

Legislative Journal

WEDNESDAY, JULY 16, 1975

Session of 1975

159th of the General Assembly

Vol. 1, No. 63

HOUSE OF REPRESENTATIVES

The House convened at 10 a.m., e.d.t.

THE SPEAKER (Herbert Fineman) IN THE CHAIR

PRAYER

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

Heavenly Father, Thy never-failing providence controlleth all things in our universe and toucheth the lives of Thine own so that their works may reflect Thy honor and glory. We recognize that Thy love working through the lives of these stewards of Thine toucheth the nameless neighbors in our world. Lord God, we humbly pray that Thou wilt stir the hearts and minds of these workmen of Thine with the power of Thy spirit that they may serve all people of this great Commonwealth with willing and ready hands. This we ask through Thy great name, who liveth and reigneth, forever and ever, world without end. Amen.

REFERRALS

The SPEAKER. Without objection, the Chair now refers the following bills and resolution.

The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

By Messrs. SCHWEDER, COLE, McCALL, SHUMAN and LAUGHLIN **HOUSE BILL No. 1610**

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, authorizing qualified electors to vote for three persons for county commissioners.

Referred to Committee on Urban Affairs.

By Messrs. RENWICK, GEORGE, LETTERMAN and WESTERBERG **HOUSE BILL No. 1611**

An Act amending the act of June 22, 1931 (P. L. 594, No. 203), entitled "An act establishing certain townships roads as State highways; ***," adding a route in Cameron and Elk Counties.

Referred to Committee on Transportation.

By Messrs. A. K. HUTCHINSON, SALOOM, PETRARCA, HALVERSON, McGINNIS, McCUE, Mrs. KELLY, Mr. ROSS, Mrs. TOLL, Messrs. TAYLOR, GALLAGHER and M. P. MULLEN **HOUSE BILL No. 1612**

An Act amending the "Vital Statistics Law of 1953,"

approved June 29, 1953 (P. L. 304, No. 66), further regulating death certificates.

Referred to Committee on Health and Welfare.

By Messrs. PARKER, WRIGHT, BRANDT, ZORD, HASKELL, COWELL, W. D. HUTCHINSON, D. S. HAYES, HILL, TRELLO, NOYE, FISHER, VROON, MILANOVICH and KNEPPER

HOUSE BILL No. 1613

An Act creating a commission on Pennsylvania's future; setting forth its duties and making an appropriation.

Referred to Committee on Federal-State Relations.

By Messrs. HAMILTON, SALVATORE, KATZ, GREENFIELD and LEDERER **HOUSE BILL No. 1614**

An Act making an appropriation to the Blind Veterans Association of Pennsylvania for their National Convention.

Referred to Committee on Appropriations.

By Messrs. STAHL, ROMANELLI, TADDONIO, Mrs. GILLETTE, Messrs. ABRAHAM, TRELLO, FLAHERTY, MRKONIC and VROON

HOUSE BILL No. 1615

An Act relating to the labeling of furniture.

Referred to Committee on Business and Commerce.

By Messrs. STAHL, LaMARCA, GALLEN and FRYER **HOUSE BILL No. 1616**

An Act making an appropriation to the Reading School District for operation of a public museum.

Referred to Committee on Appropriations.

By Messrs. ANDERSON and A. C. FOSTER **HOUSE BILL No. 1617**

An Act declaring and adopting the song "Pennsylvania," by Carl E. Seitz, as the State song of the Commonwealth.

Referred to Committee on State Government.

By Messrs. MYERS, RAPPAPORT, OLIVER, RYAN, BUTERA and WESTERBERG

HOUSE BILL No. 1618

An Act amending the "Motor Carriers Road Tax Act," approved June 19, 1964 (P. L. 7, No. 1), changing the definition of "motor vehicle" to include a two-axle commercial motor vehicle in certain cases.

Referred to Committee on Transportation.

By Messrs. DREIBELBIS, BENNETT and L. E. SMITH **HOUSE BILL No. 1619**

An Act amending the act of September 1, 1965 (P. L. 459, No. 235), entitled "An act requiring that certain buildings and facilities constructed with Commonwealth funds adhere to certain principles, ***," further provid-

ing for limited exemptions from the provisions of this act.

Referred to Committee on Business and Commerce.

By Messrs. CAPUTO, FISHER, ZORD, ROMANELLI, FLAHERTY, MRKONIC and GEISLER

HOUSE BILL No. 1620

An Act amending "The Borough Code," approved February 1, 1966 (1966 P. L. 1656, No. 581), providing for certain changes in the duties of mayors.

Referred to Committee on Local Government.

By Messrs. CAPUTO, FISHER, ZORD, ROMANELLI, FLAHERTY, MRKONIC, TRELLO, ABRAHAM and GEISLER

HOUSE BILL No. 1621

An Act amending "The Borough Code," approved February 1, 1966 (1965 P. L. 1656, No. 581), providing for the mayor to appoint certain solicitors.

Referred to Committee on Local Government.

By Messrs. CAPUTO, FISHER, ZORD, MRKONIC, BONETTO and GEISLER

HOUSE BILL No. 1622

An Act amending "The Borough Code," approved February 1, 1966 (1965 P. L. 1656, No. 581), increasing certain duties pertaining to mayor.

Referred to Committee on Local Government.

By Messrs. CAPUTO, FISHER, ZORD, FLAHERTY, MRKONIC, BONETTO and GEISLER

HOUSE BILL No. 1623

An Act amending "The Borough Code," approved February 1, 1966 (1965 P. L. 1656, No. 581), providing the mayor with certain powers over board appointments by council.

Referred to Committee on Local Government.

By Messrs. RICHARDSON, ROSS, BLACKWELL, JOHNSON, BARBER, VANN and OLIVER

HOUSE BILL No. 1624

An Act requiring the Commonwealth of Pennsylvania to provide 100,000 summer jobs to certain persons in 1975 and 100,000 jobs and job training programs to certain persons annually for three years thereafter and making an appropriation.

Referred to Committee on Appropriations.

By Messrs. GALLAGHER, DOYLE, M. P. MULLEN, GLEASON, BURNS, GILLESPIE, O'KEEFE, GARZIA and STAPLETON

HOUSE BILL No. 1625

An Act providing for speech and hearing correctional services to children attending nonpublic schools.

Referred to Committee on Education.

By Messrs. MYERS, RIEGER, LEDERER, TAYOUN, DiDONATO and GIAMMARCO

HOUSE BILL No. 1626

An Act making an appropriation to the New Year's Shooters and Mummies Museum Inc., Philadelphia, Pennsylvania, for maintenance and general operation.

Referred to Committee on Appropriations.

By Messrs. McCUE, PRATT, SPENCER and Mrs. CRAWFORD

HOUSE BILL No. 1627

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, approved November 25, 1970 (P. L. 707, No. 230), ex-

tinguishing the right of a surviving spouse to share in real estate conveyed by the deceased spouse.

Referred to Committee on Judiciary.

HOUSE RESOLUTION INTRODUCED AND REFERRED

By Messrs. JOHNSON, BARBER, GREENFIELD, IRVIS, OLIVER, RAPPAPORT, BLACKWELL, ROSS, VANN, GIAMMARCO, Mrs. TOLL, Messrs. TAYOUN, GEORGE, REED, RHODES, Mrs. KELLY, Messrs. McGINNIS and LAUGHLIN

RESOLUTION No. 132

The Speaker of the House of Representatives direct the Education Committee to investigate the allocation of State funds in our large urban areas and determine if further legislation is needed to assure adequate funding for schools in urban slums and for compensatory education and to determine if legislation is needed to assure more effective and efficient operation of such schools.

Referred to Committee on Rules.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Tuesday, July 15, 1975, will be postponed until printed.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, I request leaves of absence for Messrs. BELLOMINI and BLACKWELL for today's session.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, I request a leave of absence for Mr. LYNCH for today's session.

The SPEAKER. Without objection, leaves are granted.

MASTER ROLL CALL

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

The roll was taken and was as follows:

YEAS—192

Abraham	Giammarco	Mebus	Scirica
Anderson, J. H.	Gillespie	Menhorn	Seltzer
Arthurs	Gillette	Miller, M. E.	Shane
Barber	Gleason	Miller, M. E., Jr.	Shelhamer
Bennett	Gleeson	Milanovich	Sheiton
Beren	Goodman	Milliron	Shuman
Berson	Green	Miscevich	Shupnik
Bittle	Greenfield	Moehlmann	Sirianni
Bonetto	Grieco	Morris	Smith, E.
Bradley	Gring	Mrkonie	Smith, L.
Brandt	Halverson	Mullen, M. P.	Spencer
Brunner	Hamilton, J. H.	Mullen	Stahl
Burns	Ilanmcock	Musto	Stapleton
Butera	Hasay	Myers	Stout
Caputo	Haskell	Novak	Sullivan
Cessar	Hayes, D. S.	Noye	Taddonio
Cimini	Hayes, S. E.	O'Brien	Taylor
Cohen	Hepford	O'Connell	Tayoun
Cole	Hill	O'Donnell	Toil
Cowell	Hopkins	O'Keefe	Trello
Crawford	Hutchinson, A.	Oliver	Turner
Cumberland	Hutchinson, W.	Pancoast	Ustynoski
Davis	Irvis	Parker, H. S.	Valicenti
Davis, D. M.	Itkin	Perry	Vann
DeMedio	Johnson, J.	Perry	Vroon
Deverter	Katz	Petrarca	Wagner

Dicarlo	Kelly, A. P.	Pievsky	Walsh, T. P.
DiDonato	Kernick	Pitta	Wansacz
Dietz	Kistler	Polite	Wargo
Dombrowski	Klingaman	Pratt	Weidner
Dorr	Knepper	Prendergast	Westerberg
Doyle	Kolter	Pyles	Whelan
Dreibelbis	Kowalshyn	Rappaport	Whittlesey
Eckensberger	Kusse	Reed	Wilson
Englehart	LaMarca	Renninger	Wilt, R. W.
Fawcett	Laudadio	Renwick	Wilt, W. W.
Fee	Laughlin	Rhodes	Wojdak
Fischer	Lederer	Rieger	WorriLOW
Fisher	Lehr	Ritter	Wright
Flaherty	Letterman	Romanelli	Yahner
Foster, A.	Levi	Ross	Yohn
Foster, W.	Lincoln	Ruggiero	Zearfoss
Fryer	Manmiller	Ryan	Zeller
Gallagher	McCall	Saloom	Zord
Gallen	McClatchy	Salvatore	Zwick
Garzia	McCue	Scheaffer	
Geesey	McGinnis	Schmitt	Fineman
Geisler	McIntyre	Schweder	Speaker
George	McLane		

NOT VOTING—11

Bellomini	Dininni	Manderino	Sweeney
Berlin	Kelly, J. B.	McGraw	Thomas
Blackwell	Lynch	Richardson	

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

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. 451

An Act amending the act of January 10, 1968 (1967, P. L. 925, No. 417), entitled "An act relating to officers and employes of the General Assembly; . . . ,"

HOUSE BILL No. 1121

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

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.

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. 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. 477

An Act amending the act of August 9, 1955 (P. L. 323,

No. 130), entitled "The County Code," further providing for markers for graves.

Whereupon,

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

CALENDAR

PREFERRED APPROPRIATION BILL ON THIRD CONSIDERATION

SPECIAL ORDER OF BUSINESS

The SPEAKER. Without objection, the Chair calls up from page 15 of today's calendar, Senate bill No. 774, printer's No. 969, as a special order of business.

The Chair hears no objection.

Agreeable to order,

The House proceeded to third consideration of Senate bill No. 774, printer's No. 969, entitled:

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.

On the question,

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

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

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

YEAS—185

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

Fryer	Manmiller	Saloom	Zwilk
Gallagher	McCall	Salvatore	Fineman
Gallen	McClatchy	Scheaffer	Speaker
Garzia	McCue	Schmitt	
Geesey	McGinnis	Schweder	

NAYS—1

Halverson

NOT VOTING—17

Bellomini	Knepper	Perri	Sweeney
Berlin	Lynch	Pitts	Thomas
Cohen	Manderino	Richardson	Walsh, T. P.
Dininni	McGraw	Romanelli	Whelan
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 return the same to the Senate with information that the House has passed the same without amendment.

STATEMENT ON ORDER OF BUSINESS

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, if I may have the attention of the members for a second. If you will look on your desks, I have done something today which we have not done before. I have given a memo on our voting schedule for Wednesday, July 16, 1975, to all members of the General Assembly, with my initials on it. If you will put that memo in front of you, you will see exactly where we are moving on the calendar and we shall be hopping and skipping around. I wrote the memo last night so that you would know what page and what bill we will be acting on next. Look carefully because I am told by my assistant that they were distributed. How many people do not have them?

Will the chief page see to it that the memo dated July 16, 1975, is duplicated and sent to all members immediately? That memo, if you follow it, will allow you to follow exactly what the Speaker is calling up and you will know when the bills that you are interested in are coming up, so that no one can say that we are jumping around and you do not know where we are in these last days. I do not want that to happen. Thank you, Mr. Speaker.

CONSUMER PROTECTION BILL ON FINAL PASSAGE

Agreeable to order,

The House proceeded to the consideration on final passage of House bill No. 488, printer's No. 1985, entitled:

An Act providing for the rights and duties of mobile-home owners or operators and mobilehome residents.

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—169

Abraham	Giammarco	Menhorn	Schweder
Arthurs	Gillespie	Milanovich	Scirica
Barber	Gillette	Miller, M. E.	Shane
Bennett	Gleeson	Miller, M. E., Jr.	Sheihamer
Beren	Goodman	Milliron	Shelton
Berson	Green	Miscevich	Shupnik

Bittle	Greenfield	Morris	Shuman
Blackwell	Grieco	Mrkonc	Smith, E.
Bradley	Gring	Mullen, M. P.	Smith, L.
Brandt	Halverson	Mullen	Spencer
Brunner	Hamilton, J. H.	Musto	Stahl
Burns	Hammock	Myers	Stapleton
Butera	Haskell	Novak	Stout
Caputo	Hayes, D. S.	Noye	Sullivan
Cessar	Hayes, S. E.	O'Brien	Taddonio
Cimini	Hepford	O'Connell	Taylor
Cohen	Hill	O'Donnell	Tayoun
Cole	Hopkins	O'Keefe	Toll
Cowell	Hutchinson, A.	Oliver	Trello
Crawford	Hutchinson, W.	Pancoast	Turner
Cumberland	Irvis	Perri	Ustynoski
Davies	Itkin	Perry	Valicenti
Davis, D. M.	Johnson, J.	Petrarca	Vann
DeMedio	Katz	Pievsky	Vroon
Deverter	Kelly, A. P.	Pitts	Wagner
Dicarlo	Kernick	Polite	Wansacz
DiDonato	Kistler	Pratt	Wargo
Dombrowski	Klingaman	Prendergast	Weidner
Doyle	Kolter	Pyles	Wilson
Dreibelbls	Kowalshyn	Rappaport	Wilt, R. W.
Eckensberger	LaMarca	Reed	Wilt, W. W.
Fawcett	Laudadio	Renwick	Wojdak
Fee	Laughlin	Renninger	Worrlow
Fischer	Lederer	Rieger	Wright
Flaherty	Letterman	Ritter	Yahner
Foster, W.	Levi	Romanelli	Yohn
Fryer	Lincoln	Ross	Zearfoss
Gallagher	Manmiller	Ruggiero	Zeller
Gallen	McCall	Ryan	Zwilk
Garzia	McClatchy	Saloom	Fineman
Geesey	McIntyre	Salvatore	Speaker
Geisler	McLane	Scheaffer	
George	Mebus	Schmitt	

NAYS—18

Anderson, J. H.	Gleason	McCue	Seltzer
Dietz	Hasay	McGinnis	Westerberg
Dorr	Knepper	Moehlmann	Whittlesey
Fisher	Kusse	Parker, H. S.	Zord
Foster, A.	Lehr		

NOT VOTING—16

Bellomini	Englehart	McGraw	Sweeney
Berlin	Kelly, J. B.	Rhodes	Thomas
Bonetto	Lynch	Richardson	Walsh, T. P.
Dininni	Manderino	Sirianni	Whelan

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

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

HEALTH AND WELFARE BILL ON FINAL PASSAGE

Agreeable to order,

The House proceeded to the consideration on final passage of House bill No. 546, printer's No. 691, entitled:

An Act creating the Pennsylvania Medical Education Council; establishing the powers and duties of such council; creating Regional Advisory Boards to such council; regulating certain appropriations to medical schools and schools of osteopathy; and making an appropriation.

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

RECONSIDERATION OF VOTE ON HOUSE BILL No. 546

Mr. DAVIES moved that the vote by which HOUSE BILL No. 546, printer's No. 691, was agreed to on third consideration on Tuesday, July 15, 1975, be reconsidered.

Mr. SHANE seconded the motion.

On the question,

Will the House agree to the motion?

Motion was agreed to.

On the question recurring,

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

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

Amend Sec. 3, page 2, line 29, by inserting after "Senate.":

At all times, at least one woman shall be a member of the council.

Amend Sec. 5, page 4, line 11, by inserting after "representatives.":

Each regional advisory board shall have at least one woman a member at all times.

On the question,

Will the House agree to the amendments?

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

Mr. DAVIES. Mr. Speaker, this amends section 3, page 2, line 29, by inserting after Senate ". . . at all times, at least one woman shall be a member of the council. . . ." And it also amends the section on page 4, line 11, by inserting after Representatives ". . . each regional advisory board shall have at least one woman as a member at all times."

I spoke to this issue one time before in this House, noting that we are missing the boat in this Commonwealth, as well as in the United States, by not taking advantage of some of our best brains due to the fact that women have been, for the most part, denied equality in getting into medical education and many aspects of the profession.

I think with required representation of at least one woman on each board, those serving would better enhance the possibilities of more women getting into the profession and into positions of responsibility and also into advisory capacities on medical care. That is the reason I address myself to that. Thank you.

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

Mrs. WHITTLESEY. Mr. Speaker, as much as I hate to take issue with my good friend, Mr. Davies, I am afraid I must do so on this occasion.

I appreciate his concern for the plight of women in our society. However, in my view this amendment does not advance the cause of the elimination of discrimination against women in our society. It is an enactment of reverse discrimination in favor of women. It is ultimately demeaning to women because it is an admission that they cannot make it on their own. Women want to be promoted and demoted, hired and fired, elected and defeated in our society on the basis of their qualifications and individual merits, not on the basis of some artificial quota system. We want to be treated as individuals and judged on our own ability. We are not asking for special privileges; we do not want crutches. I urge a "no" vote on this amendment.

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

Mrs. CRAWFORD. Mr. Speaker, I disagree with my colleague, Mrs. Whittlesey. I agree with her in this respect: I do not think that women want more than they should have, more than they should have gotten in the past. My concern is that it depends on what kind of a

Governor we have as to whether a woman would be considered for this board or not. Or it even goes back to House bill No. 545—well, I am sorry, we are not on that right now.

I think it is important that we bring to the attention of the people involved that women have long been overlooked on boards and commissions in this Commonwealth. It has not been the custom to appoint women to such positions. In fact, I hear debate on this floor many times wherein a colleague will get up and say "gentlemen," and then go on and address the House. He forgets that there are ladies here too. So it sort of becomes a thing about, oh, you know, the women are nice, but in their place, and I am not sure just—

Anyway, I think that this is a good amendment; I think that it is something that has to be addressed until we get to the point where people in their minds and in their hearts believe in true equality. I think this is the only message that women are going to have to get the attention of the power structure which happens to be controlled by men right now.

The SPEAKER. After the percent decision of the Commonwealth Court, there may be less and less women appointments.

I am anxiously waiting to give an opportunity to the lady from Sullivan.

The Chair recognizes the lady.

Miss SIRIANNI. Mr. Speaker, I am from Susquehanna.

The SPEAKER. Is there a lady in the House from Sullivan?

Miss SIRIANNI. Well, I will take that too.

The SPEAKER. The Chair recognizes the lady.

Miss SIRIANNI. I rise in support of my colleague, Mrs. Whittlesey. I believe as she does that you earn your right on the boards because of your ability, not because of your sex. Thank you, Mr. Speaker.

The SPEAKER. Mr. Davies, why do you not leave this one to the women?

Mr. DAVIES. I yield to that wisdom.

Mrs. KERNICK. Mr. Speaker, we have to hear from the Democratic side.

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

Mrs. KERNICK. Mr. Speaker, I opposed the amendment because I think it is tokenism to put one woman on a nine-member board.

The SPEAKER. Does the lady from Philadelphia, Mrs. Kelly, have a point of view?

Mrs. KELLY. Mr. Speaker, when my husband passed away 13 years ago, I was elected here for my ability, not because I was the wife of Representative William Kelly. So I feel that if you have ability, you should be chosen and be recognized for the things that you can and are able to do. Thank you.

The SPEAKER. The Chair recognizes the lady from Montgomery, Mrs. Fawcett.

Mrs. FAWCETT. I support Mrs. Whittlesey. I believe that when women are elected they have to display more talent and ability than when men are elected in order to overcome some of the opinions in our society, and so I am very proud of the fact that we have eight qualified women in this House who work hard at their job, and I do not believe that we need to be specifically named in a bill.

I believe we will win on our own merits.

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

Mrs. TOLL. After hearing all but one more of my colleagues, I think I can just say, me, too.

Thank you.

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

Mrs. GILLETTE. Mr. Speaker, I, too, oppose this amendment. I do not think we women want any special privileges. I think women are proving themselves just as capable as men, and they will find their places on these boards and commissions by working for them.

Thank you.

The SPEAKER. And, finally, the Chair recognizes the gentleman from Franklin, Mr. Shuman.

Mr. SHUMAN. Mr. Speaker, I am trying to find jar lids to can some beans.

AMENDMENT WITHDRAWN

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

Mr. DAVIES. Mr. Speaker, I do not know but I think there is some kind of conspiracy afoot. I know the old adage about the hand that rocks the cradle, so with that I withdraw the amendment to both this and also to House bill No. 545, the one that I had ready to the companion bill. I also withdraw that.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. SHANE. Thank you, Mr. Speaker.

Mr. Speaker, I offered an amendment yesterday, an amendment that I thought was agreed to, but there was some feeling by some of our colleagues on the Republican side that they would like to take that second agreed-to amendment, reconsider it, and I believe the gentleman, Mr. Wagner, or myself I guess, would like to divide that second agreed-to amendment to give our colleagues the opportunity to express themselves on two separate issues. Let me explain the amendment, and then let the members of the House decide how they want to go on this matter.

The second amendment that I offered yesterday to House bill No. 546, which we are now reconsidering, did two things. It went throughout the bill and wherever it said "Pennsylvania medical education" or "statewide medical education," it substituted the words "physician education."

The SPEAKER. Is the gentleman now offering an amendment?

Mr. SHANE. I guess at this point I am.

The SPEAKER. The gentleman, Mr. Shane, is offering an amendment. The amendment has previously been read by the clerk.

On the question recurring,

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

Mr. SHANE reoffered the following amendments, which were read:

Amend Title, page 1, line 1, by striking out "Medical" and inserting:

Physician

Amend Sec. 1, page 1, line 9, by striking out "Medical" and inserting:

Physician

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

for physicians

Amend Sec. 2, page 2, line 9, by striking out "medical"

Amend Sec. 2, page 2, line 9, by inserting after "plan":

for physicians

Amend Sec. 3, page 2, line 12, by striking out "Medical" and inserting:

Physician

Amend Sec. 3, page 2, line 14, by striking out "Medical" and inserting:

Physician

Amend Sec. 4, page 3, line 9, by striking out "medical"

Amend Sec. 4, page 3, line 9, by inserting after "plan":

for physicians

Amend Sec. 4, page 3, line 16, by striking out "medical"

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

Physician

Amend Sec. 5, page 4, line 8, by striking out "Four" and inserting:

Three

Amend Sec. 5, page 4, line 10, by striking out "three" and inserting:

four

Amend Sec. 7, page 6, line 3, by striking out "Medical" and inserting:

Physician

On the question,

Will the House agree to the amendments?

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

Mr. SHANE. So the primary purpose of this amendment, in my view—and I guess it was through oversight that I neglected this second part which Mr. Wagner rightly pointed out—was to substitute the words "physician education" for "medical education" because there were some groups, such as nursing groups, dental groups, who thought that title was too broad. And to be absolutely precise about it, we are just concerned in House bill No. 546 with the clinical education of physicians and nobody else. So the bill really does have very narrow application.

Now, the part of the amendment about which I believe there was some expressed desire to separate out was the part on page 4. If you have the bill in your hand—House bill No. 546—I ask you to turn to page 4 of House bill No. 546, line 8. We are dealing here with section 5, the regional advisory boards to the statewide Physician Education Council.

The regional advisory board as it is composed in the bill, starting with line 8, "shall consist of seven persons appointed by the Governor: Four of whom shall be involved with the delivery of health care; and three of whom shall not be involved with the delivery of health care and shall be consumer representatives."

The amendment proposed to switch those numbers and say that it would be three health care people and four consumer representatives. And I have to state to you candidly an innocent oversight. I did not explain this with sufficient particularity yesterday, and I am grateful to my colleague, Mr. Wagner, for raising the matter with me.

So I will not make a motion to divide until I yield to my colleague, Mr. Wagner, to see if this is acceptable, but what I would propose to do, if Mr. Wagner agrees, would be to divide this amendment. Substituting the word "physician" for "medical" could probably be an agreed-to amendment, and then if our colleagues would like to have a roll-call vote on this matter of switching the composi-

tion of the regional advisory boards, that would be fine with me. So I now yield to the gentleman, Mr. Wagner, for his comments.

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

Mr. WAGNER. If the Chair understands what we are doing, I so move on that.

AMENDMENTS DIVIDED

The SPEAKER. The question is now being divided. If you have a copy of the amendment in front of you, the division is at the following point: The second from the last amendment, and the third from the last amendment are being divided out, and the balance of the first amendment being offered consists of the balance of the amendment you have in front of you.

The gentleman from Indiana, Mr. Shane, is now offering the second amendment which consists of the second from the last and the third from the last amendment that appears in the amendment that is typewritten and before you.

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

Mr. WAGNER. Mr. Speaker, I think the amendment that Mr. Shane is offering here, which would seek to put the majority of the board in the hands of nonmedical providers, is inconsistent with the purposes of the act as were the duties given to the parent council.

If you will look on page 3, the duties given to the parent council are quite expertise in the medical field. They have to develop a residency program, divide the Commonwealth into medical districts, work with the Secretary of Health, design medical areas, and they have to work with the medical profession, hospitals and clinics throughout the Commonwealth dealing with information lines.

The point is, Mr. Speaker, that the bulk of the work here is going to take expertise; it is going to take medical or medical provider input, and I believe that all the advisory boards along this line should also be structured so that the majority of the advisory boards are medical providers.

AMENDMENTS WITHDRAWN

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

Mr. SHANE. Mr. Speaker, I do not feel real strongly about this amendment. We put in this amendment making it consumer dominated to accommodate Secretary of Health Leonard Bachman. However, to me, the accommodation and achievement of sweet consensus with my colleagues on the floor of the House is more important, and I, therefore, suggest that if it is the will of this body that we can leave it just as it is in the bill, I am prepared to vote that way or make it by agreement.

The SPEAKER. Does the gentleman desire to withdraw the amendment?

Mr. SHANE. I would be happy to withdraw that part of the amendment in the interest of seeking consensus and harmony here in the House concerning this important bill.

The SPEAKER. The Chair thanks the gentleman. The amendment is withdrawn.

On the question recurring,

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

Bill as amended was agreed to.

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

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

Mrs. CRAWFORD. Mr. Speaker, we just addressed ourselves to what I consider a very serious matter in Mr. Davies' amendment. All I can say is that the consensus of the whole House at this point, I guess, is that we have faith in whoever happens to be the head man in the head office in this state to give a fair shake to women in the Commonwealth along with men.

I will say this: Governor Shapp—and do not all of you fall over, but Governor Shapp has been very fair to women in Pennsylvania. I have observed a number of appointments that he has made during his term of office and, although there are other areas that I disagree with him on, I agree with him wholeheartedly on the consideration that he has given to the talents of women.

I personally feel that this is the way this thing is going to go at this point as well as all the other boards and commissions that we have in the Commonwealth. And all I am trying to say today is that whoever happens to be Governor in the present or in the future, I hope that he remembers that we have very capable women in this Commonwealth along with very capable men.

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

Mrs. WHITTLESEY. Again I hate to take issue with one of my colleagues on the same side of the aisle. However, I would note for the record that, with respect to the Governor's record as to his appointments, I believe there was a lady, Miss Cochran, in the Commission on Charitable Organizations in the office of the Secretary of the Commonwealth, she was relieved of her responsibilities and the gentleman who was hired, with the approval of the Governor, to replace in the very same job, was hired at a substantially higher salary. So I would dispute Mrs. Crawford on the issue of equal treatment of women in this Commonwealth.

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

Mr. ITKIN. Mr. Speaker, I wonder whether the prime sponsor of the bill, Mr. Shane, would consent to interrogation?

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

Mr. SHANE. Yes.

Mr. ITKIN. Mr. Speaker, I would like to address myself to section 6 of the bill which appears beginning on page 4 and which has nothing to do with the formation of this council, but addresses itself to how appropriations are to be made to these medical institutions. Mr. Speaker, could you tell the House what the provisions of that section provide?

Mr. SHANE. The provisions of this section, as amended by agreement yesterday, provide that commencing in September 1976 20 percent of the appropriation to the medical schools shall be set aside for a loan program. If the student availing himself of one of these loans chooses to practice medicine in an area designated as medically short in Pennsylvania, 20 percent of that loan will be forgiven for each year that that student practices in that area.

Mr. ITKIN. Mr. Speaker, is it not true that medical students now can receive loans through the Pennsylvania Higher Education Assistance Agency?

Mr. SHANE. These I believe are bank loans guaranteed by the agency, and, of course, there is no requirement in this bill that would require the students to take these loans from this particular fund. It would be something that a student, if he wanted an additional loan from a fund such as this, could take it. And the section also provides that the medical school can enter into a contractual arrangement with the Pennsylvania Higher Education Agency to administer the loans.

Mr. ITKIN. What is the interest rate provided in these loans?

Mr. SHANE. There is none here in this bill.

Mr. ITKIN. Would the schools be allowed to charge interest under the bill?

Mr. SHANE. I would guess so. I would think some schools would not. At least when I was working at the University of Pennsylvania, we had certain loan programs that did not involve any interest at all, because we were not interested in making money on the money we loaned; we were just interested in helping students; and it would not surprise me if they might do something similar here.

Mr. ITKIN. So the bill is defective in that it provides that loans must be made, or a fund is established for the provisional loans, but there is nothing in the bill that provides what the interest charges shall be on those loans?

Mr. SHANE. I do not think it is necessary to provide that. If the school chose to provide no-interest loans to a student, I do not think that would be so horrendous.

Mr. ITKIN. But what happens if it chose to provide no interest on the loan whereas others who enter graduate schools have to pay for these loans with interest?

Mr. SHANE. Well, they do in some cases of some loan funds and they do not in the cases of certain others. I just cited to you examples from the University of Pennsylvania Law School where I used to be employed, where we had some no-interest loan funds.

Mr. ITKIN. Then why would you wish to provide the medical schools with this authority to grant loans when you do not grant the same privilege to any other schools in the Commonwealth?

Mr. SHANE. Well, because this money comes out of their appropriation.

Mr. ITKIN. Are moneys used for this purpose now?

Mr. SHANE. Not to my knowledge.

Mr. ITKIN. In other words, we will be decreasing the medical schools' appropriations by 20 percent and setting aside this money for loans to medical students?

Mr. SHANE. Not really because as I have said to the colleagues in the past, we are calling upon the physician education council to come up with a plan for statewide physician education. Now that plan is going to have a price tag; it is going to involve substantial amounts of public moneys. That plan is going to cost substantial amounts of public moneys over and above the present appropriation to the medical schools. So it is my thinking that the medical schools are not going to undertake a program of statewide physician education unless there is additional financial inducements. So I would think that if things went along according to an optimum time schedule, the legislature would be approving some kind of a plan in the Summer of 1976 to start implementation in September of 1976. That would involve the obligation,

I think, of providing an additional appropriation to implement the plan. So I do not believe the medical schools' appropriation will be cut by 20 percent; there will probably be a net increase in the medical schools' appropriation. But, of course, as I have said previously, the statewide physician education council must come to the legislature with the plan and the price tag, and it is up to the legislature to decide whether they want to appropriate the funds to implement the plan.

Mr. ITKIN. Is it not true, Mr. Speaker, that under the provisions of the bill, unless there is some specific language to the contrary in an appropriation bill, the provisions of this bill would be enforced and that such appropriations would have to be made in this way: that is, 20 percent must be set aside for loans, the interest on which could be charged and would be at the discretion of the medical schools; and, in addition, that on the moneys allocated, the state would have no control over?

Mr. Speaker, I wonder whether you would answer another question. I would like to know the division of the loans relative to in-state and out-of-state students attending our medical schools. Could you tell us just how much of these loans would have to go to Pennsylvania residents and how much would have to go to non-Pennsylvania residents?

Mr. SHANE. There is no restriction as to giving the loans to Pennsylvania students or out-of-state students. But I would think the inducement of the 20-percent forgiveness provision for each year that the doctor practices in a medically needy area of Pennsylvania would be an inducement to a student whether he came from Pennsylvania or whether he came from outside of Pennsylvania.

I might add that section 6, which provides these inducements for physicians to practice medicine in medically needy areas, was put in because we detected amongst the members of the General Assembly a broad interest in such a provision. Therefore, we put it in because we thought a lot of members were interested in having something like this.

Mr. ITKIN. So, in other words, Mr. Speaker, loans could be made by a medical school to out-of-state students who attend Pennsylvania medical schools without any restriction? In other words, Pennsylvania taxpayers' money could be used to provide a medical education for out-of-state residents under the provisions of this bill? Is that correct?

Mr. SHANE. The idea—I think one of the assumptions is and the medical schools have discussed this—would be that there would be a substantial increase in tuition in the medical schools. The loan program would be used to meet some of those additional costs.

Now the costs for out-of-state medical students I would think would go up to a great extent. I think having the inducement is going to be an inducement for in-state or out-of-state students.

Mr. ITKIN. Let me ask you this: There is a provision in the bill that allows for forgiveness, 20 percent for each year that a student, after graduation, practices in a medically deprived area designated by the Secretary of Health. Would that be a geographical area, Mr. Speaker?

Mr. SHANE. Yes, a geographical area. It could be a section of a city or a county. For example, I might note in passing that Indiana County, Pike County and Sullivan County are the three counties that have the greatest shortage of basic care, family practice, general practice physicians. It would be my assumption that it is most

likely that those counties would be designated medically needy. There are quite a few others. I handed out a table to some of the members that indicated some of these medically needy areas. I would assume the secretary would designate them as medically needy.

Mr. ITKIN. Would a graduate of a medical school be restricted to participating, let us say, in family practice in such a medically needy area as defined in the bill?

Mr. SHANE. Well, if he wants to practice whatever specialty and he wants to practice wherever he wants to practice, then he can just repay his loan. If he is interested in practicing in a medically needy area, there is a 20-percent forgiveness provision.

Mr. ITKIN. But suppose the medically needy area is one of a family practice but the graduate medical student wants to develop a specialty and goes into that area where there is provision for getting bought in that specialty, fails to practice family medicine, which is the medical need in that area, would not the bill provide for forgiveness?

Mr. SHANE. Yes; there is no specificity as to the type of practice in the medically deprived area.

Mr. ITKIN. What would be the size of these loans that we would be forgiving? What could we assume might be the loans that the students might receive in this area?

Mr. SHANE. Well, my judgment would be that loans from a program such as this might run in the \$4,000, \$5,000, \$6,000 category. I would be thinking in terms of maybe \$2,000 per year the first 3 years. But after that, there are clinical experiences that will probably be compensated for. So I doubt if there would be the need for it in the latter part of the education.

Mr. ITKIN. Let me ask you this: If it is \$2,000, \$3,000, \$4,000, \$5,000 or \$6,000, a student who receives a \$2,000 loan practicing 1 year in a medically deprived area would only receive a \$400 forgiveness in a given year, but a student who receives \$6,000, who practices the same year in a medically deprived area would get 20 per cent of \$6,000 or a \$1,200 forgiveness? And if it turns out that a student received a loan in the range of \$5,000 or \$6,000 in a given year, compounded over 4 years, since there are no restrictions in the bill, a student could receive as much as \$5,000 or \$6,000 forgiven in any given year?

Mr. SHANE. This does not conflict with past practice. The greatest form of student loans in the past has been the National Defense Student Loans funded by the Federal Government. The Federal Government said that if a student took one of these loans and then taught in a poverty area, he would be forgiven at the rate of 15 percent a year. The example that the gentleman cites has been true for many, many years with the National Defense Student Loans. A student with a large debt under the National Defense Loan Program got a larger forgiveness each year. A student with a smaller debt got a smaller forgiveness. That fact and that facet of the program that he points out does not disturb me.

Mr. ITKIN. Thank you, Mr. Speaker.

Mr. Speaker, I would like to make some remarks.

The SPEAKER. The Chair recognizes the gentleman.

Mr. ITKIN. Mr. Speaker, from my remarks today it may be viewed that I am opposed to the legislation. I would like to say that I am not. I recognize that we do need to encourage physicians to relocate in our medically deprived areas in Pennsylvania. However, I do take strong exception to the provisions of section 6 in the bill which seem to have a lot of defects in terms of the appro-

priations and how the Commonwealth will ensure that we will get the best investment from the dollar of the taxpayers' money. What I would like to suggest, Mr. Speaker, is that we table this bill today.

I would like to meet with the prime sponsors and others interested in this area and see whether we can tighten up the language in section 6 to ensure that Pennsylvania gets the best out of its taxpayers' money.

MOTION TO TABLE HOUSE BILL No. 546

Mr. ITKIN. Mr. Speaker, I shall make that motion. I would like to have this bill tabled.

The SPEAKER. There is a motion on the floor made by the gentleman, Mr. Itkin, to table House bill No. 546, printer's No. 691.

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

Mr. SHANE. I think this bill is in shape for final passage in this body. I oppose the motion to table. I ask all of my colleagues to vote "no" on this motion.

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

Mr. WAGNER. I likewise oppose the motion to table.

It is my understanding a motion to table is debatable?

The SPEAKER. The motion is debatable provided the debate is confined to the motion.

Mr. WAGNER. All right, Mr. Speaker.

Mr. Speaker, the gentleman gave his reason for the motion to table based on what is specified in number (6), and I would just like to say it is the intent—at least it is my intent in cosponsoring this—that as much latitude be given in developing programs to encourage physicians to come to rural and urban areas as possible. A great deal of flexibility is needed. I see no reason to table it and to tie it up more.

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

Mr. HAMMOCK. Mr. Speaker, I would like to join with Mr. Shane in requesting a defeat of this motion. We have studied this bill for over a year and a half in the Education Committee. We have had similar pieces in the Health and Welfare Committee. I think this bill is in shape for final passage.

One of the things we certainly need in this Commonwealth is to be able to provide doctors in those areas where they are especially needed at this very critical time in the history of this Commonwealth. I think we can begin to do that now. We know that this bill is not perfect but certainly if passed today, will go a long way in helping to alleviate this problem. We have got to get on with this activity. For us to put this bill back into committee and not have it come out until the fall would be a great disservice not only to the people who have worked on this bill, but also to the citizens of this state. Thank you.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I ask that the vote be in the negative on the motion to table.

On the question,

Will the House agree to the motion?

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

YEAS—25

Abraham	Hayes, S. E.	Mrkonic	Taddonio
Anderson, J. H.	Itkin	Pyles	Vroon
Dorr	Kistler	Renninger	Westerberg
Eckensberger	Kusse	Ritter	Whittlesey
Foster, A.	McClatchy	Seitzer	Wilt, W. W.
Gallen	Moehlmann	Shuman	Zeller
Gleason			

NAYS—165

Arthurs	George	McIntyre	Scheaffer
Barber	Giammareo	McLane	Schmitt
Bennett	Gillespie	Mebus	Schweder
Beren	Gillette	Menhorn	Scirica
Berson	Gleeson	Milanovich	Shane
Bittle	Goodman	Miller, M. E.	Shelhamer
Blackwell	Green	Miller, M. E., Jr.	Shupnik
Bonetto	Greenfield	Milliron	Sirianni
Bradley	Grieco	Miscevich	Smith, E.
Brandt	Gring	Morris	Smith, L.
Brunner	Halverson	Mullen, M. P.	Spencer
Burns	Hamilton, J. H.	Mullen	Stahl
Butera	Hammock	Musto	Stapleton
Caputo	Hasay	Myers	Stout
Cessar	Haskell	Novak	Sullivan
Cimini	Hayes, D. S.	Noye	Taylor
Cohen	Hepford	O'Brien	Tayoun
Cole	Hill	O'Connell	Toll
Cowell	Hopkins	O'Donnell	Trello
Crawford	Hutchinson, A.	O'Keefe	Turner
Cumberland	Hutchinson, W.	Oliver	Ustynoski
Davies	Irvis	Pancoast	Valicenti
Davis, D. M.	Johnson, J.	Parker, H. S.	Vann
DeMedio	Katz	Perri	Wagner
Deverter	Kelly, A. P.	Perry	Walsh, T. P.
Dicarlo	Kernick	Petrarca	Wansacz
DiDonato	Klingaman	Pievsy	Wargo
Dietz	Knepper	Pitts	Weidner
Dombrowski	Kolter	Polite	Whelan
Doyle	Kowalshyn	Pratt	Wilson
Engelhart	LaMarca	Prendergast	Wilt, R. W.
Fawcett	Laudadio	Rappaport	Wojdak
Fee	Laughlin	Reed	Worrlow
Fischer	Lederer	Renwick	Wright
Fisher	Lehr	Rhodes	Yohn
Flaherty	Letterman	Rieger	Zearfoss
Foster, W.	Levi	Romanelli	Zord
Fryer	Lincoln	Ross	Zwilk
Gallagher	Mannmiller	Ruggiero	
Garzia	McCall	Ryan	Fineman
Geesey	McCue	Saloom	Speaker
Geisler	McGinnis	Salvatore	

NOT VOTING—13

Bellomini	Kelly, J. B.	McGraw	Sweeney
Berlin	Lynch	Richardson	Thomas
Dininni	Manderino	Shelton	Yahner
Dreibelbis			

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

On the question recurring,
Shall the bill pass finally?

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

Mr. RENNINGER. I do not profess to be any expert on the access to the medical profession, but I would like to point out to the House that Mr. Berlin introduced a resolution which talked about getting into the admission practices of the medical field. I think that is where the problem is. I think we know a lot about the problem of insufficient numbers of doctors. I think we know that this legislature can grant incentives for location. But you are not only talking about this bill. And remember, I think you have—and correct me, if I am wrong—something like eight or nine teaching institutions in the Commonwealth.

I cannot see why we have to set up a whole new bureaucracy, launching it with \$350,000 to make a lot of telephone calls, which I think these people are already making or should be encouraged to make by our Appropria-

tions Committee when they come waltzing in for money every year.

I think we can control this thing, put the pressure on people to get them moving in the direction to satisfy this particular need, but I think we certainly would learn a lot if we went ahead with what Mr. Berlin had recommended to find out just who is getting into medical school.

What I am finding out—and I am sure many of the other members have run into it—is that nobody seems to be qualified to get into our medical schools. I just think that is tommyrot. What happens is—and I have had it in my own hometown where a doctor's son, a tradition in that family of general practice, has been foreclosed by the admission practices to these institutions.

Maybe they are correct, but I take that with a grain of salt. I think that different types of minds are graded to do certain types of services in their professions, whether it is law or any other one. I cannot see any difference with this one.

So, Mr. Speaker, I think we ought to defeat this bill. I think we ought to go back to the drawing board, because we can deal with the incentive structure without going through the whole folderol of creating another bureaucracy at a time when I do not think the public wants to see anymore of that. Thank you.

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

Mr. WAGNER. Thank you, Mr. Speaker.

Mr. Speaker, I would say—and it comes from the hearings we had last year on this measure—that the place that a physician ends up practicing medicine generally depends upon where he did his education and not where he came from.

What is happening is that the physicians are being educated in residency programs that are predominately in your urban areas, and they are settling in the suburban areas and staying there.

We have got to get them out into the rural areas or into the urban areas. The only way we can do this is by inducement, apparently. If they are drawn by the dollar to the suburban areas, get them into these areas. If we can do it through loans or any other measure, by encouragement, then I think this is what is needed. But we have a problem in the rural and urban areas and we ask the cooperation of the House.

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

Mr. RITTER. Mr. Speaker, would the gentleman from Philadelphia, Mr. Wojdak, consent to interrogation, please?

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

Mr. WOJDAK. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. RITTER. Mr. Speaker, in the fiscal note that was issued by the Appropriations Committee wherein it talks about, on the first page of the fiscal note, the fiscal impact for the first year, your note indicates that to establish a loan program, they would have to set aside an approximate amount of money. It said to cover this loss of revenue, the medical schools are expected to have to increase their tuition rates by approximately \$900 for the state-aided institutions and about \$1,500 for the state-related institutions. Then it goes on to say

"the student intending to practice in the Commonwealth will not be affected. . . ." Can you tell me why he will not be affected?

Mr. WOJDAK. Mr. Speaker, in response to Mr. Ritter's question, as I understand the question, Mr. Ritter is questioning the statement in the fiscal note that begins with "The students intending to practice in the Commonwealth will not be affected by the tuition increase"

Mr. RITTER. That is right, Mr. Speaker.

Mr. WOJDAK. The way the plan is set up, because of the 20-percent deduction in the amount going to the medical school, that will necessitate an increase in tuition for all students within that medical school. If, for instance, the tuition were \$100 and the increase that would have to be affected because of that 20-percent reduction drove the tuition to \$150, that \$50 difference could be borrowed from the Pennsylvania Higher Education Assistance Agency by the student. Now, if in fact, he then decides to practice in Pennsylvania, that amount or that increase in tuition would be forgiven, if he practices in Pennsylvania. So the net effect for those students opting to practice in Pennsylvania will not be affected by a tuition increase.

Mr. RITTER. Mr. Speaker, first I have to disagree with that. The fiscal note says that the tuition rates will be raised approximately \$900 for state-aided and about \$1,500 for state-related. The maximum grant under the Pennsylvania Higher Education Assistance Agency would never be able to cover that increase, first of all.

Second, if the person who is paying that higher tuition did not have a loan, there is no forgiveness. So that the tuition increase would be there and, unless he participated in a loan from that college or university, there would be no forgiveness. But he, in the interim, would still have to pay the increased tuition fee. So I disagree. I think there would be an increase to every student attending the medical school.

Mr. WOJDAK. Well, there would be an increase to every student attending the medical school. I am talking about the net effect of those students opting to practice in Pennsylvania.

Now as to that 20-percent fund that is to be administered by the Pennsylvania Higher Education Assistance Agency, that cannot be used for other programs or other purposes that the Pennsylvania Higher Education Assistance Agency programs are involved in. That will be for the specific use of medical students. The net effect, the bottom-line effect, on a student going into practice in Pennsylvania, will be for him not to suffer that tuition increase.

Mr. RITTER. Mr. Speaker, on page 5 of the bill where we talk about this 20 percent that Mr. Wojdak is talking about, that is a loan program. There are no guidelines in section 6 to say that every student at that college or university is eligible to participate in that loan program.

Therefore, there must be students attending those institutions who are not going to be able to participate in that loan program and, therefore, the tuition increase of a minimum of \$900 and a maximum of \$1,500, depending on which of the two categories they are in, will have to be borne by those students who do not participate in the loan program.

Now you keep talking about a Pennsylvania Higher

Education Assistance Agency grant, and there is a difference in my interpretation of the bill. This 20-percent fund that we are talking about is a loan program. It is not a grant program. So that if you do not loan the money, you still are going to pay the tuition increase and not get any benefits regardless of where you practice. Am I correct in that?

Mr. WOJDAK. You are correct that again every student will be affected by the tuition increase. The difference between the present tuition and the increase that you are speaking of, for a student using that fund of 20 percent, which by the way will be administered by the school, he will be forgiven that loan when he decides to practice in Pennsylvania.

He will pay it on going the first year, second year, third year. He will be responsible for the full tuition including the increase. He will then be forgiven that amount that he has borrowed if in fact he offers to practice in Pennsylvania.

Mr. RITTER. Another question, Mr. Speaker: Will every student at the medical institutions be eligible to participate in a loan program?

Mr. WOJDAK. Yes, Mr. Speaker.

Mr. RITTER. Regardless of income?

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

Mr. RITTER. And the 20-percent fund that we are talking about would be sufficient to cover the tuition increase for every student attending the medical institution?

Mr. WOJDAK. Yes, because it really results from the same amount of money.

Mr. RITTER. I honestly do not understand why we need to establish a fund, if we are going to increase the tuition on one hand and give it back on the other. I do not understand the situation.

Mr. WOJDAK. In an attempt to get physicians to practice in Pennsylvania. That is what is behind it all.

Mr. RITTER. Another question, Mr. Speaker: On page 3 of the bill, line 2, it says: "The Secretary of Health shall provide the necessary administrative personnel in services." Do you have any idea of what the cost of that will be in terms of dollars to this Commonwealth?

Mr. WOJDAK. What line are you referring to, Mr. Ritter?

Mr. RITTER. Line 2 on page 3, Mr. Speaker.

Mr. WOJDAK. That would all be covered by the appropriation of \$350,000, which would include these various costs that you are referring to that would be borne by the Secretary of Health.

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

Mr. Speaker, I agree with what the gentleman, Mr. Itkin, had said and what Mr. Renninger had said. I believe that this bill does require some extensive and further study, particularly in the area of section 6 which deals with the loan program that we are going to establish.

There are absolutely no guidelines in here. I think if we are going to make a loan program available to every student who is attending the institution, it seems to me that we are going to require more money than has been appropriated, and to say that everyone is eligible regardless of income is very unfair, I think, to those who really need the money.

To add an increase of from \$900 to \$1,500 in tuition each year seems to be again unfair, and I think the total

appropriation at the end of 5 years, of somewhere between \$7.7 and \$8.7 million in additional revenue, is an expenditure which I think we ought to have more study on before we embark on that kind of a commitment, because again we are going to sit here next year and say, well, the reason we have to do these things is because we started here and now.

Many times when we talk about appropriation bills and why we need additional revenue and tax money, the answer always is that most of that is for mandated expenses that were passed by a prior session of the General Assembly.

If we pass this bill today, what we are doing is in effect committing future legislatures to providing this money and, as I said, at the end of 5 years it will be an additional amount of somewhere between \$7.7 and \$8.7 million, and I think the membership should be aware of that before they vote on this. I am personally going to vote in the negative and I urge the other members to do the same.

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

Mr. ZELLER. Mr. Speaker, when I originally became a cosponsor of House bill No. 546, and, as I have said, in the past 2 years I have always been in favor of this concept, but the bill has taken a strange change to a position where I can no longer be a cosponsor and I wish my name to be withdrawn from the record. I will send a letter to the leadership to that effect.

For the same reason that Mr. Itkin and Mr. Ritter stated, I believe it has gone too far afield in the cost, because within 5 years it is going to hit us in the area of \$8 million-plus.

For a reminder to the members, if we are talking about economy, I believe we should take a real hard look at this and send it back to the drawing board and come up with something that is going to work by trying to get doctors into the rural areas or other areas of hardship and not to the detriment of the taxpayers in Pennsylvania.

There is a better way I am sure. I do not believe I have the ability to do it, but I believe there are other ways it can be done.

One of the areas that scares me is the one that gives so much power to the Secretary of Health. Take a good look at that area. It sets him up as the judge, jury and verdict, and it is going to give the Secretary of Health powers that I am sure that some—with all respect to Bill Shane—have been trying to take away from some of these bureaucrats.

It bothers me that Bill would be partial to an activity here to just do the reverse and give the Secretary of Health powers that Bill himself has fought so long against, and I have admired him for it. I cannot understand that move. Anyway, I want my name withdrawn. Thank you.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, I rise in opposition to amendment to House bill No. 546. I think the concept is good, but I believe it is too late. Number one, the thing that bothers me today is the last paragraph of the bill which makes the act effective immediately. Although the "non-prefers" and "prefers" have not passed this House, I

feel sure that many of the teaching hospitals are counting on a certain amount of money which would now be reduced by 20 percent, I assume.

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

Mr. SHANE. To clarify a point of information for the gentleman, Mr. Ryan, if it is acceptable to him.

We have put in an agreed-to amendment yesterday that said section 6 shall take effect commencing September 1, 1976, to deal precisely with the problem you have been discussing.

Mr. RYAN. Is that in the bill now, Mr. Speaker?

Mr. SHANE. Yes.

Mr. RYAN. I appreciate the correction. That was just one of the things that bothered me, however.

The other thing that bothers me, Mr. Speaker, is, it would appear that a graduate starts to repay his loan at the rate of 20 percent a year upon graduation.

In the medical profession, as I understand it, it is necessary for each graduate to then serve a residency of at least one year. If this graduate served his residency in any of the medically deprived areas, he would automatically get a 20-percent discount or credit against his loan.

If this particular doctor was going to serve a longer residency, so that he could become more certified in a specialized field, he might remain in Pennsylvania for some 3 or 4 years, not practicing medicine as such but rather continuing his schooling towards his board-certified goal, have his loan forgiven, walk away from Pennsylvania without really ever having practiced here, but continuing his education, being paid for it by a hospital, as a paid resident serving in a specialized area, although he is a graduate under the terms of this bill. The loan will then be paid off or paid down to a great extent. He then, not having practiced as such in Pennsylvania, would or could move to another state and yet have reaped the benefits of the forgiveness provisions of this bill.

The other part that bothers me—and I have heard some of the explanation on the floor, but I am not satisfied with it—is, as I read the bill, it would appear that to qualify for such a loan you fall under the Pennsylvania Higher Education Assistance Agency guidelines, yet apparently Mr. Shane or Mr. Wojdak answered that all of these medical students would be qualified for the loan. I fail to see in the bill where that is set forth.

As I read the bill, it seems that they fall in the same category as any other applicant for a loan. If it is the case that each one of them is automatically entitled to a loan simply because they are going to a Pennsylvania medical school, which will later be forgiven if they serve their residency or practice medicine in a medically deprived area of Pennsylvania, would be one thing. But I do not believe the bill says that.

For these reasons, Mr. Speaker, I respectfully suggest that this bill is not quite what it should be, but I think the principle is good and, until such time as it is straightened out, I would suggest that we vote it down.

The SPEAKER. The Chair recognizes the lady from Montgomery, Mrs. Fawcett.

Mrs. FAWCETT. Mr. Speaker, I support the concept of this bill. We have a great storage of teaching staffs

in our medical schools by sending the senior medical school students out to a community hospital where there really are some very highly qualified people. It spreads out the teaching problem, and thus enables our present medical schools to increase the size of their classes in the basic education, which is very critical and important. It is impossible to have extremely large classes in a medical school. By sending the seniors out to hospitals where they will get a great deal of practical experience and not just an academic environment, I believe you will be doing the student a great favor. He will learn a great deal about community service, which you do not learn in an academic hospital.

The alternative, of course, is to build a great many more medical schools which is endlessly more expensive than this proposal. There may indeed be need for some corrective amendments to this bill, but I believe by and large they are minor. I urge you to support this concept.

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

Mr. NOYE. Thank you, Mr. Speaker.

I would like to make several points: One, Mr. Ryan mentioned that he does not think that House bill No. 546 mentions specifically the word "practice" or the concept of practice, and it does on page 5; the loan repayment provision deals only with the practice and not the residency. As I read the bill, it states: "Such loan program shall provide that for each year a graduate practices . . ." I would think that this would be beyond the residency.

The other point I would like to make is that I rise in support of the bill. I agree that the bill is not everything that I would like to see it to be but it addresses itself, I think, to the critical problem that we are faced with in rural areas. In Perry County, which is minutes from the capital city, we have had a problem arise twice in the last three years on the critical need for a doctor. We have been faced with financial blackmail to get any kind of physician to agree to come into our area. In the one area the Lions Club fortunately had the financial capability to purchase a home and set up a practice to entice some physician to come into the area, an area that is only 10 minutes from downtown Harrisburg.

Right now we are engaged in a very serious problem in the Millerstown area, trying to get a doctor to move in. Our doctor there unfortunately had physical problems and has been forced to retire. We cannot get a doctor. Our choice right now is trying to get one gentleman who is partially interested out of the United States Air Force to come there and possibly set up on a year-trial basis. The other choice we have at the present time is a doctor whose name we happened to find in a medical magazine somewhere, who is practicing in Texas and who might be interested in coming in. We cannot get a doctor out of Pennsylvania anywhere who is interested in serving a rural community. This is why we need this kind of a bill. I urge all of you to support it.

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

Mr. SHANE. All I want to say, Mr. Speaker, is that I would like to add that this bill has the support of the deans of the seven medical schools and the Pennsylvania Medical Society. I do not think it is going to create a bureaucracy; we are going to use existing personnel in

the Department of Health. I have to tell the members candidly that I expect to be appointed to this physician education council and I am personally going to watch the expenditure of these funds quite closely and I will be happy to report back to you, my colleagues, on a regular basis should this bill become law and if I happen to be appointed.

The other thing I want to point out is that this is the only plan that has worked in the United States. The state of Indiana tried this back in 1967 with the help of the Indiana legislature, and at the time they started this plan, only 40 percent of the graduates of the Indiana medical school were staying in the State of Indiana. Now that this plan has been in effect, as of 1973 approximately 58 or 59 percent of the graduates were staying in Indiana. That is no miracle; that is substantial progress. So this is the only plan that has worked, the State of Indiana Plan. As far as I am concerned, as I said to some colleagues previously, I look at this as a life-and-death matter. I have had people in my area call me and say, "Mr. Shane, I am in the emergency room of the hospital and I cannot get a doctor." I told some of my colleagues the other day that if I can get 10 doctors to come to Indiana County, I will consider that the most significant achievement of my public life, no matter how short or how long it will be, so I am totally committed to this bill and I urge you to vote "yes" on this bill.

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

Mr. McCUE. Mr. Speaker, I too rise in support of this bill. I come from a rural area, Armstrong County. I am a neighbor of Mr. Shane. I recognize the problem which we have and which the other rural areas have. I urge a "yes" vote.

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

Mr. ITKIN. Mr. Speaker, reluctantly I am going to have to vote against the bill. I intended to get the bill tabled and it failed. Let me say this to the members of the House and to Mr. Shane specifically: If you want doctors to practice in rural areas in Pennsylvania, then you have to change the admission practices at our medical schools to admit rural Pennsylvanians to the medical schools so they can go back home and practice medicine. That is it in a nut shell, and the intent of this bill, to bring people from New York and Los Angeles and Miami to Pennsylvania to teach so they can go to Indiana County to practice medicine, is foolhardy. Now you really want to approach this from a sane, civil, intelligent position, and that is the way you look at the problem. The intent is honorable, but obviously this type of legislation is just not going to do it. Thank you, Mr. Speaker.

On the question recurring,
Shall the bill pass finally?

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

YEAS—159

Arthurs	Geisler	McIntyre	Scirica
Barber	George	McLane	Shane
Bennett	Giammarco	Mebus	Shelhamer
Beren	Gillespie	Milanovich	Shelton

Berson	Gillette	Miller, M. E.	Shupnik
Bittle	Gleason	Miller, M. E., Jr.	Sirianni
Blackwell	Gleason	Milliron	Smith, E.
Bradley	Goodman	Miscevich	Smith, L.
Brandt	Green	Morris	Spencer
Brunner	Greenfield	Mrkonic	Stahl
Burns	Grieco	Mullen	Stapleton
Butera	Gring	Musto	Stout
Caputo	Halverson	Myers	Sullivan
Cessar	Hammock	Novak	Taddonio
Cimini	Hasy	Noye	Taylor
Cohen	Haakell	O'Brien	Tayoun
Cole	Hayes, D. S.	O'Connell	Toll
Cowell	Hepford	O'Donnell	Trello
Crawford	Hill	O'Keefe	Ustynoski
Cumberland	Hopkins	Oliver	Valleenti
Davies	Hutchinson, A.	Pancoast	Vann
Davis, D. M.	Hutchinson, W.	Parker, H. S.	Vroon
DeMedio	Irvia	Petrarca	Wagner
Dicarlo	Johnson, J.	Plevsky	Walsh, T. P.
DiDonato	Kelly, A. P.	Pitts	Wansacz
Dietz	Kernick	Polite	Wargo
Dombrowski	Klingaman	Pratt	Whelan
Doyle	Knepper	Prendergast	Wilson
Dreibelbis	Kolter	Pyles	Wilt, R. W.
Eckensberger	Kowalshyn	Rappaport	Wojdak
Engelhart	LaMarca	Reed	WorriLOW
Fawcett	Laudadio	Renwick	Wright
Fee	Laughlin	Rieger	Yahner
Fischer	Lederer	Romanelli	Yohn
Fisher	Letterman	Ross	Zearfoos
Flaherty	Levi	Ruggiero	Zord
Foster, W.	Lincoll	Saloom	Zwikel
Fryer	Manmiller	Scheaffer	
Gallagher	McCall	Schmitt	Fineman
Garzia	McCue	Schweder	Speaker
Geesey			

NAYS—33

Abraham	Itkin	Moehlmann	Seltzer
Anderson, J. H.	Katz	Mullen, M. P.	Shuman
Bonetto	Kistler	Perri	Turner
Deverter	Kusse	Perry	Weidner
Dorr	Lehr	Renninger	Westerberg
Foster, A.	McClatchy	Ritter	Whittlesey
Gallen	McGinnis	Ryan	Wilt, W. W.
Hamilton, J. H.	Menhorn	Salvatore	Zeller
Hayes, S. E.			

NOT VOTING—11

Bellomini	Kelly, J. B.	McGraw	Sweeney
Berlin	Lynch	Rhodes	Thomas
Dininni	Manderino	Richardson	

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

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

WELCOME

The SPEAKER. The Chair is pleased to welcome two young ladies who are with us today as the guests of the gentleman from Cumberland, Mr. Kistler: Miss Elizabeth Balaban who is the daughter of our Parliamentarian and Miss Denise Bober who is the niece of our Parliamentarian.

Miss Bober is president of the student council at East Junior High School in Maple Heights, Ohio. Our Parliamentarian's daughter is president of the junior class at East Pennsboro High School in Enola, Pennsylvania.

WELCOME

The SPEAKER. The Chair also welcomes Mr. Sal Fulginiti of Middletown and Mr. and Mrs. Raymond Lewis of Towanda.

They are the guests of the gentleman from Dauphin, Mr. Reed.

SUPPLEMENTAL CALENDAR

LABOR RELATIONS BILL
ON FINAL PASSAGE

Agreeable to order,

The House proceeded to the consideration on final passage 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.

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

RECONSIDERATION OF VOTE ON
HOUSE BILL No. 1198

Mr. HAMILTON moved that the vote by which HOUSE BILL No. 1198, printer's No. 1381, was agreed to on third consideration on July 9, 1975, be reconsidered.

Mr. SHELHAMER seconded the motion.

On the question,

Will the House agree to the motion?

Motion was agreed to.

On the question recurring,

Will the House agree to the bill on third consideration?

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

Amend Sec. 305, page 14, line 11, by striking out "public" and inserting: pupil

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Hamilton. Will the gentleman please explain the amendment.

Mr. HAMILTON. Yes, sir. It changes one word in the bill, from "public" to "pupil". It is an editorial correction.

On the question recurring,

Will the House agree to the amendment?

Amendment was agreed to.

On the question,

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

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

Amend Title, page 1, lines 1 through 3, by striking out all of said lines and inserting: Establishing minimum wages and providing for hours of labor of seasonal farm workers and requiring certain records; providing for inspection of seasonal farm labor camps; providing for the promulgation of rules and regulations; establishing rights of access and egress; providing penalties; and repealing certain acts.

Amend Bill, page 1, lines 6 through 18, by striking out all of said lines; also striking out all of said lines on pages 2 through 21 inclusive, and inserting:

ARTICLE I

Preliminary Provisions

Section 101. Short Title.—This act shall be known and may be cited as the "Seasonal Farm Labor Act."

Section 102. Declaration of Intent.—It is declared to be the intent of the Legislature by this act to improve the conditions of seasonal farm workers by establishing standards for their wages, hours, conditions of work and housing; by making unlawful the practices by which such workers may be isolated from the community, and from services to which they are by law entitled and by limiting child labor among such workers.

Section 103. Definitions.—As used in this act:

“Employer” means every individual, firm, partnership, association, trust, corporation, receiver or other officer of a court of this Commonwealth, or any person or group of persons acting, directly or indirectly, in the interest of an employer in relation to any employee, employing or permitting to work any seasonal farm worker in this Commonwealth, and includes every farmer, grower, nurseryman or landowner who employs, or on whose premises or in whose interest is employed, any seasonal farm worker.

“Farm labor contractor” means any person who, for payment, wages, salary, fee or other consideration, either for himself or on behalf of another person, recruits, solicits, hires, furnishes or transports five or more seasonal farm workers (excluding members of his immediate family) in any calendar year for employment in agriculture or in agriculture-related industry. Such term shall not include (i) any person, firm, partnership, association or corporation which is the holder of a valid and current license pursuant to the act of July 31, 1941 (P. L. 616, No. 261), known as the “Employment Agency Law” or (ii) any nonprofit charitable organization, public or nonprofit private educational institution, or similar organization. In any case in which a firm, partnership, association, trust, or corporation engages in such activity for the purpose of supplying seasonal farm workers solely for its own operation, the term “farm labor contractor” means that officer, official, supervisor or employee most directly responsible for such activity. In any case in which an individual farmer, grower, nurseryman or landowner engages in such activity for the purpose of supplying seasonal farm workers solely for his own operation, or in which an employee of such individual engages in such activity on his behalf, the term “farm labor contractor” means such individual or employee.

“Seasonal farm labor” means labor or employment engaged in by an individual defined in this act as a seasonal farm worker.

“Seasonal farm labor camp” means any living quarters, housing accommodations, dwelling, hotel, inn, motel, rooming house, boarding house, dormitory, tenement, bunkhouse or barracks, or any building or buildings so used or intended for use, maintained directly or indirectly in connection with any work or place where work is being performed by seasonal farm workers whether or not rent is paid or reserved for use or occupancy, and includes the premises or site upon which such building or buildings are situated, and any facilities necessary to or associated with such building or buildings, and any area or site set aside and provided for camping of seasonal farm workers; and includes all migrant labor camps, farm labor camps, seasonal labor camps, agricultural labor camps, and all labor camps operated in connection with agricultural situations, such as flower production, nurseries and similar agricultural operations including crop and related food processing but shall not include buildings reserved exclusively for the personal use of the landowner.

“Seasonal farm worker” means an individual employed in raising, cultivating, fertilizing, seeding, planting, pruning, harvesting, gathering, washing, sorting, weighing or handling, drying, packing, packaging, processing, grading, storing or delivering to market or to storage or to a carrier for transportation to market, in its unmanufactured state, any agricultural commodity as defined in the act of September 20, 1961 (P. L. 1541, No. 657), known as the “Pennsylvania Agricultural Commodities Marketing Act of 1968,” or any farm product as defined in 1 Pa. S § 1991 (relating to definitions of terms in the Statutory Construction Act of 1972), on a seasonal or other temporary basis and includes every individual irrespective of his primary employment if he performs agricultural labor on a seasonal or other temporary basis, except those

persons who commute daily from their permanent residence to the farm on which they are employed.

“Secretary” means, in Article II, the Secretary of Labor and Industry, and in Article III, the Secretary of Environmental Resources, except where clearly stated otherwise.

ARTICLE II

Wages and Hours

Section 201. Minimum Wages.—(a) Except as may otherwise be provided under this article, every employer of seasonal farm labor shall pay to each seasonal farm worker, wages at a rate which is as great or greater than the minimum hourly wage rate in force under the act of January 17, 1968 (P. L. 11, No. 5), known as “The Minimum Wage Act of 1968,” at the time payment is due to the seasonal farm laborer or employee.

(b) Such wages shall be paid at such rates notwithstanding any contrary provision or exclusion in The Minimum Wage Act of 1968, relating to labor on a farm.

(c) No employer shall be required to pay wages at a rate greater than that provided for in subsection (a) even if the number of hours worked by any farm worker in any one workweek exceeds 40 hours.

Section 202. Piece Rates.—(a) Notwithstanding the provisions of section 201, an employer of seasonal farm labor may adopt a piece rate or rates, or differential piece rate or rates, as a basis for, or a partial or additional basis for, the compensation of seasonal farm workers in his employment: Provided, That any such piece rate or rates, or differential piece rate or rates, shall yield to each seasonal farm worker in his employment, in each and every workweek, not less than the applicable minimum hourly wage rate which such seasonal farm worker would have received pursuant to the provisions of section 201, in the same workweek.

(b) Every employer of seasonal farm labor who adopts a piece rate or rates, or differential piece rate or rates, as a basis for or a partial or additional basis for the compensation of seasonal farm workers in his employment, shall apply such piece rate or rates to the work done by every minor in his employment in the same manner as such rates are applied to adult workers, and shall compensate such minor at such rates as they are applied to work done by adult workers, subject to the minimum wage provisions of section 201.

Section 203. Employment of Minors.—(a) No minor under 14 years of age shall be required to work or penalized for failure to work as a seasonal farm worker except that this subsection shall not apply to any member of an employer's immediate family.

(b) Every minor between the ages of 14 and 17 years who is employed or permitted to work as a seasonal farm worker, and every employer of such minor, and every school district wherein such minor is so employed, shall be subject to the provisions of the act of May 13, 1915 (P. L. 286, No. 177), known as the “Child Labor Law”; and to the provisions of the act of June 23, 1931 (P. L. 923, No. 309), except that no such minor shall be employed between the hours of seven o'clock in the morning and one hour following the end of the school day on any regular school day of the school district wherein he is then a resident, whether or not such minor is registered as a pupil in such school district.

(c) Notwithstanding any contrary provision of any other law, every person of the age of 17 years or older who is employed as a seasonal farm worker shall be considered an adult for the purposes of this act.

Section 204. Discrimination on Account of Sex Prohibited.—No employer of seasonal farm labor shall discriminate, within the purview of his activities, between workers on the basis of sex by paying wages to workers at a rate less than the rate at which he pays wages to workers of the opposite sex for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions, except where such payment is made pursuant to a system which measures earnings by quantity or quality of production. The Secretary of Labor and Industry shall have the power, and it shall be his duty, to carry out and administer the provisions of this section

pursuant to the act of December 17, 1959 (P. L. 1913, No. 694), known as the "Equal Pay Law."

Section 205. Records Required; Notice to Workers—(a) Every employer of seasonal farm labor, and every farm labor contractor, shall make, keep and preserve such records, including the social security number, of the persons employed by him, or of the persons contracted for or recruited by him, or employed under his supervision, and of the wages, hours, wage rate or rates, piece rate or rates, and other conditions and practices of employment maintained by him, and shall preserve such records for such periods of time, and shall make such reports therefrom as shall be required by Federal law or regulation, and by Commonwealth law or regulation, and by the local taxing body. Such records shall include satisfactory evidence of timely payment of wages, either by receipt signed or by check endorsed by the payee.

(b) Every employer of seasonal farm labor shall furnish to each seasonal farm worker, at the time of payment of wages, salaries, or other compensation for time, or labor, or work performed, a written statement in such manner and in such form as may be prescribed by the Department of Revenue, showing the amount of compensation paid by the employer to the seasonal farm worker, the wage rate or rates, hours worked, piece rate or rates and units of work performed if applicable, the computation of gross compensation, the amounts deducted or withheld for every purpose, and such other information as the Department of Revenue shall prescribe.

Section 206. Wage Payment.—(a) Notwithstanding any contrary provision of the act of July 14, 1961 (P. L. 637, No. 329), known as the "Wage Payment and Collection Law," every employer of seasonal farm labor shall pay directly all wages due to every seasonal farm worker, on account of time, labor or employment in any calendar week, including payment for piece rates, or differential piece rates, excepting only lawful deductions, on regular paydays designated in advance by the employer but in no case more than seven days after the end of such calendar week.

(b) Wages shall be paid in lawful money of the United States or by check.

(c) Notwithstanding any provision of subsection (a), or of any other law, every employer of seasonal farm labor shall pay in full, pursuant to subsection (b), all wages or other compensation for time, labor and employment due and payable to every seasonal farm worker, within 72 hours upon termination of the period of employment for which the seasonal farm worker was employed or before the closing of the seasonal farm labor camp, whichever occurs first.

(d) No employer of seasonal farm labor shall deduct, withdraw, withhold or otherwise retain from the wages of any seasonal farm worker, any amount on account of debts accrued or anticipated, regardless of purpose or circumstance: Provided, That nothing in this subsection shall prohibit any employer of seasonal farm labor from deducting or withholding from any wages paid, such amounts as may be required on account of any tax, or of any Social Security payment, or of dues payable to a recognized labor organization, or of any contribution or voluntary subscription for the support of a charitable organization or institution, or on account of any premium or other charge due from the employee or worker for group insurance pursuant to any contract with any insurance company, or with any nonprofit corporation providing medical, osteopathic, dental or legal services, which the employee or worker has authorized in writing, or of any amount or partial amount of any advance payment by the employer to the employee or worker against subsequent earnings pursuant to a contract or prior agreement with such seasonal farm worker.

(e) No employer of seasonal farm labor shall designate as his agent, or shall permit to act or perform as his agent, with respect to the payment of wages or other compensation, any farm labor contractor or any person engaged in activities as a farm labor contractor; except that this subsection shall not apply to any person, co-partnership, association or corporation which is the holder of a valid and current license pursuant to the act of July 31, 1941 (P. L. 618, No. 261), known as the "Em-

ployment Agency Law." If no such farm labor contractor exists, this requirement shall apply also to the farmer, grower, nurseryman or landowner.

(f) No provision of this section shall be construed to deprive any seasonal farm worker, of any right or privilege to which he is or would be entitled under any general law of the Commonwealth, or by any rules or regulations promulgated pursuant to any such law.

(g) If an employer of seasonal farm workers furnishes a statement to each seasonal farm worker including the wage rate or rates, piece rate or rates and other conditions and practices of employment which have been agreed upon prior to hiring and also posts such statement in an easily accessible place to the seasonal farm workers, then the employer may allow the farm labor contractor to act as his agent.

If the employer decides to allow the farm labor contractor to act as his agent, then for the purposes of section 205(b) and section 206 the farm labor contractor shall be considered to be the employer.

Section 207. Hours of Labor.—(a) No seasonal farm worker, shall be required to work or penalized for failure to work on any premises for more than six days in any one week or more than 48 hours in any one week, or more than ten hours in any one day.

(b) Whenever any seasonal farm worker shall be employed or permitted to work on the premises of more than one employer in any one week or in any one day, the aggregate number of hours during which he shall be required to work on such premises shall not exceed 48 in any one week or ten in any one day.

(c) No seasonal farm worker shall be required to work for more than five hours continuously on any premises without a meal or rest period of at least 30 minutes, which period shall not be considered a part of the hours of labor, and no period of less than 30 minutes shall be deemed to interrupt a continuous period of work.

ARTICLE III

Regulations and Inspections

Section 301. Rules and Regulations.—(a) The secretary, subject to the prior comment of the Seasonal Farm Labor Committee established in subsection (b), shall adopt, amend and repeal such rules and regulations as he deems necessary for carrying out the functions of the Department of Environmental Resources under this act. The Seasonal Farm Labor Committee shall submit comments on existing rules and regulations to the secretary and the Environmental Quality Board.

(b) There is hereby established in the Department of Environmental Resources a Seasonal Farm Labor Committee consisting of the Secretary of Environmental Resources or his designee, who shall be chairman, the Secretary of Agriculture or his designee, the Secretary of Labor and Industry or his designee and six persons appointed by the Governor for terms of four years, three of whom shall be selected from lists submitted by grower organizations and shall be employers of seasonal farm labor or persons with experience in using seasonal farm labor for agricultural purposes, and three of whom shall be representatives of Statewide organizations or agencies actively engaged in the welfare of seasonal farm workers. Of the members first appointed, one shall serve one year, one shall serve two years, two shall serve three years and two shall serve four years. The public members shall be reimbursed for necessary expenses incurred in performing their duties under this section.

(c) The Environmental Quality Board shall have no power to adopt rules or regulations for seasonal farm labor or labor camps except after receiving written comments on the proposed rules or regulations from the Seasonal Farm Labor Committee which shall be submitted to the Environmental Quality Board no later than 30 days after receipt of the proposed change in the rules or regulations from the secretary. The chairman of the Seasonal Farm Labor Committee shall call a meeting of the committee whenever rules or regulations are proposed. Existing rules and regulations shall continue until modified, superseded or repealed by the secretary under this section.

Section 302. Inspections and Entry.—(a) Each seasonal

farm labor camp shall be inspected by the Department of Environmental Resources from time to time. Inspectors shall be authorized to consult with and to assist camp owners and operators with respect to the requirements of this act, of rules and regulations issued pursuant to this act, and of other statutes and ordinances. Inspectors shall ascertain and report to the department all violations of this act or of rules and regulations issued thereunder, or of any other act, rules or regulations apparent in the course of any inspection. The inspector shall provide the camp owner with a copy of the inspection sheet immediately following the inspection.

(b) The secretary, and his authorized officers and agents, upon proper identification, may for the purposes of this act:

(1) enter public or private property to determine whether there exists any camp to which this act applies;

(2) enter and inspect all camps wheresoever situate, and inspect all sites, accommodations, equipment or facilities associated therewith; and

(3) enter and inspect the land adjacent to any camp, excluding that reserved solely for the owner's personal use, to determine whether the requirements of this act, or of any rules and regulations issued pursuant to this or any other act, are being complied with.

ARTICLE IV

Access and Entry

Section 401. Privileged Persons.—The entry to, or egress from the premises of any seasonal farm labor camp shall not be denied by any means, nor shall any person attempt to deny or to limit the access to or egress from any seasonal farm labor camp at any time; to (i) any inspector employed by any department, board, agency, bureau, commission or service of the Government of the United States, or of the Commonwealth of Pennsylvania, or of any local government, or the executive or administrative officer of any such department, board, agency, bureau, commission or service, or his duly authorized representative while on official governmental business who shall, upon request, present proper identification; or (ii) to guests of seasonal farm workers, persons working under the auspices of private organizations whose primary objective is the health, safety, welfare or dignity of seasonal farm workers or any individual, group or public agency whose primary purpose is to provide a service to the owner of a seasonal farm labor camp, provided, that the presence of such individuals or groups is requested or approved by the occupants of the farm labor camps and the owner is properly notified.

ARTICLE V

Construction, Repeals, Penalties, Effective Date

Section 501. Administrative Procedure.—The act of June 4, 1945 (P. L. 1388, No. 442), known as the "Administrative Agency Law," shall be applicable in its entirety to the Department of Labor and Industry with reference to Article II, and to the Department of Environmental Resources with reference to Article III, in the administration of this act.

Section 502. Saving Provision.—The provisions of this act shall not affect any act done, liability incurred, or right accrued or vested, or affect any suit or prosecution pending to enforce any right or penalty or punish any offense under the authority of any act of Assembly, or part thereof, repealed by this act.

Section 503. Continuation of Regulations.—Any orders and regulations promulgated under any law affected by this act and in effect on the effective date of this act and not in conflict with it shall continue in effect until modified, superseded or repealed.

Section 504. Pending Proceedings.—Prosecution for any violation of law occurring prior to the effective date of this act is not affected or abated by this act. Injunctive proceedings commenced prior to the effective date of this act are not affected by this act. All administrative proceedings pending under prior laws which are superseded by this act shall be continued and brought to a

final determination in accord with the laws and rules in effect prior to the effective date of this act. This act applies to violations of law, injunctive proceedings, administrative proceedings and investigations which occur following its effective date.

Section 505. Repeals.—All acts and parts of acts inconsistent herewith are repealed to the extent of such inconsistency, provided that nothing in this act shall be construed to repeal or modify the powers and duties of any agency of the Commonwealth pursuant to section 9 of the act of May 18, 1937 (P. L. 654, No. 174), entitled, as amended, "An act to provide for the safety and to protect the health and morals of persons while employed; prescribing certain regulations and restrictions concerning places where persons are employed, and the equipment, apparatus, materials, devices and machinery used therein; prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act; and fixing penalties."

Section 506. Penalties.—Whoever violates any provision of any section of this act, shall, for the first offense in a summary proceeding, be sentenced to pay a fine of not more than \$50 and cost of prosecution or to undergo imprisonment for not more than ten days, and for a second or subsequent offense within one year, shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not more than \$500 or to undergo imprisonment not exceeding six months or both. For the purposes of this section violations occurring for 15 consecutive days shall be considered one offense.

Section 507. Effective Date.—This act shall take effect 90 days after its approval.

On the question,

Will the House agree to the amendments?

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

Mr. SHELHAMER. Thank you, Mr. Speaker.

Mr. Speaker, House bill No. 1198 in its present form is totally unacceptable to the agricultural people of Pennsylvania. It embodies several features that are very controversial and very costly to food production: the matter of the portal to portal clause, the inclusion of all labor in Pennsylvania and, of course, the high penalties.

For that reason I have offered amendments that would in fact replace House bill No. 1198 and would change the contents of that to what is in fact a real migrant labor bill. The original form of House bill No. 1198 would cover all Pennsylvania seasonal labor, both that labor that resides within Pennsylvania at the present time and that which is known as migrant labor. In changing that we would use the basic vehicle that came out of the Senate last year, the vehicle that was approved in that body and we feel has the best chance of passage.

I would like to cover very briefly what the basis of our amendment would do in order to remind the members who were here last year and for those who are new and are not aware of what House bill No. 1019 does do. First off, the amendment would cover and would identify and define what a farm labor contractor is and would specify that all people who hire more than five seasonal employes a year would, of course, be covered by the act. It would define a seasonal farm laborer or a farm labor camp, and so forth. It would also set forth the minimum wage that is now paid in Pennsylvania as the prevailing wage that will have to be paid. It would also stipulate that no overtime, of course, would be paid, but would require where piece rate is in fact the way that most of these people are hired, but that piece rate must in fact meet at least a minimum daily wage that

would be required in Pennsylvania. It would require that records be kept and that notices of these records be provided to the employes as well as records would have to be kept for both the Federal, state and local governments.

It would also require that prior to the employment of a seasonal farm worker that that farm worker would have to be given a notice—in fact, a written notice—of what the terms of his employment were going to be; that is, prior to his employment he would have to be given notice of how much he is going to be paid and who is going to receive the money if there are any check-offs and, if so, what they are for. They require that prior to his employment, and it would also require that a notice, a written notice of this, be posted in a prominent place that would be accessible to the seasonal worker. It would require that he not be required to work more than six days in any one week nor more than 48 hours in one week, nor more than 10 hours in any one day nor more than 5 hours continuously without at least a half-an-hour rest period. It would establish a board called the seasonal farm laborers committee that would promulgate rules and regulations that would be made up of the following people: The Secretary of Environmental Resources, the Secretary of Agriculture, the Secretary of Labor and Industry, and six people who were proposed by the Governor, three of whom would have to be growers who have had experience with seasonal farm workers and three would have to be members of the statewide organization of health and welfare of seasonable laborers at heart.

It would also mandate open access to these camps to any inspector of any governmental department, regardless of what level of that, in again either the Federal, state or local level, and, of course, lastly, it would lower the penalties that were originally in that bill. The original penalties for any infraction that might happen could have gone as high under House bill No. 1198 as \$500 the first time, and we lower them to a regular misdemeanor at \$50 or ten days in jail, and on second or subsequent offenses up to \$500 or 6 months.

Mr. Speaker, I would hope that the members of the House would support this version of this amendment. What this will allow you to do is to go out of this session this year knowing that we have truly passed a seasonal farm worker's bill, and that is what this does. This defines what a seasonal farm worker is and would, in fact, be out for only those people who come into our state from outside of the area. It would not affect those people who are already in the states. It will give you an opportunity to go home voting for this and yet not completely destroy the agricultural community. I would ask for an affirmative vote on this amendment.

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

Mr. GALLAGHER. Mr. Speaker, I rise to oppose Mr. Shelhamer's amendments for many reasons. First, the amendment he offers is not similar to Senate bill No. 1019 of last year. Secondly, on the item that he has spoken of relative, for example, to the minimum wage, he states that his amendment would include the Minimum Wage Act of 1968. You will recall that last year, in 1974, we adopted the new minimum wage in Pennsylvania and at that time those of you who were here

can recall the debate on including the seasonal migrant worker. That amendment that I offered at that time was rejected, and the minimum wage as it is now in Pennsylvania exempts the seasonal and migrant workers.

Next, his amendment would require the payment by the farmer or the farm labor contractor to the employes of the seasonal worker or the migrant worker—which ever you want to call them—when they leave their employment and they would only have to pay them within 72 hours after their employment ceases. It is very difficult after the employment ceases and they are no longer on the grounds, they are no longer on the farms, for them to be paid when they cease employment.

Next is that in the bill as is before us we have no section that deals with housing, and it is deleted because it is unnecessary at the present time. His amendment goes further in prohibiting true access and entry to existing camps on any farm land.

It says that the guest of the farm worker can only go to the farmland, to the camp, to visit his friends if he has the approval of the farm worker, and that the owner is properly notified. So it is very difficult for a person to call a farm worker in a farm camp to ask to see him and then at the same time to notify the farmer that they are going to visit.

The bill that is before us does set the minimum wage; that is, the present minimum wage in Pennsylvania which we adopted last year, in 1974. It says \$1.80 an hour, which is what most of the farmers are paying now. If they pay it by the hour or if they pay it by piece rate, it is within the \$1.80 an hour.

The amendment that Mr. Shelhamer has offered, very seriously, cuts out all daily workers, what we call daily-haul workers. In the Philadelphia area, in Bucks County area and suburbia—Montgomery, Delaware and Chester—there are seasonal workers who are daily seasonal workers who live basically at their homes and go to the farm by bus and then come back that night. We have a great number of them in that suburban area and in Philadelphia. The seasonal work-farm force would be exempt.

Just on these items, I would very strongly oppose these amendments and would suggest that the members vote "no."

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

Mr. WHELAN. Mr. Speaker, I rise in support of the Shelhamer amendment. I think that any one in this House recognizes that for sometime the migrant laborer has suffered by abuses of some farm owners. However, I think at the same time the small farmer must be protected. I cite to you an example that despite the fact that gross income rose last year for the dairy farmers, they had a 7-percent increase in their costs and a 7-percent decrease in their gross profit.

Now these 3,000 migrant farm workers who come into the Commonwealth each year should certainly be protected, and I think that Mr. Shelhamer's amendment does protect them and that it gives us a bill that both labor and the small farmer can live with.

In the case of our farms, as you know, they have continued to be reduced over the years, yet they contribute \$1.4 billion in total sales to the economy of this state.

There is a serious question that if the original bill

were to be passed that marginal crops would not be harvested because under that provision it requires a time-and-a-half payment over 40 hours, and these crops would just not be harvested if they are in marginal areas and very possibly would be put into grains or other areas that do not require laborers.

In conclusion, I think that this is a bill, as amended by Mr. Shelhamer's amendment, that could be lived with both by labor and the farmer and could protect migrants throughout the Commonwealth. I urge the full support of the membership on the Shelhamer amendment.

Thank you.

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

Mr. WEIDNER. Thank you, Mr. Speaker.

I support the Shelhamer amendment, Mr. Speaker, as I feel for the reasons stated by Mr. Whelan that the farmer will be suffering hardships with this bill. These amendments will improve a bad bill. I ask for an affirmative vote on the amendment.

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

Mr. MORRIS. Thank you, Mr. Speaker.

I also support these amendments. I would reiterate some of the things that Mr. Whelan and Mr. Weidner have said.

Now one of the chief problems for me in this particular legislation comes under the definition of a seasonal farm worker. One of the great virtues of Mr. Shelhamer's amendment is an added phrase which further defines and limits the term "seasonal farm worker."

Now the definition of seasonal farm worker in the bill is found on pages 3 and 4. I call to the attention of the members of the House the following language at the end of that definition. Such a worker is anybody who really works on any kind of a farm and who is employed ". . . on a seasonal or other temporary basis." That is extremely all-inclusive language. I do not know what it means by "other temporary basis."

Now there are many, many farmers in this state, by far the majority, who do not employ migrant labor and who do not employ seasonal farm labor in the sense of migrant laborers, but who would be included under the bill as it now reads, in my opinion as a lawyer reading the plain meaning of this bill.

For example, farmers in the summertime need additional help with their hay and other such matters. At all times in the year, most dairy farmers will employ a young fellow, boy, someone like that to help with the milking and other simple tasks. These will not be regular workers working every day of the week. They will be people who may work on the weekend for a few hours or possibly after school for a few hours, and the same thing applies in the summer.

In my opinion, this bill would include those people as seasonal farm workers, which would make an almost impossible situation to the average dairy farmer.

Now, the virtue of Mr. Shelhamer's amendment on this score is that it adds the following phrase ". . . if he performs agricultural labor . . . except those persons who commute daily from their permanent residence to the farm on which they are employed."

I think this is an extremely important addition to the bill which will protect almost all the farmers in the

Commonwealth from some very severe hardships which could otherwise arise under this bill. I urge the support of this amendment.

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

Mr. GALLAGHER. Mr. Speaker, will Mr. Morris consent to interrogation, please?

The SPEAKER. Will the gentleman from Chester, Mr. Morris, consent to interrogation, please?

Mr. MORRIS. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. GALLAGHER. Mr. Speaker, you speak of page 3 and page 4 of House bill No. 1198 as it deals with the definition of seasonal farm worker?

Mr. MORRIS. That is correct.

Mr. GALLAGHER. You say that you are concerned about the language on page 4 where it says in lines 2 and 3, ". . . on a seasonal or other temporary basis." You are concerned about the "temporary basis"?

Mr. MORRIS. I am.

Mr. GALLAGHER. If you will look at Mr. Shelhamer's amendment on page 3, you will find the same language that he has written in there indicating that ". . . if he performs agricultural labor on a seasonal or other temporary basis . . ." Are you not concerned about that language also?

Mr. MORRIS. No, because of the additional language in Mr. Shelhamer's amendment that I just quoted which makes an exception.

Mr. GALLAGHER. Pardon me?

He makes an exception for those persons who commute daily from their permanent residence. He does not make an exception for those who live in the camp.

So I think that you are probably misguided by the language on the amendment. If you are concerned about the language in the bill, you should be as concerned about the language in the amendment.

Mr. MORRIS. The average dairy farmer or other farmer in this state is not involved in camps.

Naturally I supported Senate bill No. 1019 in the last session. As you know, Mr. Speaker, there were two of us who voted to bring that out of committee.

I have no quarrel with the material in this bill which deals with migrant labor camps and all the rest of it. There certainly have been very serious abuses particularly on the part of the labor contractors and the crew bosses.

What I am interested in is protecting the ordinary farmer in other fields of agriculture, and I say "ordinary" because they make up the vast majority of farmers in this state from being included in the provisions of this bill.

Now maybe Mr. Shelhamer's amendment could be improved by taking out the word "daily." I will ask him in a minute on interrogation what he means by "daily." But in the meantime I will ask you one question to get some intent into this bill, if possible. What is meant by the words, "or other temporary basis"?

Mr. GALLAGHER. Now, Mr. Speaker, that means it has to do with seasonal and other temporary basis.

Mr. MORRIS. Yes, I am aware of that; I see it in the bill.

Mr. GALLAGHER. I am glad you are aware of it; I am trying to let everybody else be aware of it also.

"Seasonal" means to the farmers and to agriculture

when the crops are to be picked. It has nothing to do with dairy because the cow has to be milked every day. So that is not seasonal.

And "any other temporary basis" is if the farmer in agriculture finds that he needs temporary, seasonal workers, if his crops decide on their own that they are going to be picked, that is nature that makes that decision and the farmer helps nature, but it has to be when they are ready to be picked, and that is what temporary basis is all about as well as the seasonal language. And I think, as a lawyer, you could readily understand we are not talking about when you as a dairy farmer all of a sudden need your cow milked Sunday morning and you do not have anybody. You do it yourself or you have to get somebody. That is not seasonal under the definition of temporary basis. It would not be included. If you need only one person, you are not included; you have to have five or more people. So I think you are a little misled by the amendments Mr. Shelhamer has offered and misled by what you read into the word "temporary basis."

Mr. MORRIS. Well, I would like to believe you are right, Mr. Speaker.

Mr. GALLAGHER. Thank you.

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

Mr. DeVERTER. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the Shelhamer amendment and I do so for a variety of reasons, and I will attempt to be very brief.

As many of you know, in this House last session we toured those migrant-labor camps, both those that were occupied and those that were unoccupied during the growing season. And I suspect there were complaints on both sides, both from the farmer and from the migrant worker, but the one thing that came through all of the conversations that we had both with the worker and with the farmer was, why cannot government keep its nose out of our business? And that, as I say, came from both sides.

As we toured those camps we found that the farmer and the worker were both willing to share what they were earning and how they were living. They were living better than they live in any other state except New York. Pennsylvania and New York, I guess, are pretty much tied together as to their living conditions. As to their wages, I saw paychecks that would tend to make you believe that perhaps they worked in a major industry some place.

I guess the biggest complaint that the migrant worker had was, why cannot someone keep his nose out of our business? This is the way we live and the way we want to live or we would not be doing it. And once again, we are bent on providing rules and regulations that these people do not want and that the farmer does not want.

Their living conditions and the things that are now offered by this Commonwealth to the migrant worker, especially those outside the Commonwealth, are far superior to those of any other state except New York, and I just do not believe that the way House bill No. 1198 is presently written it is going to provide us with what we want, and that is, a farmer who makes a fair living, provides a fair income to these people, and as a result gives us food at a price we can afford to pay. Now if you want to see the price of food escalate, then reject the Shelhamer amendment. Even with it, I am not so sure

that prices are not going to escalate to some great degree. But I feel, Mr. Speaker, that when we look at this, this is what we have to look at, and that is, what the ultimate price tag is going to be for the food and for the conditions that we in this country and this state live under. As I say, I support the Shelhamer amendment and I would suggest that the members do also. Thank you.

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

Mr. ZELLER. Mr. Speaker, I was part of that committee last year that investigated these camps, and this was not a new venture since, serving on the Lehigh Valley Community Action as a director and the Office of Economic Opportunity Program for several years, this was one of our targets, and for years we visited camps in our area and we saw terrible conditions. We saw conditions of people living in animal stalls and things like that which we corrected. We got them to the condition where, under the Department of Environmental Resources on Federal Regulation Day, exactly as Mr. DeVerter stated, they are living in tremendously, I should say, well-controlled and well-conditioned conditions, meaning this, that in many areas they were living better than I live, and I say this sincerely because in regard to the regulations of the electrical end of it, the average person would not believe what they ask for, even electrically, in those areas, that I do not have in my own home, and I happen to be in that field all my life.

So I am saying that under the present House bill No. 1198, if you look at pages 18 and 19, under access and entry, I visited schools and churches from Harrisburg east, not only last year but before, and I talked to these young people who are very concerned; I talked to many of these so-called bleeding hearts, some of these individuals who read about all these so-called bad conditions and that they get from other bleeding hearts, and then they run out there real quick, in good faith, concerned, and then under this so-called access and entry section, they come in and they actually disrupt these camps. They disrupt the individuals in their production areas; they disrupt them in the kind of activities they like. They enjoy certain activities that other people do not understand.

If you were to come into a camp on a Monday morning, you would think an earthquake hit it, but on Tuesday it looks good because this is the way they live; they do not want anybody bothering them. They live a real happy life, many of them do, and they enjoy it and they want it this way. And the owner of the camp does not mind it because this is the way people live. They enjoy it.

So what we are doing here is, we are disrupting a way of life for people who enjoy this and they do not want outside interference.

You talk about minimum wage. These people were really torn apart on the minimum wage area because they said that if it is mandated that they had to receive a minimum wage—which this has been changed; thank the Lord—that they receive much more than the minimum wage. They do not want anybody rocking the boat in that area. They make out real good. As a matter of fact, as Mr. DeVerter said, we saw some of these checks and they were doing very, very well.

Now I feel that since Mr. Morris made a statement to the effect that two of us worked to get this bill out of

committee, I should state that I was the other individual, and Mr. Gallagher agreed with House bill No. 1019 at that time. He was in agreement with it, and we tried to get the bill out, and there were those at that time who did not want it out.

Now let us get back to House bill No. 1019 because I feel House bill No. 1198 has gone far afield; it has gone too far now. It reminds me of the State of California trying to run Pennsylvania. Let California run their own problems; Pennsylvania will run theirs.

It seems to me we have an insertion here that has been brought in by a group of people from California who are trying to run Pennsylvania. I think it is about time we tell them too where the bear took a walk and what we will do is, we will run our own show here, and I feel that for the benefit of our public as well as the migrant workers that we are going to lose migrant workers in Pennsylvania because the farmer is going to go mechanized. He will try to get around it because he has to beat competition, and therefore he will go mechanized and you will not have migrant workers.

These people, I do not know what they are going to do; they are going to go back on welfare. Now these people are trying to do a job, and I admire them. These were fine people we talked to, and these people are trying to pull up their dignity; they are trying to work for a living, and what we are doing is that we are ruining them. So let us go back to Senate bill No. 1019 as Mr. Shelhamer is trying to do and let us do justice to these people.

Thank you.

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

Mr. CAPUTO. Mr. Speaker, will the gentleman, Mr. Shelhamer, agree to be questioned?

The SPEAKER. Will the gentleman from Columbia, Mr. Shelhamer, consent to interrogation?

Mr. SHELHAMER. I will.

Mr. CAPUTO. Mr. Speaker, does your amendment distinguish between the true migrant worker, that is, a person whose roots are in some other state, and a farm worker who lives and resides in Pennsylvania and perhaps commutes to work each day?

Mr. SHELHAMER. Yes, Mr. Speaker. If you will look on page 3, under the termination "Seasonal farm worker," we spell it out this way, ". . . except those persons who commute daily from their permanent residence to the farm from which they are employed."

Mr. CAPUTO. Mr. Speaker, would not the Pennsylvania residents who work seasonally in the farms be entitled to workmen's compensation at the end of their tours of duty?

As you distinguish between a migrant worker, you determine that migrant workers are only those who live in another state and come in and live in the camps for the purpose of working on a farm. I understand they would be exempt from many rights under the workmen's compensation law. Is that correct?

Mr. SHELHAMER. We are not talking about the workmen's compensation law here, Mr. Speaker; we are talking about the law of what benefits those people who are migrants will come in here and receive.

Mr. CAPUTO. Well, they would get paid while they were here, but they could not go and get unemployment compensation after they were through. Is that right?

Mr. SHELHAMER. That is right.

Mr. CAPUTO. All right.

Now you have now divided those people whose roots are in other states from Pennsylvania residents who take a job working on a farm on a daily basis. Are those not Pennsylvania residents, when they are laid off by a farmer, entitled to unemployment compensation?

Mr. SHELHAMER. No, Mr. Speaker, they are not.

Mr. CAPUTO. Can you explain why?

Mr. SHELHAMER. Because they are not presently covered by that area of the act which provides unemployment compensation for other than agricultural workers. They are already exempt under the act.

Mr. CAPUTO. I understand that that is your interpretation.

Is there anything in the bill or is there anything that could be put into the bill that could eliminate them from the rights that all Pennsylvania residents are entitled to under the unemployment laws?

Mr. SHELHAMER. No, Mr. Speaker, because this bill does not speak to the Unemployment Compensation Act neither for the seasonal nor for the permanent residents at home. It has nothing to do with that.

Mr. CAPUTO. Thank you, Mr. Speaker.

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

Mr. RENNINGER. Mr. Speaker, I would like to ask Mr. Shelhamer a question or two.

The SPEAKER. Will the gentleman from Columbia, Mr. Shelhamer, consent to interrogation?

Mr. SHELHAMER. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. RENNINGER. Mr. Speaker, I was comparing or trying to compare very hastily your amendments and House bill No. 1198 as reported from committee and I note a definition in your preamble of farm labor contractors, and then I looked through your amendments and I find no real reference to them. But I notice in the bill, in article II, as reported from committee, there is "Registration of Farm Labor Contractors." Is there some reason why that was taken out of the amendments, and I am confused as to why?

Mr. SHELHAMER. I am sorry, Mr. Speaker, I cannot hear the gentleman's question.

Mr. RENNINGER. I will rephrase the question, Mr. Speaker, and can you hear me?

Mr. SHELHAMER. Yes.

Mr. RENNINGER. I do not understand why in the preamble or the definitional section of your amendments you refer to farm labor contractors with a rather expanded definition, as Mr. Gallagher does in the main bill that was reported from committee, but I do not find in the body of your amendments any registration requirement for the farm labor contractor. I wanted to know why that was taken out. I am really confused as to why.

Mr. SHELHAMER. The original thing was never in Senate bill No. 1019. The farm labor contractor is actually the crew leader.

Mr. RENNINGER. Right.

Mr. SHELHAMER. The crew leader is already required to be registered under another law.

Mr. RENNINGER. Under present law?

Mr. SHELHAMER. Under present law.

Mr. RENNINGER. The reason I raised the question is,

I feel that whichever one of these bills gets to be law, that is where at least we started on the problem and I think that is where the threat is and that was my understanding.

Then, Mr. Speaker, I would like to make a brief comment on the minimum wage provision in both pieces of legislation.

The SPEAKER. The Chair recognizes the gentleman.

Mr. RENNINGER. I would suggest that the minimum wage be tied to the act as it is amended from time to time, so that when you deal with the minimum wage of this Commonwealth, you talk about all the people who are involved in the wage structure and not have somebody being tied to a 1968 level and somebody else to a 1973 level. I think that is irresponsible for this House to do that.

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

Mr. MORRIS. Mr. Speaker, I think you unintentionally cut me off before I finished the last time when I was good enough to yield. I just do not want anybody in this House to be under the misapprehension that I agree with Mr. Gallagher's interpretation of the words in his bill defining seasonal farm labor because I do not.

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

Mr. GALLAGHER. Mr. Speaker, we have heard discussions and support of Mr. Shelhamer's amendment. We heard Mr. DeVerter and Mr. Zeller talking about our visitations to the camps, and I was with the gentleman and the Agricultural Committee who went to the camps. Mr. DeVerter and Mr. Zeller indicated, and rightfully so, that the complaints that we received were about the Department of Environmental Resources and their applying their authority to cleaning up the camps and the housing. House bill No. 1198 does not deal with this at all; it deals directly with the seasonal farm workers and the seasonal farm contractors and the farmers. We do not deal with housing in this bill at all.

Secondly, we did find out some of the serious problems at the camps which are spoken to in House bill No. 1198. We find that we need the registration of the farm labor contractor or the "crew leader." We need them to be registered and if the farmer deals with the "crew leader" or the farm labor contractor, we have to set the regulation as to what he is supposed to do. For example, he is supposed to have the social security number of every worker, and that has many ramifications, just having the social security numbers. A lot of people are concerned—and I heard this at the camps in Columbia County, Adams County and Lackawanna County, where last year when we went—and the allegations were that some of these workers do this and also collect welfare checks. The only way that that can be stopped is if we have an identification of the social security numbers. How else can we find it unless the farm contractor or the "crew leader" and or the farmer writes down the social security number, applies that properly as any other businessman would do so that we can find out where that worker is going? Seasonal workers are not necessarily only those who come from Florida, Georgia, Mississippi and Alabama, but our seasonal workers within the state who move from county to county and live on the camps. So there is a good reason why we need the registration of

the farm labor contractors or the "crew leader" and we need the rules and regulations of what the farmer will do as a businessman.

We have found over the last couple of years what a farmer does with a farm labor contractor or a crew leader. He will make an arrangement to have his crops picked and pay the farm labor contractor or the crew leader, let us say, 26 cents for a basket of tomatoes and that crew leader will pay his workers 12 cents a basket. So there is the difference from what the farmer is paying to have done and what the worker gets to do it. Now if the farmer does not want to deal with crew leaders or farm labor contractors, he can recruit people himself and save himself 12 cents a basket, which would cost him less than 12 cents to keep the records and keep things in order.

I think that there is much more involved here. As Mr. Renninger indicated when we talk about the minimum wage, this amendment does not deal with the minimum wage in Pennsylvania. It refers to the Act of 1968, but not as amended. So it would not put them under the \$1.80 per hour; it would not put them under the same section for price rates per each piece rate rather than price rates. Each piece that they are paid for under House bill No. 1198 would actually come up to the minimum wage.

Under these circumstances, Mr. Speaker, I urge that the members vote "no" on this amendment.

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

Mr. DeVERTER. Thank you, Mr. Speaker. I will be brief.

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

Mr. GALLAGHER. I will, Mr. Speaker.

Mr. DeVERTER. Mr. Speaker, during that tour, at any point did you receive complaints from the seasonal worker as to the arrangements that were made between the farmer and the crew leader or the contractor?

Mr. GALLAGHER. Yes. I did receive complaints from the farm migrant worker.

Mr. DeVERTER. At what camp, sir?

Mr. GALLAGHER. Well, let us say at the Fred Atkin and Paul Moyer camp; that was the second camp we visited in Columbia County and it was run by two farmers. I have the report in front of me, but what I remember is not in my mind; it was written when we came back. There are problems there and the problems were the way they were getting paid, the way the crew leaders were paying them. If you recall, a crew leader was on WCAU television and it was taped. His name was Leroy Thomas, and he indicated that he bought beer, cigarettes, et cetera, for the workers and charged them a service fee. The crew leader was licensed, but his son is the person who actually keeps the migrants under control, so to speak. This is some of that language which is coming from the workers themselves. Some of the workers told me, and I think told all of us or some of us there at that camp, that when they finish their seasonal work they still owe Leroy Thomas money. These are some of the complaints that we did receive from the workers themselves.

Mr. DeVERTER. Is this due to the fact, Mr. Speaker, that many of these workers request their crew leader to do this by virtue of the fact that they do not have easy

access to a community where they can purchase their daily needs, whatever it might happen to be?

Mr. GALLAGHER. No, that is not correct that they did not have access to the towns per se. In this particular case the crew leader made the arrangements with the workers, saying that I am going to go and get this food and beer and the cigarettes for you. In another camp in Lackawanna County, the farmer there told us that he would make sure that they pay them by check and that he would take them into town and get their checks cashed. So there was no problem and it was not a normal happening; it was something the crew leader found to the best of his advantage in order to pick additional money besides what else he rips off the worker. He was going to rip it off more for food, clothing, booze and cigarettes. You know that as well as I do.

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

Mr. DeVERTER. Thank you, Mr. Speaker.

Mr. Speaker, the gentleman may be partially correct, but in most instances and the ones he is speaking about, I am sure, are quite isolated, because most of us did interrogate the migrant workers to a great extent. Most of the time, the agreement between the crew leader and the worker was a mutual one in which the worker could go to him and, while they were in the fields, he would be able to serve their daily needs and get the things in town that he needed. I cannot believe that he is accurate in saying that this is the case in all instances. I believe it would be erroneous to have the record to show it to be.

With respect to what you said, Mr. Speaker, in regard to the bill not dealing with the conditions under which the migrant worker lives, I believe that is not true, because by virtue of granting the department and anybody, any group or organization, the right to free access to that farmer's land or to those quarters where those people live, I believe is not in the best interest of the worker.

The worker, in his expressions to me at least, indicated that he would like to be left alone and that whatever he so chooses to do with the money he earns, that is his right as well. He felt, further, that if he wanted to get his paycheck on a Thursday or Friday and blow it until Sunday, that was his right as well. Although the farmer usually took the beating because on Monday and Tuesday, sometimes, he was not fit or capable to work.

Now to say that we are not dealing with every aspect of it, I think is quite inaccurate and I just do not know how we can let that stand on the record.

Thank you.

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

Mr. GALLAGHER. Will the gentleman from Mifflin, Mr. DeVerter, consent to interrogation?

The SPEAKER. Will the gentleman from Mifflin, Mr. DeVerter, consent to interrogation?

Mr. DeVERTER. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. GALLAGHER. Mr. Speaker, you indicated that House bill No. 1198 gives too much access to the departmental people. Is that correct, Mr. Speaker?

Mr. DeVERTER. Well, it does. I think any right to access to free property, Mr. Speaker, we should be staying out of in government. I think we have gone too far as

it is. To permit anyone or any group to just be able to do pretty much what they want to do as far as a man's property is concerned, government has stuck its nose in too far in this respect, and we are doing it more here.

Mr. GALLAGHER. I again say to you, Mr. Speaker: Did you say to the members here that House bill No. 1198 gives access to departmental heads or departmental people? And you indicated, I think, the farmer and even the worker does not want all these people milling around their camps. Is that correct?

Mr. DeVERTER. That is correct.

Mr. GALLAGHER. Well, did you read Mr. Shelhamer's amendment on page 7?

Mr. DeVERTER. That is correct, but it also provides conditions under which those people will have that right to egress on that property.

Mr. GALLAGHER. No; it does not.

Mr. DeVERTER. Oh, yes, it does, for property owners.

Mr. GALLAGHER. It does not give any regulations. All they have to do, when requested, is present identification. It does set the regulations for guests to visit the worker.

Mr. DeVERTER. That is what I am specifically speaking about.

Mr. GALLAGHER. Well, you were talking about any department head or a departmental person, like the nurses who go to the camp.

Mr. DeVERTER. Well, Mr. Speaker, I would think that any attempt to repeal the department's rights to inspect those camps would be a futile one, although I would like to see it occur.

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

Mr. SHELHAMER. Thank you, Mr. Speaker.

Mr. Speaker, I would like to correct a couple misstatements of the gentleman, Mr. Gallagher, who had, I am sure inadvertently, misunderstood the conversation of Mr. DeVerter. He would have the House believe that the farmer has little heart for those people whom he hires and that he treats them as chattel or as cattle or without some feeling.

I was on the same investigating tour that he was on and I am sure that I understood it completely differently from what he relates to the House. The question that Mr. DeVerter asked him was: "Do you have any complaints?" The gentleman from Bucks said, "Yes."

I do not know and cannot remember, Mr. Gallagher, in the camp that you mentioned, of any complaints. Let me refresh your memory so that this House might know what did happen. The question was this from Mr. Gallagher or from a newsman to the crew leader: "Have you ever purchased their stuff or other things for the people from the camp?" The answer was in the affirmative: "Yes, I have." The second question was: "Did you charge them any extra money over what you paid for it?" The answer again was "Yes." It was not a complaint from the workers. As the crew leader told you, "I have to go into town and get that stuff. Yes, I charge a very small amount of money for going in and getting it." But that was not in the manner of a complaint from the workers.

I think the members of this House should be openly advised on that and not be misled that that was a complaint. The workers were making no complaint. They

were satisfied with the arrangement that they had in having this stuff delivered to them and for paying the fee.

Let us look at some of the other things that Mr. Gallagher has pointed out to you that are not correct. He points out the fact that the amendment is substantially changed. It is not substantially changed, Mr. Speaker, and if you have read it closely with House bill No. 1019, you would know that.

Let us look at a couple of things he has pointed to that are substantially different.

He says that they do not have to be paid immediately, that they must wait 72 hours before a migrant laborer or seasonal worker must be paid. If he had told the whole story, the amendment says this, that when the work is terminated, Mr. Speaker, at the end of the season, then there are two options; not one, but two. The first option is: What happens if you work in a factory and your work is terminated? You are not paid on the spot. You are not paid until a week later. What this amendment says is, you must be paid within 72 hours or immediately if there is a closing of the camp. Which means if you have got to wait 72 hours for your money, you may stay in the camp for free. There is no hardship upon the seasonal farm laborer in that case. In fact, he is treated far better than the average guy who lives in our own communities and commutes back and forth to work.

Let us look at another one of the sections that he has substantially tried to mislead this House on, that is, the matter of access or egress. What the amendment says is that any government official, any official, who wants to go to these camps has open access at any time.

But on that same tour, if the gentleman will refresh his mind, we had substantial criticism from groups who evidently felt they had the welfare of the migrants at heart. One of the examples is a local cult or religious group who insisted upon going into these migrant labor camps trying to evangelize them. That same camp had their own minister with them. Their point was: We do not want the people coming in here and bothering us. They are uninvited and yet we must put up with this sort of thing. They objected to that.

What this amendment says is that anyone can come whom they want to invite. But unless they are a government official, they must be invited. That is clearly spelled out in the amendment.

Mr. Speaker, what we are trying to do is bring some sense and reason into this particular area. We believe that the amendment we have offered will do that. We would ask for an affirmative vote on that amendment.

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

Mr. GALLAGHER. Mr. Speaker, I do not want to prolong this debate, but, Mr. Speaker, the statements I made relative to the crew leader, Leroy Thomas, was what he said publicly. The complaints I received at that very camp were from the workers themselves. It was not just what Mr. Leroy Thomas said. It was the other things that the crew leader does and does not do for them. So I was not inferring that the complaint I got was from Leroy Thomas. He gave that to everybody and he did it on TV, and that was not what I said. I am sorry you did not hear it correctly. I am not trying to mislead this group in this audience as to what I saw, because it is not in my memory; it is what was written down. We

had shorthand taken when I was there and we had notes made. It was not something that I just tried to remember.

On the access and entry, I was just trying to show Mr. DeVerter that he is against House bill No. 1198, and one of the reasons is because of access and entry by departmental people. Your amendment does permit departmental people and, upon request, they have to provide identification. Your amendment goes further and I indicated that. If they want guests there, they have to notify the worker and the worker has to notify the farmer that somebody is going to come aboard. That was what I was trying to do. I am not trying to mislead people.

I am trying to show them the difference between your amendment and Senate bill No. 1019. It is not like Senate bill No. 1019 at all.

It is not speaking to the minimum wage because, if you refer to what Mr. Renninger said to you, it does not refer to the minimum wage currently. If you said the minimum wage as amended in 1974, then you would be in line. The amendment is not in line.

Therefore, I urge that we vote "no" on this amendment because of these many things.

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

Mr. RENNINGER. Well, I was in this before. I am still confused. I really do not know what these two interests are fighting about. I do not know why they cannot settle it. I do not think the amendments are very good. I do not think the bill itself is. I think there is a lot of open ground but not that much distance.

What you are talking about, as I understand the members, is, you have got 3,000 migrants in this state and they have written a bill that covers 21,000 seasonal farm workers.

The point of my inquiry to Mr. Shelhamer was, are you talking about the migrants? I really cannot tell from the way you have presented this legislation and the amendments.

MOTION TO TABLE HOUSE BILL No. 1198

Mr. RENNINGER. I think they ought to go back to the drawing board. I move that the bill goes on the table for that purpose.

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

Mr. GALLAGHER. Mr. Speaker, I would oppose the motion by Mr. Renninger.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Messrs. RENNINGER and GALLAGHER and were as follows:

YEAS—54

Anderson, J. H.	Hopkins	Mebus	Spencer
Beren	Hutchinson, A.	Miller, M. E.	Stahl
Bittle	Hutchinson, W.	Miller, M. E., Jr.	Turner
Brunner	Kistler	Moehlmann	Vroon
Crawford	Klingaman	Noye	Wagner
Cumberland	Kolter	Pancoast	Walsh, T. P.
Davies	Kusse	Perri	Wansacz
Dicarlo	LaMarca	Pitts	Westerberg
Fisher	Lehr	Pyles	Whittlesey
Foster, A.	Levi	Renninger	Wilt, W. W.
Halverson	Manmiller	Salvatore	Wright
Hasay	McClatchy	Seltzer	Yohn
Hayes, D. S.	McCue	Smith, E.	Zord
Hayes, S. E.	McGinnis		

NAYS—137

Abraham	Garzia	Milanovich	Schweder
Arthurs	Geesey	Milliron	Scirica
Barber	Geisler	Miscevich	Shane
Bennett	George	Morris	Shelhamer
Berson	Giammarco	Mrkonic	Shelton
Bonetto	Gillespie	Mullen	Shuman
Bradley	Gillette	Mullen, M. P.	Shupnik
Brandt	Gleason	Musto	Sirianni
Burns	Gleeson	Myers	Smith, L.
Butera	Goodman	Novak	Stapleton
Caputo	Green	O'Brien	Stout
Cessar	Greenfield	O'Connell	Sullivan
Cimini	Grieco	O'Donnell	Taddonio
Cohen	Gring	O'Keefe	Taylor
Cole	Hamilton, J. H.	Oliver	Tayoun
Cowell	Hammock	Parker, H. S.	Toll
Davis, D. M.	Haskell	Perry	Trello
DeMedio	Hill	Petrarca	Ustynoski
Deverter	Irvis	Pievsky	Valicenti
DiDonato	Itkin	Polite	Vann
Dietz	Johnson, J.	Pratt	Wargo
Dombrowski	Katz	Prendergast	Weidner
Dorr	Kelly, A. P.	Rappaport	Whelan
Doyle	Kernick	Reed	Wilson
Dreibelbis	Kowalyszyn	Renwick	Wilt, R. W.
Eckensberger	Knepper	Rhodes	Wojdak
Englehart	Laudadio	Rieger	Worrilow
Fawcett	Laughlin	Ritter	Yahner
Fee	Lederer	Romanelli	Zearfoss
Fischer	Letterman	Ross	Zeller
Flaherty	Lincoln	Ruggiero	Zwick
Foster, W.	McCall	Ryan	
Fryer	McIntyre	Saloom	Fineman, Speaker
Gallagher	McLane	Scheaffer	
Gallen	Menhorn	Schmitt	

NOT VOTING—12

Bellomini	Dininni	Lynch	Richardson
Berlin	Hepford	Manderino	Sweeney
Blackwell	Kelly, J. B.	McGraw	Thomas

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. BRUNNER. I inadvertently voted in the affirmative on the motion to table House bill No. 1198. I would like the record to show that had I been attentive, I would have voted in the negative on that last motion.

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

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

The yeas and nays were required by Messrs. SHELHAMER and GALLAGHER and were as follows:

YEAS—124

Anderson, J. H.	Foster, W.	Lehr	Ryan
Arthurs	Fryer	Letterman	Salvatore
Bennett	Gallen	Levi	Scheaffer
Beren	Geesey	Manmiller	Seltzer
Bittle	George	McCall	Shelhamer
Bonetto	Gleason	McClatchy	Shuman
Bradley	Goodman	McCue	Sirianni
Brandt	Green	McGinnis	Smith, E.
Brunner	Grieco	McIntyre	Smith, L.
Butera	Gring	Mebus	Spencer
Cessar	Halverson	Miller, M. E.	Stahl
Cimini	Hamilton, J. H.	Miller, M. E., Jr.	Stout
Cole	Hasay	Milliron	Turner
Crawford	Haskell	Moehlmann	Ustynoski
Cumberland	Hayes, D. S.	Morris	Vann
Davies	Hayes, S. E.	Mrkonic	Vroon

Davis, D. M.	Hepford	Noye	Wagner
DeMedio	Hill	O'Brien	Walsh, T. P.
Deverter	Hopkins	O'Connell	Wansacz
Dicarlo	Hutchinson, A.	Pancoast	Weidner
Dreibelbis	Hutchinson, W.	Parker, H. S.	Westerberg
DiDonato	Katz	Perri	Whelan
Dietz	Kernick	Petrarca	Whittlesey
Dorr	Kistler	Pitts	Wilt, R. W.
Eckensberger	Klingaman	Polite	Wilt, W. W.
Englehart	Kolter	Pratt	Wright
Fawcett	Kowalyszyn	Pyles	Yahner
Fee	Kusse	Renninger	Yohn
Fischer	LaMarca	Renwick	Zeller
Fisher	Laudadio	Ritter	Zord
Foster, A.	Laughlin	Ruggiero	Zwick

NAYS—64

Abraham	Greenfield	O'Donnell	Stapleton
Barber	Hammock	O'Keefe	Sullivan
Berson	Irvis	Oliver	Taddonio
Burns	Itkin	Perry	Taylor
Caputo	Johnson, J.	Pievsky	Tayoun
Cohen	Kelly, A. P.	Prendergast	Toll
Cowell	Knepper	Reed	Trello
Dombrowski	Lederer	Rhodes	Valicenti
Doyle	Lincoln	Romanelli	Wargo
Flaherty	McLane	Ross	Wilson
Gallagher	Menhorn	Saloom	Wojdak
Garzia	Milanovich	Schmitt	Worrilow
Geisler	Miscevich	Schweder	Zearfoss
Giammarco	Mullen, M. P.	Scirica	
Gillespie	Mullen	Shane	Fineman, Speaker
Gillette	Musto	Shupnik	
Gleeson	Novak		

NOT VOTING—15

Bellomini	Kelly, J. B.	Myers	Shelton
Berlin	Lynch	Rappaport	Sweeney
Blackwell	Manderino	Richardson	Thomas
Dininni	McGraw	Rieger	

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 Philadelphia, Mr. Rappaport. For what purpose does the gentleman rise?

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

The SPEAKER. The gentleman will state it.

Mr. RAPPAPORT. Mr. Speaker, may I be recorded in the negative on the Shelhamer amendments to House bill No. 1198?

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

The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I am advised by the chief sponsor that the placement of the amendment changes the entire bill. I would ask that the bill be held over for printing before we call it up for final passage.

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.

WELCOME

The SPEAKER. The Chair is pleased to welcome Mr. Victor Sullivan and 46 members of AARP #1882, Steel Valley, who are here as the guests of the gentleman, Mr. Abraham.

**STATE GOVERNMENT BILL
ON FINAL PASSAGE**

Agreeable to order,

The House proceeded to the consideration on final passage of **Senate bill No. 368, printer's No. 1103**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," creating the Department of General Services and defining its functions, powers and duties; and transferring certain functions, records, equipment, personnel and appropriations from the Department of Property and Supplies and The General State Authority to such department.

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

The question is, Shall the bill pass finally?

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, I would like to address a few remarks to the final passage of Senate bill No. 368, primarily dealing with the action that took place yesterday and the position of Senate bill No. 368 as it has not been amended.

Today the legislature will formally in law preserve and invigorate what I term a shameful, wasteful and corrupt system—that was a shameful, wasteful and corrupt—of government which permits the peddling of state contracts for kickbacks.

A majority of this House today will frivolously follow the administration's desire to preserve this system of granting leases on buildings. It will leave untouched the insurance gravy train system which permits the siphoning of money from the people and which places politicians in trouble. It will vote to reverse the small gains we, on the General State Authority Board, have made in the past year.

Now I can understand why at this particular time we may feel insulated from the real world of the people who elect public officials because issues such as this go largely unreported. Simpler matters take precedence.

However, I believe that the means will be found some day to inform the people of Pennsylvania, and it will not be a difficult task. The people know the contract system in Harrisburg for what it is, and they strongly sense the need for reform.

The problem is that they do not know and they have not been told that this particular bill which purports to change the system, which I have categorized, merely preserves it.

So that nobody will ever be licensed to go out on the stump and plead ignorance to what it is that is being judged through consideration of this Senate bill No. 368. I will cite instance after instance of the type of bad government which a majority of this House yesterday voted to protect and which you are about to endorse again today. And to each of you, I say the day will come when some law-enforcement agency of the local or Federal Government will finally rip the lid from this entire can of worms. At that time—and I will remind you when it happens—there will be a gnashing of legislative teeth as a majority of this House forms a line to undo the bad law which will be written today and yesterday by the intentional omission of the corrective language which we attempted to have inserted into this bill.

When we began our analysis of the formulation of this new department by the merging of two existing depart-

ments, three areas stood out. We came to the conclusion or I came to the conclusion—I do not know whether it is supported unanimously here—that if we did not correct these three areas, there was no sense merging the departments really. They were in the areas of the selection of non-bid contractors in the state government. That includes the selection of architects and engineers, the awarding of real estate leases and the awarding of insurance policies.

Regarding the selection process of the architect and engineer professional groups, yesterday you voted to actually turn the clock back on reforming this process. You voted down an amendment that would vest the power to select the architects and engineers for building projects in a nonpolitical expert panel and voted to retain a system that allows a politically appointed department head to actually make the final selection.

Now you have insulated him with some high sounding phrases and you have given him a panel to hang his hat on, if he wishes. But in essence, we have turned the clock back in Pennsylvania when almost everywhere else in the nation, we find governments changing their system because of the national scandal which was highlighted by the indictment and resignation of the former Vice President Agnew. Furthermore, by the vote yesterday in rejecting the amendment offered by Mr. Smith, you have ripped out the reforms which have been made part of the existing procedure by the General State Authority when that authority was under the gun of public pressure. In effect, you have made the system more prone to corruption than it is today.

You ignored the proposal, which was unanimously adopted by the General State Authority this spring, which would permit a panel of nonpoliticians to make these choices, because, I suppose, you were told by the Governor's office to vote for an inferior system. You cast this vote to retain a discredited system even in the shadows of a continuing Federal investigation of possible criminal activity in the award of contracts to architects and engineers. You have voted to preserve an unsavory relationship between massive political contributions and the award of contracts with architects and engineers in conscious disregard of the findings of a public study by a committee of this House. Finally, you have ignored the plea of the professional groups themselves who have spoken out across this nation in opposition to the totally political awarding of these kinds of contracts.

In doing so, we have, or you have, approved a proposal which allows a cabinet officer to play one architect and engineer against two others and to award the contract to the highest bidder. By permitting language to remain in the bill, the head of that department can say when questioned as to how he arrived at his decision, well, I decided to overrule the expert panel as to its preferences because of—and this quotes the bill—"other relevant considerations." Now that is an abominable phrase which you voted to leave in the bill yesterday.

You voted with knowledge to perpetuate and even magnify an evil system in which contracts can go to firms who treat the awardee of the contract or his political party most favorably, and you have given and continued to permit the power to exist with the power brokers instead of with the people.

In the area of real estate leasing, you voted to retain the current system, the free and easy way with which the administration, any administration, awards leases for

building space in this Commonwealth. Under the present law the Secretary of Property and Supplies has total discretion to decide who leases to the Commonwealth and who does not. The record is filled with abuse and corruption on how leasing practices have been conducted by this department.

The most notable are ones which have been discussed on this floor before. They are both the 10-year leases by which friends of this particular administration have profited under very questionable circumstances in the receipt of very large leases, when it would have been so much simpler for the Commonwealth just to have bought the buildings and a heck of a lot cheaper to the taxpayers.

There was a case just reported a couple of weeks ago in Sunbury where someone who could have been totally innocent was awarded a lease by the state government. He had contributed a thousand dollars to the last campaign, but that does not make him bad. He was asked whether he had a partner and he said he did not, and a newspaperman, I guess, looked into the matter very carefully and found that he did, in fact, have a relationship. A secretary of the corporation happened to be one of the people who is involved in one of the large leases which were discussed on this floor yesterday. Now that makes him look bad, and I am sure he regrets the entire affair, because, presumably, his building was just as good as anybody else's and the state needed to lease the space, but because of the system with which we now function and which you voted to preserve, that particular Sunbury lease and the landlord are now under suspicion.

There was a case in Erie where a landlord accused one of Mr. Thiemann's associates of trying to shake him down for \$10,000 and when he would not cough up the lease went elsewhere. That has been testified to under oath.

In the area of awarding insurance contracts, you have deliberately closed your ears to amendments attempting to reform the most blatant area of kickbacks and corruption uncovered to date. We voted to continue to allow the secretary of general services to ride the discredited gravy train whereby certain insurance brokers had been forced to make kickbacks in order to become the agent for placement of Commonwealth insurance policies. You turned down an amendment which would permit a separate office, independent of the office where the awards of insurance contracts are made, to evaluate insurance risks, and which would place some check on the ability of the system to rip off the public.

You rejected an amendment which would prohibit a secretary of the department from engaging in the practice used by Mr. Hilton, to collect what has thus far been proven to be in excess of a quarter of a million dollars. Now he stands convicted for those crimes, and you turn your heads from them and pretend they do not exist.

Mr. Speaker, I am confident that all members of the House have heard what I have said and know what I am talking about. If any of you doubt the description or the truth of the description of the system which you are attempting to preserve, I will be pleased to stand for any amount of interrogation that anyone wants to make. And if any of you doubt the specific instances of bad government and want a list 10 times as long, I will be pleased to have our legal division document chapter and verse in sworn testimony both taken from committees of this House as well as the records of the Federal courts.

In contrast to the case we have presented, the only contrary view is that expressed by the author of the bill

and, unfortunately, he happens to be the Governor of the State.

I remind you that he also opposed any effort that we have made in this legislature and elsewhere criticizing this system of bad government. He labeled us with all sorts of derogatory terms when we suggested to him that Mr. Hilton should go. They told us they had thoroughly investigated Mr. Trucco and he was clean as a hound's tooth when we made allegations in that corner. It is also the Governor who has signed each of the leases about which we complain.

I suggest that you should view with skepticism the legislation placed before you by the same people who have been proven so wrong so many times on this particular subject.

As a partisan, I am glad you turned down the amendments, because you are going to have a tough time explaining them some day. But I would much rather had you accepted them so we can walk out of here this week feeling that we have done something good to get at the core of what is wrong within this system under which we function. If any of you want to reconsider those votes of yesterday, I will join with you, but I am not going to go through this charade of having you vote twice the wrong way, just to prove my partisan point. We will wait until a later time for that.

Actually, actually, I do not think there are going to be many more incidents within this administration that we will be able to point to that will be products of a bad system. I think there are efforts being made now not to permit a recurrence of the events of the last four years. I think that is good. So I do not expect that the coffers of this administration are going to be swelled through political contributions whether you accept these amendments or not or whether you had accepted them or not. I think this administration is over on that score. But what I cannot understand is that when you have a system which has been so proven to be a bad one, why you do not seize the opportunity to correct it when it is at its lowest ebb. That is always the easiest time to change. People have made mistakes. You can attribute it to that and, therefore, you want to protect against those same mistakes being perpetuated because the system is bad. It is like or not unlike what many of us were taught in our Catechism days: The occasion of sin, the temptation, is the problem here. When you are running a political campaign and you cannot raise any money, you have a very distinct temptation—it does not matter if you are Democratic or a Republican—to go to the person you have helped. In doing so, in your zeal, and in extending the temptation, you get yourself into trouble. Why not remove that temptation and that opportunity for somebody in the future to make the same mistakes that have been made time and time again and which have hurt good friends of ours, by changing this system by which these kinds of contracts are awarded? There will always be dishonest people among us, and there are dishonest people in every walk of life. Politics does not inherit them all. But our obligation is to create the standards by which those people operate which eliminate the chance for them to get themselves in trouble and, in the process, discredit each one of us. It seems strange to me that when there are two ways to go, a right way and a wrong way, that we have seen fit, by a majority vote in this House, to go the wrong way, particularly when the result would be the same. The Commonwealth would continue to hire

architects and engineers as needed and as required, and I presume they would hire the best. They would continue to lease space as needed, and I would presume that they would continue to hire or to lease the best space and they will continue to insure the people against catastrophe when necessary and required and I would presume that they would insure at the lowest possible rate. So the result that you want and the result that we want would be the same and we would be removing from the system that which has corrupted so many people and the system itself in the past.

I can only conclude that your reluctance to change in the process of merging these two departments is one which has a very sad commentary. It is one which says, well, when the scandal dies down, we can go back into business. That is dead wrong, and we have an obligation today to change it. We can do it and we ought to do it, and by not doing it, I think we are probably losing the best chance of making this a successful session of the General Assembly that we will have in the entire session.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I congratulate the minority leader on his detailed analysis of his position and I am glad he is feeling well enough to make that speech today.

I had a long speech prepared by one of my staff members too, but I am not going to make it. What I have been doing is trying to count the votes.

We are not talking about sin here today; we are talking about an instruction from the 1968 Constitutional Convention in which I had the honor to serve, which instructed us to move to get rid of the General State Authority and, having moved with all the speed, all due deliberate speed of a slow-witted turtle, after seven years we are about to do that. I call for a vote on the bill, Mr. Speaker, and I call for an affirmative vote.

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

Mr. RENNINGER. I am always in favor of progressive, good government, however, I find this bill does not reach the cancer, and to call it good government is, I think, a tragedy for all of us. A rose by any other name is still a rose, and this is a fragrant rose.

Mr. Speaker, let me state to you that you can go to the casino, and we have been in the casino of government, and there are times that no matter how much time is spent in the casino, you have to go to church, and you are not going to church on this vehicle. I will vote against this bill.

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

Mr. L. E. SMITH. I did not have any staff member write a speech, but I just want to make a couple observations that I am very sincere about.

Yesterday it became increasingly obvious that this was a partisan matter, and I do not believe for one minute, and I know you do not either, that good government is partisan. I was really shocked by some of the votes I saw on the other side yesterday, because over the years I have come to know some of you people and privately, almost to a person, you are for good government, anti-corruption, and all the things that we attempted to write out of this bill yesterday.

This bill is not aimed at Ron Lench or Governor Shapp;

it has a long-range effect. It is strange, however, to me that one of the very few bills that we have had in five years from this administration, which is already tainted with corruption, would place under one man all of the leasing, all of the real estate, all of the insurance, and now all of the non-bid contracts.

When you vote to put this all together, I hope you will be mindful of the fact that it is your vote which is going to put you in jeopardy, because over the past couple years you have seen what has happened to the Republican Party because of corruption in our party. And if it surfaces in your party, you people who are going to be seeking reelection are the people who are going to suffer at the polls. I urge you to look ahead beyond this administration to good government.

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

Mr. GLEASON. I would like to address my few remarks to those members of the House who are constrained to vote for Senate bill No. 368 because of what they have read in the newspapers.

Now I believe we must answer, first of all, Mr. Speaker, a few questions: Just what does Senate bill No. 368 in its present form do? Is it really the significant form the editorialists say it is?

I have read the editorials from the Pittsburgh Press, the Wilkes-Barre Times Leader, the Scranton Times, the Harrisburg Patriot and the Philadelphia Bulletin. All of these papers have heartily endorsed Senate bill No. 368. Only one, Mr. Speaker, expressed any caveat, and that was the Philadelphia Bulletin. Let me quote just briefly from its editorial:

Although the reforms included in the bill are generally sound, there are potential flaws that need to be corrected. One, pointed out by Senate Republicans, is the great amount of power that will be wielded by the Secretary of the new Department. The fact that the new Secretary might have been Frank Hilton—if circumstances had not intervened—should serve as a warning that safeguards against the abuse of the Secretary's power need to be adopted.

Mr. Speaker, when the majority of this House stonewalled the safeguards the minority proposed yesterday, this House totally failed to make Senate bill No. 368 more than a cosmetic piece of legislation.

Admittedly, there are some reforms in the selection of architects and engineers, but I suggest, Mr. Speaker, that many of us in the legislature, as well as the news media, have had a snow-job cleverly administered to us by the administration and Mr. Lench, the future secretary of this new department. I might add, parenthetically, my nerves were a little jangled by Mr. Lench in January who, in response to a question as to why he had not uncovered the theft of \$750,000 in the Hilton-Ohle scandal, said, "I'm not Sherlock Holmes." I agree, he is not, and I might add, by failing to provide any safeguards against back-room deals and kickbacks in state leasing, insurance purchasing and gubernatorial manipulation, the temptation to become Professor Moriarity is still with the department.

So, let us fully answer the question, what does Senate bill No. 368 do aside from reform of the selection of architects and engineers?

We have merged Property and Supplies with General State Authority. We have given a new name to those departments. There are no changes in personnel, and, what is most important, all constraints the Republicans suggested, that is, bidding state leases, tightening up the insurance practices of the state, maintaining some oversight over purchases of "unique" items, doing something about the inability of the Auditor General to function on the Board of Commissioners of Public Grounds, have been rejected totally by the overwhelming majority of the Democrats. All of the bad practices of the Department of Property and Supplies are to be continued or have the potential of continuation. There is to be no change, Mr. Speaker, and that is what we really did yesterday. Just think about it, Mr. Speaker, the most scandal-ridden, troubled department of the executive branch, untouched by that branch of state government invested with the responsibility of protecting the taxpayer. The bill and our response to it are disgraceful. We cannot even claim, as can Mr. Lench, a tiny, tardy response, you know, the usual "Let's have a study made by the Economy League and get out a nice news release." Mr. Lench says now he might invite a few people to submit bids now and then for state leases. But apparently neither he, the Governor, nor many in the majority of this House give much of a damn about how we handle \$20 million a year in state leases.

Well, Mr. Speaker, I care; the Republicans in this House and a few Democrats care; and the United States Department of Justice cares. And I care enough to vote "no" on this shallow, cosmetic, not-too-much-reform legislation. Thank you.

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

Mr. SELTZER. Mr. Speaker, will the gentleman from Philadelphia, Mr. Wojdak, permit himself to be interogated?

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

Mr. WOJDAK. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. SELTZER. Mr. Speaker, the questions I am going to ask pertain to the fiscal aspects of Senate bill No. 368.

Since Senate bill No. 368 is an amendment to the Administrative Code, I would assume that the new Department of General Services will now come under all of the other provisions of the Administrative Code as pertains to complements, salaries, wages, the general budget. Mr. Speaker, would it be your intention, as chairman of the House Appropriations Committee, to call before the committee for budgetary review, the GSA and or the department or the secretary or whoever it will be so that the General Assembly can review their budget for this current 1975-76 fiscal year?

Mr. WOJDAK. Mr. Speaker, I think it is appropriate that this assembly be aware of what the budget is, at least on the GSA portion involved in this new bill. It would be my intention to call the secretary before the Appropriations Committee.

Mr. SELTZER. I thank you, Mr. Speaker.

For the information of the House, as I recall the fiscal note for this bill indicated that \$10 million would come from the sale of bonds for the administrative purposes of the GSA operation of this new department.

I was informed yesterday that the proposed budget for

1975-76 for GSA would be presented to the board at the next meeting, which is within a week or 10 days, and it is something close to \$13 million, Mr. Speaker. I think this assignment went up that the General Assembly should review it, and I thank you for your affirmative answer.

REMARKS SUBMITTED FOR THE RECORD

Mr. O'CONNELL submitted the following remarks for the Legislative Journal:

This legislation, Senate bill No. 368, after 4 years, would not be before us today were it not for the scandal involving the Department of Property and Supplies. It is an age-old trick to change the name of a "bastard child" to remove the stigma. This legislation is a tactic to divert attention from the past fraudulent activities of this department and its Secretary, Frank Hilton.

This will not improve the operation nor will it protect the taxpayers. It will not give the architects or engineers a fair shake. It is the same old rascal in a new costume. It is a typical tactic of this administration. It is called the Shapp shift.

I agree with the minority leader. Therefore, my vote will be in the negative.

On the question recurring,
Shall the bill pass finally?

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

YEAS—117

Abraham	Giammarco	Milanovich	Ruggiero
Arthur	Gillespie	Miller, M. E.	Saloom
Barber	Gillette	Miller, M. E., Jr.	Schmitt
Bennett	Gleeson	Miliron	Schweder
Berson	Goodman	Miscevich	Shane
Blackwell	Green	Morris	Shelhamer
Jonetto	Greenfield	Mrkonic	Shelton
Bradley	Hammock	Mullen, M. P.	Shuman
Brunner	Haskell	Mullen	Shupnik
Caputo	Hayes, D. S.	Musto	Stapleton
Cohen	Hopkins	Myers	Stout
Cole	Hutchinson, A.	Novak	Sullivan
Cowell	Irvis	O'Brien	Taddonio
Davis, D. M.	Itkin	O'Donnell	Taylor
DeMedio	Johnson, J.	O'Keefe	Tayoun
Dicarlo	Kelly, A. P.	Oliver	Toll
DiDonato	Kernick	Parker, H. S.	Trello
Dombrowski	Knepper	Perry	Valicenti
Doyle	Kolter	Petrarca	Vann
Dreibelbis	Kowalshyn	Pievsky	Walsh, T. P.
Eckensberger	LaMarca	Pratt	Wansacz
Engelhart	Laudadio	Prendergast	Wargo
Fee	Laughlin	Rappaport	Wojdak
Fischer	Lederer	Reed	Yahner
Flaherty	Letterman	Renwick	Zeller
Fryer	Lincoln	Rhodes	Zwickl
Gallagher	McCall	Rieger	
Garzia	McIntyre	Ritter	Fineman,
Geisler	McLane	Romanelli	Speaker
George	Menhorn	Ross	

NAYS—75

Anderson, J. H.	Geesey	McGinnis	Spencer
Beren	Gleason	Mebus	Stahl
Bittle	Grieco	Mochlmann	Turner
Brandt	Gring	Noye	Ustynoski
Burns	Halverson	O'Connell	Vroon
Butera	Hamilton, J. H.	Pancoast	Wagner
Cessar	Hasay	Perri	Weidner
Cimini	Hayes, S. E.	Pitts	Westerberg
Crawford	Hopford	Polite	Whelan
Cumberland	Hill	Pyles	Whittlesey
Davies	Hutchinson, W.	Remlinger	Wilson
Deverter	Kistler	Ryan	Wilt, R. W.
Dietz	Klingaman	Salvatore	Wilt, W. W.
Dorr	Kusse	Scheaffer	Worrilow
Fawcett	Lehr	Scirica	Wright

Fisher	Levi	Seltzer	Yohn
Poster, A.	Manmiller	Sirianni	Zearfoss
Poster, W.	McClatchy	Smith, E.	Zord
Gallen	McCue	Smith, L.	

NOT VOTING—11

Bellomini	Katz	Manderino	Sweeney
Berlin	Kelly, J. B.	McGraw	Thomas
Dininnt	Lynch	Richardson	

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

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

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, Mr. and Mrs. Stanley Moyer celebrated their golden wedding anniversary recently. Their happy union has been blessed by two children and two grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Moyer, nee Lizzie Stover, and Mr. Moyer were married June 27, 1925, at the home of the late Wilson R. Moyer with Mr. Moyer performing the ceremonies.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Stanley Moyer 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. Stanley Moyer, North Second Street, Souderton, Pennsylvania 18964.

G. SIEBER PANCOAST

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Phares Gross celebrated their golden wedding anniversary recently. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Gross, nee Kathryn Hangey, and Mr. Gross were married June 28, 1925 by the late Reverend David Cassell at the home of the bride.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Phares Gross 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. Phares Gross, Eastern Mennonite Home, 207 West Summit Avenue, Souderton, Pennsylvania 18964.

G. SIEBER PANCOAST

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Andrew Hanas celebrated their silver wedding anniversary recently. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Hanas, nee Mildred Kalnicky, and Mr. Hanas were married by Reverend John Nosco on June 17, 1950 in St. Mark's Lutheran Church, Duquesne.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes

and congratulations to Mr. and Mrs. Hanas 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. Andrew Hanas, 614 Second Street, California, Pennsylvania 15419.

A. J. DeMEDIO

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Cateno Dipaola celebrated their golden wedding anniversary recently. Their happy union has been blessed by four children, eight grandchildren, and one great-grandchild. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. The couple was married May 27, 1925 in St. Anthony's Catholic Church, Monongahela.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania extends its best wishes and congratulations to Mr. and Mrs. Dipaola 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. Cateno Dipaola, 503 East Main Street, Monongahela, Pennsylvania 15063.

A. J. DeMEDIO

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Adolph Bartoshek celebrated their silver wedding anniversary recently. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. The couple was married July 1, 1950, at Mother of Sorrows Roman Catholic Church of Charleroi by the Reverend John Thomas.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania extends its best wishes and congratulations to Mr. and Mrs. Adolph Bartoshek 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. Adolph Bartoshek, 531 Washington Avenue, Charleroi, Pennsylvania 15022.

A. J. DeMEDIO

HOUSE OF REPRESENTATIVES

WHEREAS, Egidia "Gene" Cerilli, will be presented with the 1975 Westmoreland County Conference of Economic Opportunity Humanitarian Award for his untiring support of and assistance to the county's fight against poverty on September 13, 1975. Mr. Cerilli, who is currently the chairman of the Pennsylvania Turnpike Commission, has been one of the foremost activists in efforts to help the poor, the disadvantaged and the underprivileged. He has served in various capacities in public service, fraternal and civic organizations, and organized labor.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Egidio "Gene" Cerilli on being presented with the 1975 Westmoreland County Conference of Economic Opportunity Humanitarian Award, commends him on his outstanding contributions to the fight against poverty and wishes him continued success and happiness and further directs that a copy of this citation be delivered to Egidio "Gene" Cerilli, 2473 Skidmore Road, Greensburg, Pennsylvania 15601.

JOSEPH A. PETRARCA
AMOS K. HUTCHINSON
JOHN F. LAUDADIO, Sr.
JAMES J. MANDERINO
C. L. SCHMITT
EUGENE G. SALOOM
GEORGE MISCEVICH
A. JOSEPH VALICENTI

HOUSE OF REPRESENTATIVES

WHEREAS, Susquenita High School Girls Varsity Basketball Team of 1974-1975, coached by Joan Klingler, captured the Lower Susquehanna League Division II Championship; and

WHEREAS, Susquenita High School Girls Varsity Basketball Team, comprised of Kathy Baker, Cheri Roush, Jackie Heisley, Debbie Smith, Monica Gallagher, Julie Kuhn, Selena DiPaolo, Angie Vaccaro, Robin Heisley, Mary Ann Saltsburg, and Maxine Thompson, compiled a League Record of nine wins and five losses while boasting a fourteen win six loss overall record.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to congratulate the Susquenita High School Girls Varsity Basketball Team and commends them for their outstanding athletic accomplishment in winning the League Championship, and extends best wishes for continued success;

and further directs that a copy of this citation be delivered to the Susquenita High School Girls Varsity Basketball Team, R. D. 3, Duncannon, Pennsylvania 17020.

FRED C. NOYE

HOUSE OF REPRESENTATIVES

WHEREAS, Kathy Linder, who is fourteen years old, helped save Alain La Chapelle, who was drowning. Miss Linder, who was camping with her family at the Shell-bay Campsite near Cape May Courthouse, spotted a little boy who appeared to be in trouble in the campsite pool. She alerted others to the child's plight and then dove in and pulled him out, with the assistance of another boy. Miss Linder will be recommended for a Policemen's Benevolent Association award for her timely action.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates and commends Kathy Linder on her heroic action, which saved the life of Alain La Chappelle and wishes her success and happiness in the future;

and further directs that a copy of this citation be delivered to Kathy Linder, 738 Fairview Road, Ridley Township, Pennsylvania

PETER J. O'KEEFE

HOUSE OF REPRESENTATIVES

WHEREAS, Miss Bonnie Painter, who represented Western Pennsylvania, finished in fourth place in the National Spelling Bee, which was held in Washington, D.C. on June 2, to 7, 1975. Miss Painter, who is fourteen years old and attended David E. Williams Junior High School, also won \$150.00.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Miss Bonnie Painter on finishing in fourth place in the National Spelling Bee, commends her on her outstanding academic achievement, and wishes her continued success in all her endeavors;

and further directs that a copy of this citation be delivered to Miss Bonnie Painter, 2008 Cutter Drive, McKees Rocks, Pennsylvania 15136.

FRED A. TRELLO

HOUSE OF REPRESENTATIVES

WHEREAS, The Honorable Charles N. Caputo has been presented the honorary title of Knight Commander of the Republic of Italy by the Counsel General of the Republic of Italy; and

WHEREAS, Representative Caputo was also presented with the Special Award of Merit, or Onorificenza, by the Italian-American Press and Radio Association; and

WHEREAS, These awards are bestowed upon outstanding citizens who have distinguished themselves for their fraternal and social work in connection with programs for Americans of Italian descent.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Represen-

tative Charles Caputo on these prestigious honors, praises him on his worthy contributions which have advanced the cause of Italians in America and recognizes him as an esteemed Italian American leader in Western Pennsylvania;

and further directs that a copy of this citation be delivered to the Honorable Charles N. Caputo, 539 Fifth Avenue, Plaza Building, Pittsburgh, Pennsylvania 15219, and Mrs. Frances Caputo, c/o Marion Manor, 2695 Winchester Drive, Pittsburgh, Pennsylvania 15220.

JAMES J. MANDERINO
ROBERT A. GEISLER
BERNARD R. NOVAK
K. LEROY IRVIS
JOSEPH F. BONETTO
HARRY G. MENHORN, JR.
EMIL MRKONIC
FRED A. TRELLO
RONALD R. COWELL
DONALD A. ABRAHAM
MICHAEL M. MULLEN
PHYLLIS T. KERNICK
A. JOSEPH VALICENTI
JAMES A. ROMANELLI
GEORGE MISCEVICH
THOMAS E. FLAHERTY
IVAN ITKIN
HELEN D. GILLETTE
LEONARD E. SWEENEY
ANDREW J. MCGRAW
JOSEPH RHODES, JR.
LEE C. TADDONIO
D. MICHAEL FISHER
RICHARD J. CESSAR
JAMES W. KNEPPER
H. SHELDON PARKER, JR.
JOSEPH V. ZORD, JR.

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. Raymond Vincent Kavanaugh is celebrating his seventy-fifth birthday. Mr. Kavanaugh is a kind, loving, understanding man and is much loved by his family, friends and neighbors. He has four daughters, Marie, Jean, Doris and Betty; twenty-three grandchildren and two great-grandchildren.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Mr. Raymond Vincent Kavanaugh on the celebration of his seventy-fifth birthday and wishes him many more years of health and happiness;

and further directs that a copy of this citation be delivered to Mr. Raymond Vincent Kavanaugh, c/o 129 West Providence Road, Aldan, Pennsylvania 19018.

JOSEPH T. DOYLE

RESOLUTION

WHEREAS, Edwin Kizer Jennings passed away on July 10, 1975. Mr. Jennings, who served the House of Representatives from 1947 to 1951, was a prominent business executive and civic leader. This outstanding man who was active in civic, business, political, and religious activities, is survived by his wife, Ruth, his two children, his mother, his brother and three grandchildren; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to mourn the passing of Edwin Kizer Jennings, and extends its heartfelt condolences to the wife and family of this outstanding gentleman; and be it further

RESOLVED, That a copy of this resolution be delivered to Mrs. Ruth Ward Jennings, 25 Bacon Street, Wellsboro, Pennsylvania 16901.

WARREN H. SPENCER

HOUSE OF REPRESENTATIVES

WHEREAS, Earl A. Gabriel, D.O., on July 22, 1975, will be installed as President of the American Osteopathic

Association, a national organization comprised of twelve thousand members; and

WHEREAS, Earl A. Gabriel, D.O., has been involved in local, State and national activities in the fields of osteopathic medicine and health care delivery. He is a former chairman of the medical staff at Allentown Osteopathic Hospital where he is a staff member in the Department of General Practice as well as a member and chairman of several committees of the National Osteopathic Organization.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Earl A. Gabriel, D.O. on his installation as President of the American Osteopathic Association, commends him on his outstanding achievement and service, wishes him an active, productive and successful year as President; and further directs that a copy of this citation be delivered to Earl A. Gabriel, D.O., 2222 Allen Street, Allentown, Pennsylvania 18104.

DAVID C. DiCARLO
KURT D. ZWIKL
JAMES P. RITTER

HOUSE OF REPRESENTATIVES

WHEREAS, Carol Bruch, daughter of Mr. and Mrs. William Bruch, Bethlehem, won a bronze medal for the high school majorette division at the International Baton Twirlers Association olympics held recently in Spain; and

WHEREAS, Carol Bruch, representing Freedom High School, led the State twirling team, which won a silver medal.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to congratulate Carol Bruch and commends her outstanding performance at the International Baton Twirlers Association olympics earning her a bronze medal for displaying unique baton twirling ability; and further directs that a copy of this citation be delivered to Carol Bruch, 3169 Linden Street, Bethlehem, Pennsylvania 18017.

J. MICHAEL SCHWEDER

HOUSE OF REPRESENTATIVES

WHEREAS, Michele Herman, daughter of Mr. and Mrs. Philip Herman of Bethlehem, won eleven medals at the International Baton Twirlers Association Olympics in Spain; and

WHEREAS, Michele Herman, earned a gold medal as junior world olympic twirling champion. She also headed the Pennsylvania Junior Twirling Team which won a gold medal in the team division.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to congratulate Michele Herman for earning eleven medals in olympic baton twirling and commends her for achieving athletic superiority; and further directs that a copy of this citation be delivered to Michele Herman, 2416 Henderson Place, Bethlehem, Pennsylvania 18017.

J. MICHAEL SCHWEDER

HOUSE OF REPRESENTATIVES

WHEREAS, Leonard A. Green, Director of the Butler County Junior Conservation School, is celebrating his twentieth year with this worthwhile educational program benefiting the people of Butler County in the form of more enlightened and responsible youth; and

WHEREAS, Leonard A. Green's avocation as a sportsman/conservationist has, over the past twenty-five years, included such positions as President of the Butler City Hunting and Fishing Club, Chairman of the Scott Eckert Conservation Fund, Trustee of the William Bear Fund, President of the Northwest Division of the Pennsylvania Federation of Sportsmen's Clubs, President of the Pennsylvania Federation of Sportsmen's Clubs, and Chairman of the Scott Eckert Conservation Scholarship Fund; and

WHEREAS, Leonard A. Green formed the B.S.A. Conservation Career Post 100 and serves as Chairman of

the Butler Senior High School Conservation Days programs and on many State board and commissions including the Environmental Quality Board, Citizens Advisory Board, and the Fish Commission.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania commends Leonard A. Green for his many hours of work in the field of conservation, and wishes him continued success in all his future endeavors;

and further directs that a copy of this citation be delivered to Leonard A. Green, R. D. 2, Carlisle, Pennsylvania 17013.

JACK R. ARTHURS
JAMES A. GREEN

HOUSE OF REPRESENTATIVES

WHEREAS, The Butler County Junior Conservation School, celebrating its twentieth birthday, is the pioneer of county level conservation schools in the Nation. The Butler County Sportsmen's Conservation Council has been the sponsor of the School since its inception; and

WHEREAS, Programs begin with reveille each morning and activities and field trips are provided by many organizations including the Pennsylvania Game Commission, Pennsylvania Fish Commission, Department of Environmental Resources, Soil and Water Conservation Service, Pennsylvania State Police, Pennsylvania Council of Civil Defense, Pennsylvania Legislature, Armo Steel Corporation, Butler City Fire Department and several others too numerous to mention here; and

WHEREAS, Through the efforts of the Butler County School, similar programs are now in effect throughout Pennsylvania, other states and Canada. All instructors and individuals associated with the School are volunteers and receive no compensation for their time and services; and

WHEREAS, Five hundred nineteen youth have graduated from the program these past nineteen years, and many of these alumni are already in professional conservation careers or in formal training programs.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania joins in the twentieth anniversary of the Butler County Junior Conservation School to honor and recognize the sportsmen for their many hours of work on the conservation school; and further directs that a copy of this citation be delivered to the Butler County Junior Conservation School, Butler, Pennsylvania 16001.

JACK R. ARTHURS
JAMES A. GREEN

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Eugene Ortenzi, Sr., celebrated their golden wedding anniversary recently. Their happy union has been blessed by two children, twelve grandchildren, and three great-grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Ortenzi, nee Annie Ordille, and Mr. Ortenzi were married April 20, 1925.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania extends its best wishes and congratulations to Mr. and Mrs. Eugene Ortenzi, Sr., on their fiftieth wedding anniversary and expresses its hope that they may continue to enjoy their happy marriage;

and further directs that a copy of this citation be delivered to Mr. and Mrs. Eugene Ortenzi, Sr., 683 State Street, Hamburg, Pennsylvania 19526.

JOHN S. DAVIES

HOUSE OF REPRESENTATIVES

WHEREAS, Wilson Senior High School Boys Track Squad, coached by William Firing, Jr., and assistant coach, Grant Mahon, Jr., compiled a perfect record in Berks County dual meet competition; and

WHEREAS, Wilson Senior High School Boys Track Squad won every major open track meet in Berks

County. Squad members include: Rodd Feeg, Jerry Wojton, Fred Ranalli, Gary Poticher, Tim Mohn, Bill Ramsey, Gary Snyder, Andrew Lacey, Timothy Ebbert, Kurt Cornfield, Grant Mahon, Rich Becker, Jim Blickle, Walter Baas, Mike Steshow, Terry Reisch, Mike Denby, Doug Weller, Ken Green, Tim Starnes, Mark Weidner, Joe Bressi, Jon Tietbohl, Jeff Bird, Mark Hoover, Tony Esposito, Craig Momose, Chris Momose, Jim Peters, Rick Stehman, Joh Weidenheimer, William Fox, Jim Donohue, Herm Pfisterer, Kim Lindermuth, Dan Beadle, Larry Nawa, Jeff Banks, Chris Noble, Greg Deiterich, Rich Feinour, Dave Stoudt, Mike Dirks, Chris Peifer, and Leslie Bosshard, manager.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to congratulate the Wilson Senior High School Boys Track Squad and commends them for attaining athletic superiority;

and further directs that a copy of this citation be delivered to Wilson Senior High School Track Squad, Wilson School District, Grandview Boulevard, West Lawn, Reading, Pennsylvania 19609.

JOHN S. DAVIES

HOUSE OF REPRESENTATIVES

WHEREAS, Louis A. Harrison of Philadelphia, will celebrate his seventy-ninth birthday on December 11, 1975; and

WHEREAS, Mr. Harrison, who is an outstanding citizen representing the finest in American life, was the founder of the Philadelphia Chapter of the Society of Residential Appraisers and served as its first president; and

WHEREAS, Mr. Harrison has been active in his community for many years and is a member of numerous professional associations in and around Philadelphia. He is the author of many articles on real estate valuation and associated topics.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania heartily congratulates Louis A. Harrison of Philadelphia on his seventy-ninth birthday and wishes him the best of health and further appreciation from all who have come to know and therefore respect him;

and further directs that a copy of this citation be delivered to Louis A. Harrison, Rittenhouse Plaza, Walnut Street, Philadelphia, Pennsylvania

WILLIAM W. RIEGER

HOUSE OF REPRESENTATIVES

WHEREAS, The Borough of Mercersburg is celebrating its two hundred twenty-fifth anniversary in the summer of 1975; and

WHEREAS, Mercersburg was founded in 1750 by James Black, and received its name from General Hugh Mercer, a Revolutionary War hero who was a close friend of George Washington and who died for his country in the Battle of Princeton; and

WHEREAS, Mercersburg was founded in 1750 by James Buchanan, the only President of the United States to come from the Commonwealth of Pennsylvania.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to congratulate the Borough of Mercersburg on this auspicious occasion, the celebration of its two hundred twenty-fifth anniversary;

and further directs that a copy of this citation be delivered to Mercersburg's 225th Birthday Celebration, c/o James C. Zeger, 40 Church Street, Mercersburg, Pennsylvania 17236.

WILLIAM O. SHUMAN

HOUSE OF REPRESENTATIVES

WHEREAS, Gloria T. Bove, of Bethlehem recently won the National Chicken Cooking Contest which was held in Fredericksburg on May 17, 1975; and

WHEREAS, Gloria T. Bove won \$150 for her dish, Grand Ol' Chicken Bake, and also received a free trip to San

Antonio, Texas, for the cook-off to be held July 9, 1975. The winner will receive a \$10,000 first prize.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Gloria T. Bove of Bethlehem on her recent victory in the National Chicken Cooking Contest, wishes her the best of luck in the cook-off in San Antonio; and further directs that a copy of this citation be delivered to Gloria T. Bove, 1457 Kelchner Road, Bethlehem, Pennsylvania 18018.

J. MICHAEL SCHWEDER
WILLIAM H. ECKENSBERGER, JR.

HOUSE OF REPRESENTATIVES

WHEREAS, John V. Juran of Grantville is ending a twenty-two year career as a member of the Minor Judiciary in Dauphin County due to ill health; and

WHEREAS, Magistrate Juran began his service to the judicial system of the Commonwealth as a justice of the peace and later became a district justice; and

WHEREAS, Magistrate Juran has always been a well known, highly respected member of Dauphin County's "front line" for dispensing justice.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to pay tribute to John V. Juran as he ends his twenty-two year career as a member of the Dauphin County Judiciary; wishes him a speedy recovery and return to good health;

and further directs that a copy of this citation be delivered to John V. Juran, R. D. 1, Grantville, Pennsylvania 17028.

JOSEPH C. MANMILLER

HOUSE OF REPRESENTATIVES

WHEREAS, Gust Zarnas, of Bethlehem, was inducted into the National Football Foundation Hall of Fame; and

WHEREAS, Gust Zarnas, a first team All-American guard for Ohio State, played professional football for the Chicago Bears in 1938, the Brooklyn Dodgers in 1939, and the Green Bay Packers in 1939 and 1940.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to congratulate Gust Zarnas on being inducted into the National Football Foundation Hall of Fame and commends him for ardent devotion to professional sports; and further directs that a copy of this citation be delivered to Gust Zarnas, Bethlehem, Pennsylvania.

J. MICHAEL SCHWEDER

HOUSE OF REPRESENTATIVES

WHEREAS, Andrew J. Hanisek will be honored by the West County Republican Men's Association at a testimonial dinner on October 1, 1975, for his years of public service in the Erie County Sheriff's Department. Mr. Hanisek, who has served in the sheriff's department for twenty-one years, has been the Sheriff of Erie County for the last nine and one half years. He is a past president of the Pennsylvania Sheriff's Association and as sheriff, has initiated programs on drug abuse, juvenile delinquency and self protection in event of attack.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Andrew J. Hanisek on being honored by the West County Republican Men's Association for his years of public service in the Erie County Sheriff's Department, commends him on his many outstanding contributions to Erie County and wishes him success and happiness in the future; and further directs that a copy of this citation be delivered to Andrew J. Hanisek, 206 Maple Avenue, Lake City, Pennsylvania 16423.

DAVID S. HAYES

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Earl C. Mounts celebrated their golden wedding anniversary recently. Their happy

union has been blessed by one daughter and two grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. The couple was married June 10, 1925 by Reverend Milton Allison.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Earl C. Mounts 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. Earl C. Mounts, R. D. 7, Washington, Pennsylvania 15301.

ROGER RAYMOND FISCHER

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Roy D. Mounts, Sr., celebrated their golden wedding anniversary recently. Their happy union has been blessed by one son, three grandchildren, and one great-grandchild. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. The couple was married June, 1925.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania extends its best wishes and congratulations to Mr. and Mrs. Roy D. Mounts, Sr., 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. Roy D. Mounts, Sr., R. D. 7, Washington, Pennsylvania 15301.

ROGER RAYMOND FISCHER

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Arthur Roy Bannister celebrated their silver wedding anniversary recently. Their happy union has been blessed by three children. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Bannister, nee Roberta Huggins, and Mr. Bannister were married July 2, 1950 by the late Reverend John W. Love.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Arthur Roy Bannister 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. Arthur Roy Bannister, 1776 Steele Street, Washington, Pennsylvania 15301.

ROGER RAYMOND FISCHER

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Samuel H. Paul celebrated their golden wedding anniversary recently. Their happy union has been blessed by three children, eight grandchildren, and three great-grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. The couple was married July 1, 1925 in Grand Junction, Colorado.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Samuel H. Paul 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. Samuel H. Paul, 421 Wilson Avenue, Washington, Pennsylvania 15301.

ROGER RAYMOND FISCHER

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Fred T. Gillogly celebrated

their golden wedding anniversary recently. Their happy union has been blessed by two children, four grandchildren, and one great-grandchild. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Gillogly, nee Jeannette Elizabeth Church, and Mr. Gillogly were married June 30, 1925 by Reverend E. S. Hawkins at Uniontown.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Gillogly 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. Fred T. Gillogly, 443 Sherman Avenue, Waynesburg, Pennsylvania 15370.

ROGER RAYMOND FISCHER

RESOLUTION

WHEREAS, Samuel M. Rosenfeld passed away recently. Mr. Rosenfeld, who served in the House of Representatives from 1939 to 1942, was dedicated to his work, both in the legislature and the legal profession, and he earned the love and admiration of all who knew him. He practiced law in Philadelphia, and served from 1968 to 1972 as a Philadelphia duty revenue commissioner. Mr. Rosenfeld is survived by his wife, Sylvia, a daughter, two brothers and two sisters; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to mourn the passing of Samuel M. Rosenfeld and extends its heartfelt condolences to the wife and family of this outstanding gentleman; and be it further

RESOLVED, That a copy of this resolution be delivered to Mrs. Sylvia Rosenfeld, Beaver Hill Apartments, Jenkintown, Pennsylvania 19046.

JAMES J. TAYOUN

HOUSE OF REPRESENTATIVES

WHEREAS, Robert Bader has been honored on the occasion of his fiftieth year as a member of the Masonic Lodge of Pottsville, Pennsylvania.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Robert Bader on his fiftieth anniversary of his admission to the Masonic Lodge, and wishes him many more years of good health and service with the Masonic Lodge; and further directs that a copy of this citation be delivered to Mr. Robert Bader, 523 West Norwegian Street, Pottsville, Pennsylvania 17901.

WILLIAM D. HUTCHINSON

HOUSE OF REPRESENTATIVES

WHEREAS, Charles Hugo has been honored on the occasion of his fiftieth year as a member of the Masonic Lodge of Pottsville, Pennsylvania.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Charles Hugo on the fiftieth anniversary of his admission to the Masonic Lodge, wishes him many more years of good health and active service with the Masonic Lodge; and further directs that a copy of this citation be delivered to Mr. Charles Hugo, R. D. 1, Box 138, Ashland, Pennsylvania 17921.

WILLIAM D. HUTCHINSON

HOUSE OF REPRESENTATIVES

WHEREAS, Richard L. Jones, Jr., has been honored on the occasion of his fiftieth year as a member of the Masonic Lodge of Pottsville, Pennsylvania.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Richard L. Jones, Jr., on his fiftieth anniversary of his admission to the Masonic Lodge, wishes him many more years of good health and service with the Masonic Lodge;

and further directs that a copy of this citation be de-

livered to Mr. Richard L. Jones, Jr., Pottsville Federal Savings & Loan, 121 Mahantongo Street, Pottsville, Pennsylvania 17901.

WILLIAM D. HUTCHINSON

HOUSE OF REPRESENTATIVES

WHEREAS, John Ho, son of Dr. and Mrs. Monto Ho, Mt. Lebanon, earned the top science prize in 1975 at the Pittsburgh Regional School Science and Engineering Fair; and

WHEREAS, John Ho, judged the best of seven hundred forty-three exhibits entered in the Fair, devoted diligent effort in developing his project, "Genetic Transfer in Bacteria." Further, John intends to pursue a career in quantum electronic engineering or aeronautical engineering.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to congratulate John Ho, recipient of the top science prize, and commends him for his energy and perseverance in developing his project; and further directs that a copy of this citation be delivered to John Ho, 396 Midway Road, Mt. Lebanon, Pennsylvania 15216.

H. SHELDON PARKER, JR.

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. William E. Voorhes celebrated their sixtieth wedding anniversary recently. Their happy union has been blessed by two children, seven grandchildren, and one great-grandchild. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Voorhes, nee Stockton, and Mr. Voorhes were married June 24, 1915 by Reverend F. J. Scott, at Third United Presbyterian Church.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. William E. Voorhes on their sixtieth wedding anniversary and expresses its hope that they may long continue to enjoy their happy marriage; and further directs that a copy of this citation be delivered to Mr. and Mrs. William E. Voorhes, 394 Leonard Avenue, Washington, Pennsylvania 15301.

ROGER RAYMOND FISCHER

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Domenick Delsignore celebrated their silver wedding anniversary recently. Their happy union has been blessed by three children. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Delsignore, nee McAlpine, and Mr. Delsignore were married on June 23, 1950 by Reverend Arthur French at the First Presbyterian Church of Washington.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Delsignore 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. Domenick Delsignore, 1566 North Main Street, Washington, Pennsylvania 15301.

ROGER RAYMOND FISCHER

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Elbert C. Munnell celebrated their golden wedding anniversary recently. Their happy union has been blessed by two children, and eleven grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Munnell, nee Grandstaff, and Mr. Munnell were married July 2, 1925 by Reverend William Plummer at Fourth Presbyterian Church of Washington.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Munnell 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. Elbert C. Munnell, 130 East Wheeling Street, Washington, Pennsylvania 15301.

ROGER RAYMOND FISCHER

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Raymond Mack celebrated their silver wedding anniversary recently. Their happy union has been blessed by three children. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Mack, nee Wilma McVay Garbart, and Mr. Mack were married July 1, 1950, by Reverend William Kennedy at First Baptist Church of Washington.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Raymond Mack 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. Raymond Mack, 75 Murray Avenue, Washington, Pennsylvania 15301.

ROGER RAYMOND FISCHER

HOUSE OF REPRESENTATIVES

WHEREAS, The Lewistown High School Golf Team, coached by Gary Mowery, has won the Tri-Valley League Championship with an outstanding fifteen win three loss record. The team concluded the 1975 season with a record setting victory over West Snyder High School where their three hundred thirteen total set a new course record at the Lewistown Country Club.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates the Lewistown High School Golf Team on winning the Tri-Valley League Championship, commends them on their outstanding record and wishes them continued success in future seasons;

and further directs that a copy of this citation be delivered to the Lewistown High School Golf Team, 212 Green Avenue, Lewistown, Pennsylvania 17044.

WALTER DeVERTER

HOUSE OF REPRESENTATIVES

WHEREAS, The 1974-1975 Kishacoquillas High School Baseball Team won the Mifflin County Tournament and captured the Tri-Valley Championship.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates the members of the 1974-1975 Kishacoquillas High School Baseball Team on their victorious season, commends them on their outstanding performance and their team effort and wishes them success in their future endeavors; and further directs that a copy of this citation be delivered to the Kishacoquillas High School Baseball Team, Garden View, Lewistown, Pennsylvania 17044.

WALTER DeVERTER

HOUSE OF REPRESENTATIVES

WHEREAS, The Lewistown High School Baseball Team, under the supervision of head coach, Joe Stravolo, won the Huntingdon-Mifflin County League Championship and competed in the District Six Tournament.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates the members of the 1974-75 Lewistown High School Baseball Team and head coach Joe Stravolo for their winning season, commends them on their outstanding performance and display of teamwork, wishes them success in their future endeavors;

and further directs that a copy of this citation be delivered to the 1974-1975 Lewistown High School Baseball Team, 212 Green Avenue, Lewistown, Pennsylvania 17044.

WALTER DeVERTER

HOUSE OF REPRESENTATIVES

WHEREAS, Mike Namie, a Brownson House midget wrestler, won the sixty-five pound championship in the first annual Pennsylvania State Kids wrestling championship at Wilkes College; and

WHEREAS, Mike Namie, a ten year old fifth grader at Wolfdale School, competed in the ten and under division. Defeating a Chartiers-Houston wrestler, Mike achieved excellence in the field of wrestling for capturing the divisional championship.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to congratulate Mike Namie in winning the ten and under division State wrestling championship; and further directs that a copy of this citation be delivered to Mike Namie, 2661 Dianne Drive, Washington, Pennsylvania 15301.

ROGER RAYMOND FISCHER

HOUSE OF REPRESENTATIVES

WHEREAS, Miss Mary Tomko was selected Miss Pennsylvania Teenager, and will reign from August 4, 1974 to July 26, 1975; and

WHEREAS, Miss Tomko is an eighteen year old graduate of Sharon High School. She appeared before the House of Representatives and addressed them on June 30, 1975. She has made appearances at Miami Beach and other cities throughout the United States.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Miss Mary Tomko on her selection as Miss Pennsylvania Teenager, wishes her health, happiness and success in all her future endeavors; and further directs that a copy of this citation be delivered to Miss Mary Tomko, 4887 East State Street, Sharon, Pennsylvania 16146.

REID L. BENNETT

HOUSE OF REPRESENTATIVES

WHEREAS, Shawn Garber, eighteen years old, has earned the Eagle award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of this young man. He is the son of Mr. and Mrs. J. Kirk Garber of Lansdale and is a member of Troop 61. Shawn is a graduate of North Penn High School. His Eagle project was to organize a voter registration drive for members of the senior class at North Penn and as a result, many North Penn seniors registered to vote for the first time.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Shawn Garber on the occasion of his being honored with the Eagle Scout Award, commends him on the outstanding work he has done to earn this coveted honor, and wishes him continued success in the future; and further directs that a copy of this citation be delivered to Shawn Garber, 118 Heartwood Drive, Lansdale, Pennsylvania 19446.

ROOSEVELT I. POLITE

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. David M. Auchy celebrated their golden wedding anniversary recently. Their happy union has been blessed by two children, five grandchildren, and one great-grandchild. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Auchy, nee Lillian Hillegas, and Mr. Auchy were married June 20, 1925 by Reverend Thomas Brindle at the parsonage, Green Lane.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. David M. Auchy 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. David M. Auchy, 223 Mill Road, Hatfield, Pennsylvania 19440.

ROOSEVELT I. POLITE

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Neil Nat Durso will celebrate their golden wedding anniversary July 25, 1975. Their happy union has been blessed by five children and nineteen grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Durso, nee Helen Margaret Gaizik, and Mr. Durso were married July 25, 1925 by Reverend L. J. Kroner at S. Joseph Roman Catholic Church, Hazleton.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Neil Nat Durso 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. Neil Nat Durso, 6 East Diamond Avenue, Hazleton, Pennsylvania 18201.

JAMES J. USTYNOSKI

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Leroy S. Eschrich celebrated their sixtieth wedding anniversary recently. Their happy union has been blessed by two children, four grandchildren, and three 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 7, 1915 in Cumberland, Maryland.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Leroy S. Eschrich on their sixtieth wedding anniversary and expresses its hope that they may long continue to enjoy their happy marriage; and further directs that a copy of this citation be delivered to Mr. and Mrs. Leroy S. Eschrich, Cochran Road, Mt. Lebanon, Pennsylvania 15228.

H. SHELDON PARKER, JR.

PERMISSION TO ADDRESS THE HOUSE

Mr. SALVATORE requested and obtained unanimous consent to address the House.

Mr. SALVATORE. Thank you, Mr. Speaker, and I would appreciate the attention of the House.

It is my understanding that the Governor now has on his desk House bill No. 496, the measure which addresses the problem of busing school children.

In the hope that the Governor or his aides are listening on the communications system which pipes House proceedings into the Governor's Office, I wish to send a message. The issue is on the minds of Philadelphians as well as all Pennsylvania parents. It is the subject of street talk. It is the concern of our entire city.

We, in Philadelphia, have read the newspapers that Mr. Shapp has thought the issue through in its entirety and that he possesses full knowledge of all factors involved. He has also reported to the people that he has already made up his mind to veto the measure.

I point out to the Governor that he owes it to the

people of Philadelphia, to the members of the legislature, to take his stand while the legislature is in session before the summer recess. It would be tragic if the Governor delayed his decision until we left town, so that he could delay facing our veto override fight until all the children are back in school this fall.

Such evasion would also detract from the type of image which the Governor, any Governor, so much needs to maintain. I asked the Governor to place House bill No. 496 on his list of priorities today and to affix his signature to his veto. It will take no more than a few seconds. If he will do so, we will be able to respond with a veto override before we recess next week.

Thank you, Mr. Speaker.

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

Mr. LETTERMAN. I have a weekly report, that I have requested from the Governor's office, referring to the canning lids and jars in the State of Pennsylvania. Any member who is having trouble finding out where the canning lids are, where the jars are, if you would request from my office or from the office of Mary Harris, the special assistant to the Governor, you can have this report.

It is apparent that all the manufacturing companies which we have called—and I have called seven of them personally—have told us that they have shipped into this state, starting yesterday, as many canning lids as they can afford to release to this area. So they are starting to show up in a few areas and I am sure that you will be hearing about it, because yesterday Mr. Dreibelbis reported to me that there were lids at the Houts store in State College but they only lasted a couple of hours.

So if this is happening to you, if you get this report you will find out where the lids are and you can contact the people and try to get them for your people.

Thank you.

EDUCATION COMMITTEE MEETING

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

Mr. GALLAGHER. Mr. Speaker, the Education Committee meeting scheduled for 10:30 a.m. will be at 1:45 p.m., in room 246.

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. RUGGIERO. Mr. Speaker, yesterday on Senate bill No. 368 on the Gleason amendments No. 2 and 3, while those were being voted I was on the telephone. I would like the record to show that I would have voted in the negative.

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

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I would like to submit these remarks for the Honorable James Manderino, on Senate bill No. 368, for the record.

The SPEAKER. The majority leader will send the remarks to the desk.

Mr. IRVIS submitted the following remarks for Mr. MANDERINO for the Legislative Journal:

We have before us today a measure which has been a long time in coming. Senate bill No. 368 provides for the merger of the General State Authority and the Department of Property and Supplies into a new department of general services.

At least 10 years of vocal criticism, reports, recommendations, wasted opportunities, and general teeth-grashing have preceded our debate here today. We now have an opportunity to put this unfortunate history behind us and to bring this issue to a fruitful conclusion.

From its inception in the mid-thirties, through the reorganization of 1949, the General State Authority has existed mainly for one reason—because the Pennsylvania Constitution had prohibited the Commonwealth from incurring more than \$1 million in construction debt. But in 1968, with the adoption of a new state constitution, the Commonwealth was finally given the authority to issue general obligation bonds beyond this unrealistic limit.

Yet, Mr. Speaker, the General State Authority lives on. It lives on not only as a governmental function but as the helpless target of newspaper editorials, political accusations, and public distrust.

Mr. Speaker, there is a saying, "The past is prologue." While it is true that the past tells us very vividly what is wrong with the present scheme of state construction, it also tells us what can be done. With the adoption of the new state constitution in 1968, the way had been cleared for a change. In 1970, in an address to this body, Governor Shafer called for a merger of the General State Authority and the Department of Property and Supplies. He said then that such a move would result in savings of approximately \$12 million. Today, the adoption of Senate bill No. 368 is estimated to produce a savings of over \$14 million. The only argument that I can think of for voting against this measure—and it is a purely facetious one—is that if we wait another 5 years, the first-year savings would be even larger.

Mr. Speaker, we can wait no longer. In 1970, a commission appointed by Governor Shafer—the bipartisan "Little Hoover Committee"—urged the merger of GSA with Property and Supplies. In 1971, in a report to Governor Shapp, the Pennsylvania Economy League called for substantially similar action. One year later, the Governor's Task Force on Government Management reported that substantial savings could be realized with the consolidation of the several state construction bodies.

All of these reports and studies emphasize one major benefit to consolidation: substantial and immediate savings of tax money.

Mr. Speaker, the second major purpose of Senate bill No. 368 is governmental reform. This legislation will effectively remove the selection of architects, engineers, and other contractors from politics. A five-member selections committee, appointed by the Governor, would have the responsibility of recommending to the department of general services three qualified architects and engineers in the order of its preference for each building project. This selection committee would be composed of archi-

pects, engineers, and other persons knowledgeable in the field of construction.

The selection process would be guided by the following factors: (1) an equitable distribution of contracts to architects and engineers; (2) particular capability to perform the design or construction services for the contract being considered; (3) geographic proximity of the architect or engineer to the proposed facility; (4) that the architect or engineer selected has the necessary available manpower to perform the services required by the project; and (5) other relevant circumstances peculiar to the proposed contract.

The selection process thus involves professional, as opposed to political, considerations. It represents real and effective reform and underscores the new accountability contained in Senate bill No. 368. As part of the process, the three choices of the selections committee would be submitted for approval to the secretary of the department of general services. This final phase of the selection process would mean that, for the first time, the executive branch of the government would have direct accountability for the awarding of state contracts and for the quality and cost of state construction.

Mr. Speaker, Senate bill No. 368 embodies an idea whose time is overdue. I strongly recommend a "yes" vote.

HOUSE SCHEDULE

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, first of all, we shall be here tomorrow. There is no longer any question about that.

We shall be coming back on the floor after the declaration of the recess at five minutes after two. We shall be taking up immediately, the consumer package, and the first bill we shall be taking up will be House bill No. 170.

I would ask you to report immediately to the floor at the close of the luncheon recess so that we may start promptly at 2:05 p.m.

Thank you, Mr. Speaker.

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. ROMANELLI. Mr. Speaker, I would like to be recorded in the affirmative on House bill No. 774. I was not in my seat when the vote was taken this morning.

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

REFERRALS

The SPEAKER. The Chair will refer bills and a resolution.

The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

By Messrs. D. S. HAYES, BELLOMINI,
DOMBROWSKI, HOPKINS, MANMILLER,
BRANDT and NOYE **HOUSE BILL No. 1628**

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), deleting provisions which prohibit the deduction of accelerated depreciation.

Referred to Committee on Finance.

By Messrs. D. S. HAYES, BELLOMINI, ZELLER,
MANMILLER, S. E. HAYES and WHELAN

HOUSE BILL No. 1629

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779, No. 673), providing free licenses for the blind, mentally retarded or severely handicapped.

Referred to Committee on Game and Fisheries.

By Messrs. D. S. HAYES, ZELLER, Mrs. CRAWFORD,
Messrs. MANMILLER, S. E. HAYES, BRANDT,
WHELAN and NOYE **HOUSE BILL No. 1630**

An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343, No. 176), requiring funds of State institutions to be deposited within this Commonwealth.

Referred to Committee on Finance.

By Messrs. WRIGHT and BURNS

HOUSE BILL No. 1631

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for a unicameral General Assembly composed of one hundred members.

Referred to Committee on State Government.

By Messrs. WOJDAK, GALLAGHER, HAMILTON
and FINEMAN

HOUSE BILL No. 1632

An Act amending the "Public School Code of 1949," approved March 14, 1949 (P. L. 30, No. 14), further providing for the qualifications of superintendents.

Referred to Committee on Education.

By Mr. W. W. WILT

HOUSE BILL No. 1633

An Act amending the "Eminent Domain Code," approved June 22, 1964 (Sp. Sess., P. L. 84, No. 6), further providing for attorney fees.

Referred to Committee on Judiciary.

By Messrs. GARZIA, GIAMMARCO, GILLESPIE,
O'KEEFE, DOYLE, VALICENTI, LEDERER and
DIDONATO

HOUSE BILL No. 1634

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (2nd Sp. Sess., P. L. 2897, No. 1), further providing for notice by the employer.

Referred to Committee on Labor Relations.

By Messrs. THOMAS, ANDERSON, ENGLEHART,
RYAN, BRUNNER and WARGO

HOUSE BILL No. 1635

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), excluding the sale at retail or use of certain motor vehicles.

Referred to Committee on Finance.

By Messrs. THOMAS and WAGNER

HOUSE BILL No. 1636

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

Referred to Committee on Transportation.

By Messrs. THOMAS, ZORD and WAGNER

HOUSE BILL No. 1637

An Act amending the "Uniform Criminal Extradition Act," approved July 8, 1941 (P. L. 238, No. 122), providing for the payment of costs and expenses of extradition proceedings.

Referred to Committee on Judiciary.

HOUSE RESOLUTION INTRODUCED AND REFERRED

By Messrs. D. S. HAYES, PERRY, ZELLER
and NOYE **RESOLUTION No. 133**

The Speaker of the House of Representatives appoint a bipartisan committee of eight members, four from the majority and four from the minority, to study the New Jersey program of setting up a State fund to help finance home mortgages to determine whether or not such a plan would be feasible for Pennsylvania, and to study the possibility of extending such a program to commercial banks as well as savings and loan associations if the plan were implemented in the Commonwealth.

Referred to Committee on Rules.

SENATE MESSAGE

BILLS FOR CONCURRENCE

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

SENATE BILL No. 170

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes relating to assaults by prisoners.

Referred to Committee on Judiciary.

SENATE BILL No. 584

An Act granting the discretionary right to trial judges to dispose of post trial motions in civil and criminal cases at the rendition of the verdict.

Referred to Committee on Judiciary.

SENATE BILL No. 585

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, redefining parts of the offense of criminal trespass.

Referred to Committee on Judiciary.

SENATE BILL No. 600

An Act amending the act of January 14, 1952 (P. L. 1898, No. 522), entitled, as amended, "Funeral Director Law," providing for corporate licenses and providing penalties.

Referred to Committee on Professional Licensure.

SENATE BILL No. 745

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, adding provisions relating to military and veterans' affairs.

Referred to Committee on Military and Veterans Affairs.

SENATE BILL No. 831

An Act authorizing and directing the Department of Property and Supplies or such department and The General State Authority to convey to Philadelphia or transfer jurisdiction within the State government of certain tracts of Commonwealth real property acquired under the act of September 29, 1938 (P. L. 53, No. 21), entitled, as amended, "An act relating to institutions of counties, cities, wards, boroughs, townships, institution districts

and other political subdivisions for the care, maintenance and treatment of mental patients; . . ." imposing powers and duties of the Department of Environmental Resources in connection with one such tract and providing for use of land conveyed to the City of Philadelphia.

Referred to Committee on State Government.

SENATE BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor and the same being correct, the title was publicly read as follows:

SENATE BILL No. 774

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.

Whereupon,

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

QUESTION OF PERSONAL PRIVILEGE

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

Mr. E. H. SMITH. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. E. H. SMITH. Yesterday, I was not in my seat when they voted on House bill No. 1299, printer's No. 1789. With your permission, I would like to be recorded "aye" in favor of that bill. Also House bill No. 696, printer's No. 787, I would like to be recorded as voting "nay" on that bill.

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

RECESS

The SPEAKER. Without objection, the Chair now declares a recess until 2:15 p.m.

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

AFTER RECESS

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

THE SPEAKER (Herbert Fineman) IN THE CHAIR

WELCOMES

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, Mr. and Mrs. Stanley Shea, and Mr. and Mrs. Adam Zipnock from Mount Pleasant.

They are here as the guests of the gentleman from Westmoreland, Mr. Saloom.

The SPEAKER. The Chair would like to introduce Mr. Cebular and his daughter Joyce from Clearfield City.

They are here as the guests of the gentleman from Clearfield, Mr. George.

STATEMENT SUBMITTED FOR THE RECORD

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I have a statement which I intended to read concerning the package which we call the consumer protection package. But inasmuch as I have urged everyone else to be brief so that we may get along with the business of the House, I am going to file that statement for the record right now.

Mr. IRVIS submitted the following statement for the Legislative Journal:

Mr. Speaker, we are about to undertake here on the floor of the House of Representatives a task that is long overdue—the passage of several measures that can be packaged together under the title of “Consumer Protection.”

I do not expect to accomplish the task of providing sufficient protection for the consumer this day or this week or even in my lifetime. However, I do expect to make significant progress before we leave here today.

I do not intend at this time to go into a complete explanation of each of the consumer protection measures that will come before us; the sponsors of each of the individual measures, who know them much better than I do, will undertake that task as each bill is considered.

We expect to take action upon—and hopefully approve—the following bills:

House bill No. 171, which repeals the Unfair Sales Act, which forbids “loss leaders” by requiring Pennsylvania merchants to charge the public more than the merchant pays for merchandise;

House bill No. 172, which repeals the fair trade laws under which merchants are forced to sell goods at a price set by the manufacturer;

House bill No. 488, which is the Mobile Home Tenants Right Act;

House bill No. 167, which would regulate the collection of debt so as to end harrassment and intimidation by debt collectors;

House bill No. 170, which tightens up regulations regarding credit purchases; and

House bill No. 485, the Unfair Trade Practices and Consumer Protection Act, which, among other things, permits the courts to order restitution in consumer fraud cases.

Before we consider these measures, I would like to discuss my own philosophy in these matters, which I believe to be the philosophy of the Democratic Party and I hope of all members here. For while we may differ in details in such matters, I believe that we all have the best interests of the consumer at heart. For the consumer is everyone of us. We are all consumers from the day we enter this earth until the day we finally depart it, many of us in a state of conspicuous consumption in an overpriced coffin.

I believe that in this complicated age, the consumer needs protection against unethical bill collectors; against interest charges that are too high and not clearly stated; against such practices as “dragging the body” and “balloon payments” and such practices.

At the same time, we all recognize the fact that most of our businessmen are honest, have integrity and are ethical. Only a small percentage attempts to cheat their customers in any way.

In formulating this package of bills, we have attempted

to follow the advice of Benjamin Franklin, who once wrote to the British Parliament: “If you gentlemen must be making laws, do not turn natural and useful actions into crimes by your prohibitions.”

By following the advice of Doctor Franklin, and by attempting to look at each part of these measures from the viewpoint of the consumer, we believe that we have put together a package of bills that deserves the support of every member here. These bills protect our consumers while at the same time they do not unduly restrict or burden honest businessmen.

Therefore, I would like to urge all members to support these bills and make July the month that consumers finally found that they had friends in Harrisburg.

CALENDAR**CONSUMER PROTECTION BILLS
ON THIRD CONSIDERATION**

Agreeable to order,

The House proceeded to third consideration of **House bill No. 170, printer's No. 1978**, entitled:

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 and Home Improvement Finance Act, the Motor Vehicle Sales Finance Act and other inconsistent laws.

On the question,

Will the House agree to the bill on third consideration?

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

Amend Sec. 12, page 19, line 7 by striking out “A” and inserting: no less than the wholesale

On the question,

Will the House agree to the amendment?

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

Mr. VROON. Mr. Speaker, the amendment which I am now introducing to the House has to do with the aspect of repossession in this bill. By way of introduction to this amendment, this bill regulates certain abuses and tries to correct certain abuses in the area of consumer credit along with other areas which are being regulated here is the practice of repossession.

The intent of the bill is to permit repossession of goods on which payment has been defaulted, but to provide for proper recognition of any excessive value realized on the sale of repossessed goods for the benefit of the consumer. In other words, if I finance an automobile and fail to keep up my payments, the automobile is repossessed; If I owe \$1,000 on that automobile and the automobile is sold for \$2,000, the difference, namely, \$1,000 less costs incurred in repossessing and selling the car, is given back to the consumer. This is just as it should be. There is really a good point there, and I am sure we all agree that this is only fair.

However, in the process of defining fair value of the goods involved, we did not recognize in committee the

fact that there are two values, especially with respect to such things as automobiles. One is a wholesale fair market value and one is the retail fair market value. This was discussed in committee and, in our haste to get it reported out, the statement was made to me and to others in the committee that we should introduce this on the floor of the House. It was recognized that it was a weak point.

Therefore, this amendment is being introduced to state that no less than the wholesale fair market value will be required in this particular situation. In other words, if that automobile that was repossessed has a retail value of \$2,000 and a wholesale value of \$1,800, the consumer is protected up to the point of \$1,800 rather than \$2,000, because it is recognized that it would be very difficult, indeed, in certain circumstances, especially if the automobile was abused, to readily sell that automobile at fair market value retail. So the object of this amendment is to provide for no less than the wholesale value.

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

Mr. RAPPAPORT. Mr. Speaker, may I yield to the gentleman, Mr. Trello?

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

Mr. TRELLO. Mr. Speaker, I rise to oppose this amendment. Number one, there are three market values to an automobile. There is the wholesale value, the retail value and the finance value to an automobile, and they are all treated as such regardless of the condition that they are in. When the consumer goes to a dealer to buy a car, he pays the fair market value of that automobile when he buys it. I feel that if he has a problem in regard to employment and he gets himself in a position where he has to have the car repossessed, he should get the fair market retail value for that automobile also.

Now the gentleman from the other side of the aisle stated that if he owes \$800 on the car and the bank sells it for \$2,000 the consumer gets the money back. Well, that has always been the case. So there is no change there. I feel he paid full retail for the automobile. If he has a problem in regard to losing it, it should be sold for at least the fair market value, retail value of the automobile and not the wholesale value. So, I urge everybody to oppose this amendment.

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

Mr. RAPPAPORT. Thank you, Mr. Speaker.

My good friend, Mr. Trello, has covered the situation with regard to automobiles. With regard to other consumer goods, it is not that easy to determine a fair market value, and it is frequently to the best interest of the dealer to sell it on the sidewalk, so to speak, for practical salvage value. That is the easiest way of doing it, especially if he knows he has a debtor who is reasonably solvent.

Many of us in Philadelphia remember the old days of the constable sales, where the law required that the constable bring a cow bell to announce the sale to gather the citizens around to buy the goods of the defendant. They used to carry a little bell around in their vest pocket, about an eighth of an inch long, and ring that bell as mightily as they could and then sell \$500 worth

of household goods for \$45. Then the people who used to follow the constables around in the sales, known as the Forty Thieves, who would go around the corner and sell it among themselves and divide up the profits.

This provision is meant to prevent that sort of thing and to say that the refrigerator may be three years old and a wholesale value is probably worth nothing but a retail value is worth quite a bit. The person who repossesses it and is going to sell it must sell it at retail and not at wholesale. Mr. Speaker, I would ask opposition to this amendment.

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

Mr. VROON. Once more to put this into perspective: We are amending this to say no less than the wholesale value, and this gives latitude because there are situations where nothing more than a wholesale value can be realized for the repossessed article. This recognizes the fact that in many instances that article comes back in a less-than-desirable condition. Therefore, sometimes it is very difficult indeed to find a ready buyer. Consequently, it becomes incumbent on the reposessor to sell it at wholesale and, verily, in situations like that, it is much better for everyone concerned that a very quick sale be made of the repossessed article and the settlement be made of the whole business.

So this is not a stipulation that the wholesale value will be the value. It just says "no less than the wholesale value" and it gives enough leeway to all involved so that at least he is protected to this extent and the seller, the reposessor, is also protected against the necessity of having to make a retail sale when a retail sale is not possible.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, would the gentleman, Mr. George, yield to the majority leader?

The SPEAKER. Would the gentleman from Clearfield, Mr. George, yield?

Mr. GEORGE. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. IRVIS. I neglected to make an announcement which I should have made at this microphone.

I am requesting herewith that the Chair enforce rule 10 from now on, which means that anyone who speaks more than twice is in violation of the rule. That is a formal request, Mr. Speaker.

The SPEAKER. The Chair will take it under advisement.

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

Mr. GEORGE. Mr. Speaker, I really believe that the gentleman Mr. Vroon wants to do something good for the people of Pennsylvania, but as most people sometimes do, we get overzealous in trying to do something for these people and, in effect, try to propose something that will hurt rather than help.

Now if Mr. Vroon believes that the dealers in Pennsylvania or any other dealer of any other commodity is going out and work zealously to get more money for an object and then turn it over to the consumer, then I would like to remind him that he is just on the wrong avenue.

Secondly, I would like to say that the people in Pennsylvania are not all dishonest and they realize their obligation to a contract, and it is funny that 80 years ago when the people sat here in the seats of this House, there were many things done that were done without a contract, just by word of mouth, and it was honored. And today we say to the people of Pennsylvania that we want to help you. We are not helping them to say that you buy a commodity and just because you decide that you do not want it, somebody has to make up for the deficiency. There is such a thing that this automobile could be returned in a condition that would not make it salable or profitable. So if you want to help the people of Pennsylvania, do something to help them. Do not curb it any further.

Thank you very much.

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

Mr. LETTERMAN. Mr. Speaker, I would like to interrogate someone. Mr. Vroon might be able to answer me.

The SPEAKER. Will the gentleman from Chester, Mr. Vroon, consent to interrogation?

Mr. VROON. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. LETTERMAN. Mr. Speaker, do you believe that banks will be willing to loan money if we put this kind of an amendment in for the buying of an automobile? Do you not see that it will affect a bank's desire to lend the money to make the initial purchase and just make it harder for our people in this state to do any buying at all through banks?

Mr. VROON. Mr. Speaker, to answer the question, I do not see that this would have any unfavorable effect on banks or on the financing of automobiles or any other piece of merchandise. The fact of the matter is, who would be the reposessor if it were not the banks that are lending the money? And the bank, usually, does not care to be involved in an extensive effort to sell at retail an item that has been damaged, so this would help the bank more than hurt it. The bank takes back an article that has been damaged, and no matter how new it might be he cannot sell it at retail; he is going to be very happy to turn it over at wholesale and this protects his interests then. He is not obligated to pay back the difference between the retail value and what he got for it.

Mr. LETTERMAN. What do they do at the present time? How do they pay back the consumer at the present time on a repossession?

Mr. VROON. Actually they sell them for the best price they can get. If they have to wholesale it, they wholesale it, and they settle with the consumer accordingly. If there is money left over, they give it back to the consumer. Really nothing new is accomplished by this bill, but if we put this wording in the way it is, it will change that one aspect of it very unfavorably to the finance company or the bank. That is the point of the amendment.

Mr. LETTERMAN. Very well, thank you.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Messrs. VROON and TRELLO and were as follows:

YEAS—73

Anderson, J. H.	Grieco	McGinnis	Sirianni
Beren	Gring	Mebus	Smith, E.
Bittie	Hamilton, J. H.	Miller, M. E., Jr.	Smith, L.
Brandt	Hasay	Noye	Spencer
Butera	Haskell	O'Connell	Stahl
Cessar	Hayes, D. S.	O'Donnell	Taddonio
Ciminl	Hayes, S. E.	Pancoast	Turner
Crawford	Hepford	Perri	Ustynoski
Cumberland	Hilli	Pitts	Vroon
Davies	Hutchinson, W.	Polite	Wagner
Deverter	Katz	Pyles	Westerberg
Dietz	Klingaman	Renninger	Whelan
Dorr	Kusse	Ryan	Whittlesey
Dreibelbis	Lehr	Salvatore	Wilt, R. W.
Foster, A.	Letterman	Scheaffer	Wilt, W. W.
Foster, W.	Manmiller	Schweder	Worrilow
Gallen	McClatchy	Scirica	Yohn
Geesey	McCue	Seltzer	Zearfoss
Geason			

NAYS—119

Abraham	George	Menhorn	Saloom
Arthurs	Giammarco	Milanovich	Schmitt
Barber	Gillespie	Miller, M. E.	Shane
Bennett	Gillette	Miliron	Shelhamer
Berson	Gleeson	Miscevich	Shelton
Blackwell	Goodman	Mochlmann	Shuman
Bonetto	Green	Morris	Shupnik
Bradley	Greenfield	Mrkonic	Stapleton
Brunner	Halverson	Mullen	Stout
Burns	Hammock	Mullen, M. P.	Sullivan
Caputo	Hopkins	Musto	Taylor
Cohen	Hutchinson, A.	Myers	Tayoun
Cole	Irvic	Novak	Toll
Cowell	Itkin	O'Brien	Trello
Davis, D. M.	Johnson, J.	O'Keefe	Vaitcenti
DeMedio	Kelly, A. P.	Oliver	Vann
Dicarlo	Kernick	Parker, H. S.	Walsh, T. P.
DiDonato	Kistler	Petrarca	Wansacz
Dombrowski	Knepper	Pievsky	Wargo
Doyle	Kolter	Pratt	Weidner
Eckensberger	Kowalyshyn	Prendergast	Wilson
Englehart	LaMarca	Rappaport	Wojdak
Fawcett	Laudadio	Reed	Wright
Fee	Laughlin	Renwick	Yahner
Fischer	Lederer	Rhodes	Zeller
Fisher	Levi	Rieger	Zord
Flaherty	Lincoln	Ritter	Zwikl
Fryer	McCall	Romanelli	
Gallagher	McIntyre	Ross	Fineman,
Garzia	McLane	Ruggiero	Speaker
Geisler			

NOT VOTING—11

Bellomini	Kelly, J. B.	McGraw	Sweeney
Berlin	Lynch	Perry	Thomas
Dininni	Manderino	Richardson	

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

On the question recurring,

Will the House agree to the bill on third consideration?

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

Amend Sec. 8, page 12, line 11 by striking out "(a)"
 Amend Sec. 8, page 12, lines 18 through 21 by striking out all of said lines

On the question,

Will the House agree to the amendments?

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

Mr. VROON. Mr. Speaker, there are a lot of good things this bill tries to accomplish and we all recognize these good things. There is one sad thing which this bill provides which a good many of us object to. Basically, we do not like to see the finance companies in our state be made merchandizers or merchants. When somebody defaults on a payment to a finance company and

says, well, look, there is something wrong with this set that I bought and I am not going to pay you until I get the set fixed up, we do not really want to put that burden on an innocent finance company that did not sell the merchandise. There is something wrong about making every finance company a merchant, and that is why I introduce this amendment here.

On page 12 of the bill, it reads as follows:

This section shall not limit the right of a consumer to withhold payments due in respect of a consumer transaction pending settlement of a disputed claim of which notice has been given.

I think this is unfair to the finance companies. There are situations where the finance company is very much a party to the whole deal. So when he is in the business of lending money, he is not in the business of fixing up merchandise and he should not be penalized every-time a consumer has a little bit of a dispute about the item that he bought. Hence, I ask for the amendment of this section in eliminating this section completely because I do not think it is needed in order to properly protect the consumer.

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

Mr. TRELLO. Mr. Speaker, I rise to oppose this amendment also. The gentleman has made a statement about the poor finance company. Well, I can remember the days when a client bought a piece of equipment, went to the dealer and said, I am not paying for this because it is bad. The dealer would say, well, hey, do not do business with me, the bank already gave me my money, go see them. So he would go see the bank, and the bank would say, hey, listen, I got a contract here that you signed. If you have trouble with your piece of equipment, go see the dealer.

Now I do not know of any bank or any finance company in my district that has ever taken advantage of a consumer. As a matter of fact, I think we have some of the best banks and some of the best finance companies in the State of Pennsylvania in my district. But by the same token, you know, my people back in my district are sick and tired of legislation that is costing them money.

This legislation that we are producing right now is consumer protection; it does not cost money; it is going to protect the little guy. And as far as this equipment is concerned, let us consider the person who buys it because the banks and the finance—

The SPEAKER. Will the gentleman yield?

The gentleman may proceed.

Mr. TRELLO. I think we ought to consider the consumer a little bit more because the banks and the finance companies want to get rid of the rotten dealers, the suede shoe dealers, so to speak, and I think this is a good deal in its present form. I urge all my colleagues to oppose the amendments and get on with the business at hand.

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

Mr. RAPPAPORT. Thank you, Mr. Speaker.

I think the argument presented by Mr. Vroon on this amendment illustrates precisely what we are trying to do here. Finance companies and banks, financing

agencies, have been relying upon this third-party argument saying, look, all I did was loan the money; I had nothing to do with that television set. Do not bother me.

They have been loaning money to every schlock salesman, be he on the street or in a store, in existence. This will force the financing agencies to say, No, Mr. Retailer, we are not going to do business with you because you do not stand behind your merchandise.

This is not going to hurt the responsible finance agency; it is not going to hurt the responsible retailer. It is going to hurt the precise person whom we are aiming this legislation at. No longer will the banks—and it is not the banks so much as some of the intermediate finance agencies, and, by the way, some of this paper can change hands three times. Everybody is making a profit on it before it gets to the ultimate man who is willing to take a risk on this type of a retailer.

This section pins the tail on the donkey where it belongs. The financing agency must make sure that the retailer whose paper they are taking is a legitimate person and will stand up for his merchandise, and if he will not stand up for his merchandise, that financing agency has to answer for it. Mr. Speaker, I urge the defeat of this amendment.

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

Mr. McCLATCHY. Mr. Speaker, will the gentleman, Mr. Rappaport, consent to interrogation?

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

Mr. RAPPAPORT. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. McCLATCHY. Mr. Speaker, I follow your argument although I would tend to think it goes one more step. Would it not be prudent of a finance company to insist on good creditors, or good retailers, and would it not, in turn, work toward a retailer being very selective in the credit he would extend?

Mr. RAPPAPORT. Yes, Mr. Speaker, as far as I understand the gentleman—I was not able to hear everything he said—I would agree with the gentleman.

Mr. McCLATCHY. Well, in effect, then are we not saying that we are being more selective in this bill in whom we are granting credit to buy goods?

Mr. RAPPAPORT. Yes, Mr. Speaker, that is true. I think the problem is that the amendment proposed by the gentleman from Chester, Mr. Vroon, would take away a very important part of that incentive to deal with responsible people.

Mr. McCLATCHY. All right, thank you, Mr. Speaker. Just one comment, Mr. Speaker.

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

Mr. McCLATCHY. Thank you, Mr. Speaker. Just one comment, Mr. Speaker: I think the thrust of this section of this legislation is really restricting the credit to the consumer more than he will realize, and I am afraid without Mr. Vroon's amendment that instead of helping the consumer, we are going to hurt him.

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

Mr. VROON. Mr. Speaker, one more rebuttal. I have not had a chance yet to rebut this man's argument.

When we discussed this thing at great length in committee, we had many witnesses from the banking community and from finance companies. There was no doubt in their minds whatsoever, and they even gave figures to cite the case that when these stringent regulations are promulgated, it automatically results in the drying up of a given amount of credit extended by banks and finance companies.

Now we are trying to help the consumer. I ask you, are you really helping the consumer when you make it so difficult for the finance company to do his business that he is going to steer away from a good many of these things and the little guy who needs this credit is not going to get it? This is the whole thrust of my amendments. We are going to chase finance companies and banks out of the business, and these people who need it are not going to get their credit.

One of the responsible representatives of the banking community pointed out that in the State of New Jersey when something like this was enacted in the legislature, they drove them into what he called "the coffin corner," and he showed us figures which traced the subsequent experience of the banks of this particular area affected. The amount of credit extended dropped drastically. Nothing could be more graphic than that type of proof, in my opinion, that what we are doing here is the opposite of what we are trying to do.

I do want to help the consumer, but let us be realistic. Some people are in the business of selling merchandise; some people are in the business of financing transactions. We cannot automatically put banks and finance companies into the business of merchandizing whereupon their costs will be driven up and one of two things will happen: either they will have to charge more for their financing, or they will get out of the business. Consequently, this makes a lot of sense. This is not ill-conceived and it is not a partisan effort at all. I strongly urge a positive vote on this amendment.

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

The yeas and nays were required by Messrs. VROON and TRELLO and were as follows:

YEAS—69

Anderson, J. H.	Gallen	Manmiller	Schweder
Beren	Geesey	McClatchy	Scirica
Bittle	Grieco	McCue	Seltzer
Brandt	Gring	McGinnis	Sirianni
Butera	Halverson	Mebus	Smith, E.
Caputo	Hasay	Moehlmann	Smith, L.
Cessar	Hayes, S. E.	Noye	Spencer
Cimini	Hepford	O'Connell	Stahl
Crawford	Hill	Pancoast	Turner
Cumberland	Hutchinson, W.	Perri	Ustynoski
Davies	Katz	Pitts	Vroon
Deverter	Kistler	Polite	Westerberg
Dietz	Klingaman	Pyles	Wilt, R. W.
Dorr	Knepper	Renninger	Wilt, W. W.
Dreibelbis	Kusse	Ryan	Worrillow
Fawcett	Lehr	Salvatore	Yohn
Foster, A.	Levi	Scheaffer	Zearfoss
Foster, W.			

NAYS—120

Abraham	Gillespie	Miller, M. E., Jr.	Shane
Arthurs	Gillette	Millron	Sheihamer
Barber	Gleason	Miscevich	Shelton
Bennett	Gleeson	Morris	Shuman
Berson	Goodman	Mrkonic	Shupnik
Blackwell	Green	Mullen	Stapleton
Bonetto	Greenfield	Mullen, M. P.	Stout
Bradley	Hamilton, J. H.	Musto	Sullivan
Brunner	Hammock	Myers	Taddonio

Burns	Haskell	Novak	Taylor
Cohen	Hayes, D. S.	O'Brien	Tayoun
Cole	Hopkins	O'Donnell	Toll
Cowell	Hutchinson, A.	O'Keefe	Trello
Davis, D. M.	Irvis	Oliver	Valicenti
DeMedio	Itkin	Parker, H. S.	Vann
Dicario	Johnson, J.	Perry	Wagner
DiDonato	Kelly, A. P.	Petrarca	Walsh, T. P.
Dombrowski	Kernick	Pievsky	Wansacz
Doyle	Kolter	Pratt	Wargo
Eckensberger	Kowalshyn	Prendergast	Weidner
Englehart	LaMarca	Rappaport	Whittlesey
Fee	Laudadio	Reed	Wilson
Fischer	Laughlin	Renwick	Wojdak
Fisher	Lederer	Rhodes	Wright
Flaherty	Lincoln	Rieger	Zeller
Fryer	McCall	Ritter	Zord
Gallagher	McIntyre	Romanelli	Zwkl
Garzia	McLane	Ross	
Geisler	Menhorn	Ruggiero	Fineman,
George	Milanovich	Saloom	Speaker
Giammarco	Miller, M. E.		

NOT VOTING—14

Bellomini	Letterman	Richardson	Thomas
Berlin	Lynch	Schmitt	Whelan
Dininni	Manderino	Sweeney	Yahner
Kelly, J. B.	McGraw		

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

QUESTIONS OF PERSONAL PRIVILEGE

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

Mr. CAPUTO. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. CAPUTO. Mr. Speaker, I voted left-handed on the amendment to House bill No. 170. I would like to be recorded in the negative.

The SPEAKER. The gentleman will be so recorded.

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

Mr. SCHMITT. Mr. Speaker, I was in the front of the House when that vote on House bill No. 170 was cast. I would like to be recorded as being voted in the negative.

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

On the question recurring,

Will the House agree to the bill on third consideration?

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

Amend Sec. 5, page 10, line 1, by removing the period after "acceleration" and inserting:
, except that if the certified mail is returned unsigned, the indebtedness will become due by acceleration 20 days after the date the notice was mailed.

Amend Sec. 10, page 14, lines 26 through 30, by striking out all of said lines and inserting:

(2) the seller has arranged for the extension of credit to the borrower by the lender by obtaining the consumer's signature on the lender's loan documents or by referring all consumers to one lender or by utilizing exclusively the forms of a particular lender; or

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, I wonder if I might interrogate Mr. Rappaport?

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

Mr. RAPPAPORT. I will, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. RYAN. Mr. Speaker, there is a provision in this bill for notice prior to acceleration of a note. As I read the bill, it would seem to indicate that the time-limit within which the acceleration can take place is based on a date that the notice is actually received by the debtor. Is that accurate?

Mr. RAPPAPORT. Yes, Mr. Speaker, it is.

Mr. RYAN. And it is a provision for certified or registered mail. Is that accurate?

Mr. RAPPAPORT. That is correct.

Mr. RYAN. In your experience, could it be that a so-called "dead beat," knowing that he does not receive a great deal of registered mail, might not go to the post office and pick up his registered mail and therefore never receive the notice that would permit the acceleration of the note?

Mr. RAPPAPORT. Mr. Speaker, the gentleman is quite correct, which is why I agree to accept the first part of the amendment.

AMENDMENTS DIVIDED

Mr. RYAN. I assume, Mr. Speaker, that with that we are asking to divide the question on this amendment?

Mr. RAPPAPORT. That is correct, Mr. Speaker, which I would join in that motion.

The SPEAKER. The amendment is divisible. The amendment that will be before the House at this time is the first part of the amendment, beginning with the words ". . . except that if."

On the question,

Will the House agree to part I of the amendments?

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

Mr. RAPPAPORT. I would urge an affirmative vote on the first part of the amendment to House bill No. 170.

On the question recurring,

Will the House agree to Part I of the amendments?

Part I of the amendments was agreed to.

PART II OF RYAN AMENDMENTS WITHDRAWN

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, I withdraw the second part of that amendment to House bill No. 170.

Mr. Speaker, I have other amendments to offer. I would hope they would be down shortly.

If I may, I would like to interrogate Mr. Rappaport now and get that part of it out of the way.

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

Mr. RAPPAPORT. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. RYAN. Mr. Speaker, is it not true that I discussed with you prior to coming on the floor this afternoon the question as to whether or not it was intended by the sponsors of this bill to cover situations involving the construction or erection of new residential buildings?

Mr. RAPPAPORT. That is correct, Mr. Speaker.

Mr. RYAN. Is it not true that you advised me that despite the fact that under the definition of consumer services on page 2 of the bill, which includes the words ". . . in the modernization, rehabilitation, repair, altera-

tion, improvement or reconstruction of RESIDENTIAL real property. . . ." that you advised that it was not your intent that a builder of new residential homes on real estate would fall within the purview or intent of this act?

Mr. RAPPAPORT. That is correct, Mr. Speaker.

Mr. RYAN. And further on, Mr. Speaker, on page 4 of the bill, under the definition of "seller," we had a discussion, did we not, wherein I indicated that I thought it could be construed that a seller could also be a builder of new residential homes, in that under this definition "seller" is defined as ". . . any person who in the course of his business sells, leases, assigns or by any other means, conveys consumer goods or services." Because of the definition of consumer services where it relates to the improvement of residential real property, I felt that a seller could, by some loose interpretation of a court, be construed to include a builder.

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

Mr. RAPPAPORT. I personally feel that the interpretation advanced by my friend from Delaware is a bit strange, however, I could very easily conceive of the fact that some judge in this Commonwealth—at the risk of being charged with an indirect contempt—could very easily find such a strange interpretation in the light of some of the recent opinions we have been getting down. I think that perhaps the language needs a little cleaning up there.

Mr. RYAN. Mr. Speaker, if we could just set that debate aside, I will now offer some other amendments.

The SPEAKER. Does the Chair understand the gentleman, Mr. Rappaport, has indicated his consent to that amendment?

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

Mr. Speaker, I do not have any other amendments. I would be grateful for a copy. I would not insist on it.

The SPEAKER. Does the gentleman, Mr. Ryan, have that amendment as of yet?

Mr. RYAN. Yes.

On the question, recurring,

Will the House agree to the bill on third consideration?

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

Amend Bill, page 11, lines 29 and 30, page 12, lines 1 through 30, page 13, lines 1 through 20 by striking out all of said lines on said pages

Amend Sec. 10, page 13, line 21 by striking out "10." and inserting:

7.

Amend Sec. 10, page 15, lines 20 through 30, page 16, lines 1 through 19 by striking out all of lines 20 through 30, page 15, all of lines 1 through 18 and "(d)" in line 19, page 16 and inserting:

(c)

Amend Sec. 11, page 17, line 1 by striking out "11." and inserting:

8.

Amend Sec. 12, page 17, line 25 by striking out "12." and inserting:

9.

Amend Sec. 13, page 20, line 20 by striking out "13." and inserting:

10.

Amend Sec. 14, page 20, line 26 by striking out "14." and inserting:

11.

Amend Sec. 15, page 21, line 20 by striking out "15." and inserting:

12.

Amend Sec. 16, page 21, line 26 by striking out "16." and inserting:

13.

Amend Sec. 17, page 22, line 11 by striking out "17." and inserting:

14.

On the question,

Will the House agree to the amendments?

Mr. RYAN. The amendments have been read, Mr. Speaker. I am now referring to the amendments that were a group of amendments that were offered.

The SPEAKER. Does the gentleman want to divide the same?

Mr. RYAN. Yes.

I might say, incidentally, that I was going to first offer the part referring to credit cards. I was advised by Mr. Kozloff, Woody, that that amendment was okay, and in the interim I checked and sure enough he was right, and I would withdraw that part of the amendment which relates to section (c) on page 15, I believe. The other three amendments, Mr. Speaker, the balance of that amendment, deals with sections 7, 8, and 9 of the act.

The SPEAKER. On what page, Mr. Ryan?

Mr. RYAN. Section 7 is on page 11. Section 8 starts on page 12.

The SPEAKER. For purposes of clarification, will the gentleman please indicate to the Chair how he desires to divide this amendment?

The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, in the interest of time, the amendment that is before the House now covers four different sections of this bill. I have ordered amendments that would cover the four sections separately. So at this time, Mr. Speaker, if I may, I would ask myself to divide this question rather than wait for the Reference Bureau to send down the amendments which are included here.

The SPEAKER. I do not know what you are doing, but go ahead.

Mr. RYAN. I do not either. I won the last one without showing you the amendments. So I have got to be doing all right.

Mr. RAPPAPORT. I think, Mr. Speaker, that shows the eminent reasonableness of this side of the aisle. When Mr. Ryan is correct, we agree with him. When he is not, we are going to fight him.

Mr. RYAN. I do not know what he said either, Mr. Speaker.

Somewhere on this wonderful page of amendments there should be reference to page 15, line 20.

Mr. RAPPAPORT. Mr. Speaker, I think Mr. Ryan is skipping his first point.

The SPEAKER. Which point was that?

Mr. RAPPAPORT. I suggest that we do it by the numbers and start at the top of the page and work down. I think the first one is on page 11, cutting out section 7.

Mr. RYAN. Well, if I can do it my way, I may be a nice guy and withdraw some of these other amendments.

As to the first question on these amendments, Mr. Speaker, I would request the question be divided to include page 15.

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. RITTER. Can we pass this bill over until the gentleman gets his amendments? I do not know what we are doing here, either. They are talking about dividing amendments which we do not even have.

The SPEAKER. That is not quite correct.

There is an amendment on the desks of the members now which is now before the House and which is the subject of the question of division.

The prior discussion was on an amendment that was not before the House and that was merely discussion laying the basis for a vote by the House when it comes to the House.

Mr. RYAN. I found it, Mr. Speaker. It is the section that reads, "Amend Sec. 10, page 15, lines 20 through 30, page 16, lines 1 through 19 by striking out all of lines 20 through 30, page 15, all of lines 1 through 18 and "(d)" in line 19, page 16. . . ." The rest of that paragraph is just a renumbering procedure.

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

Mr. RITTER. Can we have copies of that amendment? I do not have any. I do not know of anyone else who does.

Mr. RYAN. I understood they were distributed.

The SPEAKER. Have these amendments been distributed yet?

Mr. RYAN. They were given to the pages for distribution, and the chief page indicates that they have been distributed.

The SPEAKER. Does the gentleman, Mr. Ryan, have further amendments that have been distributed?

Mr. RYAN. No, just the ones that we have already accepted.

HOUSE BILL No. 170 PASSED OVER TEMPORARILY

The SPEAKER. We will temporarily pass over House bill No. 170 until the amendments are on the desks of the members.

Agreeable to order,

The House proceeded to third consideration of **House bill No. 171, printer's No. 176**, entitled:

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

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	Gillespie	Mebus	Seltzer
Arthurs	Gillette	Menhorn	Shane
Barber	Gleason	Milanovich	Shelhamer
Bennett	Gleason	Miller, M. E.	Shelton
Beren	Goodman	Miller, M. E., Jr.	Shuman
Berson	Green	Milliron	Shupnik
Bittle	Greenfield	Moehlmann	Sirianni
Blackwell	Grieco	Morris	Smith, E.
Bonetto	Gring	Mrkonje	Smith, L.
Bradley	Halverson	Mullen, M. P.	Spencer
Brandt	Hamilton, J. H.	Mullen	Stahl
Brunner	Hammock	Musto	Stapleton
Burns	Hasay	Myers	Stout

Butera	Haskell	Novak	Sullivan
Caputo	Hayes, D. S.	Noye	Taddonio
Cessar	Hayes, S. E.	O'Brien	Taylor
Cimini	Hepford	O'Connell	Tayoun
Cohen	Hill	O'Donnell	Toll
Cole	Hopkins	O'Keefe	Trello
Cowell	Hutchinson, A.	Oliver	Turner
Crawford	Hutchinson, W.	Pancoast	Ustynoski
Cumberland	Irviss	Parker, H. S.	Valicenti
Davies	Itkin	Perri	Vann
Davis, D. M.	Johnson, J.	Perry	Vroon
DeMedio	Katz	Petrarca	Wagner
Deverter	Kelly, A. P.	Pievsy	Walsh, T. P.
Dicarlo	Kernick	Pitts	Wansacz
DiDonato	Kistler	Polite	Wargo
Dombrowski	Klingaman	Pratt	Weidner
Doyle	Knepper	Prendergast	Westerberg
Dreibelbis	Kolter	Pyles	Whelan
Eckensberger	Kowalshyn	Rappaport	Whittlesey
Englehart	Kusse	Reed	Wilson
Fawcett	LaMarca	Renninger	Wilt, R. W.
Fee	Laudadio	Renwick	Wilt, W. W.
Fischer	Laughlin	Rhodes	Wojdak
Fisher	Lederer	Rieger	Worriow
Flaherty	Lehr	Ritter	Wright
Foster, A.	Letterman	Romanelli	Yahner
Foster, W.	Levi	Ross	Yohn
Fryer	Lincoln	Ruggiero	Zearfoss
Gallagher	Manmiller	Ryan	Zeller
Gallen	McCall	Saloom	Zord
Garzia	McClatchy	Salvatore	Zwikel
Geesey	McCue	Scheaffer	
Geisler	McGinnis	Schmitt	Fineman, Speaker
George	McIntyre	Schweder	
Giammarco	McLane	Scirica	

NAYS—0

NOT VOTING—14

Anderson, J. H.	Dininni	Manderino	Richardson
Bellomini	Dorr	McGraw	Sweeney
Berlin	Kelly, J. B.	Miscevich	Thomas
Dietz	Lynch		

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

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. DORR. Mr. Speaker, I would like to be recorded as voting in the affirmative on House bill No. 171.

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

Agreeable to order,

The House proceeded to third consideration of **House bill No. 172, printer's No. 177**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

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

YEAS—187

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

NAYS—3

Davies	Gallen	Wagner
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NOT VOTING—13

Bellomini	Lynch	Oliver	Sweeney
Berlin	Manderino	Richardson	Thomas
Dininni	McGraw	Salvatore	Whelan
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.

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. MISCEVIC. Evidently my vote was not recorded on House bill No. 171. I would like to be recorded as voting in the affirmative.

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

Agreeable to order,

The House proceeded to third consideration of **House bill No. 485, printer's No. 1979**, entitled:

An Act reenacting and amending the "Unfair Trade Practices and Consumer Protection Law," approved De-

ember 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.

On the question,

Will the House agree to the bill on third consideration?

The SPEAKER. Does the gentleman, Mr. Vroon, have amendments? Why does the gentleman not speak up?

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

Mr. VROON. Mr. Speaker, I just want to notify you that I am in the middle of an aisle there and it takes a little while to get to a microphone. Please have consideration.

On the question recurring,

Will the House agree to the bill on third consideration?

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

Amend Sec. 1 (Sec. 2), page 5, line 13, by removing the semicolon after "promised" and inserting a period

Amend Sec. 1 (Sec. 2), page 5, lines 14 and 15 by striking out all of said lines

On the question,

Will the House agree to the amendments?

Mr. VROON. Mr. Speaker, this is another one of those bills where we are trying to correct a lot of abuse, and I am very sympathetic with the intent. But in our zeal to correct abuses we often overkill; we overreact.

In this particular bill, we designate several practices that are forbidden, and unless we forget anything, we say something like this, and anything else that smacks with this is included. On page 5, number 19, we have these words, which is the ultimate in forbidden practices. "... engaging in any other fraudulent conduct which creates the likelihood of confusion or misunderstanding."

My amendment proposes to eliminate that wording for several good reasons: Number one, this is very vague and inconclusive language. Number two, it would be very difficult indeed to prove what is "other fraudulent conduct or misunderstanding." This also is the kind of thing which can victimize innocent people. So, in addition to being vague and inconclusive, it also has the danger of making victims of people who should not be victimized.

This bill adequately covers the abuses that are intended to be covered. I do not think we need to open it up and say that anything else that smacks to this ought to be covered, too. I do not think it is necessary and there is a danger of overkill in this. I strongly recommend that we vote for this amendment.

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

Mr. SHANE. Thank you, Mr. Speaker. I would like to point out that the language the gentleman seeks to delete from House Bill No. 485 is now current law and, in my judgment, the deletion of this language, which has acquired a meaning in the law—fraud, civil fraud has a meaning in the law. The deletion of this language—would be a step backward even if we did not pass this bill. Since the provision is already in current law, I urge the members to vote "no" on this amendment.

On the question recurring,

Will the House agree to the amendments?

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

YEAS—69

Anderson, J. H.	Gring	Mebus	Sirianni
Bittle	Hamilton, J. H.	Miller, M. E., Jr.	Smith, E.
Brandt	Hasay	Moehlmann	Smith, L.
Butera	Haskell	Noye	Spencer
Cessar	Hayes, S. E.	Pancoast	Stahl
Cimint	Hepford	Parker, H. S.	Turner
Crawford	Hill	Perri	Ustynoski
Cumberland	Hutchinson, W.	Pitts	Vroon
Davies	Katz	Polite	Wagner
Deverter	Knepper	Pyles	Weidner
Dietz	Kusse	Renninger	Westerberg
Dorr	Lehr	Ryan	Whelan
Fawcett	Levi	Salvatore	Whittlesey
Fisher	Manmiller	Scheaffer	Wilt, R. W.
Foster, A.	McClatchy	Scirica	Wilt, W. W.
Foster, W.	McCue	Seltzer	Worriow
Gallen	McGinnis	Shuman	Zearfoss
Grieco			

NAYS—120

Abraham	George	Menhorn	Schmitt
Arthurs	Giammarco	Milanovich	Schweder
Barber	Gillespie	Miller, M. E.	Shane
Bennett	Gillette	Milliron	Shelhamer
Berson	Gleason	Miscevich	Shelton
Blackwell	Gleeson	Morris	Shupnik
Bonetto	Goodman	Mrkonie	Stapleton
Bradley	Green	Mullen	Stout
Brunner	Greenfield	Mullen, M. P.	Sullivan
Burns	Hammock	Musto	Taddonio
Caputo	Hayes, D. S.	Novak	Taylor
Cohen	Hopkins	O'Brien	Tayoun
Cole	Hutchinson, A.	O'Connell	Toll
Cowell	Irvis	O'Donnell	Trello
Davis, D. M.	Itkin	O'Keefe	Valicenti
DeMedio	Johnson, J.	Oliver	Vann
Dicarlo	Kelly, A. P.	Perry	Walsh, T. P.
DiDonato	Kernick	Petrarca	Wansacz
Dombrowski	Kistler	Pievsky	Wargo
Doyle	Klingaman	Pratt	Wilson
Dreibelbis	Kolter	Prendergast	Wojdak
Eckensberger	Kowalyshyn	Rappaport	Wright
Englehart	LaMarca	Heed	Yahner
Fee	Laudadio	Renwick	Yohn
Fischer	Laughlin	Rieger	Zeller
Flaherty	Lederer	Ritter	Zord
Fryer	Letterman	Romanelli	Zwilk
Gallagher	Lincoln	Ross	
Garzia	McCall	Ruggiero	Fineman,
Geesey	McIntyre	Saloom	Speaker
Geisler	McLane		

NOT VOTING—14

Bellomini	Halverson	McGraw	Richardson
Beren	Kelly, J. B.	Myers	Sweeney
Berlin	Lynch	Rhodes	Thomas
Dininni	Manderino		

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

Amend Sec. 1 (Sec. 7), page 13, line 13, by striking out "twenty" and inserting: sixty

Amend Sec. 1 (Sec. 7), page 14, line 17, by striking out "ten" and inserting: twenty

Amend Sec. 1 (Sec. 7), page 15, line 4, by striking out "twenty" and inserting: sixty

On the question,

Will the House agree to the amendments?

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

Mr. VROON. This is, again, a matter of trying to modify some of the rather rigid terms of this bill. We discussed this at great length in committee and we would like to be a little more reasonable about some of the

terms of this bill, especially when it comes to enforcement.

On page 13, line 3, we have wording which reads as follows: "If you do make the goods available to the seller . . ." Now here is a situation where somebody bought some goods and they have the prerogative within 3 days--and this is typically a peddler at the door; you have the prerogative before 3 days have elapsed--to get ahold of that seller and say, Hey, I have changed my mind. When you do that you are supposed to notify the seller, and the seller has a given amount of time to pick up those goods and restore them to his inventory.

In this particular clause here we are saying if you do make the goods available to the seller and the seller does not pick them up within 20 days of the date of your notice of cancellation, you may retain or dispose of the goods without any further obligation.

This is rather liberal in behalf of the consumer. I put myself in the place of a fellow who sold an item in good faith to a buyer, and I can see his dodging me for 20 days with quite some ease, and maybe not deliberately either. People come and go at work and maybe for 20 days they could not pick it up. Maybe it is not his fault, maybe it is not my fault, but certainly it seems to me that more than 20 days is reasonable here, so I propose to make this 60 days. There is nothing wrong with the buyer hanging onto those goods for 60 days and giving the seller an opportunity to pick them up within 60 days. And certainly he should not be permitted to just retain those goods without any payment whatsoever.

If after 20 short days the seller has not picked them up, we are saying he can keep the goods. I do not think this is fair to the seller, and I am proposing, therefore, that we still retain a good item in this bill but make it 60 days so as to make it reasonable for all concerned.

The next item is on page 14, line 17, "Any valid notice of cancellation by a buyer shall be honored and within ten business days after the receipt of such notice, seller shall (i) refund all payments made under the contract of sale (ii) return any goods or property traded in, in substantially as good condition as when received by the seller; . . ." Here, again, it is a cancellation of a transaction. There was a trade-in involved here perhaps, and he has a given amount of time to return the stuff that is traded in, and I say 10 business days is too short here and I prefer to see this 20 days in order to be reasonable for all concerned. And I do not see any good reason why he should not have 20 days to return those goods that he took in trade. He may have some difficulty getting them out of a warehouse and all the mechanics of the thing by himself. It may militate against his being able to return these things in 10 days. So we are looking for 20 days instead of 10 days there.

Then, finally, on page 15, on line 4: ". . . If seller elects to repossess, he must do so within twenty days of the date of buyer's notice of cancellation or forfeit all rights to the delivered goods."

And here, again, to be consistent with my previous amendment to extend 20 days to 60 days, I am asking for a consistent amendment to 60 days here. Give him 60 days to return, to get his goods back; otherwise he may very well be the victim of losing his goods.

I strongly recommend these modifications which do not harm the bill, do not injure the rights of the consumer. It just takes a little bit more reasonable approach from

the point of view of the seller. Let us try to protect his interest at least to some extent in this particular case.

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

Mr. SHANE. Mr. Speaker, the 3-day written notice of rescision rule, the 10-day rescision period, and the 20-day return of goods' provision are current law under the regulations of the Federal Trade Commission. Therefore, the amendment that the gentleman offers would make life more difficult for business and the consumer, and I, therefore, urge a "no" vote on these amendments.

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

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

YEAS—61

Anderson, J. H.	Grieco	McClatchy	Sirianni
Beren	Gring	McCue	Smith, E.
Bittle	Hamilton, J. H.	McGinnis	Smith, L.
Brandt	Hasay	Mebus	Spencer
Cessar	Haskell	Moehlmann	Stahl
Cimini	Hayes, S. E.	Noye	Turner
Crawford	Hepford	Perri	Ustynoski
Cumberland	Hill	Pitts	Vroon
Deverter	Hopkins	Pyles	Wagner
Dietz	Katz	Renninger	Westerberg
Dorr	Klingaman	Ryan	Whelan
Fawcett	Kusse	Salvatore	Wilt, R. W.
Foster, A.	Lehr	Scheaffer	Wilt, W. W.
Foster, W.	Levi	Scirica	WorriLOW
Gallen	Manmiller	Seltzer	Zearfoss
Gleason			

NAYS—129

Abraham	Geisler	Milanovich	Schweder
Arthurs	George	Miller, M. E.	Shane
Barber	Giammarco	Miller, M. E., Jr.	Shelhamer
Bennett	Gillespie	Milliron	Shelton
Berson	Gillette	Miscevich	Shuman
Blackwell	Gleeson	Morris	Shupnik
Bonetto	Goodman	Mrkonic	Stapleton
Bradley	Green	Mullen	Stout
Brunner	Greenfield	Mullen, M. P.	Sullivan
Burns	Halverson	Musto	Taddonio
Butera	Hammock	Novak	Taylor
Caputo	Hayes, D. S.	O'Brien	Tayoun
Cohen	Hutchinson, A.	O'Connell	Toll
Cole	Hutchinson, W.	O'Donnell	Trello
Cowell	Irvis	O'Keefe	Valicenti
Davies	Ikkin	Pancoast	Vann
Davis, D. M.	Johnson, J.	Parker, H. S.	Walsh, T. P.
DeMedio	Kelly, A. P.	Perry	Wansacz
Dicarlo	Kernick	Petrarca	Wargo
DiDonato	Kistler	Pievsky	Weidner
Dombrowski	Knepper	Polite	Whittlesey
Doyle	Kolter	Pratt	Wilson
Dreibelbis	Kowalyshyn	Prendergast	Wojdak
Eckensberger	LaMarca	Rappaport	Wright
Englehart	Laudadio	Reed	Yahner
Fee	Laughlin	Renwick	Yohn
Fischer	Lederer	Rieger	Zeller
Fisher	Letterman	Ritter	Zord
Flaherty	Lincoln	Romanelli	Zwicki
Fryer	McCall	Ross	
Gallagher	McIntyre	Ruggiero	Fineman
Garzia	McLane	Saloom	Speaker
Geesey	Menhorn	Schmitt	

NOT VOTING—13

Bellomini	Lynch	Myers	Richardson
Berlin	Manderino	Oliver	Sweeney
Dininni	McGraw	Rhodes	Thomas
Kelly, J. B.			

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

Amend Sec. 1 (Sec. 9), page 16, line 11, by striking out the brackets before and after "Corporate"

Amend Sec. 1 (Sec. 9), page 16, lines 11 and 12, by striking out "or Right to Do Business; Appointment of Receiver"

Amend Sec. 1 (Sec. 9), page 16, line 13, by striking out "OR District Attorney,"

Amend Sec. 1 (Sec. 9), page 16, line 14, by striking out the brackets before and after "of common pleas of the county"

Amend Sec. 1 (Sec. 9), page 16, lines 14 and 15, by striking out the brackets before and after "as hereinbefore authorized,"

Amend Sec. 1 (Sec. 9), page 16, line 16, by striking out the brackets before and after "or"

Amend Sec. 1 (Sec. 9), page 16, lines 16 and 17, by striking out "OR RIGHT TO DO BUSINESS"

Amend Sec. 1 (Sec. 9), page 16, line 17, by striking out "person, firm or"

Amend Sec. 1 (Sec. 9), page 16, lines 19 and 20, by striking out "In addition, the court may appoint a receiver of the assets of the company."

Amend Sec. 1 (Sec. 9.1), page 16, lines 21 through 30; page 17, lines 1 through 10, by striking out all of said lines

Amend Sec. 1 (Sec. 9.2), page 17, line 11, by striking out "9.2." and inserting: 9.1.

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

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

Mr. VROON. This amendment deals with the subject which is rather drastic. What happens when somebody gets caught doing all these bad things? What recourse by law is possible?

If you turn to page 16 of this bill, section 9, we see the act amended to make it possible for the district attorney, or a court, in its discretion to order the dissolution of the right to do business or forfeiture of the franchise of any person, firm or corporation which violates the terms of this Act. In addition, the court may appoint a receiver of the assets of the company.

Then section 9.1 immediately thereafter spells out the powers of receiver. Now this is a rather drastic enforcement procedure, and I would say it is totally unnecessary to go this far to enforce the provisions of this act. I think we have enough teeth in here without, possibly, victimizing small businesses. Obviously, this could not hurt a big business. It is only a small business which, because of its nature, may not be able to contend with all the contests that are brought its way. Consequently, I think this amendment would restore that section to the way the act reads in the first place and eliminates this additional enforcement procedure which is altogether too drastic, in my opinion, and rather heartless when it comes to the lot of the small businessman. Please let us eliminate this sort of thing.

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

Mr. SHANE. Mr. Speaker, there are some relevant portions of section 9 that were omitted. It does say that the court having jurisdiction, may, in its discretion—in its discretion—order the suspension, dissolution, forfeiture of the franchise or right to do business where the person, firm or corporation which violates the terms of an injunction, et cetera.

I trust the proper discretion of a court of appropriate jurisdiction, particularly when an injunction has been issued. I, therefore, urge a "no" vote on this amendment.

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

Mr. VROON. There is a very important correction to be noted here. The words, "of an injunction" issued under section 4 are amended out. They are no longer in this bill.

Mr. SHANE. Will the gentleman note that the brackets have been removed? Therefore they are back in.

Mr. VROON. Are they removed? They are back in? Therefore, I stand corrected.

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

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

YEAS—77

Table listing names of members who voted YEAS, including Anderson, J. H., Beren, Bittle, Brandt, Butera, Cessar, Cimini, Crawford, Cumberland, Davies, Deverter, Dietz, Dorr, Fawcett, Fisher, Foster, A., Foster, W., Gallen, Geesey, Gleason, Grieco, Gring, Halverson, Hamilton, J. H., Hasay, Haskell, Hayes, S. E., Hill, Hopkins, Hutchinson, W., Katz, Klingaman, Knepper, Kusse, Lehr, Levi, Manmiller, McClatchy, McCue, McGinnis, McIntyre, Mebus, Miller, M. E., Jr., Moehlmann, Noye, O'Connell, Pancoast, Parker, H. S., Perri, Pitts, Polite, Pyles, Renninger, Rieger, Ryan, Salvatore, Scheaffer, Scirica, Seltzer, Shuman, Sirianni, Smith, E., Smith, L., Stahl, Tayoun, Turner, Ustynoski, Vroon, Wagner, Weidner, Westenberg, Whelan, Whittlesey, Wilt, R. W., Wilt, W. W., Worrilow, Zearfoss.

NAYS—113

Table listing names of members who voted NAYS, including Abraham, Arthurs, Barber, Bennett, Berson, Blackwell, Bonetto, Bradley, Brunner, Burns, Caputo, Cohen, Cole, Cowell, Davis, D. M., DeMedio, Dicarlo, DiDonato, Dombrowski, Doyle, Dreibelbis, Eckensberger, Englehart, Fee, Fischer, Flaherty, Fryer, Gallagher, Garzia, Geisler, George, Giammarco, Gillespie, Gillette, Gleason, Goodman, Green, Greenfield, Hammock, Hayes, D. S., Hepford, Hutchinson, A., Irvis, Itkin, Johnson, J., Kelly, A. P., Kernick, Kistler, Kolter, Kowalshyn, LaMarca, Laudadio, Laughlin, Lederer, Letterman, Lincoln, McCall, McLane, Menhorn, Milanovich, Miller, M. E., Milliron, Misceovich, Morris, Mrkonic, Mullen, M. P., Mullen, Musto, Novak, O'Brien, O'Donnell, O'Keefe, Perry, Petrarca, Pievsky, Pratt, Prendergast, Rappaport, Reed, Renwick, Ritter, Romanelli, Ross, Ruggiero, Saloom, Schmitt, Schweder, Shane, Shelhamer, Shelton, Shupnik, Spencer, Stapleton, Stout, Sullivan, Taddonio, Taylor, Toll, Trello, Valicenti, Vann, Walsh, T. P., Wansacz, Wargo, Wilson, Wojdak, Wright, Yahner, Yohn, Zeller, Zord, Zwinkl, Fineman, Speaker.

NOT VOTING—13

Table listing names of members who did not vote, including Bellomini, Berlin, Dininni, Kelly, J. B., Lynch, Manderino, McGraw, Myers, Oliver, Rhodes, Richardson, Sweeney, Thomas.

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. TAYOUN. Mr. Speaker, for Mr. McIntyre and myself, we would like to be recorded in the negative on that last vote.

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

On the question recurring,

Will the House agree to the bill on third consideration?

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

Amend Sec. 1 (Sec. 4), page 6, line 9, by inserting after "Attorney" where it appears the second time:

, or the solicitor of any county or city of the first or second class

Amend Sec. 1 (Sec. 8), page 15, line 26, by inserting a comma after "General"

Amend Sec. 1 (Sec. 8), page 15, line 26, by striking out "OR"

Amend Sec. 1 (Sec. 8), page 15, line 26, by inserting after "Attorney":

, or solicitor

On the question,

Will the House agree to the amendments?

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

Mr. TADDONIO. Mr. Speaker, this amendment allows the solicitor of Allegheny or Philadelphia County to prosecute under this act. It was in the original bill; it was in the model legislation that this was patterned after, and on Monday it was taken out in committee.

One of the reasons for objection to this part of the amendment being in there was the provision that would allow the solicitor to revoke a franchise or a right to do business. I have deleted that from this amendment. In other words, the only thing a solicitor could do is purely enforce the provisions of the act and the penalties for this act, but he could not revoke a franchise; that would still be up to the attorney general.

One of the things that became apparent to me in the last few years, as we have sat on the Consumer Protection Committee at hearings and so forth, was the inability of the district attorneys' offices in both Philadelphia and Allegheny County to prosecute these cases. They are, in general, unstaffed and more concerned with violent crimes, the murderers and muggers, to prosecute. The volume of complaints that the Allegheny County Bureau of Consumer Protection has gotten equals that which the state office has gotten in the entire region of western Pennsylvania. There is a tremendous backlog of work that they have done, investigated, and they cannot get prosecutions for many months. So I think this, in effect, is hurting the cause of the consumer and, not only that, it is doing something else which is creating a pressure for local ordinances which would be either in conflict or different from the state ordinances.

Mr. Speaker, I yield to Mr. Shane.

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

Mr. SHANE. The gentleman's cogent argument has convinced us and, in order not to be unduly pugnacious, we would like to accept his amendment and vote the bill.

On the question recurring,

Will the House agree to the amendments?

Amendments were agreed to.

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

Mr. SHANE. We want to clarify one point of legislative intent and the staff has just tapped me on the shoulder and I feel like Charlie McCarthy sometimes.

Staff has tapped me on the shoulder and said we need to clarify the intent to indicate that it is a solicitor of any cities of the first or second class.

The SPEAKER. Is that correct? A question was posed. Would the gentleman, Mr. Taddonio, respond to the question?

Mr. TADDONIO. The amendment reads a city or county of the first or second class; so it is either.

Mr. SHANE. I think their questions have been soothed if not answered.

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

Mr. RITTER. I read the amendment it says, "or the solicitor of any county or city of the first or second class . . ." It does not say any county of the first or second class; it says any county. There are 67 counties. Is that what the gentleman intended? That is my interpretation of the amendment, and I wish we would have, before we accepted it, at least had some further information on it.

The SPEAKER. Will the gentleman, Mr. Taddonio, attempt to provide some clarification as to the intent of his amendment so that the members may be absolutely certain?

Mr. TADDONIO. The intent of the amendment applies only to Philadelphia, Allegheny County and the city of Pittsburgh. No one else.

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

Mr. RITTER. I would like to have a roll call on that amendment, because when I read that amendment it appears to me that it means every county and it seems to me that solicitors in all of the counties are really advisors to the commissioners. I do not know if we ought to be giving them the power to be bringing suits, et cetera, on the behalf of all of us. That is why we have the district attorney; he is already in the bill. I just think the amendment should not be accepted, regardless of what Mr. Shane says.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. We will take a roll call, Mr. Speaker. I ask for the support of the amendment.

The SPEAKER. The amendment has been voted upon. The question now being raised is whether or not that amendment should be reconsidered.

If there be no objection on the floor, the Chair will withdraw its decision as to this amendment having been agreed to.

The Chair hears no objection.

On the question recurring,

Will the House agree to the amendments?

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

Mr. O'CONNELL. Mr. Speaker, I would like a clarification of that. I would hope that Mr. Ritter's interpretation is correct, but I guess it is just in that language the

absence of a comma that might make the difference, but it could be read, "or the solicitor of any county or city of the first or second classes." I would hope that Mr. Ritter is correct and I would support the amendment in any event, because I think the very same circumstances that exist in the major counties also exist in the other counties across the Commonwealth.

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

Mr. STAHL. I did not want to take the microphone in this particular issue, but I think I ought to point out to the House the reasons why in committee we deleted this language. It was because of the potential conflict between district attorneys in the county, and the solicitors of the county. I would hope that there be some legal minds to speak to this problem, but traditionally solicitors are the employes and representatives of the county commissioners.

You can picture in some counties the situation being that the district attorney is vying with the county solicitor for political advantage. One wants to be the consumer advocate and the other wants to be the consumer advocate. Well, that is great in some respects, but you have, I think, jurisdictional problems. That is why we deleted it in the committee at the recommendation of the majority; the Democrats in the committee recommended that we delete that language. I have no particular feeling one way or the other, but I think the House ought to understand the nature of the problem.

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

The yeas and nays were required by Messrs. TADDONIO and RITTER and were as follows:

YEAS—160

Abraham	Gillette	McCue	Saloom
Anderson, J. H.	Gleason	McGinnis	Salvatore
Arthurs	Gleeson	McLane	Scheaffer
Bennett	Goodman	Mebus	Schmitt
Beren	Green	Menhorn	Scirica
Berson	Greenfield	Milanovich	Seltzer
Bittle	Grieco	Miller, M. E.	Shane
Bonetto	Gring	Miller, M. E., Jr.	Shupnik
Brandt	Halverson	Milliron	Sirianni
Brunner	Hamilton, J. H.	Miscevich	Smith, E.
Burns	Hammock	Moehlmann	Smith, L.
Butera	Hasay	Morris	Spencer
Caputo	Haskell	Mrkonic	Stapleton
Cessar	Hayes, D. S.	Mullen, M. P.	Stout
Cohen	Hayes, S. E.	Mullen	Taddonio
Cole	Hepford	Musto	Taylor
Cowell	Hill	Myers	Tayoun
Crawford	Hopkins	Novak	Toll
Davies	Hutchinson, A.	Noye	Trello
Davis, D. M.	Hutchinson, W.	O'Brien	Turner
DeMedio	Irvis	O'Connell	Ustynoski
Deverter	Itkin	O'Donnell	Valicenti
Dicarlo	Johnson, J.	O'Keefe	Vroon
Dorr	Katz	Oliver	Walsh, T. P.
Doyle	Kelly, A. P.	Parker, H. S.	Wansacz
Dreibelbis	Kistler	Perri	Wargo
Englehart	Klingaman	Perry	Weidner
Fawcett	Knepper	Petrarca	Westerberg
Fee	Kolter	Plevsky	Whelan
Fischer	Kusse	Pitts	Whittlesey
Flaherty	LaMarca	Pratt	Wilson
Foster, A.	Laudadio	Prendergast	Wilt, R. W.
Foster, W.	Laughlin	Pyles	Wilt, W. W.
Gallagher	Lederer	Rappaport	Wojdak
Gallen	Lehr	Reed	Worrlow
Geesey	Levi	Renninger	Wright
Geisler	Lincoln	Renwick	Yahner
George	Manmiller	Romanelli	Yohn
Giammarco	McCall	Ross	Zearfoss
Gillespie	McClatchy	Ryan	Zord

NAYS—30

Barber	Fisher	Polite	Stahl
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Blackwell	Fryer	Rieger	Vann
Cimini	Garzia	Ritter	Wagner
Cumberland	Kernick	Ruggiero	Zeller
DiDonato	Kowalshyn	Schweder	Zwikel
Dietz	Letterman	Shelhamer	
Dombrowski	McIntyre	Shelton	Fineman,
Eckensberger	Pancoast	Shuman	Speaker

NOT VOTING—13

Bellomini	Kelly, J. B.	McGraw	Sullivan
Berlin	Lynch	Rhodes	Sweeney
Bradley	Manderino	Richardson	Thomas
Dininni			

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

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

Mr. RYAN. Mr. Speaker, for House bill No. 485 I have amendments ordered. I am going to apologize to the Speaker and to the members of the House. I earlier today spoke to Mr. Irvis and told him that I was working on sets of amendments and that I had them ordered, but they just are not down. He said, well, you have this morning to get them ready, and I tried to do it and I have got them ordered. That is the best I can do for you. I have my amendments to House bill No. 170 ready.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, if we may pass over temporarily House bill No. 485, and return to House bill No. 170, by the time we get through House bill No. 170, we can return to House bill No. 485.

HOUSE BILL No. 485 PASSED OVER TEMPORARILY

The SPEAKER. House bill No. 485 will be temporarily passed over, and the House returns to House bill No. 170 on page 5.

CONSIDERATION OF HOUSE BILL No. 170 RESUMED

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

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

- Amend Sec. 2, page 2, line 12, by removing the comma after "property" and inserting:
excepting, however, the erection of any new residential buildings thereon,
- Amend Sec. 2, page 4, line 29, by removing the period after "SERVICES" and inserting:
, other than the construction of any new residential buildings.

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

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

Mr. RYAN. Mr. Speaker, I have the amendments that have just been read and the amendments that I referred to earlier and that Mr. Rappaport discussed relative to eliminating the builders of new residential properties from the intent of this act.

The SPEAKER. Is the gentleman, Mr. Rappaport, in accord?

Mr. RAPPAPORT. If I can see the amendment, Mr. Speaker.

Mr. SPEAKER. This amendment is accepted.

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

CONSIDERATION OF RYAN AMENDMENTS RESUMED

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

The SPEAKER. Will the gentleman please indicate to the Chair how he desires to divide this amendment?

Mr. RYAN. Mr. Speaker, I want to consider the first three lines of the amendment.

The SPEAKER. Ending with the number 7 or ending with the word "inserting"?

Mr. RYAN. Ending with the number 7.

The SPEAKER. So those are the first four lines then?

Mr. RYAN. That covers sections 7, 8 and 9 of the bill.

The SPEAKER. The amendment is divisible at that point. Will the gentleman now address himself to that particular amendment which comprises the first four lines of the amendment that is before the members?

Mr. RYAN. Mr. Speaker, sections 7, 8 and 9 of this bill, which are covered by the part of the amendment that is now under consideration, deal essentially with the entire question of the rights of a holder in due course. Now there are three different sections, but essentially they are all tied together. They are just different ways one may deal with this question. In one place they are called "assignees" and in other places "transferees," but all three sections essentially deal with the problem of a holder in due course.

We last year had before us in another bill essentially the same thing that we have here today, and, in brief, I say to the House that if the bill is accepted and if it becomes law with sections 7, 8 and 9 still part of the bill, that the system of business, the system of capital, as we know it in the United States today, in my judgment, will suffer a great loss.

We have today, Mr. Speaker, a system of financing in the United States whereby a lender who lends money to individuals can feel confident that having loaned that money the only thing he has to look to is the credit of the person to whom the money is loaned and not to defend against everything that might go wrong with the product that was bought with the money that was loaned to the individual. So that your lenders, essentially, look to the credit of the borrower.

Now under this bill, under sections 7, 8 and 9, they, the proponents of this measure, would impose on lenders the obligation not only of looking to the credit of the borrower but also of looking to the reputation, perhaps, the financial ability of the seller, the ability of the seller to make good on his representations that the lending institution really is not familiar with, and if for any reason any of these things go wrong, if for any reason a bank lends money to a borrower to purchase a product and the product is deficient in any way, then under sections 7, 8 and 9 that lender can be held accountable. And the buyer of the product or the borrower of the money can refuse to pay to the bank what he or she has agreed to pay. I think, essentially, that is it.

Going through this section by section is not going to accomplish anything. That is what all three sections do. They kill the idea of a lender being permitted to loan just on the basis of the credit of the borrower, and they are making this lender and all of our lenders responsible to police all of the Sears and Roebucks, the Gimbels, the

Wanamakers; all stores will have to be policed by banking institutions, and I just think it is ridiculous, it is a shame, that we attempt to impose this obligation on legitimate business enterprises.

In short, Mr. Speaker, there are sufficient protections in the law today to take care of the situation where a warranty is not lived up to, a representation is not lived up to, by a seller, and I do not feel that the free enterprise system of the United States today needs this imposed on it. I think the overall effect of it will be to destroy the free enterprise system as we know it today, if this were carried to its logical conclusion. Accordingly, I would ask that these amendments be agreed to.

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

Mr. RAPPAPORT. Mr. Speaker, I think the problem of the remarks we have been hearing is based upon perhaps an over-rapid study of the bill and I would like to spend not more than 2 minutes in talking about the whole pattern of this bill.

First of all, we are talking about the problem of negotiable instruments, of notes, that are signed by consumers and passed the banks. That has already been outlawed in the case of cars by the Motor Vehicle Finance Act. So we are not talking about automobiles at all; we are talking about those other consumer things.

Now let me give two examples: My wife sees a nifty new refrigerator and she wants it and I decide that I want to shop around for this and I am not going to depend on a store, and I know it is going to cost me about \$350, and I go to a finance company and I say, I am Sam Rappaport; I live at 812 Pine; I am a home owner; I want to borrow \$350. And I sign my name on the dotted line. I take that money and I go buy a refrigerator, and when I get that refrigerator home, it is no good. I have no recourse against the finance company, absolutely none. I have gone in, I have borrowed the money, and even if they knew I was going to use it for a refrigerator, I have no recourse against them. I have to pay that finance company because I borrowed the money. If it is a bad refrigerator, I have to go sue the store, and this bill does not change that at all.

However, when I go into a store and I say, I want to buy that refrigerator, and they say, yes, sir, and I say, But I do not have \$350. I have to finance it. And they say, Yes, sir. \$15 down and a dollar a week for the next 30 years and that refrigerator is yours, and I sign on the dotted line, in the store. And that refrigerator gets delivered, and the second day after it is delivered it does not work and it never works again, and I go back to the store and I say, Hey, fellows, my refrigerator does not work, and the store says to me, Too bad. And they send a mechanic around, and he does not fix it, and he does not come for 3 weeks, and my wife is not home the next day he comes, allegedly, and I just stop making the payments. And that bank comes to me and says, Hey, we have this negotiable instrument that you signed, this note, and you have to pay us. Under this bill, I do not have to make those payments because I did not deal with that bank. I dealt with the store and I borrowed the money at the store.

And this bill goes one step further. It says that if that store is using forms provided by a bank or a finance company, and is really acting as an agent for the finance company, and is getting a kickback from the finance company, which is what happens, then that bank or fi-

nance company cannot say, Oh, we are a holder in due course with clean hands. We do not know anything about your problem. Because that financing agency deals with that store consistently. That financing agency has made that store its agent, and, therefore, it has to look to the store. The store has made the credit decision, not the bank.

Under this bill, under those circumstances, then the consumer has the right to stop making payments until the whole matter can be adjudicated in a proper form.

The amendment proposed by Mr. Ryan would eliminate that recourse against the store. It would mean that the man who has dealt only with the store, and the store has been the judge of his credit, does not have any whip hand over that store, and that is what we want to give to the consumer.

If the consumer goes to the bank by himself and gets his loan, he is on the hook for that loan; but, on the other hand, if he gets a loan from the store, that is whom he looks to and he has all his defenses.

Mr. Ryan cried crocodile tears about Sears, Gimbels and Wanamakers. Well, let me say, gentlemen, if you will read their annual statements, you will find that they do not make very much money on the merchandise they sell, and they do not give their paper to banks. They handle their own paper because they make their money out of the interest paid by consumers on their paper; they do not make money out of the profits on the merchandise. They find it a lucrative business. Sears and Roebuck Credit Company has notes on the market that they sell and they pay very good interest rates, so they can keep this finance business going. They are one of the biggest finance businesses in the country. Merchandise for them is just a sideline; it is money that they are selling.

And as for Gimbels and Wanamakers, they both have head offices in my district, and I have not heard any complaints from them about this. They are very happy with it. They have no problems with it because they handle their own paper and they are liable, in any event.

The person whom we are directed at is the two-bit retailer who is not worried about his reputation, and once that sale is made and he has hocked that paper to the bank, he is out of it. We want that bank or that finance company to say to the retailer, Buddy, you better shape up and you better take care of your customers or we are going to cut you off. I would urge that this amendment be defeated, Mr. Speaker.

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

Mr. MORRIS. Mr. Speaker, I was rendered particularly unhappy by part of Mr. Ryan's amendment which would take out section 8. After being here for a while this afternoon and trying to divide amendments that were not before us and a few things like that, I came to the conclusion that section 8 was just exactly what I need. Those of you who have been in the service probably know what I am talking about.

But more seriously, what Mr. Ryan's amendment will do is simply destroy House bill No. 170, that is all. The whole main purpose of this bill is to do away with the holder in due course. Mr. Rappaport has explained that on several occasions, and he also stated, quite correctly, that there is no holder in due course under the provisions of the Automobile Finance Act. And I do not see that the financial world has been brought to a halt. I do not see that automobile sales have been brought to a halt, and

that act has been in effect for a long time. It is going along very well. We simply do not need this holder-in-due-course doctrine in regard to consumers' goods in this day and age.

Now there are plenty of good banks, well-known banks, in the city of Philadelphia that I know of that had a big business in dealing in what is called "funny paper" in years gone by, and they, I hope by now—I have not been in contact with them that much recently—that they have come to the conclusion that this is a poor business. And most financial institutions in this country really do not care anymore about the holder-in-due-course doctrine, and I think it is time we did away with it. I have been waiting for years to get this type of legislation passed and I hope we vote this amendment down.

Thank you.

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

Mr. RYAN. Mr. Speaker, I listened to Mr. Morris discuss briefly the idea that doing away with a holder in due course will not have any detrimental effect on our economy. I disagree, because there is more to it than this. Mr. Morris is right in a sense, but then in another sense he is wrong. If I may make a distinction: First off, before the real holder-in-due-course person exists, he must be bonafide; he must take this paper without notice of any defects; and if he has notice of defects, then he is not a holder in due course and he is subject, under today's law, to the defenses that could be raised, or the offense, if you please, even, that could be raised against the selling merchant.

It is these other people who without any notice of any defect, of any flimflam operation, of any hard-sell of inferior products, it is this lender that is being hurt by this bill, and I could not disagree more with Mr. Rappaport and Mr. Morris on this subject. I happen to believe that this is what makes this country move; this is what makes our economy move, and that is that the money is available. Sure, Sears and Roebuck are making a lot of money on their interest, but move to another area, that is a Sears and Roebuck like GMAC tied right into the company, but when you have First Pennsylvania Company and the Mellon Bank and these other people putting refrigerator repairmen on their payroll because Mrs. Rappaport's refrigerator is not working and he is not going to pay the First Pennsylvania Company, and he asserts that defense and they have to send out the repairman, it is at that point that we have the problem and it is at that point that the economy gets in trouble. And this is exactly what will happen, because anyone of us in the same position would just stop paying. It is a lot easier than dunning the Sears and Roebucks—and I hate to keep saying Sears and Roebuck because I have nothing against them, it is just that it is such a big company that it is easy to remember the name, and they are not the ones guilty of this problem that they are trying to correct today—but the average consumer would rather stop payment on a check or fail to send a check in than go deal with a reputable seller or go dun the nonreputable seller. I just think that this bill is a mistake and particularly these sections are a mistake and I would ask that the amendment be accepted.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. I ask for a negative vote on the amendment, Mr. Speaker.

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

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

YEAS—66

Anderson, J. H.	Grieco	McClatchy	Scirica
Beren	Gring	McGinnis	Seltzer
Bittle	Hamilton, J. H.	Mebus	Shuman
Brandt	Hasay	Moehlmann	Sirianni
Butera	Haskell	Noye	Smith, E.
Cimini	Hayes, S. E.	O'Connell	Spencer
Crawford	Hepford	Pancoast	Stahl
Cumberland	Hill	Perri	Turner
Davies	Hopkins	Pitts	Ustynoski
Dietz	Hutchinson, W.	Polite	Vroon
Dorr	Katz	Pyles	Weidner
Fawcett	Kistler	Renninger	Westerberg
Fisher	Klingaman	Ryan	Whelan
Foster, A.	Kusse	Salvatore	Wilt, R. W.
Foster, W.	Lehr	Scheaffer	Wilt, W. W.
Gallen	Levi	Schweder	Worrilow
Gessey	Manmiller		

NAYS—126

Abraham	George	Miller, M. E.	Shane
Arthurs	Giammarco	Miller, M. E., Jr.	Shelhamer
Barber	Gillespie	Milliron	Shelton
Bennett	Gillette	Miscevich	Shupnik
Berson	Gleason	Morris	Smith, L.
Blackwell	Gleason	Mrkonic	Stapleton
Eonetto	Goodman	Mullen, M. P.	Stout
Bradley	Green	Mullen	Sullivan
Brunner	Greenfield	Musto	Taddonio
Burns	Hammock	Myers	Taylor
Caputo	Hayes, D. S.	Novak	Tayoun
Cessar	Hutchinson, A.	O'Brien	Toil
Cohen	Irvis	O'Donnell	Trello
Cole	Itkin	O'Keefe	Valicenti
Cowell	Johnson, J.	Oliver	Vann
Davis, D. M.	Kelly, A. P.	Parker, H. S.	Wagner
DeMedio	Kernick	Perry	Walsh, T. P.
Deverter	Knepper	Petrarca	Wansacz
Dicarlo	Kolter	Plevsky	Wargo
DiDonato	Kowalshyn	Pratt	Whittlesey
Dombrowski	LaMarca	Prendergast	Wilson
Doble	Laudadio	Rappaport	Wojdak
Dreibelbis	Laughlin	Reed	Wright
Eckensberger	Lederer	Renwick	Yahner
Englehart	Letterman	Rhodes	Yohn
Fee	Lincoln	Rieger	Zearfoss
Fischer	McCall	Ritter	Zeller
Flaherty	McCue	Romanelli	Zord
Fryer	McIntyre	Ross	Zwilk
Gallagher	McLane	Ruggiero	
Garzia	Menhorn	Saloom	Fineman,
Geisler	Milanovich	Schmitt	Speaker

NOT VOTING—11

Bellommi	Halverson	Manderino	Sweeney
Berlin	Kelly, J. B.	McGraw	Thomas
Dinami	Lynch	Richardson	

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

BALANCE OF AMENDMENTS WITHDRAWN

The SPEAKER. The gentleman from Delaware, Mr. Ryan, indicates that the balance of the amendments are withdrawn.

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

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

Amend Sec. 5, page 7, line 3, by inserting after "goods":
other than motor vehicles

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

The SPEAKER. The Chair recognizes the gentleman from McKean, Mr. Westerberg.

Mr. WESTERBERG. Mr. Speaker, on this amendment I do not believe that in any way I am destroying this bill by this amendment. The sale of motor vehicles is already well covered under the Motor Vehicle Sales Finance Act, and, as Mr. Morris said, this has worked out very well because under the Motor Vehicle Sales Finance Act, it already has in it the holder in due course. But what I am worried about is that by the wording of this bill it will make it practically impossible to repossess an automobile, because it is a little different to repossess an automobile than it is to repossess a refrigerator. The big difference is that the automobile has wheels on it and a motor and you can move it around and hide it pretty well.

I just want to quote from a letter here from a bank and I will just read part of it: "Increase the risk to lenders immeasurably. Even repossession of a vehicle from a driveway would be prohibited under the provisions of this present draft," and this is what bothers me.

Now I have had occasion to repossess vehicles, and where I have been dealing with good honest people, there is just no problem, but I will tell you that a lot of your repossessions are not with this type of people and they really do know how to keep from losing that automobile. One case, particularly, sold his car and after 90 days he had not made a payment on it; also we could not find him, although when we sold it he had his address right in my own home town; he lived there; but from then on he became very elusive. We found later that he was working up across the New York state line, but he did come into town one day and we found the car behind a bar. We repossessed the car.

Now if this bill goes through the way it is written now, we could not do that because I would never have gotten a registered letter to him with a receipt back because I am sure that the post office could not have found him either. And this is what bothers me about this: I am afraid that if the repossession of motor vehicles is left in this in this same way, it is going to make it more difficult for many people to buy cars and pay a normal rate of interest. They may have to go to lending institutions and get their money other ways. I do not believe that we are doing the consumer any good by leaving this part in the bill and, therefore, I am amending that section, "that other than the sale of motor vehicles," on page 5, line 7. I do ask for an affirmative vote on this.

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Hr. Hasay.

Mr. HASAY. Mr. Speaker, I am also in favor of the Westerberg amendment.

I would just like to inform you, my father and I have been in the automobile business since 1956, and that is new and used cars. We have approximately 30 or 40 dead beats or slow payers that we sell to every year. Now if this amendment would not go through, we probably would not want to have to put up with the things that we have to put up with, such as, when they

do not pay on time, we usually have to run out to their house and sort of coax them, and things like this, to get the payment, and also they can bring recourse against us. In most cases they are usually very slow.

If this amendment passes, I am afraid we will have to tighten up our credit in the automobile business, probably not only our dealership but probably other dealerships also. So I would certainly appreciate it if you would support the Westerberg amendment. Thank you.

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.

I would like to say, to start with, that I support Mr. Westerberg's amendment; that I really believe down in my heart that everybody sitting here today wants to do something for the people of Pennsylvania; and there is one thing that we do not want to do, and that is, cripple enterprise and cripple business.

Now as Mr. Westerberg already related, there are many controls on the automobile business, such as, if you sell an automobile to an individual and it does not have the qualifications of a state inspection, the dealer will have that inspection station revoked. We have truth in lending; we have many facets that do protect the consumer. It is not that the automobile business is any larger or any greater or more important to the people of Pennsylvania, but we do not want to do anything that will limit the credit that the people in Pennsylvania are deserving of. Oh, the lucky one who sits here who never had to have credit any time in his life, he sure is a lucky individual. I happen to be one who has had to have this need for credit. But as I said before, there must be an alliance between two individuals where there is truth in statement and truth in fact.

What Mr. Westerberg says is absolutely correct. We do need this bill to help the people, but it should be a bill that does not cripple the entire industry or the entire stake of business. I do support Mr. Westerberg's amendment.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I agree with Mr. Westerberg and I ask for support of the membership in voting "aye."

On the question recurring,
Will the House agree to the amendment?
Amendment was agreed to.

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

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

Mr. MENHORN. I do not have an amendment, but I would like to point out that I think there is going to be a grammatical problem with this. This section will now read: "No person supplying consumer goods other than motor vehicles and services." I think the "other than motor vehicles" should be after "services."

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

Mr. RAPPAPORT. Could the gentleman give me the page and line number again, please?

Mr. MENHORN. Page 7, line 3, Mr. Speaker.

Mr. RAPPAPORT. And what was the gentleman's question? I apologize to him.

Mr. MENHORN. I said I think there will be a grammatical problem with this. It will now read "other than motor vehicles and services." We need some commas or we need the "other than motor vehicles" moved over after "services" rather than after "goods".

Mr. RAPPAPORT. Mr. Speaker, I think the intent is clear. The Legislative Reference Bureau has the authority to put commas into bills.

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

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

I would like to interrogate the Appropriations Chairman, Mr. Speaker, if I may.

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

Mr. WOJDAK. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. SALVATORE. Mr. Speaker, did this bill have a fiscal note when it came out of committee? Does it require a fiscal note?

Mr. WOJDAK. Mr. Speaker, it had a fiscal note when it came from the Appropriations Committee.

Mr. SALVATORE. With all the amendments that have been added, do you think that this bill should be returned to the Appropriations Committee for further study?

Mr. WOJDAK. Mr. Speaker, I have made a cursory review of the bill with the amendments. In my opinion, it would not need a new fiscal note.

Mr. SALVATORE. I appeal to the Chair for a ruling.

The SPEAKER. The Chair will be guided by the opinion of the Chairman of the Appropriations Committee.

Mr. SALVATORE. Thank you, Mr. Speaker.

On the question recurring,

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

Bill as amended was agreed to.

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

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

Mr. McCUE. Mr. Speaker, I have examined the bill and it does do many things for consumers which are necessary. However, it does somewhat change the law, change the system of law, particularly in the matter of confession of judgment and in the matter of holder in due course.

I feel that this is a legal matter and should be adequately and thoroughly discussed and reviewed by the Judiciary Committee, which committee, I feel, is the legal advisor to the House of Representatives.

MOTION TO RECOMMIT

Mr. McCUE. I, therefore, move that this bill be recommitted to the Judiciary Committee.

The SPEAKER. The gentleman, Mr. McCue, moves that House bill No. 170, printer's No. 1978, be recommitted to the Committee on Judiciary.

The Chair recognizes the majority leader.
Mr. IRVIS. Mr. Speaker, I ask for a negative vote on the motion.

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

Mr. ZEARFOSS. Mr. Speaker, I just want to point out that the lawyers on the Consumer Protection Committee are every bit as good as those of the Judiciary Committee and I do not think we need to recommit this bill.

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

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

YEAS—50

Anderson, J. H.	Gallen	McGinnis	Sirrianni
Beren	Geesey	Mebus	Smith, E.
Bittle	Grieco	Noye	Smith, L.
Butera	Hasay	Pancoast	Spencer
Cimini	Hayes, S. E.	Perri	Turner
Crawford	Hepford	Pitts	Vroon
Cumberland	Hopkins	Polite	Wagner
Davies	Katz	Pyles	Weidner
Deverter	Kistler	Renninger	Westenberg
Dorr	Knepper	Ryan	Whittlesey
Fawcett	Kusse	Scheaffer	Wilt, R. W.
Foster, A.	McClatchy	Scirica	Wilt, W. W.
Foster, W.	McCue		

NAYS—143

Abraham	Gillette	Milanovich	Schweder
Arthurs	Gleason	Miller, M. E.	Seltzer
Barber	Gleason	Miller, M. E., Jr.	Shane
Bennett	Goodman	Milliron	Shelhamer
Berson	Green	Miscevich	Shelton
Blackwell	Greenfield	Moehlmann	Shuman
Bonetto	Gring	Morris	Shupnik
Bradley	Halverson	Mrkonic	Stahl
Brandt	Hamilton, J. H.	Mullen, M. P.	Stapleton
Brunner	Hammock	Mullen	Stout
Burns	Haskell	Musto	Sullivan
Caputo	Hayes, D. S.	Myers	Taddonio
Cessar	Hill	Novak	Taylor
Cohen	Hutchinson, A.	O'Brien	Tayoun
Cole	Hutchinson, W.	O'Connell	Toll
Cowell	Irvis	O'Donnell	Trello
Davis, D. M.	Itkin	O'Keefe	Ustynoski
DeMedio	Johnson, J.	Oliver	Valicenti
Dicarlo	Kelly, A. P.	Parker, H. S.	Vann
DiDonato	Kernick	Perry	Walsh, T. P.
Dietz	Klingaman	Petrarca	Wansacz
Dombrowski	Kolter	Pievsky	Wargo
Doyle	Kowalyshyn	Pratt	Whelan
Dreibelbis	LaMarca	Prendergast	Wilson
Eckensberger	Laudadio	Rappaport	Wojdak
Englehart	Laughlin	Reed	WorriLOW
Fee	Lederer	Renwick	Wright
Fischer	Lehr	Rhodes	Yahner
Fisher	Letterman	Rieger	Yohn
Flaherty	Levi	Ritter	Zearfoss
Fryer	Lincoln	Romanelli	Zeller
Gallagher	Manmiller	Ross	Zord
Garzia	McCall	Ruggiero	Zwinkl
Geisler	McIntyre	Saloom	
George	McLane	Salvatore	Fineman,
Giammarco	Menhorn	Schmitt	Speaker

NOT VOTING—10

Bellomini	Kelly, J. B.	McGraw	Sweeney
Berlin	Lynch	Richardson	Thomas
Dininni	Manderino		

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

On the question recurring,
Shall the bill pass finally?

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

YEAS—175

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

NAYS—17

Anderson, J. H.	Foster, A.	Ryan	Sirrianni
Bittle	Hasay	Schweder	Smith, E.
Butera	Knepper	Seltzer	Vroon
Dorr	Pitts	Shuman	Wilt, W. W.
Dreibelbis			

NOT VOTING—11

Bellomini	Kelly, J. B.	Manderino	Sweeney
Berlin	Letterman	McGraw	Thomas
Dininni	Lynch	Richardson	

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

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. LETTERMAN. Mr. Speaker, I tried to switch my vote and it did not get recorded. I would like to vote in the affirmative on House bill No. 170.

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

POINT OF ORDER

The SPEAKER. The Chair recognizes the gentleman

from Philadelphia, Mr. Salvatore. For what purpose does the gentleman rise?

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

The SPEAKER. The gentleman will state it.

Mr. SALVATORE. When I appealed the ruling of the Chair on House bill No. 170, I had in my hand the fiscal note with printer's No. 1732, which clearly indicated that the Bureau of Consumer Protection, et cetera, estimates that no additional expenditures of this state's funds will be required to carry out the mandate due to this act. Now I feel that with the amendments that were inserted, there should be a new fiscal note.

The SPEAKER. Mr. Salvatore, the question you are raising at this point in time is moot. The House has acted upon the bill and the amendments.

Mr. SALVATORE. Well, can I ask for a reconsideration of the vote on House bill No. 170?

The SPEAKER. The Chair was not able to hear.

Mr. SALVATORE. I, at this time, would like to move to reconsider the way the vote was taken on House bill No. 170.

The SPEAKER. Will the gentleman send a reconsideration motion to the desk?

STATE GOVERNMENT BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 893, printer's No. 1016**, entitled:

An Act providing for precautions to be taken in the proximity of high-voltage lines for the prevention of accidents; providing powers and administration and enforcement to the Department of Labor and Industry and prescribing penalties for violations.

On the question,

Will the House agree to the bill on third consideration?

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

Amend Sec. 2, page 2, line 9, by inserting a period after "department"

Amend Sec. 2, page 2, lines 9 and 10, by striking out "for the" in line 9, all of line 10

Amend Sec. 2, page 2, line 22, by inserting a period after "department"

Amend Sec. 2, page 2, lines 22 and 23, by striking out "for the particular case and for the particular" in line 22, all of line 23

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Lancaster, Mr. Miller.

Mr. M. E. MILLER. Mr. Speaker, I do believe that this is an agreed-to amendment.

The SPEAKER. Will the gentleman briefly explain the amendment in accordance with the rules of the House?

Mr. M. E. MILLER. This amendment would not require that every time line repairs are made that in each case and in each instance the approval had to be obtained for each location.

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

Mr. ENGLEHART. I will agree to this amendment, Mr. Speaker. I think it is sound.

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?

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

Amend Sec. 2, page 3, line 7, by striking out "approved hot stick"

Amend Sec. 2, page 3, lines 8 and 9, by striking out both of said lines and inserting: have been approved in advance by the department.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Lancaster, Mr. Miller.

Mr. M. E. MILLER. Mr. Speaker, this bill deals with safety methods involving work on high-voltage lines.

I come to the floor with this amendment as a proponent of the bill, not an opponent; indeed, one of the sponsors of the bill.

What my amendment would do is to permit the Secretary of Labor and Industry to approve a method of line repair that is referred to as the Faraday Cage method, which in essence means a section of line is bypassed. The current in the part of the line being repaired is removed or the line deenergized.

This amendment would permit the Secretary of Labor and Industry to approve this type of work. It is now used by Philadelphia Electric Company on lines up to 500,000 volts without a single incident of injury to a workman.

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

Mr. ENGLEHART. Mr. Speaker, I would oppose the gentleman's amendment. Under House bill No. 893 as written, a man working for public utilities would be permitted to work on lines above 13,200 volts only under two conditions: Number one, if the line is deenergized, or, number two, if an approved hot-stick method is used and approved by the Secretary of Labor and Industry.

Now under a hot-stick method of handling high-voltage lines, the employe uses literally a stick, a pole, 8-foot long with a tool on the end of it so that he stays at least 8 feet from the wire involved.

The gentleman says that the Philadelphia Electric Company is using what is called the Faraday Cage method on lines up to one-half million volts. My information is that it is true that Philadelphia Electric is experimenting with this type of handling, but that the employes so far are refusing to handle the lines with gloves or bare when there are one-half million volts involved.

I understand that Pennsylvania State University is now in the process of conducting a 5-year research program, trying to measure the effects of half-million-volt lines on animals. Believe me, the 5 years have not yet passed.

I am also told that working in close proximity to electric lines of this tremendously high voltage is dangerous in itself, whether or not you are electrocuted; that men who have been working in close proximity to these lines, who are 50 years old, look like they are

70, act like they are 70, and their bodies are responding like they are 70. The magnetic field being built up around these tremendously high-voltage lines apparently is highly dangerous to work in. That is why Pennsylvania State University is conducting experiments with animals to find out what the effect of this kind of work is and to determine whether it is safe for human beings to do so.

I would recommend that the gentleman's amendment not be accepted and that, at least for the present, until it is measured how dangerous it is, that the hot-stick method which has been in use all over the United States for at least 40 years, has been approved by all utilities and all men who work in this field, let us continue to use that until we get more information on trying to work with gloves or bare hands on these tremendously high voltages.

The SPEAKER. The Chair recognizes the gentleman from Lancaster, Mr. Miller.

Mr. M. E. MILLER. Yes, Mr. Speaker. In rebuttal, all I would say is that unless the Secretary of Labor and Industry were convinced that this method is entirely safe, it could not be approved. It would merely permit the industry to utilize advanced technology and, once satisfying the Secretary that it were safe, it could be utilized. Thank you.

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

Mr. VROON. There is one other important point to make in this particular connection. We had considerable amount of evidence given to us in committee by the utility companies which proved beyond a shadow of a doubt that this method is being used successfully and safely in other areas of the country, particularly in Virginia where a man came all the way up from Virginia to illustrate the point. He proved very conclusively that they not only do use this successfully, but they have an unusually good safety record. Also they proved very conclusively that the gloving method is perfectly safe and also has a good record. There was not anything at all that was really proved to indicate that this is truly a dangerous method. Consequently, all we are saying here, as Mr. Miller is saying, if the Secretary of Labor and Industry recognizes a safe method, they should be able to say to the utility companies, you may use this safe method. That is all we are asking for here. That is why I am urging a "yes" vote on the amendment.

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

Mr. VALICENTI. I am asking for a "no" vote. We had people from the utility companies who did testify on our behalf. The man from Virginia admittedly said that they did not have the same procedures in Virginia as we have in Pennsylvania.

But Mr. Vroon fails to tell you of the testimony that was brought out by the unions that service the electrical people. He fails to tell you of the pictures that were shown of the people who were burned up. He fails to tell you about the fatalities.

I say this: This is a good bill without any amendments. It is a safeguard bill. I know for a fact because I, myself, worked in the line gang. I still do until February 1, 1976. As far as the glove thing is concerned, it is no safeguard when you work with those lines of a

million voltage, half-million voltage, even 220 voltage. That glove is not a safeguard for the simple reason, if you are working with stranded wire, maybe a strand comes out and, bingo, it penetrates that glove and penetrates that rubber and, bingo, you are gone.

I tell you that this is a good bill. It is a safeguard bill. I think that we ought to vote the bill and vote the amendments down. Thank you.

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

Mr. ENGLEHART. Mr. Speaker, a brief reply to the gentleman, Mr. Vroon.

Apparently he substantiates what I have been told that PP&L is still experimenting with this type of handling of a half-million volt line and it is true that a man from Virginia came up here and said that he is using it and he has an unusually good safety record.

Unfortunately, when you are dealing with half-million volts, an unusually good safety record is not enough because you only get one shot and you are gone. The electric chair uses 2,000 volts. This is a half-million volts. We cannot afford to gamble, because that is what it literally is. You are gambling with the very life of a human being with a half-million volts.

If and when the time comes that the industry comes up with a safe system of bare gloving or bare handling of half a million wires, it is time enough to come back and amend the statute. In the meantime, I do not want to risk any life with those kinds of voltages. I ask for a "no" vote.

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

Mr. ZELLER. Mr. Speaker, having 35 years of experience in handling pretty hot stuff, and I am talking about electricity now, seriously, I would not recommend anyone to go higher than 5,000, and there is even a question in that area, because as Mr. Valicenti says, and I agree with him, when you are dealing in the area of 220 and 440 volts, you have problems. So we can get into merely the shock area, we can get into the area of current actually passing through the body, we can get into all kinds of areas where it depends on the resistance of the individual's system. Some can take more than others. Some people are killed by plugging in a washing machine in the basement and, if it is not grounded, get knocked out with 110 volts, or by drilling under a car with an electric drill, lying on the ground.

What I am getting at is the point that I believe it is a very good bill. I immediately contacted a company that I have been associated with for many years, and one of the largest in the world, who do not recommend anybody handling anything over 5,000. The company would be derelict in their duties to even ask anyone to go higher than that without using a stick. Those companies experimenting, those people who want to be involved in experimentation, that is their problem. But we do not recommend it as a good reliable practice to go higher than 5,000 even without using a stick.

I agree with Mr. Valicenti; I think that it is a good bill and we should vote for it.

The SPEAKER. We are voting on the amendments, not the bill.

Mr. ZELLER. I am not for the amendment; I agree with Mr. Englehart, my good humble leader.

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

Mr. STOUT. Thank you, Mr. Speaker.

I rise in support of the amendment offered by Representative Miller to allow the State Department of Labor and Industry to determine various techniques to use in handling that type of voltage.

The record of the utility industries, of the ones who are using this type of technique, indicate it is a safe and proven method of handling and repairing those types of voltage lines; not only the bare-handed or rubber-glove method, but the type of new equipment that is available, the so-called boom trucks, that enable the workers to go up directly and to work on the lines and to be completely isolated from contact with other electrical lines and with the ground.

Without this type of amendment, the only way that you would be able to work on these lines with the hot-stick method—and Mr. Englehart is not correct when he says that working on a half-million volt line would require an 8-foot hot stick. It would be a hot stick of about 15 feet long. This makes it very difficult for a worker to get close enough to the line and be able to repair it. They use the tools on the end of a long 15-foot pole and in many cases this type of equipment has been designed and makes the worker climb the poles and towers and they would not be able to use the boom truck and the new type of equipment that has been available in the last few years to work on these lines. It is important that the workers themselves and it is much safer if they are able to work on the lines with bare hands and the rubber-glove method used in the boom trucks and the specialized insulation equipment. I urge support of the Miller amendment. Thank you.

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

Mr. GARZIA. I worked off the so-called boom trucks, only we called them cherry pickers. And working in a refinery, I worked alongside a welder, and many times my clothes caught afire, and we were about 15 or 10 feet in the air. In the excitement, you pull the wrong lever and you jam yourself underneath a platform where the wires are, anyway. So your boom truck, or whatever you want to call it, is not a very safe bet.

No one with any common sense would work without wearing rubber gloves on any line that is over 13,000 or 14,000 volts. If they do, there must be something wrong with them. As Mr. Zeller said, you can have accidents wearing rubber gloves. I witnessed that on many construction sites.

A work stick is really not that expensive, and it has been proven by the union officials who came to the Labor Relations Committee meetings that one can work, a good hustling man can work, just as well that way as with his bare hands; he can work with good speed.

I urge you to defeat this amendment and pass the bill just the way it is.

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

The yeas and nays were required by Messrs. M. E. MILLER and ENGLEHART and were as follows:

YEAS—69

Anderson, J. H.	Hasay	McGinnis	Smith, L.
Bittle	Haskell	Miller, M. E.	Spencer
Brandt	Hayes, S. E.	Miller, M. E., Jr.	Stahl

Butera	Hepford	Mochlmann	Stout
Cessar	Hill	Noye	Taddonio
Crawford	Hopkins	Pancoast	Turner
Cumberland	Hutchinson, A.	Parker, H. S.	Ustynowski
Davies	Katz	Perri	Vroon
Deverter	Kistler	Pitts	Wagner
Dorr	Klingaman	Polite	Weidner
Fawcett	Knepper	Pyles	Westerberg
Fisher	Kusse	Renninger	Wilson
Foster, A.	Lehr	Ryan	Wilt, R. W.
Foster, W.	Levi	Salvatore	Wilt, W. W.
Gallen	Manmiller	Scheaffer	Worriow
Gring	McClatchy	Seltzer	Zearfoss
Halverson	McCue	Smith, E.	Zord
Hamilton, J. H.			

NAYS—119

Abraham	Garzia	McIntyre	Saloom
Arthurs	Geesey	McLane	Schmitt
Barber	Geisler	Menhorn	Schweder
Bennett	George	Milanovich	Scirica
Beren	Giammarco	Milliron	Shane
Berson	Gillespie	Miscovich	Shelton
Blackwell	Gillette	Morris	Shuman
Bonetto	Gleason	Mrkonic	Shupnik
Bradley	Gleeson	Mullen	Sirianni
Brunner	Goodman	Mullen, M. P.	Stapleton
Burns	Green	Musto	Sullivan
Caputo	Greenfield	Myers	Taylor
Cimintl	Grieco	Novak	Tayoun
Cohen	Hammock	O'Brien	Toll
Cole	Hayes, D. S.	O'Connell	Trello
Cowell	Hutchinson, W.	O'Donnell	Valicenti
Davis, D. M.	Irvis	O'Keefe	Vann
DeMedio	Itkin	Oliver	Walsh, T. P.
Dicarlo	Johnson, J.	Perry	Wansacz
DiDonato	Kelly, A. P.	Petrarca	Wargo
Dietz	Kernick	Pietrsky	Whittlesey
Dombrowski	Kolter	Pratt	Wojdak
Doyle	Kowalshyn	Prendergast	Wright
Dreibelbis	LaMarca	Reed	Yahner
Eckensberger	Laudadio	Renwick	Yohn
Englehart	Laughlin	Rieger	Zeller
Fee	Lederer	Ritter	Zwinkl
Fischer	Letterman	Romanelli	
Flaherty	Lincoln	Ross	Fineman, Speaker
Fryer	McCall	Ruggiero	
Gallagher			

NOT VOTING—15

Bellomini	Lynch	Rappaport	Sweeney
Berlin	Manderino	Rhodes	Thomas
Dininni	McGraw	Richardson	Whelan
Kelly, J. B.	Mebus	Shehmer	

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 as amended on third consideration?

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

Amend Sec. 2, page 3, line 3, by striking out "13,200" and inserting:

a nominal 15,000

Amend Sec. 2, page 3, line 4, by striking out "7,600" and inserting:

a nominal 8,700

On the question,

Will the House agree to the amendments?

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

Mr. VROON. Mr. Speaker, this first amendment is really just a housekeeping amendment. It touches on the number of volts involved in this particular type of work. This inserts the word "nominal" in here and changes the number of volts to 15,000 on line 3, and inserts "a nominal 8,700" on line 4.

The reason for this change is this: The nominal voltage describes the voltage as it comes from the transformer.

As the voltage goes through the lines, it becomes weaker and weaker the farther it goes. To satisfy this requirement it would be most fitting to raise it slightly, to 15,000 and 8,700, and put the word "nominal" in there, with the understanding that this is the limit at the source of the electric voltage, namely, the transformer. By the time it gets down the line, it is well below the 13,200 and the 7,600 volts mentioned in the bill.

I think this is a harmless amendment; I think it is a good housekeeping amendment. I do not see any good reason why it should be opposed.

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

Mr. VALICENTI. Mr. Speaker, I rise to oppose this amendment. I cannot see how Mr. Vroon can say that at one end of a substation, say even 10 miles away, the voltage would be coming in at 69,000—I have seen it and I have worked with it—and then 10 miles away it would be coming out of another substation at 15,000. There is no way this could happen.

The voltage is the same when it comes out as when it went in. The only way to change the voltage would be to bring it into a frequency changer where it would bring it from 69,000 down to 6,600 or 6,000. That is the only way. Once it goes in at 65,000 or 69,000 volts, that is the way it comes out, unless you go through a frequency changer. Then the frequency changer would bring the voltage down, let us say, from 6,000 maybe to 2,000 or 440. So he is wrong on that. Once it goes in at 65,000, 69,000, 7,000, or a million volts, that is the way it comes out, unless it goes through a frequency changer. I oppose the amendment.

Thank you.

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

Mr. GARZIA. I also rise to oppose the amendment.

I do not mean to knock Mr. Vroon in any way, but the only thing I would like to tell him is this: If you take a 440-volt line and cut the juice off and grab it with your bare hands, I guarantee you will get the shock of your life. I oppose the amendment.

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

Mr. ENGLEHART. Mr. Speaker, I, too, oppose the amendment. The reason the 13,200 volts was chosen as the cutoff point is because this is the voltage now being used by all public utilities in Pennsylvania to distribute electricity to residential neighborhoods. It then goes through a transformer and is cut down either to 200 or 110 to go into your home, and 13,200 is the rated voltage of these lines.

The public utility workers are perfectly willing to work on those lines the way they are now with no disturbance. They are not willing to go higher. We know of no plans of the utilities to try to make it any higher.

This is an attempt to sneak in another 1,800 volts of danger, and I oppose it.

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

Mr. VROON. I am not trying to sneak anything in for the utilities. I was told that this is a technical matter and it was told to me by experts who seemed to know what they were talking about.

At any rate, I am inclined to believe that this is a rea-

sonable amendment. It is not going to hurt anyone. We are not asking for an unreasonable change here at all, because when it comes right down to it, most of the time they will be operating under this level at any rate. So I would ask for the approval of a very innocent amendment.

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

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

YEAS—55

Anderson, J. H.	Hamilton, J. H.	Noye	Smith, E.
Bittle	Hasay	O'Connell	Smith, L.
Brandt	Hayes, S. E.	Oliver	Spencer
Butera	Hepford	Pancoast	Stahl
Cessar	Hutchinson, W.	Parker, H. S.	Stout
Crawford	Klingaman	Perri	Turner
Deverter	Kusse	Pitts	Vroon
Dietz	Lehr	Polite	Wagner
Dorr	Levi	Pyles	Westerberg
Fawcett	Manmiller	Renninger	Wilt, R. W.
Foster, A.	McClatchy	Salvatore	Wilt, W. W.
Foster, W.	McGinnis	Scheaffer	Worrlow
Gallen	Mebus	Seltzer	Zearfoss
Geesey	Moehlmann	Sirjanni	

NAYS—136

Abraham	George	McCue	Schweder
Arthurs	Giammarco	McIntyre	Scirca
Barber	Gillespie	McLane	Shane
Bennett	Gillette	Menhorn	Shelhamer
Beren	Gleason	Milanovich	Shelton
Berson	Gleeson	Miller, M. E.	Shuman
Blackwell	Goodman	Miller, M. E., Jr.	Shupnik
Bonetto	Green	Milliron	Stapleton
Bradley	Greenfield	Miscevich	Sullivan
Brunner	Grieco	Morris	Taddonio
Burns	Gring	Mrkonic	Taylor
Caputo	Halverson	Mullen	Tayoun
Cimini	Hammock	Mullen, M. P.	Toll
Cohen	Haskell	Musto	Trello
Cole	Hayes, D. S.	Myers	Ustynoski
Cowell	Hill	Novak	Valicenti
Cumberland	Hopkins	O'Brien	Vann
Davies	Hutchinson, A.	O'Donnell	Walsh, T. P.
Davis, D. M.	Irvis	O'Keefe	Wansacz
DeMedio	Itkin	Perry	Wargo
Dicarlo	Johnson, J.	Petrarca	Weidner
DiDonato	Katz	Pievsky	Whelan
Dombrowski	Kelly, A. P.	Pratt	Whittlesey
Doyle	Kernick	Prendergast	Wilson
Dreibelbis	Kistler	Reed	Wojdak
Eckensberger	Knepper	Renwick	Wright
Englehart	Kolter	Rieger	Yahner
Fee	Kowalyszyn	Ritter	Yohn
Fischer	LaMarca	Romanelli	Zeller
Fisher	Laudadio	Ross	Zord
Flaherty	Laughlin	Ruggiero	Zwikl
Fryer	Lederer	Ryan	
Gallagher	Letterman	Saloom	Fineman,
Garzia	Lincoln	Schmitt	Speaker
Geisler	McCall		

NOT VOTING—12

Bellomini	Kelly, J. B.	McGraw	Richardson
Berlin	Lynch	Rappaport	Sweeney
Dininni	Manderino	Rhodes	Thomas

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 as amended on third consideration?

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

Amend Sec. 7, page 4, lines 16 through 21, by striking out "(a) This act shall not be construed" in line 16, all of lines 17 through 20 and "(b)" in line 21

On the question,

Will the House agree to the amendment?

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

Mr. VROON. Now let us take this into consideration: We are talking about a safety bill and let us say that we all recognize at this point that there is a valid desire here on the part of all of us to make work conditions safe for everybody involved in working with high-voltage lines. Now if this is true, it is just as true of railroad lines, the electric lines used in transportation systems, as it is in other utility lines.

In the last part of the bill, it specifically exempts construction, reconstruction, operation, and maintenance of overhead electrical circuits or conductors and their supporting structures and associated equipment of rail transportation systems.

The people in the public utility companies instruct and work with people in the railroads and other transportation systems having these electrical lines. If what you are saying is true regarding utility lines, it is equally true of these lines. If it is valid for one, it is valid for the other. To be consistent, you must remove this exemption. Therefore, I say, let us be consistent; let us be perfectly safe with everybody who does this kind of work.

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

Mr. VALICENTI. I am not going to talk because I would have to say the same thing over and over again. This bill pertains to safety for the people who are working with high-tension voltage. I oppose the amendment.

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

Mr. ENGLEHART. Mr. Speaker, there is nothing inconsistent about the exception in the bill and the safety factor. As a matter of fact, I am going to offer an amendment to broaden the exception to include electrical commuter systems, whether they are on rails or on wheels. The reason is that we are not dealing in voltages as high as 13,200; they are much lower voltages; they are not a problem. The bill states that 13,200 is the cutoff point and the real danger point.

There are Federal safety statutes already in effect regarding rail systems. We do not have a problem in that industry. I would oppose this amendment and I would ask support for my amendment to broaden it.

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

The yeas and nays were required by Messrs. VROON and ENGLEHART and were as follows:

YEAS—59

Anderson, J. H.	Hamilton, J. H.	Noye	Smith, L.
Beren	Hasay	O'Connell	Spencer
Bittle	Haskell	O'Keefe	Stahl
Butera	Hayes, S. E.	Pancoast	Stout
Cessar	Hepford	Parker, H. S.	Taddonio
Crawford	Hutchinson, A.	Perri	Turner
Deverter	Hutchinson, W.	Pitts	Ustynoski
Dietz	Katz	Polite	Vroon
Dorr	Knepper	Pyles	Wagner
Fawcett	Kusse	Renninger	Westerberg
Foster, A.	Manmiller	Salvatore	Wilt, R. W.
Foster, W.	McClatchy	Scheaffer	Wilt, W. W.
Gallen	McGinnis	Seltzer	Zearfoss
Geesey	Mebus	Sirianni	Zord
Halverson	Moehlmann	Smith, E.	

NAYS—132

Abraham	Geisler	McCue	Schmitt
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Arthurs	George	McIntyre	Schweder
Barber	Giammarco	McLane	Scirica
Bennett	Gillespie	Menhorn	Shane
Berson	Gillette	Milanovich	Shelhamer
Blackwell	Gleason	Miller, M. E.	Shelton
Bonetto	Gleeson	Miller, M. E., Jr.	Shuman
Bradley	Goodman	Milliron	Shupnik
Brandt	Green	Miscevich	Stapleton
Brunner	Greenfield	Morris	Sullivan
Burns	Grieco	Mrkonjc	Taylor
Caputo	Gring	Mullen	Tayoun
Cimini	Hammock	Mullen, M. P.	Toll
Cohen	Hayes, D. S.	Musto	Trello
Cole	Hill	Myers	Valicenti
Cowell	Hopkins	Novak	Vann
Cumberland	Irvis	O'Brien	Walsh, T. P.
Davies	Itkin	O'Donnell	Wansacz
Davis, D. M.	Johnson, J.	Oliver	Wargo
DeMedio	Kelly, A. P.	Perry	Weidner
Dicarlo	Kernick	Petrarca	Whelan
DiDonato	Kistler	Pievsy	Whittlesey
Dombrowski	Klingaman	Pratt	Wilson
Doyle	Kolter	Prendergast	Wojdak
Dreibelbis	Kowalyshyn	Reed	Worriow
Eckensberger	LaMarca	Renwick	Wright
Englehart	Laudadio	Rieger	Yahner
Fee	Laughlin	Ritter	Yohn
Fischer	Lederer	Romanelli	Zeller
Fisher	Lehr	Ross	Zwickl
Flaherty	Letterman	Ruggiero	
Fryer	Levi	Ryan	Fineman,
Gallagher	Lincoln	Saloom	Speaker
Garzia	McCall		

NOT VOTING—12

Bellomini	Kelly, J. B.	McGraw	Richardson
Berlin	Lynch	Rappaport	Sweeney
Dininni	Manderino	Rhodes	Thomas

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 as amended on third consideration?

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

Amend Sec. 7, page 4, line 19, by striking out "rail"

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

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

Mr. ENGLEHART. Mr. Speaker, the purpose of these amendments, as I just said, is to broaden the exception to exclude from coverage any transportation system, whether it be rail or mechanized on wheels.

On the question recurring,
Will the House agree to the amendment?
Amendment was agreed to.

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

Bill as amended was agreed to.

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

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

Mr. HEPFORD. Mr. Speaker, I think this is the type of legislation whereby we are placing statutes on the books, which we frequently are called upon to put on the books, which may have to be changed when technical

knowledge increases in matters such as protective material for employes in highly specialized fields.

I think there is no better illustration as to whether they ought to work with sticks or whether they ought to work with gloves or whether they ought to work with insulated materials than the men themselves who are doing the work in the field every day. This is a negotiable item. The men can handle it; they know it. If they do not want to climb those poles, if they do not want to work with it, if they are not getting safety materials, if they are not getting the proper materials, they have strike ability. They can fight; they can strike; they can do everything. But we should not put it on the books. Next month's technology may be that you do not need 4-foot sticks, you do not need 3-foot sticks.

We are just laying another layer on that is unnecessary and, in my opinion, uncalled for. We have had electricity in poles and people have been working with it for years. I say we are writing into the statute books unnecessary legislation. This is a negotiable item that experts in this highly technical, electrical field are better able and capable of working out in the management-labor field. Therefore, I would vote against the legislation solely for that reason.

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

Mr. W. W. WILT. Mr. Speaker, may I ask a question of Mr. Englehart, please?

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

Mr. ENGLEHART. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. W. W. WILT. Mr. Speaker, would this bill have any effect on telephone line crews or telephone repairmen?

Mr. ENGLEHART. No, Mr. Speaker.

Mr. W. W. WILT. I will point out in a few minutes that the response is not correct.

Would it have any effect on a person employed on a tree-trimming or tree-removal crew in the vicinity of high-voltage lines?

Mr. ENGLEHART. Yes, Mr. Speaker, it could have an effect on them if they are working to trim trees in and around lines above 750 volts. They would have to use methods approved by the Secretary of Labor and Industry, but as the bill is now amended, they do not have to get specific permission for a specific instance.

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

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

Mr. W. W. WILT. Mr. Speaker, I have spent a good many years of my lifetime working on a line crew and working on pole-line construction and I can tell you that there are many cases, numerous cases, where this legislation will have an effect on telephone company linemen.

The cutoff point is not 13,200; it is 7,600 as far as these people are concerned because they are working between the power company transmission wires and ground. Therefore, they come under the provisions of this bill. They would have to deenergize the primaries or take some other steps to bring them into compliance with this bill.

I have talked with many, many, and I know a lot of electric power company linemen—and I know a lot of them—and they would much rather work with rubber

gloves than with sticks. I do not know if you have ever worked in the air, but when you are handling a pole 8 or 10 feet long on a windy day, you are much more likely to injure yourself or a fellow employe than you are by working with rubber gloves.

Just a few minutes ago we passed legislation concerning the consumers. I can tell you that this bill is going to cost the consumers an enormous amount of money because it will require additional employes, additional equipment, and additional material in order to come into compliance with the provisions of the bill. It certainly will cost a lot of money.

Again, I have talked with linemen and gang foremen and, in their opinion—there are certain conditions of course, where sticks should be used and are used—they feel that in most cases they can work on 13,200 volts much more safely by the use of rubber-glove protection than they can by using sticks.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, on the bill, I ask for an affirmative vote.

On the question recurring,
Shall the bill pass finally?

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

YEAS—142

Abraham	Gillette	Milanovich	Salvatore
Arthurs	Gleason	Miller, M. E.	Schmitt
Barber	Gleeson	Miller, M. E., Jr.	Schweder
Bennett	Goodman	Milliron	Scirica
Borson	Green	Miscevich	Shane
Blackwell	Greenfield	Morris	Shelhamer
Bonetto	Grieco	Mrkonic	Shelton
Bradley	Halverson	Mullen, M. P.	Shuman
Brunner	Hammock	Mullen	Shupnik
Burns	Haskell	Musto	Stahl
Caputo	Hayes, D. S.	Myers	Stapleton
Citmini	Hopkins	Novak	Sullivan
Cohan	Hutchinson, A.	Noye	Taddonio
Cole	Hutchinson, W.	O'Brien	Taylor
Cowell	Irvis	O'Donnell	Tayoun
Cumberland	Itkin	O'Keefe	Toll
Davis, D. M.	Johnson, J.	Oliver	Trelio
DeMedio	Kelly, A. P.	Pancoast	Ustynoski
Dicarlo	Kernick	Parker, H. S.	Valicenti
DiDonato	Kistler	Perri	Vann
Dombrowski	Klingaman	Perry	Walsh, T. P.
Dorr	Knepper	Petrarca	Wansacz
Doyle	Kolter	Pievsky	Wargo
Dreibelbis	Kowalshyn	Polite	Whelan
Eckensberger	LaMarca	Pratt	Whitticsey
Englehart	Laudadio	Prendergast	Wilson
Fee	Laughlin	Rappaport	Wojdak
Fischer	Lederer	Reed	WorriLOW
Flaherty	Levi	Renwick	Wright
Foster, A.	Lincoln	Rhodes	Yahner
Fryer	McCall	Rieger	Yohn
Garzia	McCue	Ritter	Zeller
Geisler	McGinnis	Romanelli	Zwinkl
George	McIntyre	Ross	
Giammarco	McLane	Ruggiero	Fineman,
Gillespie	Menhorn	Saloom	Speaker

NAYS—50

Anderson, J. H.	Gallagher	McClatchy	Smith, L.
Beren	Gallen	Mebus	Spencer
Bittle	Geesey	Moehlmann	Stout
Brandt	Gring	O'Connell	Turner
Butera	Hamilton, J. H.	Pitts	Vroon
Cessar	Hasay	Pyles	Wagner
Crawford	Hayes, S. E.	Renninger	Weidner
Davies	Hepford	Ryan	Westerberg
Deverter	Hill	Scheaffer	Wilt, R. W.
Dietz	Katz	Seltzer	Wilt, W. W.

Fawcett	Kusse	Sirianni	Zearfoss
Fisher	Lehr	Smith, E.	Zord
Foster, W.	Manmiller		

NOT VOTING—11

Bellomini	Kelly, J. B.	Manderino	Swcney
Berlin	Letterman	McGraw	Thomas
Diniani	Lynch	Richardson	

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

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

Agreeable to order,

The House proceeded to third consideration of Senate bill No. 108, printer's No. 1053, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Historical and Museum Commission, to transfer Valley Forge State Park to the United States of America.

On the question,

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

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

The question is, Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Chester, Mr. Morris. Does the gentleman have amendments?

Mr. MORRIS. No amendments, Mr. Speaker, but I would like to explain the bill. I understand that this bill has not been caucused on. It is a very simple bill. I would like to have a chance to explain it to the members.

What this bill does essentially it to permit the Commonwealth of Pennsylvania to transfer Valley Forge Park to the Federal Government for a United States park. This is something which many of us in the area down there are particularly interested in. In fact, this bill takes the place of a House bill which all our Chester County Representatives and a number of others in Philadelphia and elsewhere in the vicinity sponsored.

It is a very important piece of legislation. It has the backing of the administration. The bill has been treated in committee, with certain amendments in committee—the State Government Committee, chaired by Mr. Perry—and those amendments have produced a bill which those of us who are interested in it think is a very, very good bill.

I just want to remind the members that Valley Forge State Park, which was started as a state park many, many years ago through the efforts of interested citizens, has become, and, in fact, always was, a national shrine. This park is visited by people from all over the country every year, almost every day in every year, and it is entirely fitting that Valley Forge Park should become a national park.

From the point of view of our Pennsylvania finances, it is even more fitting. We have been unable in the last few years to appropriate sufficient funds for the upkeep of Valley Forge Park, and this will enable the upkeep of that park to be financed by the Federal Government, where there is a much larger potential for appropriations to take care of the park.

If anybody has any questions, I will be glad to try and answer them.

On the question recurring,
Shall the bill pass finally?

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

YEAS—190

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

NAYS—0

NOT VOTING—13

Bellomini	Kelly, J. B.	McGraw	Richardson
Berlin	Lynch	Rappaport	Sweeney
Diniani	Manderino	Rhodes	Thomas
Hopkins			

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

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

PATRICK LOGAN INTRODUCED

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Abraham, for the purpose of introduction of a guest.

Mr. ABRAHAM. Thank you, Mr. Speaker.

Mr. Speaker, it is my honor today to introduce to the

House a gentleman from the town of Homestead in Allegheny County. His name is Pat Logan—a gentleman, a soldier, and a patriot who served his Country far beyond the call of duty.

During World War II, he served and fought in the United States Air Force and was captured by enemy forces. The experiences and hardships and problems of prisoners of war are the things that Pat Logan knows about all too well, because he was a prisoner of war himself. Much of his life has been spent trying to help POWs.

He is presently working with the Steel Valley Air Force Chapter 225 and is organizing a letter-writing campaign urging our Federal Government to continue pressing for a full accounting of all American prisoners of war and soldiers missing in action in the Southeast Asian conflict.

Mr. Speaker, I am proud to introduce Pat Logan to the members of the House and I am sure we will all be interested in what he has to say.

Thank you, Mr. Speaker.

The SPEAKER. Will Mr. Logan please rise and come forward?

The Chair is pleased to welcome and introduce Mr. Logan to the members of the House.

ADDRESS BY MR. PAT LOGAN

Mr. LOGAN. Thank you, Mr. Speaker.

Gentlemen, I want to thank you for taking time off from your busy schedule—I know you are very busy—to allow me to come here to thank you for helping the Steel Valley Chapter of the Air Force Association with our prayer week. We had a prayer week from March 9 to 15, and you gentlemen passed House resolution No. 60 which helped us very much with our prayer week.

The mayors of Clairton, McKeesport, Duquesne, Munhall, Homestead, West Homestead, Whitaker, and West Mifflin all signed a proclamation, and all the clergy of all the churches asked all the people in their churches if they would say a prayer for the missing in action.

You know it is very easy to say, it is over; let us forget. But how can you tell a mother or a father that their son, or a wife that her husband, or the children that their father is gone and forget him?

I know there is not much that we can do, but there is one thing that we can do, and that is, pray. Prayer is a strong thing, and everytime I get a large audience, I tell them this: Believe me, if one man who is missing in action comes back safe and free, all of our prayers will have been answered.

Now at this time, I have a certificate here from the Air Force Association Chapter 225, and I want to present this to you. I will read it to you. It says:

AIR FORCE ASSOCIATION
CERTIFICATE OF APPRECIATION
AWARDED TO ALL THE MEMBERS OF THE
PENNSYLVANIA HOUSE OF
REPRESENTATIVES

FOR being so kind and generous and helping our chapter to make our Prayer Week for the MIA's and their families a success, and by passing House Resolution No. 60 declaring March 9 through March 15, 1975 Prayer Week for the MIA's and all their families.

Personally, and on behalf of the members of the Steel Valley Chapter 225 and all the families of the MIA's, we wish to thank you from the bottom of our hearts and may God bless you all.

Gentlemen, with this I want to thank you very much, and I would like to present this to your Speaker, Mr. Fineman.

The SPEAKER. Thank you very much.

Mr. Logan, on behalf of the members of the House, I accept the certificate. We gratefully acknowledge same and, indeed, all of the MIAs and their families have the prayers of all the members of this chamber.

We thank you, sir, for joining us today.

Mr. LOGAN. Thank you.

RECONSIDERATION OF VOTE ON HOUSE BILL No. 170

Mr. SALVATORE moved that the vote by which HOUSE BILL No. 170, printer's No. 1978, entitled:

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 and Home Improvement Finance Act, the Motor Vehicle Sales Finance Act and other inconsistent laws.

was agreed to on final passage on Wednesday, July 16, 1975, be reconsidered.

Mr. RAPPAPORT seconded the motion.

On the question,

Will the House agree to the motion?

Motion was agreed to.

On the question recurring,

Shall the bill pass finally?

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

Mr. SALVATORE. Mr. Speaker, when I interrogated the Appropriations Committee chairman, I had before me a fiscal note to printer's No. 1732, but I note on the calendar that House bill No. 170 carries printer's No. 1978, and I feel that we should have this bill returned to the Appropriations Committee for further study.

I ask for a roll-call vote on that particular motion, Mr. Speaker.

The SPEAKER. What is the motion the gentleman is making?

MOTION TO RECOMMIT HOUSE BILL No. 170

Mr. SALVATORE. I move that House bill No. 170 be recommitted to the Committee on Appropriations for a fiscal note, an up-to-date fiscal note, because the fiscal note I have in front of me is to printer's No. 1732 and not to printer's No. 1978.

The SPEAKER. The gentleman, Mr. Salvatore, moves that House bill No. 170, which appears on page 5 of today's calendar, be recommitted to the Committee on Appropriations.

The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I assume, as a matter of courtesy to the member, that we have reconsidered the vote by which House bill No. 170 passed?

The SPEAKER. That is correct.

Mr. IRVIS. And now the matter before the House is a motion to recommit the bill to the Appropriations Committee. Is that correct?

The SPEAKER. That is correct.

Mr. IRVIS. I oppose the motion, Mr. Speaker, and ask that the House vote in the negative.

On the question,

Will the House agree to the motion?

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

YEAS—72

Table listing names of members who voted 'YEAS' (72 total). Includes Anderson, J. H., Beren, Bittle, Brandt, Butera, Cessar, Cimini, Crawford, Cumberland, Davies, Deverter, Dietz, Dorr, Fawcett, Fisher, Foster, A., Foster, W., Geesey, Gleason, Grieco, Gring, Halverson, Hamilton, J. H., Hasay, Hayes, S. E., Hefford, Hill, Hutchinson, W., Katz, Klingaman, Kusse, Lehr, Levi, Manmiller, McClatchy, McCue, McGinnis, Mebus, Miller, M. E., Jr., Moehlmann, Noye, O'Connell, Pancoast, Parker, H. S., Perri, Pitts, Polite, Pyles, Renninger, Ryan, Salvatore, Scheaffer, Scirica, Seltzer, Sirianni, Smith, E., Smith, L., Spencer, Stahl, Turner, Ustynoski, Vroon, Wagner, Weidner, Westerberg, Whelan, Whittlesey, Wilt, R. W., Wilt, W. W., Worriow, Yohn, Zearfoss.

NAYS—120

Table listing names of members who voted 'NAYS' (120 total). Includes Abraham, Arthurs, Barber, Bennett, Berson, Blackwell, Bonetto, Bradley, Brunner, Burns, Dreibelbis, Caputo, Cohen, Cole, Cowell, Davis, D. M., DeMedio, Dicario, DiDonato, Dombrowski, Doyle, Eckensberger, Englehart, Fee, Fischer, Flaherty, Fryer, Gallagher, Gallen, Garzia, Geisler, George, Giammarco, Gillespie, Gillette, Milliron, Gleeson, Goodman, Green, Greenfield, Hammock, Haskell, Hayes, D. S., Hopkins, Hutchinson, A., Irvis, Itkin, Johnson, J., Kelly, A. P., Kernick, Kistler, Knepper, Kolter, Kowalyszyn, LaMarca, Laudadio, Laughlin, Lederer, Letterman, Lincoln, McCall, McIntyre, McLane, Menhorn, Milanovich, Miller, M. E., Shane, Miscovich, Morris, Mrkonie, Mullen, M. P., Musto, Myers, Novak, O'Brien, O'Keefe, Oliver, Perry, Petrarca, Pievsky, Pratt, Prendergast, Rappaport, Reed, Renwick, Rhodes, Rieger, Ritter, Romanelli, Ross, Ruggiero, Saloom, Schmitt, Schweder, Schwaner, Shelton, Shuman, Shupnik, Stapleton, Stout, Sullivan, Taddonio, Taylor, Toll, Trello, Valicenti, Vann, Walsh, T. P., Wansacz, Wargo, Wilson, Wojdak, Wright, Yahner, Zeller, Zord, Zwick, Fineman, Speaker.

NOT VOTING—11

Table listing names of members who did not vote (11 total): Bellomini, Berlin, Dininni, Kelly, J. B., Lynch, Manderino, McGraw, Richardson, Sweeney, Tayoun, Thomas.

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

On the question recurring, Shall the bill pass finally?

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

YEAS—166

Table listing names of members who voted 'YEAS' (166 total): Abraham, Arthurs, George, Giammarco, McLane, Mebus, Scheaffer, Schmitt.

Table listing names of members who voted 'NAYS' (120 total). Includes Barber, Bennett, Beren, Berson, Bittle, Blackwell, Bonetto, Bradley, Brandt, Brunner, Burns, Caputo, Cessar, Cimini, Cohen, Cole, Cowell, Crawford, Cumberland, Davies, Davis, D. M., DeMedio, Deverter, Dicario, DiDonato, Dombrowski, Doyle, Eckensberger, Englehart, Fawcett, Fee, Fischer, Fisher, Flaherty, Foster, W., Fryer, Gallagher, Gallen, Garzia, Geisler, Gillespie, Gillette, Gleason, Gleeson, Goodman, Green, Greenfield, Grieco, Gring, Halverson, Hammock, Haskell, Hayes, D. S., Hayes, S. E., Hefford, Hill, Hopkins, Hutchinson, A., Hutchinson, W., Irvis, Itkin, Katz, Kelly, A. P., Kernick, Kistler, Klingaman, Kolter, Kowalyszyn, LaMarca, Laudadio, Laughlin, Lederer, Lehr, Letterman, Levi, Lincoln, McCall, McClatchy, McCue, McGinnis, Menhorn, Milanovich, Miller, M. E., Miller, M. E., Jr., Milliron, Miscovich, Moehlmann, Morris, Mrkonie, Mullen, Mullen, M. P., Musto, Myers, Novak, Noye, O'Brien, O'Connell, O'Donnell, O'Keefe, Oliver, Pancoast, Parker, H. S., Perri, Perry, Petrarca, Pievsky, Polite, Pratt, Prendergast, Rappaport, Reed, Renninger, Renwick, Rhodes, Ritter, Romanelli, Ross, Ruggiero, Saloom, Salvatore, Scirica, Seltzer, Sheihamer, Shelton, Shupnik, Sirianni, Smith, L., Spencer, Stapleton, Stout, Sullivan, Taddonio, Taylor, Toll, Trello, Turner, Ustynoski, Valicenti, Vann, Wagner, Walsh, T. P., Wansacz, Wargo, Weidner, Whelan, Whittlesey, Wilson, Wilt, R. W., Wojdak, Wright, Yahner, Yohn, Zearfoss, Fineman, Speaker.

NAYS—25

Table listing names of members who voted 'NAYS' (25 total): Anderson, J. H., Butera, Dietz, Dorr, Dreibelbis, Foster, A., Geesey, Hamilton, J. H., Hasay, Knepper, Kusse, Manmiller, McIntyre, Pitts, Pyles, Rieger, Ryan, Schweder, Shuman, Smith, E., Stahl, Vroon, Westerberg, Wilt, W. W., Worriow.

NOT VOTING—12

Table listing names of members who did not vote (12 total): Bellomini, Berlin, Dininni, Johnson, J., Kelly, J. B., Lynch, Manderino, McGraw, Richardson, Sweeney, Tayoun, Thomas.

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

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. STAHL. I was inadvertently recorded in the negative on House bill No. 170. I wish to be recorded in the affirmative.

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

WELCOME

The SPEAKER. The Chair is pleased to recognize the presence of the wife of Mr. Jake Myers, a member of the House staff.

Mrs. Myers is here as the guest of the gentleman from Indiana, Mr. Shane.

**CONSUMER PROTECTION BILLS
ON THIRD CONSIDERATION**

Agreeable to order,
The House proceeded to third consideration of **House bill No. 167, printer's No. 1977**, entitled:

An Act regulating debt collection practices and providing penalties.

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

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

The **SPEAKER**. The Chair recognizes the gentleman from Luzerne, Mr. Hasay.

Mr. **HASAY**. Mr. Speaker, I believe that House bill No. 167 is a bad piece of legislation concerning the consumer. Speaking from a few years experience in the business world, House bill No. 167 is going to tighten up credit. As I indicated before, concerning those people who are slow payers, it is really going to eliminate their credit. I do not know what lending institution would put up with these slow-paying people or give credit to them. The lending institutions that will give them credit are going to have higher interest rates because of the regulations of House bill No. 167.

The way the recession is now and business is now and the economy of Pennsylvania is now, it is going to make it worse. I believe if House bill No. 167 passes this House chamber, it will come back to us like a ghost and haunt us for passing it.

Thank you.

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

Mr. **SHANE**. Mr. Speaker, House bill No. 167 is known as the no-threat debt law. It would set forth certain kinds of unfair debt-collection practices. I think this is a very necessary step for Pennsylvania and I urge a "yes" vote on this bill.

On the question recurring,
Shall the bill pass finally?

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

YEAS—164

Abraham	Gillette	Miller, M. E.	Shane
Arthurs	Gleason	Miller, M. E., Jr.	Shelhamer
Barber	Gleeson	Milliron	Shelton
Bennett	Goodman	Moehlmann	Shupnik
Beren	Green	Morris	Smith, E.
Berson	Greenfield	Mrkonic	Smith, L.
Bittle	Halverson	Musto	Spencer
Blackwell	Hammock	Myers	Stahl
Bonetto	Haskell	Novak	Stapleton
Bradley	Hayes, D. S.	Noye	Stout
Brunner	Hayes, S. E.	O'Brien	Sullivan
Burns	Hepford	O'Connell	Taddonio
Butera	Hopkins	O'Donnell	Taylor
Caputo	Hutchinson, A.	O'Keefe	Tayoun
Cessar	Hutchinson, W.	Oliver	Toll
Cimini	Irvis	Pancoast	Trello
Cohen	Itkin	Parker, H. S.	Ustynoski
Cole	Johnson, J.	Perri	Valicenti
Cowell	Katz	Perry	Vann
Crawford	Kelly, A. P.	Petrarca	Vroon
Davies	Kernick	Pievsky	Walsh, T. P.
Davis, D. M.	Kistler	Pitts	Wansacz
DeMedio	Klingaman	Polite	Wargo

Deverter	Kolter	Pratt	Weidner
DiDonato	Kowalshyn	Prendergast	Westerberg
Dietz	LaMarca	Pyles	Whelan
Dombrowski	Laudadio	Rappaport	Whittlesey
Doyle	Laughlin	Reed	Wilson
Eckensberger	Lederer	Renninger	Wilt, W. W.
Englehart	Lehr	Renwick	Wojdak
Fawcett	Letterman	Rieger	Worriow
Fee	Levi	Ritter	Wright
Fischer	Lincoln	Romanelli	Yahner
Fisher	Manmiller	Ross	Yohn
Flaherty	McCall	Ruggiero	Zearfoss
Fryer	McClatchy	Ryan	Zeller
Gallagher	McCue	Saloom	Zord
Garzia	McIntyre	Salvatore	Zwikl
Geisler	McLane	Schmitt	
George	Mebus	Schweder	Fineman,
Giammarco	Menhorn	Scirica	Speaker
Gillespie	Milanovich		

NAYS—27

Anderson, J. H.	Foster, W.	Hill	Seltzer
Brandt	Gallen	Knepper	Shuman
Cumberland	Geesey	Kusse	Sirianni
Dicarlo	Grieco	McGinnis	Turner
Dorr	Gring	Miscevich	Wagner
Dreibelbis	Hamilton, J. H.	Mullen, M. P.	Wilt, R. W.
Foster, A.	Hasay	Scheaffer	

NOT VOTING—12

Bellomini	Kelly, J. B.	McGraw	Richardson
Berlin	Lynch	Mullen	Sweeney
Dininni	Manderino	Rhodes	Thomas

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

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

**CONSIDERATION OF HOUSE BILL No. 485
RESUMED**

The **SPEAKER**. Does the gentleman, Mr. Ryan, have the matter of the amendments to House bill No. 485 straightened out?

The Chair recognizes the gentleman, Mr. Ryan.

Mr. **RYAN**. Mr. Speaker, by way of explanation, the amendments are not ready. Members of our staff and the Democratic staff have agreed on them and have ordered them from the Reference Bureau, but they are not down.

The **SPEAKER**. The Chair recognizes the majority leader.

Mr. **IRVIS**. Mr. Speaker, there is an amendment to be offered to House bill No. 485 which I shall recommend that we agree to. It is to be offered by Mr. Hutchinson. It is in print and it has been distributed.

If you recognize the gentleman, we might get that piece of business completed.

On the question,

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

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

Amend Sec. 1 (Sec. 7), page 14, line 7, by striking out "orally,"

Amend Sec. 1 (Sec. 7), page 14, line 11, by striking out "orally"

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Schuylkill, Mr. Hutchinson.

Mr. W. D. HUTCHINSON. Mr. Speaker, all these amendments do is strike the word "orally" to prevent litigation over whether someone was informed or not. He is still required to be informed and given a copy of the cancellation notice. It makes definite when the period for recision begins to run.

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

HOUSE BILL No. 485 PASSED OVER TEMPORARILY

The SPEAKER. The bill will continue to be passed over temporarily.

HEALTH AND WELFARE BILLS
ON THIRD CONSIDERATION

Agreeable to order,
The House proceeded to third consideration of House bill No. 545, printer's No. 599, entitled:

An Act providing for the creation of medical districts as bodies corporate and politic in counties, cities, boroughs, townships and towns within this Commonwealth; providing for the election of boards of medical district directors; prescribing the rights, powers and duties of such boards, including the power to impose certain taxes, borrow money and issue bonds therefore; and imposing powers and duties upon the Secretary of Health and the Secretary of the Commonwealth.

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

The SPEAKER. Will the majority leader advise the Chair as to the disposition that is to be made of House bill No. 545 on page 7?

Mr. IRVIS. Mr. Speaker, I would ask that you call it up. Mr. Davies, I understand, wishes to offer an amendment. We would like to take that amendment and, whether or not the House adopts it, I would like to call the bill for a final vote today.

The SPEAKER. The gentleman, Mr. Davies, indicates that he is withdrawing the amendment.
The Chair thanks the gentleman.

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

Mr. ITKIN. Mr. Speaker, House bill No. 545 would allow the creation of medical districts in the Commonwealth of Pennsylvania. It would provide for counties and cities or other municipalities to have placed on referendum the creation of a medical district. Once the voters of the area agree to this concept of a medical district, district directors would be elected by the people in very much the same way as school directors are selected, but it would be via a nonpartisan election.

I have no objection to those parts of the bill. What I take exception to is section 10 of the bill, which appears on page 10, by which, in voting for this bill, we would empower a class of taxation that these medical directors could impose on their constituents in the form of the most regressive taxation I can think of. The type of taxation, and the only type of taxation, that would be permitted under this bill is a per capita head tax on all persons over the age of 18.

I am personally appalled that this would be sponsored by the Democratic Party and would provide this type of taxation that would affect everybody embodied in the district, including welfare mothers, the poor, the infirm, the ill, and those without income. I think that for just that purpose alone, the bill ought not go any further; it ought to be recommitted.

MOTION TO RECOMMIT HOUSE BILL No. 545

Mr. ITKIN. Therefore, Mr. Speaker, I make the motion to have House bill No. 545 recommitted to the Committee on Education.

The SPEAKER. The gentleman, Mr. Itkin, has moved that House bill No. 545 be recommitted to the Committee on Education.

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

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

Mr. RENNINGER. Mr. Speaker, I support the recommittal, and I would recommit the guys who support this bill.

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

Mr. SHANE. Mr. Speaker, I urge the members to vote "no" on the recommittal motion. I believe this bill should go hand in hand with House bill No. 546, which we passed this morning by an overwhelming margin.

Mr. RENNINGER. That is just because they did not understand it.

The SPEAKER. Will the gentleman yield?

The Chair recognizes the gentleman, Mr. Shane.

Mr. SHANE. I think that was an improper interruption.

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

Mr. SHANE. I do not know how far afield I can go in commenting.

The SPEAKER. Just confine your remarks to the question of recommittal.

Mr. SHANE. I think that the two bills go hand in hand, so I urge a "no" vote on this motion.

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

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

YEAS—78

Abraham	Gallen	Levi	Smith, E.
Anderson, J. H.	George	Manmiller	Smith, L.
Bennett	Gillette	McCue	Spencer
Beren	Gleason	McGinnis	Stahl
Bittle	Goodman	Menhorn	Stout
Bradley	Halverson	Miller, M. E., Jr.	Taddio
Brandt	Hamilton, J. H.	Moehlmann	Trello
Brunner	Hayes, S. E.	Perri	Turner
Burns	Hepford	Pitts	Vroon
Cimint	Hill	Polite	Wagner
Cumberland	Hutchinson, A.	Renninger	Weidner
Davies	Hutchinson, W.	Renwick	Westerberg
Davis, D. M.	Itkin	Ritter	Whelan
Deverter	Katz	Ryan	Whittlesey
Dietz	Kernick	Scheaffer	Wilson
Dombrowski	Kistler	Seirca	Wilt, R. W.
Dorr	Klingaman	Seltzer	Worriow
Eckensberger	Kusse	Shelhamer	Wright
Foster, A.	Laughlin	Sirianni	Zeller
Foster, W.	Lehr		

NAYS—112

Arthurs	Gillespie	Milliron	Ruggiero
Barber	Gleeson	Miscevich	Saloom
Berson	Green	Morris	Salvatore
Blackwell	Greenfield	Mrkoncic	Schmitt
Bonetto	Grieco	Mullen, M. P.	Schweder
Butera	Gring	Mullen	Shane
Caputo	Hammock	Musto	Shelton
Cessar	Hasay	Myers	Shuman
Cohen	Haskell	Novak	Shupnik
Cole	Hayes, D. S.	Noye	Stapleton
Cowell	Hopkins	O'Brien	Sullivan
Crawford	Irvis	O'Connell	Taylor
DeMedio	Johnson, J.	O'Donnell	Tayoun
Dicarlo	Kelly, A. P.	O'Keefe	Toll
DiDonato	Knepper	Oliver	Ustynoski
Doyle	Kolter	Pancoast	Vann
Dreibelbis	Kowalyszyn	Parker, H. S.	Walsh, T. P.
Englehart	LaMarca	Perry	Wansacz
Fawcett	Laudadio	Petrarca	Wargo
Fee	Lederer	Pievsky	Wojdak
Fischer	Letterman	Pratt	Yahner
Fisher	Lincoln	Prendergast	Yohn
Flaherty	McCall	Pyles	Zearfoss
Fryer	McClatchy	Reed	Zord
Gallagher	McIntyre	Rhodes	Zwinkl
Garzia	McLane	Rieger	
Geesey	Mebus	Romanelli	Fineman,
Geisler	Millanovich	Ross	Speaker
Giammarco	Miller, M. E.		

NOT VOTING—13

Bellomini	Lynch	Rappaport	Thomas
Berlin	Mandernio	Richardson	Valicenti
Dininni	McGraw	Sweeney	Wilt, W. W.
Kelly, J. B.			

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

QUESTIONS OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. W. W. WILT. Mr. Speaker, I would like to be recorded in the affirmative on the motion to recommit House bill No. 545.

The SPEAKER. The gentleman's remarks will be noted.

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

Mr. BENNETT. Mr. Speaker, will you please record me in the negative on the motion to recommit House bill No. 545, please?

The SPEAKER. The gentleman's remarks will be noted.

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

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

Mr. ZELLER. Mr. Speaker, for the same reasons I mentioned earlier today on House bill No. 546, I, likewise, would like to have my name removed as a sponsor of House bill No. 545 and I will so notify our leader, Mr. Irvis.

For the reason that Mr. Itkin mentioned, I feel this is going to be very regressive and it is going to be a hardship, a real hardship on our citizens, because I can see that an organization like this, that is going to be judge, jury, and verdict, is going to play havoc with our taxpayers.

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

Mr. ITKIN. Mr. Speaker, I just cannot understand the insensitivity of the House in this regard. It seems to me that this is an error; that most of the sponsors of the legislation, if they would have known the contents of this particular section, would not have endorsed or supported the bill. I think it is something that we ought to reflect upon very strongly, particularly among the Democratic members, because I think this is something of pronounced significance to what the Democratic Party stands for. The question as to whether we as Democrats sponsor a piece of legislation that would promote the most regressive form of taxation on our constituents is something that I find very difficult to accept.

I just do not think that this bill ought to pass at the present time, Mr. Speaker. To impose the per capita tax on everybody over 18, irrespective of their ability to pay this tax, I think is a great injustice and I think that the House would be doing a serious injustice if we were to pass this bill at this time.

CONSTITUTIONAL POINT OF ORDER

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

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

The SPEAKER. The lady will state it.

Mrs. KERNICK. Mr. Speaker, I would like to raise the question of constitutionality on the delegation of taxing powers to this board.

The SPEAKER. The lady has raised the question of constitutionality on the matter of House bill No. 545.

The Chair will submit the matter for decision to the membership of this House.

Those members desiring to uphold the constitutionality of this bill will vote in the affirmative; those members who desire to express the view that the House bill in question is unconstitutional will vote in the negative.

On the question,
Will the House sustain the constitutionality of the bill?

The yeas and nays were required by Mrs. KERNICK and Mr. IRVIS and were as follows:

YEAS—91

Arthurs	Giammarco	McIntyre	Shane
Barber	Gillespie	Miller, M. E.	Shelton
Bennett	Gleason	Milliron	Shupnik
Berson	Gleeson	Morris	Sirianni
Blackwell	Green	Mullen, M. P.	Smith, E.
Bonetto	Greenfield	Musto	Smith, L.
Bradley	Grieco	Myers	Stapleton
Caputo	Gring	Noye	Sullivan
Cohen	Hammock	O'Keefe	Taddonio
Cole	Hayes, D. S.	Oliver	Tayoun
Cowell	Hopkins	Pancoast	Toll
Crawford	Hutchinson, W.	Parker, H. S.	Trello
DeMedio	Irvis	Petrarca	Vann
DiDonato	Johnson, J.	Pievsky	Vroon
Doyle	Kelly, A. P.	Pitts	Walsh, T. P.
Dreibelbis	Knepper	Polite	Whelan
Englehart	Kolter	Pratt	Whittlesey
Fawcett	LaMarca	Rhodes	Wojdak
Fee	Laudadio	Rieger	Zearfoss
Fisher	Lederer	Romanelli	Zord
Flaherty	Letterman	Ross	
Gallagher	McClatchy	Salvatore	Fineman,
Garzia	McGinnis	Schmitt	Speaker
Geisler			

NAYS—98

Abraham	George	Menhorn	Scitica
Anderson, J. H.	Gillette	Milanovich	Seltzer
Beren	Goodman	Miller, M. E., Jr.	Shelhamer
Bittle	Halverson	Miscevich	Shuman
Brandt	Hamilton, J. H.	Moechmann	Spencer
Brunner	Hasay	Mrkonic	Stahl
Burns	Haskell	Mullen	Stout
Butera	Hayes, S. E.	Novak	Taylor
Cessar	Hepford	O'Brien	Turner
Cimini	Hill	O'Connell	Ustynoski
Cumberland	Hutchinson, A.	Perri	Wagner
Davies	Katz	Perry	Wansacz
Davis, D. M.	Kernick	Prendergast	Wargo
Deverter	Kistler	Pyles	Weidner
Dicarlo	Klingaman	Rappaport	Westerberg
Dietz	Kowalshyn	Reed	Wilson
Dombrowski	Kusse	Renninger	Wilt, R. W.
Dorr	Laughlin	Renwick	Wilt, W. W.
Eckensberger	Lehr	Ritter	Worrilow
Fischer	Levi	Ruggiero	Wright
Foster, A.	Lincoln	Ryan	Yahner
Foster, W.	Manmiller	Saloom	Yohn
Fryer	McCall	Scheaffer	Zeller
Gallen	McLane	Schweder	Zwinkl
Geesey	Mebus		

NOT VOTING—14

Bellomini	Kelly, J. B.	McGraw	Sweeney
Berlin	Lynch	O'Donnell	Thomas
Dinnini	Manderino	Richardson	Valicenti
Itkin	McCue		

Less than a majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the bill was declared unconstitutional.

PARLIAMENTARY INQUIRY

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

Mr. SHANE. I rise to a point of parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SHANE. Mr. Speaker, if we now offer an amendment which would remove that section involving the \$10 per capita tax, could we then have another vote on the bill?

Mr. Speaker, it was always a mystery to me that if someone did not like the \$10 per capita tax, why did he not waltz up to the Legislative Reference Bureau and get an amendment to get rid of it?

The SPEAKER. The gentleman has inquired of the Chair as to whether or not the alleged unconstitutional aspect of this bill can be cured by an amendment. The Chair would be of the view that since the matter of unconstitutionality was directed to a specific portion of this bill, that the bill could, in fact, be amended to delete that portion, leaving the remaining portions of the bill constitutional, subject to a further decision of this House.

PARLIAMENTARY INQUIRY

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

Mr. RITTER. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RITTER. Mr. Speaker, when the House made its decision that the bill in fact was unconstitutional, what was the disposition of the bill at that time?

Does it not revert back to committee, Mr. Speaker?

The SPEAKER. The Chair would be of the opinion that the bill is no longer before the House for consideration. But the gentleman, Mr. Shane, would be free to offer a reconsideration motion on the matter of constitutionality which, as a matter of courtesy, would be ex-

tended to him. The question of constitutionality would then be before the House once again. The gentleman, Mr. Shane, would then be free to offer an amendment deleting that portion of the bill upon which the decision of the House of unconstitutionality was predicated.

PARLIAMENTARY INQUIRY

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

Mr. HAMMOCK. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HAMMOCK. Mr. Speaker, did I just understand you to say that we can request a reconsideration of the vote by which the constitutionality was just decided?

The SPEAKER. That is correct.

Mr. HAMMOCK. I so move.

The SPEAKER. The gentleman will have to submit his motion in writing to the desk.

Mr. HAMMOCK. I believe it is on the way, sir.

PARLIAMENTARY INQUIRY

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

Mr. COHEN. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COHEN. Mr. Speaker, could a vote on constitutionality be severable? Could we just vote on one section of the bill?

The SPEAKER. The lady has addressed her allegation of unconstitutionality to the unauthorized or illegal delegation of taxing authority. The balance of the bill is not in question as to constitutionality.

PARLIAMENTARY INQUIRY

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

Mr. STAHL. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STAHL. Mr. Speaker, when Mrs. Kernick spoke regarding constitutionality, she did not make a motion specifically to any point of the bill; she merely referred to one section which she thought, in her opinion, was objectionable. I found several things in the bill which were objectionable. Therefore, how can I vote on any one particular item within that bill? I voted on whether the whole bill was unconstitutional, and I think there are many members who would have found something else that is unconstitutional about the bill. The bill fell because we felt that the whole bill was unconstitutional, not any specific provision thereof.

The SPEAKER. The gentleman, at a subsequent date and time, will have another opportunity to raise the matter of constitutionality as to the balance of the bill.

Mr. STAHL. To further my parliamentary inquiry, if the vote were reconsidered, would not then the motion still remain before the House testing the constitutionality of that bill?

The SPEAKER. It would not.

Mr. STAHL. What would be the status of the bill?

The SPEAKER. Upon reconsideration, the bill would be before the House once again on third and final passage.

Mr. STAHL. Thank you, Mr. Speaker.

**RECONSIDERATION OF VOTE ON
HOUSE BILL No. 545**

Mr. IRVIS moved that the vote by which HOUSE BILL No. 545, printer's No. 599, was declared to be unconstitutional on this day be reconsidered.

Mr. MANDERINO seconded the motion.

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

On the question,
Will the House sustain the constitutionality of the bill?

**HOUSE BILL No. 545 PLACED ON FINAL
PASSAGE POSTPONED CALENDAR**

Mr. IRVIS moved that HOUSE BILL No. 545, printer's No. 599, be placed on the final passage postponed calendar.

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

Agreeable to order,
The House proceeded to third consideration of **House bill No. 694, printer's No. 785**, entitled:

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

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

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

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

YEAS—189

Abraham	George	McLane	Seltzer
Anderson, J. H.	Giammarco	Mebus	Shane
Arthurs	Gillespie	Menhorn	Shelhamer
Barber	Gillette	Milanovich	Shelton
Bennett	Gleason	Milliron	Shuman
Beren	Gleeson	Miller, M. E.	Shupnik
Berson	Goodman	Miller, M. E., Jr.	Sirlanni
Bittle	Green	Miscevich	Smith, E.
Blackwell	Greenfield	Moehlmann	Smith, L.
Bonetto	Griceco	Morris	Spencer
Bradley	Gring	Mrkonjc	Stahl
Brandt	Halverson	Mullen, M. P.	Stapleton
Brunner	Hamilton, J. H.	Mullen	Stout
Burns	Hammock	Musto	Sullivan
Butera	Hasay	Myers	Taddonio
Caputo	Haskell	Novak	Taylor
Cessar	Hayes, D. S.	Noye	Tayoun
Cimino	Hayes, S. E.	O'Brien	Toll
Cohen	Hepford	O'Connell	Trello
Cole	Hill	O'Donnell	Turner
Cowell	Hopkins	O'Keefe	Ustynoski
Crawford	Hutchinson, A.	Oliver	Valicenti
Cumberland	Hutchinson, W.	Pancoast	Vann
Davies	Irvs	Parker, H. S.	Vroon
DeMedio	Itkin	Perri	Wagner
Deverter	Johnson, J.	Perry	Walsh, T. P.
Dicarlo	Katz	Petrarca	Wansacz
DiDonato	Kelly, A. P.	Pievsky	Wargo
Dietz	Kernick	Pitts	Weidner
Dombrowski	Kistler	Polite	Westerberg
Dorr	Klingaman	Pratt	Whelan
Doyle	Knepper	Prendergast	Whittlesey
Dreibelbis	Kolter	Pyles	Willson
Eckensberger	Kowalshyn	Rappaport	Witt, R. W.
Englehart	Kusse	Reed	Witt, W. W.
Fawcett	LaMarca	Renninger	Wojdak

Fee	Laudadio	Renwick	Worriow
Fischer	Laughlin	Rieger	Wright
Fisher	Lederer	Ritter	Yahner
Flaherty	Lehr	Ross	Yohn
Foster, A.	Letterman	Ruggiero	Zearfoss
Foster, W.	Levi	Ryan	Zeller
Fryer	Lincoln	Saloom	Zord
Gallagher	Manmiller	Salvatore	Zwikel
Gallen	McCall	Scheaffer	
Garzia	McCue	Schmitt	Fineman,
Geesey	McGinnis	Schweder	Speaker
Geisler	McIntyre	Scirica	

NAYS—0

NOT VOTING—14

Bellomini	Kelly, J. B.	McGraw	Romanelli
Berlin	Lynch	Rhodes	Sweeney
Davis, D. M.	Manderino	Richardson	Thomas
Dininni	McClatchy		

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?

MOTION TO RECOMMIT HOUSE BILL No. 1156

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

Mr. DORR. Mr. Speaker, the House will recall that amendments were offered in a previous week and the amendments have been passed to the desk. However, prior to reoffering that amendment, Mr. Speaker, I would like to, if I am in order, move to recommit the bill to the Business and Commerce Committee.

The SPEAKER. The gentleman, Mr. Dorr, has moved that House bill No. 1156 be recommitted to the Committee on Business and Commerce.

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

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

Mr. FLAHERTY. Mr. Speaker, as the prime sponsor of this bill, I think that we should have a vote on it right now. This bill was scrutinized in the Health and Welfare Committee, and I think that we have been playing around with this bill too long. I ask all my colleagues to vote to consider this bill today. We can decide on its merits right now, I believe. I move to that effect, Mr. Speaker, to vote against the recommittal.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I ask for a negative vote on the motion to recommit.

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

The yeas and nays were required by Messrs. DORR and FLAHERTY and were as follows:

YEAS—73

Anderson, J. H.	Gring	Mebus	Smith, L.
Beren	Halverson	Moehlmann	Spencer
Bittle	Hamilton, J. H.	Noye	Stout
Brandt	Hayes, D. S.	O'Connell	Taddonio
Burns	Hayes, S. E.	Pancoast	Turner
Butera	Hepford	Perri	Ustynoski
Cimini	Hill	Pitts	Vron
Crawford	Hutchinson, W.	Polite	Wagner
Cumberland	Katz	Rappaport	Weidner
Davies	Kistler	Renninger	Westerberg
Deverter	Klingaman	Ritter	Whelan
Dietz	Kusse	Ryan	Wilson
Dorr	Lehr	Salvatore	Wilt, R. W.
Fawcett	Levi	Scheaffer	Wilt, W. W.
Foster, A.	Manmiller	Scirica	Worriow
Foster, W.	McClatchy	Seltzer	Wright
Gallen	McCue	Sirianni	Yohn
Geesey	McGinnis	Smith, E.	Zearfoss
Gleason			

NAYS—118

Abraham	Gelsler	McLane	Ross
Arthurs	George	Menhorn	Ruggiero
Barber	Giammarco	Milanovich	Saloom
Bennett	Gillespie	Miller, M. E.	Schmitt
Berson	Gillette	Miller, M. E., Jr.	Schweder
Blackwell	Gleeson	Milliron	Shelhamer
Bonetto	Goodman	Miscevich	Shelton
Bradley	Green	Morris	Shuman
Brunner	Greenfield	Mrkoncic	Shupnik
Caputo	Grieco	Mullen, M. P.	Stahl
Cessar	Hammock	Mullen	Stapleton
Cohen	Hasay	Musto	Sullivan
Cole	Haskell	Myers	Taylor
Cowell	Hopkins	Novak	Tayoun
Davis, D. M.	Irvis	O'Brien	Toll
DeMedio	Itkin	O'Donnell	Trello
Dicarlo	Johnson, J.	O'Keefe	Valicenti
DiDonato	Kelly, A. P.	Oliver	Vann
Dombrowski	Kernick	Parker, H. S.	Walsh, T. P.
Doyle	Knepper	Perry	Wansacz
Dreibelbis	Kolter	Petrarca	Wargo
Eckensberger	Kowalyshyn	Pievsky	Whittlesey
Englehart	LaMarca	Pratt	Wojdak
Fee	Laudadio	Prendergast	Yahner
Fischer	Laughlin	Pyles	Zeller
Fisher	Lederer	Reed	Zord
Flaherty	Letterman	Renwick	Zwinkl
Fryer	Lincoln	Rhodes	
Gallagher	McCall	Rieger	Fineman, Speaker
Garzia	McIntyre	Romanelli	

NOT VOTING—12

Bellomint	Hutchinson, A.	Manderino	Shane
Berlin	Kelly, J. B.	McGraw	Sweeney
Dinanni	Lynch	Richardson	Thomas

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

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

Mr. 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, the intent of the amendment is to bring the bill to a position which I believe was the original intent of the persons who favored passage of such a bill dealing with this subject, and that is, to prevent discrimination between the sexes in regard to the provisions of public rest-room facilities. I ask for an affirmative vote on the amendment.

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

Mr. FLAHERTY. Mr. Speaker, I have to oppose this amendment simply because there is no enforcement in the amendment to restrict the pay toilets and also, in short, this amendment would kill the bill. I ask all my colleagues for a negative vote on this amendment.

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

The yeas and nays were required by Messrs. DORR and FLAHERTY and were as follows:

YEAS—78

Anderson, J. H.	Foster, W.	McClatchy	Sirianni
Bennett	Gallen	McCue	Smith, E.
Beren	Geesey	McGinnis	Smith, L.
Bittle	Gleason	Mebus	Spencer
Brandt	Gring	Miller, M. E., Jr.	Taddonio
Butera	Halverson	Moehlmann	Turner
Cessar	Haskell	Mrkoncic	Ustynoski
Cimini	Hayes, S. E.	Noye	Vron
Crawford	Hepford	O'Connell	Wagner
Cumberland	Hill	Pancoast	Weidner
Davies	Hopkins	Parker, H. S.	Westerberg
Deverter	Hutchinson, A.	Pitts	Whelan
Dietz	Hutchinson, W.	Polite	Whittlesey
Dorr	Klingaman	Renninger	Wilt, R. W.
Dreibelbis	Knepper	Ritter	Wilt, W. W.
Eckensberger	Kusse	Ryan	Worriow
Fawcett	Lehr	Scheaffer	Wright
Fischer	Letterman	Scirica	Yohn
Fisher	Levi	Seltzer	Zord
Foster, A.	Manmiller		

NAYS—113

Abraham	Gillette	Milliron	Schweder
Arthurs	Gleeson	Miscevich	Shane
Barber	Green	Morris	Shelhamer
Berson	Greenfield	Mullen	Shelton
Blackwell	Grieco	Mullen, M. P.	Shuman
Bonetto	Hamilton, J. H.	Musto	Shupnik
Bradley	Hammock	Myers	Stahl
Brunner	Hasay	Novak	Stapleton
Burns	Hayes, D. S.	O'Brien	Stout
Caputo	Itkin	O'Donnell	Sullivan
Cohen	Irvis	O'Keefe	Taylor
Cole	Johnson, J.	Oliver	Tayoun
Cowell	Katz	Perry	Toll
Davis, D. M.	Kelly, A. P.	Petrarca	Trello
DeMedio	Kernick	Pievsky	Valicenti
Dicarlo	Kistler	Pratt	Vann
DiDonato	Kolter	Prendergast	Walsh, T. P.
Dombrowski	Kowalyshyn	Pyles	Wansacz
Doyle	LaMarca	Rappaport	Wargo
Englehart	Laudadio	Reed	Wilson
Fee	Laughlin	Renwick	Wojdak

Flaherty	Lederer	Rhodes	Yahner
Fryer	Lincoln	Rieger	Zearfoss
Gallagher	McCall	Romanelli	Zeller
Garzia	McIntyre	Ross	Zwikel
Geisler	McLane	Ruggiero	Fineman.
George	Menhorn	Salcom	Speaker
Giammarco	Milanovich	Salvatore	
Gillespie	Miller, M. E.	Schmitt	

NOT VOTING—12

Bellomini	Goodman	Manderino	Richardson
Berlin	Kelly, J. B.	McGraw	Sweeney
Dintini	Lynch	Perri	Thomas

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?

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

Mr. VANN. Mr. Speaker, may I interrogate the chairman of the Appropriations Committee, please?

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

Mr. WOJDAK. I shall.

The SPEAKER. This bill does not cost anything, Earl.

Mr. VANN. I think that you have perceptive perception. That was my question, does this bill need a fiscal note?

The SPEAKER. You are easy to read ahead of time.

Mr. VANN. Mr. Speaker, I am serious. I really want an answer from the chairman of the Appropriations Committee.

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

Mr. WOJDAK. Mr. Speaker, I have been advised that in the city of Philadelphia there are certain revenues collected at the Philadelphia Airport and various other facilities. In my opinion, it would need a fiscal note.

MOTION TO RECOMMIT

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

Mr. DORR. Mr. Speaker, I move that the bill be re-committed to the Committee on Appropriations for the purpose of a fiscal note.

The SPEAKER. The gentleman, Mr. Dorr, has moved that House bill No. 1156, printer's No. 1862, be re-committed to the Committee on Appropriations for purposes of a fiscal note.

RULES SUSPENDED

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

Mr. FLAHERTY. Mr. Speaker, could we suspend the rules on the fiscal note?

The SPEAKER. Will the gentleman yield?

A motion to suspend the rules is in order. Does the gentleman make such a motion and, if so, for what purpose?

Mr. FLAHERTY. Because I feel that the amount would be so small that it really would not be relevant, but the convenience that it would provide for the public would be far overwhelming.

The SPEAKER. The Chair recognizes the gentleman

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

Mr. HEPFORD. Mr. Speaker, what is the motion that we are voting on at the moment?

The SPEAKER. The motion to suspend the rules to obviate the need for a fiscal note.

Mr. HEPFORD. On House bill No. 1156?

The SPEAKER. On House bill No. 1156.

Mr. HEPFORD. Mr. Speaker, is a motion to suspend the rules debatable?

The SPEAKER. The Chair is advised that the motion is debatable.

Mr. HEPFORD. Mr. Speaker, I would like to comment on the motion.

The SPEAKER. The clerk will strike the vote from the board.

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

Mr. HEPFORD. Mr. Speaker, when we put the rules of the House in force, there was a vital purpose. If you are to have any credence in the Appropriations Committee, your own chairman said this bill needs a fiscal note. If you read the bill, you are not confined to public airports and public train stations; it is for every facility that is open to the public. You are talking about reconstruction; you are talking about labor; you are talking about equipment.

I think the chairman of the Appropriations Committee of this House is entitled to—There is no haste in connection with this bill—and I think that it needs a fiscal note. I respectfully suggest that we do not suspend the rules of this House but that we consider the motion to return the bill to the Appropriations Committee.

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

Mr. VALICENTI. Mr. Speaker, I agree with Mr. Flaherty. We ought to suspend the rules. I think this is an important issue.

You know, there are many times when you are driving along the turnpike—I know I come here 200 miles—and sometimes you have to rush, and what happens is that you do not have that time. I think we ought to act on it.

The bill cannot wait. We have to do it because I am coming up here next week. I think that it is in order that we suspend the rules for Mr. Flaherty.

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

Mr. FLAHERTY. Mr. Speaker, our Commonwealth is going to be the host of the Bicentennial and seeing that we are going to be up here for only one more week and the Bicentennial celebration has started already, we are going to have a lot of tourists coming into our state. This is a very small accommodation, and I cannot see any reason that we cannot vote on it now.

Thank you, Mr. Speaker.

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

Mr. LaMARCA. Mr. Speaker, I understand we have already suspended the rules and, in light of that, I really had not intended to take a position on this bill, but if it is up for a vote, I thought perhaps we cannot be caught sitting down on the matter.

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. DORR. Mr. Speaker, I think we ought to preserve Mr. LaMarca's comments for later. We really have not suspended the rules as yet, as I understand it.

The SPEAKER. That is correct.

Mr. LaMARCA. I am sorry. I thought we had voted to suspend the rules.

The SPEAKER. The vote was stricken from the board on the matter raised by the gentleman, Mr. Hepford.

Mr. LaMARCA. That escaped me, Mr. Speaker.

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

Mr. GLEASON. Mr. Speaker, I have really waited about 2 or 3 weeks to make the appropriate remarks on this bill, and I suppose I am cutting myself off by suggesting that the bill is really kind of silly and we should not suspend the rules of the House of Representatives for this kind of provision. It seems to me that suspension of the rules is for matters of greater urgency and that we should not render null and void our responsibilities. I suggest that we vote "no" on the motion to suspend.

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

Mr. VANN. Mr. Speaker, I am going to vote on this bill—

The SPEAKER. You are going to first vote on a motion.

Mr. VANN. I am going to vote on the motion. What I am trying to do is clarify my thoughts here because the House might have thought that my question to the chairman of the Appropriations Committee was in opposition to the bill, and I want the members of the House to know this is not true. I simply wanted to know if any expense was involved, and the chairman said, "Yes." But with all of that, I am still going to vote for the bill and I am going to vote "yes" not to suspend the rules.

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

Mr. ZELLER. Mr. Speaker, for the benefit of Mr. Gleason, this is a very important bill. As a matter of fact, it is a very heavy subject. Even an elephant cannot carry it.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Messrs. FLAHERTY and HEPFORD and were as follows:

YEAS—103

Table listing names of members who voted 'YEAS' in four columns: Abraham, Arthurs, Barber, Berson, Blackwell, Bonetto, Bradley, Brunner, Caputo, Cohen, Cole, Cowell, Davis, D. M., DeMedio, Dicarolo, DiDonato, Gelsler, George, Giammarco, Gillespie, Gillette, Goodman, Green, Greenfield, Grieco, Hammock, Hasay, Hutchinson, A., Irvis, Itkin, Johnson, J., Kelly, A. P., McIntyre, McLane, Menhorn, Milanovich, Miller, M. E., Milliron, Misceovich, Morris, Mrkonic, Mullen, M. P., Musto, Myers, Novak, O'Brien, O'Keefe, Oliver, Ruggiero, Saloom, Schmitt, Schweder, Shane, Shelhamer, Shelton, Shuman, Shupnik, Stapleton, Sullivan, Taylor, Tayoun, Toll, Trello, Ustynoski

Table listing names of members who voted 'YEAS' in four columns: Dombrowski, Doyle, Eckensberger, Englehart, Fee, Fischer, Fisher, Flaherty, Fryer, Gallagher, Garzia, Kernick, Knepper, Kolter, Kowalshyn, Laudadio, Laughlin, Lederer, Letterman, Lincoln, McCall, Parker, H. S., Perry, Petrarca, Pratt, Reed, Renwick, Rhodes, Rieger, Romanelli, Ross, Valicenti, Vann, Walsh, T. P., Wansacz, Wargo, Zeller, Zwilk, Fineman, Speaker

NAYS—87

Table listing names of members who voted 'NAYS' in four columns: Anderson, J. H., Bennett, Beren, Bittle, Brandt, Burns, Butera, Cessar, Cimini, Crawford, Cumberland, Davies, Deverter, Dietz, Dorr, Dreibelbis, Fawcett, Foster, A., Foster, W., Gallen, Geesey, Gleason, Gleason, Gring, Halverson, Hamilton, J. H., Haskell, Hayes, D. S., Hayes, S. E., Hepford, Hill, Hopkins, Hutchinson, W., Katz, Klingaman, Kusse, LaMarca, Lehr, Levi, Manmiller, McClatchy, McCue, McGinnis, Mebus, Miller, M. E., Jr., Mochlmann, Noye, O'Connell, Pancoast, Perri, Pievsky, Pitts, Polite, Prendergast, Pyles, Rappaport, Renninger, Ritter, Ryan, Salvatore, Scheaffer, Scirica, Seltzer, Sirianni, Smith, E., Smith, L., Spencer, Stahl, Stout, Taddonio, Turner, Vroon, Wagner, Weidner, Westerberg, Whelan, Whittlesey, Wilson, Wilt, R. W., Wilt, W. W., Wojdak, Worrilow, Wright, Yahner, Yohn, Zearfoss, Zord

NOT VOTING—13

Table listing names of members who did not vote in four columns: Bellomini, Berlin, Dininani, Kelly, J. B., Kistler, Lynch, Manderino, McGraw, Mullen, O'Donnell, Richardson, Sweeney, Thomas

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

On the question recurring,

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

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

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

Mr. DORR. Mr. Speaker, I think it is probably frivolous to debate this bill at length. However, we would like to point out two things to the members of the House.

Number one, I have recently introduced a resolution which will require in some manner that an additional light board or light switch be placed on the board so that we do not know how the members are voting, and the kind of spectacle that took place in the House just a few minutes ago will not recur.

Secondly, I probably ought to remind the House of the fact that the Speaker, the last time this motion was made, urged the House not to make a precedent of that kind of action. It seems to me that we probably set that precedent in spite of the Speaker's action, with the Speaker concurring by not running the vote.

I would just like to say in connection with this bill, Mr. Speaker, that—

The SPEAKER. Just take it easy, Mr. Dorr. I have got news for you. Just take it easy. Okay?

Mr. DORR. Mr. Speaker, I am just attempting to indicate to the members of the House that in spite of the fact that this bill is a subject of a good deal of levity and the members have had a good time with it, it does

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have very serious effects on the small businessman in Pennsylvania.

The fact is, Mr. Speaker, that the small businessman in Pennsylvania is put upon today by a vast number of different situations, none of which are his fault; for example, the shoplifter, the user of drugs, the person who would go so far as to steal toilet paper, the vandal, all of whom, Mr. Speaker, are very much thwarted by the use of the coin-lock machine that this bill attempts to do away with.

In my judgment, Mr. Flaherty is very serious in his introduction of the bill and he is responding apparently to some constituents' desires, and I do not fault him for that. But I think we have not paid attention, Mr. Speaker, the members of the House have not paid attention, as they should have to the drastic effects this will have on small businessmen in our community who are utilizing to good effect and keeping the prices of the goods in their stores down by utilizing these simple coin-lock mechanisms which we would, if this bill is passed, outlaw.

Mr. Speaker, I attempted to raise a couple of points on this floor. In addition to the bill, I am not going into them in detail because I realized they were not germane, but I think they were pertinent, in spite of the Speaker's comments, and I would urge a negative vote on this bill for the reasons I have mentioned.

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. CAPUTO. Yesterday I violated the rules of the House by causing to be distributed a letter received by one of the members of the Allegheny County delegation without securing the permission of the chief clerk. He was not available at the time. The letter was sort of humorous and dealt with this bill, and the temptation to have the rest of the members see it caused me to violate the rules. I want to apologize to the House and to the chief clerk.

But despite the letter, Mr. Speaker—and on the bill—this bill has merit and is something that has to be thought about. I do not think it is the invasion of anybody's business rights.

I have seen some of the amendments to the bill that were contemplated which would have provided that there be pay toilets in every place there is a free toilet. It made me think about what happens in a case where a man is traveling with his family and comes to a gasoline station where a pay toilet can be installed.

This is a serious bill, despite the fact that it lends itself to levity, as Mr. Dorr has pointed out. I just urge a "yes" vote for the bill.

And if I may, I would like to submit the letter for the record.

LETTER SUBMITTED FOR THE RECORD

Mr. CAPUTO presented the following letter for the Legislative Journal:

Dear Legislator:

When history eventually gets around to assessing the performance of the 1975-76 session of the House of Representatives, it is well within the realm of possibility that the intestinal fortitude of each member will be measured by his vote on the controversial "Pay Toilet Bill."

Having been an advocate of complete destruction of pay toilet mechanisms for many years, I want to assure you that the FDS (Free Defecation Society) is right at your behind in support of this very necessary legislation.

In recent years, the pay toilets have been the handmaidens of big business, and many a dry cleaner has reaped windfall profits, simply because some harried consumer found himself without a dime at the proper moment. And I know of other cases where friends of mine suffered financial hardship when they found it necessary to resort to private taxicabs to get home, rather than face the humiliation of venting obnoxious odors on the public transit system.

Yes, Mr. Legislator, when the time comes to stand up and be counted, we hope you will be counted as one who favors to abolish the archaic system of pay toilets. To some people, the bill may be insignificant, but to those of us with weak bladders and intestinal disorders, it is every bit as important as the repeal of Prohibition.

Also, in the interest of providing even more benefits to the taxpayer, we would even like to see an amendment that would require gasoline stations to install chutes in the close proximity to the gas pump islands, from which a potential toilet user could be whisked free of charge to a waiting toilet. And you might also consider an amendment which would require department stores to provide an adequate number of free toilets based on a per capita count of their daily traffic.

This is humane legislation, Mr. Legislator, and I certainly hope it passes soon, as everything we eat does.

Sincerely,
Mrs. Tillie S. Tyler
538 Fifth Ave.
McKeesport, Pa.
Tel. 678-3547

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

Mr. GLEASON. Mr. Speaker, I am informed that the other body has rejected this legislation.

Furthermore, I would like to ask a question, rhetorical in nature, I suppose, and that is, why we do this sort of thing to ourselves—considering bills like this in extended debate. I really think this is not a subject that we ought to be involved in, and I think Pennsylvania ought to be put on a pay-as-you-go basis. I vote "no."

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

Mr. O'CONNELL. Mr. Speaker, I think it really is a serious bill, and it is going to jeopardize a lot of the facilities that we have provided now for the public.

I would just like to tell you that the Commonwealth and every other municipality and every other political subdivision in this Commonwealth and in this state is derelict in providing public facilities. They take from the

public the use of them because of the abuse and the cost of operating them. In our own city, the city of Wilkes-Barre, they folded up the public facilities. Now you cannot expect the private sector to provide total facilities for everyone in those particular communities and the traveling public.

This is a serious bill, and if a public sector does not want to provide the facilities, I do not really believe that they should put this kind of burden on the private sector.

I think that fair is fair, but if they have a public facility and they have one with a pay station and provide one without a slot on it, that makes sense. But what you are really going to do is to do what they did to us. I come from a little mining town, and years ago they went on a rampage with all the outhouses, and the song went something like "Please don't tear the outhouses down or we'll have to go out in the yard." And that is about what you are going to do here. You are going to have these guys and gals stopping along the highways and the byways. There will be no facilities.

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

Mrs. CRAWFORD. Mr. Speaker, I would like to share with the House a telegram that I received from a constituent who has one of the largest parking garages in Philadelphia, and he requested that I support the amendment that was offered by Mr. Dorr. He said: "If this amendment is defeated in the House . . . out of necessity to prevent assault on my lady patrons and protect the safety of my 4000 daily patrons to my garage I will be required to padlock my restrooms thereby limiting use to garage employees only."

So I think this is what we are going to see: Instead of having free toilets, we are going to have no toilets at all.

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

Mr. ZELLER. Mr. Speaker, I do not know whether the members are aware of it or not but they will never get away with this, because in 1965 we had Act 235 which I have been trying to amend, because last year Act 219 was put into effect which takes care of handicapped people. What it did in 1965, Act 235 said all Commonwealth buildings must provide facilities—toilets was one of them. Now, Act 219 extended it further into the private sector of retail stores, meaning all retail stores must provide toilets for the handicapped.

Now you are not going to be able to get away with this because you are going to have to provide it whether you like it or not. You are going to have to provide toilets for handicapped people. There are a lot of people who are handicapped who are not in wheelchairs. They have kidney conditions and all sorts of conditions and they have to get to a toilet.

So you are going to be forced, whether you like it or not, and what you are doing here is making a lot of motions over nothing and you are going to be forced by this state into putting them in whether you want it or not. The only ones who have been excluded are professional people—doctors, lawyers, and Indian chiefs. Those are about all who have been let go.

Therefore, you are going to have to go into this under Act 219 of 1974 whether you like it or not, so let us get on with the flushes and let us up this thing over.

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

Mr. FLAHERTY. Mr. Speaker, I realize the plight of the gas station owners, the people who own the laundromats, but I see that a lot of gas stations now provide a key. Throughout the state there are only approximately 800 stations, not gas stations, but only approximately about 800 places that charge to use the rest room. I think this is a very small number throughout the state, and I think it is greed and greed in a small way.

I think if someone is going to go to a gas station, the owner at least could provide this small accommodation. It is the same for the garage owners. I come from Allegheny County and there are very few of the garages that have pay toilets, and they still have their toilets and there is not any cry about vandalism or sanitation. On the turnpike we hardly have any more of the pay toilets.

I say that this in a way is a confrontation between the people and a lock company that has been up here lobbying that is not even from this state. I think we should go with our constituents and give them this bill. Thank you.

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

Mr. E. H. SMITH. Mr. Speaker, would I be permitted to ask Mr. Flaherty a question?

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

Mr. FLAHERTY. Yes; I shall.

The SPEAKER. The gentleman may proceed.

Mr. E. H. SMITH. One quick question, Mr. Speaker: If we pass this bill, does that mean there will be no more pay toilets in Pennsylvania?

Mr. FLAHERTY. Yes.

Mr. E. H. SMITH. Thank you.

Mr. Speaker, may I continue?

The SPEAKER. Yes; the gentleman is in order.

Mr. E. H. SMITH. I must of necessity vote against this bill, and if you would permit me to explain why.

In the early part of the Depression, 1932 or 1933, I happened to be working in Boston, Massachusetts, and I was laid off and I was going to Philadelphia where I had the promise of a job. But I had no money, so I hitchhiked a ride on a big truck to New York City. I had no money to rent a hotel room, so I decided I would stay in Grand Central Station for the night.

But in that particular time the police were up in arms on the railroad about people spending the night in their station, and if you did not have a ticket, they would eject you from the railroad. I did not know this and I sat down on the bench and dozed off, and a policeman came over—I suppose a railroad detective—and he asked me if I had a ticket. I said, "No." And he said, "Well, you can't stay here all night. You'll have to get out."

Well, I did not have money for a room and I did not want to walk the streets all night in New York, but being a quick thinker like I am, I decided I did have about a dime, so I went into the men's room and I put a nickel in—this is in the old nickel days, not a dime. This is back in the old nickel days, and I put a nickel in the pay toilet and I went in there. I had no real reason for that other than to spend the evening. So I

sat down and made myself as comfortable as I could and finally dozed off. This is about 1 o'clock in the morning. At about 2 o'clock some great big guy, I suppose, custodian of some kind with a great big scrub bucket and a mop came in there mopping up the men's room, and finally he knocked on my door and he said, "Would you come out? I'd like to clean the stall there." I said, "I'm terribly sorry; I can't." He said, "What's the matter?" I said, "Because of terrible difficulties, I'm having this excruciating pain and I just can't come out." He said, "Well, I'll be back in half an hour." Half an hour later he came back and he said, "Are you able to come out now?" And I said, "No; I'm still having great pain."

This went on about three or four times, so finally this fellow, being a big strapping man with a big mop, took the mop and he swung it under there—I guess he wised up to what I was doing—and he hit me on the feet two or three times and my feet were wet and the bottom of my trousers. And then he walked away and said, "I'll give you one-half hour."

So about a half an hour later I heard the door open very carefully, and he sneaked in with his scrub bucket and his mop—or at least I assumed it was he—and I kind of squatted down a little, you know, watching for his feet out there and pulled my feet up so that he would not hit me with the mop. And while I was doing this, protecting myself, he climbed up on a stepladder there unbeknown to me and he took that mop and he banged me down over the head with it. Not only did he do it once, but he continued to do this until there was just no point in my staying there.

So about 5 o'clock in the morning I finally gave up and I went out and I said, "There's your damn old toilet." And he said, "Yes, and good riddance to you, too." I went out and thumbed my way to Philadelphia where I was lucky to get a job.

I can assure you that the pay toilets in Pennsylvania have a very dear spot in my heart, and for that reason I must vote against this bill.

The SPEAKER. Anyone who wants to try to match that story has got to be pretty good.

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

Mr. ROMANELLI. I do not know what he is complaining about. He got a room and a bath for a nickel.

On the question recurring,
Shall the bill pass finally?

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

YEAS—112

Abraham	Gillespie	Miller, M. E., Jr.	Scricia
Arthurs	Gillette	Milliron	Shane
Barber	Gleeson	Miscevich	Shelhamer
Berson	Green	Morris	Shelton
Blackwell	Greenfield	Mrkonic	Shupnik
Bonetto	Hammock	Mullen, M. P.	Stahl
Brunner	Hasay	Mullen	Stapleton
Burns	Haskell	Musto	Stout
Caputo	Hayes, D. S.	Myers	Taddonio
Cessar	Irvic	Novak	Taylor
Cohen	Itkin	Noye	Tayoun
Cole	Johnson, J.	O'Keefe	Tou
Cowell	Kelly, A. P.	Oliver	Trello
DeMedio	Kernick	Parker, H. S.	Ustynoski
Dicarlo	Knepper	Perry	Valicenti
DiDonato	Kolter	Petrarca	Vann
Dombrowski	Kowalshyn	Pratt	Wagner
Eckensberger	Laudadio	Rappaport	Walsh, T. P.

Englehart	Laughlin	Reed	Wansacz
Fee	Lederer	Renwick	Wargo
Fischer	Letterman	Rhodes	Wilson
Fisher	Levi	Rieger	Yahner
Fiaherty	Lincoln	Romanelli	Zeller
Fryer	McCall	Ross	Zord
Gallagher	McIntyre	Ruggiero	Zwickl
Garzia	McLane	Saloom	
Geisler	Menhorn	Schmitt	Fineman,
George	Milanovich	Schweder	Speaker
Giammarco	Miller, M. E.		

NAYS—78

Bennett	Geesey	McClatchy	Seltzer
Beren	Gleason	McCue	Shuman
Bittle	Goodman	McGinnis	Sirianni
Bradley	Grieco	Mebus	Smith, E.
Brandt	Gring	Moehlmann	Smith, L.
Butera	Halverson	O'Brien	Spencer
Cimini	Hamilton, J. H.	O'Connell	Turner
Crawford	Hayes, S. E.	Pancoast	Vroon
Cumberland	Hepford	Perri	Weidner
Davis	Hill	Pievsky	Westerberg
Davis, D. M.	Hopkins	Pitts	Whelan
Deverter	Hutchinson, A.	Polite	Whittlesey
Dietz	Hutchinson, W.	Prendergast	Wilt, R. W.
Dorr	Katz	Pyles	Wilt, W. W.
Doyle	Kistler	Renninger	Wojdak
Dreibelbis	Klingaman	Ritter	WorriLOW
Fawcett	Kusse	Ryan	Wright
Foster, A.	LaMarca	Salvatore	Yohn
Foster, W.	Lehr	Scheaffer	Zearfoss
Gallen	Manmiller		

NOT VOTING—13

Anderson, J. H.	Kelly, J. B.	McGraw	Sullivan
Bellomini	Lynch	O'Donnell	Sweeney
Berlin	Manderino	Richardson	Thomas
Dininni			

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.

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

Mr. STAHL. I just want to correct one thing that Mr. Smith said. I wish he would correct the record to show toilet "facility" rather than "stall."

QUESTIONS OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. McCLATCHY. Mr. Speaker, I was not in my seat when we voted on House bill No. 694. I would like to be recorded in the affirmative, please.

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

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

Mr. BUTERA. I rise for an unpleasant point of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. BUTERA. I will make it as brief as possible, but I just wanted to register with you my objection to the manner in which you treated Mr. Dorr. I think your actions were totally uncalled for in the manner in which you put him down, and I think that if we do not call this to your attention, you will continue it, and I just think you owe him an apology.

The SPEAKER. Mr. Butera, let me tell you something.

Mr. BUTERA. No; you do not have to tell me anything.

The SPEAKER. I am going to tell you something whether you want to hear it or not.

Mr. BUTERA. Well, then do not shout at me because you do not scare me when you shout.

The SPEAKER. I do not intend to scare you, Mr. Butera; I am just giving you my response.

For the most part, the deliberations of this House are indeed very serious. We deal with weighty problems that materially and intimately affect the lives of the people of this state in a lot of different ways. And I, for one, welcome the opportunity, as infrequently as it occurs, to deal with a piece of legislation that might provoke a little bit of levity and good humor. The members voted in a manner that reflected that mood. I did likewise. I did not think that there was any occasion for the comment by Mr. Dorr to reflect upon the manner in which the Speaker voted on the motion to waive the rules. It was not the time nor was it appropriate. The members voted in a good mood with good humor. And I perfectly understand your role as a leader trying to protect your flock, but I think you are making much to-do out of nothing.

Mr. BUTERA. No, I am not.

The SPEAKER. And there is no need to apologize at all to the gentleman, Mr. Dorr, because in fact I think Mr. Dorr was out of order.

Mr. BUTERA. You missed the point. Members on this floor will be out of order many more times than will you, but sitting where you sit places a much higher degree of responsibility on your shoulders and you have got to take it. When you put a member down like that, you very seriously affect his ability to say what he wants to say, and you know it because you have been down here. I just think it is wrong. It has been happening with increased rapidity in recent weeks.

The SPEAKER. That is not true.

Mr. BUTERA. It is true.

The SPEAKER. That is not true.

Mr. BUTERA. Well, you poll the members on a secret poll and you see what kind of response you get.

The SPEAKER. The members of this House on both sides have been treated eminently fairly by this particular Speaker. No one has been ruled out of order when in fact they were not out of order. No one has been precluded from having a full opportunity to speak whenever he wanted to speak. Decisions have been rendered on the basis of objectivity for the most part. No one could have been fairer during this term than I have been.

Mr. BUTERA. That is a self-serving document.

The SPEAKER. Whether it be self-serving or not, it is a recitation of the truth.

The Chair recognizes the lady from Susquehanna, Miss Sirianni.

Miss SIRIANNI. Mr. Speaker, may I make a few remarks?

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

Miss SIRIANNI. I taught school for 23 years before coming here. I was a guidance counselor in a high school. I had many students who came to me because they were having problems with their teachers. I saw one of them a few weeks ago at a class reunion, and he reminded me that he finally graduated from high school because I reminded him that it was his tone of voice that aggravated everybody.

The SPEAKER. The Chair respects the view of the lady. It does not necessarily agree with it but respects the view of the lady.

Does the gentleman, Mr. Ryan, have amendments now to House bill No. 485?

Mr. RYAN. I yield to Mr. Shane. He has the treasured documents.

CONSIDERATION OF HOUSE BILL NO. 485 RESUMED

On the question recurring,

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

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

Amend Sec. 1 (Sec. 6), page 7, line 25, by inserting after "General": or district attorney

Amend Sec. 1 (Sec. 6), page 8, line 12, by inserting after "General's": or the district attorney's

Amend Sec. 1 (Sec. 6), page 9, line 9, by inserting after "General": or the district attorney

Amend Sec. 1 (Sec. 6), page 9, line 14, by removing the comma after "General" and inserting: or the district attorney,

Amend Sec. 1 (Sec. 6), page 9, line 17, by inserting after "General": or the district attorney

Amend Sec. 1 (Sec. 6), page 9, line 20, by inserting after "General": , the district attorney

Amend Sec. 1 (Sec. 6), page 9, line 20, by inserting brackets before and after "him" and inserting immediately thereafter: either

Amend Sec. 1 (Sec. 6), page 10, line 21, by removing the comma after "General" and inserting: or the district attorney,

On the question,

Will the House agree to the amendments?

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

Mr. SHANE. Mr. Speaker, in an attempt to return to some of the moments of sweetness and light we had across the aisle today, some moments of harmony, I would like to describe to the members the agreement that some of us on this side have reached with Mr. Ryan and his staff. And since I have gotten in trouble on previous occasions today by trying to promote some harmony, I think after we are done explaining, I am going to look around and ask if anybody does not agree to the amendment, and if someone so indicates, we will have a roll-call vote.

If the members will return to their copies of House bill No. 485 and turn to page 7, line 24, the language as amended and agreed upon between the negotiating parties would read as follows: "Civil Investigative Demand.—(a) Whenever the Attorney General or district attorney"—those three words are added—"believes that any person may be in possession, custody, or control of the original or a copy of any documentary material relevant to the subject matter of an investigation of a possible violation of this act, he may execute in writing and cause to be served upon such a person, a civil investigative demand requiring such person to produce such documentary material and permit inspection and copying; providing that this section shall not be applicable to criminal prosecutions."

The amendment goes on, and in the relevant places where the word "Attorney General" appears, the phrase "or the district attorney" is added throughout pages 8 and 9.

With that explanation, I now turn to the House and ask if anybody could not go along with this as an agreed-to

amendment. Please register your discontent, and we will call for a roll call.

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

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

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

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

Mr. STAHL. Mr. Speaker, might I interrogate Mr. Shane?

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

Mr. SHANE. Yes.

The SPEAKER. The gentleman may proceed.

Mr. STAHL. Does this bill in its present form apply to real estate transactions?

Mr. SHANE. No.

Mr. STAHL. That is not what I was told by your staff.

Mr. Speaker, the amendments that were put in in committee the other day stripped the bill of much of the powers that were given to the Attorney General in protecting consumers in this Commonwealth. If we are to protect the consumers in this Commonwealth, we cannot go halfway.

I urge you to look at some of the provisions in here that were taken out of this bill.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, were those amendments agreed to?

The SPEAKER. The amendments were agreed to.

Mr. RYAN. Thank you, sir.

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

Mr. STAHL. Thank you, Mr. Speaker.

We took out some provisions in there in committee, for what reason, I cannot tell you. But we took out provisions that were designed to protect the consumers. We gave in, apparently, to some business demands.

MOTION TO REVERT TO PRIOR PRINTER'S NUMBER

Mr. STAHL. Therefore, Mr. Speaker, I move that we revert to prior printer's No. 1857.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, on the motion made by the gentleman, Mr. Stahl, I call for a negative vote.

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

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

YEAS—8

Dorr	Foster, A.	Renninger	Stahl
Fawcett	Perri	Salvatore	Vroon

NAYS—180

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

NOT VOTING—15

Anderson, J. H.	Dininni	McGraw	Shane
Bellomini	Kelly, J. B.	Milliron	Sweeney
Berlin	Lynch	Richardson	Thomas
Dietz	Manderino	Seltzer	

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

On the question recurring,
Shall the bill pass finally?

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

YEAS—186

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

Cowell	Hopkins	O'Donnell	Trello
Crawford	Hutchinson, A.	O'Keefe	Turner
Cumberland	Hutchinson, W.	Oliver	Ustynoski
Davies	Irvis	Pancoast	Valicenti
Davis, D. M.	Itkin	Parker, H. S.	Vann
DeMedio	Johnson, J.	Perri	Wagner
Deverter	Katz	Perry	Walsh, T. P.
Dicarlo	Kelly, A. P.	Petrarca	Wansacz
DiDonato	Kernick	Pievsky	Wargo
Dietz	Kistler	Pitts	Weidner
Dombrowski	Klingaman	Poite	Westerberg
Doyle	Knepper	Pratt	Whelan
Dreibelbis	Kolter	Prendergast	Whittlesey
Eckensberger	Kowalyszyn	Pyles	Wilson
Englehart	Kusse	Rappaport	Wilt, R. W.
Fawcett	LaMarca	Reed	Wilt, W. W.
Fee	Laudadio	Renninger	Wojdak
Fischer	Laughlin	Renwick	Worrilow
Fisher	Lederer	Rhodes	Wright
Flaherty	Lehr	Rieger	Yahner
Foster, A.	Levi	Ritter	Yohn
Foster, W.	Lincoln	Romanelli	Zearfoss
Fryer	Manmiller	Ross	Zeller
Gallagher	McCall	Ruggiero	Zord
Gallen	McClatchy	Saloom	Zwikl
Garzia	McCue	Salvatore	
Geisler	McGinnis	Scheaffer	Fineman,
George	McIntyre	Schmitt	Speaker

NAYS—7

Anderson, J. H.	Geesey	Ryan	Vroon
Dorr	Letterman	Shuman	

NOT VOTING—10

Bellomini	Kelly, J. B.	McGraw	Sweeney
Berlin	Lynch	Richardson	Thomas
Dinlani	Manderino		

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

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

BILLS ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill No. 77, printer's No. 79**, entitled:

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

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 340, printer's No. 1614**, entitled:

An Act amending the act of June 28, 1935 (P. L. 477, No. 193), referred to as the Enforcement Officer Disability Benefits Law, extending benefits to certain employes of the Bureau of Corrections and Department of Public Welfare and to county prison guards.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 619, printer's No. 697**, entitled:

An Act amending the "Optional Third Class City Charter Law," approved July 15, 1957 (P. L. 901, No. 399), providing for a minimum salary for certain mayors.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 695, printer's No. 1500**, entitled:

An Act amending the "Disease Prevention and Control Law of 1955," approved April 23, 1956 (P. L. 1510, No. 500), providing for serological testing to identify carriers of certain genetic diseases and the reporting and use of such tests.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1037, printer's No. 1191**, entitled:

An Act amending the act of May 23, 1945 (P. L. 903, No. 362), entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities," changing the years of service required for full compensation during permanent disability.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1153, printer's No. 1522**, entitled:

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

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1202, printer's No. 1941**, entitled:

An Act amending the "Senior Citizens Property Tax Assistance Act," approved March 11, 1971 (P. L. 104, No. 3), further providing for payment of administrative expenses and claims.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1311, printer's No. 1523**, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571, No. 254), providing an exemption for vacant school property.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 719, printer's No. 770**, entitled:

An Act regulating retail electric suppliers in certain areas.

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

Ordered, to be transcribed for third consideration.

HOUSE RESOLUTION No. 93

Mr. DORR called up **HOUSE RESOLUTION No. 93, printer's No. 1939**, entitled:

House Bipartisan Committee to investigate all complaints arising from operations and policies of the Philadelphia Traffic Court.

On the question,

Will the House adopt the resolution?

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, this resolution was recommended on the floor of the House last evening without the knowledge of the prime sponsor, Mr. Dorr. And for that, the majority leader apologizes. That was an error; it should not have occurred.

Mr. Dorr and I have now had conversation, and I believe he will agree to the recommittal motion and for reasons for it.

HOUSE RESOLUTION No. 93 RECOMMITTED

Mr. IRVIS. I, therefore, Mr. Speaker, move that we recommit House resolution No. 93, printer's No. 1939, to the Committee on Rules.

On the question,

Will the House agree to the motion?

Motion was agreed to.

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. 307

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), entitled "Liquor Code," further providing for the employment of minors and making a repeal.

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

The SPEAKER. The bill will appear on the calendar.

HOUSE SCHEDULE

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, as the members leave, there are no further votes, but we are going to be in session beginning at 10 a.m. tomorrow. I would anticipate it may be all day.

MEETING POSTPONED

The SPEAKER. The meeting of the members of the Host Committee has been postponed.

ADJOURNMENT

Mr. COWELL moved that this House do now adjourn until Thursday, July 17, 1975, at 10 a.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and (at 5:42 p.m., e.d.t.) the House adjourned.

