there was circulated a summary of the amendments.

The SPEAKER. The Chair needs a copy of the amendments, not a summary.

Is this the amendment that begins: "Amend Sec. 2, page 2, line 19, by striking out '1,945,000' and inserting 1,905,000"?

Mr. COWELL. That is the way it was originally printed. You might recall that I offered only a part of that yesterday.

The SPEAKER. All right. Then the gentleman withdrew the first three amendments; then he withdrew the amendments reading: "Amend Sec. 2, page 11, line 20, by striking out '13,447,000' and inserting 13,250,000."

Then the House defeated the amendment which reads: "Amend Sec. 2, page 10, line 18, by striking out '1,500,000' and inserting 1,000,000." And the House defeated the amendment beginning with: "Amend Sec. 2, page 22,

line 5, by striking out '7,623,000' and inserting '7,185,000.' Is that correct?

Mr. COWELL. That is correct.

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

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, I do not wish to have reconsidered the first two votes by which the House defeated amendments to reduce the appropriation for tourist promotion and by which the House defeated the amendments to reduce the appropriation to the Justice Department. I do wish to reconsider that third vote which we took on the remainder of the amendment which was defeated by a very narrow margin of 95 to 97.

I am asking that we reconsider it today because several members did approach me and indicated that while they agreed with the general thrust of the amendment, they had some difficulty with a couple of what I consider to be relatively minor sections of the amendment.

I am therefore asking at this point that we divide that amendment, divide it along the lines—

The SPEAKER. How many amendments will that make necessary then?

Mr. COWELL. That will result in two amendments.

The SPEAKER. What is the first amendment?

Mr. COWELL. The first amendment deals with page 9, line 3; page 17, line 15; page 23, line 27; page 24, line 13; page 24, line 23; and page 28, line 5. That is indicated on the summary sheet that was circulated this morning.

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. The vote to reconsider the entire amendment, the general amendment, which called for about an 8-percent cut is one thing, but now to divide that further, without having amendments in front of us, it seems to me is very unfair to us as members and I oppose the motion to reconsider the amendment.

The SPEAKER. The gentleman is correct in that there is an element of inequity involved here. Certainly the members are at a disadvantage, but the Chair is constrained to advise the gentleman that the motion for reconsideration has already been agreed to and the amendments are before the House.

Will the gentleman, Mr. Cowell, consider the proposition of offering the amendments in toto rather than in a division?

Mr. COWELL. Mr. Speaker, it is my intention to divide it and really to withdraw the latter part which would deal with the Department of Community Affairs, the State Library, and public television.

The SPEAKER. Will the gentleman offer the remainder of the amendment then in toto?

Mr. COWELL. Yes; that is my intention.

The SPEAKER. All right. As the Chair understands the question now, the gentleman is offering a single amendment for the following items: The Securities Commission, a reduction from \$749,000 to \$746,000; Environmental Affairs, a reduction from \$65,802,000 to \$65,358,000; Probation and Parole, a reduction from \$7,759,000

to \$7,509,000; Property and Supplies, a reduction from \$26,144,000 to \$25,640,000; Welfare, a reduction from \$20,029,000 to \$19,729,000; and Revenue, a reduction from \$44,643,000 to \$43,670,000.

The amendment is being offered as a package?

Mr. COWELL. That is correct, Mr. Speaker.

The SPEAKER. The remainder of the amendment is not being offered?

Mr. COWELL. That is correct.

PARLIAMENTARY INQUIRY

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

Mr. ARTHURS. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ARTHURS. I am just wondering, when a vote is being reconsidered, can it be reconsidered for any other portion than for that which was first defeated or by the way it was first voted upon?

The SPEAKER. The Chair is not quite certain that I understand what the gentleman is getting at.

Mr. ARTHURS. In other words, on our reconsideration vote we are not voting for the very same thing that we voted for the first time. Is that proper?

The SPEAKER. On the reconsideration motion, the question recurs, Will the House agree to the amendments? At that point there is an entirely new proposition before the membership of the House, and the mover of the amendment at that point is entitled to divide the question, offer different amendments, et cetera.

Mr. ARTHURS. Thank you, Mr. Speaker.

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

Mr. COWELL. Thank you, Mr. Speaker.

As I indicated, I intend only to deal with that part of the amendment that has been labeled Part I in the summary sheet that was circulated and which you reviewed dealing with those six departments.

To briefly reiterate some of the points which I made yesterday, these particular line items deal not with specific programs or anything of that sort; they deal only with those line items in the budget that have been labeled general government operations.

It was my intention basically to deal with the bureaucracy, if you will. It was my intention to extend to ourselves—that is, the state government—the same type of strict, hard-nosed, hold-the-line type of attitude which we have expressed to individuals, organizations, and institutions across the state during the past several days.

The process by which I arrived at these amendments was not quite so simple as Mr. Wojdak indicated in his comments yesterday. He characterized the process as a meat-ax type process, an arbitrary, across-the-board 108-percent cut. That is inaccurate. That is not the process by which we arrived at these amendments.

The first step was to take a look at those items labeled general government operations throughout the budget and to determine which of those items exceeded 108 percent of last year's level. That was just the first step though.

After we identified those some 20-odd general-government-operations items which were in excess of 108 per cent, we sat down with the Appropriations Committee and discussed those matters in which I had some

basic concerns. As a result of those discussions and many of the answers that we received from the Appropriations Committee, that list of 20 was substantially whittled down to a fewer number. And, secondly, the recommended cuts also were altered in many areas, so that in many places we are recommending not just 108 percent for these line items but in some cases 109 percent or 110 percent, or even in the case of welfare it is about 111 percent or 112 percent.

To briefly review why, let me go over the items one by one.

First of all, for the Securities Commission it is a \$3,000 cut which does, in fact, get it down to a 108-percent level. In terms of Environmental Resources, if we were looking for just 108 percent, the figure would be \$63,873,000. In fact, the Appropriations Committee recommended a figure almost \$2 million above that, \$65,802,000. We are proposing not that we go back to the 108-percent level but that we simply go back \$444,000. The reason was this: In our discussion with the Appropriations Committee staff, they were able to explain about \$1.5 million of the \$1.9-million increase above and beyond the 108-percent level. As I indicated yesterday, they did explain that the gypsy moth program, which accounted for about \$985,000 of these funds, used to be a line item, a separate line item. In this case it had been integrated into that general government operations line item. That accounted for almost a million dollars.

There was also another program, of which I cannot remember the name, but it accounted for another \$500,000, again integrated into that large line item, general government operations.

We still have approximately \$450,000 of, in my opinion, unexplained or inadequately explained funding above and beyond the 108-percent level.

I might also add, as I indicated yesterday, that in our discussions with the staff of the Appropriations Committee, it was indicated that in terms of personnel the Environmental Resources Department had approximately \$700,000 worth of vacancies at the time they spoke with representatives of the Environmental Resources Department. We are not cutting back a full \$700,000. We are again, as I say, indicating a cutback of \$444,000.

Under Probation and Parole, again we are not holding to a strict 108-percent level. The 108-percent level would be \$7,233,000. The staff of the Appropriations Committee indicated that the reason for the approximately \$560,000 increase above and beyond the 108-percent level was that in last year's budget this department had made an error to that amount. They were recommending to this House that we give them 108 percent and then tack on another \$560,000 to make up for last year's error.

The point which we had in mind was that the department operated last year. It was not indicated to us that they had any extreme difficulty in operating. It was indicated that, in fact, they had to cut back occasionally in terms of, well, it was said, not buying all the desks that they might have wanted to buy or all the paper they might have wanted to buy. But a lot of us are facing that situation. The department did not come to a halt. There seemed to be no substantial or significant impact on the programming of that department.

But, again, we are not recommending that we go back to just the 108-percent level and cut out the \$560,000. We are giving them a large hunk of that. We are

indicating or recommending, though, a cutback of \$250,000. We think the department can get along well at 108 percent of last year's budget, plus on top of that an additional \$300,000.

In terms of Property and Supplies, once again if we would stay at the 108-percent level, the figure would be \$25,231,000. The Appropriations Committee recommended a figure of approximately \$950,000 above and beyond the 108-percent level. We are not recommending that we go back to just that flat 108-percent level. We are recommending, however, a cutback of \$500,000, or approximately half of that increase above and beyond 108 percent.

The rationale for the excess of almost a million dollars was that that was to go to various renovation projects around the state. That was the only explanation we heard. It is our opinion that we can do without, perhaps, some of those renovation projects around the state.

The next department was the Welfare Department. If we would stay only at 108 percent, we would be at a level of \$18,048,000. We are recommending a figure that is \$1.7 million above and beyond the 108-percent level. We are recommending a cut, however, of \$300,000 from the figure which the Appropriations Committee has recommended.

I would note that we have heard a great deal of talk during the past week and a half about how the case load, in fact, of the Welfare Department is not going to be as high as was projected. But there has been no talk whatsoever about, therefore, a subsequent less need for personnel to handle that smaller case load.

The figure which the Appropriations Committee recommends is not that much less than that which was recommended by the Governor's office. Again we are suggesting that we go along with an increase of approximately 11 or 12 percent above last year's figures but still \$300,000 less than that recommended by the Appropriations Committee.

Finally, in the Revenue Department we stay at 108 percent of last year's figure. It will be \$43,670,000. We are recommending that we budget only 108 percent of last year's level.

Again we spoke with the Appropriations Committee staff people; we asked why \$973,000 above and beyond the Revenue Department's funding last year. We got no answer whatsoever to explain that increased \$973,000 above and beyond 108 percent. Therefore, I am recommending in this amendment cuts which would total \$2,470,000.

I would simply like to respond briefly to Mr. Wojdak's comments yesterday when—

THE SPEAKER PRO TEMPORE (Russell J. LaMarca) IN THE CHAIR

The SPEAKER pro tempore. Will the gentleman yield for a moment?

It is impossible to hear the gentleman. If we are going to proceed with the work that we have to do, let us maintain some decorum.

The gentleman may proceed.

Mr. COWELL. Very briefly, yesterday when Mr. Wojdak responded, he danced all around the questions which I had raised. In fact, I mentioned in my opening remarks yesterday that one reason for the amendments was to elicit some comments and some more information as to

exactly what was in these particular line items. But the chairman of the Appropriations Committee danced all around my remarks, mentioned the gypsy moth program, which we had already considered and accounted for, mentioned the Health Department, which these amendments do not touch in any way whatsoever, but never really clashed with the arguments or the questions which I raised. Therefore, I submit that to this point anyway we have not had—

POINT OF ORDER

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. VANN. Is the gentleman discussing his amendments or is he going through the entire budget?

The SPEAKER pro tempore. Well, at this point the Chair himself is not sure, but I am sure the gentleman is almost finished.

Mr. VANN. All right.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. COWELL. I am discussing the amendment. I was in particular discussing the response to the proposed amendments which we received yesterday.

Rather than receiving any type of answer which would clash with the questions or the charges we made yesterday, there was no specific answer. There was a lot of dancing around the points. But what we remain with today is no answer, no substantiation, no real explanation of why these departments need funds above and beyond the recommended figures proposed by these amendments.

Thank you, Mr. Speaker.

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

Mr. SELTZER. Mr. Speaker, an hour or so ago I complained to this House that they were not serious about cutting the budget, that they were only playing a game. This is an opportunity to make me eat crow. Here is an opportunity to vote to cut the budget.

It is a very small step. Collectively, it is a small cut, but it is an opportunity for this House to show that it is serious about cutting the budget. Mr. Speaker, I ask the members to vote "aye" on the amendment.

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

Mr. A. C. FOSTER. Mr. Speaker, I likewise support this amendment. I feel that it is not a meat-ax approach, but it works with a scalpel rather than a meat ax. I ask an affirmative vote.

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

Mr. WOJDAK. Mr. Speaker, I characterized this as a meat-ax approach when this amendment was run originally and I am again characterizing it as a meat-ax approach.

I do not want to belabor the House and go through each one. One of the amendments, for instance, cuts \$3,000 from the Securities Commission. I cannot complain about that one way or the other.

I would like to specifically draw attention to Dr. Goddard's department, to Environmental Resources.

What Mr. Cowell saw—and I explained this several times on the floor—was that we put the gypsy moth appropriation into general government operations. We did that to allow the department the flexibility of using that money not only for gypsy moth control but for the oak-leaf roller and various other insects or whatever they are that destroy trees in the Commonwealth. Those are the types of flexibilities that we wanted to give to the department.

In addition, when he talks about the numbers of employees in there, there is summer help, for instance, at our state parks, and we have provided for that. When Mr. Cowell looks at that on a yearly basis, those employees are not on as personnel during the entire year, but they are drastically needed during the summer in order to provide the necessary manpower at our state parks.

If in fact this type of cut were to go through there—and I call it a meat-ax cut—you are going to destroy needed programs in that department; you are going to cut into the availability of manpower for our state parks during the summer, which is just absolutely necessary in order to properly serve those state parks which really serve just about every citizen in this Commonwealth.

He also talks about Probation and Parole. What happened there was a significant increase. Last year there was a typographical error in the general appropriations bill, and some of those people were without desks. Now what happened was they contracted for those services and they are paying it out of this year's appropriation because of a typographical error last year that short-changed that particular department.

To allow a cut to go in as Mr. Cowell is suggesting, you are not only going to do away with just basic supplies such as desks and chairs; you are going to be cutting very drastically into professional personnel in Probation and Parole. The same thing is true as you go through the other items that Mr. Cowell is suggesting we cut.

My very strong recommendation is a negative vote on this package of amendments.

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

Mr. SHANE. Mr. Speaker, a meat ax is an honorable tool. It can do honorable work. Anybody who thinks we have scalpels in our repertoire in this legislative body is kidding himself. I am voting "yes."

On the question recurring, Will the House agree to Part III of the Cowell amendments?

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

YEAS—97

Abraham	Garzia	Manmiller	Shelhamer
Anderson, J. H.	Geesey	McClatchy	Sirianni
Beren	Gleason	McCue	Smith, E.
Bittle	Grieco	McGinnis	Smith, L.
Bradley	Gring	Mebus	Spencer
Brandt	Halverson	Miller, M. E.	Stahl
Burns	Hamilton, J. H.	Miller, M. E., Jr.	Stapleton
Butera	Hasay	Miscevich	Taddonio
Cessar	Haskell	Moehlmann	Turner
Cimini	Hayes, S.E.	Mrkonic	Ustynoski
Cowell	Hepford	Noye	Vroon
Crawford	Hill	O'Connell	Wagner

Cumberland	Hopkins	Pancoast	Weldner
Davies	Hutchinson, W.	Perri	Westerberg
Deverter	Katz	Pitts	Whelan
Dietz	Kelly, J. B.	Polite	Whittlesey
Dorr	Kernick	Pyles	Wilson
Dreibelbis	Klingaman	Reed	Wilt, R. W.
Eckensberger	Knepper	Renninger	Wilt, W. W.
Fischer	Kusse	Ryan	Worrlow
Fisher	Laughlin	Scheaffer	Wright
Foster, A.	Lehr	Scirca	Yohn
Foster, W.	Levi	Seltzer	Zeller
Fryer	Lynch	Shane	Zord
Gallen			

NAYS—93

Arthurs	Gillette	Menhorn	Ritter
Barber	Gleeson	Milanovich	Romanell
Bellomint	Goodman	Milliron	Ross
Bennett	Green	Morris	Ruggiero
Berlin	Greenfield	Mullen, M. P.	Saloom
Blackwell	Hammock	Mullen	Schmitt
Bonetto	Hayes, D. S.	Musto	Schweder
Brunner	Hutchinson, A.	Myers	Shelton
Caputo	Irvis	Novak	Shupnik
Cohen	Itkin	O'Brien	Stout
Cole	Johnson, J.	O'Donnell	Sullivan
Davis, D. M.	Kelly, A. P.	O'Keefe	Taylor
DeMedio	Kistler	Oilver	Tayoun
Dicarlo	Kolter	Parker, H. S.	Toll
DiDonato	Kowalshyn	Perry	Trello
Dombrowski	LaMarca	Petrarca	Vann
Doyle	Laudadio	Pievsky	Wansacz
Englehart	Lederer	Pratt	Wargo
Fee	Letterman	Prendergast	Wojdak
Flaherty	Lincoln	Rappaport	Yahner
Geisler	Manderino	Renwick	Zwiki
George	McCall	Rhodes	
Giammarco	McIntyre	Rieger	Fineman,
Gillespie	McLane		Speaker

NOT VOTING—13

Berson	McGraw	Shuman	Valicenti
Dininni	Richardson	Sweeney	Walsh, T. P.
Fawcett	Salvatore	Thomas	Zearfoss
Gallagher			

The majority required by the constitution having voted in the affirmative, the question was determined in the affirmative, and Part III of the Cowell amendments was agreed to.

THE SPEAKER (Herbert Fineman) IN THE CHAIR

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

RECONSIDERATION OF VOTE ON SHUMAN AMENDMENT TO HOUSE BILL No. 1336

Mr. M. P. MULLEN moved that the vote by which the Shuman amendment to HOUSE BILL No. 1336, printer's No. 1561, was defeated on Wednesday, June 11, 1975, be reconsidered.

Mr. SHUMAN 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 following amendment re-offered by Mr. Shuman, which was reread by the clerk?

Amend Sec. 2, page 7, by inserting between lines 9 and 10: Enforcement of weather modification law including expenses of Weather Modification Board as to hearings, etc. 25,000

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

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

Mr. M. P. MULLEN. Mr. Speaker, if you recall the debate on Mr. Shuman's amendments last week, he is providing a line item on page 7 for enforcement of the weather modification law, including expenses of the Weather Modification Board as to hearings, et cetera.

Now, certainly, I think he should have an opportunity to put this in, but, unfortunately, he had to go to a dinner, so I am offering it in his behalf and I hope that everyone can vote for it. It is for only \$25,000.

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

Mr. WOJDAK. Mr. Speaker, I would oppose this amendment.

I would really like to assure the House that there is no conspiracy to modify the weather in Adams County, and I would ask for a negative vote.

The SPEAKER. The Chair recognizes the gentleman from Montour, Mr. Wagner.

Mr. WAGNER. I am sure there is no conspiracy, Mr. Speaker.

This is not just cloud seeding, which most of us picture. There is a proposal to put energy parks in Pennsylvania instead of scattered sites of electric generating stations.

The energy park group, the utilities themselves, have made a report and they have admitted that it will affect the climate, and I am just going to read two sentences here: "Potential Problems. The combined environmental effect of all the plants" might have ". . . climatic changes in the area . . ." They admit that these changes might consist of persistent fogging or icing, induced shower activity, continuous cloud cover in the energy park vicinity, and humidity increase downwind of the installation.

These are potential problems, Mr. Speaker. We do not know if they are going to be actual problems, but we are going to have to study this and we need the state board here to help us study it. Neither DER nor the energy park group has, to date, done this.

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

The yeas and nays were required by Messrs. M. P. MULLEN and SHUMAN and were as follows:

YEAS—99

Anderson, J. H.	Gring	McGinnis	Seltzer
Beren	Halverson	McIntyre	Shelhamer
Bittle	Hamilton, J. H.	Mebus	Sirianni
Brandt	Hasay	Miller, M. E.	Smith, E.
Burns	Haskell	Miller, M. E., Jr.	Smith, L.
Butera	Hayes, D. S.	Moehlmann	Spencer
Cessar	Hayes, S. E.	Morris	Stahl
Cimini	Hepford	Mrkonic	Taddonio
Cole	Hill	Mullen, M. P.	Taylor
Crawford	Hopkins	Myers	Turner
Cumberland	Hutchinson, W.	Noye	Ustynoski
Davies	Katz	O'Connell	Vroon
Deverter	Kelly, J. B.	Pancoast	Wagner
Dietz	Kernick	Parker, H. S.	Walsh, T. P.
Dorr	Kistler	Perri	Weidner
Eckensberger	Klingaman	Pitts	Westerberg
Fisher	Knepper	Polite	Whelan
Flaherty	Kowalyshyn	Pyles	Whittlesey
Foster, A.	Kusse	Reed	Wilson
Foster, W.	Lehr	Renninger	Wilt, R. W.
Fryer	Levi	Renwick	Wilt, W. W.
Gallen	Lynch	Ruggiero	Worrilow
Geesey	Manmiller	Ryan	Wright
Gleason	McClatchy	Scheaffer	Yohn
Grieco	McCue	Scirica	

NAYS—92

Abraham	Geisler	McLane	Saloom
Arthurs	George	Menhorn	Schmitt
Barber	Giammarco	Milanovich	Schweder
Bellomini	Gillespie	Milliron	Shane
Bennett	Gillette	Miscevich	Shelton
Berlin	Gleeson	Mullen	Shupnik
Berson	Goodman	Musto	Stapleton
Blackwell	Green	Novak	Stout
Bonetto	Greenfield	O'Brien	Sullivan
Bradley	Hammock	O'Donnell	Sweeney
Brunner	Hutchinson, A.	O'Keefe	Tayoun
Caputo	Irvis	Oliver	Toll
Cohen	Itkin	Perry	Trello
Cowell	Johnson, J.	Petrarca	Vann
Davis, D. M.	Kelly, A. P.	Pievsky	Wansacz
Dicarlo	Kolter	Pratt	Wargo
DiDonato	LaMarca	Prendergast	Wojdak
Dombrowski	Laudadio	Rappaport	Zeller
Doyle	Laughlin	Rhodes	Zord
Dreibelbis	Lederer	Rieger	Zwinkl
Fee	Letterman	Ritter	
Fischer	Lincoln	Romanelli	Fineman,
Gallagher	Manderino	Ross	Speaker
Garzia	McCall		

NOT VOTING—12

DeMedio	Fawcett	Salvatore	Vallenti
Dininni	McGraw	Shuman	Yahner
Englehart	Richardson	Thomas	Zearfoss

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

QUESTIONS OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. DeMEDIO. Will the record please show I would have voted in the negative on the Shuman amendments to House bill No. 1336?

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

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

Mr. YAHNER. I was locked out. I would have voted in the affirmative on the Shuman amendments to House bill No. 1336.

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

MOTION TO TAKE AMENDMENTS FROM TABLE

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

Mr. ITKIN. Mr. Speaker, I would like to make a motion to remove from the table that section of the divided amendment to House bill No. 1336 that was tabled yesterday.

The SPEAKER. The gentleman, Mr. Itkin, moves that that portion of the amendment offered by him yesterday providing for some \$12.5 million for state employes, which was tabled, be taken from the table.

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

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

YEAS—88

Anderson, J. H.	Gleason	Levi	Scirica
Beren	Grieco	Lynch	Seltzer
Bittle	Gring	Manmiller	Sirianni
Brandt	Halverson	McClatchy	Smith, E.
Burns	Hasay	McCue	Smith, L.
Butera	Haskell	McGinnis	Spencer
Cessar	Hayes, D. S.	Mebus	Stahl
Cimini	Hayes, S. E.	Miller, M. E.	Turner
Crawford	Hepford	Miller, M. E., Jr.	Ustynoski
Cumberland	Hill	Moehlmann	Vroon
Davles	Hopkins	Noye	Wagner
Deverter	Hutchinson, W.	O'Connell	Weidner
Dietz	Itkin	Pancoast	Westerberg
Dorr	Katz	Parker, H. S.	Whelan
Fee	Kelly, J. B.	Pitts	Whittlesey
Fischer	Kernick	Polite	Wilson
Fisher	Kistler	Pyles	Wilt, W. W.
Foster, A.	Klingaman	Reed	Worriow
Foster, W.	Knepper	Renninger	Wright
Gallen	Kusse	Renwick	Yahner
Geesey	Laughlin	Ryan	Yohn
George	Lehr	Scheaffer	Zeller

NAYS—104

Abraham	Geisler	Milliron	Saloom
Arthurs	Giammarco	Miscevich	Schmitt
Barber	Gillespie	Morris	Schweder
Bellomini	Gillette	Mrkonic	Shane
Bennett	Gleason	Mullen, M. P.	Shelhamer
Berlin	Goodman	Mullen	Shelton
Berson	Green	Musto	Shupnik
Blackwell	Greenfield	Myers	Stapleton
Bradley	Hamilton, J. H.	Novak	Stout
Brunner	Hammock	O'Brien	Sullivan
Caputo	Hutchinson, A.	O'Donnell	Taddonio
Cohen	Irvis	O'Keefe	Taylor
Cole	Johnson, J.	Oliver	Tayoun
Cowell	Kelly, A. P.	Perri	Toll
Davis, D. M.	Kolter	Perry	Trello
DeMedio	Kowalyszyn	Petrarca	Vann
Dicarlo	LaMarca	Pievsky	Walsh, T. P.
DiDonato	Laudadio	Pratt	Wansacz
Dombrowski	Lederer	Prendergast	Wargo
Doyle	Letterman	Rappaport	Wilt, R. W.
Dreibelbis	Lincoln	Rhodes	Wojdak
Eckensberger	Manderino	Rieger	Zord
Englehart	McCall	Ritter	Zwilk
Flaherty	McIntyre	Romanelli	
Fryer	McLane	Ross	Fineman,
Gallagher	Menhorn	Ruggiero	Speaker
Garzia	Milanovich		

NOT VOTING—11

Bonetto	McGraw	Shuman	Valicenti
Dininni	Richardson	Sweeney	Zearfoss
Fawcett	Salvatore	Thomas	

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

MOTION TO TAKE AMENDMENT FROM TABLE

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

Mr. McGINNIS. Mr. Speaker, I have the amendment to House bill No. 1336 on the table, but that is a different printer's number. I have distributed the same amendment under the new printer's number, and I would like your advice as to which one you want me to offer.

The SPEAKER. The Chair suggests that the gentleman move to take from the table the amendment in question.

Mr. McGINNIS. I move to take the amendment from the table.

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

Mr. WOJDAK. Mr. Speaker, I would oppose and recommend that we vote in the negative on moving that from the table.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, the motion is to take an amendment from the table?

The SPEAKER. That is correct.

Mr. BUTERA. Does that not fit into this courtesy rule that we have floating around this House?

The SPEAKER. No.

Mr. BUTERA. I never liked that courtesy rule, but since we have been adopting it—

Mr. WOJDAK. We just did it with Mr. Itkin.

The SPEAKER. At no time during the session has the courtesy rule been extended to matters other than reconsideration.

Mr. BUTERA. So I guess he could reconsider the vote by which the motion failed, but that is about as far as he can get on courtesy.

On the question,

Will the House agree to the motion?

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

YEAS—87

Anderson, J. H.	Gleason	Manmiller	Smith, E.
Beren	Grieco	McClatchy	Smith, L.
Bittle	Gring	McCue	Spencer
Brandt	Halverson	McGinnis	Stahl
Burns	Hamilton, J. H.	Mebus	Taddonio
Butera	Hasay	Miller, M. E., Jr.	Turner
Cessar	Haskell	Moehlmann	Ustynoski
Cimini	Hayes, D. S.	Morris	Vroon
Crawford	Hayes, S. E.	Noye	Wagner
Cumberiand	Hepford	O'Connell	Weidner
Davies	Hill	Pancoast	Westerberg
Deverter	Hopkins	Parker, H. S.	Whelan
Dietz	Hutchinson, W.	Perri	Whittlesey
Dorr	Katz	Pitts	Wilson
Eckensberger	Kernick	Polite	Wilt, R. W.
Fischer	Kistler	Pyles	Wilt, W. W.
Fisher	Klingaman	Renninger	Worriow
Foster, A.	Knepper	Ryan	Wright
Foster, W.	Kusse	Scheaffer	Yohn
Fryer	Lehr	Seltzer	Zeller
Gallen	Levi	Shelhamer	Zord
Geesey	Lynch	Sirianni	

NAYS—104

Abraham	George	Menhorn	Ross
Arthurs	Giammarco	Milanovich	Ruggiero
Barber	Gillespie	Miller, M. E.	Saloom
Bellomini	Gillette	Milliron	Schmitt
Bennett	Gleason	Miscevich	Schweder
Berlin	Goodman	Mrkonic	Scirica
Berson	Green	Mullen	Shane
Blackwell	Greenfield	Musto	Shelton
Bonetto	Hammock	Myers	Shupnik
Bradley	Hutchinson, A.	Novak	Stapleton
Brunner	Irvis	O'Brien	Stout
Caputo	Itkin	O'Donnell	Sullivan
Cohen	Johnson, J.	O'Keefe	Taylor
Cole	Kelly, A. P.	Oliver	Tayoun
Cowell	Kelly, J. B.	Perry	Toll
DeMedio	Kolter	Petrarca	Trello
Dicarlo	Kowalyszyn	Pievsky	Vann
DiDonato	LaMarca	Pratt	Walsh, T. P.
Dombrowski	Laudadio	Prendergast	Wansacz
Doyle	Laughlin	Rappaport	Wargo
Dreibelbis	Lederer	Reed	Wojdak
Englehart	Letterman	Renwick	Yahner
Fee	Lincoln	Rhodes	Zwilk
Flaherty	Manderino	Rieger	
Gallagher	McCall	Ritter	Fineman,
Garzia	McIntyre	Romanelli	Speaker
Geisler	McLane		

NOT VOTING—12

Davis, D. M.	McGraw	Salvatore	Thomas
Dininni	Mullen, M. P.	Shuman	Valicenti
Fawcett	Richardson	Sweeney	Zearfoss

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

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

Mr. MCGINNIS. Mr. Speaker, as long as the courtesy was not extended, I am going to offer a new amendment.

The SPEAKER. Is the amendment an identical amendment?

Mr. MCGINNIS. The amendment is an identical amendment, with the exception that it has a new printer's number. It has been distributed as the House rules go and is in the possession of everyone.

The SPEAKER. The Chair rules that the amendment is not in proper order. It is an identical amendment and has to be considered under a reconsideration motion.

Mr. MCGINNIS. It has not been considered, Mr. Speaker. It has not been considered, so how can—

The SPEAKER. The question has been considered.

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

Mr. GALLEN. Mr. Speaker, was Mr. McGinnis' amendment yesterday considered by this House?

The SPEAKER. The amendment was considered and subjected to a motion to place upon the table.

Mr. GALLEN. There was no vote on Mr. McGinnis' amendment other than to place it upon the table. Is that not right?

The SPEAKER. That is correct.

Mr. GALLEN. This, then, is not a reconsideration of that amendment. It is just a consideration of that amendment. He is offering this amendment actually for the first time, because the amendment was not in fact considered yesterday.

The SPEAKER. The Chair does not subscribe to the view of the gentleman.

Mr. GALLEN. Well, Mr. Speaker, I just felt that I had to get into it sometime.

Thank you.

On the question recurring,

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—115

Abraham	George	McCall	Romanelli
Arthurs	Giammarco	McCue	Ross
Barber	Gillespie	McGraw	Ruggiero
Bellomini	Gillette	McLane	Saloom
Bennett	Gleeson	Menhorn	Schmitt
Berlin	Goodman	Milanovich	Schweder
Berson	Green	Milliron	Shane
Blackwell	Greenfield	Miscevich	Shelhamer
Bonetto	Grieco	Morris	Shupnik
Bradley	Hammock	Mrkonic	Stapleton
Brunner	Hayes, D. S.	Mullen	Stout
Burns	Hopkins	Musto	Sullivan
Caputo	Hutchinson, A.	Novak	Taylor
Cohen	Irvis	O'Brien	Toll
Cole	Itkin	O'Donnell	Trello
Cowell	Johnson, J.	O'Keefe	Ustynoski
Davis, D. M.	Katz	Oliver	Vann
DeMedio	Kelly, A. P.	Perri	Walsh, T. P.
Dicarlo	Kelly, J. B.	Perry	

Dombrowski	Kernick	Petrarca	Wansacz
Doyle	Kolter	Pievsky	Wargo
Dreibelbis	Kowalyszyn	Pratt	Wilson
Eckensberger	LaMarca	Prendergast	Wojdak
Englehart	Laudadio	Rappaport	Wright
Fee	Laughlin	Reed	Yahner
Flaherty	Lehr	Renwick	Zwinkl
Fryer	Letterman	Rhodes	
Gallagher	Lincoln	Rieger	Fineman,
Garzia	Manderino	Ritter	Speaker
Geisler			

NAYS—78

Anderson, J. H.	Gring	Mebus	Smith, E.
Beren	Halverson	Miller, M. E.	Smith, L.
Bittle	Hamilton, J. H.	Miller, M. E., Jr.	Spencer
Brandt	Hasay	Moehmann	Stahl
Butera	Haskell	Mullen, M. P.	Taddonio
Cessar	Hayes, S. E.	Myers	Tayoun
Cimini	Hepford	Noye	Turner
Crawford	Hill	O'Connell	Vroon
Cumberland	Hutchinson, W.	Pancoast	Wagner
Davies	Kistler	Parker, H. S.	Weidner
Deverter	Klingaman	Pitts	Westerberg
Dietz	Knepper	Polite	Whelan
Dorr	Kusse	Pyles	Whittlesey
Fischer	Lederer	Renninger	Wilt, R. W.
Fisher	Levi	Ryan	Wilt, W. W.
Foster, A.	Lynch	Scheaffer	Worrilow
Foster, W.	Manmiller	Scirica	Yohn
Gallen	McClatchy	Seltzer	Zeller
Geesey	McGinnis	Sirianni	Zord
Gleason	McIntyre		

NOT VOTING—10

DiDonato	Richardson	Sweeney	Valicenti
Dininni	Salvatore	Thomas	Zearfoss
Fawcett	Shuman		

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

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

HOUSE BILLS SIGNED BY SPEAKER

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

HOUSE BILL No. 181

An Act amending the act of June 26, 1974 (No. 21-A), entitled "The General Appropriations Act of 1974," providing for a deficiency in the appropriation to the Department of Justice and in the appropriation to the Department of Public Welfare.

HOUSE BILL No. 187

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779, No. 673), providing for the displaying of the license certificate or other device.

HOUSE BILL No. 663

An Act amending "The County Code," approved August 9, 1955 (P. L. 323, No. 130), further providing for the liability of county officers and employes for their acts or omissions.

HOUSE BILL No. 664

An Act amending "The Borough Code," approved February 1, 1966 (1965, P. L. 1656, No. 581), providing for liability insurance for officers and employes.

HOUSE BILL No. 667

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206, No. 331), providing for liability insurance for officers and employes.

HOUSE BILL No. 668

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), providing for liability insurance for township officers and employees.

Whereupon,

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

HOUSE BILLS RECOMMENDED

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

Mr. WOJDAK. Mr. Speaker, I would like to move that House bill No. 1438, House bill No. 1439, and House bill No. 1440 be recommended to the Committee on Appropriations for fiscal notes.

On the question,

Will the House agree to the motion?

Motion was agreed to.

**APPROPRIATIONS COMMITTEE MEETING
CANCELED**

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

Mr. WOJDAK. Mr. Speaker, there was an Appropriations Committee meeting scheduled for tomorrow at 4 o'clock. That meeting is canceled and will be rescheduled for Monday afternoon. We will notify you as to what time.

**REPORT OF SELECT COMMITTEE ON
LEGISLATIVE CITATIONS**

Mrs. KERNICK, chairperson of Select Committee on Legislative Citations, presented the following citations, which were read, considered and adopted:

HOUSE OF REPRESENTATIVES

WHEREAS, Cal Edmonds served one year as president of the Harrisburg Jaycees, a well recognized community service and leadership development organization in the Capital City comprised of young men between ages twenty-one through thirty-five; and

WHEREAS, Mr. Edmonds successfully headed a variety of programs that ranged from senior citizen festivals to fire safety and prevention activities with the City's Department of Public Safety. The State Convention of the Pennsylvania Jaycees was hosted by him and his organization for 1975; and

WHEREAS, As an administrator with the Pennsylvania Health Department and former director of the Division of Vital Statistics of that Department, Cal Edmonds has rendered meaningful public service to Harrisburg and its young adult population.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to recognize and commend Cal Edmonds for meritorious service as outgoing Harrisburg Jaycee President; and further directs that a copy of this citation be delivered to Cal Edmonds, 2002 Market Street, Harrisburg, Pennsylvania 17103.

STEPHEN R. REED

HOUSE OF REPRESENTATIVES

WHEREAS, The Teener League of Harrisburg is now in its twenty-seventh year of operation. It has provided to thousands of boys and girls living in the Capital City, opportunities for recreational, athletic and leadership development. Eight teams comprise the League this 1975 baseball season. The coaches and League officers give

freely of thier time to operate the league, prepare and coach the teams and all other details of the community program. The players are all between the ages of thirteen through fifteen. Paul Kompace, president; Marlin Ulrich, vice president; James Rudy, secretary-treasurer; R. J. "Duke" McMullan and Robert Silks, Trustees, comprise the present League officers.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania commends the Teener League of Harrisburg for their work in providing the opportunity for growth and leadership to the youth of the area;

and further directs that a copy of this citation be delivered to the Teener League of Harrisburg, 2922 Heather Place, Harrisburg, Pennsylvania 17104.

STEPHEN R. REED

HOUSE OF REPRESENTATIVES

WHEREAS, Mrs. Mary E. Watts has been named recipient of the annual award for church and community services by the Progressive Club of the Wesley Union AME Zion Church. This award was formerly presented to her at the Seventh Annual Awards Banquet held June 8, 1975; and

WHEREAS, This distinction is reserved for persons whose talents and time have been applied toward meeting human needs in both a spiritual and civic way. The involvement of Mrs. Mary E. Watts is important to the future of the City of Harrisburg and provides exemplary action for all citizens.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to pay tribute and appreciation to Mrs. Mary E. Watts for her public and church services; and further directs that a copy of this citation be delivered to Mrs. Mary E. Watts c/o Wesley Union AME Zion Church, Fifth and Camp Streets, Harrisburg, Pennsylvania 17110.

STEPHEN R. REED

HOUSE OF REPRESENTATIVES

WHEREAS, Terence Clifton Dickerson has been named recipient of the annual award for church and community services by the Progressive Club of the Wesley Union AME Zion Church. This award was formerly presented at the Seventh Annual Awards Banquet held June 8, 1975; and

WHEREAS, This distinction is reserved for persons whose talents and time have been applied toward meeting human needs in both a spiritual and civic way. The involvement of Terence Clifton Dickerson to the future of the City of Harrisburg and provides exemplary action for all citizens.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to pay recognition and appreciation to Terence Clifton Dickerson for his public and church services; and further directs that a copy of this citation be delivered to Terence Clifton Dickerson, c/o Wesley Union AME Zion Church, Fifth and Camp Streets, Harrisburg, Pennsylvania 17110.

STEPHEN R. REED

HOUSE OF REPRESENTATIVES

WHEREAS, Lanny E. Mummert has been elected president of the Harrisburg Chapter of the Jaycees for 1975-76 and in that capacity will oversee and manage the affairs of a well recognized community service and youth leadership development organization comprised of young men between ages twenty-one through thirty-five; and

WHEREAS, A past director of the New Oxford Chapter of the Jaycee, Mr. Mummert is also a past State projects chairman for the Pennsylvania Jaycees and advisor to prison chapters of the State organization. He is an administrative assistant for the Pennsylvania House of Representatives where he has also held other staff positions in the past.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania pauses in its delibera-

tions to offer congratulations to Lanny E. Mummert on his election as Harrisburg Jaycee President and extends to him best wishes for continued success in his future endeavors; and further directs that a copy of this citation be delivered to Lanny E. Mummert, 110 Berlin Road, New Oxford, Pennsylvania 17350.

STEPHEN R. REED

HOUSE OF REPRESENTATIVES

WHEREAS, Mrs. Francesca Mognini of New Kensington, became a United States citizen and was saluted by the Freedom Foundation Organization for a news article entitled "Good Things About America"; and

WHEREAS, Mrs. Mognini's article was in support of America, suggested solutions to basic problems besetting the Nation, and contributed to responsible citizenship.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Mrs. Francesca Mognini on the occasion of her United States citizenship and on her outstanding showing of patriotism and wishes her continued success in all her future endeavors;

and further directs that a copy of this citation be delivered to Mrs. Francesca Mognini, 459 Sloan Avenue, New Kensington, Pennsylvania 15068.

HELEN D. GILLETTE

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Frank Beard celebrated their golden wedding anniversary recently. Their happy union has been blessed by one son and two grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Beard, nee Margaret Cosner, and Mr. Beard were married June 2, 1925 at the home of Reverend Stanley Ober by him.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Frank Beard on their fiftieth wedding anniversary and expresses its hope that they may long continue to enjoy their happy marriage;

and further directs that a copy of this citation be delivered to Mr. and Mrs. Frank Beard, 67 South Penn Street, Manheim, Pennsylvania 17545.

KENNETH E. BRANDT

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. James S. Walker celebrated their sixtieth wedding anniversary recently. Their happy union has been blessed by two children, seven grandchildren, and four great-grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Walker, nee Grace Downing, and Mr. Walker were married June 9, 1915 by Reverend T. D. Imbrie in the United Presbyterian parsonage, Cochranton.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. James S. Walker on their sixtieth wedding anniversary and expresses its hope that they may long continue to enjoy their happy marriage;

and further directs that a copy of this citation be delivered to Mr. and Mrs. James S. Walker, 156 Alcorn Avenue, Oil City, Pennsylvania 16301.

JOSEPH LEVI, II
ROBERT J. KUSSE

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Harry W. Good celebrated their golden wedding anniversary recently. Their happy union has been blessed by three children, and seven grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing

the finest in American life. Mrs. Good, nee Martha Lucretia Porter, and Mr. Good were married April 18, 1925, by Reverend Alleyne C. Howell at St. Stephen Episcopal Church, Sewickley.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Harry W. Good on their fiftieth wedding anniversary and expresses its hope that they may long continue to enjoy their happy marriage;

and further directs that a copy of this citation be delivered to Mr. and Mrs. Harry W. Good, 702 Spring Street, Latrobe, Pennsylvania 15650.

JAMES O. WHELAN, JR.

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Loreto Colananni celebrated their golden wedding anniversary recently. Their happy union has been blessed by two children and four grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Colananni, nee Romaine Ambrose, and Mr. Colananni were married May 10, 1925 at Seward.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Loreto Colananni on their fiftieth wedding anniversary and expresses its hope that they may long continue to enjoy their happy marriage;

and further directs that a copy of this citation be delivered to Mr. and Mrs. Loreto Colananni, Seward, Pennsylvania 15954.

JAMES O. WHELAN, JR.

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Darwin Elsasser will celebrate their golden wedding anniversary June 1975. Their happy union has been blessed by three daughters and seven grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Elsasser, nee Steffie Krutsick, and Mr. Elsasser were married June 14, 1925 by Reverend Sebastian Jerzak at St. Peter and Paul Church, Lansford.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Darwin Elsasser on their fiftieth wedding anniversary and expresses its hope that they may long continue to enjoy their happy marriage;

and further directs that a copy of this citation be delivered to Mr. and Mrs. Darwin Elsasser, Bloomingdale, R. D. 2, Lehighton, Pennsylvania 18235.

THOMAS J. McCALL

HOUSE OF REPRESENTATIVES

WHEREAS, The North Penn Maidens' Relay Track Team, coached by Jim Crawford, Jr., captured fourth place in the State PIAA Track and Field Championships held at Pennsylvania State University, in the eight hundred eighty yard relay; and

WHEREAS, The North Penn Maidens' Relay Track Team, comprised of Becky Foulds, Anita Budweg, Joan Bilyk and Lynn Schroding, displayed outstanding athletic ability in earning such distinguished honors at the championship meet.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates the North Penn Maidens' Relay Track Team of 1975 for attaining fourth place in the State PIAA Track and Field Championships and wishes them continued success in their future endeavors;

and further directs that a copy of this citation be delivered to the North Penn High School, 1340 Valley Forge Road, Landsdale, Pennsylvania 19446.

ROOSEVELT I. POLITE

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Russell R. Stoudt celebrated their golden wedding anniversary recently. Their happy union has been blessed by four children, thirteen grandchildren, and six great-grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. The couple was married May 23, 1925 in Most Blessed Sacrament Church, Bally.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Russell R. Stoudt on their fiftieth wedding anniversary and expresses its hope that they may long continue to enjoy their happy marriage;

and further directs that a copy of this citation be delivered to Mr. and Mrs. Russell R. Stoudt, 205 Seventh Avenue, Royersford, Pennsylvania 19468.

G. SIEBER PANCOAST

HOUSE OF REPRESENTATIVES

WHEREAS, Barbara Crandall was chosen the 1974-1975 Erie County Dairy Princess; and

WHEREAS, Miss Crandall has been an active participant in numerous 4-H Club activities, and has diligently devoted her service, time, effort, and leadership to various school and community affairs.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to congratulate Barbara Crandall on her selection as 1974-1975 Erie County Dairy Princess and wishes her continued success in all her future endeavors; and further directs that a copy of this citation be delivered to Barbara Crandall, R. D. 2, Girard, Pennsylvania 16417.

DAVID S. HAYES

HOUSE OF REPRESENTATIVES

WHEREAS, Brian Rems of Abington High School earned All Public Division Lacrosse honors; and

WHEREAS, Brian Rems, who played defense, has displayed unique athletic prowess in receiving All Public Division recognition for Lacrosse skill.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Brian Rems for his outstanding athletic ability and commends him for earning All Public Division Lacrosse recognition; and further directs that a copy of this citation be delivered to Brian Rems, 1948 Moreland Road, Abington, Pennsylvania 19001.

DANIEL E. BEREN

HOUSE OF REPRESENTATIVES

WHEREAS, Albert Foster, Jr., of Abington High School earned All Public Division Lacrosse honors; and

WHEREAS, Albert Foster, Jr., who played attack, has displayed unique athletic prowess in receiving All Public Division recognition for lacrosse skill.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Albert Foster, Jr., for his outstanding athletic ability, and commends him for earning All Public Division Lacrosse recognition; and further directs that a copy of this citation be delivered to Albert Foster, Jr., 749 Arden Road, Jenkintown, Pennsylvania 19046.

DANIEL E. BEREN

HOUSE OF REPRESENTATIVES

WHEREAS, Ronald Forster of Abington High School earned All Public Division Lacrosse honors and

WHEREAS, Ronald Forster, who played attack, has displayed unique athletic prowess in receiving All Public Division recognition for lacrosse skill.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Ronald Forster for his outstanding athletic ability, and com-

mends him for earning All Public Division Lacrosse recognition; and further directs that a copy of this citation be delivered to Ronald Forster, 2831 Lamott Avenue, Roslyn, Pennsylvania 19001.

DANIEL E. BEREN

HOUSE OF REPRESENTATIVES

WHEREAS, Linden Levis of Abington High School earned All Public Division Lacrosse honors; and

WHEREAS, Linden Levis, who played attack, has displayed unique athletic prowess in receiving All Public Division recognition for lacrosse skill.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Linden Levis for his outstanding athletic ability, and commends him for earning All Public Division lacrosse recognition; and further directs that a copy of this citation be delivered to Linden Levis, 2018 Woodland Road, Abington, Pennsylvania 19001.

DANIEL E. BEREN

HOUSE OF REPRESENTATIVES

WHEREAS, Dr. and Mrs. Richard M. Lasday of Washington, are being awarded the twenty-fifth anniversary State of Israel Bond Scroll of Honor; and

WHEREAS, Dr. Lasday is co-president of B'nai B'rith Lodge, co-chairman of the United Jewish Federation and a member of Beth Israel Congregation's Board of Directors; and

WHEREAS, Mrs. Lasday is vice-president on the regional level for the Washington Hadassah and Beth Israel Sisterhood and is extremely active in other religious and civic organizations.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Dr. and Mrs. Richard M. Lasday of Washington, on being awarded the twenty-fifth anniversary State of Israel Bond Scroll of Honor, commends them on their outstanding record of service to the citizens of the community and wishes them continued success in all their future endeavors; and further directs that a copy of this citation be delivered to Dr. and Mrs. Richard M. Lasday, 816 Jefferson Avenue, Washington, Pennsylvania 15301.

ROGER RAYMOND FISCHER

HOUSE OF REPRESENTATIVES

WHEREAS, Mike Brenner of Cogan Station, ran the eight hundred eighty yard run and mile run in the State Class B championship; and

WHEREAS, Mike Brenner did attain athletic superiority by winning the eight hundred eighty yard run and placed fifth in the mile run.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Mike Brenner as State Class B champion and commends him for his outstanding athletic dedication, and wishes him continued success in his future endeavors; and further directs that a copy of this citation be delivered to Mike Brenner, R. D. 1, Box 485, Cogan Station, Pennsylvania 17728.

JOSEPH V. GRIECO

HOUSE OF REPRESENTATIVES

RESOLUTION

WHEREAS, Mr. Preston A. "Jack" Frost passed away May 17, 1975. An insurance and real estate business owner, Mr. Frost was a member of the House of Representatives in 1944, 46, 48, 50 and 52. Mr. Preston A. Frost earned his B.S. and M.S. degrees from the Pennsylvania State University. A member of State College Kiwanis Club and State College Borough Council, Mr. Frost was a board member of Mt. Nittany Savings & Loan, and was chairman emeritus of the board of Peoples National Bank; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to respectfully commemorate the devotion and service dedicated by Mr. Preston A. Frost,

and further extends its deepest regrets to the family of this prolific gentleman; and be it further

RESOLVED, That a copy of this resolution be delivered to Mrs. Helen Cummings, State College, Pennsylvania and Mrs. Marlin K. Gingrich, State College, Pennsylvania 16801.

GALEN E. DREIBELBIS

HOUSE OF REPRESENTATIVES

WHEREAS, The Penn Manor High School Boys Baseball Team coached by Dale Bennetch, and his assistants, James Todd and Dale Ulrich, won the Section II Lancaster-Lebanon Championship for 1975; and

WHEREAS, Penn Manor compiled a record of eleven wins and two losses including playoff victories over Cedar Crest and Conestoga Valley en route to attaining athletic superiority.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates the members and coaching staff of Penn Manor Boys Baseball Team for winning the Lancaster-Lebanon Section II Championship and commends them for outstanding athletic performances;

and further directs that a copy of this citation be delivered to Penn Manor High School Boys Baseball Team, Penn Manor High School, Millersville, Pennsylvania 17551.

SHERMAN L. HILL

CONSUMER PROTECTION COMMITTEE MEETING CANCELED

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

Mr. SCHMITT. Mr. Speaker, the Consumer Protection Committee meeting scheduled for tonight at 7:30 is hereby canceled.

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. DeVERTER. Mr. Speaker, on House bill No. 1207, neglecting to recall that the Lincoln amendment had been inserted, I would like to change my vote from an affirmative to a negative vote.

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

URBAN AFFAIRS COMMITTEE MEETING

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

Mr. VANN. Mr. Speaker, I want to remind the members of the Urban Affairs Committee that the meeting scheduled for Thursday and Friday is on and will be held both days.

The SPEAKER. The Chair thanks the gentleman.

HOUSE SCHEDULE

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, we will not be in session for

the remainder of the week. We shall return rather to committee work for next week. I am asking the chairman of all committees to schedule their meetings for all of next week so that we may have an ample calendar the following week.

The SPEAKER. The Chair wants to bring to the attention of the majority leader that there is a cutoff date of June 23 for the reporting out of House bills by committees. The cutoff date for the reporting out of Senate bills is June 30. Monday is June 23.

Now if it be the intention of the majority leader to give some additional time to the committees to consider bills next week in view of the fact that we were tied up with budget deliberations, we can extend the cutoff date to June 25 for House bills.

Mr. BUTERA. Mr. Speaker, if I may interrupt.

Mr. IRVIS. I will yield.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. The rules are one thing, and if a majority of this House wants to waive the rules on certain of those timetables, we can do so, but that is the only way we can do it.

The SPEAKER. That is correct.

Mr. IRVIS. Mr. Speaker, I do so desire to extend the time period, because we did remove from the committee chairmen the amount of time which they had planned on using this week. I think it is only fair to grant them the return of that time and I think an extension to at least June 25 is required, and I would make that request of the Chair.

The SPEAKER. That request is in order and is granted.

Mr. IRVIS. I have no further business, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority leader. Does the minority leader have any further business to bring before the House?

Mr. BUTERA. No, Mr. Speaker.

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. WAGNER. Mr. Speaker, on House bill No. 1207, the Mullen amendment, had I been in my seat, I would like the record to show I would have voted "nay."

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

ADJOURNMENT

Mr. FLAHERTY moved that this House do now adjourn until Monday, June 23, 1975, at 1 p.m., e.d.t.

On the question,

Will the Senate agree to the motion?

Motion was agreed to, and (at 6:07 p.m., e.d.t.) the House adjourned.