

Legislative Journal

WEDNESDAY, OCTOBER 1, 1975

Session of 1975

159th of the General Assembly

Vol. 1, No. 77

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (Herbert Fineman) IN THE CHAIR

PRAYER

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

Heavenly Father, we are aware that every good and perfect gift cometh from Thee, and that Thou dost grant to us far more than we deserve of Thy bountiful goodness; therefore, O God, we turn to Thee with profound reverence and sincere thanks for these evidences of Thy love toward us. We humbly pray that we may seek to please Thee by the deeds we bring to maturity and the lives we live in our day-to-day associations with our fellowmen. Mercifully grant that the power of Thy spirit may so rule and direct our hearts that we may set before our world the example of Thy love in action and the challenge to please Thee in the accomplishment of those things Thou dost desire. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Tuesday, September 30, 1975, will be postponed until printed.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip.

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

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. I have no requests for leaves of absence.

The SPEAKER. The Chair thanks the gentlemen.

MASTER ROLL CALL

The SPEAKER. The Chair is about to take today's master roll. The members will proceed to vote.

The roll was taken and was as follows:

YEAS—198

Abraham	Geesey	McCue	Schmitt
Anderson, J. H.	Geisler	McGinnis	Schweder
Arthurs	George	McIntyre	Scirica
Barber	Giammarco	McLanc	Seltzer
Bellomint	Gillespie	Mebus	Shane
Bennett	Gillette	Menhorn	Shelhamer

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

NOT VOTING—4

Gring	McGraw	O'Donnell	Sullivan
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The SPEAKER. One hundred ninety-eight members having indicated their presence, a master roll is established.

SENATE BILLS SIGNED BY SPEAKER

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

SENATE BILL No. 63

An Act designating a traffic route in Fayette County as the General George C. Marshall Parkway.

SENATE BILL No. 195

An Act relating to the practice of physical therapy.

SENATE BILL No. 379

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, revising provisions relating to retirement for State employees and officers.

SENATE BILL No. 399

An Act amending the act of July 28, 1953 (P. L. 723, No. 230), entitled, as amended, "Second Class County Code," further regulating the use of markers for the graves of deceased service persons.

SENATE BILL No. 462

An Act amending the act of June 22, 1964 (Sp. Sess. P. L. 84, No. 6), entitled "Eminent Domain Code," providing for the appointment of an alternate viewer in cities of the first class.

SENATE BILL No. 531

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

SENATE BILL No. 658

An Act amending the act of May 17, 1921 (P. L. 682, No. 284), entitled "The Insurance Company Law of 1921," prohibiting cancellation or termination of certain policies except for nonpayment of premiums.

SENATE BILL No. 672

An Act amending the act of June 23, 1931 (P. L. 932, No. 317), entitled "The Third Class City Code," permitting advertisement of the titles and summarizations in lieu of the entire text of ordinances.

SENATE BILL No. 706

An Act amending the act of July 28, 1953 (P. L. 723, No. 230), entitled, as amended, "Second Class County Code," authorizing the purchase of certain insurance against errors and omissions.

Whereupon,

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

SENATE MESSAGE**TIME OF NEXT MEETING**

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

In the Senate, September 29, 1975

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Tuesday, October 14, 1975 unless sooner recalled by the President Pro Tempore, and when the House of Representatives adjourns this week it reconvene on Tuesday, October 14, 1975 unless sooner recalled by the Speaker of the House of Representatives.

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

On the question,

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

Ordered, That the clerk inform the Senate accordingly.

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. 240

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

HOUSE BILL No. 854

An Act amending the act of July 20, 1974 (No. 198), entitled "Pennsylvania Solid Waste-Resource Recovery Development Act," providing for demonstration projects; providing for grants; imposing powers and duties on the Department of Environmental Resources and the Environmental Quality Board and making an appropriation.

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

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

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

HOUSE BILL No. 344

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey to the Canonsburg-Houston Joint Authority a certain tract of land in Cecil Township, Washington County.

HOUSE BILL No. 1302

An Act reenacting and amending the act of November 1, 1971 (P. L. 495, No. 113), entitled "An act providing for the compensation of county officers in counties of the second through eighth classes, for the disposition of fees, for filing of bonds in certain cases and for duties of certain officers," increasing the salary of county officers and imposing additional duties on certain district attorneys and county commissioners.

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

The SPEAKER. The bills will appear on the calendar.

HOUSE BILLS INTRODUCED AND REFERRED

By Messrs. PITTS, ARTHURS, PYLES, ZORD
and DININNI **HOUSE BILL No. 1769**

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58, No. 32), providing for a warning before the assigning of points.

Referred to Committee on Transportation.

By Messrs. DOMBROWSKI, BENNETT, DININNI
and VALICENTI **HOUSE BILL No. 1770**

An Act amending the Fire and Panic Act, approved April 27, 1927 (P. L. 465, No. 299), further providing for approved ways of egress.

Referred to Committee on Business and Commerce.

HOUSE RESOLUTION INTRODUCED AND REFERRED

By Messrs. REED, IRVIS, BUTERA, GLEASON,
KOWALYSHYN, SCHWEDER, GEORGE,
LAUGHLIN, BRADLEY and Mrs. KELLY

RESOLUTION No. 167

The House of Representatives of the Commonwealth of Pennsylvania does hereby pay tribute and recognition to Mother Elizabeth Seton and to the Order of the Sisters of Charity on this historic event and celebrates the canonization of America's first native born saint in the Roman Catholic Church as the Nation and Commonwealth prepare to celebrate its bicentennial.

Referred to Committee on Rules.

CALENDAR

GAME AND FISHERIES BILL ON FINAL PASSAGE POSTPONED

Agreeable to order,

The bill having been called up from the postponed calendar by Mr. RENWICK the House resumed consideration on final passage of **House bill No. 1461, printer's No. 1715**, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), increasing the fees for replacement hunting licenses and providing penalty for giving false statement.

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

HOUSE BILL No. 1461 PASSED OVER TEMPORARILY

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

Mr. RITTER. Mr. Speaker, I do not have the amendments. I understand Mr. Bennett is preparing amendments to this bill; at least he was yesterday.

The SPEAKER. Who has amendments to the bill?

Mr. LETTERMAN. Mr. Speaker, I have amendments and Reid Bennett has amendments to the bill, but they are not down here.

The SPEAKER. Is the gentleman, Mr. Bennett, in the hall of the House? What is he doing, voting upstairs?

Mr. LETTERMAN. My amendments have not come down yet.

The SPEAKER. House bill No. 1461 will temporarily be passed over.

PERSONAL PRIVILEGE

Miss SIRIANNI. Mr. Speaker, Mr. Speaker.

The SPEAKER. Just one moment.

Miss SIRIANNI. Mr. Speaker, I have two problems before me.

The SPEAKER. You are getting off pretty easy. I have 203 before me.

Does your problem pertain to House bill No. 1461?

Miss SIRIANNI. No.

The SPEAKER. Well, I suggest that you sit down and I will call on you a little later on.

Miss SIRIANNI. Did you not just pass over that?

The SPEAKER. What?

Miss SIRIANNI. Did you not just pass over that?

The SPEAKER. Well, there is nothing in order but the calendar. We will discuss your problem—

Miss SIRIANNI. May I have a point of personal privilege?

The SPEAKER. If you want to be excused, the Chair excuses you.

Miss SIRIANNI. I want a point of privilege to speak to you, sir, and to this group.

The SPEAKER. We wait with bated breath. The Chair recognizes the lady.

Miss SIRIANNI. I know that you wait with bated breath.

I have on my desk once again a letter without any postage, as every member in this House does. I would like to know how these organizations can mail letters without postage when I cannot? I also have a package on the archives of Louis Kahn, House bill No. 533, which was in an envelope, addressed to a home address but delivered to the mail box in this post office. Can you explain this to me, sir?

The SPEAKER. Miss Mariano, I am but human—

Miss SIRIANNI. My name is Sirianni.

The SPEAKER. Excuse me. Sorry about that.

Miss SIRIANNI. That is all right. As long as we get the—

The SPEAKER. I am but mortal and do not have the answers to all things, dear. But I will be happy to try once again and find out for you—

Miss SIRIANNI. But you have told me this, sir, on two other occasions. As a matter of fact—

The SPEAKER. I am trying my best to be informative for you.

Miss SIRIANNI. As a matter of fact, sir, several months have passed since you had promised me the answer to this and now I have another, my third problem is, the conflict of committee meetings.

The SPEAKER. Right.

Miss SIRIANNI. I had brought that out to you before we recessed for the summer and I brought it out to you again.

The press seems to pick up everything else, but they never seem to pick up the fact that we have a conflict of committee meetings. I think that it could easily be remedied by either holding another meeting later in the afternoon or another one earlier in the morning. I was told that the computer could not come up with an answer. Well, if the computer cannot come up with an answer, then maybe we better start using people to come up with the answers. Thank you, sir.

The SPEAKER. Do not expand on my headache, Mr. Rappaport. Do you have something important to say?

Mr. RAPPAPORT. Mr. Speaker, I would like to try to relieve one of your headaches, if I may.

The SPEAKER. Thank you.

The Chair recognizes the gentleman.

Mr. RAPPAPORT. In order to help my good friend, the lady on the other side, the information on House bill No. 533 was distributed at my request. I understand each member has the privilege of requesting distribution of material to other members.

The SPEAKER. There is nothing in order now but the taking of the order of business as it appears on the calendar.

The Chair has extended leniency in—

Miss SIRIANNI. Mr. Speaker—

The SPEAKER. The Chair does not recognize the lady at this time.

STATE GOVERNMENT BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 337, printer's No. 2186**, entitled:

An Act regulating the contractual powers of individuals serving in local political subdivision positions.

On the question,

Will the House agree to the bill on third consideration?

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

Amend Title, page 1, line 1 by inserting after "in": State or State agencies and

Amend Sec. 1, page 1, line 7 by inserting after "in": the Commonwealth or any of its agencies or in

Amend Sec. 1, page 1, line 9 by inserting after "with": , respectively,

Amend Sec. 1, page 1, line 10 by inserting after "the": Commonwealth or its agencies or

Amend Sec. 1, page 1, line 10 by inserting after "sub-division": , respectively,

On the question,

Will the House agree to the amendments?

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

Mr. WILSON. Mr. Speaker, House bill No. 337 attempts to remove a conflict of interest in the local government political subdivisions in the Commonwealth. In effect it says that anybody who holds an appointive office in a political subdivision of the Commonwealth shall not have an interest in any contract or construction in which the political subdivision shall enter or have an interest.

My amendment simply would add the "Commonwealth or its agencies." Those persons appointed by the Commonwealth to any of its agencies would have the same restrictions in dealing in contractual trade with the Commonwealth.

I think what is fair at a local subdivision certainly is fair in all of the branches of our government, including the Commonwealth of Pennsylvania.

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

Mr. GARZIA. The only amendment that I have on my desk is printer's No. 374. The bill in front of us is printer's No. 2186. Did they change it?

Mr. WILSON. For the gentleman's information, yes, that was what the delay was yesterday. I had to have it redrafted. The amendment that I now offer is to printer's number 2186.

Mr. GARZIA. I stand to be corrected. One was just handed to me.

Mr. Speaker, I oppose this amendment. I think the intent of the bill when I presented it was to alleviate the problems we have in local government in a small municipality, where we do have a lot of conflicts of interest, mainly with the building inspectors, the engineers, solicitors, electrical workers, and so forth. This amendment will complicate the bill and also have a chance of dying on the House floor and also in the Senate.

Many of the people whom I talked to and some of the Senators like the bill just the way it is because it deals with the immediate problem in the small political subdivisions. I rise to oppose this amendment.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. WILSON and GARZIA and were as follows:

YEAS—130

Anderson, J. E.	Gillette	McGinnis	Seltzer
Beren	Gleason	Mebus	Shane
Bittle	Goodman	Miller, M. E.	Shelhamer
Bonetto	Greenfield	Miller, M. E., Jr.	Shelton
Bradley	Grieco	Milliron	Shuman
Brandt	Halverson	Moehlmann	Sirianni
Burns	Hamilton, J. H.	Mrkonic	Smith, E.
Butera	Hasay	Mullen	Smith, L.
Caputo	Haskell	Myers	Spencer
Cessar	Hayes, D. S.	Noye	Stahl
Cimini	Hayes, S. E.	O'Brien	Stapleton
Cowell	Hepford	O'Connell	Stout
Crawford	Hill	O'Donnell	Taddonio
Cumberland	Hopkins	O'Keefe	Taylor
Davies	Hutchinson, A.	Oliver	Tayoun
Davis, D. M.	Hutchinson, W.	Pancoast	Thomas
Deverter	Itkin	Parker, H. S.	Turner
Dietz	Katz	Perri	Ustynoski
Dinimni	Kelly, J. B.	Petrarca	Vroon
Dombrowaki	Kernick	Pitts	Wagner
Dorr	Kistler	Polife	Weidner
Doyle	Klingaman	Prendergast	Westerberg
Dreibelbis	Knepper	Pyles	Whelan
Fawcett	Kusse	Rappaport	Whittlesey
Fischer	Lederer	Reed	Wilson
Fisher	Lehr	Renninger	Wilt, R. W.
Flaherty	Letterman	Rieger	Wilt, W. W.
Foster, A.	Levi	Romanelli	Worrilow
Foster, W.	Lynch	Ryan	Wright
Fryer	Manmiller	Salvatore	Yohn
Geesey	McCall	Scheaffer	Zearfoss
Geisler	McClatchy	Scirica	Zord
Gillespie	McCue		

NAYS—60

Abraham	Gallagher	McLane	Shupnik
Arthurs	Garzia	Menhorn	Toll
Barber	George	Milanovich	Trello
Bellomini	Giammarco	Morris	Valicenti
Bennett	Gleason	Musto	Vann
Berlin	Green	Novak	Walsh, T. P.
Berson	Hammock	Pievsky	Wansacz
Blackwell	Irvic	Pratt	Wargo
Brunner	Kelly, A. P.	Renwick	Wojdak
Cohen	Kolter	Richardson	Yahner
Cole	Kowalyshyn	Ritter	Zeller
DeMedio	LaMarca	Ross	Zwikl
DiDonato	Laudadio	Ruggiero	
Eckensberger	Laughlin	Schmitt	Fineman, Speaker
Engelhart	Manderino	Schweder	
Fee	McIntyre		

NOT VOTING—12

Dicarlo	Johnson, J.	Miscevich	Rhodes
Gallen	Lincoln	Mullen, M. P.	Saloom
Gring	McGraw	Perry	Sullivan

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?

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

Mr. GLEASON. Will the chief sponsor, Mr. Garzia, respond to a brief interrogation, please?

The SPEAKER. Will the gentleman from Delaware, Mr. Garzia, consent to interrogation?

Mr. GARZIA. Yes, I will.

The SPEAKER. The gentleman may proceed.

Mr. GLEASON. Can the gentleman tell me what the Borough Code presently provides on conflicts of interest or direct or indirect interest on the part of elected officials and appointed officials?

Mr. GARZIA. Well, if my memory serves me right, I think if the elected official has an interest in something, they have to publicly come out and disclose that they have an interest in it. I also think that if they have a part interest in or ownership of a construction company of some kind, they cannot do business in that political subdivision. There is nothing that I know of that takes care of appointed officials.

Mr. GLEASON. Well, does the gentleman mean to say that appointed borough officials are not prohibited from having a direct or indirect interest in contracts?

Mr. GARZIA. The purpose of this bill was such that I did not want to bother with elected officials because they are covered. I am talking about the appointee, an engineer or a borough solicitor, that sort. They are the ones who, you know, really have the conflict of interest in any political subdivision.

Mr. GLEASON. Thank you, Mr. Garzia.

I believe the intention behind Mr. Garzia's bill is a worthwhile one. He is addressing himself to a problem which is very apparent in many areas of Pennsylvania. But, unfortunately, Mr. Speaker, I think we are probably legislating in an area which has already been legislated about.

Specifically what I am referring to is that the Borough Code, for example, presently provides that no elected or appointed borough official shall have any interest direct or indirect in any contract in which the borough is involved. And it further provides criminal penalties for an appointed borough official who would be involved in any contract directly or indirectly. It provides for a \$500 fine and imprisonment up to a year.

Now the Borough Code is not unique in this respect. The First Class City Code for Philadelphia provides the exact, same measure; the County Code provides the exact, same measure; the Third Class City Code is identical in this respect.

What I am very much afraid of, Mr. Speaker, is that we are rushing in where we have treaded very effectively in the past, and I would hope that the members of the House take into consideration the fact that too often this House and the other body legislate in a duplicating manner.

I would suggest that the existing law on the books in the municipalities, which make criminal offenses out of having direct or indirect interest in contracts, is a far better proposal than prohibiting somebody from having any business with the municipality if he or she is found guilty of a direct or an indirect interest in a contract.

I, personally, am going to have to oppose this bill not because of its intention but because it really is an unneeded accretion on top of our laws that already exist. I oppose House bill No. 337.

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

Mr. GARZIA. I will yield the floor to Mr. Morris.

Mr. MORRIS. I would like to interrogate both Mr. Garzia and Mr. Wilson. I am, possibly, exhibiting my ignorance which is not unusual in this body, I am afraid.

The SPEAKER. Does the gentleman from Delaware, Mr. Garzia, desire to respond to the gentleman, Mr. Morris?

Mr. GARZIA. Yes, I will.

The SPEAKER. The gentleman may proceed.

Mr. MORRIS. Rather than leafing through my pile of bills here, I think my questions might be answered quite quickly this way.

Is this bill supposed to apply to elected officials as it originally was?

Mr. GARZIA. The elected officials were amended from my bill because they are covered by some provision of the code.

Mr. MORRIS. Well, I am thinking particularly of the state, and I would like to ask both Mr. Garzia and Mr. Wilson whether the bill as it now stands after the acceptance of the amendment applies to elected officials of the state, particularly the members of the General Assembly?

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

Mr. WILSON. Mr. Speaker, as to the gentleman's question, negative. It only applies to the appointive offices in the Commonwealth or its agencies.

Mr. MORRIS. Is that your view also, Mr. Garzia?

Mr. GARZIA. If the amendment was passed, appointed officials then, you know, would have to go in with the appointed statewide and local.

Mr. MORRIS. I was concerned because, after all, we do have an already fixed and proper way of handling these situations with regard to members of the House and the conflict-of-interest disclosures and refraining from voting which must be made.

Thank you.

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

Mr. COHEN. The argument raised by the gentleman from Cambria, Mr. Gleason, that the current law deals adequately with the problem that Mr. Garzia seeks to correct was raised in the committee, and we looked at the case law in Purdon's and the case law in Purdon's indicated that despite the excellent wording of the current law, it had been so interpreted that it had virtually no effect and people got away with doing whatever they wanted.

This bill by Mr. Garzia is needed to solve his problems and the problems in other boroughs, and I urge the support of the membership for it.

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

Mr. ZEARFOSS. Mr. Speaker, would the gentleman, Mr. Garzia, consent to interrogation?

The SPEAKER. Will the gentleman, Mr. Garzia, permit himself to be interrogated?

Mr. GARZIA. I shall, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. ZEARFOSS. Is it your intent that the definition of "political subdivision" in the bill would include school districts?

Mr. GARZIA. Well, my intent of the bill was mostly as to the municipalities, but if the school district is so interpreted in the bill, I will have to accept that.

Mr. ZEARFOSS. You do not have a definition of "political subdivisions." Sometimes that term is used in legislation and does include the school districts and sometimes it does not include school districts, and I was just wondering what your intent of this bill is and how should it be interpreted if it becomes law.

Mr. GARZIA. The intent of this bill is for the engineer of a municipality, a solicitor, building inspector, plumbing inspector, electric inspector, these five men are usually the life blood of any political subdivision on any building and most of the time your contractors and builders

go to these men. So they are inspecting their own work and it does not make sense.

Mr. ZEARFOSS. Well, but there are similar employes, appointed employes, of a school district and there are elected officials of a school district, such as architects who sit on the school board or engineers who sit on a school board, who might have run across a similar conflict, and would they be covered by this legislation is what I am trying to ascertain.

Mr. GARZIA. The intent of my bill was not to include them, but if it is in this bill right now, we will have to accept them.

Mr. ZEARFOSS. Well, in your view is it?

Mr. GARZIA. I do not know.

Mr. ZEARFOSS. I guess we are stuck with the answer. I do not know any more now, Mr. Speaker, than I knew before as to whether a school district would be included in this legislation.

Mr. GARZIA. In a school district most of the school board members are elected officials, and the only ones to be appointed will be the architect and the solicitor, so they will be affected by it.

On the question recurring,
Shall the bill pass finally?

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

YEAS—187

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

NAYS—6

Dorr	Gleason	Knepper	Parker, H. S.
Foster, A.	Kelly, J. B.		

NOT VOTING—9

Gallen Gring Johnson, J.	McGraw Mullen, M. P.	Perry Saloom	Tayoun Trello
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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.

REQUESTS FOR RECOGNITION

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

Mr. LINCOLN. Mr. Speaker, at the appropriate time I would like to be recognized to make a statement on a point of personal privilege.

The SPEAKER. The Chair will recognize the gentleman later on in the proceedings.

Mr. LINCOLN. Mr. Speaker, I would appreciate it if the opportunity to speak would be at a time when we are not in the confusion of leaving the floor of the House.

The SPEAKER. The Chair will endeavor to afford the gentleman an opportunity to speak when the attention of the members are absolutely riveted to the gentleman.

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

Mr. ZELLER. Likewise. Thank you.

HOUSE BILL No. 919 PASSED OVER TEMPORARILY

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

Mr. ARTHURS. I would like to move that we consider House bill No. 919 at this time and I would like to move that we recommit the bill to the Local Government Committee.

The SPEAKER. Does the gentleman want to do that in the absence of the primary sponsor of the bill?

Mr. ARTHURS. He was here yesterday and the Chair passed over it temporarily at his request yesterday.

The SPEAKER. The Chair would suggest to the gentleman that he be patient and wait until the gentleman returns to the floor as a mark of courtesy to the gentleman.

Mr. ARTHURS. Thank you, Mr. Speaker.

CONSUMER PROTECTION BILLS ON THIRD CONSIDERATION

Agreeable to order,
The House proceeded to third consideration of House bill No. 646, printer's No. 2233, entitled:

An Act to provide reasonable standardization and simplification of terms and coverages of individual accident and health insurance policies and subscriber contracts of health plan corporations, nonprofit health service plans and certificates issued by fraternal benefit societies to facilitate public understanding and comparison ****.

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—184

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

NAYS—9

Hasay	Pitts	Renninger	Weidner
McGinnis	Polite	Vroon	Zearfoss
Pancoast			

NOT VOTING—9

Bellomini	Johnson, J.	Mullen	Saloom
Berson	McGraw	Perry	Wojdak
Gring			

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

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

Agreeable to order,

The House proceeded to third consideration of House bill No. 647, printer's No. 726, entitled:

An Act amending "The Insurance Department Act of one thousand nine hundred and twenty-one," approved May 17, 1921 (P. L. 789, No. 285), empowering and authorizing the Insurance Commissioner or a deputy to proceed to prohibit and restrain certain persons and entities from transacting business as an agent or solicitor without being properly licensed and providing for the procedure and conditions for an injunction or other process.

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—195

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

NAYS—0

NOT VOTING—7

Dininni	Johnson, J.	Perry	Saloom
Gring	McGraw	Rhodes	

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

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

Agreeable to order,

The House proceeded to third consideration of House bill No. 648, printer's No. 727, entitled:

An Act amending "The Insurance Department Act of one thousand nine hundred and twenty-one," approved May 17, 1921 authorizing the Insurance Commissioner or a duly designated deputy to institute prosecution under certain penalty sections.

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—195

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

NAYS—0

NOT VOTING—7

Greenfield	Johnson, J.	McGraw	Saloom
Gring	McGinnis	Perry	

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

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

Agreeable to order,

The House proceeded to third consideration of House bill No. 650, printer's No. 2234, entitled:

An Act amending the act of January 24, 1966 (1965, P. L. 1509, No. 531), entitled "An act relating to regulating, taxing, supervising and controlling the placing of insurance on risks located in the Commonwealth of Pennsylvania with insurers not licensed to transact insurance business in Pennsylvania ***," changing conditions related to an unlicensed insurer being or becoming an eligible surplus lines insurer.

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—196

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

NAYS—0

NOT VOTING—6

Bellomini	Gring	Perry	Saloom
Gleason	McGraw		

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

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

Agreeable to order,

The House proceeded to third consideration of House bill No. 652, printer's No. 731, entitled:

An Act amending "The Insurance Department Act of one thousand nine hundred and twenty-one," approved May 17, 1921 (P. L. 789, No. 285), further providing for the insolvency of or the impairment of the reserves of an assessable mutual insurance company.

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—196

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

NAYS—0

NOT VOTING—6

Dininni	McGraw	Saloom	Sirianni
Gring	Perry		

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

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

Agreeable to order,

The House proceeded to third consideration of **House bill No. 653, printer's No. 2235**, entitled:

An Act amending "The Insurance Department Act of one thousand nine hundred and twenty-one," approved May 17, 1921 (P. L. 789, No. 285), altering the method of computation of unearned premium liability and reserve, the distribution of unallocated liability loss expense payments, the distribution of unallocated compensation loss expense payments and removing a requirement specifying certain information to be furnished in an annual report or statement.

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—195

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

NAYS—0

NOT VOTING—7

Bellomint	Gring	Perry	Saloom
Dininni	McGraw	Richardson	

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

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

Agreeable to order,

The House proceeded to third consideration of **House bill No. 655, printer's No. 734**, entitled:

An Act repealing section 533 of the act of May 17, 1921 (P. L. 682, No. 284), known as "The Insurance Company Law of 1921," relating to mutual fire insurance companies organized before May 1, 1876.

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—196

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

NAYS—0

NOT VOTING—6

- Dininni, Gring, McGraw, Perry, Saloom, Sullivan

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

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

Agreeable to order,

The House proceeded to third consideration of House bill No. 656, printer's No. 2236, entitled:

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682, No. 284), further regulating reinsurance.

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—195

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

NAYS—0

NOT VOTING—7

- Bellomini, Gring, McGraw, Oliver, Perry, Saloom, Smith, E.

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. For what purpose does the gentleman rise?

Mr. E. H. SMITH. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. E. H. SMITH. Mr. Speaker, I evidently neglected to vote on the last bill, House bill No. 656. I would like to be recorded as voting in the affirmative.

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

BUSINESS AND COMMERCE BILLS ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill No. 17, printer's No. 2193**, entitled:

An Act providing authority for urban homesteading and the mechanics for establishing homesteading districts; expanding local government's authority in dealing with urban blight and decay; and providing exclusions from present statutory laws.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1668, printer's No. 2092**, entitled:

An Act to facilitate the use of electronic funds transfer systems by providing that credits to accounts in financial institutions designated by recipients shall satisfy legal requirements for payments by cash or checks.

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

Ordered, to be transcribed for third consideration.

CONSERVATION BILL ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill No. 367, printer's No. 2194**, entitled:

An Act amending the "Municipality Authorities Act of 1945," approved May 2, 1945 (P. L. 382, No. 164), making rates of certain solid waste authorities optional.

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

Ordered, to be transcribed for third consideration.

TAX BILLS ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill No. 605, printer's No. 2196**, entitled:

An Act amending the act of March 16, 1970 (P. L. 180, No. 69), entitled "An act relating to State taxation; changing the manner in which tentative and annual taxes are to be paid; providing a penalty in certain cases; and making a repealer," providing for penalties relative to the payment of the tentative taxes by corporations.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 819, printer's No. 922**, entitled:

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), providing for a permanent tax exemption number for school districts.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1399, printer's No. 1637**, entitled:

An Act amending the "Second Class County Code," ap-

proved July 28, 1953 (P. L. 723, No. 230), revising the general fund and placing a limit on a certain tax levy in counties of the second class.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1659, printer's No. 2070**, entitled:

An Act amending the "Real Estate Tax Sale Law," approved July 7, 1947 (P. L. 1368, No. 542), exempting counties of the second class from the provisions of the act.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1734, printer's No. 2181**, entitled:

An Act amending the "Co-operative Agricultural Association Corporate Net Income Tax Act," approved May 23, 1945 (P. L. 893, No. 360), further providing for the imposition of the tax.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 930, printer's No. 1107**, entitled:

An Act amending the act of July 7, 1947 (P. L. 1368, No. 542), entitled "Real Estate Tax Sale Law," further providing for the definition of taxing district.

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

Ordered, to be transcribed for third consideration.

CONSUMER PROTECTION BILLS ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1542, printer's No. 1852**, entitled:

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053, No. 286), providing for audits of public utilities using sliding scale of rates based on full costs by public accounting firms.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 634, printer's No. 673**, entitled:

An Act amending the act of May 17, 1921 (P. L. 682, No. 284), entitled "The Insurance Company Law of 1921," further providing for the amount of salary, compensation or emolument which may be paid only with the prior vote of the board of directors.

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

Ordered, to be transcribed for third consideration.

REQUEST FOR RECOMMITAL

The SPEAKER. The Chair recognizes the gentleman

from Westmoreland, Mr. Schmitt. For what purpose does the gentleman rise?

Mr. SCHMITT. Mr. Speaker, I have been trying to catch your attention. On House bill No. 1542, I would like to make the motion that this bill be recommitted to the Mines and Energy Management Committee.

The SPEAKER. The gentleman can make the motion tomorrow, if he so desires.

Mr. SCHMITT. Thank you, Mr. Speaker.

STATE GOVERNMENT BILL ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1569, printer's No. 1900**, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), changing the status of the Pennsylvania Securities Commission.

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

Ordered, to be transcribed for third consideration.

LOCAL GOVERNMENT BILLS ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill No. 837, printer's No. 940**, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723, No. 230), providing for the appointment of a solicitor by the coroner.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1673, printer's No. 2104**, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723, No. 230), further providing for physical examination of applicants for civil service positions.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 423, printer's No. 1239**, entitled:

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

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 510, printer's No. 529**, entitled:

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

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 612, printer's No. 1240**, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206, No. 331), entitled "The First Class Township Code," further providing for provisions relating to fixing the salary, compensation and emoluments of elected officers of the township.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 668, printer's No. 1241**, entitled:

An Act amending the act of April 14, 1949 (P. L. 443, No. 73), entitled "An act providing for the publication of ordinances and resolutions of a legislative character of incorporated towns," further permitting advertisement of the title and summarization in lieu of the entire text of any proposed ordinance.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 669, printer's No. 1242**, entitled:

An Act amending the act of February 1, 1966 (1965, P. L. 1656, No. 581), entitled "The Borough Code," permitting advertisement of the titles and summarizations in lieu of the entire text of proposed ordinances.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 670, printer's No. 1243**, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206, No. 331), entitled "The First Class Township Code," permitting advertisement of the titles and summarizations in lieu of the entire text of proposed ordinances.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 671, printer's No. 1244**, entitled:

An Act amending the act of August 9, 1955 (P. L. 323, No. 130), entitled "The County Code," permitting advertisement of the titles and summarizations in lieu of the entire text of proposed ordinances.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 707, printer's No. 1245**, entitled:

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), entitled "The Second Class Township Code," permitting advertisement of the titles and summarizations in lieu of the entire text of proposed ordinances.

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

Ordered, to be transcribed for third consideration.

LAW AND JUSTICE BILLS ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill No. 911, printer's No. 2199**, entitled:

An Act prescribing certain powers and duties on the Commissioner of the Pennsylvania State Police concerning victims of rape.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1218, printer's No. 2201**, entitled:

An Act amending the "Uniform Criminal Extradition Act," approved July 8, 1941 (P. L. 288, No. 133), further providing for the payment and collection of costs or extradition.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1509, printer's No. 2202**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting the carrying of deadly weapons onto certain properties and providing a penalty.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1517, printer's No. 2203**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting fighting of animals.

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

Ordered, to be transcribed for third consideration.

LIQUOR BILLS ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1195, printer's No. 1266**, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), providing for additional appellants from certain actions of the board and making an editorial correction.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1116, printer's No. 1284**, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), limiting period citation remains part of licensee's record and providing for expunging certain action from the record.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1498, printer's No. 1767**, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), providing certain changes for stadium or arena permits.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 710, printer's No. 1237**, entitled:

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), entitled "Liquor Code," lowering age requirements from twenty-one to nineteen in certain instances.

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

Ordered, to be transcribed for third consideration.

JUDICIARY BILLS ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1387, printer's No. 2187**, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, increasing amounts of wages, salary, vacation benefits or pensions payable to a family of a deceased employee in the absence of the appointment of a personal representative.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1650, printer's No. 2048**, entitled:

An Act amending the "Adoption Act," approved July 24, 1970 (P. L. 620, No. 208), providing for certain changes relating to venue.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1657, printer's No. 2068**, entitled:

An Act amending "The Divorce Law," approved May 2, 1929 (P. L. 1237, No. 430), providing for additional divorce grounds and enforcement of separation and property agreements.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 102, printer's No. 102**, entitled:

An Act amending the act of April 8, 1868 (P. L. 73, No. 37), entitled "An act to authorize the recorder of deeds in the several counties of this commonwealth to record the discharges of all honorably discharged officers and soldiers," providing for the confidentiality of records.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 170, printer's No. 170**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes relating to assaults by prisoners.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 363, printer's No. 364**, entitled:

An Act amending the act of June 16, 1836 (P. L. 715, No. 186), entitled "Reference and Arbitration Law," changing the amount which may be arbitrated in counties of the third class.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 545, printer's No. 1063**, entitled:

An Act amending the act of August 22, 1953 (P. L. 1344, No. 383), entitled "The Marriage Law," providing that members of the Commonwealth Court and full-time Federal magistrates may solemnize marriages.

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

Ordered, to be transcribed for third consideration.

TRANSPORTATION BILLS ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1527, printer's No. 1814**, entitled:

An Act amending the act of July 25, 1917 (P. L. 1180, No. 405), entitled "An Act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New York of certain toll-bridges over the Delaware River and making an appropriation therefor," further providing for maintenance, repair and rebuilding.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1528, printer's No. 1815**, entitled:

An Act amending the act of July 15, 1935 (P. L. 998, No. 317), entitled "An act authorizing the Department of Highways to enter into an agreement or agreements with the Department of Public Works of the State of New York for the construction, reconstruction or maintenance under certain terms and conditions of free bridges across the Delaware River * * *," further providing for costs and expenses.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 650, printer's No. 689**, entitled:

An Act designating a highway in Fayette and Greene Counties as the Roy E. Furman Highway.

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

Ordered, to be transcribed for third consideration.

AGRICULTURE BILL ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1607, printer's No. 1970**, entitled:

An Act repealing the act of May 10, 1893 (P. L. 37, No. 33), entitled "An act to prevent deception and fraud by owners or agents who may have control of any stallion kept for service by proclaiming or publishing fraudulent or false pedigrees or records and to protect such owners or agents in the collection of fees for services of such stallions."

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

Ordered, to be transcribed for third consideration.

LABOR RELATIONS BILLS ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1681, printer's No. 2190**, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723, No. 230), providing civil service coverage for security guards in counties of the second class.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1731, printer's No. 2205**, entitled:

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

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 901, printer's No. 1012**, entitled:

An Act amending the act of August 5, 1941 (P. L. 752, No. 286), entitled "Civil Service Act," placing certain positions in the Pennsylvania Labor Relations Board in classified service category.

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

Ordered, to be transcribed for third consideration.

MINES AND ENERGY MANAGEMENT BILL ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 536, printer's No. 1246**, entitled:

An Act regulating the practices of suppliers, distributors and dealers of gasoline petroleum products and

accessories for motor vehicles and providing remedies for violations.

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

Ordered, to be transcribed for third consideration.

APPROPRIATIONS BILLS ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 726, printer's No. 1002**, entitled:

An Act making an appropriation to the Philadelphia College of Osteopathic Medicine, Philadelphia, Pennsylvania.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 729, printer's No. 1003**, entitled:

An Act making appropriations to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 792, printer's No. 854**, entitled:

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

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

Ordered, to be transcribed for third consideration.

SECOND CONSIDERATION BILLS

Agreeable to order,

The House proceeded to second consideration of **House bill No. 12, printer's No. 768**, entitled:

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further providing for the sales tax on sales or services made by means of coin operated machines.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 216, printer's No. 239**, entitled:

An Act making an appropriation to the Department of Agriculture to assist the Commonwealth's 4-H Club horse and pony show program by paying the expenses of holding ten 4-H Club shows and in addition a Statewide show to be held in the fall of the year as a preliminary to the Keystone International Livestock Show.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 959, printer's No. 1788**, entitled:

An Act amending "The Local Tax Enabling Act," approved December 31, 1965 (P. L. 1257, No. 511), prohibiting taxes on admissions to motion picture theatres in cities of the second class and prohibiting taxes on admissions to events sponsored by charitable educational or other nonprofit organizations.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1296, printer's No. 2252**, entitled:

An Act amending "The Borough Code," approved February 1, 1966 (1965, P. L. 1656, No. 581), further providing for the sale of property owned by boroughs for housing for elderly and payment of the cost of planting or removing shade trees.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1513, printer's No. 2189**, entitled:

An Act authorizing the Department of Property and Supplies to acquire on behalf of the Department of Military Affairs a tract of land and the buildings thereon comprising the Valley Forge Army General Hospital Complex in Charlestown and Schuylkill Townships, Chester County, for use as a State Veterans' Home.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1514, printer's No. 1797**, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), providing for the operation and maintenance of the Valley Forge Veterans Home by the Department of Military Affairs.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1515, printer's No. 1798**, entitled:

A Supplement to the act of 1975 (P. L. No.), entitled "An act providing for the capital budget for the fiscal year 1975-1976," itemizing a public improvement project to be acquired or constructed by The General State Authority *** and making an appropriation.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1720, printer's No. 2165**, entitled:

An Act amending the "Fuel Use Tax Act," approved January 14, 1952 (P. L. 1965, No. 550), increasing the tax, further providing for its disposition and making a repeal.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1721, printer's No. 2166**, entitled:

An Act amending "The Liquid Fuels Tax Act," approved May 21, 1931 (P. L. 149, No. 105), increasing the tax, incorporating provisions conforming it to existing law, further providing for disposition of the tax and making a repeal.

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

Ordered, to be transcribed for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1722, printer's No. 2167**, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944, No. 655), entitled "An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities *** for their road, street and bridge purposes; ***," changing the amount appropriated to municipalities.

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

Ordered, to be transcribed for third consideration.

HOUSE RESOLUTION No. 153 ADOPTED

Mr. IRVIS called up **HOUSE RESOLUTION No. 153, printer's No. 2251**, entitled:

The House of Representatives of the Commonwealth of Pennsylvania memorialize the Congress of the United States to enact legislation to provide for a moratorium on the further abandonment of any rail lines and in particular those not recommended for inclusion in the Consolidated Rail Corporation for a period of at least two years after the effective date of the final system plan.

On the question,

Will the House adopt the resolution?

Resolution was adopted.

HOUSE RESOLUTION No. 154 ADOPTED

Mr. RHODES called up **HOUSE RESOLUTION No. 154, printer's No. 2153**, entitled:

Memorializing the Governor to increase medical assistance payments by five dollars per diem for skilled and intermediate level nursing home care.

On the question,

Will the House adopt the resolution?

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

Mr. RHODES. Thank you, Mr. Speaker.

Mr. Speaker, as prime sponsor of House Resolution No. 154, I would like to take the opportunity to ask the unanimous support of my fellow legislators in resolving a critical problem affecting Pennsylvania's senior, infirm citizens.

House resolution No. 154 calls on the Governor to increase the Medicaid reimbursement to nursing homes by \$5 per day. The current reimbursement for licensed skilled nursing home care is \$20 per day.

Since nursing home rates were last adjusted almost two years ago, October 1973, several factors have intervened to create an intolerable payment-for-service picture. Among these factors are included, one, the expense of meeting Life Safety Code requirements; two, new Federal conditions of participation; three, a new minimum wage requirement; and, of course, four, double-

digit inflation. All of these things have contributed to the loss of—and I encourage members to notice this—2,059 available medical assistance beds and by the closing of 88 nursing home facilities, with the prospect of the closing of 50 more homes with 2,000 beds and also to the loss of medical assistance beds by attrition simply to enable facilities to remain in operation.

For the record, the following will support justification for an increase: Number one, we have on record the report of the House minority caucus of May 1975, using cost data for the period ending December 31, 1973. This report cites on page 22 that cost for proprietary facilities then averaged \$18.61, and for non-proprietary, \$20.62; or a combined cost average of \$19.61 for skilled nursing care. By adjusting for the inflationary factor during the two-year period of 15 percent and 10 percent, the average for both comes out to \$24.17. Remember the current reimbursement is \$20.

Budget Secretary Charles P. McIntosh provided the following information, reinforcing inadequate payment in a fiscal note attached to House bill No. 539, my medical assistance costs bill.

House bill No. 539 calls for implementation of a cost-related payment system. Mr. McIntosh projects a sum of \$25,800,000 needed to pay on a cost-related basis. Now that means we will be reimbursing not on a per diem but on a cost-related basis. By extrapolating his \$25,000,000 projection, current cost for care requires an additional \$3.59 per patient exclusive of return on investment or incentive. His figure suggests positively that cost is not being met as of today.

Payment for long-term care must reflect more than return of cost, or there is no incentive to operate nursing homes and you know there is a nursing-home problem in Pennsylvania. There must be some consideration for return on investment as well as incentive. This is the business of nursing homes.

The minority caucus report on page 8 provides an average estimated market value for proprietary beds at \$10,058 and non-proprietary at \$18,125. Using the Federal Housing Association return-on-investment rate of 9.5 percent, we arrive at a return of 87 cents per patient per day for proprietary facilities, and \$1.57 for non-proprietary.

A reasonable incentive, the American way, as outlined in the Department of Public Welfare proposed payment system, adds \$1.78 to non-proprietary facilities per bed per day and \$1.95 for proprietary facilities.

Add these figures to the cost figures I just mentioned from the budget analysis, adjusted for inflation as reported by the minority caucus, and we arrive at much more realistic rates of—and this is the key—\$28.75 for nonproprietary facilities and \$25.75 for proprietary, averaging out to a medical assistance rate of \$27.25 per day for skilled care. The current reimbursement is \$20 per day; \$7.25 short.

These figures are all there for scrutiny. No credible source has suggested that current rates are adequate. Federal regulations, minimum wage requirements, Life Safety Code needs, and inflation cannot be argued. Our long-term care base continues to dwindle. Thousands of beds are being lost in Pennsylvania, and eventually each bed must be replaced at higher cost—\$18,000 to replace these beds.

People who need care are being deprived of that care. The Nursing Home Loan Agency has finally begun to act after a year of delay, while at the same time banks take

a dim view of the nursing-home financial picture. We cannot replace these lost beds.

It is up to the government to take action and now live up to the obligation it owes its old, infirm citizens. For that reason, Mr. Speaker, I urge the House to adopt House resolution No. 154, which will merely urge the Governor, if he can, to find the resources from the savings he will incur by getting people out of hospitals, which cost the state much more money, into nursing homes, where they really need to be, and keep these nursing-home beds intact, because if we do not, we are going to be forcing our senior citizens, our elderly and infirm citizens into boarding homes, which as you well know are hell on earth.

Thank you, Mr. Speaker.

On the question recurring,
Will the House adopt the resolution?
Resolution was adopted.

PERMISSION TO ADDRESS HOUSE

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

Mr. LINCOLN. Mr. Speaker, the duly elected Governor of Pennsylvania is preparing to fly about the nation peddling his wares to the Democratic Party of America.

As a Democrat, I speak today with three objectives. First, I speak for many others today in saying that the support for Milton Shapp in Pennsylvania for President is both spotty and shallow.

Second, I wish to state that Pennsylvania's government is floundering, leaderless, and is headed for deep financial problems created by those who place political gain above public service.

Third, I wish to state that while most Democrats in office and the rank-and-file Democrats in Pennsylvania are excluded from the cult surrounding the Governor, the conduct of those people is affecting the Democratic Party in Pennsylvania adversely.

I cite the following acts of duplicity which to many of us have become the hallmark of the Shapp administration: Consumerism, his favorite topic—Despite a golden opportunity made possible by public awareness throughout this nation, Mr. Shapp rates nothing better than a D-minus in this area. There is not one consumer regulatory agency in Pennsylvania which has come under his political control which is not in a shambles—insurance, milk, liquor and utilities. Consumer costs are up, not down, and the people are led to believe that they are lacking in political connections and have been long forgotten. Symbolic of this cynicism of this administration is Mr. Shapp's use of Herb Denenberg to get votes during a campaign and his selling out of Denenberg at the end of the campaign.

In announcing for President, Mr. Shapp is circulating the rumor that he saved the taxpayers and the citizens of Pennsylvania by some financial genius. There is no mystery to it at all. The taxpayers and the state government were "saved" by increasing general fund taxes and by spending almost \$2 billion more per year since he has been in. That is a 100-percent increase.

If the 2-cent gas tax is passed which we are being faced with this week, in the 4 years-plus that Mr. Shapp has been Governor that particular tax has been increased 40 percent. And this year we were caught short. We had to take one-shot basis funds to balance his spending needs. If you remember, we transferred \$160 million from the nonpublic school fund.

One year ago the legislature was asked to pass a 1-cent-per-gallon gas tax increase. Now we are being asked to double that. However, we are being asked to raise these taxes without any evidence that this, too, will only subsidize an inept and ill-planned maintenance program. Last year the Governor said to us, I have a long-range solution to highway maintenance problems. He has failed to produce it and he limits his conversation now to a demand for more money.

I could go on and on and on and on and on about many things. I feel very strongly about this. I think that we are facing some very serious problems in this state and that it has spread from here across the country.

One of the things we need at this time is somebody here to guide us. That is what the Governor was elected to do. If he chooses to run for higher national office, fine. That is his choice. But I think that if the Governor has any compassion for the 12 million citizens of Pennsylvania, he should resign at this time and pursue his higher political aspirations free of his obligations.

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

Mr. ZELLER. Mr. Speaker, thank you.

I guess today is the day for renegade Democrats.

I would like to, if they would remain here, interrogate in this order, Representative Yohn and Representative Rappaport, if they would so desire?

First, I would like to—

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

Mr. HAMMOCK. May I ask the previous speaker for leave to address the House briefly?

The SPEAKER. Will the gentleman, Mr. Zeller, yield to Mr. Hammock?

Mr. ZELLER. Yes, Mr. Speaker, providing Representative Rappaport and Representative Yohn would consent to interrogation and then I will follow the good gentleman, Mr. Hammock.

The SPEAKER. The Chair recognizes Mr. Hammock.

Mr. HAMMOCK. Mr. Speaker, ladies and gentlemen of the House, I just want to rise and support Representative Lincoln's remarks. I will have a few remarks of my own later on in the year about the policies of the current administration. Thank you.

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

Mr. ZELLER. Thank you, Mr. Hammock and Mr. Speaker.

My remarks, first, I would like to make in regard to an article that appeared in the Daily Press under the title of Mike Leary of the Inquirer staff and it is entitled, "Lynch Pleads Guilty to Three Shakedown."

Now I would like to interrogate first Mr. Yohn, if he would not mind.

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

Mr. YOHN. I shall.

The SPEAKER. The gentleman may proceed.

Mr. ZELLER. Thank you, Mr. Speaker.

Mr. Speaker, in this article I have before me, it states that a building supply salesman, who said that he had extensive contacts in the state Democratic Party, pleaded guilty—that was yesterday; that was on 9/24/75—to shak-

ing down three Philadelphia engineers for \$32,000. The gentleman's name is John J. Lynch, Jr. of Media, Pennsylvania.

Mr. Lynch also stated to the engineers that much of the money he took between 1971-74 would be funneled into two groups. Now, in that period, two of the engineers, Robert Yeomans and Joseph Baldino, obtained four contracts from the General State Authority, totaling some \$235,000. A third gentleman, William Elton, paid \$5,750, but did not get a contract. This is just part of the article. I am getting to the point I wanted to find out from you, sir.

Phillips said the engineers who testified to the grand jury generally wrote off their payments to Lynch on their income tax returns as "public relations expenses." Now Yeomans stated that he turned over \$20,000 to Lynch who said that he intended to give the money to both state and local Democratic committees. Baldino testified before the grand jury that Lynch claimed that the money would be paid to a state legislator. This is what is bothering me, because there are 203 of us here. I think about 196 today. We are concerned about whether it could possibly be any one of us. I would like to ask you, sir, would the Ethics Committee, in cooperation with possibly Mr. Rappaport, be willing to launch an investigation to clear us of this accusation by both Lynch and Yeomans?

Mr. YOHN. Mr. Speaker, in response to the gentleman's question, I would of course be very happy to cooperate in such an investigation such as this.

You will recall,—and I did not know the gentleman was going to rise to speak on this subject—the article that he is referring to is an article that was brought to my attention yesterday afternoon. It appeared, I think, in the Philadelphia Inquirer some time late last week. You will recall that last year we amended the House rules relating to the Ethics Committee to allow the committee to investigate complaints of which it obtains knowledge on its own initiative so long as five members of the committee, five out of the eight members of the committee, would agree to do so. Prior to that time we could only act upon a filed formal complaint by an individual.

I think because of that the committee can take cognizance of articles such as this indeed, in fact, we have done so in the past and inquired into particular situations to review them.

Therefore, in conclusion I would say that this is the type of thing that we should look into and it is something that I had intended to speak to Mr. Rappaport about today when I saw him on the floor. I did not realize that you were going to take the floor and handle it in this manner. But we have two options: one is, if someone brings a complaint to us, a sworn complaint, alleging improprieties, we can then review it and if someone would do that, I am sure that the committee would always fulfill its obligation and review it. The second alternative is, if five members of the committee feel that some impropriety has taken place, we can also proceed with the review.

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

Mr. ZELLER. Will the gentleman, Mr. Rappaport, consent to interrogation?

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

Mr. RAPPAPORT. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. ZELLER. Mr. Speaker, did you hear the remarks that I made to Mr. Yohn or would you want me to repeat them, sir? As chairman of the Ethics Committee, would you be willing to pursue this investigation or would you want me to read it over again?

Mr. RAPPAPORT. Mr. Speaker, I always pay very close attention to the remarks made by the gentleman from Montgomery, Mr. Yohn, my good friend. I am somewhat at a disadvantage as I am not familiar with those articles in either the Philadelphia or Harrisburg newspapers. And, therefore, I would want to see those articles and see upon what basis these charges were made, before committing myself to any course of conduct or action. I might add that although I am the chairman of the committee, it is a committee made up equally of Democrats and Republicans, and I would hesitate to speak for the committee without consulting each of the members.

Mr. ZELLER. Mr. Speaker, would you then be willing, as you stated, to read the article I presented to you and bring it before the committee for consideration, sir? Is this what you are saying?

Mr. RAPPAPORT. I would think, Mr. Speaker, that it is my duty as chairman of the committee to bring to the committee any matter that is communicated to me in my capacity as chairman.

Mr. ZELLER. Thank you, Mr. Speaker.

Mr. Speaker, in closing, I would like to comment. I believe sincerely—and this is what is bothering me, the gentleman is not on the floor of the House; he has not prompted me; as a matter of fact, he would probably tell me not to bring this out—but I have been very, I should say, moved by the fact that there have been statements that the Honorable Representative Martin Mullen has received certain reprisals for the simple reason that he ran for Governor.

I do not believe that to be true, because I believe the article I have before me, which I will also turn over to the Ethics Committee, from Mr. Mullen on March 22, 1974, wherein Mr. Mullen stated himself that kickbacks finance the Pennsylvania Democrats and GOPs. In other words, he stated that these kickbacks are financing both operations.

The article so stated here, and I believe that Mr. Mullen came out with his article that really laid it on the line and it touched some very close souls, and therefore Mr. Mullen received his reprisals. That is why I want this on record, and I will turn all this over to the Ethics Committee.

Thank you very much.

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

Mr. RAPPAPORT. Mr. Speaker, I would note that our good friend, the gentleman from Philadelphia, Mr. Mullen, is not presently on the floor. Perhaps he would want to say something about this, although I do not speak for him.

What troubles me about the last colloquy is the implication by the member from Lehigh that members of this House have taken reprisals on other members for certain political actions and have taken certain reprisals because accusations were made.

I might suggest to the House that this type of accusation smears all of us and I happen to personally resent that type.

Whenever somebody says all politicians are crooked, each one of us suffers. When one of us—and I talk for those of us who are active politically—makes an accusation without having a thorough knowledge of the facts against another one of us, we all are smeared with that.

Might I point out to the House that a number of charges have been made against a number of public personalities of both parties by very ambitious prosecutors and very ambitious candidates for public office. Might I point out that a number of these accusations have resulted in not guilty verdicts by juries, perhaps reenforcing our faith in the jury system.

I, therefore—and this is a very personal statement and not made in any chair capacity that I might enjoy in this House—urge the members to be very leery and very conservative about making charges and asking for investigations. It is not good for the political system that we live under. The confidence of the average citizen in government, as low as it is, should not be made lower. Thank you, Mr. Speaker.

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

Mr. ZELLER. Mr. Speaker, I did not say all politicians are crooked. Mr. Rappaport said that. What I am doing is trying to clear all of us, Mr. Speaker. Yes, Mr. Rappaport, we would like to clear the air, absolutely, and that is why a gentleman who was under indictment made the statement; I did not. And I would like to clear my name as well as my other colleagues'. That is all we are asking. No one is smearing you or anybody else. I think when an article like this appears in the paper and we are being cited, Mr. Rappaport, and you are an attorney, I think that this behooves you to look into a matter such as this without making an implication and trying to put the flavor in the mouths of these members here that I am calling everybody crooked. So you made the statement; I did not. I am really trying to clear the air, sir.

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

Mr. RAPPAPORT. Mr. Speaker, I shall not burden the House after these few remarks as I intend to debate some bills later on.

I do not feel that my soul is in need of being shriven by public confession. I know that most of the members of this House do not feel that need. I find that substantially every member of this House, as far as I know, is very careful about his ethical standards. The inquiries that we get on the Ethics Committee asking for private opinions indicate to me that members are very concerned about this problem and are seeking guidance.

If the gentleman feels that he is needful of a publicly conferred Good Housekeeping seal of approval, if it is warranted, we will be happy to give it to him.

Thank you, Mr. Speaker.

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

Mrs. CRAWFORD. Mr. Speaker, I would like to make a few comments about the discussion that just went on between Mr. Rappaport and Mr. Zeller.

The SPEAKER. The Chair recognizes the lady.

Mrs. CRAWFORD. Mr. Speaker, I do not think that we can gain the confidence of the people by sweeping any-

thing under the rug. I think that the Watergate problem that we had proved this, that we cannot sweep anything under the rug, whether it is a Republican rug or a Democratic rug. And I think the time has come for us to stand up and be counted and to be willing to look into any problem that comes to our attention, and I think this is what the Ethics Committee was created for, and we certainly have nothing to lose if there is nothing here. I think that this is what the people are saying. I am getting fed up to death with people telling me that all politicians are crooked, because I know that this is not the case. I know because I serve every day up here with honest people, honest and dedicated people who work long hours for the people back home. I know there are a lot of us up here who are saying to ourselves, "Is it all worth it?" But it has got to be worth it if we are going to keep this country, the great country that it is and has been, and we have got to be willing to face facts. We have got to be willing to stand up and be counted and look at our own House. If we are not willing to do this, then the public has a right to say all politicians are crooked.

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

Mr. MCGINNIS. Mr. Speaker, I would also like to comment. We have an Ethics Committee made up of four Republicans and four Democrats. I know each one of them as my colleagues. But I do not like to be accused of being a crook, and I think right now the Democrats and the Republicans on the Ethics Committee ought to get up out of their chairs, go to the microphone and say what you are going to say. We do not have to wait until tomorrow or next month; get up now.

The SPEAKER. The Chair recognizes the majority leader.

ANNOUNCEMENT BY MAJORITY LEADER

Mr. IRVIS. Mr. Speaker, there is a rumor going around that we are going to go home this afternoon or this evening. Discount that rumor. Discount it. We are going to be here and we are going to be in voting session tomorrow. If you go home you go home at your peril.

I have asked Mr. O'Connell and I have asked Mr. Englehart to caucus fully on all the bills which were passed from second consideration to third today, and that is a large package of bills. Those bills will be called, almost all of them, for a vote tomorrow. Those of you who are interested in being on record for voting for or against those particular bills had better be here.

Following the declaration of a recess, I am asking that we caucus immediately, return to the floor no later than 2 o'clock when we will call up for consideration, among other bills, Senate bill No. 1 and Senate bill No. 25. I believe if I am accurate, that is the child abuse bill. Those are two major pieces of legislation which will be called up this afternoon. There are a number of other pieces of legislation marked for a vote Wednesday p.m. They will be called.

But we shall be in session tomorrow. It will be a voting session, so discount any rumors to the contrary.

Mr. Speaker, unless there is some other announcement, I will yield the floor now and ask for the recess when the members are finished.

EDUCATION COMMITTEE MEETING ANNOUNCEMENT

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

Mr. GALLAGHER. Mr. Speaker, the Education Committee will meet 1 hour after the caucuses have started in room 401, if both caucus leaders agree to allow the committee members to go to the meeting.

We are going to consider reporting out House bill No. 770, the recodification of the School Code.

REPUBLICAN CAUCUS ANNOUNCEMENT

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

Mr. O'CONNELL. Mr. Speaker, I would like to announce a Republican caucus immediately following the recess.

Please go as quickly as possible to the caucus room so that we may proceed and get it over with.

Thank you.

REPORT OF SELECT COMMITTEE ON LEGISLATIVE CITATIONS

Mrs. KERNICK, chairperson of Select Committee on Legislative Citations, presented the following citations, which were read, considered and adopted:

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Harry E. Mattis celebrated their sixtieth wedding anniversary recently. Their happy union has been blessed by two children, nine grandchildren, and fifteen great-grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. The couple was married September 18, 1915.

Now therefore, The House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Harry E. Mattis on their sixtieth wedding anniversary and expresses its hope that they may long continue to enjoy their happy marriage;

and further directs that a copy of this citation be delivered to Mr. and Mrs. Harry E. Mattis, 321 South Marshall Street, Lancaster, Pennsylvania 17602.

MARVIN E. MILLER, JR.

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Matthew Zaucha will celebrate their golden wedding anniversary September 30, 1975. Their happy union has been blessed by three children and several grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. The couple was married September 30, 1925 in Lady of Czestochowa Roman Catholic Church, Cardale.

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

and further directs that a copy of this citation be delivered to Mr. and Mrs. Matthew Zaucha, 465 Center Avenue, North Charleroi, Pennsylvania 15022.

A. J. DeMEDIO

HOUSE OF REPRESENTATIVES

WHEREAS, Richard T. Schulze, of Malvern, has been

named Businessman of the Year by Paoli Businessman's Association; and

WHEREAS, Richard T. Schulze, a former state legislator from Chester County, obtained his education from the University of Houston, Villanova University and Temple University. He is a member of Thomson Lodge 340 F. & A. M., Circus Saints and Sinners Club of America, Paoli Optimists club and several others too numerous to mention here. He has also been the recipient of numerous awards including Outstanding Jaycee of the year and District Merit Award and Scoutmaster Key; and

WHEREAS, Married to the former Nancy Lockwood, they are the parents of four children. Mr. Schulze served in the United States Army from 1951-53.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania commends and congratulates Richard T. Schulze on being named Businessman of the Year and wishes him continued success and good fortune in his future endeavors;

and further directs that a copy of this citation be delivered to Richard T. Schulze, P. O. Box 512, Swedesford Road, Malvern, Pennsylvania 19355.

PETER R. VROON

HOUSE OF REPRESENTATIVES

WHEREAS, Thomas R. Plummer has been named Citizen of the Year by the Paoli Businessman's Association.

Now therefore, The House of Representatives of the Commonwealth of Pennsylvania, commends and congratulates Thomas R. Plummer on being named Citizen of the Year by the Paoli Businessman's Association, and wishes this outstanding Pennsylvanian continued success and good fortune in all his future endeavors;

and further directs that a copy of this citation be delivered to Thomas R. Plummer, 35 West Circular Avenue, Paoli, Pennsylvania 19301.

PETER R. VROON

HOUSE OF REPRESENTATIVES

WHEREAS, The West Springfield United Methodist Church is celebrating its one hundred seventy-fifth anniversary. The church, which is the mother church of all United Methodist congregations in the area, is either the oldest or second oldest congregation in the Western Pennsylvania Conference. The first formal congregation was organized by James Quinn, who later became presiding elder of the Erie District. The first church building, known as the Brush Meeting House, was constructed in 1804. The second church building was the cottage church and was used from 1836 to 1854, when a new brick church was constructed. In 1915, this church was destroyed by fire, and the present church building was constructed. The West Springfield United Methodist Church, whose present pastor is Richard M. Sturtevant, has been served by over ninety preachers, and has never had a vacancy.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to the West Springfield Methodist Church on the celebration of its one hundred seventy-fifth anniversary,

and further directs that a copy of this citation be delivered to Richard M. Sturtevant, Pastor, West Springfield, Pennsylvania 16433.

DAVID S. HAYES

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Ralph D. Stimple celebrated their golden wedding anniversary recently. Their happy union has been blessed by two children (one deceased) and three grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Stimple, nee Mildred J. Brooks, and Mr. Stimple were married August 25, 1925, at Third United Presbyterian Church by the late Reverend S. B. Copeland.

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

wishes and congratulations to Mr. and Mrs. Ralph D. Stimple on their fiftieth wedding anniversary and expresses its hope that they may long continue to enjoy their happy marriage; and further directs that a copy of this citation be delivered to Mr. and Mrs. Ralph D. Stimple, 1031 Maryland Avenue, New Castle, Pennsylvania 16101.

THOMAS J. FEE

HOUSE OF REPRESENTATIVES

WHEREAS, Mrs. Beatrice M. Seiger of Donaldson celebrated her ninety-first birthday on July 30, 1975. Mrs. Seiger, born July 30, 1884, is the oldest living resident of Donaldson. Helping her celebrate this joyous occasion were her son and his wife and sons and a niece; and

WHEREAS, Mrs. Beatrice M. Seiger is an outstanding citizen who exemplifies the finest virtues of American life and has won the respect of her many friends, neighbors and acquaintances.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania heartily congratulates Mrs. Beatrice M. Seiger on the occasion of her ninety-first birthday and wishes her the best of health and further appreciation from all who have come to know and thus respect and admire her;

and further directs that a copy of this citation be delivered to Mrs. Beatrice M. Seiger, 20 East Centre Street, Donaldson, Pennsylvania 17981.

WILLIAM D. HUTCHINSON

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Raymond L. Fischer celebrated their thirty-fifth wedding anniversary recently. Their happy union has been blessed by two children and two grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Fischer, nee Louise Gartley, and Mr. Fischer were married September 6, 1940, at Third Presbyterian Church, by Reverend Dr. W. Franklin Harkey.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Raymond L. Fischer on their thirty-fifth wedding anniversary and expresses its hope that they may long continue to enjoy their happy marriage; and further directs that a copy of this citation be delivered to Mr. and Mrs. Raymond L. Fischer, Overlook Drive, Washington, Pennsylvania 15301.

ROGER RAYMOND FISCHER

HOUSE OF REPRESENTATIVES

WHEREAS, The Queen of the Universe Church is celebrating its twentieth anniversary. The church and its school, rectory and convent, were established on October 7, 1955. Initially, the church served about one hundred fifty families but today there are more than two thousand families within the parish boundaries. Father James A. Coyle, who is assisted by Father Joseph P. Gausch and Father Pascal A. Monteleone, is the pastor. The Sisters of St. Joseph serve as teachers at the school.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to the Queen of the Universe Church on the celebration of its twentieth anniversary; and further directs that a copy of this citation be delivered to the Queen of the Universe Church, Trenton Road, Levittown, Pennsylvania 19056.

JAMES J. WRIGHT, JR.

HOUSE OF REPRESENTATIVES

WHEREAS, The Reverend James A. Coyle is celebrating his twentieth anniversary as pastor of the Queen of

the Universe Church. While Father Coyle was serving at Our Lady of the Rosary Parish in West Philadelphia, the Archdiocese decided to establish the Queen of the Universe Parish and assigned Father Coyle as its pastor. He is still serving as the spiritual leader of the parish.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates the Reverend James A. Coyle on celebrating his twentieth anniversary as pastor of the Queen of the Universe Church, commends him on the many years of spiritual guidance he has given to the parish and wishes him happiness and good health in the years to come; and further directs that a copy of this citation be delivered to the Reverend James A. Coyle, Pastor, Queen of the Universe Church, Trenton Road, Levittown, Pennsylvania 19056.

JAMES J. WRIGHT, JR.

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Edgar R. Painter celebrated their golden wedding anniversary recently. Their happy union has been blessed by one child and two grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Painter, nee Edith M. McCollum, and Mr. Painter were married August 25, 1925, at Meadville Episcopal Church by the late William F. Dickerson.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulation to Mr. and Mrs. Edgar R. Painter on their fiftieth wedding anniversary and expresses its hope that they may long continue to enjoy their happy marriage;

and further directs that a copy of this citation be delivered to Mr. and Mrs. Edgar R. Painter, 1425 Freeport Road, Natrona Heights, Pennsylvania 15065.

HELEN D. GILLETTE

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Harry Disque celebrated their golden wedding anniversary recently. Their happy union has been blessed by two children and three grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. The couple was married September 12, 1923.

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

and further directs that a copy of this citation be delivered to Mr. and Mrs. Harry Disque, 452 Jayson Avenue, Mt. Lebanon, Pennsylvania 15228.

H. SHELDON PARKER, JR.

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. John T. Albertson celebrated their golden wedding anniversary recently. Their happy union has been blessed by three sons and eight grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. The couple was married August 17, 1925.

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

and further directs that a copy of this citation be delivered to Mr. and Mrs. John T. Albertson, 300 Lavina Avenue, Pittsburgh, Pennsylvania 15216.

H. SHELDON PARKER, JR.

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. George Lutz celebrated their

golden wedding anniversary recently. Their happy union has been blessed by six children, and twelve grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. The couple was married August 24, 1925 at All Saints Roman Catholic Church in Etna.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. George Lutz on their fiftieth wedding anniversary and expresses its hope that they may long continue to enjoy their happy marriage; and further directs that a copy of this citation be delivered to Mr. and Mrs. George Lutz, 1720 Middle Road, Indiana Township, Glenshaw, Pennsylvania 15116.

HELEN D. GILLETTE

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Edward T. Yost, Sr., celebrated their golden wedding anniversary recently. Their happy union has been blessed by one son and five grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Yost, nee Florence Matz, and Mr. Yost were married July 18, 1925 at Elkton, Maryland.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Edward T. Yost, Sr., on their fiftieth wedding anniversary and expresses its hope that they may long continue to enjoy their happy marriage; and further directs that a copy of this citation be delivered to Mr. and Mrs. Edward T. Yost, Sr., Cecil Avenue, Reading, West Lawn, Pennsylvania 19609.

JOHN S. DAVIES

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Walter C. Stones celebrated their sixtieth wedding anniversary recently. Their happy union has been blessed by three children, three grandchildren, and two great-grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. The couple was married September 18, 1915 in Fern-dale.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Walter C. Stones on their sixtieth wedding anniversary and expresses its hope that they may long continue to enjoy their happy marriage; and further directs that a copy of this citation be delivered to Mr. and Mrs. Walter C. Stones, 140 American Street, Fullerton, Whitehall, Pennsylvania 18052.

WILLIAM H. ECKENSBERGER, JR.

HOUSE OF REPRESENTATIVES

WHEREAS, Edward P. Junker, III, Erie, served as North Western Pennsylvania Chairman for the Jerry Lewis Telethon against Muscular Dystrophy. Mr. Junker, president of Marine National Bank, has devoted two years of dedicated leadership as Telethon Chairman.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, pauses in its deliberations to commend Edward P. Junker, III, for proficient service in a most worthy cause, the fight against Muscular Dystrophy; and further directs that a copy of this citation be delivered to Edward P. Junker, III, 901 State Street, Erie, Pennsylvania 16501.

DAVID C. DiCARLO

HOUSE OF REPRESENTATIVES

WHEREAS, WJET-TV, Erie, Pennsylvania, broadcast the Jerry Lewis Telethon against Muscular Dystrophy. WJET-TV, has continued to provide effective, efficient coverage of the Telethon for three years.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, pauses in its deliberations to commend WJET-TV, Erie, for its service in broadcasting the Jerry Lewis Telethon against Muscular Dystrophy; and further directs that a copy of this citation be delivered to WJET-TV, 8455 Peach Street, Erie, Pennsylvania 16509.

DAVID C. DiCARLO

HOUSE OF REPRESENTATIVES

WHEREAS, The congregation of Bethany Evangelical Congregational Church of Tamaqua, can trace its history to the year 1796; and

WHEREAS, The congregation of Bethany Church built a house of worship and dedicated it to the service of the Triune God in December 1900; and

WHEREAS, The congregation of Bethany Evangelical Congregational Church, under the guidance of its pastors and trustees, both past and present, has exemplified Christian teachings and has become a vital force for good in the community for seventy-five years.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates the congregation of Bethany Evangelical Congregational Church on the occasion of the seventy-fifth anniversary of the building of Bethany Church and extends its best wishes for its continued growth in Christian accomplishment; and further directs that a copy of this citation be delivered to Bethany Evangelical Congregational Church, Tamaqua, Pennsylvania 18252.

WILLIAM K. KLINGAMAN, SR.

HOUSE OF REPRESENTATIVES

WHEREAS, Dr. Stephen J. Deichelmann has been awarded a Life Fellowship in the American Psychiatric Association in recognition of his continuing contributions, inspiration and dedication to psychiatry. Dr. Deichelmann, who is an outspoken advocate of action and involvement in federal, state and local legislation involving medicine, is a life member of many medical organizations. Among them are the Pennsylvania Medical Political Action Committee, the Philadelphia Psychiatric Society, the Eastern Psychiatric Research Association and others. He is a past president and chairman of the board of trustees of the Montgomery County Medical Society, chairman of the Montgomery County Medical Committee for Better Government, and is a fellow in the Pennsylvania Medical Society, the American Medical Association, the American Association for the Advancement of Science and the Pennsylvania Psychiatric Society. Dr. Deichelmann, the medical director of Dufur Hospital for 33 years, founded the Eugenia Memorial Hospital in Whitmarsh in 1947, served as its medical director until 1953 and is still active on its staff. He is on the staff of Germantown, and Chestnut Hill Hospitals, Fairmount Farm in Roxborough, and Herston Hall in Flourtown. He is also a consultant for North Penn Hospital and the Bureau of Vocational Rehabilitation.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Dr. Stephen J. Deichelmann on being awarded a Life Fellowship in the American Psychiatric Association, commends him on his many outstanding contributions to the medical profession and wishes him happiness and success in all his future endeavors; and further directs that a copy of this citation be delivered to Dr. Stephen J. Deichelmann, 305 Dreshertown Road, Fort Washington, Pennsylvania 19034.

VERN PYLES

HOUSE OF REPRESENTATIVES

WHEREAS, Mrs. Mary Jane Roy, Executive Director of Har-Lin Community Center, Inc., was selected American Business Woman of the Year in the field of Early Childhood Education by the Premier Chapter of American Business Women's Association; and

WHEREAS, The award is based on the member's achievements in the field of business, education, partici-

pation in the American Business Women's Association and in community affairs; and

WHEREAS, Mrs. Roy will represent the Premier Chapter of the ABWA at the National convention in Cincinnati, Ohio.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania extends its heartiest congratulations to Mrs. Mary Jane Roy on being named American Business Woman of the Year in the field of Early Childhood Education, wishes her good health, happiness and continued success in the future; and further directs that a copy of this citation be delivered to Mrs. Mary Jane Roy, 316 Reed Street, Erie, Pennsylvania 16507.

DAVID C. DICARLO

HOUSE OF REPRESENTATIVES

WHEREAS, District Justice Merchie Calabrese has been named the Columbus Day 1975 Man of the Year; and

WHEREAS, Born and educated in Erie, Mr. Calabrese was an excellent basketball player and he always encouraged the youth of Erie to pursue their athletic endeavors by sponsoring many area teams; and

WHEREAS, On September 1, 1927, he married Adeline Yacobozzi and they were blessed with two children. Mr. and Mrs. Calabrese have just observed their forty-eighth wedding anniversary; and

WHEREAS, He ran for the Magistrate office in the Third Ward in Erie and won the office. After winning the office again in five more elections and thirty years of public service, he will retire in January 1976. He has served as president of the Justice of Peace Organization, chairman of the Erie Golf Commission, a member of the Nuova Aurora Society, Calabrese Club, Eagles Club and an active participant and sponsor of boys baseball in Erie; and

WHEREAS, District Justice Merchie Calabrese has served his office with pride and has been an outstanding asset to his community and to his fellowman.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania commends and congratulates District Justice Merchie Calabrese on being named the Columbus Day 1975 Man of the Year, and wishes him success and good fortune in his future endeavors; and further directs that a copy of this citation be delivered to District Justice Merchie Calabrese, 1705 Walnut Street, Erie, Pennsylvania 16502.

ROBERT E. BELLOMINI
DAVID C. DICARLO
BERNARD J. DOMBROWSKI

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Charles Geib celebrated their golden wedding anniversary recently. Their happy union has been blessed by four children, seven grandchildren, and one step grandchild and one step great grandchild. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. The couple was married June 27, 1925, at Third Church United in Christ, Philadelphia, by Mr. Geib's uncle, Reverend David Young.

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

and further directs that a copy of this citation be delivered to Mr. and Mrs. Charles Geib, 9 West Stiegel Street, Manheim, Pennsylvania 17545.

KENNETH E. BRANDT

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. W. Luther Ulrich celebrated their golden wedding anniversary recently. Their happy union has been blessed by two children and five grandchildren. These two people are highly respected by

friends, neighbors and acquaintances as representing the finest in American life. Mrs. Ulrich, nee Fanny Bard, and Mr. Ulrich were married August 20, 1925 in Ironville.

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

and further directs that a copy of this citation be delivered to Mr. and Mrs. W. Luther Ulrich, 711 Prospect Road, R. D. 1, Columbia, Pennsylvania 17512.

KENNETH E. BRANDT

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Henry F. McKonly celebrated their golden wedding anniversary recently. Their happy union has been blessed by twelve children, twenty-two grandchildren, and two great-grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. McKonly, nee Elizabeth Hess, and Mr. McKonly were married August 15, 1925, in Lancaster by the late Reverend C. D. Huber.

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

and further directs that a copy of this citation be delivered to Mr. and Mrs. Henry F. McKonly, 517 North Second Street, Columbia, Pennsylvania 17512.

KENNETH E. BRANDT

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Frank R. Haldeman celebrated their golden wedding anniversary recently. Their happy union has been blessed by five children, fourteen grandchildren, and five great-grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Haldeman, nee Beatrice Wenger, and Mr. Haldeman were married August 21, 1925, by Reverend John Brubaker at his home in Florin.

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

and further directs that a copy of this citation be delivered to Mr. and Mrs. Frank L. Haldeman, R. D. 6, Manheim, Pennsylvania 17545.

KENNETH E. BRANDT

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Harry A. Dietz celebrated their golden wedding anniversary recently. Their happy union has been blessed by one child and three grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Dietz, nee Hettie Kauffman, and Mr. Dietz were married August 18, 1925 in Columbia by the late Reverend Weir.

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

KENNETH E. BRANDT

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Jacob Haldeman celebrated their golden wedding anniversary recently. Their happy

union has been blessed by one child, seven grandchildren, and five great-grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Haldeman, nee Florence W. Deyer, and Mr. Haldeman were married August 15, 1925 at East Petersburg by Elder A. S. Hottenstein.

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

and further directs that a copy of this citation be delivered to Mr. and Mrs. Jacob Haldeman, Route One, Manheim, Pennsylvania 17545.

KENNETH E. BRANDT

HOUSE OF REPRESENTATIVES

WHEREAS, Thomas A. Davies has been selected the Bethel Park Chamber of Commerce "Citizen of the Year." Mr. Davies has been involved with youth oriented and charitable work for many years. Among his experiences with young people, he was director of youth activities at Trinity Cathedral, Cubmaster, Boy Scout committeeman, senior advisor of the South Hills Order of DeMoley and coached basketball teams. Mr. Davies has served the community through his Lions Club activity. He has held many positions of leadership and has been active with summer camping program and projects for the blind.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Thomas A. Davies on his being named Bethel Park Chamber of Commerce "Citizen of the Year" commends him on his outstanding work with young people, and wishes him good health and good fortune;

and further directs that a copy of this citation be delivered to Thomas A. Davies, 2647 Broad Street, Bethel Park, Pennsylvania 15102.

D. MICHAEL FISHER

HOUSE OF REPRESENTATIVES

WHEREAS, Benjamin Lowengard, who has served as president of the Harrisburg City School Board, will retire as a member of the Board in December, 1975. The vice president of the Operating Committee of the Harrisburg-Steelton Vocational School, Mr. Lowengard is past president of the Boys' Club and the Advertising Club, both of Harrisburg. Owner of the Courier Press and a Capital City businessman of decades of reputable activities. Mr. Lowengard is vice president of the Downtown Harrisburg Association and involved in revitalization efforts of both the Center City and other portions of the City of Harrisburg. A member of the board of the Capital Area Intermediate Unit and of the Harrisburg Kiwanis Club, he is energetic, consistently involved in public life and a contributor to both Harrisburg's fine traditions and heritage as well as a leader for its fight for betterment. He is a member of the Congregation of Ohev Shalom Temple.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to commend Benjamin Lowengard for his service as member and past president of the Harrisburg City School Board;

and further directs that a copy of this citation be delivered to Benjamin Lowengard, 2412 Chestnut Street, Harrisburg, Pennsylvania 17104.

STEPHEN R. REED

HOUSE OF REPRESENTATIVES

WHEREAS, Charles P. Hoy has served as Chairman of the Dauphin County Commissioners from February, 1971 to 1975, after having first served as a Commissioner since 1969. A former principal of the Steelton-Highspire High School, he served as assistant principal of the same school as well as teacher and coach. In addition, he taught in the Carlisle and Westfield, High Schools; and

WHEREAS, He has served as chairman of the executive board for the Susquehanna Valley Manpower Development Corporation and is former chairman of the Greater Harrisburg Area Regional Planning Commission and the Dauphin County Redevelopment Authority. In addition, he was secretary of the Pennsylvania Interscholastic Athletic Association's District III; and

WHEREAS, Commissioner Hoy is an active member of and on the board of many organizations, too numerous to list here. Let it suffice to say that he is a dedicated Pennsylvanian who excels at serving his community, his Commonwealth and his fellowman.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to commend and thank Charles P. Hoy for his fine record of educational and public service;

and further directs that a copy of this citation be sent to Charles P. Hoy, 334 Spruce Street, Steelton, Pennsylvania 17113.

STEPHEN R. REED

HOUSE OF REPRESENTATIVES

WHEREAS, Ralph Farina will be honored at a testimonial dinner October 25, 1975; and

WHEREAS, a graduate of Steelton High School in 1922, and Villanova University, he served as assistant coach to Harry Stuhldreher and played for the Pottsville Maroons. His coaching career includes service as assistant coach of Steelton High School, fifteen years as coach at Harrisburg Catholic High School, now Bishop McDevitt High School, and fulltime coach at the Crusader School between 1933 to 1948. He retired in 1957 after twenty-seven years as a football official in the Central Pennsylvania Chapter of the PIAA and the Middle Atlantic College Conference; and

WHEREAS, Ralph Farina, a former secretary-treasurer of the Central Pennsylvania Chapter of the PIAA, is a charter member of the National Football Foundation of the Hall of Fame and he won the "Little Brown Jug" trophy from the Old Timers Athletic Association for winning the City of Harrisburg High School Football Championship.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates and commends Ralph Farina for his spirit, vitality and dedication and for his guidance, coaching and fine example to our youth;

and further directs that a copy of this citation be delivered to Ralph Farina, 507 North Second Street, Steelton, Pennsylvania 17113.

STEPHEN R. REED

HOUSE OF REPRESENTATIVES

WHEREAS, Mrs. Evelyn Enck (Jake) Heath, won the Lancaster City-County Women's Amateur Golf Championship for the second consecutive year with an eighteen hole total of one hundred sixty-five. It was the fifth time she has won the Women's Lancaster City-County Championship, a record achievement.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Mrs. Heath on an outstanding performance in women's amateur golf and wishes her continued success in her future endeavors;

and further directs that a copy of this citation be delivered to Mrs. Evelyn Enck (Jake) Heath, 1172 Country Club Drive, Lancaster 17601.

MARVIN E. MILLER

HOUSE OF REPRESENTATIVES

WHEREAS, Clorinda Falcone was born October 26, 1915, and is now celebrating her one hundredth birthday. She has given to this country three sons and one daughter as well as six grandchildren and thirteen great-grandchildren, all of whom have proven to be productive, law-abiding, and resourceful citizens of this great country. Clorinda, in her one hundred years, has brought to her home the traditions and culture of Italy which has helped create a strong society in South Philadelphia where she made her home for many, many years.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes to Mrs. Clorinda Falcone on the occasion of her one hundredth birthday and wishes her the best of health and further appreciation from all who have come to know and thus respect and admire her; and further directs that a copy of this citation be delivered to Mrs. Clorinda Falcone, 2234 South 16th Street, Philadelphia, Pennsylvania 19145.

JAMES J. TAYOUN

HOUSE OF REPRESENTATIVES

WHEREAS, Joseph E. Zeman, Mount Pleasant, was presented with the Meritorious Service Award by the Department of State, Washington, D. C. He was presented with this distinguished award by the Honorable David K. E. Bruce, U. S. Ambassador to the North Atlantic Treaty Organization, to which Mr. Zeman is assigned.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Joseph E. Zeman upon receipt of the Meritorious Service Award; and further directs that a copy of this citation be delivered to Joseph E. Zeman, c/o Albert Zeman, 300 Spruce Street, Mount Pleasant, Pennsylvania 15666.

EUGENE G. SALOOM

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Henry J. Laux celebrated their golden wedding anniversary recently. Their happy union has been blessed by five children, twenty-one grandchildren, and four great-grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. The couple was married in St. Joseph's Church, New Kensington.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Henry J. Laux on their fiftieth wedding anniversary and expresses its hope that they may long continue to enjoy their happy marriage; and further directs that a copy of this citation be delivered to Mr. and Mrs. Henry J. Laux, Ruffsdale, Pennsylvania 15679.

EUGENE G. SALOOM

HOUSE OF REPRESENTATIVES

WHEREAS, Mrs. Eva Kobistek, Mount Pleasant, was promoted to Greensburg branch manager of Stanley Home Products, Inc. Mrs. Kobistek, employed by Stanley Home Products, Inc., for twenty-two years, will supervise fifteen unit managers and over one hundred dealers.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Mrs. Eva Kobistek on her appointment to branch manager of Stanley Home Products, Inc. and wishes her continued success in her future endeavors; and further directs that a copy of this citation be delivered to Mrs. Eva Kobistek, R.D. 1, Mt. Pleasant, Pennsylvania 15666.

EUGENE G. SALOOM

HOUSE OF REPRESENTATIVES

WHEREAS, Carl R. Barnhart of Mount Pleasant celebrated his eighty-fourth birthday recently; and

WHEREAS, Carl R. Barnhart is an outstanding citizen who exemplifies the finest virtues of American life and has won the respect and love of his nine children, twenty-nine grandchildren, thirteen great grandchildren, and his many friends, neighbors and acquaintances.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Carl R. Barnhart on his eighty-fourth birthday and wishes him the best of health and further appreciation from all who have come to know and thus respect and admire him;

and further directs that a copy of this citation be delivered to Carl R. Barnhart, 311 Smithfield Street, Mount Pleasant, Pennsylvania 15666.

EUGENE G. SALOOM

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Joseph S. Pocratsky celebrated their silver wedding anniversary recently. Their happy union has been blessed by three daughters. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Pocratsky, nee Mary K. Repko, and Mr. Pocratsky were married July 1, 1950 at St. Florian Church.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Joseph S. Pocratsky on their twenty-fifth wedding anniversary and expresses its hope that they may long continue to enjoy their happy marriage;

and further directs that a copy of this citation be delivered to Mr. and Mrs. Joseph S. Pocratsky, United, Pennsylvania 15689.

EUGENE G. SALOOM

HOUSE OF REPRESENTATIVES

WHEREAS, John Nock has retired from the field of education after forty years of service as a teacher, coach and administrator; and

WHEREAS, John Nock has taught math, coached successful basketball and baseball teams, served as principal in the Mount Pleasant Area School District and has retired from the position of business manager of Special Education with the Westmoreland Intermediate Unit after five years.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates John Nock on his retirement after forty years in the field of education; wishes him good health to pursue his plans for extensive traveling and his avid interest in sports; and further directs that a copy of this citation be delivered to Mr. John Nock, R.D. 2, Greensburg, Pennsylvania 15601.

EUGENE G. SALOOM

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. James V. Rodgers celebrated their silver wedding anniversary recently. Their happy union has been blessed by three children. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. James V. Rodgers on their twenty-fifth wedding anniversary and expresses its hope that they may long continue to enjoy their happy marriage; and further directs that a copy of this citation be delivered to Mr. and Mrs. James V. Rodgers, Paul Heights, R.D. 2, Mount Pleasant, Pennsylvania 15666.

EUGENE G. SALOOM

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Stephen Blonchek celebrated their golden wedding anniversary recently. Their happy union has been blessed by two children and five grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Blonchek, nee Helen Rolko, and Mr. Blonchek were married August 3, 1925, at Mount Pleasant.

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

and further directs that a copy of this citation be delivered to Mr. and Mrs. Stephen Blonchek, 7917 Southington Drive, Parma, Ohio 44129.

EUGENE G. SALOOM

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Michael Blonchek celebrated their golden wedding anniversary recently. Their happy union has been blessed by one child and three grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Blonchek, nee Anna Rolko, and Mr. Blonchek were married August 3, 1925, at Mount Pleasant.

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

and further directs that a copy of this citation be delivered to Mr. and Mrs. Michael Blonchek, 6082 Westminister Drive, Parma, Ohio 44129.

EUGENE G. SALOOM

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Alfred C. Shrader celebrated their golden wedding anniversary recently. Their happy union has been blessed by two children. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Shrader, nee Cora Smith, and Mr. Shrader were married July 20, 1925 in the Methodist parsonage in Wellsburg, West Virginia.

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

and further directs that a copy of this citation be delivered to Mr. and Mrs. Alfred C. Shrader, 72 West Laurel Circle, R.D. 1, Mount Pleasant, Pennsylvania 15666.

EUGENE G. SALOOM

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Joseph P. Ambrisco celebrated their golden wedding anniversary recently. Their happy union has been blessed by four children, (one deceased) and three grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. The couple was married August 10, 1925 at Mount Pleasant's Visitation Church.

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

and further directs that a copy of this citation be delivered to Mr. and Mrs. Joseph P. Ambrisco, 1405 Race Street, South Connellsville, Pennsylvania 15425.

EUGENE G. SALOOM

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Charles E. Fisher celebrated their golden wedding anniversary recently. Their happy union has been blessed by two children, seven grandchildren, and two great-grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Fisher, nee Ruth R. Gerhart, and Mr. Fisher were married August 25, 1925 by the late Reverend Paul T. Stonifer at Mount Pleasant.

Now therefore, the House of Representatives of the

Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Charles E. Fisher on their golden wedding anniversary and expresses its hope that they may long continue to enjoy their happy marriage;

and further directs that a copy of this citation be delivered to Mr. and Mrs. Charles E. Fisher, R.D. 1, Hunker, Pennsylvania 15639.

EUGENE G. SALOOM

HOUSE OF REPRESENTATIVES

WHEREAS, Egedio (Gene) Cerilli recently received the 1975 Humanitarian Award presented by the Westmoreland County Conference of Economic Opportunity for his work in public service, fraternal, and civic organizations, and in organized labor to help the poor, the disadvantaged; and the underprivileged; and

WHEREAS, Egedio (Gene) Cerilli has been a longtime civic leader, organized labor leader, and political leader in Westmoreland County and is presently chairman of the Pennsylvania Turnpike Commission.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Egedio (Gene) Cerilli on his receipt of the 1975 Humanitarian Award presented by the Westmoreland County Conference of Economic Opportunity; commends him for his activities in the anti-poverty effort; wishes him good health and continued success in the years ahead;

and further directs that a copy of this citation be delivered to Mr. Egedio (Gene) Cerilli, 2473 Skidmore Road, Greensburg, Pennsylvania 15601.

EUGENE G. SALOOM

HOUSE OF REPRESENTATIVES

WHEREAS, Anthony W. Crivella, Mount Pleasant, has dedicated his service to the community of Mount Pleasant; and

WHEREAS, Anthony W. Crivella, a member of the community for seventy-two years, has served as the "Venerable" of the Sons of Italy for thirty-nine years. A justice of the peace for twelve years, Mr. Crivella worked for the State Treasury Department for sixteen years, for the Auditor General's office, and was the Assistant Disbursing Officer in the Pittsburgh District Office of the Treasury Department. Even in retirement, Mr. Crivella has continued to serve the Senior Citizens of the community.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania commends Mr. Anthony W. Crivella for zealous devotion to civic development and extends its best wishes to Mr. Crivella in his golden years of retirement;

and further directs that a copy of this citation be delivered to Mr. Anthony W. Crivella, 419 Main Street, Mount Pleasant, Pennsylvania 15666.

EUGENE G. SALOOM

HOUSE OF REPRESENTATIVES

WHEREAS, Angeline Paparella has worked for Muscular Dystrophy in various capacities for twenty years and has been a staff member. Angeline Paparella is the district director for Muscular Dystrophy Association of America, Inc., and has worked with the Jerry Lewis Telethon Against Muscular Dystrophy in Erie.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Angeline Paparella on her altruistic work with Muscular Dystrophy, and wishes her good fortune and good health; and further directs that a copy of this citation be delivered to Angeline Paparella, c/o Muscular Dystrophy Association, 508 Commerce Building, Erie, Pennsylvania 16501.

DAVID C. DICARLO

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. C. Miller Wolgemuth will celebrate their golden wedding anniversary October 12, 1975, with a surprise reception given by members of the

family. Their happy union has been blessed by five children, twelve grandchildren, and one great-grandchild. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Wolgemuth, nee Mary Melhorn, and Mr. Wolgemuth were married October 15, 1925, in Florin by Bishop L. O. Musser.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. C. Miller Wolgemuth on their fiftieth wedding anniversary and expresses its hope that they may long continue to enjoy their happy marriage; and further directs that a copy of this citation be delivered to Mr. and Mrs. C. Miller Wolgemuth, 40 Old Market Street, Mount Joy, Pennsylvania 17552.

KENNETH E. BRANDT

HOUSE OF REPRESENTATIVES

WHEREAS, Samuel Paul of Philadelphia will celebrate his one hundredth birthday on October 12, 1975. Mr. Paul, born October 12, 1875, in County Derry Ireland, came to Philadelphia at the age of eighteen in 1893 and became a United States citizen on September 19, 1898. He was married June 12, 1901, and he and his wife were blessed with three children, seven grandchildren and ten great-grandchildren; and

WHEREAS, Samuel Paul is an outstanding citizen who exemplifies the finest virtues of American life and has won the respect of his many friends, neighbors and acquaintances.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Samuel Paul on his one hundredth birthday and wishes him the best of health and further appreciation from all who have come to know and thus respect and admire him; and further directs that a copy of this citation be delivered to Samuel Paul, 5477 Vicaris Street, Philadelphia, Pennsylvania 19128.

JOHN H. HAMILTON, JR.

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Park O. Bell celebrated their golden wedding anniversary recently. Their happy union has been blessed by six children, twelve grandchildren, and two great-grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Bell, nee Myrtle Grace Hoover, and Mr. Bell were married August 31, 1925, at Cumberland, Maryland, by Reverend C. J. Price.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Park O. Bell on their fiftieth wedding anniversary and expresses its hope that they may long continue to enjoy their happy marriage; and further directs that a copy of this citation be delivered to Mr. and Mrs. Park O. Bell, R.D. 6, Somerset, Pennsylvania 15501.

KENNETH S. HALVERSON

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Maynard Miller celebrated their golden wedding anniversary recently. Their happy union has been blessed by six children, twelve grandchildren, and seven great-grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. The couple was married August 13, 1925 in Loganville by the late Reverend E. S. Hill.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Maynard Miller on their fiftieth wedding anniversary and expresses its hope that they may long continue to enjoy their happy marriage; and further directs that a copy of this citation be de-

livered to Mr. and Mrs. Maynard Miller, R.D. 2, Dalls-town, Pennsylvania 17313.

A. CARVILLE FOSTER, JR.

HOUSE OF REPRESENTATIVES

WHEREAS, Lisle H. Deviney, after thirty years of service to the Borough of Pitcairn, has retired. For sixteen years Mr. Deviney served as mayor and burgess. He served as councilman for fourteen years including holding the office of presidency for four years. Mr. Deviney has been the squire and postmaster of Pitcairn. He has received the Thomas F. Crosswaite Award. Many community improvements occurred while Mr. Deviney held the various offices; and

WHEREAS, Lisle H. Deviney has contributed his musical talents—voice, instrument, and directing to various churches and civic organizations.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Lisle H. Deviney on his retirement after thirty years of service to local government, commends him on his distinguished career, and wishes him a long and enjoyable retirement; and further directs that a copy of this citation be delivered to Mr. Lisle H. Deviney, 542 Ninth Street, Pitcairn, Pennsylvania 15140.

LEE C. TADDONIO

HOUSE OF REPRESENTATIVES

WHEREAS, Murphy's Lincoln-Mercury, Girard, celebrated its twentieth anniversary in business. Murphy's Lincoln-Mercury began in business July 1, 1955 at 310 West Main Street. Partners, Harold C. and Roy W. Murphy, continue to serve the business needs of the surrounding community.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, commends Murphy's Lincoln-Mercury in celebration of its twentieth anniversary; and further directs that a copy of this citation be delivered to Murphy's Lincoln-Mercury, U.S. Route 20 East, Girard, Pennsylvania 16417.

DAVID S. HAYES

HOUSE OF REPRESENTATIVES

WHEREAS, George V. Thomas is the winner of the 1975 Association Award sponsored by the Pennsylvania State Association of Boroughs. Mr. Thomas, secretary of the Erie County Association of Boroughs, has been recognized for his distinguished, meritorious, and exceptionally outstanding service for the benefit of the Association.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates George V. Thomas on his receipt of the 1975 Association Award, commends him for his dedicated service to the Pennsylvania State Association of Boroughs, and wishes him good health, happiness and success in the years to come; and further directs that a copy of this citation be delivered to Mr. George V. Thomas, Box 7244, Wesleyville, Pennsylvania 16510.

DAVID S. HAYES

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. Jesse W. Hoagland has received the 1975 Thomas F. Chrostwaite Award, which is made annually by the Pennsylvania State Association of Boroughs to promote interest in borough government and to recognize faithful and effective service by borough officials for twenty or more years. Mr. Hoagland, who is the Mayor of the Borough of Conneaut Lake, has twenty-one years of borough service.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Mr. Jesse W. Hoagland on receiving the 1975 Thomas F. Chrostwaite Award from the Pennsylvania State Association of Boroughs, commends him on twenty-one years of dedicated service to the Borough of Conneaut Lake, and wishes him happiness and success in the future;

and further directs that a copy of this citation be delivered to Mr. Jesse W. Hoagland, 293 South Third Street, Conneaut Lake, Pennsylvania 16316.

DAVID S. HAYES

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. Carl E. Ewing, has received the 1975 Thomas F. Chrostwaite Award, which is made annually by the Pennsylvania State Association of Boroughs to promote interest in borough government and to recognize faithful and effective service by borough officials for twenty or more years. Mr. Ewing is a councilman for the Borough of Conneaut Lake who has twenty-one years of borough service.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Mr. Carl E. Ewing on receiving the 1975 Thomas F. Chrostwaite Award from the Pennsylvania State Association of Boroughs, commends him on twenty-one years of dedicated service to the Borough of Conneaut Lake, and wishes him happiness and success in the future; and further directs that a copy of this citation be delivered to Mr. Carl E. Ewing, 880 State Street, Conneaut Lake, Pennsylvania 16316.

DAVID S. HAYES

HOUSE OF REPRESENTATIVES

WHEREAS, Allen B. Edwards was recently honored at a dinner meeting by receiving The Winslow Award, an award sponsored by the Meadville Area Industrial Commission and given annually to an individual whose contributions to the social and economic welfare of the community emulate those of Harry C. Winslow, M.D.; and

WHEREAS, Allen B. Edwards, formerly an Associate Professor of Economics and presently Treasurer at Allegheny College, has been involved in many community activities including the Meadville Industrial Development Corp., Chamber of Commerce, Crawford County School Board, the Jefferson Heights Housing Corporation, and General Chairman of fund raising drives for the Presbyterian Church.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Allen B. Edwards on the receipt of The Winslow Award, commends him on his active involvement in civic affairs, wishes him good health and happiness in the years to come; and further directs that a copy of this citation be delivered to Dr. Allen B. Edwards, Allegheny College, 520 North Main Street, Meadville, Pennsylvania 16335.

DAVID S. HAYES

HOUSE OF REPRESENTATIVES

WHEREAS, The A. F. Dobler Hose and Ladder Company of Girard, celebrated its seventy-fifth anniversary. The company was founded on March 1, 1900 to serve the Girard, Lake City, Platea, and Girard Township areas as a volunteer fire company. It was incorporated on February 2, 1907. The company's first fire chief was George Hess and the first president was George Cox. The A. F. Dobler Hose and Ladder Company, which bought a new pumper this year, has thirty-eight active members. Louis L. Hannah is presently serving as fire chief of the company.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates the A. F. Dobler Hose and Ladder Company on celebrating its seventy-fifth anniversary, commends it on its many years of outstanding service, and wishes the company and its members success in all their future endeavors; and further directs that a copy of this citation be delivered to Louis L. Hannah, Fire Chief, 134 Olin Avenue, Girard, Pennsylvania 16417.

DAVID S. HAYES

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Stanley (Ted) Kujawa cele-

brated their golden wedding anniversary recently. Their happy union has been blessed by three children, twelve grandchildren, and four great-grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Kujawa, nee Elizabeth (Mary) Heckart, and Mr. Kujawa were married October 7, 1925 at the Annunciation Roman Catholic Church in Williamsport by Father M. A. Hally.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Stanley (Ted) Kujawa on their fiftieth wedding anniversary and expresses its hope that they may long continue to enjoy their happy marriage; and further directs that a copy of this citation be delivered to Mr. and Mrs. Stanley (Ted) Kujawa, Proctor Star Route, Williamsport, Pennsylvania 17701.

JOSEPH V. GRIECO

HOUSE OF REPRESENTATIVES

WHEREAS, John D. Harper, prominent Pittsburgh citizen has recently retired as chairman of the board and chief executive officer of Aluminum Company of America; and

WHEREAS, This native of Louisville, Tennessee, joined the company at Alcoa, Tennessee, as a summertime employee while attending high school and the University of Tennessee, and assumed increasingly important jobs until being named president of Alcoa in 1963 and chairman of the board in 1970; and

WHEREAS, Mr. Harper's words and actions have established him as a leader among the world's businessmen, particularly in the aluminum industry and as chairman of The Business Roundtable.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to pay tribute to this consummate public servant and business leader. The House notes his numerous activities and accomplishments and wishes him well as he continues as an active spokesman for business and the free market system; and further directs that a copy of this citation be delivered to John D. Harper, 880 Old Hickory Road, Pittsburgh, Pennsylvania 15243.

H. SHELDON PARKER, JR.
RICHARD J. CESSAR
JAMES W. KNEPPER

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Paul C. Atkinson celebrated their golden wedding anniversary recently. Their happy union has been blessed by one child and three grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. The couple was married September 14, 1925.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Paul C. Atkinson on their fiftieth wedding anniversary and expresses its hope that they may long continue to enjoy their happy marriage; and further directs that a copy of this citation be delivered to Mr. and Mrs. Paul C. Atkinson, 1523 Dormont Avenue, Pittsburgh, Pennsylvania 15216.

H. SHELDON PARKER, JR.

HOUSE OF REPRESENTATIVES

WHEREAS, Jane C. Reber has recently received an award for being a member of the Bicentennial Family of Reading and Berks County. Mrs. Reber, who has dedicated almost half a century to the cause of democracy, served as the Berks County Republican Chairman for many years; and as the only woman president of the Berks County Prison Board. She is a past president of the Berks County Republican Party.

Now therefore, the House of Representatives of the

Commonwealth of Pennsylvania, extends its best wishes and congratulations to Jane C. Reber on receiving an award for being a member of the Bicentennial Family of Reading and Berks County, and further directs that a copy of this citation be delivered to Jane C. Reber, 147 North Fourth Street, Reading, Pennsylvania 19601.

HAROLD J. STAHL, JR.

HOUSE OF REPRESENTATIVES

WHEREAS, Clair Lewis has made many contributions to and shown great devotion to the community of Smoke-run, Pennsylvania. In 1958, Mr. Lewis sponsored the first Horse show ring and allowed those that did not have a horse to participate with his horses and equipment. Mr. Lewis, who has always worked with young people, has contributed horses and equipment to the local 4-H Club, and is the leader of the Tangled Chinapoo 4-H Club. He organized a Saddle Club in 1955, and a Drill Team in 1961. He is a member of the Shrine Patrol and the Wagon Train. Mr. Lewis and his wife, Norma, have two sons, Jerry and John, and six grandchildren. Mr. Lewis is presently engaged in organizing and directing a horse-a-thon, where all those with horses will ride to raise money for crippled children.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates and commends Clair Lewis on his many contributions and great devotion to his community and wishes him success and happiness in all his future endeavors; and further directs that a copy of this citation be delivered to Clair Lewis, Smokerun, Pennsylvania 16681.

CAMILLE GEORGE

HOUSE OF REPRESENTATIVES

WHEREAS, The Polish Business and Professional Men's Association, Erie, is celebrating its fiftieth anniversary in 1975; and

WHEREAS, The Polish Business and Professional Men's Association formerly the Polish Merchants Association, was established to retain Polish customs and traditions to enhance their social, cultural, and economic pursuits. The membership has expanded the concepts of the group to include civic and charitable goals benefiting the entire community.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates the Polish Business and Professional Men's Association in celebration of its fiftieth anniversary and commends the membership on its dedication to both the society as well as the country;

and further directs that a copy of this citation be delivered to the Polish Business and Professional Men's Association, 331 East 12th Street, Erie, Pennsylvania 16503.

BERNARD J. DOMBROWSKI

HOUSE OF REPRESENTATIVES

WHEREAS, Jerome A. Matuszak of Erie, was named the Man of the Year; and

WHEREAS, Jerome A. Matuszak, born in Erie, was educated at Gannon College and Behrend Center of Pennsylvania State University. An insurance broker, Mr. Matuszak is president of Mattis & Robbie, Inc., and was past president of the Independent Insurance Agents Association of Erie. Mr. Matuszak served as a member of the City Charter Commission 1960, served as director and vice president of the East Side Federation, and is the president of the Polish Business and Professional Men's Association. Since February of 1968, Mr. Matuszak has been a member of the Redevelopment Authority of the City of Erie; and

WHEREAS, Jerome A. Matuszak, is involved in various community activities, fund drives and projects and at one time a member of the Knights of Columbus Glee Club.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Jerome A.

Matuszak as Man of the Year and commends him for dedicated service to his community; and further directs that a copy of this citation be delivered to Mr. Jerome A. Matuszak, 418 Parkway Drive, Erie, Pennsylvania 16511.

BERNARD J. DOMBROWSKI

HOUSE OF REPRESENTATIVES

WHEREAS, Jack F. Braun is being recognized as the youngest Certified Executive Chef in the United States. He has been working in restaurant, club, and hotel kitchens since he was thirteen. Mr. Braun has earned more than sixteen years experience as a Cook and Executive Chef; and

WHEREAS, Jack F. Braun is being recognized for his efforts in organizing and implementing a registered apprenticeship program for aspiring Chefs. The program, approved by the United States Department of Labor, is a combined program of academic course work and on-the-job training which leads to an associate science degree.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Jack F. Braun on the success of the registered apprenticeship program for chefs, commends him for his own personal achievements, wishes him success in his future endeavors; and further directs that a copy of this citation be delivered to Mr. Jack F. Braun, The Lemon Tree, 623 Route 48, McKeesport, Pennsylvania 15132.

EMIL MRKONIC

HOUSE OF REPRESENTATIVES

WHEREAS, John Kokowski is track coach of the Greenville High School team and guided his team to the Class B Championship at Oil City High School. His team gained nine individual champions, ten second place finishers, four relay champions, and four second place relay finishes.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, commends and congratulates John Kokowski for leadership and perseverance in guiding the Greenville High School track team to the Class B Championship;

and further directs that a copy of this citation be delivered to John Kokowski, Donation Road, Greenville, Pennsylvania 16125.

ROY W. WILT

HOUSE OF REPRESENTATIVES

WHEREAS, The Carbino Club of Jessup, under manager, Harvey Polansky, and under the able coaching of Tony Magistro, won the 1975 Pennsylvania State Championship in Little League Baseball by stringing together ten straight victories during the play-offs.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates the members of the Carbino Club of Jessup on their winning the Pennsylvania State Championship, commends them on their outstanding teamwork, wishes them success in their future athletic endeavors;

and further directs that a copy of this citation be delivered to Carbino Club of Jessup, 309 North Second Street, Jessup, Pennsylvania 18434.

JOSEPH G. WARGO

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Kleber Minich will celebrate their golden wedding anniversary October, 1975. Their happy union has been blessed by five children (one deceased), twelve grandchildren, and one great-grandchild. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Minich, nee Anna Herman, and Mr. Minich were married October 10, 1925 at Heathville United Methodist Church by the late Reverend Thomas Murphy.

Now therefore, the House of Representatives of the

Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Kleber Minich on their fiftieth wedding anniversary and expresses its hope that they may long continue to enjoy their happy marriage;

and further directs that a copy of this citation be delivered to Mr. and Mrs. Kleber Minich, 1413 Third Avenue, Natrona Heights, Pennsylvania 15065.

HELEN D. GILLETTE

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. J. Boyd Duncan celebrated their sixtieth wedding anniversary recently. Their happy union has been blessed by four children, eight grandchildren, and two great-grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Duncan, nee Agnes E. Wilson, and Mr. Duncan, were married September 16, 1915, at Tarentum Lutheran Church by the late Reverend Harry B. Ernest.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. J. Boyd Duncan on their sixtieth wedding anniversary and expresses its hope that they may long continue to enjoy their happy marriage;

and further directs that a copy of this citation be delivered to Mr. and Mrs. J. Boyd Duncan, Bull Creek Road, Tarentum, Pennsylvania 15084.

HELEN D. GILLETTE

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. D. E. Scholl celebrated their sixtieth wedding anniversary recently. Their happy union has been blessed by four children, seven grandchildren, and ten great-grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Scholl, nee Edna Mardell, and Mr. Scholl were married September 14, 1915 at Kittanning by Magistrate E. R. Lee.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. D. E. Scholl on their sixtieth wedding anniversary and expresses its hope that they may long continue to enjoy their happy marriage;

and further directs that a copy of this citation be delivered to Mr. and Mrs. D. E. Scholl, Rear 626 Roup Street, Tarentum, Pennsylvania 15084.

HELEN D. GILLETTE

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. John Gorney celebrated their golden wedding anniversary recently. Their happy union has been blessed by two children and four grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Gorney, nee Lottie Szemborski, and Mr. Gorney were married August 25, 1925, at St. Ladislaus Roman Catholic Church by the late Reverend John Jaworski.

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

and further directs that a copy of this citation be delivered to Mr. and Mrs. John Gorney, 61 Garfield Street, Natrona Heights, Pennsylvania 15065.

HELEN D. GILLETTE

HOUSE OF REPRESENTATIVES

WHEREAS, John A. Shepley, Jr., has retired from the Shaler Area School District after having spent the last fifteen of his nearly forty year career in teaching and

administration. He served as principal of the high school from 1960 and carried the district through the merger in 1971. Since 1973, Mr. Shepley has been assistant to the superintendent of Shaler Area District; and

WHEREAS, John A. Shepley, Jr., after his many years of working with children and young people in various levels of schooling, continues to have much confidence in students. His easy manner, his smile, along with his open door policy for students, have earned him his popularity.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates John A. Shepley, Jr., on his retirement from the Shaler Area School District, commends him on his achievements in the field of education, wishes him a long and enjoyable retirement;

and further directs that a copy of this citation be delivered to Mr. John A. Shepley, Jr., 100 Circle Drive, Glenshaw, Pennsylvania 15116.

RICHARD J. CESSAR

HOUSE OF REPRESENTATIVES

WHEREAS, St. Christopher's Hospital for Children, Philadelphia, will celebrate its one hundredth anniversary on November 9, 1975; and

WHEREAS, St. Christopher's Hospital for Children, founded by William H. Bennett for the children of Kensington, was the first hospital to recognize the Di George Syndrome and Re Yes Syndrome. The first medical center to set up a special unit for polio rehabilitation for children, St. Christopher's Hospital for Children, has the only kidney dialysis transplant center for children in the Tri-State area, the nation's only tracheotomy unit for children, the largest pulmonary center for children in the East, and the most comprehensive infant care nursery for the Tri-State area.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates St. Christopher's Hospital for Children on its one hundredth anniversary and commends the hospital and its staff for its ardent devotion and dedication to human care;

and further directs that a copy of this citation be delivered to St. Christopher's Hospital for Children, 2600 North Lawrence Street, Philadelphia, Pennsylvania 19133.

RAYMOND F. LEDERER

HOUSE OF REPRESENTATIVES

WHEREAS, Herbert C. Hampton, has been an electrical businessman for twenty-five years.

WHEREAS, Herbert C. Hampton, Jr. married thirty-seven years to the former Emma E. Metcalf, was past president of the Kensington Penn Treaty Optimist Club, past president of Fishtown Recreational Center Advisory Council, president of the Board of Trustees of the First Presbyterian Church of Kensington, and has been active in many civic affairs.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Herbert C. Hampton Jr. for twenty-five years as an electrical businessman, commends him for his community service, and wishes him continued success;

and further directs that a copy of this citation be delivered to Herbert C. Hampton, 1218 E. Berks St., Philadelphia, Pa. 19125.

RAYMOND F. LEDERER

RESOLUTION

WHEREAS, On November 3, 1800, Joseph Johns drafted a plan and charter for a new community he named Conemaugh Old Town at the confluence of the Stonycreek and Conemaugh Rivers; and

WHEREAS, in 1834, the General Assembly named the community Johnstown in memory of its founder; and

WHEREAS, Johnstown became one of the principal iron-making centers in the United States in 1842; and

WHEREAS, The citizens of Johnstown distinguished themselves in peace and war; and

WHEREAS, Johnstown's people were afflicted by a

series of terrible natural disasters and floods, notably the Great Flood of 1889; and

WHEREAS, Despite tribulation and tragedy, Johnstown demonstrated strong moral fiber and an indomitable spirit which has been a model for all America to emulate; and

WHEREAS, The people of Johnstown have continued to manifest the same qualities, culminating with Johnstown being named an All-America City; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania congratulates the citizens of Johnstown on the occasion of Johnstown's one hundred seventy-fifth anniversary as one of Pennsylvania's outstanding communities; and be it further

RESOLVED, That a copy of this resolution be delivered to the Mayor and City Council of the City of Johnstown.

PATRICK A. GLEASON

HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. John A. Wisniewski, Sr., celebrated their golden wedding anniversary recently. Their happy union has been blessed by one child and two grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Wisniewski, nee Stephanie Jaglowski, and Mr. Wisniewski were married September 22, 1925, at St. Stanislaus Church in Erie, by Monsignor Stanczyk.

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

and further directs that a copy of this citation be delivered to Mr. and Mrs. John A. Wisniewski, Sr., 536 East Ninth Street, Erie, Pennsylvania 16501.

BERNARD J. DOMBROWSKI

HOUSE OF REPRESENTATIVES

WHEREAS, Irwin Benjamin, of Harrisburg, serves as eighty-first president of the Pennsylvania Bar Association, an organization with whom he has spent fifteen years giving service in its leadership. The ninth Dauphin Countian since 1895 to head the Commonwealth's legal organization, Attorney Benjamin is an accomplished and recognized legal expert on matters of insurance and medical law; and

WHEREAS, A graduate of Temple University's Law School where he attended part-time evening classes during the Depression while working daytimes in insurance work, Mr. Benjamin has engaged in his Harrisburg law practice since 1947 having first established offices in Philadelphia. He has been a leader in the promotion of the newly dedicated Pennsylvania Bar Center which is part of a historical restoration effort of the Bar Association in Harrisburg's Midtown sector and he has assisted in the establishment of the Young Lawyer's Section of the Association.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to extend to Irwin Benjamin recognition and commendation for his noted career and accomplishments and further directs that a copy of this citation be delivered to Irwin Benjamin, 2260 Rudy Road, Harrisburg, Pennsylvania 17104.

STEPHEN R. REED

HOUSE OF REPRESENTATIVES

WHEREAS, John F. Fryc, Jr., completes a special term of office as a director on the Harrisburg City School Board in 1975. His service, however brief, has been marked with energetic concern for the improvement of the City's educational system; and

WHEREAS, Mr. Fryc, a Computer Operations Supervisor for the Pennsylvania Department of Labor and Industry, has distinguished himself through the chair-

manship of the Harrisburg Community Development Forum, the presidency of the school PTA, and treasurer-ship of the Harrisburg Development Corporation; and

WHEREAS, His accomplishments, to name a few, include chairman of the Capital United Presbyterian Board of Trustees and the Presbyterian Synod's Committee on the Self Development of People, vice president of the Volunteer Firemen's Historical Society and membership in the Dauphin County Black Political Assembly. John F. Fryc, Jr., is an outstanding Pennsylvanian who has dedicated and shown his concern and love for his fellow-man by his numerous good deeds; and

WHEREAS, Honorably discharged from the United States Army in 1962, he is married and the father of two sons.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to extend special appreciation and continued recognition to John F. Fryc, Jr., on his persistent dedication to a better Harrisburg and an improved school system for its youth; and further directs that a copy of this citation be delivered to John F. Fryc, Jr., 1220 North 14th Street, Harrisburg, Pennsylvania 17103.

STEPHEN R. REED

HOUSE OF REPRESENTATIVES

WHEREAS, Seth LeRoy Myers is being honored for his forty years of dedicated service to the Western Reserve Fish and Game Protective Association, Shenango Valley Chapter, Incorporated, of which he is a charter member. Mr. Myers has held the offices of vice president, president, secretary and historian during the organization's existence; and

WHEREAS, Seth LeRoy Myers has been involved in outdoor activities of all types and in all levels, local, state and national as vocation and avocation. He has been the recipient of numerous awards including one established in his honor by the Mercer County Federation of Sportsmen's Clubs. Mr. Myers has been adopted into several American Indian tribes for his work in their interest.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Seth LeRoy Myers for the recognition that has been bestowed upon him by sportsmen everywhere especially Mercer County, commends him for his dedicated work, wishes him good fortune and good health;

and further directs that a copy of this citation be delivered to Mr. Seth LeRoy Myers, 234 Jefferson Avenue, Sharon, Pennsylvania 16146.

ROY W. WILT
RALPH D. PRATT
REID L. BENNETT

HOUSE OF REPRESENTATIVES

WHEREAS, Norman J. Maza has resigned after thirty-five years of service as superintendent of Harford Township and as a teacher, supervising principal and superintendent of Mountain View School Districts; and

WHEREAS, Norman J. Maza obtained his education from Bloomsburg State College and Pennsylvania State University where he earned his master's degree in education and continuously picked up additional credits in education. He began teaching in Harford High School in 1940 and progressed to supervising principal from 1946-1954 and superintendent from 1954 until August 1975. He is now working as supervisor in the federally funded Intermediate Unit 19; and

WHEREAS, Among his many activities, he has been a member of or served on the State Legislative Committee of Pennsylvania State Education Association, National Education Association, Board of Directors Child Welfare Association, Susquehanna County, Superintendent of Harford Congregational Church Sunday School, Moderator of Harford Church and vice president of Northeast Region Pennsylvania Association School Administrators. He is past master of the Harford Lodge 445 Free and Accepted Masons and he served in the Navy from 1941-1946.

Now therefore, the House of Representatives of the

Commonwealth of Pennsylvania commends and congratulates Norman J. Maza on his thirty-five years of dedication and service in the field of education and wishes him continued success and good fortune; and further directs that a copy of this citation be delivered to Norman J. Maza, Harford, Pennsylvania 18823.

CARMEL SIRIANNI

HOUSE OF REPRESENTATIVES

WHEREAS, Lafayette College in Easton is celebrating its sesquicentennial commemorating the founding of this prestigious Pennsylvania institution of higher learning; and

WHEREAS, The College, having been named after Marquis de Lafayette, a French statesman and author, who fought in the Revolutionary War with General Andrew Porter, father of James Madison Porter, an early resident of Easton, who was responsible for drafting the charter of said college; and

WHEREAS, James Madison Porter went to meet Lafayette, who had become an international figure, on one of his farewell journeys before returning to France, was instrumental in naming the college after this great person who was dedicated to education, freedom and democracy; and

WHEREAS, In 1826, a charter was granted and the first class of forty-three students met in 1832, and a statute of Lafayette was erected, notably inscribed with his favorite quotation, "I read, I study, I examine, I listen, I reflect and out of all this I try to form an idea into which I put as much common sense as I can."

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Lafayette College, its faculty members, its student body, its alumni, and all of the citizens of the City of Easton on the one hundred fiftieth anniversary of its founding; and commends the college for the fine educational opportunities it offers;

and further directs that a copy of this citation be delivered to President K. Roald Bergethon, Lafayette College, Easton, Pennsylvania 18042.

JAMES F. PRENDERGAST

HOUSE OF REPRESENTATIVES

WHEREAS, The United Methodist Church of Girard is celebrating its one hundred fiftieth anniversary. In 1825 the circuit preachers began to hold services in the Girard borough. A church was built in 1828 on land contributed by Asa Battles and the Girard Church was made a charge in 1848 with Darius Smith appointed as its first pastor. On February 3, 1874, the first Methodist Episcopal Church of Girard was incorporated, and in 1955 the ground-breaking and cornerstone laying ceremonies were held for the new Fellowship Center.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates the Girard United Methodist Church on its one hundred fiftieth anniversary; and commends them on their years of service to the community; and further directs that a copy of this citation be delivered to the United Methodist Church, 48 Main Street, Girard, Pennsylvania 16417.

DAVID S. HAYES

RESOLUTION

WHEREAS, Peter D. Sala passed away on September 14, 1975. Mr. Sala, who was news staff editor of the Morning News, was dedicated to his work and he earned the love and respect of all those who knew him. This outstanding young man is survived by his wife, Ann, two sons and a daughter, four sisters and two brothers; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to mourn the passing of Peter D. Sala, and extends its heartfelt condolences to his wife and family; and be it further

RESOLVED, That a copy of this resolution be delivered to Mrs. Peter D. Sala, 2804 Charlotte Street, Erie, Pennsylvania 16508.

DAVID S. HAYES

INTERROGATION

Mr. RITTER requested and obtained unanimous consent to interrogate Mr. IRVIS.

Mr. RITTER. Mr. Speaker, yesterday or the day before when House bills Nos. 1720, 1721, 1722 and 1723 were recommitted to the Appropriations Committee, was that for the purpose of a fiscal note?

Mr. IRVIS. What were those bills, Mr. Speaker?

Mr. RITTER. They were the 2-cent gas tax increase as well as the fee bill.

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

Mr. RITTER. Mr. Speaker, it is your intent to vote on the bills that are on our calendar dealing with the gasoline tax tomorrow, is that correct?

Mr. IRVIS. That is my current intent, yes.

Mr. RITTER. I thank the majority leader.

Mr. Speaker, the reason I am taking the microphone today is because the story that appeared in the paper this morning was that the Appropriations Committee did not, or in fact refused, to report to the floor of this House, House bill No. 1723 which deals with the fee increase.

My understanding of the rules of this House is that when bills are reported to the Appropriations Committee for a fiscal note, that they can only refuse to report them out when there is an adverse fiscal impact. This bill will create revenue for the state.

I voted to bring both bills out of the Transportation Committee with the express purpose that both bills would be here for us to have a choice. And if House bill No. 1723 is not before us for us to make that choice, Mr. Speaker, I intend to object tomorrow and ask to have the whole package recommitted to the Transportation Committee.

QUESTION OF INFORMATION

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

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

The SPEAKER. The gentleman will state it.

Mr. VANN. Mr. Speaker, am I correct in assuming that this was supposed to have been a voting week and not a committee meeting week?

The SPEAKER. Primarily a voting week, that is correct.

Mr. VANN. The reason I am asking is because I thought we were told last week that there would be no committee meetings and there have been and there still are committee meetings this week. If I had known that this was a committee week, I would have called a meeting because I have several bills that I would like to get out of committee.

The SPEAKER. It was intended that this week would be a voting week only.

Mr. VANN. Okay. Thank you.

REQUEST FOR RECESS

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I ask for a declaration of a recess until 2 p.m. and ask that the Democratic members report immediately to the caucus.

RECESS

The SPEAKER. The House now stands in recess until 2 p.m.

AFTER RECESS

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

THE SPEAKER PRO TEMPORE (William F. Renwick) IN THE CHAIR

The SPEAKER pro tempore. The House is at ease. What does the gentleman, Mr. Eckensberger, desire?

Mr. ECKENSBERGER. Mr. Speaker, am I in order to make a parliamentary inquiry?

The SPEAKER pro tempore. Well, we would prefer not to have it at this time but later on.

Mr. ECKENSBERGER. Is the Chair so ruling? Is the Chair making a ruling to that effect?

The SPEAKER pro tempore. Not necessarily.

THE SPEAKER (Herbert Fineman) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Elk, Mr. Renwick, for temporarily presiding.

COMMITTEE REPORTS

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

Mr. GALLAGHER. Mr. Speaker, I would like you to take out of order reports from committees.

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

The Chair hears no objection.

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

Mr. GALLAGHER. Mr. Speaker, the Education Committee, after 14 public hearings around the state and 12 committee meetings, has today voted to report to the House, House bill No. 770, as amended, with 445 pages, 135 amendments. We offer this to the House.

BILL REPORTED AS AMENDED AND CONSIDERED FIRST TIME AND TABLED

HOUSE BILL No. 770

By Mr. GALLAGHER

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, adding provisions relating to education in public and nonpublic schools and making repeals.

Reported from Committee on Education.

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

Mr. GALLAGHER. Mr. Speaker, I would like to announce to the members that we have just reported House bill No. 770, which is the recodification of the entire School Code, comprised of 445 pages. We as a committee adopted over 135 amendments. The bill has now been

reported; it is to be printed. We hope that when it is printed, everybody will get his fair share of the copies and look it over very thoroughly.

I would like to thank personally the members of the committee who have been with us for all the public hearings that we held around the state, the 14 hearings, on the almost 12 consecutive days that we have met together, giving each and everybody the due process of presenting his amendments to this bill to the committee. I personally would like to thank Mr. Pancoast and Mr. Sam Hayes who have been with us constantly, and Mr. Shane and the other members who have stayed with it from the beginning.

We hope that when this is in print and there is ample time for everybody to digest it, you will understand what the committee was trying to do.

Thank you, Mr. Speaker.

PARLIAMENTARY INQUIRY

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

Mr. ZEARFOSS. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ZEARFOSS. Mr. Speaker, is there any procedure anymore in the House where we can have this bill read at length?

The SPEAKER. Bills no longer have to be read at length. Bills only have to be considered.

CONSIDERATION OF HOUSE BILL No. 1461 RESUMED

RECONSIDERATION OF VOTE ON HOUSE BILL No. 1461

Mr. BENNETT moved that the vote by which HOUSE BILL No. 1461, printer's No. 1715, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), increasing the fees for replacement hunting licenses and providing penalty for giving false statement.

was agreed to on final passage on Tuesday, September 30, 1975, be reconsidered.

Mr. LETTERMAN seconded the motion.

On the question,

Will the House agree to the motion?

Motion was agreed to.

On the question recurring,

Will the House agree to the bill on third consideration?

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

Amend Title, page 1, line 4, by inserting after "there-to,"; increasing nonresident license fees and

Amend Bill, page 1, by inserting between lines 8 and 9: Section 1. Section 303, act of June 3, 1937 (P. L. 1225, No. 316), known as "The Game Law," amended December 10, 1974 (P. L. 808, No. 267), is amended to read:

Section 303. Nonresident Hunting and Alien License Fees.—Every citizen of the United States who is a nonresident of this Commonwealth, upon application made, in writing, to any agent authorized to issue such licenses, or to the commission, unless any such person has been disqualified for a license in the manner hereinafter specified, and upon payment to said agent or commission

of [forty dollars and thirty-five cents (\$40.35)] eighty-five dollars (\$85) shall be entitled to the license herein designated as a Nonresident Hunter's License and a tag with the number of the license thereon, which shall entitle the holder to hunt for all wild birds and wild animals which may legally be hunted in this Commonwealth, until the close of the license year. Other licenses valid for use by nonresidents and aliens shall be as follows:

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

Every unnaturalized person, upon written application made to any county treasurer of Pennsylvania, any field division office of the Pennsylvania Game Commission, or any agent authorized by the Commission to issue nonresident hunting licenses setting forth satisfactory evidence of his mental and physical fitness to carry and use firearms and presentation of proof of legal entry into the United States, unless any such person has been disqualified for a license in the manner hereinafter specified, and upon the payment to any county treasurer in Pennsylvania, any field division office of the Pennsylvania Game Commission, or any agent authorized by the Commission to issue non-resident hunting licenses the fee of [forty dollars and thirty-five cents (\$40.35)] eighty-five dollars (\$85) shall be entitled to an alien hunter's license, and the proper tag issued therewith, but the one issuing said license shall indicate on the face of the license that the holder is an alien.

Amend Sec. 1, page 1, line 9, by striking out "1." and inserting: 2.

Amend Sec. 1, page 1, lines 9 and 10, by striking out "act of June 3, 1937 (P. L. 1225, No. 316), known as 'The Game Law,'" and inserting: of the act,

Amend Sec. 1 (Sec. 312), page 2, lines 9 through 14, by striking out all of said lines and inserting: (1) in the case of replacement of a regular resident or nonresident hunter's license, the fees shall be two dollars (\$2).

(2) In the case of replacement of a regular resident hunting license for senior citizens, the fee shall be one dollar (\$1).

Amend Sec. 2, page 3, line 6, by striking out "30 days." and inserting: September 1, 1976.

On the question,

Will the House agree to the amendments?

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

Mr. BENNETT. Mr. Speaker, the amendments that we are offering to House bill No. 1461 I believe are necessary for several reasons. The amendments do several things, and I will attempt to explain those things to the members.

We are increasing the fee for the nonresident hunter who comes to Pennsylvania, a hunter who can enjoy the best hunting that this country has to offer for almost every species of game. The nonresident hunter who comes to Pennsylvania has an opportunity to hunt small game, turkey, pheasant and many species of large game animals including deer and bear.

Several states have recently increased their nonresident license fees. I believe that Pennsylvania really should follow suit.

We did raise our nonresident license fees several years ago—the first time they had been raised in many, many years—and I believe that the increase that I am seeking now is a just and fair one. I am asking the members of this House to increase the nonresident license fee to \$85.

We are also asking in this amendment that the replacement charge for a license that might be lost by a person not be half the fee, as is suggested in the bill, but rather that it be a fee of \$2 for a replacement for a regular and a nonresident license fee and \$1 for a senior citizen's license fee.

We are also asking that rather than the act taking effect in 30 days, that this act would take effect on September 1, 1976.

Mr. Speaker, I believe that it is a fair amendment. I believe that, as I have indicated, Pennsylvania is one of the greatest states in the nation for hunting, and a person coming here to enjoy our great state and enjoy the hunting certainly ought to pay for the privilege of doing so, and I would ask all the members of this body to support this amendment.

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

Mr. RENWICK. Mr. Speaker, would the gentleman, Mr. Bennett, consent to interrogation?

The SPEAKER. Will the gentleman, Mr. Bennett, permit himself to be interrogated?

Mr. BENNETT. Yes, Mr. Speaker.

Mr. SPEAKER. The gentleman may proceed.

Mr. RENWICK. Mr. Speaker, in looking at this amendment, I notice that you have raised the nonresident license from \$40.35 to \$85. What percentage of this money goes to the person who sells the license and how much will he get?

Mr. BENNETT. According to the bill as it is presented, the fee is increased from 10 cents to 25 cents for the person who sells the license.

Mr. RENWICK. From 10 cents to what?

Mr. BENNETT. To 25 cents.

Mr. RENWICK. Where is that in the bill?

Mr. BENNETT. In the present bill, Mr. Speaker, it is on line 22, on page 2.

Mr. RENWICK. In the bill, but in your amendment you state that the license fee that will be paid to an agent shall be \$85.

Mr. BENNETT. No, that is not accurate.

Mr. RENWICK. That is what it says here.

Mr. BENNETT. I do not read it that way.

Mr. RENWICK. Well, you strike out "\$40.35" and you insert "\$85".

Mr. BENNETT. Mr. Speaker, we did not change that. If the gentleman reads the amendment, we have amended section 1 in the amendment, striking out "\$40.35" and changing that to "\$85". In the present bill, which we have not changed, on line 22, on page 2, of the bill, the agent's fee is increased from 10 cents to 25 cents. We have not changed that and we have no intention to.

Mr. RENWICK. Well, it says upon payment to said agent of the commission, \$85. Right?

Mr. BENNETT. Yes, it does.

Mr. RENWICK. Now what part of that goes to the agent? Are you going to deduct 35 cents from the \$85?

Mr. BENNETT. No, that is not our intention. The intention is that the \$85 will go to the Game Commission just the same as the \$40.35 now goes to them and, on page 2 of the present bill, the agents will retain the sum of 25 cents.

Mr. RENWICK. But your amendment does not indicate that.

Mr. Speaker, would you give us a ruling on this where—by you separate a fee, part of which is going to be

paid to an agent and part of it to the Commonwealth and they only spell out here \$85? It does not say what part or where it comes from.

Mr. BENNETT. Mr. Speaker, may I refer to the gentleman's inquiry?

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

Mr. BENNETT. Mr. Speaker, if the gentleman and the members of the House will read line 21 on page 2: "For such services the commission may authorize any issuing agent to retain not to exceed the sum of twenty-five cents. . . ." The board says exactly that is the agent's commission, if you will, or however you want to say it, and the intention is that the nonresident would pay \$85 for his license.

Mr. RENWICK. Where would the 35 cents come from then? From the \$85?

Mr. BENNETT. It could.

Mr. RENWICK. It could? In other words, you are going to make them pay \$84.65 for a license and \$.35 will go to the agent?

Mr. BENNETT. Mr. Speaker, apparently the gentleman feels that the 25 cents ought to be added to the \$85 fee, and I would have no quarrel with the gentleman's thinking and, if he so desires and the Chair would so rule and hold the bill, we will have the amendment changed to that direction, if that is the gentleman's wish.

Mr. RENWICK. I have no desire to do that. What I am trying to point out here is, I think the amendment is wrong. I think the concept is wrong and I think the whole idea is wrong, but I just wanted to point this out about this amendment.

Mr. Speaker, could I comment on the amendment now?

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

Mr. RENWICK. Mr. Speaker, I am rather amazed to see an amendment such as this that would increase out-of-state licenses from \$40 to \$85. You know, we in Pennsylvania are really proud of our Game Commission, its operation. The people in other states envy us. I do not care where you go, to what state, they look upon Pennsylvania as the No. 1 state. And we are anxious for people to want to come into this state. Who ever loves tourism like we do in our county and our neighboring counties? We have these people coming into our area during hunting season, flocks of them, and we take their dollars, our business people, everybody—restaurants, bars, gasoline stations, eating places, you name it. These people buy and buy and buy from our Pennsylvania residents. Now if we are to adopt an amendment such as this, I can imagine if I were an out-of-stater and would want to come to Pennsylvania and have to pay \$85, I think I would put up a pretty good holler.

You know, I always feel, we live in the United States. You know we are all Americans. I cannot see us discriminating against people such as this. You know, you have a lot of brothers and sisters who go to other states for employment and they establish a residence there, but when the hunting season comes, they like to come back to Pennsylvania. They like to come back to where they were born and raised to hunt and fish. Here we are saying to them, we are going to price you right out of business. You are just not going to come here. For the life of me, I cannot see why they would want to do this.

You know, we established a good price for nonresidents at \$40. Our licenses are \$8 and we made theirs \$40. I think this is comparable.

Then there is another feature of these amendments that I do not like. They say they want to take care of the replacement license. The replacement license right now costs \$1. Now any of you people who are in business know that you just do not write a replacement license for \$1. You could not do it for \$2. And here is the Game Commission which has to operate on nothing but the moneys they get from their licenses and the little bit they get from the Federal Government.

So if you have one operation in your business that costs you money, you try to correct that operation. This is exactly what we are doing here with this bill. We are trying to correct an operation that is costing us money.

Then there is another feature in this bill that we are trying to correct. I am surprised at the people who drafted this amendment who would want to more or less cater to people who outlaw. I am saying "people who outlaw" because this is exactly what they are doing. They buy a license that costs \$8. Two or three days later something happens to that license; they have lost it. They go down and pick up another one. Now you know what this other one does? This entitles them to two deer, a couple bear, four turkeys and things of this nature. We are only trying to curtail some of this. We cannot do it all with a \$4 replacement license. We realize this, but it is something that is going to help us.

I do not care, you can go all over Pennsylvania and ask the legitimate sportsman, the guy who goes down and buys a license, believes in the Game Commission, believes in hunting and fishing, and he will agree that he will pay \$4 if he loses his license. He is going to make sure he is not going to lose it in the first place, but, if he does, he wants to stop that second guy from misusing the idea of one of our precious items that we have, getting enough money to keep the Game Commission running.

Mr. Speaker, I ask everybody in this House to vote down this amendment.

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

Mr. LETTERMAN. I would like to interrogate Mr. Renwick, please.

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

Mr. RENWICK. Yes, I will.

The SPEAKER. The gentleman may proceed.

Mr. LETTERMAN. Mr. Speaker, do you feel that putting the replacement license fee to \$4 is going to keep that man— What are you going to do, just charge him a little more to be a crook? That is all you are doing. Just because you raised it to \$4, if he really wants replacement license to kill a second deer, he is going to get it anyhow.

What I say is that it should be \$2 and let us forget that people are outlaws. Let us think of the person who honestly loses his license. But by your raising and doubling that fee, you are not doing anything but charging just a little bit more for that guy to remain a crook.

PARLIAMENTARY INQUIRY

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

Mr. HASKELL. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HASKELL. Is the amendment divisible, dividing it so that the front page is one amendment and the second page, which is the back page, as the other?

The SPEAKER. It would appear to be a divisible amendment.

Would the maker of the amendment, Mr. Bennett, agree with the thinking of the Chair that this is divisible?

Mr. BENNETT. Yes.

The SPEAKER. The Chair would rule that the amendment is divisible.

Mr. HASKELL. Thank you, Mr. Speaker. I so move, Mr. Speaker.

The SPEAKER. Does the gentleman desire to have the amendment divided?

Mr. HASKELL. Yes, Mr. Speaker.

Mr. BENNETT. Mr. Speaker, would the gentleman yield before he makes that motion?

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

Mr. BENNETT. Mr. Speaker, before the gentleman, Mr. Haskell, makes the motion—and he certainly has every right to do so and I do not quarrel with that—will the gentleman yield so that I might interrogate Mr. Renwick for just one moment?

The SPEAKER. Will the gentleman, Mr. Haskell, yield for just one moment?

Mr. HASKELL. Yes, Mr. Speaker.

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

Will the gentleman, Mr. Renwick, consent to interrogation?

Mr. RENWICK. Yes, I will.

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

Mr. BENNETT. Mr. Speaker, do you know the fee for the nonresident license in the State of New York?

Mr. RENWICK. No; I do not.

Mr. BENNETT. Does the gentleman know the fee for the nonresident license in Canada?

Mr. RENWICK. No; I do not.

Mr. BENNETT. I would like to tell the gentleman that the fee for a nonresident hunting license in the Province of Ontario is \$200. The fee for a nonresident license in the State of Wyoming to shoot a deer is \$65; to shoot an antelope is \$35. The State of Idaho, the nonresident—

Mr. RENWICK. You had better clarify the type of license you are talking about.

Mr. BENNETT. Mr. Speaker, I made that point very clear in my opening remarks, and I would like for the members of this House to again listen to those.

We are offering to a nonresident coming to this Commonwealth to hunt every species of game that we have for one license fee. We are one of the very few states to do that.

I have no quarrel, Mr. Speaker, with the gentleman's previous remarks that we have a great state. I said that. We have fine hunting. I agree with that.

Mr. Speaker, if the gentleman, Mr. Haskell, is going to make his motion, I will yield to him at this point.

AMENDMENTS DIVIDED

The SPEAKER. The amendments in question have been divided.

The first amendment that will be before the House for its consideration is the amendment that appears on page 1 of the two-page amendment.

On the question,

Will the House agree to Part I of the amendments?

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

Mr. HASKELL. Mr. Speaker, I will yield to the gentleman, Mr. Laudadio.

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

Mr. LAUDADIO. Mr. Speaker, I would like to rise to oppose the amendment. I would like to call to the attention of the House that several years ago when we increased the nonresident license from \$25 to \$40, in the first year of that increase there was a decline from 108,000 nonresident hunting licenses to 61,000.

I am surprised that Mr. Bennett would offer such an amendment to try to drive the nonresident hunter away from Pennsylvania when, as chairman of the Committee on Business and Commerce, he is always promoting business for Pennsylvania.

I do not see where this would serve a useful purpose for the sportsmen of Pennsylvania when we certainly now enjoy approximately \$4 million to \$5 million income from the nonresident hunters who come to our state to enjoy hunting. I see this only as a measure or an intent to drive the nonresident hunter away from Pennsylvania. It is a very, very bad amendment, and I would ask all the members to oppose it.

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

Mr. DeVERTER. Thank you, Mr. Speaker.

Mr. Speaker, I rise also to oppose the first portion of this amendment, basically on the same arguments that Mr. Renwick and Mr. Laudadio have advanced.

I believe that for the nonresident to pay 10 times the amount that we as residents pay is a little bit stiff, and if we are going to be equitable about how we treat our wildlife program in this Commonwealth, then I think our residents deserve to share a little bit greater cost of that as well.

I had hoped, too, to be able to divide the question, but since Mr. Haskell has already done that, I would ask the membership to give careful thought and consideration before they endorse an \$85 nonresident hunting fee.

As Mr. Laudadio has pointed out, the first increase that we had in some time cost us an awful bundle of nonresident hunters, and it is just not in the license fee but it is in every other aspect that Mr. Renwick pointed out with respect to the loss of business to this Commonwealth.

For that reason I ask the members to oppose the first portion of this amendment.

Thank you.

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

Mr. BENNETT. Mr. Speaker, finally in summation to what the gentleman, Mr. Laudadio and Mr. DeVerter, have said, it is true that we did have a decrease in the number of nonresident licenses that we sold. However, the state did enjoy bringing in an additional \$244,000 into the Commonwealth because of those increases. And although I do not have the figures in front of me, I am sure that

the nonresident hunting license applications are back up to where they were. I would ask for support of the amendment.

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

Mr. LETTERMAN. Mr. Speaker, the one thing that was not mentioned is what New York has just done. They have just raised their hunting license fee to \$84.50. This is a state that is right next to us.

You know, they rob this state on truck fuel taxes and everything else. It is about time we get some of it back from that state. With everything that is going on, nobody ever wants to retax or be reciprocal to anybody. I think it is about time that we start to remember that the residents of this state who pay the \$8 license fee are not the ones who let litter lie all over our woods and all over our mountains that has to be picked up by our Game Commission or our forestry department.

We also should start to remember that travel trailers have decreased the amount of availability of money coming into this state from the hunter. He now brings all his booze that he does not pay state taxes for; he now brings all his food that he does not buy from our stores; he does not rent a hotel or motel room anymore; he does enjoy parking his travel trailer on our game lands anyplace that he wants to. I think it is about time that we quit thinking about the 5-to-1 ratio. I ask the question, is it legal? Somebody says, we do not know, but that is how it should be kept. Well, I can tell you right now that there is nothing in the law that says it has to be a 5-to-1 ratio. That is only the Game Commission.

It is about time, before we start to talk about throwing an additional cost on to the residents, that we start to remember that when we increased the license fee the last time, we did lose a tremendous number of people coming into this state—it was approximately 40,000 nonresident hunters—but at the same time we enjoyed an increase in revenue of \$255,000, approximately. And in that time now the licenses have started to increase to where we are up to almost the exact number that we were 3 years ago. So we are really enjoying a nice increase.

The other states are taking advantage of these people in this state going to their state to hunt, and I feel that we should charge them likewise and we should really be reciprocal. It is time that we stand up for the State of Pennsylvania and quit thinking about everybody else.

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

Mr. L. E. SMITH. Mr. Speaker, in opposition to the first part of this amendment, I would like to point out two things. First of all, when we talk about nonresident hunters, we are not necessarily talking about strangers to Pennsylvania. Many of these people are former residents, and many of them are property owners in Pennsylvania.

The other thing that I would like to point out to the membership is that the fee for selling the nonresident license was passed over rather lightly by the proponent of this amendment and I would like to point out the fact that when the issuing agent is required to sell a license for \$80, his bond is going to double; his costs of operation are going to go up; and you are going to have a number of agents who will refuse to sell nonresident hunting licenses for the simple reason that it will cost them a lot of money.

PARLIAMENTARY INQUIRY

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

Mr. GEORGE. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GEORGE. Mr. Speaker, did you state that this amendment had been agreed upon to be divided?

The SPEAKER. The amendment has been divided.

Mr. GEORGE. That which is on the first page will be divided from the entirety of the second page?

The SPEAKER. The first amendment will be page 1; the second amendment will be page 2.

Mr. GEORGE. Mr. Speaker, may I have the privilege of interrogating Mr. Letterman?

The SPEAKER. Will the gentleman from Centre, Mr. Letterman, consent to interrogation?

Mr. LETTERMAN. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

INTERROGATION

Mr. GEORGE. Mr. Speaker, do you know just how many hunting licenses are sold to nonresidents of the State of Pennsylvania?

Mr. LETTERMAN. Mr. Speaker, the closest figure the Game Commission could give me is now up around 92,000. It was 101,000 when we raised it 3 years ago, and it went down to 67,000; it is now back up to 92,000.

Mr. GEORGE. Would you have available how many nonresident licenses are sold in New York?

Mr. LETTERMAN. No.

Mr. GEORGE. Would you have available to you statistics of how much economy is generated in the State of Pennsylvania by nonresident hunters coming into our state and paying for lodging and room and board and food and supplies? Do you have that at your disposal?

Mr. LETTERMAN. No. I think I explained that, though, that they do not spend near what they used to.

Mr. GEORGE. Well, this morning when the original bill came before the judgment of this body, I think the major concept of why many of us refused to support this bill was because we felt that decent people should not be penalized and we wanted to bring the fee of a replacement license down to something fair. But it seems to me at this point now we are posing a problem for the Game Commission, and, basically, we are going to hurt the economy of Pennsylvania because we are going to drive a lot of fair-minded people who, basically, were residents of this state of ours in past years into other states, and I would request and submit to this body that we defeat this amendment.

Thank you.

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

Mr. LETTERMAN. Mr. Speaker, the sponsor of the amendment and I have already agreed that we could divide this. We will put this other part of the amendment into a separate bill if that is what the House desires, and we will work on it that way.

On the question,

Will the House agree to Part I of the amendments?

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

YEAS—51

Arthurs	Giammarco	McLane	Salvatore
Barber	Gillespie	Milanovitch	Schweder
Bellomini	Gleeson	Milliron	Shelton
Bennett	Greenfield	Morris	Stapleton
Blackwell	Hasay	Myers	Sullivan
Caputo	Johnson, J.	Noye	Tayoun
Cohen	Kelly, A. P.	O'Keefe	Toll
Dicarlo	Kolter	Oliver	Vann
DiDonato	LaMarca	Pievsky	Zearfoss
Dombrowski	Laughlin	Prendergast	Zwilk
Doyle	Lederer	Rappaport	Fineman,
Fee	Letterman	Rieger	Speaker
Fischer	McIntyre	Ritter	
Garzia			

NAYS—142

Abraham	Geesey	McCue	Shelhamer
Anderson, J. H.	Geisler	McGinnis	Shuman
Beren	George	Mebus	Shupnik
Berlin	Gillette	Menhorn	Sirianni
Berson	Gleason	Miller, M. E.	Smith, E.
Bittle	Goodman	Miller, M. E., Jr.	Smith, L.
Bonetto	Green	Miscevich	Spencer
Bradley	Grieco	Moehlmann	Stahl
Brandt	Halverson	Mrkonic	Stout
Brunner	Hamilton, J. H.	Taddonio	Taylor
Burns	Haskell	Musto	Thomas
Butera	Hayes, D. S.	Novak	Trelo
Cessar	Hayes, S. E.	O'Brien	Turner
Cimini	Hepford	O'Connell	Ustynoski
Cole	Hill	O'Donnell	Valicenti
Cowell	Hopkins	Pancoast	Vroon
Crawford	Hutchinson, A.	Parker, H. S.	Wagner
Cumberland	Hutchinson, W.	Perry	Walsh, T. P.
Davies	Irvis	Petrarca	Wansacz
Davis, D. M.	Itkin	Pitts	Wargo
DeMedio	Kelly, J. B.	Polite	Weidner
Deverter	Kernick	Pratt	Westerberg
Dietz	Kistler	Pyles	Whelan
Dininni	Klingaman	Reed	Whittlesey
Dorr	Knepper	Renninger	Wilson
Dreibelbis	Kowalyszyn	Renwick	Wilt, R. W.
Eckensberger	Kusse	Romanelli	Wilt, W. W.
Engelhart	Laudadio	Ruggiero	Wojdak
Fawcett	Lehr	Ryan	Worrilow
Fisher	Levi	Saloom	Wright
Flaherty	Lincoln	Scheaffer	Yahner
Foster, A.	Lynch	Schmitt	Yohn
Foster, W.	Manderino	Scirica	Zeller
Fryer	Manmiller	Seltzer	Zord
Gallagher	McCall	Shane	
Gallen	McClatchy		

NOT VOTING—9

Gring	McGraw	Perri	Richardson
Hammock	Mullen	Rhodes	Ross
Katz			

So the question was determined in the negative and Part I of the Bennett amendments was not agreed to.

On the question, Will the House agree to Part II of the amendments?

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

YEAS—95

Anderson, J. H.	Gallen	Letterman	Ryan
Arthurs	Garzia	McCall	Saloom
Bellomini	George	McClatchy	Salvatore
Bennett	Giammarco	McIntyre	Schweder
Berlin	Gillespie	Milanovitch	Scirica
Bradley	Gillette	Milliron	Shane
Brunner	Gleeson	Morris	Shelhamer
Cohen	Green	Mullen, M. P.	Shelton
Cowell	Greenfield	Musto	Shuman
Cumberland	Halverson	Myers	Stahl
Deverter	Hamilton, J. H.	O'Brien	Stapleton
Dicarlo	Haskell	O'Keefe	Stout
DiDonato	Hayes, D. S.	Oliver	Sullivan
Dininni	Johnson, J.	Pancoast	Taylor
Dombrowski	Katz	Parker, H. S.	Tayoun
Dorr	Kelly, A. P.	Perri	Toll
Doyle	Kelly, J. B.	Pievsky	Vann
Eckensberger	Kistler	Polite	Wagner

Fawcett	Kolter	Pratt	Wilt, R. W.
Fee	Kowalyszyn	Prendergast	Zord
Fischer	LaMarca	Rappaport	Zwilk
Fisher	Laughlin	Rieger	Fineman,
Flaherty	Lederer	Ritter	Speaker
Fryer	Lehr	Ruggiero	
Gallagher			

NAYS—100

Abraham	Goodman	Menhorn	Smith, E.
Barber	Grieco	Miller, M. E.	Smith, L.
Berson	Hasay	Miller, M. E., Jr.	Spencer
Bittle	Hayes, S. E.	Miscevich	Taddonio
Blackwell	Hepford	Moehlmann	Thomas
Bonetto	Hill	Mrkonic	Trelio
Brandt	Hopkins	Mullen	Turner
Burns	Hutchinson, A.	Novak	Ustynoski
Butera	Hutchinson, W.	Noye	Vroon
Caputo	Irvis	O'Connell	Walsh, T. P.
Cessar	Itkin	O'Donnell	Wansacz
Cimini	Kernick	Perry	Wargo
Cole	Klingaman	Petrarca	Weidner
Crawford	Knepper	Pitts	Westerberg
Davies	Kusse	Pyles	Whelan
Davis, D. M.	Laudadio	Reed	Whittlesey
DeMedio	Levi	Renninger	Wilson
Dietz	Lincoln	Renwick	Wilt, W. W.
Dreibelbis	Lynch	Romanelli	Wojdak
Engelhart	Manderino	Ross	Worrilow
Foster, A.	Manmiller	Scheaffer	Wright
Foster, W.	McCue	Schmitt	Yahner
Geesey	McGinnis	Seltzer	Yohn
Geisler	McLane	Shupnik	Zearfoss
Gleason	Mebus	Sirianni	Zeller

NOT VOTING—7

Beren	Hammock	Rhodes	Valicenti
Gring	McGraw	Richardson	

So the question was determined in the negative and Part II of the Bennett amendments was 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—172

Abraham	Gallen	McCall	Salvatore
Anderson, J. H.	Garzia	McClatchy	Scheaffer
Arthurs	Geesey	McCue	Schmitt
Barber	Geisler	McGinnis	Schweder
Bellomini	Giammarco	McLane	Scirica
Beren	Gillespie	Mebus	Seltzer
Berlin	Gillette	Menhorn	Shane
Berson	Gleason	Milanovitch	Shelhamer
Bittle	Gleeson	Miller, M. E.	Shupnik
Blackwell	Goodman	Miller, M. E., Jr.	Sirianni
Bonetto	Green	Milliron	Smith, E.
Bradley	Greenfield	Miscevich	Smith, L.
Brandt	Grieco	Moehlmann	Spencer
Brunner	Hamilton, J. H.	Morris	Stahl
Butera	Haskell	Mrkonic	Sullivan
Caputo	Hayes, D. S.	Mullen, M. P.	Taddonio
Cessar	Hayes, S. E.	Mullen	Thomas
Cimini	Hepford	Musto	Toll
Cole	Hill	Novak	Trelio
Cowell	Hopkins	Noye	Turner
Crawford	Hutchinson, A.	O'Brien	Ustynoski
Cumberland	Hutchinson, W.	O'Connell	Valicenti
Davies	Irvis	O'Donnell	Vann
Davis, D. M.	Itkin	Oliver	Vroon
Deverter	Johnson, J.	Pancoast	Wagner
Dicarlo	Katz	Parker, H. S.	Walsh, T. P.
DiDonato	Kelly, A. P.	Perri	Wansacz
Dininni	Kelly, J. B.	Perry	Wargo
Dombrowski	Kernick	Petrarca	Westerberg
Dorr	Kistler	Pievsky	Whelan
Doyle	Klingaman	Pitts	Whittlesey
Dreibelbis	Knepper	Polite	Wilt, R. W.
	Kolter	Prendergast	Wilt, W. W.

Eckensberger	Kowalshyn	Pyles	Wojdak
Englehart	Kusse	Rappaport	Worrilow
Fawcett	LaMarca	Reed	Yahner
Fee	Laudadto	Renninger	Yohn
Fischer	Lederer	Renwick	Zearfoss
Fisher	Lehr	Rhodes	Zeller
Flaherty	Levi	Romanelli	Zwinkl
Foster, A.	Lincoln	Ross	
Foster, W.	Lynch	Ruggiero	Fineman,
Fryer	Manderino	Ryan	Speaker
Gallagher	Manmiller		

NAYS—26

Bennett	Laughlin	Ritter	Taylor
Burns	Letterman	Saloom	Tayoun
Cohen	McIntyre	Shelton	Weidner
DeMedio	Myers	Shuman	Wilson
George	O'Keefe	Stapleton	Wright
Halverson	Pratt	Stout	Zord
Hasay	Rieger		

NOT VOTING—4

Gring	Hammock	McGraw	Richardson
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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 the wife of Representative McClatchy, Mrs. Maryann McClatchy, and Mr. McClatchy's secretary, Mrs. Barbara Linton.

CONSERVATION BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **Senate bill No. 1, printer's No. 1139**, entitled:

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.

On the question,

Will the House agree to the bill on third consideration?

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

Mr. MANDERINO. Mr. Speaker, we are about to consider, what I consider most important legislation in the House of Representatives today, maybe the most important piece of legislation that we will consider this session. Senate bill No. 1 is a proposed Pennsylvania flood disaster prevention act. Only yesterday we found how important it was for the Commonwealth to have such legislation when we passed a resolution which will authorize an amendment to the constitution which will permit this Commonwealth to fund individual aid to flood victims. That particular aid the last time provided amounted to some \$290 million. I would hope that the aid necessary to relieve the effects of the flood of Eloise do not rise to near those proportions in dollars.

None of us begrudge the money that we will eventually help the victims of the flood with, yet I am sure that all of us would like to see the human misery and the suffering that results from floods lessened and abated. Senate

bill No. 1 will bring those results. It will not end all of the damage that results from floods, but by restricting construction in flood-prone areas, it will help alleviate the problems that result from these inundations.

Despite the timing of this measure coming before the House so soon after a disastrous flood, it is not a measure that was drawn in haste. This legislation is the result of many meetings, many hours, many organizations interested in the problem meeting. Local governments, associations of builders, railroads, industries, all participated. This bill has been extensively amended, both as the result of those meetings and the result of action in the other chamber. So much so, Mr. Speaker, has this particular piece of legislation been amended, as a result of meetings and the action in the other body, that it now enjoys its sixth printer's number.

As a result of those negotiations and those amendments over a long period of time, Senate bill No. 1 now has the support of many of the organizations, most of the organizations, that met with an interest in the bill. Some of these organizations originally opposed the bill but, through compromise and through discussion, now favor the bill. I am sure that these organizations have written to you. I have a list of such and I will not bore you with the reading of the list. But I think that those people who ordinarily should have an interest in this type of legislation have met and have concluded that the bill before us is a result of their best efforts and they now concur in it.

It is now because these organizations support this bill in its present form, I am here today asking you to pass Senate bill No. 1 in its present form. I would not like to jeopardize the support engendered by the discussions and by the negotiations today. I know that the legislation is not perfect; I believe however that it represents a reasonable plan and I think that it should be adopted.

Most of us, I am sure, realize the necessity for floodplain management. Senate bill No. 1 provides a workable program for the river and streams, the valleys, in Pennsylvania. The actual plans will be adopted and drafted by local municipalities working under guidelines and minimum standards. The Environmental Quality Board will set those minimum standards.

Now the Environmental Quality Board is a board composed of several cabinet members who vastly differ in points of view. There are four legislators on the Environmental Quality Board and there are five citizens of the Commonwealth on the board. It is a balanced body, and I am sure that the wishes of the local communities will be respected consistent with a workable program. Only if a municipality presents an inadequate plan or no plan at all will the state step into the picture and do the planning.

The Commonwealth can require counties, under Senate bill No. 1, to plan for the entire county should the local municipalities fail. The Commonwealth, as a further step, in the event the county does not do the planning, can do the planning to comply with the Federal Disaster Relief Act.

There will, I am sure, be communities which will have disputes; which will have grievances. Many of these can be appealed under the bill to the Commonwealth Environmental Quality Board and these appeals will be heard by the Environmental Hearing Board, which is an independent body, quasi-judicial, who will act as hearing examiners and make the determination on grievances.

This bill provides, for the first time, financial aid to the local communities for the plans that they must submit now to qualify for Federal disaster relief under the Federal act. Presently, to qualify for that relief, they must submit the same plans, meet the same qualifications, all with local funds. This bill, again, provides for a 50-percent funding mechanism to aid the communities in doing the job.

I reiterate, this is a workable plan. It has been carefully drawn to protect all of the interests involved. I therefore urge an affirmative vote on Senate bill No. 1, an affirmative vote on Senate bill No. 1 in its present form.

Thank you, Mr. Speaker.

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

Mr. ARTHURS. Thank you, Mr. Speaker.

I, too, rise in support of Senate bill No. 1 and I agree completely with what Mr. Manderino said as far as the need for Senate bill No. 1, the good that will be done with the implementation of Senate bill No. 1. But I must take it one step further than he has and talk about the funding of the program.

When this piece of legislation was drafted and when all of the changes were made to hopefully gain enough support and have the signature of the Governor, they struck out one part or they became not completely in agreement that the local governments would be funded in the manner in which they should be funded.

When Senate bill No. 1 came before the Conservation Committee of the House, we had very much discussion on this and at that time I had amendments prepared—

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

Is the gentleman going to be offering amendments?

Mr. ARTHURS. Yes, Mr. Speaker.

The SPEAKER. Will the gentleman submit his amendments to the desk?

On the question recurring,

Will the House agree to the bill on third consideration?

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

Amend Sec. 505, page 32, line 20, by striking out "\$1,-500,000," and inserting: \$3,600,000,

Amend Sec. 505, page 32, line 20, by striking out "as much thereof"

Amend Sec. 505, page 32, line 25, by striking out "\$750,-000" and inserting: \$2,850,000

Amend Sec. 505, page 32, line 28, by striking out "\$750,-000" and inserting: \$2,600,000

On the question,

Will the House agree to the amendments?

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

Mr. ARTHURS. Thank you, Mr. Speaker.

There were amendments offered by me and supported by a heavy majority, if not all, of the committee members of the Conservation Committee of the House that these local governments should be assisted financially in the preparation and administration of the Senate bill No. 1 proposal. It was only after that bill was introduced and went into our Appropriations Committee that they saw fit to strike this portion of the bill.

What I am doing today is trying to amend and, hopefully, amend back into Senate bill No. 1 moneys which would assist our local governments in implementing this

program. I was on the floor yesterday trying to defend our local governments, because we in the General Assembly are very prone to enact legislation which will affect our local governments, but then we do not assume the responsibility in many cases to be concerned about the funding.

I know that there is \$550,000 in this bill that will go back on a 50-50 basis to local governments. But what is going to happen in many of our communities—and we do have communities now—that have submitted their plans under the Federal regulations? It was explained to us in caucus yesterday that perhaps these plans would not do. If they qualify, yes, they would, but there was no guarantee they would qualify and each one of them would have to be reviewed. And so it is going to cost our communities money. I would like to have this money put back in for use by our local governments and the implementation of Senate bill No. 1.

I know all of us have received information from the League of Women Voters and from other interested organizations saying, please vote for this bill and without amendments. But in each case when I have contacted that League member who has written to me or when I talk to them by phone or when I have talked to any other person who has contacted me and explained to them that we are interested in furnishing money to our local municipalities to implement this, they then are in agreement that this too should be done, because when they were asked for support, this financial plight that we could be putting our local governments in was not explained to them.

For this reason, I am asking for your support to help our local governments in our areas to implement Senate bill No. 1.

Thank you.

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, the gentleman who offers the amendment offers the amendment to provide, I believe, an additional \$2 million in the appropriation to pay costs that the local governments will bear, or 50 percent of the costs that they will bear in submitting plans.

The amount of money that is proposed—the \$500,000 figure—in Senate bill No. 1 is a figure that is the best estimate of the Department of Environmental Resources and the Department of Community Affairs on the money that can be spent in the fiscal year by the local communities.

The communities do not have to spend money for the preparation of a plan until they have received from the Federal Government the flood plain map. We know that the Federal Government is working on those maps now. We know how many of those maps will be delivered in the fiscal year. There will be approximately 150 communities that will be asked to proceed because they have received their map.

If every one of those 150 communities would move post haste and submit the comprehensive plan for the floodplain area that is now delineated by the map that they have received, which, of course, was generated by funds of the Federal Government exclusively, they would spend the \$500,000 we have appropriated and no more. Chances are very good that they will not be able to spend the \$500,000 because many of the communities will not receive their maps in time to submit their plans in this fiscal year. So by June 30, 1976 we cannot spend any

more money by reimbursing local governments—and it is a reimbursement program—than the \$500,000 in the bill.

Now we know it is going to cost more money because there are a lot more communities than 150 that will be submitting plans in the next 5 years as the maps become available, but it is expected, from every reasonable estimate that can be made, that the Federal Government will only produce 150 plans this fiscal year.

That being the case, there is no necessity for putting more money into the appropriation for the reimbursement to local governments. It is foolish. We are already looking around for moneys to balance the budget. We can disagree on how much money we are going to be in the bucket when we complete our task in adopting a budget, but there is no one in here who will disagree that we are going to be looking for every penny that we can find to fund the budget. And it is just foolhardy to put more money into this appropriation than can be spent in the reimbursement program to local governments, and that is what we are doing.

There is no question that the money would lapse at the end of the fiscal year in the event that it were not spent, but that does not alleviate the problem that right now we have the Governor's Budget Secretary's revenue estimates and they cannot be changed and we must adopt the completion of the budget within those revenue estimates. And if you put \$2 million more in here which you do not need, that is \$2 million we are going to find necessary, and perhaps unavailable, for programs that we do need and money that we will have to spend in this fiscal year. I ask the defeat of the amendment.

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

Mr. ARTHURS. Thank you, Mr. Speaker.

There really is no way to know how much is needed for this upcoming program and there is nothing to say that there are not more communities put in than Mr. Manderino is talking about. I have a study here that has shown about how many communities—2,500, in fact—that have been surveyed and it will cost approximately \$25,000 to implement this program in each community.

And what I am saying is that I wonder, after the great damage that has been done in the last 2 weeks in the central part of Pennsylvania, if the money that you and I are going to be asked to supply over the next few years or next few weeks for the damage that has been done, if this \$2 million, really is so much money.

I think we owe this to our local communities. I do not think that there is a man or woman sitting in this House today who can go back and say that their local municipality has this money to do this program. And I am just saying that we, as the Commonwealth of Pennsylvania, have an obligation, if we are mandating this, that we, at least, can make our portion of the money available, and if it is not needed in this fiscal year, of which we are not sure, in the next 10 months, I am saying that it will lapse and it will not be wasted money, and it will not be money down the drain.

We do not know how tight our budget is going to have to be next year, and you and I know that in an election year we are going to do everything that we can do not to vote for a tax increase next year, and I am saying right now that now is the time to put the moneys in there that probably will be needed, and then if they lapse they will

be there and not needed. I ask you for support of this amendment.

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

Mr. O'CONNELL. Mr. Speaker, I would like to rise in support of the amendment. I think it is absolutely necessary that it be funded. My concerns are that perhaps 150 maps would be presented to the community and perhaps it would be 250, and at this point in time no one knows. These are all "guesstimations" or good judgments, but they may turn out to be bad ones finally and these municipalities could then be penalized under Senate bill No. 1 if the moneys and the plans were not available.

I further think that in light of all the budgetary problems and in light of the problems that we have had in the Department of Environmental Resources, I would not want sometime later to have the good Secretary tell me that for one reason or another, mining inspectors or sewage enforcement officers or people involved in this program would have to be deleted. I think it is wise to fund it now and I support the amendment.

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

Mr. WOJDAK. Mr. Speaker, on this particular amendment there was an analysis done by the Department of Community Affairs and the appropriation staff, and that analysis indicates that \$500,000 is more than sufficient to meet the needs for this first year for their planning and administrative costs for fiscal year 1975-76. It is not to say that future moneys would not be needed, but from all estimates that we have—and I am not indicating to you or guaranteeing it—from the department and the appropriations staff, \$500,000 should be sufficient moneys to cover these first-year costs.

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

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

YEAS—135

Abraham	Gallen	Lynch	Ryan
Anderson, J. H.	Garzia	Manmiller	Salvatore
Arthurs	Geesey	McCall	Scheaffer
Bennett	George	McClatchy	Scirica
Beren	Gillespie	McCue	Seltzer
Bittle	Gillette	McGinnis	Shelhamer
Bonetto	Gleason	McIntyre	Shelton
Brandt	Goodman	Mebus	Shuman
Brunner	Green	Menhorn	Sirianni
Burns	Grieco	Miller, M. E.	Smith, E.
Cessar	Halverson	Miller, M. E., Jr.	Smith, L.
Cimini	Hamilton, J. H.	Milliron	Spencer
Cole	Hasay	Moehlmann	Stahl
Cowell	Haskell	Musto	Stapleton
Crawford	Hayes, D. S.	Myers	Stout
Cumberland	Hayes, S. E.	Novak	Taddonio
Davies	Hepford	Nove	Taylor
DeMedio	Hill	O'Brien	Thomas
Deverter	Hopkins	O'Connell	Turner
Dicarlo	Hutchinson, W.	O'Donnell	Ustynoski
DiDonato	Katz	O'Keefe	Vann
Dietz	Kelly, J. B.	Pancoast	Vron
Dininni	Kernick	Parker, H. S.	Wagner
Dorr	Kistler	Perri	Weldner
Doyle	Klingaman	Petrarca	Westerberg
Dreibelbis	Knepper	Pitts	Whelan
Englehart	Kowalyszyn	Polite	Whittlesey
Fawcett	Kusse	Pratt	Wilson
Fee	Laudadio	Prendergast	Wilt, R. W.
Fischer	Lederer	Pyles	Wilt, W. W.
Fisher	Lehr	Renninger	WorriLOW
Foster, A.	Letterman	Renwick	Yahner
Foster, W.	Levi	Rieger	Yohn
Fryer	Lincoln	Ruggiero	

NAYS—60

Barber	Greenfield	Oliver	Sullivan
Bellomint	Hammock	Perry	Tayoun
Berlin	Hutchinson, A.	Pievsky	Toll
Berson	Irvis	Rappaport	Trello
Blackwell	Itkin	Reed	Walsh, T. P.
Bradley	Johnson, J.	Rhodes	Wansacz
Caputo	Kelly, A. P.	Richardson	Wargo
Cohen	Kolter	Ritter	Wojdak
Davis, D. M.	Laughlin	Romanelli	Wright
Dombrowski	Manderino	Ross	Zeller
Eckensberger	McLane	Saloom	Zord
Faherty	Milanovich	Schmitt	Zwick
Gallagher	Miscevich	Schweder	
Geisler	Morris	Shane	
Giammarco	Mrkoncic	Shupnik	
Gleeson	Mullen		

Fineman, Speaker

NOT VOTING—7

Butera	LaMarca	Mullen, M. P.	Zearfoss
Gring	McGraw	Valicenti	

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

Amend Sec. 203, page 14, lines 15 through 20 by striking out all of said lines and inserting: (5) Exclusively issue all flood area permits required by this act for any obstruction owned or maintained by a person engaged in the rendering of a public utility service, and issue flood area permits for such categories of obstructions or in such flood area zones as are determined by the board to be also subjects of exclusive regulation by the department.

On the question,

Will the House agree to the amendment?

Amendment was agreed to.

On the question recurring,

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

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

Amend Sec. 504, page 32, line 2, by striking out "50%" and inserting: 100%

Amend Sec. 504, page 32, line 9, by striking out "90%" and inserting: 100%

On the question,

Will the House agree to the amendments?

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

Mr. GARZIA. Mr. Speaker, my amendment will be more generous than Mr. Arthurs' amendment. I would like to see the state pay 100 percent of the cost. If the state wants floodplain maps or whatever they want, I think they should pay for it.

There are many municipalities in my district that have already spent money for these floodplain maps and applied for Federal insurance. I figure that if the state has to pay 100 percent of the cost, the state inspectors or the Department of Environmental Resources will not find fault with any of our plans already made up. That is why I ask and urge support of my amendment to pay 100 percent of the cost.

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, the Federal Govern-

ment is requiring—and I am sure that everyone is aware—for eligibility for flood insurance and the maps and the floodplain zoning must be done.

Presently there is no aid from the state to the municipalities. You either do it or you are ineligible, not only for Federal disaster relief, Small Business Administration loans and grants, but you are also ineligible for sewage grant moneys; for any community that has a floodplain that has not been zoned, you are ineligible for Federal Savings and Loan mortgages, for Federal Housing Administration mortgages, veterans mortgages, any of these Federal moneys. No one in the entire municipality, not only in the floodplain, but in the entire municipality will be ineligible.

So you are saying that if the Federal Government wants the maps, let them pay for the maps. They do not want the maps. They are saying that if you want the flood relief, if you want these other things that we have been providing, you had better stop building in the floodplains because we are going to stop throwing dollars in there. That is what they are saying.

What we are trying to do in Senate bill No. 1, with the municipality, is saying if you should become eligible, if you have floodplains that you should restrict building into to become eligible for Federal flood insurance also, then we are going to provide 50 percent of the money for you to do it.

Because of the money that the state has put in in the past, in the flood disaster, we have a stake in it also. Two hundred and ninety million dollars is the figure that I had mentioned so far as Agnes was concerned, and I am sure we can all remember that. That is a lot of money for the Commonwealth to put out for something that may well be preventable. We have got to be out of our minds.

What you are saying is to provide all of the money to the local communities so that they can do this. I think that the amount of moneys that we are talking about that the local communities will have to spend, from the information that I have received, averages about \$5,000 across the state, average municipal cost.

The amount of money that the state is committing by a 50-percent reimbursement program is going to amount to better than \$5 million to \$10 million over the next 5 years. Do you want to double that amount? Fine.

I think that the aid that we are offering is sufficient. It is a 50-percent reimbursement. It is a state aid to that municipality to help them comply with Federal requirements, to keep the people in their communities who are victims of these disasters eligible for Federal funds. I oppose the amendment, Mr. Speaker.

**THE SPEAKER PRO TEMPORE
(Harry A. Englehart) IN THE CHAIR**

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

Mr. GARZIA. Mr. Speaker, back in 1971, we were flooded out in my borough and half of the district I represent. So our district went out and did most of the work.

Why does not the state or through Senate bill No. 1 go after the municipalities which have done nothing?

Now we were up in the Scranton area a couple days last week during the flood, and I was amazed at some of those county commissioners who came up and actually bragged about not having a flood plan or flood insurance. Why does the state not go after these municipalities?

We have spent money and I have been around long

enough to know that no matter what you do you are never going to satisfy the state or the Department of Environmental Resources' requirement. We will have to spend money again in our municipality in my district. This is what I am opposed to. We already did this. It should be, if you have already done it, leave them alone.

Go after the boroughs and townships that have not done anything. And if you want to mandate the municipalities, do it and pay for it.

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

Mr. MANDERINO. Just quickly for the benefit of Mr. Garzia and perhaps some of the others who might be interested, as of September 28, 1975—just a couple of days ago—840 of Pennsylvania's communities, which had been notified of flood hazard areas within their territories, have not applied for flood insurance. That is a significant number.

Until the 111 communities that received notification over a year ago, until those communities receive flood eligibility, their citizens will not be able to receive any relief from the Federal Government under Small Business Administration loans.

Some of those communities were again devastated by Eloise. In the 30-county community in Pennsylvania that was declared a disaster, there are significant numbers of communities which have not complied, and unless some emergency provisions are enacted or some waivers take place, there are many communities that are not going to receive, under present Federal law, disaster relief from the effects of Eloise.

In Mr. O'Connell's own county of Luzerne where you would think that every community would have complied, there are some nine communities that have not complied. Now maybe they are not in flood-prone areas, but they are communities that have been designated as having flood-prone areas.

I think, Mr. Speaker, that these communities do need aid. We are providing aid for them for the first time. I think that they have a responsibility to themselves and the burden is not being placed on them by this legislation that we passed. The burden to spend money to zone the floodplain is placed there by the Federal Government which is saying, you will be ineligible for the disaster relief for Federal mortgages, for Federal Housing Administration mortgages, for sewer grants, et cetera, unless you submit a plan for zoning the flood-prone areas. We are simply coming in and helping them with 50 percent of the costs of being eligible. I oppose the amendment.

On the question recurring,

Will the House agree to the amendments?

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

YEAS—97

Abraham	Gleason	McCue	Shelhamer
Anderson, J. H.	Goodman	McGinnis	Shuman
Beren	Grieco	Mebus	Sirianni
Bittle	Halverson	Miller, M. E.	Smith, E.
Brandt	Hamilton, J. H.	Miller, M. E., Jr.	Smith, L.
Burns	Hasay	Miscevich	Spencer
Cimini	Hayes, D. S.	Moehlmann	Stahl
Crawford	Hayes, S. E.	Mrkonic	Stout
Cumberland	Hepford	Novak	Taddonio
Davies	Hill	Nove	Thomas
DeMedio	Hopkins	O'Brien	Turner
Deverter	Hutchinson, A.	O'Connell	Ustynoski
Dietz	Hutchinson, W.	O'Keefe	Vroon
Dininni	Katz	Pancoast	Wagner

Dorr	Kistler	Perri	Weidner
Doyle	Klingaman	Pitts	Westerberg
Fawcett	Kusse	Polite	Whelan
Fischer	Lederer	Pyles	Whittlesey
Foster, A.	Lehr	Ryan	Wilson
Foster, W.	Letterman	Saloom	Wilt, R. W.
Fryer	Levi	Salvatore	Wilt, W. W.
Gallen	Lynch	Scheaffer	Worrlow
Garzia	Manmiller	Scirca	Yahner
Geesey	McClatchy	Seltzer	Zearfoss
Gillespie			

NAYS—99

Arthurs	Gallagher	McLane	Ruggiero
Barber	Geisler	Menhorn	Schmitt
Bellomini	George	Milanovich	Schweder
Bennett	Giammarco	Milliron	Shane
Berlin	Gillette	Morris	Shelton
Berson	Gleeson	Mullen, M. P.	Shupnik
Blackwell	Green	Mullen	Stapleton
Bonetto	Greenfield	Musto	Sullivan
Bradley	Hammock	Myers	Taylor
Brunner	Haskell	O'Donnell	Tayoun
Butera	Irvis	Oliver	Toil
Caputo	Itkin	Parker, H. S.	Trello
Cessar	Johnson, J.	Perry	Vann
Cohen	Kelly, A. P.	Petrarca	Walsh, T. P.
Cole	Kelly, J. B.	Plevsky	Wansacz
Cowell	Kernick	Pratt	Wargo
Davis, D. M.	Knepper	Prendergast	Wojdak
Dicarlo	Kolter	Rappaport	Wright
DiDonato	Kowalshyn	Reed	Yohn
Dombrowski	LaMarca	Renninger	Zeller
Dreibelbis	Laudadio	Renwick	Zord
Eckensberger	Laughlin	Richardson	Zwilk
Englehart	Lincoln	Ritter	
Fee	Manderino	Romanelli	Fineman,
Fisher	McCall	Ross	Speaker
Fiaherly			

NOT VOTING—6

Gring	McIntyre	Rieger	Valicenti
McGraw	Rhodes		

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 Delaware, Mr. Zearfoss. For what purpose does the gentleman rise?

Mr. ZEARFOSS. I rise to a personal privilege.

The SPEAKER pro tempore. The gentleman will state it.

Mr. ZEARFOSS. Mr. Speaker, I would like to be voted in the affirmative on the Arthurs amendment to Senate bill No. 1. I was not in my seat at the time the vote was taken.

The SPEAKER pro tempore. The gentleman's vote will be so recorded.

On the question recurring,

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

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

Amend Sec. 504, page 32, line 18, by inserting after "[APPROVED]": No governmental unit shall be required to expend more than 10% of the cost of the comprehensive plan or any amendments thereto.

On the question,

Will the House agree to the amendment?

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

Mr. SHELHAMER. Thank you, Mr. Speaker.

My amendment differs slightly from the Garzia amend-

ment. The prior amendment, which just lost by one vote, would have called for 100-percent funding. The amendment that I offer now would call for 90-percent funding. The amendment, that I offer now would call for 90-percent funding. The amendment, however, goes a little bit further than the initial funding.

It has been brought out many times that the present amount of money that is in this bill, the appropriation, is more than enough to fund this year's operations. But interestingly enough, nothing is being said about what is going to happen down the road from this year when this program is passed and our municipalities are told sometime in the future that they are going to have to comply with some rule or regulation or that they are going to have to change some ordinance that they enacted sometime in the past. It could cost your municipality and my municipality and all municipalities across this state hundreds of thousands of dollars until it is finished.

What this amendment says is this: Any cost incurred to the local municipality through the enactment of this legislation, the municipality shall not be required to stand more than 10 percent of that cost.

I would also like to point out that there is no assurance—as the argument was made heretofore—that those municipalities which have been approved by the Federal Government—and many of my municipalities have been approved—will not again be required to redraw those plans. In fact, the plans will be submitted to the Department of Environmental Resources, and if your municipalities do not comply, they will then be required to redraw them at a substantial cost.

Mr. Speaker, I would ask for an affirmative vote on this amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Northampton, Mr. Kowalyshyn.

Mr. KOWALYSHYN. Would the gentleman, Mr. Shelhamer, agree to a brief interrogation?

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

Mr. SHELHAMER. I shall, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. KOWALYSHYN. Mr. Speaker, is it the intent of your proposal that the Commonwealth pay 90 percent of the costs involved?

Mr. SHELHAMER. It could be. It could be also that by that time the Federal Government may, in its wisdom, decide to pay part of this fee. All I am saying is that if the state government, if the Commonwealth, mandates a change under Senate bill No. 1, that either the Commonwealth or some other government agency will come up with 90 percent of the funding, other than the local government.

Mr. KOWALYSHYN. Is it your intent that the Commonwealth be limited to 10 percent of the cost?

Mr. SHELHAMER. It is not.

Mr. KOWALYSHYN. I would like to point out that under the definition of "governmental unit" the Commonwealth is included and therefore would be subject to the 10-percent limitation.

Mr. SHELHAMER. Mr. Speaker, I would point out that I think the gentleman is in error here. We are speaking here of municipalities, and I do not believe that his definition—

Mr. KOWALYSHYN. If you look at page 5, the defini-

tion of "governmental unit" does include the Commonwealth at the bottom of the page.

AMENDMENTS WITHDRAWN TEMPORARILY

Mr. SHELHAMER. The gentleman is correct.

Mr. Speaker, I would ask that this bill be passed over until I have time to redraw the amendments so that it is proper and excludes the Commonwealth as a unit of this amendment.

The SPEAKER pro tempore. That gentleman temporarily withdraws his amendment. We will proceed with other amendments while we are waiting for a rewrite.

On the question recurring,

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

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

Amend Sec. 504, page 32, by inserting between lines 18 and 19: Unless the Commonwealth shall fail to appropriate the grants and reimbursements as authorized in this section to any governmental unit, in which event the municipality may delay the submission of its comprehensive plan until its application for a grant has been approved.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Centre, Mr. Dreibelbis.

Mr. DREIBELBIS. Thank you, Mr. Speaker.

This amendment may have gotten off the desks of some of the members. It is a very short paragraph, and I will explain what the amendment does. It merely says: "Unless the Commonwealth shall fail to appropriate the grants and reimbursements as authorized in this section to any governmental unit, in which event the municipality may delay the submission of its comprehensive plan until its application for a grant has been approved."

Now what this means is that if the municipality, borough or township is asked to implement a plan by mapping or to implement a plan after mapping, they can only be asked to do so when the Commonwealth has the money to back their 50 percent share.

We had this amendment put in in the Conservation Committee, and it was passed overwhelmingly without any objection at the time from the Secretary and Deputy Secretary of Environmental Resources, who were in attendance. Mysteriously, the Appropriations Committee took this amendment out. I would like to reinsert it, the reason being that in some areas—I am sure we all experience it—where, by legislation, the Department of Environmental Resources has carried out our wishes and mandated a local municipality to do something, be it pertaining to sewer treatment, et cetera, only to find out that the Department of Environmental Resources does not have the money to back up their portion of the grant and probably says, yes, we will put you on a high priority list for next year. But in the meantime, the program has been carried out by the local municipality, and the lending institutions are coming down on the township houses for this money that is owed to them. And while the department might agree that, yes, they do owe them this money, the fact is that they do not have it.

We know now how short these departments say they are, and I do not know where they are going to get the money to do something if we are inaccurate in our esti-

mates. As Mr. Arthurs said on his amendment and as Mr. Manderino said in his argument against the amendment, it is certain that nobody really knows the cost of this program. What I am merely saying is that until the department has the amount of money it takes to do it, they cannot force the municipalities to carry out the plan.

Now I did a little estimating from some data I had given to me. There were nine townships and eight boroughs which were solicited for information as to what they felt the costs of this program would be. When I averaged these out and multiplied it by the 96 townships there are in the state and the 963 boroughs that there are in the state and the 51 cities there are in the state, I came up with an astounding figure of \$18,675,000. Now I am the first one to admit that these figures are from the submission of these townships and municipalities, so therefore they may be inflated in some manner, but it is a staggering sum. Now that is not the first-year sum; that is the first-cost sum for all of the townships and municipalities.

So I would ask support for this amendment. It will not put any more of a burden on this state; it will not put any more of a burden on the municipalities; it will merely make the program affordable to the municipalities if they are forced to carry out these programs.

Thank you, Mr. Speaker.

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

Mr. McCLATCHY. I rise to support the amendment. This legislation reminds me of a story about a man who wanted to give his wife \$500,000 in his will. His lawyer said, do not be a fool; you have not got \$500,000. He replied to his lawyer, I know, but it will look great in the papers. Mr. Speaker, I suggest that Senate bill No. 1 sounds great to the papers because it calls for a Pennsylvania flood disaster act. However, Mr. Speaker, I rise to support this amendment because the bill as it stands right now is merely a promise without the money to pay for it. It is about time we stop fooling the people back home and do something for real up here for once.

Thank you.

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

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

I rise in support of the amendment. I think it is a good concept. You can sit here and think about it, but if we were to mandate the department to do this without the proper appropriation, they would scream like banshees. So I think it is fair that we support this amendment.

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

Mr. MANDERINO. Mr. Speaker, the arguments made in favor of this amendment are ridiculous. We are not mandating that the local communities do a thing; the Federal Government is. The Federal Government is saying, you will do these things or you will not get Federal disaster relief and you will do them by these dates.

Those deadlines remain regardless of what we say in state law. The community has been ordered to submit a plan by such and such a date. Our writing in state law the fact that they do not have to do the planning until they get the money from us is not going to do a thing for that Federal deadline. You are putting apples and oranges in the same basket.

If the deadline exists, which it does, if communities will become eligible for Federal funds in all sorts of cate-

gories, then we gain nothing but confusion by telling our local communities they do not have to submit those plans, because unless they comply with the Federal act, the Federal Government will say "no," you did not submit the plans, so you are simply ineligible for these funds. We would confuse by this kind of legislation and this amendment. What you are really saying to a community is: You do not have to do a thing even though Federal law says you do. You do not have to do a thing until we give you money. And then we are going to give you the money before you do it. And then if what you were supposed to do you did not do very well or you did not do at all, we are going to have to spend the money all over to do it here at the state level. It is a reimbursement program. Many of our programs where we provide grant money and planning money are reimbursement programs. This is no different. The cost to the local community we have estimated. It is no great burden on them what we are asking them to put out in planning and then be reimbursed for.

To Mr. Dreibelbis, I tell you, as I said when I first took the microphone, that this program is not going to cost just that \$500,000. I estimated from the figures given to me that it is going to be between \$5 million and \$7 million so far as that particular 50 percent reimbursement is concerned. Which means that total is going to be twice that much, maybe approaching your \$18 million. I do not dispute those costs. I think though it is foolhardy for this legislature to enact legislation at the state level which is going to leave the people back home think that they do not have to comply with Federal requirements under the Federal act. Those deadlines will remain. The reason that this language was taken out by the Appropriations Committee is appropriate. They do not belong in the bill. They should remain outside the bill. I ask for a defeat of the amendment.

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

Mr. O'CONNELL. I respectfully disagree with Mr. Manderino. He keeps implying that this bill has some impact upon Federal flood insurance and I contend that it does not. The municipalities could really be considered for flood insurance without Senate bill No. 1 ever being enacted into law.

Secondly, I think he suggested that, perhaps, they would be paid in advance, and that is not necessarily true. The Department could escrow the money or certify to that community or municipalities that the money is available. It is not a case of a double dip, it is not a case of that municipality failing to do its job, having been paid for it once. There are a number of ways that the mechanics or machinery can be set up that will protect both that local municipality and the state agency. I think that is the intent and the impact of Mr. Dreibelbis' amendment. He is not going to request that wholesale across this Commonwealth all of that money would be advanced.

Now if I may, and if the majority whip would submit to a brief interrogation, I would like to ask a couple of questions.

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

Mr. MANDERINO. Yes, Mr. Speaker.

Mr. O'CONNELL. Mr. Manderino, is it your judgment that the cities of Philadelphia and Pittsburgh are covered under this piece of legislation?

Mr. MANDERINO. Is it my judgment that the cities of Philadelphia and Pittsburgh are what?

Mr. O'CONNELL. Are actually considered as being under or involved in this particular legislation. Do they have to comply?

Mr. MANDERINO. They would have to comply in the event that there is a floodplain area, a flood-prone area, within that particular county or within that particular municipality that falls within the 100-year flood stage designation.

Mr. O'CONNELL. In any event, to comply and to be available and to make available Federal flood insurance for those people in that particular county, is it not so that they must have a plan filed?

Mr. MANDERINO. Mr. Speaker, in response to your question, you seem to be asking the same question that you alluded to in your remarks where you said that this particular piece of legislation that we are working with today has absolutely nothing to do with Federal flood insurance programs, and you are entirely wrong. Let me read to you, Mr. O'Connell, from the National Flood Insurance Program paper prepared for conference registrants by the National Flood Insurance Program at a national forum on "The Future of the Floodplain," for distribution in Minneapolis, Minnesota, on September 17, 18 and 19, 1975. That was just a few days ago.

As a condition to the participation in the National Flood Insurance Program, a community must adopt and enforce floodplain management regulations, meeting minimum standards published by the Flood Insurance Agency. These standards are graded dependent upon the amount of technical flood hazard information FIA has provided to the community. Once a Flood Insurance Rate Map is published by FIA, identifying a community special flood hazard area and providing elevation data for the 100-year flood, the primary minimum provisions required to be enacted in the Community regulations are as follows, and then they list them.

Furthermore, federally and federally related financial assistance within identified flood hazard areas is denied unless flood-prone communities participate in the program and enact and enforce the necessary floodplain management regulations.

Now, I do not know what could be plainer. There is an effect upon the community so far as flood insurance is concerned.

Mr. O'CONNELL. Mr. Speaker, I am really not going to pursue it, but there are two things involved here. One is that the city of Philadelphia or Pittsburgh does have to file a plan with the Federal Government in order to be eligible for flood insurance, whether or not Senate bill No. 1 passes. And the question that I asked is whether or not then Philadelphia and Pittsburgh, in your judgment, were encompassed in the legislative intent of this bill?

Mr. MANDERINO. To the best of my knowledge, every flood-prone area in the state of Pennsylvania is encompassed in the bill.

Mr. O'CONNELL. Okay. Thank you very much.

My observations are then, in any instance where either of those major cities would apply to the Commonwealth for assistance in mapping, it would cost substantially more than we have appropriated here at this time.

Mr. MANDERINO. Mr. Speaker, obviously Mr. O'Connell does not understand that the floodplain mapping is being done at the cost of the Federal Government. The mapping is furnished the local communities at some cost of like \$3,800 per stream mile. They are picking up the

tab and furnishing the map to the local communities. It is the minimum standard plan that the local community must adopt within the floodplain designated by the Federal Government. Now the size of a community has nothing to do with the cost of the plan. The flood-prone area within the community does. The size of Philadelphia and how much it might cost for a plan there would depend, I would guess, upon how much of their territory is in the 100-year floodplain. I do not know the answer to that technically. But I know the mapping for that is being done by the Federal Government, and it is just the enacting of the ordinance setting the minimum standards in that particular area that will be a cost to the local community which we are going to reimburse 50 percent.

Mr. O'CONNELL. Okay. I will pursue it a little further later, but I would again request support. I think that it is a logical amendment.

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

Mr. RITTER. Mr. Speaker, the gentleman, Mr. Manderino, made some statement to the effect that this amendment or the adoption of this amendment would be ridiculous because we are doing something that we apparently have never done before.

Under the Highway Beautification Act that we passed in this legislature, a requirement of the Federal Government was that we had to take down some of our billboards, our outdoor advertising. But, we said in our legislation that in the event the Federal Government does not provide the money to pay the compensation, that we would not have to take down those billboards. That seems to me to be the same principle that we are applying here; we are saying that there is a requirement on local municipalities to do certain things and you will be reimbursed for those. All the amendment is doing is saying that, however, if we are going to renege on our promise to pay, then you do not have to do what we are saying that you have to do. I think that the amendment makes sense and I think that it ought to be adopted.

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

Mr. ZELLER. Mr. Speaker, I am going to withdraw my amendment because it is almost exactly like Mr. Dreibelbis' amendment.

I wholeheartedly agree with the remarks of Mr. Ritter. This is a very necessary amendment. It had been in the bill; it was removed. I did not like the method by which Mr. Dreibelbis mentioned it was done, and I feel that we should have this in there for the protection of the municipalities. I urge every member to vote for it.

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

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

YEAS—152

Abraham	Gallen	McClatchy	Seltzer
Anderson, J. H.	Garzia	McCue	Shelhamer
Arthurs	Geesey	McGinnis	Shelton
Bellomint	George	McIntyre	Shuman
Beren	Gillette	McLane	Shupnik
Bittle	Gleason	Mohus	Sirianni
Ronetto	Goodman	Miller, M. E.	Smith, E.
Bradley	Grifco	Miller, M. E., Jr.	Smith, L.
Brandt	Halverson	Milliron	Spencer
Brunner	Hamilton, J. H.	Miscevich	Stahl
Burns	Hammock	Mochlmann	Stapleton

Butera	Hasay	Mrkonie	Stout
Cessar	Haskell	Musto	Taddonio
Cimini	Hayes, D. S.	Myers	Taylor
Cohen	Hayes, S. E.	Novak	Thomas
Cowell	Hepford	Noye	Turner
Crawford	Hill	O'Brien	Ustynoski
Cumberland	Hopkins	O'Connell	Vann
Davies	Hutchinson, W.	O'Donnell	Vroon
Davis, D. M.	Itkin	Pancoast	Wagner
DeMedio	Katz	Parker, H. S.	Walsh, T. P.
Deverter	Kelly, J. B.	Perri	Wansacz
Dicarlo	Kernick	Petrarca	Wargo
DiDonato	Kistler	Pitts	Weidner
Dietz	Klingaman	Polite	Westerberg
Dininni	Knepper	Pyles	Whelan
Dombrowski	Kolter	Reed	Whittlesey
Dorr	Kowalshyn	Renninger	Wilson
Doyle	Kusse	Renwick	Wilt, R. W.
Dreibelbis	Laughlin	Rieger	Wilt, W. W.
Eckensberger	Lederer	Ritter	Worriow
Fawcett	Lehr	Romanelli	Wright
Fischer	Letterman	Ruggiero	Yahner
Fisher	Levi	Saloom	Yohn
Flaherty	Lincoln	Salvatore	Zearfoss
Foster, A.	Lynch	Scheaffer	Zeller
Foster, W.	Manmiller	Schmitt	Zord
Fryer	McCall	Scirica	Zwicl

NAYS—44

Barber	Gillespie	Milanovich	Ross
Bennett	Gieson	Morris	Schweder
Berlin	Green	Mullen, M. P.	Shane
Berson	Greenfield	O'Keefe	Sullivan
Blackwell	Hutchinson, A.	Oliver	Tayoun
Caputo	Irvic	Perry	Toll
Cole	Johnson, J.	Pievsky	Trelio
Engelhart	Kelly, A. P.	Pratt	Wojdak
Fee	LaMarca	Prundergast	
Gallagher	Laudadio	Rappaport	Fineman, Speaker
Geisler	Manderino	Richardson	
Giammarco	Menhorn		

NOT VOTING—6

Gring	Mullen	Ryan	Valicenti
McGraw	Rhodes		

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

On the question recurring,

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

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

Amend Title, page 1, line 2, by removing the comma after "purposes" and inserting a period

Amend Title, page 1, lines 2 through 6, by striking out "imposing duties and conferring powers on" in line 2, and all of lines 3 through 6

Amend Bill, page 1, lines 9 through 19, and pages 2 through 32, lines 1 through 30, and page 33, line 1, by striking out all of said lines on said pages and inserting:

Section 1. This act shall be known and may be cited as the "Pennsylvania Flood Disaster Prevention Act."

Section 2. There shall be no building or construction in flood plains as defined by the United States Government pursuant to the Flood Disaster Protection Act of 1973 (Pub. L. 93-234) or regulations promulgated pursuant thereto unless such building or construction is authorized by the United States Government pursuant to the Flood Disaster Protection Act of 1973 (Pub. L. 93-234) or regulations promulgated pursuant thereto.

Nothing in this act shall prohibit the development and use of recreation facilities on flood plains provided such development and use does not violate the Flood Disaster Protection Act of 1973 (Pub. L. 93-234) or regulations promulgated pursuant thereto. Except to the extent that such use is not permitted by the Flood Disaster Protection Act of 1973 (Pub. L. 93-234) or regulation promulgated pursuant thereto, nothing in this act shall restrict or deny use of land in flood plains for agricultural or farming use.

Section 3. This act shall take effect immediately.

FISCAL NOTE

Senate Bill 1, Printer's No. 1139 (on amendment)
This amendment completely removes the language of Senate Bill 1, Printer's No. 1139.

The net effect of this amendment would be to save the Commonwealth an initial appropriation of \$1.5 million and the following amounts for the fiscal years indicated.

FISCAL YEAR	ESTIMATED STATE FUNDS SAVED
1976-77	\$1,697,400
1977-78	\$1,955,000
1978-79	\$2,219,000
1979-80	\$2,489,000

Local governments under Senate Bill 1, Printer's No. 1139, would be required to pay 50% of all flood plain plan development and administrative costs. Municipalities would save the following amounts during the next five years with this amendment.

FISCAL YEAR	ESTIMATED MUNICIPAL SAVINGS
1975-76	\$ 502,000
1976-77	\$ 655,000
1977-78	\$ 840,000
1978-79	\$1,025,000
1979-80	\$1,210,000

Since the fiscal impact of this bill goes beyond five years, the total estimated savings to municipalities could be as high as \$10,300,000.

On the question,

Will the House agree to the amendments?

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

Mr. BRANDT. Thank you, Mr. Speaker.

I believe this is an agreed-to amendment.

Actually, the history of this amendment is such that the more I heard about Senate bill No. 1, the more it seemed to me that we already have Federal regulations to control floods and disasters as a result of floods. What I say in this amendment is that in fact we really do not need Senate bill No. 1. We have this on the books and in Federal law.

I really feel that the majority whip, in interrogation, has spoken in favor of this amendment.

We have a big problem with money. I would call your attention to the fiscal note embodied in this amendment. When we look at the Department of Environmental Resources—

Mr. MANDERINO. Mr. Speaker, I wonder if we might have a copy of the amendment while the gentleman is discussing it.

Mr. BRANDT. The amendment was distributed yesterday.

Mr. Speaker, I would like to say to the majority whip that I was being facetious in my remarks about it being an agreed-to amendment.

We know that the Department of Environmental Resources is overburdened with work. They claim they do not have too much money. We understand their problems. And I feel that this is the type of legislation that is really frivolous. We have too many bureaucracies now in Pennsylvania.

We have talked about organizations that are backing this bill. I know one organization that does not back this bill, and that is, the taxpayers of Pennsylvania. I urge support of this amendment.

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

Will the gentleman advise the Chair whether the amendments are agreed to?

Mr. MANDERINO. Certainly, Mr. Speaker, it is not agreed to.

As I understand the proposal of the gentleman, he jacks up the entire guts of Senate bill No. 1 and inserts a paper wall against floodwaters. There are no direct regulatory provisions at all. It tries, with a simplistic answer, to address itself to a problem that is complex.

As to the facetious remark of the gentleman that the amendment is agreed to, I will simply say to the members, I would ask their opposition to the amendment. I think these kinds of amendments do not bear the time of the members of the House.

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

Mr. O'CONNELL. I would support the amendment. Technically, this is all that is needed for the communities and municipalities in this Commonwealth to apply for Federal flood insurance, that they meet the Federal regulations. What, in fact, Senate bill No. 1 is doing is going entirely too far and just creating another layer of bureaucracy.

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

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

YEAS—96

- | | | | |
|-----------------|-----------------|--------------------|-------------|
| Abraham | Halverson | McClatchy | Seltzer |
| Anderson, J. H. | Hamilton, J. H. | McCue | Shelhamer |
| Beren | Hasay | McGinnis | Shuman |
| Bittle | Haskell | Mebus | Sirianni |
| Brandt | Hayes, D. S. | Miller, M. E. | Smith, E. |
| Burns | Hayes, S. E. | Miller, M. E., Jr. | Smith, L. |
| Cimini | Hepford | Miscevich | Spencer |
| Crawford | Hill | Moehlmann | Stahl |
| Cumberland | Hopkins | Mrkonie | Stout |
| Davis, D. M. | Hutchinson, A. | Novak | Taylor |
| DeMedio | Hutchinson, W. | Noye | Thomas |
| Deverter | Katz | O'Brien | Turner |
| Dietz | Kelly, J. B. | O'Connell | Vroon |
| Dorr | Kernick | Pancoast | Wagner |
| Fawcett | Kistler | Perri | Weidner |
| Fischer | Klingaman | Petrarca | Westerberg |
| Fisher | Knepper | Pitts | Whelan |
| Foster, A. | Kolter | Polite | Whittlesey |
| Foster, W. | Kusse | Pyles | Wilt, R. W. |
| Fryer | Lederer | Renninger | Wilt, W. W. |
| Gallen | Lehr | Ryan | Worrlow |
| Gleason | Levi | Saloom | Yohn |
| Goodman | Lynch | Salvatore | Zearfoss |
| Grieco | Manmiller | Scirica | Zord |

NAYS—101

- | | | | |
|------------|--------------|---------------|--------------|
| Arthurs | Flaherty | McLane | Scheaffer |
| Barber | Gallagher | Menhorn | Schmitt |
| Bellomini | Garzia | Milanovich | Schweder |
| Bennett | Geesey | Milliron | Shane |
| Berlin | Geisler | Morris | Shupnik |
| Berson | George | Mullen, M. P. | Stapleton |
| Blackwell | Giammarco | Mullen | Sullivan |
| Bonetto | Gillespie | Musto | Taddonio |
| Bradley | Gillette | O'Donnell | Tayoun |
| Brunner | Gleeson | O'Keefe | Toll |
| Butera | Green | Oliver | Trello |
| Caputo | Greenfield | Parker, H. S. | Ustynoski |
| Cessar | Hammock | Perry | Vann |
| Cohen | Irvis | Pievsky | Walsh, T. P. |
| Cole | Itkin | Pratt | Wansacz |
| Cowell | Johnson, J. | Prendergast | Wargo |
| Davies | Kelly, A. P. | Rappaport | Wilson |
| Dicarlo | Kowalshyn | Reed | Wojdak |
| DiDonato | LaMarca | Renwick | Wright |
| Dininni | Laudadio | Rhodes | Yahner |
| Dombrowski | Laughlin | Richardson | Zeller |
| Doyle | Letterman | Rieger | Zwilk |
| Dreibelbs | Lincoln | Ritter | |

Eckensberger Manderino Romanelli Fineman, Englehart McCall Ross Speaker Fee McIntyre Ruggiero

NOT VOTING—5

Gring McGraw Myers Shelton Valicenti

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

CONSTITUTIONAL POINT OF ORDER

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

Mr. WAGNER. Mr. Speaker, I raise the issue of the constitutionality of the bill.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Montour, Mr. Wagner, to address himself to the point.

Mr. WAGNER. Thank you, Mr. Speaker.

I will first point out the sections of this bill which I feel to be unconstitutional and I ask the members to read them.

Section 103: "... by regulating existing and proposed construction and by requiring the maintenance of private ... open space ... to insure ... the public ... welfare. ..."

Section 201: Establishing standards of construction, design, and maintenance of obstructions to be allowed or prohibited; requiring flood-proofing for proposed and existing structures.

Sections 201 and 202, I feel, Mr. Speaker, are an unconstitutional delegation of power by the legislature to a department. We are authorizing a department to promulgate rules and regulations which municipalities must adopt into ordinance. In effect, we are taking the ordinance power away from the municipalities.

I think this is very important and I ask the members to bear with me.

If a municipality fails to adopt the ordinance, then the department can require the county to adopt the ordinance, and if the county does not do it, then the department comes in and does it. In effect, the department is adopting an ordinance. This is an unconstitutional delegation. They have no power to adopt ordinances, and the effect of the plan is just like an ordinance.

Mr. Speaker, I also call the members' attention to section 302, which will permit the Department of Environmental Resources to have the power to require joint and regional planning. Our constitution restricts this power, an optional power, to the local governments, and here we are saying it prohibits, that in essence, Mr. Speaker, the constitution prohibits the state from requiring this. It is a local option and we are giving the department the power on this.

There have been several significant cases which have invalidated attempts to require private lands to be held open to preserve flood storage.

Mr. PYLES. Mr. Speaker—

The SPEAKER pro tempore. Will the gentleman from Montour, Mr. Wagner, yield?

Mr. WAGNER. Yes.

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

Mr. PYLES. Mr. Speaker, let us have some order in this House.

The point that our colleague is making about the constitutionality of this bill is very important to every

member. I would like to have some attention and a little more order in the House, please.

The SPEAKER pro tempore. The gentleman is correct. The gentleman from Montour is raising the question of the constitutionality of the bill. It is an important decision which must be decided by the House.

The gentleman from Montour may proceed.

Mr. WAGNER. Thank you, Mr. Speaker. The main purpose for enacting this piece of legislation is to have land retain its natural state for the public benefit. Such legislation is soundly and reasonably conceived from a scientific standpoint, but such has never been justification for violating constitutional rights.

Reduction of flood damage is a laudable purpose, and I do not doubt the high motivation and high-mindedness of the proponents, but these factors do not cure the basic unconstitutionality which is appropriating private property, without due process of law, for a public purpose.

And while the issue of legitimate regulation as against unlawful taking is always a matter of degree, there is no question in my mind that this line has been crossed when the purpose and practical effect of this bill is to confiscate private property.

If an owner is prevented from developing his land, he is deprived of a use, and the basic question involved with use cases is one of degree. It is confiscatory if most of the value of a person's property has been sacrificed so that the community welfare may be served.

Any ordinance which permanently restricts the use of a property so that it cannot be used for any reasonable purpose is a taking. It is a fraudulent and economic taking if you leave a man with title to his property but not the use, and that is exactly what we are doing here. We are saying, you own it; it is your land; but you cannot use it.

The difference between this bill and outright confiscation is that with the former the owner is still left with the burden of paying taxes which the latter would relieve him of.

Mr. Speaker, government exists to protect the freedom of individuals, not to restrict it, and I ask for a vote on the unconstitutionality.

The SPEAKER pro tempore. The Chair recognizes that eminent constitutional authority, the brother of the judge, the majority whip.

Mr. MANDERINO. Mr. Speaker, the argument of constitutionality that the gentleman makes that Senate bill No. 1 takes a person's property without just compensation or without a public purpose, related to the police power, I think is without merit.

In my opening remarks I discussed the dollars, yes, that we had to put into flood disaster relief here in Pennsylvania. I also talked about the misery of people. There was a loss of lives. Recently, with the Eloise disaster there were some seven or eight lives lost; many, many more with Agnes; huge property losses, public buildings, private homes.

Floodplain zoning is nothing more than that; it is zoning. It has been held to be constitutional, not a confiscation of property without compensation. It has been held to be reasonable regulation of property.

Floodplain areas can be used. They will be restricted in use. The plan for the use is what the community will develop and the Federal Government will approve.

I think the argument is without merit, and all members of the Assembly should sustain the constitutionality of this measure which is so drastically needed in Pennsylvania.

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

Mr. WAGNER. Would the gentleman, Mr. Manderino, submit to interrogation?

The SPEAKER pro tempore. Will the majority whip consent to interrogation?

Mr. MANDERINO. Yes.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. WAGNER. Mr. Speaker, in the event that a municipality fails to adopt a floodplain map and ordinance, does not this bill provide that the county be ordered to do so?

Mr. MANDERINO. Yes.

Mr. WAGNER. And in the event that the county defaults, then who is charged with that responsibility?

Mr. MANDERINO. The state may.

Mr. WAGNER. When you say "state," do you mean the department?

Mr. MANDERINO. The Commonwealth of Pennsylvania may; not the department. The Commonwealth of Pennsylvania may. It is my understanding the planning is through the Environmental Quality Board, which is made up of several secretaries of the Commonwealth, secretaries of departments, private citizens, legislators—

Mr. WAGNER. I believe that it says the department is charged with that responsibility, but assuming that it is either way, in effect, you have the Environmental Quality Board or the department adopting an ordinance in a floodplain map. Is that not correct?

Mr. MANDERINO. Yes; adopt legislation regarding the types of buildings that can be built in the floodplains.

Mr. WAGNER. And are you of the opinion that that is constitutional?

Mr. MANDERINO. I am.

Mr. WAGNER. Well, I disagree with the gentleman.

Mr. MANDERINO. I kind of got that idea when you—

The SPEAKER pro tempore. Will the gentleman yield?

The Chair recognizes the lady from Montgomery, Mrs. Fawcett. For what purpose does the lady rise?

Mrs. FAWCETT. Mr. Speaker, could we have some order in this House? Those of us in the back can barely hear what is going on.

The SPEAKER pro tempore. I would agree with the lady that it is awfully difficult to hear. This is an important question. Will the members please remain in their seats and listen?

On the question,

Will the House sustain the constitutionality of the bill?

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

YEAS—115

Arthurs	Gallagher	McCall	Ritter
Barber	Garzia	McLane	Romanelli
Bellomtnl	Geesey	Mebus	Ross
Bennett	Geisler	Milanovich	Ruggiero
Beren	George	Miller, M. E.	Saloom
Berlin	Giammarco	Milliron	Schmitt
Berson	Gillespie	Miscevich	Schweder
Bittle	Gillette	Morris	Scirica
Blackwell	Gleeson	Mrkonie	Shane
Bonetto	Goodman	Mullen	Shupnik
Bradley	Green	Musto	Stapleton
Brunner	Greenfield	Myers	Stout
Butera	Hammock	Novak	Sullivan
Caputo	Hutchinson, A.	O'Brien	Taddonio
Cohen	Irvis	O'Donnell	Tayoun
Cole	Itkin	O'Keefe	Toll
Cowell	Johnson, J.	Oliver	Trello

Crawford	Kelly, A. P.	Parker, H. S.	Vann
Davis, D. M.	Kelly, J. B.	Perry	Walsh, T. P.
DeMedio	Kernick	Petrarca	Wansacz
DiDonato	Kolter	Pievsky	Wargo
Doyle	Kowalyszyn	Pratt	Wojdak
Dreibelbis	LaMarca	Prendergast	Wright
Eckensberger	Laudadio	Rappaport	Yahner
Engelhart	Laughlin	Reed	Yohn
Fee	Lederer	Renninger	Zwinkl
Fischer	Letterman	Renwick	
Fisher	Lincoln	Richardson	Fineman,
Flaherty	Manderino	Rieger	Speaker
Fryer			

NAYS—79

Abraham	Halverson	McCue	Spencer
Anderson, J. H.	Hamilton, J. H.	McGinnis	Stahl
Brandt	Hasay	Menhorn	Taylor
Burns	Haskell	Miller, M. E., Jr.	Thomas
Cessar	Hayes, D. S.	Moehlimann	Turner
Ciminl	Hayes, S. E.	Noye	Ustynoski
Cumberland	Hepford	O'Connell	Vroon
Davies	Hill	Pancoast	Wagner
Deverter	Hopkins	Perri	Weidner
Dicarlo	Hutchinson, W.	Pitts	Westerberg
Dietz	Katz	Polite	Whelan
Dininni	Kistler	Pyles	Whittlesey
Dombrowski	Klingaman	Salvatore	Wilson
Dorr	Knepper	Scheaffer	Wilt, R. W.
Fawcett	Kusse	Seltzer	Wilt, W. W.
Foster, A.	Lehr	Shelhamer	WorriLOW
Foster, W.	Levi	Shuman	Zearfoss
Gallen	Lynch	Sirianni	Zeller
Gleason	Manmiller	Smith, E.	Zord
Grieco	McClatchy	Smith, L.	

NOT VOTING—8

Gring	McIntyre	Rhodes	Shelton
McGraw	Mullen, M. P.	Ryan	Valicenti

So the question was determined in the affirmative and the constitutionality of the bill was sustained.

On the question recurring,

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

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

Amend Sec. 502, page 31, line 5, by striking out "Effect of Local Ordinances.—This act shall not" in line 5 and inserting: Effect of Department Regulations and Local Ordinances.—(a) The rules, regulations and standards of the department shall not be more restrictive than rules, regulations or standards of the Federal Government.

(b) This act shall not

On the question,

Will the House agree to the amendment?

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

Mr. McCLATCHY. Mr. Speaker, this is amendment No. 1. It is on page 31, line 5.

What I have done is that I have not struck out "Effect of Local Ordinances." I have moved it down and made it a separate section and above it I have put a new section in.

The new section reads: Effect of Department Regulations and Local Ordinances.—(a) The rules, regulations and standards of the department shall not be more restrictive than rules, regulations or standards of the Federal Government. And (b) then starts again: "This act shall not . . ." Well, it goes on and that is part of the local ordinance which remains the same as it is now.

Mr. Speaker, the reason for this amendment is that time and time again we have faced the problem that the Department of Environmental Resources have become even more strict than the requirements of the Federal Government.

Mr. Manderino, himself, has talked continually today about floodplain legislation that is mandated by the Federal Government for the necessity of insurance.

I maintain that I think we can do that and still, I think, we can run this bill, but I think we can conform to those Federal regulations and I think this amendment is timely and is needed.

Thank you, Mr. Speaker.

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

Mr. MANDERINO. As I understand the amendment, the rules and regulations of the state will be no stricter than the Federal requirement.

Mr. McCLATCHY. Yes, Mr. Speaker.

Mr. MANDERINO. Mr. Speaker, I oppose this amendment. I do not expect that the rules and regulations of the State of Pennsylvania are going to be any different or any more stringent than the Federal regulations. But the State of Pennsylvania also has an interest in the subject matter and the lives of its citizens and the property within the Commonwealth. And the departments charged, the Department of Community Affairs and the Department of Environmental Resources, have indicated the necessity for coordinating plans of the municipalities, so that what one community does in the same watershed does not adversely affect what the next community upstream or downstream or several communities upstream or downstream do.

Although the Federal Government ought to have this same concern, I do not think that we ought to abdicate our rights here at the state level to do a thorough job and do planning on a watershed basis, if the Federal Government does not pursue that course. I think we ought to leave it open so we can do this so that we can coordinate the plan, and so that we can make sure that one community's plan meshes with another community in the same watershed upstream or downstream or perhaps on tributaries. I would oppose the amendment, Mr. Speaker.

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

Mr. O'CONNELL. Mr. Speaker, I rise in support of the amendment. I think that it would reduce the amount of conflict and the problems that a municipality would have in getting into compliance to qualify.

I believe, too, that it would save us a substantial amount of money wherein both the state and Federal plans and the mapping and all of the other provisions would be identical.

And in regard to the concerns of Mr. Manderino, I share them. So that one municipality up or down the river is not jeopardized by the actions of another, I think there are regional planning commissions established for just that purpose. I think the regional planning commissions could put the stamp of approval on it.

Again, I would say all we are doing is creating a whole list and layers of bureaucracy and a heck of a lot more red tape that is just not essential to accomplish what everyone in this House wants to accomplish.

Thank you.

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

Mr. McCLATCHY. Just as a final statement, Mr. Speaker: This is an extremely important bill. I think it is going to affect every business, every community, every

labor organization, every job, every concept here in this state. I think in the past that we have had trouble with the Department of Environmental Resources' rules and regulations being more strict than those of the Federal Government, chasing jobs out, chasing jobs away from labor unions, business, and so forth, Mr. Speaker, and I think this amendment is necessary.

Thank you, Mr. Speaker.

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

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

YEAS—113

Abraham	Gillespie	McGinnis	Sirianni
Anderson, J. H.	Gleason	Mebus	Smith, E.
Beren	Goodman	Miller, M. E., Jr.	Smith, L.
Bittle	Grieco	Miller, M. E.	Spencer
Bradley	Halverson	Miscevich	Stahl
Brandt	Hamilton, J. H.	Moehlmann	Stout
Burns	Hasay	Mrkonic	Taddonio
Butera	Haskell	Novak	Taylor
Cessar	Hayes, D. S.	Noye	Thomas
Cimini	Hayes, S. E.	O'Brien	Turner
Crawford	Hepford	O'Connell	Ustynoski
Cumberland	Hill	O'Donnell	Vroon
Davies	Hopkins	Pancoast	Wagner
Davis, D. M.	Hutchinson, W.	Parker, H. S.	Wansacz
Deverter	Katz	Perri	Weldner
Dicarlo	Kelly, J. B.	Petrarca	Westerberg
Dietz	Kernick	Pitts	Whelan
Dininni	Kistler	Polite	Whittlesey
Dorr	Klingaman	Pyles	Wilson
Dreibelbis	Knepper	Renninger	Wilt, R. W.
Eckensberger	Kusse	Ryan	Wilt, W. W.
Fawcett	Lehr	Saloom	Worriflow
Fischer	Levi	Salvatore	Wright
Fisher	Lincoln	Scheaffer	Yahner
Foster, A.	Lynch	Scirca	Yohn
Foster, W.	Manmiller	Seltzer	Zearfoss
Fryer	McClatchy	Shelhamer	Zeller
Gallen	McCue	Shuman	Zord
Geesey			

NAYS—81

Arthurs	Gelsler	McCall	Romanelli
Barber	George	McLane	Ross
Bellomtni	Giammarco	Menhorn	Ruggiero
Bennett	Gillette	Milanovich	Schmitt
Berlin	Gleeson	Milliron	Schweder
Berson	Green	Morris	Shane
Blackwell	Greenfield	Mullen	Shupnik
Bonetto	Hammock	Musto	Stapleton
Brunner	Hutchinson, A.	Myers	Sullivan
Caputo	Irvic	O'Keefe	Tayoum
Cohen	Itkin	Oliver	Toil
Cole	Johnson, J.	Perry	Trello
Cowell	Kelly, A. P.	Pievsky	Vann
DeMedio	Kolter	Pratt	Walsh, T. P.
Dombrowski	Kowalshyn	Prendergast	Wargo
Doyle	LaMarca	Rappaport	Wojdak
Englehart	Laudadio	Reed	Zwinkl
Fee	Laughlin	Renwick	
Flaherty	Lederer	Richardson	Fineman,
Gallagher	Letterman	Rieger	Speaker
Garzia	Manderino	Ritter	

NOT VOTING—8

DiDonato	McGraw	Mullen, M. P.	Shelton
Gring	McIntyre	Rhodes	Valicenti

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

On the question recurring,

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

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

Amend Sec. 104, page 8, line 15 by inserting after "exclude":

surface water courses not indicated on a 1/24,000 scale United States Geological Survey map, and

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

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

Mr. McCLATCHY. Mr. Speaker, I proposed this amendment to clarify the definition of the waters of the Commonwealth. If you look on page 5, line 6, "Flood area" is defined as meaning a 100-year floodway or flood-prone area, and shall include all waters of the Commonwealth, except storm sewers, underground waters, farm ponds and other privately owned ponds of less than 5 acres in area. This refers later, on page 8, to the definition of "Waters of the Commonwealth." And, Mr. Speaker, on that page it says here that it means any and all rivers, streams, creeks, impoundments, lakes, dammed water, and so forth.

In the original legislation, Mr. Speaker, my amendment, restricts it to surface water courses not indicated on a 1/24000 scale United States Geological Survey Map.

Now people may want to know what a 1/24000 scale United States Geological Survey Map is. Without this amendment, every dry gulch, every dry stream, every little tiniest trickle will be included in floodplain management. Mr. Speaker, I think that is going a bit too far.

In addition, the maps being prepared by the Federal Government right now, the maps we intend to use, do not show these little streams and gulches. Therefore, Mr. Speaker, I think it is a reasonable and workable amendment to this bill.

Thank you, Mr. Speaker.

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

Mr. MANDERINO. Mr. Speaker, again, the amendment proposes to change in the bill before us what the Federal requirements are. We must regulate all of the areas that will be shown on the Housing and Urban Development and Flood Insurance Agency maps. These streams may not appear on the large-scale geological survey maps that the gentleman is talking about.

The Federal Government is requiring this floodplain zoning in order to continue to be eligible for all the Federal programs and Federal disaster relief and other federally funded programs. They are setting the rules. They are saying, here is the map; this is what you have to zone; this is what is in the floodplain. For us at the state level to say this is not in the floodplain—I used the word "ridiculous" last time. I will use it again—it is ridiculous.

The Federal Government submits the map to us telling us where the floodplain is. For us to say we can exclude from that map any areas that are in the floodplain will continue to make the communities ineligible for the Federal funding and disaster relief. I urge a defeat of the amendment.

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

Mr. McCLATCHY. Mr. Speaker, it is just the point I am trying to make: The Federal maps that we are required to adhere to do not show these. It really adheres to the last amendment that went in. These gulches and dry streams do not show and will not show on the maps the Federal Government is insisting the local governments prepare. That is all it is about. It is an unnecessary item

that the state, again, can insist on local governments going to. It is not something that the Federal Government is calling for. We can already meet their requirements if we adopt this amendment.

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

Mr. MANDERINO. Mr. McClatchy obviously does not understand the bill, does not understand what the local communities have to do and what the Federal Government is going to provide. The maps that we are talking about that will show the floodplain will be supplied by the Federal Government. They will tell you that here is the map showing the floodplain. Now we want you to zone that floodplain reasonably so that these people and lives, et cetera, will be protected. Now that is what they are going to tell you. For us to say that we are going to use some other map than is going to be given to us by the Federal government, it seems to me to be ridiculous. They are going to determine, and they are in the process of determining presently, where the 100-year floodplain is in every municipality. Those plans will be given to the municipalities with the directions to adopt a plan of zoning.

AMENDMENT WITHDRAWN

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

Mr. McCLATCHY. Mr. Speaker, I am not being facetious. I think what I am saying is true. I think the gentleman is in error. However, I think my previous amendment covers the situation and, therefore, I will withdraw this amendment, Mr. Speaker.

The SPEAKER pro tempore. The Chair greatly appreciates the withdrawal of the amendment.

Mr. McCLATCHY. I have two more amendments, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Montgomery, Mr. McClatchy, for the offering of his third amendment, which the clerk will read.

On the question recurring,

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

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

Amend Bill, page 23, by inserting between lines 14 and 15:

Section 308. Legislative Oversight.—For purposes of (i) providing information that will aid the General Assembly in its oversight responsibilities, (ii) enabling the General Assembly to determine whether the programs and services mandated by this act are effectively meeting the goals of this legislation, (iii) assisting the General Assembly in measuring the costs and benefits of this program and the effects and/or side-effects of mandated program services, (iv) permitting the General Assembly to determine whether the confidentiality of records mandated by this act is being maintained at the State and local level, and (v) providing information that will permit State and local program administrators to be held accountable for the administration of the programs mandated by this act, beginning one year from the effective date of this act, the Senate Committee on Environmental Resources and the House Committees on Local Government and Conservation, either jointly or separately, shall begin a review into the manner in which this act has been administered at the State and local level.

On the question,

Will the House agree to the amendment?

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

Mr. McCLATCHY. Mr. Speaker, this amendment is No. 3, and it is entitled "Legislative Oversight."

I will not take the members' time to read all of it, but I think it deals with the problem which each and every one of us faces every day in the House and the Senate.

Continually we pass laws here in the state, and continually the departments pass rules and regulations that have nothing to do with that law. Mr. Speaker, this amendment gives us the right to look into the effects of this law later on down the line. I would appreciate an affirmative vote for the "Legislative Oversight" amendment.

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

Mr. MANDERINO. I have many members come to me when this bill was discussed in caucus, telling me about all the work that has been given to the Department of Environment Resources already.

I think the members have seen this economic impact language—

Mr. McCLATCHY. Mr. Speaker, this is a legislative oversight amendment.

Mr. MANDERINO. My amendment says, "Economic Impact Statement, amend Section 308." I am just reading what the amendment says.

The SPEAKER pro tempore. Will the gentleman yield? Mr. McClatchy is offering his amendment entitled "Legislative Oversight." It is No. 3 on his list and No. 3 on the sheet that has been handed out.

Mr. MANDERINO. I apologize to the gentleman.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. McCLATCHY. With the indulgence of the Speaker, I would like a minute to read the amendment.

The SPEAKER pro tempore. The Speaker recognizes the gentleman from Westmoreland, Mr. Manderino.

Mr. MANDERINO. Will the gentleman yield to interrogation?

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

Mr. McCLATCHY. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. MANDERINO. In what manner will the General Assembly have any more legislative oversight capacity with the insertion of this language than we would have and do presently have?

Mr. McCLATCHY. Mr. Speaker, I think if you will read the amendment, it will certainly clearly state exactly the kind of oversight we will have.

Mr. MANDERINO. Thank you, Mr. Speaker.

Mr. Speaker, I think the language proposed by Mr. McClatchy is entirely unnecessary. He is simply saying that the legislature will have oversight capacity, which we presently have. We have the power and capacity to do everything that is necessary here, it is not necessary to state it in the bill. We have tremendous powers within our Appropriations Committee, both the Senate and the House, to overlook anything that money is being spent on by the Commonwealth. I ask for defeat of the amendment.

On the question recurring,

Will the House agree to the amendment?

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

YEAS—115

Anderson, J. H.	Geesey	McClatchy	Sirlanni
Beren	Gleason	McCue	Smith, E.
Bittle	Goodman	McGinnis	Smith, L.
Bradley	Greenfield	McLane	Spencer
Brandt	Grieco	Mebus	Stahl
Burns	Halverson	Miller, M. E.	Stout
Butera	Hamilton, J. H.	Miller, M. E., Jr.	Taddonio
Cessar	Hasay	Moehlmann	Taylor
Cimini	Haskell	Morris	Thomas
Cowell	Hayes, D. S.	Mrkonic	Turner
Crawford	Hayes, S. E.	Noye	Ustynoski
Cumberland	Hepford	O'Connell	Vroon
Davies	Hill	Pancoast	Wagner
Davis, D. M.	Hopkins	Parker, H. S.	Wansacz
Deverter	Hutchinson, W.	Perri	Weidner
Dicarlo	Katz	Petrarca	Westerberg
Dietz	Kelly, J. B.	Pitts	Whelan
Dininni	Kernick	Polite	Whittlescy
Dombrowski	Kistler	Pyles	Wilson
Dorr	Klingaman	Reed	Wilt, R. W.
Dreibelbis	Knepper	Ryan	Wilt, W. W.
Eckensberger	Kusse	Saloom	Worrillow
Fawcett	Lederer	Salvatore	Wright
Fischer	Lehr	Scheaffer	Yahner
Fisher	Letterman	Schweder	Yohn
Foster, A.	Levi	Scirica	Zearfoss
Foster, W.	Lincoln	Seltzer	Zeller
Fryer	Lynch	Shelhamer	Zord
Gallen	Manmiller	Shuman	

NAYS—81

Abraham	George	Milanovich	Romanelli
Arthurs	Giammarco	Milliron	Ross
Barber	Gillespie	Miscevich	Ruggiero
Bennett	Gillette	Mullen, M. P.	Schmitt
Berlin	Gleeson	Mullen	Shane
Berson	Green	Musto	Shelton
Blackwell	Hammock	Myers	Shupnik
Bonetto	Hutchinson, A.	Novak	Stapleton
Brunner	Irvis	O'Brien	Sullivan
Caputo	Itkin	O'Donnell	Tayoun
Cohen	Johnson, J.	O'Keefe	Toll
Cole	Kelly, A. P.	Oliver	Trello
DeMedio	Kolter	Perry	Vann
DiDonato	Kowalyshyn	Pievsky	Walsh, T. P.
Doyle	LaMarca	Pratt	Wargo
Englehart	Laudadio	Prendergast	Wojdak
Fee	Laughlin	Rappaport	Zwick
Flaherty	Manderino	Renninger	
Gallagher	McCall	Renwick	Fineman,
Garzia	McIntyre	Rieger	Speaker
Geisler	Menhorn	Ritter	

NOT VOTING—6

Bellomini	McGraw	Richardson	Valicenti
Gring	Rhodes		

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

On the question recurring,

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

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

Amend Bill, page 23, by inserting between lines 14 and 15:

Section 308. Economic Impact Statement.—(a) Whenever a bill or a regulation dealing with environmental protection or pollution control is proposed by any State department or agency, the proposed legislation or regulation shall be accompanied by an economic impact statement.

(b) The economic impact statement shall include where applicable:

(1) the technical feasibility and economic reasonableness of measuring or reducing the particular type of pollution;

(2) the estimated time and cost to rectify the alleged environmental infringement;

(3) the cost in lost wages or community benefits should an industry be forced to cease operations or a project be abandoned;

(4) the nature and severity of injury to, or interference with the protection of the health, general welfare, and physical property of the people should the alleged environmental violation go unresolved;

(5) the existing physical conditions, the character of the area involved, including the character of surrounding land uses, zoning classifications, and the nature of the existing air quality, or receiving body of water; and

(6) a comparative analysis of the availability, efficiency, and cost of using an alternate energy source.

On the question,

Will the House agree to the amendment?

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

Mr. McCLATCHY. Mr. Speaker, this is amendment No. 4 and it is titled the "Economic Impact Statement."

Mr. Speaker, this legislation has been proposed both in the Senate and in the House. I think it is supported by both the labor unions and business. What it intends to do, Mr. Speaker, is to try and determine what effect the rules and regulations and the laws we pass here in this Commonwealth will have on our local communities and on our taxpayers, Mr. Speaker.

I think it is about time we stop kidding the public and saying, here is a grand, great idea, and then forgetting to tell them what it is going to cost in terms of taxpayers' dollars. Mr. Speaker, I think the economic impact statement is long overdue, and I think this is one of the pieces of legislation it should be attached to. Thank you, Mr. Speaker.

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

Mr. MANDERINO. Mr. Speaker, the amendment that is being offered now is the economic impact statement requirement. We have seen this language before. I think Mr. McClatchy had it prepared for attachment to several other pieces of legislation in the past. I do not know whether it ever got attached. But it is something asking for an economic impact statement whenever any department is about to make a rule or regulation that may have that kind of an impact.

I do not think it properly belongs in a floodplain management bill. We should consider this properly, I think, as an amendment to the Administrative Code and that is where it properly belongs, and for that reason alone I ask the members not to clutter this bill with individual legislative language which really has no import to the subject matter of this bill.

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

Mr. O'CONNELL. Mr. Speaker, I rise in support of the amendment. I think it is a salient point and it is a very important one, and any one of you who might have had any experiences with the army engineers or others in flood-control projects know that there is a cost-benefit factor that has to be considered, and part of that is the economic impact.

So this does rightfully belong in this bill and it is not out of order, and it would be in compliance with the flood control provisions as they now exist and things that the Commonwealth and the army engineers have agreed to in many, many instances in regard to the flood-control projects.

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

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

YEAS—109

Abraham	Gleason	McCue	Sirtanni
Anderson, J. H.	Greenfield	McGinnis	Smith, E.
Arthurs	Grieco	Mebus	Smith, L.
Beren	Halverson	Menhorn	Spencer
Bittle	Hamilton, J. H.	Miller, M. E.	Stahl
Brandt	Hasay	Miller, M. E., Jr.	Stout
Burns	Haskell	Miscevich	Taddonio
Butera	Hayes, D. S.	Moehlmann	Taylor
Cessar	Hayes, S. E.	Novak	Thomas
Cimini	Hepford	Noye	Turner
Crawford	Hill	O'Connell	Ustynoski
Cumberland	Hopkins	Pancoast	Vroon
Davies	Hutchinson, W.	Parker, H. S.	Wagner
Deverter	Itkin	Perri	Weidner
Dietz	Katz	Petrarca	Westerberg
Dininni	Kelly, J. B.	Pitts	Whelan
Dombrowski	Kistler	Polite	Whittlesey
Dorr	Klingaman	Pyles	Wilson
Dreibelbis	Knepper	Romanelli	Wilt, R. W.
Engelhart	Kusse	Ryan	Wilt, W. W.
Fawcett	Lederer	Saloom	Worrilow
Fischer	Lehr	Salvatore	Wright
Fisher	Letterman	Scheaffer	Yahner
Foster, A.	Levi	Setrica	Zearfoss
Foster, W.	Lynch	Seltzer	Zeller
Gallen	Manmiller	Shelhamer	Zord
Geesey	McClatchy	Shuman	Zwikel
George			

NAYS—89

Barber	Garzia	McLane	Ritter
Bellomini	Geisler	Milanovich	Ross
Bennett	Giammarco	Milliron	Ruggiero
Berlin	Gillespie	Morris	Schmitt
Berson	Gillette	Mrkonic	Schweder
Blackwell	Gleeson	Mullen, M. P.	Shane
Bonetto	Goodman	Mullen	Shelton
Bradley	Green	Musto	Shupnik
Brunner	Hammock	Myers	Stapleton
Caputo	Hutchinson, A.	O'Brien	Sullivan
Cohen	Irvis	O'Donnell	Tavoun
Cole	Johnson, J.	O'Keefe	Toll
Cowell	Kelly, A. P.	Oliver	Trello
Davis, D. M.	Kernick	Perry	Vann
DeMedio	Kolter	Pievsky	Walsh, T. P.
Dicarlo	Kowalyshyn	Pratt	Wansacz
DiDonato	LaMarca	Prendergast	Wargo
Doyle	Laudadio	Rappaport	Wojdak
Eckensberger	Laughlin	Reed	Yohn
Fee	Lincoln	Renninger	
Flaherty	Manderino	Renwick	Fineman.
Fryer	McCall	Richardson	Speaker
Gallagher	McIntyre	Rieger	

NOT VOTING—4

Gring	McGraw	Rhodes	Valicenti
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So the question was determined in the affirmative and the amendment was agreed to.

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

Mr. McCLATCHY. Mr. Speaker, I will withdraw my last amendment. I just want to thank the members for their courtesy and their time and attention.

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

Mr. GLEASON. Mr. Speaker, I would like to withhold my amendments. I am waiting for a technical correction from the Legislative Reference Bureau. Just two words have to be added, and I still have not received it from the Legislative Reference Bureau.

I believe it is agreed to, but I do want to comply with the rules of the House and have a perfect amendment.

The SPEAKER pro tempore. The gentleman may proceed with the amendment at a future time then.

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. ROMANELLI. Mr. Speaker, I inadvertently threw my switch in a "aye" position. I wish to vote in a "nay" position on the last amendment.

The SPEAKER pro tempore. The gentleman will be so recorded.

On the question recurring,

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

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

Amend Sec. 306, page 22, line 30, by inserting after "Information":

; Filing Plans
Amend Sec. 306, page 22, line 30, by inserting before "All":

(a)
Amend Sec. 306, page 23, by inserting between lines 4 and 5:

(b) In order to assure effective notice to prospective purchasers of any real property, the board shall, by regulations require that all maps and surveys of land within the delineation of the flood area shall be filed by the municipality in the office of the recorder of deeds for the county in which the subject property, or portion thereof, is located.

On the question,

Will the House agree to the amendments?

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

Mr. WAGNER. For the information of the members, this is amendment No. 1.

The SPEAKER pro tempore. One out of how many?

Mr. WAGNER. Eight. One out of eight.

Mr. Speaker, the present bill provides for, quote, "public inspection," and public inspection does not always insure proper and adequate notice to individuals. This would also require that the maps themselves be recorded in the courthouse and anybody could go in and look at the official maps.

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

Mr. MANDERINO. What number is this amendment, Mr. Speaker?

Mr. WAGNER. No. 1.

Mr. MANDERINO. Mr. Speaker, just for future reference, I am having very much difficulty even hearing through the microphone of Mr. Wagner. It is not his fault; it is the poor quality. I cannot even hear what he is saying. I know that he is speaking over there and I apologize to the gentleman for not having the amendment but, again, ask his indulgence.

Mr. Speaker, the Wagner amendment designated No. 1 is requiring that the floodplain area, the delineation of that area by map, be recorded in the office of the recorder of deeds. This is a requirement that is different from any zoning requirement. We are not required to file zoning maps in the recorder of deeds' office.

This particular legislation, Senate bill No. 1, already

makes these maps public documents. We state that. The regulations of the Federal Government indicate that these must be filed at the municipality's main office; they must be filed with the Department of Community Affairs; and they have to be filed a third place also but I cannot—There is a third place, but, in any event, the maps must be at the local municipality according to the regulations. They are public documents. I think that this is cumbersome and expensive to record these maps at the county courthouse. Maybe it would make it easier for attorneys to search the title, but most of the time they do not certify, unless they are specifically asked to, to the zoning requirements or restrictions in any particular zoning ordinance in the municipality. I think it is unnecessary.

I would like to also point out that placing this particular provision in the act you might violate one of the amendments you already adopted, that the state requirements be more stringent than the Federal.

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

Mr. WAGNER. Thank you. I agree with the gentleman, we do not have to do it and we do not have to provide for public inspection in a municipal building, but if anybody has ever tried to get a document, it is "yes, it is here someplace," but find it.

It is not that expensive to record a map. It might run \$15 or \$20 to record a map, but it is really a public notice that goes along with the purpose of the bill, on page 3, to protect unknowing and unsuspecting real property owners from the dangers of flooding.

On the question recurring,

Will the House agree to the amendments?

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

YEAS—94

Anderson, J. H.	Hamilton, J. H.	Miller, M. E.	Smith, L.
Beren	Hasay	Miller, M. E., Jr.	Spencer
Bittle	Haskell	Moehlmann	Stahl
Brandt	Hayes, D. S.	Noye	Stout
Burns	Hayes, S. E.	O'Connell	Taddonio
Butera	Henford	Pancoast	Thomas
Cesar	Hill	Parker, H. S.	Turner
Cimini	Honkins	Perri	Ustynoski
Crawford	Hutchinson, W.	Pitts	Vroon
Cumberland	Katz	Polite	Wagner
Deverter	Kelly, J. B.	Pyles	Weidner
Dietz	Kistler	Reed	Westerberg
Dinnini	Klimaman	Renninger	Whittlesey
Dorr	Knepper	Ruggiero	Wilson
Fawcett	Kowalshyn	Ryan	Wilt, R. W.
Fischer	Kusse	Salvatore	Wilt, W. W.
Fisher	Lehr	Scheaffer	Worrtlow
Foster, A.	Levi	Scirlea	Wright
Poster, W.	Lynch	Seltzer	Yahner
Gallen	Mann Miller	Shelhamer	Yohn
Geesey	McClatchy	Shuman	Zearfoos
Gleason	McCue	Sirianni	Zeller
Grieco	McGinnis	Smith, E.	Zord
Halverson	Mebus		

NAYS—103

Abraham	Frver	Manderino	Richardson
Arthurs	Gallagher	McCall	Rieger
Barber	Garzin	McLane	Ritter
Bellomini	Geisler	Menhorn	Romanelli
Bennett	George	Milanovich	Ross
Berlin	Giammarco	Milliron	Saloom
Berson	Gilleanie	Miscevich	Schmitt
Blackwell	Gillette	Morris	Schweder
Bonotto	Gleason	Mrkonie	Shane
Bradley	Goodman	Mullen	Shelton
Brunner	Green	Mullen, M. P.	Shupnik
Caruto	Greenfield	Musto	Stapleton
Cohen	Hammock	Nyers	Sullivan
Cole	Hutchinson, A.	Novak	Taylor
Cowell	Irvin	O'Brien	Tayoun

Davies	Itkin	O'Donnell	Toll
Davis, D. M.	Johnson, J.	O'Keefe	Trello
DeMedio	Kelly, A. P.	Oliver	Vann
Dicarlo	Kernick	Perry	Walsh, T. P.
DiDonato	Kolter	Petrarca	Wansacz
Dombrowski	LaMarca	Pievsky	Wargo
Doyle	Laudadio	Pratt	Wojdak
Dreibelbis	Laughlin	Prendergast	Zwinkl
Eckensberger	Lederer	Rappaport	
Englehart	Letterman	Renwick	Fineman
Fee	Lincoln	Rhodes	Speaker
Flaherty			

NOT VOTING—5

Gring	McIntyre	Valicenti	Whelan
McGraw			

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

On the question recurring,

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

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

Amend Sec. 202, page 12, lines 8 through 11, by striking out "Any taxpayer aggrieved by the adoption of a map" in line 8, all of lines 9 through 11

Amend Sec. 202, page 13, by inserting between lines 19 and 20:

(g) A landowner who, on substantive grounds, desires to challenge the accuracy of any flood area map or any provision thereof which includes or covers land in which he has an interest shall submit the challenge to the governing body together with a request for a curative amendment. The submissions shall be governed by the following:

(1) The landowner shall make a written request to the governing body that it hold a hearing on his challenge. The request shall contain a short statement reasonably informing the governing body of the matters that are in issue and the grounds for the challenge.

(2) The request may be submitted at any time after the flood area map takes effect.

(3) The request shall be accompanied by plans and other materials supporting the appeal. Said request shall contain topographic maps of the affected land.

(4) If the submission is made to the governing body after adoption of the flood area map, the request shall be accompanied by an amendment or amendments to the map proposed by the landowner to cure the alleged defects therein.

(h) The procedure for the adoption of the official plan or any amendment thereto shall be by resolution carried by the affirmative votes of not less than a majority of all members of the governing body. Upon the adoption of said resolution, it shall be considered as an ordinance of said municipality.

Amend Sec. 202, page 13, line 20, by striking out "(g)" and inserting:

(i)

On the question,

Will the House agree to the amendments?

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

Mr. WAGNER. Thank you, Mr. Speaker, this is amendment No. 2. Mr. Speaker, this provides to better protect the landowner who justifiably feels that his land should or should not be included in a particular flood-map area. It permits the submission for the correction of the map before the adoption of the map by ordinance, and subsection (c)1 of the present bill deals only with corrections after it is adopted.

I think it is a good amendment. It permits amendments to the ordinance before they are adopted so the municipality does not have to go through the long and burdensome amendments, Mr. Speaker.

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

Mr. MANDERINO. Mr. Speaker, Section 202, (c.1) of Senate bill No. 1 as proposed already provides for curative amendments. These particular amendments proposed by Mr. Wagner try to spell out a procedure. Unfortunately, the Federal rules also spell out a procedure for challenging maps, for challenging standards.

The particular proposal that Mr. Wagner makes by his amendment does not conform to the Federal procedure and, again, I suggest that we defeat the amendment, so that we can conform the state process to the Federal requirements.

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

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

YEAS—92

Table listing names of members who voted YEAS, including Anderson, J. H., Beren, Brandt, Burns, Butera, Cessar, Cimini, Crawford, Cumberland, Davies, Devertar, Diets, Dinanzi, Dorr, Fawcett, Fischer, Fisher, Foster, A., Foster, W., Gallen, Geesay, Gleason, Grieco, Halverson, Hamilton, J. H., Hasay, Haskell, Hayes, D. S., Hayes, S. E., Henford, Hill, Hopkins, Hutchinson, W., Katz, Kelly, J. B., Kistler, Klingaman, Knepper, Kusse, Lehr, Levi, Lynch, Manmiller, McClatchy, McCue, McGinnis, Mebus, Miller, M. E., Miller, M. E., Jr., Moehlmann, Noye, O'Connell, Pancoast, Parker, H. S., Perri, Pitta, Polite, Pyles, Renninger, Ryan, Salvatore, Scheaffer, Seirica, Seltzer, Shelhamer, Shelton, Shuman, Sirlanni, Smith, E., Smith, L., Spencer, Stahl, Sullivan, Taddonio, Thomas, Turner, Ustynoski, Vroon, Wagner, Weidner, Westerberg, Whelan, Whittlesey, Wilson, Witt, R. W., Witt, W. W., Worriow, Wright, Yohn, Zearfoss, Zeller, Zord.

NAYS—105

Table listing names of members who voted NAYS, including Abraham, Arthur, Barber, Bellomini, Bennett, Berlin, Berson, Blackwell, Bonetto, Bradley, Brunner, Canuto, Cohen, Cole, Cowell, Davis, D. M., DeMedio, Dicarlio, DiDonato, Dombrowski, Doyle, Dreibelhis, Eckensberger, Englehart, Fee, Flaherty, Fryer, Gallagher, Garzia, Geisler, George, Giammareo, Gillespie, Gillette, Gleason, Goodman, Green, Greenfield, Hammock, Hutchinson, A., Irvis, Itkin, Johnson, J., Kelly, A. P., Kernick, Kolter, Kowalshyn, LaMarca, Laudadio, Laughlin, Lederer, Letterman, Lincoln, Manderino, McCall, McIntyre, McLane, Menhorn, Milanovich, Milliron, Misceovich, Morris, Mrkonie, Mullen, M. P., Mullen, Musto, Myers, Novak, O'Brien, O'Donnell, O'Keefe, Oliver, Perry, Petrarca, Plevsky, Pratt, Prendergast, Rappaport, Reed, Renwick, Richardson, Rieger, Ritter, Romanelli, Ross, Ruggiero, Saloom, Schmitt, Schweder, Shane, Shunnik, Stapleton, Stout, Taylor, Tayoun, Toll, Trelle, Vann, Walsh, T. P., Wansacz, Wargo, Wojdak, Yahner, Zwick, Fineman, Speaker.

NOT VOTING—5

Table listing names of members who did not vote: Bittle, Gring, McGraw, Rhodes, Valicenti.

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

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

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

Amend Sec. 202, page 11, line 2, by inserting after "Commonwealth.":

Before adopting or amending the official plan, or any part thereof, there shall be at least one public hearing pursuant to public notice. The adoption of the official plan, or any part thereof, or any amendment thereto, shall be by resolution carried by the affirmative votes of not less than a majority of all the members of the governing body. The resolution shall refer expressly to the maps, charts, textual matter, and other matters intended to form the whole or part of the official plan, and the action shall be recorded on the adopted plan or part.

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

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

Mr. WAGNER. We skipped No. 3. This is No. 4 amendment.

Mr. Speaker, the bill as presently written requires the municipality to submit an official plan to the department and to thereon later adopt this plan. But there was a question asked as to the status of the plan and further what the plan includes. It also provides that the plan itself is to be on the status of an ordinance.

This just specifies the procedure that in effect the floodplain map and plan will have a status of an ordinance and specifies the necessary procedure for adopting it.

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

Mr. MANDERINO. Mr. Speaker, in Senate bill No. 1, presently, covered by section 202, (c.1) on page 12, we already have hearing and notice requirements which are certainly sufficient. These are unnecessary, and I urge the rejection of the amendment.

Mr. WAGNER. That is not exactly what we are talking on, but there is no sense in pursuing that. I can see the board there.

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

Mr. ZELLER. Mr. Speaker, I believe we better pay attention to this one because I see by the voting it seems like the same routine and we have been losing them because I sometimes fail, and I am not talking down to anybody, but I believe we have been getting into a drone situation here and we are not really reading these words. What Mr. Wagner is saying is very important. It is not what Mr. Manderino says. In other words, read to where it says that the majority of all the members of the governing body are going to make the decision on this issue; not some outside outfit. So be very careful on this one. Let us vote it in. Let us get some government back to the people.

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

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

YEAS—100

Table listing names of members who voted YEAS: Abraham, Anderson, J. H., Beren, Bittle, Brandt, Burns, Butera, Cessar, Gleason, Grieco, Halverson, Hamilton, J. H., Hasay, Haskell, Hayes, D. S., Hayes, S. E., Manmiller, Mebus, Miller, M. E., Miller, M. E., Jr., Moehlmann, Mrkonie, Noye, O'Brien, Smith, E., Smith, L., Spencer, Stahl, Taddonio, Thomas, Turner, Ustynoski.

Cimint	Hepford	O'Connell	Vroon
Crawford	Hilli	Pancoast	Wagner
Cumberland	Hopkins	Parker, H. S.	Weidner
Davies	Hutchinson, W.	Perri	Westerberg
Deverter	Katz	Pitts	Whelan
Dietz	Kelly, J. B.	Polite	Whittlesey
Dinanti	Kernick	Pytes	Wilson
Dorr	Kistler	Reed	Wilt, R. W.
Eckensberger	Klingaman	Renninger	Wilt, W. W.
Fawcett	Knepper	Ryan	Worrilow
Fischer	Kusse	Salvatore	Wright
Fisher	Lehr	Scheaffer	Yahner
Foster, A.	Levi	Seirca	Zahn
Foster, W.	Lynch	Seltzer	Zearfoss
Fryer	McClatchy	Shelhamer	Zeller
Gallen	McCue	Shuman	Zord
Geesey	McGinnis	Strianni	Zwinkl

NAYS—98

Arthurs	Garzia	McCall	Ritter
Barber	Geisler	McIntyre	Romanelli
Bellomini	George	McLane	Ross
Bennett	Giannarco	Menhorn	Ruggiero
Berlin	Gillespie	Milanovich	Saloom
Berson	Gillette	Milliron	Schmitt
Blackwell	Gleason	Miscevich	Schweder
Bonetto	Goodman	Morris	Shane
Bradley	Green	Mullen, M. P.	Shelton
Brunner	Greenfield	Mullen	Shupnik
Caputo	Hammock	Musto	Stapleton
Cohen	Hutchinson, A.	Myers	Stout
Cole	Irvis	Novak	Sullivan
Cowell	Itkin	O'Donnelli	Taylor
Davis, D. M.	Johnson, J.	O'Keefe	Tayoun
DeMedio	Kelly, A. P.	Oliver	Toll
Dicarlo	Kolter	Perry	Trello
DiDonato	Kowalyszyn	Petrarca	Vann
Dombrowski	LaMarca	Plevsky	Walsh, T. P.
Doyle	Laudadio	Pratt	Wansacz
Dreibelbis	Laughlin	Prendergast	Wargo
Englehart	Lederer	Rappaport	Wojdak
Fee	Letterman	Renwick	
Flaherty	Lincoln	Richardson	Fineman,
Gallagher	Manderino	Rieger	Speaker

NOT VOTING—4

Gring	McGraw	Rhodes	Valicenti
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So the question was determined in the affirmative and the amendment was agreed to.

On the question recurring,

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

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

Amend Sec. 405, page 28, by inserting between lines 22 and 23:

(b) The proceedings set forth in this act shall constitute the exclusive mode for securing review of any flood area map, decision, determination or order of the governing body of a municipality, its agencies or officers adopted or issued pursuant to this act.

Appeals to a court shall be taken to the court of common pleas of the county in which the land involved is located.

Amend Sec. 405, page 28, line 23, by striking out "(b)" and inserting:

(c)

Amend Sec. 405, page 28, line 27, by striking out "(c)" and inserting:

(d)

Amend Sec. 405, page 29, line 2, by striking out "(d)" and inserting:

(e)

Amend Sec. 405, page 29, line 12, by striking out "(e)" and inserting:

(f)

On the question,

Will the House agree to the amendments?

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

Mr. WAGNER. Mr. Speaker, this is Amendment No. 5. I think it provides a better appeals procedure for the individual landowners. Presently the bill provides prolonged administrative appeals procedure before the man can get into the courts. It is expensive. Presently the bill says he has to go before the municipality; he then appeals to the Environmental Quality Board; then he appeals to the Department of Environmental Resources; and then, if he is not happy, he can go to the Commonwealth Court. In essence, this allows the court to come in after long steps. I would like him to be protected so that he is not going to have to hire a lawyer to go before government lawyers, government agencies, fighting government regulations. What this amendment really does is to provide for appeal from the municipality to either the Environmental Quality Board or its designee, and then, if he is still aggrieved, he can appeal to the local common pleas court.

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

Mr. MANDERINO. Unfortunately, Mr. Gleason was explaining his amendment to me while Mr. Wagner was talking. Is this No. 5?

The SPEAKER pro tempore. It is amendment No. 5.

It provides an appeal to the court of common pleas in the county instead of to the Commonwealth Court.

Mr. MANDERINO. Pardon me, Mr. Speaker.

The SPEAKER pro tempore. I believe this amendment provides an appeal to the common pleas court rather than to the Commonwealth Court. Is that correct, Mr. Wagner?

Mr. WAGNER. That is the second part. It also eliminates the necessary intermediate state of appeal for the department. It cuts that out.

Mr. MANDERINO. Mr. Speaker, again we are talking about appeal procedures. So far as the Federal Government is concerned, there are appeal procedures. The procedures written into Senate bill No. 1 are consistent with the Federal regulations presently. Where he is talking in the amendment about changing the jurisdiction of appeals from this agency and moving it to common pleas court instead of Commonwealth Court. I think we did just the opposite not too long ago in designating the jurisdiction of Commonwealth Court where we allowed most all departmental hearings, matters where the citizens or communities had appeals with the Commonwealth to go to Commonwealth Court. You are just taking away from that jurisdiction conferred. Although we have in the past taken away from jurisdiction conferred, I do not think in this particular case there is any reason to take away from that jurisdiction, and I oppose the amendment.

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

Mr. ZELLER. Mr. Speaker, this is a very serious amendment. I believe that all appeals should be taken to the court of common pleas in the area which is involved for the simple reason that that is the area affected and those people know the problem.

Considering the example of what we ran into just recently, I think it is very important for all of you to hear this. I know it is on a subject that you all have quite a chuckle over, and that is fluoridation. As a matter of fact, the city of Allentown just not too long ago elected to place fluoride in the drinking water over and above the objection of the people after they defeated it twice.

Now we come down here to the Department of Environ-

mental Resources' appeal board and we as the public have to hire our own lawyers to fight this menagerie down here. Now can you imagine a little borough or township going in to fight a massive Federal Government in a court of common pleas with the Department of Environmental Resources running the show here in the state of Pennsylvania? Can you imagine that? You are not going to work it; you are going to lose everyone of them, because they are like God.

As a matter of fact, let us keep it back in our own communities.

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

Mr. MANDERINO. Mr. Speaker, on the Commonwealth Court-local municipality jurisdiction problem, one of the things that you overlook when you say that the people back home, that is where the problem is, that is who knows it best, take it to the court of common pleas. Floodwaters, rivers and streams cross and transcend county lines, and the whole idea of Senate bill No. 1 or one of the main features is to allow someone to review the plan of one municipality as it meshes with another. And that is why this must be done, not in a local common pleas court in one county where that county might be affected by its decision with its relationship to a neighboring county where the stream also runs and where the floodplain also extends. This is one of the reasons we have the procedure that is in the bill, with the appeals to the Environmental Hearing Board and then the Commonwealth Court, to contain and to give the decisions the uniformity necessary and so that several counties in the same floodplain area will not come to contrary decisions.

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

Mr. WAGNER. I am sure that the gentleman, Mr. Manderino, or Mr. Zeller did not want to leave the impression that the judges would not apply the law correctly. I am under the opinion that they would apply it correctly regardless of who sought to hear the case.

Mr. MANDERINO. You said it, Mr. Wagner.

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

Mr. ZELLER. Mr. Speaker, I do not agree with that and I can give you a fine example. Can you imagine the Commonwealth Court here going against the Department of Environmental Resources appeal board because these people are from all over the State of Pennsylvania and not the judges from that particular subdivision. Once the Department of Environmental Resources appeal board says that is what it is, can you imagine the Commonwealth Court going against, what they call, the "experts"? When you go in there, if any of you ever had any problems with them—and I have had—and if you go to that appeal board once, you better have experts. And when they get all through, the courts are going to say, We have heard the experts and we feel they are right. Because they are going to be bogged down, if they do not, with such long, long cases and so many of them that they are not about to let you go through that whole rigamarole again that you have to go through before the appeal board. It is not going to work, but your courts in your particular area not only are they going to air what is affecting their people in that area, but they are going to hear it. They are going to have to come up for election to the people affected in that area, not the Commonwealth Court people because they could care less.

And they can be such liberals and usually are that they are going to really go with the liberals, and I mean ultra, ultra liberals of the Department of Environmental Resources. Just go over there sometime and deal with that gang. They will tell you where the bear took a walk with the buck. Would you like to hear that one again?

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

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

YEAS—100

Anderson, J. H.	Gillette	McCue	Smith, E.
Beren	Gleason	McGinnis	Smith, L.
Bittle	Grieco	Mebus	Spencer
Brandt	Halverson	Miller, M. E.	Stahl
Burns	Hamilton, J. H.	Miller, M. E., Jr.	Stout
Butera	Hasay	Mochlmann	Taddonio
Cessar	Haskell	Noye	Thomas
Cimini	Hayes, D. S.	O'Connell	Turner
Crawford	Hayes, S. E.	Pancoat	Ustynoski
Cumberland	Hepford	Parker, H. S.	Vron
Davies	Hill	Perri	Wagner
Davis, D. M.	Hopkins	Petrarca	Weidner
Deverter	Hutchinson, W.	Pitts	Westerberg
Dininni	Katz	Polite	Whelan
Dietz	Kelly, J. B.	Pyles	Whittlesey
Dorr	Kernick	Renninger	Wilson
Eckensberger	Kistler	Ryan	Wilt, R. W.
Fawcett	Klingaman	Saloom	Wilt, W. W.
Fischer	Knepper	Salvatore	Worriow
Fisher	Kusse	Scheaffer	Wright
Foster, A.	Lehr	Scirica	Yahner
Foster, W.	Levi	Seltzer	Yohn
Fryer	Lynch	Shehamer	Zearfoss
Gallen	Manmiller	Shuman	Zeller
Geesey	McClatchy	Srianni	Zord

NAYS—97

Abraham	Garzia	McIntyre	Ritter
Arthurs	Geisler	McLane	Ross
Barber	George	Menhorn	Ruggiero
Bellomni	Giammarco	Milanovich	Schmitt
Bennett	Gillespie	Milliron	Schweder
Berlin	Gleeson	Morris	Shane
Berson	Goodman	Mrkoncic	Shelton
Blackwell	Green	Mullen	Shupnik
Bonetto	Greenfield	Mullen, M. P.	Stapleton
Bradley	Hammock	Musto	Sullivan
Brunner	Hutchinson, A.	Myers	Taylor
Caputo	Irvic	Novak	Tayoun
Cohen	Itkin	O'Brien	Toll
Cole	Johnson, J.	O'Donnell	Trello
Cowell	Kelly, A. P.	O'Keefe	Valicenti
DeMedio	Kolter	Oliver	Vann
Dicarlo	Kowalshyn	Perry	Walsh, T. P.
DiDonato	LaMarca	Pievsky	Wansacz
Dombrowski	Laudadio	Pratt	Wargo
Doyle	Laughlin	Prendergast	Wojdak
Dreibelbis	Lederer	Rappaport	Zwilk
Engelhart	Letterman	Reed	
Fee	Lincoln	Renwick	Fineman,
Flaherty	Manderino	Richardson	Speaker
Gallagher	McCall	Rieger	

NOT VOTING—5

Gring	Miscevich	Rhodes	Romanelli
McGraw			

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

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

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

Amend Sec. 504, page 32, by inserting between lines 18 and 19: (c) The county assessor shall indicate on property record cards, assessment rolls, and any other appropriate records, the changes, if any, in the fair market value of properties located within the flood area. If as a result of the new official plan the assessed property is

less than it was prior to the enactment of the official plan, the Commonwealth shall reimburse the municipalities and school districts so affected for the loss of tax revenue for a ten-year period.

On the question,

Will the House agree to the amendment?

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

Mr. WAGNER. Mr. Speaker, this is amendment No. 6. I ask the members to read this and to consider it closely.

What this basically does, Mr. Speaker, is to say that if, as a result of the mandated zoning, the property or assessed valuation of the property in that area is lower and consequently there is less taxes coming in, then the Commonwealth must reimburse the local municipality for the loss of tax revenue. Keep in mind the municipalities have built sewer plants, water plants, have repaired roads, they built schools based upon certain tax values and tax revenues, and what you really are doing, perhaps doing, and I believe it will result, is reducing the assessed value and consequently lowering tax revenue. I asked the Appropriations Committee for a fiscal note on this. They said it was at this time impossible to come up with the definitive answer, but they said the cost to the Commonwealth would be "substantial." Now if the cost to the Commonwealth is substantial to reimburse these municipalities, the loss of tax revenue is likewise substantial or more substantial, putting a great burden on our local municipalities to come up with the additional taxes. I think it is only fair the Commonwealth come forward with them.

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

Mr. MANDERINO. Mr. Speaker, I do not know whether I should ask my majority leader to call the attention to my members that they are color-blind again, or whether I should ask the gentlemen on the other side of the aisle to be consistent with their voting on this amendment. If I choose the latter to ask them to be consistent in voting on this amendment, I would have to ask them to vote in the negative on the amendment.

I think I would support an amendment that said if there is a loss of revenue to the local governments because of the floodplain zoning that they are being required to do by the Federal Government, that we here at the state should pass a law saying that the Federal Government should reimburse them for the loss back in the local community. That would be consistent with all the things you have done this afternoon or many of the things you have done this afternoon. In any event, this is surely a raid on the treasury of Pennsylvania. There is no showing that it will be needed. In some cases, floodplain management has been known to increase rather than decrease the overall values in the total community, although in some areas values might decrease. In adjacent areas there can be an increase. Why you would want to saddle all of the taxpayers of Pennsylvania with paying the costs—if there is any costs in loss of revenue to the local communities—for a requirement that the Federal Government has imposed is beyond me. I ask for a defeat of the amendment.

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

Mr. ZELLER. Normally on this approach that Mr. Manderino is talking about, I would say that he would be right. But the problem is, what is the difference where

the money comes from? If it comes from the state, the Federal Government, or the local municipality, the people are going to pay it. The people have to pay it. So, therefore, what we are saying is that if the assessed valuation of that property is lowered, why should not someone—at least it is a start, Mr. Manderino; it is a start by the state saying yes, we are going to pick up that difference in that assessed valuation. That will be then a message we must take to the 'Feds', and work it from there through the good department that Mr. Ritter has, Federal-State Relations Committee, and I think that there is where we have to work to let the Feds know what we want, but we have to start somewhere. Since the Feds are not doing it now, at least it will be a message to them to at least get it done. But losing that assessed valuation, I think the state, if they want this bad enough, had better pick the difference up. Let us vote for it.

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

Mr. McCLATCHY. Mr. Speaker, I am, too, disturbed to see the way the board is going. I think what we are trying to do with some of these amendments is meaningful for both Democrats and Republicans. I think this is a partisan issue, and we are trying to straighten this bill out. I think this is an extremely important number we are on now.

Thank you.

PARLIAMENTARY INQUIRY

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

Mr. RITTER. I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. RITTER. Mr. Speaker, I oppose the amendment. In fact I want to raise a question as to whether or not a fiscal note is required. I realize that it says that in the event, et cetera, it will cost the Commonwealth tax revenue for a 10-year period. But my question is, does this require a fiscal note?

The SPEAKER pro tempore. The Chair has been advised that under the rules of the House the amendments that have fiscal impact are required to have a fiscal note before their consideration. However, I believe the gentleman said that he asked the Appropriations Committee for such a note and they were not sure they were able to produce it. In order to expedite the affairs of the House, could I request the gentleman to withdraw his objection and proceed anyway?

Mr. RITTER. Yes, Mr. Speaker. I withdraw.

Mr. O'CONNELL. Mr. Speaker, there is a fiscal note on this amendment.

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

Mr. RITTER. Mr. Speaker, I think that at the risk of probably being misinterpreted, let me say it this way to you: When we have a flood disaster, then all the taxpayers of this Commonwealth join in to help those that were affected, and that is proper.

It seems to me that when we say, Okay, we do not want to do this any longer, that is why we are going to have floodplain legislation, and that is why we are not going to allow building, et cetera, in those areas, to turn around and tell the taxpayers again, it does not matter whether you have a flood or do not have a flood, either

way you are going to pay. It seems to me to be very unfair. I think this amendment in effect is asking for the best of both worlds. They are asking for reimbursement in the instance where there is a flood and a disaster, and then in this instance where we try to prevent one it will cost all of us some additional revenue again. I think the amendment ought to be defeated, Mr. Speaker.

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

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

YEAS—90

Table listing names of members who voted 'YEAS' (90 total). Includes Anderson, J. H., Beren, Bittle, Brandt, Burns, Butera, Cessar, Cimino, Crawford, Cumberland, Davies, Deverter, Dietz, Dininni, Dorr, Fawcett, Fischer, Foster, A., Foster, W., Gallen, Geesey, Gleason, Grieco, Halverson, Hamilton, J. H., Hasay, Haskell, Hayes, D. S., Hayes, S. E., Hepford, Hill, Hopkins, Hutchinson, W., Katz, Kelly, J. B., Kistler, Klingaman, Knoeper, Kusse, Lehr, Levi, Lynch, Manmiller, McClatchy, McCue, McGinnis, Mebus, Miller, M. E., Miller, M. E., Jr., Moehlmann, Nove, O'Connell, Pancoast, Parker, H. S., Perri, Pitts, Polite, Pyles, Ryan, Salvatore, Scheaffer, Seirica, Seltzer, Shelhamer, Shuman, Sirjanni, Smith, E., Smith, L., Spencer, Stahl, Taddonio, Thomas, Turner, Ustynoski, Vroon, Wagner, Weidner, Westerberg, Whelan, Whittlesey, Wilson, Wilt, R. W., Wilt, W. W., Worrlow, Wright, Yahner, Zearfoss, Zeller, Zord.

NAYS—106

Table listing names of members who voted 'NAYS' (106 total). Includes Abraham, Arthurs, Barber, Bellomini, Bennett, Berlin, Berson, Bonetto, Blackwell, Bradley, Brunner, Caputo, Cohen, Cole, Cowell, Davis, D. M., DeMedio, Dicarlio, DiDonato, Dombrowski, Doyle, Eckensberger, Englehart, Fee, Fisher, Flaherty, Fryer, Gallagher, Garzia, Geisler, George, Giammarco, Gillespie, Gillette, Gleason, Goodman, Green, Greenfield, Hammock, Hutchinson, A., Irvis, Itkin, Johnson, J., Kelly, A. P., Kernick, Kolter, Kowalshyn, LaFarca, Laudadio, Laughlin, Lederer, Letterman, Lincoln, Manderino, McCall, McIntyre, McLane, George, Milanovich, Milliron, Miscovich, Morris, Mrkonjc, Mullen, Mullen, M. P., Musto, Novak, O'Brien, O'Keefe, Oliver, Perry, Petrarca, Pievsky, Pratt, Prendergast, Rappaport, Reed, Renninger, Renwick, Richardson, Rieger, Ritter, Romanelli, Ross, Ruggiero, Saloom, Schmitt, Schweder, Shane, Shelton, Shupnik, Stapleton, Stout, Sullivan, Taylor, Tavoun, Toll, Trello, Valicenti, Vann, Walsh, T. P., Wansacz, Wargo, Wojdak, Zwilk, Fineman, Speaker.

NOT VOTING—6

Table listing names of members who did not vote (6 total): Dreibelbis, Gring, McGraw, Myers, O'Donnell, Rhodes.

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

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

Mr. WAGNER. Mr. Speaker, may I ask the Chair that we move to amendment No. 9. I apologize to the reading clerk. I think that will take less time right now. Then we can move to my last amendment, No. 7.

On the question recurring,

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

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

Amend Sec. 305, page 21, lines 18 and 19, by striking out "Pennsylvania League of Women Voters,"

Amend Sec. 305, page 21, line 22, by inserting after "club," five representatives who shall be private citizens holding no elected offices who reside in and own real estate within the flood area,

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

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

Mr. WAGNER. Thank you, Mr. Speaker.

Mr. Speaker, every group who has a legitimate concern with this piece of legislation has not thrown a lump of sugar by membership on the advisory committee except the people who live in the area to be regulated.

This amendment would provide for the employment of those individuals, five in number, who seem to be forgotten. These individuals have to own property and reside in the floodplain. Also, Mr. Speaker, the amendment also deletes the Pennsylvania League of Women Voters having a member on the advisory committee.

If you look at the membership on the advisory committee, which presently is listed as 26, every single one of them, with the exception of the league, is there representing a group of individuals or municipalities for one purpose. The league, to my knowledge, has no specific concern or interest, and their interest is no more special or unique than that of the members of the general public. I think that it is wholly unfair that other members are not appointed and only they are so designated.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Manderino.

Mr. MANDERINO. Mr. Speaker, if I understand your amendment, it is going to place on the advisory board, the state advisory board, five private citizens. Now you say from the flood area, and I just want to clarify that. Is that from any area within any floodplain in any municipality in the Commonwealth?

Mr. WAGNER. Mr. Speaker, any flood area as defined though in the definitions of the legislation.

Mr. MANDERINO. I have no objections to the amendment.

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

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

YEAS—115

Table listing names of members who voted 'YEAS' (115 total). Includes Abraham, Bellomini, Berlin, Bittle, Bradley, Brandt, Brunner, Burns, Cessar, Cole, Cumberland, Davies, Davis, D. M., Dicarlio, DiDonato, Dombrowski, Doyle, Eckensberger, Englehart, Fee, Fisher, Flaherty, Fryer, Hamilton, J. H., Hasay, Haskell, Hayes, D. S., Hayes, S. E., Hepford, Hill, Hopkins, Hutchinson, W., Itkin, Katz, Kernick, Kistler, Klingaman, Kowalshyn, Kusse, Laudadio, Laughlin, Levi, Moehlmann, Mrkonjc, Musto, Novak, O'Brien, O'Connell, O'Keefe, Perri, Pitts, Pyles, Reed, Renwick, Ritter, Romanelli, Ryan, Saloom, Smith, L., Spencer, Stahl, Stapleton, Taylor, Thomas, Turner, Valicenti, Vann, Vroon, Wagner, Walsh, T. P., Wansacz, Weidner, Westerberg, Whelan, Whittlesey, Wilson, Wilt, R. W.

Eckensberger	Lincoln	Salvatore	Wilt, W. W.
Fischer	Lynch	Schmitt	Worrlow
Foster, W.	Manmiller	Schweder	Wright
Fryer	McCall	Scirica	Yahner
Gallen	McClatchy	Seltzer	Yohn
Geesey	McGinnis	Shelhamer	Zearfoss
George	Millanovich	Shelton	Zeller
Gleason	Miller, M. E.	Shuman	Zord
Goodman	Miller, M. E., Jr.	Sirianni	Zwinkl
Halverson	Milliron	Smith, E.	

NAYS—76

Anderson, J. H.	Fisher	LaMarca	Renninger
Arthurs	Flaherty	Lehr	Richardson
Barber	Foster, A.	Manderino	Rieger
Bennett	Gallagher	McIntyre	Ross
Beren	Garzia	McLane	Scheaffer
Berson	Geisler	Mebus	Shane
Blackwell	Giammarco	Menhorn	Shupnik
Bonetto	Gillespie	Mullen, M. P.	Stout
Butera	Gillette	Mullen	Sullivan
Caputo	Gleeson	Myers	Taddonto
Cimini	Green	Oliver	Tayoun
Cohen	Grieco	Pancoast	Toll
Cowell	Hammock	Parker, H. S.	Trello
Crawford	Hutchinson, A.	Perry	Ustynoski
DeMedio	Irvis	Pievsky	Wargo
DiDonato	Johnson, J.	Polite	Wojdak
Doyle	Kelly, A. P.	Pratt	
Englehart	Kelly, J. B.	Prendergast	Fineman,
Fawcett	Knepper	Rappaport	Speaker
Fee	Kolter		

NOT VOTING—11

Dreibelbts	Lederer	McGraw	Petrarca
Greenfield	Letterman	Miscevich	Rhodes
Gring	McCue	O'Donnell	

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. TURNER. I incorrectly voted in the affirmative on the Wagner amendment No. 9 to Senate bill No. 1. I would like to be recorded in the negative.

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

On the question recurring,

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

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

Amend Title, page 1, lines 1 through 6, by striking out all of said lines and inserting: Providing for flood plain maps.

Amend Bill, page 1, lines 9 through 19, pages 2 through 31, page 32, lines 1 through 14 by striking out all of said lines on said pages and inserting: Section 1. Short Title.—This act shall be known and may be cited as the "Flood Plain Act."

Section 2. Statement of Policy and Purposes.—The policy and purpose of this act is to:

(1) encourage planning and development in flood prone areas;

(2) assist communities in qualifying for Federal flood insurance benefits; and to protect property and people in the flood areas from damage for flood waters carried by such flood waters; and

(3) protect unknowing and unsuspecting real property owners from the dangers of flooding.

Section 3. Definitions.—As used in this act:

"Board" means the Environmental Quality Board established by the act of December 3, 1970 (P. L. 834, No. 275).

"Department" means the Department of Environmental Resources of the Commonwealth of Pennsylvania.

"Flood" means the temporary condition of inundation of normally dry land areas by the naturally or artificially induced flow or overflow of waters of the Commonwealth.

"Flood area" means a 100-year floodway or flood-prone area, and shall include all waters of the Commonwealth, except storm sewers, underground waters, farm ponds and other privately owned ponds of less than 5 acres in area.

Section 4. Environmental Quality Board.—The Environmental Quality Board shall have the power and its duty shall be to adopt regulations to insure comprehensive flood area delineation in the Commonwealth. The Environmental Quality Board shall, as soon as practicable, establish by rule or regulation, criteria and procedures for delineation of flood area zones in the Commonwealth, considering, among other factors, the size or flood-carrying capacities of the floodway and adjacent land areas, and the relative risk and frequency of flooding of any land area.

Section 5. Municipalities; Official Plan; Regulation.—(a) The governing body of every municipality shall delineate the flood area within its jurisdictional boundary in conformity with the regulations of the board and the provisions of this act and subject to the approval of the department.

(b) Each municipality shall have the power and its duty shall be to:

Submit to the department on or before the date established by the board and pursuant to the provisions of this act, an official map delineating the flood area within the territorial jurisdiction of the municipality and such revisions as shall periodically be required by the department. The official map shall include, without limitation the results of engineering studies, historical data, and surveys undertaken in conformity with established board standards and procedures and other information identifying and documenting the location and boundaries of all flood area and flood area zones within the municipality.

(c) Whenever a municipality shall fail to submit an official map or shall fail to comply with the standards, rules and regulations adopted by the board relating to the administration and implementation of official maps, the department may partially or totally modify, suspend, or revoke approval of the official maps for such municipality, and may either (i) require that the county in which such municipality is located act as agent of the municipality for the purpose of delineating the flood area in that municipality, or, as a last resort, (ii) assume administration of the flood area mapping program for such municipality and charge the municipality for the cost thereof.

(d) Any municipality may by agreement, designate the county or regional planning agency, as its agent for the development of the flood area map and may, by ordinance, adopt by reference the flood area map developed by the county or regional planning agency.

Section 6. Department of Environmental Resources.—The power to coordinate and supervise the delineation of flood areas in the Commonwealth shall be vested in the department, including the power and duty to:

(1) Insure that flood area delineation in adjoining municipalities are compatible throughout the watershed and consistent with the policies of this act.

(2) Review and process all official maps and periodic revisions thereof pursuant to the procedures and standards adopted by the board regulations and consistent with the purposes of this act.

(3) Cooperate with appropriate agencies of the United States or of other states or any interstate agencies with respect to the planning and mapping of flood areas and where appropriate formulate interstate flood area maps.

(4) Serve as the agency of the Commonwealth for the receipt of moneys from the Federal Government or other public or private agencies, or persons and expend such moneys for studies and research with respect to planning, management, and mapping of flood areas.

(5) Conduct or cause to be conducted, and supervise, studies and research for the purpose of determining the causes, effects, and hazards of floods and methods for the control, elimination and reduction of flood damages.

(6) Conduct and supervise educational programs with respect to flood hazards and flood area maps including preparation and distribution of related information.

Section 7. Powers and Duties of the Department of Community Affairs.—The Department of Community Affairs shall have the power and its duty shall be to:

(1) Review, in cooperation with the Department of Environmental Resources, all official maps and revisions thereto and review all municipal applications for the Federal Flood Insurance Program.

(2) Provide, in cooperation with the Department of Environmental Resources, advisory consultative services to appropriate county and municipal agencies and, where appropriate, enter into contracts or agreements with such agencies for the provision of technical, training, inspection or enforcement services.

(3) In conjunction with the Department of Environmental Resources, develop and conduct, in cooperation with county, regional and municipal agencies or with local communities, demonstration programs relating to the planning, management and mapping of flood areas.

Section 8. Public Information.—All plans, maps, records, reports, engineering data, permit applications, correspondence and other public documents and information relating to flood area management obtained or prepared by the department or any municipality shall be available to the public.

Section 9. Filing of Plans.—In order to assure effective notice to prospective purchasers of any real property, the board shall, by regulations require that all, land within the delineation of the flood area shall be filed by the municipality in the office of the recorder of deeds for the county in which the subject property, or portion thereof, is located.

Section 10. Adoption of Comprehensive Plan.—The governing body shall have the power to adopt and amend the flood area map as a whole or in parts. Before adopting or amending a flood area map, or any part thereof, there shall be at least one public hearing pursuant to public notice. The adoption of the flood area map, or any part thereof, or any amendment thereto, shall be by resolution carried by the affirmative votes of not less than a majority of all the members of the governing body. The resolution shall refer expressly to the maps, charts, textual matter, and other matters intended to form the whole or part of the map, and the action shall be recorded on the adopted plan or part.

Section 11. Legal Status of Flood Area Map Within the Jurisdiction that Adopted the Map.—Whenever the governing body, pursuant to public notice, has adopted a flood area map or any part thereof, any subsequent proposed action of the governing body shall be submitted to the planning agency for its recommendations when the proposed action relates to:

(1) the location, opening, vacation, extension, widening, narrowing or enlargement of any street, public ground, pierhead or watercourse within the flood area;

(2) the location, erection, demolition, removal or sale of any public structure located within the municipality, or within the flood area; or

(3) the adoption, amendment or repeal of an official map, subdivision and land development ordinance, zoning ordinance or planned residential development ordinances.

The recommendations of the planning agency including a specific statement as to whether or not the proposed action is in accordance with the intent of the formally adopted flood area map shall be made in writing to the governing body within 30 days.

Section 12. Legal Status of the County Flood Area Map within Municipalities.—Following the adoption of a flood area map or any part thereof by a county, pursuant to a public notice, any proposed action of the governing body of a municipality within the county relating to (i) the location, opening, vacation, extension, widening, narrowing or enlargement of any street, public ground, pierhead or watercourse; (ii) the location, erection, demolition or sale of any public structures located within the municipality; or (iii) the adoption, amendment or repeal of any official map, subdivision or land ordinance, zoning ordinance or planned residential development ordinance shall be submitted to the county planning agency for its recommendations. The recom-

mendation of the planning agency shall be made to the governing body of the municipality within 30 days.

Section 13. The Legal Status of Flood Area Maps Within School Districts.—Following the adoption of a flood area map or any part thereof by any municipality or county governing body, pursuant to public notice, any proposed action of the governing body of any school district located within the municipality or county relating to the location, demolition, removal or sale of any school district structure or land shall be submitted to the municipal and county planning agency for their recommendations at least 30 days prior to the execution of such proposed action by the governing body of the school district.

Section 14. Municipal and County Flood Area Maps.—When a city, borough, incorporated town or township having a flood area map is located in a county which has adopted a flood area map, both the county and the city, borough, incorporated town or township shall each give the plan of the other consideration in order that the objectives of each plan can be protected to the greatest extent possible.

Section 15. Appeals.—The proceedings set forth in this act shall constitute the exclusive mode for securing review of any flood area map, decision, determination or order of the governing body of a municipality, its agencies or officers adopted or issued pursuant to this act.

Section 16. Venue.—Appeals to a court shall be taken to the court of common pleas of the county in which the land involved is located.

Section 17. Validity of Flood Area Map; Procedural Questions.—Questions of an alleged defect in the process of enactment or adoption of any flood area map shall be raised by an appeal taken directly from the action of the governing body to the court filed not later than 30 days from the effective date of the ordinance or map.

Section 18. Validity and Accuracy of Flood Area Map; Substantive Question; Landowner Appeals.—(a) A landowner who, on substantive grounds, desires to challenge the validity or accuracy of any flood area map or any provision thereof which includes or covers land in which he has an interest shall submit the challenge to the governing body together with a request for a curative amendment.

(b) The submissions shall be governed by the following:

(1) The landowner shall make a written request to the governing body that it hold a hearing on his challenge. The request shall contain a short statement reasonably informing the governing body of the matters that are in issue and the grounds for the challenge.

(2) The request may be submitted at any time after the flood area map takes effect.

(3) The request shall be accompanied by plans and other materials supporting the appeal. Said request shall contain topographic maps of the affected land.

(4) If the submission is made to the governing body after adoption of the flood area map, the request shall be accompanied by an amendment or amendments to the map proposed by the landowner to cure the alleged defects therein.

Section 19. State Aid.—No person who purchases any real property or structures, or constructs any building, or resides in, or has property located within a flood area as delineated on the official map shall be eligible for future State financial aid, loans or grants for damage resulting or incurred as a result of any flood within the flood area.

Amend Sec. 505, page 32, line 19 by striking out "505." and inserting: 20.

Amend Sec. 506, page 32, line 29 by striking out "506." and inserting: 21.

On the question,

Will the House agree to the amendments?

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

Mr. WAGNER. Mr. Speaker, this is amendment No. 7.

The SPEAKER pro tempore. Will the gentleman yield?

The Chair recognizes the gentleman, Mr. Wagner.

Mr. WAGNER. Mr. Speaker, this is it; this is the one which really comes to the whole heart of the issue. This one is contrary to the whole thrust of Senate bill No. 1.

This bill is identical, with the exception of the last section, to House bill No. 470, which we passed earlier this year. In essence, this bill mandates mapping, just like Senate bill No. 1. It mandates that municipalities adopt floodplain maps and it mandates that those maps be put on record so landowners know where they are. But it stops there. It does not go any further. It does not require any sort of flood permits, regulations, prohibitions, and so forth, as contained in Senate bill No. 1. This is really where one of the problems is that people have with Senate bill No. 1. There is no need for Senate bill No. 1.

The argument is used that it is necessary for federal flood insurance. It is not necessary for federal flood insurance that we adopt Senate bill No. 1. All that is necessary is that a municipality adopt it. It seems incredible to me that we have come this far only to disregard persons rights. I do not know why people go into floodplains and build. I do not know why they do it. They have been warned repeatedly by nature. But they do it, and I do not think that it is right for government to come in and say, you know, you are stupid for going in there, or, in our opinion, you are stupid for going in there; therefore, we are not going to let you go in there. I still think that government ought to let the individual make the decision himself.

I agree that government should not have to finance repeatedly for these decisions. I call your attention to the last section in this amendment, section 19: "State Aid.—No person who purchases any real property or structures, or constructs any building, or resides in, or has property located within a flood area as delineated on the official map shall be eligible for future State financial aid." There it is clear.

The gentleman, Mr. Manderino, made reference in his opening remarks to the fact that we passed that resolution, and I supported that resolution, but we had no statute that warned the people. We had no official map on record, so that they could say, we did not know that; and many people did not know that they were in a flood area. People were flooded this time who were not flooded before. That is really where we have come.

It has been an essential, an unalterable right which has been engraved in our constitution and laws as a fundamental law, that a man who honestly acquires his property should not have that property taken away from him if it does not serve a legitimate purpose. I submit to you that it takes no legitimate purpose to require that man to get off a floodplain if he wants to go there. Man has always had to fight with nature. I do not care where you live. If you live out on the west coast, there are earthquakes. If you live down on the gulf, there are hurricanes, or on the Jersey Shore there are hurricanes. If you happen to live near the great rivers, there are floods. Man has always had to fight with nature, and, to my knowledge, the government has never come in and said, we determined it is not good for you. Government has come in and said, we determined that is not good for other people, but we have never come in and said that is not good for you, so get out. This is really what the guts of the matter is, as far as I am concerned. I ask your support for this.

The SPEAKER pro tempore. The Chair recognizes the

gentleman from Westmoreland, Mr. Manderino.

Mr. MANDERINO. Mr. Speaker, again, this particular amendment rips out the entire Senate bill No. 1. It simply says the communities must zone, submit their plans, or they are not going to be eligible for funds. Again it is simplistic.

Unfortunately, though, what one community does in a floodplain, in a watershed, affects communities downstream. The amount of debris that comes downstream in many floods in the smallest water ways is what does the damage. I can envision the communities downstream who have complied, who have done everything they can to protect themselves who are going to suffer devastating effects of these types of disasters because somebody upstream did not comply. That is what we are aiming at here in Senate bill No. 1.

It is a bill, again, which I said before, that has been considered by almost every organization having an interest. The persons in county government, in municipal government, persons in the building industry, railroads, steelworkers, and they have endorsed Senate bill No. 1 as the proper way to do a job that must be done. If you have been reading the editorials in the Philadelphia Inquirer of late, in the Harrisburg papers, the Pittsburgh papers, they are telling the legislature that in their opinion we should pass some form of management of the watersheds to prevent the disasters that do occur.

The Wagner Amendment, now proposed, does nothing towards this end. It does nothing for the community that complicates and must suffer ravages of the disaster because of communities upstream who did not comply. I urge a defeat of the amendment.

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

Mr. BEREN. Mr. Speaker, would the gentleman, Mr. Wagner, consent to interrogation?

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

Mr. WAGNER. I shall.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. BEREN. Mr. Speaker, several times today the question has been raised as to what is the difference between Senate bill No. 1 and the existing Federal legislation and rules and regulations. I have yet to hear an answer to the question and I think that it goes to the heart of the matter that we are discussing.

So, Mr. Speaker, I wonder, first, if you would tell me just what the Federal legislation and rules and regulations do with regard to the floodplain situation?

Mr. WAGNER. Mr. Speaker, I am going to read excerpts from the Federal Code Regulations dealing with this: "In order to qualify for Federal Flood Insurance, a community must apply for eligibility for its area."

A community is defined as a state or subdivision. Let me just go on here with what these requirements are. They require mapping, they require building permits, they require floodproofing of homes, they can prohibit new construction. The same thing that we want the Department of Environmental Resources to do. In essence, if the state does not adopt this plan, then it is up to the local municipalities to adopt the Federal plans. Those that have not will not qualify. Those that will, will qualify. As far as damage downstream or upstream or across-stream, which has been mentioned, this is a concern. But the fact is, that out of the 1,280-some municipalities in this

Commonwealth which have been designated as flood-hazard areas, only 67 have not qualified and the deadline is not here yet. So, for all intents and purposes, 95 percent or more of the streams along the rivers, streams, creeks, what-have-you, have qualified and are following the regulations, which are going to get tough, and there will not be any unnecessary debris to damage them. I hope that answers your question.

Mr. BEREN. May I try and sum it up, Mr. Speaker?

It appears, therefore, that under the existing Federal legislation and rules and regulations, which you quoted, that in order to qualify for flood insurance, a local community now must first apply for the insurance, must provide mapping services, must secure flood-proofing, has to run the consideration of the fact that building may indeed be restricted in the area and that, from what you told me, the great majority of the communities in this state have already applied under the Federal legislation. Mr. Speaker, why then is Senate bill No. 1 necessary? What steps do Senate bill No. 1 take that are not covered under the Federal legislation?

Mr. WAGNER. Mr. Speaker, Senate bill No. 1, is not necessary for Federal flood insurance, except for those 67 municipalities or fewer now who have not qualified, who have chosen not to qualify and file for Federal flood insurance.

Mr. BEREN. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Montgomery, Mr. Pyles.

Mr. PYLES. Mr. Speaker, I think that many of us have received improper information as to the effect in this state of the National Flood Insurance Program as amended in 1973 by the Flood Disaster Protection Act. When that act was amended in 1973, which, remember now, was as a result of Agnes, this act was modified to require the Secretary of Housing and Urban Development to designate and identify all of those municipalities in the United States that were flood prone. As a result, in the State of Pennsylvania, 2,470 communities of the 2,553 were identified as flood prone. Only 83 in our Commonwealth were eliminated from the program. What does this identification mean? It meant that the communities so designated and identified only had two choices. The first choice was to accept the identification and accomplish prescribed administrative and legislative actions which would then set off the program that Housing and Urban Development would provide, maps delineating the boundaries of the floodplain in that area, and, at that time, that community and the people living within the boundaries of that designated floodplain would qualify under the flood insurance program.

The only other alternative to the communities so identified was to take an appeal to the Secretary of Housing and Urban Development. That is the only other alternative. They either had to take the necessary prescribed action legislatively, local legislatively or administratively, or they had to take an appeal.

The appeal procedures indicates that the municipalities had to submit evidential material and that the Secretary of the Department of Housing and Urban Development could have local public hearings. If, in the judgment of the Secretary of Housing and Urban Development, it was necessary to still identify that community as flood prone, his decision was final, only subject to judicial review.

Now what has happened in the State of Pennsylvania?

After 2,470—that is 97 percent—of our communities have been identified, 1,535, as of the 17th of September, this month, have taken all the necessary steps to qualify for the National Flood Insurance Program. The balance of those so identified are still in process because the impact of the program became a burden on the Department of Housing and Urban Development to prepare the maps and they are now trying to get those.

When these municipalities became eligible, it did two things. In addition to making the property owners eligible for national flood insurance within the boundaries of the floodplain area, it also set forth building requirements within that same boundary. It said that no Federal funds, nor federally guaranteed funds of lending agencies, shall be used to build within the floodplain unless those buildings were flood proof. I think that this is important to realize that the national act recognized the rights of the individual to make a choice, and that is guaranteed in our constitution. It protected that, but it did put certain parameters and restraints.

Let me read to you, my colleagues, in summary what the Senate Committee on Banking, Housing and Urban Affairs had to say when they were taking testimony and making their reports to the Senate on their consideration of the Federal Disaster Protection Act of 1973. This, my friends, is the essence of the program now in existence.

The objective is to make clear that the expanded flood insurance program is specifically intended as a substitute and eventual replacement of the Federal disaster relief for flood occurrences, so that property owners not only will be made more aware of flood hazards and will be permitted to contribute to their own protection, but also so that they will be more fully indemnified without having to repay the Federal disaster loans when the inevitable flood losses occur.

Mr. Speaker, I am addressing myself to Mr. Wagner's amendment because, in my judgement, his amendment is all that is necessary in addition to the Federal regulations and the Federal laws already on the books. We do not have to go into the depth that Senate bill No. 1 perpetrates on the people of this Commonwealth. Thank you.

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

Mr. MANDERINO. Mr. Speaker, some of the gentlemen have alluded to 95 percent of the communities having complied. They have not complied with the requirements of the Federal act. They have passed an ordinance of intention to comply whenever the maps are delivered. There are less than 15 communities that have supplied their own maps, that have going through the ordinance process, adopting zoning in the floodplains that meet minimum standards. Most of the communities have done something that has been very easy. They have simply passed an ordinance of intention to comply to do the planning that is necessary once the Federal floodplain map has been received.

The difference between existing law and Senate bill No. 1 is that we are for the first time going to assist the communities financially by reimbursing for 50 percent of the costs that will be incurred. These costs have not yet been recurred except in a handful of communities. We are going to reimburse them for that and we will have the assurance with Senate bill No. 1 that there will be a general plan that communities downstream will not suffer because of what communities upstream have done or

have not done. The entire State of Pennsylvania, if necessary, will be zoned so far as the floodplains are concerned, because we have the power to do it at the state level if the municipalities do not do it.

To take the arguments that I have heard just shortly and recently from the last two speakers would mean that all these people who have put all so much time into developing Senate bill No. 1 and all the editorials across this state that have indicated that we had better get in as a state, get in the boat, and share the burden and develop a management plan for the floodplains to protect the citizens and property of this state, are wrong and have wasted their time. I do not think that that is so. I think that the committees that have produced this bill and the people who have worked on this project have done it for valid reasons. It is necessary. The protection of lives and property is at stake. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Montgomery, Mr. Pyles.

Mr. PYLES. Mr. Speaker, I have here an IBM listing, furnished to me by the Department of Community Affairs, which is entitled, Those Municipalities, Communities in the State of Pennsylvania that have been identified as flood prone. This list contains 2,470, as I mentioned before, communities.

I talked to the head of the bureau of planning just yesterday from the Department of Community Affairs and asked him how many had already become eligible by receiving the maps from the Department of Housing and Urban Development. He gave me a report that as of the 17th of September there are 1,535. That is two-thirds of those identified. I do not know where Mr. Manderino got his information, but my information is current. There are 1,535 already eligible for the program. It is recognized by the Department of Community Affairs and the Department of Housing and Urban Development that the initial maps that have been furnished to these communities are "fast and fuzzy." That is the precise quotation that I got, "These maps are fast and fuzzy." It was expected to be that, in order to get these communities and the people who have properties within the boundaries of the designated floodplain insured, qualified to take insurance.

The Department of Housing and Urban Development's second phase program, of developing the maps, is working with the Army engineers and the state agencies and any other Federal assistance programs that have knowledge as to what the ultimate plan will be. This is the follow-on program. But I know for a fact and I was given this information and I have the IBM listing here of the communities that have become eligible. I have found out in my discussions on this bill that so much erroneous information is available to our colleagues here that it is upsetting and people are reacting on this type of faith. Thank you.

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

Mr. ZELLER. Mr. Speaker, if any of you have seen the release put out by the Department of Housing and Urban Development, it is a code of Federal regulations called Title 24, revised as of April 1, 1973. It tells how you qualify for Federal flood insurance. It goes on with a long list of qualifications and requiring building permits, and so forth, and requiring construction materials and all that. This is already progress. I am not going to go and add to what Mr. Pyles has stated and Mr. Wagner has stated, because we have been prolonging this long

enough. But if you had read this, so far, I understand, that out of 1,287 communities, 1,220 have adopted these regulations that make them available for flood insurance. Now this is what I am told. I know that these people have more information that I have, but, if this is true, this is all we are doing today if we take amendment No. 7 and put it into law. What we have in is a funding to take care of what Mr. Manderino said, a 50-50, and if Mr. Shelhamer's goes in, it will be 90-10. At least we have the matching money there.

We do not need all the rest of the controls. We already have a department that is on our neck, and that is the Department of Housing and Urban Development. It is not as tough as it is going to be if you get the Environmental Protection Agency and the Department of Environmental Resources on your neck. You are going to wind up with so many agencies controlling you that you are going to be in the first phase of metro-government.

Local communities will have nothing to say. You are going to be under the control of the Federal Government all the way. This is the first foot in the door. I would say that the Department of Housing and Urban Development is lenient to the point that at least they will work with you in regard to building homes, buildings, and that is what it is all about. Because that is what is destroyed outside of human lives, and that is the most important. But, I think you are talking about the destruction of property and paying for property. I think that is what you are talking about. If that is already taken care of in the Department of Housing and Urban Development regulations, then why do we want to stick our neck out with another agency? That is what I do not understand. Maybe I do not understand the whole thing. That is probably the problem.

The present Senate bill No. 1 and the leaving in of the money to take care of it and making it less stringent upon the local government people, I believe is the way to go. All you have to do is get into a mapping area, work with the Department of Housing Urban Development, and you will not have too much of the big daddies, EPA and DER on your neck.

Do any of you people know what the Department of Environmental Resources has been doing in the state? I think you have had it up to the neck. I have had it up to the neck in my area. I think it is about time that we give them a message. Let us vote for amendment No. 7. Thank you.

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

Mr. WAGNER. Thank you, Mr. Speaker.

Mr. Manderino made reference to the number of municipalities which have filed letters of intent and the number of municipalities which presently have the 100-percent complete Federal flood insurance requirement. This is true, Mr. Speaker, because the communities cannot get the maps in. They have filed letters of intent.

I am reading a letter from the Susquehanna River Basin Commission. It says:

The Susquehanna River Basin Commission is currently under contract with the Flood Insurance Administration of the United States Department of Housing and Urban Development HUD-FIA to conduct flood insurance studies in 95 communities in the basin.

This was earlier this year.

It is our understanding that the Commission is the principal agency in the Susquehanna

River Basin chosen by HUD-FIA to conduct these studies.

Regardless of Senate bill No. 1, these communities must have the Susquehanna River Basin Commission sanction these studies. Now they have contracted some of these out to DCA. But if the capabilities are not there now to have them get the maps ready, then Senate bill No. 1 is not going to help that at all.

If you think that Federal flood insurance regulations are light, I am going to read to you a quote by Senator Thomas Eagleton who criticizes the Federal flood insurance law as "one of the most stringent land use programs that could possibly be devised." That is what is coming with Federal flood Insurance, tough regulations.

Why in the world we need Senate bill No. 1 in the middle does not make any sense.

I ask the members to vote for these amendments. There is no need for Senate bill No. 1. We do need a mapping procedure that it is not required by the Federal Government and we do need a 100-percent mapping procedure for all communities.

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

Mr. IRVIS. Mr. Speaker, I will wait until this amendment is completed and then I will have an announcement and a motion.

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

Mr. ECKENSBERGER. Mr. Speaker, would Mr. Manderino and the sponsor of this amendment submit to interrogation?

The SPEAKER pro tempore. Will the double interrogation team consent?

Mr. MANDERINO. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. ECKENSBERGER. Mr. Speaker, on page 5 of the bill, at the bottom, line 29, the term, "Governmental unit" is defined. On page 6, line 5, the term "Municipality" is defined. I live in a community that has adopted a home rule charter. Question: Does that home rule charter government fall within the definition of governmental unit and/or municipality?

Mr. MANDERINO. Mr. Speaker, you referred to the bottom of page 29.

Mr. ECKENSBERGER. No. The bottom of page 5 of Senate bill No. 1.

Mr. MANDERINO. Okay.

Mr. ECKENSBERGER. That is line 29.

Mr. MANDERINO. Do you have a question about the definition of "governmental unit"?

Mr. ECKENSBERGER. I live in a community that has adopted a home rule charter. Does the home rule charter government fall within the definition of "governmental unit" and/or does it fall within the definition of "municipality" on page 6, line 5?

Mr. MANDERINO. If you are asking my opinion, I certainly think that your municipality, regardless of the type of government that it has, whether under a home rule charter or one designated by the state, would be a governmental unit if it fits the category of municipality.

Mr. ECKENSBERGER. That is my question: Does it fit the category of "municipality" as used on line 29?

Mr. MANDERINO. It includes municipality, and I suppose every political subdivision is a municipality. Even counties are, under the constitution.

Mr. ECKENSBERGER. To the sponsor of the amend-

ment, Mr. Speaker, I do not believe that you defined the term, "Municipality," but on page 5 you used the terms 'city, borough, incorporated town or township.' Possibly in other parts of the amendment you may refer to municipality, also. Does your reference to and use of the term "Municipality" include home rule charter government?

Mr. WAGNER. I would assume so. I do not know.

Mr. ECKENSBERGER. I thank the gentleman.

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

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

YEAS—82

Abraham	Gleason	McClatchy	Spencer
Anderson, J. H.	Grieco	McCue	Stahl
Beren	Halverson	McGinnis	Stout
Bittle	Hamilton, J. H.	Miller, M. E., Jr.	Taylor
Brandt	Hasay	Moehlmann	Thomas
Burns	Haskell	Mrkonic	Turner
Cimini	Hayes, D. S.	Noye	Ustynoski
Crawford	Hayes, S. E.	O'Connell	Vroon
Cumberland	Hepford	Perri	Wagner
Davies	Hill	Pitts	Weldner
Deverter	Hopkins	Pyles	Westerberg
Dininni	Hutchinson, W.	Ryan	Whelan
Dorr	Katz	Salvatore	Whittlesey
Dietz	Kernick	Scirica	Wilt, R. W.
Fawcett	Kistler	Seltzer	Wilt, W. W.
Fischer	Klingaman	Snelhamer	Worrlow
Foster, A.	Kusse	Shuman	Wright
Foster, W.	Lehr	Sirlanni	Zearfoss
Fryer	Levi	Smith, E.	Zeller
Gallen	Lynch	Smith, L.	Zord
Geesey	Manmiller		

NAYS—115

Arthurs	Geisler	Mebus	Rieger
Barber	George	Menhorn	Ritter
Bellomini	Giammarco	Milanovich	Romanelli
Bennett	Gillespie	Miller, M. E.	Ross
Berlin	Gillette	Milliron	Ruggiero
Berson	Gleeson	Miscevich	Saloom
Blackwell	Goodman	Morris	Scheaffer
Bonetto	Green	Mullen, M. P.	Schmitt
Bradley	Greenfield	Mullen	Schweder
Brunner	Hammock	Musto	Shelton
Butera	Hutchinson, A.	Myers	Shupnik
Caputo	Irvis	Novak	Stapleton
Cessar	Itkin	O'Brien	Sullivan
Cohen	Johnson, J.	O'Donnell	Taddonio
Cole	Kelly, A. P.	O'Keefe	Tayoun
Cowell	Kelly, J. B.	Oliver	Toll
Davis, D. M.	Knepper	Pancoast	Trello
DeMedio	Kolter	Parker, H. S.	Valicenti
Dicarlo	Kowalyshyn	Perry	Vann
DiDonato	LaMarca	Petrarca	Walsh, T. P.
Dombrowski	Laudadio	Pievsky	Wansacz
Doyle	Laughlin	Polite	Wargo
Dreibelbis	Lederer	Pratt	Wilson
Eckensberger	Letterman	Prennergast	Yahner
Englehart	Lincoln	Reed	Yohn
Fee	Manderino	Renninger	Zwinkl
Fisher	McCall	Renwick	
Flaherty	McIntyre	Rhodes	Fineman, Speaker
Gallagher	McLane	Richardson	
Garzia			

NOT VOTING—5

Gring	Rappaport	Shane	Wojdak
McGraw			

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

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

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

Amend Sec. 201, page 9, by inserting between lines 24 and 25: (vi) Criteria and standards taking into consid-

eration in adopting regulations the existence of State and Federal flood control projects which have been constructed in each municipality.

Amend Sec. 202, page 10, line 28, by striking out "and"

Amend Sec. 202, page 11, line 2, by removing the period after "Commonwealth" and inserting: ; and (vi) a statement of existing State and Federal flood control projects which have been constructed in the municipality.

Amend Sec. 203, page 14, line 4, by inserting after "act.": Such approval to any municipality shall take into consideration the existence of State and Federal flood control projects which have been constructed therein.

On the question,

Will the House agree to the amendments?

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

Mr. GLEASON. Mr. Speaker, the amendment which I have presented to the members was initially sent down from the Legislative Reference Bureau and it had left out two very important words. The amendment should read: "The existence of state and Federal Flood Control Projects." In other words, where the words in my amendment are "State and Federal Projects", you insert the two words "flood control".

That correct amendment is before the House now, but unfortunately the clerks have not been able to get around to photocopying. If you have a copy before you, just insert the word "flood control" between the words "Federal" and "projects".

Now the intent of this amendment is my recognition that it is quite possible that every single community in Pennsylvania will be treated by the Department of Environmental Resources or the Environmental Quality Board in the same fashion.

My city, of course, is probably the most afflicted city in the Commonwealth in terms of floods over the last 100 years. But we were very fortunately blessed in the 1930's when President Roosevelt inserted a flood control project through the Army Corps of Engineers in our city. This has saved us for the last 40 years. And I can remember during the Agnes Flood of 1972, when our neighbors to the west in Pittsburgh were terribly stricken by the floods, Johnstown, because of its flood-control projects, escaped all damage as a result of that flood.

I am not asking here for an exclusion of a community such as mine but I am simply asking that the Department of Environmental Resources, in making up its regulations, shall take into consideration the existence of Federal or state flood-control projects in a specific community. I am not asking for an exemption or an excuse or a way out for my community or other communities, but only that the department shall take into consideration, when it promulgates its regulations or when it applies those regulations, any existing effective Federal and state flood-control projects.

I do not think this is an unfair request. I do not think that my city, for example, should be treated exactly the same way as another city without the blessing of a flood-control project. This is all I am asking for. I am not asking for any excuse for exemption. And I would hope that the House of Representatives would approve this amendment to assist communities such as mine with flood-control projects.

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

Mr. MANDERINO. Mr. Speaker, I am informed that the Federal mapping that is going on right now will take

into consideration in the designation of the floodplain the existing flood-control projects.

I have read Mr. Gleason's amendment. I do not think that it does anymore than ask that that be done. I think it is already going to be done. I have no objections to the Gleason amendment.

On the question recurring,

Will the House agree to the amendments?

Amendments were agreed to.

On the question recurring,

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

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

Amend Sec. 504, page 32, line 18, by inserting after "[APPROVED].": No municipality shall be required to expend more than 10% of the cost of the comprehensive plan or any amendments thereto.

On the question,

Will the House agree to the amendment?

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

Mr. SHELHAMER. Thank you, Mr. Speaker.

I realize that the hour is late and I do not want to hold the members here any longer than necessary. I only wish to point out to you that the amendment that I now offer is the same amendment that I offered earlier with one differential in that I have corrected the language from "unit" to "municipality".

What this amendment would do is to require either the state government or the Federal Government to provide 90 percent of the funding, so that no more than 10 percent of the funding at the present time or sometime in the future will fall upon our local municipalities. I urge an affirmative vote for this amendment.

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

Mr. MANDERINO. Mr. Speaker, again, we are getting into helping the local communities with the 50-percent tab being borne by the state. This help does not exist at the present time. They are required to file their plan, they are required to design their program, they are required to adopt their ordinances pursuant to a comprehensive study, without help from the state.

Senate bill No. 1 proposes 50-percent reimbursement; 90-percent reimbursement will just cost about twice as much to the state. It is not something that we are requiring; it is something that the Federal Government is requiring.

We are sharing the local communities' burdens. We understand that they do have problems financially and we are picking up 50 percent of the tab.

Anytime I have seen 80-percent funding programs or 90-percent funding programs, I find that the local governments, because of the small share they are paying of the tab, will end up spending much more money than they would if they only had to pay 50 percent of the tab. I ask that we reject the amendment.

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

Mr. SHELHAMER. Mr. Speaker, I only might point out and contradict the former speaker's remarks in this

respect, that any requirements that are passed on to the local municipality will be passed on by the Commonwealth, and for that reason I feel the amount is just.

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

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

YEAS—129

Abraham	Fryer	Manmiller	Seltzer
Anderson, J. H.	Gallen	McCall	Shelhamer
Arthurs	Garzia	McClatchy	Shelton
Bellomini	Geesey	McCue	Shuman
Beren	George	McGinnis	Sirrianni
Bittle	Gillespie	Mebus	Smith, E.
Bradley	Gleason	Menhorn	Smith, L.
Brandt	Goodman	Miller, M. E.	Spencer
Brunner	Grieco	Miller, M. E., Jr.	Stahl
Burns	Halverson	Milliron	Stapleton
Butera	Hamilton, J. H.	Miscevich	Stout
Cessar	Hasay	Moehlmann	Taddonio
Cimini	Haskell	Mrkonic	Taylor
Cole	Hayes, D. S.	Novak	Thomas
Cowell	Hayes, S. E.	Noye	Turner
Crawford	Hepford	O'Brien	Ustynoski
Cumberland	Hill	O'Connell	Vann
Davies	Hopkins	O'Keefe	Vroon
Davis, D. M.	Hutchinson, A.	Pancoast	Wagner
DeMedio	Hutchinson, W.	Perri	Weidner
Deverter	Katz	Petrarca	Westerberg
Dicarlo	Kelly, J. B.	Pitts	Whelan
Dietz	Kernick	Pyles	Whittlesey
Dininni	Kistler	Reed	Wilson
Dombrowski	Klingaman	Renninger	Wilt, R. W.
Dorr	Knepper	Renwick	Wilt, W. W.
Doyle	Kowalshyn	Ruggiero	Worrlow
Eckensberger	Kusse	Ryan	Wright
Fawcett	Lehr	Saloom	Yahner
Fischer	Levi	Salvatore	Yohn
Fisher	Lincoln	Scheaffer	Zearfoss
Foster, A.	Lynch	Scirica	Zeller
Foster, W.			

NAYS—65

Barber	Gleason	Morris	Schmitt
Bennett	Green	Mullen, M. P.	Schweder
Berlin	Greenfield	Mullen	Shane
Berson	Hammock	Musto	Shupnik
Blackwell	Irvis	O'Donnell	Toil
Bonetto	Itkin	Oliver	Trello
Caputo	Kelly, A. P.	Parker, H. S.	Valicenti
Cohen	Kolter	Perry	Walsh, T. P.
DiDonato	LaMarca	Plevsky	Wansacz
Dreibelbis	Laudadio	Pratt	Wargo
Engelhart	Laughlin	Prendergast	Wojdak
Fee	Lederer	Rappaport	Zord
Flaherty	Letterman	Rhodes	Zwika
Gallagher	Manderino	Richardson	
Geisler	McIntyre	Ritter	Fineman,
Giammarco	McLane	Romanelli	Speaker
Gillette	Milanovich	Ross	

NOT VOTING—8

Gring	McGraw	Polite	Sullivan
Johnson, J.	Myers	Rieger	Tayoun

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

RECONSIDERATION OF VOTE

ON GARZIA AMENDMENTS TO SENATE BILL No. 1

Mr. GARZIA moved that the vote by which his amendments to SENATE BILL No. 1 were defeated on Wednesday, October 1, 1975, be reconsidered.

Mr. SHUMAN seconded the motion.

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

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

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

Mr. GARZIA. Mr. Speaker, my amendment still says that the state will pay 100 percent of the cost.

Mr. Manderino made a statement about an hour ago that 840 communities have not applied for anything. If we fund the cost at 100 percent, I think it would encourage a lot of these municipalities to go ahead and do the study and come up with a plan.

From what I gather from just being up at Syracuse last week for the local government hearing, a lot of these small communities just cannot even afford a couple thousand dollars to do the study. I think that if we fund it 100 percent, they will do the study. I hope I get an affirmative vote on my amendment.

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

Mr. MANDERINO. Mr. Speaker, I oppose the amendment. If we are going 100-percent financing, I am sure we could do a better job if we did it all ourselves. There is no sense in sending the money back to the local communities for them to do the job. Again, with 100-percent financing, we have no controls over what is done.

I spoke on the last amendment saying, with 10-percent financing at the local level, we are apt to get some loaded plans, loaded in costs, back here anyway. Of course, you are only adding 10 percent to what the people just did, so I cannot criticize you as much as I would like to criticize those who went up to 90 percent.

I just hope that the good-time-Charlies here, the big spenders, will help me find the money when it is necessary to find the money.

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

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

YEAS—91

Anderson, J. H.	Giammarco	McClatchy	Smith, L.
Beren	Gleason	McCue	Spencer
Brandt	Greenfield	McGinnis	Stahl
Brunner	Grieco	McIntyre	Stapleton
Buras	Hamilton, J. H.	Moehlmann	Stout
Cimini	Hasay	Myers	Thomas
Cohen	Haskell	Noye	Turner
Crawford	Hayes, D. S.	Pancoast	Ustynoski
Cumberland	Hayes, S. E.	Perri	Vroon
Davies	Hepford	Petrarca	Wagner
DeMedio	Hill	Pitts	Weidner
Deverter	Hopkins	Polite	Westerberg
DiDonato	Hutchinson, W.	Pyles	Whelan
Dietz	Katz	Rieger	Whittlesey
Dininni	Kistler	Ryan	Wilson
Dorr	Klingaman	Saloom	Wilt, R. W.
Fawcett	Kusse	Salvatore	Wilt, W. W.
Fischer	Lederer	Scirica	Worrlow
Foster, A.	Lehr	Shelhamer	Wright
Gallen	Letterman	Shelton	Yahner
Garzia	Levi	Shuman	Yohn
Geesey	Lynch	Sirrianni	Zearfoss
	Manmiller	Smith, E.	

NAYS—104

Abraham	Gallagher	Milanovich	Ritter
Arthurs	Geisler	Miller, M. E.	Romanelli
Barber	George	Miller, M. E., Jr.	Ross
Bellomini	Gillespie	Milliron	Ruggiero
Bennett	Gillette	Miscevich	Scheaffer
Berlin	Gleason	Morris	Schmitt
Berson	Goodman	Mrkonic	Schweder
Bittle	Green	Mullen	Seltzer
Blackwell	Halverson	Mullen, M. P.	Shane
Bonetto	Hammock	Musto	Shupnik
Bradley	Hutchinson, A.	Novak	Taddonio
Butera	Irvis	O'Brien	Taylor

Caputo	Itkin	O'Connell	Toll
Cessar	Kelly, A. P.	O'Donnell	Trello
Cole	Kelly, J. B.	O'Keefe	Valicenti
Cowell	Kernick	Oliver	Vann
Davis, D. M.	Knepper	Parker, H. S.	Walsh, T. P.
Dicarlo	Kowalyshyn	Pievsy	Wansacz
Dombrowski	LaMarca	Pratt	Wargo
Doyle	Laudadio	Prendergast	Wojdak
Dreibelbis	Laughlin	Rappaport	Zeller
Eckensberger	Lincoln	Reed	Zord
Englehart	Manderino	Renninger	Zwikl
Fee	McCall	Renwick	
Fisher	McLane	Rhodes	Fineman,
Flaherty	Mebus	Richardson	Speaker
Foster, W.	Menhorn		

NOT VOTING—7

Gring	Kolter	Perry	Tayoun
Johnson, J.	McGraw	Sullivan	

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

RECONSIDERATION OF VOTE

ON BRANDT AMENDMENTS TO SENATE BILL No. 1

Mr. BRANDT moved that the vote by which his amendments to SENATE BILL No. 1 were defeated on Wednesday, October 1, 1975, be reconsidered.

Mr. O'CONNELL seconded the motion.

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

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

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

Mr. BRANDT. Thank you, Mr. Speaker.

First of all, I would like to address some remarks to the majority whip. I was serious in the amendment and I apologize for any thoughts he had otherwise to that.

I really believe that this Senate bill No. 1 will be a great burden to our local municipalities. We are concerned about funding. That is what we hear all the time. With another overlay of bureaucracy, I certainly ask an affirmative vote on this amendment.

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

Mr. MANDERINO. Equally as serious as I was the first time, let me explain that what Mr. Brandt is doing is jacking up the bill and placing in the bill simply the requirements that the Federal act be complied with.

The communities need help in complying with the Federal law. Senate bill No. 1 provides funding to help them with complying with the Federal law.

What we are talking about is lives and property. Thirty counties in the state were just designated as disaster areas, some of the same areas that were flooded not so long ago. In those counties, there are many, many municipalities which will be ineligible for flood relief because they have not complied.

Senate bill No. 1 is needed. To adopt the amendment really guts the bill, replaces the bill with the simplistic requirement that Federal law be complied with and helps the communities not one iota. I ask that we reject the amendment.

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

Mr. O'CONNELL. Once again, I respectfully disagree

with the majority whip. It is not absolutely necessary for communities to participate in the flood insurance program. All that remains, if this amendment is adopted, will meet the requirements. We will not again, as I said before, just be creating layer after layer of bureaucracy. I ask for support of the Brandt amendments.

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

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

YEAS—87

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

NAYS—107

Abraham	Geisler	Mebus	Ritter
Arthurs	George	Menhorn	Romanelli
Barber	Giammarco	Milanovich	Ross
Bellomini	Gillespie	Milliron	Ruggiero
Bennett	Gillette	Morris	Saloom
Berlin	Gleason	Mrkonjic	Schmitt
Berson	Goodman	Mullen	Schweder
Blackwell	Green	Mullen, M. P.	Snane
Bonetto	Greenfield	Musto	Shelton
Bradley	Hammock	Myers	Shupnik
Brunner	Hutchinson, A.	Novak	Stapleton
Caputo	Irvis	O'Brien	Stout
Cohen	Itkin	O'Donnell	Sullivan
Cole	Kelly, A. P.	O'Keefe	Taddonio
Cowell	Kernick	Oliver	Taylor
DeMedio	Kolter	Perry	Toll
Dicarlo	Kowalyshyn	Petrarca	Trello
DiDonato	LaMarca	Pievsy	Valicenti
Dombrowski	Laudadio	Pratt	Vann
Doyle	Laughlin	Prendergast	Walsh, T. P.
Dreibelbis	Lederer	Rappaport	Wansacz
Eckensberger	Letterman	Reed	Wargo
Englehart	Lincoln	Renninger	Wojdak
Fee	Manderino	Renwick	Zwikl
Flaherty	McCall	Rhodes	
Fryer	McIntyre	Richardson	Fineman,
Gallagher	McLane	Rieger	Speaker
Garzia			

NOT VOTING—8

Butera	Gring	McGraw	Parker, H. S.
Cessar	Johnson, J.	Miller, M. E.	Tayoun

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 Lehigh, Mr. Eckensberger. For what purpose does the gentleman rise?

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. ECKENSBERGER. Mr. Speaker, I am erroneously recorded in the affirmative on the Shelhamer amendment to Senate bill No. 1. I would like to be recorded in the negative.

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

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

Mr. PYLES. Mr. Speaker, I had drafted an amendment to Senate bill No. 1 and I would like to announce to my colleagues that I am withdrawing that amendment. Before I do, I wish to state that my amendment would take the 1936 flood emergency tax that was passed and increased to 18 percent recently and put it into a flood disaster fund in order to offset the cost of flood disaster relief.

I am sure that I would be severely criticized for being fiscally irresponsible by taking the money out which now goes to the general fund, but I would like to submit that, in my judgment, this administration is more fiscally irresponsible than my proposed amendment.

I recognize the difficulty with this amendment, so I am withdrawing it. Thank you very much.

On the question recurring,

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

Bill as amended was agreed to.

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

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

Mr. O'CONNELL. Mr. Speaker, I yield to the lady, Miss Sirianni, who has a brief statement.

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

Miss SIRIANNI. Mr. Speaker, I respect Dr. Goddard and I certainly consider him a very good friend to everyone in Pennsylvania. I rate him as the most capable of the Shapp Cabinet in terms of industriousness and ability, and it is because of this that I urge we not give him more work to do.

The Department of Environmental Resources today is overworked and overloaded with responsibility. It now requires 16 pages in the Capitol phone book just to look up any of the various internal departments that he has to deal with. From the standpoint of management, I believe this broad new area of powers and duties could only become more cumbersome to a man who is doing a good job now.

Thank you, Mr. Speaker.

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

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

I know the hour is growing late and I do appreciate your cooperation and your indulgence, but I would just like to prevail upon your good nature for a few more minutes. I promise to be as brief as I possibly can because I am as interested in getting out of here this evening as you are. But I do, Mr. Speaker, have to respond briefly to make some corrections to an editorial that appeared in The Patriot this morning.

I am not generally tender about editorials. I like them and I like to be written up before I am in the basket. It is nice to make editorials while you are alive and you can respond to them, but there are several points that I would like to make in regard to this.

There is an innuendo, an allegation, that I and some others may have submitted to pressure from contractors and special-interest groups. I would like the record to show as clearly as I can—and I would be willing to submit to most any test—the fact that I have not been contacted by anyone in opposition to this bill, particularly the contractors, the builders, and I have discussed it with only one utility member and no one else. I have had a lot of pressure from the other side, but I have had none from these special-interest groups that are referred to in this editorial.

I have had contacts from labor and other people and from some League of Women voters and others in my own districts in regard to it, but mostly from those in favor of it and those in support of it. But because of the strong feelings that I had for this and against it, I had to take this particular stance.

There is another reference in this particular article—and I do not really take any quarrel with it. It is absolutely true that I did own a bar and a grill and a nickel-beer joint in Kingston for a good many years. My father started it. He ran it into a multimillion-dollar business with over a couple hundred employees.

I do not know whether this was written with an intent to degrade me or to have me think that I might be somebody on Third Street whom Reed is having some problems with, but I will assure you that that is not true. This was a respectable business. It was a substantial business, and it grew from a little nickel-beer joint to something we could have been proud of and I am still proud of. So that being what it is, I would just like to get that off my back.

Finally, I want to tell you as clearly and as concisely as I can—and I think others on this side share this—we are not opposed to the regulations; we are not opposed to some controls.

I will stand here before you now and make a public statement that if something is not done in that district to get them into compliance, should there ever be another flood, I would absolutely oppose any help to those municipalities that I represent, upstream or downstream.

But what I am basically opposed to is the overkill. That is precisely what we had, I think, in this bill. There was an over-regulation here. I think a lot of us shared this concern or we would not have had this kind of dialogue and attempt to amend it today, with some passing and some failing, if the majority of the members in this body were not genuinely concerned. They are and they do not want to really throw the Commonwealth's money down the drain. I do not want to do that.

I want to again reiterate that I have been honest and I do appreciate what the Federal Government and the Commonwealth has done for us who suffered as a result of Agnes.

I would also like to tell you that I had a very uncomfortable weekend last weekend. I took everything up out of my lower levels of my house and had the damndest, biggest Ryder rental truck you ever saw ready to take that furniture out if I got into trouble.

I do not want to burden the Commonwealth. I do not want to burden the taxpayer. But what I do not want is to lose the property values and the value of my home.

And, in my judgment, in my view—the same as the rest of these—this could be confiscatory. It could be taking without just compensation. It could be a reduction in value of my home and give me a problem should I ever want to sell it or should my wife ever want to sell it.

Let me relate to you my personal problem. I will try not to burden you. I had my home damned near paid for when Agnes hit. I borrowed \$55,000 from the Small Business Administration. I could not sell my home for anything near that amount of money today. And if I wanted to sell it, I would sell it for about \$40,000 and I would have to put up \$5,000 or \$7,000 of my own money to satisfy that SBA mortgage. And then I would have to go out and find the money for a down payment for another home, if I elected or choose to buy one.

There are others in my area who are in that very same boat and cannot bail out. It is a critical problem. The words that I heard over this past weekend were, I wish I could get out but I cannot get out.

But the more pressure we put on those communities and the more we exert pressure on them, the more that thing is going to develop and you are going to be burdened with a heck of a lot more in all kinds of social programs than you would if you kept it as a viable community.

Now, I think that you ought to have flood protection. I am against cellars in my town. I have been. I want them to eliminate that. I am against residential buildings where the occupancy is below the level of Agnes. I am against a lot of other things.

I am for trying to preserve it, but I would like that prerogative to remain with the local government and on the local level rather than have that accrue to the Commonwealth.

However, I would like the Commonwealth, both the Department of Environmental Resources and the Department of Community Affairs, in a spirit of cooperation, to help these municipalities so that they would comply with the disaster insurance.

Finally, if they do not comply, then those people in that district ought to know very well that they are not going to be eligible for assistance. And should they be eligible for assistance, it should be deductible in accordance with the amount of insurance they would be able to carry.

That is my strong feeling. So I am not opposed to this concept. A lot of people here who supported that position today are not against it. But we do not want the overkill; we do not want the over-regulations; and, to be very honest with you, we have some qualms about the operation of the Department of Environmental Resources and their ability to manage it and the complex thing of the Department of Community Affairs and all of these other things. That is the concern. I think that is where we are today. At least, that is the way I feel.

MOTION TO RECOMMIT SENATE BILL No. 1

Mr. O'CONNELL. With that speech, I would like to make a motion that we recommit it to the Committee on Local Government for further study, because it is evident, as a result of all this action today, it does need additional study.

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

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

Mr. MANDERINO. Mr. Speaker, I oppose the motion to

recommit. This bill has been thoroughly studied. A bill with the concept that Senate bill No. 1 encompasses is sorely needed in Pennsylvania to alleviate the misery. Perhaps the uncomfortable feeling that Mr. O'Connell had over the weekend was more than just an uncomfortable feeling for many, many people who were really hurt by the disaster. Those people need protection.

The only way they are going to get protection is if we get along with the process of passing Senate bill No. 1. Send it back to the Senate for their concurrence on your amendments or send it to conference where the amendments can be debated and negotiated between the two. Sending it back to committee accomplishes nothing but delay, and I urge you to reject the motion to recommit.

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

Mr. IRVIS. I ask that the vote be in the negative.

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

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

YEAS—83

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

NAYS—112

Abraham	Geisler	Menhorn	Romanelli
Arthurs	George	Milanovich	Ross
Barber	Giammarco	Miller, M. E.	Ruggiero
Bellommi	Gillespie	Miller, M. E., Jr.	Saloom
Bennett	Gillette	Milliron	Scheaffer
Berlin	Gleeson	Miscevich	Schmitt
Berson	Goodman	Morris	Schweder
Blackwell	Green	Mullen	Shane
Bonetto	Greenfield	Mullen, M. P.	Shelhamer
Bradley	Hammock	Musto	Shelton
Brunner	Hutchinson, A.	Novak	Shupnik
Caputo	Irvis	O'Brien	Stapleton
Cohen	Itkin	O'Donnell	Stout
Cole	Kelly, A. P.	O'Keefe	Sullivan
Cowell	Kelly, J. B.	Oliver	Taylor
Davis, D. M.	Kernick	Parker, H. S.	Toll
DeMedio	Knepper	Perry	Trello
Dicarlo	Kolter	Petrarca	Valleenti
DiDonato	Kowalshyn	Pievsy	Vann
Dombrowski	LaMarca	Pratt	Walsh, T. P.
Doyle	Laudadio	Prendergast	Wansacz
Dreibelbis	Laughlin	Rappaport	Wargo
Eckensberger	Lederer	Reed	Wojdak
Engelhart	Letterman	Renninger	Yahner
Fee	Lincoln	Renwick	Zwickl
Flaherty	Manderino	Rhodes	
Fryer	McCall	Richardson	Fineman,
Gallagher	McLane	Ritter	Speaker
Garzia	Mcbus		

NOT VOTING—7

Gring	McGraw	Myers	Tayoun
Johnson, J.	McIntyre	Rieger	

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

On the question recurring,
Shall the bill pass finally?

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

YEAS—147

Abraham	Gallagher	Milanovich	Schweder
Arthurs	Garzia	Miller, M. E.	Scirica
Barber	Geesey	Miller, M. E., Jr.	Seltzer
Bellomini	Geisler	Milliron	Shane
Bennett	George	Miscevich	Shelhamer
Beren	Giammarco	Moehlmann	Shelton
Berlin	Gillespie	Morris	Shupnik
Berson	Gillette	Mrkonie	Smith, L.
Bittle	Gleason	Mullen	Spencer
Blackwell	Gleeson	Musto	Stahl
Bonetto	Goodman	Myers	Stapleton
Bradley	Green	Novak	Stout
Brunner	Greenfield	O'Brien	Sullivan
Burns	Hammock	O'Donnell	Taddonio
Butera	Haskell	O'Keefe	Taylor
Caputo	Hepford	Oliver	Thomas
Cessar	Irvis	Pancoast	Toll
Cohen	Itkin	Parker, H. S.	Turner
Cole	Kelly, A. P.	Perry	Ustynoski
Cowell	Kelly, J. B.	Petrarca	Valicenti
Crawford	Kernick	Pievsky	Vann
Davies	Kistler	Polite	Walsh, T. P.
Davis, D. M.	Kolter	Pratt	Wansacz
DeMedio	Kowalyszyn	Prendergast	Wargo
Dicarlo	LaMarca	Rappaport	Whittlesey
DiDonato	Laudadio	Reed	Wilson
Dininni	Lederer	Renninger	Wilt, W. W.
Doyle	Lehr	Renwick	Wojdak
Dreibelbis	Letterman	Rhodes	Wright
Eckensberger	Lincoln	Richardson	Yahner
Engelhart	Manderino	Rieger	Yohn
Fawcett	Manmiller	Ritter	Zearfoss
Fee	McCall	Romanelli	Zeller
Fischer	McIntyre	Ross	Zwinkl
Fisher	McLane	Ruggiero	
Flaherty	Mebus	Scheaffer	Fineman,
Foster, W.	Menhorn	Schmitt	Speaker
Fryer			

NAYS—50

Anderson, J. H.	Hasay	Lynch	Shuman
Brandt	Hayes, D. S.	McClatchy	Sirianni
Cimini	Hayes, S. E.	McCue	Smith, E.
Cumberland	Hill	McGinnis	Trello
Deverter	Hopkins	Noye	Vroon
Dietz	Hutchinson, A.	O'Connell	Wagner
Dombrowski	Hutchinson, W.	Perri	Weidner
Dorr	Katz	Pitts	Westerberg
Foster, A.	Klingaman	Pyles	Whelan
Gallen	Knepper	Ryan	Wilt, R. W.
Grieco	Kusse	Saloom	Worrlow
Halverson	Laughlin	Salvatore	Zord
Hamilton, J. H.	Levi		

NOT VOTING—5

Gring	McGraw	Mullen, M. P.	Tayoun
Johnson, J.			

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.

BILL REPORTED AS AMENDED AND CONSIDERED FIRST TIME AND TABLED

SENATE BILL No. 580 By Mr. GALLAGHER

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), entitled "Public School Code of 1949," further providing for general obligation bonds.

Reported from Committee on Education.

WELCOME

The SPEAKER pro tempore. The Chair is pleased at this time to welcome to the hall of the House, Mrs. Betty Watson, a Scranton Times news reporter, who is here as the guest of the lady from Susquehanna, Miss Sirianni, to observe the role of lady legislators.

BILLS AND RESOLUTION PASSED OVER

The SPEAKER pro tempore. Remaining bills and resolution on today's calendar are passed over.

ANNOUNCEMENT

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

Mr. IRVIS. Mr. Speaker, we will be back in session at 11 o'clock tomorrow morning. I would ask the members to please report promptly.

I will make an attempt to complete the business of the week tomorrow, but because of the length of the debate today, we are now running approximately 3½ hours behind our schedule.

We cannot call it at 9:30 tomorrow morning. There are policy meetings which must be held and I understand the Republican Party is asking for a brief caucus in the morning. We shall reconvene at 11 o'clock tomorrow morning and we shall start promptly.

The child abuse bill will be called up tomorrow morning and, in all likelihood, before the day is over the gasoline tax bill will be called up.

I would suggest you be present. I have no further business, Mr. Speaker.

REPUBLICAN CAUCUS

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

Mr. O'CONNELL. Before the Republican members leave, we are going to caucus tomorrow at 10 o'clock. We would like you to be there very promptly. We do not want to delay it. We want to get back on the floor and get at it so that we can complete the work of the calendar in a reasonable time.

APPROPRIATIONS COMMITTEE MEETING

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

Mr. WOJDAK. Mr. Speaker, there will be an Appropriations Committee meeting tomorrow at 12 noon in the Appropriations Committee Conference Room.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 24

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, adding provisions relating to retirement for school employees and making repeals.

SENATE MESSAGE**JOINT RESOLUTION CONCURRED IN BY SENATE**

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

HOUSE JOINT RESOLUTION No. 1762

A Joint Resolution proposing an emergency Constitutional amendment to the Constitution of the Commonwealth of Pennsylvania granting the General Assembly the power to enact special laws to aid certain individuals, corporations, associations, institutions or nonpublic schools adversely affected by conditions caused by certain storms or floods.

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. 240

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

HOUSE BILL No. 854

An Act amending the "Pennsylvania Solid Waste-Resource Recovery Development Act," approved July 20, 1974 (No. 198), providing for demonstration projects; providing for grants; imposing powers and duties on the Department of Environmental Resources and the Environmental Quality Board and making an appropriation.

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. 24

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, adding provisions relating to retirement for school employees and making repeals.

Whereupon,

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

JOINT RESOLUTION SIGNED BY SPEAKER

Resolution 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:

HOUSE JOINT RESOLUTION No. 1762

A Joint Resolution proposing an emergency Constitutional amendment to the Constitution of the Commonwealth of Pennsylvania granting the General Assembly the power to enact special laws to aid certain individuals, corporations, associations, institutions or nonpublic schools adversely affected by conditions caused by certain storms or floods.

HOUSE BILLS INTRODUCED AND REFERRED

By Messrs. RICHARDSON, BLACKWELL, BARBER,

ROSS, JOHNSON, Mrs. TOLL and Mrs. KELLY

HOUSE BILL No. 1771

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58, No. 32), requiring a different operator's license number on duplicate operator's license cards and renewing a penalty.

Referred to Committee on Transportation.

By Mr. WANSACZ

HOUSE BILL No. 1772

An Act authorizing and directing the Department of Property and Supplies, with the approval of the Department of Public Welfare and the Governor to convey to the Township of Newton 7.091 acres of land, more or less, situate in the Township of Newton, Lackawanna County, Commonwealth of Pennsylvania.

Referred to Committee on State Government.

By Mr. ITKIN, Mrs. WHITTLESEY, Mrs. KERNICK and Mr. MRKONIC

HOUSE BILL No. 1773

An Act amending the "Public School Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 350, No. 77), making an appropriation and providing for post-retirement supplements.

Referred to Committee on Education.

By Messrs. PITTS, MORRIS, WEIDNER, KLINGAMAN, BURNS, VROON and E. H. SMITH

HOUSE BILL No. 1774

An Act amending the act of January 13, 1966 (1965 P. L. 1292, No. 515), entitled "An act enabling certain counties of the Commonwealth to covenant with land owners for preservation of land in farm, forest, water supply, or open space uses," further regulating school subsidies because of reduced assessments.

Referred to Committee on Education.

By Messrs. DeMEDIO, FRYER, RITTER, MEBUS and WEIDNER

HOUSE BILL No. 1775

An Act amending "The Borough Code," approved February 1, 1966 (1965 P. L. 1656, No. 581), further regulating contracts, advertisements, specifications, and bids for certain contracts.

Referred to Committee on Local Government.

By Messrs. DeMEDIO, FRYER, RITTER, MEBUS and WEIDNER

HOUSE BILL No. 1776

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206, No. 331), further regulating contracts as to advertising requirements.

Referred to Committee on Local Government.

By Messrs. DeMEDIO, FRYER, RITTER, MEBUS and WEIDNER

HOUSE BILL No. 1777

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), further regulating contracts as to advertising requirements.

Referred to Committee on Local Government.

By Messrs. DeMEDIO, RITTER, FRYER, MEBUS and WEIDNER

HOUSE BILL No. 1778

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932, No. 317), further regulating contracts as to advertising requirements.

Referred to Committee on Urban Affairs.

By Messrs. DeMEDIO, RITTER, FRYER, MEBUS and WEIDNER

HOUSE BILL No. 1779

An Act amending the act of March 7, 1901 (P. L. 20, No. 14), entitled "An act for the government of cities

of the second class," further regulating contract procedures and advertising for bids.

Referred to Committee on Urban Affairs.

By Messrs. DeMEDIO, FRYER, RITTER, MEBUS
and WEIDNER **HOUSE BILL No. 1780**

An Act amending the act of May 27, 1953 (P. L. 244, No. 34), entitled "An act relating to and regulating the contracts of incorporated towns and providing penalties," further regulating contracts as to advertising requirements.

Referred to Committee on Local Government.

By Messrs. DeMEDIO, RITTER, FRYER, MEBUS
and WEIDNER **HOUSE BILL No. 1781**

An Act amending "The County Code," approved August 9, 1955 (P. L. 323, No. 130), further regulating contracts as to advertising requirements.

Referred to Committee on Urban Affairs.

By Messrs. DeMEDIO, RITTER, FRYER, MEBUS
and WEIDNER **HOUSE BILL No. 1782**

An Act amending the "Second Class County Code," approved July 18, 1953 (P. L. 723, No. 230), further regulating contracts and purchases.

Referred to Committee on Urban Affairs.

By Messrs. DeMEDIO, FRYER, RITTER, MEBUS
and WEIDNER **HOUSE BILL No. 1783**

An Act amending the act of July 12, 1972 (P. L. 762, No. 180), entitled "An act relating to intergovernmental cooperation," regulating joint purchase and bids on such purchases.

Referred to Committee on State Government.

By Messrs. DeMEDIO, RITTER, FRYER, MEBUS
and WEIDNER **HOUSE BILL No. 1784**

An Act amending the "Municipality Authorities Act of 1945," approved May 2, 1945 (P. L. 382, No. 164), regulating contract procedures and advertising for bids.

Referred to Committee on Urban Affairs.

By Messrs. DeMEDIO, RITTER, FRYER, MEBUS
and WEIDNER **HOUSE BILL No. 1785**

An Act amending the act of April 29, 1937 (P. L. 526, No. 118), entitled, as amended, "An act providing for and regulating joint purchases by counties (other than counties of the first class), cities of the second and third class, boroughs, towns, townships, school districts, institution districts and poor districts," increasing the amount of expenditures without bids.

Referred to Committee on Urban Affairs.

By Messrs. DeMEDIO, FRYER, RITTER, MEBUS
and WEIDNER **HOUSE BILL No. 1786**

An Act amending the "Public Auditorium Authorities Law," approved July 29, 1953 (P. L. 1034, No. 270), increasing the amount of supplies and materials which may be purchased without advertising.

Referred to Committee on State Government.

By Messrs. DeMEDIO, FRYER, RITTER, MEBUS
and WEIDNER **HOUSE BILL No. 1787**

An Act amending the act of August 6, 1936 (Sp. Sess. P. L. 95, No. 38½), entitled "An act to authorize and empower cities, boroughs, towns, and townships, separately or jointly, to provide for protection against floods by erecting and constructing certain works and improvements, located within or without the county in which

situate; * * *," further regulating purchases and bidding on such purchases.

Referred to Committee on Local Government.

By Messrs. DeMEDIO, RITTER, FRYER, MEBUS
and WEIDNER **HOUSE BILL No. 1788**

An Act amending the act of August 7, 1936 (P. L. 106, No. 46), entitled, as amended, "An act relating to flood control; * * *" further providing for contracts.

Referred to Committee on State Government.

By Messrs. DeMEDIO, FRYER, RITTER, MEBUS
and WEIDNER **HOUSE BILL No. 1789**

An Act amending the "Parking Authority Law," approved June 5, 1947 (P. L. 458, No. 208), increasing the minimum amount for which an Authority may contract or purchase without bids.

Referred to Committee on Business and Commerce.

By Messrs. DeMEDIO, RITTER, FRYER, MEBUS
and WEIDNER **HOUSE BILL No. 1790**

An Act amending the "Housing Authorities Law," approved May 28, 1937 (P. L. 955, No. 265), increasing the minimum amount for which the authorities may contract or purchase without bids.

Referred to Committee on Business and Commerce.

By Messrs. PYLES, VROON, W. W. FOSTER,
W. D. HUTCHINSON, DOYLE and MENHORN
HOUSE BILL No. 1791

An Act amending the "State Highway and Bridge Authority Act," approved April 18, 1949 (P. L. 604, No. 128), further providing for award of contracts.

Referred to Committee on State Government.

By Messrs. PYLES, VROON, W. W. FOSTER,
W. D. HUTCHINSON, DOYLE and MENHORN
HOUSE BILL No. 1792

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), increasing the amount of work of any nature which can be performed on property owned by any school district without advertising and without competitive bids.

Referred to Committee on State Government.

By Messrs. PYLES, VROON, W. W. FOSTER,
W. D. HUTCHINSON, DOYLE and MENHORN
HOUSE BILL No. 1793

An Act amending the "State Public School Building Authority Act," approved July 5, 1947 (P. L. 1217, No. 498), further providing for award of contracts.

Referred to Committee on State Government.

By Messrs. PYLES, VROON, W. W. FOSTER,
W. D. HUTCHINSON, DOYLE and MENHORN
HOUSE BILL No. 1794

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine," approved March 31, 1949 (P. L. 372, No. 34), further providing for award of contracts.

Referred to Committee on State Government.

By Messrs. PYLES, VROON, W. W. FOSTER,
W. D. HUTCHINSON, DOYLE and MENHORN
HOUSE BILL No. 1795

An Act amending the act of May 1, 1913 (P. L. 155, No. 104), entitled "An act regulating the letting of certain contracts for the erection, construction, and altera-

tion of public buildings," increasing the minimum bid requirements.

Referred to Committee on State Government.

By Messrs. PYLES, VROON, W. W. FOSTER,
W. D. HUTCHINSON, DOYLE and MENHORN

HOUSE BILL No. 1796

An Act amending the "Second Class County Port Authority Act," approved April 6, 1956 (1955 P. L. 1414, No. 465), further providing for the awarding of contracts and making of purchases.

Referred to Committee on Urban Affairs.

By Messrs. PYLES, VROON, W. W. FOSTER,
W. D. HUTCHINSON, DOYLE and MENHORN

HOUSE BILL No. 1797

An Act amending "The Pennsylvania Transportation Assistance Authority Act of 1967," approved January 22, 1968 (P. L. 27, No. 7), further providing for contracts, procurement and sale of property, and competition in award of contracts.

Referred to Committee on Transportation.

By Messrs. PYLES, VROON, W. W. FOSTER,
W. D. HUTCHINSON, DOYLE and MENHORN

HOUSE BILL No. 1798

An Act amending the act of November 20, 1968 (P. L. 1075, No. 329), entitled "An act providing for the growth and development of noncommercial educational television; creating the Pennsylvania Public Television Network Commission as an independent commission and defining its power and duties," further providing for contracts.

Referred to Committee on State Government.

By Messrs. CAPUTO, GEISLER, M. M. MULLEN,
ABRAHAM, GRIECO, CIMINI, POLITE
and HOPKINS

HOUSE BILL No. 1799

An Act amending "The Liquid Fuels Tax Act," approved May 21, 1931 (P. L. 149, No. 105), further providing for refunds.

Referred to Committee on Transportation.

By Messrs. TAYOUN, JOHNSON, Mrs. TOLL,
Mrs. KELLY, Messrs. GIAMMARCO, MYERS
and LEDERER

HOUSE BILL No. 1800

An Act amending the "Pennsylvania No-fault Motor Vehicle Insurance Act," approved July 19, 1974 (P. L. 489, No. 176), further providing for collateral benefits.

Referred to Committee on Consumer Protection.

By Mr. ECKENSBERGER **HOUSE BILL No. 1801**

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

Referred to Committee on Finance.

By Mr. ZEARFOSS, Mrs. WHITTLESEY
and Mr. GLEASON

HOUSE BILL No. 1802

An Act amending the "State Highway Law," approved June 1, 1945 (P. L. 1242, No. 428), requiring the acquisition and maintenance of bridges crossing railroads.

Referred to Committee on Transportation.

By Messrs. WRIGHT and BURNS

HOUSE BILL No. 1803

An Act requiring revisions of certain Public Assistance Manual Rules relating to adult children.

Referred to Committee on Health and Welfare.

By Messrs. ECKENSBERGER, SCHWEDER, ZWIKL,
ZELLER, PRENDERGAST, RITTER, KOWALYSHYN
and RUGGIERO **HOUSE BILL No. 1804**

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853, No. 155), authorizing taxing authorities to exempt certain types of land.

Referred to Committee on Local Government.

By Messrs. ECKENSBERGER, ZORD, DOYLE
and DAVIS **HOUSE BILL No. 1805**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes prohibiting the unauthorized installation of certain automatic emergency dialing apparatus and providing a penalty.

Referred to Committee on Judiciary.

By Messrs. ECKENSBERGER, ZORD, DOYLE,
PRATT, M. E. MILLER, JR., ZELLER, REED,
CUMBERLAND, DAVIS, CIMINI, POLITE,
PITTS, LEHR, BRANDT, STAPLETON, GARZIA,
FRYER, SHELHAMER, LaMARCA, LAUDADIO,
RENWICK, BRUNNER and YAHNER

HOUSE BILL No. 1806

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, changing provisions on additional sentencing for crimes of violence committed with firearms, providing for judicial review, expanding the definition of crime of violence and correcting the violation penalty for firearms violations.

Referred to Committee on Judiciary.

SENATE MESSAGE

BILLS FOR CONCURRENCE

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

SENATE BILL No. 168

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing additional penalties for second and subsequent offenses.

Referred to Committee on Judiciary.

SENATE BILL No. 457

An Act amending the act of December 3, 1959 (P. L. 1688, No. 621), entitled, as amended, "Housing Finance Agency Law," extending the act to middle income housing and to include a mortgage finance program; empowering the agency to make low interest loans to eligible lenders with which to make mortgage loans for the purchase or rehabilitation of low, moderate or middle income housing; further providing for project cost certification of mortgage loans and providing for the powers and duties of the agency in connection therewith.

Referred to Committee on Business and Commerce.

SENATE BILL No. 728

An Act making an appropriation to The Medical College of Pennsylvania, East Falls, Philadelphia, Pennsylvania.

Referred to Committee on Appropriations.

SENATE BILL No. 825

An Act amending the act of June 2, 1915 (P. L. 736, No. 338), entitled, as amended, "The Pennsylvania Workmen's Compensation Act," creating an advisory council.

Referred to Committee on Labor Relations.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. LINCOLN, TAYLOR and DAVIS
(Concurrent) **RESOLUTION No. 168**

The General Assembly of the Commonwealth of Pennsylvania hereby designate the historic outdoor drama "To Forge A Nation" as the official drama of the Commonwealth of Pennsylvania for our nation's bicentennial.

Referred to Committee on Rules.

By Messrs. IRVIS, BUTERA, BARBER, ROSS,
HAMMOCK, RICHARDSON, VANN, SHELTON,
BLACKWELL, OLIVER, JOHNSON, RHODES,
MANDERINO and FINEMAN **RESOLUTION No. 169**

That September 29, 1975, be commemorated "Equal Rights Day" in Pennsylvania.

Referred to Committee on Rules.

By Messrs. ECKENSBERGER, ENGLEHART,
SCIRICA, W. D. HUTCHINSON, RAPPAPORT,
ZELLER, POLITE, RITTER, ZWIKL, LaMARCA,
WOJDAK, IRVIS and DOYLE
(Concurrent) **RESOLUTION No. 170**

The Speaker of the House of Representatives and the President pro tempore of the Senate each appoint a five member committee, three from the majority and two from

the minority, which committee shall then join and form a task force to study and investigate the questions and concerns of the public relating to the exercise of the powers and duties granted to the judicial level of the government by Article V of the Constitution of the Commonwealth of Pennsylvania.

Referred to Committee on Rules.

By Messrs. PITTS, SHELHAMER, YAHNER, MORRIS,
WEIDNER, BRANDT, W. W. FOSTER,
SCHEAFFER, LEVI, TURNER, KLINGAMAN,
E. H. SMITH and VROON

RESOLUTION No. 171

The members of the House of Representatives recommend to the Governor that he encourage the agencies and departments involved in the various plans to give top priority to preserving and encouraging agricultural production.

Referred to Committee on Rules.

ADJOURNMENT

Mr. SCHWEDER moved that this House do now adjourn until Thursday, October 2, 1975, at 11 a.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and (at 6:14 p.m., e.d.t.) the House adjourned.