

Legislative Journal

WEDNESDAY, JULY 9, 1975

Session of 1975

159th of the General Assembly

Vol. 1, No. 60

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (Herbert Fineman) IN THE CHAIR

PRAYER

REVEREND COLONEL JOSEPH ROWAN, Chief of Chaplains, Walter Reed General Hospital, Washington, D. C., guest chaplain and guest of the gentleman from Eric, Mr. Dombrowski, offered the following prayer:

Hear, O Heavenly Father, the earnest supplications of the members of the legislature of this Commonwealth pausing for a sacred moment as we pray with them and for them this day.

Truly, a tremendous feeling of awe surrounds us. What an awesome honor is theirs, to be a living part, a continuum of that legislature of one of those original colonies that forged our Nation now almost 200 years ago.

With the great honor that is theirs goes as great a responsibility, both to the Nation and to the people. We pray Thee, Lord, to grant these men and women the wisdom and the courage commensurate with that great task.

These things we humbly ask, O Lord, in Your most Holy Name. Amen.

ANNOUNCEMENT

The SPEAKER. Will the members of the Appropriations Committee please proceed immediately to a meeting of that committee? The rest of the members will report to the floor promptly.

WELCOME

The SPEAKER. The Chair would like to introduce to the assemblage here this morning some guests of the gentleman, Mr. Dombrowski, who was responsible for bringing Colonel Rowan to us this morning. First, Mrs. Eleanor Dombrowski and their daughter Mary.

Also included in that party is Marge Wozniak and Jui Chun Ku, who is visiting from Taiwan, China, as well as Chaplain Andrew Pawlacyk.

CONSUMER PROTECTION COMMITTEE MEETING

The SPEAKER. Will the members of the Consumer Protection Committee proceed immediately to a meeting of that committee?

The Chair will defer taking a master roll until you return.

HOUSE BILLS INTRODUCED AND REFERRED

By Messrs. SHELHAMER, WEIDNER, YAHNER, BRANDT, THOMAS, FRYER, R. W. WILT, W. W. FOSTER, ZELLER and PRATT

HOUSE BILL No. 1593

An Act amending the "Milk Marketing Law," approved April 28, 1937 (P. L. 417, No. 105), providing for the election of members of the board; requiring that an active dairy farmer be on the board; authorizing sales to certain entities by bid; prohibiting the fixing of wholesale prices; exempting certain sales from the act; requiring the setting of minimum retail prices on half-gallon containers; and requiring the use of an economic formula to establish the minimum price to producers.

Referred to Committee on Agriculture.

By Messrs. O'BRIEN, BONETTO, LINCOLN, VALICENTI, PETRARCA, ENGLEHART, DAVIS, TAYLOR, MISCEVICH, ABRAHAM, TRELLO, WANSACZ, MILANOVICH, BRUNNER, YAHNER, GARZIA, GOODMAN, NOVAK, BRADLEY, FISCHER, FLAHERTY, CAPUTO, GEISLER, GLEASON and STOUT

HOUSE BILL No. 1594

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), creating the Pennsylvania Mines Safety Commission and providing for its powers and duties.

Referred to Committee on Mines and Energy Management.

By Messrs. BELLOMINI, MEBUS, GEISLER, TRELLO, M. M. MULLEN, DOMBROWSKI, D. S. HAYES and HOPKINS

HOUSE BILL No. 1595

An Act relating to and defining real estate brokers, associates or salesmen; providing for the licensing, regulation and supervision of those engaging in or conducting the business of a real estate broker or real estate associate; creating the Pennsylvania Real Estate Commission; and providing for penalties.

Referred to Committee on Professional Licensure.

By Messrs. BRUNNER, DeMEDIO and STOUT

HOUSE BILL No. 1596

An Act making an appropriation to the Department of Justice for the payment of certain moral claims against the Commonwealth.

Referred to Committee on Judiciary.

By Messrs. FISHER, CAPUTO and ZORD

HOUSE BILL No. 1597

An Act amending "The Borough Code," approved February 1, 1966 (1965 P. L. 1656, No. 581), making the mayor a voting member at council meetings.

Referred to Committee on Local Government.

PARLIAMENTARY INQUIRY

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

Mr. GLEASON. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GLEASON. Am I correct in assuming that the House will be in recess while the meeting of the Consumer Protection Committee goes on?

The SPEAKER. The House will be at ease, not in recess.

HOUSE RESOLUTION INTRODUCED AND REFERRED

By Messrs. COHEN, DiCARLO, GREEN, ROMANELLI, JOHNSON, Mrs. TOLL, Messrs. GLEESON, LEDERER, GIAMMARCO, O'KEEFE, STAPLETON, GILLESPIE, GARZIA and BRADLEY

RESOLUTION No. 128

The Federal-State Relations Committee shall investigate the activities of the committees and subcommittees of the United States House and Senate, and shall provide for the use of the members a comparison of the jurisdiction of committees and subcommittees of the House of Representatives and the United States House and Senate, with names and phone numbers of key staff aides, so that members will be able to make use of United States Congressional legislative expertise.

Referred to 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. 190

An Act amending the act of June 1, 1933 (P. L. 1172, No. 290), entitled "Borough Rural State Highway Law," deleting certain routes in Wind Gap Borough, Northampton County.

HOUSE BILL No. 516

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

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

SENATE MESSAGE**AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE**

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

HOUSE BILL No. 141

An Act amending the act of February 1, 1966 (1965, P. L. 1656, No. 581), entitled "The Borough Code," providing for appropriations for building and maintaining hospitals.

HOUSE BILL No. 142

An Act amending the act of May 1, 1933 (P. L. 103, No.

69), entitled "The Second Class Township Code," providing for appropriations for building hospitals.

HOUSE BILL No. 242

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

HOUSE BILL No. 244

An Act requiring speed recorders on locomotives.

HOUSE BILL No. 907

An Act amending the act of June 24, 1931 (P. L. 1206, No. 331), entitled "The First Class Township Code," providing for appropriations for building hospitals.

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

The SPEAKER. The bills will appear on the calendar.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip.

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

The SPEAKER. The Chair recognizes the minority whip.

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

The SPEAKER. The Chair thanks the gentleman.

HEALTH AND WELFARE COMMITTEE MEETING RESCHEDULED

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

Mrs. KELLY. Mr. Speaker, the meeting scheduled for 12 noon today has been canceled and postponed until 11:30 on Monday, July 14.

The SPEAKER. The meeting of the Health and Welfare Committee scheduled for 12 noon today has been canceled.

URBAN AFFAIRS COMMITTEE MEETING CANCELED

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

Mr. VANN. For the benefit of the members of the Urban Affairs Committee who did not hear the announcement last week, the meeting scheduled for 9:30 this morning has been canceled.

The SPEAKER. The Chair thanks the gentleman.

SENATE BILL SIGNED BY SPEAKER

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

SENATE BILL No. 823

A Supplement to the act of (P. L. , No.), entitled "Motor License Fund Supplement to the General Appropriation Act of 1975," itemizing appropriations required from the Motor License Fund for the proper operation of the several departments of the Commonwealth authorized to spend Motor License Fund moneys.

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

COMMITTEE REPORTS

The SPEAKER. Without objection, the Chair will take reports of committees.

The Chair hears no objection.

BILL REREPORTED AS COMMITTED

SENATE BILL No. 546 By Mr. SULLIVAN

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), entitled "Liquor Code," further providing for licenses for performing arts facilities in cities of the first or second class.

Rereported from Committee on Liquor Control.

BILL REPORTED AS COMMITTED AND CONSIDERED FIRST TIME AND TABLED

SENATE BILL No. 719 By Mrs. GILLETTE

An Act regulating retail electric suppliers in certain areas.

Reported from Committee on Consumer Protection.

MASTER ROLL CALL

The SPEAKER. The Chair is about to take today's master roll.

The roll was taken and was as follows:

YEAS—194

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

- | | | | |
|-----------|-----------|-----------|----------|
| Fryer | Manderino | Ryan | Zwinkl |
| Gallagher | Manmiller | Saloom | Fineman, |
| Gallen | McCall | Salvatore | Speaker |
| Garzia | McClatchy | Scheaffer | |

NOT VOTING—9

- | | | | |
|--------------|--------|------------|-----------|
| Dininni | McGraw | Richardson | Thomas |
| Gleeson | Morris | Sweeney | Ustynoski |
| Kelly, J. B. | | | |

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

EDUCATION COMMITTEE MEETING

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

Mr. MILANOVICH. Mr. Speaker, I have been asked to announce that the Education Committee meeting will be held as scheduled at 11:30 in room 328.

The SPEAKER. The Chair thanks the gentleman.

Have the members of the Consumer Protection Committee returned from their meeting?

Have the members of the Appropriations Committee returned from their meeting?

Will someone please advise that committee that we will proceed in 5 minutes, that their meeting is to terminate in 5 minutes? Will someone please get a message to the Appropriations Committee?

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Tuesday, July 8, 1975, will be postponed until printed.

CALENDAR

BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 350, printer's No. 387, entitled:**

An Act amending "The Military Code of 1949," approved May 27, 1949 (P. L. 1903, No. 568), providing legal assistance to certain members of the Pennsylvania National Guard.

On the question,

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

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

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

YEAS—191

- | | | | |
|-----------------|-----------------|--------------------|-----------|
| Abraham | Geisler | McGinnis | Schweder |
| Anderson, J. H. | George | McIntyre | Scirica |
| Arthurs | Giammarco | McLane | Seltzer |
| Barber | Gillespie | Mebus | Shane |
| Bellomini | Gillette | Menhorn | Shelhamer |
| Bennett | Gleason | Milanovich | Shelton |
| Beren | Gleeson | Miller, M. E. | Shuman |
| Berlin | Goodman | Miller, M. E., Jr. | Shupnik |
| Berson | Green | Milliron | Sirianni |
| Bittle | Greenfield | Miscevich | Smith, E. |
| Blackwell | Grieco | Moehlmann | Smith, L. |
| Bonetto | Halverson | Mrkonic | Spencer |
| Bradley | Hamilton, J. H. | Mullen, M. P. | Stahl |

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

NAYS—0

NOT VOTING—12

Brandt	Hammock	Morris	Sweeney
Dininni	Kelly, J. B.	Rhodes	Thomas
Gring	McGraw	Richardson	Ustynoski

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

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

Agreeable to order,

The House proceeded to third consideration of **House bill No. 351, printer's No. 388**, entitled:

An Act amending "The Military Code of 1949," approved May 27, 1949 (P. L. 1903, No. 568), providing that the Commonwealth be responsible for judgments secured against certain members of the Pennsylvania National Guard.

On the question,

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

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

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

YEAS—189

Abraham	Geesey	McCue	Seirica
Anderson, J. H.	Geisler	McGinnis	Seltzer
Arthurs	George	McIntyre	Shane
Barber	Giammarco	McLane	Shelhamer
Bellomini	Gillespie	Mebus	Shelton
Bennett	Gillette	Menhorn	Shuman
Beren	Gleason	Milanovich	Shupnik
Berlin	Goodman	Miller, M. E., Jr.	Sirianni
Berson	Green	Miller, M. E.	Smith, E.
Bittle	Greenfield	Milliron	Smith, L.
Blackwell	Grieco	Miscevich	Spencer
Bonetto	Gring	Mochlmann	Stahl
Bradley	Halverson	Mrkonic	Stapleton

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

NAYS—0

NOT VOTING—14

Brandt	Kelly, J. B.	Rhodes	Sweeney
Dininni	McGraw	Richardson	Thomas
Gleason	Morris	Romanelli	Ustynoski
Hammock	Mullen		

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

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

Agreeable to order,

The House proceeded to third consideration of **House bill No. 701, printer's No. 792**, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), requiring a receipt upon the filing of expense accounts.

On the question,

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

Amend Title, page 1, line 11, by inserting after "elections," "": prohibiting cross-filing by candidates for any elective office and

Amend Bill, page 1, by inserting between lines 14 and 15: Section 1. Section 910, the first paragraph of section 976, subsection (a) of section 993, subsections (a) and (b) of section 998 and section 1004, act of June 3, 1937 (P. L. 1333, No. 320), known as the "Pennsylvania Election Code," amended June 27, 1974 (No. 146) and section 1004 amended December 10, 1974 (No. 280), are amended to read:

Section 910. Affidavits of Candidates.—Each candidate for any State, county, city, borough, incorporated town, township, ward, school district, poor district, election district, party office, party delegate or alternate, or for the office of United States Senator or Representative in Congress, shall file with his nomination petition his affidavit stating—(a) his residence, with street and number, if any, and his post-office address; (b) his election district, giving city, borough, town or township; (c) the name of the office for which he consents to be a candidate; (d) that he is eligible for such office; (e)

that he will not knowingly violate any provision of this act, or of any law regulating and limiting nomination and election expenses and prohibiting corrupt practices in connection therewith; (f) [unless he is a candidate for judge of a court of record, or for the office of school director in a district where that office is elective or for the office of justice of the peace] that he is not a candidate for nomination for the same office of any party other than the one designated in such petition; (g) if he is a candidate for a delegate, or alternate delegate, member of State committee, National committee or party officer, that he is a registered and enrolled member of the designated party; and (h) if he is a candidate for delegate or alternate delegate the presidential candidate to whom he is committed or the term "uncommitted." In cases of petitions for delegate and alternate delegate to National conventions, the candidate's affidavit shall state that his signature to the delegate's statement, as hereinafter set forth, if such statement is signed by said candidate, was affixed to the sheet or sheets of said petition prior to the circulation of same. In the case of a candidate for nomination as President of the United States, it shall not be necessary for such candidate to file the affidavit required in this section to be filed by candidates, but the post-office address of such candidate shall be stated in such nomination petition.

Section 976. Examination of Nomination Petitions, Certificates and Papers; Return of Rejected Nomination Petitions, Certificates and Papers.—When any nomination petition, nomination certificate or nomination paper is presented in the office of the Secretary of the Commonwealth or of any county board of elections for filing within the period limited by this act, it shall be the duty of the said officer or board to examine the same. No nomination petition, nomination paper or nomination certificate shall be permitted to be filed if—(a) it contains material errors or defects apparent on the face thereof, or on the face of the appended or accompanying affidavits; or (b) it contains material alterations made after signing without the consent of the signers; or (c) it does not contain a sufficient number of signatures as required by law; Provided, however, That the Secretary of the Commonwealth or the county board of elections, although not hereby required so to do, may question the genuineness of any signature or signatures appearing thereon, and if he or it shall thereupon find that any such signature or signatures are not genuine, such signature or signatures shall be disregarded in determining whether the nomination petition, nomination paper or nomination certificate contains a sufficient number of signatures as required by law; or (d) in the case of nomination petitions, if nomination petitions have been filed for printing the name of the same person for the same office[, except the office of judge of a court of record, or the office of school director in districts where that office is elective or the office of justice of the peace] upon the official ballot of more than one political party; or (e) in the case of nomination papers, if the candidate named therein has filed a nomination petition for any public office for the ensuing primary, or has been nominated for any such office by nomination papers previously filed; or (f) if the nomination petitions or papers are not accompanied by the filing fee or certified check required for said office; or (g) in the case of nomination papers, the appellation set forth therein is identical with or deceptively similar to the words used by any existing party or by any political body which has already filed nomination papers for the same office, or if the appellation set forth therein contains part of the name, or an abbreviation of the name or part of the name of an existing political party, or of a political body which has already filed nomination papers for the same office. The invalidity of any sheet of a nomination petition or nomination paper shall not affect the validity of such petition or paper if a sufficient petition or paper remains after eliminating such invalid sheet. The action of said officer or board in refusing to receive and file any such nomination petition, certificate or paper, may be reviewed by the court of common pleas of the proper county upon an application for a writ of mandamus to compel its reception as of the date when it was presented to the

office of such officer or board: Provided, however, That said officer or board shall be entitled to a reasonable time in which to examine any petitions, certificates or papers, and to summon and interrogate the candidates named therein, or the persons presenting said petitions, certificates or papers, and his or their retention of same for the purpose of making such examination or interrogation shall not be construed as an acceptance or filing.

* * *

Section 993. Filing of Certain Vacancies in Public Office by Means of Nomination Certificates and Nomination Papers.—(a) In all cases where a vacancy shall occur for any cause in an elective public office, including that of judge of a court of record, at a time when such vacancy is required by the provisions of the Constitution or the laws of this Commonwealth to be filled at the ensuing election but at a time when nominations for such office cannot be made under any other provision of this act, nominations to fill such vacancies shall be made by political parties in accordance with party rules relating to the filling of vacancies by means of nomination certificates in the form prescribed in section nine hundred ninety-four of this act, and by political bodies by means of nomination papers in accordance with the provisions of sections nine hundred fifty-one, nine hundred fifty-two and nine hundred fifty-four of this act. No such nomination certificate shall nominate any person who has already been nominated by any other political party or by any political body for the same office. [unless such person is a candidate for the office of judge of a court of record or the office of school director in districts where that office is elective or for the office of justice of the peace.] No such nomination papers shall nominate any person who has already been nominated by any political party or by any other political body for any office to be filled at the ensuing November election. [, unless such person is a candidate for the office of judge of a court of record or the office of school director in districts where that office is elective or for the office of justice of the peace.]

* * *

Section 998. Substituted Nominations to Fill Certain Vacancies for a November Election.—(a) Any vacancy happening or existing in any party nomination made in accordance with the provisions of section nine hundred ninety-three of this act for a November election by reason of the death or withdrawal of any candidate may be filled by a substituted nomination made by such committee as is authorized by the rules of the party to make nominations in the event of vacancies on the party ticket, in the form prescribed by section nine hundred ninety-four of this act. But no substituted nomination certificate shall nominate any person who has already been nominated by any other political party or by any political body for the same office. [, unless such person is a candidate for the office of judge of a court of record or for the office of school director in districts where that office is elective or for the office of justice of the peace.]

(b) In case of the death or withdrawal of any candidate nominated by a political body for an election, the committee named in the original nomination papers may nominate a substitute in his place by filing a substituted nomination certificate in the form and manner prescribed by section nine hundred eighty of this act. In the case of a vacancy caused by the death of any candidate, said nomination certificate shall be accompanied by a death certificate properly certified. No substituted nomination certificate shall nominate any person who has already been nominated by any political party or by any other political body for any office to be filled at the ensuing November election. [, unless such person is a candidate for the office of judge of a court of record or for the office of school director in districts where that office is elective or for the office of justice of the peace.]

* * *

Section 1004. Form of Ballots; Printing Ballots; Stubs; Numbers.—From the lists furnished by the Secretary of the Commonwealth under the provisions of sections 915 and 984, and from petitions and papers filed in their office, the county election board shall print the official

primary and election ballots in accordance with the provisions of this act: Provided, however, That in no event, shall the name of any person consenting to be a candidate for nomination for any one office[, except the office of judge of a court of record, or the office of school director in districts where that office is elective or the office of justice of the peace] be printed as a candidate for such office upon the official primary ballot of more than one party. All ballots for use in the same election district at any primary or election shall be alike. They shall be at least six inches long and four inches wide, and shall have a margin extending beyond any printing thereon. They shall be printed with the same kind of type (which shall not be smaller than the size known as "brevier" or "eight point body") upon white paper of uniform quality, without any impression or mark to distinguish one from another, and with sufficient thickness to prevent the printed matter from showing through. Each ballot shall be attached to a stub, and all the ballots for the same election district shall be bound together in books of fifty, in such manner that each ballot may be detached from its stub and removed separately. The ballots for each party to be used at a primary shall be bound separately. The stubs of the ballots shall be consecutively numbered, and in the case of primary ballots, the number shall be preceded by an initial or abbreviation designating the party name. The number and initial or abbreviation which appears upon the stub shall also be printed in the upper right hand corner of the back of the ballot, separated from the remainder of the ballot by a diagonal perforated line so prepared that the upper right hand corner of the back of the ballot containing the number may be detached from the ballot before it is deposited in the ballot box and beside that corner shall also be printed, "Remove numbered stub immediately before depositing your ballot in ballot box."

Amend Sec. 1, page 1, line 15, by striking out "1." and inserting: 2.

Amend Sec. 1, page 1, lines 15 and 16, by striking out "act of June 3, 1937 (P. L. 1333, No. 320), known as the "Pennsylvania Election Code,"" and inserting: of the act.

Amend Sec. 2, page 2, line 17, by striking out "2." and inserting: 3.

On the question,

Will the House agree to the amendments?

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

Mr. GARZIA. Mr. Speaker, my amendment just prohibits cross-filing by any candidates for any elected office in the State of Pennsylvania.

I think that when this bill was put in, the intention was very good. But what is happening, it is not working the way it started out to be—to make any school board member, judges or magistrates nonpolitical—because a political party does spend more money to try to elect its own candidate.

It is bad enough to try to endorse a candidate when he is an independent, but you also have members from the opposite party.

So I think this bill, as it was first put in, does serve this purpose and I would like to see that cross-filing eliminated.

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

Mr. E. H. SMITH. Mr. Speaker, we in the committee have not had an opportunity to discuss this amendment. I would therefore like perhaps a little more explanation, if there is any more, as to what Mr. Garzia has in his amendment.

The SPEAKER. Would the gentleman, Mr. Garzia, care

to expound on his explanation as to what his proposed amendment does?

Mr. GARZIA. I can speak from my own experience. Back in the district we have judges, magistrates, cross-filing, and school board members and all we are doing is spending more money to elect the person from our own political party.

The bill is not making these offices nonpolitical. I think it is making them more political than ever now because your party is supporting them. And it has caused more problems for people coming out to vote. You see a lot of names on the ballot and a lot of them just pick at random. That is all.

Mr. E. H. SMITH. Mr. Speaker, I have no particular objection to this particular amendment; however, as I said, we did not discuss this in committee.

However, I believe that this amendment should be held off and included in a bill on election reform. I believe there is a package of bills about to be presented in the near future, and there are a couple of other amendments to this bill. And I feel that Mr. Garzia perhaps should withdraw his amendment, and at a time when this election reform package is presented, it would be included in there as a single bill on its own.

I oppose this amendment, Mr. Speaker.

The SPEAKER. The Chair recognizes the lady from Delaware, Mrs. Whittlesey.

Mrs. WHITTLESEY. Mr. Speaker. I support Mr. Garzia's amendment. I think we have gone too far in weakening the political structure and creating enormous confusion at the polls.

I hope my Republican colleagues and every member of the House will support this amendment.

Thank you.

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

Mr. ZELLER. Mr. Speaker, for too long a period of time our political system has been decaying into a position where we do not know whether people are "Democans" or "Republicrats." We just do not know because the system of checks and balances is no longer with us. They will run on both tickets and make all kinds of noises, and when they get in there, they do what they want anyway.

We found it in the judges. Now we have the so-called merit system that we are talking about now. Whether it relates to this or not, I think it does because they are talking about the so-called merit selection. We have practically destroyed the system of the judiciary in this cross-filing area. And even in the area of retention, no longer does the public have a chance because the newspapers will run the country. I say that with all respect to many good reporters, but they do not run the show. It is the people who should call the shots; not those sitting in the editorial seats and the publishers who are trying to run this United States of America.

I think for too long we should have told these people where the bear took a walk. We have got to start letting them know that the people are going to run this country, and they are going to run it with the checks and balances or you are going to be something or you are not going to be. This business of middle-of-the-roaders all the time—we have got to have people who are able to stand up and call the shots, have the guts to call the shots.

We saw this in the, I should say, destruction of the system of the school boards throughout this state. We do

not know what these people are. There is absolutely no way of telling. We have school board directors running on both tickets and, when they get in there, it is absolutely chaos. We saw it in our own district. They talk about this business of holding the line; they talk about helping the taxpayers; and when they get in there, you would think they were some of the most ultraliberals who ever came down the road. Helping the coupon clippers and the Wall Street brokers is all they ever have done.

Now I say it is about time we let these people know we are either going to have it one way or the other, so let us go right down the road and vote for this man's amendment and do justice to the people of Pennsylvania and the nation.

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

Mr. GLEASON. Mr. Speaker, I do not believe that anybody here has any notion that I am anything but a party politician. Now that that is accepted, let us discuss this amendment in its relationship to the party system in Pennsylvania.

I do not think, Mr. Speaker, that cross-filing is injuring the party system. I believe that cross-filing is the result of inherent defects in our partisan political system itself and it is an attempt, insofar as a few offices are concerned which have no real relation to partisan politics, to try to bring some nonpartisanship to the operation of the office of district magistrate and to the office of school board.

I would like somebody here to tell me just what is Democratic or Republican about educating our children. I would like somebody here to tell me what is Democratic or Republican about the handling of cases in the minor judicial level. And it seems to me that the cross-filing for those particular offices is not damaging to the political process or to the political party system. The defects, the vices, of the political party system are elsewhere. We do not cure them, Mr. Speaker, by abolishing cross-filing.

I suggest that every member of the House take into account what I have said, and I hope that those who are interested in nonpartisan administration of justice in the minor judicial level and the nonpartisan education of our children would vote against this amendment which would abolish cross-filing for these offices.

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

Mr. GARZIA. If cross-filing becomes nonpartisan, I would like to know why the political parties spend so much money to elect the candidate of their choice.

I do not think the bill, as it was first put in a few years back, serves its purpose now, and I would like to see an affirmative vote on this amendment.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. GARZIA and E. H. SMITH and were as follows:

YEAS—112

Abraham	Green	Mrkonje	Sirjanni
Anderson, J. H.	Greenfield	Mullen, M. P.	Smith, L.
Barber	Hasay	Mullen	Spencer
Bennett	Haskell	Myers	Stahl
Blackwell	Hayes, S. E.	Novak	Stout

Bonetto	Hopkins	Noye	Sullivan
Caputo	Hutchinson, W.	O'Keefe	Taylor
Cessar	Irvic	Oliver	Tayoun
Cole	Johnson, J.	Pancoast	Toll
Crawford	Kelly, A. P.	Perry	Trello
Davis, D. M.	Kistler	Petrarca	Valicenti
DeMedio	Kolter	Pievsky	Vann
Dicarlo	LaMarca	Pitts	Vronn
DiDonato	Laudadio	Polite	Walsh, T. P.
Dietz	Lederer	Pratt	Weidner
Dombrowski	Letterman	Prendergast	Westerberg
Dorr	Levi	Pyles	Whittlesey
Eckensberger	Lincoln	Rappaport	Wilt, R. W.
Fee	Lynch	Reed	Wilt, W. W.
Flaherty	Manderino	Renwick	Wojdak
Foster, W.	Manmiller	Rieger	Worrilow
Fryer	McCall	Ritter	Yahner
Gallen	McClatchy	Romanelli	Zeller
Garzia	McCue	Ross	Zord
George	McGinnis	Saloom	Zwilk
Giammarco	McIntyre	Scheaffer	
Gillespie	Menhorn	Shane	Fineman,
Gleeson	Milanovich	Shelton	Speaker
Goodman	Miscevich		

NAYS—77

Arthurs	Fisher	Knepper	Salvatore
Bellomini	Foster, A.	Kowalshyn	Schmitt
Berlin	Gallagher	Kusse	Schweder
Berson	Geesey	Laughlin	Scirica
Bittle	Geisler	Lehr	Shelhamer
Bradley	Gillette	McLane	Shuman
Brunner	Gleason	Mebus	Shupnik
Burns	Grieco	Miller, M. E.	Smith, E.
Butera	Gring	Miller, M. E., Jr.	Stapleton
Cimini	Halverson	Milliron	Taddonio
Cohen	Hamilton, J. H.	Moehlmann	Turner
Cowell	Hayes, D. S.	Musto	Wagner
Cumberland	Hepford	O'Brien	Wansacz
Davies	Hill	O'Connell	Wargo
Deverter	Hutchinson, A.	O'Donnell	Whelan
Doyle	Itkin	Parker, H. S.	Wilson
Dreibelbis	Katz	Renninger	Wright
Englehart	Kernick	Ruggiero	Yohn
Fawcett	Klingaman	Ryan	Zearfoss
Fischer			

NOT VOTING—14

Beren	Kelly, J. B.	Rhodes	Sweeney
Brandt	McGraw	Richardson	Thomas
Dininni	Morris	Seltzer	Ustynoski
Hammock	Perri		

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. RYAN. Mr. Speaker, inadvertently I voted "no" on the Garzia amendment to House bill No. 701. I wish that I had voted "yes."

The SPEAKER. The record will show that the gentleman inadvertently voted the wrong way.

On the question,

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

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

Amend Title, page 1, line 11 by inserting after "elections," "": eliminating straight party voting and

Amend Bill, page 1, lines 15 through 17 by striking out all of said lines and inserting:

Section 1. Subsection (a) of section 1003, act of June 3, 1937 (P. L. 1333, No. 320), known as the "Pennsylvania Election Code," amended December 10, 1974 (No. 280), is amended to read:

Section 1003. Form of Official Ballot.—

(a) The official ballots for general, municipal and special elections shall be in substantially the following form:

OFFICIAL BALLOT

..... District, Ward, City of.....
 County of, State of Pennsylvania.
 Election held on the day of, 19.....
 A cross (X) or check () mark in the square opposite the name of any candidate indicates a vote for that candidate.

[To vote a straight party ticket, mark a cross (X) or check () in the square, in the party column, opposite the name of the party of your choice.] To vote for an individual candidate of another party after making a mark in the party square, mark a cross (X) or check () opposite his name. For an office where more than one candidate is to be voted for, the voter [, after marking in the party square,] may divide his vote by marking a cross (X) or check () to the right of each candidate for whom he or she desires to vote. For such office votes shall not be counted for candidates not individually marked.

To vote for a person whose name is not on the ballot, write, print or paste his name in the blank space provided for that purpose. A cross (X) or check () mark in the square opposite the names of the candidates of any party for President and Vice-President of the United States indicate a vote for all the candidates of that party for presidential elector. To vote for individual candidates for presidential elector, write, print or paste their names in the blank spaces provided for that purpose under the title "Presidential Electors." Mark ballot only in black lead pencil, indelible pencil or blue, black or blue-black ink, in fountain pen or ball point pen; use the same pencil or pen for all markings you place on the ballot.

Before leaving the voting compartment, fold this ballot, without displaying the markings thereon, in the same way it was folded when received, then leave the compartment and exhibit the ballot to one of the election officers who shall ascertain by an inspection of the number appearing upon the right hand corner of the back of the ballot whether the ballot so exhibited to him is the same ballot which the elector received before entering the voting compartment. If it is the same, the election officer shall direct the elector, without unfolding the ballot, to remove the perforated corner containing the number, and the elector shall immediately deposit the ballot in the ballot box. Any ballot deposited in a ballot box at any primary or election without having the said number torn off shall be void and shall not be counted.

Party Column	Presidential Electors
[To Vote a Straight Party Ticket Mark a Cross (X) or () in this column.]	(Vote for the candidates of one party for President and Vice-President, or insert the names of candidates.)
Democratic	For John Stiles and Richard Doe, Democratic
Republican	For John Doe and Richard Roe, Republican
Socialist	For John Smith and William Jones, Socialist
Citizens	

United States Senator.
 (Vote for one)

Richard Roe Democratic
 John Doe Republican
 Richard Stiles Socialist

Governor.
 (Vote for one)

Richard Roe Democratic
 John Doe Republican
 Richard Stiles Socialist

Representatives in Congress,
 District.
 (Vote for one)

Richard Roe Democratic
 John Doe Republican
 Richard Stiles Socialist

Senator in the General Assembly.
 District.
 (Vote for one)

John Doe Democratic
 Richard Roe Republican

* * *

Section 2. Subsection (b) of section 1107 and subsections (d) and (f) of section 1216 are amended to read:

Section 1107. Requirements of Voting Machines.—***

(b) It shall not permit each voter [, at other than primary elections,] to vote a straight political party ticket [in one operation, and, in one operation, to vote for all the candidates of one political party for presidential electors, and, in one operation, to vote for all the candidates of one political party for every office to be voted for, except those offices as to which he votes for individual candidates].

* * *

Section 1216. Instructions of Voters and Manner of Voting in Districts in Which Voting Machines are Used.—

* * *

(d) At primaries, he shall vote for each candidate individually by operating the key, handle, pointer or knob, upon or adjacent to which the name of such candidate is placed. At elections, he may vote for each candidate individually by operating the key, handle, pointer or knob, upon or adjacent to which the names of candidates of his choice are placed [, or he may vote a straight political party ticket in one operation by operating the straight political party lever of the political party or political body of his choice, if such machine has thereon a separate lever for all the candidates of the political body]. He may also [, after having operated the straight party lever, and] before recording his vote, cancel the vote for any candidate of such political party or political body by replacing the individual key, handle, pointer or knob of such candidate, and may thereupon vote for a candidate of another party, or political body for the same office by operating the key, handle, pointer or knob, upon or adjacent to which the name of such candidate appears. In the case of a question submitted to the vote of the electors, the elector shall operate the key, handle, pointer or knob corresponding to the answer which he desires to give.

* * *

(f) At any general election at which presidential electors are to be chosen, each elector shall be permitted to vote [by one operation] for all the presidential electors of a political party or political body. For each party or body nominating presidential electors, a ballot label shall be provided containing only the words "Presidential Electors," preceded by the names of the party or body and followed by the names of the candidates thereof for the office of President and Vice-President, and the corresponding counter or registering device shall register votes cast for said electors when thus voted for collectively. If an elector desires to vote a ticket for presidential electors made up of the names of persons nominated by different parties or bodies, or partially of names of persons so in nomination and partially of names of persons not in nomination by any party or body, or wholly of names of persons not in nomination by any party or body, he may write or deposit a

paper ballot prepared by himself in the receptacle provided in or on the machine for the purpose. The machine shall be so constructed that it will not be possible for any one voter to vote a straight party ticket for presidential electors and at the same time to deposit a ballot for presidential electors in a receptacle as hereinabove provided. When the votes for presidential electors are counted, the votes appearing upon the counter or registering device corresponding to the ballot label containing the names of the candidates for President and Vice-President of any party or body shall be counted as votes for each of the candidates for presidential elector of such party or body; and thereupon all candidates for presidential elector shall be credited, in addition, with the votes cast for them upon the ballots deposited in the machine, as hereinabove provided.

* * *

Section 3. Subsection (b) of section 1223, amended January 8, 1960 (1959 P. L. 2142, No. 790), is amended to read:

Section 1223. What Ballots Shall Be Counted; Manner of Counting; Defective Ballots.—* * *

(b) At November elections, a cross (X) or check () mark in the square opposite the name of [political party or political body in] the [party column shall be counted as a vote for every candidate of that party or body so marked, including its candidates for presidential electors, except for those offices as to which the voter has indicated a choice for] individual candidates [of the same or another party or body] in any office block, [in which case the ballot for such office block] shall be counted only for the candidates thus individually marked [notwithstanding the fact that the voter has made a mark in the party column, and] even though in the case of an office for which more than one candidate is to be voted for, he has not individually marked for such office the full number of candidates for which he is entitled to vote.

* * *

Section 4. Section 1608 of the act, amended June 3, 1943 (P. L. 851, No. 358), is amended to read:

Amend Sec. 2, page 2, line 17 by striking out "2." and inserting: 5.

On the question,

Will the House agree to the amendments?

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

Mr. GARZIA. Can anything be done with the speaker? It is pretty hard to understand. For some unknown reason, it just has a lot of tremble in it and it is hard to understand.

The SPEAKER. Well, the gentleman raised the point yesterday.

Mr. GARZIA. I know, but it is just as bad today as it was yesterday.

The SPEAKER. The Chair hopes that the Chief Clerk has taken appropriate note of the observations that were made yesterday about the loudspeaker system, and that some effort will be made to correct the situation.

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

It would help considerably and I think we would all hear if we would all pay attention to the speakers. We would not have to get the loudspeaker system fixed.

Mr. STAPLETON. Thank you, Mr. Speaker.

Mr. Speaker, there were two amendments distributed to House bill No. 701, printer's No. 792, under my name. The first one was a single-page amendment. What we are dealing with now is the second amendment, which is a five-page amendment.

Mr. Speaker, what this amendment would do is eliminate the big party lever at general elections.

The reason for the two amendments is that the first amendment was prepared incorrectly, and the second

amendment was prepared so it would apply to both voting machines and to the paper ballot.

Mr. Speaker, there are less than 20 states in the United States which have a big party lever. I believe that if this amendment is adopted, this is the first of many steps to bring Pennsylvania's election process into the 20th century.

By adopting this amendment, Mr. Speaker, the emphasis will be put on the individual candidates for office and not necessarily the label of a political party. It would end the intimidation at the polls when poll workers and watchers can tell with voting machines whether a person voted a straight party ticket or split their ticket.

Naturally, each individual voter could still pull down on a voting machine all Democratic levers or all Republican levers, but in doing so, the voter would be making a conscious choice each time he voted for a particular office.

Mr. Speaker, this is not a Common Cause amendment. This is a Stapleton amendment. This is—

The SPEAKER. I thought you were going to say it is a commonsense amendment.

Mr. STAPLETON. That is very good, Mr. Speaker. Thank you.

This amendment is not designed to aid any political party which may be badly out-registered. This is an amendment which will aid the individual voters of Pennsylvania. I urge support for this amendment.

Thank you, Mr. Speaker.

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

Mr. E. H. SMITH. Mr. Speaker, perhaps you would enlarge on that.

You said a "common-sense" amendment. Does this indicate that you might be favoring the amendment or were you just being a bit jovial at this particular time?

The SPEAKER. I was just being facetious.

Mr. E. H. SMITH. Thank you very much. You are very kind.

Again, Mr. Speaker, this amendment has not been considered before the entire committee; in fact, before none of the committee. I feel it is entirely too broad. I think it is several pages. It is a great lengthy epistle, and I think we should have a chance to really consider this in its entirety.

Also, Mr. Stapleton speaks about eliminating the straight party ballot. I am not sure that this is the proper thing to do. I think we should be given an opportunity to go in there and, if we are Republicans—someone said a few minutes ago, are we a Republican or Democrat; we are not sure—well, by pulling the lever for straight Republican or straight Democrat, it would insure what we are. I see nothing wrong with this particular thing.

I think perhaps he should withdraw his amendment and include it in a package of bills of election reform. It is such a monstrous thing—a great, lengthy dissertation here of several pages. And I would suggest that he do just that. I, therefore, must oppose the amendment.

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

Mr. RAPPAPORT. Thank you, Mr. Speaker.

The gentleman who is proposing this amendment finished his argument urging us to vote in favor of it by saying, let us bring Pennsylvania into the 20th century.

There is only one problem. He is talking about the early part of the 20th century, not the last quarter of the 20th century in which we live. His proposal was the great governmental reform of about 1906 with a nonpartisan ballot movement that we have just emphatically rejected in the last amendment.

I speak as one who received a greater percentage of the total vote in the last election than the Governor did in my district, than my Congressman or my Senator. So, really, I can live without a straight party lever.

I would suggest, however, that for many people the coherent philosophy of one political party or another is a dominant factor in their voting. It is our job to increase citizen participation, not make it more difficult.

I have personally seen people go into the voting booths in the rather lengthy primary ballots we have been having in Philadelphia for the last few years and seen them turn around and walk out in disgust because they just did not know how to cope with it.

I would suggest that the party lever is extremely important to many people and we should reject these latest reforms of 1906 and bring our thinking more in line with the last quarter of the 20th century. I would ask that this amendment be defeated, Mr. Speaker.

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

Mr. STAPLETON. Thank you, Mr. Speaker.

To respond to a few points first raised by Mr. Smith, he said it is a very lengthy amendment.

First of all, it was distributed to the two caucuses on Monday as per the request of both sides of the aisle.

Second, although it may be five pages, it is very simple; it is very straightforward; it is very direct. There is no new language. The language in the amendment which talks about allowing for a straight party lever is simply bracketed. It would be deleted. So it is not that complex; it is not that difficult.

Mr. Rappaport raises the point that we are talking about reform that goes back several decades. We are not talking about a nonpartisan ballot. There would still be the Democratic row. There would still be the Republican row. There would still be the row for some of the minor parties. A person could still vote for all Democrats. A person could still vote for all Republicans. But in so voting, they would have to pull down each individual lever. A big lever, Mr. Speaker, is for small minds. It is very simple to go in and pull one lever. As I said before, the person, the voter, would be making an individual, conscious choice each time he voted for a particular office.

Furthermore, at the present time the voter exercises this at a primary election. The lever is only utilized at the general election. So 50 percent of the time, the voter goes in and does this anyhow. Mr. Speaker, therefore, I urge support of the amendment.

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

Mr. BEREN. Mr. Speaker, I suggest that the gentleman's amendment is easy to understand and I think the thrust of it is to really ask the basic question which probably some political scientists are asking, or should be asking today and tomorrow and in the next several years, and that is, how do we govern ourselves? How do we in the last quarter of the 20th century in the

United States look toward a system of government or a system of providing order, and does the party system play any role in this?

Now if you believe that the party system has no role in government and the party system should be weakened and destroyed, then vote for this amendment. If you believe, on the other hand, that the party system has an important role in determining where we in Pennsylvania are going in any given elective year—be it a year for the election of the General Assembly, or a year for the election of a Governor—or where we as a nation are going in terms of the election of Presidents or Congress, then I think you should reject this amendment, because the very theory of the system of politics that we operate under today is the theory of party responsibility. One party gets up and espouses a political philosophy with which it tries to gather the attention of the voters in its districts throughout the state or the nation. If it wins the election, it is then put to the test of whether or not it can deliver on its promises and, if so, whether or not those promises have any validity at all.

Now so long as you have that system functioning—and I agree that may be in question from time to time—you then allow the executive to propose legislation and you allow the representatives of the various bodies to vote for or against that legislation based on the concept of the party responsibility and the platform that it ran on. And people are wedded to a political philosophy or to programs, and the people in office are voted in or out of office depending upon how they adhere to what they promised and whether or not those promises made any sense, as I said before.

Now if you believe that that system provides some degree of order and if you believe that that system allows our citizens to make some choices at the polls, then reject this amendment. If, on the other hand, you believe the policy of a political party should be rejected, that there should be no concept of individuals running together on a certain philosophy or certain programs—be it the graduated income tax or be it any other concept that you want to deal with—then vote for this amendment, because the direct result of further weakening of the party system will ultimately be the inability to govern. And when we get away from the two or three or four political parties that we may have in this country and in this state today and get to the point where we have 10 political parties or 12 political parties or 203 political parties, you will get to the point where you will just be unable to govern. I just do not think that is a very good place to be.

I think we should be looking for ways to strengthen the party system. I think we should be looking for ways to carry out the idea of political party responsibility. If we do not do the job, vote us out of office. That is my belief on this matter, and if you agree with me, I ask you to vote against this amendment.

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

Mr. RENNINGER. Thank you, Mr. Speaker.

I rise in support of this amendment. I think it will strengthen the party system because it will put more responsibilities on the parties in the selection of candidates, and I think they have been woefully derelict in this respect. And certainly it puts responsibility on the

voter who is always saying, I am excluded from government.

I see no reason why a good candidate should go down with a party name if the party has been irresponsible in the selection of the rest of the ticket.

For those reasons, I believe that this amendment is in the best interest of a democracy.

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

Mr. E. H. SMITH. I will yield to my distinguished colleague, Mr. Gleason.

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

Mr. GLEASON. Thank you, Mr. Speaker.

Mr. Speaker, the gentleman, Mr. Beren, raises some very trenchant ideas about the nature of the party system, what its function is to be and the fact that the party system has deteriorated in this country, but I think deterioration of the party system is due to what men and women in public life either do or fail to do. I do not believe the party system exists for any purpose but to select good men and women to run for public office and to provide a forum for ideas and concepts which large groups of people want to see put into effect in their government.

There seems to me to be an inherent inconsistency in our election laws, Mr. Speaker. The gentleman, Mr. Green, is going to introduce legislation shortly to make registration much easier. The inconsistency, it seems to me, is that we make it very difficult, in most respects, for people to register to vote—and that system has been a corrupt and badly managed system all through Pennsylvania—but then when it comes time to vote, we say, go on in there and hit the lever, or hit the straight-party box, and it seems to me that we are not doing ourselves much service if we want to have an informed electorate, if we want to have people who are aware of the candidates, if we want to have political parties who will bend over backwards in all cases, in all counties, to present the very best men and women for public office.

To say that this is going to destroy or lend itself to a further destruction of the party system fails to take into account why better than 30 States in the United States today do not have straight-party voting, and yet the party system in many of those states is in much better shape, perhaps, than it is even in Pennsylvania.

I think what we really have to do is to ask ourselves the question: Do we want the electorate to be able to make intelligent choices on election day or are we going to adopt some kind of continental political philosophy which says that the individual parties really stand for something ideological.

I think the genius of the American political system is that each major political party can take unto itself a large divergence of opinion. There are conservatives as well as progressives in the Republican Party. You have the same type of situation in the Democratic Party. I do not see either political party becoming concretized into ideology or philosophy, Mr. Speaker. And I think that the people are going to be and should be encouraged to vote for individuals who seek office. I think the parties have got to nominate the very best people for those offices. I think that on election day the people should be encouraged to make intelligent choices, not

some kind of an ephemeral philosophical choice about the Democratic Party or the Republican Party, because I do not think that those differences are all that great and they do not seem to ever have been.

We have had conservative Republican administrations in this state; we have had very progressive Republican administrations. The same happens with the Democratic Party. I think that what we have to do is to make ourselves vote intelligently to make choices to force the political parties, as Mr. Renninger said, to present to the people the very best candidates they can. If we just encourage blind, straight-party voting and make it so difficult for people to register, I think we are just kidding ourselves. We are not working toward an effective, intelligent, informed electorate, and, I think, that is what it is all about. I suggest that this amendment be approved by the House.

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

Mr. E. H. SMITH. Mr. Speaker, I suppose I should say that I am somewhat sorry that I yielded to my not-so-esteemed colleague, Mr. Gleason. I thought sure he was on my side, but you cannot even trust a Republican anymore.

But I do have a very definite feeling that this is not in the best interest of American politics. Back in, I suppose, 1906 or along there—and Mr. Rappaport talked about this—we had the paper ballots. This was quite an inconvenience to us when we had to start counting at 8 o'clock at night and perhaps go on until 2 or 3 or 4 o'clock in the morning because everybody elected to split their ticket up and down the line. Some guys, really, do not split their ticket for any reason other than to just play around with it. This holds up the procedure.

Now I can understand that in Philadelphia and Pittsburgh and the places where they have the big terrific votes, especially when they have so many names on the machine that they probably have to use two machines—I am not sure how they do it—that this must create a terrible problem.

I will not continue to speak on this subject because Mr. Beren and Mr. Rappaport have so excellently explained the position of the great American voting public. However, I again oppose this amendment offered by my esteemed colleague down here on the other side of the aisle.

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

Mr. ABRAHAM. Mr. Speaker, I rise in opposition to this amendment. We have heard a lot here this morning about the political lines and political parties, and so forth, but I think the one thing we are forgetting is this fact: There are many citizens in this country, people who have come over here from foreign lands, who have a limited education, but who still have the right to vote, and I think that these people depend on the straight-party lever to exercise their rights.

I was one of the fortunate ones who received both nominations in the primary when I ran for office in the last election. I come from a Democratic stronghold where our registration runs maybe three and a half to four Democrats to one Republican. We have Republican officials sitting on councils, school boards and so forth.

I think the one thing here today is that we are underestimating the intelligence of the majority of the voters and, at the same time, I think we are forgetting that a small percentage of the people who are senior citizens depend on that straight lever to vote, and they will not come out in the primaries to vote because, unfortunately, possibly, they cannot read the names, the machine confuses them, and so forth. If we go into this line of elections, I think that we are going to take their right away.

Thank you, Mr. Speaker.

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

Mr. PANCOAST. Mr. Speaker, I rise to oppose this amendment. The only way to provide for responsible and responsive democratic government is through political parties. Accountable government is party government, and what America needs more than anything else today is responsible party government.

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

Mr. RITTER. Mr. Speaker, I cannot see how taking an option away from people that they presently have is going to improve the voting process. It seems to me that we are talking about an ideal situation where everyone selects, theoretically, the best qualified candidate. It seems to me that that is not the responsibility of the political party; that that is the responsibility of the voter now. He does that in the primary election. But if he wants to go in on election day and pull a straight-party lever because he or she feels that those are the best candidates, why make him go through the process of pulling down all the little single levers when he is going to end up voting straight party anyway? So they are taking an option away that he has presently. It seems to me it is not going to improve the system; in fact, it may even discourage some people from coming to vote, and I do not think that is the intent either. I would ask that we oppose the amendment.

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

Mr. GREEN. Mr. Speaker, I rise in support of the Stapleton amendment. Pennsylvania needs election reform, and I believe this amendment is a step in the right direction. I urge an affirmative vote.

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

Mr. SHANE. Mr. Speaker, in 19 years of voting as a citizen, I think that I have only voted a straight ticket once, and that is based on the assumption that no particular political party has a monopoly on wisdom, talented individuals, or on clods.

When I look at the tickets as I go into the voting booth, I have never seen one party have a total array of superior candidates all up and down the line, except once in 19 years, and it just was a random event.

I have to say very candidly that I think the promotion of straight-party voting is a mindless practice that should be abolished.

True, our parties are accountable and they should be. But each elected representative, for whatever office, should be personally accountable for his conduct in office. We should not encourage this mindless habit of

getting the voters to mindlessly go along accepting the bad with the good. I think that we should encourage our citizens to pick and choose amongst their candidates, and I therefore support this amendment to abolish the abhorrent practice of straight-party voting in Pennsylvania.

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

Mr. BEREN. Thank you, Mr. Speaker.

I think some of the proponents of this amendment seem to feel that if we retain the option of straight-party voting that all of a sudden the voters in Pennsylvania will turn mindless, forget all their voting habits that they now have, and start voting en masse a straight-party ticket. That is just not going to happen.

There is individual responsibility and we see it in every election. Voters do choose and they make those choices in every election.

The question, it seems to me, that we have to ask ourselves in voting on this amendment is: What will be the long-term result? Do we believe in the stability of government and that one of its cornerstones, if not its major cornerstone, is the party system, with all the responsibility and with all the opportunities for the voters at every election to throw people out of office, which, indeed, they do, and which, indeed, we see every two years up here? The question we have to ask ourselves is: Whither are we going in the direction of this reform? What will its end result be?

It is my belief that the end result will serve to weaken the way in which we govern ourselves, and I therefore ask that you vote against this amendment.

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

Mr. KISTLER. Mr. Speaker, I rise in opposition to this amendment in that I suggest to the members of the House that a vote for the amendment will be a vote in favor of the so-called cult of the personality.

When a person gets up and runs, not responsible to a party's philosophy but responsible only to those concepts that he conceives to be his own, God only knows what he stands for. If he runs under the party label and has some responsibility to it, such responsibility as would be implied through a straight-party vote, he has then some cause to stand in fear of the criticism that would descend upon him were he to violate the principles of his party.

This amendment, if it would be passed, will militate particularly against the members of the House, for if you will check the ballot returns in the Presidential years and in the governors' elections, you will find that each time the House members' names appeared last on the ballot. You will find that in the actual ballot count, there are people who go in wanting only to vote for the President of the United States when this is where the impact of their vote will have the least telling force. They walk in, they vote for one person, President and Vice-President, and they go out.

If you make it mandatory that they vote each individual lever, you will thereby reduce the impact of their philosophy upon the government of the country and make it more difficult to sustain the system under which this country became great.

I respectfully urge that every member thoughtfully

vote against this amendment, because it will contribute to nothing but anarchy in our system. Thank you.

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

Mr. McCLATCHY. Mr. Speaker, will Mr. Shane submit to interrogation, please?

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

Mr. SHANE. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. McCLATCHY. Mr. Speaker, how many Democrats do we have on the floor of the House today, or how many Democrats do we have elected to the House of Representatives?

Mr. SHANE. One hundred and fourteen, I believe.

Mr. McCLATCHY. And how many Republicans?

Mr. SHANE. Is it 93?

The SPEAKER. Eighty-nine.

Mr. SHANE. Eighty-nine.

My arithmetic is not too good.

Mr. McCLATCHY. What do those two boards mean up there, Mr. Speaker?

Mr. SHANE. They are a convenient way of tallying a vote for a large body such as ours.

Mr. McCLATCHY. It seems to me we have a separation, do we not, in the two boards?

Mr. SHANE. That array is not chiseled on marble.

Mr. McCLATCHY. Mr. Speaker, on January 7, did you not vote for the rules of this House?

Mr. SHANE. Yes.

Mr. McCLATCHY. Would you, if you had had the chance then, have changed the rules of the House so that the rules of the House would so specify that we would operate here without any party designation?

Mr. SHANE. I do not see any reason to eliminate party designation. I am not arguing for that. As far as I am concerned, each party represents a wide spectrum of political philosophies, the sum total of which results in the Republican Party being slightly right of center and the sum total of the Democrats' spectrum of philosophies resulting in the Democratic Party being slight left of center. This is one of the great geniuses of a political two-party system with great spectrums of opinion within each party. It means that when the government changes hands, there is not a traumatic swing of the pendulum from one party to another. But I do not go around attempting to say that there is one single chiseled-in-marble philosophy for each party. That is ridiculous and unrealistic.

Mr. McCLATCHY. Mr. Speaker, how many times have you voted against the party line?

Mr. SHANE. Oh, probably the normal quota of any healthy maverick.

Mr. McCLATCHY. I think that begs the question, Mr. Speaker. I think if you would tally your votes, you would find you are voting quite nicely along party lines.

Mr. SHANE. I did not even hear the last question. Would you like to repeat it?

Mr. McCLATCHY. I say I think it begs the question. I think that your term "maverick" is not really well earned. I think you will find yourself voting along party lines quite nicely. That is all I have to ask, Mr. Speaker.

I would just like to make a couple of comments.

The SPEAKER. The Chair recognizes the gentleman.

Mr. McCLATCHY. I think the point that I am trying to make, Mr. Speaker, is that in today's society we hear a lot of things about voting for the candidate, voting for the person and not the party. This sounds nice; it sounds progressive; it sounds like the thing to do. Unfortunately, when we get here to Harrisburg or we go to Washington, that philosophy does not carry through. No matter how intelligent, how hardworking, how progressive, a member is, the party line, as viewed by those tallies up on the board on the wall, is what governs what happens here in Harrisburg.

I would suggest that this amendment would not change that one bit. Unfortunately, members would come up in a rather vague manner, telling the voters that they would vote in a rather independent fashion, but, unfortunately, when they get here, the party line would descend upon them.

I think, Mr. Speaker, therefore, as long as we maintain the separation here in Harrisburg—the seniority system, the make-up of our committee system—the way we have it, I think to change the way we vote back home is rather ridiculous.

Thank you, Mr. Speaker.

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

Mr. VROON. Mr. Speaker, I rise to oppose this amendment on two basic grounds. The first ground is that I do not think this is a wholesome way to discuss an important question of this kind. I do not like to see the House being made a committee of the whole on a weighty question of this nature. I think it is extremely advisable to have the best minds put to work on this weighty question. Consequently, on that ground alone, I would strongly urge a negative vote on the amendment.

Secondly, I also believe that I will find very little argument on the part of any member of this House that politics are this way, that basically party members vote their party. When you just give them the opportunity but not the compulsion, just the opportunity, to pull the big lever and vote their party, you are going to take that privilege away from them.

Now we are going to great lengths today to weigh such weighty issues as card registrations to make it easier for people to vote, but if we take away the big lever, we are going to take away some of the ease of voting and, at the same time, we are not going to destroy the prerogative of the individual voter who thinks and wants to divide his vote. So I think we have everything going against this amendment and very little for it.

Thank you.

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

Mr. STAHL. Thank you, Mr. Speaker.

I think that the debate thus far has gotten off the point and I disagree with my learned colleague, the previous speaker, very much. This debate is long overdue. The question here is not party responsibility. Nowhere in this amendment is it suggested that the candidate or candidates running for office forget about their responsibility to the party. We have not suggested here that the voter forget about the party. The party is still going to be identified on that ballot or on that voting machine. What we are talking about is voter responsi-

bility. What we should be doing is encouraging the voter to become more active and more knowledgeable in the voting process, and this is one of the ways to do it.

How often have you heard that the voter does not think that the parties are any different? It is the party's responsibility to make sure that the candidates they offer to the public espouse that difference in philosophy, and they can do it; they can run a ticket if they so desire. But let us help the people select that kind of candidate who is most qualified for the office which he seeks.

Mr. Smith talked of inconvenience in counting paper ballots. That is ridiculous and repugnant to me. What does inconvenience have to do with what is right or what is wrong? If I have to inconvenience poll watchers or ballot collectors for 24 hours or the poll workers for an extra 100 hours in order to ensure a better democracy, then I shall do that, and that is what we are talking about.

Have any of you bothered to look at any of the other 30-plus states? The parties are strong; the parties work; they mean something to the people. Our parties in this Commonwealth are losing their grasp of grass-roots politics. They do not mean too much to the voter anymore because we have failed them; the parties have failed them.

You know where my vote has been. It has been Republican, because I believe in the Republican Party. I am not a party politician, but I believe in the principles of the Republican Party. There are Democrats over there who believe in the principles of the Democratic Party. But that is not what is at stake here. What is at stake is the future of politics in America.

If we want to help the voting public regain faith in the system, then we have an obligation to help him exercise good judgment. Sometimes the voter cannot understand why the people he elects to office do not do the job he expects of them. Part of the reason is that he puts people into office inadvertently because of that big switch.

Let us give him the opportunity and the responsibility—because freedom implies that—to select those people most qualified for office. Let us not talk about whether the two-party system is going to survive; it will be strengthened, if anything.

Thank you, Mr. Speaker.

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

Mr. MENHORN. Mr. Speaker, I represent a district where the Democrats are in a minority and I could possibly benefit from the passage of this amendment. However, I would like to remind the House that we just passed an amendment to eliminate cross-filing, and I think, if we exercise consistent thinking, that we have to defeat this amendment.

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

Mr. RENNINGER. Mr. Speaker, one enjoyable aspect of service in this House is that one runs for reelection every two years, and I ask the rhetorical question: How many of you, when you are asked, when you are on the campaign trail, on the stump, and on the hustings, say that you voted for or against a measure because that was your party caucus position or because your state or national party has a platform?

I caution you that you must be for and against issues

on their merit and not because of your political party. Sometimes, not all the time, your political party agrees with your district and sometimes they are so haywire that it is unbelievable that these people are considered either in your party or somebody else's.

I think you must realize that basically what we are talking about is accountability of the parties, and the parties are not accountable if they are operating enclaves of power that are somewhat remote from your district. Your responsibility is to those people in your district. You run for office matched with someone else who does not think you are doing a good job, so you had better be ready to answer that on the basis of what you think is right and wrong or you are not going to be back here, and a party label is not going to save you.

Thank you very much.

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

Mr. DAVIES. Mr. Speaker, I think we have failed to address ourselves to one of the most important things in this consideration, and that is, those things which appear at the top of the ballot—the bond issues for school districts, many other items that appear, amendments to the Constitution of this Commonwealth which pass this House, pass the Senate and go on the ballot. Year after year we have the people of Pennsylvania ignoring those particular issues. It is estimated that as high as 20 to 30 percent of the people do not address themselves to those issues when they go in and either pull that one lever or the other, and it does not matter which one it is. I think that we, in many of the processes in making that ease, have not drawn the attention of the people to those issues. We may have failed them in other ways—in our system of education or other methods—as far as the fact that they must take their time to address themselves to those particular issues.

But if anything, this particular method would at least have them more carefully scrutinize that ballot so that they are at least going to consider what is before them, whereas in many instances in the past they have not.

Thank you.

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

Mr. ZELLER. Mr. Speaker, Professor Shane stated earlier that his arithmetic was not so good. I believe that in this particular case—and I have a lot of respect for Mr. Shane—his philosophy is not so good. We are not talking about what Mr. Renninger talked about in regard to what our votes are here; we are talking about choice. This surprises me, really, coming from an educator, that we would deny this choice, and this is what it is all about.

Now I am not saying that Professor Shane is involved with this so-called national movement for a third party. It started at Harvard and went all the way to Berkeley, by setting up these so-called professors who are not teaching basics but telling youngsters how they should act.

Now what has happened is that they want to organize a third party. I am just wondering if these professors would want that third party listed. I am certain they would, because they will want to have people know what that third party is. It will be listed, I am sure, if they

have anything to do with it, whatever they call it. But this is the third-party movement in this country.

I am not against any movement, but I am saying that the choice should be there. It really amazes me, in this particular instance, knowing what the professor tried to do in regards to entrenchment, to then turn about and want to allow these professors to have their day in not teaching basics but what I call telling youngsters what they should do. This is fact; this has been documented; and it scares me. What I am saying is, there is no longer a choice; they are telling you.

Therefore, let them have their choice. By that I mean that whether they want to vote a straight ticket or whether they select a person individually, that choice should be theirs, and that is why I feel that lever should stay there. It was there for a principle many years ago, and the principle is still basic today. For this reason, we should shoot down this amendment.

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

Mr. MEBUS. Mr. Speaker, I come from a district where I think I would be the beneficiary of having an amendment such as this made part of the Election Code.

I have listened to the arguments from both sides and I am going to vote against the amendment because those who wish to vote a straight-party lever can still do so at the present time, and those who do not wish to can make their selection as they go down the machine.

There are cogent arguments on both sides of this situation, this particular matter, that is before us at the moment, and I think they are good arguments, and I think the debate has been an excellent debate. But I have listened and I have finally decided myself that I would vote against the amendment, based on the fact that the ability to choose among various candidates from both parties, vote a split ticket if you will, exists at the present time, and that is as it should be.

If we had a requirement that everybody must vote a straight-party lever, that would be wrong. But the ability to split is there now; the ability to vote a straight-party lever is there now. So what we have, I think, is a democratic choice, little "d," that is available to the people of the Commonwealth. Therefore, I would hope that this amendment would not be accepted.

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

Mr. HEPFORD. Mr. Speaker, after listening to 30 minutes of this discussion, I wanted to share with you, on the lighter side, a comment of the old statesman, Senator M. Harvey Taylor, who celebrated his 99th birthday. He used to always say at the political rallies throughout the last 30 years, "Now, folks, listen, you've got very expensive voting machines; they cost thousands of dollars. Don't go in there and wear them out by jumping all over and pulling a lot of buttons. Grab the straight Republican lever and elect Republicans."

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

Mr. WILSON. Seriously, Mr. Speaker, I think the point that really has to be made is—Mr. Rappaport alluded to the 20th century—that what is happening is this: The party machines are crumbling; they are falling apart, not the parties themselves; not the candidates particularly, but the party machine and its control. And, really, what

they need is a big crutch, that big lever that they can pull or can suggest their voters pull when they walk into the voting booth.

What is wrong with strengthening the parties? I think this amendment certainly would strengthen the parties. The parties would have to get stronger. They would have to come up with good, top-level candidates, candidates who can sell themselves, candidates who will appeal to the voters all the way down the line. They cannot rely on a tidal effect, a total wash, so that when the party wins they all win. I think we have all seen many cases where candidates get washed in on this tide, this tidal effect, simply because the party lever was the sales gimmick.

I do not think this is going to eliminate the parties per se. I do not think it is going to eliminate the electronic voting board up there. I do not think it is going to eliminate the aisle down the middle of this House which is divisive at times.

I think we have witnessed here in this House, as Mr. Shane said, party members—people who ran on a party label who are here—who do not support the party philosophy, whatever it may be—and that is a nebulous thing today; that is very cloudy. I am a Republican, but I could not define my party philosophy. I can define my philosophy. That is the important thing. I think the important thing to the voter is: What do I, the candidate, or you, the candidate, stand for when we stand for election, not what our parties stand for.

I do not think we are going to eliminate the parties. I think we will strengthen them by voting for this amendment. Thank you, Mr. Speaker.

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

Mr. TRELLO. Mr. Speaker, I rise to oppose this amendment for a lot of good reasons, and I think we have forgotten the most important one of all.

First of all, I am a Democrat. I rose through the chair, so to speak, as a committeeman, as an elected official on the local level, a Democratic chairman, county policy member, member of the Democratic State Committee, and now a member of this very honorable House.

The gentleman talked about involvement and machines breaking down. If we pass this amendment, it will truly break down all the machines because the most important factor about all the elections is your local committee person who gets elected by the Democrats or the Republicans in his respective district whose main purpose is to select good, qualified candidates to run on that ticket. If you separate the machines with no party labels, what do you do with the committee people who always get involved?

I think we ought to roll this bill and defeat this amendment and get it over with. Thank you very much.

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

The yeas and nays were required by Messrs. STAPLETON and E. H. SMITH and were as follows:

YEAS—50

Anderson, J. H.	Foster, A.	Laughlin	Shane
Arthurs	Fryer	Lehr	Shuman
Burns	Gallen	Levi	Stahl
Cessar	Gillespie	McCue	Stapleton
Cole	Gleason	Millanovich	Taddonio
Cowell	Goodman	Milliron	Wagner
Davies	Green	O'Keefe	Whelan
Dicarlo	Hasay	Parker, H. S.	Whittlesey

Dorr
Doyle
Dreibelbis
Fischer
Fisher

Hayes, D. S.
Hopkins
Katz
Kernick
Knepper

Pratt
Reed
Renninger
Salvatore

Wilson
Wright
Zearfoss
Zord

NAYS—140

Abraham
Barber
Bellomini
Bennett
Beren
Berlin
Berson
Bittle
Blackwell
Bonetto
Bradley
Brunner
Butera
Caputo
Cimini
Cohen
Crawford
Cumberland
Davis, D. M.
DeMedio
Deverter
DiDonato
Dietz
Dombrowski
Englehart
Fawcett
Fee
Flaherty
Foster, W.
Gallagher
Garzia
Geesey
Geisler
George
Giammarco

Gillette
Gleeson
Greenfield
Grieco
Gring
Halverson
Hamilton, J. H.
Hammock
Haskell
Hayes, S. E.
Hepford
Hill
Hutchinson, A.
Hutchinson, W.
Irviss
Itkin
Johnson, J.
Kelly, A. P.
Kistler
Klingaman
Kolter
Kowalshyn
Kusse
LaMarca
Laudadio
Lederer
Lincoln
Lynch
Manderino
Manmiller
McCall
McClatchy
McGinnis
McIntyre
McLane
Mebus

Menhorn
Miller, M. E.
Miller, M. E., Jr.
Miscovich
Moeblmann
Mrkonic
Mullen, M. P.
Mullen
Musto
Myers
Novak
Noye
O'Brien
O'Connell
O'Donnell
Oliver
Pancoast
Perri
Perry
Petrarca
Pievsky
Pitts
Polite
Prendergast
Pyles
Rappaport
Renwick
Rieger
Ritter
Ross
Ruggiero
Ryan
Saloom
Scheaffer
Schmitt

Schweder
Scirica
Seltzer
Shelhamer
Shelton
Shupnik
Sirianni
Smith, E.
Smith, L.
Spencer
Stout
Sullivan
Taylor
Tayoun
Toll
Trello
Turner
Valicenti
Vann
Vroon
Walsh, T. P.
Wansacz
Wargo
Weidner
Westerberg
Wilt, R. W.
Wojdak
Worrilow
Yahner
Yohn
Zeller
Zwickl

Fineman, Speaker

NOT VOTING—13

Brandt
Dininni
Kelly, J. B.
Letterman

McGraw
Morris
Rhodes

Richardson
Romanelli
Sweeney

Thomas
Ustynoski
Wilt, W. W.

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

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

Mr. HASKELL. Mr. Speaker, I am in the process of having a very complex, detailed amendment prepared for this bill. It has not been delivered to the floor as yet. I respectfully ask that we postpone the final passage of this bill until the beginning of next week. Thank you.

On the question recurring,

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

Bill as amended was agreed to.

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

MEMBERS CONGRATULATED

The SPEAKER. The Chair wants to congratulate the members of the House on what I think was a very illuminating debate.

It was interesting to note the division of opinion on both sides of the question on both sides of the aisle. Perhaps the day shall come when this legislature or this House will not necessarily take seats by party designation or that the board will be lined up according to party designation.

Recently I was in the chamber of the Senate of the

Commonwealth of Massachusetts, and in that chamber they do not sit by party designation and they do not vote on their board by party designation. The members are scattered all over the chamber. It may be that perhaps we will move in that direction ourselves someday.

BILL ON FINAL PASSAGE

Agreeable to order,

The House proceeded to the consideration on final passage of House bill No. 826, printer's No. 1923, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes approved November 25, 1970 (P. L. 707, No. 230), further providing for the satisfaction of requirement of intent when voluntary intoxication or drugged condition exists and for the grading of offenses relating to bad checks.

AMENDMENT WITHDRAWN

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

Mr. DORR. Mr. Speaker, I had an amendment. However, the intent of the amendment was to encourage the minor judiciary of this Commonwealth to act as they are required to act under law in dealing with the bad-check offense. It was my impression, from talking with various people across the Commonwealth, that there was some difficulty on the part of the people of the Commonwealth in getting cooperation from the minor judiciary.

Since we discussed the possibility of an amendment, there has been contact with various representatives of the minor judiciary. We have their assurance that they, as an organization, will make efforts to encourage the cooperation of the minor judiciary. Therefore, I am withdrawing the amendment.

The SPEAKER. The Chair thanks the gentleman.

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

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

YEAS—189

Abraham
Anderson, J. H.
Arthurs
Barber
Bellomini
Bennett
Beren
Berlin
Berson
Bittle
Blackwell
Bonetto
Bradley
Brunner
Burns
Butera
Caputo
Cessar
Cimini
Cohen
Zole
Cowell
Crawford
Cumberland
Davies
Davis, D. M.
DeMedio
Deverter
Dicarlo
DiDonato
Dietz
Dombrowski
Dorr

Geesey
Geisler
George
Giammarco
Gillespie
Gillette
Gleason
Gleeson
Goodman
Green
Greenfield
Grieco
Gring
Halverson
Hamilton, J. H.
Hammock
Haskell
Hayes, D. S.
Hayes, S. E.
Hepford
Hill
Hopkins
Hutchinson, A.
Hutchinson, W.
Irviss
Itkin
Johnson, J.
Katz
Kelly, A. P.
Kernick
Kistler
Klingaman
Knepper

McClatchy
McCue
McGinnis
McIntyre
McLane
Mebus
Menhorn
Milanovich
Miller, M. E.
Miller, M. E., Jr.
Milliron
Miscovich
Moeblmann
Mrkonic
Mullen, M. P.
Musto
Myers
Novak
Noye
O'Brien
O'Connell
O'Donnell
O'Keefe
Oliver
Pancoast
Parker, H. S.
Perri
Perry
Petrarca
Pievsky
Pitts
Polite
Pratt

Schmitt
Schweder
Scirica
Seltzer
Shane
Shelhamer
Shelton
Shuman
Shupnik
Sirianni
Smith, E.
Smith, L.
Spencer
Stahl
Stapleton
Stout
Sullivan
Taddonio
Taylor
Tayoun
Toll
Trello
Turner
Valicenti
Vann
Vroon
Wagner
Walsh, T. P.
Wansacz
Wargo
Westerberg
Whelan
Whitsee

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

NAYS—3

Hasay	Weidner	Zearfoss
-------	---------	----------

NOT VOTING—11

Brandt	McGraw	Rhodes	Thomas
Dininni	Morris	Richardson	Ustynoski
Kelly, J. B.	Mullen	Sweeney	

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.

MRS. BUTERA WELCOMED

The SPEAKER. The Chair would like to take this opportunity to introduce the wife of the minority floor leader, Mrs. Robert Butera.

BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 783, printer's No. 1786, entitled:

An Act amending the act of June 27, 1939 (P. L. 1207, No. 405), entitled, as amended, "An act regulating the appointment, promotion, suspension, reduction, removal and reinstatement of employes *** and repealing inconsistent legislation," further providing for use of eligibility lists and for filling of vacancies and for transfers or assignments within companies.

On the question,

Will the House agree to the bill on third consideration?

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

Amend Title, page 1, line 9, by inserting after "for": use of eligibility lists and for

Amend Sec. 1, page 1, line 13, by striking out "Section" where it appears the second time and inserting:

Subsection (a) of section 3.1 and section

Amend Sec. 1, page 1, line 21, by striking out "is" and inserting: are

Amend Bill, page 1, by inserting after line 22:

Section 3.1. (a) Both original appointments and promotions to any position in the competitive class in any bureau of fire in any city of the second class shall be made only from the top of the competitive list: Provided, however, That the appointing officer may pass over the person on the top of the competitive list for just cause in writing. Any person so passed over shall, upon written request, be granted a public hearing before the Civil Service Commission. No competitive list shall expire in any year so long as there are vacancies left to fill therefrom nor shall examinations for a new list be given during any one year until the prior list is exhausted if there are vacancies left to fill. For the purposes of this act vacancies shall exist in the Bureau of Fire whenever the number of uniformed members is less than the number of uniformed members budgeted for by the city.

Amend Bill, page 3, by inserting after line 1:

Section 2. This act shall take effect immediately.

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

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

Mr. CAPUTO. Mr. Speaker, it is a very simple amendment. It merely defines the word "vacancy" as used in the bill.

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

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

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

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

YEAS—187

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

NAYS—3

Foster, A.	Mebus	Parker, H. S.
------------	-------	---------------

NOT VOTING—13

Brandt	McGraw	Rhodes	Taddonio
Dininni	Morris	Richardson	Thomas
Hammock	Mullen	Sweeney	Ustynoski
Kelly, J. B.			

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

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

Agreeable to order,

The House proceeded to third consideration of **House bill No. 807, printer's No. 910**, entitled:

An Act amending the act of May 2, 1899 (P. L. 163, No. 111), entitled "An act legalizing and making it lawful to build fences constructed in whole or in part of wire along the public highways and as division fences," providing for fences with barbs.

On the question,

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

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

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

YEAS—188

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

NAYS—5

Fryer	Hutchinson, W.	Menhorn	Weidner
Gillespie			

NOT VOTING—10

Brandt	McGraw	Richardson	Thomas
Dininni	Morris	Sweeney	Ustynoski
Kelly, J. B.	Mullen		

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

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

Agreeable to order,

The House proceeded to third consideration of **House bill No. 1156, printer's No. 1862**, entitled:

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

On the question,

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

Amend Sec. 1, page 1, lines 5 through 12, by striking out all of said lines and inserting:

Section 1. As used in this act:

"Facilities" means toilets, commodes or urinals as found in a public rest room.

"Public rest room" means any room, or rooms, open to the general public, containing toilets, commodes or urinals.

"Unit" refers to any single toilet, commode or urinal as found in a public rest room.

Section 2. Any governmental agency, private or public firm or corporation maintaining public rest rooms for the convenience of the general public shall not discriminate between public rest room facilities utilized by men and public rest room facilities utilized by women.

Section 3. Where sanitation, privacy, safety or business economics recommends a charge for the use of any such public rest room facilities, said facilities provided without charge for women shall be in direct proportion to the number of facilities provided without charge for men.

Section 4. In public rest rooms where provisions of section 3 apply, each and every urinal, as found in a public rest room designated for use by men only, shall be counted as one without charge unit in establishing the number of facilities to be made available without charge in a public rest room designated for use by women only.

Amend Sec. 2, page 1, line 13, by striking out "2." and inserting: 5.

Amend Sec. 3, page 2, line 1, by striking out "in 30 days." and inserting: January 1, 1976.

On the question,

Will the House agree to the amendments?

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

Mr. DORR. Mr. Speaker, I hesitate to get involved in this, but I think it is a serious matter, in spite of the nature of the subject matter.

It is my understanding that the original generation of what seems to be a nationwide movement in this connection arose out of, for want of a better term, what we might call the women's liberation movement. The amendment, therefore, would indicate that the Commonwealth requires people who have public facilities to refrain from any kind of discrimination between men and women in this connection.

I would just raise one further point. I had a call from a department store manager in my district over the past weekend. He related the following story to me, which I think might be of interest to the members, and this is what makes it a serious matter that we ought to really consider seriously. He indicated that 2 years ago his department store installed the coin-lock system in the public toilets that they have in their store. Prior to that time they had no locks on this facility.

Prior to the time they installed these coin locks, this store was spending \$100 a month on toilet tissue—four cases a month at \$25.50 a case. After installing the coin-lock system, the usage of this material went down from \$100 a month, or four cases a month, to one case every 2½ months. The clear implication is that people were walking into the free toilet, taking the toilet tissue off the rack and walking out with it.

Furthermore, he indicated that on at least one occasion when someone had been arrested in the parking lot for shoplifting in the area, they found, among a number of other things in the woman's purse in the car when the police searched it, two rolls of toilet tissue.

Mr. Speaker, I realize that this subject matter lends itself to a little levity, but I think that is a serious matter. People who operate and have facilities for the public in their stores, it seems to me, deserve some protection and we ought not to be going to a system which would require them to spend the kind of money that obviously is going to be the case if they are required to maintain free facilities. What is going to happen, frankly, is that there will be no free facilities or there will be no facilities at all, I should say, for the public. I would urge adoption of the amendments, Mr. Speaker.

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

Mrs. CRAWFORD. Thank you, Mr. Speaker.

I had a gentleman come to visit me over the Fourth-of-July weekend just to discuss the portent of this legislation with me, and he urged me to please support the Dorr amendment. After he discussed his problem with me, I could understand why he was concerned.

He owns a gas station in Chester County and evidently it is in an area with high drug usage. He was having the problem of a drug-drop near the gas station and then the persons coming into his toilet facilities and shooting up immediately. He finds syringes, cotton, the whole works in the toilet facilities. As a result of this, he installed coin-operated locks on his facilities and gave his men a master key and instructed them to let their regular customers use the facilities free of charge. As a result of this, he is no longer bothered by the drug situation.

I think he has a legitimate complaint and a legitimate reason for installing these coin locks. It is not hurting the persons who legitimately want to use these facilities, and they can use them for free. So that is why I am supporting the Dorr amendment.

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

Mr. COWELL. Just to find out if a copy of the amendment has been circulated. It appears that nobody over in this section has received one of them, and I am not quite sure what is being debated.

The SPEAKER. Have copies of this amendment been distributed? How many members on the Democratic side of the aisle do not have them?

Mr. DORR. Mr. Speaker, I think probably the amendment has not been circulated. It was indicated to me that the bill was not going to be run, so I told them not to circulate the amendment, but—

The SPEAKER. Is the amendment available to be circulated?

Mr. DORR. Yes; it will have to be reprinted.

May I just explain what it does? I do not know if that will satisfy them or not. I tried to do that—

The SPEAKER. Will the gentleman yield? I would like to have the members have the benefit of the amendment in front of them.

HOUSE BILL No. 1156 PASSED OVER TEMPORARILY

The SPEAKER. This bill will be temporarily passed over until the amendment is distributed.

Agreeable to order,

The House proceeded to third consideration of **House bill No. 1198, printer's No. 1381, entitled:**

An Act regulating the use of seasonal farm labor; providing for the registration and licensing of farm labor contractors; providing for working conditions and imposing penalties.

On the question,

Will the House agree to the bill on third consideration?

MOTION TO RECOMMIT

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

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

I would like to move that House bill No. 1198 be re-committed to the Committee on Agriculture.

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

Mr. GALLAGHER. Mr. Speaker, it was my understanding that the bill was being held over because Mr. Shelhamer has amendments being drafted in the Reference Bureau, Mr. Whelan has amendments, and I have amendments. We were asking that the bill be held over until they were agreed to among the three of us.

The SPEAKER. Does the gentleman, Mr. Shelhamer, have amendments to be offered to this bill?

Mr. SHELHAMER. Yes.

The SPEAKER. Does the gentleman, Mr. Whelan, have amendments to be offered to this bill? Are those amendments ready?

Mr. WHELAN. No.

The SPEAKER. Not ready.

Mr. O'CONNELL. Mr. Speaker, that really has nothing to do with the motion to recommit. Because of the amendments that are being considered and because of the impact of them, I think it would be important that it be recommitted to the committee for further discussion, and the amendments could be considered there.

The SPEAKER. The Chair would prefer that the amendments be available for discussion before a decision is made on recommitment, and this bill will go over in order.

Mr. O'CONNELL. Wait a minute, Mr. Speaker. I made a motion to recommit it, sir.

The SPEAKER. Will the gentleman, out of consideration for the request of Mr. Gallagher, withdraw his motion?

Mr. O'CONNELL. No; I will not.

The SPEAKER. All right.

There is a motion on the floor to recommit House bill No. 1198, printer's No. 1381, to the Committee on Agriculture.

On the question,

Will the House agree to the motion?

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

YEAS—89

Anderson, J. H.	Gring	McGinnis	Smith, E.
Bittle	Halverson	Mebus	Smith, L.
Butera	Hamilton, J. H.	Miller, M. E.	Spencer
Cessar	Hasay	Miller, M. E., Jr.	Stahl
Cimini	Haskell	Moehlmann	Taddonio
Cole	Hayes, S. E.	Noye	Turner
Crawford	Hepford	O'Connell	Vroon
Cumberland	Hill	Pancoast	Wagner
Davies	Hopkins	Parker, H. S.	Wansacz
Deverter	Hutchinson, W.	Perri	Weidner
Dietz	Katz	Pitts	Westerberg
Dorr	Kernick	Polite	Whelan
Dreibelbis	Kistler	Pyles	Whittlesey
Fawcett	Klingaman	Renwick	Wilson
Fisher	Knepper	Ryan	Wilt, R. W.
Foster, A.	Kusse	Salvatore	Wilt, W. W.
Foster, W.	Lehr	Scheaffer	Worrlow
Fryer	Levi	Scirica	Wright
Gallen	Lynch	Seltzer	Yohn
Geesey	Manmiller	Shelhamer	Zearfoss
George	McClatchy	Shuman	Zeller
Gleason	McCue	Sirianni	Zord
Grieco			

NAYS—101

Abraham	Garzia	McIntyre	Romanelli
Arthurs	Geisler	McLane	Ross
Barber	Giammarco	Menhorn	Ruggiero
Bellomini	Gillespie	Milanovich	Saloom
Berlin	Gillette	Milliron	Schmitt
Berson	Gleeson	Miscevich	Schweder
Blackwell	Goodman	Mrkonjc	Shane
Bonetto	Green	Mullen, M. P.	Shelton
Bradley	Greenfield	Musto	Shupnik
Brunner	Hammock	Myers	Stapleton
Burns	Hayes, D. S.	Novak	Stout
Caputo	Hutchinson, A.	O'Brien	Sullivan
Cohen	Irvic	O'Donnell	Taylor
Cowell	Itkin	O'Keefe	Tayoun
Davis, D. M.	Johnson, J.	Oliver	Toll
DeMedio	Kelly, A. P.	Perry	Trello
Dicarlo	Kolter	Petrarca	Valicenti
DiDonato	Kowalyszyn	Pievsky	Vann
Dombrowski	LaMarca	Pratt	Wargo
Doyle	Laudadio	Prendergast	Wojdak
Eckensberger	Laughlin	Rappaport	Yahner
Englehart	Lederer	Reed	Zwilk
Fee	Letterman	Renninger	
Fischer	Lincoln	Rhodes	Fineman,
Flaherty	Mandirino	Rieger	Speaker
Gallagher	McCall	Ritter	

NOT VOTING—13

Bennett	Kelly, J. B.	Mullen	Thomas
Beren	McGraw	Richardson	Ustynoski
Brandt	Morris	Sweeney	Walsh, T. P.
Dininni			

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

The SPEAKER. The bill will be passed over temporarily.

Agreeable to order,

The House proceeded to third consideration of House bill No. 1322, printer's No. 1863, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Department of Agriculture and the Governor, to convey to the City of Harrisburg two tracts of land situate in the City of Harrisburg, Dauphin County, Pennsylvania.

On the question,

Will the House agree to the bill on third consideration?

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

Amend Title, page 1, line 5, by removing the period after "Pennsylvania" and inserting: and authorizing the

Department of Property and Supplies, with the approval of the Governor, to sell and convey real property situate in the Borough of Mount Pleasant, Westmoreland County containing thereon an armory to the Borough of Mount Pleasant.

Amend Bill, page 2, by inserting between lines 22 and 23:

Section 2. The Department of Property and Supplies, with the approval of the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to sell and convey to the Borough of Mount Pleasant, Westmoreland County, its successor and assigns, at a consideration of one dollar (\$1), to be used by the Borough of Mount Pleasant for public purposes, the following described tract of land situate in the Borough of Mount Pleasant, County of Westmoreland, and Commonwealth of Pennsylvania:

All that certain lot of ground situate in the Borough of Mount Pleasant, County of Westmoreland and State of Pennsylvania, bounded and described as follows, to wit:

Beginning at a point at the intersection of the east building line of Eagle Street and the south building line of Spring Street, produced; thence along said east building line of Eagle Street, south 34 degrees 05 minutes west 42.5 feet; thence by the same south 07 degrees 05 minutes west 47 feet to the corner of lot owned by Mrs. Rose; thence along said lot south 57 degrees 03 minutes east 193 feet to a lot formerly owned by M. S. Overholt, now a part of "Frick Park," thence along said lot north 34 degrees 35 minutes east 80.3 feet; thence through the lot formerly owned by Dr. James McConaughy, now a part of "Frick Park," north 55 degrees 55 minutes west 215 feet to the place of beginning. Containing .396 of an acre.

Being the same premises conveyed to the Commonwealth of Pennsylvania by the deed of Mount Pleasant Borough dated the 12th day of June 1906 and recorded in Westmoreland County in Deed Book Volume 359, page 486 by virtue of an ordinance of the said Borough of Mount Pleasant duly ordained and enacted into law on the 11th day of June, 1906.

Amend Sec. 2, page 2, line 23, by striking out "2." and inserting: 3.

Amend Sec. 3, page 2, line 30, by striking out "3." and inserting: 4. (a)

Amend Sec. 3, page 2, line 30, by inserting after "conveyance": to the City of Harrisburg

Amend Sec. 3, page 3, by inserting between lines 6 and 7:

(b) The conveyance to the Borough of Mount Pleasant shall also be made under and subject to any reservations set forth in the aforementioned deed to the Commonwealth. In the event that the above described premises are not used for recreational purposes, title to the premises shall revert immediately to the Commonwealth of Pennsylvania.

Amend Sec. 4, page 3, line 7, by striking out "4." and inserting: 5.

Amend Sec. 4, page 3, line 7, by striking out "deed" and inserting: deeds

Amend Sec. 5, page 3, line 11, by striking out "5." and inserting: 6.

On the question,

Will the House agree to the amendments?

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

Mr. SALOOM. Mr. Speaker, this is the same set of amendments that I had offered last week to another particular piece of legislation and I am offering them today to House bill No. 1322, and I am asking the members for their support of this amendment.

It adds a national guard armory to the bill, to transfer it from the state. It will be vacated soon, and it will transfer it from the state to the borough government.

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

Mr. REED. Mr. Speaker, last week we discussed the matter of whether or not that type of amendment could be added to this type of bill, and we had learned at that time that since this was done before and the precedent was set, it is therefore proper to offer such an amendment.

In the event that anybody is curious, as prime sponsor of House bill No. 1322, I have no objection whatsoever to Mr. Saloom's amendment and I intend to vote for it.

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

Mr. ZELLER. Mr. Speaker, I would yield to Mr. Vann because I—

The SPEAKER. The gentleman has indicated he does not desire to be recognized.

Mr. ZELLER. Oh, I see. Thank you.

Mr. Speaker, last week we voted this amendment down. I believe there were 57 votes that were in favor of it, and the reason for it was, as I mentioned, that the Military Affairs Department was cut over \$300,000 this year and they are in sad shape.

What has happened is that they are hurting to the point where they are trying very hard to economize, as many departments should, and this department wants to take all armories to be sold—they are to be sold rather than given away for a dollar, and so forth—and use this money to maintain their armories. I think this is a rather commendable move by the Military Affairs Department of the State of Pennsylvania.

I understand that this armory in Mount Pleasant—when it is; it is not now, but eventually in a couple of years, as a matter of fact, 2 or 3 years—will be phased out and another one at Scottdale, and there will be a jointure with one in Connellsville. The reason for this is that there are many armories in the state that are going to be, I should say, liquidated because of the fact that the need is not there, and they are centralizing in other areas.

I would feel that since this is a move by the Military Affairs Department of the state in such a commendable way, in wanting to hold the line, and since we have talked about it many times here, I think we should give them a chance and not turn this over to a community for a dollar when they can obtain funds for them. This is my feeling about it.

Also, there is another point that I think we should consider, and that is the reversionary clause they have in here. The reversionary clause states—not too clearly—that if the community does not use it for recreation, there is nothing in here that says they could not sell it to a private individual for recreational purposes. This is where we have to watch it. It should revert to the Commonwealth. But with this reversionary clause in here, it could not revert if they did not want it to. The community, if they saw fit, could sell it to some private individual, and they could use it for recreational purposes and make money. That is not the reason for this being set this way.

So I would like to have the members here again give the Military Affairs Department of Pennsylvania a real plug and let them know that we are really in favor of their economizing and help them show that they mean it by letting them sell these armories and make money to be used in maintaining and constructing armories in the State of Pennsylvania.

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

Mr. SALOOM. Mr. Speaker, I believe Mr. Zeller has the wrong set of amendments. If he has the amendment to House bill No. 1322, the property will revert to the Commonwealth if it is not used for recreational purposes.

Mr. Speaker, I have received many notes in the sessions here in Harrisburg from members thanking me for legislation that I have voted for that was for their districts. I am asking those same members today to support me who have in the past thanked me for legislation I have supported. This is a very small armory, very incidental to the Commonwealth. It would bring hardly anything in price for the Department of Military Affairs, and I ask for your support of the amendment again.

Thank you.

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

Mr. LINCOLN. Mr. Speaker, I rise today to support this amendment. I believe that some of the statements that Mr. Zeller made were very proper if you are looking at everything in a dollar-and-cents value way of determining your decisions in this House.

I think that many people from the rural areas are very much aware of the difficulty that we have obtaining any type of facility for recreational types of programs which will be run in the community for the young people and the adults. I think that I have seen many pieces of legislation pass before me in the 2½ years I have been here where we outright gave something that the state owned to a local community, and I do not believe that this is the proper place to start selling from the state to local municipalities.

I think this is a good amendment. I think the building will be used extremely properly and will become a huge benefit to the borough of Mount Pleasant, and I would urge your support of this amendment.

On the question recurring,

Will the House agree to the amendments?

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

YEAS—136

Anderson, J. H.	George	Lynch	Rieger
Arthurs	Giammarco	Manderno	Ross
Barber	Gillespie	Manmiller	Ruggiero
Bellomini	Gillette	McCall	Saloom
Bennett	Gleeson	McClatchy	Salvatore
Berlin	Goodman	McCue	Schmitt
Berson	Green	McIntyre	Shelhamer
Blackwell	Greenfield	Menhorn	Shupnik
Bonetto	Grieco	Milanovich	Smith, L.
Bradley	Gring	Miller, M. E.	Spencer
Brunner	Halverson	Miller, M. E., Jr.	Stahl
Butera	Hasay	Milliron	Stout
Cimini	Haskell	Moehlmann	Sullivan
Cohen	Hayes, D. S.	Mrkonc	Taddonio
Cole	Hepford	Mullen, M. P.	Taylor
Cowell	Hill	Musto	Toll
Davies	Hopkins	Myers	Trello
Davis, D. M.	Hutchinson, A.	Novak	Turner
DeMedio	Hutchinson, W.	O'Brien	Vann
Deverter	Irvis	O'Donnell	Wagner
Dicarlo	Itkin	O'Keefe	Weidner
Dombrowski	Johnson, J.	Oliver	Whelan
Doyle	Katz	Pancoast	Whittlesey
Dreibelbis	Kelly, A. P.	Perri	Wilson
Englehart	Kernick	Petrarca	Wilt, R. W.
Fawcett	Kistler	Pievsky	Wilt, W. W.
Fee	Klingaman	Polite	Wojdak
Fischer	Kolter	Pratt	Worrlow
Fisher	Kowalshyn	Prendergast	Yahner

Flaherty	LaMarca	Rappaport	Zeller
Fryer	Laudadio	Reed	Zwikel
Gallagher	Laughlin	Renninger	
Garzia	Lehr	Renwick	Fineman,
Geesey	Letterman	Rhodes	Speaker
Geisler	Lincoln		

NAYS—52

Abraham	Gallen	Noye	Shuman
Beren	Gleason	O'Connell	Sirianni
Bittle	Hamilton, J. H.	Parker, H. S.	Smith, E.
Burns	Hammock	Pitts	Stapleton
Caputo	Hayes, S.E.	Pyles	Vroon
Cessar	Knepper	Ritter	Walsh, T. P.
Crawford	Kusse	Romanelli	Wansacz
Cumberland	Lederer	Ryan	Wargo
Dietz	Levi	Scheaffer	Westerberg
Dorr	McGinnis	Scirica	Wright
Eckensberger	McLane	Seltzer	Yohn
Foster, A.	Mebus	Schweder	Zearfoss
Foster, W.	Miscevich	Shane	Zord

NOT VOTING—15

Brandt	McGraw	Richardson	Thomas
DiDonato	Morris	Shelton	Ustynoski
Dininni	Mullen	Sweeney	Valicenti
Kelly, J. B.	Perry	Tayoun	

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. ZELLER. Mr. Speaker, I was sleeping at my switch and I would like to be voted "no" on the Saloom amendments to House bill No. 1322.

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

On the question,

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

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—185

Abraham	George	McIntyre	Schweder
Anderson, J. H.	Giammarco	McLane	Scirica
Arthurs	Gillespie	Mebus	Seltzer
Barber	Gleason	Menhorn	Shane
Bellomini	Gleason	Milanovich	Shelhamer
Bennett	Goodman	Miller, M. E.	Shelton
Beren	Green	Miller, M. E., Jr.	Shupnik
Berlin	Greenfield	Milliron	Sirianni
Berson	Grieco	Miscevich	Smith, E.
Bittle	Gring	Moehlmann	Smith, L.
Blackwell	Halverson	Mrkonje	Spencer
Bonetto	Hamilton, J. H.	Mullen, M. P.	Stahl
Bradley	Hammock	Musto	Stapleton
Brunner	Hasay	Myers	Stout
Burns	Haskell	Novak	Sullivan
Butera	Hayes, D. S.	Noye	Taddonio
Caputo	Hepford	O'Brien	Taylor
Cessar	Hill	O'Connell	Tayoun
Cimint	Hopkins	O'Donnell	Toil
Cohen	Hutchinson, A.	O'Keefe	Trello
Cole	Hutchinson, W.	Oliver	Turner
Cowell	Irvis	Pancoast	Valicenti
Crawford	Itkin	Parker, H. S.	Vann
Cumberland	Johnson, J.	Perri	Vroon

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

NAYS—6

DeMedlo	Hayes, S. E.	Shuman	Zeller
Dietz	Kusse		

NOT VOTING—12

Brandt	Gillette	Morris	Sweeney
DiDonato	Kelly, J. B.	Mullen	Thomas
Dininni	McGraw	Richardson	Ustynoski

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.

AMENDMENT QUESTIONED

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

Mr. VANN. Mr. Speaker, I want to bring to the Chair's attention that on the Dorr amendments to House bill No. 826 that the pages were supposed to distribute, they are distributing, I think, the wrong amendment. They are distributing amendment No. 34 which was the amendment that he withdrew, and the amendment that he wants to be distributed I do not think they are distributing.

The SPEAKER. The gentleman indicates that 34 is the gentleman's seat number.

Mr. VANN. Well, I may be in error on that, but I will explain the amendment. The amendment was on the bad-check amendment and not on the bad-toilet amendment.

The SPEAKER. We will not vote on the measure until the appropriate amendment is distributed.

Agreeable to order,

The House proceeded to third consideration of House bill No. 1481, printer's No. 1742, entitled:

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.

On the question,

Will the House agree to the bill on third consideration?

The SPEAKER. Does anybody know if the gentleman, Mr. Brandt, has an amendment to offer?

The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I have been informed that Mr. Brandt does have an amendment and I thought he

was present. That is the reason we marked the bill to be called up. But if he is absent—this has been on the calendar just 5 days—you can pass over the bill for today and we will call it up next week.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, he is just temporarily absent. We could just pass over it temporarily.

Mr. IRVIS. I am sorry. I thought he was not here.

HOUSE BILL No. 1481 PASSED OVER TEMPORARILY

The SPEAKER. This bill will be temporarily passed over.

Agreeable to order,

The House proceeded to third consideration of **Senate bill No. 104, printer's No. 475**, entitled:

An Act permitting municipalities to expend funds to finance projects for the Bicentennial Celebration.

On the question,

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

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

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

YEAS—190

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

NAYS—1

Sirianni

NOT VOTING—12

- | | | | |
|-------------|--------------|------------|-----------|
| Brandt | Kelly, J. B. | Richardson | Tayoun |
| Dinanni | McGraw | Shelton | Thomas |
| Johnson, J. | Morris | Sweeney | Ustynoski |

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

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

Agreeable to order,

The House proceeded to third consideration of **Senate bill No. 147, printer's No. 814**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," empowering the Commissioner of Correction to deputize individuals to effect the return of any individual under the control or supervision of the commissioner who escapes or attempts to escape that control.

On the question,

Will the House agree to the bill on third consideration?

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

Amend Title, page 1, line 20, by inserting after "determined,"": further providing for the duties of department heads.

Amend Bill, page 1, lines 26 through 28, by striking out all of said lines and inserting:

Section 1. Section 206, act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," is amended by adding a paragraph to read:

Section 206. Department Heads.—Each administrative department shall have as its head an officer who shall, either personally, by deputy, or by the duly authorized agent or employe of the department, and subject at all times to the provisions of this act, exercise the powers and perform the duties by law vested in and imposed upon the department.

* * *

Each department head or commission head shall make himself available for one hour each month at the call of the House of Representatives or of the Senate, for a period of interrogation on the floor of the House of Representatives and for one hour of interrogation each month on the floor of the Senate concerning policies and practices of that department head's department.

Section 2. Section 914 of the act, added July 29, 1953 (P. L. 1428, No. 408), is amended to read:

Amend Sec. 2, page 2, line 23, by striking out "2." and inserting: 3.

On the question,

Will the House agree to the amendments?

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

Mr. SHANE. Thank you, Mr. Speaker.

I said yesterday that I am very interested in improving the effectiveness and the power of this body. I said that, in my judgment, the legislature should do more than just pass laws, appropriate money and act as a trouble-shooter for our constituents who have problems.

There is a fourth function I want to see us undertake, which is the oversight function, the supervision of the operation of state government, acting in concert, telling the bureaucracy what we want done.

This amendment that I offer to you is another oversight amendment designed to increase accountability of

the bureaucracy to us, the policymaking body of this government. The amendment says:

Each department head or commission head shall make himself available for one hour each month at the call of the House of Representatives or of the Senate, for a period of interrogation on the floor of the House of Representatives and for one hour of interrogation each month on the floor of the Senate concerning policies and practices of that department head's department.

This is not a unique proposal. The English Parliament has been doing this for many, many years. It is known as question period in the English Parliament, and it is such a matter of wide public interest that the British Broadcasting Company, the BBC, broadcasts for all the citizens of the British Commonwealth the regular question period in the English Parliament.

I think this would be a good procedure for this body and the other body to adopt to increase the accountability of the bureaucracy to us, and I urge your "yes" vote on this oversight amendment to Senate bill No. 147.

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

Mr. GREENFIELD. Mr. Speaker, I share with Mr. Shane his desire to give that fourth area of responsibility to this legislature, but I think he does a disservice to that concept when he brings before this House an absurdity such as this particular amendment. I think we can go too far; I think that we can be ridiculous, and I think that this amendment is so categorized.

There are methods, there are means, there are committees, there are commissions that can adequately check, that can adequately determine, the propriety of the various departments in the execution of the legislation which we perpetrate. But to bring those people before the well of this House to a question-and-answer period and the acrimony that would follow, I think lends nothing to the final determination of the efficiency and the operation of the executive branch of our government.

Mr. Speaker, I vehemently oppose this amendment, and, as I said, I do not think that it is constructive to carry out the oversight responsibility which I think we should be aiming for. Mr. Speaker, I urge every member to vote against the amendment.

Thank you.

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

Mr. GLEASON. Mr. Speaker, I have been working on a similar project now since January of this year and I support the amendment of the gentleman from Indiana, Mr. Shane.

And I ask a question which I think the members of the House have to answer: What kind of threat does this amendment pose to the legislature of Pennsylvania? Now think about that question. Think about the opportunity you might have on a regular basis to call into question directly, as a rank-and-file member of this House, the practices or policies of a department, agency, board, or commission of state government.

Even for a limited period of time, it seems to me that the Shane amendment is one which brings some of the better features of the parliamentary system, namely,

accountability of department heads, into play here in Pennsylvania.

It is admittedly a very new idea and one that has never been really thought about until Mr. Shane has brought it here before the members of the House. I cannot for the life of me see again what kind of threat this is to the legislative system.

It is true, as Mr. Greenfield indicated, that we have committees. We have the Appropriations Committee and various standing committees. But how much of an opportunity do we really have as rank-and-file members to question publicly the policies and practices of the executive branch of government?

This is a new idea, and I suggest we do not accept it because it is new; I suggest we do not reject it because it is new. But I suggest that we accept it as an experiment in American legislative conduct, because as the late Supreme Court Justice Frankfurter once said about the state legislatures, he said that in the state legislatures you have all of the great new ideas that eventually find their way into Congress. These are the arenas for experimentation and for new and vigorous methods by which we govern ourselves.

I think that the members of the House should not reject willy-nilly this new concept, but should try it. We may end up finding that it is an extremely beneficial part of the way we govern ourselves in Pennsylvania, and I, for one, support the amendment.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, I rise to support the amendment also, and I should like to point out that the challenge of this concept is not so much to the executive department heads but rather to this body.

Too often when these kinds of things are discussed, the feeling in this House is that somehow we are attempting to attack the administration. While that is always a possibility when one exposes himself to public scrutiny, I think the much deeper meaning of this amendment is whether we are willing to assume responsibilities which to date we have largely ignored, because it is this body which will come off good or bad should we conduct a series of this kind of discussion with members of the executive branch.

The challenge to us as to whether we are able to handle it, I think merits a try. I do not think—and I disagree with Mr. Greenfield in this respect—that this would make any kind of mockery of the legislative process, because I doubt that we would call upon department or commission heads more than a few times a year in total. But the fact that we may and the fact that during periods of extreme controversy in the various departments or at budget times or whenever, that we have the ability to gain direct access in public view to someone in charge of a very important aspect of government, will make that person conduct his office better.

I have had two experiences this year which go right to the heart of this amendment. The first was a request of the Secretary of Commerce, Mr. O'Connor, to come to our caucus and subject himself to any kind of interrogation.

We spent, I guess, a good hour and a half or 2 hours with Mr. O'Connor and many of his assistants and had an extremely worthwhile discussion. I think he was

better off for it because he had to prepare himself completely as to the workings of his department and how he intended to run the department, and we were obviously better off because we had a chance to meet a man firsthand with no predetermined list of questions and so on.

The second experience was just the opposite. We attempted to gain some degree of access into the Bureau of Professional and Occupational Affairs by sending a team of our research staff to do some oversight work in that bureau. We have not been able to gain access for any number of reasons. That is disappointing.

I think the head of that bureau would be much better off if we could gain access, because when we do not gain access, we get suspicious. And then all the acrimony which was discussed earlier begins to take the place of something which would have been a worthwhile experience for both sides of the coin.

In summation then, I would commend this amendment to the House. I think it is up to us then to make it work. I think it can work and I think both the executive and the legislative branches will be brought closer together than is our present situation.

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

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

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

Mr. SHANE. Yes.

The SPEAKER. The gentleman may proceed.

Mr. LINCOLN. Mr. Speaker, I do not quarrel with your amendment, but I have some very serious questions in my mind as to whether it could really work or not.

Have you made any provisions for the actual physical calling of the department head before this House?

Mr. SHANE. If this amendment becomes law, I think the procedure would work as follows: Any member could stand on the floor of this House and say, Mr. Speaker, I move that secretary so-and-so of so-and-so department be directed by the chief clerk of the House to appear before us on Monday, July 14, at 4 p.m., for 1 hour of interrogation concerning the policies of his particular department.

If that motion passed by, I guess, a constitutional majority of the House, then the chief clerk of the House of Representatives would call that particular secretary—I do not think all the formality of written notice and serving and all that stuff would be necessary—and tell him that this was the motion that passed on the floor of the House.

Mr. LINCOLN. Mr. Speaker, I fail to see anywhere in the amendment that type of language which you have just related to the body and I have very serious doubts as to whether that is anything more than a supposition on your part. I think that there will be no actual means provided for the calling of these department heads in the way this amendment is written and I think that probably would be the most serious of fatal errors that could be made in this type of legislation.

Mr. SHANE. My own feeling is that our rules are flexible enough that a simple verbal motion from the floor of the House by one of our colleagues would be

sufficient to accomplish this question period, should this question period become law.

Mr. LINCOLN. Mr. Speaker, do we not at this present time possess the ability to do just what you are providing for in this amendment?

Mr. SHANE. I do not think we have sufficient latitude in our rules of the House or in our laws now to do this. But if we amend the Administrative Code, which is the basic statute law for the running of state government, I think it would be clear then that we do have this authority.

Oh, you may find some constitutional lawyer drifting around these halls who can conjure up a legal opinion that says we currently have the authority to do it, but I think it would be best and more tidy to make it clear by strong vote in this House and the Senate and put it into the basic statute law for governing the state, which is the Administrative Code of 1929.

Mr. LINCOLN. Mr. Speaker, supposing we do accept the supposition that you offer, that we can by virtue of a motion call these department heads to us, the second question I have in my mind is: What happens if they refuse?

Mr. SHANE. Then we come to an interesting test. Well, I think we might take procedures to bring them to the well of the House.

Mr. LINCOLN. Well, Mr. Speaker, again I have to quarrel with the looseness of your argument in supposing more than actually what is being written in, and I would—

Mr. SHANE. I will be more precise. I would think we would resort to the procedures analogous to the Carcaci incident, whereby the person would be subpoenaed.

Mr. LINCOLN. All right. That is something that I would have to say, Mr. Speaker, that we have the authority and the power to do at the present time.

The third question which follows right in line is: We have the department head before us, whether willingly or unwillingly, and we come to the third part, and that is the actual questioning. What takes place if he refuses to answer questions put forth to him such as Carcaci did? Are we going to jail him?

Mr. SHANE. No. I may have to defer to the expertise of those gentlemen who were on that committee, but I would hope that the answers of an established department head would not be incriminating. I would hope that he would be able to talk freely and openly with us.

If there is a problem with his fifth-amendment, self-incrimination privileges, I would certainly want to respect that constitutional right. But short of the fifth amendment, I think he has an obligation to speak.

Mr. LINCOLN. Well, does he not possess that obligation at this present time?

Mr. SHANE. Well, you and I disagree as to possibly the legality of this procedure under current law without this amendment. It may be so that we can accomplish it now, but I would feel more comfortable if the House and the Senate spoke affirmatively on this matter and we added the amendment to our Administrative Code of 1929. Then I would feel more comfortable with this procedure.

Mr. LINCOLN. Thank you, Mr. Speaker.

PARLIAMENTARY INQUIRY

Mr. LINCOLN. Mr. Speaker, I have a parliamentary inquiry at this time.

The SPEAKER. The gentleman will state it.

Mr. LINCOLN. Would the rules of the House which we vote at the beginning of each session by which to operate the House be subject to change by passing legislation outside the purview of the rules of the House?

The SPEAKER. Would the gentleman state the question again, please?

Mr. LINCOLN. We operate on rules that are enacted at the beginning of each session, and these rules are all-encompassing as far as how we operate our daily and day-to-day basis for passing legislation, calling motions forth, and such. If legislation such as this is passed which amends a law which does not have anything to do with our House rules, which supersedes the other? Which has preference?

The SPEAKER. The amendment that is before the House in no way affects the rules of the House. There is no inconsistency between the amendment and the rules of the House as the Speaker sees it.

Mr. LINCOLN. If there are no rules covering the procedures which will be mandated by this law, what would be the procedure in the House then?

The SPEAKER. The House would have to adopt its own rules governing that procedure.

Mr. LINCOLN. And what if they so desired not to do that?

The SPEAKER. That is the will of the House.

Mr. LINCOLN. Would this law have any effect on the procedure of the House then?

The SPEAKER. The law has no effect on the procedure of the House.

Mr. LINCOLN. Mr. Speaker, I at this time would like to ask the Chair to rule as to whether this amendment is frivolous in nature. And basing it on the answers that were just given to my questions, I believe it is and I would ask you to so rule at this time.

The SPEAKER. Well, the Chair, while not sharing the viewpoint of the gentleman, Mr. Shane, on the amendment, certainly would not rule that the amendment is being offered frivolously. The Chair would have to rule that the point of order is not well taken.

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

Mr. MEBUS. I wonder if the Chair would refresh my memory. It seems to me that in 1965, there was a not dissimilar proposal placed before this House by yourself. Am I correct in that? Is my memory correct?

The SPEAKER. No. As best the Chair can recall, in 1961 the rules of the House provided for a question-and-answer period. And the House, in its wisdom—I think in 1967, the Chair is advised—deleted that rule from the House and it has never appeared in the rules again.

The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, I think on that point we should clarify that this is quite different in that this would require the attendance of people, whereas I believe our rules at one point provided the mechanism for the interrogation periods.

The SPEAKER. Well, this is the rule as it appeared. It was then known as rule 19-1:

The House, upon motion made only by the Majority Leader and seconded only by the Minority Leader, may, by majority vote, resolve itself into a Committee of the Whole for "Questions and Answers" relating exclusively to departmental legislation pending on the House calendar.

Questions must be in writing, signed by the members requesting information and be sent to the Majority or the Minority Leader.

The Majority and Minority Leaders shall present questions received from the members to the Committee on Rules for examination. When approved by the Committee, a copy of the question shall immediately be forwarded by the House leaders jointly to the head of the department affected, together with a written request that he appear before the Committee of the Whole House at a designated time to answer the questions submitted to him. The Committee may, at its discretion, ask for a written reply.

Questions for oral answer which have been approved by the Committee on Rules shall be printed, each with a number under an appropriate heading on the House calendar at least two legislative days in advance of the time fixed by the House for the sitting of the Committee of the Whole.

Members will be recognized by the Chair to ask the questions in the order they are listed on the House calendar, after which the head of the department to whom the question has been directed will be recognized for reply.

When the head of a department has answered a question, the Speaker, at his discretion, may permit members to put supplemental questions arising out of the reply, but there shall be no debate.

When the Committee of the Whole is sitting for "Questions and Answers," the Speaker shall preside.

A motion may be made in the House to print the "Question and Answer" proceedings in the Legislative Journal.

That is the rule as it appeared in 1961, which was subsequently deleted from the House rules.

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

Mr. MEBUS. Mr. Speaker, again, maybe I misstated it, but was there not some move on your part or on Mr. Eilberg's, who was then the majority leader of the House, to bring someone of the Scranton Cabinet officers before the House for interrogation on some subject? It was 1965, I am almost certain. It was my very first year here, as I recall.

The SPEAKER. As best I can recall, we had a proceeding similar to the proceeding that the House had last year in connection with the matter of Lieutenant Carcaci. It involved the State Police on a wiretapping situation where the House endeavored, as it did last year, to bring four members, as I recall, of the State Police before the well of the House to answer questions on the matter of wiretapping.

Mr. MEBUS. Thank you, Mr. Speaker. May I make a few remarks?

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

Mr. MEBUS. I would like to see this amendment adopted. I think it has virtue, particularly in light of the tremendous amount of effective legislation that comes out under the name of "rules and regulations." I think it would be an excellent opportunity for members of this body to direct their interrogation to some of the department heads under whose aegis a lot of rules and regulations are promulgated.

The body of law which governs the people of this Commonwealth is far greater as established by rules and regulations than by statutory law passed by these two bodies, ourselves and the Senate. There are many occasions when some of the rules and regulations that are promulgated, based on legislation we have passed, are not only greater volumetrically, but they frequently go in a direction different than the legislative intent at the time of their passage.

As a result, I think it would be salutary if we would have an opportunity to interrogate some of these department heads under whose aegis these things have been promulgated. Maybe we could clarify and get some straight answers to some things that otherwise stay in a never-never land and rarely are ever clarified.

I know that too many times I have been addressed by constituents saying, why did you people pass a bill that does so-and-so? We never passed such a bill. But the way the department heads have chosen to administer some of the acts we have passed creates something entirely different than we had in mind.

For this reason, if no other, I think there is merit in this proposal, and I would hope that it be adopted. Thank you.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, you read to the House of Representatives a detailed rule which we had until 1965, I believe, in the rules of the House. If the members will note the great detail, you will note the distinct contrast between the carefully worked-out details of the earlier rule and the lack of details in the Shane amendment.

Mr. Shane is noble of purpose. I have no doubt about that. And if all of us were Bill Shane, or even if most of us were Bill Shane, I would not be at the microphone opposing this amendment. But I want you to notice the immense possibility for mischief which could be engendered by the adoption of this amendment. There is no limit as to the questions; there is no advance notice to the person being interrogated. Any one of us could either make a bureaucrat out to be a fool or, in turn, prove that we as individuals are fools by the types of questions we ask and the types of answers we might solicit.

The opportunity for harassment by the Democratic Party of a Republican Governor and his Cabinet, or by a Republican Party of a Democratic Governor and his Cabinet, are immense and enormous in their portent.

We are not British. We established that from 1775 until 1783 and reaffirmed it in the War of 1812. The systems which work for the British have not necessarily worked here. The British system of government is not

a system of checks and balances. Those men and women who come before Parliament are ministers; they are not bureaucratic heads of departments.

If we as a House of Representatives, having decided earlier this morning that we still believe in party politics—because remember we did reject an amendment which would, in effect, have decried party politics—then have we not ourselves stated that we intend to pursue party politics as we have in the past?

Is there anyone on this floor who seriously doubts that such an amendment as Mr. Shane's would not be misused, or the attempt to misuse it would not occur?

Can you not picture the wild disorder which would follow if we had a man as popular as the former Insurance Commissioner on the floor of this House for an hour of inquisition?

Oh, yes, I have the same instincts as I decried at this microphone before. There are those bureaucrats whose blood I would like to see stain the carpet, whether they be Democrats or Republicans. I have had my problems with them, and I could name three of them right now in the present Cabinet that I would be delighted to cross-examine, and I think my bloodthirstiness would be reflected in the breasts of all of us.

Now I ask you to consider very, very carefully before you vote. I repeat, the gesture is noble indeed. The weapon is extremely sharp, and those who would wield that weapon, in my opinion, are not yet ready to hand it, and I ask you to vote in the negative, as I shall.

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

Mr. DAVIES. Would the maker answer a question, or some expert give me an answer to two questions?

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

Mr. SHANE. Yes.

The SPEAKER. The gentleman may proceed.

Mr. DAVIES. Mr. Speaker, as it stands now, does the Governor of the Commonwealth have the right of executive privilege to refuse to have those members appear or members of their staff appear, similar to the Federal system?

Mr. SHANE. Well, despite the imaginative efforts of the ex-President, executive privilege is still a rather nebulous doctrine. As I followed the debates about a year ago, it is never specifically mentioned in the United States Constitution and—I am not sure but I guess—not in the Pennsylvania constitution. I will defer to my colleague, Mr. Pancoast.

So I think the assertion of executive privilege by some aggressive executives is far greater than what the precedents would recognize. I doubt if a Governor could cloak his cabinet heads with executive privilege in such a manner as to prevent them from coming here and hearing a half hour or an hour's worth of questions. I do not think executive privilege would stop the thrust of this amendment.

Mr. DAVIES. The second one then: In areas of sensitivity such as the matter of, let us say, labor negotiations or the matter of state security—the very security of the Governor or something like that—would there be then an area where the person being questioned would have a right to refuse to answer on those grounds in such a proceeding?

Mr. SHANE. I would think yes, and, secondly, I think

the House would have the decency to respect that invocation. And if the House did not have the decency to respect that kind of confidentiality, I do not think it could be legally compelled.

Mr. DAVIES. What protection does your amendment offer to that end, that the person cannot be then cited for contempt of this body?

Mr. SHANE. The judges.

Mr. DAVIES. The court itself?

Mr. SHANE. Yes.

Mr. DAVIES. In other words, the courts that are to sit in that judgment?

Mr. SHANE. Right. It eventually got to the courts with Carcaci, and I assume to flush out this proposal some controversy may develop where we would have to resort to the courts again.

Mr. DAVIES. Thank you.

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

Mr. PANCOAST. Mr. Speaker, I rise to support the amendment offered by the gentleman from Indiana.

The majority leader has made note of the fact that ours is a separation of power system as contrasted with the British fusion of powers where the executive and the legislative branches are combined. Their question hour, of course, is designed specifically to hold accountable the heads of the various departments because there is this fusion of powers.

However, I think our very separation, as Mr. Mebus has pointed out, makes it very necessary for us to recognize that there must be a good system of accountability here in this country. This we do not have at the present time, except through our interrogations through committee investigations. And reference was made to the former Insurance Commissioner who appeared before some of our House investigating committees and was able to skirt answering questions very, very cleverly. Maybe this could be done on the floor of the House during a question-hour period as well.

I think there are really three values to a question period of this kind. Number one, information would be provided directly to the membership of the House or the Senate. Secondly, there would be a clarification—and I think this is the point that Mr. Mebus was trying to seek—of the rules and regulations that are today promulgated by the executive departments and the commissions. And third and probably most important, I think, is the fact that a commission or a department would be carrying out the intention of this legislative body more effectively than I think they have been in many instances in the immediate past.

It seems to me that the very threat—and I guess that is the right word to use—of calling a particular commission head or department head before the House or the Senate, that the value would be the threat that he might be called; not the fact that he is called but the fact that he might be called. And certainly I think that the adoption of this amendment would produce greater accountability automatically on the part of commission heads and department heads. I urge the support of this amendment.

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

Mr. CAPUTO. Mr. Speaker, I listened with a great deal of attention to the remarks of the majority leader and I agree wholeheartedly with his remarks.

I would point out to the members of the House that shortly before this bill was put up on the board, there were the discussions about partisanship and, I believe, the record of the sponsor of this amendment, Mr. Shane. I am very much afraid that this is one of the times he is going to be voting as a normal maverick. And I think that this particular bill and the debate on the bill is perhaps the best example for the necessity of partisanship.

As the majority leader has pointed out, I do not believe that this amendment would be supported by everybody who has spoken from the other side of the aisle—every member of the Republican party so far in the debate—if there were a Republican Governor in the front office and Republican department heads. I think this is one time where we have to be partisan in the vote.

And I would like to also point out that, as Mr. Pancoast has indicated, we do have the power of committee investigations. If we did not have that power, there might be some need for this amendment, but we do have that power and we do get personal information through the very committee system that he spoke of, because in every committee there are members from both sides of the aisle. We get the investigations.

We have had committee investigations of various department heads. We had a great deal of them during the last session, and I assume we will have more at some time in the future. In fact, I recall that this House voted for several resolutions that are calling for investigations of various state agencies. We have that power.

The question was raised about what we could do if a department head refused to come in. Well, I know one thing we can do here in the House and Senate: If any department head summarily refuses to answer our questions when we are seeking information, we as a legislative body—the Senate and the House—can vote a bill to eliminate that department. We can do that. They cannot walk away from us and ignore us if we really want the information we are trying to get.

CONSTITUTIONAL POINT OF ORDER

Mr. CAPUTO. And I also have been thinking about it—and I do not know if the question has been raised—but it seems to me that this is a serious invasion of the separation of powers' system of our constitution, and at this point, if I am in order, I would like to raise the constitutionality of the amendment.

The SPEAKER. The gentleman, Mr. Caputo, has raised the question of the matter of constitutionality of the amendment offered by the gentleman, Mr. Shane.

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

Mr. ECKENSBERGER. Mr. Speaker, on the point of constitutionality, I would like to refer the members to Article IV of the state constitution, section 10, and I quote that as follows:

The Governor may require information in writing from the officers of the Executive Department, upon any subject relating to the duties of their respective offices.

Mr. Speaker, I have been debating with myself as to what the true meaning of that section of the constitution is and I tried, in the short period of time of this debate, to find other sections in the constitution that might give context to this provision. Certainly, I was going to raise the question, but now that it has been raised, I think that

all the members should consider this particular provision as to how it might bear in this issue.

I cannot represent to the members at this time that this provision clearly makes Mr. Shane's amendment unconstitutional. However, I would suggest to the members that since the Governor has the power to require information from the cabinet members, given that power by the people, the question is, can then the legislature of its own initiative give itself that power?

It seems to me that we can make out the argument that what Mr. Shane is attempting to do is unconstitutional in that it does fly in the face of the separation of powers' doctrine.

Thank you, Mr. Speaker.

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

Mr. MANDERINO. Mr. Speaker, very briefly, in my mind there is no question that the intent and the wording of the Shane amendment is unconstitutional.

When we compare what is done in the British Parliament—as Mr. Pancoast so ably pointed out—we are not talking about a government where there are three separate, distinct branches of government that are coequal and separate; Mr. Shane's amendment, in spirit and in word, talks to making the executive department accountable to the legislature. The framers of the Constitution never intended that the legislature, the executive, or the judiciary be accountable to anybody but the people, and this is the whole context of the Shane amendment.

To require the executive to be accountable to us is violative of the constitution. We have the power perhaps to make the executive department responsive to the voice of the legislature, but we have no right to call members of that department in to question them.

On the purely political side—and perhaps this violates the question of constitutionality—it is interesting that the minority leader wants us to put this kind of a provision in the Administrative Code when it was his party in the House that deleted it from the House rules when a Republican Governor had been elected and the House was still controlled by Democrats.

The SPEAKER. Let the members on the floor please confine themselves to the question before the House, and the question before the House is the matter of the constitutionality of the amendment.

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

Does the gentleman, Mr. Zearfoss, want to address himself to the matter of constitutionality?

Mr. ZEARFOSS. Yes, Mr. Speaker, I do.

The SPEAKER. The gentleman is in order.

Mr. ZEARFOSS. To say that the Shane amendment is unconstitutional because it gives the power to the House of Representatives to interrogate, as a whole, an officer in the executive branch would necessarily lead us to the conclusion then that the committees of this House could not interrogate members of the executive branch if such interrogation was resisted by the member of the executive branch because the power of the committees is derived from the power of the whole. Therefore, if you are going to vote that the amendment is unconstitutional—

POINT OF ORDER

The SPEAKER. The Chair recognizes the gentleman

from Allegheny, Mr. Caputo. For what purpose does the gentleman rise?

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

The SPEAKER. The gentleman will state it.

Mr. CAPUTO. Mr. Speaker, I think the amendment does not create the House as a Committee of the Whole. The amendment says nothing about that.

Mr. ZEARFOSS. It does say that the House and the Senate would have the power to interrogate the executive officer.

But be that as it may, or be that aside, the point still is that if you are going to say that the House cannot do it as a whole, whether it is as a Committee of the Whole or whatever, and say that that is unconstitutional, then from that must follow the conclusion that the committees cannot do that either, because their power comes from the whole. And if the whole does not have the power, certainly the committees would not have the power either.

I think that is a dangerous precedent to set and I think we should think about that when we vote on the constitutionality, plus the fact that the provision of the constitution that Mr. Eckensberger read, at best, would find this amendment unconstitutional only by implication. It certainly contains no direct prohibition from taking this action, and certainly this action is not unconstitutional by the words of the constitution.

I think that we should allow the legislative body the opportunity that it has, I think, from the powers given to the legislature by the people of this Commonwealth to investigate in any area that we want to, which would include, obviously, the administration of the laws that we have enacted. That is our legislative authority. I do not see how it can be said that it is unconstitutional if we choose to pursue that course by interrogating the persons who are administering the laws that we have enacted.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, Mr. Zearfoss' argument does not bear very close analysis.

The power of any committee of this House is derived from a specific power of this House and one power only, and that is, the power to issue a subpoena. No committee of this House can compel by any other method except the subpoena method the attendance of witnesses and the testimony thereof.

Ask Mr. Gleason if you do not believe me. He sits to your left.

The House retains that power and can so utilize it this moment if it wishes. It can subpoena any citizen, including the departmental heads. Therefore it is fallacious to argue that if we vote this amendment unconstitutional we have rendered unconstitutional the one power granted to us, the power of subpoena. We have not done so at all, sir.

Now let me address myself again to the question of unconstitutionality. We deal here, I think, with a very serious subject, and I do not wish to involve myself in the politics of the matter as of this moment.

I am not by nature a democrat, with a small "d"; I am an Autocrat, with a large capital "A." I like to have my own way; I would like to dictate policy. But it is against this very type of threat that this country was organized. It was specifically set up to avoid the autocrat, like Lee Irvis, who would like to be both legislature, judicial branch and executive all rolled in one—king, in other words.

The Shane amendment is unconstitutional because it violates the very spirit of the separation of power. It might be desirable for us to have that power, but in my opinion we cannot constitutionally give it to ourselves.

It is my opinion that the House ought to now dispose of this matter on the question of constitutionality, and I would ask, on that question, that the members vote that it is not constitutional, and then let us get along with the business of the day.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, it just defies my imagination how we can hear arguments phrased on the question of the unconstitutionality of this amendment and then utilize the doctrine of the separation of powers as the basis for that argument.

We, in this amendment, are in no way interfering or even touching upon that doctrine. We are not attempting to run the executive branch of government; all we are attempting to do is to ask people who have voluntarily assumed high office to make themselves accessible. They can do whatever they want in their particular branch of government and, true, we cannot interfere. All we are wanting to do is ask questions; to expose facts to the people. We represent the people. And to use that kind of a doctrine to substantiate a position of unconstitutionality just does not make sense.

I can understand other reasons to oppose this amendment, valid reasons, regardless of what side of the aisle you are on, but on a constitutional basis to say that we who represent the people to whom these people are responsible cannot ask them questions whenever we want on behalf of the people, is absurd.

The SPEAKER. The Chair will now submit the matter of the constitutionality of the amendments to the membership for a vote.

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

Mr. PANCOAST. Mr. Speaker, to quote my friend, Marty Mullen, "I will be very brief." But, first, I would like to try to answer Mr. Manderino with respect to the creation of the executive department.

I think it should be borne in mind that it is the legislative body that creates the legislative department in the first place; that creates the commission; that grants the authority to these bodies and can take that authority away from them.

I really do not believe that it violates the spirit of a separation of powers where all that the legislative body is doing is trying to see that the administrative branch of government is carrying out the intentions of this body.

Secondly, with respect to constitutionality, I read in the Pennsylvania Constitution only five restrictions on legislative power: change of permanent location of the state capital; appropriations for public assistance, military service, and scholarships; charitable and educational appropriations; delegation of certain powers prohibited; and certain local and special laws.

I find nothing in these restrictions that would prevent us from asking a member of an executive department or a commission to appear before this body either as a General Assembly, as a House of Representatives, or as a committee of the whole to answer questions with respect to the administration of functions that we have conferred upon that body in the first place.

The SPEAKER. The members desiring to vote to sustain the constitutionality of the amendments will be voting "aye;" the members desiring to vote that the amendments are unconstitutional will vote "nay."

On the question,
Will the House sustain the constitutionality of the Shane amendments?

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

YEAS—103

Anderson, J. H.	Gleason	Mebus	Shelhamer
Barber	Grieco	Miller, M. E.	Shuman
Beren	Gring	Miller, M. E., Jr.	Sirianni
Berlin	Halverson	Milliron	Smith, E.
Bittle	Hamilton, J. H.	Miscevich	Smith, L.
Blackwell	Hasay	Moehlmann	Spencer
Brandt	Haskell	Mrkonc	Stahl
Burns	Hayes, D. S.	Mullen, M. P.	Stapleton
Butera	Hayes, S. E.	Noye	Taylor
Cessar	Hepford	O'Connell	Turner
Cimini	Hill	Pancoast	Vroon
Cohen	Hopkins	Parker, H. S.	Wagner
Crawford	Hutchinson, W.	Perri	Walsh, T. P.
Cumberland	Johnson, J.	Pitts	Weidner
Davies	Katz	Polite	Westerberg
Deverter	Kistler	Pyles	Whelan
Dietz	Klingaman	Reed	Whittlesey
Dorr	Knepper	Renninger	Wilson
Fawcett	Kusse	Rhodes	Wilt, R. W.
Fischer	Lehr	Ross	Wilt, W. W.
Fisher	Levi	Ryan	WorriLOW
Foster, A.	Lynch	Salvatore	Wright
Foster, W.	Manmiller	Scheaffer	Yohn
Gallen	McClatchy	Scirica	Zearfoss
Geesey	McCue	Seltzer	Zord
	McGinnis	Shane	

NAYS—88

Abraham	Garzia	McCall	Romanelli
Arthurs	Geisler	McIntyre	Ruggiero
Bellomini	George	McLane	Saloom
Bennett	Giammarco	Menhorn	Schmitt
Berson	Gillespie	Milanovich	Schweder
Bonetto	Gillette	Mullen	Shelton
Bradley	Gleeson	Musto	Shupnik
Brunner	Goodman	Myers	Stout
Caputo	Green	Novak	Sullivan
Cole	Greenfield	O'Brien	Toll
Cowell	Irvic	O'Donnell	Trelo
Davis, D. M.	Itkin	O'Keefe	Valcenti
DeMedio	Kelly, A. P.	Oliver	Vann
Dicarlo	Kernick	Perry	Wansacz
DiDonato	Kolter	Petrarca	Wargo
Dombrowski	Kowalyshyn	Pievsky	Wojdak
Doyle	LaMarca	Pratt	Yahner
Dreibelbis	Laudadio	Prendergast	Zeller
Eckensberger	Laughlin	Rappaport	Zwick
Engelhart	Lederer	Rienwick	
Fee	Letterman	Riegler	Fineman, Speaker
Faherty	Lincoln	Ritter	
Gallagher	Manderino		

NOT VOTING—12

Dininni	Kelly, J. B.	Richardson	Tayoun
Hammock	McGraw	Sweeney	Thomas
Hutchinson, A.	Morris	Taddonio	Ustynoski

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

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

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

Mr. NOYE. Mr. Speaker, I rise in support of Mr. Shane's amendment. I think this is probably the one most

important piece of legislation that we may face in this entire session of the General Assembly for this reason: Over the last several weeks there has been quite a bit of publicity throughout the Commonwealth by the different media concerning the question of who is actually running state government. What we have found developing in state government is really a fourth branch. The fourth branch is the bureaucracy that has been created.

It has been noted many times by many people that it is probably easier to repeal a law in the state than it is to repeal a rule or regulation. That is basically what we are faced with.

When we faced the question of passing the budget, I offered an amendment to the appropriation for the Department of Environmental Resources, which probably has had more of an effect on the lives of people in this Commonwealth than any other department or agency in the last 2 years.

I think it is high time that we, as legislators who are making these laws, come up with some answers and go back to our people and explain just what is going on. People throughout my district—and I am sure it is not any different in any of your districts—have found that government has become very impersonal. They have to deal with a department or agency. They cannot get a straight answer. They call their legislator, and their legislator cannot give them an answer because he does not know the rules and regulations.

I think it is very important that we have the opportunity to bring these people in to explain to us and answer our questions so that we are able to best answer the people back home when they want to know why they have to do something the way some bureaucrat tells them it has to be done or face some stiff penalty.

This is our big chance to keep control of this state government and to make it answer to the people. We are the people who are elected, not the bureaucrats. We are the ones who are responsible, basically, for what they are doing, even though half the time we do not know what they are doing. If we let this get away from us now, we have lost what state government is all about. I ask for an affirmative vote.

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

Mr. MISCEVICH. Mr. Speaker, due to the large number of calls that I have made personally, trying to get in touch with department heads, which have been very unsuccessful, I find that there is a high rate of absenteeism among the department heads. I went to my leadership and asked the leadership to correct the situation some months ago, before I ever heard of Senate bill No. 147, and it has not been corrected to this point.

When a member of this House is absent, he makes the front pages, and I think the same thing should apply to the heads of these departments.

MOTION TO TABLE SENATE BILL No. 147

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

Mr. LINCOLN. Mr. Speaker, I have some extremely serious questions in my mind about this amendment being offered to Senate bill No. 147. I would appreciate some time to consider just what the weaknesses or strengths of this amendment are.

For that reason, I am going to make a motion at this

time that Senate bill No. 147, together with this amendment, be laid upon the table.

The SPEAKER. The gentleman, Mr. Lincoln, has made a motion to place Senate bill No. 147, plus the amendment, upon the table.

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

Mr. SHANE. I oppose the motion to table.

I think the time is now to assert our demand for accountability. I think the procedures, as we discussed them in the dialogue on this floor, make the legislative intent clear as to what we have in mind and what procedures we will follow to bring these interrogations about. I therefore urge a "no" vote on the tabling motion.

On the question,

Will the House agree to the motion?

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

YEAS—84

Abraham	Geisler	McCall	Ruggiero
Arthurs	George	McIntyre	Saloom
Bellomini	Giammarco	McLane	Schmitt
Bennett	Gillespie	Menhorn	Schweder
Berson	Gillette	Milanovich	Shupnik
Bonetto	Gleeson	Musto	Stapleton
Brunner	Green	Novak	Stout
Caputo	Greenfield	O'Brien	Sullivan
Cole	Hutchinson, A.	O'Donnell	Tayoun
Cowell	Irvig	O'Keefe	Toil
Cumberland	Itkin	Oliver	Trello
DeMedio	Johnson, J.	Perry	Valicenti
Dicarlo	Kelly, A. P.	Petrarca	Wansacz
DiDonato	Kernick	Pievsky	Wargo
Dombrowski	Kolter	Pratt	Wojdak
Doyle	Kowalyshyn	Prendergast	Yahner
Eckensberger	LaMarca	Rappaport	Zeller
Englehart	Laudadio	Renwick	Zwilk
Fee	Laughlin	Rieger	
Flaherty	Lederer	Ritter	Fineman,
Gallagher	Lincoln	Romanelli	Speaker
Garzia	Manderino		

NAYS—106

Anderson, J. H.	Geesey	Mebus	Shelhamer
Barber	Gleason	Miller, M. E.	Shelton
Beren	Goodman	Miller, M. E., Jr.	Shuman
Berlin	Grieco	Milliron	Sirianni
Bittle	Gring	Miscevich	Smith, E.
Blackwell	Halverson	Moehlmann	Smith, L.
Bradley	Hamilton, J. H.	Mrkonjic	Spencer
Brandt	Hasay	Mullen, M. P.	Stahl
Burns	Haskell	Noye	Taylor
Butera	Hayes, D. S.	O'Connell	Turner
Cessar	Hayes, S. E.	Pancoast	Vann
Cimini	Hepford	Parker, H. S.	Vroon
Cohen	Hill	Perri	Wagner
Crawford	Hopkins	Pitts	Walsh, T. P.
Davies	Hutchinson, W.	Polite	Weidner
Davis, D. M.	Katz	Pyles	Westerberg
Deverter	Kistler	Reed	Whelan
Dietz	Klingaman	Renninger	Whittlesey
Dorr	Knepper	Rhodes	Wilson
Dreibelbis	Kusse	Ross	Wilt, R. W.
Fawcett	Lehr	Ryan	Wilt, W. W.
Fischer	Levi	Salvatore	Worriflow
Fisher	Lynch	Scheaffer	Wright
Foster, A.	Manmiller	Scirica	Yohn
Foster, W.	McClatchy	Seltzer	Zearfoss
Fryer	McCue	Shane	Zord
Gallen	McGinnis		

NOT VOTING—13

Dininni	McGraw	Myers	Taddonio
Hammock	Morris	Richardson	Thomas
Kelly, J. B.	Mullen	Sweeney	Ustynoski
Letterman			

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

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I do not want to be crass, but I just want to make an observation. I am amazed to find that all the Republicans are agreed as to the constitutionality of this matter. Every Republican vote was green.

And I congratulate the minority leader on the second vote of his party. On the motion to table, they were all wise, too; they all voted "no" except one. That is a pretty good average, Bob; that is better than I ever do.

Mr. BUTERA. I did not even ask them.

Mr. IRVIS. I know.

I am not going to suggest to the Democrats that there is anything political about this at all; I am simply going to suggest to the Democrats who do not see what is going on that they have an appointment made with their ophthalmologist.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, one of the risks, obviously, of any oversight move like this, particularly one as bold as this, carries the possibility, and even perhaps the probability, that at one time or another partisan interests will enter the legitimate business of this House. Of course, it goes both ways. And I do not think it is fair to categorize anyone's vote on any of these issues purely on that particular ground. I could stand here and do the same thing.

It is possible, Mr. Speaker, just remotely possible, that those who voted as I did on the past two votes may, either through their common sense or perhaps through some other investigation that they have made independently, support the findings in Mason's Legislative Manual, Part X, Chapter 75, which deals with investigations by legislative bodies. Section 795, subsection 10, of the Manual states, and I quote: "An investigation into the management of the various institutions of the state and the departments of the state government is at all times a legitimate function of the legislature."

That is really what every advocate on the constitutionality question was attempting to say. It certainly makes sense for the people's body to continually scrutinize and analyze the people's government.

What really astounds me is that each one of us here subjects himself, by the very virtue of his running for office, to the exact thing we are asking for other people in high office to subject themselves to. No newsman calls you up and says, I would like to make an appointment with you to ask you the following questions. What they usually do is catch you when they can and ask you whatever questions they want, and most of the time most of us answer those questions to the best of our ability. We do not object to that. We just hold it as part of our job.

When you seek high office, when you hold high office, you are obligated to be accessible and to answer questions. When constituents call your office to hold you accountable, you do not send them away; you invite them in. As a matter of fact, not only at election time but during your whole term of office you seek groups to

talk to, to express yourself. Most of the time when you are finished your commentary, be it at a school or a Lions club or wherever, you ask for questions because that is part of your job.

Now why should that not also be a part of the job of people who have a lot more power than we have as individuals? Why should we, as representatives of the people, not be allowed to ask them questions? Not run their departments, but ask why they are doing this; how they interpret the law we just gave them last month; how they are going to administer this; do they need more help; how are they spending their money.

It is just so very basic that all the partisan considerations that have been mentioned, all the possible chaos, which I think would reflect adversely on us and therefore would not happen, is just so much of a smoke screen. The real problem here is that there are some people who do not want us to have the access we should have.

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

Mr. GEORGE. Mr. Speaker, I rise to make a few remarks concerning this amendment, if I may.

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

Mr. GEORGE. Mr. Speaker, I feel, indeed, very small following a man as distinguished as our majority leader, but I recognize one important philosophy—that I was chosen by the people of my district to represent them in the best possible manner that I can possibly avail myself to.

We often allude to senior members and freshman members and, of course, I am one of the freshman members. But I wonder, in fact, when we use the term "freshman," whether it relates to being fresh in thought or just fresh in tenure.

The majority leader made mention of the fact that when he looked up on the board a while ago, almost every vote on the other side with the exception of one was after what they call so-called good government. I wish the members who are listening to me now would please bestow on me a few minutes of their time so I can release my conscience. As I looked up on the board I saw that there were many Democratic members who had voted with the minority side. I thought, as I stood here, that I was going to allude to things that happened before I came down here, such as the committee meetings that were held last year, the so-called witch-hunt that happened in Pennsylvania last year. At the time I thought that they were bad. But I think that we in the Democratic Party can be very grateful for the so-called witch-hunt because that is why there are so many Democrats down here this year.

I really wonder if, in fact, as the majority leader said just a few minutes ago, all those who voted in favor of the subsequent amendment and those who wanted to abolish something that our forefathers gave us, such as the two-party system, are actually advocating a strong two-party system or advocating what I called before a witch-hunt.

I wonder, as the majority leader said previously, if the shoe were on the other foot, would we, indeed, be voting in the opposite manner and the minority side voting in the affirmative?

POINT OF ORDER

The SPEAKER. The Chair recognizes the lady from Chester, Mrs. Crawford. For what purpose does the lady rise?

Mrs. CRAWFORD. I rise to a point of order.

The SPEAKER. The lady will state it.

Mrs. CRAWFORD. Mr. Speaker, I do not think the gentleman is speaking on the amendment at all. I think he is bringing political manifestations into this discussion and I do not think that is necessary.

Mr. GEORGE. Mr. Speaker, what the young lady, my colleague, calls political ramifications—

The SPEAKER. Will the gentleman yield until there has been a decision by the Speaker on the point of order?

I do not think that we can but help have political implications involved in the discussion. It has been raised already. The Chair sees no reason to circumscribe further conversation on it.

The gentleman is in order and may proceed.

Mr. GEORGE. Mr. Speaker, I have a lot of respect for Mr. Shane. I also say that I believe Mr. Shane is a good legislator who wants to provide the best type of government for the people in Pennsylvania, but as I read his amendment, I wonder if there are not a lot of given points that he neglected to put in there, such as maybe there should be more than one person called before this benevolent body on a so-called witch-hunt, or if, in fact, when called, the individual, with given reason, could decline.

Until this amendment is refined, I would ask those on the Democratic side to remember one important philosophy—that to a man or a woman we indeed want better government in Pennsylvania and we will have it by defeating this amendment. Thank you very much.

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

Mr. SHANE. Mr. Speaker, if we get this important new tool of accountability as part of our legislative responsibilities, I believe we will not abuse it. But if somebody does attempt to abuse it—

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 rules of the House provide that a member may speak only two times on a subject without unanimous consent. This is the fourth time the gentleman has spoken. One time he was being interrogated, but he has had two bites at the apple, Mr. Speaker, and I object.

The SPEAKER. The Chair recognizes the gentleman from Montour, Mr. Wagner.

Mr. WAGNER. Mr. Speaker, I just want to follow up what Mr. Irvis said.

Know what is going on up on that board. It takes no guts on this side right now because we were not fortunate enough last fall to vote "yes." The decision has to be made over there.

Mr. IRVIS. I think the decision was made over here.

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

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

YEAS—85

Anderson, J. H.	Gring	McGinnis	Shuman
Beren	Halverson	Mebus	Sirianni
Bittle	Hamilton, J. H.	Miller, M. E.	Smith, E.
Brandt	Hasay	Miller, M. E., Jr.	Smith, L.
Burns	Haskell	Moehlmann	Spencer
Butera	Hayes, D. S.	Mullen, M. P.	Stahl
Cessar	Hayes, S. E.	Noye	Taddonio
Cimini	Hepford	O'Connell	Turner
Crawford	Hill	Pancoast	Vroon
Davies	Hopkins	Perri	Wagner
Deverter	Hutchinson, W.	Pitts	Weidner
Dietz	Katz	Polite	Westerberg
Dorr	Kistler	Pyles	Whelan
Fawcett	Klingaman	Renninger	Whittlesey
Fischer	Kusse	Ryan	Wilson
Fisher	Lehr	Salvatore	Wilt, R. W.
Foster, A.	Levi	Scheaffer	Worriow
Foster, W.	Lynch	Seirica	Wright
Gallen	Manmiller	Seltzer	Yohn
Geesey	McClatchy	Shane	Zearfoss
Gleason	McCue	Shelhamer	Zord
Grieco			

NAYS—106

Abraham	Fryer	Lincoln	Ritter
Arthurs	Gallagher	Manderino	Romanelli
Barber	Garzia	McCall	Ross
Bellomini	Geister	McIntyre	Ruggiero
Bennett	George	McLane	Saloom
Berlin	Giammarco	Menhorn	Schmitt
Berson	Gillespie	Milliron	Schweder
Blackwell	Gillette	Miscevich	Shelton
Bonetto	Gleeson	Mrkonic	Shupnik
Bradley	Goodman	Musto	Stapleton
Brunner	Green	Myers	Stout
Caputo	Greenfield	Novak	Sullivan
Cohen	Hammock	O'Brien	Taylor
Cole	Hutchinson, A.	O'Donnell	Toll
Cowell	Irvis	O'Keefe	Trello
Cumberland	Itkin	Oliver	Valcenti
Davis, D. M.	Johnson, J.	Parker, H. S.	Vann
DeMedio	Kelly, A. P.	Perry	Walsh, T. P.
Dicario	Kernick	Petrarca	Wansacz
DiDonato	Knepper	Pievsky	Wargo
Dombrowski	Kolter	Pratt	Wojdak
Doyle	Kowalshyn	Prendergast	Yahner
Dreibelbis	LaMarca	Rappaport	Zeller
Eckensberger	Laudadio	Reed	Zwikl
Englehart	Laughlin	Renwick	
Fee	Lederer	Rhodes	Fineman,
Flaherty	Letterman	Rieger	Speaker

NOT VOTING—12

Dininni	Milanovich	Richardson	Thomas
Kelly, J. B.	Morris	Sweeney	Ustynoski
McGraw	Mullen	Tayoun	Wilt, W. W.

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

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

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

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

Amend Bill, page 1, by inserting between lines 25 and 26: Section 1. The act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," is amended by adding a section to read:

Section 214.1. Limitations on Duties of Homosexuals. —Notwithstanding any other provisions in law to the

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

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

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

Amend Sec. 1, page 1, line 26 by striking out "1." and inserting: 2.

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

Amend Sec. 2, page 2, line 23 by striking out "2." and inserting: 3.

On the question,

Will the House agree to the amendments?

The SPEAKER. This will be the last amendment before we recess for lunch. I would like to have the House dispose of this amendment as quickly as possible so we can break and have lunch and return to the floor quickly.

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

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

Mr. Speaker, this amendment is identical to the amendment that was inserted into House bill No. 97 a couple of weeks ago by a vote of 173 to 3.

The SPEAKER. Is the gentleman saying that this amendment is identical to an amendment that was offered and inserted into another bill?

Mr. W. W. WILT. Into a House bill, yes, sir.

The SPEAKER. The Chair is constrained to advise the gentleman that the amendment is not in order.

Mr. W. W. WILT. Why?

The SPEAKER. Under the rules of the House, any question may be twice considered, but on its second consideration it must be under the order of reconsideration. Now if that were not the rule of the House, it would mean that any member could offer the identical amendment to bills repeatedly throughout the term of the session.

Mr. W. W. WILT. Mr. Speaker, I thought that applied only to House bills. In other words, had my amendment been inserted into a Senate bill, then I would not be in order, but the other bill was a House bill and this is a Senate bill. I have seen this done many times.

The SPEAKER. Will the gentleman yield for just a moment and I will read the gentleman the rule?

This is rule 27 of the House rules: "Amendments adopted or defeated may not be considered again without first reconsidering the vote. The sponsor of the amendment shall explain the amendment prior to consideration by the House." That means that an identical amendment cannot be twice voted by the House unless it comes under the order of reconsideration.

Mr. W. W. WILT. Mr. Speaker, I have seen this happen frequently.

PARLIAMENTARY INQUIRY

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

Mr. SELTZER. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SELTZER. Mr. Speaker, how can you reconsider the vote by which an amendment was defeated or passed to another piece of legislation?

The SPEAKER. You cannot, and that is why the amendment cannot be offered.

Mr. SELTZER. Mr. Speaker, not too long ago on this same day was there not a very similar circumstance with the amendment offered by the gentleman from Westmoreland, Mr. Saloom?

The SPEAKER. If, in fact, that was the identical amendment, the amendment was improperly offered. It should not have been offered.

Mr. SELTZER. It is my understanding that the gentleman from Westmoreland, Mr. Saloom, made the same pronouncement that Mr. Wilt just made, that it was an identical amendment which had been offered before.

The SPEAKER. The Chair is stating again for the gentleman, if the amendment was an identical amendment, it was improperly offered. The rules of the House are quite clear on the subject.

Mr. W. W. WILT. Why did the Speaker not rule on the Saloom amendment as he is ruling at the present time?

The SPEAKER. The Chair will state again, for the third time, if the amendment offered by the gentleman, Mr. Saloom, was the identical amendment previously offered, it was improperly offered and should not have been accepted by the House. If it was considered by the House, the Chair will have to accept the fault if the point of order was not raised.

Mr. BUTERA. It was not raised this time either. You raised it.

The SPEAKER. Exactly.

MOTION TO SUSPEND RULES

Mr. BUTERA. Mr. Speaker, I move that the rules of the House be suspended so we do not have a long debate. Let us put it to a vote, that the rules be suspended to permit Mr. Wilt to offer his amendment.

Mr. ZEARFOSS. Mr. Speaker, I do not want to argue with the leader, but I would submit to the House that this is a different amendment. The other amendment that was voted on was entitled "Amendments to House bill No. 97"; this is entitled "Amendments to Senate bill No. 147." This makes it very clearly a different amendment.

The SPEAKER. The body of the amendment is the same, Mr. Zearfoss.

Mr. ZEARFOSS. It is a different amendment to a different bill. It has to be a different amendment.

The SPEAKER. It is not a different amendment, and the motion made by the minority leader is an appropriate motion to cure the situation, if that is the will of the House.

Mr. W. W. WILT. Mr. Speaker, so that the members are aware of what the content of the amendment is, may I explain to them that this is the amendment which prohibits the assignment of homosexuals—

The SPEAKER. The question before the House is the

waiver of the rules of the House, not the amendment in question.

The Chair is now advised that the Saloom amendment was different and not the identical amendment.

The question before the House is, will the House agree to suspend the rules of the House so that the matter of the amendment offered by the gentleman may be considered?

The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I ask a negative vote.

On the question,

Will the House agree to the motion?

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

YEAS—85

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	Turner
Butera	Hasay	Miller, M. E.	Ustynoski
Cessar	Haskell	Miller, M. E., Jr.	Vroon
Cimini	Hayes, D. S.	Noye	Wagner
Crawford	Hayes, S. E.	O'Connell	Wiedner
Davies	Hepford	Pancoast	Westerberg
Davis, D. M.	Hill	Parker, H. S.	Whelan
Deverter	Hopkins	Perri	Whittlesey
Dietz	Hutchinson, W.	Pitts	Wilson
Dorr	Katz	Polite	Wilt, R. W.
Doyle	Kistler	Pyles	Wilt, W. W.
Fawcett	Klingaman	Renninger	Worrirow
Fischer	Knepper	Ryan	Wright
Fisher	Kusse	Salvatore	Yohn
Foster, A.	Lehr	Scheaffer	Zearfoss
Foster, W.	Levi	Seltzer	Zeller
Gallen	Lynch	Sirianni	Zord
Geesey			

NAYS—108

Abraham	Geisler	Milanovich	Saloom
Arthurs	George	Milliron	Schmitt
Barber	Giammarco	Miscevich	Schweder
Bellomini	Gillespie	Mrkonic	Scirica
Bennett	Gillette	Mullen, M. P.	Shane
Berlin	Gleason	Mullen	Shelhamer
Berson	Goodman	Musto	Shelton
Blackwell	Green	Myers	Shuman
Bonetto	Greenfield	Novak	Shupnik
Bradley	Hammock	O'Brien	Stapleton
Brunner	Hutchinson, A.	O'Donnell	Stout
Caputo	Irvic	O'Keefe	Sullivan
Cohen	Itkin	Oliver	Taylor
Cole	Johnson, J.	Perry	Tayoun
Cowell	Kelly, A. P.	Petrarca	Toil
Cumberland	Kernick	Pievsky	Trello
DeMedio	Kowalyszyn	Pratt	Valicenti
Dicarlo	LaMarca	Prendergast	Vann
DiDonato	Laudadio	Rappaport	Walsh, T. P.
Dombrowski	Laughlin	Reed	Wansacz
Dreibelbis	Lederer	Renwick	Wargo
Eckensberger	Letterman	Rhodes	Wojdak
Engelhart	Lincoln	Rieger	Yahner
Fee	Manderino	Ritter	Zwinkl
Flaherty	McCall	Romanelli	
Fryer	McIntyre	Ross	
Gallagher	McLane	Ruggiero	Fineman,
Garzia	Menhorn		Speaker

NOT VOTING—10

Dininni	McGraw	Richardson	Taddonio
Kelly, J. B.	Moehlmann	Sweeney	Thomas
Kolter	Morris		

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

SENATE BILL No. 147 PASSED OVER

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

Mr. W. W. WILT. Mr. Speaker, I move that this bill be passed over so that I may have a proper amendment drafted, please.

The SPEAKER. The Chair will pass the bill over.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. In view of the fact that there is a minimal amount of additional business to be transacted, we will stay at the task and complete our business rather than adjourning for lunch.

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the lady from Susquehanna, Miss Sirianni. For what purpose does the lady rise?

Miss SIRIANNI. I rise to a parliamentary inquiry.

The SPEAKER. The lady will state it.

Miss SIRIANNI. Can the Speaker tell me who is permitted to put mail in the mail room and send it free?

The SPEAKER. Who is permitted what?

Miss SIRIANNI. Who is permitted to send mail out of this mail room free, to have mail put in the boxes without postage?

Mr. SPEAKER. I do not know the answer to the question. If the lady will communicate with me in my office, I will endeavor to get an answer.

Miss SIRIANNI. Perhaps I can state my point right now.

The SPEAKER. The question is not before the House.

Miss SIRIANNI. I have—

The SPEAKER. Will the lady yield?

The matter is not pertinent to the discussion before the House. The question before the House is on the calendar of the House. If the lady will be good enough to defer her inquiry to a later time, I will be happy to get all the answers I can get for her.

Miss SIRIANNI. Can I raise it after the calendar has been completed?

The SPEAKER. The Chair will be happy to recognize the lady at that time.

Miss SIRIANNI. Thank you, Mr. Speaker.

EDUCATION COMMITTEE MEETING CANCELED

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

Mr. GALLAGHER. Mr. Speaker, just to announce that the Education Committee meeting scheduled for 11:30 has been canceled.

CONCURRENCE IN SENATE AMENDMENTS TO HOUSE BILL No. 212

Mr. IRVIS called up for concurrence in Senate amendments, from page 12 of today's calendar, House bill No. 212, printer's No. 1754.

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. 212

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

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

The clerk read the following amendments made by the Senate:

Amend Section 1, page 2, line 27, by striking out after "Committee," all the remainder of said line; line 28, by striking out at the beginning of the line "Secretary of Agriculture; line 29 by striking out after "shall" the words "be chairman." and inserting "elect from among them a chairman."

On the question, Will the House concur in the amendments made by the Senate?

Mr. IRVIS. Mr. Speaker, I request that the House do concur in the amendments made by the Senate to House bill No. 212.

On the question recurring, Will the House concur in the amendments made by the Senate?

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

YEAS—194

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

- Eckensberger, Englehart, Fawcett, Fee, Fischer, Fisher, Flaherty, Foster, A., Foster, W., Fryer, Gallagher, Gallen, Garzia, Kusse, LaMarca, Laudadio, Laughlin, Lederer, Lehr, Letterman, Levi, Lincoln, Lynch, Manderino, Manmiller, McCall, Reed, Renninger, Renwick, Rhodes, Rieger, Ritter, Romanelli, Ross, Ruggiero, Ryan, Saloom, Salvatore, Scheaffer, Wilt, W. W., Wojdak, Worrlow, Wright, Yahner, Yohn, Zearfoss, Zeller, Zord, Zwiki, Fineman, Speaker

NAYS—0

NOT VOTING—9

- Dininni, Kelly, J. B., McGraw, Morris, Mullen, Richardson, Sweeney, Thomas, Ustynoski

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.

SELLERSVILLE BOROUGH COUNCIL MEMBERS WELCOMED

The SPEAKER. I do not know if these guests are still with us—I have not been able to get to them because of the lengthy debate—but if they are here, I would like to recognize the following members of the Sellersville Borough Council in Bucks County: The president, Mr. Howard Eckhart, Mr. Robert Frick, Mr. Alan Frick, Mr. Ted Von Mechow, and Mr. William Steeley, all of whom are the guests of the gentleman from Bucks, Mr. Weidner.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. At the conclusion of this session, will the members of the State Government Committee please meet in the room immediately to the left of the Speaker's rostrum?

CONCURRENCE IN SENATE AMENDMENTS TO HOUSE BILL No. 153

Mr. IRVIS called up for concurrence in Senate amendments, from page 12 of today's calendar, House bill No. 153, printer's No. 1883.

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. 153

An Act amending the act of June 3, 1937 (P. L. 1333, No. 320), entitled "Pennsylvania Election Code," requiring election districts to be contiguous in regions of certain school districts, further providing for contributions by corporations, unincorporated associations or unions and providing an exception for police officers to be within a certain distance of a polling place.

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

The clerk read the following amendments made by the Senate:

Amend Title, page 1, line 12, by inserting after "of" the word "certain" and by striking out after "districts," all the remainder of said lines; line 13, by striking out at the beginning of the line "at large of all school directors beginning in 1977" and inserting immediately thereafter the following: further providing for contributions by corporations, unincorporated associations or unions

Amend Section 1, page 2, line 13, by striking out after "electors." all the remainder of said line; line 14, by striking out at the beginning of the line "districts divided into three or nine regions" and inserting immediately thereafter the following: when a school district crosses county lines, the regions of the school district

Amend Bill, page 4, by inserting after line 5 the following:

Section 3. Section 1605 of the act is amended by adding subsections to read:

Section 1605. Contributions for election expenses to be made to candidates or treasurers; contributions by corporations and unincorporated associations prohibited.—

(c) Notwithstanding the provisions of subsection (b), any corporation, unincorporated association or union may make contributions including expenditures in kind, not otherwise prohibited by law, for political purposes in an amount not to exceed five thousand (\$5,000) dollars in the aggregate in any calendar year.

(d) Neither the provisions of this section nor the provisions of Section 1604(a), or any other provisions of the laws of this Commonwealth shall be deemed to prohibit corporations, unincorporated associations or unions from establishing, administering and soliciting contributions to separate segregated funds to be utilized by such corporations, unincorporated associations, or unions for Federal, state and local political purposes. A separate segregated fund as provided in this section shall not be deemed to be a political committee within the meaning of this code.

Amend Bill, page 4, line 28, by striking out after "Section" the number "3" and inserting in lieu thereof "4."; page 5, line 13, by striking out after "Section" the number "4" and inserting "5."; line 20, by inserting after "districts." the following: districts. School directors elected in 1975 and incumbent school directors shall serve the terms for which they were elected; their successors shall be elected in accordance with the reapportioned regions. lines 24 through 26, by striking out all of said lines; line 29, by striking out after "Section" the number "5" and inserting in lieu thereof "6."

On the question,

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

Mr. IRVIS. Mr. Speaker, I request that the House do nonconcur in the amendments made by the Senate to House bill No. 153.

On the question recurring,

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

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

YEAS—4

Lederer Miller, M. E. Pyles Whittlesey

NAYS—184

Abraham Garzia McClatchy Scheaffer
Anderson, J. H. Geesey McCue Schmitt
Arthurs Geisler McGinnis Schweder
Barber George McIntyre Scirica
Bellommi Giammarco McLane Shane
Bennett Gillespie Mebus Shelhamer
Beren Gillette Menhorn Shuman
Berlin Gleason Milanovich Shupnik
Berson Gleason Miller, M. E., Jr. Sirianni

Bittle Goodman Milliron Smith, E.
Blackwell Green Miscevic Smith, L.
Bonetto Greenfield Moehlmann Spencer
Bradley Grieco Mrkoncic Stahl
Brandt Gring Mullen, M. P. Stapleton
Brunner Halverson Musto Stout
Burns Hamilton, J. H. Myers Sullivan
Butera Hammock Novak Taddonio
Caputo Hasay Noye Taylor
Cessar Haskell O'Brien Tayoun
Cimini Hayes, D. S. O'Connell Toll
Cohen Hayes, S. E. O'Donnell Trello
Cole Hepford O'Keefe Turner
Cowell Hill Oliver Vann
Crawford Hopkins Pancoast Vroon
Cumberland Hutchinson, A. Parker, H. S. Wagner
Davies Irvia Perri Walsh, T. P.
Davis, D. M. Itkin Perry Wansacz
DeMedio Johnson, J. Petrarca Wargo
Deverter Katz Plevsky Weidner
Dicarlo Kelly, A. P. Pitts Westerberg
Dietz Kernick Polite Whelan
Dombrowski Kistler Pratt Wilson
Dorr Klingaman Prendergast Wilt, R. W.
Doyle Knepper Rappaport Wilt, W. W.
Dreibelbis Kolter Reed Wojdak
Eckensberger Kowalyszyn Renninger Worriow
Engelhart Kusse Ritcher Wright
Fawcett LaMarca Rhodes Yahner
Fee Laudadio Rieger Yohn
Fischer Laughlin Ritter Zearfoss
Fisher Lehr Romanelli Zeller
Flaherty Levi Ross Zord
Foster, A. Lincoln Ruggiero Zwick
Foster, W. Lynch Ryan
Fryer Manderino Saloom Fineman,
Gallagher Manmiller Salvatore Speaker
Gallen McCall

NOT VOTING—15

DiDonato Letterman Richardson Thomas
Dininni McGraw Selzer Ustvoski
Hutchinson, W. Morris Shelton Valicenti
Kelly, J. E. Mullen Swcency

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

Ordered, That the clerk inform the Senate accordingly.

QUESTIONS OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. W. D. HUTCHINSON. Mr. Speaker, on the last vote my switch was inoperative. I would like to be recorded in the negative on concurrence in Senate amendments to House bill No. 153.

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

The Chair recognizes the lady from Delaware, Mrs. Whittlesey. For what purpose does the lady rise?

Mrs. WHITTLESEY. Mr. Speaker, on the last vote my switch was inoperative. I would like to be recorded in the negative on concurrence in Senate amendments to House bill No. 153.

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

CONCURRENCE IN SENATE AMENDMENTS TO HOUSE BILL No. 496

Mr. KATZ called up for concurrence in Senate amend-

ments, from page 12 of today's calendar, House bill No. 496, printer's No. 1884.

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. 496

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," limiting the assignment of school children and limiting the time during which certain actions relating to transportation programs may be brought.

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

The clerk read the following amendments made by the Senate:

Amend Title, page 1, line 20, by inserting after "determined," the words "limiting the assignment of school children and"

Amend Section 1, page 1, line 25, by striking out after "Section 1." the following: "Section 2002." and inserting in lieu thereof "The"; line 27, by striking out after "a" the word "subsection" and inserting in lieu thereof "section"

Amend Bill, page 1, by inserting after line 27 the following:

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

Section 2. Section 2002 of the Act is amended by adding a subsection to read:

Amend Bill, page 2, line 22, by striking out after "under" the words "this section" and inserting "clause (15) of subsection (a) or subsection (b); line 23, by striking out after "within" the word "thirty" and inserting in lieu thereof "forty-five"; line 26, by striking out after "available all the remainder of said line; line 27, by striking out at the beginning of the line "such period of thirty days be barred from exercising the same" and inserting "to contest any such findings or actions."

Amend Bill, page 2, line 29, by striking out after "Section" the number "2" and inserting "3." and by striking out after "effect" all the remainder of said line and inserting "immediately."

On the question,

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

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

Mr. KATZ. Mr. Speaker, I will defer to the majority leader if he has a statement.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I had a conversation with the gentleman, Mr. Katz, at the beginning of this session and asked him not to call up House bill No. 496 today. I conceive it my duty to schedule the calendar of the House and attempt to do so as fairly as possible.

House bill No. 496 is an extremely controversial bill as it has been amended by the Senate. I would anticipate that the House will eventually concur in those amendments because the House has already substantially passed those amendments. I have placed this on the voting list for the week of the 14th, next week; in fact, Tuesday of next week.

I respect the problems that Mr. Katz has back home and I respect Mr. Katz. But I ask him, as the majority leader, to permit me to schedule the calendar of the House. He does not feel, apparently, that in this instance he can defer to that wish.

MOTION TO TABLE HOUSE BILL No. 496

Mr. IRVIS. Therefore, I am making a motion to table House bill No. 496, printer's No. 1884, with the promise that it will be lifted from the table on Tuesday of next week and called for a vote.

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

Mr. KATZ. Mr. Speaker, would I be in order to speak on the motion to table?

The SPEAKER. The gentleman will be in order if he confines his discussion to the question that is before the House.

Mr. KATZ. I would like to ask the majority leader to withdraw the motion until I have time to explain to the members of the House what this bill entails, because I gave him that opportunity.

MOTION TO TABLE HOUSE BILL No. 496 WITHDRAWN

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I will certainly withdraw the motion and give the gentleman an opportunity to explain his side of it.

PARLIAMENTARY INQUIRY

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

Mr. BUTERA. I rise to a parliamentary inquiry prior to the discussion.

The SPEAKER. The gentleman will state it.

Mr. BUTERA. Mr. Speaker, is a motion to table proper when we are dealing with concurrence in Senate amendments?

The SPEAKER. The Speaker was of the impression that it was appropriate, but I will double-check with the Parliamentarian.

The Parliamentarian advises the Chair that the motion is appropriate.

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

Mr. KATZ. Mr. Speaker, first, I would just like to say

to the majority leader that I am not trying to tell him how to run his calendar, and I did say that to him earlier in the discussion this morning.

House bill No. 496 is an extremely important piece of legislation. As you know, the Senate amended House bill No. 496 to conform with House bill No. 94, which passed this House approximately 3 or 4 weeks ago.

I would like to tell the House that on June 3, House bill No. 94 passed this House by a vote of 176 to 18. It then was reconsidered on June 4 and again passed this House by a vote of 168 to 26. House bill No. 496 is the exact, same amendment as House bill No. 94. It amends the Administrative Code and it concerns the busing amendment which passed this House in 1974; which passed this House 3 weeks ago; and which is now presently on our calendar on concurrence in Senate amendments.

If anyone has been reading the papers from the city of Philadelphia, you know that the Human Relations Commission was in the Commonwealth Court on Monday, July 7, with a proposed desegregation plan for the city of Philadelphia.

What I am saying to the majority leader and to the House today is that we have an opportunity as members of this legislature, as members who represent people throughout this Commonwealth to once and for all tell the Human Relations Commission that it does not belong in the busing business in local school districts.

I have been receiving a lot of flak; I have received long distance phone calls from back home; the mail has been running high; and, frankly, I feel like I am a legislator who really has nothing to say because the bureaucracy is telling me what to do. I think that it is time that I, who represent people, tell the bureaucracy what to do, not for them to tell me what I am to do with my child and what I am to do with my people in my district who send me here.

I am not trying to run a House calendar; I am trying to bring up an important piece of legislation that I think deserves a vote today, not next week, because, frankly, I do not want a bill like this to sit on the calendar. I have never done this in the 4½ years since I have been here, but today I insist on a vote, whether it be in the affirmative or the negative, on concurrence in the Senate amendments to put this bill on the Governor's desk, once and for all.

Thank you, Mr. Majority Leader.

MOTION TO TABLE HOUSE BILL No. 496 RENEWED

Mr. IRVIS. I renew my motion to table.

The SPEAKER. The majority leader renews his motion to place House bill No. 496, printer's No. 1884, upon the table.

On the question,

Will the House agree to the motion?

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

Mr. GREENFIELD. Mr. Speaker, I object to the tabling of this bill for the simple reason that if we do not pass this bill today, July 9, 1975, there is a very good chance that we will not get this legislation.

There is, as Representative Katz said, before the Commonwealth Court presently a plan which involves massive busing and transportation of the children of the city of

Philadelphia around the city for an hour and a half, contributing nothing to the quality of education, but contributing much to the conflict, tension and turmoil of that city and of this Commonwealth.

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. IRVIS. I dislike raising a point of order, but I do inquire as to whether or not the gentleman is sticking to the motion to table?

The SPEAKER. The gentleman's remarks are obviously beyond the constraints of the question that is immediately before the House.

The Chair would ask the gentleman to confine himself strictly to the motion.

Mr. GREENFIELD. My objections, Mr. Speaker, are that we must not table this bill today if we intend to pass this bill. If the intention of the members, as expressed by the previous passage of such legislation is to be carried out, it is my belief that we must pass and act upon this bill today. I urge the members to do so.

Thank you, Mr. Speaker.

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

Mr. BONETTO. Mr. Speaker, as the prime sponsor of this bill, I would like to ask the majority leader if it is possible to have it passed over instead of having it tabled?

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I will respond to the inquiry. The only reason I have for the motion to table is so that the bill may be called to the attention of the House floor as it has been scheduled to be called. It is not my intention to deprive the House of an opportunity to vote on it. I think the House is going to vote on it and will pass it. If the House will agree to pass over the bill until Tuesday, of course, I will remove my motion to table.

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

Mr. BONETTO. Mr. Speaker, House bill No. 496 as it passed the House with my name on it is not the same bill that came back from the Senate. I think, as a prime sponsor of this piece of legislation, that the three of us who are sponsors of this bill should have the opportunity to make a careful study of what is in it.

For that reason, I would like to have it passed over instead of tabled until next week and then bring it up for a vote. It is only on the third day of the calendar, and there would be no reason in the world why we could not vote this bill next week.

The SPEAKER. It was the intention of the majority leader in marking the calendar to pass this bill over. However, the gentleman, Mr. Katz, has called the bill up for consideration, which he is entitled to do. Now if the gentleman, Mr. Katz, will reconsider his position, the bill can be passed over, but that is the gentleman's decision.

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the gentleman

from Allegheny, Mr. Caputo. For what purpose does the gentleman rise?

Mr. CAPUTO. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CAPUTO. Number one, is this House going to recess at the end of the week of July 21?

The SPEAKER. This House will recess at the end of the week of July 21.

Mr. CAPUTO. Mr. Speaker, if this bill should pass and the Governor vetoes it after that week, what would be the effect of the veto if the House is not in session for 7 weeks?

The SPEAKER. The Chair is trying to find the answer to the gentleman's inquiry.

Mr. CAPUTO. Thank you, Mr. Speaker.

Mr. KATZ. Mr. Speaker, I think I may be able to help you.

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

Mr. KATZ. Mr. Speaker, in answer to the question of the gentleman from Allegheny County, Mr. Caputo, in Article IV, section 15, of the Pennsylvania Constitution, I think I will be able to read the portion that the gentleman wishes to know, if you will allow me.

The SPEAKER. The gentleman may proceed.

Mr. KATZ. "If any bill shall not be returned by the Governor within ten days after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the General Assembly, by their adjournment, prevent its return, in which case it shall be a law, unless he shall file the same, with his objections, in the office of the Secretary of the Commonwealth, and give notice thereof by public proclamation within thirty days after such adjournment."

Now the question here and the word here is "adjournment." I think that the constitution refers to adjournment as the time when our term expires in office, not when we are subject to the call of the Speaker of the House. Therefore, we would have a chance to override the veto in September if the Governor does veto it when it goes to his desk.

Mr. CAPUTO. An additional question, Mr. Speaker.

I understand the answer, Mr. Speaker, but I would like to ask another question.

The SPEAKER. The Parliamentarian advises the Chair that if the Governor were to veto the bill, the veto message would have to be read in the House in the presence of the members of the House. This could not be accomplished if we were in recess; therefore the veto message would be read when we return in September and at that time the House would have an opportunity to override the veto.

Mr. CAPUTO. Mr. Speaker, then it is a fact that the House will not return until September? Is that correct?

The SPEAKER. That, barring any catastrophe, is the plan of the House at the moment.

Mr. CAPUTO. In which event the House would not have any chance to vote on the veto until after the next term of school had started. Is that correct, Mr. Speaker?

The SPEAKER. That is correct.

Mr. CAPUTO. Thank you.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I want to assure Mr. Caputo and those people who are in favor of this bill that I am not attempting any Machiavellian maneuver. If you want to make sure that the House is in session, we will be in session on July 24. I will agree to call the bill up on the 14th so that the Governor has only until the 24th to make up his mind, and we would then be in session. If he does veto and if you have the troops, you can override now, in July.

I am not arguing the substantive argument of this at all. That is not my sincere point. My argument is that I have the responsibility for scheduling this calendar and I take it very seriously. So I am perfectly willing to back away from the 15th to the 14th if you gentlemen think I have planned it so carefully that you were going to be cheated of your chance to override. That is not my intention whatsoever. We will call the bill up on Monday, the 14th, if you wish, so that we are in session 20 days later or 10 days later.

The SPEAKER. The matter again, for the information of the membership, is on the motion to place upon the table, and the Chair will entertain no other debate except on that motion.

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

Mr. CAPUTO. Mr. Speaker, with the explanation just made by the Speaker, I urge a vote to table.

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

Mr. KATZ. Mr. Speaker, I would ask you to allow me the latitude to answer the majority leader and, hopefully, I will keep my remarks within the motion to table.

The SPEAKER. Well, if the gentleman does not, he will be gaveled.

Mr. KATZ. I was afraid you were going to say that.

In response to the majority leader: Number one, I do not question your integrity as to whether the word that you used—and I cannot remember it, but whatever it was, I think everybody else does—I do not question your integrity that you are going to do something with the bill to hold it so the Governor does not receive it.

What I am saying to this House today is that even after the bill is passed—assuming that it is passed—it can lie on the Speaker's desk; it has to go back to the Senate for the President Pro Tempore to sign. And I say to you that there is a court action pending now, and a decision has to be made within 30 days, and this problem should be resolved one way or the other.

And again I say that I do not want to table this bill. This bill should be voted upon today. This issue has been gone over since 1974 and it is the will of the legislature, and I ask you not to table the bill.

Thank you.

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

Mr. SALVATORE. I oppose the motion to table this bill, Mr. Speaker, and I suggest that we get on with the business of the House in voting on this issue.

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

Mr. GREENFIELD. I also oppose the motion to table, Mr. Speaker, and I respect the integrity of the majority leader. I hope he respects our integrity and our duty to

our constituents. We ought to move this bill today and not have any further delay. Thank you, Mr. Speaker.

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

Mr. JOHNSON. Mr. Speaker, I did not get a chance to read the Senate amendment, and I might vote for this thing if I get a chance to read it. So I am asking to hold it over until Monday to give me a chance to read this.

The SPEAKER. The gentleman will have an opportunity to express his desire by his vote.

On the question,

Will the House agree to the motion?

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

YEAS—92

Abraham	Fee	Manderino	Romanelli
Arthurs	Fischer	McCall	Ross
Barber	Fisher	McIntyre	Ruggiero
Bellomini	Flaherty	McLane	Saloom
Bennett	Gallagher	Menhorn	Schmitt
Berlin	Gelsler	Milanovich	Schweder
Berson	George	Milliron	Shane
Blackwell	Giammarco	Miscevich	Shelton
Bonetto	Gillespie	Mullen, M. P.	Shuman
Bradley	Gillette	Musto	Shupnik
Brunner	Goodman	Myers	Stout
Caputo	Green	Novak	Taylor
Cohen	Hammock	O'Brien	Tayoun
Cole	Hutchinson, A.	Oliver	Toll
Cowell	Irvis	Perry	Valicenti
Cumberland	Johnson, J.	Petrarca	Vann
Davis, D. M.	Kelly, A. P.	Prendergast	Wansacz
DeMedio	Kernick	Rappaport	Wargo
Dicarlo	Kowalshyn	Reed	Yahner
DiDonato	LaMarca	Renwick	Zwikel
Dombrowski	Laudadio	Rhodes	
Doyle	Laughlin	Rieger	Fineman,
Eckensberger	Letterman	Ritter	Speaker
Engelhart	Lincoln		

NAYS—99

Anderson, J. H.	Gring	Mebus	Spencer
Beren	Halverson	Miller, M. E.	Stahl
Bittle	Hamilton, J. H.	Miller, M. E., Jr.	Stapleton
Brandt	Hasay	Moehlmann	Sullivan
Burns	Haskell	Mrkonic	Taddonio
Butera	Hayes, D. S.	Noye	Trello
Cessar	Hayes, S. E.	O'Connell	Turner
Cimini	Hepford	O'Keefe	Vroon
Crawford	Hill	Pancoast	Wagner
Davies	Hopkins	Parker, H. S.	Walsh, T. P.
Deverter	Hutchinson, W.	Perri	Weidner
Dietz	Itkin	Plevsky	Westerberg
Dorr	Katz	Pitts	Whelan
Dreibelbis	Kistler	Pollite	Whittlesey
Fawcett	Klingaman	Pyles	Wilson
Foster, A.	Knepper	Renninger	Wilt, R. W.
Foster, W.	Kusse	Ryan	Wilt, W. W.
Fryer	Lederer	Salvatore	Wojdak
Gallen	Lehr	Scheaffer	Worrillow
Garzia	Levi	Scirica	Wright
Geesey	Lynch	Seltzer	Yohn
Gleason	Manmiller	Shelhamer	Zearfoss
Gleeson	McClatchy	Sirianni	Zeller
Greenfield	McCue	Smith, E.	Zord
Grieco	McGinnis	Smith, L.	

NOT VOTING—12

Dininni	McGraw	O'Donnell	Sweeney
Kelly, J. B.	Morris	Pratt	Thomas
Kolter	Mullen	Richardson	Ustynoski

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

On the question recurring,

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, on the motion to concur in House bill No. 496, printer's No. 1884, as amended by the Senate, I ask that the vote be in the negative.

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

Mr. KATZ. Mr. Speaker, we all know what is in this bill. I really do not have to stand here and discuss it. I ask an affirmative vote on the Senate amendments, that they concur with the Senate and send it to the Governor.

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

Mr. SALVATORE. Without going into a long dissertation, I agree with my colleague, Mr. Katz, and I ask for an affirmative vote on this issue because it has been before the House on three different occasions. I think that has been long enough. Let us vote the issue. You are either for busing, or against busing and for education.

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

Mr. GREENFIELD. Mr. Speaker, I wish to make it emphatically clear that this is not a racial issue. We had before the school board of Philadelphia recent hearings, and members of all races came before that board and 99 percent of them opposed this type of plan for our educational system.

Mr. Speaker, in the interest of the people who have spoken, in the interest of peace and harmony in our community, in the interest of a better educational system, Mr. Speaker, I urge the support of this amendment.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Thank you, Mr. Speaker.

Mr. Speaker, I think we had a lengthy debate on this subject before. I would just like to point out that this subject matter is not provincial, as it may seem today, in applying only to Philadelphia; it applies to the entire state.

Number two, the substantive law, be it statutory or case law, dealing with the subject of de facto segregation of our schools is in no way altered by the imposition of this proposal. The method by which the law is adhered to on that subject would be changed, and it would be changed simply from being dominated by the state government to being dominated by the local government. That is the issue. So regardless of how you feel as to the substantive law, the amendment should still be supported so that these decisions are made where they belong to be made, and that is locally.

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

Mr. CAPUTO. Mr. Speaker, concurring with the statement just made by the minority leader, and calling the attention of the House to the editorial that appeared in the Sunday papers in Harrisburg last Sunday, which has indicated a complete about-face in the value of busing to education, and so that my last vote will not be misinterpreted, I urge an affirmative vote.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I had not intended to say anything more on this because I think any words that I may say are futile. First of all, I want to publicly thank

the gentleman from Allegheny County, Mr. Caputo, for his trust in my word. When he urged the motion to table, he indicated publicly that he trusted the word of the majority leader, and I want to publicly thank him and thank Mr. Katz and Mr. Greenfield for their similar expressions.

But I want to remind Mr. Greenfield that I am 55 years old. When my IQ was tested, it at least indicated that it was two or three points above the level of idiocy, and I am not fooled—and I am going to say this very clearly and want all of you to hear it, because I do not want anyone to go out of here with a misconception of what my words are.

The busing issue in this Nation is a racial issue. I am not saying that those people who are against busing are racists. I am not saying that. But let no one in this chamber walk out of here thinking that I could stay alive as a black man for 55 years in this country and not recognize a racial issue when I see it. It is a racial issue. It will not be resolved by our vote here today. But a racial issue it is indeed, no matter what other ways you may wish to characterize it.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, I agree with the gentleman that this issue is a racial issue. There is no question about that in my mind. The issue as it has evolved over the last 20 years has had different kinds of racial overtones.

There is one body of thought in this country today—and it is growing in number—that the entire concept is racial to the detriment of black people. There is a body of thought on this subject matter which says that many of its advocates are doing an injustice to the very people, most of whom are black people in this country, by attempting through this means to break up neighborhoods, cultures that are peculiar to black people by spreading them through the community and keeping them a minority no matter where they go. So it goes both ways on that particular subject matter, but I disagree with him that we will not be making at least an attempt at solving the problem by this particular vote.

In those communities in this Commonwealth where racial balancing of the schools has been successful—and there are few in number; of the 500-and-some school districts, there are probably only 15 where this has been accomplished successfully—it has been done primarily through local input.

So I disagree with him when he says that we will not be solving the problem by this kind of a vote. I think that we are at least attempting to solve the problem. And at the risk of doing something which I always object to when I hear other people do it, of injecting personal involvement in this particular issue, I will explain, in one instance, where it has been successful because it was done locally, and that is in my own school district.

Almost none of you represents school districts which have gone through the trauma of racially balancing the schools, because there have been so few since 1968 which have accomplished this feat. In each instance that I know of, and particularly in my own, if it had not been for the local community, both the public officials and the people in the community, there would have been a disaster along racial lines.

The people threw the Human Relations Commission out of town and, in doing so, did not stick their heads in

the sand. They seized the issue, broke themselves down into rather interesting committees ad hoc for a period of about 9 months, studied the problem with intensity, evolved a steering committee, came up with a plan which has worked successfully without one stone having been thrown.

The vote we are making today is a step in the direction of permitting other communities to experience this issue along those lines, that of local involvement, rather than the approach which is presently taken which seriously divides communities down racial lines. So I strongly disagree that this vote does not help solve one of our very basic social problems in this state.

I do not know the ins and outs of the Philadelphia situation or of any of the other communities which are presently under orders or threats of orders by the Human Relations Commission. That is because each community is different. And that is also the reason why each community must solve its own problem. Prodding? Prodding is necessary. That will follow this kind of action. But I strongly urge a "yes" vote on this bill.

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

Mr. RHODES. Mr. Speaker, since we have decided to decide this matter today, it does behoove us to consider it briefly, and I will be brief.

I fear that if the minority leader's comments on this matter are really the justification or motivation behind the apparent vote on concurrence in House bill No. 496, then the membership of the House is operating under a misapprehension.

I sincerely respect the wishes of the minority leader and the other members of the House who want to concur in this bill today and move it on to the Governor. But I sincerely hope it is not for the reasons the minority leader indicates, because that is not the effect which this bill will have.

However you feel about busing or desegregation, this bill will not have the effect of moving the decision into local districts. If that is what you think you are doing with this vote, you will not accomplish that.

What you will do is you will add one more part to the briefs that will be filed in Federal court demonstrating that there is an unwillingness in the State of Pennsylvania to solve these problems through our own state agencies and other vehicles. You will, in effect, be pushing Pennsylvania into the Federal courts.

This issue is not operating in a vacuum of law. We are still part of the Constitution of the United States. And I say to you, Mr. Speaker, we are inexorably caught up in the broad sweep of our constitution, and we cannot delay the ultimate effect of our constitution.

The decisions of our Supreme Court are very clear in this direction. If we take this step today, we are going to push the Philadelphia area and the Allegheny County area further toward the Detroit decision, which was made by one vote. Now I guarantee you that if we pass this legislation, we are going to be in Federal court all across this state, and you will not have a state agency slowly working out plans for Philadelphia or Allegheny County or any of the other areas that are in question, but you will have one Federal judge making rulings and setting up desegregation plans similar to Boston.

If that is what you want, pass this bill. But it is not going to have the effect that the respectful minority leader indicates, which is to make this a local issue. You

are going to make it a Federal issue, and we will have more trouble than we have now.

Thank you, Mr. Speaker.

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

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

Mr. GREENFIELD. Mr. Speaker, my IQ may not be as high as that of the eminent majority leader, for whom I have the utmost respect, but I come from a community in which there is presently and has been for 4 or 5 years, busing of children, black children, into our community. There has never been one voice in opposition to that busing. This is a balance, not a racial situation, but a belief in the neighborhood-school concept—that the parent has a right to send his child to the school nearest their home.

This does not necessarily give the right to any governmental body. It gives a right to the parent, who has the right over the destiny of that child, and I think that is where it ought to stay. Our children are not pawns for any social experiment. They are children in our hands to guarantee their safety, their welfare, and their education. That is what this bill does. It puts the right back into the hands of the parents and not the social bureaucracy. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Berks, Mr. LaMarca.

Mr. LaMARCA. Mr. Speaker, I had not intended to engage in this debate, but I do not feel that I can let a vote of this nature go by without having my opinion on record, at least for my children to see it. What I am really trying to say is that I do not expect to sway any votes. But I would like my children to see how I voted perhaps many years from now, because what I want to say to them by this vote today is that for many years I have stood, as the majority of you people have stood, for what I believed to be right.

You have stood for extending rights to black people and to other minority groups. You have said that when they are adults, they shall eat together. You have insisted and you have maintained their rights in the military. You have said that they shall fight together, eat together, and sleep together. But if you vote for this amendment today, you are in essence saying to your children—or I would be—yes, I want you to do all those things. I want you to be equal and I want you to learn that all people are equal. But you do not have to do that until you are 18 or 19 or 20. Let us defer your learning; let us defer your understanding that God created all people. Let us defer that until you become a man, and then when you are a man, well, then you be equal and you treat everyone as equals. You start then. That is what you are saying.

The problem you have here is not just a question of racial question, but you have a question of giving equal education to all.

I come from a district where there are as many poor whites as there are poor blacks, and many of those schools are so poorly run that it is a crime. It is an absolute reflection on everybody in our community. But yet nothing is being done about it. If you happen to have enough money to live in another district where just coincidentally all the nice kids go to school, then your kid gets a proper education and gets a better education. But if your dad is just a hardworking guy and he lives in a mill district,

then the blacks and the whites are there and the quality of education is not the same. It is not.

Forget the concept that we believe in this country, as we have stated so often—at least in the past 20 years—that God created all of us equal, and try to understand how we can now, because of some kind of personal pride that we are going to dictate to our children. No one is going to dictate to our children. Are you kidding?

How many of you know what the agendas are in those public schools? How many times have you exercised the right over what teachers teach your children? How many times has this body decided that there shall be certain courses and an educator says, you are crazy; this is not the way it is going to be done. But today, on this issue, you assert yourselves as parents because you want to please your political bodies back home.

Well, Mr. Speaker, I ask you to reaffirm your position. If you are going to be Americans, then let us look at the problem as the problem should be faced. Busing one way or the other is not the real answer, but if we pass this today, we are going to slap the constitution in the face and still not solve the problem. We are not addressing ourselves to the problem, but we are saying that it is okay to be just and to be equal and to treat all of us the same, but wait until you are old enough to do it. I personally want the record to show that I will not teach my children that.

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

Mr. M. P. MULLEN. Mr. Speaker, I will be very brief. I have given this an awful lot of thought because I am a ward leader in a black area and I am a Representative in a white area, and all of my people, both black and white, are against busing. But if we adopt this amendment today, I am very fearful as to what the results are going to be.

I agree fully with Mr. Rhodes. What is going to happen here is that we are taking a tool away from the state which is really local, and we are going into the Federal Government and we are dealing with Federal judges who are elected for life. And what I am fearful of is what many people are trying to prevent. By voting for this amendment today, they are going to cause havoc.

What is going to happen here, as Mr. Rhodes said, is if this amendment becomes law over the Governor's veto—and I am sure he is going to veto it—there is no other alternative for those who believe in busing except to go into the Federal courts. And what I visualize is going to happen is that the Federal courts will then suggest and direct what the school district of Philadelphia has asked to take place—that the suburban areas be merged with Philadelphia. I am not in favor of that. I think that is bad because I believe fully in the neighborhood concept, but this is what is going to happen and this is going to cause chaos in Pennsylvania.

This is why I think it is bad to vote for this amendment, because what we in fact are doing is taking the matter out of the state's jurisdiction and actually going into the Federal jurisdiction, and certainly the Supreme Court has clearly indicated the position they are going to follow. They do support the concept of busing, and so are the Federal judges going to support that concept. So this is the reason why I am going to vote against concurrence.

The SPEAKER pro tempore. The Chair recognizes the

gentleman from Beaver, Mr. Laughlin.

Mr. LAUGHLIN. Mr. Speaker, may I ask a question of the minority leader?

The SPEAKER pro tempore. Will the minority leader consent to interrogation?

Mr. BUTERA. I shall.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. LAUGHLIN. Mr. Speaker, you had mentioned the significance of the local school board making the decision in the local communities. This bill, as I understand it, is a duplicate of what we had sent to the Senate originally which only spoke to the action taken by the Human Relations Commission. Now this bill, under the amended section sent back by the Senate, states that all boards, commissions, and so on. Would this then abolish the opportunity that a local board would have to make in this decisionmaking process without the consent of the parents?

Mr. BUTERA. No, Mr. Speaker. This amendment is to the Administrative Code clearly and would affect a state board or a state commission but not a local board or a local human relations commission, which has the same power as does the state Human Relations Commission by law.

Mr. LAUGHLIN. Okay, Mr. Speaker. Thank you very kindly.

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

Mr. KATZ. Thank you, Mr. Speaker.

I would just like to clarify for the members of this House the remarks of Mr. Mullen when he said that—

POINT OF ORDER

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. VANN. Mr. Speaker, I maintain that Mr. Katz and Mr. Greenfield, who wants to speak again, are out of order according to the rules of this House and I would ask the Chair to abide by the rules of this House.

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

Mr. KATZ. Mr. Speaker, I will abide by the wishes of the gentleman, Mr. Vann, from Philadelphia, and I will have my day before I leave this House with him.

Mr. VANN. They are not my rules; they are the House rules, Mr. Katz.

On the question recurring,

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

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

YEAS—148

Abraham	Foster, W.	Lincoln	Salvatore
Anderson, J. H.	Fryer	Lynch	Scheaffer
Arthurs	Gallagher	Manmiller	Schweder
Bellomini	Gallen	McClatchy	Scirca
Bennett	Garzia	McCue	Seltzer
Beren	Geesey	McGinnis	Shelhamer
Berlin	Geisler	McIntyre	Shuman
Bittle	Gillespie	McLane	Sirianni

Bonetto	Gleason	Mebus	Smith, E.
Bradley	Gleeson	Menhorn	Smith, L.
Brandt	Greenfield	Milanovich	Spencer
Brunner	Grieco	Miller, M. E.	Stahl
Burns	Gring	Miller, M. E., Jr.	Stapleton
Butera	Halverson	Miscevich	Sullivan
Caputo	Hamilton, J. H.	Moehlmann	Taddonio
Cessar	Hasay	Mrkonic	Taylor
Cimini	Haskell	Musto	Trello
Cohen	Hayes, D. S.	Novak	Turner
Cole	Hayes, S. E.	Noye	Valicenti
Cowell	Hepford	O'Connell	Vroon
Crawford	Hill	O'Donnell	Walsh, T. P.
Cumberland	Hopkins	O'Keefe	Wansacz
Davies	Hutchinson, W.	Pancoast	Wargo
Davis, D. M.	Itkin	Parker, H. S.	Weidner
Deverter	Katz	Perri	Westerberg
Dicarlo	Kornick	Perry	Whelan
Dietz	Kistler	Pievsky	Whittlesey
Dombrowski	Klingaman	Pitts	Wilson
Dorr	Knepper	Polite	Wilt, R. W.
Doyle	Kolter	Pratt	Wilt, W. W.
Dreibelbis	Kowalshyn	Pyles	Wojdak
Eckensberger	Kusse	Renninger	Worrilow
Fawcett	Laughlin	Ritter	Wright
Fee	Lederer	Romanelli	Zearfoss
Fisher	Lehr	Ruggiero	Zeller
Flaherty	Letterman	Ryan	Zord
Foster, A.	Levi	Saloom	Zwickl

NAYS—41

Barber	Hutchinson, A.	Oliver	Shupnick
Berson	Irvis	Petrarca	Stout
Blackwell	Johnson, J.	Prendergast	Toll
DeMedio	Kelly, A. P.	Rappaport	Vann
Englehart	LaMarca	Reed	Wagner
Fischer	Laudadio	Renwick	Yahner
George	Manderino	Rhodes	Yohn
Gillette	McCall	Ross	
Goodman	Milliron	Schmitt	Fineman,
Green	Mullen, M. P.	Shane	Speaker
Hammock	O'Brien	Shelton	

NOT VOTING—14

DiDonato	McGraw	Richardson	Tayoun
Dininni	Morris	Rieger	Thomas
Giammarco	Mullen	Sweeney	Ustynoski
Kelly, J. B.	Myers		

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.

QUESTIONS OF PERSONAL PRIVILEGE

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. LEDERER. Mr. Speaker, a correction on concurrence in Senate amendments to House bill No. 153: The vote shows that I voted "yes," and I would like it to show that I voted "no."

The SPEAKER pro tempore. The remarks of the gentleman will be noted in the record.

Mr. LEDERER. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Beaver, Mr. Milanovich.

Mr. MILANOVICH. Mr. Speaker, I was locked out on the vote on the Shane amendment to Senate bill No. 147. I would like to be recorded in the negative.

The SPEAKER pro tempore. The remarks of the gentleman will be noted in the record.

The Chair recognizes the majority leader.

Mr. IRVIS. I will yield to the minority leader.

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

Mr. BUTERA. Mr. Speaker, I believe the Speaker indicated that he would recognize Miss Sirianni as soon as the calendar was disposed of so that everybody can hear what she has to say.

The SPEAKER pro tempore. If the lady will please defer, I will recognize her upon the completion of the clerk's reading of the citations.

Miss SIRIANNI. I would like to be recognized when everybody is here.

RESOLUTION

HOUSE OF REPRESENTATIVES

WHEREAS, Miss Joyce Lee Hudak, daughter of Mr. and Mrs. Eugene A. Hudak, and the Honorable Ivan Itkin will be united in marriage Saturday, July 12, 1975 at Dallas, Pennsylvania; and

WHEREAS, Miss Hudak is a staff writer in the Governor's office and Representative Itkin is a two term house member as well as a scientist; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania extends its best wishes and congratulations to the Honorable Ivan Itkin and Miss Joyce Lee Hudak on the occasion of their marriage, and wishes them a long, happy, healthy and prosperous life in the years ahead, and be it further

RESOLVED, That a copy of this Resolution be delivered to the Honorable Ivan Itkin and Miss Joyce Lee Hudak.

PHYLLIS T. KERNICK
ALLEGHENY COUNTY DELEGATION

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, Reverend Monsignor Judson M. Procyk of the Cathedral of St. John the Baptist, was conferred with papal honors by Pope Paul VI; and

WHEREAS, Reverend Monsignor Judson M. Procyk, installed April 20, 1975 at St. Pius Church, Carrick, Pennsylvania, was bestowed the Office of Prelate of Honor of the Holy Father.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to congratulate Reverend Monsignor Judson M. Procyk, conferred with papal honors and extends best wishes for prosperity in his call in life; and further directs that a copy of this citation be delivered to Reverend Monsignor Judson M. Procyk, Cathedral of St. John the Baptist, Munhall, Pennsylvania 19120.

DONALD A. ABRAHAM

HOUSE OF REPRESENTATIVES

WHEREAS, Richard Adsit of Linesville has been chosen as a recipient of the "David Hayes Good Government Award"; and

WHEREAS, Mr. Adsit has, in the opinion of the students and faculty, demonstrated that he is truly concerned and involved in the American way of life and its preservation.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Richard Adsit of Linesville on being chosen as a recipient of the "David Hayes Good Government Award," and further directs that a copy of this citation be delivered to Richard Adsit, R.D. 3, Linesville, Pennsylvania 16424.

DAVID S. HAYES

HOUSE OF REPRESENTATIVES

WHEREAS, Wayne Carr of Cranesville has been chosen as a recipient of the "David Hayes Good Government Award"; and

WHEREAS, Mr. Carr has, in the opinion of the students and faculty, demonstrated that he is truly concerned and involved in the American way of life and its preservation.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Wayne Carr of Cranesville on being chosen as a recipient of the "David Hayes Good Government Award," and further directs that a copy of this citation be delivered to Wayne Carr, 129 Bowman Avenue, Box 48, Cranesville, Pennsylvania 16410.

DAVID S. HAYES

HOUSE OF REPRESENTATIVES

WHEREAS, Diane Dylewski of McKean has been chosen as a recipient of the "David Hayes Good Government Award"; and

WHEREAS, Miss Dylewski has, in the opinion of the students and faculty, demonstrated that she is truly concerned and involved in the American way of life and its preservation.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Diane Dylewski of McKean on being chosen as a recipient of the "David Hayes Good Government Award,"

and further directs that a copy of this citation be delivered to Diane Dylewski, 5000 W. East Avenue, McKean, Pennsylvania 16426.

DAVID S. HAYES

HOUSE OF REPRESENTATIVES

WHEREAS, Jeffrey Bock of Lake City has been chosen as a recipient of the "David Hayes Good Government Award"; and

WHEREAS, Mr. Bock has, in the opinion of the students and faculty, demonstrated that he is truly concerned and involved in the American way of life and its preservation.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Jeffrey Bock of Lake City on being chosen as a recipient of the "David Hayes Good Government Award,"

and further directs that a copy of this citation be delivered to Jeffrey Bock, R. D. 1, Allegheny Avenue, Lake City, Pennsylvania 16423.

DAVID S. HAYES

HOUSE OF REPRESENTATIVES

WHEREAS, Timothy Lee of Erie has been chosen as a recipient of the "David Hayes Good Government Award"; and

WHEREAS, Mr. Lee has, in the opinion of the students and faculty, demonstrated that he is truly concerned and involved in the American way of life and its preservation.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Timothy Lee of Erie on being chosen as a recipient of the "David Hayes Good Government Award,"

and further directs that a copy of this citation be delivered to Timothy James Lee, 1015 Cranberry Street, Erie, Pennsylvania 16502.

DAVID S. HAYES

HOUSE OF REPRESENTATIVES

WHEREAS, Colleen A. Kennedy of Erie has been chosen as a recipient of the "David Hayes Good Government Award"; and

WHEREAS, Miss Kennedy has, in the opinion of the students and faculty, demonstrated that she is truly concerned and involved in the American way of life and its preservation.

Now therefore, the House of Representatives of the

Commonwealth of Pennsylvania congratulates Colleen A. Kennedy on being chosen as a recipient of the "David Hayes Good Government Award," and further directs that a copy of this citation be delivered to Colleen A. Kennedy, 2803 Meadow Drive, Erie, Pennsylvania 16506.

DAVID S. HAYES

HOUSE OF REPRESENTATIVES

WHEREAS, David Bubenheim of Cambridge Springs has been chosen as a recipient of the "David Hayes Good Government Award"; and

WHEREAS, Mr. Bubenheim has, in the opinion of the students and faculty, demonstrated that he is truly concerned and involved in the American way of life and its preservation.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates David Bubenheim of Cambridge Springs on being chosen as a recipient of the "David Hayes Good Government Award," and further directs that a copy of this citation be delivered to David Bubenheim, McClellan Street Extension, Cambridge Springs, Pennsylvania 16403.

DAVID S. HAYES

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Charles W. Foppert celebrated their golden wedding anniversary recently. Their happy union has been blessed by one daughter and three grandsons. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Foppert, nee Helen Branch, and Mr. Foppert were married June 30, 1925.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Charles W. Foppert 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. Charles W. Foppert, 1803 Erlen Road, Melrose Park, Pennsylvania 19126.

CHARLES P. MEBUS

HOUSE OF REPRESENTATIVES

WHEREAS, The 1975 fifth grade class members of the Titus Elementary School performed an original one hour program entitled "The Fifty Nifty United States" on Thursday, June 12, 1975 in the Capitol Rotunda; and

WHEREAS, The fifty-eight members of the fifth grade class researched, wrote, and produced the program of song and dance; and

WHEREAS, The production of the program served as a learning tool to acquire information about the fifty states, to write creatively, to develop techniques of self-expression and social skills.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates the fifth grade class of the Titus Elementary School on their outstanding performance, commends its members on their hard work behind the scenes, and wishes its members future success in their academic and social endeavors; and further directs that a copy of this citation be delivered to the 1975 Fifth Grade Class, Titus Elementary School, 2333 Lower Barness Road, Warrington, Pennsylvania 18976.

BENJAMIN H. WILSON

HOUSE OF REPRESENTATIVES

WHEREAS, Myrtle M. Austin of Forty Fort, celebrated her one hundredth birthday on June 10, 1975; and

WHEREAS, Myrtle M. Austin is an outstanding citizen who exemplifies the finest virtues of American life and has won the respect of her five children, eight grandchildren, twenty-one great-grandchildren, many friends, neighbors and acquaintances.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania heartily congratulates

Myrtle M. Austin of Forty Fort on her one hundredth birthday and wishes her the best of health and further appreciation from all who have come to know and thus respect and admire her; and further directs that a copy of this citation be delivered to Myrtle M. Austin, 42 Myers Street, Forty Fort, Pennsylvania 18704.

FRANK J. O'CONNELL, JR.

HOUSE OF REPRESENTATIVES

WHEREAS, Barbara Rush, has been chosen as the 1975 Washington County Dairy Princess; and

WHEREAS, Barbara Rush will assist in the promotion of dairy products during the coming year.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Barbara Rush on her reign as 1975 Washington County Dairy Princess and wishes her success in future endeavors; and further directs that a copy of this citation be delivered to Barbara Rush, R. D. 1, Avella, Pennsylvania 15312.

ROGER RAYMOND FISCHER

HOUSE OF REPRESENTATIVES

WHEREAS, John Ziaylak has been honored by the Bucks County Fire Chiefs Association. Mr. Ziaylak, who retired in 1974 after twenty years of service as Chief of the Yardley-Makefield Fire Company, was instrumental in obtaining the first mobile radios used in the fire service of Bucks County and establishing the Bucks County fire dispatches. He served as the Chairman of the Bucks County Fire Communications Advisory Board. Mr. Ziaylak created a River Rescue Diving Unit in 1959, which is presently known as the Interstate Marine Association. He is an original member of the Bucks County Fire School Training Committee, and was instrumental in the creation of the Fire School at Edison, Bucks County. Mr. Ziaylak is the father of fire fighting tactics and aerial ladder applications in Bucks County.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates John Ziaylak on being honored by the Bucks County Fire Chiefs Association, commends him on his outstanding achievements in the field of firefighting, and wishes him health and happiness in the future; and further directs that a copy of this citation be delivered to John Ziaylak, Lawrenceville, New Jersey.

JAMES J. WRIGHT, JR.

HOUSE OF REPRESENTATIVES

WHEREAS, Joseph Martin Crimmins, Sr., a prominent resident of Upper Merion and Norristown, passed away on January 17, 1975; and

WHEREAS, This outstanding man, beloved husband and father is survived by his wife, three children and eight grandchildren; and

WHEREAS, Mr. Crimmins, who recently served on the staff of the House of Representatives, was a successful businessman, a recognized leader of his community, and a dedicated public servant who gave unselfishly of his time to the Commonwealth of Pennsylvania and the Democratic Party for many years; and

WHEREAS, Joseph Martin Crimmins, Sr., was the organizer, owner and director of numerous successful business ventures; worked as a consultant to G. & W. H. Corson, Inc.; served with distinction as Democratic area leader and committeeman in Upper Merion; was elected as alternate delegate and later delegate to the Democratic National Convention; contributed as a member of the staff to the Historic State Constitutional Convention of 1968; served under Governor Leader as Director of the Real Estate and Insurance Division of the Department of Property and Supplies; and later as Director of the State Bureau of Safety Inspection; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania mourns the death of Joseph Martin Crimmins, Sr., and extends its heartfelt sympathy to his widow and children; and be it further

RESOLVED, That a copy of this resolution be delivered to his widow, Marie Keeney Crimmins, 500 Falcon Road, Wayne, Pennsylvania 19087.

RICHARD A. McCLATCHY, JR.
ROBERT J. BUTERA
ANTHONY J. SCIRICA

HOUSE OF REPRESENTATIVES

WHEREAS, Patricia Sturtevant of Erie has been chosen as a recipient of the "David Hayes Good Government Award"; and

WHEREAS, Miss Sturtevant has, in the opinion of the students and faculty, demonstrated that she is truly concerned and involved in the American way of life and its preservation.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Patricia Sturtevant of Erie on being chosen as a recipient of the "David Hayes Good Government Award," and further directs that a copy of this citation be delivered to Patricia Sturtevant, 8107 Cherry Street, Erie, Pennsylvania 16509.

DAVID S. HAYES

HOUSE OF REPRESENTATIVES

WHEREAS, Amy Essick of Fairview has been chosen as a recipient of the "David Hayes Good Government Award"; and

WHEREAS, Miss Essick has, in the opinion of the students and faculty, demonstrated that she is truly concerned and involved in the American way of life and its preservation.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Amy Essick of Fairview on being chosen as a recipient of the "David Hayes Good Government Award," and further directs that a copy of this citation be delivered to Amy Essick, 70 East Chestnut Street, Fairview, Pennsylvania 16415.

DAVID S. HAYES

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Lenzino Lenzi celebrated their golden wedding anniversary recently. Their happy union has been blessed by three sons and four grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. The couple was married June 1, 1925.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Lenzino Lenzi 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. Lenzino Lenzi, 412 Ninth Street, Monongahela, Pennsylvania 15063.

A. J. DeMEDIO

HOUSE OF REPRESENTATIVES

WHEREAS, Helen G. Charles has retired after forty-five years of active association with the Donora Public Library; and

WHEREAS, Helen G. Charles has worked tirelessly to have the library serve the needs of the community.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Helen G. Charles on her well deserved retirement after forty-five years of association with the Donora Public Library, commends her on her outstanding achievements and wishes her a long and enjoyable retirement; and further directs that a copy of this citation be delivered to Helen G. Charles, 217 Seventh Street, Donora, Pennsylvania 15033.

A. J. DeMEDIO

HOUSE OF REPRESENTATIVES

WHEREAS, Patrolman John Esper, Jr., graduated from the State Police Southwestern Training Center in Greensburg at the head of his class. Patrolman Esper, who has been on the Monongahela Police Force for sixteen years, received the American Legion Award. He was selected by his classmates and instructors as the outstanding student in recognition of his academic, physical, mental and moral qualifications, as well as his all around attitude.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Patrolman John Esper, Jr., on graduating at the head of his class from the State Police Southwestern Training Center, commends him on his outstanding achievement and wishes him success in all his future endeavors; and further directs that a copy of this citation be delivered to Patrolman John Esper, Jr., 701 Fourth Street, Monongahela, Pennsylvania 15063.

A. J. DeMEDIO

HOUSE OF REPRESENTATIVES

WHEREAS, George R. Sandoe, on July 1, 1975, has retired from a thirty-four year career as a firefighter with the city fire department of Lancaster; and

WHEREAS, George R. Sandoe, began his illustrious career in 1941, was promoted to lieutenant in 1941 and then to captain three years later. He held the positions of first training officer and battalion chief before becoming assistant chief in 1965. In 1970, under an organizational structural change, the assistant chief position became the position of deputy chief from which George R. Sandoe is retiring; and

WHEREAS, George R. Sandoe has tirelessly met the challenges of fighting fires.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Deputy Chief George R. Sandoe on his well earned retirement after thirty-four years of dedicated service, commends him on his outstanding achievements and wishes him a long and enjoyable retirement; and further directs that a copy of this citation be delivered to George R. Sandoe, 220 N. Franklin Street, Lancaster, Pennsylvania 17602.

M. E. MILLER, JR.

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Theodore J. Hirsch celebrated their golden wedding anniversary recently. Their happy union has been blessed by three children, twelve grandchildren, and four great-grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. The couple was married June 29, 1925 by the late Right Reverend Monsignor Anthony F. Kaul at St. Anthony's.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Theodore J. Hirsch 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. Theodore J. Hirsch, 143 N. Shippen Street, Lancaster, Pennsylvania 17602.

M. E. MILLER, JR.

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Felix Skiba celebrated their golden wedding anniversary recently. Their happy union has been blessed by two children and five grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Skiba, nee Laura Adamski, and Mr. Skiba were married June 10, 1925 by Reverend John Jaworski in Natrona.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Felix Skiba 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. Felix Skiba, 1323 Pennsylvania Avenue, Natrona Heights, Pennsylvania 15065.

HELEN D. GILLETTE

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Michael Barna celebrated their golden wedding anniversary recently. Their happy union has been blessed by two children and ten grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Barna, nee Hutnick, and Mr. Barna were married June 7, 1925 in St. John's by the late Reverend John Kutsky.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Michael Barna 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. Michael Barna, 5223 Second Street, Whitehall, Pennsylvania 18052.

WILLIAM H. ECKENBERGER, JR.

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Ray Musselman celebrated their fifty-fifth wedding anniversary recently. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Musselman, nee Edith Larosh, and Mr. Musselman were married June 26, 1920 in the home of Reverend George Stem in Northampton.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Ray Musselman on their fifty-fifth 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. Ray Musselman, 830 Fifth Street, Fullerton, Pennsylvania 18052.

WILLIAM H. ECKENBERGER, JR.

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. Anthony J. Kubik, prominent citizen of Aliquippa, passed away recently. Mr. Kubik, who was past president of the Prothonotary and Clerks of Courts Association of Pennsylvania, and chairman of its legislative committee, faithfully served as grand knight of the Knights of Columbus, was a member of Croation Fraternal Union, Lodge 423, and Elks Lodge 1221. Past President of Catholic Charities of Beaver County, Mr. Kubik tirelessly devoted his service to the Cancer Crusade, Muscular Dystrophy Association, as well as countless other civic and fraternal groups; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to respectfully pay tribute and mourn the untimely death of Mr. Anthony Kubik, and extends its heartfelt condolences to the family of this outstanding civic leader; and be it further

RESOLVED, That a copy of this resolution be delivered to The Anthony J. Kubik Family, 119 Sunset Lane, Aliquippa, Pennsylvania 15001.

FRED R. MILANOVICH
CHARLES LAUGHLIN
JOSEPH R. KOLTER
JOHN L. BRUNNER

HOUSE OF REPRESENTATIVES

WHEREAS, West Pottsgrove Township is celebrating its seventy-fifth anniversary. A community celebration

will be held the week of August 24, 1975, and August 25, 1975 is Charter Day.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates West Pottsgrove Township on the celebration of its seventy-fifth anniversary, and wishes the township and its citizens success in all their future endeavors; and further directs that a copy of this citation be delivered to the West Pottsgrove Township Board of Commissioners, 101 Lemon Street, Stowe, Pennsylvania 19464.

WILLIAM H. YOHN, JR.

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. James J. Noel celebrated their silver wedding anniversary recently. Their happy union has been blessed by one son. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. The couple was married at St. John's Lutheran Church of Charleroi by the Reverend Stephen G. Hurnyak.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. James J. Noel on their twenty-fifth 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 J. Noel, 724 Center Avenue, North Charleroi, Pennsylvania 15022.

A. J. DeMEDIO

HOUSE OF REPRESENTATIVES

WHEREAS, Miss Mary Lucina Engel of Williamsport, was crowned Miss Pennsylvania Teen-Ager at the State finals recently held in New Castle; and

WHEREAS, Miss Engel, in addition to winning the first-place award, was named "Miss Citizenship" and "Miss Hospitality," and shared first prize for the best speech for her "What's Right About America"; and

WHEREAS, Miss Engel, as part of her reward, received a \$1,000 scholarship, and left the first of July for a trip to Hawaii.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations and extends its heartiest congratulations to Miss Mary Lucina Engel on being chosen Miss Pennsylvania Teen-Ager, wishes this fine young woman the best of luck when she competes in the National Teen-Ager pageant in Atlanta, and continued success in all her future endeavors;

and further directs that a copy of this citation be delivered to Miss Mary Lucina Engel at Reach Road, Williamsport, Pennsylvania 17701.

ANTHONY J. CIMINI

HOUSE OF REPRESENTATIVES

WHEREAS, Lawrence Heinly saved the life of Mr. Zenon C. R. Hansen. On Wednesday, May 28, 1975, Mr. Heinly was driving past the rural residence of Mr. Zenon C. R. Hansen in Lower Macungie Township, Lehigh County; he noticed smoke from a lawn tractor which was overturned on a body and was on fire. He stopped, rushed to the scene and rescued Mr. Hansen and promptly summoned help. Mr. Heinly's quick action played an important role in saving Mr. Hansen's life.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates and commends Lawrence Heinly on his heroic action, at great risk of his own life, which saved the life of Mr. Zenon C. R. Hansen, and wishes him happiness and success in the future;

and further directs that a copy of this citation be delivered to Lawrence Heinly, 9 Riverbend Court, R. D. 2, Allentown, Pennsylvania 18103.

JOSEPH R. ZELLER

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. John C. Valko celebrated their golden wedding anniversary recently. Their happy union has been blessed by one son and three grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Valko, nee Mildred Oaks, and Mr. Valko were married May 25, 1925 in Kent, Ohio.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. John C. Valko 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. John C. Valko, 518 Grant Street, South Fork, Pennsylvania 15956.

JAMES O. WHELAN, JR.

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Russell L. Thomas celebrated their golden wedding anniversary recently. Their happy union has been blessed by two children and five grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Thomas, nee Bertha Reddcliff, and Mr. Thomas were married May 19, 1925 by Reverend Sanford Carpenter at Trinity Lutheran Church.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Russell L. Thomas 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 L. Thomas, 776 Carnegie Avenue, Johnstown, Pennsylvania 15905.

JAMES O. WHELAN, JR.

HOUSE OF REPRESENTATIVES

WHEREAS, Dr. and Mrs. Norris Quest celebrated their golden wedding anniversary recently. Their happy union has been blessed by two sons and five grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Quest, nee Edna Nichols, and Dr. Quest were married June 10, 1925 by Reverend J. C. Brown at Franklin Street United Methodist Church.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Dr. and Mrs. Norris Quest 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 Dr. and Mrs. Norris Quest, 122 Colgate Avenue, Johnstown, Pennsylvania 15905.

JAMES O. WHELAN, JR.

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. James J. McElvaney will celebrate their silver wedding anniversary July 1975. Their happy union has been blessed by three sons. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. McElvaney, nee Elizabeth L. Thompson, and Mr. McElvaney were married July 15, 1950 by Father Golden at St. Hugh Roman Catholic Church, Philadelphia.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. James J. McElvaney on their twenty-fifth 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 J. McElvaney, 3333 Cottman Avenue, Philadelphia, Pennsylvania 19149.

FRANCIS E. GLEESON, JR.

HOUSE OF REPRESENTATIVES

WHEREAS, Linda M. Humes, has been cited as the outstanding student in the June 1975 class of the Basic School of Insurance held at Dickinson College by the Tri State Mutual Agents Association; and

WHEREAS, Linda M. Humes, displayed excellence in her classroom work performance in property and liability insurance.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania commends Linda M. Humes for her outstanding performance, congratulates her and wishes her continued success in her chosen career in the field of insurance;

and further directs that a copy of this citation be delivered to Linda M. Humes, 500 South Arch Street, Mechanicsburg, Pennsylvania 17055.

JOHN E. SCHEAFFER

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Walter Kubeja celebrated their golden wedding anniversary recently. Their happy union has been blessed by six children, seventeen grandchildren, and five great-grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Kubeja, nee Lottie Popielasz, and Mr. Kubeja were married June 1, 1925 in Erie.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Walter Kubeja 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. Walter Kubeja, 2808 Gloth Avenue, Erie, Pennsylvania 16504.

BERNARD J. DOMBROWSKI

HOUSE OF REPRESENTATIVES

WHEREAS, Mrs. Helen Meikrantz, who is retiring after eight years of service as Social Services Director of the Trinity Lutheran Church of Pottsville, will be honored on July 11, 1975. She visited many people in hospitals and shut-ins in their homes, and was a source of joy to them because many times she was the only person they saw. Mrs. Meikrantz, along with the Pastor, formed the Over Fifty Group at Trinity Lutheran Church, which is now the most active group of the church.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Mrs. Helen Meikrantz on being honored on the occasion of her retirement after eight years of service as Social Services Director of Trinity Lutheran Church of Pottsville, commends her on her outstanding service to the Church, and wishes her a long and enjoyable retirement;

and further directs that a copy of this citation be delivered to Mrs. Helen Meikrantz, 1601 West Market Street, Pottsville, Pennsylvania 17901.

WILLIAM D. HUTCHINSON

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. BRANDT. Mr. Speaker, I would like to be recorded on the master roll and as voting as follows on the following bills:

House bill No. 826—"yea";

House bill No. 350—"yea";

House bill No. 351—"yea";

House bill No. 783—"yea";
 House bill No. 807—"yea";
 House bill No. 1322—"yea";
 Senate bill No. 104—"yea";
 Garzia amendment to House bill No. 701—"yea"; and
 Stapleton amendment to House bill No. 701—"nay."

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

REMARKS DEFERRED

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

Miss SIRIANNI. Mr. Speaker, I prefer to wait until Monday when everybody is in his seat to bring this to the attention of the members.

The SPEAKER pro tempore. The Chair thanks the lady.

COMMITTEE REPORTS

The SPEAKER pro tempore. Without objection, the Chair will return to reports of committees.

The Chair hears no objection.

BILLS REREPORTED AS AMENDED

HOUSE BILL No. 115 By Mr. WOJDAK

An Act authorizing the indebtedness, with the approval of the electors, of ten million dollars for loans to volunteer fire companies, volunteer ambulance services and volunteer rescue squads for the purpose of establishing or modernizing facilities to house fire fighting apparatus equipment, ambulances, and rescue vehicles, and for purchasing new fire fighting apparatus equipment, ambulances, and rescue vehicles, protective and communications equipment, and any other accessory equipment necessary for the proper performance of such organizations' duties.

Rereported from Committee on Appropriations.

HOUSE BILL No. 614 By Mr. WOJDAK

An Act amending the "State Harness Racing Law," approved December 22, 1959 (P. L. 1978, No. 728), extending the terms of the commissioners and authorizing a salary for the chairman and a per diem for the other members.

Rereported from Committee on Appropriations.

BILL REPORTED AS COMMITTED AND CONSIDERED FIRST TIME AND TABLED

SENATE BILL No. 774 By Mr. WOJDAK

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal period July 1, 1975 to June 30, 1976, and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1975.

Reported from Committee on Appropriations.

BILLS REREPORTED AS COMMITTED

HOUSE BILL No. 170 By Mr. WOJDAK

An Act relating to consumer transactions including credit sales, consumer leases, related direct consumer loans and advances made to credit card users, regulating contract provisions, the termination of consumer defenses, the disclaimer of warranties and the entry of judgments

by confession, providing additional exemptions from execution in actions on consumer transactions, prohibiting waivers of exemptions, imposing duties on the Attorney General and on prothonotaries and repealing inconsistent provisions of the Goods and Services Installment Sales Act, the Home Improvement Finance Act, the Motor Vehicle Sales Finance Act and other inconsistent laws.

Rereported from Appropriations Committee.

HOUSE BILL No. 485 By Mr. WOJDAK

An Act reenacting and amending the "Unfair Trade Practices and Consumer Protection Law," approved December 17, 1968 (P. L. 1224, No. 387), prohibiting additional unfair methods of competition and unfair or deceptive acts or practices and giving additional powers and rights to consumers.

Rereported from Appropriations Committee.

HOUSE BILL No. 488 By Mr. WOJDAK

An Act providing for the rights and duties of mobile-home owners or operators and mobilehome residents.

Rereported from Appropriations Committee.

HOUSE BILL No. 696 By Mr. WOJDAK

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

Rereported from Appropriations Committee.

HOUSE BILL No. 1299 By Mr. WOJDAK

An Act relating to pensions for employees of the City of Pittsburgh.

Rereported from Appropriations Committee.

HOUSE BILL No. 1367 By Mr. WOJDAK

An Act relating to medical and health related malpractice insurance, prescribing the powers and duties of the Insurance Department; the Regional Arbitration Panel for Health Care compulsory screening of claims; collateral sources requirements; limitation on Statute of Limitations; limitation on contingent fee compensation; and prescribing penalties.

Rereported from Appropriations Committee.

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. HASAY. Mr. Speaker, when I was voting on House bill No. 826, printer's No. 1923, I had the wrong printer's number of the House bill in front of me and I voted in error. I would like to be recorded as voting in the affirmative on House bill No. 826, printer's No. 1923. Thank you.

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

STATE GOVERNMENT COMMITTEE MEETING CANCELED

The SPEAKER pro tempore. The Chair wishes to announce the cancelation of the State Government Committee meeting.

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. WEIDNER. Thank you, Mr. Speaker.

My switch was not inoperative, but during my interview with my guests, I hastily voted in the negative on House bill No. 826, printer's No. 1923, and I wish to be voted in the affirmative.

Also, on House bill No. 807, printer's No. 910, I also voted in the negative and wish to be voted in the affirmative.

The SPEAKER pro tempore. The remarks of the gentleman will be noted in the record.

HOUSE BILLS SIGNED BY SPEAKER

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

HOUSE BILL No. 154

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

HOUSE BILL No. 387

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), entitled "The Second Class Township Code," increasing amount of levy permitted for fire protection.

HOUSE BILL No. 908

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

Whereupon,

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

SENATE BILLS SIGNED BY SPEAKER

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

SENATE BILL No. 213

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

SENATE BILL No. 571

An Act amending the act of October 20, 1966 (Sp. Sess. No. 3, P. L. 96, No. 6), entitled "Mental Health and Mental Retardation Act of 1966," imposing a duty of support on spouses in certain cases.

SENATE BILL No. 601

An Act amending the act of May 2, 1945 (P. L. 382, No. 164), entitled "Municipality Authorities Act of 1945," providing further powers of investment.

SENATE BILL No. 602

An Act amending the act of May 17, 1956 (1955, P. L. 1609, No. 537), entitled "Pennsylvania Industrial Development Authority Act," providing for deposit of funds under savings contracts in savings associations and giving security for such deposits.

SENATE BILL No. 604

An Act amending the act of August 23, 1967 (P. L. 251, No. 102), entitled, as amended, "Industrial and Commercial Development Authority Law," further providing for deposit of funds under savings contracts, in savings associations and providing security for such deposits.

Whereupon,

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

ADJOURNMENT

Mr. MILANOVICH moved that this House do now adjourn until Monday, July 14, 1975, at 1 p.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and (at 2:05 p.m., e.d.t.) the House adjourned.