

# Legislative Journal

TUESDAY, JULY 22, 1975

Session of 1975

159th of the General Assembly

Vol. 1, No. 67

## HOUSE OF REPRESENTATIVES

The House convened at 11 a.m., e.d.t.

THE SPEAKER PRO TEMPORE (Joseph A. Sullivan)  
IN THE CHAIR

### PRAYER

PASTOR J. WILLIAM CARPENTER, pastor of Holmes Presbyterian Church, Holmes, Pennsylvania, guest chaplain and guest of the gentleman from Delaware, Mr. O'Keefe, offered the following prayer:

Let us pray:

Heavenly Father: Thank you

—for the gift of life which each of us enjoys;

—for the talents and abilities You give us to employ for good;

—for this call from our citizens to serve You and them in the government of our state.

We acknowledge that our tasks are formidable, and, as humans, our wisdom is limited.

We admit that we do not often face our daily work with the zeal it requires.

We confess that our motivation for service is not always pure.

We regret that we do not always make just decisions.

Life is complex, O Lord. We are not complaining, but issues are so frequently undefined that we are often in a quandary about what positions we should take.

In our assembly today, Sovereign Lord:

—direct our debate to the end that the good of our people may prosper in the decisions we make;

—grant us the courage to speak our convictions and the patience to hear other positions besides our own;

—give us the independence to act for the good of those whom we represent and not for personal gain or glory.

For the common good, bless also:

—our sister chamber, the Senate, in her deliberations;

—our Governor and those who assist him in administering the affairs of this state;

—our courts in their work for the causes of justice.

In Your mercy, O Lord, direct the affairs, not only of this state, but also of this nation, to the end that peace and happiness, truth and justice, virtue and piety may be established among us as we seek to serve You and our fellow humans responsibly each day. We pray through our Lord and Savior Jesus Christ. Amen.

### JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, approval of the Journal for Monday, July 21, 1975, will be postponed until printed.

## REFERRALS

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

The Chair hears no objection.

## HOUSE BILLS INTRODUCED AND REFERRED

By Messrs. IRVIS, ZEARFOSS, RHODES, MEBUS, MILANOVICH, COWELL, O'KEEFE, GILLESPIE, COLE, Mrs. GILLETTE and Mrs. KELLY **HOUSE BILL No. 1651**

An Act amending the "Pennsylvania No-fault Motor Vehicle Insurance Act," approved July 19, 1974 (No. 176), changing penalties for operating a vehicle without security.

Referred to Committee on Judiciary.

By Messrs. CESSAR, ROMANELLI, ZORD, FISHER, WILSON, KNEPPER, TRELLO, ABRAHAM, COWELL, MISCEVICH, MENHORN, GEISLER and CAPUTO **HOUSE BILL No. 1652**

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206, No. 331), permitting township supervisors to reduce rates charged senior citizens and handicapped individuals for refuse collections.

Referred to Committee on Local Government.

By Messrs. CESSAR and WILSON **HOUSE BILL No. 1653**

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58, No. 32), providing for vehicular homicide, authorizing a peace officer upon probable cause, to arrest persons who committed vehicular homicide and adding a cause for the suspension of licenses or operating privileges.

Referred to Committee on Transportation.

By Mr. CESSAR **HOUSE BILL No. 1654**

An Act amending the "Municipal Police Pension Law," approved May 29, 1956 (P. L. 1804, No. 600), changing the age requirements for retirement by members of the police force.

Referred to Committee on Law and Justice.

By Messrs. BENNETT, ROMANELLI, L. E. SMITH and HALVERSON **HOUSE BILL No. 1655**

An Act authorizing the indebtedness, with approval of the electors, of five hundred million dollars for the purchase, acquisition, modernization or subsidization of the construction of homes to assist persons of moderate or middle income, \*\*\*.

Referred to Committee on Business and Commerce.

By Mr. FISCHER **HOUSE BILL No. 1656**

An Act amending the "Pennsylvania Election Code,"

approved June 3, 1937 (P. L. 1333, No. 320), further providing for primary elections.

Referred to Committee on State Government.

### REMARKS SUBMITTED FOR THE RECORD

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Knepper.

Mr. KNEPPER. Mr. Speaker, it was necessary for me to take a personal leave of absence yesterday and I have several remarks regarding the voting on the malpractice issue last night which I would like to submit on my behalf for the record, if I may, please.

The SPEAKER pro tempore. Will the gentleman please send his remarks to the desk?

Mr. KNEPPER presented the following remarks for the Legislative Journal:

Mr. Speaker, unfortunately, it was necessary for me to remain in my district yesterday for personal, medical reasons. As a result, I missed the opportunity to vote on the various amendments to House Bill 1367 (malpractice insurance) and on the bill itself.

I would like the record to show that I support House Bill 1367, printer's No. 1925, and would have cast my affirmative vote for this landmark piece of legislation. Further, Mr. Speaker, I would like to add that in viewing the late news at home last night, I learned of the excellent debate which took place on the amendments and the bill. I have since been informed by numerous colleagues of the outstanding manner in which Representative Berson managed and directed the course of this legislation. While I am personally sorry to have not had the benefit of this fine debate by the House, I am proud to be associated with such dedicated, responsive and able fellow House members as participated in the sensitive malpractice issue.

Thank you.

### SENATE MESSAGE

#### HOUSE BILLS CONCURRED IN BY SENATE

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

#### HOUSE BILL No. 563

An Act amending the act of June 28, 1947 (P. L. 1110, No. 476), entitled "Motor Vehicle Sales Finance Act," providing for an exemption from finance charges for FHA or VA insured sales on credit or loans.

#### HOUSE BILL No. 1346

An Act amending the act of May 31, 1945 (P. L. 1198, No. 418), entitled, as amended, "Surface Mining Conservation and Reclamation Act," removing the maximum age qualification for mine conservation inspector.

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

### SENATE MESSAGE

#### HOUSE RESOLUTION CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

### HOUSE RESOLUTION No. 13

House Bipartisan Committee to investigate causes of pollution of Lake Erie.

### LEAVES OF ABSENCE

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

Mr. MANDERINO. Mr. Speaker, I request leaves for Mr. O'BRIEN for today's session, and for Mr. HAMMOCK for the balance of the week.

The SPEAKER pro tempore. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, I have no leaves for today, but I would like to add Mr. KNEPPER of Allegheny County to the leaves that were requested yesterday, which I neglected to do at that time.

The SPEAKER pro tempore. Without objection, leaves of absence are granted.

### WELCOME

The SPEAKER pro tempore. The Chair is pleased to welcome Bill Davis, vice president of the Munhall Council, and his daughter, Mary Ann Davis. They are the guests of the gentleman from Allegheny, Mr. Abraham.

### MASTER ROLL CALL

The SPEAKER pro tempore. The Chair is about to take the master roll. Only those members in their seats are permitted to vote.

The roll was taken and was as follows:

#### YEAS—194

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

Fryer	Manderino	Ruggiero	Zeller
Gallagher	Manniller	Ryan	Zord
Gallen	McCall	Saloom	Zwinkl
Garzia	McClatchy	Salvatore	
Geesey	McCue	Scheaffer	Fineman,
Getsler	McGinnis	Schmitt	Speaker

NOT VOTING—9

Berlin	Gleeson	McGraw	Sweeney
Blackwell	Hammock	O'Brien	Thomas
Dininni			

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

**COCHRANVILLE GOLDEN AGE CLUB WELCOMED**

The SPEAKER pro tempore. The Chair is pleased to recognize the presence of a group of visitors, 45 members of the Cochranville Golden Age Club, visiting the House today. The visitation has been arranged by Henrietta Hagel, organizer of the club, who is present with the group.

They are the guests of the gentlemen from Chester, Messrs. Smith and Pitts, and Senator Snyder.

**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. 2013**, entitled:

Establishing minimum wages and providing for hours of labor of seasonal farm workers and requiring certain record; 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.

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. GALLAGHER moved that the vote by which HOUSE BILL No. 1198, printer's No. 2013, as amended was agreed to on third consideration on Wednesday, July 16, 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 as amended on third consideration?

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

- Amend Sec. 103, page 24, line 23, by striking out " IN ARTICLE II,"
- Amend Sec. 103, page 24, lines 24 and 25, by striking out "AND IN ARTICLE III, THE SECRETARY OF ENVIRONMENTAL RESOURCES,"
- Amend Sec. 206, page 29, lines 23 through 30; page 30, lines 1 through 3, by striking out all of said lines

Amend Article Heading, page 30, line 20, by inserting before "REGULATIONS": RULES AND

Amend Article Heading, page 30, line 20, by striking out "AND INSPECTIONS"

Amend Sec. 301, page 30, line 21, by striking out "(A)"

Amend Sec. 301, page 30, line 21, by removing the comma after "SECRETARY" and inserting: of Labor and Industry

Amend Sec. 301, page 30, lines 22 and 23, by striking out all of line 22 and "COMMITTEE ESTABLISHED IN SUBSECTION (B)," in line 23

Amend Sec. 301, page 30, lines 23 and 24, by striking out " , AMEND AND REPEAL"

Amend Sec. 301, page 30, lines 25 and 26, by striking out "FUNCTIONS OF THE DEPARTMENT OF ENVIRONMENTAL RESOURCES UNDER" and inserting: provisions of

Amend Bill, page 30, lines 26 through 30; page 31, lines 1 through 30; page 32, lines 1 through 30; page 33, lines 1 through 30; page 34, lines 1 through 30; page 35, lines 1 through 7, by striking out "THE SEASONAL FARM LABOR COMMITTEE" in line 26, page 30, all of lines 27 through 30; all of lines 1 through 30, page 31; all of lines 1 through 30, page 32; all of lines 1 through 30, page 33; all of lines 1 through 30, page 34 and all of lines 1 through 7, page 35 and inserting:

**ARTICLE IV**

**Access and Entry**

Section 401. Tenancy Rights.—A seasonal farm worker who resides in any structure or property of the employer, whether or not under any contract or rental or lease, and whether or not consideration is given for the right or privilege of such residence, and for whatever time, shall be deemed to be the tenant in possession and shall have every right and resource to law as if he were the tenant in possession for such time as he shall reside therein.

Section 402. Interference Prohibited.—No person shall prohibit, bar, or interfere with, or attempt to prohibit, bar, or interfere with, the access to or egress from the grounds of any seasonal farm labor camp by any peaceable person, either by the erection or maintenance of any physical barrier, or by physical force or violence, or by threat or force or violence, or by posting, or by any order or notice given in any manner.

Section 403. 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 employee of any department, board, agency, bureau, commission or service of the United States, the Commonwealth of Pennsylvania, a local government, or the executive or administrative officer of any such department, board, agency, bureau, commission or service, or his duly authorized representative who shall, upon request, present proper identification; or (ii) to guests of seasonal farm workers, persons working under the auspices of private organizations whose objective is the health, safety, welfare or dignity of seasonal farm workers, or any individual, group or public agency whose purpose is to provide a service to the owner of a seasonal farm labor camp; or (iii) any physician, dentist, osteopath, or any other person engaged in the provision or rendering of any medical, dental, or health service.

**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 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, right accrued or vested, or 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.—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 shall not be affected or abated by this act. Injunction proceedings commenced prior to the effective date of this act shall not be affected by this act. 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.

Section 505. Repeals.—All acts and parts of acts are repealed in so far as they are inconsistent herewith.

Section 506. Penalties.—Whoever violates any provision of sections 201 and 205 shall, for the first offense, be guilty of a misdemeanor of the second degree and, upon conviction, shall be sentenced to pay a fine not exceeding \$500 or to imprisonment not exceeding two years, or both; and for each subsequent offense be guilty of a misdemeanor of the first degree, and upon conviction, shall be sentenced to pay a fine not exceeding \$1,000 or to imprisonment not exceeding five years, or both.

Section 507. Penalties.—(a) Whoever violates any provision of sections 401, 402, or 403 shall, for the first offense, be guilty of a summary offense, and, upon conviction shall be sentenced to pay a fine not exceeding \$500 or to imprisonment not exceeding 90 days, or both; and for each subsequent offense, shall be guilty of a misdemeanor of the first degree and, upon conviction, shall be sentenced to pay a fine not exceeding \$1,000 or to imprisonment not exceeding five years, or both.

(b) Each violation of a provision of a section of this act enumerated in this section shall be considered a subsequent offense for the purposes of this section if the person convicted shall previously have been convicted of a violation of any provision of any section of this act enumerated in this section.

(c) Prosecution for a violation of any section of this act shall not bar prosecution for a violation of any other section of this act, or of any other law, statute or ordinance resulting from any action of the offender.

Section 508. Effective Date.—This act shall take effect in 90 days but the licensing provisions of Article II shall not be applied until January 1 thereafter.

On the question,

Will the House agree to the amendments?

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

Mr. GALLAGHER. Mr. Speaker, this amendment is identified as amendment "A." The amendment does four different things.

First, I would like to announce that I would like to divide the amendment. I have divided article V on page 2, "Construction, Repeals, Penalties, Effective Date," and I will not offer that section on page 2 and on page 3.

The SPEAKER pro tempore. Does the Chair understand that the gentleman is withdrawing article V of his amendment?

Mr. GALLAGHER. That is correct, so that article V on page 2 and as it continues on page 3 will not be offered by myself.

The SPEAKER pro tempore. In other words, only article IV is offered?

Mr. GALLAGHER. That is correct, Article IV on page 2.

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

Mr. BENNETT. Mr. Speaker, if I understand what he is saying, we are looking at the Gallagher amendment marked "A"?

Mr. GALLAGHER. That is correct.

Mr. BENNETT. Starting—and I am reading for the gentleman—"Amend Sec. 103, page 24 . . ."

Mr. GALLAGHER. That is correct.

Mr. BENNETT. These are the amendments. Now you are saying to the House, Mr. Speaker, that you intend to not offer what part of that?

Mr. GALLAGHER. Article V on page 2 and then as it continues on page 3.

So on page 2, article V, sections 501, 502, 503 and 504, and on page 3, sections 505, 506, 507 and 508 will not be offered. We would have, on page 2, only article IV being offered.

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

The SPEAKER pro tempore. And those amendments that appear on page 1?

Mr. GALLAGHER. The amendments that I am offering are those amendments on page 1 and at the top of page 2, article IV.

Mr. Speaker, the amendments that I am now offering deal primarily with taking out the Department of Environmental Resources and putting in place of that department, the Department of Labor and Industry; and in addition to that, on page 29, striking out lines 23 through 30, and on page 30, striking out lines 1 through 3. That is the section that deals with the farm labor contractors.

#### POINT OF ORDER

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. HASKELL. Mr. Speaker, if Mr. Gallagher is going to have a series of amendments, there are those on the floor who do not have copies of these amendments. I would appreciate receiving copies of the amendments.

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

Mr. RENNINGER. Mr. Speaker, I join in that. I have no idea what the gentleman is talking about. I got a copy of the amendments handed to me and they are not the same ones he has. I looked at them.

Mr. GALLAGHER. Mr. Speaker, the copies were distributed last week. Unfortunately, I guess they got mixed up with the malpractice amendments.

Mr. HASKELL. Mr. Speaker, I suggest that we pass over this bill temporarily until the members can receive these amendments. It is an important bill, and we would like to know what we are doing on this piece of legislation.

The SPEAKER pro tempore. How many members do not have a copy of these amendments?

Will the clerk please see that copies of the amendments are distributed?

#### HOUSE BILL NO. 1198 PASSED OVER TEMPORARILY

The SPEAKER. The Chair will pass over the bill temporarily.

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

Mr. W. W. WILT. Mr. Speaker, I do not have copies of any of the Gallagher amendments. I would suggest that they all be reproduced and distributed.

The SPEAKER pro tempore. Will the clerk please distribute all of the amendments to House bill No. 1198?

## HEALTH AND WELFARE BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to the consideration on final passage of **House bill No. 545, printer's No. 2038**, 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 borrow money and issue bonds therefore; and imposing powers and duties upon the Secretary of Health and the Secretary of the Commonwealth.

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 pro tempore. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, I rise in opposition to this bill as it is presently constructed. As I believe I indicated last week, the concept in this bill is not all bad, but the approach taken, I think, is the kind of thing which this House should not take at this time. The bill seeks to create medical districts in Pennsylvania which, I think, are totally unnecessary at this time and may be unnecessary in the future as well.

The concept of highlighting and getting communities involved in the health care system is proper. But to use the vehicle of creating another local government institution to me seems to be duplicating that which we already have and going in the opposite direction from where we ought to be going in the entire area of local government.

If it indeed is incumbent upon local governments to get more involved than they presently are authorized in the entire health system, then what we should be doing is analyzing the expansion of their powers and then letting them get into this particular business in an orderly fashion.

Already we have by law given certain levels of local government a great deal of authority in the various aspects of the health system. But to layer an additional level of local government, which would fall probably somewhere between the county and municipal levels, I think is going in the opposite direction from which this state and this country should be going in at this time. I see absolutely no need for treating this concept in this manner and, therefore, urge a "no" vote.

There are a whole host of other specific problems which we would want local communities to deal with—air pollution, water pollution, sewage treatment, solid waste, just to name a few. And I would doubt that this House would take each of them—which are just as important as the health delivery system—and suggest that we put another layer of elected public officials with vast powers to circumvent the system of local government which we already have.

What I think we would do is to empower, where necessary, the units of local government to either join or to do certain functions independently as the need arises. But I cannot conceive of our attempting to solve each problem as it comes along by creating an additional layer of government. It is just the wrong way to go.

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

Mr. SHANE. Thank you, Mr. Speaker.

The primary purpose for House bill No. 545 is to give local communities one alternative mechanism for dealing with the problem of the lack of health care. We wanted to emphasize a mechanism for local communities to deal with the problem of health care because we see the centralizing tendency that is already full-blown in health care; namely, the tendency for decisionmaking power about health care to gravitate to Washington and Harrisburg. We were trying to counter this trend by providing a mechanism for local initiative through House bill No. 545.

Now it is true that this is a new approach. It would provide for an elected medical district board similar to the successful experience of school boards, but there seems to be a feeling on the part of many members that somehow this is a threat to local government. I would like to direct your attention, if you have the bill in front of you, to page 2 of the bill. Please take in hand, if you have the bill, page 2 of the bill, section 3, which commences on line 13, and you will see that there are several alternatives for the creation of the medical districts. Section 3 (a) says: "The legislative body of any county, city, borough, township or town may by . . . resolution or ordinance create a medical district . . ."

So it could be the township supervisors, the borough council, the county commissioners. Any legislative body may by resolution or ordinance create a medical district council. It can include all of the particular political subdivision or it can include part, or two political subdivisions can join together through the ordinance procedure.

But suppose the local legislative body does not choose to initiate this procedure by ordinance. The people themselves could follow a process, I think, of initiative that still has many safeguards built in. Examine, if you have the bill in front of you, page 3, line 12. There it sets forth a process by which citizens can initiate the creation of a medical district by 100 qualified electors requesting that a petition be prepared. Then there are 15 days for citizens to sign the petition, and if 5 percent of the electorate of the political subdivision—this is set forth on page 4—sign the petition, then the local legislative body either has the choice of passing the ordinance by its own action or putting it up for citizen initiative.

Now say a typical county had 40,000 registered electors; 5 percent would be 2,000 people. How often do you get 2,000 people coming in the courthouse to sign a petition?

Secondly, if the local government people did not like the idea, they would not have to approve it by ordinance, but they would have to put it up for a vote or referendum.

My concluding point of the argument on this particular subsection is that the procedure for setting up a medical district is so intimately bound with local government that it seems clear to me that the local government officials would have a tremendous amount to say as to whether such a medical district would be created.

Moving on to another point, in terms of the concept of layering another authority or agency, the question really gets down to this, Mr. Speaker: Where do you want to have your other layer, at the local level or in Harrisburg or in Washington?

It is true that local governments across Pennsylvania have dealt and now are dealing effectively with problems of solid waste, sewage, housing and water supply. They have mechanisms to do this through our authority law and other statutes. It is also true that there has not been much activity by local governments in the area of delivering health care, with the exception, possibly, of the county homes, a very narrow area.

All we are trying to do is give these officials a mechanism, a framework, which they can choose to use or not choose to use in dealing with the problem of the shortage of health care services. So I would urge the members to vote "yes" on this particular bill as an imaginative approach for permitting local government and local people to initiate a plan of action for dealing with the shortage of health care.

Thank you, Mr. Speaker.

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

Mr. RAPPAPORT. Thank you, Mr. Speaker.

Mr. Speaker, I rise in response to some of the remarks that were made by the minority leader. It seems strange to me that someone who has been an advocate of local rights should be speaking against this bill.

This is not the first bill of this type that has been passed by the General Assembly. May I point out that this authority was given to local municipalities in the 1968 constitution. Pursuant to that, the General Assembly passed a bill providing the same machinery for protection of the environment, precisely the same machinery.

There are severe medical problems and health-care-delivery problems throughout this Commonwealth, but I would submit that the problems are different in my area from the problems in some of the upstate, more rural areas, and that each area should be given the authority to settle its own problems in its own way, and that is what this bill does. It does not set up some vague, anonymous authority that no one can control or do anything with. It sets up an elective board that is under the control of the people. It is not going to be doing anything that the people do not want it to do. Let us face it, Mr. Speaker; a township with 500 people cannot run a decent health program, and in many cases a county of 10,000 or 15,000 cannot do it. What this bill does is preserve local government in its most effective form. We want—and we should want—efficiency in government for the people and effective government, and this bill does precisely that in the health-care-delivery field. It gives autonomy to the people.

While the present Secretary of Health happens to come from my district, I do not know that the state should be ruling on the problems of my area or the problems of some of the upstate counties. No bureaucrat in Harrisburg can know those problems. I want to return this power to the local areas, to that level of government which can most effectively handle it. And, therefore, I am in favor of this bill and would urge its passage.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lancaster, Mr. Miller.

Mr. M. E. MILLER, JR. Thank you, Mr. Speaker.

The previous speakers in favor of the bill have posited two very popular sounding points, and, indeed, considering the topic that we are discussing, they sound very

desirable and in a short moment I almost voted for the bill myself.

Local autonomy is a popular thought. Indeed I support it in local government, as the reference to our school boards was made earlier. Local direction to medical questions is important, and indeed I support that. But what we too often do in this General Assembly is support principles when in fact those principles of support do not ultimately lend to a solution to the problem. This is my objection.

We will be creating a board elected by the people; that is a good idea. It will be a board probably staffed with expertise in the medical questions that we are trying to address, and that is a good idea. But what comes after this promise of local autonomy in elected boards? The shortcoming in this piece of legislation is very specific. There is no direct authority to implement the needs that the elected board will come up with in that community. When it gets down to the bottom line, all that remains is a promise.

When we took out the taxing powers last week by House vote and later discussed a number of recommittal motions, I made a recommittal motion to send it back to the Local Government Committee for serious study—because the issue has merit—to determine what will happen after that elected body makes some decisions, and I will ask the prime sponsor, Mr. Shane, to submit to one brief point of interrogation. That question, Mr. Speaker, is: After we have instituted the local autonomy principle and elected people and they make a survey of the needs, how does this bill help them implement in bricks and mortar and doctors and clinics what you are trying to accomplish? There is no funding mechanism and there is no direct control in terms of building except that which is now available to anyone in the Commonwealth through the nonprofit corporation charters, et cetera.

Mr. SHANE. Well, first of all, we thought it was good to have an elected medical district board rather than an appointed one because this would make them more accountable to the people in the area they are trying to serve.

Now in direct answer to your question, we deleted the \$10 per capita taxing power in an attempt to seek consensus and agreement on this subject. We never really intended that the use of the \$10 per capita power would be widespread. We simply put it in because people who are experts in bond financing said it would enhance the rating. But there are other ways of raising money. I would think if a community is interested in, say, building a medical clinic and recruiting some doctors in some kind of a group practice—if say the Indiana County commissioners passed an ordinance setting up Indiana County as a medical district, and suppose the citizens of Indiana County wanted to set up a medical clinic in, oh, let us say Aultman, one of the more impoverished coal mining areas. It is impoverished because there are old retired miners there and old people, not because there are working miners who are now quite prosperous. But suppose they wanted to set up a clinic there and they wanted to attract a group of doctors to set up a group practice—well, that is the kind of project that would catalyze a lot of public interest in our area, and all three of our major banks, I am sure, would be interested in entering into a loan arrangement with that kind of an organization, first of all, because I think—

Mr. M. E. MILLER, JR. Mr. Speaker, a brief ques-

tion to interrupt the gentleman, if I may. Can that not be done now is my point?

Mr. SHANE. But we are creating a mechanism for electing people to make them accountable, giving them certain powers to contract, to sue and be sued, to lease ground, to acquire property, to enter into contracts. We feel that this is one option. I grant you there are other ways of dealing with the problem, but we wanted to have this option in place for local government officials and local people who see this as perhaps the most desirable option.

Now I am saying to you on the financing, I do not think it would be hard to borrow money, and once a clinic is established, the revenues, I am sure, would be more than sufficient to amortize any loan. For example, those of us familiar with health care know that one of the most lucrative aspects of local clinics is laboratory fees. That is one of the biggest revenue raisers for any local clinic. And I would assume prudent businessmen who would be on a board like this would want to have a laboratory as part of a facility that they plan to develop.

Mr. M. E. MILLER, JR. Mr. Speaker, I would like to press the question, if I may, to the gentleman: Is not every single option you just recounted to me currently available under current law without this piece of legislation? Cannot county commissioners suggest bond issues to the people as elected representatives and carry through, for example, as you just suggested? Are not these options now available?

Mr. SHANE. I am not sure the current authority law would be sufficiently broad and flexible to set up a medical authority in a particular county. As far as I know and the gentleman who has worked with me, a staff person here, knows, there is nothing in the current municipal authority law that is broad enough and flexible enough to permit a setting up of a medical authority. Furthermore, that is something that is only restricted at the county level. I am not a great expert on local government, but I do not think—and maybe a brighter person than I will correct me—a group of township supervisors could necessarily form an authority. So my point is, I do not think the current authority law is broad enough or flexible enough to permit the setting up of a medical authority. I may be corrected on this.

But another advantage of this is that the people are elected to it rather than appointed by the local officials, although the process of setting up the board is very intimately tied with local government. Furthermore, there are some mechanisms in here for promoting the cooperation of several political subdivisions. Several townships in a heavily populated area could go together for a medical district, or a sparsely populated area, for that matter. Two counties in a rather lowly populated area could go together and form a medical district.

I am saying that there are some flexible options here that local people and local governments might want to adopt. On the other hand, they might not. But I do not think that in the current law there is the specific option available such as this bill proposes. Therefore, I feel this bill will add something that could be useful to local people.

Mr. M. E. MILLER, JR. Mr. Speaker, I have just a few brief summary statements.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. M. E. MILLER, JR. Thank you.

Mr. Speaker, as the gentleman, Mr. Shane, has acknowledged, the power to do what he is interested in doing now is currently available in a number of government-oriented types of programs and, secondly, through the nonprofit corporation charter.

Mr. SHANE. Will the gentleman yield?

Mr. M. E. MILLER, JR. Certainly.

Mr. SHANE. I think he may have misheard. I concluded by saying I think there are other ways that some of this could be done, but I did say that I did not think in the current municipal authority law this could be done. So that is a shortcoming.

I also said that I think this does add a new and more flexible and useful option. So I do not think I am willing to concede that the same power now exists to do exactly what people want to do.

Mr. M. E. MILLER, JR. Mr. Speaker, may I continue?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lancaster, Mr. Miller.

Mr. M. E. MILLER, JR. In voicing my concern that what we may indeed be doing is offering a promise without the mechanisms to institute the fulfillment of those promises and that, secondly, the mechanisms to establish hospitals are now available, I feel it would be a duplication of the local government prerogatives as well as the private prerogatives now that avail themselves to the citizenry of the Commonwealth.

I would encourage a "no" vote, but I would do so fully admitting that the gentleman's bill has merit in creating elective councils, and that my only major objection is that in creating the councils—which is an imaginative idea—we have fallen short in not giving them the full financial wherewithal and authority to continue ahead and implement the research we would have them perform to establish medical districts in serving the people of the Commonwealth. I urge a negative vote, Mr. Speaker.

#### THE SPEAKER (Herbert Fineman) IN THE CHAIR

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

Mr. RITTER. Mr. Speaker, there has been a great deal of discussion about home rule and how the people are going to decide whether they want a medical district or not. But all you have to do is look at the bill, and in every section where it deals with a decision by local people it says a couple of words and they are, "subject to the approval of the Secretary of Health."

Now if you are going to go through the trouble of petitioning your city council or your township supervisors or whatever to have the question put on the ballot and you are going to go through an election and the majority of the people decide that they want a medical district, the results of that election must be transmitted forthwith to the Secretary of Health of this Commonwealth for his approval or disapproval. So that he in fact may thwart the will of the people by withholding his approval and saying, you cannot have a medical district even though the overwhelming majority of people wanted one.

That is not home rule. That is not local people deciding for themselves. That is saying to them that you can do it to a point; you can approve it, but somebody else will have the final approval. I disagree with

that, and I disagree with that very strongly. There are other mechanisms that could have been developed and could have been used in this bill, but they were not put in.

I am not so sure that I am in favor of an elected medical district board. I do not see anything wrong with having that district created by city council, by township supervisors, by county commissioners, and having those people appoint the directors of that district. And then those people who have already been elected by the people, the commissioners and the councilmen, would be responsible for the funding of that district. There is nothing wrong with that at all, because you have those people already elected. But to create another body, another elected group, and say that they will be more responsive to the people is just a bunch of hogwash. You can make that medical district responsible to the people if you let elected officials appoint them in the first instance.

I think the bill is fraught with many areas which require a great deal more work; they require amendments which I think really are needed. I think the concept is probably good, but I resent having to go through the process of making a determination on the local level and then having to come here to Harrisburg and get further approval, final approval, by one individual. If that is what you want to do, fine, but then do not tell me that you are making this local option and home rule, because it is just not that at all. I think we ought to defeat the bill.

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

Mr. TURNER. Mr. Speaker, I rise in opposition to this bill and I submit to you that it is the creation—and I agree with Mr. Ritter—of another monster.

We do have the mechanism in this state and in the local districts to develop exactly what is here if the county commissioners decide to do so or an elected authority or an appointed authority decides to do so. But the big problem here is the same problem the State of Pennsylvania is facing and many other states across this nation—in fact, the nation itself—and that is money. If these districts had money, they would do it themselves, and what is going to happen is the same thing that is happening now, that we cannot afford to finance what we have already obligated ourselves for. And these districts are going to come back to the State of Pennsylvania for money.

Already we have this sad, sad situation with the Pennsylvania lottery that was going to be the panacea for all our financial problems. Now we have tacked so darn many white elephants on it we cannot even pay for it, and the lottery is \$40 million in the hole. I submit to you that if this thing goes through, we have bought another white elephant, and I keep harping on that because it is true and I can see it coming. Money is the problem and we do not have it, and I do not think you can have a right to come back to the state of Pennsylvania and this legislature and ask for money to finance the things that really we cannot handle now.

Thank you, Mr. Speaker.

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

Mr. RAPPAPORT. Mr. Speaker, I know this is the second time I have spoken on this bill, but I could not sit still after hearing some of the arguments.

I am really amazed to hear some of the arguments from the other side of the aisle which would deny to their local people, initiative. It seems that the era of rugged individualism has passed from the other side of the aisle, and I deplore that.

This is not a perfect bill; nobody says it is. This bill is merely a start. This is a start towards helping local people solve their problems in their own way locally. Believe it, this problem is going to be solved in Washington or in Harrisburg if we do not settle it locally. I do not trust the Feds, and I would just as soon not have things operate out of Harrisburg.

Does Harrisburg have the veto power, as advanced by one of the previous speakers? Yes; it does. I can foresee this scenario: Twenty-five townships in a county get together and form this district, conveniently excluding the several boroughs or maybe that small third class city in that county that is the municipality with a lot of the problems, another suburban noose. That should not be permitted, and, therefore, there must be some regulation. I trust that the delegation from that county or that area in Harrisburg will be able to talk to the Secretary of Health and try and work out the problems. That is what we call representative government. I think we have it.

This is not a bill designed to solve all the problems of health care delivery. It is merely an opportunity to local government to try and solve some of their local problems.

This bill is not intended to provide for the immediate mushrooming of hospital beds all over the state. There are many areas, such as Philadelphia, where we do not need additional hospital beds. That is not our problem. We have too many hospital beds now.

I serve on the board of probably the largest health maintenance organization in this state. This is not a hospital organization but one that provides health care to the consumer and is consumer controlled, not controlled by doctors or hospitals or anybody else. This is an attempt to solve our problems locally. We are federally funded. The worst problems we have had in getting underway and getting organized have been with the state bureaucracy. I have had to make innumerable phone calls to get paper moving through the Department of Welfare and, in the last several years, through the Department of Health. And I am frankly sick and tired of it and I am sick and tired of the bureaucracy telling us what to do.

Upstate areas need the same kind of clinics that we need, and this legislation is a start in that direction. It is a start. It will not finish the job. We are probably going to have to legislate again in this area, again and again. But we must start someplace, and this is the place to start. I would ask for an affirmative vote, Mr. Speaker.

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

Mr. ZELLER. Mr. Speaker, with all respect to Mr. Rappaport and others who have used adjectives such as we have lost our rugged individualism and denying help to people and other bleeding-heart statements, the part that bothers me is that I do not know of anybody more rugged than we rural people. We have gone the route of not having the so-called "big daddy government" overpowering us. We have been trying to keep away from



that, because we walked into these problems with the Department of Environmental Resources. Now the Department of Environmental Resources runs the state. We ran into a problem with our nursing homes. Look at the problem we have with that.

I visited a nursing home just last Sunday, the most beautiful nursing home. Daily, daily, the Department of Labor and Industry and the Department of Health are down their necks trying to close them up, with no alternative as to what to do with the people. This is a home that has been there for years. It was remodeled; they spent millions of dollars; and still they want to close them up. This is that control from Harrisburg you are talking about.

In Lehigh County and Northampton County, as some of our people here can tell you, we have formed our county health programs. We have gone together with regard to hospitals. We have one of the finest hospital setups there is in the country in Lehigh County, but we have done it with our own money. Sure, there has been action from the Feds in regard to the Hill-Burton money, but I am talking about without the State coming in for another control.

You are able to do it now, as Mr. Miller stated, but there have been these so-called tiptoeing-through-the-tulips sorts of statements that they are not sure, but you cannot do it, but we are not sure about it. They have not told you directly.

So with all these so-called hangers—you know we have these cliff-hangers here—I think it is about time we shoot it down, send it back to the drawing boards, and let us get on with what we call real home rule. I mean the kind of home rule that we are practicing in Lehigh County. We are doing our job.

But let me remind you what they are going to do here, Mr. Speaker. You are going to have these medical districts with a gang of nurses running around the counties or areas. The doctors are all going to have automobiles. They are all going to have all these tremendous expenses and buildings. We are creating another megalopolis of operation for the Department of Health that they are going to have their local state health departments all over this state. And as Mr. Ritter said, you will not move until they call the Department of Environmental Resources, Mr. Goddard. They refer to him with a certain name. You are going to have another one over here in the Department of Health, and you are not going to be able to move at all.

So we are talking about home rule. Let us really not use all these sorts of adjectives and sort of run us down that we have lost our rugged individualism. I do not know how we got this far without being somewhat rugged.

Anyway, I believe that the former printer's number of 599—I have not seen the fiscal note on printer's No. 2038. All I have here is one from 599, and if they have circulated one, I do not know where it is. So maybe we ought to go back to the drawing boards and come up with another printer's number and find out how many millions of dollars it is going to cost us. I have been told it is going to cost you about \$8 million. You had better watch that one, too. They are throwing you another Mickey Finn here.

So let us vote it down and send it back and let these experts come up with something else.

**APPROPRIATIONS COMMITTEE MEETING**

The SPEAKER. The Chair at this point would like to recognize the gentleman from Philadelphia, Mr. Wojdak, for purposes of an announcement.

Mr. WOJDAK. Mr. Speaker, I had an Appropriations Committee meeting scheduled for 12 noon. That meeting is recessed until my call, which will in all likelihood be at the adjournment of today's session. I would really urge all the members of the committee to be in attendance. There is going to be a whole host of bills that we will be considering before the recess.

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

Mr. WRIGHT. Mr. Speaker, I detected in some of the debate on the floor here today some confusion as to whether present law allows local government to operate and maintain clinics. I would like to point out that in the county of Bucks there is a county health department which operates out of county buildings and provides clinics and services to certain segments of the population. So there is an example in Bucks County where present statute apparently allows to happen what is being proposed here today.

Thank you.

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

Mr. SHANE. Mr. Speaker, I am not sure local governments particularly townships and boroughs, could take advantage of the law for setting up county health departments. They deliver specialized services.

My point was that there is nothing in the municipal authority law to do it. You might be able to form a nonprofit corporation, but that is not as public and as accountable as a medical district board. I call for 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—102**

Abraham	George	Milliron	Ross
Arthurs	Giammarco	Morris	Ruggiero
Barber	Gillespie	Mrkonic	Saloom
Bellomini	Gillette	Mullen	Schmitt
Berson	Gleeson	Musto	Shane
Bonetto	Goodman	Myers	Shelhamer
Bradley	Green	Novak	Shelton
Burns	Greenfield	Noye	Shupnik
Caputo	Grieco	O'Donnell	Smith, L.
Cohen	Gring	O'Keefe	Stapleton
Cole	Haskell	Oliver	Stout
Cowell	Hayes, D. S.	Pancoast	Sullivan
Davis, D. M.	Irvis	Parker, H. S.	Taylor
DeMedio	Itkin	Perry	Toll
DiDonato	Johnson, J.	Petrarca	Trello
Dombrowski	Kelly, A. P.	Pievsky	Ustynoski
Doyle	Kernick	Polite	Vann
Dreibelbis	Kolter	Pratt	Walsh, T. P.
Englehart	Kowalshyn	Prendergast	Wansacz
Fee	LaMarca	Rappaport	Wargo
Fischer	Laudadio	Reed	Wilt, R. W.
Fisher	Lederer	Renwick	Wojdak
Flaherty	Letterman	Rhodes	Yahner
Gallagher	Manderino	Richardson	
Garzia	McIntyre	Rieger	Fineman,
Geisler	McLane	Romanelli	Speaker

**NAYS—91**

Anderson, J. H.	Halverson	McCue	Sirianni
Bennett	Hamilton, J. H.	McGinnis	Smith, E.

Beren	Hasay	Mebus	Spencer
Bittle	Hayes, S. E.	Menhorn	Stahl
Brandt	Hepford	Milanovich	Taddonio
Butera	Hill	Miller, M. E.	Tayoun
Cessar	Hopkins	Miller, M. E., Jr.	Turner
Cimini	Hutchinson, A.	Miscevich	Vroon
Crawford	Hutchinson, W.	Moehlmann	Wagner
Cumberland	Katz	Mullen, M. P.	Weidner
Davies	Kelly, J. B.	O'Connell	Westerberg
Deverter	Kistler	Perri	Whelan
Dicarlo	Klingaman	Pitts	Whittlesey
Dietz	Knepper	Pyles	Wilson
Dorr	Kusse	Renninger	Wilt, W. W.
Eckensberger	Laughlin	Ritter	WorriLOW
Fawcett	Lehr	Ryan	Wright
Foster, A.	Levi	Salvatore	Yohn
Foster, W.	Lincoln	Scheaffer	Zearfoss
Fryer	Lynch	Schweder	Zeller
Gallen	Manmiller	Scirica	Zord
Geesey	McCall	Seltzer	Zwki
Gleason	McClatchy	Shuman	

NOT VOTING—10

Berlin	Dininni	O'Brien	Thomas
Blackwell	Hammock	Sweeney	Valicenti
Brunner	McGraw		

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

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

QUESTIONS 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, my vote should have been "yes" instead of "no" on House bill No. 545.

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

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

Mr. BRUNNER. Mr. Speaker, I would like to be recorded in the affirmative on House bill No. 545.

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

STATE GOVERNMENT BILL ON FINAL PASSAGE POSTPONED

Agreeable to order,

The bill having been called up from the postponed calendar by Mr. GEISLER, the House resumed consideration on final passage of House bill No. 614, printer's No. 1960, entitled:

An Act amending the "State Harness Racing Law," approved December 22, 1959 (P. L. 1978, No. 728), extending the terms of the commissioners and authorizing a salary for the chairman and a per diem for the other members.

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—109

Arthurs	Gleason	McIntyre	Ross
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Barber	Goodman	McLane	Saloom
Bellomini	Green	Mebus	Salvatore
Beren	Greenfield	Milanovich	Scheaffer
Eerson	Grieco	Milliron	Schmitt
Bonetto	Halverson	Moehlmann	Schweder
Bradley	Hamilton, J. H.	Mullen, M. P.	Scirica
Brunner	Haskell	Mullen	Shelhamer
Burns	Hayes, D. S.	Musto	Shelton
Caputo	Hopkins	Myers	Shupnik
Cohen	Hutchinson, A.	Novak	Smith, L.
Cole	Hutchinson, W.	O'Connell	Stout
Davis, D. M.	Irvic	O'Donnell	Sullivan
DeMedio	Itkin	O'Keefe	Taddonio
DiDonato	Johnson, J.	Oliver	Tayoun
Dombrowski	Katz	Parker, H. S.	Toil
Dorr	Kelly, A. P.	Perri	Ustynoski
Doyle	Kelly, J. B.	Perry	Vann
Dreibelbis	Kistler	Petrarca	Walsh, T. P.
Englehart	Klingaman	Pievsky	Wansacz
Fee	Laudadio	Pratt	Wargo
Fisher	Laughlin	Prendergast	Wojdak
Gallagher	Lederer	Rappaport	Wright
Garzia	Letterman	Rhodes	Zeller
Geesey	Lincoln	Richardson	
Geisler	Manderino	Rieger	Fineman,
Giammarco	McCall	Ritter	Speaker
Gillespie	McGinnis	Romanelli	

NAYS—81

Abraham	Gallen	Menhorn	Stahl
Anderson, J. H.	George	Miller, M. E.	Stapleton
Bennett	Gillette	Miller, M. E., Jr.	Taylor
Bittle	Gleason	Morris	Trello
Brandt	Gring	Mrkonic	Turner
Cessar	Hasay	Noye	Vroon
Cimini	Hayes, S. E.	Pancoast	Wagner
Cowell	Hepford	Pitts	Weidner
Crawford	Hill	Polite	Westerberg
Cumberland	Kernick	Pyles	Whelan
Davies	Knepper	Reed	Whittlesey
Deverter	Kowalyshyn	Renninger	Wilson
Dicarlo	Kusse	Renwick	Wilt, R. W.
Dietz	LaMarca	Ruggiero	Wilt, W. W.
Eckensberger	Lehr	Seltzer	WorriLOW
Fawcett	Levi	Shane	Yahner
Fischer	Lynch	Shuman	Yohn
Flaherty	Manmiller	Sirianni	Zearfoss
Foster, A.	McClatchy	Smith, E.	Zord
Foster, W.	McCue	Spencer	Zwki
Fryer			

NOT VOTING—13

Berlin	Hammock	Miscevich	Sweeney
Blackwell	Kolter	O'Brien	Thomas
Butera	McGraw	Ryan	Valicenti
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.

WELCOME

The SPEAKER. The Chair is pleased to welcome Mr. and Mrs. John Hankey and their children, John, Jr., and Jenny, who are here as the guests of the gentleman from Adams, Mr. Cole.

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. BENNETT. Mr. Speaker, on House bill No. 614 I would like the record to show that I voted inadvertently. I want my vote to be recorded in the affirmative.

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

### EDUCATION BILL ON FINAL PASSAGE POSTPONED

Agreeable to order,

The bill having been called up from the postponed calendar by Mr. GALLAGHER, the House resumed consideration on final passage of **House bill No. 696, Printer's No. 787**, entitled:

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

The SPEAKER. The Chair understands that the gentleman. Mr. Trello is withdrawing his amendment.

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 Delaware, Mr. Zearfoss.

Mr. ZEARFOSS. Mr. Speaker, I would just like to point out to the House that this is the bill that would charge back tuition to a county for community college students who are attending a community college in a county other than where they are residents. It would charge it back to the county of residence.

This may be all right in some counties where there is no community college—

#### POINT OF INFORMATION

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

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

The SPEAKER. The gentleman will state it.

Mr. GALLAGHER. Mr. Speaker, before we go into debate on this bill, there is another set of amendments that have not arrived as yet. I think that Mr. Pancoast was going to offer them, and they have not been circulated or offered at the present time.

#### HOUSE BILL No. 696 PASSED OVER TEMPORARILY

The SPEAKER. This bill will be passed over temporarily.

#### HOUSE BILL No. 1085 PASSED OVER

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, you have passed over House bill No. 1085 in order, but let me make the announcement for the benefit of Mr. Polite, we have now waited as long as we can for this amendment. If we are not ready to take the amendment tomorrow, we will order the bill recommitted to the Rules Committee until September.

The SPEAKER. House bills Nos. 1198 and 1153 will be temporarily passed over.

### HEALTH AND WELFARE BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **Senate bill No. 120, printer's No. 1054**, entitled:

An Act providing for the health and welfare of newborn children and their parents by regulating certain health insurance coverage for newborn children.

On the question,

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

Amend Sec. 1, page 1, line 6 by striking out "individual and group"

Amend Sec. 1, page 1, line 8 by striking out "individual and group"

Amend Sec. 1, page 1, lines 15 and 16 by striking out "which provide MATERNITY coverage for a family member of the insured or subscriber"

Amend Sec. 1, page 1, lines 16 and 17 by striking out "as to such family members' MATERNITY coverage,"

Amend Sec. 1, page 2, lines 1 and 2 by striking out "for children"

Amend Sec. 1, page 2, line 3 by striking out "FAMILY MEMBER" and inserting: insured or subscriber

On the question,

Will the House agree to the amendments?

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

Mr. REED. This amendment was distributed last week. It is not an all-encompassing amendment. Simply what it does—there are two kinds of coverage or a variety of kinds of coverage that health care providers give to people in this Commonwealth. One of them happens to be maternity coverage. Then other forms of coverage cover all members of a family. Senate bill No. 120, and the amendment that I am offering which would change the wording of Senate bill No. 120, is designed simply to say that while a person may not have maternity coverage to cover the birth of a newborn child, that if that newborn child incurs any difficulties, illnesses, or needs any kind of corrective rehabilitation after the fact of birth, the family's regular medical insurance coverage would cover that newborn infant. If that family does not have maternity coverage, of course, therefore, this amendment would not at all affect that. The maternity coverage, if they do not have it, obviously would not cover the birth itself. But this amendment would take care of any illnesses incurred after that.

The way the language in Senate bill No. 120 presently reads, it would say, in effect, that if the newborn infant had to remain in the hospital to have any corrective action taken, that baby would have to be taken home first and then brought back to the hospital in order for the family's regular family medical insurance coverage to cover the child. This simply corrects that situation and provides to the insured person and family the coverage that they think they already have but do not.

On the question recurring,

Will the House agree to the amendments?

Amendments were agreed to.

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

Mrs. CRAWFORD. Mr. Speaker, I am not so sure I wanted to vote for that amendment. I have questions and I do not understand insurance enough to know why I feel the way I do, but what he is saying is that even though the parents have health coverage, they do not have maternity coverage. Therefore, how is that child covered under the insurance? I think it is a technical question here that we are facing.

#### DECISION RECONSIDERED

The SPEAKER. The Chair reconsiders its decision as to the amendments having been agreed to.

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

The yeas and nays were required by Mr. REED and Mrs. CRAWFORD and were as follows:

YEAS—172

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

NAYS—16

Crawford	Hutchinson, W.	Renninger	Vroon
Deverter	Kusse	Sirianni	Weidner
Dietz	McCue	Smith, E.	Westerberg
Foster, A.	Pitts	Smith, L.	Zearfoss

NOT VOTING—15

Berlin	Dininni	Lynch	Seltzer
Bittle	Hammock	McGraw	Sweeney
Blackwell	Kolter	O'Brien	Thomas
Caputo	LaMarca	Richardson	

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

On the question,

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

Bill as amended was agreed to.

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

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

YEAS—192

Abraham	Giammarco	Mebus	Scirica
Anderson, J. H.	Gillespie	Menhorn	Seltzer
Arthurs	Gillette	Milanovich	Shane
Barber	Gleason	Miller, M. E.	Shelhamer
Bellomini	Gleeson	Miller, M. E., Jr.	Shelton
Bennett	Goodman	Milliron	Shuman

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

NAYS—1

Foster, A.

NOT VOTING—10

Berlin	Hammock	McGraw	Sweeney
Blackwell	Kolter	O'Brien	Thomas
Dininni	LaMarca		

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.

RECONSIDERATION OF VOTE ON  
HOUSE BILL No. 545

Mr. BUTERA moved that the vote by which HOUSE BILL No. 545, printer's No. 2038, was agreed to on final passage on Tuesday, July 22, 1975, be reconsidered.

Mr. ZELLER 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 Lehigh, Mr. Zeller.

Mr. ZELLER. Are we going to be allowed to debate it?

The SPEAKER. The gentleman is in order if he desires to debate.

Mr. ZELLER. The only item I would like to add to what I already said earlier is the fact that I do respect the names of the individuals who have sponsored the bill. I myself was a sponsor until I found out what it did real-

ly to local government, and I had my name withdrawn, and I know that there are a lot of members who probably have mixed emotions about it because sometimes when you sponsor a bill, you hate like the dickens to vote against it. I would respectfully ask some of these people who have had their names placed on there because they were sold, I think, a bill of goods to begin with, that if they want to reconsider, please do so, because you are really not helping local government. Thank you.

On the question recurring,  
Shall the bill pass finally?  
(A roll-call vote was taken.)

### VOTES CHALLENGED

The SPEAKER. The Chair recognizes the gentleman from McKean, Mr. Westerberg.

Mr. WESTERBERG. Mr. Speaker, is Mr. Letterman in the House? Is Mr. Dombrowski in the House? How about Mr. Englehart? How about Mr. Kolter?

Mr. Speaker, I think this is a very important vote. It is a very close vote and I think the gentlemen who are not in this House should not be voting on this bill.

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

Mr. RAPPAPORT. Mr. Speaker, I am not recorded on that board. I am present. I ask to be recorded in the affirmative.

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

The Chair recognizes the minority whip.

Mr. RYAN. Is Mr. Englehart present?

Mr. WESTERBERG. How about Mr. Kolter?

The SPEAKER. Is the gentleman, Mr. Englehart, in the House?

The Chair is going to take a rerun of this vote. Only those members who are in their seats are permitted to be recorded.

Will the minority leader come to the desk?

### HOUSE BILL No. 545 PASSED OVER TEMPORARILY

The SPEAKER. This bill will be temporarily passed over.

### HOUSE SCHEDULE

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, for the information of the House, we shall recess for a period of 1 hour for lunch and we shall start promptly at 1:30.

For the information of the gentleman, Mr. O'Keefe, who must be thoroughly confused by this time with all the jerking around that we have been doing with his particular resolution, we have now decided that we will take the amendments to be offered on the floor by Mr. Ritter, and I hope Mr. Ritter is paying attention. Instead of recommitting the bill to the Rules Committee for amendment, we will take the amendment battle on the floor. That will be a cleaner way of doing it, but it may not be as quick.

I would ask that you return promptly so that we may cover a very detailed work assignment that we have cut out for us this afternoon.

Mr. Speaker, I ask for a recess of 1 hour, until 1:30.

### PARLIAMENTARY INQUIRY

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

Mr. KATZ. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KATZ. Mr. Speaker, yesterday Mr. Tayoun and Mr. Myers and Mr. Salvatore and myself had a meeting with the Governor in the Governor's office at 2:30. He promised us that he would veto House bill No. 496 and it would be sent here before 12 o'clock today. What I would like to know from you, Mr. Speaker, as of yet, have you received the veto with the veto message?

The SPEAKER. The Chair has not received the message as yet.

Mr. KATZ. Then, Mr. Speaker, I would welcome anyone who wants to go to the Governor's office with myself, Messrs. Salvatore, Tayoun, and Myers to join us to ask the Governor where the veto and the veto message are.

Thank you.

### RULES COMMITTEE MEETING

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, there is a Rules Committee meeting in my office immediately. It is very, very important that the members attend that.

### RECESS

The SPEAKER. The Chair now declares the House in recess until 1:30 p.m.

### 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 Mr. and Mrs. Paul Wass and Mrs. Ann Wagner. Mr. Wass is the Indiana County Treasurer and a Republican State Committeeman.

They are here as the guests of the gentleman from Indiana, Mr. Shane.

Also present in the hall of the House today are Mr. and Mrs. Robert Musser from Ephrata, Pennsylvania, and Mrs. Harry H. Gring. Mrs. Musser is the secretary of the Republican Committee of Lancaster County and, of course, Mrs. Gring is the wife of Representative Gring.

They are here as the guests of the gentleman from Lancaster, Mr. Gring.

The Chair would like to welcome some guests who are here today as guests of the Black Caucus: Sgt. Ike Johnston, Sgt. Bill Bates and Sgt. Bill Wright.

They are from the campus police at Temple University.

### ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair has extended permission to WCAU radio to record some debate this afternoon on the floor.

**RESOLUTION No. 71 REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, on page 11, I move that House resolution No. 71, printer's No. 947, be taken from the table so that it may appear on today's calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

**BILLS REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, the Rules Committee has instructed me to make a motion to remove from the table Senate bill No. 720 and House bill No. 797, and I so move.

On the question,

Will the House agree to the motion?

Motion was agreed to.

**BILLS REMOVED FROM TABLE AND REREFERRED**

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, the Rules Committee has instructed me to make a motion to remove the following Senate bills from the table for referral to the Appropriations Committee for fiscal notes, and I so move:

Senate bill No. 195, printer's No. 579; and

Senate bill No. 196, printer's No. 196.

On the question,

Will the House agree to the motion?

Motion was agreed to.

**RULES SUSPENDED TO ADD AND DELETE SPONSORS**

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I move that the House of Representatives suspend its rules to permit additions and deletions of sponsors on the following bills:

Additions:

- House bill No. 77—Mr. Mrkonic;
- House bill No. 115—Mr. Trello;
- House bill No. 172—Mr. Trello;
- House bill No. 174—Mr. O'Donnell;
- House bill No. 485—Mr. Green;
- House bill No. 1022—Mr. Reed;
- House bill No. 1037—Mr. Worrielow;
- House bill No. 1200—Mr. Pratt;
- House bill No. 1204—Mr. Pratt;
- House bill No. 1227—Mr. Pratt;
- House bill No. 1253—Mr. Pratt;
- House bill No. 1254—Mrs. Toll;
- House bill No. 1262—Mr. Mrkonic;
- House bill No. 1289—Mr. Pratt;
- House bill No. 1295—Mr. Pratt;
- House bill No. 1366—Mr. Pratt;
- House bill No. 1401—Mr. Pratt;
- House bill No. 1403—Mr. Pratt;
- House bill No. 1404—Mr. Pratt;

- House bill No. 1405—Mr. Pratt;
- House bill No. 1410—Mr. Pratt;
- House bill No. 1412—Mr. Pratt;
- House bill No. 1422—Mr. Pratt;
- House bill No. 1423—Mr. Pratt;
- House bill No. 1424—Mr. Pratt;
- House bill No. 1439—Mr. Pratt;
- House bill No. 1454—Mr. Wagner;
- House bill No. 1469—Mr. Pratt;
- House bill No. 1479—Mr. Pratt;
- House bill No. 1495—Mr. Pratt;
- House bill No. 1511—Mr. Pratt;
- House bill No. 1515—Mr. Pratt;
- House bill No. 1542—Mr. Pratt;
- House bill No. 1543—Mr. Pratt;
- House bill No. 1557—Mr. Pratt;
- House bill No. 1565—Mr. Pratt;
- House bill No. 1568—Mr. Pratt;
- House bill No. 1571—Mr. Pratt;
- House bill No. 1574—Mr. Pratt;
- House bill No. 1578—Mr. Pratt;
- House bill No. 1583—Mr. Pratt;
- House bill No. 1590—Mr. Pratt;
- House bill No. 1594—Mr. Pratt;
- House bill No. 1598—Mr. Pratt; and
- House bill No. 1603—Mr. Pratt.

Deletions:

- House bill No. 545—Messrs. Zwinkl, Laughlin, Miss Sirianni, and Mr. Zeller;
- House bill No. 546—Mr. Zeller;
- House bill No. 701—Mr. Whelan;
- House bill No. 856—Messrs. Cole and Pratt;
- House bill No. 919—Messrs. Garzia and Hasay; and
- House bill No. 1231—Mr. Milliron.

On the question,

Will the House agree to the motion?

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

YEAS—184

Abraham	Geisler	McIntyre	Scirica
Anderson, J. H.	George	McLane	Seltzer
Arthurs	Giammarco	Mebus	Shane
Barber	Gilleaple	Menhorn	Shelhamer
Bellomint	Gillette	Miller, M. E.	Shelton
Bennett	Gleason	Miller, M. E., Jr.	Shuman
Beren	Goodman	Milanovich	Shupnik
Berson	Green	Milliron	Sirianni
Bittle	Greenfield	Miscevich	Smith, E.
Bonetto	Grieco	Moehlmann	Smith, L.
Bradley	Gring	Morris	Spencer
Brandt	Halverson	Mrkonic	Stahl
Brunner	Hamilton, J. H.	Mullen	Stapleton
Burns	Hasay	Musto	Stout
Butera	Haskell	Novak	Sullivan
Caputo	Hayes, D. S.	Noye	Taddonio
Cessar	Hayes, S. E.	O'Connell	Taylor
Cimini	Hepford	O'Keefe	Tayoun
Cohen	Hill	Oliver	Toll
Cole	Hopkins	Pancoast	Trello
Cowell	Hutchinson, W.	Parker, H. S.	Turner
Crawford	Irvls	Perri	Ustynoski
Cumberland	Itkin	Perry	Valicenti
Davies	Johnson, J.	Petrarca	Vann
Davis, D. M.	Katz	Pievsky	Vroon
DeMedio	Kelly, A. P.	Pitts	Waxner
Deverter	Kelly, J. B.	Polite	Walsh, T. P.
Dicarlo	Kernick	Pratt	Wansacz
DiDonato	Klingaman	Prendergast	Wargo
Dietz	Knepper	Pyles	Weidner
Dombrowski	Kowalshyn	Rappaport	Westerberg
Dorr	Kusse	Reed	Whelan
Doyle	LaMarca	Renninger	Whittlesey
Eckensberger	Laudadio	Renwick	Wilt, R. W.
Englehart	Laughlin	Richardson	Wilt, W. W.
Fawcett	Lederer	Rieger	Wojdak

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

**NAYS—1**

Wilson

**NOT VOTING—18**

Berlin	Hammock	Mullen, M. P.	Rhodes
Blackwell	Hutchinson, A.	Myers	Sweeney
Dininni	Kistler	O'Brien	Thomas
Dreibelbis	Kolter	O'Donnell	Zearfoss
Gleeson	McGraw		

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

**QUESTION OF PERSONAL PRIVILEGE**

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

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

The SPEAKER. The gentleman will state it.

Mr. O'KEEFE. Mr. Speaker, this morning I inadvertently voted in the positive on House bill No. 614, printer's No. 1960. I would like to be recorded in the negative.

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

**COMMITTEE REPORTS**

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

The Chair hears no objection.

**HOUSE RESOLUTIONS REPORTED AS COMMITTED**

**HOUSE RESOLUTION No. 132** By Mr. WARGO

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 operations of such schools.

Reported from Committee on Rules.

**HOUSE RESOLUTION No. 137 (Concurrent)**  
By MR. WARGO

The House of Representatives of the Commonwealth of Pennsylvania encourages its citizens, in commemoration of their common heritage and common efforts with Missourians at opening the west, to spend their vacations in pursuit of their past by travelling throughout the historic countryside to Missouri.

Reported from Committee on Rules.

**HOUSE RESOLUTION No. 138 (Concurrent)**  
By Mr. WARGO

The House of Representatives of the Commonwealth of Pennsylvania takes this opportunity at the outset of the two hundredth anniversary of the founding of this Nation to memorialize all people, the low and the mighty, to

recognize the accomplishments of the State of Missouri and take heed of its motto: "Salus populi suprema lex est."  
—"The welfare of the people shall be the supreme law."

Reported from Committee on Rules.

**HOUSE RESOLUTION No. 139 (Concurrent)**  
By Mr. WARGO

The members of the House of Representatives of the Commonwealth of Pennsylvania say to all young men and women, the makers of America's future, who may have doubts about that future, "You say our Nation is spiritually poor and economically rich and in many ways we must agree with you. But not totally. For every bigoted black or white person there are two who are not; for every very selfish person, there are two who are very generous, and every cynic is matched by an idealist who seeks to trust and build rather than be guided by bitterness and defeat. You ask why we believe that your generation will not fail to create a better world and our answer is, because you are so very aware of how necessary a better, safer world is in a nuclear age, and also because you have an education, the technical assistance of all modern science, and a great tradition that many valiant men and women in the past have left to you to build upon. But mostly because you are free from old fears and hang-ups. You have the guts."

Reported from Committee on Rules.

**HOUSE RESOLUTION No. 141** By MR. WARGO

The Chairman of the Committee on Finance appoint a subcommittee from among the members of the committee to conduct an investigation of the operation of the Pennsylvania State Lottery since its inception and its revenue generating capacity and of the advisability of permitting additional or alternate forms of legalized gambling in the Commonwealth.

Reported from Committee on Rules.

**HOUSE RESOLUTION REREPORTED AS AMENDED**

**HOUSE RESOLUTION No. 93** By Mr. WARGO

The Speaker of the House of Representatives directs the House Judiciary Committee to investigate and study all questions and complaints arising from the operations and policies of the Traffic Court and the Police Department of the City of Philadelphia with regard to the handling of traffic laws or ordinance violations. The committee is then to develop recommendations for appropriate legislation.

Reported from Committee on Rules.

**COMMITTEE MEETING**

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

Mr. MORRIS. Mr. Speaker, I would like to announce a meeting of the special committee appointed under House resolution No. 92 to investigate water planning to be held at the close of this session. Since the committee is not a large one, I think we can accommodate this meeting in our office space, room 149.

I really do urge all the members of this committee to attend the meeting to get going with the program of the committee. I want to get their ideas and input and get started.

This is a meeting of the special committee on water planning, appointed under House resolution No. 92, in room 149, immediately after the session.

Thank you.

**BILLS REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, in addition to the bills which I have read into the record to be lifted from the table, the Rules Committee has instructed me to remove the following bills from the table, and I so move:

Senate bill No. 744, printer's No. 805;  
Senate bill No. 745, printer's No. 806; and  
Senate bill No. 658, printer's No. 702.

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

**REFERRALS**

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

The Chair hears no objection.

**HOUSE BILL INTRODUCED AND REFERRED**

By Messrs. FINEMAN and IRVIS

**HOUSE BILL No. 1660**

An Act amending the act of July 20, 1968 (P. L. 652, No. 220), entitled "An act amending the act of March 31, 1949 (P. L. 372, No. 34), entitled 'An act to promote the welfare of the people of the Commonwealth; \*\*\*' empowering the Authority to construct and acquire projects for certain State-related universities; \*\*\*" adding the acquisition of Temple University Hospital as an additional project and deleting the authorization for construction of one of the projects.

Referred to the Committee on Rules.

**BILL REPORTED TO CALENDAR**

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, the Rules Committee, meeting in session today, has instructed me to report to the calendar, as an emergency piece of legislation, House bill No. 1660. I so report the bill to the calendar.

**COMMITTEE REPORTS**

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

The Chair hears no objection.

**BILL REPORTED AND CONSIDERED FIRST TIME AND RECOMMITTED TO COMMITTEE ON RULES****HOUSE BILL No. 1660**

By Mr. IRVIS

An Act amending the act of July 20, 1968 (P. L. 652, No. 220), entitled "An act amending the act of March 31, 1949 (P. L. 372, No. 34), entitled 'An act to promote the welfare of the people of the Commonwealth; \*\*\*' empowering the Authority to construct and acquire projects for certain State-related universities; \*\*\*" adding the acquisition of Temple University Hospital as an additional project and deleting the authorization for construction of one of the projects.

Reported from Committee on Rules.

**MR. SULLIVAN REQUESTED TO PRESIDE**

The SPEAKER. The Chair would ask the gentleman

from Philadelphia, Mr. Sullivan, to come to the desk to temporarily preside.

**THE SPEAKER PRO TEMPORE  
(Joseph A. Sullivan) IN THE CHAIR****CALENDAR****CONSIDERATION OF HOUSE BILL No. 1198  
RESUMED**

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

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

Mr. GALLAGHER. Mr. Speaker, we will go back to where we started at about 11:15 this morning. I think that is when we started.

I have amendments to House bill No. 1198. I have an amendment "A" and an amendment "B." They are the only two amendments that I am going to offer, and I think every member now has them on his desk.

So if you will refer to amendment "A," I will discuss again what I am going to do with amendment "A."

I am going to delete, on page 2 of the amendment, article V, and page 3, which is the continuation of article V. I will only offer the items on page 1, which starts, "Amend Sec. 103 . . ." and on page 2, article IV, sections 401, 402, and 403. That is all.

What these amendments basically do is delete, on page 29, subsection (g), which permits the farmer to appoint a farm labor contractor or crew leader to be his agent to pay the workers. This is part of what this amendment does. It deletes that section. We prefer that the seasonal farm worker be paid directly by the farmer and not be paid directly through the farm labor contractor or what is commonly called the crew leader.

In addition to that, this amendment deletes the authority of the Department of Environmental Resources for inspections of housing, et cetera, at camps on farmlands. It puts the Department of Labor and Industry back into the project, which is where they were before.

The reasoning for this is that when the Agriculture Committee was going around to the various farms and camps last August, most of the complaints were coming from the farmers about the action of the Department of Environmental Resources. This is basically what page 1 of these amendments will do.

On page 2, the amendment would put back into the bill the access and entry tenancy rights and the rights of the seasonal farm workers who live on farm camps so that they would not have any interference or prohibition for visitors or people to visit with them. This Article IV, on page 2, is the same section that was in the original bill. And that is what these amendments would do.

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

Mr. SHELHAMER. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the amendments. What the gentleman is trying to do with his amendments is to reinstate most of the key provisions that he had in the original House bill No. 1198. It is true that there are a couple of pages that he has deleted, but those are areas that were really not in contention.



Let me explain to you exactly what effect the Gallagher amendment would have on the present status of House bill No. 1198. The first thing that House bill No. 1198 has in it is a written statement required to be presented by the employer to the employe of what terms of employment he is going to be employed under. Now Mr. Gallagher evidently does not think this is important. He does not think it is important that the employer tell the employe, before being employed, what the terms of that written contract shall be.

Furthermore, we require that a written statement be posted at some later time for the seasonal farm worker or migrant workers to look at to make up his mind or to refresh his memory on what he has agreed to.

The second thing that Mr. Gallagher would take out is the farm labor committee that was placed in this bill under House bill No. 1198 that has worked so well.

Let me refresh the minds of the members of this House for a few minutes and go back a couple of years and explain to you what happened just a few short years ago when there was no such committee, which is the way that Mr. Gallagher would like to have it.

At that time the Department of Environmental Resources had drawn some rather stringent rules and regulations as to what employers would have to provide for seasonal farm workers. A couple of those things are as follows: For instance, they said that the employer would have to furnish clean bed linens daily for the migrants. One of the employers, one of the men who ran a seasonal farm labor camp, went to the local inspector and said to him, I provide a laundromat and I provide a dryer for these migrants. I do not have clean linens on my bed every night myself. Will this not suffice? The inspector said, No. And the man said, what shall I do? The inspector's pat answer was, hire a laundry service.

Now we think that a board made up as we have constituted it in House bill No. 1198, which shall be made up of both farmers and people in the migrant labor sector, people who are interested in the welfare of the migrant laborers, that that kind of a board will in fact have a balancing effect on the people who will write the rules and regulations and on how they are going to be administered. And that is the reason we put this kind of a board in.

Since we have been working on this, the Department of Environmental Resources has further reinstated our thinking on this by doing this on a volunteer basis. They have already started to work with such a board, and the gentleman, Mr. Weidner, from the other side, and myself have already been appointed to that board, as well as two members from the Senate, to give that kind of a balance to rules and regulations that are going to be promulgated and to have the advantage of the knowledge of those people who work with migrants as well as the migrants themselves. So it is quite evident that that board is very important, but Mr. Gallagher does not think it is.

Another one of the things that we think is important, and I would have thought anyone else would have thought was important for migrant laborers, is the inspection of these camps. We require, in the section he takes out, an inspection of these camps. But, again, evidently he feels that it is not necessary.

Two years ago, when we had the migrant situation being enforced by many different departments, this House at that time—including Mr. Gallagher, by the

way—saw fit, under House resolution No. 1 of 1972, by a reorganizational plan, to transfer all of those duties to the Department of Environmental Resources. It is true that we have had some problems with them, but since that time these people have been moving more toward understanding the situation and trying to have more meaningful and reasonable regulations.

Mr. Speaker, one other area that the gentleman would change is the access-and-entry provision that we have placed in House bill No. 1198.

Under the present provisions we would spell out that any government official who, in the course of administering his duties, must visit these camps may not be kept out of these camps.

We would also spell out that the migrants who live in these dwellings live there as guests of the farmer and they may invite anyone into those camps they want to. But under the provisions that Mr. Gallagher would place into this by amendment, he would, in fact, give the migrants a tenancy in rights basis essentially.

Now I have here a copy of a memorandum from the Attorney General, who makes some statements on the tenancy in rights and what the effect might be. The first effect would be this: If in fact the tenant is a migrant, he will be responsible, first of all, for the camp. It will probably preclude any prior inspection by officials at the present time. The Attorney General points out that this may not, in fact, be very desirable. I would like to read just one sentence on what he said about this. "A tenant has an almost absolute right to visitors and other rights, but a tenant also has responsibilities." And then he goes on through and outlines some of the things.

Now if you look at section 503-A of the Landlord and Tenant Act, you will find that in fact if you are a tenant, you are then exempt from all the rules and regulations that we think you should not be exempt from normally in migrant labor camps; that you should have inspections, and so forth.

So the question again arises: Do you at that point, if there are a few soda pop cans on the front lawn, come down then, under this provision, and arrest the owner? And the answer, of course, would be "No." You would have no recourse but to go to the migrant himself probably and issue him a citation.

I just doubt, Mr. Speaker, whether this is really what the gentleman would like to have this House accept, and for that reason, I would ask for a negative vote on this amendment.

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

Mr. WHELAN. Mr. Speaker, I rise in support of the comments that Mr. Shelhamer just mentioned, and in opposition to the Gallagher amendment. I have two principal objections to the amendments as introduced.

As previously mentioned by Mr. Shelhamer, the Reorganization Plan of 1972 took the inspection of migrant labor camps away from the Department of Labor and Industry and gave it to the Department of Environmental Resources. The Department of Environmental Resources has the expertise in this field and has been working on this matter for the past 3 years.

My second objection to this amendment is the elimination of the seasonal farm labor committee. To remind you of how that committee was structured, it included the Secretary of Environmental Resources, the Secretary

of Agriculture, six persons appointed by the Governor, three of whom were grower organizations' recommendations, and three from agencies supporting—by being actively involved in—the welfare of migrant workers.

The principal part of this phase of the bill requires that before rules and regulations can be made which affect the migrant worker, the farm labor committee must be notified regarding those changes. Under the present rules, you only have 30 days in which to make comment concerning those rules and regulation changes as published in the Pennsylvania Bulletin. The complaints of school directors, local officials, and industry has been that quite often, as has happened in the past with other regulations, they have not had a chance to properly respond in that 30-day period because they have not been aware of the fiscal impact and sometimes it takes quite a bit of research to determine what the cost of those provisions will be.

The requirement that the farm labor committee be notified of any changes in the law to any rule or regulation so that they have a chance to respond to determine whether the costs and the equities are fair and whether it will cost the taxpayer or the consumer more money, I think, is an excellent provision and should be retained. I think it is critical that we have input from this farm labor committee which would be excluded in the Gallagher amendment.

Further, despite the fact that some have complained that this bill is watered down and in effect does not help the migrant laborer, I would like to point out seven areas that I think it does a tremendous amount of work for that are not presently covered by law: One, it puts in minimum wages under the Minimum Wage Act; two, it states conditions of employment; three, it requires records that have not heretofore been kept; four, it has wage payment requirements stating to the farmer and to the employe exactly what the conditions of his wage payments are; five, it is a disclosure of the employment terms; six, it limits the migrant's work week to 48 hours which has not been done in the past; and, seven, it specifically points out meal period requirements which have heretofore not been in existence.

These are forward steps, despite what anyone says to the contrary. And although this bill may not be perfect—few pieces of legislation that we pass in this body are perfect—however, over a period of time, we intend to weed out the deficiencies and unimportant parts of the bill.

I think this bill does make specific steps forward for both the migrant laborer and at the same time it does not hurt the farmer. I urge the defeat of the Gallagher amendment for those reasons. Thank you very much.

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

Mr. ECKENSBERGER. Mr. Speaker, I wonder if the sponsor of the amendment would subject himself to some interrogation.

The SPEAKER pro tempore. Will the gentleman from Bucks, Mr. Gallagher, consent to interrogation?

Mr. GALLAGHER. I will, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. ECKENSBERGER. Mr. Speaker, I have in my hand an amendment signed by Mr. Gallagher, with the capital letter "A" in the upper right-hand corner. Is that the amendment you are offering?

Mr. GALLAGHER. That is correct. That is the amendment I am offering.

Mr. ECKENSBERGER. I believe you mentioned earlier that you were not offering a portion of page 2 and also page 3. Is that correct?

Mr. GALLAGHER. That is correct; that is, Article V, on page 2, which continues on over to page 3.

Mr. ECKENSBERGER. So, therefore, you are offering all of page 1 and that part of page 2 marked "Article IV." Is that correct?

Mr. GALLAGHER. That is correct.

Mr. ECKENSBERGER. Mr. Speaker, is it your intention, then, to delete from the bill on page 33, lines 12 through 30, including pages 34 and 35?

Mr. GALLAGHER. No, it is not my intention to delete them; it is my intention to delete on the amendment.

Mr. ECKENSBERGER. Mr. Speaker, are you aware of the fact that page 1 of the amendment which you are offering does, in fact, delete those provisions?

Mr. GALLAGHER. Yes, Mr. Speaker, I am aware of what it says on page 1. But in trying to be concise and forthright, I said I was deleting from this amendment those items on the bottom of page 1. But to make it very clear to the members, without them having to read those pages as you have, I just pointed out to them what I was doing. This section of the amendment on the bottom of page 1 very clearly points out what I am deleting and what I am offering.

Mr. ECKENSBERGER. I misunderstood the gentleman, then, Mr. Speaker. I thought he was offering all of page 1 of his amendment. Apparently he is not offering that part of the amendment which would delete Article V.

Mr. GALLAGHER. That is correct.

Mr. ECKENSBERGER. I think that should be stated for the record, Mr. Speaker, so we know what amendment is being offered. I thank you.

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

Mr. GALLAGHER. Mr. Speaker, again, I am supporting the amendment I offered and I would like to point out that subsection (g), on page 29, whereby the farmer can appoint as his agent a seasonal farm labor contractor, was removed for two reasons: One, subsection (e) says, "no employer of seasonal farm labor shall designate as his agent, or shall permit to act or perform as his agent. . . ."; but in subsection (g), then, we give the exclusion, saying that he may do what subsection (g) speaks of; and the second reason is that the seasonal farm laborers would rather be paid directly.

As far as doing away with the section of this bill that refers to the Department of Environmental Resources, it was very clear to me when I was out to the camps with the Agriculture Committee that the farmers were very much upset about these violations and citations they had received, even though the department was attempting to put together an advisory board to advise the department.

The farmers had had great success prior to that and prior to the Reorganization Plan under House resolution No. 1. By having the Secretary of Labor and Industry set the rules and regulations and inspect the farm labor camps, they would be back where they were and they would feel a lot better.

The Department of Environmental Resources just last week appointed an advisory board to the whole depart-

ment, not just on the problems of migrant workers, seasonal farm workers, but to the whole of agriculture. And they did appoint members of the House and members of the Senate to that board, but it has nothing to do with the committee that this bill speaks to.

I think what we are trying to do is to come to a compromise situation where the farmers will feel a lot better without the Department of Environmental Resources breathing down their backs, as they told us at the camps last August, and with the seasonal farm workers being able to get paid directly.

As far as access and entry, the bill, as it is drafted now with Mr. Shelhamer's amendments of yesterday, does give them the right to have people come and visit them only if, only if, the seasonal farm workers request it and the owner is properly notified. Now the difficulty is, how can they request it if they are in the camp? They have to be able to notify the guests that they can come on board and then they have to notify the owner. And if they do not do either one of those two things, they will not have anybody visiting them, and that includes the social workers Mr. Shelhamer spoke of last week, whom he thinks want to come out and stir up the pot. We feel that the farm workers should have some proper access and entry to invite their personal guests to come on board.

For these reasons, I offer this amendment to come to some kind of a compromise that would satisfy both sides. Therefore, I suggest the adoption of this amendment.

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

Mr. SHELHAMER. Mr. Speaker, very briefly, I have great admiration for the gentleman, Mr. Gallagher, in the educational area. It is true that he was with the Agriculture Committee last year when we investigated the migrant labor situation, but I now ask this House to trust my judgment a little bit better in interpreting what the farmer wants rather than the interpretation he has evidently made. I ask for a negative vote.

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

Mr. GLEASON. Mr. Speaker, I can support a good bit of the Gallagher amendment, but the one aspect of it that bothers me and I think bothers a few others is that provision which would allow private persons complete and free access to the farm labor camps.

Coming from the coal mining areas of Pennsylvania, I have seen how the mine safety laws of both the Federal and state government have been very effectively enforced by both state and Federal mine inspectors. It seems to me that it would not be helpful in the coal industry for private persons, who have really little appreciation or understanding of the coal industry, to come into the coal mines, and it makes equally little sense to me that private persons, who are not even adequately defined and who may have more axes to grind than the welfare of the workers, should be allowed complete and free access. For that reason, I am going to vote "no."

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

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

YEAS—63

Abraham	Irvis	O'Donnell	Shelton
Barber	Itkin	O'Keefe	Shupnik
Berson	Johnson, J.	Oliver	Stapleton
Burns	Kelly, A. P.	Perry	Taddonio
Caputo	Kelly, J. B.	Pievsky	Toil
Cohen	Laughlin	Prendergast	Trello
Cowell	Lederer	Rappaport	Valicenti
Doyle	McIntyre	Reed	Vann
Flaherty	McLane	Richardson	Wargo
Gallagher	Menhorn	Rieger	Wilson
Garzia	Milanovich	Ritter	Wojdak
Geisler	Milliron	Romanelli	Worrlow
Giammarco	Miscevich	Ross	Zearfoss
Gillespie	Morris	Schmitt	
Gillette	Myers	Schweder	Fineman
Gleeson	Novak	Shane	Speaker
Greenfield			

NAYS—126

Anderson, J. H.	Foster, A.	Levi	Scheaffer
Arthurs	Foster, W.	Lincoln	Scirca
Bellomini	Fryer	Lynch	Seltzer
Bennett	Gallen	Manderfno	Shelhamer
Beren	Geesey	Manniller	Shuman
Bittle	George	McCall	Sirianni
Bonetto	Gleason	McClatchy	Smith, E.
Bradley	Goodman	McCue	Smith, L.
Brandt	Green	McGinnis	Spencer
Brunner	Grieco	Mebus	Stahl
Cutera	Gving	Miller, M. E.	Stout
Cessar	Halverson	Miller, M. E., Jr.	Sullivan
Cimini	Hamilton, J. H.	Moehlmann	Taylor
Cole	Hasny	Mrkonc	Turner
Crawford	Haskell	Mullen, M. P.	Ustynoski
Cumberland	Hayes, D. S.	Noye	Vroon
Davis	Hayes, S. E.	O'Connell	Wagner
Davis, D. M.	Hepford	Pancoast	Walsh, T. P.
DeMedio	Hill	Parker, H. S.	Wansacz
Deverter	Hopkins	Perri	Weidner
Dicarlo	Hutchinson, A.	Petrarca	Westenberg
DiDonato	Hutchinson, W.	Pitts	Whelan
Dietz	Katz	Polite	Whittlesey
Dombrowski	Kernick	Pratt	Wilt, R. W.
Dorr	Klingaman	Pyles	Wilt, W. W.
Dreibelbis	Knepper	Renninger	Wright
Eckensberger	Kowalshyn	Renwick	Yahner
Engelhart	Kusse	Ruggiero	Yohn
Fawcett	LaMarca	Ryan	Zeller
Fee	Laudadio	Saloom	Zord
Fischer	Lehr	Salvatore	Zwilk
Fisher	Letterman		

NOT VOTING—14

Berlin	Kistler	Musto	Sweeney
Blackwell	Koiter	O'Brien	Tayoun
Dininni	McGraw	Rhodes	Thomas
Hammock	Mullen		

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

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER pro tempore. 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 pro tempore. The gentleman will state it.

Mr. TAYOUN. Mr. Speaker, will you please have me recorded in the negative on the Gallagher amendment to House bill No. 1198?

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

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

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

Amend Sec. 206, page 29, lines 23 to 30; page 30, lines 1 to 3 by striking out all of said lines

On the question,

Will the House agree to the amendment?

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

Mr. GALLAGHER. Mr. Speaker, I now, at this time, offer amendment "B." Mr. Speaker, amendment "B" deals with part of amendment "A." It deals with it separately, and only with the fact that we believe the seasonal farm worker should be paid directly, not through a crew leader, not through a labor contractor. I tried to explain that last week. A farmer could make an arrangement with a farm labor contractor or a crew leader and could say to him, we will pay you 26 cents a bushel and then, after that farmer makes the arrangements, the labor contractor or the crew leader pays the worker, and the worker, in many cases, gets maybe 18 or 14 cents a bushel. So the difference is an enormous amount and it is not what the worker thinks he is really getting.

What we would rather do is see that the worker gets paid directly for that bushel, whether they are paying a piece rate or an hourly rate, rather than paying it to a farm labor contractor or crew leader. That crew leader, even though, according to Mr. Shelhamer's subsection (G) he has to post what he is going to be paid, et cetera, can still rip off the amount of money from that worker for bringing into the camp the other extra items that the farm worker wants. If he wants any cigarettes, if he wants any whiskey or wine or beer or clothes or food, that is where the rip-off occurs. When that worker is done at the end of the season he still has the deductions back to the crew leader or the labor contractor for transportation back and forth from where he came.

I think that it is better that we pay that guy directly. That is all that this amendment is directed to—give them the right to be paid directly. There are farmers here in Pennsylvania who do that. There are some who would rather just give all the money to the farm labor contractor or crew leader and let him take care of getting the crops in. He does not want to see or know what is going on. He thinks that it is all done. But I think that it is better for the farmer in Pennsylvania to pay the seasonal farm laborer directly for the work he has done, whether it be on a piecemeal basis or whether it be by an hourly rate.

The SPEAKER pro tempore. The Chair recognizes the gentleman from York, Mr. Anderson.

Mr. ANDERSON. May I interrogate the gentleman, Mr. Gallagher, please?

The SPEAKER pro tempore. Will the gentleman, Mr. Anderson, consent to interrogation?

Mr. GALLAGHER. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. ANDERSON. Mr. Speaker, I do not have a migrant labor camp and, under the rules and regulations that are required, I have no intention of establishing one. I have had occasion to hire migrant laborers from another camp for the pruning of trees. I contract with the crew leader to do the pruning in an orchard for so much per tree. I pay him; he, in turn, pays the laborers. They do not work one man to a tree. They go through

the orchard and do the pruning. How would you suggest that this be handled with the amendment that you are trying to put in?

Mr. GALLAGHER. Well, Mr. Speaker, I do not think that you would find it difficult to pay that worker directly for the work that you know he is doing.

Mr. ANDERSON. May I say that they do not prune one tree to one man. The whole crew goes through the orchard. You cannot possibly do it that way. What is your suggestion?

Mr. GALLAGHER. Well, Mr. Speaker, maybe I had better rephrase my answer to you. Would you find it difficult to pay those people that crew, as you call them, several of the workers working together in your orchard, the minimum wage directly, rather than paying a crew leader or a farm labor contractor a certain amount of money to have something done and you not knowing whether or not you are paying the minimum wage, whether or not they are taking out the social security tax or whether or not they are taking out the Pennsylvania income tax? Do you know that this is the problem that is caused by that? You are responsible for that as a farmer. You are an employer when you are engaging the contractor you speak of.

We would like to see in Pennsylvania that the worker gets his rights and that social security benefits are established for the people who are doing the work on your farm. I do not see that that would be so difficult for you to do.

Mr. ANDERSON. I can easily see that you do not understand the problem at all.

Mr. GALLAGHER. I understand the problem very clearly. Seriously, I understand the problem. My problem is trying to understand why you farmers cannot understand that unless you establish these kinds of rights for the workers, and it is not just the rights. You do this for other people you employ. You pay them and make sure that their social security benefits are assembled and accumulated by you as the employer paying your share and the employe paying his share. That is the common law in Pennsylvania and in the United States of America. That is what you are supposed to be doing. When they work in Pennsylvania, they are supposed to be paying a Pennsylvania income tax, and you, as an employer, are supposed to be collecting that. Now can you show me that that contractor you dealt with is living up to these obligations that he is supposed to be? We cannot find that out unless we have him registered.

Now the people you deal with, are they contractors coming from Pennsylvania or do you find them across the Commonwealth boundary line and bring them over from another state? Is that what you are doing?

Mr. ANDERSON. These people are from Georgia.

Mr. GALLAGHER. What is that?

Mr. ANDERSON. They are from Georgia. They live in a camp in the area.

Mr. GALLAGHER. What camp do they live in?

Mr. ANDERSON. They come to work when it suits them. They leave when it suits them. You would have to have one man to each employe to keep account of his time.

I can see you are not aware of the problem. You do not realize the problem you are trying to create here, and there is no solution to it with the amendment that you have. I would recommend to the members of the House—

and I think I have had a little experience on this line—that you defeat this amendment.

Thank you, Mr. Speaker.

Mr. GALLAGHER. Mr. Speaker, may I interrogate Mr. Anderson, please?

The SPEAKER pro tempore. Will the gentleman from York, Mr. Anderson, consent to interrogation?

Mr. ANDERSON. Surely. I would like to have an answer.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. GALLAGHER. Mr. Speaker, what kind of a farm do you have? Do you have an orchard?

Mr. ANDERSON. That is right.

Mr. GALLAGHER. I have found in Adams County, at the Peters orchard, that Mr. Peters runs one of the finest orchards I have seen in this Commonwealth. It is very clean and run aboveboard. He deals directly with the workers. He finds nothing difficult with paying the minimum wage when it is not required by law. He finds nothing difficult with keeping a log book of what they are paid daily, by the hour, and what social security tax is deducted from their salary and from his. He sees nothing wrong with that. So I do know by being at the Peters orchard last August that they do that and he finds nothing wrong with it. He thinks it is fine. His only problem there was the Department of Environmental Resources coming around and bothering him when he ran a fine, upstanding camp.

Mr. ANDERSON. Mr. Speaker, what is the question?

Mr. GALLAGHER. Well, the question is, you have said to me that you do not think I know anything about orchard farming.

Mr. ANDERSON. That is right.

Mr. GALLAGHER. I am showing you that I have been to the Peters orchard and that is one of the best orchards that I have seen and that the Agriculture Committee saw.

Mr. ANDERSON. Mr. Peters has his own migrant camp, does he not?

Mr. GALLAGHER. He has his own migrant camp there. He does not use a crew leader. He does not use a labor contractor.

Mr. ANDERSON. I do not have a migrant camp.

Mr. GALLAGHER. No; you do not. You do not need one. You can hire whoever you want. But you decided to go into paying a labor contractor, disregarding how the worker gets paid by the hour, whether it is the minimum wage or whether he has social security benefits or anything. Is that correct?

Mr. ANDERSON. I presume that these men are not too badly treated. The same ones come back with him year after year.

Mr. GALLAGHER. You do not know whether they are fairly treated or not.

Mr. ANDERSON. I know they would not come back if they were not fairly treated.

Mr. GALLAGHER. Do you know what kind of a per hour rate they get?

Mr. ANDERSON. No. I have known this man for a great number of years. The only trouble that this gentleman has ever gotten into was when the problem arose—and this would arise if you would let anyone come into a camp—with these people who have a habit of going from one camp to the other and pirating labor. If they had free access to the camp, that is what would happen.

Several years ago at a neighboring camp, this one crew

leader came in and tried to take some of the laborers away from the other crew leader. Unfortunately there was nothing to keep him out of the camp at that time. He was warned not to come back, but he did. When he came back the second time, they called the ambulance and they took him away. This man did have to spend some time in a Pennsylvania prison for murder. But I think that is one of the things that can arise when you have free access to a camp.

But this gentleman has been coming into our area for a great many years. He brings the same people back with him year after year. If they were illy treated, as you try to claim they are, I am sure they would not be coming back with him year after year. I ask for the defeat of this amendment.

Thank you very much.

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

Miss SIRIANNI. May I interrogate Mr. Gallagher?

The SPEAKER pro tempore. Will the gentleman from Bucks, Mr. Gallagher, consent to interrogation?

Mr. GALLAGHER. Yes, I will, Mr. Speaker.

The SPEAKER pro tempore. The lady may proceed.

Miss SIRIANNI. Mr. Speaker, what kind of a farm do you have?

Mr. GALLAGHER. Me, personally?

Miss SIRIANNI. Yes.

Mr. GALLAGHER. I have no farm, personally.

Miss SIRIANNI. Thank you, Mr. Speaker.

Mr. Speaker.

The SPEAKER pro tempore. The lady may proceed.

Miss SIRIANNI. Mr. Speaker, I rise to oppose Mr. Gallagher's amendment and ask you to support Mr. Anderson's view since Mr. Anderson has had the experience with a farm.

I think all of you who are near a county where they have migrant workers know that from time to time it is difficult to get the migrant workers to work. It is the crew leader's job to do that, and if you took away from him the power of paying them, you would make his job more difficult and you would be getting less work done.

Thank you, Mr. Speaker.

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

Mr. GALLAGHER. Mr. Speaker, will the lady allow me to ask her one or two questions?

The SPEAKER pro tempore. Will the lady, Miss Sirianni, consent to interrogation?

Miss SIRIANNI. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. GALLAGHER. You tried to indicate that I do not own a farm. That is true, and I have no personal conflict of interest in any farm, so that that is very clear.

There are farms in Bucks County. There are farm labor camps in lower Bucks County, not necessarily right in my district now. The district I first had back in 1959 had plenty of them right there. So I am aware of them. I do have and have had access to them to see what was going on right at hand. It is not something new to me.

Miss SIRIANNI. Would you feel that you had the expertise that Mr. Anderson has?

Mr. GALLAGHER. I do not have the expertise to raise the orchards that he has, but I do have the knowledge and expertise to try to protect the rights of workers, whether

they be migrant workers, seasonal farm workers, whether they be janitors, or whether they be housekeepers. I do have the expertise and the knowledge and the willingness to fight for those kinds of people.

Miss SIRIANNI. Would you have the expertise to know how they should work? How it should be done as a farmer?

I live in an agricultural area, too, and I certainly would not have the expertise of a man who owned a farm and ran a farm and had migrant workers there.

All I did last summer was go to these migrant farms and observe what was taking place. Thirty days before they were open, I went in to see whether they were clean enough and met the Department of Environmental Resources' standards up in Wyoming County and found that they did. I did this just for my own benefit—I was not a member of the House—because there had been so much discussion on it, but I did not feel that I had the expertise that the farmer had to know how it should be handled.

Mr. GALLAGHER. I appreciate the lady telling me of her experience. I had done that many years ago. I could go back almost 28 years ago when I was at the first migrant workers' camp, mainly with Puerto Ricans, at King's Farms in Bucks County in Falls Township, when Congressman King brought the first Puerto Ricans into Pennsylvania. That was a long time ago, Mr. Speaker, but I will never forget that first camp.

Thank you.

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

Mr. SHELHAMER. Thank you, Mr. Speaker.

Mr. Speaker, if I might get back to the amendment very briefly, the gentleman has told you what his amendment does, but he has not told you, in all fairness, what the bill already contains. He would have you believe that unless you accept his amendment, there would be no way we would know what they are making, there would be no way the migrant worker would know what he was earning. But he has completely overlooked, conveniently, one section of this bill, which he would like to take out with this amendment he has offered, which requires the employer to give to the employe and to the Federal Government and to the state government and to the local government a copy of their wages, which would tell them what they make. They would be adequately advised of what their income was. And so I would suggest that the amendment is without merit. It is part of the original amendment that was rejected, and I would ask for a "no" vote.

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

Mr. ZELLER. Mr. Speaker, Mr. Gallagher talked about his expertise in regard to the problems of migrant workers and says that he wants to help migrant workers. Well, I have been involved in the migrant worker problem myself, and I am not a farmer. I have been involved in it for quite a few years and I would like to help them. But his move is not going to help them, because if you follow the argument between Mr. Gallagher and Mr. Anderson you would note that Mr. Gallagher himself puts the finger right on why we should vote against this. I will tell you why or remind you of it. At the Peters farm that we visited last year, certainly, he does not have the same system that Mr. Anderson is talking about. He has his own man on that farm and they hire people from all

over the country. They have people there from Texas; they have them there from all over the country, all types of people who would come in on their own. There may be a phone call or two by some fellow who wants to get back, but they know where to go and they come there. That is a different situation. Mr. Peters is paying them exactly the way Mr. Gallagher is talking about. This is what we call people operating in a democratic society on their own as they desire.

What Mr. Gallagher is trying to do is mandate what we call a contract. For example, if you have a farm and you contract with me to get a job done—I am your contractor—and you pay me \$4,000 to get that fieldful of tomatoes into the market, it is none of your business what happens if I contract, because that is my job now; it is my job to go out and get the help. I am paying my people; I am taking care of them to get the job done. So what business is it of Mr. Gallagher or anybody else how I, as a contractor, am taking care of the people who are willing to work for me? It is not a democratic society anymore; now he is trying to tell you what you are going to have to do. He is defeating exactly what he is trying to accomplish in a democratic society as to having a contract to get a job done. It is my job, as a contractor, to go out and get these people. I have got the headaches; I have got to take care of them; I have got to loan them money; I have got to give them booze; I have got to give them clothes; I have got to give them everything. Then I am denied, because Mr. Gallagher is going to tell me that since Mr. Gallagher hired me to get his patch of tomatoes in, Mr. Gallagher is going to tell me that Mr. Gallagher is going to pay them directly. I am paying them. What has Mr. Gallagher got to do with it? I am the guy who has the contract. It just does not make sense. Let us defeat it.

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

Mr. WHELAN. Mr. Speaker, I will keep this very brief. I share Mr. Gallagher's concern about the employe being paid the minimum wage, but I think that we should point out that really this amendment is not necessary in that the bill presently has minimum wage requirements. And if these minimum wage requirements are not complied with, they are subject to fine and imprisonment.

I would like to quote briefly from the Evening News of Thursday, July 17, 1975. This is a U.S. Agriculture Department report. It says: "Migrant workers last year worked an average of 78 days"—which is approximately 2½ months—"and earned an average of \$21.60 a day against 102 days worked in 1973 and an average of \$16.55 per day."

Even at a 10-hour day our migrant workers were averaging \$2.16 an hour last year, according to the U.S. Agriculture Department, whereas, the same article points out, all farm workers only average \$17.15 a day, which would have been considerably less than the migrant workers earned.

I think the point is that if the minimum wage law were not affected in this bill, then we would have grave concern that the migrants were not being paid. But based on these statistics, I think they are being paid and well above the minimum wage. So I do not think the amendment is necessary. Thank you.

On the question recurring,

Will the House agree to the amendment?

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

YEAS—62

Abraham	Gillette	Myers	Shelton
Bellomini	Gleason	Novak	Stapleton
Berson	Greenfield	O'Donnell	Sullivan
Burns	Irvis	O'Keefe	Taddonio
Caputo	Itkin	Oliver	Tayoun
Cohen	Kelly, A. P.	Parker, H. S.	Toll
Cowell	Lederer	Pratt	Trello
DiDonato	Manderino	Rappaport	Valicenti
Dombrowski	McIntyre	Reed	Vann
Doyle	McLane	Rhodes	Wilson
Fischer	Menhorn	Rieger	Wojdak
Gallagher	Milliron	Ritter	Worrilow
Garzia	Miscevich	Romanelli	Zearfoss
Geisler	Morris	Schmitt	
Giammarco	Mullen, M. P.	Schweder	Fineman.
Gillespie	Mullen	Shane	Speaker

NAYS—127

Anderson, J. H.	Fryer	Letterman	Scirica
Arthurs	Gallen	Levi	Seltzer
Barber	Geesey	Lincoln	Shelhamer
Bennett	George	Lynch	Shuman
Beren	Goodman	Manmiller	Shupnik
Bittle	Green	McCall	Sirianni
Bonetto	Grieco	McClatchy	Smith, E.
Bradley	Gring	McCue	Smith, L.
Brandt	Halverson	McGinnis	Spencer
Brunner	Hamilton, J. H.	Mebus	Stahl
Butera	Hasay	Milanovich	Stout
Cessar	Haskell	Miller, M. E., Jr.	Taylor
Cimini	Hayes, D. S.	Miller, M. E.	Turner
Cole	Hayes, S. E.	Moehmann	Ustynoski
Crawford	Hepford	Mrkonic	Vroon
Cumberland	Hill	Musto	Wagner
Davies	Hopkins	Noye	Walsh, T. P.
Davis, D. M.	Hutchinson, A.	O'Connell	Wansacz
DeMedio	Hutchinson, W.	Pancoast	Wargo
Deverter	Johnson, J.	Perri	Weidner
Dicarlo	Katz	Petrarca	Westerberg
Dietz	Kelly, J. B.	Pitts	Whelan
Dorr	Kernick	Polite	Whittlesey
Dreibelbis	Kistler	Pyles	Wilt, R. W.
Eckensberger	Klingaman	Renntinger	Wilt, W. W.
Englehart	Knepper	Renwick	Wright
Fawcett	Kowalyszyn	Richardson	Yahner
Fee	Kusse	Ross	Yohn
Fisher	LaMarca	Ryan	Zeller
Flaherty	Laudadio	Saloom	Zord
Foster, A.	Laughlin	Salvatore	Zwinkl
Foster, W.	Lehr	Scheaffer	

NOT VOTING—14

Berlin	Hammock	Perry	Ruggiero
Blackwell	Kolter	Pievsky	Sweeney
Dininni	McGraw	Prendergast	Thomas
Gleason	O'Brien		

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. PRATT. Mr. Speaker, I inadvertently voted "yes" on that last amendment. I would like to be recorded in the negative on the second Gallagher amendment to House bill No. 1198, please.

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

On the question recurring,  
Will the House agree to the bill on third consideration?  
Mr. SHELHAMER requested and obtained unanimous

consent to offer the following amendments, which were read:

Amend Bill, page 34, by inserting between lines 1 and 2: Section 504. Seasonal Farm Workers Rights.—(a) Seasonal farm workers shall have the right to self-organization, to form, join or assist labor organizations to bargain collectively through representatives of their own choosing, and to engage in concerted activities for the purpose of collective bargaining or other mutual aid or protection.

(b) The Pennsylvania Labor Relations Board shall have the authority to supervise the conduct of any election of representatives.

(c) All elections of representatives shall be held in accordance with the provisions of section 7, act of June 1, 1937 (P. L. 1168, No. 294), known as the "Pennsylvania Labor Relations Act."

Amend Sec. 504, page 34, line 2, by striking out "504" and inserting: 505

Amend Sec. 505, page 34, line 13, by striking out "505" and inserting: 506

Amend Sec. 506, page 34, line 26, by striking out "506" and inserting: 507

Amend Sec. 507, page 35, line 6, by striking out "507" and inserting: 508

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

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

Mr. SHELHAMER. Thank you, Mr. Speaker.

Mr. Speaker, the amendment I offer is one that would guarantee the seasonal farm workers the right to organize.

I want nothing misunderstood here in this House so that the members might realize that it is our intention in the agricultural community that these workers shall have the right to organize and their elections shall be held under the Pennsylvania Labor Relations Act. I ask for the approval of these amendments.

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

Mr. GALLAGHER. Mr. Speaker, I would ask the members to join Mr. Shelhamer. At least this is a movement in the right direction of giving them collective bargaining rights. I would urge every member to support Mr. Shelhamer's amendments.

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—164

Abraham	Giammarco	Menhorn	Scirica
Arthurs	Gillespie	Milanovich	Shane
Barber	Gillette	Miller, M. E.	Shelhamer
Bellomini	Gleason	Miller, M. E., Jr.	Shelton
Bennett	Goodman	Milliron	Shuman
Beren	Green	Miscevich	Shupnik
Berson	Greenfield	Morris	Smith, L.
Bonetto	Grieco	Mrkonic	Spencer
Bradley	Haskell	Mullen	Stahl
Brandt	Hayes, D. S.	Mullen, M. P.	Stapleton
Brunner	Hepford	Musto	Stout
Burns	Hopkins	Myers	Sullivan
Butera	Hutchinson, A.	Novak	Taddonio
Caputo	Hutchinson, W.	O'Connell	Taylor
Cessar	Irvis	O'Donnell	Tayoun
Cimini	Itkin	O'Keefe	Toll
Cohen	Johnson, J.	Oliver	Trello
Cole	Katz	Pancoast	Turner
Cowell	Kelly, A. P.	Parker, H. S.	Ustynoski
Davis, D. M.	Kelly, J. B.	Perri	Valicenti
Davies	Kernick	Petrarca	Wagner
DeMedio	Kistler	Polite	Walsh, T. P.
Dicarlo	Klingaman	Pratt	Wansacz
DiDonato	Knepper	Prendergast	Wargo
Dietz	Kowalyszyn	Rappaport	Weidner

Dombrowski	LaMarca	Reed	Wilt, R. W.
Doyle	Laudadio	Renninger	Wilt, W. W.
Dreibelbis	Laughlin	Renwick	Whelan
Eckensberger	Lederer	Rhodes	Whittlesey
Englehart	Letterman	Richardson	Wilson
Fawcett	Levi	Rieger	Wojdak
Fee	Lincoln	Ritter	Worrlow
Fischer	Lynch	Romanelli	Wright
Fisher	Manderino	Ross	Yahner
Flaherty	Manmiller	Ruggiero	Yohn
Foster, W.	McCall	Ryan	Zearfoss
Fryer	McCue	Saloom	Zeller
Gallagher	McGinnis	Salvatore	Zord
Gallen	McIntyre	Scheaffer	Zwinkl
Garzia	McLane	Schmitt	
Geisler	Mebus	Schweder	
George			Fineman, Speaker

NAYS—27

Anderson, J. H.	Ccesey	Kusse	Seltzer
Bittle	Gring	Lehr	Sirjanni
Crawford	Halverson	McClatchy	Smith, E.
Cumberland	Hamilton, J. H.	Moehlmann	Vroon
Deverter	Hasay	Noye	Vann
Dorr	Hayes, S. E.	Pitts	Westerberg
Foster, A.	Hill	Pyles	

NOT VOTING—12

Berlin	Gleeson	McGraw	Pievsky
Blackwell	Hammock	O'Brien	Sweeney
Dininni	Kolter	Perry	Thomas

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

On the question,

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

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

Amend Sec. 201, page 25, line 4 by inserting after "EMPLOYEE":

The minimum wage requirements of this act shall not apply to seasonal farm workers under the age of 17.

Amend Sec. 202, page 25, line 18 by inserting after "EACH": adult

Amend Sec. 202, page 25, line 27, by inserting after "MINOR": employed at a piece rate or rates

Amend Sec. 202, page 25, line 27 by inserting a period after "EMPLOYMENT"

Amend Sec. 202, page 25, lines 28 through 30, page 26, line 1 by striking out all of said lines

On the question,

Will the House agree to the amendments?

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

Mr. SHELHAMER. Thank you, Mr. Speaker.

Mr. Speaker, many times when people come to Pennsylvania, they come as collective groups. They come as a husband and a wife, and usually, very often, the children come along as well. Under the present writing of House bill No. 1198, that particular bill says that you may pay an employe piece wages for piecework, but the piecework must in fact equal the minimum daily wage. The effect of that is that it would require young people between the ages of 14 and 17, the children of seasonal farm workers, to be paid the minimum wage under that particular provision of House bill No. 1198.

This was never our initial thought, because the problem is many times these young people cannot do the work of an adult. The only recourse they have is to sit in the camps or to be left wandering free in the countryside.

As the father of five children and one who grew up accustomed to hard work, I can testify that it is far better that young people, if they are inclined to work,

be allowed to work, even though sometimes they are not being paid the minimum hourly wage. We do not prohibit and we specifically write in that they must be paid the minimum piecework rate, the same as everybody else. But this would allow the employer, if he saw fit, to give those children work at less than the minimum hourly wage. I ask for approval of this amendment.

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

Mr. GALLAGHER. Mr. Speaker, I wish to interrogate Mr. Shelhamer.

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

Mr. SHELHAMER. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. GALLAGHER. Mr. Speaker, what is the minimum wage under House bill No. 1198 as you had it amended?

Mr. SHELHAMER. Two dollars, Mr. Speaker, as of the 1st of January.

Mr. Speaker, one of the things that very often happens in this House by people who are well intentioned but very often do not realize what they are doing is they write legislation without really knowing what it does.

The earlier provisions in amendments of Mr. Gallagher set forth a far lower minimum wage rate than what the minimum wage rate is. The minimum wage rate presently in Pennsylvania, according to the Department of Labor and Industry, as of January 1, is not \$1.80, Mr. Speaker, as you had in your earlier amendments but is in fact \$2. We do not believe in slave labor. We are willing to pay the going rate, and that is what the amendment says.

Mr. GALLAGHER. Mr. Speaker, I know what the original bill said, and that was not the minimum wage of Pennsylvania. But when you amended it, you included the minimum wage of Pennsylvania of 1974. I wanted to ask you if you knew what the minimum wage was in Pennsylvania so all the members would know. Now it is well established that it is \$2 an hour.

Now you feel that the children who are 17 years of age or under 17 would not get the minimum wage. Is that correct? Is that what your amendment says, that they will not get the minimum wage?

Mr. SHELHAMER. That is right.

Mr. GALLAGHER. Are you aware of what the minimum wage is for students on campus in Pennsylvania?

Mr. SHELHAMER. What is their age?

Mr. GALLAGHER. Their age would be 17 and up, but I mean the minimum wage for students on campus. It could be at age 17.

Mr. SHELHAMER. It is my understanding that the area that we are talking about is the age from 14 to 17 years.

Mr. GALLAGHER. That is correct, but—

Mr. SHELHAMER. From 17 years and up they would come under the minimum wage.

Mr. GALLAGHER. On campus, Mr. Speaker, the minimum wage for students at state colleges is \$1.70 an hour right now. What I am saying to you is that what your amendment does is to leave the farmer the option to go under \$2 an hour, but there is no minimum that he could go to. He could go down to 50 cents an hour.



But I am just concerned that we have students on campus who are 17, which would be the same age as in your amendment, who would be getting \$1.70 but at the camp they could be getting less than \$1.70.

Mr. SHELHAMER. House bill No. 1198 presently says that anyone working piecework shall in fact get what everyone else gets. The piece rate is the same. But it was never our intention that this be on an hourly basis, and that is the reason we have written the proposed amendment in that fashion.

Mr. GALLAGHER. Thank you very much for your answers, Mr. Speaker.

We have gotten the answers and we understand what the problem is. But this would have children from ages 14 to 17 not receiving the minimum wage, and I would oppose that amendment.

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

Mr. BURNS. Mr. Speaker, could I interrogate the gentleman, Mr. Shelhamer, for just a moment, please?

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

Mr. SHELHAMER. I will, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. BURNS. Mr. Speaker, as I understood your answers to Mr. Gallagher—and it was a little hard to hear you, so if I am wrong, please correct me—in a hypothetical situation where a migrant family would come to work on a farm and they could have possibly 4 children—14, 15, 16, and 17—the farmer then would hire the father for the minimum wage and he could, if he so desired then, hire each one of the children for as low as 25 or 50 cents an hour or whatever he wanted to pay them. Is that correct?

Mr. SHELHAMER. It is possible, but what would probably happen is this, and you may not be aware but let me explain it to you: It is very seldom that migrants are employed on an hourly basis. In fact, I have employed migrants in the past, and I have found it virtually impossible to employ them on an hourly basis. They do not want to work by the hour. They want to work on a piece-rate basis.

The reason for putting this amendment in is that the piece-rate basis says you may not—although you are getting piece rate—get less than the minimum wage. That was meant to apply to adult workers.

What we are saying with this amendment is that if there is some youngster in that family who maybe cannot pick beans quite as fast as the father or mother but who should probably and more properly be out in that field working instead of staying at the camp getting into all kinds of devilment, that it would be far better to allow him to work at a lesser rate than what his father was hired at than to have him sitting back there with idle hands. And that is what we are trying to do.

Mr. BURNS. I agree with you on the part that it is better to put idle hands to work than it is to let them sit idle. On the other hand, I cannot agree with allowing children to be exploited, and I contend that that is a real danger here—to allow these youngsters to be exploited by the farmer. Even though four might be working in my hypothetical situation, I think they might be doing the work of two real adults.

But to allow them to be there and to exploit the chil-

dren in that manner just does not seem fair to me, and I would have to agree with Mr. Gallagher and ask the members of this assembly to think about that problem and to vote against this amendment.

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

Mr. SHELHAMER. Mr. Speaker, the acceptance of the present amendment will either allow those children to work, even though it may be at a slightly reduced rate, or will mandate that they must go back to the camp and wait for their parents to come back from the field. I would ask for an affirmative vote on this amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware, Mr. Gillespie.

Mr. GILLESPIE. Thank you, Mr. Speaker.

Mr. Speaker, I am wondering if Mr. Shelhamer will submit to brief interrogation.

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

Mr. SHELHAMER. I will.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. GILLESPIE. Mr. Speaker, I do not have a copy of your amendment in my hand or on my person. I am wondering, are there any hourly limitations on the amount of work a child under 17 years of age will be prevented from doing? Are there any limitations?

Mr. SHELHAMER. I believe the Commonwealth already has laws covering this.

Mr. GILLESPIE. Which are 8 hours?

Mr. SHELHAMER. No; I do not know what they are specifically offhand, but I will be happy to try to get those to you. But they are very reasonable hours. They are hours that are meant to protect the health and welfare of the children involved. So I do not view that as a danger in this case.

Mr. GILLESPIE. Thank you, Mr. Speaker.

Mr. Speaker, I would like to concur with Mr. Burns and Mr. Gallagher on this amendment. I think it is an attempt to bring back child slave labor and I would hope that everyone would vote in the negative on this bill. Thank you.

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—91

Anderson, J. H.	Foster, W.	Lynch	Schmitt
Arthurs	Gleason	McClatchy	Seitzer
Beren	Grieco	McCue	Shelhamer
Bittle	Gring	McGinnis	Shelton
Bradley	Halverson	Mebus	Shuman
Brandt	Hamilton, J. H.	Miller, M. E.	Sirianni
Brunner	Hasay	Miller, M. E., Jr.	Smith, E.
Butera	Haskell	Moehlmann	Smith, L.
Cimini	Hayes, D. S.	Mullen, M. P.	Spencer
Cole	Hepford	Noye	Stout
Crawford	Hill	O'Connell	Taddonio
Cumberland	Hopkins	Pancoast	Turner
Davies	Katz	Petrarca	Ustynoski
Davis, D. M.	Kelly, J. B.	Pitts	Vann
DeMedio	Kernick	Polite	Vroon
Dicarlo	Kistler	Pratt	Wagner
Dietz	Klingaman	Pyles	Weidner
Dorr	Kusse	Renninger	Westerberg
Dreibelbis	LaMarca	Renwick	Whelan
Englehart	Laudadio	Ryan	Wilt, R. W.
Fawcett	Lehr	Saloom	Yahner
Fisher	Letterman	Salvatore	Zord
Foster, A.	Lincoln	Scheaffer	

NAYS—98

Abraham	George	Milliron	Shane
Barber	Giammarco	Miscevich	Shupnik
Bellomini	Gillespie	Morris	Stahl
Bennett	Gillette	Mrkonc	Stapleton
Berson	Gleeson	Mullen	Sullivan
Bonetto	Goodman	Musto	Taylor
Burns	Green	Novak	Tayoun
Caputo	Greenfield	O'Donnell	Toll
Cessar	Hayes, S. E.	O'Keefe	Trello
Cohen	Hutchinson, A.	Oliver	Valicenti
Cowell	Hutchinson, W.	Parker, H. S.	Wansacz
Deverter	Irvis	Perri	Wargo
DiDonato	Itkin	Pievsky	Whittlesey
Dombrowski	Johnson, J.	Prendergast	Wilson
Doyle	Kelly, A. P.	Rappaport	Wilt, W. W.
Eckensberger	Kowalyszyn	Reed	Wojdak
Fee	Laughlin	Rhodes	Worrlow
Fischer	Lederer	Richardson	Wright
Flaherty	Levi	Rieger	Yohn
Fryer	Manderino	Ritter	Zearfoss
Gallagher	Manmiller	Romanelli	Zeller
Gallen	McCall	Ross	Zwikel
Garzia	McLane	Ruggiero	
Geesey	Menhorn	Schweder	Fineman,
Geisler	Milanovich	Scirica	Speaker

NOT VOTING—14

Berlin	Knepper	Myers	Sweeney
Blackwell	Kolter	O'Brien	Thomas
Dininni	McGraw	Perry	Walsh, T. P.
Hammock	McIntyre		

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?

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—175

Abraham	Gleason	Miller, M. E.	Shane
Anderson, J. H.	Gleeson	Miller, M. E., Jr.	Shelhamer
Arthurs	Goodman	Milliron	Shelton
Barber	Green	Miscevich	Shuman
Bellomini	Greenfield	Moehmann	Shupnik
Bennett	Grieco	Morris	Sirianni
Beren	Gring	Mrkonc	Smith, E.
Berson	Halverson	Mullen, M. F.	Smith, L.
Bittle	Haskell	Mullen	Spencer
Bonetto	Hayes, D. S.	Musto	Stahl
Bradley	Hepford	Myers	Stapleton
Brandt	Hill	Novak	Stout
Brunner	Hutchinson, A.	Noye	Sullivan
Burns	Hutchinson, W.	O'Connell	Taddonio
Butera	Irvis	O'Donnell	Taylor
Dreibelbis	Itkin	Oliver	Tayoun
Caputo	Johnson, J.	Pancoast	Toll
Cessar	Katz	Parker, H. S.	Trello
Cimint	Kelly, A. P.	Perri	Turner
Cohen	Kelly, J. B.	Petrarca	Ustynoski
Cole	Kernick	Pievsky	Valicenti
Cowell	Kistler	Pitts	Vann
Crawford	Klingaman	Polite	Vron
Davies	Knepper	Pratt	Wagner
Davis, D. M.	Kowalyszyn	Prendergast	Walsh, T. P.
DeMedio	Kusse	Pyles	Wansacz
Deverter	LaMarca	Rappaport	Weidner
Dicarlo	Laudadio	Reed	Westerberg
Dombrowski	Laughlin	Renninger	Whelan
Eckensberger	Lederer	Renwick	Whittlesey
Engelhart	Lehr	Rhodes	Wilson
Fawcett	Letterman	Richardson	Wilt, R. W.
Fee	Lincoln	Rieger	Wojdak
Fischer	Lynch	Romanelli	Worrlow
Fisher	Manderino	Ross	Wright
Flaherty	Manmiller	Ruggiero	Yahner
Foster, W.	McCall	Ryan	Yohn
Fryer	McClatchy	Saloom	Zearfoss

Gallagher	McGinnis	Salvatore	Zeller
Gallen	McIntyre	Scheaffer	Zord
Garzia	McLane	Schmitt	Zwikel
Geesey	Mebus	Schweder	
Geisler	Menhorn	Scirica	Fineman,
George	Milanovich	Seitzer	Speaker
Gillette			

NAYS—18

Cumberland	Giammarco	Hopkins	Perry
Dietz	Gillespie	Levi	Ritter
Dorr	Hamilton, J. H.	McCue	Wargo
Doyle	Hasay	O'Keefe	Wilt, W. W.
Foster, A.	Hayes, S. E.		

NOT VOTING—10

Berlin	Dininni	McGraw	Sweeney
Blackwell	Hammock	O'Brien	Thomas
DiDonato	Kolter		

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 pro tempore. The Chair recognizes the gentleman from Erie, Mr. Hayes. For what purpose does the gentleman rise?

Mr. D. S. HAYES. I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman will state it.

Mr. D. S. HAYES. Mr. Speaker, I should have voted in the negative on House bill No. 1198. Will you put that in the record, please?

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

THE SPEAKER (Herbert Fineman) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman, Mr. Sullivan, for temporarily presiding in the absence of the Speaker.

WELCOMES

The SPEAKER. The Chair is pleased to welcome to the House today Ruth Swansey Betty Birko, and Genny Cole from Neville Township. They are the guests of the gentleman from Allegheny, Mr. Trello.

In addition, the Chair is also happy to welcome Mr. Reed Day and Mr. Robert Crowthers, both of Washington County. They are the guests of the Washington County delegation.

Finally, there are two distinguished ladies of the New Hampshire General Assembly—Mrs. Donaldda Howard and Mrs. Helen Wilson—accompanied by Mr. Eugene Heil of Clearfield, Pennsylvania. They are the guests of the gentleman from Clearfield, Mr. George.

HOUSE RESOLUTION No. 71 ADOPTED

Mr. O'KEEFE called up HOUSE RESOLUTION No. 71, printer's No. 947, entitled:

House Bipartisan Committee to investigate South-eastern Pennsylvania Transportation Authority.

On the question,  
Will the House adopt the resolution?

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

Amend First Resolve clause, page 1, lines 14 to 16, by striking out "That the Speaker of the House of Representatives" in line 14, all of line 15 and "majority and three from the minority," in line 16 and inserting: (the Senate concurring), That there hereby be created a bipartisan Task Force consisting of 14 members of the General Assembly. Seven from the House of Representatives, four from the majority and three from the minority, to be appointed by the Speaker of the House of Representatives and seven from the Senate, four from the majority and three from the minority, to be appointed by the President pro tempore of the Senate. The Speaker and the President pro tempore shall each designate one appointee to serve as co-chairman of such Task Force.

Amend Third Resolve clause, page 2, lines 19 to 29, 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 Lehigh, Mr. Ritter.

Mr. RITTER. Mr. Speaker, the amendments that I am offering seek to strike out the special House committee and in lieu thereof create a bipartisan task force composed of seven Senators and seven House members to investigate the Southeastern Pennsylvania Transportation Authority.

I have consulted with the sponsors of the resolution and they concur in the amendment, and I would ask for the support of the House on the amendment.

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

Mr. BEREN. Thank you, Mr. Speaker.

Mr. Speaker, I oppose these amendments because I have amendments of my own that I would like to offer, and my arguments in opposition to these amendments to this resolution basically are the same as my arguments in support of my amendments. So I would like first to briefly explain what my amendments do and then get into my reasons for the opposition to the Ritter amendments.

My amendments to this resolution, Mr. Speaker—

#### POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. O'KEEFE. Mr. Speaker, are we taking up Mr. Ritter's amendment? Is it the time now for us to discuss another amendment? Are we not supposed to vote on the one amendment first?

The SPEAKER. The question before the House is on the amendments offered by the gentleman, Mr. Ritter.

Mr. O'KEEFE. Yes, sir; I agree with that.

The SPEAKER. That is the question before the House.

Mr. BEREN. Mr. Speaker, my purpose in pursuing this line of questioning—and I will refresh it for your recollection—is that my opposition to the Ritter amendment is based on the amendment that I will offer. Therefore, it is necessary first to explain the purposes of my amendment and then get into that discussion in order to make a move to defeat the Ritter amendment.

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

Mr. BEREN. Thank you, Mr. Speaker.

Mr. Speaker, the amendment which I will offer is one that will ask the Transportation Committee of this House to look into the problems of every mass transit system in this state. I think it is high time that we—

#### POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. RITTER. Mr. Speaker, I know you said that the gentleman could speak about his amendment, but frankly, Mr. Speaker, I cannot find his amendment. Therefore, I am really at a loss to follow his line of thought.

He talked about referring to the Transportation Committee. I do not have an amendment to do that.

The SPEAKER. Does the gentleman, Mr. Beren, have a copy of his amendment that he can furnish to the gentleman, Mr. Ritter?

Mr. RITTER. Mr. Speaker, I am sorry; I have found it.

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

Mr. BEREN. Thank you, Mr. Speaker.

In 1963 this General Assembly passed the Metropolitan Transportation Authorities Act. In the 12 years that followed we have not really taken time to have a legislative look at just where mass transit is going in Pennsylvania.

There are now approximately 16 mass transit systems in this state, and there are probably 16 different approaches to how they handle the question of mass transit. There may be 16 or 15 or 14 or 12 or 6 different fares that are charged by the differing mass transit systems across the state.

When you get to the question of how a mass transit budget is prepared, you run into difficulties in that a mass transit system may be dealing with two or three or four different forms of government that have different fiscal years. You have to begin to address yourself as to how each of these mass transit systems is going to deal with this problem, and you have to begin to address yourself as to the question of whether or not this state is going to have a uniform policy in dealing with mass transit.

The reasons—and I will get into more of this later on, Mr. Speaker, when we get to my amendment—that I oppose the Ritter amendment are two-fold. Number one, if a joint committee were formed to study just one mass transit system, that raises the question of whether or not that one mass transit system would establish the policy for all the other mass transit systems in the state. I, for one, do not think that is the proper way to go. I think we need input into all the transit systems of the state.

Number two, one of the ways that the Speaker this year has strengthened the committee system was to see that resolutions of this sort were directed to the committees, and I can only compliment many of the committees in this House and particularly Mr. O'Brien for doing yeomanlike work in keeping us informed as to just what these committees are doing.

I would think, Mr. Speaker, that we should preserve the integrity of the committee system, and that we should stop for a minute and think of whether or not the Altoona transit system, or the Berks Area Transportation Authority, or the Centre Area Transit Authority, or Capital Area Transit—or CAT as it is known here—or the Erie Metropolitan Transit Authority, or the Lackawanna Transit System, or the Lancaster Transit Authority, or the Lehigh and Northampton Transportation Authority, or Luzerne, and the other transit systems in this state—New Castle, the Port Authority of Allegheny County in Pittsburgh, Williamsport, York, Clearfield, and DuBois—really want their policies determined by an investigation into what the problems are of the largest system. It would seem to me it would serve their best interests to have input into this type of looking into the problems of mass transit, and I would therefore ask that the Ritter amendment be defeated.

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

Mr. RITTER. Mr. Speaker, it is very difficult to try to speak in opposition to an amendment that is not before us, but we do have an amendment that is before us now, and that amendment seeks to amend House resolution No. 71 in a very simple way.

House resolution No. 71 calls for an investigation of the Southeastern Pennsylvania Transportation Authority, and that is all that resolution does at the moment.

My amendment seeks to take out the special House committee because it is a special problem; it is a big area. There are Senators who have introduced similar resolutions, and we are asking for a joint task force consisting of seven Senators and seven House members—the seven Senators to be appointed by the president pro tempore of the Senate, four from the majority and three from the minority; and the seven in the House to be appointed by the Speaker, four from the majority and three from the minority also.

I think that the amendment should stand on its own and not be tied up with some other amendment that may be offered at a later time, and I am asking the House to give consideration to this amendment, and I would ask for an affirmative vote.

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. O'Keefe.

Mr. O'KEEFE. Mr. Speaker, as I am the chief sponsor, I agree with Mr. Ritter. I believe that the investigation of the Southeastern Pennsylvania Transportation Authority is needed now. I believe that to try to throw it in with many other transit authorities in Pennsylvania is camouflage. I believe it calls for an investigation now.

We have before us two editorials in the major newspapers which service the southeastern part of Pennsylvania, both of which call for a probe of the Southeastern Pennsylvania Transportation Authority, and I support Mr. Ritter's amendment and let us get on with it.

Thank you.

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

Mr. BONETTO. Mr. Speaker, would Mr. Ritter consent to interrogation?

The SPEAKER. Will the gentleman from Lehigh, Mr. Ritter, consent to interrogation?

Mr. RITTER. I shall, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. BONETTO. Mr. Speaker, your amendment requires the Speaker and the President pro tempore to choose seven members from the House and Senate as an investigative body for a joint investigation between the Senate and the House. Is this not eliminating the committee system?

Mr. RITTER. Mr. Speaker, first let me say this: This is not the first time this session that we have created joint committees. And, second, to answer the gentleman in all candor, in this business one has to compromise from time to time. There was opposition to a special committee; there was opposition to going into the House Transportation Committee. What I have attempted to do is to resolve those differences in a manner which was acceptable to the majority of the people involved, and that is the reason why we have done it.

Mr. BONETTO. Mr. Speaker, I would like to ask you this question: What in God's name happened to your last amendment to House resolution No. 71 that you proposed on this House floor approximately a month ago that would instruct the Committee on Transportation to make the investigation? Is this the compromise that you as a member of this House made with those who signed the resolution originally without instructing or giving that information to the chairman of the Transportation Committee?

Mr. RITTER. Mr. Speaker, in answer to the gentleman, the original amendment that I offered had been accepted by this House, and then a vote to reconsider the vote by which that amendment went in was also accepted by this House, so that the resolution before us is as it was originally without my amendment in it.

Therefore, the amendment that I had offered previously was, in effect, withdrawn by this House by action taken some time ago where they voted to reconsider the vote by which the amendment went in in the first place. So there was no need, Mr. Speaker, to go to the gentleman and say that we are taking it away from the House Transportation Committee because that is not in the resolution presently.

Mr. BONETTO. Thank you, Mr. Speaker.

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

Mr. BONETTO. Mr. Speaker, I have House resolution No. 71 in the Transportation Committee at the present time, and in view of the fact that this amendment can very easily take that resolution away from that committee, I am asking every member of this House to oppose this amendment.

If we are going to retain the committee system, then let us retain it as it should be. I will compromise but not to that extent.

The SPEAKER. For the benefit of the gentleman, Mr. Bonetto, House resolution No. 71 is not in committee. It appears on the supplemental calendar and is in session of the House.

The Chair recognizes the gentleman, Mr. Bonetto.

Mr. BONETTO. The resolution was sent to me after it came to the Speaker, I would presume, and it was sent to my committee after it was signed by the Speaker pro tempore and the House, and I have it. And after the reconsideration—it was never called—no one came to the office to ask us to give it up.

The SPEAKER. This is a House resolution, Mr. Bonetto.

Mr. BONETTO. I have it. It is a pink copy. It is upstairs.

The SPEAKER. But you said the resolution was sent to you by the Senate. This is a House resolution; it was never in possession of the Senate.

Mr. BONETTO. I am sorry. I am saying that the resolution is in the hands of the Transportation Committee at the present time. It was sent to us by—

The SPEAKER. Was not the resolution reported out and placed on the table? Will the gentleman suspend for just a moment?

The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, House resolution No. 71 was removed by my motion from the table this morning. It appears now ready for calendar action on the supplemental calendar. It is available for House action.

The SPEAKER. The Chair understands that House bill No. 71 is in the Transportation Committee, but not House resolution No. 71.

Mr. BONETTO. We have that, too.

The SPEAKER. The record of this House indicates that House resolution No. 71 was reported out of the Rules Committee, placed upon the table, and then placed upon the calendar on a motion made by the majority leader to take it from the table.

Therefore, the resolution is not in the possession of the Transportation Committee.

Mr. BONETTO. All right, Mr. Speaker, I will take your word for it.

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

Mr. BONETTO. Mr. Speaker, I still insist that if we are going to operate this House in accordance with its rules and if we are going to operate this House the way it should be, then anything affecting transportation should be investigated or made by the Transportation Committee. If it is done by the Agriculture Committee as far as farming is concerned, fine and dandy. The Education Committee, fine and dandy; I have no objection. But I think it is wrong to have an investigation of transportation and then say we are going to pick a nonpartisan committee of House members and Senators without the Transportation Committee knowing anything about it, because eventually whatever legislation may come out of this investigation is going to—supposedly anyway—come to our committee for consideration. And I think that if that is the case, then by God we ought to have the investigation first, and then we ought to draw up the legislation later.

I am asking for a “no” vote on the amendment.

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

The yeas and nays were required by Messrs. RITTER and O'KEEFE and were as follows:

YEAS—44

DiDonato	Irvis	O'Keefe	Shuman
Doyle	Itkin	Perry	Stapleton
Eckensberger	Kowalyszyn	Pievsky	Sullivan
Englehart	Lederer	Reed	Taylor
Gallagher	Manderino	Renninger	Tayoun
Garzia	McCall	Renwick	Valicenti
Giammarco	McIntyre	Rieger	Vann
Gillespie	Milanovich	Ritter	Wansacz
Gleeson	Mullen, M. P.	Ruggiero	Yahner
Greenfield	Musto	Schweder	Zeller
Hopkins	Myers	Shelton	Zwilk

NAYS—149

Abraham	Foster, W.	Lynch	Schmitt
Anderson, J. H.	Fryer	Manmiller	Scirica
Arthurs	Gallen	McClatchy	Seltzer
Barber	Geesey	McCue	Shane
Bellomini	Geisler	McGinnis	Shelhamer
Bennett	George	McLane	Shupaik
Beren	Gillette	Mebus	Sirianni
Berson	Gleason	Menhorn	Smith, E.
Bittle	Goodman	Miller, M. E.	Smith, L.
Bonetto	Green	Miller, M. E., Jr.	Spencer
Bradley	Gricco	Milliron	Stahl
Brandt	Gring	Miscevich	Stout
Brunner	Halverson	Moehlmann	Taddonio
Burns	Hamilton, J. H.	Morris	Toll
Butera	Hasay	Mrkonic	Trello
Caputo	Haskell	Mullen	Turner
Cessar	Hayes, D. S.	Novak	Ustynoski
Cimini	Hayes, S. E.	Noye	Vroon
Cohen	Hepford	O'Connell	Wagner
Cole	Hill	Oliver	Walsh, T. P.
Cowell	Hutchinson, A.	Pancoast	Wargo
Crawford	Hutchinson, W.	Parker, H. S.	Weidner
Cumberland	Johnson, J.	Perri	Westerberg
Davies	Katz	Petrarca	Whelan
Davis, D. M.	Kelly, A. P.	Pitts	Whittlesey
DeMedio	Kelly, J. B.	Polite	Wilson
Deverter	Kernick	Pratt	Wilt, R. W.
Dicarlo	Kistler	Prendergast	Wilt, W. W.
Dietz	Klingaman	Pyles	Wojdak
Dombrowski	Knepper	Rappaport	WorriLOW
Dorr	Kusse	Rhodes	Wright
Dreibelbis	LaMarca	Richardson	Yohn
Fawcett	Laudadio	Romanelli	Zearfoss
Fee	Laughlin	Ross	Zord
Fischer	Lehr	Ryan	
Fisher	Letterman	Saloom	Fineman,
Flaberty	Levi	Salvatore	Speaker
Foster, A.	Lincoln	Scheaffer	

NOT VOTING—10

Berlin	Hammock	O'Brien	Sweeney
Blackwell	Kolter	O'Donnell	Thomas
Dininni	McGraw		

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 Bucks, Mr. Renninger. For what purpose does the gentleman rise?

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

The SPEAKER. The gentleman will state it.

Mr. RENNINGER. Mr. Speaker, I would like to be recorded in the negative on the Ritter amendment to House resolution No. 71.

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

On the question recurring,  
Will the House adopt the resolution?

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

Amend Resolution, page 1, lines 1 through 13, by striking out all of said lines and inserting:

WHEREAS, With the advent of the energy crisis and the ever increasing demands on our Nation's dwindling energy resources, it has become increasingly imperative that mass transportation systems should assume more of the burden of transporting the Nation's and the Commonwealth's citizens; and

WHEREAS, There are a multitude of problems involving the funding and operation of mass transportation systems that need to be studied in depth; therefore be it

Amend First Resolve Clause, page 1, lines 15 and 16, by striking out all of line 15 and “majority and three from

the minority," and inserting: directs the House Transportation Committee

Amend First Resolve Clause, page 2, lines 1 and 2, by striking out all of line 1 and "to improving the same;" and inserting:

future of mass transportation in the Commonwealth and to propose appropriate legislation aimed at making mass transportation more responsive to the public's needs so as to better serve the Commonwealth and its citizens;

Amend Third Resolve Clause, page 2, lines 19 through 29, 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 Montgomery, Mr. Beren.

Mr. BEREN. Thank you, Mr. Speaker.

Mr. Speaker, perhaps I can start off by briefly reviewing what my amendment to House resolution No. 71 in fact says.

With the advent of the energy crisis and the ever increasing demands on our Nation's dwindling energy resources, it has become increasingly imperative that mass transportation systems should assume more of the burden of transporting the Nation's and the Commonwealth's citizens;—

And it goes further to say—

WHEREAS, There are a multitude of problems involving the funding and operation of mass transportation systems that need to be studied in depth; therefore—

It directs the House Transportation Committee to study the—

future of mass transportation in the Commonwealth and to propose appropriate legislation aimed at making mass transportation more responsive to the public's needs so as to better serve the Commonwealth and its citizens;

Mr. Speaker, in opposing the Ritter amendment, I alluded to some of the arguments that I wish to make now in favor of this amendment.

In 1963 we passed the Metropolitan Transportation Authorities Act, and as I said before, since that time—in the 12 years that have gone on—this General Assembly has not studied just what is going on in the field of mass transit and what must be done in order to adjust our modes of transportation to fit the shifting demands on transportation systems in this Commonwealth.

Certainly, few of us anticipated the energy crisis. We know that one exists, and we must begin to think as a body in the manner in which we approached the medical malpractice situation this past week, think as a body as to how we can help provide transportation services to our citizens.

We must determine whether or not we should have additional uniform policies for all of the 16 systems which I mentioned before.

Mr. Speaker, I mentioned one of the problems is one that we deal with here, but one that each and every transit system deals with, and that is the question of how does a mass transit system make up its budget in such a way that it is realistic?

The legislation of 1963 does not call for any firm date for a budget to be made. It says simply that the budget

for a mass transit system must be put into effect and passed 30 days prior to the beginning of its fiscal year.

Well, now suppose, for example, you are talking about the Southeastern Pennsylvania Transportation Authority. They have to make up their budget on November 30. They have to take into consideration when the city of Philadelphia makes up its budget, which is July 1. They have to take into consideration when the state makes up its budget, which is July 1. They have to take into consideration when the four suburban counties make up their budgets, which is December 30. They have to determine when the Federal Government makes up its budget, which now is October 1.

So the budget-making process for mass transit is right at the outset a confusing process because everybody is guessing. Is that good for mass transit? Is that good for planning? Should each of the 16 systems in this state have the same date in making up a budget or should there be different ones?

Do you not think that the Transportation Committee of this House should be looking into those matters?

Now some transit systems involve townships. They, too, may have different dates of beginnings of fiscal years. In order to develop an intelligent approach to the funding of mass transit, it seems to me that we must have input from all of the systems.

On the question of funding, Mr. Speaker, we have something new that we should study in this General Assembly, and that is the effect of the new funds coming into our transit systems as a result of Federal legislation. Should this General Assembly speak to that question? It is my judgment that we should, and we should do this through the House Transportation Committee.

What about the question of fares, Mr. Speaker? Should the fares be uniform in this Commonwealth? I, for one, do not know that answer, but I would like to have the input from the systems that are currently spread throughout this state to determine whether or not they should be.

I believe, for example, the fare charged by PAT, the Pittsburgh transportation system, is 40 cents a ride. The fare charged by SEPTA, the Southeastern transportation system, is 35 cents a ride. Should they be uniform?

Mr. Speaker, should the Altoona transit system have the same fares as the larger systems? Should York have the same fares?

I think we need input from all of these systems in order to make an intelligent choice on how we should look at mass transit in this field.

The total budget requests from all of the mass transit systems for this fiscal year amounted to \$112 million. We funded them to the tune of \$70 million. Should we not have input from all of these systems in trying to determine how we should fund these systems?

Should, Mr. Speaker, the Governor have a representative on all of the transit systems? He does—

#### PARLIAMENTARY INQUIRY

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

Mr. DOYLE. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DOYLE. Mr. Speaker, I have been listening to Mr. Beren pontificate about all the problems all over the state with all of the transportation systems, and I am wonder-

ing, after listening to him, if this amendment is even germane to House resolution No. 71.

House resolution No. 71 particularizes the inquiry to the Southeastern Pennsylvania Transportation Authority. Quite frankly, I cannot see that the problems of all over the Commonwealth as such are germane to the particular subject which is the subject matter of House resolution No. 71. It far exceeds any other problem that any of the other transportation authorities have in the state.

I refer to rule 27 as far as germaneness is concerned.

The SPEAKER. What is the rule number the gentleman is citing?

Mr. DOYLE. Rule 27.

The SPEAKER. The Chair would have to rule that the amendment is germane because it deals with the matter of the investigation of transportation systems.

While it is true that House resolution No. 71 addresses itself to the matter of the Southeastern Pennsylvania Transportation Authority, there is nothing improper about an amendment that seeks to broaden the investigation to include mass transportation systems as a whole.

Mr. DOYLE. Mr. Speaker, really not to be argumentative, I think though in this instance where there is such a difference in degree, it amounts to a difference in kind as well.

An investigation into, say, the correction system could encompass both the prison system as well as probation and so forth. But it could be in this instance of such a nature that the Southeastern Pennsylvania Transportation Authority far exceeds any other transportation authority in the Commonwealth, and I do not think we should liken by analogy their operation to perhaps two or three "Tooterville Trolleys" out in the suburbs someplace or someplace else.

I think there is a vast difference, and I would suggest to the Speaker that that is the reason why I questioned the germaneness.

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

Mr. RITTER. On Mr. Doyle's point that he raised, on the first page of the bill, the last two lines, it says: ". . . to study and investigate the questions and concerns of the public relating to the Southeastern Pennsylvania Transportation Authority with a view to improving the same."

It seems to me that that is rather specific, and Mr. Beren's amendment does in fact strike all of that and talk about the future of mass transportation in the entire Commonwealth.

I would support the gentleman, Mr. Doyle's position that the amendment is not germane to the subject matter.

The SPEAKER. I think in ruling upon the question of germaneness, an obligation falls upon the shoulder of the Speaker to delineate between the matter of subject that is the principal part of any question that is in main before the House.

The principal question in main that is before the House is the matter of investigation of transportation. I see no impropriety in an amendment which seeks to broaden the scope of the investigation to include other areas of investigation on the matter of transportation.

While it is true that the resolution as it stands calls for an investigation of the Southeastern Pennsylvania Transportation Authority, the subject matter of that resolution is transportation, and the Speaker would have to rule that the point of order is not well taken.

## PARLIAMENTARY INQUIRY

### AMENDMENT DIVIDED

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

Mr. BONETTO. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BONETTO. Is the amendment divisible?

The SPEAKER. At what point would the gentleman desire to divide the amendment?

Mr. BONETTO. After the word "Committee".

The SPEAKER. After the word what?

Mr. BONETTO. Where it says "directs the House Transportation Committee" and stop right there. And then where it says: "Amend First Resolve Clause, page 2, lines 1 and 2, by striking out . . ."—anything below that.

The SPEAKER. The Chair would be of the opinion that the amendment is divisible at that point.

Mr. BONETTO. I would like to make a suggestion, if I possibly can. I believe that those who have submitted House resolution No. 71 to this House for an investigation of the Southeastern Pennsylvania Transportation Authority did so with the intent that that was exactly what they wanted done.

My interest is to protect the committee system, that any investigation ought to be done by the committee that is involved, particularly the Transportation Committee in this case. I would suggest that we divide the amendment and then take the entire contents of the original House resolution No. 71 and leave it as it is. At least we would then have the investigation being held by the Transportation Committee.

The SPEAKER. The question has been divided.

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

Mr. DOYLE. Mr. Speaker, without quarreling with Mr. Bonetto, I believe that the amendment would be better severed by deleting the first part and last part—in other words, just the portion of the amendment beginning, "Amend First Resolve Clause . . ." down to the end of ". . . Transportation Committee".

The first part of the amendment and the third part of the amendment should really be taken together.

The SPEAKER. I think that would be agreeable to the gentleman, Mr. Bonetto.

Mr. BONETTO. Mr. Speaker, "Amend First Resolve Clause, page 1, lines 15 and 16, by striking out all of line 15 and 'majority and three from the minority,' and inserting: directs the House Transportation Committee"—that is the section that I want divided.

The SPEAKER. So that the members of the House will clearly understand what is being done, the amendment offered by the gentleman, Mr. Beren, has been divided, so that the question first before the House will be on that part of the amendment beginning with the words "Amend First Resolve Clause" and ending with the words "House Transportation Committee."

The question is on that amendment.

On the question,

Will the House agree to Part I of the Beren amendments?

The yeas and nays were required by Messrs. BEREN and DOYLE and were as follows:

YEAS—189

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

NAYS—0

NOT VOTING—14

Berlin	Hammock	Rappaport	Sweeney
Blackwell	Kolter	Rhodes	Thomas
Dininni	McGraw	Shelton	Zearfoss
Fryer	O'Brien		

So the question was determined in the affirmative and Part I of the Beren amendments was agreed to.

The SPEAKER. Does the gentleman, Mr. Beren, desire to offer the balance of the amendments or to withdraw same?

Mr. BEREN. I certainly do, Mr. Speaker.

The SPEAKER. The House now has before it for decision the balance of the amendments other than the portion thereof that has just been voted upon and adopted by the House.

Mr. DOYLE. Mr. Speaker, may I speak on it?

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

Mr. DOYLE. No; I withdraw. It is all right, Mr. Speaker.

Mr. BEREN. I would like to speak briefly to it, Mr. Speaker.

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

Mr. BEREN. Mr. Speaker, this past week this House acquitted itself in the highest manner in which a legis-

lative body can so acquit itself. It tackled a serious problem, passed legislation that every member of this body can be very proud of, and one which I think sets a standard for this General Assembly this year and future General Assemblies to follow.

To me, Mr. Speaker, the problems of mass transit are equally severe. They may not be that obvious as yet, but they are severe. We have the opportunity to perform again in the highest manner in which we performed this past week and yesterday. It would be my hope that we would be consistent in this policy in that we really would address ourselves to a matter of major importance in this Commonwealth, and I would therefore ask that you vote affirmatively to support this most important study.

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

Mr. DOYLE. Just briefly, Mr. Speaker, I think my argument was made in the germaneness motion to the Chair that the amendment was not germane. I will not remake it, except to ask the members to vote against this part of the amendment because it makes sense standing alone, and the problems there are far more great than the rest of the state.

Thank you.

On the question,

Will the House agree to Part II of the Beren amendments?

The yeas and nays were required by Messrs. BEREN and DOYLE and were as follows:

YEAS—87

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

NAYS—105

Abraham	Geisler	Milanovich	Schmitt
Arthurs	George	Milliron	Schweder
Barber	Giammarco	Miscevich	Shane
Bellommi	Gillespie	Morris	Shelhamer
Bennett	Gillette	Mrkonic	Shelton
Berson	Gleeson	Mullen, M. P.	Shuman
Bonetto	Goodman	Mullen	Shupnik
Bradley	Green	Musto	Stapleton
Brunner	Greenfield	Myers	Stout
Caputo	Hutchinson, A.	Novak	Sullivan
Cohen	Irvis	O'Donnell	Taylor
Cole	Itkin	O'Keefe	Tayoun
Cowell	Johnson, J.	Oliver	Toll
Davis, D. M.	Kelly, A. P.	Perry	Trello
DeMedio	Kernick	Petrarca	Valicenti
Dicarlo	Kowalshyn	Pievsky	Vann
DiDonato	LaMarca	Pratt	Walsh, T. P.
Dombrowski	Laudadio	Prendergast	Wansacz
Doyle	Laughlin	Reed	Wargo
Dreibelbis	Lederer	Renwick	Wojdak



Eckensberger	Letterman	Richardson	Yahner
Englehart	Lincoln	Rieger	Zeller
Fee	Manderino	Ritter	Zwikel
Flaherty	McCall	Romanelli	
Fryer	McIntyre	Ross	Fineman,
Gallagher	McLane	Ruggiero	Speaker
Garzia	Menhorn	Saloom	

NOT VOTING—11

Berlin	Hammock	O'Brien	Sweeney
Blackwell	Kolter	Rappaport	Thomas
Dininni	McGraw	Rhodes	

So the question was determined in the negative and Part II of the Beren amendments was not agreed to.

On the question,

Will the House adopt the resolution as amended?

The yeas and nays were required by Messrs. O'KEEFE and RITTER and were as follows:

YEAS—190

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

NAYS—4

Foster, A.	Gring	Hasay	Stahl
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NOT VOTING—9

Berlin	Hammock	McGraw	Sweeney
Blackwell	Kolter	O'Brien	Thomas
Dininni			

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. STAHL. I was incorrectly recorded. I would appreciate being recorded in the affirmative on House resolution No. 71.

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

PARLIAMENTARY INQUIRY

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

Mr. PANCOAST. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PANCOAST. Mr. Speaker, we have just adopted House resolution No. 71. Does any additional parliamentary action have to be taken on this resolution?

The SPEAKER. There is no official parliamentary action that has to be taken. For the purposes of compliance with the terms of the resolution, the Speaker will advise the committee to proceed forthwith with their investigation.

Mr. PANCOAST. Thank you, Mr. Speaker.

I therefore interpret this resolution to be a simple resolution that can be adopted by a single House of this General Assembly?

The SPEAKER. This is not a joint resolution.

Mr. PANCOAST. No; it is a simple resolution as I called it.

The SPEAKER. It is a resolution of this chamber alone.

Mr. PANCOAST. A further parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PANCOAST. Amendments that were offered by Mr. Ritter today would have amended this to make it a joint or a concurrent resolution, I think; I do not know. My parliamentary inquiry is, were those amendments that were offered really in order as amendments to this particular resolution?

The SPEAKER. The Chair viewed the amendments as being appropriate.

Mr. PANCOAST. Then what do we call it? Our rules are not clear in defining a joint resolution, a concurrent resolution, and a simple resolution.

The SPEAKER. A concurrent resolution, as the Chair understands it, only applies to a resolution dealing with amending the constitution. Or is it the reverse?

A joint resolution would be applicable, the Parliamentarian advises the Speaker, as to amendments to the constitution. A concurrent resolution is one that obtains as to both bodies on other matters.

Mr. PANCOAST. Then House resolution No. 71 really was becoming, if those amendments had been accepted, a concurrent resolution rather than a simple resolution, because the concurrence of the Senate would then have been necessary?

The SPEAKER. Well, I am not certain that the Chair read at length the amendments offered by the gentleman, Mr. Ritter, so I cannot respond affirmatively to the gentleman.

Mr. PANCOAST. Thank you, Mr. Speaker.

### 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, I would like to be recorded on the amendments to House resolution No. 71 in the negative.

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

### ANNOUNCEMENT

The SPEAKER. The Chair would advise the membership that the Chair has extended permission to WIIC-TV of Pittsburgh to film the House proceedings.

### WELCOME

The SPEAKER. The Chair would like to introduce Mr. and Mrs. Arthur Abrams of Philadelphia, who are the parents of Mr. Paul Abrams, who is on the Speaker's staff and who did such a yeoman's job on the matter of the malpractice bill that we passed here last night.

### STATE GOVERNMENT BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **Senate bill No. 552, printer's No. 694**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

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

Amend Title, page 1, line 12 by removing the period after "tracks" and inserting: and providing for the employment of public employes.

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

Section 1. Subsection (a) of section 9 of the act of December 11, 1967 (P. L. 707, No. 331), entitled "An act providing for and regulating thoroughbred horse racing with pari-mutuel wagering on the results thereof, creating the State Horse Racing Commission as an independent administrative commission and defining its powers and duties; providing for the establishment and operation of thoroughbred horse racing plants; imposing taxes on revenues of such plants; disposing of all moneys received by the commission and all moneys collected from the taxes; authorizing penalties; and making appropriations," amended February 25, 1972 (P. L. 84, No. 30), is amended to read:

Section 9. Prohibition of Interest by Public Officers, Public Employes and Party Officers in Pari-mutuel Racing Activities.—(a) No public officer, public employe or party officer shall:

(1) Hold any license to conduct a pari-mutuel meet from the State Horse Racing Commission; or

(2) Own or hold, directly or indirectly, any proprietary interest, stock or obligation of any firm, association or corporation (i) which is licensed by such commission to conduct pari-mutuel racing, or (ii) which is licensed to

conduct its occupation, trade or business at race tracks at which pari-mutuel race meets are conducted, or (iii) which owns or leases to any licensed association or corporation a race track at which pari-mutuel racing is conducted, or (iv) which participates in the management of any licensee conducting pari-mutuel racing; or

(3) Hold any office or employment with any firm, association or corporation specified in clause (2) of this section; or

(4) Sell (or be a member of a firm or own ten percent or more of the stock of any corporation which sells) any goods or services to any firm, association or corporation specified in clause (2) of this section.

The provisions of clause (3) of this subsection (a) shall not apply to a public employe [of a political subdivision] (other than a police officer or paid employe of a police department, sheriff's office, district attorney's office or other law enforcement agency) [whose compensation is less than twelve thousand dollars (\$12,000) per annum]: Provided, That such employment of employes of a political subdivision may be prohibited by ordinance, resolution or local law adopted by the local legislative body or other governing board of such political subdivision.

\* \* \*

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

Amend Sec. 1, page 1, lines 15 through 23, page 2, lines 1 and 2 by striking out ", act of December 11, 1967 (P. L. 707," in line 15, and all of lines 16 through 23 on page 1, and all of lines 1 and 2, page 2 and inserting: of the act, added July 24, 1970 (P. L. 634, No. 210), is amended to read:

Amend Sec. 1 (Sec. 12.1), page 2, line 13 by striking out the bracket before "and"

Amend Sec. 1 (Sec. 12.1), page 2, line 14 by striking out the bracket after "commission"

Amend Sec. 1 (Sec. 12.1), page 2, line 17 by striking out the bracket before "or"

Amend Sec. 1 (Sec. 12.1), page 2, line 18 by striking out the bracket after "association,"

Amend Sec. 1 (Sec. 12.1), page 2, line 21 by striking out the brackets before and after "or any association"

Amend Sec. 1 (Sec. 12.1), page 2, lines 27 through 30, page 2, lines 1 and 2 by striking out "Any" in line 27 and all of lines 28 through 30, page 2, and all of line 1 and "national origin or religion of such person." in line 2, page 3

Amend Sec. 2, page 3, line 11 by striking out "2." and inserting: 3.

On the question,

Will the House agree to the amendments?

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

Mr. ENGLEHART. Mr. Speaker, under the present thoroughbred racing law, both the Racing Commission and the association running the race itself—that is, the owner of the track—have the authority to evict or bar any person from the premises, but if they do so, the person has a right of appeal to the Court of Common Pleas of Dauphin County if he feels it was without just cause.

Senate bill No. 552 was apparently designed to prevent the removal of any person because of race, color, creed, religion, sex, or national origin. But in so doing, I believe a mistake was made and the way Senate bill No. 552 is written, the track management has the sole discretion of barring or evicting any person without showing any cause or any appeal, but you can only appeal from a commission's order barring you from a track. I do not believe that was intended.

The purpose of my amendment is to provide, first, that you cannot evict them for race, color, creed, sex, or national origin; and, second, if they are evicted, they are entitled to a hearing if they request one.

The second part of my amendment changes the present law on the employment of state employes at racetracks.

Under the present law, those who earn more than \$12,000 are not permitted to work at a racetrack. Under my amendment, any public employe is permitted to work at a racetrack on a moonlight basis, regardless of his salary.

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

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

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

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

YEAS—177

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

NAYS—12

Brandt	Haskell	Perri	Whittlesey
Foster, A.	Hill	Seltzer	Zearfoss
Gleason	Letterman	Shuman	Zord

NOT VOTING—14

Berlin	Hammock	O'Donnell	Sweeney
Blackwell	Kolter	Parker, H. S.	Thomas
Crawford	McGraw	Rhodes	Wojdak
Dininni	O'Brien		

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.

ANNOUNCEMENT BY MAJORITY LEADER

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I would request that the gentleman from Allegheny County, Mr. Charles Caputo, present himself to the majority leader at this time.

Mr. Speaker, in the House of Representatives a resolution has been passed in a routine fashion, and we think it is deserving of far more notice than the routine fashion. I would ask the indulgence of the House to permit me to read sections of the resolution congratulating Mr. Charles Caputo.

(Reading:)

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 . . . 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 Representative 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.

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

Following that direction of the House of Representatives, I want to say to my good friend, Charlie Caputo, that I have never before taken this special method of handing a resolution to any member of this House, and I may never again do it, but for this particular friend of mine who certainly deserves all the honors which are given him, I am proud this day to give him this resolution with a copy for both his mother and his father.

Congratulations, Charlie.

The SPEAKER. Will all Italians please rise in a mark of tribute?

The Chair recognizes the Number One Italian, Mr. Caputo.

Mr. CAPUTO. If this were a Sons of Italy meeting, I would say: Worthy Majority Leader, Worthy Speaker, Worthy Minority Leader, and Worthy Members of the House, "grazie tanto." And for you people who are jealous of not being Italian, that means "thank you."

### REPUBLICAN CAUCUS

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

Mr. O'CONNELL. Mr. Speaker, with your indulgence and the indulgence of the other side, we have reached a point where we have four or five matters that we would like to talk about and we respectfully request a half-hour caucus.

### HOUSE SCHEDULE

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I was going to ask the gentleman to hold off the caucus, but I see it is 4 o'clock. I will not do that. I planned, Mr. Speaker, on taking three or four more votes before going to caucus, but I agreed with the caucus chairman of the Republican Party that we would caucus for a half hour.

I would suggest, before we go to caucus, that if you will look on your published sheets that we have given you—we do not have time to rewrite them—I can give you the special order of business as we go.

Following coming back to the floor, we shall take up on page 5 House bill No. 1532; following that, on page 6, House bill No. 618; then on page 7, Senate bill No. 160 and House bill No. 77. We will then take, on page 6, the O'Donnell amendments to Senate bill No. 603, and, on page 7, the O'Donnell amendments to Senate bill No. 626. Following that, we would like to go back to page 2 where House bill No. 545 is being reconsidered, and follow the regular order of business.

We will give an opportunity to those members of the House who wish, to move to override the Governor's veto. We will give you ample opportunity. We do not intend to foreclose you from that opportunity during this day.

I am hopeful that you will come back promptly after the declaration of the recess of one-half hour and I am hopeful that we will get you out of here at 6 o'clock, provided you do not talk as long as I am talking now.

I ask for a half-hour recess, Mr. Speaker.

### NO DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, there is no need for a Democratic caucus.

### RECESS

The SPEAKER. The Chair now declares the House in recess until 4:35 p.m.

### AFTER RECESS

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

### THE SPEAKER (Herbert Fineman) IN THE CHAIR

### COMMITTEE REPORTS

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

The Chair hears no objection.

### BILLS REPORTED AS COMMITTED AND CONSIDERED FIRST TIME AND TABLED

#### SENATE BILL No. 11

By Mr. PERRY

An Act providing for reimbursement of costs incurred by volunteer fire and ambulance companies for services rendered on Commonwealth property including legal costs arising therefrom; requiring the Department of Justice to provide legal representation in certain cases; and making an appropriation.

Reported from Committee on State Government.

#### SENATE BILL No. 904

By Mr. PERRY

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land situate in Harrison Township, Allegheny County, to the Allegheny Ludlum Industries, Inc.

Reported from Committee on State Government.

### BILL REPORTED AS AMENDED AND CONSIDERED FIRST TIME AND TABLED

#### SENATE BILL No. 33

By Mr. PERRY

An Act amending the act of September 30, 1961 (P. L. 1778, No. 712), entitled "Lobbying Registration Act," revising the laws relating to lobbying and imposing penalties.

Reported from Committee on State Government.

### REFERRALS

The SPEAKER. Without objection, the Chair will refer a resolution.

The Chair hears no objection.

### HOUSE RESOLUTION INTRODUCED AND REFERRED

By Messrs. FINEMAN and IRVIS

#### RESOLUTION No. 142

The House of Representatives of Pennsylvania cordially extends an invitation to the Polynesian people and their friends to join with the citizens of Pennsylvania in celebrating this event.

Referred to Committee on Rules.

### SENATE MESSAGE

#### BILL FOR CONCURRENCE

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

#### SENATE BILL No. 778

An Act making an appropriation to the State Court Administrator for the National Conference of Chief Justices and State Court Administrators.

Referred to Committee on Appropriations.

QUESTION OF INFORMATION

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

Mr. DeVERTER. Would it be possible, sir, to know where we are going to have dinner tonight? I understand you are sponsoring the troops at Lombardo's right after session. Is that correct, sir?

The SPEAKER. State-supported dinners twice in a row are just too much.

CALENDAR

HEALTH AND WELFARE BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third 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.

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 understands that the gentleman, Mr. McClatchy, is not going to offer amendments. Is that correct, sir?

Mr. McCLATCHY. Yes, Mr. Speaker, I intend to withdraw my amendments at this time. I have talked to the subcommittee chairman in charge of welfare and he promised me he would act on this legislation in September.

The SPEAKER. The Chair thanks the gentleman.

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

- Abraham, Anderson, J. H., Farber, Bennett, Beren, Berson, Bittle, Bonetto, Bradley, Brandt, Brunner, Burns, Butera, Caputo, Cimint, Cohen, Cowell, Crawford, Davies, Davis, D. M., DeMedio, Dicarlio, DiDonato, Gleason, Goodman, Green, Greenfield, Grieco, Gring, Halverson, Hesay, Haskell, Hayes, D. S., Hapford, Hill, Hopkins, Hutchinson, A., Hutchinson, W., Irvis, Itkin, Johnson, J., Katz, Kelly, A. P., Kelly, J. E., Kernick, Kistler, Mebus, Menhorn, Milanovich, Miller, M. E., Miller, M. E., Jr., Milliron, Moshlmann, Morris, Mrkonic, Mullen, M. P., Mullen, Musto, Myers, Novak, O'Connell, O'Donnell, O'Keefe, Oliver, Pancoast, Parker, H. S., Perri, Perry, Petrarca, Salvatore, Scheaffer, Schmitt, Schweder, Scirica, Seltzer, Shane, Shelhamer, Shelton, Shupnik, Spencer, Stapleton, Stout, Taddonio, Taylor, Tayoun, Toll, Trello, Turner, Ustyynoski, Valicenti, Vann, Vroon

- Doyle, Dreibelbis, Eckensberger, Englehart, Fawcett, Fee, Fischer, Flaherty, Foster, W., Fryer, Gallagher, Garzia, Geesey, Geisler, George, Giammarco, Gillespie, Gillette, Gleason, Klingaman, Knepper, Kowalyszyn, LaMarca, Laudadio, Laughlin, Lederer, Lehr, Levi, Lincoln, Lynch, Manderino, Manmiller, McCall, McClatchy, McCue, McGinnis, McFintyre, McLane, Pievsky, Pitts, Polite, Pratt, Prendergast, Pyles, Rappaport, Reed, Renninger, Renwick, Rhodes, Richardson, Rieger, Ritter, Romanelli, Ross, Ruggiero, Ryan, Saloom, Wagner, Walsh, T. P., Wansacz, Wargo, Weidner, Whelan, Whittlesey, Wilson, Wilt, R. W., Wojdak, Worriflow, Wright, Yahner, Yohn, Zearfoss, Zwinkl, Fineman, Speaker

NAYS—25

- Arthurs, Cessar, Cole, Cumberland, Deverter, Dietz, Dorr, Fisher, Foster, A., Gallen, Hamilton, J. H., Hayes, S. E., Kusse, Letterman, Miscovich, Noye, Shuman, Sirianni, Smith, L., Stahl, Sullivan, Westerberg, Wilt, W. W., Zeller, Zord

NOT VOTING—12

- Bellomint, Berlin, Blackwell, Dininni, Dombrowski, Hammock, Kolter, McGraw, O'Brien, Smith, E., Sweeney, 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 Chester, Mr. Smith.

Mr. E. H. SMITH. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. E. H. SMITH. Mr. Speaker, I am sorry but I neglected to vote on House bill No. 1153. I would like to be recorded as voting in favor of the bill.

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

LIQUOR BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 1532, printer's No. 1819, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), eliminating certain food sales as a prerequisite to Sunday sales.

On the question,

Will the House agree to the bill on third consideration?

BILL RECOMMITTED

Mr. IRVIS moved that House bill No. 1532 be recommitted to the Committee on Rules.

On the question,

Will the House agree to the motion?

Motion was agreed to.

LAW AND JUSTICE BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 618, printer's No. 1831, entitled:

An Act defining, authorizing and regulating the conducting of the game of "bingo" and fixing penalties.

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

MOTION TO RECOMMIT

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

Mr. HASKELL. Mr. Speaker, I can save some time. I move to recommit House bill No. 618 to the Committee on Rules, with the consent of the majority leader, Mr. Speaker.

The SPEAKER. This is an agreed-upon action?

Mr. HASKELL. Yes, sir.

AMENDMENTS WITHDRAWN

The SPEAKER. Will the gentleman, Mr. Lederer, withdraw his amendments?

Mr. LEDERER. I did not agree to this action, Mr. Speaker, but I will agree to it.

The SPEAKER. The gentleman withdraws his amendments.

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I move that House bill No. 618, printer's No. 1831, be recommitted to the Committee on Rules.

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

NONPREFERRED APPROPRIATION BILL ON THIRD CONSIDERATION

Agreeable to order, The House proceeded to third consideration of Senate bill No. 160, printer's No. 160, entitled:

An Act making an appropriation to the Philadelphia Musical Academy, Philadelphia, Pennsylvania, for maintenance and general operation.

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—140

- Anderson, J. H. Goodman Milanovich Schweder
Barber Greenfield Miller, M. E. Scirica
Bellomini Grieco Miller, M. E., Jr. Seltzer
Bennett Gring Milliron Shelhamer
Beren Hamilton, J. H. Mischevich Shelton
Berson Hayes, D. S. Moehlmann Shupnik
Bonetto Hepford Morris Smith, E.
Bradley Hill Mullen, M. P. Smith, L.
Brandt Hopkins Mullen Spencer
Brunner Hutchinson, A. Musto Stapleton
Burns Hutchinson, W. Myers Sullivan
Butera Irvis O'Connell Taddonio
Caputo Itkin O'Donnell Tayoun

- Cessar Johnson, J. O'Keefe Toll
Cohen Katz Oliver Trello
Cowell Kelly, A. P. Parker, H. S. Turner
Crawford Kelly, J. B. Perri Ustynoski
DeMedio Kernick Perry Valicenti
DiDonato Kistler Petrarca Vann
Dombrowski Knepper Pievsky Vroon
Doyle Kowalshyn Fitts Wagner
Dreibelbis LaMarca Prendergast Walsh, T. P.
Englehart Laudadio Pyles Wansacz
Fawcett Laughlin Rappaport Wargo
Fee Lederer Reed Westerberg
Fisher Levi Renninger Whelan
Flaherty Lincoln Rhodes Whittlesey
Gallagher Lynch Richardson Wojdak
Garzia Manderino Rieger Worrlow
Gelsler McCall Romanelli Yohn
George McClatchy Ross Zearfoss
Giammarco McGinnis Ruggiero Zord
Gillespie McIntyre Ryan
Gillette McLane Salvatore
Gleason Mebus Scheaffer
Gleeson Menhorn

NAYS—53

- Abraham Foster, W. Manmiller Shuman
Arthurs Fryer McCue Srianni
Cimini Gallen Mrkonic Stahl
Cole Geesey Novak Stout
Cumberland Green Noye Taylor
Davies Halverson Pancoast Weldner
Davis, D. M. Hasay Polite Wilson
Deverter Haskell Pratt Wilt, R. W.
Dicarlo Hayes, S. E. Renwick Wilt, W. W.
Dietz Klingaman Ritter Wright
Dorr Kusse Saloom Yahner
Eckensberger Lehr Schmitt Zeller
Fischer Letterman Shane Zwickl
Foster, A.

NOT VOTING—10

- Berlin Dininni McGraw Sweeney
Bittle Hammock O'Brien Thomas
Blackwell Kolter

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.

MOTOR VEHICLES BILL ON THIRD CONSIDERATION

Agreeable to order, The House proceeded to third 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.

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 Delaware, Mr. Zearfoss.

Does the gentleman have amendments to this bill? Mr. ZEARFOSS. Mr. Speaker, by popular demand, I have decided not to introduce these amendments at this time.

The SPEAKER. The Chair thanks the gentleman, ex-ceedingly.

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—193

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

NAYS—0

NOT VOTING—10

Berlin	Hammock	McGraw	Sweeney
Blackwell	Kolter	O'Brien	Thomas
Dininni	LaMarca		

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.

**BUSINESS AND COMMERCE BILLS  
ON THIRD CONSIDERATION**

Agreeable to order,

The House proceeded to third consideration of **Senate bill No. 603, printer's No. 638**, entitled:

An Act amending the act of December 14, 1967 (P. L. 746, No. 345), entitled "Savings Association Code of 1967," further providing for the powers of an association, the right to provide for cumulative voting for acting as trustee under the Employee Retirement Income Security Act of 1974, and providing for the issuance of mortgage backed bonds.

On the question,

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

Amend Title, page 1, line 20, by striking out "and"

Amend Title, page 1, line 21, by removing the period after "bonds" and inserting: , and requiring certain residential mortgage investments.

Amend Bill, page 4, by inserting between lines 28 and 29:

Section 5. Section 901 of the act is amended to read:

Section 901. Loans on Security of Real Estate.—An association may make a loan or participate in making loans or buy or sell participations in loans secured by a mortgage which is a first lien on real estate, or if the association holds all prior liens on the real estate, located in the regular lending area of the association, owned by the borrower in fee or in which he has a leasehold interest. An association shall not at any time retain a mortgage loan which is not secured by a mortgage which is a first lien on the real estate unless the association owns all prior liens. The total of all liens held by an association against real estate shall not exceed the maximum percentages of fair market value set forth in the subsections of this article. The loan shall be evidenced by a bond, note or other evidence of indebtedness and shall be made upon the security, terms and conditions and in the amount set forth in this article for such loan. Mortgage loans and participations shall be primarily on one to four family residential properties. If an association makes loans secured by liens on real estate then two percent of the total real estate loans made by the association during the previous year shall be allocated for loans not exceeding twelve thousand dollars (\$12,000) each which will be secured by liens on residential real estate located in the Commonwealth if the association receives applications for the loans so allocated by September 1. Of the two percent so allocated, no less than one-third shall be allocated to loans of eight thousand dollars (\$8,000) or less, no less than one-third for loans between eight thousand one dollars (\$8,001) and ten thousand dollars (\$10,000) and the balance for loans between ten thousand one dollars (\$10,000) and twelve thousand dollars (\$12,000).

Section 6. Nothing in this amendatory act shall be construed to require the mortgagee to depart from the mortgagee's normal standards of determining credit acceptability of the mortgagor.

Section 7. The mandatory investment requirements of this amendatory act shall apply only to those institutions having a place of business in cities of the first class.

Amend Sec. 5, page 4, line 29, by striking out "5." and inserting: 8.

On the question,

Will the House agree to the amendments?

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

Mr. O'DONNELL. Mr. Speaker, I am offering two separate amendments to Senate bill No. 603 and Senate bill No. 626.

The two amendments on Senate bill No. 603 deal with, first, mandatory mortgage commitments; and, second, disclosure requirements on the savings and loan associations.

The amendment that I am going to explain right now only deals with the mandatory investment. It attempts to deal with the problem of red-lining in Philadelphia. It requires that 2 percent of the real estate mortgages that are made by savings and loan associations must be made in the amount under \$12,000.

Now I want to point out to the members what the amendment does not do. It does not apply to any institution that does not have an office in a city of the first class.

When I originally considered these amendments—and

they were distributed last week—a number of members received information from their local bankers indicating that in most parts of the state, red-lining was not a problem. I have been persuaded by those legislators and by the information they have received, and this amendment on amendatory investment applies only to institutions having an office in cities of the first class.

Second point: Section 6 of the amendment says: "Nothing in this amendatory act shall be construed to require the mortgagee to depart from the . . . normal standards of determining credit acceptability of the mortgagor."

This amendment does not require any financial institution to make a credit commitment that they would not otherwise make. There is no attempt here to impair the security of the deposits in the savings and loan association. No bad loans are required to be made here.

There is in the minds of most members, especially if you are not from Philadelphia, an equation between low-priced housing and housing in areas that are devastated. In Philadelphia, that is not so. There are sound neighborhoods with low-priced housing where the applicants for the mortgages can qualify if only the institutions would make them in those low amounts.

This amendment specifically says that nothing in the act shall require them to make a loan on standards they would not otherwise use.

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

Mr. DiDONATO. Mr. Speaker, I urge my colleagues to oppose this amendment because it is very discriminatory. This amendment only applies to state-chartered associations and it does not apply to a Federal association. So I, therefore, urge my colleagues to oppose this amendment. Thank you.

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

Mr. BENNETT. Mr. Speaker, I rise in opposition to the amendments offered by Mr. O'Donnell.

I would like to say to the members of the House that the Business and Commerce Committee is aware of the amendments that Mr. O'Donnell is offering. As a matter of fact, the amendments that the gentleman is offering are a composite of several bills that are in the Committee on Business and Commerce.

The committee has held one public hearing on the matter and is considering holding another meeting.

What Mr. O'Donnell is attempting to do is to amend those bills into two Senate bills which are really house-keeping bills. Both of those bills passed the Senate almost unanimously, the one bill having only two dissenting votes.

The committee has looked at the bills, as I have indicated, is continuing to look at those bills, and has not turned a deaf ear to Mr. O'Donnell. We believe that what he is attempting to do is perform rather superficial surgery on a matter that has many, many ramifications. Mr. Speaker, I would ask the members of the House to oppose the amendments offered by Mr. O'Donnell.

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

Mr. LEDERER. Mr. Speaker, in my legislative district there are 59 political subdivisions. All are about on the same economical plane. In nine of those divisions, in the last 5 years, the banks and the savings and loan associa-

tions have given us 650 mortgages and rehabilitation loans; the other 50 were red-lined.

This is a big problem in the intercity. If we do not deal with this, in the next 2, 4 or 6 years the cities are going to come back to the legislature to ask the legislature to insure the banks. I think this is an opportunity for the legislature to do something for the intercities. I ask for support on these amendments.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, would the gentleman from Philadelphia, Mr. O'Donnell, consent to interrogation?

The SPEAKER. Will the gentleman from Philadelphia, Mr. O'Donnell, consent to interrogation?

Mr. O'DONNELL. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. RYAN. Mr. Speaker, could you advise me if these percentages would hold should a savings and loan association be located in Philadelphia and have branches in the three or four surrounding counties?

Mr. O'DONNELL. Well, as you know, under the present code, I think the operation of the contiguous county rule means that Philadelphia banks, and known as Philadelphia banks, have their "main office" somewhere in Montgomery County to take advantage of the scope of operations with contiguous counties.

The amendment applies to any institution that has an office in a city of the first class and nothing else.

Mr. RYAN. All right.

Now take the situation where there is a bank with the main office in Montgomery County and with one branch in Philadelphia and branches in Delaware, Montgomery, Chester, Bucks and Berks, too, and I guess Lehigh would fit in under the contiguous county rule, would your amendment then require this percentage—of 12 percent, was it—Mr. Speaker?

Mr. O'DONNELL. Two percent.

Mr. RYAN. Would your amendment require that 2 percent of the total assets of this particular bank be available for this type of loan in the intercity?

Mr. O'DONNELL. No.

Mr. RYAN. Why not?

Mr. O'DONNELL. Because, first of all, we are not dealing with the percentage of assets; we are talking about a percentage of the mortgage commitment.

Mr. RYAN. Of the total money commitment by this branch or by this organization, would 2 percent of the total commitment have to go into this type of loan?

Mr. O'DONNELL. Two percent of the commitment would have to go into this type loan. But this type loan is not intercity, as you characterized it, but rather under \$12,000.

I want to point out further that that would only be true if this hypothetical institution received enough applications to qualify by September 1. In other words, in the situation you are creating, that bank might only have one branch in Philadelphia. Unless they receive enough applications, it is specifically in the amendment that they do not have to comply. In other words, they do not have to import money back into Philadelphia from Delaware County.

Mr. RYAN. It was my understanding that you said that it only affected cities of the first class?

Mr. O'DONNELL. Yes.

Mr. RYAN. I am awaiting an answer, Mr. Speaker.



Mr. O'DONNELL. Excuse me, Mr. Speaker, what was the question?

Mr. RYAN. My question was, Mr. Speaker, that I understood you to say that this affected only banks or savings and loan associations that were located in cities of the first class—Philadelphia?

Mr. O'DONNELL. That have an office in cities of the first class, right.

Mr. RYAN. Now again, my hypothetical: If a bank or a savings and loan association, which I understand will be your other amendment, has one branch in the city of Philadelphia and, let us assume, 10 branches and its main office in the other five or six contiguous counties, they would be required under your amendment to grant 2 percent of their total mortgage commitment portfolio to loans in this class?

Mr. O'DONNELL. Yes, if they receive such applications by September 1.

Mr. RYAN. I understand.

Mr. O'DONNELL. Now your hypothetical creates a vision of only one office in Philadelphia and the importation of money from, essentially, a suburban bank into Philadelphia. I would suggest that with that hypothetical, the amendment would not apply because they would not be receiving such applications from Delaware County.

Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, I would oppose the amendments. Contrary to what Mr. O'Donnell says, savings and loan associations and banks that are located in the suburbs today receive mortgage applications from Philadelphia and any other place from which they are permitted to accept mortgages. Off the top of my head, I believe it is within 100 miles of their principal office as well as the contiguous counties.

On that basis, Mr. Speaker, it seems unfair—I do not know if unfair is the word, but certainly unworkable to me that a bank and/or a savings and loan association located perhaps in six counties would have to earmark 2 percent of their funds for the Philadelphia applications. I understand that there may not be that many applications, but the 2 percent would be of the total mortgage portfolio. For that reason, I would oppose the amendment.

The SPEAKER. The Chair recognizes the gentleman from Northampton, Mr. Kowalyszyn.

Mr. KOWALYSHYN. Mr. Speaker, I rise to speak in opposition to Mr. O'Donnell's amendments. I would like to point out that his amendment to Senate bill No. 603 provides for what is called mandatory government controlled credit reporting. His amendment to the next bill, to Senate bill No. 626, provides for what is called mandatory governmental credit allocation. These are very serious matters for the banking industry.

I would like to point out that we should keep in mind that the banks and savings and loan associations manage the depositors' money, the savings that the depositors entrust to the administration of the respective banks and savings and loan associations.

There is now a fiduciary relationship between depositor and his bank or savings and loan association. The bank or savings and loan association is now legally bound to safeguard the depositors' money by making only sound and prudent investments. Mr. O'Donnell's amendments would change this. His amendments would mean that by law a certain percent of residential mortgages shall be made based on government fiat and not based on

the best judgment of the individuals to whom the savers entrusted their money. These two amendments would undermine and subvert the authority and responsibility now given to the banks and savings and loan associations. In a word, Mr. O'Donnell's amendments would necessarily mean the legal confiscation of savers' money.

Mr. Speaker, I have in my hands a copy of the Congressional Record for June 23, 1975. I would like to bring to the attention of the House that Congressman Reuss of Wisconsin, who is chairman of the House Banking Committee, has entertained the same ideas proposed in Mr. O'Donnell's amendments. I want you to know what has happened.

Congressman Reuss offered two separate bills proposing mandatory governmental credit allocation, but was unable to get either bill out of his own committee. Congressman Reuss then abandoned the direct approach to credit allocation and instead offered a watered-down bill, H.R. 6676, which was limited in its application, similar to the first amendment now being presented, to credit reporting by the 200 largest commercial banks in the country. After a lengthy debate, Congress evidently acknowledged that mandatory government controlled credit reporting is just a first step toward mandatory governmental credit allocation of the kind Mr. O'Donnell now proposes. On June 23, 1975, the Democratic-controlled United States Congress rejected the mandatory credit reporting bill.

In closing, I would like to quote a brief excerpt from the congressional debate. I quote a part of the statement of Congressman Wylie of Ohio regarding mandatory government controlled credit reporting and its next logical step, credit allocation. Congressman Wylie states the following:

Mr. Speaker, in my judgment H.R. 6676 is merely a foot in the door to an economic police state and is incompatible with the democratic system and the free market.

Mr. Leonard Woodcock, president of the United Automobile Workers, came before the auto industry's task force to speak in favor of a mandatory credit allocation system.

I said to him, "Mr. Woodcock, as near as I am able to determine, there are only five countries in the world which utilize total credit allocation: Yugoslavia, East Germany, Czechoslovakia, Poland and the Soviet Union. Do you know of any other?"

There was dead silence in the room for a moment and then he said, "I do not."

Mr. Speaker, that makes the point I want to make here. If you feel we should go in this direction of a credit allocation system and what I choose to call an economic police state, then you should vote for this bill. But, I do not think we want to do that in this country.

I admonish the Members that the local banker is in a far better position to know what the credit needs of his community are and is far more responsible, sympathetic, and knowledgeable of the needs of a locality than a Washington bureaucrat.

Mr. Speaker, I urge a vote against the O'Donnell amendment.

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

Mr. L. E. SMITH. For the reasons stated by the previous speakers, I urge the defeat of this amendment. I think it is highly discriminatory and would set a very dangerous precedent.

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

Mr. O'DONNELL. Mr. Speaker, if the members decide to vote against that, I think they at least ought to be voting on the basis of the knowledge of what that amendment contains.

Mr. Kowalyshyn asserted that it would impair the fiduciary responsibility of the savings and loan associations. That is simply not the case. The members can read the amendment. It says that nothing in the amendment shall be construed to require them to depart from their normal credit standards. So I would think that the Soviet Union is a rather farfetched analogy.

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

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

YEAS—18

Berson	Green	Mullen, M. P.	Rappaport
Cohen	Greenfield	O'Donnell	Schweder
Eckensberger	Itkin	O'Keefe	Shuman
Gallagher	Laughlin	Oliver	Toll
Gillespie	Lederer		

NAYS—175

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

NOT VOTING—10

Berlin	Hammock	O'Brien	Thomas
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Blackwell  
Dininni

Kolter  
McGraw

Sweeney

Wojdak

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?  
Bill was agreed to.

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

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

YEAS—192

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

NAYS—0

NOT VOTING—11

Berlin	Dininni	McGraw	Sweeney
Blackwell	Hammock	O'Brien	Thomas
DiDonato	Kolter	O'Donnell	

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

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

Agreeable to order,

The House proceeded to third consideration of Senate bill No. 626, printer's No. 798, entitled:

An Act amending the act of November 30, 1965 (P.L. 847, No. 356), entitled "Banking Code of 1965," providing for the designation of legal holidays for banking institutions and making partial repeals of other laws for that purpose, reducing the number of trustees of a savings bank, changing the maximum amount and term and repayment for installment loans, requiring annual audits to be made by certified public accountants and changing the limit on loans to officers and employes.

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—193

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

NAYS—0

NOT VOTING—10

- |           |         |           |         |
|-----------|---------|-----------|---------|
| Berlin    | Hammock | O'Brien   | Sweeney |
| Blackwell | Kolter  | O'Donnell | Thomas  |
| Dininni   | McGraw  |           |         |

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.

SUPPLEMENTAL CALENDAR

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. 1333

An Act amending the act of June 30, 1975 (No. 8-A), entitled "An act to provide for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal 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," providing that the appropriation to the Department of Community Affairs for housing and redevelopment assistance and the appropriation to the Legislative Department shall not lapse; changing or amending certain appropriations to the Governor, the Pennsylvania Council on the Arts, the Governor's Council on Drug and Alcohol Abuse, the Auditor General, the Treasury Department, the Department of Agriculture, the Department of Banking, the Department of Commerce, the Department of Community Affairs, the Department of Education, the Department of Environmental Resources, the Department of Health, the Pennsylvania Historical and Museum Commission, the Department of Insurance, the Department of Justice, the Department of Labor and Industry, the Department of Military Affairs, the Pennsylvania Board of Probation and Parole, the Department of Property and Supplies, the Department of Public Welfare, the Department of Revenue, the Department of State, the Pennsylvania State Police, the State Tax Equalization Board, the Department of Transportation, to the Chief Clerk of the Senate, to the Majority and Minority Leadership Accounts of the Senate and House of Representatives, and to the Majority and Minority Legislative Management Accounts of the House of Representatives, clarifying appropriations to the General Assembly; adding appropriations to the Governor for the National Governor's Conference, to the Department of Community Affairs for housing and redevelopment assistance, to the Department of Commerce for the community facilities program, to the Department of Public Welfare for payments to second class counties for county homes; reinstating and reenacting appropriations to the Department of Public Welfare for child welfare programs and the food stamp program and to the Judicial Department for county reimbursement for court costs; and transferring, reinstating and reenacting an appropriation to the Department of Health from the Department of Public Welfare for grants to county departments of health.

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

The clerk read the following amendments made by the Senate:

Amend Title, page 1, line 1, by striking out at the beginning of the line "Making an appropriation" and inserting immediately thereafter the following:

Amending the act of June 30, 1975 (No. 8-A), entitled "An Act to provide for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal 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," providing that the appropriation to the Department of Community Affairs for housing and redevelopment assistance and the appropriation to the Legislative Department shall not lapse; changing or amending certain appropriations to the Governor, the Pennsylvania Council on the Arts, the

Fineman,  
Speaker

Governor's Council on Drug and Alcohol Abuse, the Auditor General, the Treasury Department, the Department of Agriculture, the Department of Banking, the Department of Commerce, the Department of Community Affairs, the Department of Education, the Department of Environmental Resources, the Department of Health, the Pennsylvania Historical and Museum Commission, the Department of Insurance, the Department of Justice, the Department of Labor and Industry, the Department of Military Affairs, the Pennsylvania Board of Probation and Parole, the Department of Property and Supplies, the Department of Public Welfare, the Department of Revenue, the Department of State, the Pennsylvania State Police, the State Tax Equalization Board, the Department of Transportation, to the Chief Clerk of the Senate, to the Majority and Minority Leadership Accounts of the Senate and House of Representatives, and to the Majority and Minority Legislative Management Accounts of the House of Representatives; clarifying appropriations to the General Assembly; adding appropriations to the Governor for the National Governor's Conference, to the Department of Community Affairs for housing and redevelopment assistance, to the Department of Commerce for the community facilities program. To the Department of Public Welfare for payments to second class counties for county homes; reinstating and reenacting appropriations to the Department of Public Welfare for child welfare programs and the food stamp program, and to the Judicial Department for county reimbursement for court costs; and transferring, reinstating and reenacting an appropriation to the Department of Health from the Department of Public Welfare for grants to county departments of health.

Amend Bill, page 2, lines 10 through 20, by striking out all of said lines and inserting in lieu thereof the following: Section 1. Section 2, act of June 30, 1975 (No. 8-A), known as the "General Appropriation Act of 1975," is amended by changing or amending certain appropriations to the Governor, the Pennsylvania Council on the Arts, the Governor's Council on Drug and Alcohol Abuse, the Auditor General, the Treasury Department, the Department of Agriculture, the Department of Banking, the Department of Commerce, the Department of Community Affairs, the Department of Education, the Department of Environmental Resources, the Department of Health, the Pennsylvania Historical and Museum Commission, the Department of Insurance, the Department of Justice, the Department of Labor and Industry, the Department of Military Affairs, the Pennsylvania Board of Probation and Parole, the Department of Property and Supplies, the Department of Public Welfare, the Department of Revenue, the Department of State, the Pennsylvania State Police, the State Tax Equalization Board, the Department of Transportation, the Chief Clerk of the Senate, the Appropriations Committees of the Senate and House of Representatives, the Majority and Minority Leadership Accounts of the Senate and House of Representatives, and the Majority and Minority Legislative Management Accounts of the House of Representatives; by adding appropriations to the Governor for the National Governor's Conference, to the Department of Community Affairs for housing and redevelopment assistance, to the Department of Commerce for the community facilities program, and to the Department of Public Welfare for payments to second class counties for county homes; by reinstating and reenacting appropriations to the Department of Public Welfare for child welfare programs and the food stamp program, and to the Judicial Department for county reimbursement for court costs; and by transferring, reinstating and reenacting an appropriation to the Department of Health from the Department of Public Welfare for grants to county departments of health to read:

Section 2. The following sums, or as much thereof as may be necessary, are hereby specifically appropriated from the General Fund to the several hereinafter named agencies of the Executive, Legislative and Judicial Departments of the Commonwealth for the payment of the salaries, wages or other compensation and travel expense of the duly elected or appointed officers and employees of the Commonwealth, for payment of fees of contractual services rendered, for the purchase or rental of goods, services, printing, equipment, land and buildings and for

payment of any other expenses, as provided by law or by this act, necessary for the proper conduct of the duties, functions and activities and for the purposes hereinafter set forth for the fiscal period beginning July 1, 1975 and for the payment of bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1975.

I. EXECUTIVE DEPARTMENT

To The Governor

For the salaries, wages and all necessary expenses for the following purposes and activities, including the maintenance of the executive mansion, the expense of entertainment of official guests and members of the general assembly and the judiciary, participation in the governor's conference, the expenses of the executive board, and for the payment of traveling expenses of persons other than employees of the Commonwealth appointed by the governor to represent or otherwise serve the Commonwealth:

Administration of the Office of the Governor .....	\$1,715,000
For costs incurred as host state for the bicentennial year National Governor's Conference .....	250,000
* * *	
For the administration and operation of the Office of Administration .....	3,220,000
For the administration of the Office of State Planning and Development .....	982,000
For the administration and operation of the Office of the Budget .....	1,206,000
* * *	
For the salaries, wages and [benefits] all necessary expenses for the proper administration of the Human Relations Commission program .....	3,176,000
For the administration and operation of the Pennsylvania Commission for Women ....	114,000
To the Pennsylvania Council on the Arts	
For the conduct of the work of the Pennsylvania Council on the Arts, requisitions to be signed by the Governor .....	1,505,000
* * *	
To the Governor's Council on Drug and Alcohol Abuse	
For the salaries, wages and all necessary expenses for the proper conduct of the Governor's Council on Drug and Alcohol Abuse .....	2,349,000
* * *	
To the Department of the Auditor General	
For the salaries, wages and all necessary expenses for the proper conduct of the following purposes and activities:	
Administration of the Department of the Auditor General for auditing annually, periodically or specially, the affairs of any department, board or commission which are supported out of the General Fund and for auditing justices of the peace, other fining offices, Volunteer Firemen's Relief Association funds and the offices of elected state officials .....	7,742,000
* * *	
Administration of the Board of Arbitration of Claims .....	191,000
* * *	

To the Treasury Department

For the salaries, wages and all necessary expenses for the proper conduct of the following purposes and activities:

Administration of the Treasury Department .....	3,377,000	* * *	
* * *		For higher education equal opportunity program grants .....	3,175,000
For the payment into the land and water development sinking fund to meet the interest and sinking fund requirements of notes and bonds issued and to be issued ....	10,847,000	* * *	
For the payment into the Capital Facilities Redemption Fund to meet the principal and interest requirements on notes and bonds issued and notes and bonds to be issued ....	65,296,000		
* * *			
To the Department of Agriculture		To the Department of Environmental Resources	
For the salaries, wages and all necessary expenses for the proper administration of the Department of Agriculture, including the following programs: regulation of consumer products and promotion of fair business practices, plant health, animal health, rural services and agribusiness development .....	11,477,000	For the salaries, wages and all necessary expenses for the proper administration of the Department of Environmental Resources including flood control, prevention, control and extinction of forest fires, reduction of disease and insect damage to forests, air pollution control, water quality management, community environment management, occupational health and safety, radiological health, development, utilization and regulation of water, land and mineral resources, and development, operation and maintenance of recreational areas and facilities .....	57,868,000
* * *			
To the Department of Banking		To the Department of Health	
For the salaries, wages and all necessary expenses for the proper administration of the Pennsylvania Securities Commission ....	660,000	For salaries, wages and all necessary expenses for the proper administration of the Department of Health including research and health information, medical facilities review, health services development, disease prevention, detection and diagnosis, outpatient treatment, inpatient treatment and life maintenance .....	26,811,000
* * *		* * *	
To the Department of Commerce		Reimbursement to school districts on account of health services .....	12,570,000
For the salaries, wages and all necessary expenses for the proper administration of the Department of Commerce including the following: tourism and travel development, industrial development, scientific and technological development, and international trade .....	4,300,000	* * *	
* * *		For grants to county departments of health and to municipalities for environmental health under the act of August 24, 1951 (P. L. 1304, No. 315), known as the "Local Health Administration Law" .....	3,500,000
For the Community Facilities Program pursuant to the Act of December 22, 1959 (P. L. 1978, No. 728) .....	2,000,000	* * *	
		To the Pennsylvania Historical and Museum Commission	
To the Department of Community Affairs		For the salaries, wages and all necessary expenses for the proper administration of the Pennsylvania Historical and Museum Commission including development and promotion of Pennsylvania state and local history, museum development and operations, and development and preservation of historical sites and properties .....	4,405,000
For the salaries, wages and all necessary expenses for the proper administration of the Department of Community Affairs, including community action assistance, housing and redevelopment, area-wide services, municipal administrative support capability, and local recreation areas and facilities .....	4,829,000	Administration of the Valley Forge Park Commission and operation and maintenance of the Valley Forge State Park .....	554,000
* * *		Administration of the Washington Crossing Park Commission and operation and maintenance of the Washington Crossing State Park .....	425,000
For grants for housing and redevelopment assistance as authorized by the act of May 20, 1949 (P. L. 1633, No. 493), known as the "Housing and Redevelopment Assistance Law," and by payment of the costs of administering such act up to but not exceeding an amount equaling 2% of this appropriation	19,650,000	* * *	
No more than 20% of the amount herein appropriated shall be allocated or granted to any one political subdivision.		To the Department of Insurance	
		For the salaries, wages and all necessary expenses for the proper administration of the Department of Insurance including policyholder services and protection, regulation of rates and policies, liquidation of companies and regulation of companies .....	4,180,000
To the Department of Education		To the Department of Justice	
For the salaries, wages and all necessary expenses for the proper administration of the Department of Education, including general instruction, special education, compensatory programs, vocational education, higher education-professional support services, community training services, adult employment training services and recreation services ....	11,525,000	For the salaries, wages and all necessary expenses for the proper administration of the Department of Justice to be appropriated as follows:	
For the operation of the state library, providing reference services and administering aid to public libraries .....	1,193,000	Attorney General .....	241,000
* * *		Comptroller .....	33,000
Operation, maintenance and administration of the state colleges and state-owned university .....	147,695,000	Regional Offices .....	1,084,000
For nonpublic school student [school] supplies .....	2,172,000	Community Advocate Unit .....	268,000
		Office of Management Services .....	535,000
		Office of Criminal Law .....	110,000
		Bureau of Investigations .....	470,000
		Governor's Justice Commission .....	564,000

Office of Civil Law .....	1,282,000	For administration cost of the Food Stamp Program .....	2,900,000
Bureau of Consumer Protection .....	863,000	* * *	
Board of Pardons .....	115,000	For Southeastern State School and Hospital to be utilized by at least 300 in-patients by October 30, 1975 and be utilized to at least 80% of its original rated capacity by [June 30, 1976] June 1, 1976 .....	7,500,000
Pennsylvania Crime Commission .....	206,000	* * *	
<p>Except that no funds appropriated herein shall be expended for the payment of leased space that exceeds \$6.90 per square foot unless such lease shall include a provision providing for heat, electric and janitorial services and in no event shall the payment for leased space exceed \$7.05 per square foot.</p> <p>For the salaries, wages and all necessary expenses of the Bureau of Drug Control and the Office of Drug Law Enforcement .....</p>		For payments to counties of the second class for the purpose of paying part of the costs of care of persons in county homes operated by second class counties .....	5,200,000
	2,706,000	[For grants to County Departments of Health and to municipalities under the Act of August 24, 1951 (P. L. 1304, No. 315), known as the "Local Health Administration Law" .....	3,500,000]
For salaries, wages and all necessary expenses of the Juvenile Court Judges' Commission .....	164,000	To the Department of Revenue	
<p>For the operation, maintenance and administration of the state correctional institutions and community treatment centers, not including funds for the establishment, maintenance or operation of a maximum security facility at Farview State Hospital .....</p>		For salaries, wages and all necessary expenses for the proper administration of the Department of Revenue including corporation taxes, county collections, cigarette and beverage taxes, education tax administration, and administration of the personal income tax .....	38,898,000
	57,140,000	* * *	
To the Department of Labor and Industry		To the Department of State	
* * *		For salaries, wages and all necessary expenses for the proper administration of the Department of State including regulation of consumer products and promotion of fair business practice, maintenance of the electoral process .....	4,462,000
For the Commonwealth's share of the cost of the work incentive program to provide permanent jobs at decent pay for eligible persons receiving aid to families with dependent children .....	125,000	* * *	
* * *		To the Pennsylvania State Police	
To the Department of Military Affairs		For salaries, wages and all necessary expenses for the proper administration of the Pennsylvania State Police, including juvenile crime prevention, criminal law enforcement, prevention and control of civil disorders, emergency disaster assistance, and fire prevention .....	22,970,000
For salaries, wages and all necessary expenses for the proper administration of the department .....	6,642,000	* * *	
* * *		To the State Tax Equalization Board	
To the Pennsylvania Board of Probation and Parole		For the salaries, wages and all necessary expenses for the proper administration of the State Tax Equalization Board .....	673,000
For the salaries, wages and all necessary expenses for the proper administration of the Board of Probation and Parole reintegration of offenders .....	6,449,000	To the Department of Transportation	
* * *		For the salaries, wages and all necessary expenses for the proper administration of the Department of Transportation for urban mass transportation—mass transit, and port and waterway development .....	996,000
To the Department of Property and Supplies		* * *	
For the salaries, wages and all necessary expenses for the proper administration of the Department of Property and Supplies including distribution of surplus state property, purchase, maintenance and disposition of state automotive equipment, standards and specifications of commodities for state agencies, purchase of commodities for state agencies, real estate and insurance, building, construction and engineering, maintenance and custody of state office buildings and grounds, general services, Federal surplus property, and distribution of Federal surplus commodities .....	23,294,000	To the Pennsylvania Public Television Network Commission	
* * *		For operation of the Pennsylvania Public Television Network Commission .....	4,249,000
To the Department of Public Welfare		* * *	
For the salaries, wages and all necessary expenses for the proper administration of the Department of Public Welfare including medical facilities review, health services support and development, mental health systems, services to the communities, family support services, mental retardation systems and income maintenance .....	17,746,000	II. LEGISLATIVE DEPARTMENT	
* * *		To the Senate	
For payment to counties for child welfare programs and for the care of delinquent and deprived children committed by the courts to a private or public facility .....	53,239,000	For the salaries, wages and all necessary expenses for the following purposes:	
* * *		* * *	
		Salaries, and wages of employees of the Chief Clerk and all necessary expenses to be allocated and disbursed at the direction of the President pro tempore .....	500,000
		* * *	
		For the payment of the expenses of the committee on appropriations (D) of the	

Senate in investigating schools, colleges, universities, correctional institutions, mental hospitals, medical and surgical hospitals, homes and other institutions, and agencies supported, in whole or in part, by appropriations from the State treasury, in analyzing reports, expenditures and the general operation and administration of said institutions and agencies, in examining and analyzing requests of the same and of the various departments, boards and commissions of the Commonwealth, and for the collection of data from other states, attending seminars, conferences, and in cooperation and exchanging information with legislative budget and financial committees of other states, and for the necessary clerical, technical and professional assistance and other assistance, including consultants' travel expense, and all other expenses in compiling data and information including detailed study of programs, projecting long range costs of governmental operations, and the study of existing and future problem areas, connected with the work of said committee in compiling comparative costs and other fiscal data and information for the use of said committee and the Senate during legislative sessions to the discharge of such duties. The committee shall have the authority to examine and inspect all properties, equipment, facilities, files, records and accounts of any state office, department, institution, board, committee, commission or agency or any institution or agency supported, in whole or in part, by appropriation from the State treasury and to administer oaths. The committee may issue subpoenas under the hand and seal of the chairman to compel the attendance of witnesses and the production of any papers, books, accounts, documents and testimony touching matters properly being inquired into by the committee and to cause the deposition of witnesses either residing within or without the state to be taken in the manner prescribed by laws for taking depositions in civil actions. The sum appropriated shall be paid on warrant of the State Treasurer in favor of the chairman of said committee on the presentation of his requisition for the same. The chairman of the committee on appropriations shall not later than 30 days after the termination of his term of office, or until his successor is elected and also within 30 days after the adjournment of any regular or special session, file an account, together with supporting documents, whenever possible, in the office of the appropriation committee of the committee's expenses since the filing of the prior account .....

298,000

For the payment of the expenses of one minority party member of the committee on appropriations (R) of the Senate designated by a majority vote of the minority party Senate Caucus for investigating schools, colleges, universities, correctional institutions, mental hospitals, medical and surgical hospitals, homes and other institutions and agencies supported, in whole or in part, by appropriations from the State treasury in analyzing reports, expenditures, and the general operation and administration of said institutions and agencies in examining and analyzing requests of the same and of the various departments, boards and commissions of the Commonwealth, and for the collection of data from other states attending seminars, conferences, and in cooperating and exchanging information with legislative budget and financial committees of other states, and for the necessary clerical, technical and professional assistance and other

assistance, including consultants' travel expense and all other expenses in compiling data and information connected with the work of said committee in compiling comparative cost and other fiscal data and information including detailed study of programs, projecting long range costs of governmental operations, and the study of existing and future problem areas, for the use of said committee and the Senate during legislative sessions and during the interim between legislative sessions to the discharge of such duties. The sum appropriated shall be paid on warrant of the State Treasurer in favor of the member so designated by the majority vote of the minority party Senate caucus on the presentation of his requisition for the same. Such member so designated shall, not later than 30 days after the termination of his term of office, or until his successor is elected, and also within 30 days after the adjournment of any regular or special session, file an account together with supporting documents, in the office of the minority party member of the committee on appropriations of the Senate of his expenses since the filing of the prior account .....

298,000

For the payment to the [Majority Leader] Special Leadership Account (D) for payment of salaries, wages and all other incidental expenses incurred in hiring personnel and staff for services which in the opinion of the majority leader may be required or arise during legislative sessions and during the interim between legislative sessions and for the payment of all other expenses related to the performance of his duties and responsibilities. The sum appropriated shall be paid on warrant of the State Treasurer in favor of the majority leader on the presentation of his requisition for the same. The majority leader shall, not later than 30 days after the termination of his term of office or until his successor is elected and also within 30 days after the adjournment of any regular or special session, file an account together with supporting documents, whenever possible, in the office of the majority leader of such expenses since the filing of the prior account .....

650,000

For the payment to the [Minority Leader] Special Leadership Account (R) for payment of salaries, wages and all other incidental expenses incurred in hiring personnel and staff for services which in the opinion of the minority leader may be required or arise during legislative sessions and during the interim between legislative sessions and for the payment of all other expenses related to the performance of his duties and responsibilities. The sum appropriated shall be paid on warrant of the State Treasurer in favor of the minority leader on the presentation of his requisition for the same. The minority leader shall, not later than 30 days after the termination of his term of office or until his successor is elected and also within 30 days after the adjournment of any regular or special session, file an account together with supporting documents, whenever possible, in the office of the minority leader of such expenses since the filing of the prior account .....

650,000

For allocation in such amounts as may be designated by the [Majority] Legislative Management Committee (D) to the several standing committees (other than the appropriations committee) of the Senate for payment of compensation of counsel, research assistants and other staff personnel hired and assigned to work on behalf of the chairman and the majority members of such standing committees of the Senate and for

other necessary expenses incurred. Upon presentation of requisitions by the chief clerk of the Senate for such compensation or expenses, such shall be paid on warrant of the State Treasurer directly to and in favor of the persons designated in such requisition as entitled to receive such compensation or expenses. An accounting, together with supporting documents, whenever possible, shall be filed in the office of the chief clerk of such expenses since the filing of the prior account .....

For allocation in such amounts as may be designated by the [Minority] Legislative Management Committee (R) to the several standing committees (other than the appropriations committee) of the Senate for payment of compensation of counsel, research assistants and other staff personnel hired and assigned to work on behalf of the minority members of such standing committees of the Senate and for other necessary expenses incurred. Upon presentation of requisitions by the chief clerk of the Senate for such compensation or expenses, such shall be paid on warrant of the State Treasurer directly to and in favor of the persons designated in such requisitions as entitled to receive such compensation or expenses. An accounting, together with supporting documents, whenever possible, shall be filed in the office of the chief clerk of such expenses since the filing of the prior account .....

\* \* \*

To the House of Representatives

For the payment of the expenses of the Committee on Appropriations (D) of the House of Representatives in investigating schools, colleges, universities, correctional institutions, mental hospitals, medical and surgical hospitals, homes and other institutions and agencies supported, in whole or in part, by appropriations from the State treasury in analyzing reports, expenditures and the general operation and administration of said institutions and agencies in examining and analyzing requests of the same and of the various departments, boards and commissions of the Commonwealth, and for the collection of data from other states attending seminars, conferences, and in cooperating and exchanging information with legislative budget and financial committees of other states, and for the necessary clerical assistance and other assistance, travel expense and all other expenses in compiling data and information connected with the work of said committee in compiling comparative cost and other fiscal data and information for the use of said committee and the House of Representatives during legislative sessions and during the interim between legislative sessions to the discharge of such duties. The committee shall have the authority to examine and inspect all properties, equipment, facilities, files, records and accounts of any state office, department, institution, board, committee, commission or agency or any institution or agency supported, in whole or in part, by appropriation from the State treasury and to administer oaths. The committee may issue subpoenas under the hand and seal of the chairman to compel the attendance of witnesses and the production of any papers, books, accounts, documents and testimony touching matters properly being inquired into by the committee and to cause the deposition of witnesses either residing within or without the state to be taken in the manner prescribed by law for taking depositions in civil actions.

1,200,000

1,200,000

The sum appropriated shall be paid on warrant of the State Treasurer in favor of the chairman of said committee on the presentation of his requisition for the same. The chairman of the committee on appropriations shall, not later than 30 days after the termination of his term of office or until his successor is elected and also within 30 days after the adjournment of any regular or special session, file an account together with supporting documents in the office of the appropriation committee of the committee's expenses since the filing of the prior account .....

298,000

For the payment of the expenses of one minority party member of the committee on appropriations (R) of the House of Representatives designated by a majority vote of the minority party House of Representatives caucus for investigating schools, colleges, universities, correctional institutions, mental hospitals, medical and surgical hospitals, homes and other institutions and agencies supported, in whole or in part, by appropriations from the State treasury in analyzing reports, expenditures, and the general operation and administration of said institutions and agencies in examining and analyzing requests of the same and of the various departments, boards and commissions of the Commonwealth and for the collection of data from other states attending seminars, conferences, and in cooperating and exchanging information with legislative budget and financial committees of other states, and for the necessary clerical assistance, and other assistance, travel expense and all other expenses in compiling data and information connected with the work of said committee in compiling comparative cost and other fiscal data and information for the use of said committee and the House of Representatives during legislative sessions and during the interim between legislative sessions to the discharge of such duties. The sum appropriated shall be paid on warrant of the State Treasurer in favor of the member so designated by the majority vote of the minority party House of Representatives caucus on the presentation of his requisition for the same. Such member so designated shall, not later than 30 days after the termination of his term of office, or until his successor is elected, and also within 30 days after the adjournment of any regular or special session, file an account together with supporting documents in the office of the minority party member of the committee on appropriations of the House of Representatives of his expenses since the filing of the prior account .....

298,000

For the payment to a committee (D) of the House of Representatives composed of the Speaker of the House of Representatives, the Majority Leader, the Majority Whip, the Majority Caucus Chairman and the Majority Caucus Secretary of the House of Representatives for allocation in its discretion to the several committees of the House of Representatives for payment of the expenses of hiring such additional personnel and staff and for conducting such research and study projects as may be required or arise in connection with the work of such committees during legislative sessions and during the interim between legislative sessions. The sum appropriated shall be paid on warrant of the State Treasurer in favor of the majority leader on the presentation of his requisition for the same. The majority leader shall, not later than 30 days after the termination of his term of office or until his successor is elected and also within 30



days after the adjournment of any regular or special session, file an account together with supporting documents in the office of the majority leader of such expenses since the filing of the prior account .....

650,000

For the payment to a committee (R) of the House of Representatives composed of the Minority Leader, the Minority Caucus Chairman, and the Minority Caucus Secretary for allocation in its discretion to the several committees of the House of Representatives for the payment of the expenses of hiring such additional personnel and staff and for conducting such research and study projects as may be required or arise in connection with the work of such committees during legislative sessions and during the interim between legislative sessions. The sum appropriated shall be paid on warrant of the State Treasurer in favor of the minority leader on the presentation of his requisition for the same. The minority leader shall, not later than 30 days after the termination of his term of office or until his successor is elected and also within 30 days after the adjournment of any regular or special session, file an account together with supporting documents in the office of the minority leader of such expenses since the filing of the prior account .....

650,000

For allocation in such amounts as may be designated by the [Majority] Legislative Management Committee (D) to the several standing committees (other than the appropriation committee) of the House for payment of compensation of counsel, research assistants and other staff personnel hired and assigned to work on behalf of the chairman and the majority members of such standing committees of the House and for other necessary expenses incurred. Upon presentation of requisitions by the Chief Clerk of the House for such compensation or expense, such shall be paid on warrant of the State Treasurer directly to and in favor of the persons designated in such requisition as entitled to receive such compensation or expenses. An accounting, together with supporting documents, shall be filed in the office of the Chief Clerk of such expenses since the filing of the prior account .....

1,200,000

For allocation in such amounts as may be designated by the [Minority] Legislative Management Committee (R) to the several standing committees (other than the appropriations committee) of the House for payment of compensation of counsel, research assistants and other staff personnel hired and assigned to work on behalf of the minority members of such standing committees of the House and for other necessary expenses incurred. Upon presentation of requisitions by the Chief Clerk of the House for such compensation or expenses, such shall be paid on warrant of the State Treasurer directly to and in favor of the persons designated in such requisitions as entitled to receive such compensation or expenses. An accounting, together with supporting documents, shall be filed in the office of the chief clerk of such expenses since the filing of the prior account \* \* \*

1,200,000

III. JUDICIAL DEPARTMENT

Miscellaneous

For the payment to the counties in reimbursement of the direct costs incurred by the counties in the administration and operation of all courts established pursuant to Article V, Section 1 of the Pennsylvania Constitution and for officers, justices and judges of the Supreme, Superior and Com-

monwealth Courts in the county of their residence. Costs incurred by the counties in the administration and operation of all courts means costs as reported to the Department of Community Affairs in the county's annual financial report forms under the heading (a) "judicial," but confined to the subheading: (160) courts, excluding capital outlay. If a city coterminous with a county does not report on the Department of Community Affairs' form, its figures from the same subheading, set forth in the department forms, shall be used: Provided, That such payments shall be made to the county treasurer and in cities of the first class coterminous with counties of the first class to the city treasurer: And, provided further, That in the event the amount herein appropriated is not sufficient to reimburse all such costs, payments shall be made to the counties in the proportion which the costs of each county bears to the total costs of all counties during the most recently completed fiscal year: And provided further, That in making allocations and payments hereunder, the court administrator of Pennsylvania shall, except for county offices of justices and judges of the Supreme, Superior and Commonwealth Courts, exclude all costs which are not properly reportable under the heading hereinabove specified .....

14,000,000

Section 2. Section 9 of the act is amended to read:

Section 9. [that] (a) except as provided in subsection (b), that part of all appropriations in this act unexpended, uncommitted and unencumbered as of June 30, 1976 shall automatically lapse as of that date.

(b) The appropriation to the Department of Community Affairs for housing and redevelopment assistance and the appropriations to the Legislative Department shall not lapse.

Section 3. This act shall take effect immediately.

On the question,

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

Mr. IRVIS. Mr. Speaker, I request that the House do nonconcur in the amendments made by the Senate to House bill No. 1333.

On the question recurring,

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

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

YEAS—0

NAYS—191

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

DeMedio	Kelly, A. P.	Perry	Vann
Deverter	Kelly, J. B.	Petrarca	Vroon
Dicarlo	Kernick	Pievsky	Walsh, T. P.
DiDonato	Kistler	Pitts	Wansacz
Dietz	Klingaman	Polite	Wargo
Dombrowski	Knepper	Pratt	Weidner
Dorr	Kowalshyn	Prendergast	Westerberg
Doyle	Kusse	Pyles	Whelan
Dreibelbts	LaMarca	Rappaport	Whittlesey
Eckensberger	Laudadio	Reed	Wilson
Engelhart	Laughlin	Renninger	Wilt, R. W.
Fawcett	Lederer	Renwick	Wilt, W. W.
Fee	Lehr	Rhodes	Wojdak
Fischer	Letterman	Richardson	WorriLOW
Fisher	Levi	Rieger	Wright
Flaherty	Lincoln	Ritter	Yahner
Foster, A.	Lynch	Romanelli	Yohn
Foster, W.	Manderino	Ross	Zearfoss
Fryer	Manmiller	Ruggiero	Zeller
Gallagher	McCall	Ryan	Zord
Gallen	McClatchy	Saloom	Zwilk
Garzia	McCue	Salvatore	
Geesey	McGinnis	Scheaffer	Fineman,
Geisler	McIntyre	Schmitt	Speaker
George			

NOT VOTING—12

Berlin	Dininni	Kolter	Sweeney
Blackwell	Grieco	McGraw	Thomas
Caputo	Hammock	O'Brien	Wagner

Less than the majority required by the constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the clerk inform the Senate accordingly.

QUESTIONS OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. WAGNER. Mr. Speaker, I wish to be recorded in the negative on concurrence in Senate amendments to House bill No. 1333.

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

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

Mr. CAPUTO. Mr. Speaker, I wish to be recorded in the negative on concurrence in Senate amendments to House bill No. 1333.

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

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

Mr. GRIECO. Mr. Speaker, I wish to be recorded in the negative on concurrence in Senate amendments to House bill No. 1333.

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

CONSIDERATION OF HOUSE BILL No. 545 RESUMED

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—100

Abraham	Geisler	Menhorn	Ross
Arthurs	George	Milanovich	Ruggiero
Barber	Giammarco	Milliron	Saloom
Bellomini	Gillespie	Miscevich	Schmitt
Berson	Gillette	Morris	Schweder
Bonetto	Goodman	Mrkonic	Shane
Bradley	Green	Mullen	Shelton
Brunner	Greenfield	Musto	Shupnik
Burns	Grieco	Myers	Stapleton
Caputo	Gring	Novak	Stout
Cohen	Hutchinson, A.	O'Donnell	Sullivan
Cole	Irvis	O'Keefe	Tayoun
Cowell	Itkin	Oliver	Toll
Davis, D. M.	Johnson, J.	Perry	Trello
DeMedio	Kelly, A. P.	Petrarca	Valicenti
DiDonato	Kernick	Pievsky	Vann
Dombrowski	Kowalshyn	Pratt	Walsh, T. P.
Doyle	LaMarca	Prendergast	Wansacz
Dreibelbts	Laudadio	Rappaport	Wargo
Eckensberger	Laughlin	Reed	Wojdak
Engelhart	Lederer	Renwick	Yahner
Fee	Letterman	Rhodes	Zwilk
Fischer	Manderino	Richardson	
Flaherty	McCall	Rieger	Fineman,
Gallagher	McLane	Romanelli	Speaker
Garzia	McIntyre		

NAYS—92

Anderson, J. H.	Halverson	Manmiller	Sirianni
Bennett	Hamilton, J. H.	Mebus	Smith, E.
Beren	Hasay	Miller, M. E.	Spencher
Bittle	Haskell	Miller, M. E., Jr.	Stahl
Brandt	Hayes, D. S.	Moehlmann	Taddonio
Butera	Hayes, S. E.	Mullen, M. P.	Taylor
Cessar	Hepford	Noye	Turner
Cimini	Hill	O'Connell	Ustynoski
Crawford	Hopkins	Pancoast	Vroon
Cumberland	Hutchinson, W.	Parker, H. S.	Wagner
Davies	Katz	Perri	Weidner
Deverter	Kelly, J. B.	Pitts	Westerberg
Dicarlo	Kistler	Polite	Whelan
Dietz	Klingaman	Pyles	Whittlesey
Dorr	Knepper	Renninger	Wilson
Fawcett	Kusse	Ritter	Wilt, R. W.
Fisher	Lehr	Ryan	Wilt, W. W.
Foster, A.	Levi	Salvatore	WorriLOW
Foster, W.	Lincoln	Scheaffer	Wright
Fryer	Lynch	Scirca	Yohn
Gallen	McClatchy	Seitzer	Zearfoss
Geesey	McCue	Shelhamer	Zeller
Gleason	McGinnis	Shuman	Zord

NOT VOTING—11

Berlin	Gleeson	McGraw	Sweeney
Blackwell	Hammock	O'Brien	Thomas
Dininni	Kolter	Smith, L.	

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

LIQUOR BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of Senate bill No. 546, printer's No. 570, entitled:

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

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—62

Abraham	Irvis	Myers	Shelton
Barber	Itkin	Novak	Shupnik
Beren	Kelly, A. P.	Ollver	Sullivan
Berson	Kelly, J. B.	Perry	Tayoun
Bonetto	Kernick	Pievsky	Toil
Caputo	Kowalyszyn	Rappaport	Trello
Cohen	Laudadio	Reed	Valicenti
Cowell	Lederer	Renwick	Vann
DiDonato	Manderino	Rhodes	Wagner
Doyle	McGinnis	Rieger	Walsh, T. P.
Garzia	McIntyre	Ritter	Wargo
Geisler	McLane	Romanelli	Wojdak
Giammarco	Menhorn	Ross	Zwilk
Gillette	Miscevich	Ruggiero	
Gleeson	Mullen	Schweder	Fineman,
Goodman	Musto	Scirica	Speaker

NAYS—131

Anderson, J. H.	Fryer	Lynch	Schmitt
Arthurs	Gallagher	Manmiller	Seltzer
Bellomini	Gallen	McCall	Shane
Bennett	Geesey	McClatchy	Shelhamer
Bittle	George	McCue	Shuman
Bradley	Gillespie	Mebus	Siranni
Brandt	Gleason	Milanovich	Smith, E.
Brunner	Green	Miller, M. E.	Smith, L.
Burns	Greenfield	Miller, M. E., Jr.	Spencer
Butera	Grieco	Milliron	Stahl
Cessar	Gring	Moehlmann	Stapleton
Cimini	Halverson	Morris	Stout
Cole	Hamilton, J. H.	Mrkonlc	Taddonio
Crawford	Hasay	Mullen, M. P.	Taylor
Cumberland	Haskell	Noye	Turner
Davies	Hayes, D. S.	O'Connell	Ustynoski
Davis, D. M.	Hayes, S.E.	O'Donnell	Vroon
DeMedio	Hepford	O'Keefe	Wansacz
Deverter	Hill	Pancoast	Weidner
Dicarlo	Hopkins	Parker, H. S.	Westerberg
Dietz	Hutchinson, W.	Perri	Whelan
Dombrowski	Johnson, J.	Petrarca	Whittlesey
Dorr	Katz	Pitts	Wilt, R. W.
Dreibelbis	Kistler	Polite	Wilt, W. W.
Eckensberger	Klingaman	Pratt	Worrlow
Englehart	Knepper	Prendergast	Wright
Fawcett	Kusse	Pyles	Wagner
Fee	LaMarca	Renninger	Yohn
Fischer	Laughlin	Richardson	Zearfoss
Fisher	Lehr	Ryan	Zeller
Flaherty	Letterman	Saloom	Zord
Foster, A.	Levi	Salvatore	
Foster, W.	Lincoln	Scheaffer	

NOT VOTING—10

Berlin	Hammock	McGraw	Sweeney
Blackwell	Hutchinson, A.	O'Brien	Thomas
Dininni	Kolter		

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

COMMUNICATION FROM GOVERNOR

VETO OF HOUSE BILL No. 496

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

Commonwealth of Pennsylvania  
Governor's Office, Harrisburg

July 22, 1975

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

I return herewith, without my approval, House Bill No. 496, Printer's No. 1884, entitled "An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled 'The Administrative Code of 1929,' LIMITING THE ASSIGNMENT OF SCHOOL CHILDREN AND limiting the time during which certain actions relating to transportation programs may be brought."

I am today returning, without my signature, House Bill 496, the so-called "anti-busing" bill.

Actually, House Bill 496 is a pro-busing bill for by stripping away powers presently vested in the State Human Relations Commission, it is an open invitation to the Federal courts to step in and dictate the very busing program in Pennsylvania that this legislation supposedly would prevent.

As written, House Bill 496, just like Senate Bill 1400, which I vetoed last year, could produce a "Boston" situation in Philadelphia, and this must be prevented to every extent possible.

I have never believed that forced busing is a desirable means to implement school desegregation.

Even if the \$50 to \$60 million of funds were available for busing (which they are not), I would much rather see money used to improve the quality of education rather than used for forced busing.

But House Bill 496 will not end busing, and indeed, the word "busing" is never even mentioned in the bill.

House Bill 496 merely strips the Human Relations Commission of its ability to work with communities to produce reasonable programs of school integration. This bill, if it were to become law, would leave the supporters of integration no alternative but to appeal directly to the Federal courts to implement the mandates of the U. S. Supreme Court thereby opening the door for the Federal courts in Pennsylvania to do what they did in Boston.

I cannot accept this extreme result, but this is exactly what will happen if the Human Relations Commission is stripped of its powers.

In depriving the Human Relations Commission of every means to do its job, House Bill 496 would have us abandon the quiet, deliberate and effective work the Commission has been doing within our communities.

It may be alleged that this bill is necessary because of the recent Human Relations Commission Report on school integration in Philadelphia.

But that Report was ordered not by this Administration nor by the Human Relations Commission but by the Commonwealth Court. And this bill will not—and cannot—prevent such actions by a court.

House Bill 496 is an extreme measure. And I fear it will produce even more extremism through court action.

For these reasons, I am vetoing House Bill 496.

I ask the General Assembly to permit the Human Relations Commission to continue to use the tools of discussion, compromise and common sense in this difficult area of concern to all our people.

In many Pennsylvania school districts, during the past few years, the outstanding work of the Commission and local community leaders has contributed to the reduction of racial tensions and the furtherance of cooperation and understanding.

I ask again, as I did in my veto message of a similar bill last December 27th: "Should we in Pennsylvania abandon these efforts entirely, surrender our ability to work together in a spirit of compromise and leave this problem to the dictation of Federal courts? Or should we continue to work together and solve our problems in a cooperative manner?"

I think the answer is just as obvious today as it was last December when I vetoed Senate Bill 1400.

In the interest of equal opportunity to all our citizens, for the continued maintenance of sensible compromise and for the avoidance of Federal dictation of school busing, I veto House Bill 496 and call upon the Legislature and all of our people to cooperate with the Human Relations Commission to work out these difficult and complex problems in a spirit of understanding rather than under the direct dictation of the Federal Courts.

MILTON J. SHAPP,  
GOVERNOR

On the question,

Shall the bill become law, the objections of the Governor to the contrary notwithstanding?

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

Mr. KATZ. Mr. Speaker, I move to override the Governor's veto of House bill No. 496, printer's No. 1884. I believe the motion is on your desk in writing and when every member—

The SPEAKER. There is no motion that is in order, Mr. Katz.

The question before the House is: Shall the bill become law, the objections of the Governor to the contrary notwithstanding?

You may argue to the effect that the bill should not become law.

Mr. KATZ. Would you please repeat that?

The SPEAKER. The proper procedure for dealing with this subject is not in the form of a motion from the floor.

The question that the Speaker has put to the House is: Shall House bill No. 496 become law, the objections of the Governor to the contrary notwithstanding?

The gentleman may argue that the bill should not become law, and, therefore, the gentleman will be voting in the negative.

Mr. KATZ. I do not know what you said, but I want 136 votes.

The SPEAKER. You have got the number right.

Mr. KATZ. Mr. Speaker, I would like to address myself to the rationale of the Governor's veto.

In order to address myself to the Governor's veto message to this General Assembly, I would like to refer to December 27, 1974 and look at the same veto message, or almost identically the same as the one we have before us today, July 22, 1975. I would like to quote a paragraph of the veto message, Veto No. 23, on Senate bill No. 1400, dated December 27, 1974. I quote from the House History:

This issue has been raised over busing.—

And this is a very important paragraph, Mr. Speaker, concerning the Governor's veto message—

Personally I don't believe that busing is a desirable means to end school desegregation. It is costly and often creates a major strain on family patterns of life. If it must be used at all, busing should be used sparingly, as a last resort, and with maximum consideration given to the feelings of the local community.

I wish to emphasize the last line: "with maximum consideration given to the feelings of the local community."

Mr. Speaker, I say to you today that the Human Relations Commission, which was formed by this legislature, neither gave any effort nor asked the people of Philadelphia how they felt concerning the present plan that is before the Commonwealth Court today.

The Governor's rationale in vetoing this particular bill is that he does not want to create another Boston. What he is really going to do is to create another Boston. If this plan goes into effect in the city of Philadelphia, you will see something worse than you have ever seen in the city of Boston or the city of Detroit or Pontiac, Michigan. This plan is horrendous. This plan does not deserve to go into effect.

I say to you today that once and for all the Human Relations Commission must be taken out of the busing business. They were not formed for that reason. We

do not want them to come into the city of Philadelphia, just as you would not want them to come into your community and tell you where to bus a child.

The battleground is here today in this legislature. The soldiers who are on the field today are our kids. Our kids are the soldiers who are on this battleground. We have formed today, hopefully, the 136 votes to override the Governor's veto and to tell the Governor of the Commonwealth of Pennsylvania that we do not want our children bused, whether it be in Philadelphia or any other school district.

I think we have come to a crossroad here today, a crossroad with the bureaucracy, a bureaucracy that wants to dictate to us as to what we should do in the city of Philadelphia and the Commonwealth of Pennsylvania. I do not think the people—in my district especially or in any other district in this Commonwealth—want the bureaucracy to sit in Harrisburg and say to me, Al Katz, or to my constituency, you are going to send your child to this school or that school. That should be left up to the local school board, and we are not doing it if House bill No. 496 does not become law.

This is probably the most important vote—gentlemen, I beg for your attention, please—that you will probably ever make in the General Assembly. It is a vote that you will make for the future of all our children in this Commonwealth. I know of no other vote since I have been here in the last 5 years, whether it be the abortion vote or the tax vote or any other vote, that is more important than the vote you are going to make today. I beg of you, not only for myself but for everybody's constituency in Pennsylvania, to override the Governor's veto and make House bill No. 496 law in this Commonwealth. Thank you.

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

Mr. GREENFIELD. I, too, rise in support of the override of the Governor's veto of this bill.

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

Mr. SALVATORE. I would like to make a few comments on this particular bill.

The SPEAKER. The Chair has recognized the gentleman, Mr. Greenfield. The Chair will recognize the gentleman, Mr. Salvatore, in due course.

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

Mr. GREENFIELD. Mr. Speaker, the Governor's message ignores some facts. The Governor states that he is against busing. Presently before the Commonwealth Court is this plan of the Human Relations Commission which calls for massive busing in the city of Philadelphia. This plan before the Commonwealth Court is to be implemented within 3 weeks, which is before this Assembly comes back into session; which is when the new school term begins.

Mr. Speaker, the Governor very ably and properly says he is trying to avoid another Boston, as Mr. Katz said. Well, here is another Boston for the Commonwealth of Pennsylvania and for Philadelphia.

Mr. Speaker, we must override this veto if we are interested in tranquility and peace in this Commonwealth. We must override this veto if we are interested in quality

education for the children of Philadelphia of all races and creeds.

In Philadelphia the majority of the people of all races have come before the school board of Philadelphia and have opposed this type of educational implementation. They are for putting proper funds into the neighborhood and the community schools to see that all children get quality education. This is not the answer.

Mr. Speaker, as Mr. Katz has said, this vote today is one of the most important that we will engage in in this session because we will be ensuring the quality education that we seek for our children; we will be bringing peace to this Commonwealth and avoiding the chaos and confusion which this veto entails. I urge you to override the Governor's veto.

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

Mr. SALVATORE. Mr. Speaker, I would like to cite about five or six points why I feel we should override the Governor's veto.

First, the state Justice Department lawyers who write vetoes and advise the administration are using the argument which says, veto the bill. Protect the people of Philadelphia from being placed under Federally ordered school integration plans, but do not give the power to the people of Philadelphia to draw or adopt their own plans. Leave this power in Harrisburg within the state Human Relations Commission which employed an expert—and I will repeat that—which employed an expert from Tampa, Florida, to draw plans for the Pennsylvania busing or the desegregation plan for Philadelphia. He probably was a cigar maker before he drew up these plans.

This argument is based upon the theory that Federal courts are somehow less competent and less fair than the Governor's appointees. This is a strange posture—the embracing of a double standard by the administration which has loaded the Federal court system with cases for the past 4 years, and in doing so, testifying to the merits of the Federal court system.

The administration has repeated on different occasions and has suggested that the powers and duties of the state Human Relations Commission be fully preserved on the basis that this commission has been the instrument for drafting and imposing busing plans upon all communities which have adopted integration programs. This is not true. The most notable and successful programs have been those in which local citizens have done their own work free from outside coercion.

Now I am going to delete point number three because Mr. Katz so ably quoted the Governor's veto message of 1974.

The Governor continues to warn that unless his Human Relations Commission's plan for busing is enforced in Philadelphia, we will have another Boston. Well, you know what happened to Senator Kennedy when he went to Boston. They stoned Senator Kennedy in Boston.

The fact is that the Human Relations Commission's plan holds the immediate potential for creating dissent. The people of Philadelphia are aroused and are asking that they not be put under a gun and ordered to follow up on the Human Relations Commission's plan which is ill-conceived, nonsensical, and dreamed up by outsiders who do not live in Philadelphia or educate their children in Philadelphia.

The very thing which has made Philadelphia different to date has been the leadership and goodwill of commu-

nity leaders from every part of Philadelphia. The Human Relations Commission's plan will displace all such community responsibility and can only serve as a catalyst for and a generator of disorder.

The Human Relations Commission is claiming that their Philadelphia plan will cost \$5 million to implement and \$4 million to purchase the necessary buses. However, the Philadelphia School District projects a cost of \$40 million to implement the state program. The Governor says, in his veto message, \$50 to \$60 million.

I do not know how some of you gentlemen in this House feel, but I get uptight and I am very emotional about this issue, so I hope you will bear with me.

The Governor has already spent more money than is available. He turned down the state employes' demands because of the tax situation. Will he now shift and raise taxes for Philadelphia busing? We think not. He just wants to tell them how to do it and let them pay the bill.

While the experience of several small communities in integrating the school system is interesting in principle, it has little practical application to the massive problem of Philadelphia or even of Pittsburgh. The busing problems of small communities are dwarfed by the social, economical, educational, and geographic factors of the two largest cities and the other cities to come—Erie, Harrisburg, Reading.

When the Human Relations Commission insists that it wishes to regulate and adhere to every motion it adopts, it takes great license in exercising authority under law.

The Human Relations Commission was founded with rights to intervene in matters affecting employment, public housing, and access to higher education. Though it would be possible and probable for the state Attorney General to rule that no kid could have access to college unless you get him through the first grade, it could only be through an in-house ruling that anyone would suggest that the legislature intended to put the Human Relations Commission into the busing business.

While the Governor has made statements to the effect that local input, needs, and feelings would be the keynote to developing integration and busing plans, his own Human Relations Commission is devoid of such local involvement. The proposal now before the Commonwealth Court is sterile in this important issue.

The necessity of gaining community consensus for busing plans should be recognized by the Governor. If he should recognize it, then he should recognize the conduct of the Human Relations Commission.

Because of the nature of implementing any busing plan, it is doubtful that any advocate agency will ever be able to achieve community unity. At least the courts are of a judicial nature and are bound by law and tradition to avoid the advocacy role. That is like having the brewers draft and enforce beer laws.

I close by saying that a vote to sustain the Governor will say you approve of busing, whether you are a Democrat or a Republican. You should spend taxpayers' money in your districts to improve education rather than spend the money for busing.

Thank you for your generosity in listening to me, gentlemen, and I hope you will help us to override the Governor's veto—and the ladies; never forget the ladies—Miss Sirianni and the rest of the ladies.

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

Mr. MYERS. Mr. Speaker, I rise in support of House

bill No. 496. I am a strong supporter of the neighborhood-school concept back in my district.

I would just like to bring up this point: Last session I was a member of a special House committee to investigate gang violence. We heard parents and students alike testify before our committee on the problems that cross-busing present. In many cases, the parents fear sending their children to schools in distant neighborhoods. For this reason, the fear among these parents today in Philadelphia is unreal.

Not only that, what about the cost? You know, back in Philadelphia we do not even have enough money to educate the kids let alone bus them, so I strongly support overriding the Governor's veto.

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

Mr. TAYOUN. Mr. Speaker, I was hoping to follow Mr. Rappaport, but I see you put him in the clean-up position.

Friday night, on the point in question—and the reason I am speaking—approximately 400 parents stood for 2 hours inside the South Philadelphia High School auditorium in approximately 95-degree heat, worried, bewildered, and confused over the fact that they were being faced with the dilemma of sending their kids to a school that they knew nothing about in a neighborhood they were not aware of, the dangers of which only their minds could confront for them and make up for them because of their anxiety.

They responded to our requests for petitions and signatures. On Sunday morning, Mr. Myers and I together received 4,000 signatures from people protesting busing. We took these to the Governor who understood our anxieties concerning his veto, which we knew he would give us, and he agreed to send this particular message back to us.

I am not here to belabor all the points that have been brought up before. I know most of us have already made up our minds and I know that probably we will override this veto. I hope so. But one thing I would like to say. The people are telling us what they want. Busing is no longer an issue of the times. It is obvious that the courts in this country run 10 to 20 years behind the tenor of the times and the mood of the people, but we as legislators reflect the feelings of those people. On behalf of the 4,000 signatures we gave the Governor, I am asking everyone in this room to help override the veto. Thank you very much.

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

Mr. RAPPAPORT. Thank you, Mr. Speaker.

Mr. Speaker, it is not very often that Mr. Myers, Mr. Tayoun and myself disagree on an issue involving neighborhoods because we all represent neighborhoods in a contiguous geographical area—south Philadelphia.

My district also goes up through north Philadelphia and has in it every racial group. I have probably the most heterogeneous district in the Commonwealth and every possible economic group within each ethnic group.

I think we have to put this whole problem into perspective. In 1954, the Supreme Court of the United States, in the case of *Brown v. the Board of Education of Topeka, Kansas*, said that separate but equal schools are inherently unequal; therefore, there must be integrated schools. The Supreme Court was addressing itself to the situation where children did not go to the neighborhood school

closest to their home, but because of their race, whether it was white or black, were sent in many cases to schools farther from their home because of the racial assignment.

I remember sitting in the law library in law school—I was a freshman that year—when a friend of mine, who was from Mississippi, was researching a freshman legal paper on this subject and I remember the shock when he showed me the Mississippi statutes that spoke of white schools and black schools in terms of their appropriations.

In Philadelphia, when public education started, we had separate schools for whites and blacks. One of them, no longer a school building but an antique warehouse, is four blocks from my home.

The issue is quality education for all American citizens. We have in the north in Philadelphia, and I am sure in Pittsburgh and the other cities, a problem of ethnic neighborhoods. In some cases some ethnic groups are not permitted to buy in certain neighborhoods. I belong to one such ethnic group. In other cases it is self-segregation—a preference to live with one's own ethnic group. To a very real degree, Philadelphia is that kind of a city. We have strong ethnic neighborhoods. It is one of the strengths of our city, one of the real strengths of our city.

Unfortunately, the school district of Philadelphia and persons of its bureaucracy—I speak particularly of its last two superintendents—have chosen to ignore that strength of the city.

We have had many people coming down from the suburbs and telling us how to run our city. Many of them—some of the members of the state Human Relations Commission—have seemed to adopt the approach of, "let you and him integrate." I do not adopt such a philosophy. I live in an integrated neighborhood, integrated economically and racially.

The issue before us today is not whether or not we are going to have busing.

I have a neighborhood school in my home neighborhood, four blocks from my home. It is presently 49 percent black and 13 percent oriental. As part of the Human Relations Commission's plan, that school will now become 75 or 80 percent black and may very well ruin—because that is the tipping point, and those who are familiar with these problems know what the tipping point is—that particular public school. Many parents have told me they are just going to follow Matt Costanzo down to Haddonfield.

The difference is that that decision was based on faulty information from the school board. I am presently, now, with the help of several other people, rectifying that informational gap. But I am dealing with the Human Relations Commission, with whom I have some input, with whom I can talk.

I have seen what has happened in other cities when the courts have become involved. My good friend, Mr. Tayoun, was quite correct. The courts, especially the Federal courts, are 20 years behind the times. They are behind the times in this particular field. And I think they have, in the words of Mr. Justice Frankfurter, "wandered into a political thicket."

We must have quality education. We are all agreed on that.

By voting "yes," to override the Governor's veto, you are going to be giving a green light to the Federal courts. You are going to be giving a green light to the results of some of those Federal court decisions, and I talk about

Boston in particular. Boston also has the tight ethnic neighborhoods that we have.

I might say, if there is an attempt to bus children out of my district in north Philadelphia, an all black area, I am sure those buses are going to burn before they move 10 feet, because the people in that neighborhood have told me in no uncertain terms that they want their children in their neighborhood schools. But they also want quality education in their neighborhood schools and they have not received it.

The gentleman from Philadelphia, Mr. Johnson, introduced a bill to remedy part of that. I intend to support that bill.

If we vote to override the Governor's veto, we are going to be giving the green light to all of these dislocations. The Human Relations Commission is far from perfect. The financing—and I think the Human Relations Commission has a duty to find the money—is also its responsibility.

But looking at some of the decisions of the Federal courts, in some of the cases involving the city government of Philadelphia and involving the police department—and reasonable people can differ on that—I think that in many cases the Federal courts have shown a tremendous insensitivity to our urban problems. Our police department has not been 100 percent correct, but they are not 100 percent wrong either.

I would ask this House to vote "no," to sustain the Governor, because I have tremendous fears for the safety of the people in my neighborhood if the Federal courts are permitted to have jurisdiction in these cases.

The Human Relations Commission is merely reporting to the Commonwealth Court. Just because the Human Relations Commission will not be a party to this litigation does not mean the litigation is going to go away. There will be other plaintiffs, less reasonable than the Human Relations Commission; much less reasonable, believe me. If they do not think they are going to get some kind of a hearing in the Commonwealth Court or before the Human Relations Commission, they know where Ninth and Chestnut Streets is in Philadelphia. They have been there before. They are going to be back there again.

I would, therefore, ask for a "no" vote, Mr. Speaker. I thank the House for its kind attention.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, in reply to the gentleman, I think he asks for a "no" vote on this override motion for the wrong reasons.

It really disturbs me that so many people, when addressing this issue, choose the emotional approach, on either side, when what is necessary and required somewhere in this country is for people to address this issue rationally instead of on emotions.

The emotions which Mr. Rappaport used are the typical scare tactics which the Governor has used. They do not do this issue justice. As a matter of fact, they inflame situations way beyond what the situation would be if rational people in positions of leadership would tackle the issue instead of playing to people's emotions on both sides of it.

This particular vote has nothing whatsoever to do with Federal courts, with Boston, with Richmond, Virginia, and every other place in this country where the politicians and other leaders have failed on this critical issue. The issue has nothing at all to do with the outdated, immoral

doctrine of separate but equal schools, which the gentleman alluded to. I do not think there is a person in this House who subscribes to that issue, and neither do the advocates of this override subscribe to that issue. It is outdated; it is wrong; it is dehumanizing. The fact is that we have potential situations which have occurred in every major city where this issue has come to the fore.

Right now in Pennsylvania almost every expert, advocates and nonadvocates of racial balancing, has acknowledged that in the city of Philadelphia, should the plan which is now before the courts be adopted, there is going to be chaos.

I can recall, perhaps 5 or 6 years ago, when the then president of the school board, Richardson Dilworth, who was an advocate of racial balance in the schools anywhere, including his own city, took the position that it was impossible under the guidelines set forth by the Human Relations Commission.

To try to make a distinction between the Pennsylvania Human Relations Commission and any Federal court given jurisdiction in this area is wrong. The objection to both of their actions is the same. The objection is that people are being forced to do something against their will by people who are not involved on a day-to-day basis with the problem.

To try to hide behind the rhetoric and the scare tactic of the Federal courts is to ignore the very same situation which the Human Relations Commission places communities in today, and indeed ignores the situation in which it has placed Philadelphia today.

Now what should be done is to face up to the issue positively, as lawmakers, as Governors, as school board people, and as community leaders, and attempts to educate the people who are involved in the issue—the parents and the children of the particular community—and have them face up to the problem and try to do the best they can in their individual communities.

We have experience in this state on the positive approach to this problem, and in each instance—and we are in a community right now which had this situation and it dealt with it positively—it has worked; children have benefited; and stones have not been thrown.

If you attempt to subject people to any other approach—I do not care whether it is subscribed by a Federal court, a state court, a state Human Relations Commission; they are all the same—to a plan which is conceived by people other than the community, it will not work. It has never worked.

It seems to me that faced with that reality, whether you like it or not, you have only one alternative, and that is, to try something different. To throw one's arms up and say, well, we do not want another ugly situation like those barbarians are having in Boston, is to ignore the issue.

The city of Philadelphia has a Human Relations Commission. That Human Relations Commission is clothed with the same authority that the state Human Relations Commission has. You can bet that the advocates of racial balancing in the city of Philadelphia will take their case to that commission as, under the present law, that is the proper place. That commission then, being local, will be faced with a problem. It will have to involve the local community, and it will make it work, because people, when tested and when involved in an issue this dramatic, have an uncanny ability to solve their own problems. But when they have the option of opposing something

because it is subscribed from on high and from outside, they will automatically react negatively.

What we should be doing and what the Governor should be doing is to get into the issue instead of pretending it is not there. It can be done; I have experienced it; I have seen it happen. I have participated in it and I have seen people take 180-degree turns in their position on this issue once they understood it. This is no way to make them understand it.

A "no" vote on this override is to encourage exactly what the Governor says he does not want and exactly what Mr. Rappaport does not want. It is time that we face up to the problem as mature human beings and stop treating people in communities like subservient fools who cannot solve their own problems.

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, I rise to speak in favor of sustaining the veto of the Governor.

The minority leader, who presently spoke to us, talked all around the issue. He talked about educating the leaders; he talked about educating the civic giants, the school boards, the politicians, about educating them on how the matter should be solved letting them solve it themselves. That is the message he gave us.

From the time I first started school and everyone of you started school and we read the textbooks, we were taught that all men were created equal and that Lincoln freed the slaves. That did not stop segregation; that did not stop the universities from discriminating. It took a Federal court order to open up the universities to all races. And without that court order, the minority leader would have you believe that it would have happened, that people would have solved the problems, that the private universities would have opened their doors. They did not open them for 200 years, and I do not think that they would have opened them without that court order. It just is not the kind of problem that can be solved. We have failed in the area, and sometimes it takes the Human Relations Commission or a Federal court to tell us what we must do. And we learn, somehow, to live with those orders. We learned to live with those orders in the universities, and we will learn to live with the orders, whether by the Human Relations Commission or the Federal court, and I am sure it will not be easy.

But the issue simply is not, must we achieve quality education through a desegregated educational system? That is not the question. We have been told—the highest court in the land has spoken—that we must achieve that quality education. The only question remains, do we allow the Human Relations Commission in Pennsylvania to work out the problems or do we abandon the field?

The minority leader says that we should not compare this to Richmond or to Boston because he says that in those communities the leadership failed. Well, I say to you that a vote, as the minority leader asks, to override the veto of the Governor is more than failure. It is copping out; it is leaving the field; it is telling a commission, which we set up to do a job in Pennsylvania, that they no longer can do the job, nor can any other agency do that job. No one will do the job.

Well, the fact remains that someone will do the job. As the Governor's veto message indicates, we will be abandoning the field to the Federal courts. If I would

pick between the Human Relations Commission with its track record and the Federal court and its track record in this field, I would say that there is no question that we should not override the veto but that we should sustain the veto, and that, to me, is staying in the field, is showing the leadership, Mr. Minority Leader, that you said we must show.

I urge every member of this House to sustain the veto with a negative vote.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, I do not mind engaging in debate on this subject—I rather enjoy it—but what I do not like is to have my words twisted. I never said that the lofty goals which I support, which are evident in this issue, can be achieved without pressure. I never said that and I will never say it. Pressure is required, but it is not the only way and the only method which will ever achieve this goal.

The problem is—and most members of this House do not know it and, obviously, the gentleman, Mr. Manderino, does not know it—that we never told the Human Relations Commission to do this job. That is the problem; that is the default of this government. There is nothing, save the public accommodations section of the Human Relations Commission Act, which addresses itself to racially balancing the schools. There are no standards set by this legislature; there are no goals set by this legislature; there is no charge of responsibility to the Human Relations Commission set by this legislature to achieve something in the area of racial balance in the schools. We have defaulted and the courts have filled the void.

What I advocate is that we get into the business now that it is before us; not continue to ignore it; not continue to spread fear among our constituencies; but to treat the issue positively. By not bringing it to a head, we will have defaulted again and we will be up at these microphones screaming and yelling when the problems hit the streets. Thus far they have been avoided in this state and they have been avoided despite the Human Relations Commission because the communities, in each instance, have thrown them out and have done the job themselves. That is the only way we are ever going to do this job peaceably.

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

Mr. RICHARDSON. Mr. Speaker, I yield for a moment to Mr. Greenfield.

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

Mr. GREENFIELD. Mr. Speaker, I do not want to belabor the point, but I do not want an erroneous impression created by some of the members' point of view.

Apparently the two advocates of sustaining the Governor's veto have not read that report of the Human Relations Commission whereby they try to relate this situation to what could happen under a Federal edict, because I cannot conceive of a plan which would be more disruptive and more contributory to chaos and violence than that report.

That report calls for 90 percent of the schools of Philadelphia to transfer their students, by a ride of an hour



and a half a day, to the various schools within the city of Philadelphia—from the northeast to the northwest, et cetera. How could the Federal court do anything more in jeopardy to the quality of education and the harmony of the citizens of Philadelphia than that report?

I had to make that statement for the record, Mr. Speaker.

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

Mr. RICHARDSON. Mr. Speaker, I rise today to give a different perspective to this issue from that given by those who have already spoken. I feel that the issue confronting us today is a most crucial one. And as it faces us as a people, I think there are some things which must be outlined.

One of the things that certainly strikes me, in relationship to this particular issue today, is that it is not busing but the whole need for a well-rounded education—some people have called it quality education; others have called it a new system—completely revitalized.

I feel personally that I must take the microphone today because I am taking a different position from the one some of my black colleagues will take. I am taking the position, number one, that I do not agree that our children need to be bused out of one community to another community, particularly when busing is not the issue.

I will use that as a theme because I think everyone has talked a little bit about it, but they did not get down to the root of it, and that is that today we are involved in a different struggle. Our struggle is based on the fact that we have a responsibility to our constituencies. That responsibility is to make sure that education is available in every school district throughout the city of Philadelphia; that it is not the responsibility of the individuals to take a position that they want their child bused from north Philadelphia to the northeast or from the northeast back to north Philadelphia.

If education is our ultimate key and if we are really concerned about it, then I say that if we are teaching aerospace courses in the northeast schools, let us teach them in the north Philadelphia schools. Let us not be divided. Let us not talk in terms of busing, because what I see, from the remarks of some of the folks who have spoken today, is a lot of the racism that I have talked about earlier; racism that comes about when individuals say that they are really concerned about a quality education.

The fear that is existing within the communities—and I feel that this is the only place it can be brought out—is the fear that when children are being bused from north Philadelphia or the northwest to the northeast, that those children may not return home. There is fear that they might not make it.

I am saying that this is the clear issue to me: We as legislators, in 1975, must knock on the door of not only the Federal court but also the Human Relations Commission to make them realize that this is a responsibility upon all of us. We cannot put the burden on somebody else. We cannot pass the buck and say it is their responsibility; we have to say that it is our responsibility. Our children must be our number one priority.

A lot of times you have heard me speak about youth being our top priority. They are our top priority. And if we fail them now by using this as a subterfuge to evade

the real issue, we are going to continue to be inconsistent, we are going to continue to be degrading and deplorable, we are going to continue to use the same racist tactics that have been used for years in and years out.

We talk about dehumanization and we talk about 400 years of abuse, but we are not just talking about black people; we are talking about all races now. I am saying that I stand here today as an individual. I stand here as a legislator who realizes that we have a responsibility to each and every youth in the community and each and every parent, because at that school board hearing not only whites were there but blacks, who certainly spoke to me in my community and who said, we do not want our children bused. We do not want our children taken to another community. It just creates a lot of problems.

Why is it that we do not deal with the fact that, in their own school area where they are presently, the teachers who are there who are equipped to teach should continue to stay there and do the job? And if they are not equipped to teach, bring teachers into that particular community who are, to make sure that the job is being done. But I do not see that accountability of making sure that every last one of our students is being taught the way he should be taught.

The school system and the system of education, as it has been, has been a failure to all of us. It has not been in the best interest of not only poor people but it has not been in the best interest of all people alike.

I feel that these are the issues and points that must be thought about today in overriding the Governor's veto; not to deal with just your own racial or personal interest but to deal with the fact that we have a big responsibility on our shoulders.

I know there are a lot of people who want to get down on me because of the position I am taking, but I feel that sometimes you must stand up even if it means you have to stand all by yourself; even if it means that you have to put all the cards on the table and that you have no ace in the hole. It means, then, that that responsibility must come to light.

That is what I am caught up in today. I am not caught up in emotions; I am caught up in logic and understanding. I am caught up in the realization that we are now faced with a situation that we are all going to have to live and sleep with, regardless of whether we dig it or not, regardless of which way we do or do not vote, because the people in this Commonwealth are watching us.

The whole issue is not centered around busing at all. I could care less what the Governor does; I could care less what the rest of this House does. I can care, though, what the Representatives—the men and women—in this House are saying, that we will fight to make sure that our young people get the kind of quality education that is necessary in order to make sure that when our young people are in the first grade and are told that one day they might become President that they get the education so they can achieve that particular goal. But as it has been presented now, to tell them that they might become President one day is certainly a myth, is certainly a lie, is certainly an untruth. And this is the thing that is creeping inside of me.

I know that there was a time when people thought that persons like myself would never get to the House of Representatives. But we now have been able to seek positions and have a platform to speak to all of you today, and I say, let us really, sincerely deal with the issue as it

really is at hand. Let us not take a step backward; let us take a forward step. Let us say that we will make sure that in each of the eight school districts in Philadelphia the kind of education that is necessary will be taught.

For us to fall back on a sick cop-out, a racist cop-out, is certainly beyond me, and I am saying to you, Mr. Speaker, let us not fall into that trap. Let us get on the bandwagon now to move that we provide the kind of education that is necessary.

I want to make it very clear that my position is not with those who are voting against the Governor; my position is with the community that sent me here to try to do a job, the community that says we must stand up on the floor of this House and make some issues crystal clear.

I think, with that perspective and with that understanding, that we have a different light shed on it. It is not the same kind of misunderstanding that has been used for years in and years out that we have to bus. They have been busing for years. They were busing even before I was born. It is older than the oldest member of this House. Busing has always existed. The thing is this, we cannot use that as a crutch today.

Let us say why it is that our youngsters are not being taught the kind of education that is supposed to be taught. Then we can make moves and put pressure on the Human Relations Commission, which we are responsible for, and we can go down to Ninth Street to Federal court as legislators and protest to make sure that the kind of education that is required in the schools is taught there. But until we have that redefinition, there will never be a change.

I am asking the members of this House to take that into consideration today before they vote, and perhaps we can turn this whole issue around and not make it a busing thing but make it the issue of dealing solely with the education of our young people, making them our top priority and dealing with them as they are supposed to be dealt with. I thank the House for its indulgence.

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

Mr. BARBER. Thank you, Mr. Speaker.

First, I would like to compliment the Governor for having that type of courage.

Secondly, after listening to my good friend, Mr. Richardson, I have to reminisce. I have to look back to before Dave was born.

You know, I heard the minority leader state "force," we had to use force to vote. When I arrived here in this House, I think that we had 250 to 300 elected officials. Today, we have 1,500 to 2,000. When you speak of force, everything that I have accomplished in these 53 years has been through force.

I want to tell you something. You know, I get a little disturbed because I have been fighting all of my life for equal rights.

I do not dislike a person in this House. Sometimes when my wife is sitting in the back, she says, "Jim, you have got to be retarded not to dislike anybody." I try to understand people.

But when I look around this great country, to me, we are going backwards. Forty-some years ago when I left the south—my parents brought me from the south—the white people would ride by—and I do not say that in a derogatory way—riding to school. We did not have any schools. Then when I hear this young man talk today, a black man, I can understand how he feels, because he is not 53 years of age.

But I want to tell you something. It bothers me. It bothers me when I look around and I see so many people whom I like, my friends, to think how hard it was for blacks to vote; to think I had to ride from Florida to Philadelphia before I could eat, before I could go to a bathroom. And I listened to members the other day speak about pay toilets. There was no type of toilet for me.

I look back. My parents moved north to make it better for their children. Many people in my family moved north to make it better. Today there are many people in this House whose families marched in the south. They marched to integrate the schools.

Then when I heard about Boston—and all my life I thought Boston was a wonderful city, a great city—that bothered me.

When I read about Watergate and I read about different things that are happening in this country, I worry. I worry about my country because I love my country and because I believe that all people are good. Maybe that sounds ridiculous, but that is the way I believe. But sometimes I believe that they do not understand.

You know, sometimes I think people do not understand what it is to be black. And I compliment the Governor again, being Jewish. Maybe he understands. We will forget about Hitler. We will forget about other parts of the world—the Roman Empire, the British Empire. What is happening in the British Isles today? The Irish are fighting. What is happening all over the world? Think about these things. Think about what we are doing in this country.

We all do things that are expedient for us as politicians, but we must think of human beings.

I would be the last person to get on the floor and call anybody a racist because sometimes I believe you have your reasons. When you look at me and I am laughing and I am talking—and I am that way from my heart—but believe me, believe me when I tell you that to override the Governor's veto is wrong. You know it is wrong. You know it is wrong because we had to fight. We had to go to the Supreme Court to win these different battles. And we are being ridiculous to tear it back. We are being ridiculous because we are doing it for one reason—we are doing it because it is expedient to our constituents. But I am saying to you, it is wrong and God knows it is wrong.

Thank you, Mr. Speaker.

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

Mr. KATZ. Mr. Speaker, I know you are only allowed to be recognized twice, and this will be my last time.

I would like to thank the gentleman, Mr. Richardson, for his speech, because I believe he is right when he says that what we need in the Philadelphia schools is quality education. But I would also like to respond to Mr. Rappaport when he talked about Boston.

When you talk about Boston, you are talking about putting high school kids on a bus; when you talk about the city of Philadelphia, you are talking about my child who is 7 years old, you are talking about my child who is 11 years old.

Mr. Speaker, I do not think my child who is 7 years old or any child in my district can ride on a bus for 45 minutes in the morning and 45 minutes in the after-

noon, and I do not think any mother and father can get up at 5:30 in the morning to send their child to school.

I do not want to get emotional, and I do not believe that anyone who votes for this bill is a racist. I think you are voting for this bill because either you have children in school or you have grandchildren in school and you do not want to see a child bused. And that is the issue. The issue is: Do you want your child bused in the city of Philadelphia? Make no mistake about it. I tell you, Mr. Speaker, I do not want my child bused and I do not want my constituency bused. I am not a racist and I am not a bigot. But I am not putting my child who is 7 years old on a bus to ride for an hour and a half a day, and subject my wife to getting up in the morning at 5:30 to send her to school.

I say to you, as I said before, this is a crucial vote. This is the most important vote you will ever make in this General Assembly. I say that we have to override the Governor's veto and make House bill No. 496 law in the State of Pennsylvania.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I disagree with the minority leader. This is not a matter of rationality, ratiocination or reason. This is a matter of the spirit and a matter of the emotions.

I could be, if I wished, extremely abrasive on this issue. I do not wish to be abrasive. I have more a feeling of sorrowful patience, for I know your minds are already made up, and I know you do not know what you do.

There is a rip in the fabric of American life which has always been there and which I fear is growing longer and spreading wider. When the Declaration of Independence and the Constitution of the United States were both penned, there were black men and women in slavery in the country where it was disclosed that all men were created equal. Some of the very men who wrote the words owned slaves, and some of them slept with them.

This country has always been split between what it has said, what it has believed, and what it has done. We have said some of the most magnificent things ever said by man, and we have done a few magnificent things. But, essentially, this question is not a question of busing, or the Human Relations Commission, or Philadelphia, or 7-year-olds, or 17-year-olds. This is a question of the spirit.

When John Fitzgerald Kennedy said over 10 years ago—13 years ago, I think it was—that he was dedicating us to placing a man on the moon within that decade, we did it because we believed we could. When Mr. Richardson takes the microphone on this floor, in 1975, and pleads for equal education, for quality education, his plea is going to fall on deaf ears because we do not believe we can.

When the minority leader talks about "let the localities solve their problems," he is an honest man. I like him and I admire him, but what he is saying is going to fall on barren ground because we do not believe we can do it.

Black people are not interested in going to school with white people. I could get you 10,000 signatures, Mr. Speaker, from black people across this Commonwealth who would be against busing, and I could get you 20,000 who would be against any association with white people at all. And if that surprises you, see me privately and I will tell you how black people feel.

But black people know that they are not in a position of power, either in this Commonwealth or in the United States of America. Black people know that white people sit in the positions of power. White people buy the textbooks, build the school buildings, hire the teachers and decide the curriculum. And that is the reason why there are a number of black people who are insisting that their children sit next to your white 7-year-olds—not because they are interested in your white 7-year-olds but because they are interested in their black 7-year-olds who are not going to get, in their ghetto schools, a decent education.

Now I thoroughly agree with Mr. Butera and with Mr. Richardson that what we really need is not integration. I have never known a black person interested in integration for the purposes of integration. The black people I have known over my lifetime who are interested in integration are interested in what benefits it would bring.

If we really believed the words that we have stated, we would address ourselves to rebuilding every school system in this Commonwealth and we would say to the Commonwealth citizens, you must be prepared to pay for it, and we will put our political lives on the line supporting the taxes to pay for that. How many of you have got guts enough to do that?

We talk about quality education but we do not believe in it. We believe that what we have to do is make the speeches which get recorded for our constituencies to hear, or we hope they hear or read, and then we go back home and say, but do not worry, we are not going to increase your taxes. How are we going to get quality education for white kids or black kids unless we are prepared to pay for it?

Now I have never said publicly that I am in favor of busing. I do not say it now. But I do say to you that it is an implement to bring about the mixing of the two races, at least at the school level. And I remind you that the problems we have had in Boston, or any other Boston, have been instigated by adults like you and me, not by the children. We poison our children. You poison yours and I poison mine with the vitriol that we have accumulated in our years of living in these United States.

What you are going to do tonight—for you will do it—is to override the Governor's veto. And those of you who vote to override it will go back to your constituencies and say, see, we took that Human Relations Commission off your back.

I remember, when I was a young man, there was a Senator named Bilbo from Mississippi, and I was very grateful to him. I never met him; I did not want to. But he was a symbol. Whenever I wanted to attack white supremacy, I attacked Senator Bilbo. And that is what you are going to do with the Human Relations Commission.

Now I can speak about the Human Relations Commission because I am its founding father, or at least one of them, and it has its origins in a philosophy which I have espoused all my life—a philosophy which says that I should listen to your side and you should listen to mine and we should meet some place in the middle—a philosophy of conciliation; not a philosophy of destruction.

And I must say, Mr. Speaker, that men such as Leroy

Irvis find the ground on which we stand narrowing in this country, in a country which did not welcome a few hundred thousand Vietnamese. And there were black people and white people who did not want them here.

I worry about how long I can espouse a middle ground which says, I am concerned with 7-year-old whites and 7-year-old blacks. It would be far easier for me to join the army of one side or the army of the other, but I have refused to do that for a long number of years.

I do not expect, my words, to change anyone's vote, and I certainly do not expect that I will change anyone's mind, but I want you to remember what I say here tonight: If you eliminate the Human Relations Commission totally—not just with this override but totally eliminate it—you will not eliminate the problem. The problem will remain. There will be black kids afraid to go into white neighborhoods and white kids afraid to go into black neighborhoods, and there will be poor schools for both until you, as the leaders of this community, dedicate yourselves honestly and sincerely to the spirit of this country; not to the words and not to the deeds, but to create a spirit of the United States.

When you are prepared to stand up and believe that all men are created equal and deserve an equal opportunity, at that point you will begin to solve the problem, as the minority leader referred to it. But you will not begin to solve it by a vote to override the Governor's veto. That may solve your political problem back home, but it will not solve the problem of our people.

I would ask those of you who agree with me, to vote "no" to sustain the veto.

Thank you, Mr. Speaker.

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

Mr. E. H. SMITH. Mr. Speaker, I have been advised by my constituents back home not to make this speech, but I feel that I must say something here this afternoon.

Last week I arose to address the House on a very simple subject, and we finally wound up with a lot of laughter and a lot of jubilation. Everybody was happy. Today, Mr. Speaker, I can assure you, I arise to speak to the House on a more serious subject.

Mr. Speaker, I rise to suggest to the House today that we override the Governor's veto of House bill No. 496. However, I must admit that I do not have a brain fertile enough to resolve all of the difficulties that are involved with the situation of busing throughout our great cities and throughout this entire country. But with your kind permission, Mr. Speaker, I would like to relate to the House my experience with the busing situation that was imposed upon a school district in my home town several years ago.

It so happened that I was a member of a school board for 30 years. I was a member of the old county board of school directors for 13 years and I was a member of the new intermediate unit, when it first came into being, for 2 years. So I have some experience and know pretty well of what I am speaking.

Several years ago, out of a clear blue sky, the Human Relations Commission here in Harrisburg notified our school district back home that we had three schools which were out of racial balance and that we would have to put at least one of those schools back in balance by that fall. This was in the early spring.

Now the school board got together with the adminis-

tration and we decided that we would do something about this. This was, I believe, approximately 1967 or 1968, I am just not sure.

We were further informed that if we did not comply with this edict from the Human Relations Commission, our appropriation would be withheld by the state. This would be in the amount of about \$2 million or \$3 million, and this would be cut from a budget of probably \$8 million or \$10 million, which we just positively could not afford to lose; this was impossible. The board had no choice in the matter as we could not afford to lose this money. The board, therefore, decided to abide by the order of the Human Relations Commission. But instead of just eliminating racial imbalance in one school one year and another school the next year—we were cited on three schools, incidentally—we decided, of necessity, that we must reorganize the entire school system. And that is exactly what we did.

Now you can imagine all the kinds of problems the board members had amongst themselves, trying to decide how to do this, because they knew what would happen. Eventually we came up with a plan which we thought was most equitable, but which was going to cost several thousand dollars more for busing.

You can imagine what happened when this item hit the news media and the people found that their children, little Mary, and Johnny and Joey, were going to be bused from the school in their home location all over a district, some of them riding 15 or 20 miles for the sake of racial balance and busing. I can just tell you this, hell broke loose.

This actually turned one neighbor against the other neighbor until, within a few months, everybody was mad at each other and no one had a friend any place whom they could turn to for consolation. But the school busing went into effect. And to this day, what was at one time one of the finest school districts to be found any place in Pennsylvania is now almost in shambles.

I beg of you, Mr. Speaker, to do something here today to protect and to keep in operation our wonderful school system in Pennsylvania. And I would suggest that to do that, we will have to, or should, eliminate and override the Governor's veto.

Thank you, Mr. Speaker.

The SPEAKER. Those in favor of House bill No. 496 becoming law will vote "aye"; those in favor of sustaining the Governor's veto will vote "no."

On the question recurring,

Shall the bill become a law, the objections of the Governor to the contrary notwithstanding?

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

YEAS—147

Abraham	Gallen	McGinnis	Schweder
Anderson, J. H.	Garza	McIntyre	Scirica
Bellomini	Geesey	McLane	Seltzer
Bennett	Geister	Mebus	Shelhamer
Beren	Giammarco	Menhorn	Shuman
Bittle	Gillespie	Milanovich	Sirianni
Bonetto	Gleason	Miller, M. E.	Smith, E.
Bradley	Gleeson	Miscevich	Smith, L.
Brandt	Greenfield	Moehlmann	Spencer
Burns	Grieco	Morris	Stahl
Butera	Gring	Mrkonje	Stapleton
Caputo	Halverson	Mullen	Sullivan
Cessar	Hamilton, J. H.	Musto	Taddonio
Cimini	Hasay	Myers	Taylor
Cohen	Hayes, D. S.	Novak	Tayoun

Cole	Hayes, S. E.	Noye	Trello
Cowell	Hepford	O'Connell	Turner
Crawford	Hill	O'Donnell	Ustynoski
Cumberland	Hopkins	O'Keefe	Valicenti
Davies	Hutchinson, W.	Pancoast	Vroon
Davis, D. M.	Itkin	Perri	Walsh, T. P.
Deverter	Katz	Perry	Wansacz
Dicarlo	Kernick	Pievsky	Weidner
DiDonato	Kistler	Pitts	Westerberg
Dietz	Klingaman	Polite	Whelan
Dembrowski	Knepper	Pratt	Whittlesey
Dorr	Kowalshyn	Pyles	Wilson
Doyle	Kusse	Renninger	Wilt, W. W.
Dreibelbis	Laughlin	Richardson	Wojdak
Eckensberger	Lederer	Rieger	WorriLOW
Fawcett	Lehr	Ritter	Wright
Fee	Levi	Romanelli	Yahner
Fisher	Lincoln	Ruggiero	Zearfoss
Flaherty	Lynch	Ryan	Zeller
Foster, A.	Manmiller	Saloom	Zord
Foster, W.	McClatchy	Salvatore	Zwickl
Fryer	McCue	Scheaffer	

**NAYS—46**

Arthurs	Haskell	Milliron	Shelton
Barber	Hutchinson, A.	Mullen, M. P.	Shupnik
Berson	Irvis	Oliver	Stout
Blackwell	Johnson, J.	Petrarca	Toll
Brunner	Kelly, A. P.	Prendergast	Vann
DeMedio	Kelly, J. B.	Rappaport	Wagner
Engelhart	LaMarea	Reed	Wargo
Fischer	Laudadio	Renwick	Wilt, R. W.
George	Letterman	Rhodes	Yohn
Gillette	Manderino	Ross	
Goodman	McCall	Schmitt	Fineman,
Green	Miller, M. E., Jr.	Shane	Speaker

**NOT VOTING—10**

Berlin	Hammock	O'Brien	Sweeney
Diminni	Kolter	Parker, H. S.	Thomas
Gallagher	McGraw		

The two-thirds majority of the elected members having voted in the affirmative, the question was determined in the affirmative, that the bill become a law, the objections of His Excellency, the Governor, to the contrary notwithstanding.

Ordered, That the clerk inform the Senate accordingly.

**PARLIAMENTARY INQUIRY**

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

Mr. KATZ. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KATZ. Mr. Speaker, you stated that the clerk will inform the Senate accordingly. Does that mean that the Senate will have the bill tomorrow?

The SPEAKER. The Chair is advised that the Senate will have the bill tomorrow.

Mr. KATZ. Thank you, Mr. Speaker.

**ANNOUNCEMENT**

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, we shall be in session tomorrow morning at 9:30 a.m.

**BILL REMOVED FROM TABLE FOR CALENDAR**

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. The Rules Committee has instructed me to remove Senate bill No. 904 from the table and place it on the calendar, and I so move.

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

**APPROPRIATIONS COMMITTEE MEETING**

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

Mr. WOJDAK. Mr. Speaker, would the members of the Appropriations Committee report to the Appropriations Committee conference room for the scheduled meeting?

**RECONSIDERATION OF VOTE ON SENATE BILL No. 546**

Mr. SULLIVAN moved that the vote by which SENATE BILL No. 546, printer's No. 570, entitled:

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

was defeated on final passage on Tuesday, July 22, 1975, be reconsidered.

Mr. IRVIS 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?

**SENATE BILL No. 546 PLACED ON FINAL PASSAGE POSTPONED CALENDAR**

Mr. SULLIVAN moved that SENATE BILL No. 546, printer's No. 570, be placed on the final passage postponed calendar.

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

**RECONSIDERATION OF VOTE ON HOUSE BILL No. 545**

Mr. SHANE moved that the vote by which HOUSE BILL No. 545, printer's No. 2038, 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 borrow money and issue bonds therefor; and imposing powers and duties upon the Secretary of Health and the Secretary of the Commonwealth.

was defeated on final passage on Tuesday, July 22, 1975, be reconsidered.

Mr. GALLAGHER 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?

**HOUSE BILL No. 545 PLACED ON FINAL  
PASSAGE POSTPONED CALENDAR**

Mr. SHANE moved that HOUSE BILL No. 545, printer's No. 2038, be placed on the final passage postponed calendar.

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

**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. 563**

An Act amending the "Motor Vehicle Sales Finance Act," approved June 28, 1947 (P. L. 1110, No. 476), providing for an exemption from finance charges for FHA or VA insured sales on credit or loans.

**HOUSE BILL No. 1346**

An Act amending the "Surface Mining Conservation and Reclamation Act," approved May 31, 1945 (P. L. 1198, No. 418), removing the maximum age qualification for mine conservation inspector.

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

**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. 368**

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.

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

**PARLIAMENTARY INQUIRY**

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

Mr. ZELLER. I rise to a parliamentary inquiry.  
The SPEAKER. The gentleman will state it.

Mr. ZELLER. Mr. Speaker, I have two items. I had an announcement to make, but first of all I would like to clear up one item.

I heard you mention House bill No. 545. Is it not true that it was defeated? Is it up for reconsideration twice? Is this not getting three bites at the apple instead of just two?

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

Mr. ZELLER. On House bill No. 545, Mr. Shane has requested a reconsideration.

The SPEAKER. That is correct.

Mr. ZELLER. Is this not three times at it instead of two?

The SPEAKER. No. The bill was passed once; it was defeated once. On the reconsideration, no bill can be reconsidered more than once, and that is as to defeated bills. The motion made by the gentleman, Mr. Shane, is properly in order.

The Chair would read to the gentleman from rule 26: "No question defeated shall be twice reconsidered."

Mr. ZELLER. Thank you.

**QUESTIONS OF PERSONAL PRIVILEGE**

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

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

The SPEAKER. The gentleman will state it.

Mr. ZELLER. Mr. Speaker, my request would be to have my vote on House bill No. 1153 changed to "aye" instead of "nay," for the simple reason that when we came back from our caucus, we had House bill No. 1532 on the board, which was a liquor bill in regard to food sales and I was confused. I thought we were voting on that item.

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

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

Mr. GALLAGHER. Mr. Speaker, I would like to be recorded in the negative on the vote to override the Governor's veto on House bill No. 496.

The SPEAKER. The gentleman's remarks will be noted.

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

Mr. ZWIKL. Mr. Speaker, I was not on the floor of the House when the vote was taken on House bill No. 1153. I wish to be recorded in the affirmative.

The SPEAKER. The remarks of the gentleman will be noted for the record.

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

**COMMITTEE REPORTS**

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

The Chair hears no objection.

**BILLS REPORTED AND CONSIDERED  
FIRST TIME AND Tabled**

**SENATE BILL No. 379** By Mr. WOJDAK

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, revising provisions relating to retirement for State employees and officers.

Reported from Committee on Appropriations.

**SENATE BILL No. 721** By Mr. WOJDAK

An Act making an appropriation to the Dickinson School of Law, Carlisle, Pennsylvania.

Reported from Committee on Appropriations.

<p><b>SENATE BILL No. 722</b> By Mr. WOJDAK</p> <p>An Act making an appropriation to the Delaware Valley College of Science and Agriculture at Doylestown, Pennsylvania.</p> <p>Reported from Committee on Appropriations.</p>	<p><b>SENATE BILL No. 757</b> By Mr. WOJDAK</p> <p>An Act making an appropriation to the Carnegie Museum at Pittsburgh, Pennsylvania, for maintenance and the purchase of apparatus, supplies and equipment.</p> <p>Reported from Committee on Appropriations.</p>
<p><b>SENATE BILL No. 723</b> By Mr. WOJDAK</p> <p>An Act making an appropriation to the Philadelphia College of Textiles and Science.</p> <p>Reported from Committee on Appropriations.</p>	<p><b>SENATE BILL No. 759</b> By Mr. WOJDAK</p> <p>An Act making an appropriation to the Trustees of the University of Pennsylvania for the general maintenance and operation of the University of Pennsylvania Museum.</p> <p>Reported from Committee on Appropriations.</p>
<p><b>SENATE BILL No. 724</b> By Mr. WOJDAK</p> <p>An Act making an appropriation to the Pennsylvania College of Podiatric Medicine, Philadelphia, Pennsylvania.</p> <p>Reported from Committee on Appropriations.</p>	<p><b>SENATE BILL No. 760</b> By Mr. WOJDAK</p> <p>An Act making an appropriation to the Center for the Blind, Philadelphia, Pennsylvania.</p> <p>Reported from Committee on Appropriations.</p>
<p><b>SENATE BILL No. 731</b> By Mr. WOJDAK</p> <p>An Act making an appropriation to the Williamson Free School of Mechanical Trades in Delaware County, Pennsylvania.</p> <p>Reported from Committee on Appropriations.</p>	<p><b>SENATE BILL No. 761</b> By Mr. WOJDAK</p> <p>An Act making an appropriation to the Museum of the Philadelphia Civic Center, Philadelphia, Pennsylvania, for maintenance and the purchase of apparatus, supplies and equipment.</p> <p>Reported from Committee on Appropriations.</p>
<p><b>SENATE BILL No. 732</b> By Mr. WOJDAK</p> <p>An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.</p> <p>Reported from Committee on Appropriations.</p>	<p><b>SENATE BILL No. 763</b> By Mr. WOJDAK</p> <p>An Act making an appropriation to the Pennsylvania Academy of the Fine Arts of Philadelphia, Pennsylvania.</p> <p>Reported from Committee on Appropriations.</p>
<p><b>SENATE BILL No. 733</b> By Mr. WOJDAK</p> <p>An Act making an appropriation to the Johnson School of Technology of Scranton, Pennsylvania.</p> <p>Reported from Committee on Appropriations.</p>	<p><b>SENATE BILL No. 764</b> By Mr. WOJDAK</p> <p>An Act making an appropriation to the Franklin Institute of the State of Pennsylvania at Philadelphia, Pennsylvania.</p> <p>Reported from Committee on Appropriations.</p>
<p><b>SENATE BILL No. 735</b> By Mr. WOJDAK</p> <p>An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of the Western Psychiatric Institute and Clinic.</p> <p>Reported from Committee on Appropriations.</p>	<p><b>SENATE BILL No. 765</b> By Mr. WOJDAK</p> <p>An Act making an appropriation to the Division of Education of the Philadelphia Museum of Art, Philadelphia, Pennsylvania.</p> <p>Reported from Committee on Appropriations.</p>
<p><b>SENATE BILL No. 750</b> By Mr. WOJDAK</p> <p>A Supplement to the act of February 6, 1974 (No. 17), entitled "An act providing for the capital budget for the fiscal year 1973-1974," itemizing public improvement projects to be constructed by The General State Authority together with their estimated financial cost; authorizing the incurring of debt, without the approval of the electors, for the purpose of financing the projects, stating the estimated useful life of the projects specifically itemized in a capital budget and making an appropriation.</p> <p>Reported from Committee on Appropriations.</p>	<p><b>SENATE BILL No. 766</b> By Mr. WOJDAK</p> <p>An Act making appropriations to the Thomas Jefferson University of Philadelphia, Pennsylvania.</p> <p>Reported from Committee on Appropriations.</p>
<p><b>SENATE BILL No. 754</b> By Mr. WOJDAK</p> <p>An Act making an appropriation to the City of Harrisburg, Pennsylvania.</p> <p>Reported from Committee on Appropriations.</p>	<p><b>SENATE BILL No. 767</b> By Mr. WOJDAK</p> <p>An Act providing for adoption of capital projects to be financed from current revenues of the Fish Fund, Boating Fund and the Game Fund.</p> <p>Reported from Committee on Appropriations.</p>
<p><b>SENATE BILL No. 755</b> By Mr. WOJDAK</p> <p>An Act making an appropriation to the Beacon Lodge Camp for the Blind, Lewistown, Pennsylvania.</p> <p>Reported from Committee on Appropriations.</p>	<p><b>SENATE BILL No. 768</b> By Mr. WOJDAK</p> <p>An Act making an appropriation to the Trustees of the University of Pennsylvania.</p> <p>Reported from Committee on Appropriations.</p>
<p><b>SENATE BILL No. 756</b> By Mr. WOJDAK</p> <p>An Act making an appropriation to the Pittsburgh Branch of the Pennsylvania Association for the Blind, Inc., Pittsburgh, Pennsylvania.</p> <p>Reported from Committee on Appropriations.</p>	<p><b>SENATE BILL No. 772</b> By Mr. WOJDAK</p> <p>An Act making an appropriation to the Department of</p>

Environmental Resources out of various funds for payment of annual fixed charges in lieu of taxes to political subdivisions or school districts on lands acquired by the Commonwealth for Project 70.

Reported from Committee on Appropriations.

**SENATE BILL No. 775** By Mr. WOJDAK

An Act making an appropriation to the Department of Property and Supplies out of various funds for payment of rental charges to The General State Authority.

Reported from Committee on Appropriations.

**SENATE BILL No. 777** By Mr. WOJDAK

A Supplement to the act of July 7, 1972 (P. L. 743, No. 176), entitled "An act providing for the establishment and operation of Lincoln University as an instrumentality of the Commonwealth to serve as a State-related institution in the higher education system of the Commonwealth; . . .," making appropriations for carrying the same into effect, providing for a basis for payments of such appropriation and providing a method of accounting for the funds appropriated.

Reported from Committee on Appropriations.

**SENATE BILL No. 779** By Mr. WOJDAK

An Act making an appropriation to the Philadelphia Musical Academy, Philadelphia, Pennsylvania, for maintenance and general operation.

Reported from Committee on Appropriations.

**SENATE BILL No. 899** By Mr. WOJDAK

An Act making an appropriation to Inglis House at Philadelphia for the care and treatment of patients suffering from long-term neurological diseases.

Reported from Committee on Appropriations.

#### BILLS REPORTED AS AMENDED AND CONSIDERED FIRST TIME AND TABLED

**SENATE BILL No. 725** By Mr. WOJDAK

An Act making appropriations to the Philadelphia College of Art, Philadelphia, Pennsylvania.

Reported from Committee on Appropriations.

**SENATE BILL No. 727** By Mr. WOJDAK

An Act making an appropriation to the Pennsylvania College of Optometry, Philadelphia, Pennsylvania.

Reported from Committee on Appropriations.

**SENATE BILL No. 730** By Mr. WOJDAK

An Act making appropriations to the Trustees of Drexel University of the Commonwealth of Pennsylvania at Philadelphia, Pennsylvania.

Reported from Committee on Appropriations.

**SENATE BILL No. 762** By Mr. WOJDAK

An Act making an appropriation to the Academy of Natural Sciences of Philadelphia at Philadelphia, Pennsylvania.

Reported from Committee on Appropriations.

**SENATE BILL No. 769** By Mr. WOJDAK

A Supplement to the act of July 28, 1966 (3rd Sp. Sess. P. L. 87, No. 3), entitled "An act providing for the establishment and operation of the University of Pittsburgh as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; . . .," making appropriations for

carrying the same into effect, providing for a basis for payments of such appropriations and providing a method of accounting for the funds appropriated.

Reported from Committee on Appropriations.

**SENATE BILL No. 770** By Mr. WOJDAK

A Supplement to the act of November 30, 1965 (P. L. 843, No. 355), entitled "An act providing for the establishment and operation of Temple University as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; . . .," making appropriations for carrying the same into effect, providing for a basis for payments of such appropriation and providing a method of accounting for the funds appropriated.

Reported from Committee on Appropriations.

**SENATE BILL No. 771** By Mr. WOJDAK

A Supplement to the act of April 1, 1863 (P. L. 213, No. 227), entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges," making appropriations for carrying the same into effect, providing for a basis for payments of such appropriations and providing a method of accounting for the funds appropriated.

Reported from Committee on Appropriations.

**SENATE BILL No. 776** By Mr. WOJDAK

An Act making appropriations to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors.

Reported from Committee on Appropriations.

#### BILL REREPORTED AS COMMITTED

**SENATE BILL No. 27** By Mr. WOJDAK

An Act making an appropriation to the Department of Transportation for promotion and improvement of transportation facilities and service for tourists visiting American Bicentennial Historical Sites.

Rereported from Committee on Appropriations.

#### SENATE BILLS REREPORTED AS AMENDED

**SENATE BILL No. 1** By Mr. WOJDAK

An Act providing for the regulation of land and water use for flood control purposes, imposing duties and conferring powers on the Department of Environmental Resources, the Environmental Quality Board, the Department of Community Affairs, municipalities and counties, providing for enforcement and penalties and making an appropriation.

Rereported from Committee on Appropriations.

**SENATE BILL No. 24** By Mr. WOJDAK

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, adding provisions relating to retirement for school employees and making repeals.

Rereported from Committee on Appropriations.

#### BILLS REPORTED AND CONSIDERED FIRST TIME AND RECOMMENDED TO COMMITTEE ON RULES

**HOUSE BILL No. 535** By Mr. WOJDAK

An Act amending the act of May 26, 1949 (P. L. 1844, No. 547), entitled "An act establishing the Pennsylvania



State Firemen's Training School in or adjacent to the borough of Lewistown, \* \* \*" providing for certain weekend classes and making an appropriation.

Reported from Committee on Appropriations.

**HOUSE BILL No. 1626** By Mr. WOJDAK

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

Reported from Committee on Appropriations.

**BILLS REREPORTED AS COMMITTED**

**HOUSE BILL No. 510** By Mr. WOJDAK

An Act authorizing the Department of Property and Supplies to acquire on behalf of the Pennsylvania Historical and Museum Commission a tract of land in the Borough of Gettysburg, Adams County, Commonwealth of Pennsylvania, and making appropriations.

Rereported from Committee on Appropriations.

**HOUSE BILL No. 615** By Mr. WOJDAK

A Joint Resolution proposing an amendment to article eight, section two of the Constitution of the Commonwealth of Pennsylvania exempting totally and permanently disabled veterans from payment of real property taxes in certain cases.

Reported from Committee on Appropriations.

**HOUSE BILL No. 919** By Mr. WOJDAK

An Act amending the act of May 29, 1956 (P. L. 1804, No. 600), entitled "An act providing for the establishment of police pension funds or pension annuities in certain boroughs, towns and townships, and the regulation and maintenance thereof; \* \* \*" changing the age and service requirements for retirement by members of the police force.

Reported from Committee on Appropriations.

**HOUSE BILL No. 993** By Mr. WOJDAK

An Act amending the "Pennsylvania Prevailing Wage Act," approved August 15, 1961 (P. L. 987, No. 442), changing and adding definitions, specifying duties of certain officers of public bodies, adding criminal and civil remedies and changing certain time limitations.

Rereported from Committee on Appropriations.

**HOUSE BILL No. 1082** By Mr. WOJDAK

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

Rereported from Committee on Appropriations.

**HOUSE BILL No. 1294** By Mr. WOJDAK

An Act providing for direct financial assistance to certain Vietnam Veterans attending approved schools under the Federal Educational Assistance Program and making an appropriation.

Rereported from Committee on Appropriations.

**HOUSE BILL No. 1418** By Mr. WOJDAK

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

Rereported from Committee on Appropriations.

**HOUSE BILL No. 1492** By Mr. WOJDAK

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

Rereported from Committee on Appropriations.

**BILLS REREPORTED AS AMENDED**

**HOUSE BILL No. 385** By Mr. WOJDAK

An Act providing for the payment of death benefits to the surviving spouse or children of firemen or law enforcement officers killed in the performance of their duties.

Rereported from Committee on Appropriations.

**HOUSE BILL No. 1254** By Mr. WOJDAK

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), further providing for exceptional children and reimbursements for certain special education services.

Rereported from Committee on Appropriations.

**ADJOURNMENT**

Mr. GIAMMARCO moved that this House do now adjourn until Wednesday, July 23, 1975, at 9:30 a.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and (at 9:26 p.m., e.d.t.) the House adjourned.