

# Legislative Journal

WEDNESDAY, OCTOBER 15, 1975

Session of 1975

159th of the General Assembly

Vol. 1, No. 80

## HOUSE OF REPRESENTATIVES

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

THE SPEAKER PRO TEMPORE (A. J. DeMedio) 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:

O God, our Heavenly Father, grant to us the abundance of Thy grace that we may bask in the sunshine of Thy love; bestow upon us the forgiveness which is Thine to give that we may walk in newness of life; share with us Thy care and concern that we may know of Thy tender compassion and understanding mercy; fill us with the power of Thy presence that we may be motivated by Thy indwelling spirit; send us forth with Thy guidance and direction that we may exemplify Thy truth in word as well as in deed; and crown our achievements with the blessedness of Thy peace that we may experience the fullness of life which is Thine to give. In Thy blest name, we humbly pray. Amen.

### JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, approval of the Journal for Tuesday, October 14, 1975, will be postponed until printed.

### LEAVES OF ABSENCE

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

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

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

Mr. SELTZER. Mr. Speaker, I request leaves of absence for Messrs. BUTERA and DAVIES for today's session.

Mr. DAVIES requests leave due to the death of his mother.

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

### MASTER ROLL CALL

The SPEAKER pro tempore. We will now proceed with the master roll call. Only members in their seats will be permitted to vote.

The roll was taken and was as follows:

## YEAS—198

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

## NOT VOTING—4

Butera                      Davies                      McGraw                      Milanovich

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

### PERMISSION TO ADDRESS HOUSE

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

Mr. ECKENBERGER. Mr. Speaker, I rise today to make public the results of a recent survey made by my office that will show that first degree murders have continued to be a serious problem in Pennsylvania since Act 46 of 1974, the so-called Death Penalty Act, became the law of the Commonwealth.

The approval of Act 46 by an overwhelming majority of both chambers of the legislature, and over the veto of

the Governor, was a response to a 1972 United States Supreme Court decision commonly referred to as *Furman v. Georgia*. That decision by a 5-4 majority of the Court was extremely complex, but the overall impact seems to be that the imposition of a sentence of death is unconstitutional only if applied in a discriminatory fashion.

There seems to be complete agreement, however, that the court did not say in 1972 that the death penalty itself is unconstitutional in all cases.

Since the *Furman* decision, at least 31 state legislatures have acted to write constitutional capital punishment laws that would include some form of mandatory—and I use that word advisedly—sentences of death. Pennsylvania was among those states that enacted a new law, and I referred to it earlier as Act 46 of 1974.

In its present form, the law includes these provisions: There are three degrees of murder defined. First degree murder is an intentional killing. Second degree murder is the technical legal area of "felony murder." All other murder is third degree murder. If a jury finds a defendant guilty of first degree murder, the same jury must also subsequently decide if the sentence is to be death or life imprisonment.

The jury must consider aggravating and mitigating circumstances before sentencing. Aggravating circumstances are elements considered so objectionable or so detrimental to society that, coupled with the intentional murder of another human being, these circumstances elevate the crime to that which is punishable by a sentence of death. Mitigating circumstances would, of course, absolve the defendant of that elevation. If any of nine aggravating circumstances are present with no mitigating circumstances, a death penalty is required. If one of three mitigating circumstances is present, or if there are no aggravating circumstances, the jury or court is required to impose life imprisonment. The law also purports to establish a sentencing procedure.

Many of us present today in this chamber will recall that the provisions of this act were arrived at after literally hours of debate and soul-searching on the floor of the House. We recognized that the United States Supreme Court could nullify our actions by declaring capital punishment unconstitutional in all instances. But again in 1975, this year, the United States Supreme Court has so far refused to do so, asking instead for a reargument in the capital case of *Jesse T. Fowler v. State of North Carolina*. As such, we felt the effort of making this survey was reasonable and justifiable.

Against that background, let me briefly explain the purposes of the survey which our office made. We sought to do two things—first, to acquire an actual count of the number of death sentences imposed in the 18 months since the passage of Act 46 and an estimate of the number of pending cases in which the district attorney may request imposition of a sentence of death.

Second, we sought to receive recommendations from the various district attorneys throughout the Commonwealth, based on their experience, as to methods of improving the act.

The results of the survey have been most revealing. We are pleased to report that we have received written responses from 55 counties and verbal responses from 12. So every county in the state has responded. Furthermore, the study has turned up several deficiencies in Act 46 which, in my opinion, merit the prompt attention of the legislature.

Let me go into some detail. A sentence of death has been imposed in seven cases in the Commonwealth since Act 46 became effective. In each case, the defendant was convicted of first degree murder for an intentional slaying. Furthermore, in each case there was, in the opinion of the jury or the court, an aggravating circumstance that elevated these murders to a level of such gravity as to warrant the imposition of a death sentence.

Specifically, the murders involved the following circumstances: Three of the murders were committed by defendants who were also actively perpetrating felonies, namely, one rape, one robbery, and one burglary. One of the convicted defendants murdered a police officer. Three of the convicted defendants committed murders while the defendants were serving life sentences.

In each case, as provided by law, the jury or court did not find any mitigating circumstances present.

Furthermore, district attorneys in at least 19 counties are presently in the process of, or are giving consideration to, seeking first degree murder convictions and death sentences in no less than 29 cases.

The majority of these defendants, 17 to be exact, could receive death sentences because the murders were allegedly committed by the defendant during the perpetration of a felony. Five are cases in which a law enforcement officer allegedly was murdered, five were allegedly committed by means of torture, five were allegedly murders involving direct threats to the life of another person; and two alleged murders were committed by a defendant who was at the time serving a sentence of life imprisonment for a prior offense. Thus a total of 34 aggravating circumstances allegedly attended the 29 cases involved.

As I stated earlier, seven death sentences have been imposed in the 18 months since Act 46 took effect or an average of about five per year. For comparison sake, I would note that from 1960-1972, according to figures provided by a former Philadelphia assistant district attorney, a total of 35 death sentences were imposed in the Commonwealth. That covers a period of 12 years; and that is an average of about three per year, despite the fact that Pennsylvania's last execution took place in 1962.

In light of these remarks, it might appear on the surface that Act 46 continues to provide a workable method of weeding out those killers who for various reasons cannot be tolerated by society. However, the situation is not that simple. In written comments received from the district attorneys, a number of sensitive and difficult issues are raised. Without going into all of them, I would like to spotlight one or two of them or particularly those which I believe are critical and which require corrective legislation.

One objection raised independently by at least six county prosecutors pertains to the fact that the Supreme Court has failed to promulgate rules of procedure for imposition of a death sentence by the trial court judge or judges in the event of a plea of guilty by the defendant. However, a jury may impose a death sentence if it finds such is warranted by the facts of the case.

Simply stated, at least six county prosecutors fear that the law can be interpreted to mean that if a defendant chooses a trial by jury he can receive a sentence of death; but if the defendant chooses to plead guilty or accept trial by court without jury, the court is powerless to impose such sentence. This could prompt a defendant to waive a jury trial, and presumably could result in Act 46 being declared unconstitutional. In two counties the court has

already failed to impose a death sentence bearing in mind these considerations.

This is a key issue and could lead to the entire act being voided. The legislature delegated authority to the Supreme Court in Act 46 to promulgate such rules as would be necessary to enable both juries and judges to impose the death sentence. In fact, it seems to me that it was our thinking at the time we passed Act 46 that such rules had already existed.

In any event, the district attorneys assure us, and the Supreme Court confirms, that there are no rules to cover this situation.

At the conclusion of my remarks I will introduce a bill that would remedy this situation by proposing a procedure whereby a jury could impose sentencing in the event that a defendant pleads guilty to a first degree murder charge. This procedure will remove from the trial court the burden of sentencing and will remove from the Supreme Court the authority to establish procedural rules.

However, I would be remiss if I did not register at least one further comment on this point. It seems to me that the objections noted by the several district attorneys are an indication of the growing conflict between the legislature and the judiciary.

The Supreme Court is authorized under the Constitution to deal with procedural matters but not substantive matters as these relate to legislation. Clearly, the procedure that we contemplated the Supreme Court would set forth is within the purview of the court. But if the court refuses or fails to act, it is disregarding the substantive will of the legislature. This problem has become increasingly frustrating to a number of the individuals whom we have discussed this subject with. I will press for prompt attention to this issue on a number of fronts, including passage of the bill that we will introduce.

Let me go forward with one or two other key points raised by the district attorneys. A second point is that we have inadvertently omitted multiple murders as being an aggravating circumstance meriting a sentence of death. We included an aggravating circumstance, the language of which is: "In the commission of the offense the defendant knowingly created a grave risk of death to another person in addition to the victim of the offense." Unfortunately, because the language of Act 46 does not specifically include multiple murders, several district attorneys have apparently been reluctant to press for a death sentence in such cases. The proposed bill would remedy that defect.

A third defect is that we may have been unclear as to our intent to specify the jury's responsibility in determining aggravating and mitigating circumstances. Are jurors simply fact finders in the second phase of the trial or must they make decisions based on facts? This item is also clarified in the bill.

The bill further attempts to clear up a number of small questions that have arisen as a result of the survey.

Having explained some of the provisions of the proposed criminal code amendment, let me add that I will also introduce a proposal to amend the state constitution on this issue.

Several district attorneys noted in their commentary that any sentence of death in Pennsylvania may be placed in jeopardy because the state Supreme Court could nullify all of Act 46 on constitutional grounds. There is some concern amongst district attorneys that even if the United States Supreme Court has not found the death penalty

unconstitutional per se, the Pennsylvania court may nonetheless do so.

It is my firm belief that an overwhelming majority of Pennsylvanians, as reflected by an overwhelming majority of both chambers of this legislature, strongly favor continued use of a sentence of death in cases involving first degree murders.

To preclude any attempt on the part of the state Supreme Court to find otherwise, I will introduce also a constitutional amendment that states quite simply: a sentence of death may be imposed.

We are not presently prevented from establishing a constitutional amendment permitting capital punishment, and I am assured by the Legislative Reference Bureau that such a provision is feasible.

To summarize, juries throughout the state have continued to convict defendants and impose death sentences in particularly severe murder cases since the passage of Act 46. As such, members of the legislature have further proof that public sentiment supports our legislative action.

Thank you, Mr. Speaker.

I have concluded my remarks. I want to thank the Speaker and the members for being indulgent. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

## HOUSE VOTING SCHEDULE

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

Mr. IRVIS. Mr. Speaker, we have passed out and put on your desks the voting schedules for today and tomorrow. If you will look at them, I want to make certain changes in the voting schedule because we are going to try to follow it.

Under Section 4, House bill No. 1085, cancel that bill and mark it "hold." That is at the request of the chief sponsor. House bill No. 1085 is to be held; it is not to be voted on today.

Senate bill No. 572 and Senate bill No. 573 immediately following are passed over temporarily. I have just been informed that the Republican caucus has not yet caucused on the amendments to be offered to those bills. We shall be caucusing immediately after lunch, so perhaps we will be ready to take those up in the afternoon.

Following Senate bill No. 622, mark on your sheets that from about 12 noon until 1:30 we shall have a recess, with caucus to take place at 1 o'clock, from 1 o'clock to 1:30. Both caucuses may be brief because we have finished pretty nearly all the work.

The important announcement, however, is this: I have not listed Senate bill No. 25, the child abuse bill, because I do not yet know if the fiscal note has been attached; but if, in fact, it is attached and if, in fact, it is re-reported to the floor of the House, we shall take that bill up probably as the first order of business or very close to that this afternoon.

The SPEAKER pro tempore. The Chair thanks the gentleman.

## CALENDAR

### LIQUOR BILL ON FINAL PASSAGE

Agreeable to order,

The House proceeded to the consideration on final passage of Senate bill No. 546, printer's No. 570, entitled:

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

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

The question is, Shall the bill pass finally?

RECONSIDERATION OF VOTE  
ON SENATE BILL No. 546

Mr. MCGINNIS moved that the vote by which SENATE BILL No. 546, printer's No. 570, was agreed to on third consideration on July 22, 1975, be reconsidered.

Mr. ZELLER seconded the motion.

On the question,

Will the House agree to the motion?

Motion was agreed to.

On the question recurring,

Will the House agree to the bill on third consideration?

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

Amend Sec. 1 (Sec. 408.3), page 1, line 25, by inserting brackets before and after "issue" and inserting immediately thereafter: transfer

Amend Sec. 1 (Sec. 408.3), page 1, line 25, by inserting after "license": from a blighted area in a first or second class city

On the question,

Will the House agree to the amendments?

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

Mr. MCGINNIS. I would like to explain to my colleagues, Mr. Speaker, the reason for this particular amendment. This House bill would allow the Liquor Control Board to issue a new type license for serving of alcoholic beverages for the Academy of Music in Philadelphia and I believe for another existing type in Pittsburgh. At the present time both of these establishments have the perfect right to go out on the free market and buy a liquor license just like anyone else entering the tavern business. That is their right as of now. In passing this law, we would just create a new license for them so they would not have to buy any.

In my last liquor investigation, when we had Mr. Johnson and Mr. Volpe in Philadelphia, we found that there is somewhere around 4,000 or 5,000 licenses over in the city of Philadelphia.

This amendment says that the Academy of Music will have to buy a license from a blighted area in that city. To the best of my knowledge, Mr. Speaker, I understand those licenses are available for about \$4,000 or \$5,000. This way we will get a license out of the blighted area and satisfy the academy without giving them a license for nothing.

Thank you very much.

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

Mr. RAPPAPORT. Will the gentleman from Montgomery, Mr. McGinnis, consent to an interrogation, Mr. Speaker?

The SPEAKER pro tempore. Will Mr. McGinnis consent to interrogation?

Mr. MCGINNIS. Yes, I will, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. RAPPAPORT. Mr. Speaker, is the purport of the gentleman's amendment only to require these charitable institutions or public institutions to go out into the open market and purchase a license?

Mr. MCGINNIS. That is correct.

Mr. RAPPAPORT. Is the gentleman aware of the fact that under the Liquor Code a place of amusement, such as the Academy of Music or a stadium, is forbidden from having a liquor license whether they buy it or not?

Mr. MCGINNIS. They will not be forbidden with this House bill and as amended. With this House bill they would be allowed to have the license; as amended, they would have to buy it.

Mr. RAPPAPORT. Therefore, Mr. Speaker, am I to understand that the gentleman intends not to affect the substance of the bill, which would permit a place of amusement in these limited cases to have a liquor license?

Mr. MCGINNIS. That is correct, Mr. Speaker. I would like them to have the license, but I would also like them to have to buy it from a blighted area.

Mr. RAPPAPORT. Mr. Speaker, I thank the gentleman. I would like to be recognized for a moment, please.

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

Mr. RAPPAPORT. Mr. Speaker, I went through that interrogation to make sure that the legislative history would be clear.

Under existing law, the Academy of Music, without this bill, could not have a liquor license even if it purchased it under an 1890 decision. I understand what the gentleman from Montgomery County is attempting to do is to force these institutions to buy a liquor license.

Without taking a position on the amendment—I am very much in favor of the bill—I would just state that, of course, the Commonwealth would not get this money, but the money they would have to spend on a liquor license would go to another private party, and right now there is no surplus of licenses in Philadelphia. The gentleman's information is about a year-and-a-half old. They are selling for well in excess of \$10,000 now.

Therefore, I see no benefit to the Commonwealth one way or the other, but I do not suggest any position the members might want to take on the amendment of the gentleman.

Thank you, Mr. Speaker.

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

Mr. SALVATORE. Thank you, Mr. Speaker.

The former speaker said there are licenses for sale in Philadelphia or they are bringing \$10,000 for a license. I would appreciate it if the gentleman would contact me after the session. We could make a lot of money, because licenses are bringing \$4,000 and \$5,000 in Philadelphia.

We have right now 50 club-catering licenses, 95 R licenses, 1 hotel license, and 14 club licenses in escrow. That is how many licenses we have in escrow. We are permitted to have one license for 2,000 people and we are over the quota.

What you are saying this bill will do, Mr. Speaker, is that for any old, dilapidated theater that holds 950 people, somebody could dummy-up a corporation and say that it is a nonprofit organization and he is going to show



girlie shows and he is going to have the privilege of having a license to create more problems for a community that does not want these naughty shows to begin with. This is what you are going to have, Mr. Speaker, if this bill goes through and this amendment is not passed.

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

Mr. MCGINNIS. Mr. Speaker, I am finished, I would just urge my colleagues to vote for this amendment. That is all.

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

Mr. RAPPAPORT. Mr. Speaker, I hate to impinge upon the good nature of the House, but on Mr. Salvatore's argument, there is only one theatre in Philadelphia which seats more than 950 people and that is the Walnut Street Theatre and the Academy of Music—two of them—both of which are within the specific statute of the bill, civic provisions of the bill.

The reason there are licenses in safekeeping in Philadelphia is not because there is no demand for them, but you cannot obtain locations for them. Fortunately in recent years neighborhoods have got up on their hind legs and have said, we do not want bust-out joints in our neighborhoods. They have hired lawyers and they have gone to court. Therefore, a license is relatively easy to obtain, the bare license. You cannot get a location to put a license in. That is the problem in Philadelphia County, and it is a good thing, because it is a result of community action and neighborhood militancy. That is true in every neighborhood of the city.

I am somewhat familiar with the restaurant problems in the city. My firm has been practicing in that area for over 40 years. That is the reason why there are licenses in safekeeping.

Mr. Speaker, I took no position on Mr. McGinnis' amendment and I still do not, but this is a good bill and we should pass it.

Thank you, Mr. Speaker.

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

Mr. RITTER. Mr. Speaker, it seems to me that it is a question of do you want to uphold the quota system or do you want to simply do away with it by a bill such as Senate bill No. 546?

I think that Mr. McGinnis' amendment makes sense. It still upholds the quota system by requiring you to buy a license from an existing facility and it goes even further than that by saying that it has to be a license from a so-called blighted area in a city of the first or second class.

I think that the amendment makes sense. If the amendment goes in the bill, I can vote for the bill; but if the amendment fails, then I cannot vote for the bill. I would urge support for the McGinnis Amendment.

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

Mr. SALVATORE. Mr. Speaker, again I would like to reiterate that we have many old movie houses in the city of Philadelphia that are closed right now that have the seating capacity, and who is to say that someone else will not build a theatre with over a 950-seating capacity? This only opens a door. It is like opening up Pandora's box, and we do not know how many worms are going to get into it.

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

The yeas and nays were required by Messrs. MCGINNIS and RAPPAPORT and were as follows:

YEAS—149

Abraham	Giammarco	McLane	Schweder
Anderson, J. H.	Gillespie	Mebus	Scirica
Bellomini	Gillette	Menhorn	Shane
Bennett	Gleeson	Miller, M. E.	Sheihamer
Beren	Goodman	Miller, M. E., Jr.	Shupnik
Berlin	Halverson	Milliron	Sirianni
Bonetto	Hamilton, J. H.	Miscevich	Smith, L.
Bradley	Haskell	Moehlmann	Spencer
Brandt	Hayes, D. S.	Morris	Stahl
Burns	Hayes, S. E.	Mrkonic	Stapleton
Caputo	Hepford	Musto	Stout
Cassar	Hill	Novak	Taddonio
Cimini	Hopkins	Noye	Taylor
Cohen	Hutchinson, A.	O'Brien	Tayoun
Cole	Hutchinson, W.	O'Connell	Thomas
Cowell	Irvis	O'Donnell	Trelio
Crawford	Itkin	O'Keefe	Turner
Cumberland	Johnson, J.	Pancoast	Ustynoski
Davis, D. M.	Katz	Parker, H. S.	Valicenti
Deverter	Kelly, J. B.	Perri	Wagner
DiDonato	Kernick	Petrarca	Walsh, T. P.
Dietz	Klingaman	Pievsky	Wansacz
Dininni	Knepper	Polite	Wargo
Dorr	Koller	Pratt	Weidner
Doyle	Kowalyszyn	Prendergast	Westerberg
Dreibelbis	Kusse	Pyles	Whelan
Eckensberger	Lederer	Reed	Whittlesey
Englehart	Lehr	Renninger	Wilson
Fee	Lincoln	Rhodes	Wilt, R. W.
Fischer	Lynch	Rieger	Wilt, W. W.
Flaherty	Manderino	Ritter	Worriow
Foster, W.	Manmiller	Romanelli	Wright
Fryer	McCall	Ruggiero	Yohn
Gallagher	McClatchy	Ryan	Zearfoss
Gallen	McCue	Saloom	Zeller
Garzia	McGinnis	Salvatore	Zord
Geesey	McIntyre	Scheaffer	Zwinkl
Geisler			

NAYS—40

Barber	Foster, A.	Laughlin	Richardson
Berson	George	Letterman	Ross
Bittle	Green	Levi	Schmitt
Blackwell	Greenfield	Mullen, M. P.	Seltzer
Brunner	Hammock	Mullen	Shuman
DeMedio	Hasay	Myers	Smith, E.
Dicarlo	Kelly, A. P.	Oliver	Toll
Dombrowski	Kistler	Pitts	Vann
Fawcett	LaMarca	Rappaport	Vroon
Fisher	Laudadio	Renwick	Yahner

NOT VOTING—13

Arthurs	Grieco	Perry	Wojdak
Butera	Gring	Shelton	
Davies	McGraw	Sullivan	Fineman, Speaker
Gleason	Milanovich		

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. ARTHURS. I was out of my seat when the McGinnis amendment to Senate bill No. 546 was considered. I would like the record to show that if I had been in my seat, I would have voted in the negative on the McGinnis amendment.

The SPEAKER pro tempore. The gentleman's remarks will be recorded.

The Chair recognizes the gentleman from Lehigh, Mr. Zeller, for purposes of an amendment, which the clerk will read.

Mr. ZELLER. Mr. Speaker, unfortunately we had the amendments yesterday and there was some wording that we had to change. Therefore, the amendment is not ready. You may hold it until this afternoon or whatever you want to do, but the amendment is not ready at this time.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Montgomery, Mr. Mebus, for purposes of amendments.

Mr. MEBUS. Mr. Speaker, I have an amendment here, but it is not in the same form as Mr. McGinnis' amendment which has been agreed to, and I like his idea better than mine. So, if you are going to hold the thing for Mr. Zeller, I would ask that you also hold it for me so that I can have my amendment redrafted so that it will conform with what Mr. McGinnis just accomplished.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the majority leader, Mr. Irvis. Mr. IRVIS. I dislike being hard-nosed about anything, Mr. Speaker, but this bill has been on the calendar for 9 days and I have scheduled the bill for a vote for amendment, and we have agreed that we would take it up. I am getting sick and tired of scheduling the bills and then having people run to me at the last minute saying, I am not ready. Can we not hold it over? Now I object to holding it over. I ask that members who have amendments submit those amendments, and if they do not have the amendments, then let them submit them to another bill or prepare a bill. Let us move the bill.

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

Mr. ZELLER. Mr. Speaker, I do not want to create any ulcers today. I think it would be a good idea that I withhold my amendment and let us move the bill. Thank you.

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

Mr. MEBUS. Mr. Speaker, I still have my amendment. I had it distributed and I will offer it as it is. I was going to have it redrafted so that it would be, I think, in better form than it is, but I offer it as it is.

The SPEAKER pro tempore. The gentleman will please send the amendment to the Chair.

The Chair reconsiders its prior statement that the bill has been agreed to, and the clerk will read the amendment.

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

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

Amend Title, page 1, line 18 by removing the period after "class" and inserting: and extending the provisions relating to licenses for city-owned art museums to include certain other museums.

Amend Bill, page 2, by inserting between lines 7 and 8: Section 2. The heading of section 408.5 of the act, added October 26, 1972 (P. L. 1039, No. 259), is amended and a subsection is added to read:

Section 408.5. Licenses for Certain City-owned [Art] or Related Museums, Cities First Class.— \* \* \*

(k) The board is authorized to issue a license in any city of the first class for the retail sale of liquor and malt or brewed beverages by the glass, open bottles or other container, and in any measure for consumption in any museum organized for the purpose of the perpetuation of the memory of Benjamin Franklin and located on city-owned property. All of the provisions of this section applicable to a city-owned art museum or to the lessee or other holder of an art museum license shall be applicable to a museum entitled to the benefits of this subsection or to a lessee or other holder of a license issued under this subsection.

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

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

Mr. MEBUS. Mr. Speaker, this amendment would permit the Franklin Institute to have a license. The way I would have the amendment changed, had I had the opportunity, would have been so that they would be required to purchase a license and not merely be able to get one as it is for free. And maybe through legislative intent by this expression, which can go into the Journal, I can say that I have in mind that this amendment would blend with what Mr. McGinnis has previously done and it can conceivably be accomplished in that fashion.

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

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

YEAS—76

Barber	Gleeson	Mebus	Ross
Bennett	Goodman	Menhorn	Ruggiero
Beren	Greenfield	Miller, M. E.	Ryan
Berlin	Halverson	Miller, M. E., Jr.	Scirica
Berson	Hill	Milliron	Shane
Blackwell	Hookins	Mullen, M. P.	Shelhamer
Bonetto	Irvis	Mullen	Shelton
Brandt	Itkin	Musto	Shupnik
Caputo	Kelly, J. B.	Myers	Spencer
Cessar	Kernick	Noye	Stapleton
DiDonato	Klingaman	Oliver	Taddonio
Dininni	Knepper	Parker, H. S.	Trello
Doyle	Kowalshyn	Petrarca	Vann
Fryer	Lederer	Pievsky	Wargo
Gallagher	Lynch	Pyles	Whelan
Geisler	McClatchy	Rappaport	Wojdak
Giammarco	McCue	Renninger	Worrilow
Gillespie	McGinnis	Rhodes	Yohn
Gillette	McIntyre	Rieger	Zearfoss

NAYS—113

Abraham	Foster, A.	Manderino	Shuman
Anderson, J. H.	Foster, W.	Manmiller	Sirianni
Arthurs	Gallen	McCall	Smith, E.
Bellomint	Garzia	McLane	Smith, L.
Bittle	Geesey	Miscevich	Stahl
Bradley	George	Moehlmann	Stout
Brunner	Green	Morris	Taylor
Burns	Grieco	Mrkonic	Tayoun
Cimint	Hamilton, J. H.	Novak	Thomas
Cohen	Hammock	O'Brien	Toll
Cole	Hasay	O'Connell	Turner
Cowell	Haskell	O'Keefe	Ustynoski
Crawford	Hayes, D. S.	Pancoast	Valcenti
Cumberland	Hayes, S. E.	Perri	Vroon
Davis, D. M.	Hepford	Pitts	Wagner
DeMedio	Hutchinson, W.	Polite	Walsh, T. P.
Deverter	Johnson, J.	Pratt	Wansacz
Dicarlo	Katz	Reed	Weidner
Dietz	Kelly, A. P.	Renwick	Westerberg
Dombrowski	Kistler	Richardson	Whittlesey
Dorr	Kusse	Ritter	Wilson
Dreibelbis	LaMarca	Romanelli	Wilt, R. W.

Eckensberger	Laudadio	Saloom	Wilt, W. W.
Englehart	Laughlin	Salvatore	Wright
Fawcett	Lehr	Scheaffer	Yahner
Fee	Letterman	Schmitt	Zeller
Fischer	Levi	Schweder	Zord
Fisher	Lincoln	Seltzer	Zwinkl
Flaherty			

NOT VOTING—13

Butera	Hutchinson, A.	O'Donnell	Sullivan
Davies	Kolter	Perry	
Gleason	McGraw	Prendergast	Fineman,
Gring	Milanovich		Speaker

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?

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

Mr. McCLATCHY. Mr. Speaker, I would like to have someone submit to interrogation regarding this bill.

I notice the prime sponsor is Senator Cianfrani. Is anyone from Philadelphia available?

The SPEAKER pro tempore. Does any of the gentlemen from Philadelphia wish to be interrogated on the bill?

The Chair recognizes the gentleman, Mr. Rappaport. Does the gentleman agree to be interrogated?

Mr. RAPPAPORT. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman, Mr. McClatchy, may proceed.

Mr. McCLATCHY. Mr. Speaker, could you tell me what the words "performing arts" include or exclude, or exactly what they mean?

Mr. RAPPAPORT. Mr. Speaker, perhaps I can help the gentleman.

This bill, like all of our bills, must be in general language but it is addressed specifically to the Walnut Street Theatre in Philadelphia.

The Walnut Street Theatre is the oldest legitimate theatre putting on live performances in the United States. It is also the oldest theatre in the English-speaking world.

Several years ago it was falling into disrepair and disuse and several foundations came forward and contributed the money for a total refurbishment of the theatre which cost several million dollars. This was done with private money.

At the present time, the theatre is busy most weeks of the year, including the summertime, with programs of several repertoire companies and other cultural events. It is not only on a nonprofit basis and hits a deficit every year, and that deficit is made up, again, by foundation contributions.

To come back to Mr. McClatchy's specific question, I think the words "performing arts" in there were put in to prevent the type of problem that our friend, Mr. Salvatore, was referring to, and the number of seats required specifically limited, hopefully, to the Walnut Street Theatre. And that is the intent of this particular bill.

Mr. McCLATCHY. Mr. Speaker, further, why are we inserting second class cities when we are trying to deal with the Walnut Street Theatre in Philadelphia.

Mr. RAPPAPORT. I understand that—and I may be completely wrong on this; perhaps some gentleman from Pittsburgh can help me—there is a similar theatre in

Pittsburgh. I do not have exact information for the gentleman. It is in Pittsburgh, and I really do not know the answer to that question.

Mr. McCLATCHY. Mr. Speaker, my final question is: My concern with this bill is the granting of selling liquor in an area by a theatre where already private business is in trouble. In your estimation, do you think it will hurt the already established private business operations, such as, hotels and so forth in Philadelphia?

Mr. RAPPAPORT. Mr. Speaker, I am very familiar with the immediate vicinity of the Walnut Street Theatre. I live 5 blocks away. The existing establishments in the immediate vicinity are all restaurants where people will go to have dinner and, of course, want a drink with dinner; and I think the House is well aware of the fact that I too have a drink with dinner on occasions.

I apologize to the House for my obvious lack of good conduct. I do not think that a license of this type, limited as it is, will cut into other business in the city. I think that kind of a philosophy is counterproductive. If we make our center-city area a place where people want to come, everybody is going to benefit from that. If you have just one liquor license in a city, you might make a lot of money, but it is not going to help the city very much.

We have recently developed an area around Second and Chestnut Streets for restaurants, where our colleague, the gentleman, Mr. Tayoun, has his establishment. And the fact that there are a number of restaurants there, all the liquor licenses helped each one of them. They all live from each other's overflow, and it has developed into a lovely entertainment district. This is only about 7 blocks away from that, and I think it is going to help the whole neighborhood rather than hurt specific licensees.

I hope that that answered the gentleman's question.

Mr. McCLATCHY. Mr. Speaker, yes, it answers my questions. I certainly appreciate the explanation and I am sure Mr. Tayoun appreciates the plug for his business.

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 wonder if the gentleman would submit to further interrogation?

Mr. RAPPAPORT. Yes, I will, Mr. Speaker.

Mr. O'CONNELL. Mr. Speaker, I am not sure that this is fair, but if Mr. McGinnis' amendment was accepted by this body, it is my view that that amendment is not necessary; that they can at this present time purchase an existing license. Would you agree to that?

Mr. RAPPAPORT. I understand the gentleman's question. If you will let me talk for a moment, perhaps I can explain it.

The problem of these establishments is not that they cannot buy a liquor license; they could buy a liquor license; but under the existing law they were forbidden to own a liquor license, as if they were a minor or an alien. Under a peculiar quirk of our present Liquor Code, a place of establishment for amusement purposes, like the Academy of Music, without special legislation, is forbidden from having a liquor license; they may not have it. Therefore, this legislation is enabling legislation so that they can have a liquor license.

I am sure that if they had been able to buy one, they would have spent thousands of dollars—whether \$5,000 or \$15,000 is irrelevant to them—to buy the license.

But under existing law they just cannot buy one; they are forbidden from owning one. That was the problem.

Mr. O'CONNELL. Okay, thank you. I was not really aware of that. Because of similar situations throughout the Commonwealth, organizations such as this have been able to circumvent, I guess, by creating other corporations and therefore operating or, for instance, using a caterer in that particular theatre and allowing him to operate on a lease basis. There are a number of options that are available.

Mr. RAPPAPORT. May I answer the gentleman's question further, if the gentleman will consent.

We just had a case in our office where a bowling alley wanted to buy a beer license for its restaurant that was adjacent to the bowling alley. The Liquor Board, under this section that we are talking about, would not grant the transfer to the bowling alley—it is a national corporation of upstanding people, with no criminal problems or anything—because there was a doorway leading from what would have been this place selling beer directly into the bowling alley which was a place of public amusement. The Liquor Board required that that door be permanently blocked off so that if a guy bowling wanted to get a beer, he had to walk outside and around the building and go into the place where he could buy a beer. That is the problem within the theatre context that this bill speaks to.

Mr. O'CONNELL. That is correct.

I thank the gentleman, but in any event I think this is a proliferation of the licensing. I think it is, in fact, "a busting." I would ask for a negative vote.

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

Mr. SALVATORE. Mr. Speaker, I am asking for members on both sides of the aisle to join with me and vote "no" on this particular piece of legislation.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. O'Donnell.

Mr. O'DONNELL. Would Mr. Rappaport or Mr. McGinnis tell me if the idea of blighted area, as included in the McGinnis amendment and is now a part of the bill, is defined by law or would that be defined by regulation of the board?

My second question is, since I am not sure from the debate, will there be new licenses created under this bill or not?

The SPEAKER pro tempore. The gentleman from Philadelphia, Mr. Rappaport, may proceed to answer the question.

Mr. RAPPAPORT. Mr. Speaker, perhaps the amendment spoke to blighted areas. I do not see that language in the bill itself.

Mr. O'DONNELL. Well, then, maybe Mr. McGinnis could explain it.

Mr. RAPPAPORT. I cannot answer that question.

I will answer the gentleman's second question by saying, with the McGinnis amendment in the bill, this would not be outside the quotas. They would be forced to buy a license, which makes it within the quota in Philadelphia County.

Mr. O'DONNELL. So there would be no additional licenses?

Mr. RAPPAPORT. That is correct.

Mr. O'DONNELL. And, in addition, the purchase of

the existing license would have to be from a blighted area?

Mr. RAPPAPORT. I do not know how the gentleman defines "blighted area." There are licenses in safekeeping which are not identified with any specific location. They are just bare licenses.

Mr. O'DONNELL. I just want to know what a blighted area is. That is all.

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

Mr. MCGINNIS. Mr. Speaker, being from Philadelphia, we consider the whole area of Philadelphia blighted.

I take that back.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. O'Donnell.

Mr. O'DONNELL. Although that was offered facetiously, that is exactly what I am afraid of. Philadelphia has a—

Mr. MCGINNIS. Except that small section up in the northeast that is still Republican.

Mr. O'DONNELL. And for some purposes like anti-poverty money under Federal programs and all that business, all of Philadelphia was a blighted area.

The problem is this: if you are buying licenses out of blighted areas, then it is a really good bill because it eliminates some of the tension and some of the bad taprooms like in my district. If you talking about Philadelphia as a blighted area, then you are talking about a few guys making a fast buck.

So it makes a big difference to me what a blighted area is. If it is Philadelphia, there is no particular merit to that language. If it concerns areas within my district where we are going to get rid of some bad taprooms, then it is a good amendment.

Mr. MCGINNIS. I am sure the tavern brokers in Philadelphia would be able to define where the blighted licenses are. I am sure Mr. Johnson could.

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—68

Beren	Gillette	Mebus	Ritter
Berlin	Gleeson	Miller, M. E.	Ruggiero
Berson	Greenfield	Mullen, M. P.	Scirica
Bonetto	Hammock	Musto	Shane
Brunner	Irvis	Myers	Shelton
Cessar	Itkin	O'Brien	Shupnik
Cohen	Kernick	O'Donnell	Sirianni
Cowell	Knepper	Oliver	Stout
DeMedio	Kowalyshyn	Parker, H. S.	Sullivan
DiDonato	LaMarca	Pievsky	Vann
Dombrowski	Laudadio	Pyles	Walsh, T. P.
Engelhart	Lederer	Rappaport	Wargo
Fawcett	Letterman	Reed	Wojdak
Gallagher	Manderino	Renninger	Yahner
Garzia	McGinnis	Renwick	Yohn
Giammarco	McIntyre	Rhodes	Zord
Gillespie	McLane	Rieger	Zwifkl

NAYS—126

Abraham	Geesey	McCall	Seltzer
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Anderson, J. H.	Gelsier	McClatchy	Shelhamer
Arthurs	George	McCue	Shuman
Barber	Gleason	Menhorn	Smith, E.
Bellomini	Goodman	Miller, M. E., Jr.	Smith, L.
Bennett	Green	Milliron	Spencer
Bittle	Grieco	Miscevich	Stahl
Blackwell	Halverson	Moehlmann	Stapleton
Bradley	Hamilton, J. H.	Morris	Taddonio
Brandt	Hasay	Mrkonie	Taylor
Burns	Haskell	Mullen	Tayoun
Caputo	Hayes, D. S.	Novak	Thomas
Cimini	Hayes, S. E.	Noye	Toll
Cole	Hepford	O'Connell	Trello
Crawford	Hill	O'Keefe	Turner
Cumberland	Hopkins	Pancoast	Ustynoski
Davis, D. M.	Hutchinson, A.	Perri	Valicenti
Deverter	Hutchinson, W.	Petrarca	Vroon
Dicarlo	Johnson, J.	Pitts	Wagner
Dietz	Katz	Polite	Wansacz
Diminni	Kelly, A. P.	Pratt	Weidner
Dorr	Kelly, J. B.	Prendergast	Westerberg
Doyle	Kistler	Richardson	Whelan
Dreibelbis	Klingaman	Romanelli	Whittlesey
Eckensberger	Kolter	Ross	Wilson
Fee	Kusse	Ryan	Wilt, R. W.
Fischer	Laughlin	Saloom	Witt, W. W.
Flaherty	Lehr	Salvatore	WorriLOW
Foster, A.	Levi	Scheaffer	Wright
Foster, W.	Lincoln	Schmitt	Zearfoss
Fryer	Lynch	Schweder	Zeller
Gallen	Manmiller		

NOT VOTING—8

Butera	Gring	Milanovich	Fineman,
Davies	McGraw	Perry	Speaker
Fisher			

Less than the majority required by the constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

STATE GOVERNMENT BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of Senate bill No. 704, printer's No. 749, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," prohibiting the assignment of personnel to circumvent appropriation limits.

On the question,

Will the House agree to the bill on third consideration?

The SPEAKER pro tempore. I understand that there are amendments to this bill.

Mr. IRVIS. That is correct, Mr. Speaker. Mr. Speaker, I have amendments; the gentleman, Mr. Shane, may have amendments; the gentleman, Mr. Gleason, indicated that he has amendments.

On the question recurring,

Will the House agree to the bill on third consideration?

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

Amend Sec. 1 (Sec. 501), page 2, line 16, by removing the period after "limits" and inserting: , except that the Governor may approve the temporary assignment of employes from one department, board or commission to another department, board or commission in order to insure the proper coordination and effectuation of governmental programs.

On the question,

Will the House agree to the amendment?

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

Mr. IRVIS. Mr. Speaker, Senate bill No. 704 is designed to prevent the executive department from exchanging employes in order to avoid appropriation limits. The language, however, if it were adopted, would forever prevent any exchange of employes for any purpose for any reason.

The amendment that I propose states that the governor may approve the temporary assignment of employes from one department to another in order to effectuate governmental programs.

The operative word is "temporary" and, if this amendment is adopted, then the prohibition against the circumvention of appropriation limits would still remain. The governor would not be permitted, even on a temporary basis, to transfer employes if his reason is to circumvent appropriation limits. But if his reason is to effectuate governmental programs or coordinate governmental programs, then he would be permitted, if the amendment is accepted, to temporarily assign departmental employes from one department to another. I ask for support of the amendment, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

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

YEAS—167

Abraham	Geesey	McClatchy	Scheaffer
Arthurs	Geisler	McCue	Schmitt
Barber	Giammarco	McGinnis	Schweder
Bellomini	Gillespie	McIntyre	Scirica
Bennett	Gillette	McLane	Seltzer
Beren	Gleason	Mebus	Shane
Berlin	Goodman	Menhorn	Shelton
Berson	Green	Miller, M. E.	Shuman
Bittle	Greenfield	Miller, M. E., Jr.	Shupnik
Blackwell	Grieco	Milliron	Smith, E.
Bonetto	Gring	Miscevich	Spencer
Bradley	Hammock	Moehlmann	Stahl
Brandt	Hasay	Morris	Stapleton
Brunner	Haskell	Mrkonie	Stout
Burns	Hayes, D. S.	Mullen, M. P.	Sullivan
Caputo	Hepford	Mullen	Taddonio
Cessar	Hill	Musto	Taylor
Cimini	Hopkins	Myers	Tayoun
Cohen	Hutchinson, A.	Novak	Thomas
Cole	Hutchinson, W.	O'Brien	Toll
Cowell	Irvis	O'Connell	Trello
Crawford	Itkin	O'Donnell	Ustynoski
Davis, D. M.	Johnson, J.	O'Keefe	Valicenti
DeMedio	Katz	Oliver	Vann
Dicarlo	Kelly, A. P.	Pancoast	Wagner
DiDonato	Kelly, J. B.	Parker, H. S.	Walsh, T. P.
Diminni	Kernick	Petrarca	Wansacz
Dombrowski	Klingaman	Pievsky	Wargo
Doyle	Knopper	Polite	Westerberg
Dreibelbis	Kolter	Pratt	Whelan
Eckensberger	Kowalshyn	Prendergast	Whittlesey
Englehart	Kusse	Pyles	Wilson
Fawcett	LaMarca	Rappaport	Wilt, R. W.
Fee	Laudadio	Reed	Wojdak
Fischer	Laughlin	Rhodes	WorriLOW
Fisher	Lederer	Richardson	Wright
Flaherty	Letterman	Rieger	Yahner
Foster, W.	Levi	Ritter	Yohn
Fryer	Lincoln	Romanelli	Zeller
Gallagher	Lynch	Ross	Zord
Gallen	Manderino	Ruggiero	Zwickl
Garzia	McCall	Ryan	

NAYS—28

Cumberland	Halverson	Perri	Sirianni
Deverter	Hamilton, J. H.	Pitts	Smith, L.
Dietz	Hayes, S. E.	Renninger	Turner
Dorr	Kistler	Renwick	Vroon
Foster, A.	Lehr	Saloom	Weidner

George Gleason	Manmiller Noye	Salvatore Shelhamer	Wilt, W. W. Zearfoss
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NOT VOTING—7

Anderson, J. H. Butera	Davies McGraw	Milanovich Perry	Fineman, Speaker
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So the question was determined in the affirmative and the amendment was agreed to.

AMENDMENTS DEFERRED

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

Mr. SHANE. Mr. Speaker, I have the same set of amendments for House bill No. 1569 and Senate bill No. 704. My understanding was that we were going to take up House bill No. 1569 when we come back November 17. I will, therefore, defer my amendments until that time. I have no amendments for Senate bill No. 704.

The SPEAKER pro tempore. The Chair thanks the gentleman.

AMENDMENTS WITHDRAWN

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

Mr. GLEASON. Mr. Speaker, I am going to withdraw the amendments to Senate bill No. 704. I have a similar amendment, I believe, as to Senate bill No. 901, which I believe to be more germane to that piece of legislation. For the moment I am going to withdraw both of those amendments and we can proceed.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—188

Abraham	George	McCue	Scheaffer
Anderson, J. H.	Giammarco	McGinnis	Schmitt
Arthurs	Gillespie	McIntyre	Schweder
Barber	Gillette	McLane	Scirica
Bellomini	Gleason	Mebus	Seltzer
Bennett	Gleeson	Menhorn	Shane
Beren	Goodman	Miller, M. E.	Shelton
Berlin	Green	Miller, M. E., Jr.	Shuman
Bittle	Greenfield	Milliron	Shupnik
Blackwell	Grieco	Miscevich	Sirlanni
Bonetto	Holverson	Moehlmann	Smith, E.
Bradley	Hamilton, J. H.	Morris	Smith, L.
Brandt	Hammock	Mrkonjic	Spencer
Brunner	Hasay	Mullen	Stahl
Burns	Haskell	Mullen, M. P.	Stapleton
Caputo	Hayes, D. S.	Musto	Stout
Cessar	Hayes, S. E.	Myers	Sullivan
Cimini	Henford	Novak	Taddonio
Cole	Hill	Neve	Taylor
Cowell	Hopkins	O'Brien	Trayoun
Crawford	Hutchinson, A.	O'Connell	Thomas
Cumberland	Hutchinson, W.	O'Keefe	Toll
Davis, D. M.	Irvin	Oliver	Trello
DeMedio	Itkin	Pancoast	Turner
Deverter	Johnson, J.	Parker, H. S.	Ustynoski
Dicarlo	Katz	Perri	Valicenti
DiDonato	Kelly, A. P.	Petrarca	Vann
Dietz	Kelly, J. B.	Plevsky	Vroon
Dinnini	Kernick	Pitts	Wagner

Dombrowski	Klingaman	Polite	Walsh, T. P.
Dorr	Knepper	Pratt	Wansacz
Doyle	Kolter	Prendergast	Wargo
Dreibelbis	Kowalyszyn	Pyles	Weidner
Eckensberger	Kusse	Rappaport	Westerberg
Englehart	LaMarca	Reed	Whelan
Fawcett	Laudadio	Renninger	Whittlesey
Fee	Laughlin	Renwick	Wilson
Fischer	Lederer	Rhodes	Wilt, R. W.
Fisher	Lehr	Richardson	Wilt, W. W.
Flaherty	Letterman	Rieger	Worriow
Foster, A.	Levi	Ritter	Wright
Foster, W.	Lincoln	Romanelli	Yahner
Gallagher	Lynch	Ross	Yohn
Gallen	Manderino	Ruggiero	Zearfoss
Garzia	Manmiller	Ryan	Zeller
Geesey	McCall	Saloom	Zord
Geisler	McClatchy	Salvatore	Zwick

NAYS—5

Berson	Fryer	Kistler	Shelhamer
Cohen			

NOT VOTING—9

Butera	McGraw	Perry	Fineman,
Davies	Milanovich	Wojdak	Speaker
Gring	O'Donnell		

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

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

LAW AND JUSTICE BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third 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.

On the question,

Will the House agree to the bill on third consideration?

BILL RECOMMENDED

Mr. IRVIS moved that House bill No. 911 be recommended to the Committee on Appropriations.

Motion was agreed to.

Agreeable to order,

The House proceeded to third 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.

On the question,

Will the House agree to the bill on third consideration?

BILL RECOMMENDED

Mr. IRVIS moved that House bill No. 1218 be recommended to the Committee on Appropriations.

Motion was agreed to.

Agreeable to order,

The House proceeded to third 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 carry-

ing of deadly weapons onto certain properties and providing a penalty.

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

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

Mr. REED. To offer an amendment, Mr. Speaker, that has already been circulated to the members this morning.

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

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

Amend Sec. 1 (Sec. 6163), page 2, line 16 by inserting a period after "PROPERTY"

Amend Sec. 1 (Sec. 6163), page 2, lines 16 and 17 by striking out "OR ONTO ANY PROPERTY ADJACENT TO A SCHOOL FACILITY."

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

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

Mr. REED. Mr. Speaker, this may be an agreed-to amendment; at least there appears to be no opposition to it.

As prime sponsor of the bill, I am in agreement with a letter which I received from the Pennsylvania Game Commission last week, suggesting this particular amendment to offer the words, "or onto any property adjacent to a school facility."

The reason for that is because it would affect, if it remained in the bill and were passed into law, thousands of acres of existing game land and, therefore, deprive hunters and sportsmen of the use of that land simply because of this particular wording in the bill, and that, of course, is not the intent of the legislation. Therefore, I have offered this amendment and ask the concurrence of the House in it to delete that wording.

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

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

YEAS—196

Table listing names of members who voted 'YEAS' for the amendments, including Abraham, Anderson, J. H., Arthurs, Barber, Bellomini, Bennett, Beren, Berlin, Berson, Bittle, Blackwell, Bonetto, Bradley, Brandt, Brunner, Burns, Caputo, Cessar, Cimini, Cohen, Cole, Cowell, Crawford, Cumberland, Davis, D. M., DeMedio, Deverter, Giammarco, Gillespie, Gillette, Gleason, Gleeson, Goodman, Green, Greenfield, Grieco, Gring, Halverson, Hamilton, J. H., Hammock, Hasay, Haskell, Hayes, D. S., Hayes, S. E., Hepford, Hill, Hopkins, Hutchinson, A., Hutchinson, W., Irvis, Itkin, Johnson, J., Katz, Kelly, A. P., McIntyre, McLane, Mebus, Menhorn, Miller, M. E., Jr., Milliron, Miscevlch, Moeblmann, Morris, Mrkonic, Mullen, M. P., Musto, Myers, Novak, Noye, O'Brien, O'Connell, O'Donnell, O'Keefe, Oliver, Pancoast, Parker, H. S., Perri, Petrarca, Pievsky, Scirica, Seltzer, Shane, Shelhamer, Shelton, Shuman, Shupnik, Srianni, Smith, E., Smith, L., Spencer, Stahl, Stapleton, Stout, Sullivan, Taddonio, Taylor, Thomas, Toll, Trello, Turner, Ustynoski, Valicenti, Vann, Vroon, and Wagner.

Table listing names of members who voted 'NAYS' or 'NOT VOTING', including Dicarlo, DiDonato, Dininni, Dombrowald, Dorr, Doyle, Dreibelbis, Eckensberger, Englehart, Fawcett, Fee, Fischer, Fisher, Flaherty, Foster, A., Foster, W., Fryer, Gallagher, Gallen, Garzia, Geesey, Geisler, George, Kelly, J. B., Kernick, Kistler, Klingaman, Knepper, Kolter, Kowalyszyn, Kusse, LaMarca, Laudadio, Laughlin, Lederer, Lehrer, Letterman, Levi, Lincoln, Lynch, Manderino, Manmiller, McCall, McClatchy, McCue, McGinnis, Pitts, Polite, Pratt, Prendergast, Pyles, Rappaport, Reed, Renninger, Renwick, Rhodes, Richardson, Rieger, Ritter, Romanelli, Ross, Ruggiero, Ryan, Saloom, Salvatore, Scheaffer, Schmitt, Schweder, Walsh, T. P., Wansacz, Wargo, Weldner, Westerberg, Whelan, Whittlesey, Wilson, Wilt, R. W., Wilt, W. W., Wojdak, Worrilow, Wright, Yahner, Yohn, Zearfoss, Zeller, Zord, and Zwickl.

NAYS—0

NOT VOTING—6

Table listing names of members who did not vote: Butera, Davies, Dietz, McGraw, Milanovich, and Perry.

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

The question is, Shall the bill pass finally?

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

YEAS—197

Table listing names of members who voted 'YEAS' for the final passage, including Abraham, Anderson, J. H., Arthurs, Barber, Bellomini, Bennett, Beren, Berlin, Berson, Bittle, Blackwell, Bonetto, Bradley, Brandt, Brunner, Burns, Caputo, Cessar, Cimini, Cohen, Cole, Cowell, Crawford, Cumberland, Davis, D. M., DeMedio, Deverter, Dicarlo, DiDonato, Dietz, Dininni, Dombrowald, Dorr, Doyle, Dreibelbis, Eckensberger, Englehart, Fawcett, Fee, Fischer, Fisher, George, Giammarco, Gillespie, Gillette, Gleason, Gleeson, Goodman, Green, Greenfield, Grieco, Gring, Halverson, Hamilton, J. H., Hammock, Hasay, Haskell, Hayes, D. S., Hayes, S. E., Hepford, Hill, Hopkins, Hutchinson, A., Hutchinson, W., Irvis, Itkin, Johnson, J., Johnson, J., Katz, Kelly, A. P., Kelly, J. B., Kernick, Kistler, Klingaman, Knepper, Kolter, Kowalyszyn, Kusse, LaMarca, Laudadio, Laughlin, Lederer, Lehrer, McGinnis, McIntyre, McLane, Mebus, Menhorn, Miller, M. E., Jr., Milliron, Miscevlch, Moeblmann, Morris, Mrkonic, Mullen, M. P., Musto, Myers, Novak, Noye, O'Brien, O'Connell, O'Keefe, Oliver, Pancoast, Parker, H. S., Perri, Petrarca, Pievsky, Pitts, Polite, Pratt, Prendergast, Pyles, Rappaport, Reed, Renninger, Renwick, Rhodes, Richardson, Rieger, Ritter, Scirica, Seltzer, Shane, Shelhamer, Shelton, Shuman, Shupnik, Srianni, Smith, E., Smith, L., Spencer, Stahl, Stapleton, Stout, Sullivan, Taddonio, Taylor, Thomas, Toll, Trello, Turner, Ustynoski, Valicenti, Vann, Vroon, and Wagner.



Flaherty	Letterman	Romanelli	Yohn
Foster, A.	Levi	Ross	Zearfoss
Foster, W.	Lincoln	Ruggiero	Zeller
Fryer	Lynch	Ryan	Zord
Gallagher	Manderino	Saloom	Zwinkl
Gallen	Manmiller	Salvatore	
Garzia	McCall	Scheaffer	Fineman, Speaker
Geesey	McClatchy	Schmitt	
Geisler	McCue	Schweder	

NAYS—0

NOT VOTING—5

Butera	McGraw	Milanovich	Perry
Davies			

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. 1517, printer's No. 2203, entitled:

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

On the question,

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

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

The question is, shall the bill pass finally?

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

YEAS—192

Abraham	Geisler	McGinnis	Scirica
Anderson, J. H.	George	McIntyre	Seitzer
Arthurs	Giammarco	McLane	Shane
Barber	Gillespie	Mebus	Shelhamer
Bellomini	Gillette	Menhorn	Shuman
Bennett	Gleason	Miller, M. E.	Shupnik
Beren	Gleason	Miller, M. E., Jr.	Sirianni
Berlin	Goodman	Milliron	Smith, E.
Berson	Green	Moehlmann	Smith, L.
Fittle	Greenfield	Morris	Spencer
Blackwell	Gricco	Mrkonje	Stahl
Bonetto	Gring	Mullen, M. P.	Stapleton
Bradley	Halverson	Mullen	Stout
Brandt	Hamilton, J. H.	Musto	Sullivan
Brunner	Hammock	Myers	Taddonio
Burns	Haskell	Novak	Taylor
Caputo	Hayes, D. S.	Noye	Tayoun
Cessar	Hayes, S. E.	O'Brien	Thomas
Cimini	Hepford	O'Connell	Toll
Cohen	Hill	O'Keefe	Trello
Cole	Hopkins	Oliver	Turner
Cowell	Hutchinson, A.	Pancoast	Ustynoski
Crawford	Hutchinson, W.	Parker, H. S.	Valicenti
Cumberland	Irvis	Perri	Vann
Davis, D. M.	Iklin	Petrarca	Vroon
DeMedio	Johnson, J.	Pievsy	Wagner
Deverter	Katz	Pitts	Walsh, T. P.
Dicarlo	Kelly, A. P.	Polite	Wansacz
DiDonato	Kelly, J. B.	Pratt	Wargo
Dietz	Kernick	Prendergast	Weldner
Dininni	Kistler	Pyles	Westerberg
Dombrowski	Klingaman	Rappaport	Whelan
Dorr	Knepper	Reed	Whittlesey
Doyle	Kolter	Renninger	Wilson
Dreibelbis	Kowalshyn	Renwick	Wilt, R. W.
Eckensberger	Kusse	Rhodes	Wilt, W. W.
Englehart	LaMarca	Richardson	Wojdak
Fawcett	Laudadio	Rieger	Worrilow
Fee	Laughlin	Ritter	Wright
Fischer	Lederer	Romanelli	Yahner
Fisher	Lehr	Ross	Yohn
Flaherty	Letterman	Ruggiero	Zearfoss

Foster, A.	Levi	Ryan	Zeller
Foster, W.	Lincoln	Saloom	Zord
Fryer	Lynch	Salvatore	Zwinkl
Gallagher	Manderino	Scheaffer	
Gallen	Manmiller	Schmitt	Fineman, Speaker
Garzia	McCall	Schweder	
Geesey	McClatchy		

NAYS—2

Hasay McCue

NOT VOTING—8

Butera	McGraw	Miscevich	Perry
Davies	Milanovich	O'Donnell	Shelton

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

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

THE SPEAKER (Herbert Fineman) IN THE CHAIR

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

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. 924

An Act amending the act of May 28, 1937 (P. L. 955, No. 265), entitled, as amended, "Housing Authorities Law," increasing the minimum amount for which the authorities may contract or purchase without bids.

HOUSE BILL No. 932

An Act amending the act of June 3, 1937 (P. L. 1225, No. 316), entitled "The Game Law," adding the term "resident" and specifying the meaning of the term for the purpose of the act and repealing language concerning unnaturalized persons of foreign birth.

HOUSE BILL No. 1364

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Chairman of the Delaware River Joint Toll Bridge Commission, to sell and convey to the Bell Telephone Company of Pennsylvania a tract of land located in the Borough of New Hope, Bucks County, Pennsylvania.

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

SENATE MESSAGE

AMENDED SENATE BILLS 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 bills numbered and entitled as follows:

SENATE BILL NO. 610

An Act amending the act of August 9, 1955 (P. L. 323, No. 130), entitled "The County Code," making certain audits mandatory.

**SENATE BILL No. 834**

An Act amending the act of July 28, 1953 (P. L. 723, No. 230), entitled, as amended, "Second Class County Code," requiring mandatory audits of the minor judiciary.

**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. 924**

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.

**HOUSE BILL No. 932**

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), adding the term "resident" and specifying the meaning of the term for the purpose of the act.

**HOUSE BILL No. 1364**

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Chairman of the Delaware River Joint Toll Bridge Commission, to sell and convey to the Bell Telephone Company of Pennsylvania a tract of land located in the Borough of New Hope, Bucks County, Pennsylvania.

Whereupon,

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

**SENATE BILLS SIGNED BY SPEAKER**

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

**SENATE BILL No. 533**

An Act making an appropriation to the Department of Property and Supplies to purchase on behalf of the Pennsylvania Historical and Museum Commission materials relating to the life and work of the late Louis I. Kahn.

**SENATE BILL No. 659**

An Act amending the act of June 2, 1915 (P. L. 762, No. 340), entitled "State Workmen's Insurance Fund Law," broadening the State Workmen's Insurance Fund's permissible coverages; permitting said Fund to join in an insurance pool; and making editorial corrections.

**SENATE BILL No. 660**

An Act amending the act of July 1, 1937 (P. L. 2532, No. 470), entitled "Workmen's Compensation Security Fund Act," combining the stock workmen's compensation security fund and the mutual carrier and reciprocal exchange workmen's compensation security fund into a single workmen's compensation security fund.

**SENATE BILL No. 778**

An Act making an appropriation to the State Court Administrator for the National Conference of Chief Justices and State Court Administrators.

Whereupon,

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

**LABOR RELATIONS BILL  
ON THIRD CONSIDERATION**

Agreeable to order,

The House proceeded to third 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.

On the question,

Will the House agree to the bill on third consideration?

**PARLIAMENTARY INQUIRY**

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

Mr. GLEASON. As to Senate bill No. 901, I have an amendment which has been circulated to the members, but before I press for its passage I would like to pose a parliamentary inquiry to the Chair.

The SPEAKER. The gentleman will state it.

Mr. GLEASON. Rules of the House require that there be a fiscal note attached to any amendment or bill which has any financial implications or that would cost money or will decrease state revenues. Now in connection with a previously considered bill, Senate bill No. 704, I believe, I had had the Appropriations Committee prepare a fiscal note regarding that particular amendment. The amendment seeks to impose civil service status on most of the employes of PennDOT, Pennsylvania Department of Transportation.

I did receive and did circulate among the members of the House a fiscal note which raises a modest fiscal implication for such an amendment.

The amendment which I may be proposing to Senate bill No. 901 is identical in language, has the same impact, the same effect, as the previously not considered amendment for which there was a fiscal note. The question specifically addressed to the Chair is: Will it be necessary for me to get a new fiscal note relative to this bill even though the amendment is identical in language and in impact?

The SPEAKER. Does the gentleman state that the amendment is identical in all respects?

Mr. GLEASON. Yes, sir.

The SPEAKER. And it has the same impact in terms of its effect on the fiscal situation?

Mr. GLEASON. I would assume it does because it goes to the very same problem addressed in the previous amendment to the previous bill, and it is identical in language in all respects.

The SPEAKER. Will the gentleman check with the Appropriation Committee's chairman to make certain that the fiscal impact is the same? If he gets an affirmative response and if there be no objection from the floor, the Chair will be willing to accept the fiscal note.

**SENATE BILL No. 901 PASSED OVER TEMPORARILY**

Mr. GLEASON. Will the Chair, then, pass over the bill temporarily?

The SPEAKER. Senate bill No. 901 will go over temporarily.

**GAME AND FISHERIES BILL  
ON THIRD CONSIDERATION**

Agreeable to order,

The House proceeded to third consideration of **House bill No. 1642, printer's No. 2040**, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), removing the maximum amount which may be expended annually by the commission for the payment of bear damage protection or bear damage claims.

On the question,

Will the House agree to the bill on third consideration?

#### BILL RECOMMENDED

Mr. IRVIS moved that House bill No. 1642 be recommended to the Committee on Game and Fisheries.

Motion was agreed to.

#### CONCURRENCE IN SENATE AMENDMENTS TO HOUSE BILL No. 1367

Mr. IRVIS called up for concurrence in Senate amendments, from page 18 of today's calendar, House bill No. 1367, printer's No. 2273.

#### SENATE MESSAGE

##### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

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

#### HOUSE BILL No. 1367

An Act relating to medical and health related malpractice insurance, prescribing the powers and duties of the Insurance Department; providing for a joint underwriting plan; the Arbitration Panels for Health Care compulsory screening of claims; collateral sources requirement; limitation on contingent fee compensation; establishing a catastrophe loss fund; and prescribing penalties.

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

The clerk read the following amendments made by the Senate:

Amend Title, page 1, line 4, by striking out at the beginning of the line "Regional"; line 6, by striking out at the beginning of the line "limitation of Statute of Limitations;"; line 7, by striking out after "establishing" all the remainder of said line; line 8, by striking out at the beginning of the line "Compensation Fund;" and by inserting immediately thereafter "a Catastrophe Loss Fund;"

Amend Bill, page 2, line 6, by striking out at the beginning of the line "Regional"; line 7, by striking out after "means" the word "Regional"; line 19, by inserting after "licensed" the words "or approved"; line 23, by striking out after "organization;" all the remainder of said line; line 24, by striking out all of said line; line 25, by striking out at the beginning of the line "generally available;" and by striking out after "agent" the word "thereof" and inserting "of any of them"; line 29, by striking out after "patient" the words "freely given"; line 30, by striking out after "a" the words "health care provider" and inserting "physician or podiatrist;"

Amend Bill, page 3, line 1, by striking out after "the" the words "informed consent's" and inserting "consent"; line 2, by striking out after "the" the words "health care provider" and inserting "physician or podiatrist"; line 3, by inserting after "of" the following: "the nature of the proposed procedure or treatment and of" line 4, by striking out after "risks" the following "possible consequences,;" line 5, by inserting after "treatment" the words

"or diagnosis"; line 6, by striking out after "to" where it appears the first time "his" and inserting "the"; line 7, by inserting after "treatment" the words "or diagnosis" and by striking out after "No" the word "doctor" and inserting "physician or podiatrist"; line 9, by striking out after "prevents" the word "his"; line 10, by striking out after "No" the word "doctor" and inserting "physician or podiatrist"; line 14, by inserting after "on" the words "the patient or on"; line 18, by inserting after "Examiners" the following: "The State Board of Podiatry Examiners,"

Amend Bill, page 4, line 5, by striking out after "for" where it appears the first time "Regional" line 7, by striking out at the beginning of the line "Insurance" and inserting "Justice" and by striking out after "for" the word "Regional"; line 17, by striking out all of said line; line 20, by inserting after "Commonwealth" the following: "and payable to the administrator.;" line 21, by inserting after "Physicians" the words "and podiatrists"

Amend Bill, page 5, line 5, by striking out after "The" all the remainder of said line; line 6, by striking out all of said line; line 7, by inserting at the beginning of the line "administrator"; line 13, by inserting after "evidence." the following: such rules and regulations, after consultation with the Secretary of Health, may include provisions for the use of forms which provide for the disclosure of the nature of the proposed treatment or diagnosis, risks of the proposed treatment or diagnosis, and alternate methods of treatment or diagnosis.

Amend Bill, page 5, line 19, by striking out after "308" the word "Regional"; line 20, by striking out after "Care.—" all the remainder of said line; lines 21 through 30, by striking out all of said lines.

Amend Bill, page 6, lines 1 through 20, by striking out all of said lines and inserting immediately thereafter the following:

(A) The administrator shall establish a separate arbitration panel for each claim; and after each panel renders its decision on the claim it shall be disbanded.

(B) Each arbitration panel shall be composed of seven members including two health care providers, two attorneys, one of whom shall be designated as chairman by the administrator, who shall determine questions of law and three lay persons who are not health care providers nor licensed to practice law. Wherever possible, the administrator shall select a hospital administrator, podiatrist, or osteopath as one of the health care provider panel members where the claim involves a member of one of those classes of health care providers.

(C) Arbitration panel candidates shall be selected from a pool of candidates generated by the administrator. The rules and regulations promulgated by the administrator pertaining to the selection of arbitrators shall provide that the administrator shall send simultaneously to each party an identical list of five arbitration panel candidates in each of the three categories together with a brief biographical statement on each candidate. A party may strike from the list any two names which are unacceptable in each category. Any mutually agreeable candidate may be invited by the administrator to serve. Where insufficient mutually agreeable candidates are selected for any category a second list of that category shall be sent by the administrator. If a complete arbitration panel is not selected by mutual agreement of the parties the administrator shall appoint the remainder of the arbitration panel. Any appointment by the administrator shall be subject to challenge by any party for cause. A request to strike an arbitrator for cause shall be determined by the administrator. The parties shall not be restricted to the arbitration panel candidates submitted for consideration; but, if all parties mutually agree upon an arbitration panelist within a designated category, the panelist shall be invited to serve.

Amend Bill, page 7, line 28, by striking out at the beginning of the line "(c)" and inserting "(d)" and by striking out after "and" the word "physician" and inserting in lieu thereof "health care provider"; line 29, by inserting after "be" the words "or have been"

Amend Bill, page 8, line 1, by striking out at the beginning of the line "(f)" and inserting "(e)"; lines 6 through 11, by striking out all of said lines; line 12, by striking out at the beginning of the line "(i)" and inserting "(f)"; line 13, by striking out after "interest." all the remainder of said line; lines 14 through 17, by striking

out all of said lines; line 26, by striking out after "the" where it appears the second time "Attorney General"; line 27, by inserting at the beginning of the line "administrator"; line 28, by inserting after "panel." the following: the filing of the complaint with the administrator shall toll the statute of limitations.

Amend Bill, page 9, line 3, by striking out after "the" the words "Attorney General" and inserting in lieu thereof "administrator"; line 5, by striking out after "the" the word "Regional"; line 7, by striking out after "the" the following: "Professional Standards Review Organization region" and inserting "county"; line 10, by striking out after "502" all the remainder of said line; lines 11 through 13, by striking out all of said lines; line 14, by striking out at the beginning of the line "determination of the claim." and inserting immediately thereafter the following: at any time up to the selection of the panel members, a party may join any additional party who may be necessary and proper to a just determination of the claim.

Amend Bill, page 9, line 27, by inserting after "matters" the following: "except questions of law"

Amend Bill, page 11, line 4, by striking out after "panel" the words "may be taken to" and inserting in lieu thereof "shall be a trial de novo in"; line 5, by striking out after "pleas" the words "OR UNITED STATES DISTRICT COURT" and by striking out after "in" the word "the"; line 6, by striking out at the beginning of the line "same manner as appeals in civil actions," and inserting immediately thereafter the following: accordance with the rules regarding appeals in compulsory civil arbitration and the Pennsylvania Rules of Civil Procedure

Amend Bill, page 11, line 13, by striking out after "was" all the remainder of said line; line 14, by inserting at the beginning of the line "capricious, frivolous and unreasonable, then"; line 18, by inserting after "decision" the word "and"; line 19, by striking out after "findings" the words "and award," and inserting "of fact,,"; line 20, by inserting after "court," the following: provided, however, that any award of damages shall not be admissible as evidence.

Amend Bill, page 11, line 24, by striking out after "shall" the word "be"; line 25, by inserting at the beginning of the line "have been"; by striking out after "the" the words "arbitration panel" and inserting "administrator"; line 30, by striking out after "made" the following: "and upon receipt and filing of the arbitration award from the administrator,"

Amend Bill, page 13, line 11, by inserting after "award" the word "such"; line 12, by inserting after "defendant" the words "as may be awarded at law."

Amend Bill, page 13, line 23, by striking out after "605." all the remainder of said line; lines 24 through 30, by striking out all of said lines.

Amend Bill, page 14, line 1, by striking out all of said line; line 2, by striking out at the beginning of the line "regardless of minority or other legal disability." and inserting immediately thereafter the following: all claims for recovery pursuant to this act must be commenced within the existing applicable statutes of limitation.

In the event that any claim is filed against a health care provider subject to the provisions of Article VII more than four years after the breach of contract or tort occurred, such claim shall be paid by the medical professional liability catastrophe loss fund established pursuant to Section 701. If such claim is made after four years because of the willful concealment of the health care provider, the fund shall have the right of indemnity from such health care provider.

Amend Bill, page 14, line 15, by striking out after "a" the words "physician or surgeon" and inserting in lieu thereof "health care provider"; line 20, by striking out after "act" all the remainder of said line; line 21, by striking out at the beginning of the line "HEALTH MAINTENANCE ORGANIZATIONS"; line 23, by inserting after "occurrence" the following: "and \$300,000 per annual aggregate."

Amend Bill, page 14, line 24, by inserting after "insurance." the following: general and special hospitals may maintain professional liability insurance in the amount of \$1,000,000. Upon certification by the administrator, of the aforementioned amount of insurance maintained by all general and special hospitals, all such hospitals shall be exempt from the provisions of this article.

Amend Bill, page 15, line 4, by inserting after "occur-

rence" the following: "and \$300,000 per annual aggregate."; line 9, by striking out after "which" the word "is" and inserting "are"; line 11, by inserting after "fund" the following: the limit of liability of the fund shall be \$1,000,000 for each occurrence and \$3,000,000 per annual aggregate.

Amend Bill, page 15, line 16, by striking out after "the" the word "commissioner" and inserting "director appointed pursuant to Section 702"; line 17, by inserting after "and" the following: "subject to the prior approval of the commissioner. The surcharge"; line 20, by inserting after "insurance" the following: "or \$100, whichever is greater." and by striking out immediately thereafter "all" and inserting "The fund and all"; line 23, by striking out after "the" the word "commissioner" and inserting "director"; line 28, by striking out after "the" where it appears the first time the word "commissioner" and inserting "director"; line 30, by inserting after "\$15,000,000." the following: all claims shall be computed on December 31 of the year in which the claim becomes final. All such claims shall be paid within two weeks thereafter. If the fund would be exhausted by the payment in full of all claims allowed during any calendar year, then the amount paid to each claimant shall be prorated. Any amounts due and unpaid shall be paid in the following calendar year. The annual surcharge on health care providers and any income realized by investment or reinvestment shall constitute the sole and exclusive sources of funding for the fund. No claims or expenses against the fund shall be deemed to constitute a debt of the Commonwealth or a charge against the General Fund of the Commonwealth.

Amend Bill, page 16, line 12, by striking out at the beginning of the line "commissioner" and inserting "director"; line 17, by striking out after "the" the word "commissioner" and inserting "director"

Amend Bill, page 17, by inserting after line 21 the following:

(H) Nothing in this act shall preclude the director from adjusting or paying for the adjustment of claims.

Amend Bill, page 17, lines 24 through 30, by striking out all of said lines.

Amend Bill, page 18, lines 1 through 21, by striking out all of said lines and inserting immediately thereafter the following:

Section 703. If after collection of the second annual surcharge, and following the collection of any subsequent annual surcharge, the fund is reduced below \$7,500,000, the director shall certify such facts to the Governor and the General Assembly. If upon the expiration of 25 legislative days, following such certification, no remedial action is taken by the General Assembly, and enacted into law, the liability of the fund for claims arising from occurrences after such period shall cease and the joint underwriting association created under Article VIII shall terminate and the provisions of Article VII, Section 701(A) and VIII shall no longer apply.

In such case, the fund will continue to function until all of its liability for claims has been satisfied. The director is authorized to continue to collect a surcharge annually without limit, to the extent necessary to satisfy the obligations of the fund. Such surcharge must be filed with and approved by the commissioner prior to use.

Any moneys remaining in the fund following the satisfaction of all its liabilities shall be returned to the health care providers under such terms and conditions as determined by a plan prepared by the director and approved by the commissioner.

Section 704. Determination of the adequacy of the surcharge is to be based on the reasonably anticipated payment of claims and other expenses of the fund during the period for which the surcharge is made. The surcharge shall be assessed against each health care provider qualifying as such at the time the surcharge is made.

Amend Bill, page 19, line 25, by striking out after "to" the words "each health care provider" and inserting "those providers"

Amend Bill, page 20, by striking out after "association" the words "or any other method"; line 6, by striking out after "802" all the remainder of said line; lines 7 through 10, by striking out all of said lines; line 11, by striking out at the beginning of the line "plan." and inserting immediately thereafter the following: the plan shall consist of all insurers authorized to write insurance pursuant to

Section 202(c) (4) and (11) of the act of May 17, 1921 (P. L. 682, No. 284), known as "The Insurance Company Law of 1921."

Amend Bill, page 20, line 18, by inserting after "803." the letter "(a)"; page 20, by inserting after line 27, the following:

(b) In the event that the joint underwriting association suffers a deficit in any calendar year, the board of directors of the joint underwriting association shall so certify to the director of the catastrophe loss fund and the insurance commissioner. Such certification shall be subject to the review and approval of the Insurance Commissioner. Within 60 days following such certification and approval the director of the fund shall make sufficient payment to the joint underwriting association to compensate for said deficit. A deficit shall exist whenever the sum of the earned premiums collected by the joint underwriting association and the investment income therefrom is exhausted by virtue of payment of or allocation for the joint underwriting association's necessary administrative expenses, taxes, losses, lost adjustment expenses and reserves, including reserves for: (1) losses incurred, (2) losses incurred but not reported, (3) loss adjustment expenses, (4) unearned premiums.

Amend Bill, page 21, line 24, by striking out after "commissioner" the word "shall" and inserting "may"

Amend Bill, page 22, line 6, by striking out after "injury" the word "being"; line 7, by striking out at the beginning of the line "discovered but not reported." and inserting "for which the health care provider may be held liable."

Amend Bill, page 22, line 9, by striking out after "if" the figure "25%" and inserting immediately thereafter the following: the private insurance market unfairly discriminates against higher risk physicians by denying professional liability insurance coverage to 50%; line 12, by striking out after "in" all the remainder of said line; line 13, by striking out at the beginning of the line "5 are denied professional liability insurance coverage" and inserting "insurance rating classes 3, 4 or 5, or their equivalents"; lines 16 and 17, by striking out all of said lines; line 18, by striking out at the beginning of the line "Commonwealth." and inserting immediately thereafter the following: may declare that the plan established under this article shall be the sole and exclusive source of professional liability insurance for health care providers within this Commonwealth. The commissioner may dissolve the plan if he determines that it is no longer necessary and that an adequate market will be maintained for professional liability insurance for health care providers by the private insurance market. The commissioner may reestablish the plan if he shall find that the private industry has failed to provide an adequate market for professional liability insurance by denying professional liability insurance coverage to 50% or more of all rating classes 3, 4 or 5, or their equivalents, and may declare it the sole and exclusive source of such insurance under the procedure set forth in this section.

Section 809. The plan shall report to the commissioner annually on a date and, on a form prescribed by the commissioner the total amount of premium dollars collected, the total amount of claims paid and expenses incurred therewith, the total amount of reserve set aside for future claims, the nature and substance of each claim, the date and place in which each claim arose, the amounts paid, if any, and the disposition of each claim (judgment of arbitration panel, judgment of court, settlement or otherwise), and such additional information as the commissioner shall require.

Section 810. The plan shall conduct studies and review member records for the purpose of determining the causes of patient compensation claims and make recommendations for legislative, regulatory and other changes necessary to reduce the frequency and severity of such claims.

Amend Bill, page 23, line 20, by striking out after "Licensure," the word "and"; line 21, by inserting after "Examiners" the following: "and the State Board of Podiatry Examiners"; line 28, by striking out after "Licensure," the word "and"; line 29, by inserting after "Examiners" the following: "and the State Board of Podiatry Examiners"

Amend Bill, page 25, line 16, by striking out after "Li-

censure," the word "or"; line 4, by inserting after "Examiners" the following: "or the State Board of Podiatry Examiners"; line 19, by striking out after "Licensure," the word "or" and by inserting after "Examiners" the following: "or the State Board of Podiatry Examiners"; line 22, by striking out after "Licensure," the word "or"; line 23, by inserting after "Examiners" the following: "or the State Board of Podiatry Examiners"; line 27, by striking out after "Licensure," the word "or"; line 28, by inserting after "Examiners" the following: "or the State Board of Podiatry Examiners"

Amend Bill, page 26, line 3, by striking out after "Licensure," the word "or"; line 4, by inserting after "Examiners" the following: "or the State Board of Podiatry Examiners"; line 15, by striking out after "of" the word "that" and inserting "this"; line 27, by striking out at the beginning of the line "that" and inserting "this"

Amend Bill, page 26, by inserting after line 27 the following:

(c) All fees, charges and fines collected under the provisions of the act of March 2, 1956 (P. L. 1206, No. 375), entitled, as amended, "an act relating to and defining the practice of podiatry; conferring powers and imposing duties on the State Board of Podiatry Examiners and the Department of State; requiring licensure; providing for the granting, cancellation, suspension and revocation of licenses; preserving the rights of existing licenses; providing for the promulgation of rules and regulations; transfer of jurisdiction and records to the board; regulation of schools of chiropody and podiatry; reciprocity; and providing penalties, and remedies," are hereby specifically appropriated for the exclusive use by the state board of podiatry examiners in carrying out the provisions of this act.

Amend Bill, page 27, line 15, by inserting after "libel" the words "or slander"; line 17, by inserting after "Examiners" the following: "the State Board of Podiatry Examiners"; line 18, by striking out after "the" the word "Regional" and by inserting after "Panels," the words "the administrator"

Amend Bill, page 28, line 22, by striking out after "practice" the words "without the necessary receipts," and inserting "while in violation"

Amend Bill, page 29, line 4, by striking out after "Assembly" the remainder of said line; line 5, by striking out at the beginning of the line "before July 1, 1976" and inserting "within one year of the effective date of this act."

Amend Bill, page 29, lines 19 through 27, by striking out all of said lines.

On the question,

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I request that the House do concur in the amendments inserted by the Senate to House bill No. 1367, printer's No. 2273.

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

Mr. RENNINGER. Thank you, Mr. Speaker.

I think it has been known in this House that I have been one of the people who have had the greatest reservations about the concurrence in this piece of legislation. I am going to rise and ask that we support the majority leader's motion and I would like to make a few short comments about this piece of legislation, if I may, Mr. Speaker.

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

Mr. RENNINGER. Thank you.

I think the bill does do some positive things that are part of the problem of malpractice. One, it addresses

itself to the availability of malpractice insurance. Two, it has a limited cost impact on the high risk insured. That may be temporary but it will alleviate the immediate problem.

The third point that I think is very positive in the bill is the disposition of malpractice cases. I think that, notwithstanding the changes in the House version, the strengthening of the immediate or court of first resort in malpractice cases will lead to a more rapid disposition of cases, which I think will have a cost impact and a positive cost impact in this whole area that is so complicated.

There is no question that the bill will place a tremendous burden on our doctors to get their own house in order in the delivery of medical services and the meeting of the problems that are not necessarily answered by this bill but hopefully are—but I doubt it—and they are the exponential expansion in costs in dealing with malpractice and providing adequate coverage so that people can be encouraged to deliver these services which are so needed by our people.

As for the reservations I have, they go to the sufficiency of the catastrophe fund. Now you all remember there was \$100,000 required which will be written in the private insurance market. Through a surcharge system, there will be a catastrophe fund.

The fund as it came out of the House could not be assured to the medical profession or the public generally, who is really involved here, to be able to withstand any attacks upon it to any great extent. However, the Senate sought to burden that fund more. And with greater reservation, I say that we must put on record in this House today that we are hopeful but not optimistic.

The Joint Underwriting Association losses at the end of each year, which are going to be underwritten by the insurance industry, will be picked up by the catastrophe fund. They are solely the expenses of the practicing physicians and related health-care providers, with the exclusion of the hospitals, which was a Senate change. And in certain instances where claims exist that are over a certain age, they will go to the catastrophe fund, and I have pause in my mind that this fund can survive.

If the fund at any time does go broke and it comes to an end, all doctors in this Commonwealth must understand that this bill, which many of them are supporting, will come home to roost on an unlimited surcharge system.

I say again, if the fund becomes defunct, outstanding claims will be covered by an unlimited surcharge on doctors. They should be aware of this and I think they must be, because many of them through responsible communications to me and other members of this Assembly have said they are aware of this.

The one approach that was debated in the House very heatedly that was changed in the Senate was the absolute cutoff at 7 years on the statute of limitations. I can stand here and argue both sides of that case and tell you that only from an insurance standpoint, the limitation of a statute of limitations makes things actuarially possible.

This was changed in the Senate and it was changed on the appeal of the hard cases that would be excluded if the 7-year statute applied. But it is like anything else, you have to figure out how you can underwrite something. And I speak not from the merits of the argument

but only from the insurance aspect, that this was an unfortunate change in the Senate.

Another thing that I think we do not want to see in our process of dealing with malpractice is an inhibition of the advances of medicine. I think all of you must realize that medicine is an art, and in many cases it is a science, but not in all of them. And we need progress from time to time.

I think that this bill may have the effect or it does not deal with the stratification or strangulation of medical progress. This we must oppose; this we must address ourselves to.

I do not think that the bill addresses itself sufficiently to the allocation of costs as an underwriting matter among the medical profession including the doctors, and I have already alluded to the hospitals somehow removing themselves from this bill.

With those reservations, Mr. Speaker, I again say that we are moving a little bit here. I do not think that we can look forward for a long time of not having this problem back in our laps and possibly at a more serious situation. So that I think when you vote today, I want you all to be aware of the responsibilities you are assuming here and what we can and cannot accomplish in this legislature today.

Thank you very much, Mr. Speaker.

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

Mr. McCLATCHY. Mr. Speaker, we find ourselves today, I guess, in the same dilemma as we find ourselves in on many bills. Frankly, I think we have before us the worst of all worlds. I know my experience with the House-passed measure, when I went back home, was not a good one. None of my doctors were happy with that. They were not pleased at all with what we did, and they had hoped that the Senate would at least be a little bit fairer and correct some of the things that were wrong with it. Unfortunately, the Senate did not, and we have with us even a weaker bill than the House passed.

I share Mr. Renninger's opinion that it is probably the best we can do at the moment. However, let me assure the members that when they go back home and start talking to doctors and start getting phone calls from individual doctors, they are not going to be happy, and you are going to have to do a lot of explaining to support your vote.

Frankly, I would have liked to have seen this bill fought out to the bitter end and some more compromises made. For that reason, Mr. Speaker, I myself personally am going to vote "no," although I would understand why a lot of members will have to vote "yes."

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, I intend to vote to concur on this bill, but I just want to go on record, as Mr. Renninger went on record, that I believe that there are a great many deficiencies in this bill and I hope they do not come back to haunt us.

On the question recurring,

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



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

YEAS—188

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

NAYS—9

Fawcett	Hill	McGinnis	Wojdak
Geesey	McClatchy	Pancoast	Zord
Haskell			

NOT VOTING—5

Butera	McGraw	Milanovich	Perry
Davies			

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

Ordered, That the clerk inform the Senate accordingly.

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. PERRY. Mr. Speaker, will you please have the record show that had I been in my seat, I would have voted in favor of concurrence in Senate amendments to House bill No. 1367.

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

URBAN AFFAIRS BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of Senate bill No. 662, printer's No. 706, entitled:

An Act amending the act of June 23, 1931 (P. L. 932, No. 317), entitled "The Third Class City Code," further providing for membership on the Shade Tree Commission.

On the question,

Will the House agree to the bill on third consideration?

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

Amend Sec. 1 (Sec. 3802), page 2, by inserting after line 5:

Should the governing body determine to increase the membership of an already existing commission, the additional members shall be appointed as provided in this section. If, at any time, after increasing the membership of the commission the governing body should determine to reduce the number of members on the commission, such reduction shall be effectuated by allowing the terms to expire and by making no new appointments to fill the vacancy. Any increase or reduction in members shall be by ordinance.

On the question,

Will the House agree to the amendment?

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

Mr. RITTER. Mr. Speaker, as briefly as I can, the reason I am offering this amendment is that we had a similar bill dealing with the Municipality Authorities Act and we had said that the governing body can have any number of people on the board. We passed the bill and the Governor vetoed it on the grounds that it was unclear as to what happens if they decide to reduce the number or that they could arbitrarily increase the number to get a certain position across. My amendment speaks to overcome that by saying that if there is a body in existence now, a Shade Tree Commission and if additional members are appointed, they shall be appointed according to the article, and if at any time after increasing the membership of the commission, the governing body should decide to reduce the number of members, such reduction shall then be effected by allowing the terms to expire and by making no new appointments to fill the vacancies. I further provide that any increase or reduction in members shall be by ordinance. I would ask for agreement on the amendment, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

Amendment was agreed to.

On the question,

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

Bill as amended was agreed to.

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

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

Mr. POLITE. Mr. Speaker, are we voting on House bill No. 662 or Senate bill No. 662?



The SPEAKER. It is Senate bill No. 662, printer's No. 703. There is a wrong number on the board. The Chair thanks the gentleman.

On the question recurring,  
Shall the bill pass finally?

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

YEAS—194

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

NAYS—0

NOT VOTING—8

Bellomini	Davies	McGraw	Miscevich
Butera	Manderino	Millanovich	Perry

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.

**BUSINESS AND COMMERCE BILL  
ON THIRD CONSIDERATION**

Agreeable to order,  
The House proceeded to third 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.

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

BILL RECOMMENDED

Mr. IRVIS moved that House bill No. 17 be recommitted to the Committee on Appropriations.  
Motion was agreed to.

**CONSERVATION BILL  
ON THIRD CONSIDERATION**

Agreeable to order,  
The House proceeded to third 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.

On the question,  
Will the House agree to the bill on third consideration?  
Mr. PRATT requested and obtained unanimous consent to offer the following amendment, which was read:

Amend Sec. 1 (Sec. 4), page 3, line 5, by removing the comma after "MORE" and inserting: per square mile,

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

The SPEAKER. The Chair recognizes the gentleman from Lawrence, Mr. Pratt.

Mr. PPRATT. Mr. Speaker, I believe this is merely a technical amendment. The Legislative Reference Bureau erroneously omitted three words in the bill, and I hope it is an agreed-to amendment.

On the question recurring,  
Will the House agree to the amendment?  
Amendment was agreed to.

On the question,  
Will the House agree to the bill as amended on third consideration?  
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 Luzerne, Mr. O'Connell.

Mr. O'CONNELL. Mr. Speaker, I wonder if the gentleman, Mr. Pratt, would submit to a brief interrogation?

The SPEAKER. Will the gentleman, Mr. Pratt, consent to interrogation.

The gentleman indicates he shall.  
Mr. O'CONNELL. There was considerable discussion, Mr. Speaker, in our caucus in regards to this particular bill and the concerns were around funding or financing. If in effect this were to go in and there is an existing contract, what would the impact be upon that particular contract?

Mr. PRATT. An existing contract between whom?  
Mr. O'CONNELL. The authority, apparently, has con-

tracts with an independent concern for the purposes of removal of solid waste. Is that true?

Mr. PRATT. That is correct.

Mr. O'CONNELL. It is my understanding that is a 6-year contract.

Mr. PRATT. I believe it is, yes. I am not certain on it but I believe it is.

Mr. O'CONNELL. The question is, what would be the impact upon that particular contract?

Mr. PRATT. Taking an educated guess, and I do not know for certain, but would say that particular contract would remain valid between the authority and the collector.

Mr. O'CONNELL. And assuming that is accurate and I would judge that it is—I am not an attorney but I would say that it is an accurate statement—and these people had a chance to opt out of it or did not participate in the services, it would create a revenue deficiency? Is that correct?

Mr. PRATT. I do not know that for certain because I do not know the fiscal operations of the authority nor the collector.

Mr. O'CONNELL. Is it likely that it would create a revenue deficiency?

Mr. PRATT. Again I am not certain, but using common sense and taking an educated guess, I would say that if you have less members who are paying into the authority or taking advantage of the services, I would suspect there would be some sort of a deficiency.

Mr. O'CONNELL. Well, I think we have come down really to the final question, and the salient point here is, are you familiar with the contract, or is it a part of the contract in the event that there is a revenue deficiency that the full faith and taxing abilities of all of those municipalities that are part of this contract would be present? In other words, most of the authorities in the event there is a revenue deficiency or in the event of a default, the full faith and taxing ability of those communities that are part of that particular agreement come into effect and they must then assess each of the communities on some formula and they have to make it up. Is that right?

Mr. PRATT. Mr. Speaker, I have perused the contract briefly and there is no such provision within the contract. I believe that the fiscal responsibility would be left to the authority in and of itself. I do not believe there is any provision that would obligate the various municipalities to any financial responsibility or assessment.

Mr. O'CONNELL. Well, I would not disagree with the gentleman. If that is part of it, then it is an exception, I think, rather than the rule because either in bonding or financing any of the financing institutions demand that as a requisite to approval of any loans or extensions of monies.

I thank the gentleman and I would like to make a brief statement if I may.

The SPEAKER. The gentleman is recognized.

Mr. O'CONNELL. I think that this would establish a precedent that would concern me. In my particular legislative district, I was hit with this on many, many occasions as it pertains to sewer and water and was forced to take a stand in defense of authorities even though I am not an advocate of authorities and do not particularly like them. But I think this would establish a precedent that would be embarrassing to a tremendous

lot of people. We now force them on sewer lines and we forced them on water. I would suggest that if this were to be adopted, that same concept then ought to be followed through with those other authorities.

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Lawrence, Mr. Pratt.

Mr. PRATT. Just one point, Mr. Speaker, and that is that I disagree with the gentleman in that, yes, it would establish a precedent but not in the way that Mr. O'Connell states. I believe that this is a good bill; I believe it treats the local municipalities fairly and also the authorities and especially the people. I do not believe that this bill will have any detrimental effect upon any local governmental unit. Thank you.

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

Mr. O'CONNELL. I would like to respond to that briefly. I can understand the plight and I am sympathetic to it as far as the problem has been explained to me. But I think there is a way out of here that might be fair to everyone and not really jeopardize either this authority or any of the others that I have spoke of, Mr. Speaker.

I think the rates can be established on a monthly basis or some other formula can be established that would protect them in all instances. This is true in many other authorities, and I think that concept ought to follow through. In effect, you are paying for the services that you receive. However, if you are not receiving the services, you are not obligated. For instance, in the sewer authorities you pay on either a meter or residential or commercial or seating capacity. That is not an unusual concept.

I think something similar to that can be adopted here that would be fair and that would not jeopardize all of the other existing authorities in the Commonwealth.

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

Mr. W. W. WILT. Mr. Speaker, may I ask a question of Mr. Pratt please?

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

Mr. PRATT. Yes, Mr. Speaker.

Mr. W. W. WILT. I believe you responded to a question from Mr. O'Connell that if this bill should be enacted, it would not be retroactive; it would only affect contracts that were entered into after the bill became law. Is that correct?

Mr. PRATT. The bill specifically does not refer to contracts; it merely refers to services rendered but not paid for. There is no reference in the bill to contracts.

Mr. W. W. WILT. This bill in no way could resolve the problem that you are trying to get at, the problem in Forest County?

Mr. PRATT. Yes, it would resolve the problem. You are dealing with 2 different aspects here. One is a contract between the authority and the collector, and the other would be a contract between the residents and the authority for solid waste collection.

Mr. W. W. WILT. Well, do not the two go together? Before entering into a contract is not the authority required to have an idea about what their revenues will be?

Mr. PRATT. This particular authority did not issue bonds. It merely proceeded to conduct business based upon an assumption that every one of its residents would be forced to submit to the services and be assessed and pay for the services. As far as what the bill does, it would solve the problem to which it is directed. The contract between the authority and the collector would be a problem for the authority.

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

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

Mr. ARTHURS. Mr. Speaker, on House bill No. 367, back in May of this year, and that was after House bill No. 367 was introduced and sent to the Conservation Committee, there were a group of us sent to Forest County to hold hearings with the Solid Waste Authority, with concerned citizens, with the camping group and with part-time residents and other interested persons because they were having problems in the way that their authority had put their programs into operation.

We tried to work out some of these problems so that this bill would not have to be introduced and brought before the floor of the House. During these hearings, the authority made some statements and commitments to us, whereby they would meet with these interested groups and try to work out their problems. They would put it out for bid where they would be disposing of their solid waste, which they had not done prior to this time, and they were paying approximately \$7.50. After we asked them to make a change and put it out for bids, they are now dumping for \$2. But they did not carry through with the rest of the commitments that they had made to us, and that is, calling in the particular groups and trying to work out their problems.

That is why I was very interested and, for one, would like to see this bill passed. If for nothing more—I do not know what other people's reasons are—I am saying to Mr. O'Connell that we tried to work these problems out with them and they would not. They have not, and they have had adequate time to do this.

As to why it specifies just the eighth class counties, I am not defending that or saying that is right or wrong, but I think we are now working with a piece of legislation here and with some of the authorities in our sparsely populated areas, and we must try and have these people work with their local people back home to try and work these problems out and we must have some type of leverage over them to work this out. As far as I am concerned, that is what this piece of legislation is.

What we run into back there in Forest County, there was only one community that was forced to go into this program. But also they have a solicitor who represents practically every other municipality in the area and he was able to solicit and sell to his individual supervisors that it was a pretty good program and took them all in under the blanket, really, without the people knowing what was going on.

With this piece of legislation, as far as I am concerned, we are trying to force them to sit down and work out a local problem, I would ask for the adoption of this bill.

On the question recurring,  
Shall the bill pass finally?

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

YEAS—120

Abraham	Geesey	McIntyre	Ruggiero
Arthurs	Geisler	McLane	Saloom
Barber	Giammarco	Menhorn	Schmitt
Bennett	Gillespie	Miller, M. E.	Schweder
Berlin	Gillette	Milliron	Shane
Berson	Gleeson	Morris	Shelton
Bittle	Green	Mrkonic	Shuman
Blackwell	Greenfield	Mullen	Shupnik
Bonetto	Hammock	Mullen, M. P.	Stapleton
Bradley	Haskell	Musto	Stout
Brunner	Hopkins	Myers	Sullivan
Caputo	Hutchinson, A.	Novak	Taddonio
Cessar	Irvis	O'Brien	Tayoun
Cohen	Itkin	O'Donnell	Thomas
Cole	Johnson, J.	O'Keefe	Toll
Cowell	Kelly, A. P.	Oliver	Trello
Cumberland	Kelly, J. B.	Parker, H. S.	Turner
Davis, D. M.	Kernick	Perry	Valicenti
DeMedio	Knepper	Petrarca	Vann
Dicarlo	Kolter	Pievsky	Walsh, T. P.
DiDonato	Kowalyszbyn	Pratt	Wansacz
Dorr	Kusse	Prendergast	Wargo
Doyle	LaMarca	Rappaport	Wilt, R. W.
Dreibelbis	Laudadio	Reed	Wojdak
Eckensberger	Laughlin	Rhodes	Yahner
Englehart	Lederer	Richardson	Zeller
Fee	Levi	Rieger	Zwikel
Fischer	Lincoln	Ritter	
Flaherty	Manderino	Romanelli	Fineman,
Gallagher	Manmiller	Ross	Speaker
Garzia	McCue		

NAYS—76

Anderson, J. H.	Gring	Miller, M. E., Jr.	Smith, E.
Beren	Halverson	Miscevich	Smith, L.
Brandt	Hamilton, J. H.	Moehlmann	Spencer
Burns	Hasay	Noye	Stahl
Cimini	Hayes, D. S.	O'Connell	Taylor
Crawford	Hayes, S. E.	Pancoast	Ustynoski
Deverter	Hepford	Perri	Vroon
Dietz	Hill	Pitts	Wagner
Dininni	Hutchinson, W.	Polite	Weldner
Fawcett	Katz	Pyles	Westerberg
Fisher	Kistler	Renninger	Whelan
Foster, A.	Klingaman	Renwick	Whittlesey
Foster, W.	Lehr	Ryan	Wilson
Fryer	Letterman	Salvatore	Wilt, W. W.
Gallen	Lynch	Scheaffer	Worriow
George	McCall	Scirica	Wright
Gleason	McClatchy	Seltzer	Yohn
Goodman	McGinnis	Shelhamer	Zearfoss
Grieco	Mebus	Sirianni	Zord

NOT VOTING—6

Bellomini	Davies	McGraw	Milanovich
Butera	Dombrowski		

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

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. MISCEVICH. I would like to change my vote on House bill No. 367, printer's No. 2194, to "aye."

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

HOUSE BILL No. 605 PASSED OVER TEMPORARILY

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVING. Mr. Speaker, I am sorry.

Your calendar does not show it and mine did not either, but I was informed this morning that Mr. O'Connell said there might be amendments to House bill No. 605. Are those the Dorr amendments?

Mr. Speaker, would you pass this over temporarily until this afternoon?

The SPEAKER. It is temporarily passed over.

**TAX BILLS ON THIRD CONSIDERATION**

Agreeable to order,

The House proceeded to third 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.

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—194**

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

Fineman, Speaker

**NAYS—0**

**NOT VOTING—8**

Bellomina Butera	Davles Dietz	Hammock McGraw	Milanovich 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.

Agreeable to order,

The House proceeded to third 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.

On the question,

Will the House agree to the bill on third consideration?

**BILL RECOMMENDED**

Mr. ROMANELLI moved that House bill No. 959 be re-committed to the Committee on Rules.

Motion was agreed to.

Agreeable to order,

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

An Act amending the "Second Class County Code," approved 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.

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—155**

Abraham	Gleeson	Miller, M. E.	Shane
Arthurs	Goodman	Milliron	Shelhamer
Barber	Green	Miscevich	Shelton
Bellomina	Greenfield	Morris	Shupnik
Bennett	Grieco	Mrkoncic	Smith, E.
Berlin	Hamilton, J. H.	Mullen, M. P.	Smith, L.
Berson	Hasay	Mullen	Spencer
Blackwell	Hayes, D. S.	Musto	Stapleton
Bonetto	Hepford	Myers	Stout
Bradley	Hopkins	Novak	Sullivan
Brunner	Hutchinson, A.	O'Brien	Taylor
Burns	Hutchinson, W.	O'Connell	Tayoun
Caputo	Irvis	O'Donnell	Thomas
Cohen	Itkin	O'Keefe	Toll
Cole	Johnson, J.	Oliver	Trello
Cowell	Katz	Pancoast	Turner
Crawford	Kelly, A. P.	Perri	Ustynoski
Davis, D. M.	Kelly, J. B.	Perry	Valicenti
DeMedio	Kernick	Petrarca	Vann
Dicarlo	Kistler	Pievsky	Vroon
DiDonato	Klingaman	Polite	Wagner
Dininni	Kolter	Pratt	Walsh, T. P.
Dombrowski	Kowalyshyn	Prendergast	Wansacz
Doyle	LaMarca	Pyles	Wargo
Dreibelbis	Laudadio	Rappaport	Weidner
Eckensberger	Laughlin	Reed	Whelan
Englehart	Lederer	Renwick	Whittlesey
Fee	Letterman	Rhodes	Wilt, R. W.
Flaherty	Levi	Rieger	Wilt, W. W.
Foster, W.	Lincoln	Ritter	Wojdak
Fryer	Lynch	Romanelli	Wright

Gallagher	Manmiller	Ross	Yahner
Gallen	McCall	Ruggiero	Yohn
Garzia	McClatchy	Ryan	Zearfoss
Geesey	McGinnis	Saloom	Zeller
Geisler	McIntyre	Salvatore	Zwilk
George	McLane	Schmitt	
Giammarco	Mebus	Schweder	Fineman,
Gillespie	Menhorn	Scirica	Speaker
Gillette			

NAYS—38

Anderson, J. H.	Fischer	Kusse	Scheaffer
Beren	Fisher	Lehr	Seltzer
Bittle	Foster, A.	McCue	Shuman
Brandt	Gleason	Miller, M. E., Jr.	Sirianni
Cessar	Gring	Moehlmann	Stahl
Cimini	Halverson	Noye	Taddonio
Cumberland	Haskell	Parker, H. S.	Westerberg
Deverter	Hayes, S. E.	Pitts	Worrilow
Dorr	Hill	Renninger	Zord
Fawcett	Knepper		

NOT VOTING—9

Eutera	Hammock	McGraw	Richardson
Davies	Manderino	Milanovich	Wilson
Dietz			

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

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

HOUSE BILL No. 1482 PASSED OVER TEMPORARILY

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

Mr. RITTER. Mr. Speaker, what bill are you calling up?

The SPEAKER. We are now on House bill No. 1482, on page 6.

Mr. RYAN. Mr. Speaker, that bill was originally scheduled for this afternoon. I wonder if you could pass that over temporarily. There may be amendments to be offered.

The SPEAKER. It will be passed over temporarily. Is that same request applicable to House bill No. 1483? This bill will be temporarily passed over.

Agreeable to order,

The House proceeded to third 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.

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—181

Abraham	Giammarco	McGinnis	Shane
Arthurs	Gillespie	McIntyre	Shelhamer
Barber	Gillette	McLane	Shelton
Bellomint	Gleason	Mebus	Shuman
Bennett	Gleeson	Menhorn	Shupnik
Berlin	Goodman	Miller, M. E.	Sirianni

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

NAYS—13

Anderson, J. H.	Halverson	Miscevich	Seltzer
Beren	Hasay	Moehlmann	Stahl
Dorr	Lehr	Scirica	Weidner
Foster, A.			

NOT VOTING—8

Eutera	DiDonato	Milanovich	O'Donnell
Davies	McGraw	Mullen, M. P.	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.

HOUSE BILL No. 1734 PASSED OVER TEMPORARILY

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, there are two amendments, only one of which we knew about this morning. Mr. Anderson has amendments and Mr. Bonetto has an amendment, which he says he has now circulated.

The SPEAKER. This bill will be temporarily passed over.

Agreeable to order,

The House proceeded to third 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.

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

NAYS—0

NOT VOTING—6

- Butera, McGraw, Milliron, Rhodes, Davies, Milanovich

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

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

CONSUMER PROTECTION BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third 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.

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, McCue, Scirica, Anderson, J. H., Giammarco, McGinnis, Seltzer, Arthurs, Gillespie, McIntyre, Shane, Barber, Gillette, McLane, Shelhamer, Bellomini, Gleason, Mebus, Shetton, Bennett, Gleason, Menhorn, Shuman, Beren, Goodman, Miller, M. E., Shupnik, Berlin, Green, Miller, M. E., Jr., Siranni, Berson, Greenfield, Milliron, Smith, E., Bittle, Grieco, Misceovich, Smith, L., Blackwell, Gring, Moehlmann, Spencer, Bonetto, Halverson, Morris, Stahl, Bradley, Hamilton, J. H., Mullen, M. P., Stapleton, Brandt, Hammock, Mullen, 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'Keefe, Trello, Cole, Hutchinson, A., Oliver, Turner, Cowell, Hutchinson, W., Pancoast, Ustynoski, Crawford, Irvis, Parker, H. S., Valicenti, Cumberland, Itkin, Perri, Vann, Davis, D. M., Johnson, J., Perry, Vroon, DeMedio, Katz, Petrarca, Wagner, Deverter, Kelly, A. P., Plevsky, Walsh, T. P., Dicarolo, Kelly, J. B., Pitts, Wansacz, Dietz, Kernick, Polite, Wargo, Dininni, Kistler, Pratt, Weidner, Dombrowski, Klingaman, Prendergast, Westerman, Dorr, Knepper, Pyles, Whelan, Whittlesey, Doyle, Kolter, Rappaport, Wilson, Dreibelbis, Kowalyszyn, Reed, Wilt, R. W., Eckensberger, Kusse, Renninger, Wilt, W. W., Englehart, LaMarca, Renwick, Wojdak, Fawcett, Laudadio, Richardson, Rieger, Worrilow, Fee, Laughlin, Rieger, Wright, Fischer, Lederer, Ritter, Yahner, Fisher, Lehr, Romanelli, Yohn, Flaherty, Letterman, Ross, Zearfoss, Foster, A., Levi, Ruggiero, Zeller, Foster, W., Lincoln, Ryan, Zord, Fryer, Lynch, Saloom, Zwick, Gallagher, Manderino, Salvatore, Fineman, Speaker, Gallen, Manmiller, Scheaffer, Garzia, McCall, Schmitt, Geesey, McClatchy, Schweder, Geisler, McCue

NAYS—1

- Mrkonjc

NOT VOTING—6

- Davies, McGraw, O'Donnell, Rhodes, DiDonato, Milanovich

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

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

LOCAL GOVERNMENT BILLS ON THIRD CONSIDERATION

Agreeable to order,

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

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

proved July 28, 1953 (P. L. 723, No. 230), providing for the appointment of a solicitor by the coroner.

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

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, for the information of the members who were following a marked calendar, this bill was originally marked to be held on the calendar. The hold has been listed by Mr. Beren. It is Mr. Beren's bill. We have caucused on it, and I now call for a vote on House bill No. 837.

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—179

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

NAYS—17

Doyle	Hutchinson, A.	O'Keefe	Stapleton
Garzia	Kusse	Pitts	Weldner
Gillespie	McCue	Scheaffer	Westerberg
Green	Miller, M. E., Jr.	Smith, L.	Zord
Hasay			

NOT VOTING—6

Butera	McGraw	Miscevich	Rhodes
Davies	Milanovich		

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. 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.

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

NAYS—1

Letterman			
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NOT VOTING—5

Butera	McGraw	Milanovich	Rhodes
Davies			

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. 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.

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

NAYS—1

Hasay

NOT VOTING—6

- |        |            |        |                  |
|--------|------------|--------|------------------|
| Butera | McGraw     | Rhodes | Fineman, Speaker |
| Davies | Milanovich |        |                  |

The majority required by the Constitution having

voted in the affirmative, the question was determined in the affirmative.

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

Agreeable to order,

The House proceeded to third consideration of Senate bill No. 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.

On the question,

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

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

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

YEAS—190

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

NAYS—6

- |           |           |        |      |
|-----------|-----------|--------|------|
| Cessar    | Miscevich | Whelan | Zord |
| Letterman | Mrkonic   |        |      |

NOT VOTING—6

- |           |        |            |        |
|-----------|--------|------------|--------|
| Bellomini | Davies | Milanovich | Rhodes |
| Butera    | McGraw |            |        |

The majority required by the Constitution having

voted in the affirmative, the question was determined in the affirmative.

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

Agreeable to order,

The House proceeded to third 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.

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—192

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

NAYS—3

- |            |                |           |
|------------|----------------|-----------|
| Dombrowski | Hutchinson, A. | Letterman |
|------------|----------------|-----------|

NOT VOTING—7

- |           |           |            |        |
|-----------|-----------|------------|--------|
| Bellomini | Davies    | McGraw     | Rhodes |
| Butera    | Manderino | Milanovich |        |

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

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

QUESTION OF INFORMATION

The SPEAKER. The Chair recognizes the minority whip.

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

The SPEAKER. The gentleman will state it.

Mr. RYAN. Mr. Speaker, on that last bill there were amendments circulated by Mr. Garzia to change that bill. Was that amendment withdrawn?

The SPEAKER. The amendment was withdrawn.

Agreeable to order,

The House proceeded to third 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.

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—186

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

Gallagher	Lynch	Ross	Zearfoss
Gallen	Manderino	Ruggiero	Zeller
Garzia	Manmiller	Ryan	Zwinkl
Geesey	McCall	Saloom	Fineman,
Geisler	McClatchy	Salvatore	Speaker
George	McGinnis	Scheaffer	

NAYS—8

Dombrowski	Hutchinson, W.	McCue	Wilt, R. W.
Fischer	Letterman	Taylor	Zord

NOT VOTING—8

Bellomini	Davis	McGraw	Rhodes
Butera	DiDonato	Milanovich	Stout

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.

LIQUOR BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 1105, 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.

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—169

Abraham	Giammarco	Milliron	Shelhamer
Arthurs	Gillespie	Moehlmann	Shelton
Barber	Gillette	Morris	Shuman
Bellomini	Gleeson	Mrkonjc	Shupnik
Bennett	Goodman	Mullen, M. P.	Sirianni
Beren	Green	Mullen	Smith, E.
Berlin	Greenfield	Musto	Spencer
Berson	Griceo	Myers	Stahl
Bittle	Gring	Novak	Stapleton
Blackwell	Halverson	O'Brien	Stout
Bonetto	Hamilton, J. H.	O'Connell	Sullivan
Bradley	Hammock	O'Donnell	Taddonio
Brunner	Hasay	O'Keefe	Taylor
Burns	Hayes, D. S.	Pancoast	Tayoun
Caputo	Hayes, S. E.	Parker, H. S.	Thomas
Cessar	Hutchinson, A.	Perri	Toll
Cohen	Irvis	Perry	Trello
Cole	Itkin	Petrarca	Turner
Cowell	Johnson, J.	Plevsky	Ustynoski
Crawford	Katz	Pitta	Valicenti
Cumberland	Kelly, A. P.	Polite	Vann
Davis, D. M.	Kelly, J. B.	Pratt	Vroon
DeMedio	Kernick	Prendergast	Wagner
Deverter	Knepper	Pyles	Walsh, T. P.
Dicarlo	Kolter	Rappaport	Wansacz
DiDonato	Kowalyshyn	Reed	Wargo
Diminni	Kusse	Renninger	Weidner
Dombrowski	LaMarca	Rhodes	Westerberg
Doyle	Laudadio	Richardson	Whittlesey
Dreibelbis	Laughlin	Rieger	Wilson
Eckensberger	Lederer	Ritter	Wilt, R. W.
Englehart	Letterman	Romanelli	Wilt, W. W.
Fawcett	Levi	Ross	Wojdak
Fee	Lincoln	Ruggiero	Worrlow
Fisher	Lynch	Ryan	Wright
Flaherty	Manderino		Yahner

Foster, A.	McCall	Saloom	Yohn
Foster, W.	McClatchy	Salvatore	Zeller
Fryer	McGinnis	Scheaffer	Zwinkl
Gallagher	McIntyre	Schweder	Fineman,
Garzia	McLane	Scirica	Speaker
Geisler	Mebus	Seltzer	
George	Menhorn	Shane	

NAYS—27

Anderson, J. H.	Geesey	Kistler	Noye
Brandt	Gleason	Klingaman	Schmitt
Cimini	Haskell	Lehr	Smith, L.
Dietz	Hepford	Manmiller	Whelan
Dorr	Hill	McCue	Zearfoss
Fischer	Hopkins	Miller, M. E.	Zord
Gallen	Hutchinson, W.	Miller, M. E., Jr.	

NOT VOTING—6

Butera	McGraw	Miscevich	Oliver
Davis	Milanovich		

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. 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.

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—160

Abraham	Geisler	McIntyre	Ruggiero
Arthurs	George	McLane	Ryan
Barber	Giammarco	Mebus	Saloom
Bellomini	Gillespie	Menhorn	Salvatore
Bennett	Gillette	Miller, M. E.	Scheaffer
Beren	Gleason	Miller, M. E., Jr.	Schweder
Berlin	Gleeson	Milliron	Scirica
Berson	Goodman	Miscevich	Shane
Bittle	Green	Moehlmann	Shelton
Blackwell	Greenfield	Morris	Shupnik
Bonetto	Griceo	Mrkonjc	Spencer
Bradley	Halverson	Mullen, M. P.	Stapleton
Brandt	Hamilton, J. H.	Mullen	Stout
Brunner	Hammock	Musto	Sullivan
Burns	Hasay	Myers	Taddonio
Caputo	Hayes, D. S.	Novak	Taylor
Cessar	Hopkins	Noye	Tayoun
Ciminni	Hutchinson, A.	O'Brien	Toll
Cohen	Hutchinson, W.	O'Connell	Trello
Cole	Irvis	O'Donnell	Ustynoski
Cowell	Itkin	O'Keefe	Valicenti
Crawford	Johnson, J.	Oliver	Vann
Cumberland	Katz	Parker, H. S.	Wagner
Davis, D. M.	Kelly, A. P.	Perri	Walsh, T. P.
DeMedio	Kernick	Perry	Wansacz
Deverter	Klingaman	Petrarca	Wargo
Dicarlo	Kolter	Plevsky	Westerberg
DiDonato	Kowalyshyn	Polite	Whelan
Diminni	LaMarca	Pratt	Wilson
Dombrowski	Laudadio	Prendergast	Wojdak
Doyle	Laughlin	Rappaport	Worrlow
Dreibelbis	Lederer	Reed	Wright
Eckensberger	Letterman	Renninger	Yahner
Englehart	Lincoln	Rhodes	Yohn
Fawcett	Lynch	Richardson	Zearfoss
Fee	Manderino	Rieger	Zeller
Fisher	Manmiller		Zwinkl
Flaherty			
Foster, W.			

Fryer	McCall	Ritter	Fineman,
Gallagher	McClatchy	Romanelli	Speaker
Gallen	McCue	Ross	
Garzia	McGinnis		

NAYS—38

Anderson, J. H.	Hayes, S. E.	Pitts	Stahl
Dietz	Hepford	Pyles	Thomas
Dininni	Hill	Schmitt	Turner
Dorr	Kelly, J. B.	Seltzer	Vroon
Fawcett	Kistler	Shelhamer	Weidner
Fischer	Knepper	Shuman	Whittlesey
Foster, A.	Kusse	Sirianni	Wilt, R. W.
Geesey	Kusse	Smith, E.	Wilt, W. W.
Gring	Lehr	Smith, L.	Zord
Haskell	Levi		
	Pancoast		

NOT VOTING—4

Butera	Davies	McGraw	Milanovich
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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.

Agreeable to order,

The House proceeded to third 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.

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—89

Barber	George	Mullen, M. P.	Scirica
Bellomini	Giammarco	Mullen	Shane
Boren	Gillespie	Musto	Shelton
Berlin	Gleason	Myers	Shupnik
Berson	Greenfield	Novak	Stout
Blackwell	Hayes, D. S.	O'Brien	Sullivan
Bradley	Hopkins	O'Donnell	Taylor
Brunner	Irviss	O'Keefe	Tayoun
Burns	Itkin	Oliver	Toll
Cessar	Johnson, J.	Perry	Valicenti
Cohen	Kelly, J. B.	Pievsky	Vann
Cole	Kowalshyn	Pratt	Walsh, T. P.
Davis, D. M.	LaMarca	Prendergast	Wansacz
DeMedio	Laudadio	Pyles	Wargo
Dicarlo	Laughlin	Rappaport	Wilson
Dombrowski	Lederer	Reed	Wojdak
Doyle	Lincoln	Renwick	Wright
Englehart	Manderino	Rhodes	Yahner
Fawcett	McCall	Rieger	Zwikel
Fee	McGinnis	Ritter	
Gallagher	McIntyre	Romanelli	Fineman,
Garzia	McLane	Ross	Speaker
Geisler	Miscevich	Ruggiero	

NAYS—107

Abraham	Gleason	Manmiller	Shelhamer
Anderson, J. H.	Goodman	McClatchy	Shuman
Arthurs	Green	McCue	Sirianni
Bennett	Grieco	Mebus	Smith, E.
Bittle	Gring	Menhorn	Smith, L.
Bonetto	Halverson	Miller, M. E., Jr.	Spencer
Brandt	Hamilton, J. H.	Milliron	Stahl
Caputo	Hammock	Moehlmann	Stapleton
Cimini	Hasay	Morris	Taddonio
Cowell	Haskell	Mrkonje	Thomas
Crawford	Hayes, S. E.	Noye	Trello
Cumberland	Hepford	O'Connell	Turner
Deverter	Hill	Pancoast	Ustynoski

Dietz	Hutchinson, A.	Parker, H. S.	Vroon
Dininni	Hutchinson, W.	Perri	Wagner
Dorr	Katz	Petrarca	Weidner
Dreibelbis	Kelly, A. P.	Pitts	Westerberg
Eckensberger	Kernick	Polite	Whelan
Fischer	Kistler	Renninger	Whittlesey
Fisher	Klingaman	Richardson	Wilt, R. W.
Fiaherly	Knepper	Ryan	Wilt, W. W.
Foster, A.	Kolter	Saloom	WorriLOW
Foster, W.	Kusse	Salvatore	Yohn
Fryer	Lehr	Scheaffer	Zearfoss
Gallen	Letterman	Schmitt	Zeller
Geesey	Levi	Schweder	Zord
Gillette	Lynch	Seltzer	

NOT VOTING—6

Butera	DiDonato	Milanovich	Miller, M. E.
Davies	McGraw		

Less than the majority required by the constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeable to order,

The House proceeded to third consideration of **Senate bill No. 159, printer's No. 1039**, entitled:

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), entitled "Liquor Code," authorizing licenses under certain terms and conditions for art museums owned by nonprofit corporations in cities of the second class and further providing for the sale of liquor and/or malt and brewed beverages at city-owned art museums.

On the question,

Will the House agree to the bill on third consideration?

BILL RECOMMENDED

Mr. IRVIS moved that Senate bill No. 159 be recommended to the Committee on Liquor Control.

Motion was agreed to.

SENATE BILL No. 572 PASSED OVER TEMPORARILY

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, Mr. Seltzer just called to my attention that we did not have copies of Mr. Caputo's amendment as of yesterday, and I wonder if this, too, could be held over until the afternoon session so that we have an opportunity to go over it in caucus.

They were distributed today, but we are asking that they simply be held over until after the noon recess.

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

Mr. DOYLE. Mr. Speaker, might I ask if a brief explanation of Mr. Caputo's amendments would be in order that they could be handled now. They are fairly simple amendments.

The SPEAKER. Will the gentleman check with the gentleman, Mr. Ryan, to see if he is agreeable?

Mr. RYAN. Mr. Speaker, this was just raised by a couple of our members. We have no objection to running the amendments this afternoon. We have no objection to taking Mr. Doyle's amendment this afternoon, but the members who came down to see me regarding the Caputo amendments wanted it discussed in caucus because the amendments, we understand, go beyond the District Attorneys Association and into the other associations of the state and we are not sure of what position these people are taking. We want the opportunity to check it out.

Mr. Speaker, Mr. Doyle points out the problem of the Senate going out of session today, and I assured Mr. Doyle that we have no objection whatsoever to making this even the first order of business after the noon recess and we have had an opportunity to review the Caputo amendments.

**ANNOUNCEMENT**

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

Mr. CAPUTO. On a point of personal privilege, I would like to announce that there will be a meeting of the Allegheny County delegation. Members of the Republican Caucus from Allegheny County are invited to the majority caucus room immediately upon the declaration of the recess.

**JUDICIARY BILLS ON THIRD CONSIDERATION**

Agreeable to order,

The House proceeded to third 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.

On the question,

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

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

The question is, shall the bill pass finally?

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

**YEAS—191**

- |                 |                 |                    |              |
|-----------------|-----------------|--------------------|--------------|
| Abraham         | Giammarco       | McIntyre           | Scirica      |
| Anderson, J. H. | Gillespie       | McLane             | Seltzer      |
| Arthurs         | Gillette        | Mebus              | Shane        |
| Barber          | Gleason         | Menhorn            | Shelhamer    |
| Bennett         | Gleason         | Miller, M. E.      | Shelton      |
| Beren           | Goodman         | Miller, M. E., Jr. | Shuman       |
| Berlin          | Green           | Milliron           | Shupnik      |
| Bittle          | Greenfield      | Miscevich          | Sirianni     |
| Blackwell       | Gring           | Moehlmann          | Smith, E.    |
| Bonetto         | Halverson       | Morris             | Smith, L.    |
| Bradley         | Hamilton, J. H. | Mrkonjc            | Spencer      |
| Brandt          | Hasay           | Mullen, M. P.      | Stahl        |
| Brunner         | Haskell         | Mullen             | Stapleton    |
| Burns           | Hayes, D. S.    | Musto              | Stout        |
| Caputo          | Hayes, S. E.    | Myers              | Sullivan     |
| Cassar          | Hepford         | Novak              | Taddonio     |
| Cimini          | Hill            | Noye               | Taylor       |
| Cohen           | Hopkins         | O'Brien            | Tayoun       |
| Cole            | Hutchinson, A.  | O'Connell          | Thomas       |
| Cowell          | Hutchinson, W.  | O'Keefe            | Toll         |
| Crawford        | Irvis           | Oliver             | Trello       |
| Cumberland      | Itkin           | Pancoast           | Turner       |
| Davis, D. M.    | Johnson, J.     | Parker, H. S.      | Ustynoski    |
| DeMedio         | Katz            | Perri              | Valicenti    |
| Deverter        | Kelly, A. P.    | Perry              | Vann         |
| Dicarlo         | Kelly, J. B.    | Petrarca           | Vroon        |
| DiDonato        | Kernick         | Pievsky            | Wagner       |
| Dietz           | Kistler         | Pitts              | Walsh, T. P. |
| Dininni         | Klingaman       | Polite             | Wansacz      |
| Dombrowski      | Knepper         | Pratt              | Wargo        |
| Dorr            | Kolter          | Prendergast        | Weidner      |
| Doyle           | Kowalyshyn      | Pyles              | Westenberg   |
| Dreibelbis      | Kusse           | Rappaport          | Whelan       |
| Eckensberger    | LaMarca         | Reed               | Whittlesey   |
| Englehart       | Laudadio        | Renninger          | Wilson       |
| Fawcett         | Laughlin        | Renwick            | Wilt, R. W.  |
| Fee             | Lederer         | Rhodes             | Wilt, W. W.  |
| Fischer         | Lehr            | Rieger             | Worrlow      |
| Fisher          | Letterman       | Ritter             | Wright       |

- |            |           |           |          |
|------------|-----------|-----------|----------|
| Flaherty   | Levi      | Romanelli | Yahner   |
| Foster, A. | Lincoln   | Ross      | Yohn     |
| Foster, W. | Lynch     | Ruggiero  | Zearfoss |
| Fryer      | Manderino | Ryan      | Zeller   |
| Jallagher  | Manmiller | Saloom    | Zord     |
| Gallen     | McCall    | Salvatore | Zwilk    |
| Garzia     | McClatchy | Scheaffer |          |
| Geesey     | McCue     | Schmitt   | Fineman, |
| Geisler    | McGinnis  | Schweder  | Speaker  |
| George     |           |           |          |

**NAYS—0**

**NOT VOTING—11**

- |           |         |            |            |
|-----------|---------|------------|------------|
| Bellomini | Davies  | McGraw     | Richardson |
| Berson    | Grieco  | Milanovich | Wojdak     |
| Butera    | Hammock | O'Donnell  |            |

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

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

Agreeable to order,

The House proceeded to third consideration of **Senate bill No. 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.

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—170**

- |                 |                 |                    |              |
|-----------------|-----------------|--------------------|--------------|
| Abraham         | Gallagher       | Lynch              | Saloom       |
| Anderson, J. H. | Gallen          | Manderino          | Salvatore    |
| Barber          | Garzia          | Manmiller          | Scheaffer    |
| Bennett         | Geesey          | McClatchy          | Schmitt      |
| Beren           | Geisler         | McGinnis           | Schweder     |
| Berlin          | George          | McIntyre           | Scirica      |
| Berson          | Giammarco       | McLane             | Seltzer      |
| Bittle          | Gillette        | Mebus              | Shane        |
| Blackwell       | Gleason         | Menhorn            | Shelhamer    |
| Bonetto         | Gleason         | Miller, M. E.      | Shelton      |
| Bradley         | Green           | Miller, M. E., Jr. | Sirianni     |
| Brandt          | Greenfield      | Milliron           | Smith, L.    |
| Brunner         | Grieco          | Miscevich          | Spencer      |
| Burns           | Gring           | Moehlmann          | Stahl        |
| Caputo          | Halverson       | Morris             | Stapleton    |
| Cassar          | Hamilton, J. H. | Mullen, M. P.      | Stout        |
| Cimini          | Hasay           | Mullen             | Sullivan     |
| Cohen           | Haskell         | Musto              | Taylor       |
| Cole            | Hayes, D. S.    | Myers              | Tayoun       |
| Cowell          | Hayes, S. E.    | Novak              | Thomas       |
| Crawford        | Hepford         | Noye               | Toll         |
| Cumberland      | Hopkins         | O'Connell          | Trello       |
| Davis, D. M.    | Hutchinson, W.  | Oliver             | Turner       |
| DeMedio         | Irvis           | Pancoast           | Ustynoski    |
| Deverter        | Itkin           | Parker, H. S.      | Valicenti    |
| Dicarlo         | Johnson, J.     | Perri              | Vann         |
| DiDonato        | Katz            | Perry              | Wagner       |
| Dietz           | Kelly, A. P.    | Petrarca           | Walsh, T. P. |
| Dininni         | Kelly, J. B.    | Pievsky            | Wansacz      |
| Dombrowski      | Kernick         | Polite             | Weidner      |
| Dorr            | Kistler         | Prendergast        | Whittlesey   |
| Doyle           | Klingaman       | Pyles              | Wilson       |
| Dreibelbis      | Knepper         | Rappaport          | Wilt, W. W.  |
| Eckensberger    | Kolter          | Reed               | Wojdak       |
| Englehart       | Kowalyshyn      | Renninger          | Worrlow      |
| Fawcett         | Kusse           | Renwick            | Wright       |
| Fee             | LaMarca         | Rhodes             | Yahner       |
| Fischer         | Laudadio        | Rieger             | Yohn         |
| Fisher          | Laughlin        | Ritter             | Zearfoss     |

Flaherty	Lederer	Romanelli	Zwikel
Foster, A.	Letterman	Ross	Fineman,
Foster, W.	Levi	Ruggiero	Speaker
Fryer	Lincoln	Ryan	

NAYS—21

Arthurs	McCue	Pratt	Wargo
Gillespie	Mrkonic	Shuman	Whelan
Hill	O'Brien	Shupnik	Wilt, R. W.
Hutchinson, A.	O'Keefe	Taddonio	Zeller
Lehr	Pitts	Vroon	Zord
McCall			

NOT VOTING—11

Bellomini	Goodman	Milanovich	Smith, E.
Butera	Hammock	O'Donnell	Westerberg
Davies	McGraw	Richardson	

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

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. E. H. SMITH. Mr. Speaker, I neglected to vote on Senate bill No. 545. I would like my name recorded in the negative.

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

TRANSPORTATION BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third 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.

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—192

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

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

NAYS—2

Laughlin	McCue
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NOT VOTING—8

Butera	McGraw	O'Donnell	Fineman,
Davies	Milanovich	Richardson	Speaker
Hammock			

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. 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.

On the question,

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

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

The question is, shall the bill pass finally?

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

YEAS—193

Abraham	George	McGinnis	Seltzer
Anderson, J. H.	Giammarco	McIntyre	Shane
Arthurs	Gillespie	McLane	Shelhamer
Barber	Gillette	Mebus	Shelton
Bellomini	Gleason	Menhorn	Shuman
Bennett	Gleeson	Miller, M. E.	Shupnik
Beren	Goodman	Miller, M. E., Jr.	Sirianni
Berlin	Green	Milliron	Smith, E.

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

NAYS—1

Burns

NOT VOTING—8

Butera	Hammock	Milanovich	Pratt
Davies	McGraw	O'Donnell	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.

**NONPREFERRED APPROPRIATIONS BILLS ON THIRD CONSIDERATION**

Agreeable to order,

The House proceeded to third 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.

On the question,

Will the House agree to the bill on third consideration?

BILL RECOMMENDED

Mr. IRVIS moved that Senate bill No. 729 be recommended to the Committee on Appropriations. Motion was agreed to.

Agreeable to order,

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

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

On the question,

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

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, Senate bill No. 792 was listed for a vote on Thursday, but several of the members who have an interest in the bill informed me that they would like to have it called today. There is a time problem apparently involved in it, and, therefore, I have agreed to call it up. The bill has been called up and I call for a vote.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. I wonder if someone from the city of Philadelphia, I suppose, would explain this bill to us. We have not caucused on it fully.

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

Mr. MYERS. Thank you, Mr. Speaker.

This bill would appropriate \$200,000 to the Mummies Museum. Now for those of you who do not know what Mummies are, we have an annual Mummies' Day Parade in Philadelphia which is held on New Year's Day and we have 20,000 members participating.

And for the gentleman from Delaware County who asked the question, the first prize winners last year were the South Philadelphia String Band, which is captained by Jim Donaghy who lives in Delaware County.

We have many of our counties surrounding Philadelphia, in particular, where these Mummies all live; and we also have the Greater Bucks String Band.

Now this is to operate a museum which will be a one-shot deal, and I would certainly appreciate your support on this.

We have approximately 20,000 Mummies who parade in this annual Mummies Day Parade. This is a museum that they will have down in South Philadelphia and it will be a free museum. This is a one-shot deal that we are looking for here.

Many of the counties surrounding Philadelphia will be participating in this with their clubs and members who live in the surrounding counties. I want to make it clear that this is just not a South Philadelphia thing, that we have Mummies throughout the surrounding areas and as far up as Lehigh County I know of some. So the only thing I can say is that we would appreciate your support.

Thank you.

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

Mr. FISHER. Mr. Speaker, I rise to oppose this particular piece of legislation at this time. As I think everybody here is aware, throughout Pennsylvania right now a great number of our very fine, historical sites have been closed by that particular department because they say they do not have the funds to operate.

If this \$200,000 then is available and it is an item that can be funded in the budget, I think it would much better used to keep those existing historical sites open before they are destroyed or before damage is done to them by



the elements or by vandals. So I would then oppose this on the basis that we have existing historical sites that need these funds right now.

Thank you.

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

Mr. LEDERER. Mr. Speaker, I rise to talk on this bill for three main reasons: First of all, the Mummers Parade and the Mummers themselves are a very big cultural thing in the neighborhoods of Philadelphia and the surrounding counties.

Number two, it raises much money for Philadelphia industries.

Number three, the Mummers are well known for their charitable deeds all over the State of Pennsylvania.

I ask support for this. It will be self-paying.

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

Mr. TAYOUN. Mr. Speaker, to know mummery is to know that this is a fulltime occupation, avocation, and the life's dream of many, many thousands of people not only in the city of Philadelphia but in the suburbs. This bill is not a grab bag for today and tomorrow and next year. This is a one-shot appropriation.

The maintenance of this museum is being incurred by the people who believe in mummery and parade every New Year's Day. They are not coming back to us next year saying, we need the appropriation.

On their behalf, on the fact that this is a one-shot deal—never again will you be asked to approve any appropriation whatsoever for this museum—we are asking you to support us in this worthwhile venture.

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

Mr. DOYLE. Mr. Speaker, as the members know, I come from Delaware County and I accede to everything that the gentleman from Philadelphia has said about the Mummers. I do believe it is a cultural experience and one of which Pennsylvania can be proud. However, it is a question of cost. And when we are faced now, at this time, at this juncture, with the entire funding of many programs in Pennsylvania, I just do not see the need right now for this legislation to pass.

For one thing, I know the needs in our counties as well as the rest for other, perhaps, more important projects. I know in Delaware County we have them. We are in dire need of a fire school. For that reason, I would ask a "no" vote at this time.

Thank you.

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

Mr. SALVATORE. Mr. Speaker, I rise in support of this appropriation to Senate bill No. 792.

Many people throughout the Commonwealth do not realize that the Mummers throughout the year donate their time and energy to help needy families throughout the city of Philadelphia and adjacent areas. Just recently, Mr. Speaker, we had a catastrophe in Philadelphia. We had eight firemen who were killed, and every string band comic or fancy division band went out, on their own, to solicit funds for the families of the departed firemen.

These people spend well over \$20,000 or \$30,000 a year

on costumes. They never ask anybody for a dime. They participate each year in a Mummers Day Parade which brings thousands and thousands of dollars to the Commonwealth of Pennsylvania, because people come to Philadelphia for the Mummers Day Parade from all over the world. It is estimated that well over a million people watch the parade on New Year's Day, plus the millions of people who watch it on television.

They have given so much of their time that they are asking for this appropriation for the Bicentennial which is coming up. I have seen this House give away hundreds and thousands of dollars for a lot of things that do not mean anything.

I do not come from south Philadelphia. But this is something that was started 75 years ago and has been handed down from father to son. It keeps children out of trouble. It gives them positive things to do. This is an emotional thing as much as a cause that is well worth the \$200,000 because it points children in the right direction.

Go to south Philadelphia in January and February and March and watch kids and teenagers marching and preparing themselves for the next New Year's Day parade. They do not plan for a month; they plan all year round for this. And I would appreciate a "yes" vote from my side of the aisle at least.

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

Mr. RICHARDSON. Mr. Speaker, I would like to interrogate someone who is in favor of this bill.

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

Mr. MYERS. Yes, I will, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. RICHARDSON. Mr. Speaker, can you tell me the approximate amount of money we are talking about here? Is it \$200,000?

Mr. MYERS. Yes, \$200,000.

Mr. RICHARDSON. Another \$200,000 on the bill indicates maintenance and general operation. What is the maintenance that is being used here?

Mr. MYERS. Well, the maintenance is the upkeep of the building itself. This building is costing approximately \$1 million to build and half of that money was privately raised already through fund drives and parades that we put on, taking collections up. For the rest, we were fortunate enough to get some moneys from the city of Philadelphia.

But for the upkeep of this place and to have it staffed properly in the upcoming year, until it becomes stable enough to support itself, we need some help right now.

Mr. RICHARDSON. Mr. Speaker, could you tell me where this is going to be erected?

Mr. MYERS. It is being erected at Second and Washington Avenue.

Mr. RICHARDSON. In the heart of south Philadelphia?

Mr. MYERS. Just about in the heart of south Philadelphia.

Mr. RICHARDSON. The reason I am raising these questions, Mr. Speaker, is because I have some legitimate concerns. One is that we are talking about erecting a building that is going to cost approximately \$1 million. How much is the city putting into this Mummers museum?

Mr. MYERS. The city has put in about one half of that cost. The rest has been privately raised.

Mr. RICHARDSON. The reason I am raising these questions, Mr. Speaker, is because I feel that we as legislators are appropriating a lot of moneys for the Bicentennial. In appropriations this year we appropriated some millions for the Bicentennial in the city of Philadelphia, for the city of Philadelphia from the state.

I am raising the question because I feel that it brings much concern to me as a Representative, noting many years ago the composure of the Mummers and how the Mummers were originated and all the years they were marching up and down Broad Street.

I am wondering, personally, not to make this a racial issue, but to raise the question as to whether or not any blacks are part of the Mummers, to your knowledge?

Mr. MYERS. Well, there are some, yes, that I know of, but now to what degree I cannot answer that. I do not know the numbers.

Mr. RICHARDSON. You are speaking of the string bands themselves?

Mr. MYERS. There are some members of certain string bands that are black, yes.

Mr. RICHARDSON. Thank you very much. That is all.

I would like to make a few remarks, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. RICHARDSON. The reason I raised the question, Mr. Speaker, is today we are faced with a lot of crises here in the State of Pennsylvania, and I feel very personally opposed to this bill.

We give away \$200,000 to a museum in the city of Philadelphia, one that is being already erected, saying that it is for maintenance and its general operation, when we have not taken into consideration, I feel at this point, the question of day care and day-care services, nor have we taken into consideration the other problems that are emanating out of the whole concept of what the Bicentennial means.

I have risen on this floor before and spoken to the fact that we appropriate a lot of money to a lot of things that really do not give human services to human beings and to the life and struggle of individuals who are really trying to live a decent life.

We talk about and we have talked about problems in the city of Philadelphia. I cannot understand for the life of us why today we would appropriate \$200,000 for a museum when there is already money there available in the city of Philadelphia, made available by the mayor of the town, to make sure that these kinds of things are going off real well.

I think that we should consider exactly what we are doing here. Then when we talk about a Mummers museum, we will not be talking about the parade itself. But now we are talking about one little organization, and that little organization marches on New Year's Day. To say we should make it an ongoing situation all year round, I feel that we have to look at it in its entirety.

We are legislators. Our responsibility is to be committed to the people of the Commonwealth, to make sure we are instilling some kind of direction in them. I do not feel that direction is going to come out of a contribution of \$200,000 in this type of situation.

If we could say that we were going to put money into a program that is going to relate to all the different bands and organizations in the city for a museum and that is

going to be for total involvement, then I could see it. But we are not talking about this.

I would hope that the members of this House could understand that I am raising the question solely because I feel that the Bicentennial is a ripoff, a ripoff to the poor people; it is a ripoff to other individuals who are going to come into the city of Philadelphia and get an idea of what one little section of Philadelphia looks like, feeling that this is what Philadelphia looks like, but do not view the rest of the area in very bad conditions.

The Bicentennial, personally, does not mean anything to me, and I have received several letters from constituents in my area who asked us not to vote for moneys that are going to be appropriated for the Bicentennial when we cannot seem to get the currency for the human services and human needs that we as legislators are supposed to designate.

I would hope that we would look at this bill very conscientiously and not vote emotionally on something that we feel is going to give credence to an organization of Mummers.

We have had a concept in the city of Philadelphia, and there is historical background on it. Cecil B. Moore fought several years against the whole concept of what the Mummers stood for when they used to make up their faces in black and walk down Broad Street. That concept was destroyed because there were several individuals in the city of Philadelphia who fought against that.

I am saying that it has been a thing that has been on the minds of many in Philadelphia, and I stand today to oppose it and ask the members of this House to do likewise. It is something that we are strongly and adamantly against. I hope that we can get your support.

Thank you.

The SPEAKER. The Chair would bring to the attention of the membership of the House that this is a non-preferred appropriation, which will require 136 votes.

The Chair recognizes the gentleman from Tioga, Mr. Spencer. The gentleman may proceed.

Mr. SPENCER. Thank you, Mr. Speaker.

In the 1960's a group of us legislators were able, after a very difficult time, to create a Lumbermans Museum in Potter County, Pennsylvania, which preserves the heritage of our area. This is a very important facility for our area. Today school children from many miles around go to visit this museum to see how their ancestors worked in order to establish the area.

I have just learned that this museum now has been cut back in their finances because of the problems within the state fiscally, and the severity of the cutback might be such that this museum may have to close down.

Now I appreciate the problems involved with the Mummers, but I do say this: Until we can finance our ongoing programs, I am going to find it necessary to vote against this appropriation.

This appropriation could run this museum for many, many years. Until we can take care of our ongoing situations, I will have to vote "no." If we take care of them, I will vote "yes"; but today, "no."

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

Mr. POLITE. Mr. Speaker, I rise to oppose this bill. I seldom agree with Mr. Fisher, but this time I do concur with his feelings. As a matter of fact, Graham Park located in my 53rd legislative district was closed. We

have one employe who has served 9 years and 2 months and he is losing his pension. So, therefore, I ask all of my fellow members to vote "no" on this bill.

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

Mr. ZELLER. Mr. Speaker, I really do not relish speaking against my good friend and sportsman, Mr. Myers, but my problem is in another area which I would like to call to your attention.

I know we all love that tremendous show and we know the need of it, as stated here, keeping youngsters off the street, and all that is good. There is no problem in that area. My problem is the possibility of the government getting involved in any kind of a program. When they do, it usually winds up going to hell, because one thing we need is local effort. We need local effort, meaning there is a challenge, there is a creativeness, there is that desire of competition and to be better than the other group. And with the government getting involved in any of these programs, I can see it going downhill.

The other end of it is, let the government finance everything, which seems to be the feeling today. I can go back to a time when I talked to older members here, when, bless his soul, may he rest in peace, Governor Lawrence came in with a program back during his time where the University of Pittsburgh had problems. All they needed was a one-shot financial aid, just one-shot, and that was all they needed. Now it is \$46 million, I think in that area somewhere. I can see this program coming in next year for possibly a million dollars. In other words, up and up and up and there is no end to it. They say one-shot. That sounds good.

Mr. Fisher brought out the Bicentennial problems today. The Governor was coming before this body at one time talking about a \$47-million appropriation needed to finance the Bicentennial program of which \$23 million is needed in the city of Philadelphia. Now if \$23 million is needed down there, then \$200,000 is like a shot in the ocean.

I reiterate, programs which have community effort and keep government out of it are successful, but let the government get involved and you are going to have a sad situation in the Mummers parade.

We also, in the city of Allentown—I do not have to speak for Allentown; we have two members here from Allentown who can speak very well for it—have one of the most outstanding Halloween parades you want to find. I am not trying to say Halloween parades and level off with a Mummers parade, but I will say this, you can take this type of parade and you may match it up with the tremendous veterans parade during their annual convention, you can take the various Veteran Day parades in all communities, you can take the Halloween parades, the firemen parades, they all need money, and every one of them is beautiful. They all need help, but I say because they are local effort, because they are a challenge, because they are competition is what makes them great, but let the government get involved and you will have failures.

Thank you.

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

Mr. HAMMOCK. Mr. Speaker, I would like to interrogate the gentleman, Mr. Myers, on two short portions.

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

Mr. MYERS. Yes, I will, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. HAMMOCK. Mr. Speaker, do you know whether or not there was a request before the Pennsylvania Bicentennial Commission for these funds, for any moneys at all?

Mr. MYERS. No, I really do not. I cannot answer that.

Mr. HAMMOCK. Do you know whether or not there was a request to the Federal Government by the Bicentennial Commission for any of this money at all?

Perhaps that is an unfair question to ask of you since the bill originated in the Senate, but do you know whether or not—

Mr. MYERS. No, I really do not know that, Mr. Speaker.

Mr. HAMMOCK. Mr. Speaker, I would like to make a short statement.

The SPEAKER. The gentleman may proceed.

Mr. HAMMOCK. Mr. Speaker, I asked Mr. Myers two questions: Number one, was this request ever made by the Pennsylvania Bicentennial Commission? And my second question, Was there any attempt to go to the Federal Government for this money? My reason was because that was the whole purpose and nature of establishing a state bicentennial commission, to go to the appropriate vehicle to request this fund.

Now Mr. Myers does not know but I do not think—and although I was not a member, I had some association in dealing with that commission and I do not remember—this project ever being brought before the state commission. But I do say this in response to something that Mr. Richardson has raised, if I could just have your attention for 2 or 3 minutes.

I would just like to recall for you that some years ago, back in the mid-50's or early 60's there was some civil action taken in the common pleas courts in Philadelphia and apparently at a later point it went to some of the appellate courts in this Commonwealth regarding the question of Mummers and how the Mummers parade affected certain minority groups in the Commonwealth because of the comical portrayals on New Year's Day of certain minority groups. Finally it was decided by the courts that Mummers would no longer use black chalk on their faces, as the Mummers had put coal over their faces and their arms and their hands to express that they were members of some minority group or other.

But, nonetheless, the courts provided or held that could not be the case any longer, and that is what Mr. Richardson was referring to.

I think that we have a broader issue here. I think the real issue involved is something that I kind of gleaned out of the conference last week. It is something that I think bespeaks of this Commonwealth and where it is going.

The Declaration of Independence and the foundation of this country was laid in Philadelphia, and it was laid over the course of years through some tradition. And I think the Mummers parade on New Year's Day—and I have been across this country on New Year's Day. I have happened to pop up in different places over my years. And everybody is keyed into his television or is reading about what the Mummers are going to do and what is happening with the string band.

And indeed all throughout the city of Philadelphia, the

Mummers have become a tradition, so much so that they have vitality and viability and visibility not only on New Year's day, but indeed at many commemorative and ceremonial occasions in the city of Philadelphia.

I rise to support the bill. I hope, indeed, it is only a one-time shot. We tend to appropriate moneys in this House on one-time occasions and end up financing the programs for 10 years. But I think that in the spirit of the Bicentennial, \$200,000, while it could go for day care in the city of Philadelphia—and we are still going to fight for that—but \$200,000 to establish this group in the 200th anniversary of this country, I think, is appropriate for this legislature to do. If you have been watching some of the public net television, you see that other legislatures across this country are appropriating moneys for the commemoration of their Bicentennial achievements. I think that the Mummers stand in this stead.

There are other programs, and I sympathize with the gentleman on the other side of the aisle who talks about local funding of his program, but I think that Philadelphia is more in keeping at this particular moment in history with the tenor of the times. With the importance of this State and the eyes of the country being focused on the city of Philadelphia, I think that we ought to commemorate the Mummers tradition in our city appropriately and vote this additional appropriation.

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

Mr. GLEESON. Mr. Speaker, I also rise to support this bill. Next year will be the 200th anniversary of our Nation and it is a birthday celebration. We will probably do quite a few things that are frivolous in the celebration of our great tradition. In a way they are frivolous and in a way they are not. Our country has been the leader of the world in the last 200 years, and we have a lot to celebrate, and we may celebrate it in some frivolous ways—that some may call frivolous—but a celebration of such a great tradition is not frivolous. For this reason, Mr. Speaker, I would like to earnestly ask your support for this bill.

On the question recurring,  
Shall the bill pass finally?

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

YEAS—76

Arthurs	Gillette	Mebus	Ross
Barber	Gleeson	Mullen, M. P.	Saloom
Bellomini	Green	Musto	Salvatore
Bennett	Greenfield	Myers	Scirica
Beren	Grieco	O'Brien	Shelton
Berlin	Hamilton, J. H.	O'Connell	Shupnik
Berson	Hammock	O'Donnell	Sullivan
Burns	Hopkins	Oliver	Tayoun
Caputo	Hutchinson, A.	Perri	Ustynoski
Cohen	Johnson, J.	Perry	Vann
Dicarlo	Katz	Petrarca	Walsh, T. P.
DiDonato	Kelly, A. P.	Pievsky	Wargo
Dininni	Kistler	Pratt	Wilson
Dombrowski	Laudadto	Prendergast	Wojdak
Fawcett	Lederer	Pyles	Worrilow
Fee	Letterman	Rappaport	Wright
Gallagher	Lynch	Reed	Fineman,
Gallen	McClatchy	Renninger	Speaker
Geisler	McGinnis	Rieger	
Giammarco	McIntyre		

NAYS—119

Abraham	Geesey	McCue	Sirlanni
Anderson, J. H.	George	McLane	Smith, E.
Bittle	Gillespie	Menhorn	Smith, L.

Blackwell	Gleason	Miller, M. E.	Spencer
Bonetto	Goodman	Miller, M. E., Jr.	Stahl
Bradley	Gring	Millron	Stapleton
Brandt	Halverson	Miscevich	Stout
Brunner	Hasay	Moehimann	Taddonio
Cessar	Haskell	Morris	Taylor
Cimini	Hayes, D. S.	Mrkonic	Thomas
Cole	Hayes, S. E.	Mullen	Tou
Cowell	Hepford	Novak	Trello
Crawford	Hill	Noye	Turner
Cumberland	Hutchinson, W.	O'Keefe	Valicenti
Davis, D. M.	Irvis	Pancoast	Vroon
DeMedio	Itkin	Parkor, H. S.	Wagner
Deverter	Kelly, J. B.	Pitts	Wansacz
Dietz	Kernick	Polite	Weidner
Dorr	Klingaman	Renwick	Westerberg
Doyle	Knepper	Richardson	Whelan
Dreibelbis	Kolter	Ritter	Whittlesey
Eckensberger	Kowalshyn	Romanelli	Wilt, R. W.
Englehart	Kusse	Ruggiero	Wilt, W. W.
Fischer	LaMarca	Ryan	Yahner
Fisher	Laughlin	Scheaffer	Yohn
Flaherty	Lehr	Schmitt	Zearfoss
Foster, A.	Levi	Schweder	Zeller
Foster, W.	Lincoln	Shane	Zord
Fryer	Manmiller	Shelhamer	Zwinkl
Garzia	McCall	Shuman	

NOT VOTING—7

Butera	Manderino	Milanovich	Seltzer
Davies	McGraw	Rhodes	

Less than the majority required by the constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

PARLIAMENTARY INQUIRY

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

Mr. LINCOLN. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LINCOLN. Mr. Speaker, I noted on the calendar today that the Senate bill that just failed, which would have made the \$200,000 appropriation, was a nonpreferred appropriation which would have required a two-thirds vote. And just for my own personal knowledge, I would like to know why the \$450,000 appropriated to the Louis Kahn purchasing of his papers was not a nonpreferred and required only 102 votes.

The SPEAKER. As the Chair recalls, that was an appropriation to one of the departments of State Government.

Mr. LINCOLN. Thank you, sir.

STATE GOVERNMENT BILL  
ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of House bill No. 1568, printer's No. 1899, entitled:

An Act amending the act of December 12, 1972 (P. L. 1280, No. 284), entitled "An act relating to securities, prohibiting fraudulent practices in relation thereto, requiring the registration of broker-dealers, agents, investment advisers and securities and making uniform the law with reference thereto," creating an independent administrative commission.

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

Ordered, to be transcribed for third consideration.

HOUSE BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been pre-

pared for presentation to the Governor and the same being correct, the title was read as follows:

#### HOUSE BILL No. 1367

An Act relating to medical and health related malpractice insurance, prescribing the powers and duties of the Insurance Department; providing for a joint underwriting plan; the Arbitration Panels for Health Care compulsory screening of claims; collateral sources requirement; limitation on contingent fee compensation; establishing a catastrophe loss fund; and prescribing penalties.

Whereupon,

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

#### APPROPRIATIONS MEETING

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

Mr. WOJDAK. Mr. Speaker, there is an Appropriations Committee meeting in the Appropriations Committee conference room immediately.

#### QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. SALOOM. Mr. Speaker, due to the concept of some of the utility companies and especially the power companies in establishing an energy park in the Westmoreland-Fayette County area, the Mount Pleasant Borough Council has gone on record and has passed a resolution objecting to the energy park concept in the Westmoreland-Fayette County area. And I would like to present their resolution to be read into the record of the House of Representatives.

The SPEAKER. The gentleman will send the resolution to the desk.

#### RESOLUTION SUBMITTED FOR RECORD

Mr. SALOOM presented the following resolution for the Legislative Journal:

##### RESOLUTION 3-75

##### BOROUGH OF MOUNT PLEASANT

WHEREAS, Certain Pennsylvania Power Companies and Government Agencies and Officials have recently advocated the construction of a sixty square mile energy park in the Donegal, Pennsylvania area; and

WHEREAS, There has been a series of meetings to explain the energy park and it's effects on this area; and

WHEREAS, The Mount Pleasant Borough Council has had representation at many of these meetings; and

WHEREAS, Much has been written, pro and con, in pamphlets, folders, in the press, etc, about this proposal; and

WHEREAS, The advocates of this project cannot say that the environment, life styles, tax structures, etc. of the area residents would not be adversely effected; and

WHEREAS, The advocates of this project cannot say that the air quality in the area would not be devastated, that the increased rainfall and our streams would not contain large amounts of acid; and

WHEREAS, The advocates of this project cannot say that the fauna and flora of the area would not be altered, if not destroyed, therefore killing our forest and wildlife as we now know it; and

WHEREAS, The influx of temporary residents, in the persons of the construction labor force and their families, would have a serious effect on our school systems, existing housing, law enforcement and other local government agencies, creating a totally unacceptable additional tax burden on a local population, not slated to benefit from the generated power; and

WHEREAS, Power generating facilities, with their cooling towers and belching smoke stacks are an esthetic nightmare that would dominate our rolling hills and mountains and destroy the beautiful vistas for which the area is noted; and

WHEREAS, Power generating facilities already in operation at Homer City, New Florence and Point Marion, Pennsylvania have already clouded the air on many days of the year along the entire Chestnut Ridge; and

WHEREAS, Construction of any additional power generating facilities along the Chestnut Ridge would destroy a chosen way of life for most of the area's residents, would terminate the livelihoods of many and deprive Southwestern Pennsylvania of it's nearest and most heavily used recreational area; and

WHEREAS, Other areas subjected to the construction of power generating facilities note very little opportunity for the local labor force and little economic improvement for area residents.

THEREFORE, BE IT RESOLVED that the Mount Pleasant Borough Council, after considering all available information and gathering the opinions of the area residents, by unanimous vote oppose the construction of any additional power generating facilities along the Chestnut Ridge or anywhere in the Laurel Highlands area. We question the right of any company, public or private, or any governmental agency or official to inflict such a radical change in the environment, finances and personal way of life on the residents of an area for the benefit of residents in other areas, hundreds of miles away. We would suggest that the people in the area that are to benefit from this generated energy also bear the burdens for the construction of it's source and problems such a facility creates.

ENACTED this 8th day of September, 1975.

JAMES C. KUNKLE  
President of Council

FRANKLIN F. ECKELS  
Secretary

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

Mr. DREIBELBIS. Mr. Speaker, would you be so kind as to consider my motion on reconsideration before we break so that I might be able to have the opportunity to prepare an amendment?

#### RECONSIDERATION OF VOTE ON HOUSE BILL No. 1509

Mr. DREIBELBIS moved that the vote by which 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.

was agreed to on third consideration and final passage on Wednesday, October 15, 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,  
Shall the bill pass finally?

**HOUSE BILL No. 1509 PLACED ON FINAL PASSAGE  
POSTPONED CALENDAR**

Mr. DREIBELBIS moved that HOUSE BILL No. 1509, printer's No. 2202, be placed on the final passage postponed calendar.

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

**LEGISLATION TO BE INTRODUCED**

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

Mr. REED. Mr. Speaker, the present law under which the Public Utility Commission operates stipulates that a rate increase will go into effect unless three of the commissioners vote against it.

I have prepared an amendment to the PUC law which I am ready to introduce now—it has quite a number of cosponsors, but I am asking for more—that would change that to say that no rate increase shall go into effect unless at least a majority of the commissioners in office would approve of same.

Now that handles two problems: One is that the rate increase does not automatically go into effect unless otherwise voted down. And, secondly, that we recognize there are occasions such as today that the PUC does not consist of five members, therefore not needing three to approve or disapprove, but rather that presently a majority of the three or four or five would be necessary in order to approve of any increases.

Anybody interested in signing that, I have it here.

**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, Tiberias, Israel was officially designated the Sister City of Allentown, Pennsylvania on February 11, 1975. Tiberias, whose Mayor is Moshe Tzabar, is one of the four holiest Jewish cities. The city, which was built by Herod Antipas in honor of the Roman Emperor, is Israel's leading winter resort. In order to promote goodwill and friendship between the citizens of Tiberias and Allentown, a special nine day trip to Tiberias has been scheduled for October 18-26, 1975.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Tiberias, Israel on being designated as the Sister City of Allentown, Pennsylvania, and wishes the citizens of Allentown and Tiberias many years of friendship and goodwill; and further directs that a copy of this citation be delivered to Mayor Toshe Tzabar, Tiberias, Israel.

KURT D. ZWIKL

**HOUSE OF REPRESENTATIVES**

WHEREAS, Robert H. Jones served as Personnel Secretary during the administrations of both Governors Leader and Lawrence; and

WHEREAS, Robert H. Jones has served The General State Authority and The State Highway and Bridge Authority as Assistant to the Executive Director, from June 22, 1965 to February 3, 1971, and as the Executive Director for The General State Authority, The State Highway and Bridge Authority and The Pennsylvania

Transportation Assistance Authority from February 3, 1971 to October 20, 1975; and

WHEREAS, The Executive Director, Robert H. Jones, has terminated his employment to go into retirement on October 20, 1975.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to honor Robert H. Jones, fondly known as "Pop" Jones, on the occasion of his forthcoming retirement, and to congratulate him for his many years of dedicated, conscientious service, and wishes this distinguished Pennsylvanian many years of health, happiness and continued good fortune; and further directs that a copy of this citation be delivered to Robert H. Jones, 1017 Richmond Street, Scranton, Pennsylvania 18509.

HERBERT FINEMAN  
K. LEROY IRVIS

**HOUSE OF REPRESENTATIVES**

WHEREAS, Reuben Cohen passed away recently. Mr. Cohen had been a Democratic Committeeman for twenty-one years and a vice chairman of the fiftieth Ward Democratic Executive Committee. He is survived by his wife Edith, a son, two daughters, three brothers, a sister, and four grandchildren; now therefore be it

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

RESOLVED, That a copy of this resolution be delivered to Mrs. Reuben Cohen, 8022 Rodney Street, Philadelphia, Pennsylvania 19150.

ROSE TOLL  
MARK B. COHEN

**HOUSE OF REPRESENTATIVES**

WHEREAS, The Pennsylvania Bicentennial Commission with Three Rivers Improvement and Development Corporation (TRIAD) under the able leadership and organizational expertise of Arthur V. Harris, Allegheny County Bicentennial Commission, Gulf Oil Corporation and the United States Steel Corporation jointly sponsored the Pennsylvania Bicentennial River Concert Tour from Pittsburgh to St. Louis from June 27 to August 20, 1975; and

WHEREAS, The Bicentennial River Concert Tour promoted a new awareness of the Bicentennial in many towns and cities and created a new interest in visiting Pennsylvania during 1976. During a ceremony in the Justice Brandeis Courtroom of the historic Courthouse Museum, members of the Legislatures of Missouri and Pennsylvania rededicated the people in the two great states to the principles and philosophies of our Nation.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates the Pennsylvania Bicentennial Commission and all the others involved, on the success of the first major promotion; and commends Arthur V. Harris for his contributions of skill, time and effort; and further directs that a copy of this citation be delivered to the Pennsylvania Bicentennial Commission.

K. LEROY IRVIS  
PHYLLIS T. KERNICK  
HELEN D. GILLETTE  
A. JOSEPH VALICENTI  
CHARLES N. CAPUTO  
MICHAEL M. MULLEN  
THOMAS E. FLAHERTY  
H. SHELDON PARKER, JR.  
JOSEPH V. ZORD, JR.  
D. MICHAEL FISHER  
RICHARD J. CESSAR  
LEE C. TADDONIO  
JAMES W. KNEPPER  
JOSEPH F. BONETTO  
JAMES A. ROMANELLI  
JAMES B. KELLY, III  
BERNARD R. NOVAK  
JOSEPH RHODES, JR.

HARRY G. MENHORN, JR.  
IVAN ITKIN  
DONALD A. ABRAHAM  
GEORGE MISCEVICH  
FRED A. TRELLO  
RONALD R. COWELL  
EMIL MRKONIC  
ROBERT A. GEISLER  
ANDREW J. MCGRAW

## HOUSE OF REPRESENTATIVES

WHEREAS, Mrs. Sarah Klingerman, daughter of the late Mr. and Mrs. Joseph Foose, has earned the respect and admiration of her community for her exemplary life of Christian devotion to her family and special service to her church, St. John Lutheran, Ringtown.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and heartiest congratulations to Mrs. Sarah Klingerman on the occasion of her one hundredth birthday, and expresses its hope that she might continue to enjoy the divine blessings and good health that enabled her to observe the centennial of her birth; and further directs that a copy of this citation be delivered to Mrs. Sarah Klingerman, Breisch Road, Ringtown, Pennsylvania 17967.

WILLIAM K. KLINGAMAN, SR.

## HOUSE OF REPRESENTATIVES

WHEREAS, Fred Jones, editor of the Press Conservation, is retiring after forty-four years in the newspaper world; and

WHEREAS, Fred Jones has led crusades against stream pollution and strip-mine devastation. He has won four Meeman Conservation Awards which annually honor newsmen for outstanding reporting in the field of conservation. Mr. Jones has been credited with favorably influencing the conservation laws in Pennsylvania.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Fred Jones on his retirement after a forty-four year newspaper career; commends him for his outstanding work in the area of conservation and wishes him a long and enjoyable retirement; and further directs that a copy of this citation be delivered to Mr. Fred Jones, Mt. Lebanon, Pennsylvania 15228.

JOHN F. LAUDADIO, SR.  
HERBERT FINEMAN  
K. LEROY IRVIS  
JOSEPH A. PETRARCA  
JOSEPH F. BONETTO  
A. J. DeMEDIO  
HELEN D. GILLETTE  
DONALD A. ABRAHAM  
RONALD R. COWELL  
PHYLLIS T. KERNICK  
CHARLES N. CAPUTO  
FRED A. TRELLO  
MICHAEL M. MULLEN  
GEORGE MISCEVICH  
THOMAS E. FLAHERTY  
ROBERT A. GEISLER  
HARRY G. MENHORN, JR.  
BERNARD R. NOVAK

## HOUSE OF REPRESENTATIVES

WHEREAS, C. Harrison Lund is being honored for his nearly sixty years of service to the legal profession and his community; and

WHEREAS, C. Harrison Lund, with his legal talents and compassion, helped defend soldiers in the Army during World War I, served as assistant district attorney for several years, and counseled neighborhood clients during the great depression. Mr. Lund became one of the earliest tax practitioners in the Erie area. At the time of his retirement five years ago, Mr. Lund was the oldest practicing member of the Erie County Bar Association and he is presently involved with the celebration of the one hundredth anniversary of the Erie County Bar Association.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates C. Harrison Lund on his illustrious legal career, commends him for his dedication and humanitarian outlook, wishes him continued happiness during his retirement; and directs that a copy of this citation be delivered to C. Harrison Lund, Attorney at Law, 906 Poplar Street, Erie, Pennsylvania 16502.

DAVID S. HAYES

## HOUSE OF REPRESENTATIVES

WHEREAS, Cedar Church, Allentown, celebrated the one hundred twentieth anniversary of its founding and cornerstone laying on May 28, 1975; and

WHEREAS, Cedar Church humbly began under Reverend Jeremiah Schindel, Lutheran pastor and Reverend Joseph S. Dubbs, Reformed pastor, and has grown into a seven hundred fifty membership presently served by the Reverend Charles M. Kern of the Lutheran congregation, and Reverend George D. MacNeal of the United Church of Christ congregation; and

WHEREAS, The Cedar Church opens its facilities to groups such as the Girls Scouts, Boy Scouts and the Welcome Wagon Club.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates the congregations of Cedar Church on the religious fortitude which has brought them to this one hundred twenty-first year of unity in the name of the Lord and wishes that their togetherness will long continue to be a stalwart symbol in the community; and further directs that a copy of this citation be delivered to Cedar Church, 3419 Linden Street, Allentown, Pennsylvania 18104.

JOSEPH R. ZELLER  
KURT ZWIKL

## HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Lloyd S. Hilbert celebrated their golden wedding anniversary recently. Their happy union has been blessed by one son and two grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Hilbert, nee Violet Miller, and Mr. Hilbert were married in Reading by Reverend J. F. Moyer on May 23, 1925.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Lloyd S. Hilbert 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. Lloyd S. Hilbert, 126 North Front Street, Emmaus, Pennsylvania 18049.

JOSEPH R. ZELLER

## HOUSE OF REPRESENTATIVES

WHEREAS, Thomas P. Grater of Ephrata, has served as the Recreation Director for the Borough of Ephrata for twenty years. He has received awards from the Pennsylvania State Parks and Recreation Society, American Red Cross, Jaycees, American Legion and Veterans of Foreign Wars. Having served eight years on the Middle Atlantic Advisory Committee for the National Parks and Recreation Society. Mr. Grater is safety services chairman of the Lancaster Chapter of the American Red Cross.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, commends Thomas P. Grater for twenty years of leadership and devotion to community recreational development; and further directs that a copy of this citation be delivered to Thomas P. Grater, 105 Maple Street, Ephrata, Pennsylvania 17522.

HARRY H. GRING

## HOUSE OF REPRESENTATIVES

WHEREAS, Robert S. Speicher is retiring as a member



and president of the McCandless Town Council. During his eight year tenure, Mr. Speicher was instrumental in initiating many new programs, including the organization of a joint summer recreation program with surrounding communities, erection of a salt storage building, employment of professional planning consultants, expansion of police and road services, and the implementation of the new home rule charter form of government; and

WHEREAS, Robert S. Speicher has been active in numerous professional and community service organizations.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Robert S. Speicher on the occasion of his retirement as president of the McCandless Town Council, commends him on his exemplary service to the community, and wishes him every happiness and success in the years ahead; and further directs that a copy of this citation be delivered to Robert S. Speicher, 9325 Highmeadow Drive, Allison Park, Pennsylvania 15101.

JAMES B. KELLY, III  
RICHARD J. CESSAR

#### HOUSE OF REPRESENTATIVES

WHEREAS, R. Emmet Doherty is being honored at a Community Appreciation Awards Dinner on November 12, 1975 co-sponsored by the Northampton Area Chamber of Commerce and the Borough of Northampton; and

WHEREAS, R. Emmet Doherty is about to retire, having given faithful, loyal and meritorious service since 1957 as the Director of the Lehigh Valley Air Pollution Control District, the agency enforcing air pollution control ordinances in twelve Lehigh Valley municipalities, starting with the Borough of Northampton in 1957; and

WHEREAS, Cement dust pollution in the cement-producing communities of the Lehigh Valley is now history in great measure due to his know-how of cement manufacturing and his firm but fair program of enforcement; and

WHEREAS, R. Emmet Doherty has also been an active participant in the social, educational, economic and religious life of the community.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania extends its congratulations to R. Emmet Doherty on a job well done and sends its best wishes for many years of health and happiness; and further directs that a copy of this citation be delivered to R. Emmet Doherty.

RUSSELL KOWALYSHYN

#### HOUSE OF REPRESENTATIVES

WHEREAS, Mario P. Nascati, was honored by the Philadelphia Players Musical Guild for his dedicated contributions of leadership and service to the Pennsylvania National Guard—28th Division; and

WHEREAS, Mario P. Nascati, graduated from Villanova College in 1949, served in the United States Navy, in the South Pacific as medic, receiving citations for services above and beyond the call of duty. Residing in Philadelphia with his wife Marie, and children Nicholas, Mario and Maria Linda, Mario P. Nascati is President of the Philadelphia Players Musical Guild and financial secretary of the Order of Sons of Italy in America, Columbus Forum Lodge 1492; and

WHEREAS, Mario P. Nascati, is a member of the American Legion, National Institute of Public Accountants, American Association of School Administrators, the Executive Board of Directors of the Pennsylvania Association Intermediate Unit Director, Knights of Columbus; and served as past district director of the United Fund Drive. Since 1972, Mr. Nascati has held a Director III position where he is responsible for Department of Subsidies and Legislative Liaison in Harrisburg for the Philadelphia School District.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Mario P. Nascati on being honored by the Philadelphia Players Musical Guild and commends him for dedicated service to his community, his Commonwealth and his fellowman; and further directs that a copy of this citation be de-

livered to Mario P. Nascati, 2123 South 13th Street, Philadelphia, Pennsylvania 19148.

STEPHEN R. WOJDAK  
HERBERT FINEMAN

#### HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Earl A. Hershberger will celebrate their golden wedding anniversary January 1, 1976. Their happy union has been blessed by three daughters, nine grandchildren, and one great-grandchild. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Hershberger, nee Rachel Slagle, and Mr. Hershberger were married January 1, 1926, by Reverend R. S. Shirey, pastor of Jennerstown Evangelical Church.

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

and further directs that a copy of this citation be delivered to Mr. and Mrs. Earl A. Hershberger, 2146 Franklin Street, Johnstown, Pennsylvania 15905.

PATRICK A. GLEASON

#### HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Stephen M. Maurer celebrated their golden wedding anniversary recently. Their happy union has been blessed by six 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. Mrs. Maurer, nee Mary Kostick, and Mr. Maurer were married August 18, 1925, at St. Stephen's Catholic Church by Reverend John Martvon.

Now therefore, The House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Stephen M. Maurer 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 M. Maurer, 632 Virginia Avenue, Johnstown, Pennsylvania 15906.

PATRICK A. GLEASON

#### HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Thomas Wensel will celebrate their golden wedding anniversary November 16, 1975. Their happy union has been blessed by four children, fifteen grandchildren, and five great-grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Wensel, nee Helen Grebos, and Mr. Wensel were married November 16, 1925, at Holy Name Catholic Church, Ebensburg.

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

and further directs that a copy of this citation be delivered to Mr. and Mrs. Thomas Wensel, Carriage Hill Apartments, Johnstown, Pennsylvania 15905.

PATRICK A. GLEASON

#### HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Joseph P. Hrbal celebrated their golden wedding anniversary recently. Their happy union has been blessed by five children and ten grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Hrbal, nee Mary Beno, and Mr. Hrbal were married August 30, 1925, at Muran, Czechoslovakia.



Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Joseph P. Hrbal 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. Hrbal, 253 Plum Street, Johnstown, Pennsylvania 15901.

PATRICK A. GLEASON

#### HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Alvin S. Gindlesperger celebrated their golden wedding anniversary recently. Their happy union has been blessed by one son, three grandchildren, and one great-grandchild. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Gindlesperger, nee Violet Melown, and Mr. Gindlesperger were married August 27, 1925 at Moxham Lutheran Church by Reverend H. C. Michael.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Alvin S. Gindlesperger 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. Alvin S. Gindlesperger, 664 Highland Avenue, Johnstown, Pennsylvania 15902.

PATRICK A. GLEASON

#### HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Theodore Horner celebrated their golden wedding anniversary recently. Their happy union has been blessed by five children and twelve grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Horner, nee Margaret Page, and Mr. Horner, were married August 27, 1925 by the late Reverend Servey.

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

and further directs that a copy of this citation be delivered to Mr. and Mrs. Theodore Horner, R. D. 1, Mineral Point, Pennsylvania 15942.

JAMES O. WHELAN, JR.

#### HOUSE OF REPRESENTATIVES

WHEREAS, Gina Marie Danko, the four year old daughter of Mr. and Mrs. Ted Danko, was crowned Tiny Tot Miss Keystone Majorette of Pennsylvania. Gina Marie Danko, a feature twirler for the Silvertone Kadets Majorette and Drum Corps, placed first in solo, first runner-up in fancy strut, and in modeling.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Gina Marie Danko on capturing the crown of Tiny Tot Miss Keystone Majorette of Pennsylvania, commends her on her skill and her poise, wishes her success in future competition;

and further directs that a copy of this citation be delivered to Miss Gina Marie Danko, 602 Main Street, Latrobe, Pennsylvania 15650.

JAMES O. WHELAN, JR.

#### HOUSE OF REPRESENTATIVES

WHEREAS, Jamie Renee Ritenour, the ten year old daughter of Mr. and Mrs. James Ritenour, recently became the Pennsylvania State Juvenile Champion in baton twirling. She has competed nationally and has gained recognition as one of the top ten twirlers in the nation.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Jamie Renee Ritenour on her winning the Pennsylvania State Juvenile Championship in baton twirling, commends her on her skill, and her poise, and wishes her success in future competition;

and further directs that a copy of this citation be delivered to Miss Jamie Renee Ritenour, 37 Forbes Drive, Ridgeview Heights, Latrobe, Pennsylvania 15650.

JAMES O. WHELAN, JR.

#### HOUSE OF REPRESENTATIVES

WHEREAS, Leonard David Levin, son of Mr. and Mrs. Murray Levin, is being Bar Mitzvahed on October 11, 1975, at the Valley Forge Hilton Inn by Rabbi Matthew Rosen. He was born on October 26, 1962, and has one sister, Steffi, who is nine years old.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Leonard David Levin on being Bar Mitzvahed and wishes him success and happiness in all his future endeavors; and further directs that a copy of this citation be delivered to Leonard David Levin, 719 Strahle Street, Philadelphia, Pennsylvania 19111.

ALVIN KATZ

#### HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Charles Orris 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. Mrs. Orris, nee Gertrude Thomas, and Mr. Orris were married August 26, 1925, at Cumberland, Maryland.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Charles Orris 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 Orris, 812 Napoleon Street, Johnstown, Pennsylvania 15901.

PATRICK A. GLEASON

#### HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Frank L. Schnable celebrated their golden wedding anniversary recently. Their happy union has been blessed by six children and thirteen grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Schnable, nee Loyola J. Souders, and Mr. Schnable were married by the late Reverend Francis Walters on August 15, 1925 at St. Paul's Roman Catholic Church in Reading.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Frank L. Schnable 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. Frank L. Schnable, Ramich Road, Temple, R. D. 1, Pennsylvania 19560.

HAROLD J. STAHL, JR.

#### HOUSE OF REPRESENTATIVES

WHEREAS, Mrs. Mary T. Ancker, Administrator of Lower Bucks Hospital, is retiring after nineteen years at that post; and

WHEREAS, Mrs. Ancker was one of the organizers of the hospital auxiliary three years before its opening, and served as chairperson of the final finance campaign for the hospital; and

WHEREAS, As a result of Mrs. Ancker's leadership and dedication, several programs dealing with lower room rates and lowering patient stay have been initiated.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Mrs. Mary T. Ancker on her retirement after nineteen years as administrator of Lower Bucks Hospital, commends her on her tireless efforts in helping to found the hospital; and further directs that a copy of this citation be delivered to Mrs. Mary T. Ancker, c/o Lower Bucks Hospital, Bath Road and Orchard Avenue, Bristol, Pennsylvania 19007.

THEODORE BERLIN

#### HOUSE OF REPRESENTATIVES

WHEREAS, Karren Stead recently became the first girl to win the All-American Soap Box Derby championship. Having won three prior races, she won the National title in a photo finish against two boys with the time of 27.52 seconds.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Karren Stead on her winning the All-American Soap Box Derby championship, commends her on her fortitude, skill, and sportsmanship, and wishes her success in her future endeavors; and further directs that a copy of this citation be delivered to Miss Karren Stead, 112 Mark Drive, Morrisville, Pennsylvania 19067.

THEODORE BERLIN

#### HOUSE OF REPRESENTATIVES

WHEREAS, Barbara Jordan, a resident of Gulph Mills, has excelled in both the academic and competitive tennis fields; and

WHEREAS, Barbara Jordan, was recently graduated from Upper Merion High School where she was a member of the National Honor Society, awarded the Schoolmen's Prize, Stanley A. Kuzy Memorial Award, and National Merit Scholarship Letter of Commendation; and

WHEREAS, Barbara Jordan, has been active as a United States Lawn Tennis Association tournament competitor since age eleven; USLTA Clay Court 18 and under champion, 1974 and nationally ranked in various age brackets every year since 1969; MSLTA champion many times in various age brackets; PIAA champion 1974 and 1975; USLTA nominee for Wimbledon Junior Championships, 1975; winner of South of England Ladies Championship, 1975; finalist in USLTA girls 18 and under national championship; semi-finalist in Pennsylvania Lawn Tennis Championships and winner in the doubles.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania extends its congratulations to Barbara Jordan of Gulph Mills for her outstanding academic and athletic achievement; and further directs that a copy of this citation be delivered to Barbara Jordan, 201 Hughes Road, Gulph Mills, Pennsylvania.

RICHARD A. McCLATCHY, JR.

#### HOUSE OF REPRESENTATIVES

WHEREAS, John Domenick of Johnstown celebrated his eightieth birthday on September 12, 1975. Mr. Domenick, married fifty-two years to the late Amelia Domenick, radiates in the love of his six children, eight grandchildren and two great-grandchildren; and

WHEREAS, John Domenick 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 heartily congratulates John Domenick on his eightieth 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 John Domenick, 276 Strayer Street, Johnstown, Pennsylvania 15906.

PATRICK A. GLEASON

#### HOUSE OF REPRESENTATIVES

WHEREAS, Mrs. Emily Jane Elizabeth Gaines of Johnstown celebrated her ninety-fourth birthday recently. Mrs.

Gaines basks in the love of her daughter (the only surviving child of thirteen) and her twenty-seven grandchildren and great-grandchildren; and

WHEREAS, Mrs. Emily Jane Elizabeth Gaines 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. Emily Jane Elizabeth Gaines on her ninety-fourth 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. Emily Jane Elizabeth Gaines, Vine Street Towers, Johnstown, Pennsylvania 15901.

PATRICK A. GLEASON

#### HOUSE OF REPRESENTATIVES

WHEREAS, Mrs. Barbara Beck of Johnstown celebrated her ninety-first birthday on September 11, 1975. Mrs. Beck, married fifty-seven years to the late Chauncey Beck, is a loving mother, grandmother, great-grandmother and great-great-grandmother to her four living children, seven grandchildren, twenty great-grandchildren, and one great-great-grandchild; and

WHEREAS, Mrs. Barbara Beck 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. Barbara Beck on 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. Barbara Beck, 348 Corinne Street, Johnstown, Pennsylvania 15906.

PATRICK A. GLEASON

#### HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Louis A. O'Leslie 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. O'Leslie, nee Marian J. Tredennick, and Mr. O'Leslie were married October 14, 1925 at St. Mark's Episcopal Church, Johnstown.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Louis A. O'Leslie 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. Louis A. O'Leslie, 306 Joseph Johns Towers, Johnstown, Pennsylvania 15901.

PATRICK A. GLEASON

#### HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Everett H. Churchey, Sr., celebrated their golden wedding anniversary recently. Their happy union has been blessed by five children, eleven grandchildren, and nine great-grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Churchey, nee Mary Radle, and Mr. Churchey were married September 4, 1925 at Frederick, Maryland.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Everett H. Churchey, 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. Everett H. Churchey, Sr., 217 Ohio Street, Johnstown, Pennsylvania 15904.

PATRICK A. GLEASON

## HOUSE OF REPRESENTATIVES

WHEREAS, Mrs. Edith (Makin) Howard of Johnstown celebrated her eightieth birthday on September 8, 1975. Mrs. Howard radiates in the love of her six children, five step children, twenty-three grandchildren and twenty great-grandchildren; and

WHEREAS, Mrs. Edith (Makin) Howard 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. Edith (Makin) Howard on her eightieth 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. Edith (Makin) Howard, 458 Decker Avenue, Johnstown, Pennsylvania 15906.

PATRICK A. GLEASON

## HOUSE OF REPRESENTATIVES

WHEREAS, Mr. and Mrs. Joseph J. Budney celebrated their golden wedding anniversary recently. Their happy union has been blessed by three children, and three grandchildren. These two people are highly respected by friends, neighbors and acquaintances as representing the finest in American life. Mrs. Budney, nee Anna Botter, and Mr. Budney were married August 25, 1925 at St. Patrick's Catholic Church by Reverend Francis P. McCreesh.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to Mr. and Mrs. Joseph J. Budney 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 J. Budney, 635 Coleman Avenue, Johnstown, Pennsylvania 15902.

PATRICK A. GLEASON

## HOUSE OF REPRESENTATIVES

WHEREAS, Mr. Charles Kurdziel will be awarded the Gold Card Award for his outstanding membership in the Young Men's Polish Association of Hazleton; and

WHEREAS, Charles Kurdziel will be honored at the eighth Annual Gold Card Banquet on October 25, 1975.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Charles Kurdziel on being awarded the Gold Card Award for outstanding membership in the Young Men's Polish Association of Hazleton and commends this outstanding citizen for his contributions to his community and further directs that a copy of this citation be delivered to Mr. Charles Kurdziel, 854 Seybert Street, Hazleton, Pennsylvania 18201.

JAMES J. USTYNOSKI

## HOUSE OF REPRESENTATIVES

WHEREAS, Mr. Zenon Levandoski will be awarded the Gold Card Award for his outstanding membership in the Young Men's Polish Association of Hazleton; and

WHEREAS, Zenon Levandoski will be honored at the eighth Annual Gold Card Banquet on October 25, 1975.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Zenon Levandoski on being awarded the Gold Card Award for outstanding membership in the Young Men's Polish Association of Hazleton and commends this outstanding citizen for his contributions to his community

and further directs that a copy of this citation be delivered to Mr. Zenon Levandoski, 858 Seybert Street, Hazleton, Pennsylvania 18201.

JAMES J. USTYNOSKI

## HOUSE OF REPRESENTATIVES

WHEREAS, Father John Zalewski will be awarded the Gold Card Award for the outstanding Pennsylvania citizen in the Young Men's Polish Association of Hazleton; and

WHEREAS, Father John Zalewski will be honored at the eighth Annual Gold Card Banquet on October 25, 1975.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Father John Zalewski on being awarded the Gold Card Award for the outstanding citizen in the Young Men's Polish Association of Hazleton, and commends this outstanding citizen for his contributions to his community and further directs that a copy of this citation be delivered to Father John Zalewski, St. Mary's Roman Catholic Church, Dorrance Corners, Pennsylvania 18660.

JAMES J. USTYNOSKI

## HOUSE OF REPRESENTATIVES

WHEREAS, Joseph Stamper has completed twenty years of local governmental service as Commissioner for Reserve Township. He has served as Chairman and, at one time or another, on all of the committees in the township. Since 1967, Joseph Stamper has served as treasurer of the Executive Committee of the Allegheny County and Western Pennsylvania Association of Township Commissioners.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Joseph Stamper on his completion of twenty years of local governmental service and commends him for his dedicated service and able leadership and wishes him good health and success in his future endeavors; and further directs that a copy of this citation be delivered to Mr. Joseph Stamper.

MICHAEL M. MULLEN

## HOUSE OF REPRESENTATIVES

WHEREAS, Joseph Shemanski was the recipient of the Gold Card Award for outstanding membership in the Young Men's Polish Association of Hazleton. Mr. Shemanski was honored at the Seventh Annual Gold Card Banquet in 1974.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Joseph Shemanski on being awarded the Gold Card for outstanding membership in the Young Men's Polish Association of Hazleton, and wishes him continued success in his future endeavors;

and further directs that a copy of this citation be delivered to Joseph Shemanski, 694 Seybert Street, Hazleton, Pennsylvania 18201.

JAMES J. USTYNOSKI

## HOUSE OF REPRESENTATIVES

WHEREAS, Bernard Byorek was the recipient of the Gold Card Award for outstanding membership in the Young Men's Polish Association of Hazleton. Mr. Byorek was honored at the Seventh Annual Gold Card Banquet in 1974.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Bernard Byorek on being awarded the Gold Card for outstanding membership in the Young Men's Polish Association of Hazleton, and wishes him continued success in his future endeavors;

and further directs that a copy of this citation be delivered to Bernard Byorek, 705 North Broad Street, Hazleton, Pennsylvania 18201.

JAMES J. USTYNOSKI

## HOUSE OF REPRESENTATIVES

WHEREAS, Joan Witherspoon Simpson has become a doctor of medicine with a specialty in obstetrics and gy-

necology after a ten year teaching career and while raising a family which has been understanding, helpful and supportive.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Joan Witherspoon Simpson on her achieving her childhood dream of becoming a medical doctor, commends her for her determination, perseverance, and desire to contribute to her community, and wishes her a long and successful career; and further directs that a copy of this citation be delivered to Dr. Joan Witherspoon, 140 West Phil-Ellena Street, Philadelphia, Pennsylvania 19119.

#### ROSE TOLL

#### HOUSE OF REPRESENTATIVES

WHEREAS, Mother M. Beata Wertz was awarded the Marywood Presidential Medal at the formal anniversary dinner at Marywood College on October 4, 1975. The Presidential Medal was initiated to recognize, in a significant way, the unique accomplishments of those individuals contributing to Marywood College. Mother M. Beata Wertz has completed two six-year terms as Superior General of the one thousand one hundred member I.H.M. Congregation. She has served as an elementary teacher, principal, local superior, and assistant to the superior general.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Mother M. Beata Wertz on her receipt of the Presidential Medal from Marywood College; and wishes her good health and good fortune;

and further directs that a copy of this citation be delivered to Mother M. Beata Wertz, St. Thomas Convent, Bedford, Pennsylvania 15522.

CLARENCE E. DIETZ

#### HOUSE OF REPRESENTATIVES

WHEREAS, Robert K. Sweet is being honored at an Appreciation Night Banquet on October 14, 1975; and

WHEREAS, Mr. Sweet, Chairman of the Bedford County Board of County Commissioners for the past eight years and former Bedford County Treasurer, managed to continue his education in preparation for the ministry. He will be ordained a fulltime minister in the United Church of Christ in December; and

WHEREAS, Mr. Sweet married the former Kathryn Holler in 1948 and they are the parents of two daughters. He is a veteran of World War II and a member of the Bedford Rotary, Masons and Bedford County Republican Clubs.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania commends and congratulates Robert K. Sweet on his outstanding achievements and service to his community and to the Commonwealth and to his fellowman; and wishes him continued success and good fortune as he begins a new career in serving God;

and further directs that a copy of this document be delivered to Robert K. Sweet, R. D. 1, Bedford, Pennsylvania 15522.

CLARENCE E. DIETZ

#### HOUSE OF REPRESENTATIVES

WHEREAS, Jules C. Melograne, District Justice of the Peace, seventeenth Magisterial District is being honored at a Testimonial Dinner, October 19, 1975; and

WHEREAS, Jules C. Melograne, born in Pittsburgh, married the former Olga Farina. They are the parents of a son, Philip; and

WHEREAS, Active in sports during his early school years, he served in the United States Air Force during World War II. Upon completion of his tour of duty, he attended the University of Pittsburgh receiving a BBA degree. In 1959 he applied to the Pennsylvania State Board of Law Examiners for permission to read law and in 1969 was admitted to the practice of law; and

WHEREAS, Jules C. Melograne is active in many civic and professional organizations such as the Italian Sons and Daughters of America, Holy Family Institute, Moose

Lodge 46, Association of Trial Lawyers of America, Pennsylvania Bar Association and Allegheny County Bar Association, to name a few. He is a member of the law firm of DeCello, Bua and Manifesto.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania commends and congratulates Jules C. Melograne for his leadership in the civic affairs of his community, for his contributions to the legal profession and for his work as a public servant as district justice of the peace;

and further directs that a copy of this citation be delivered to District Justice of the Peace, Jules C. Melograne, Six Thurner Drive, Pittsburgh, Pennsylvania 15236.

DAVID S. HAYES

JOSEPH V. ZORD, JR.

#### HOUSE OF REPRESENTATIVES

WHEREAS, Joseph Toslosky was the recipient of the Gold Card Award for outstanding membership in the Young Men's Polish Association of Hazleton. Mr. Toslosky was honored at the Seventh Annual Gold Card Banquet in 1974.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Joseph Toslosky on being awarded the Gold Card for outstanding membership in the Young Men's Polish Association of Hazleton, and wishes him continued success in his future endeavors;

and further directs that a copy of this citation be delivered to Joseph Toslosky, 32 Lincoln Drive, North Richey, Florida 33568.

JAMES J. USTYNOSKI

#### HOUSE OF REPRESENTATIVES

WHEREAS, Armand Martin, sergeant on the Clairton Police Force, has been commended by the Federal Bureau of Investigation for the second time in two months. Sgt. Armand Martin has prevented two city bank robberies and in the most recent attempt, Sgt. Martin apprehended three bank robbers, two of whom were armed with fully loaded weapons.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Sgt. Armand Martin on his work to prevent two bank robberies, commends him for his ability to react quickly, effectively, and without regard for his own personal safety in highly dangerous situations and wishes him good health and good fortune with his efforts to protect the Clairton community;

and further directs that a copy of this citation be delivered to Sgt. Armand Martin, 123 Constitution Avenue, Clairton, Pennsylvania 15025.

GEORGE MISCEVICH

#### HOUSE OF REPRESENTATIVES

WHEREAS, George Gitas, a lieutenant on the Clairton police force, has been lauded by the Pittsburgh office of the FBI for his efforts in taking three men into custody shortly after they held up a branch bank office; and

WHEREAS, Lt. George Gitas, on September 12, 1975, assisted fellow officer, Sgt. Armand Martin with his efforts in capturing armed bank robbers. Lt. Gitas, by his quick action assured his fellow officer that the robbers could not escape and that they could take no retaliatory action against him.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Lt. George Gitas on his work to prevent two bank robberies, commends him on his quick reactions and display of loyalty to fellow police officers and wishes him good health and good fortune with his efforts to protect the Clairton community;

and further directs that a copy of this citation be delivered to Lt. George Gitas, 467 Carnegie Avenue, Clairton, Pennsylvania 15025.

GEORGE MISCEVICH

#### HOUSE OF REPRESENTATIVES

WHEREAS, The Warriors Mark FFA of Tyrone Area

High School placed third at the Seventh Invitational Youth Dairy Cattle Judging Contest (FFA Division) September 22, 1975, which was held in conjunction with the Pennsylvania All American Dairy Show; and

WHEREAS, The Warriors Mark FFA ably represented the Commonwealth of Pennsylvania in this national dairy cattle judging competition.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates the Warriors Mark FFA of Tyrone Area High School on its third place showing in this national dairy cattle judging competition, commends it on its outstanding achievement, wishes its members success in future dairy cattle raising and competition;

and further directs that a copy of this citation be delivered to Mr. E. Gordon Cox, President, Board of Education, Tyrone Area School District, Tyrone, Pennsylvania 16686.

SAMUEL E. HAYES, JR.

#### HOUSE OF REPRESENTATIVES

WHEREAS, Ralph O. Johns has been elected "Mason of the Year" by the Westinghouse Square Club. Mr. Johns, a charter member of Albert Thatcher Hanby Lodge 767, has been associated with the masons since 1945. A member of the Square Club since 1960, Ralph O. Johns has served as secretary, first vice president, second vice president, president and again was elected secretary for 1975. He participates in State and national mason activities by serving as corresponding secretary of the Pennsylvania State League of Masonic Clubs, National Director in the National League of Masonic Clubs and is vice president of "21 Cedars, Inc."

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Ralph O. Johns on his election as "Mason of the Year," commends him on his outstanding service to the masons; wishes him good health and success in his work with the masons; and further directs that a copy of this citation be delivered to Mr. Ralph O. Johns, 412 North Gray Street, Brookhaven, Pennsylvania 19015.

RALPH A. GARZIA  
HARRY A. ENGLEHART, JR.

#### HOUSE OF REPRESENTATIVES

WHEREAS, The Hellenic Center of Philadelphia is observing its silver anniversary. Under the leadership of Savas and Georgia Generalis, this organization contributes greatly to the Greek-American community of Philadelphia.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends congratulations and best wishes to the Hellenic Center of Philadelphia on the occasion of its twenty-fifth anniversary and wishes all those involved in making this center a success, continued happiness and good fortune in their future endeavors;

and further directs that a copy of this citation be delivered to Hellenic Center of Philadelphia, 249 South Ninth Street, Philadelphia, Pennsylvania 19107.

SAMUEL RAPPAPORT

#### HOUSE OF REPRESENTATIVES

WHEREAS, Dr. James Robert Coder began the practice of chiropractic in the Borough of Columbia, Pennsylvania, in 1925. He previously served in the United States Marines against Pancho Villa and during World War I served with the American expeditionary forces in Europe. He was a pioneer in legislative efforts to license the healing art of chiropractic and has practiced this art with sincere dedication since 1925.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Dr. James Robert Coder for his outstanding dedication and service to country and to chiropractic and wishes him continued success in his future endeavors;

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

livered to Dr. James Robert Coder, 36 North Lime Street, Lancaster, Pennsylvania 17602.

MARVIN E. MILLER  
MARVIN E. MILLER, JR.

#### HOUSE OF REPRESENTATIVES

WHEREAS, The Middletown Athletic League, Junior Girls thirteen to fifteen, under the able managing of Ed Weston, captured the first Amateur Softball Association Pennsylvania State Championship for Junior Girls thirteen to fifteen.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates the Middletown Athletic League, Junior Girls thirteen to fifteen on their winning the first Amateur Softball Association Pennsylvania State Championship for Junior Girls thirteen to fifteen, commends the members on their skills, their team cooperation, and their team spirit and wishes them success in future endeavors;

and further directs that a copy of this citation be delivered to The Middletown Athletic League, Junior Girls, Thirteen to Fifteen, Levittown, Pennsylvania 19056.

JAMES J. WRIGHT, JR.

#### HOUSE OF REPRESENTATIVES

WHEREAS, The parish of the Holy Trinity Roman Catholic Church in Morrisville is observing its seventy-fifth diamond jubilee anniversary; and

WHEREAS, The parish of the Holy Trinity Church represents thirteen hundred local families. The parish was established by the Reverend John McAnany, and is served now by Reverend Charles Flanagan. In 1956, after having moved often, a church, a school, and a rectory were built. An additional school building opened in 1965; and

WHEREAS, The parish of the Holy Trinity Roman Catholic Church is celebrating its seventy-fifth anniversary by holding a gala dinner-dance in November. During this past March (1975), the parish served as local church in the "World Day of Prayer" for the area.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates the parish of the Holy Trinity Roman Catholic Church of Morrisville on its seventy-fifth anniversary, wishes the parish good fortune; and further directs that a copy of this citation be delivered to The Holy Trinity Church, 201 North Pennsylvania Avenue, Morrisville, Pennsylvania 19067.

JAMES J. WRIGHT, JR.

#### HOUSE OF REPRESENTATIVES

WHEREAS, The Middletown Athletic League, Junior Girls sixteen to eighteen, under the able managing of Bruce Pennypacker won the first Amateur Softball Association Pennsylvania State Championship for Junior Girls sixteen to eighteen.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates the members of the Middletown Athletic League, Junior Girls sixteen to eighteen, on their capture of the first Amateur Softball Association Pennsylvania State Championship, commends them on their skills, their team co-operation, and their team spirit, and wishes them success in their future athletic endeavors;

and further directs that a copy of this citation be delivered to The Middletown Athletic League Junior Girls, Sixteen to Eighteen, Levittown, Pennsylvania 19056.

JAMES J. WRIGHT, JR.

#### HOUSE OF REPRESENTATIVES

WHEREAS, The New Vernon Grange is celebrating its one hundredth anniversary on October 19, 1975. The Grange, whose Master is Marshall Clark, is one of the oldest farm organizations in the nation. The anniversary will be celebrated with a church service, a craft demonstration, games, a chicken bar-b-que, and a program in the evening with Luther Snyder as the speaker.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, extends its best wishes and congratulations to the New Vernon Grange on celebrating its one hundredth anniversary; and further directs that a copy of this citation be delivered to The New Vernon Grange, R. D. 1, Clarks Mills, Pennsylvania 16114.

ROY W. WILT

HOUSE OF REPRESENTATIVES

WHEREAS, Charles Blumenthal, M.D. is being recognized for his thirty-eight years of medical service to people in the neighborhoods of Tacony, Mayfair, Holmesburg, and Torresdale; and

WHEREAS, Charles Blumenthal, M.D., is still engaged in active practice serving the sick, the poor, and the troubled.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Charles Blumenthal, M.D., on this honor bestowed upon him, commends him for his humanitarianism and selflessness, and wishes him good health and good fortune; and further directs that a copy of this citation be delivered to Dr. Charles Blumenthal, 7432 Torresdale Avenue, Philadelphia, Pennsylvania 19136.

ANITA PALERMO KELLY

HOUSE OF REPRESENTATIVES

WHEREAS, The St. Joan of Arc Roman Catholic Church of Library is celebrating four different occasions. It is celebrating its bicentennial year and the fiftieth anniversary of the parish. The year 1975 also marks the one hundredth year anniversary of the Holy Family of Nazareth Nuns and this particular order of nuns has been at this parish for twenty-five years.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates the St. Joan of Arc Roman Catholic Church of Library on its multiple celebrations and wishes the church success and good fortune in the years to come; and further directs that a copy of this citation be delivered to St. Joan of Arc Roman Catholic Church, Montour Street, Library, Pennsylvania 15129.

JAMES A. ROMANELLI

HOUSE OF REPRESENTATIVES

WHEREAS, Carole Fulmer, through the training received in first aid courses sponsored by the American Red Cross and the external heart massage training sponsored by the American Heart Association, was able to save the life of Janet Easton, who was struck by lightning on September 8, 1975.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Carole Fulmer for saving the life of another, commends her for her quick thinking in time of emergency and her expert use of her training in first aid and heart massage; wishes her good health and good fortune; and further directs that a copy of this citation be delivered to Mrs. Carole Fulmer, 630 High Street, Williamsport, Pennsylvania 17701.

ANTHONY J. CIMINI

HOUSE OF REPRESENTATIVES

WHEREAS, The Junior League of Erie, Inc., is celebrating its fiftieth anniversary of service to the community. The Junior League of Erie, Inc., has raised over \$225,000 and has returned it to the community through the funding of League projects in the areas of the arts, health, welfare, and education. The Junior League of Erie, Inc., has provided over three million hours of volunteer community service working with more than one hundred fifty organizations in Erie County. Anniversary activities will include a community dinner honoring the many organizations which the League has sponsored and with which it has worked.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates the Junior League of Erie, Inc., on its fiftieth anniversary, commends it for its service to the community and wishes the League good fortune; and further directs that a copy of this citation be delivered to the Junior League of Erie, Inc., 6400 Lake Shore Drive, Erie, Pennsylvania 16505.

DAVID S. HAYES

HOUSE OF REPRESENTATIVES

WHEREAS, Villa Maria College is celebrating its fiftieth anniversary. Villa Maria College opened its doors on September 20, 1925 with fifteen students and four faculty members. Founded by the Sisters of St. Joseph, Villa Maria has graduated twenty-seven hundred women. It is one of one hundred twenty women's colleges in the nation and the only college for women in Northwestern Pennsylvania.

Now therefore, The House of Representatives of the Commonwealth of Pennsylvania, congratulates Villa Maria College on the celebration of its fiftieth anniversary and wishes the college continued growth and prosperity in the years to come; and further directs that a copy of this citation be delivered to Villa Maria College, 2551 West Lake Road, Erie, Pennsylvania 16505.

DAVID S. HAYES

HOUSE OF REPRESENTATIVES

WHEREAS, Robert S. Lichtenberger is retiring after thirty-nine years service as senior deputy executive director with the Game Commission; and

WHEREAS, Robert S. Lichtenberger began his career with the Game Commission on July 2, 1936 after completing his training with the first class in the Ross Leffler School of Conservation. After his training, Mr. Lichtenberger remained at the school as resident instructor for the second class and then served as a game land technician. He returned as acting assistant superintendent at the Training School and then again as a game land technician. After serving as resident instructor for the third class and another short tour of duty as game land technician, he entered the U. S. Army Military Police, where he attained the rank of captain during World War II; and

WHEREAS, After his military service, Mr. Lichtenberger returned to the Training School, then as land operations assistant, assistant chief of training, acting chief of training and assistant chief of the Ross Leffler School of Conservation.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania commends and congratulates Robert S. Lichtenberger on his dedicated service in the field of conservation and wishes him good health and good fortune in his golden years of retirement; and further directs that a copy of this citation be delivered to Robert S. Lichtenberger, 3105 Yale Avenue, Camp Hill, Pennsylvania 17011.

KENT D. SHELHAMER  
WILLIAM F. RENWICK  
SAMUEL E. HAYES, JR.  
ROBERT J. KUSSE

HOUSE OF REPRESENTATIVES

WHEREAS, Dr. Howard J. Burnett has been awarded the United States Army Outstanding Civilian Service Medal, the highest honor which the Army can bestow upon a civilian. As president of Washington and Jefferson College, Dr. Howard J. Burnett has established direct liaison between the Admissions Office and ROTC; he has supported ROTC contact programs with prospective students and their parents; and he has led discussions which have resulted in granting of academic credit for basic ROTC courses.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Dr. Howard J. Burnett on his receipt of the United States Army Out-



standing Civilian Medal, commends him for his dedicated and loyal support of the Army's office procurement efforts and for his work on behalf of the ROTC program, and wishes him good health and good fortune; and further directs that a copy of this citation be delivered to Dr. Howard J. Burnett, 238 E. Wheeling Street, Washington, Pennsylvania 15301.

ROGER RAYMOND FISCHER

#### HOUSE OF REPRESENTATIVES

WHEREAS, Yogi Berra is being honored by the community of Lansford on November 3, 1975, proclaimed as "Yogi Berra Day". Mr. Berra, who is a former New York Yankee catcher, and a former manager of the New York Mets, is a member of the Baseball Hall of Fame. His contribution to the sport of baseball and his inspiration to many young persons is highly applauded.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, congratulates Yogi Berra on being honored by the community of Lansford and wishes him happiness and success in all his future endeavors; and further directs that a copy of this citation be delivered to Yogi Berra, Montclair, New Jersey.

THOMAS J. McCALL  
JAMES A. GOODMAN  
BERNARD F. O'BRIEN

#### HOUSE OF REPRESENTATIVES

WHEREAS, Harold "Mac" McCuen, Mt. Joy, observed the milestone of fifty years as a dedicated journalist; and

WHEREAS, Harold McCuen, initially a Cub Reporter for the Norristown Register in 1925, is Editor of the Leader Newspaper. Striving to uphold the principles of a free press, Harold McCuen, through the years, has shown compassion, and idealism for community betterment.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Harold "Mac" McCuen on observance of his fiftieth anniversary as a journalist and commends him for ardent dedication to his profession; and further directs that a copy of this citation be delivered to Harold M. C. McCuen, Mt. Joy, Conshohocken, Pennsylvania 19428.

ROSE TOLL

#### HOUSE OF REPRESENTATIVES

WHEREAS, Dr. Michael P. Marcase has been a lifetime resident of Philadelphia, and since 1954, has been a teacher and administrator in the Philadelphia Public Schools. He was appointed Superintendent of Schools for the City of Philadelphia on July 9, 1975; and

WHEREAS, Dr. Marcase is a member of many professional and civic associations and has rendered outstanding community service; and

WHEREAS, On November 8, 1975, Dr. Marcase will be honored by Columbus Forum Lodge of the Order Sons of Italy in America at its annual awards banquet for his many contributions to the field of education and the community at large.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to congratulate Dr. Michael P. Marcase on the occasion of this well-deserved award by the Columbus Forum Lodge of the Order Sons of Italy in America, and wishes this outstanding Philadelphian and Pennsylvanian continued success and best wishes in the years to come; and further directs that a copy of this citation be presented to Dr. Michael P. Marcase.

HERBERT FINEMAN

#### HOUSE OF REPRESENTATIVES

WHEREAS, Miss Sarah Ann Stauffer, Rohrerstown, has dedicated long service in behalf of the Republican party; and

WHEREAS, Miss Sarah Ann Stauffer, a Franklin and Marshall graduate, is a distinguished leader of community programs including YWCA, Governor's Conference, Community Chest Council, Lancaster County Community Council, and the Red Cross; and

WHEREAS, Miss Stauffer is active in politics including the formation of the Lancaster Young Republicans of Pennsylvania, Women's Republican Club, Pennsylvania Council of Republican Women, National Republican Committee, and delegate at National Convention. Dedicated to her political party, Miss Stauffer has displayed devoted service to her political affiliation.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Miss Sarah Ann Stauffer for her civic concern and her leadership to the Republican party; and further directs that a copy of this citation be delivered to Miss Sarah Ann Stauffer, Rohrerstown, Pennsylvania 17571.

CHARLOTTE D. FAWCETT  
PATRICIA CRAWFORD  
CARMEL SIRIANNI

#### HOUSE OF REPRESENTATIVES

WHEREAS, June Honaman, Landisville, has devoted long service to the Republican party; and

WHEREAS, June Honaman, a Beaver College graduate, is a member of the American Association of University Women, Home Service, Board of American Red Cross and Who's Who in American Women; and

WHEREAS, June Honaman, former president of the Women's Republican Club, was director of the Pennsylvania Council of Republican Women and a delegate-at-large and member of the Platform Committee, Republican National Convention. A member of the Governor's Commission on the Status of Women, June Honaman is a committeewoman in Landisville and a State committeewoman.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania commends June Honaman for her ardent dedication to her political affiliations and wishes her continued success and good fortune in her future endeavors; and further directs that a copy of this citation be delivered to June Honaman, 400 Main Street, Landisville, Pennsylvania 17538.

CHARLOTTE D. FAWCETT  
PATRICIA CRAWFORD  
CARMEL SIRIANNI

#### HOUSE OF REPRESENTATIVES

WHEREAS, Cpl. Joseph A. Petrill is being honored on his retirement after twenty-nine years of service with the Pennsylvania State Police by the Frank Albert Memorial Lodge 43, Fraternal Order of Police, at its twenty-ninth Annual Dinner on October 18, 1975. Cpl. Petrill, who retired from the Wyoming State Police Troop P on November 13, 1974, enlisted November 1, 1945. He served at Dushore, Shickshinny, Fern Ridge, Towanda and was a garage inspector at the Wyoming Barracks.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania extends its congratulations to Cpl. Joseph A. Petrill on being honored on his retirement from the Pennsylvania State Police, commends him on his twenty-nine years of service and a job well done, and wishes him good fortune and good health during his retirement; and further directs that a copy of this citation be delivered to Cpl. Joseph A. Petrill, 555 Sperling Street, West Wyoming, Pennsylvania 18644.

FRANK J. O'CONNELL, JR.

#### HOUSE OF REPRESENTATIVES

WHEREAS, Major John F. Yaglenski is being honored on his retirement after thirty-eight years of service with the Pennsylvania State Police by the Frank Albert Memorial Lodge 43, Fraternal Order of Police, at its twenty-ninth Annual Dinner on October 18, 1975. Major Yaglenski, who retired from the Wyoming State Police Troop P on May 22, 1975, enlisted on September 1, 1937. He served

at Towanda, Athens, Tunkhannock and Wyoming. Major Yaglenski was executive officer at Harrisburg and was commanding officer at Wyoming and Harrisburg. He was director of the Bureau of Criminal Investigation at Harrisburg and was commander of Area II at Wyoming.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania extends its congratulations to Major John F. Yaglenski on being honored on his retirement from the Pennsylvania State Police, commends him on his thirty-eight years of service and a job well done, and wishes him good fortune and good health during his retirement and further directs that a copy of this citation be delivered to Major John F. Yaglenski, 112 Apache Drive, Shickshinny, Pennsylvania 18655.

FRANK J. O'CONNELL, JR.

#### HOUSE OF REPRESENTATIVES

WHEREAS, Cpl. John J. Laskos is being honored on his retirement after thirty-eight years of service with the Pennsylvania State Police by the Frank Albert Memorial Lodge 43, Fraternal Order of Police at its twenty-ninth Annual Dinner on October 18, 1975. Cpl. Laskos, who retired from the Wyoming State Police Troop P on April 3, 1975, enlisted on January 13, 1937. He served at Laceyville, LaPorte, Dushore, Athens and Wyoming.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania extends its congratulations to Cpl. John J. Laskos on being honored on his retirement from the Pennsylvania State Police, commends him on his thirty-eight years of service and a job well done, and wishes him good fortune and good health during his retirement; and further directs that a copy of this citation be delivered to Cpl. John J. Laskos, 159 Ninth Street, Wyoming, Pennsylvania 18644.

FRANK J. O'CONNELL, JR.

#### HOUSE OF REPRESENTATIVES

WHEREAS, Trooper Edmund C. Ganis is being honored on his retirement after thirty-seven years of service with the Pennsylvania State Police by the Frank Albert Memorial Lodge 43 Fraternal Order of Police at its twenty-ninth Annual Dinner on October 18, 1975. Trooper Ganis, who retired from the Wyoming State Police Troop P on May 28, 1975, enlisted on April 1, 1938. He served at Shickshinny and Sayre, and was the youth aid officer at the Wyoming Barracks.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania extends its congratulations to Trooper Edmund C. Ganis on being honored on his retirement from the Pennsylvania State Police, commends him on his thirty-seven years of service and a job well done, and wishes him good fortune and good health during his retirement; and further directs that a copy of this citation be delivered to Trooper Edmund C. Ganis, 83 Goeringer Avenue, Hanover Township, Wilkes-Barre, Pennsylvania 18702.

FRANK J. O'CONNELL, JR.

#### HOUSE OF REPRESENTATIVES

WHEREAS, Trooper Chester G. Secora is being honored on his retirement after twenty-seven years of service with the Pennsylvania State Police by the Frank Albert Memorial Lodge 43 Fraternal Order of Police at its twenty-ninth Annual Dinner on October 18, 1975. Trooper Secora, who retired from the Wyoming State Police Troop P on July 9, 1975, enlisted on February 16, 1948. He served at Shickshinny, Wyoming, Tunkhannock, Towanda and Dushore Stations.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania extends its congratulations to Trooper Chester G. Secora on being honored on his retirement from the Pennsylvania State Police, commends him on his twenty-seven years of service and a job well done, and wishes him good fortune and good health during his retirement; and further directs that a copy of this citation be delivered to Trooper Chester G. Secora, 162 East Tioga Avenue, Tunkhannock, Pennsylvania 18657.

FRANK J. O'CONNELL, JR.

#### HOUSE OF REPRESENTATIVES

WHEREAS, Sgt. William Puchalsky is being honored on his retirement after twenty-eight years of service with the Pennsylvania State Police by the Frank Albert Memorial Lodge 43 Fraternal Order of Police, at its twenty-ninth Annual Dinner on October 18, 1975. Sgt. Puchalsky, who retired from the Hazleton State Police Troop N on July 31, 1975, enlisted on August 1, 1947. He served at Dunmore, Wyoming, Hazleton, Shickshinny, Dushore, Tunkhannock, Blakely, Dalesville, Honesdale and Towanda.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania extends its congratulations to Sgt. William Puchalsky on being honored on his retirement from the Pennsylvania State Police, commends him on his twenty-eight years of service and a job well done, and wishes him good fortune and good health during his retirement; and further directs that a copy of this citation be delivered to Sgt. William Puchalsky, 60 McHale Street, Swoyersville, Pennsylvania 18704.

FRANK J. O'CONNELL, JR.

#### HOUSE OF REPRESENTATIVES

WHEREAS, Jacob G. Kassab has completed his term of service as Secretary of Transportation of the Commonwealth of Pennsylvania. Mr. Kassab, in addition to serving as Secretary of Transportation, has given his services to the Commonwealth in many capacities, including Chairman of the Pennsylvania Transportation Commission; a member of the State Planning Board; the State Highway and Bridge Authority; the Environmental Quality Board; the Commission on Interstate Cooperation; and the State Council of Civil Defense; and ex-officio member of the Pennsylvania Turnpike Commission. He has received many honors, including a commendation by the Atomic Energy Commission, membership in the Paul Revere Patriots, a degree of Honorary Keystone Farmer, and the National VFW Bronze Medal Award for his assistance to veterans. Mr. Kassab, who is a registered professional engineer, was also selected by Time Magazine and the Pittsburgh Chamber of Commerce as the outstanding construction man in the Pittsburgh area. His participation in civic organizations has included serving as a member of the Board of Directors of the Canonsburg General Hospital, Executive Director of the Washington County Industrial and Development Authority, and a member of the Washington County Board of Viewers.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Jacob G. Kassab on completing his term of service as Secretary of Transportation, commends him on his many contributions to the Commonwealth of Pennsylvania and wishes him happiness and success in all his future endeavors; and further directs that a copy of this citation be delivered to Jacob G. Kassab, 53 South Terrace, Pennsboro Manor, Wormleysburg, Pennsylvania 17043.

HERBERT FINEMAN  
JOHN L. BRUNNER  
K. LEROY IRVIS  
JAMES J. MANDERINO  
JOSEPH A. PETRARCA  
JOHN F. LAUDADIO, SR.  
PAUL J. YAHNER  
EUGENE G. SALOOM  
LESTER K. FRYER  
STEPHEN R. WOJDAK  
JAMES J. A. GALLAGHER  
CHARLES LAUGHLIN  
MARTIN P. MULLEN  
J. BARRY STOUT  
A. J. DeMEDIO  
WILLIAM F. RENWICK  
JOSEPH R. KOLTER  
KENT D. SHELHAMER  
BERNARD F. O'BRIEN  
AMOS K. HUTCHINSON  
HELEN D. GILLETTE  
DONALD A. ABRAHAM  
BERNARD R. NOVAK



GEORGE MISCEVICH  
HARRY G. MENHORN, JR.  
RALPH MUSTO  
C. L. SCHMITT  
FRED J. SHUPNIK  
JOSEPH G. WARGO  
PHILIP S. RUGGIERO  
JAMES D. BARBER  
WILLIAM J. McLANE  
JOHN WANSACZ  
GALEN E. DREIBELBIS

## HOUSE OF REPRESENTATIVES

## RESOLUTION

WHEREAS, Harold A. Yetzer, Sheriff of Berks County and a former member of this House, died on Friday, October 3, 1975; and

WHEREAS, Sheriff Yetzer served as an able and dedicated member of this House of Representatives from 1947 to 1956, and earned the love and respect of all who knew and worked with him; and

WHEREAS, Mr. Yetzer is survived by his wife, Mary Yetzer and one brother and three sisters; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania pauses in its deliberations to mourn the passing of Harold A. Yetzer, and extends its heartfelt condolences to his wife and to the family of this outstanding citizen and public servant; and be it further

RESOLVED, That a copy of this resolution be delivered to Mrs. Mary Yetzer, 521 Jefferson Street, Hyde Park, Pennsylvania 15641.

LESTER K. FRYER  
RUSSELL J. LaMARCA  
K. LEROY IRVIS  
JAMES J. GALLEN  
HAROLD J. STAHL, JR.  
JOHN S. DAVIES

## HOUSE OF REPRESENTATIVES

WHEREAS, The Fayetteville Volunteer Fire Company is proudly dedicating a new building. The Fayetteville Volunteer Fire Company has continuously provided outstanding service to the needs of the community of Fayetteville and the surrounding area.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania, commends and congratulates the Fayetteville Volunteer Fire Company on the occasion of the dedication of a new building and commends all those involved in this successful endeavor on their dedication and community spirit; and further directs that a copy of this citation be delivered to Fayetteville Volunteer Fire Company, 101 West Main Street, Fayetteville, Pennsylvania 17222.

R. HARRY BITTLE

## REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, I notice a lot of the members are leaving. I would like to announce our caucus before they leave.

The SPEAKER. The gentleman may proceed.

Mr. RYAN. I would like all of the Republican members to report to the minority caucus room at 1 o'clock sharp, so that we can finish up within the half hour that has been allotted for caucus purposes.

If we are to get out of here at a decent hour today, it will be necessary for you to be there at 1, so we can return to the floor at 1:30.

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

Mr. NOYE. Mr. Speaker, I would like a point of personal privilege, if I may.

The SPEAKER. The gentleman will proceed.

Will the gentleman yield for just a moment for purposes of an announcement by the majority leader?

Mr. NOYE. Yes, Mr. Speaker.

## DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Thank you, Mr. Speaker.

I would urge the members of the Democratic caucus to report promptly at 1 p.m. to the majority caucus room, promptly at 1 o'clock, so that we may leave there at 1:30 to return to the floor.

Thank you, Mr. Speaker.

## QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. NOYE. Mr. Speaker, several weeks ago the press corps here in the Capitol sponsored their annual gridiron affair.

We often hear criticism that the press does not report things accurately. I would just like to read a brief excerpt that appeared the day after the gridiron affair which points out once and for all the accuracy of the press. It reads:

The above song is from the Gridiron Show, held Monday night at a motel here by the Pennsylvania Legislative Correspondents Association.

The PCLA is a group of 30-odd reporters who cover state government.

I think that sums it up.

## QUESTION OF INFORMATION

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

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

The SPEAKER. The gentleman will state it.

Mr. POLITE. Thank you, Mr. Speaker.

Today an unsigned amendment to House bill No. 1085 was distributed. I would like to know who the author of this amendment is so that I can discuss it because I am the prime sponsor of House bill No. 1085.

The SPEAKER. What is the bill number?

Mr. POLITE. House bill No. 1085, printer's No. 1361.

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

Mr. RITTER. Mr. Speaker, that is my amendment. I neglected to sign the amendment.

The SPEAKER. It is the amendment of the gentleman, Mr. Ritter.

Mr. POLITE. Thank you.

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

Mr. LINCOLN. Mr. Speaker, have we at this time passed a resolution for adjournment?

The SPEAKER. No.  
Mr. LINCOLN. It has not been acted on?  
The SPEAKER. That is correct.  
Mr. LINCOLN. Thank you.

### RECESS

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

### AFTER RECESS

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

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

### HOUSE BILLS INTRODUCED AND REFERRED

By Mr. DICARLO **HOUSE BILL No. 1828**

An Act providing for the entry of the Commonwealth into a compact with the States of New York and New Jersey concerning drug trafficking; creating the Tri-State Drug Trafficking Policy and Control Commission and prescribing the membership function, powers and duties of said commission.

Referred to Committee on Health and Welfare

By Messrs. O'BRIEN and GOODMAN  
**HOUSE BILL No. 1829**

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), excluding certain self-service operations from sales tax.

Referred to Committee on Finance

By Messrs. BEREN and MEBUS **HOUSE BILL No. 1830**

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571, No. 254), providing a limited exemption from taxation of residential real property of persons sixty-five years of age or older and for reimbursement by the Commonwealth through the Department of Revenue for loss of revenues occasioned by such exemptions.

Referred to Committee on Finance

By Messrs. BEREN and MEBUS **HOUSE BILL No. 1831**

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853, No. 155), providing a limited exemption from taxation of residential real property of persons sixty-five years of age or older and for reimbursement by the Commonwealth through the Department of Revenue for loss of revenues occasioned by such exemption.

Referred to Committee on Finance

By Mr. WOJDAK **HOUSE BILL No. 1832**

An Act amending the act of July 7, 1972 (P. L. 64, No. 18-A), entitled "An act making appropriations for emergency and disaster relief in connection with flooding and tropical storm disaster in the Commonwealth," to transfer funds among the several appropriations.

Referred to Committee on Appropriations

By Mr. WOJDAK **HOUSE BILL No. 1833**

An Supplement to the act of \_\_\_\_\_, entitled "An act providing for the capital budget for the fiscal year 1975-1976," itemizing public improvement projects to be acquired or constructed by the Department of General Services together with their estimated financial cost;

authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects, stating the estimated useful life of the projects, and making an appropriation.

Referred to Committee on Appropriations

### 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. 610

An Act amending the act of August 9, 1955 (P. L. 323, No. 130), entitled "The County Code," making certain audits mandatory.

#### SENATE BILL No. 834

An Act amending the act of July 28, 1953 (P. L. 723, No. 230), entitled, as amended, "Second Class County Code," requiring mandatory audits of the minor judiciary.

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

### CALENDAR

#### LABOR RELATIONS BILL ON THIRD CONSIDERATION

Agreeable to order,  
The House proceeded to third consideration of **House bill No. 993, printer's No. 1139**, entitled:

An Act amending the "Pennsylvania Prevailing Wage Act," approved August 15, 1961 (P. L. 987, No. 442), changing and adding definitions, specifying duties of certain officers of public bodies, adding criminal and civil remedies and changing certain time limitations.

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

#### BILL RECOMMITTED

Mr. IRVIS moved that House bill No. 993 be recommitted to the Committee on Appropriations.  
Motion was agreed to.

#### TAX BILL ON SECOND CONSIDERATION

Agreeable to order,  
The House proceeded to second consideration of **House bill No. 526, printer's No. 2195**, entitled:

An Act amending the act of June 17, 1913 (P. L. 507, No. 335), referred to as the Intangible Personal Property Tax Law, changing the time of making a tax return.

And said bill having been considered the second time and agreed to,  
Ordered, to be transcribed for third consideration.

#### URBAN AFFAIRS BILL ON SECOND CONSIDERATION

Agreeable to order,  
The House proceeded to second consideration of **Senate bill No. 835, printer's No. 911**, entitled:

An Act amending the act of July 28, 1953 (P. L. 723, No. 230), entitled, as amended, "Second Class 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.

### GAME AND FISHERIES BILL ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 293, printer's No. 1054**, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225, No. 316), increasing the maximum purchase price per acre the commission may pay for land and providing for the purchase of certain land without restriction or limitation.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

### JUDICIARY BILLS ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill No. 580, printer's No. 2242**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the exclusion to offenses because of a spousal relationship and rules of evidence relating to sexual offenses.

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. 1627, printer's No. 2010**, entitled:

An Act amending Title 20 (Decedents Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, approved November 25, 1970 (P. L. 707, No. 230), extinguishing the right of a surviving spouse to share in real estate conveyed by the deceased spouse.

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

Ordered, to be transcribed for third consideration.

### EDUCATION BILLS ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 580, printer's No. 1315**, entitled:

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.

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. 955, printer's No. 1101**, entitled:

An Act providing services for the diagnosis and correction of speech and hearing defects to nonpublic school children.

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

Ordered, to be transcribed for third consideration.

### APPROPRIATION BILL ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 1007, printer's No. 1184**, entitled:

An Act providing for the capital budget for the fiscal year 1975-76.

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

Ordered, to be transcribed for third consideration.

### NONPREFERRED BILL ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 758, printer's No. 820**, entitled:

An Act making an appropriation to the Trustees of the Buhl Planetarium and Institute of Popular Science, Pittsburgh, Pennsylvania.

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

Ordered, to be transcribed for third consideration.

### SENATE BILL No. 901 PASSED OVER

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

Does the gentleman, Mr. Gleason, have amendments to be offered on this bill?

Mr. GLEASON. In accordance with the Speaker's request, I discussed this matter with the Appropriations Committee chairman, Mr. Wojdak. Mr. Wojdak informed me that he wanted Mr. Robert Priest of his committee to discuss this matter with him and he asked that the matter be passed over until we have a final decision from the Appropriations Committee.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. RITTER. Mr. Speaker, the gentleman, Mr. Dorr, was over here before and he said he has amendments to House bill No. 605.

### HOUSE BILL No. 605 PASSED OVER TEMPORARILY

The SPEAKER. Is the gentleman, Mr. Dorr, in the hall of the House?

Does the gentleman have amendments to House bill No. 605?

Mr. DORR. Mr. Speaker, I just called the Reference Bureau. They are ready and they are on their way down.

The SPEAKER. This bill will be temporarily passed over.

### TAX BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third 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.

On the question,

Will the House agree to the bill on third consideration?

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

Amend Sec. 1 (Sec. 3), page 2, line 1, by striking out the bracket before "any"

Amend Sec. 1 (Sec. 3), page 2, line 2, by inserting after "tax": except liquid fuel taxes or fuel use taxes but

Amend Sec. 1 (Sec. 3), page 2, line 2, by striking out the bracket after "including"

On the question,

Will the House agree to the amendments?

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

Mr. ANDERSON. Mr. Speaker, this amendment just clarifies the bill, and I think it is agreeable to both sides. I have talked with Mr. Irvis on it, and Mr. Bonetto is familiar with it. I think the amendment is possibly an agreeable amendment.

On the question recurring,

Will the House agree to the amendments?

Amendments were agreed to.

On the question,

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

Bill as amended was agreed to.

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

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

YEAS—188

- Abraham Anderson, J. H. Arthurs Barber Bellomini Bennett Beren Berlin Berson Bittle Blackwell Bonetto Bradley Brandt Brunner Burns Caputo Cessar Cimini Cohen Cole Cowell Crawford Cumberland Davis, D. M. DeMedio Deverter Dicarlo DiDonato Dietz Dininni Dombrowski Dorr Doyle Dreitelbis Eckensberger Geisler George Giammarco Gillespie Gillette Gleason Gleeson Goodman Green Greenfield Grieco Gring Halverson Hamilton, J. H. Hammock 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 Koltner Kowalyshyn Kusse LaMarca McGinnis McIntyre McLane Mebus Menhorn Miller, M. E. Miller, M. E., Jr. Milliron Misceovich Moehlmann Morris Mullen, M. P. Mullen Musto Myers Noye O'Brien O'Connell O'Donnell O'Keefe Oliver Pancoast Parker, H. S. Perri Perry Petarca Pievsky Pitts Polite Pratt Prendergast Pyles Rappaport Reed Renninger Renwick Schmitt Schweder Scirica Seitzer Shane Shelhamer Shupnik Siranni Smith, E. Smith, L. Spencer Stahl Stapleton Stout Taddonio Taylor Tayoun Thomas Toll Trello Turner Ustynoski Vahcenti Vann Vroon Wagner Waish, T. P. Wansacz Wargo Weidner Westerberg Whittlesey Wilson Wilt, R. W. Wilt, W. W. Wojdak

- Englehart Fawcett Fee Fisher Flaherty Foster, A. Foster, W. Fryer Gallagher Callen Garzia Geesey Laudadio Laughlin Lehr Letterman Levi Lincoln Lynch Manderino Manmiller McCall McClatchy McCue Rhodes Richardson Rieger Ritter Romanelli Ross Ruggiero Ryan Saloom Salvatore Scheaffer Worrillow Wright Yahner Yohn Zearfoss Zeller Zord Zwickl Fineman, Speaker

NAYS—6

- Fischer Hasay Haskell Lederer Mrkonc Shuman

NOT VOTING—8

- Butera Davies McGraw Milanovitch Novak Shelton Sullivan Whelan

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

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

RESOLUTION REPORTED AS COMMITTED

HOUSE RESOLUTION No. 33 (Concurrent)

By Mr. WARGO

The General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States to enact legislation which would reduce this onerous burden of maintenance costs on all the states through which the Interstate Highway System extends.

Reported from Committee on Rules.

BILL REPORTED AND CONSIDERED FIRST TIME AND TABLED

SENATE BILL No. 728

By Mr. WOJDAK

An Act making an appropriation to the Medical College of Pennsylvania, East Falls, Philadelphia, Pennsylvania.

Reported from Committee on Appropriations.

BILLS REREPORTED AS COMMITTED

HOUSE BILL No. 798

By Mr. WOJDAK

An Act amending the "Pennsylvania Public Lands Act," approved July 9, 1959 (P. L. 510, No. 137), further providing for and changing certain fees.

Rereported from Committee on Appropriations.

HOUSE BILL No. 799

By Mr. WOJDAK

An Act amending the act of June 30, 1959 (P. L. 492, No. 197), entitled, as amended, "An act fixing the fees to be charged by the Department of Community Affairs," changing the fees.

Rereported from Committee on Appropriations.

HOUSE BILL No. 1490

By Mr. WOJDAK

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

Rereported from Committee on Appropriations.

SENATE BILL No. 25

By Mr. WOJDAK

An Act establishing child protective services; providing procedures for reporting and investigating the abuse of children; establishing and providing access to a state-

wide central register on child abuse; investigating such report; providing for taking protective action including taking a child into protective custody; placing duties on the Department of Public Welfare and county child welfare agencies; establishing child protective services in each county child welfare agency; and providing penalties.

Rereported from Committee on Appropriations.

URBAN AFFAIRS BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of Senate bill No. 572, printer's No. 875, entitled:

An Act amending the act of August 9, 1955 (P. L. 323, No. 130), entitled "The County Code," providing for annual assessments for district attorneys' associations.

On the question,

Will the House agree to the bill on third consideration?

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

Amend Title, page 1, lines 5 and 6, by striking out all of said lines and inserting: increasing certain assessments.

Amend Sec. 1, page 1, line 9, by striking out "Section 445," and inserting: Subsection (b) of section 444

Amend Sec. 1, page 1, line 10, by inserting after "Code,"": amended October 18, 1972 (P. L. 969, No. 235).

Amend Sec. 1, page 1, lines 10 and 11, by striking out "by adding a subsection"

Amend Bill, page 1, lines 12 through 20; page 2, lines 1 through 11, by striking out all of said lines and inserting: Section 444. Other Meeting Expenses Paid by Counties.—\* \* \*

(b) In the case of county commissioners, county solicitor and county clerk, county controllers, county auditors, sheriffs, registers of wills, clerks of orphans' courts, county treasurers, recorders of deeds, prothonotaries, clerks of courts of quarter sessions, district attorneys, jury commissioners and coroners, the portion of the annual expenses charged to each county shall not exceed three hundred dollars (\$300) in third and fourth class counties, two hundred dollars (\$200) in fifth and sixth class counties and one hundred dollars (\$100) in seventh and eighth class counties, in the case of the directors of veterans' affairs the portion charged to each county shall not exceed fifty dollars (\$50), and in the case of the probation officers an annual membership subscription not exceeding six dollars (\$6) per member shall be paid by the county, and shall be in lieu of the expenses hereinafter in this section provided for other county officers.

On the question,

Will the House agree to the amendments?

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

Mr. CAPUTO. Mr. Speaker, may I ask Mr. Seltzer whether or not this amendment is agreed to?

Mr. SELTZER. Mr. Speaker, as I understand the gentleman's question, he is asking are his amendments agreed to for Senate bill No. 572.

As I understand the amendment, it would increase the expenses allowed to the various row officers in the court-houses of all class counties. Is that correct?

Mr. CAPUTO. That is correct, Mr. Speaker. It is a contribution to the association to which they belong.

Mr. SELTZER. Mr. Speaker, there was some opposition to it, but I do not know of any large opposition to it. I would suggest that we take a roll call on the first amendment and see what happens.

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

Mr. ZELLER. Thank you, Mr. Speaker.

Mr. Speaker, is this debatable?

The SPEAKER. The amendment is debatable.

Mr. ZELLER. What we are doing here—and I thought we talked about it yesterday—we are talking about increasing the expenses of all row officers, just so the membership realizes that.

First of all, the borough associations and the township associations are allowed to receive an assessment, paid for by the taxpayers. I know that when I was a borough official we could send in our assessment to the borough association, and I understand the county commissioners can. But we are going far out here now and we are getting into the district attorney area. Next it will be the clerks of courts, the prothonotaries, everybody will get some of the action now if we continue this.

That is why I say it is about time we put a halt to this and vote it down because, can you imagine now, what they want to do is set up another association down here in Harrisburg to be lobbying down here on the hill, beating your heads in. I think we have enough of it going on. If anyone wants to come down here and lobby, I do not think it is necessary to lobby at the taxpayers' expense. I think it is about time we knock this down.

On the question recurring,

Will the House agree to the amendments?

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

YEAS—70

Table listing names of members who voted 'YEAS' (70 total). Includes Abraham, Arthur, Barber, Bellomini, Bennett, Berlin, Berson, Blackwell, Burns, Caputo, Cohen, Cowell, Cumberland, DiDonato, Dininni, Doyle, Fisher, Gallagher, Getsler, Giammarco, Gillespie, Gillette, Gleeson, Hayes, D. S., Hutchinson, A., Johnson, J., Kelly, A. P., Kowalvshyn, Laudadio, Lederer, Lincoln, McIntyre, McLane, Mebus, Miscevitich, Mullen, M. P., Mullen, Musto, Myers, Novak, Noye, Oliver, Perry, Petrarca, Pievsky, Prendergast, Rappaport, Reed, Ritter, Romanelli, Ross, Ruggiero, Schmitt, Scirica, Shupnik, Stapleton, Sullivan, Tavoun, Toll, Trello, Valicenti, Vann, Walsh, T. P., Wansacz, Wargo, Wilson, Woidak, Wright, Zearfoss, and Fineman, Speaker.

NAYS—121

Table listing names of members who voted 'NAYS' (121 total). Includes Anderson, J. H., Beren, Bittle, Bradley, Brandt, Brunner, Cessar, Cimini, Cole, Crawford, Davis, D. M., DeMedio, Deverter, Dicarlo, Dietz, Dombrowski, Dorr, Dreibelbis, Eckensberger, Englehart, Fawcett, Fee, Fischer, Flaherty, Foster, A., Foster, W., Fryer, Gallen, Gleason, Goodman, Green, Greenfield, Grieco, Gring, Halverson, Hamilton, J. H., Hasay, Haskell, Hayes, S. E., Henford, Hill, Hopkins, Hutchinson, W., Irvis, Itkin, Katz, Kelly, J. B., Kernick, Kistler, Klingaman, Knepper, Kolter, Kusse, LaMarca, Laughlin, Lehr, Lynch, Manmiller, McCall, McClatchy, McCue, McGinnis, Menhorn, Miller, M. E., Miller, M. E., Jr., Milliron, Moehlmann, Morris, Mrkonic, O'Connell, O'Donnell, O'Keefe, Pancoast, Parker, H. S., Perri, Pitts, Polite, Pratt, Pyles, Renninger, Renwick, Rhodes, Ryan, Saloom, Schweder, Seltzer, Shane, Shelhamer, Shuman, Sirlanni, Smith, E., Smith, L., Spencer, Stahl, Stout, Taddonto, Taylor, Thomas, Turner, Ustvoski, Vroon, Wagner, Weidner, Westerberg, Whelan, Whittlesey, Wilt, R. W., Wilt, W. W., Warriow, Yahner, Yohn, Zeller.

Garzia Geesey George	Letterman Levi	Salvatore Scheaffer	Zord Zwuki
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NOT VOTING—11

Bonetto Butera Davies	Hammock Manderino McGraw	Milanovich O'Brien Richardson	Rieger Shelton
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So the question was determined in the negative and the amendments were not agreed to.

**QUESTION OF PERSONAL PRIVILEGE**

The SPEAKER. The Chair recognizes the majority leader. For what purpose does the gentleman rise?

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

The SPEAKER. The gentleman will state it.

Mr. IRVIS. Mr. Speaker, when the Caputo amendment was offered to Senate bill No. 572, three people were talking simultaneously to the majority leader and I voted in the negative.

Charlie Caputo is the leader of our delegation, and I want him to know that I am officially changing that vote to the affirmative.

The SPEAKER. The Chair thanks the gentleman, and his remarks will be noted in the record.

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

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

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

Mr. ZELLER. Are you still on Senate bill No. 572?

The SPEAKER. We are on Senate bill No. 572, final passage.

Mr. ZELLER. May I interrogate someone who would be willing to stand up for the Senate?

The SPEAKER. Is there someone who would care to respond to the interrogation on Senate bill No. 572 by the gentleman, Mr. Zeller.

Mr. ZELLER. Maybe I can talk to myself.

The SPEAKER. The gentleman, Mr. Doyle, indicates that he will be happy to respond to interrogation.

Mr. DOYLE. If I can. I will try to do the best I am able to. I do not know that I can.

The SPEAKER. He says he is not so happy, but he will respond if he can.

Mr. ZELLER. Thank you, Mr. Speaker.

Mr. Speaker, would you explain to the body here and myself what this would entail? Is this setting up what we talked about in the Law and Justice Committee in regard to associations, such as a district attorneys' association, set up here in this area, or wherever they set it up, to represent legislation or problems relating to the office of district attorney? Is this what this is going to do?

Mr. DOYLE. It has to do with that somewhat.

The District Attorneys' Association was funded by funds from the Law Enforcement Assistance Agency in the years heretofore. The LEAA funds ran out and they did not get a subsequent appropriation.

The bill which went through the Law and Justice Committee, the proposed legislation, would have funded the

association through state funds. This bill, however, funds the association through the funds of each and every county. If the district attorney belongs to the association, it will enable the county to pay his dues to the association in that respect.

The association in addition to just, as you term it, lobbying, also provides for the dissemination of information among the membership, holds seminars for their benefit, for law enforcement, et cetera.

Mr. ZELLER. Thank you, Mr. Speaker.

I would like to comment, Mr. Speaker, if I may.

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

Mr. ZELLER. Last evening I had a meeting with one of the representatives of our county commissioners in Lehigh County who claims he represents the feelings of his other comrades, and that was the continued move in regard to placing an assessment upon the county to provide an association for the district attorneys and others. The first move today was an amendment that was shot down because of the objection of many county commissioners that the money is not there to allow the assessments to be raised. From where? It would still be coming back from the counties. It may have sounded good, but still it was not the route that the county commissioners wanted to go.

Another point I would like to bring out is the fact that we are allowing and opening the door for the Law Enforcement Assistance Association, which I have been a member of. I have been involved since 1968 with the LEAA operation in the northeast region of the 15 counties, the northeast region of the Governor's Justice Commission. And what has been happening is that these various groups have been coming in for funding, knowing very well that after 3 years and possibly 4 years they would go back to someone, and here we are back to the state asking for funds to promote a program which would benefit this particular group and others.

That is why I say we are setting a precedent here for others to come in and continue after LEAA funds have been deleted and to force it down our throats. That is why I feel that we should knock this off. We have enough representative groups. We have the county associations now, and you also have the borough associations and the township associations, all of which are allowed to have assessments. The next thing you are going to have, besides district attorneys, are the clerks of courts; you are going to have the prothonotaries; you are going to have every Tom, Dick and Harry coming down the road and they are all going to have an association. I think it is time we put a halt to it and vote this down. Thank you.

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

Mr. DOYLE. Mr. Speaker, may I speak on the bill before the roll call is taken? I think there may be some misunderstanding about it.

Mr. Speaker, I just wanted to add that we have a Pennsylvania Boroughs' Association, a First and Second Class Township Association, and we also have the County Commissioners' Association. All their dues and fees are paid by the municipalities to which they belong. I cannot understand the reluctance to eliminate and not treat this particular public office, meaning the district attorney, differently from any other.

The county commissioners are paid expenses to go to

their conventions. Their association dues are paid by the county. The borough associations pay it for the borough councilmen; likewise the township pays for the supervisors or the commissioners. I do not understand the reluctance to separate or single out one public official and not treat him the same as the others. I would urge a "yes" vote, Mr. Speaker.

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

Mr. ZELLER. Mr. Speaker, I can agree on one part with the last speaker, Mr. Doyle, for the simple reason that I think he fortified what I have been trying to say, that these organizations do have it. That does not mean that everybody—and I mentioned every Tom, Dick and Harry—who comes down the road should have it. I believe it is about time that we put a stop to it.

I would like to conclude by saying that the track record of some of the district attorneys in some of the counties would be much better probably if they spent more time working on cases than on some of the legislation they have been trying to get through. I know one thing for a fact: If you give them this association, if you think that the legal profession has any control over this House, you have not seen anything yet. We had better vote this one down.

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

Mr. DOYLE. It was just pointed out to me, Mr. Speaker, that this is a "may" bill. The county commissioners, if they choose to, can pay; they do not have to if they do not want to. The language in the bill says "shall be apportioned among the counties," meaning that the apportionment "shall," but the actual payment, as it was just called to my attention, is a "may" bill. If Mr. Zeller's county does not want to pay for it, it does not have to.

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

Mr. GLEASON. Mr. Speaker, I was reluctant to speak on this piece of legislation, but I think we have to get some sense interjected into the debate. You know, there are associations and there are associations, Mr. Speaker. I think we have seen some ridiculous ones formed here in Pennsylvania, and I suppose I am going to earn the disfavor of the authorities. I do not see any reason why they should have an association. But there are valuable associations of local government, including the county commissioners, who provide us as legislators with very important information as to how county government is being operated and what kind of improvements are needed.

Now anybody in this state, Mr. Speaker, who is interested in the proper administration of criminal justice should be interested in the views of those men and women who are out enforcing the law of Pennsylvania in the 67 counties.

This bill allows the county commissioners to pay, up to certain amounts, for membership by district attorneys in the District Attorneys' Association. I think this bill is very important, Mr. Speaker, and I think we ought to support it. I think any consideration of the effective administration of criminal justice has to take into consideration the views—yes, the lobbying views, if you will—of the district attorneys who enforce the laws that we pass. So I see no reason why we should lump this

thing together with a bunch of other ridiculous associations we have had in the past and just down it.

I am suggesting very strongly that this is an aid to us in the legislature to determine what direction we should be taking in our criminal laws. I think we ought to vote "yes" on this and not just categorize everything as an association which ought to be destroyed. That is not thinking. I think we ought to think and use our heads and do what is right in the area of effective law enforcement.

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

Mr. FRYER. Mr. Speaker, I have a question for Mr. Doyle. Would he consent to interrogation?

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

Mr. DOYLE. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. FRYER. Mr. Speaker, I understand the gentleman stated that there is presently no association of district attorneys. Did I hear correctly?

Mr. DOYLE. No, Mr. Speaker. I said that their funding through the Law Enforcement Assistance Agency was stopped. I did not say that there is no association.

Mr. FRYER. That was, however, in addition to the expense money that is paid by the county commissioners? Is that not correct?

Mr. DOYLE. The county commissioners before this did not pay this money. This would allow the county commissioners to pay it.

Mr. FRYER. Possibly you misunderstood my question. Presently, the district attorneys, when they do attend an association meeting, are reimbursed by the county commissioners for their expenses for attending that association meeting? Are they not?

Mr. DOYLE. As best I know, I do not think they are. Now I could be wrong. Each county is at a particular amount. For instance, for a fifth class county, I think the maximum is \$200, et cetera. I do not know. I do not think so, but maybe someone else does.

Mr. FRYER. I am under the impression that that is what is presently happening, and the moneys that are sought through this Senate bill No. 572 would be in addition to those expenses.

Mr. DOYLE. Well, I think that the difference might be that we are talking about the dues to the association rather than the expenses of going to the meetings. It says that the necessary expenses of the association of district attorneys shall be apportioned. So this deals with the expenses of the association itself specifically and not the moneys expended by the district attorneys to go to the conventions.

Mr. FRYER. Correct.

Mr. DOYLE. If I stated otherwise, I am sorry.

Mr. FRYER. I see. Thank you very much. I was uncertain myself.

Mr. Speaker, it seems to me that as the legislation would apply to Berks County, and I represent a portion thereof, it means that the county commissioners would be paying out \$300 in taxpayers' funds to pay the dues to a district attorneys' association.

Now it is true that the other row officers do have associations, but their dues certainly do not run to the extent of that. I, for one, will vote against this legislation because I feel it is too expensive and I think the taxpayers' money could be put to better use.

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

Mr. FISHER. Thank you, Mr. Speaker.

I rise in support of Senate bill No. 572 and would like to give you just a few examples of the value to the various counties around the Commonwealth of the Pennsylvania District Attorneys Association, particularly in light of the last remarks that were made by Mr. Fryer.

The Pennsylvania District Attorneys Association over the last 4 or 5 years has become a very active association statewide in the Commonwealth of Pennsylvania. At least 55 counties in the Commonwealth of Pennsylvania have become active members of the Pennsylvania District Attorneys Association.

As to the question Mr. Fryer asked Mr. Doyle as to the payment of expenses for members, the district attorneys and their designated assistants, in attending the association conventions, it is true that these expenses are picked up out of contingency funds in the row offices. There is money appropriated to the row offices each year and there are funds available for those expenses to be paid. But even more important are the ongoing services of this association to the counties around the Commonwealth.

Now I come from Allegheny County where the district attorney's office has a staff of approximately 50 part-time and full-time assistants. We have, particularly in the appellate section, at least four or five attorneys who are experts in the area of criminal law around the Commonwealth of Pennsylvania. They are up to date on every case that is handed down practically within a week from the time of its decision.

Now one of the very valuable things that the Pennsylvania District Attorneys Association has done and continues to do at this date is this: Through the availability of these resource people in the district attorney's office in Allegheny County and in the district attorney's office in Dauphin County and in the district attorney's office in Philadelphia County, certain briefs have been made available to all the counties around the state. You can call the District Attorneys Association and if, for example, Allegheny County had a problem that affected your county, you could get a brief and you could get that brief which would aid you in your county, wherever it is, in preparing your case for the appellate court for the sum of approximately \$300 for counties of the third class and lesser sums for the various other counties. I think this is a very small amount to help sustain a conviction of a person who has been tried and convicted in our criminal courts. This is just one of the valuable things that the District Attorneys Association has done.

It was possible for this association to become as viable as it is through the acquisition of Federal funds 3 years ago. These funds, I have been informed, have stopped. The District Attorneys Association is at a crossroads, and it is a crossroads as to whether it is going to continue and whether all the counties of this Commonwealth will have the availability of these resources or whether only the counties that can afford it will have the availability of these resources. There are other reasons that I can give as to the value of this association.

I think that Mr. Eckensberger, from his comments this morning on his updates to the death penalty act, has received information from the district attorneys around the state. It is information such as this that is funneled through a viable association. This is not an association

that is just having a convention somewhere and doing nothing, doing no business; it is a good association. I think our counties would do well to help fund it and I urge your support for Senate bill No. 572.

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

Mr. ZELLER. Thank you, Mr. Speaker.

Mr. Speaker, what Mr. Gleason stated was correct. There have been ridiculous associations that have been funded, and I agree that this would be another one.

The "may" part of this bill, which Mr. Doyle brought out, is a fact of life. It is a "may" bill. But in a county where tremendous pressure can be placed by a district attorney's office, I would like to find one commissioner who would fail to abide by it.

The statement made by Mr. Fryer is correct in that this is additional dues paid to a state association which will fund the care, maintenance, operation, and so forth, of that state association; not conventions and so forth, which Mr. Fisher stated is being taken care of now.

Another point that I would like to bring out is that the district attorneys do not work full time. We found that our borough officials who go to these various affairs are the chief executives of those particular communities. I would find in the cities that in most cases the mayors and the councilmen are full-time executives. The district attorneys are not full-time officials; therefore you are going to set up an association of part-time officials.

Another point I would like to bring out, and it is the last one, is this: Why are we jumping ahead of the possibility of electing an attorney general? Mr. Gleason stated that this association could serve the entire six or seven counties, when this, I thought, we were going to do with an elected attorney general.

Why do we not try to put the horse before the cart and see what we are going to do about an elected attorney general whose office will, in effect, care for the problems of all the district attorneys in the state? Let us see what we are going to do with that first, rather than going out here and setting up an association which, in effect, would be another attorney general's organization of a group of lawyers, I would say, in this particular case. All we heard today were the lawyers talking in favor of it, so let us vote it down.

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—113

Anderson, J. H.	Gillespie	Miscevich	Smith, E.
Arthur	Gleason	Mullen, M. P.	Smith, L.
Barber	Gleeson	Mullen	Spencer
Bennett	Goodman	Musto	Stapleton
Beren	Green	Novak	Stout
Berlin	Greenfield	O'Brien	Sullivan
Berson	Halverson	O'Keefe	Tavoun
Bittle	Hammock	Pancoast	Toll
Blackwell	Haskell	Parker, H. S.	Trello
Bonetto	Hayes, D. S.	Perry	Ustynoski
Bradley	Hepford	Petrarca	Valcenti
Brunner	Hutchinson, A.	Plevsky	Vann
Burns	Hutchinson, W.	Pitts	Vron
Caputo	Irvis	Pratt	Walsh, T. P.
Cessar	Itkin	Prendergast	Wansacz
Cohen	Johnson, J.	Rappaport	Wargo
Cowell	Kelly, A. P.	Reed	Whelan
Crawford	Kowalvshyn	Renninger	Whittlesey
DeMedio	Laudadio	Rhodes	Wilson
DiDonato	Lederer	Richardson	Wilt, R. W.
Dininni	Lynch	Ritter	Wojdak



Dombrowski	Manderino	Romanelli	Worrtlow
Doyle	McCall	Ross	Wright
Eckensberger	McClatchy	Rugliero	Yohn
Fee	McIntyre	Ryan	Zearfoss
Fisher	Mebus	Schmitt	
Gallagher	Menhorn	Scirica	Fineman,
Geisler	Miller, M. E.	Shelton	Speaker
Giammarco	Miller, M. E., Jr.	Shupnik	

NAYS—80

Abraham	Geesey	Lehr	Scheaffer
Brandt	George	Letterman	Schweder
Cimini	Gillette	Levi	Seltzer
Cole	Grieco	Lincoln	Shane
Cumberland	Gring	Manmiller	Shelhamer
Davis, D. M.	Hamilton, J. H.	McCue	Shuman
Deverter	Hasay	McLane	Sirianni
Dicarlo	Haves, S. E.	Milliron	Stahl
Dietz	Hill	Moehlmann	Taddonio
Dorr	Hopkins	Morris	Taylor
Dreibelbis	Katz	Mrkonjc	Thomas
Englehart	Kelly, J. B.	Noye	Turner
Fawcett	Kernick	O'Connell	Wagner
Fischer	Kistler	O'Donnell	Weidner
Flaherty	Klingaman	Perri	Westerberg
Foster, A.	Knepper	Polite	Witt, W. W.
Foster, W.	Kolter	Pyles	Yahner
Fryer	Kusse	Renwick	Zeller
Gallen	LaMarca	Saloom	Zord
Garzia	Laughlin	Salvatore	Zwikl

NOT VOTING—9

Bellomint	McGinnis	Milanovich	Oliver
Butera	McGraw	Myers	Rieger
Davies			

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

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

Agreeable to order,

The House proceeded to third consideration of **Senate bill No. 573, printer's No. 604**, entitled:

An Act amending the act of July 28, 1953 (P. L. 723, No. 230), entitled, as amended, "Second Class County Code," providing for annual assessments for district attorneys' associations.

On the question,

Will the House agree to the bill on third consideration?

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

Amend Title, page 1, line 5, by removing the period after "associations" and inserting: , providing for a full time district attorney in certain instances, setting his salary and making repeals.

Amend Bill, page 2, line 2, by striking out all of said line and inserting:

Section 2. The heading of section 1401 of the act is amended and a subsection is added to read:

Section 1401. District Attorney; Qualifications; Eligibility; Compensation.—\* \* \*

(d) Any county of the second class or second class A may fix the services of the district attorney at full time at the discretion of the county commissioners. Such determination shall be made prior to November 1, 1975. After January 1, 1976, the commissioners shall, after consultation with the district attorney and the president judge of the court of common pleas of the judicial district, make such determination prior to the first day for circulating petitions by candidates for the office of district attorney. The president judge of the court of common pleas of the judicial district and the district attorney may make recommendations at any time to the county commissioners on the advisability of full-time service by the district attorney, but the same shall not be binding on them.

Where an election is made by the county commissioners to require a full time district attorney he shall be compensated at one thousand dollars (\$1,000) lower than the compensation paid to a judge of the court of common pleas in the respective judicial district.

Once the determination for a full time district attorney is made, it shall not thereafter be changed except by referendum of the electorate of the said county. Such referendum may be instituted by the county commissioners or on petition by five per cent of the electors voting for the office of Governor in the last gubernatorial general election. Such referendum may be held at any election preceding the year in which the district attorney shall be elected. Such district attorney shall devote full time to the office. The district attorney while in office, shall not derive any other income as a result of the necessary legal education and background, from any source including but not limited to income derived from legal publications or other publications dealing with matters related to the office of district attorney, lectures, honorariums, profit shares or divisions of income from any firm with which the district attorney was associated prior to election. This limitation shall not be construed, however, to preclude payment of fees earned for legal work done prior to, but not concluded until after his election as district attorney. In addition the district attorney shall not engage in any private practice and must be completely disassociated with any firm with which the district attorney was affiliated prior to election, nor shall the district attorney-elect accept any civil or criminal cases after being elected to the office. Furthermore, the district attorney shall be subject to the canons of ethics as applied to judges in the courts of common pleas of this Commonwealth insofar as such canons apply to salaries, full-time duties and conflicts of interest.

Any complaint by a citizen of the county that a full time district attorney may be in violation of this section shall be made to the Disciplinary Board of the Supreme Court of Pennsylvania, for determination as to the merit of the complaint. If any substantive basis is found, the board shall proceed forthwith in the manner prescribed by the rules of the Supreme Court and make such recommendation for disciplinary action as it deems advisable, provided, however, that if the Supreme Court deems the violation so grave as to warrant removal from office, the prothonotary of the said court shall transmit its findings to the Speaker of the House of Representatives for such action as the House deems advisable under Article VI of the Constitution of the Commonwealth of Pennsylvania.

Where no such election for a full time district attorney is made, the district attorney shall be permitted to have an outside practice, and his salary shall be as set forth in the act of November 1, 1971 (P. L. 495, No. 113).

Section 3. (a) Section 5 of 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," is repealed in so far as inconsistent with the provisions of this act.

(b) Any other act or part of an act inconsistent with the provisions of this act are repealed to the extent of the inconsistency.

Section 4. This act shall take effect immediately and apply to all district attorneys whose term of office begins January 1, 1976.

On the question,

Will the House agree to the amendments?

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

Mr. DOYLE. Mr. Speaker, these amendments deal only with the second and second class A counties and provide that the county commissioners in those counties may, if they choose, make the position of district attorney a full-time operation, with very strict language prescribing the activities of the district attorney to engage in any outside practice. If they so choose to do, then the salary

of the district attorney goes up to \$1,000 less than the salary of any judge in the court of common pleas.

We already passed legislation to this effect a few weeks ago by a great majority, and I would ask support of the amendment.

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

Mr. RYAN. Mr. Speaker, I join Mr. Doyle in asking support for this amendment. I frankly believe that the first bill that was considered, where it was mandatory that the district attorney be full time and where the salary was set at a flat \$39,000 probably was a bill more easily understood by the general public. However, I believe the effect of Mr. Doyle's amendment generally does just this.

### THE SPEAKER PRO TEMPORE (A. J. DeMedio) IN THE CHAIR

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

Mr. RYAN. Mr. Speaker, if I may, I would like to interrogate Mr. Doyle as to the amendment.

The SPEAKER pro tempore. Would the gentleman, Mr. Doyle, consent to interrogation?

Mr. DOYLE. Yes.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. RYAN. Mr. Speaker, what effect, if any, does this have on candidates for the office of district attorney in this November's election?

Mr. DOYLE. If the county commissioners, before November 1, 1975, elect a full-time district attorney, to have him serve full time, then the district attorney, who is elected by whichever party, will serve full time at the increased salary.

One of the objections of the Justice Department to the prior bill that we passed was "to consult and confer with the district attorney candidates." That has been eliminated. That was an unconstitutional delegation of authority. They are not considered at all.

Mr. RYAN. I had some difficulty, frankly, in hearing you.

Do I understand that the county commissioners presently in office make that decision? Prior to what date?

Mr. DOYLE. That is correct. Prior to November 1, 1975.

Mr. RYAN. So that the county commissioners of Allegheny County—and I am assuming, for the moment, that Allegheny County has a district attorney election this year. Is that accurate?

Mr. DOYLE. Yes.

Mr. RYAN. So the county commissioners of Allegheny, Delaware and Montgomery Counties, prior to November 1, which is within the next two weeks, would make a decision that the district attorney to be elected on November 4 will or will not be a full-time district attorney. Is that accurate?

Mr. DOYLE. That is accurate.

Mr. RYAN. Again, I am searching for information, Mr. Speaker.

What is the effective date of the bill that this amendment is attached to?

Mr. DOYLE. Do you know?

Mr. RYAN. I do not know. I honestly do not. I am

told by my advisors that it is effective immediately, and I will accept that.

My next question, Mr. Speaker, is: Assuming for a moment that for whatever reason this bill does not become law until November 2 or 3, or that the Governor does not sign it by November 1, what effect, if any, would that have on the bill? What effect, if any, would that have on the men who are now racing for district attorney?

Mr. DOYLE. If the bill does not become law and the county commissioners do not act before the date indicated, then the present candidates would take office as they have before.

Mr. RYAN. So in order for your amendment to do what we—and I include myself in this—are attempting to accomplish, it is necessary that it pass the House today, be concurred in by the Senate today, and signed by the Governor prior to November 1 or, I guess, almost immediately, so that the county commissioners of the three counties will have an opportunity to make such a decision? Would you agree or disagree with that?

Mr. DOYLE. Yes, I would agree. Since time is of the utmost importance, I suggest we get on with it so that we can get it over to the Senate.

Mr. RYAN. I agree with you, Mr. Speaker, and I would urge the support of this amendment.

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

Mr. GARZIA. Mr. Doyle and Mr. Ryan, stay right there a minute.

Being a nonlawyer, I am at a good, unique place. I am interrogating two lawyers.

Mr. RYAN. You will get two answers.

Mr. GARZIA. I expect two answers. I just do not understand what is going on now. We are going to vote on an amendment. If the amendment is passed and we vote for the Senate bill, since the Senate is out of session until after the 17th or to the 17th, how will they concur in this bill? If we do pass it and they do accept it and we do have an election on November 4, why cannot the new commissioners make the decision as to what the salary will be for the full-time or part-time district attorneys? Why must the incumbent commissioners now make that decision when they will not be in office on January 4 or whenever the district attorneys take office?

Mr. RYAN. Mr. Speaker, this is one of the things that prompted my asking Mr. Doyle the questions that I asked him and also what prompted my making my earlier statement that I believe that the better bill would be a bill that mandates that they be full time at the \$39,000 salary. That way there is no question about it.

The amendments as proposed by Mr. Doyle are wishy-washy in this respect and leave an opening that what we are both trying to accomplish, and that is, a full-time district attorney, may not take place simply because of the time problem.

I agree, Mr. Speaker, with your suggestion as to how it should be handled. However, we do not have that type of legislation before us now and what Mr. Doyle is offering is better than nothing. That is why I am asking that it be supported.

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

Mr. DOYLE. However much I would want to agree with the minority whip, the practical situation is that the Senate amended the prior bill and this is the way they amended it. So if we want to get this legislation through, I suggest that we take their suggestions in order to get their approval of our amendments. So being a very pragmatic man, this is the route that we have chosen.

Mr. GARZIA. One other question, Mr. Speaker. What happens to House bill No. 1302? As of now I think it is on the calendar to be voted to concur or to nonconcur in Senate amendments. Right?

Mr. DOYLE. I will answer that. House bill No. 1302 is on the schedule for concurrence or nonconcurrence tomorrow, when the Senate will not be in session; therefore it will be, in effect, a nullity as far as this provision is concerned.

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

Mr. RYAN. Mr. Speaker, I would disagree with Mr. Doyle to this extent: If Mr. Doyle's amendment goes in today—and I would hope that it does—and if it goes over to the Senate immediately while they are still in session—which I hope it does—and if the Governor signs it immediately and it becomes law and the various county commissioners elect to make this a full-time job—which I hope they do—the later adoption of House bill No. 1302, I think, will change it because it will be newer law than the bill we are considering today. I think it will change today's bill, the adoption of House bill No. 1302, unless they recognize that and maybe it goes into a conference committee and we delete all of these things. I do not know. But if House bill No. 1302 passes and this passes, the later law will govern.

Mr. DOYLE. The important thing is to get this over as quickly as possible, and I think we are just wasting time and eating up that precious time in order to do it. Anything is possible if House bill No. 1302 passes. But you could stand here ad infinitum and go through the possibilities. The fact of the matter is, House bill No. 1302 contains other provisions that have nothing to do with district attorneys, and the chances of that being amended are quite strong if this goes through.

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

Mr. CAPUTO. Will the gentleman, Mr. Doyle, consent to a brief interrogation?

The SPEAKER pro tempore. Will the gentleman, Mr. Doyle, consent to a brief interrogation?

Mr. DOYLE. I will, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. CAPUTO. Mr. Speaker, I do not have a copy of Mr. Doyle's amendment, and I am not sure that I understand it, so my question is this: Assuming the amendment is adopted and the bill eventually becomes law in time for the county commissioners and the counties affected by this legislation to designate the job of district attorney as full time, as I understand they will be so designated, if they do not make a designation by November 1, 1975, can they, in the following November—November 1, 1976—change the position of district attorney to a full-time position?

Mr. DOYLE. The answer to that is yes, except, however, that they will be talking about the next district attorney election which will be 4 years hence.

The office of district attorney is a constitutional office. Once the particular individual is elected, he is bound by the salary at the time he was elected. So they could change it, but it would not be effective until the next district attorney would be elected.

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

Mr. SELTZER. Mr. Speaker, back on July second, 164 members of this House said they would like to have an opportunity for their county commissioners to elect to have full-time district attorneys in every class county of Pennsylvania from second and second class A down to eighth. I was one of those who voted in the affirmative, so that means that I am personally in favor of the principle.

But, Mr. Speaker, with the amendment that is being offered today, we are selecting a class of counties—second class and second class A—a potential of three counties—Allegheny, Montgomery and Delaware for this opportunity. Mr. Speaker, for those of us who were in favor of the principle to vote for one class county and not be given the opportunity for our class county is wrong. Therefore, Mr. Speaker, I am voting "no" on the amendment that is being offered today by Mr. Doyle.

On the question recurring,

Will the House agree to the amendments?

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

YEAS—84

Arthurs	Garzia	Mebus	Romanelli
Bellomini	Gelsler	Menhorn	Ruggiero
Bennett	Gillespie	Miller, M. E.	Ryan
Beren	Gleeson	Milliron	Schmitt
Berlin	Green	Morris	Scirica
Berson	Greenfield	Mullen	Shane
Bonetto	Haskell	Musto	Shupnik
Bradley	Hutchinson, A.	O'Donnell	Stapleton
Burns	Irvis	O'Keefe	Sullivan
Caputo	Itkin	Oliver	Taddonio
Cohen	Johnson, J.	Pancoast	Toll
Cowell	Kelly, A. P.	Perry	Trello
Dombrowski	Kernick	Petrarca	Vann
Doyle	Koiter	Pievsky	Westerberg
Dreibelbis	Kowalyszyn	Polite	Whittlesey
Eckensberger	LaMarca	Pratt	Wilson
Englehart	Laudadio	Prendergast	Wojdak
Fawcett	Laughlin	Pyles	Worrilow
Fee	Lederer	Rappaport	Wright
Fisher	Lynch	Reed	Yohn
Gallagher	Manderino	Rhodes	Zearfoss

NAYS—111

Abraham	Giammarco	McClatchy	Shelhamer
Anderson, J. H.	Gillette	McCue	Shelton
Barber	Gleason	McGinnis	Shuman
Bittle	Goodman	McIntyre	Sirianni
Blackwell	Grieco	McLane	Smith, E.
Brandt	Gring	Miller, M. E., Jr.	Smith, L.
Brunner	Halverson	Miscevich	Spencer
Cessar	Hamilton, J. H.	Moehlmann	Stahl
Cimini	Hammock	Mrkonic	Stout
Cole	Hasay	Myers	Taylor
Crawford	Hayes, D. S.	Novak	Thomas
Cumberland	Hayes, S. E.	Noye	Turner
Davis, D. M.	Hepford	O'Brien	Ustynoski
DeMedio	Hill	O'Connell	Valicenti
Deverter	Hopkins	Parker, H. S.	Vroom
Dicarlo	Hutchinson, W.	Perri	Wagner
DiDonato	Katz	Pitts	Walsh, T. P.
Dietz	Kelly, J. B.	Renninger	Wansacz
Dininni	Kistler	Renwick	Wargo
Dorr	Klingaman	Richardson	Weidner
Fischer	Knepper	Rieger	Whelan
Flaherty	Kusse	Ritter	Wilt, R. W.
Foster, A.	Lehr	Ross	Wilt, W. W.
Foster, W.	Letterman	Saloom	Yahner
Fryer	Levi	Salvatore	Zeller

Gallen	Lincoln	Scheaffer	Zord
Geesey	Manmiller	Schweder	Zwikel
George	McCall	Seltzer	

NOT VOTING—7

Butera	McGraw	Mullen, M. P.	Fineman,
Davies	Milanovich	Tayoun	Speaker

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

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. CAPUTO 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 an assessment and

Amend Sec. 1, page 1, line 8, by striking out "Section 437," and inserting: Subsection (b) of section 436,

Amend Sec. 1, page 1, line 9, by inserting after "Code,"": amended June 30, 1969 (P. L. 101. No. 38),

Amend Sec. 1, page 1, lines 9 and 10, by striking out "by adding a subsection"

Amend Bill, page 1, by inserting between lines 10 and 11: Section 436. Other Meeting Expenses Paid by County.—\* \* \*

(b) In the case of the county controllers, the sheriffs, the register of wills, the county commissioners, county solicitor and chief clerk, the prothonotaries and clerks of courts of quarter sessions, the county treasurers, the recorders of deeds, the jury commissioners and the directors of veterans' affairs, the portion of the annual expenses charged to each county shall not exceed [one hundred dollars (\$100)] four hundred dollars (\$400); and in the case of the probation officers, an annual membership subscription not exceeding six dollars and twenty-five cents (\$6.25) per member shall be paid by the county, and shall be in lieu of the expenses hereinbefore in this section provided for other county officers.

Section 2. Section 437 of the act is amended by adding a subsection to read:

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

On the question,

Will the House agree to the amendments?

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

Mr. CAPUTO. Mr. Speaker, the amendment which was submitted raises from \$100 to \$400 the amount that might be paid by the row officers who belong to associations and it affects only second class and second class A counties. In addition to that, it adds the jury commissioners to the type of row offices that are covered by association dues.

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

Mr. RYAN. Mr. Speaker, I would hand to the Chair a motion that the vote by which the Doyle amendment to Senate bill No. 573 be reconsidered.

The SPEAKER pro tempore. If the gentleman would please hold that until we dispose of the amendment which is being offered by Mr. Caputo, we will take it.

Mr. RYAN. I withdraw it temporarily. I am sorry, Mr. Speaker.

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

Mr. ZELLER. Thank you, Mr. Speaker.

For the same reasons that I requested a negative vote on Senate bill No. 572, I request a negative vote on Senate bill No. 573, because likewise I am going to ask that Senate bill No. 572 be reconsidered.

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

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

YEAS—90

Abraham	Flaherty	Manderino	Richardson
Arthurs	Gallagher	McIntyre	Rieger
Barber	Geisler	McLane	Ritter
Bellomini	Giammarco	Mebus	Romanelli
Bennett	Gillespie	Menhorn	Ross
Berlin	Gillette	Miller, M. E.	Ruggiero
Berson	Gleeson	Milliron	Schmitt
Blackwell	Green	Miscevich	Shane
Bonetto	Greenfield	Mullen, M. P.	Shelton
Bradley	Halverson	Mullen	Shupnik
Burns	Hammock	Musto	Sullivan
Caputo	Haskell	Myers	Toll
Cessar	Hutchinson, A.	Novak	Trello
Cohen	Irvis	O'Keefe	Valicenti
Cole	Johnson, J.	Perry	Vann
Cowell	Kelly, A. P.	Petrarca	Wansacz
Cumberland	Kolter	Pievsky	Wargo
Dicarlo	Kowalshyn	Pratt	Wilson
DiDonato	LaMarca	Prendergast	Wojdak
Dombrowski	Laudadio	Rappaport	Wright
Doyle	Laughlin	Reed	Zearfoss
Fee	Lederer	Rhodes	Zwikel
Fisher	Lincoln		

NAYS—104

Anderson, J. H.	Goodman	McGinnis	Strianni
Beren	Grieco	Miller, M. E., Jr.	Smith, E.
Bittie	Gring	Moehlmann	Smith, L.
Brandt	Hamilton, J. H.	Morris	Spencer
Brunner	Hasay	Mrkonc	Stahl
Cimini	Hayes, D. S.	Noye	Stapleton
Crawford	Hayes, S. E.	O'Brien	Stout
Davis, D. M.	Hepford	O'Connell	Taddonio
DeMedio	Hill	O'Donnell	Taylor
Deverter	Hopkins	Pancoast	Thomas
Dietz	Hutchinson, W.	Parker, H. S.	Turner
Dininni	Katz	Perri	Ustynoski
Dorr	Kelly, J. B.	Pitts	Vroon
Dreibelbis	Kernick	Polite	Wagner
Eckensberger	Kistler	Pyles	Walsh, T. P.
Englehart	Klingaman	Renninger	Weidner
Fawcett	Knepper	Renwick	Westerberg
Fischer	Kusse	Ryan	Whelan
Foster, A.	Lehr	Saloom	Whittlesey
Foster, W.	Letterman	Salvatore	Wilt, R. W.
Fryer	Levi	Scheaffer	Wilt, W. W.
Gallen	Lynch	Schweder	WorriLOW
Garzia	Manmiller	Scirica	Yahner
Geesey	McCall	Seltzer	Yohn
George	McClatchy	Shelhamer	Zeller
Gleason	McCue	Shuman	Zord

NOT VOTING—8

Butera	McGraw	Oliver	Fineman,
Davies	Milanovich	Tayoun	Speaker
Itkin			

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

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

Mr. RYAN. Mr. Speaker, after you have taken the vote on the reconsideration motion, may I speak on the amendment again?

RECONSIDERATION OF VOTE

ON DOYLE AMENDMENTS TO SENATE BILL No. 573

Mr. RYAN moved that the vote by which the Doyle amendments to SENATE BILL No. 573 were defeated on this day be reconsidered.

Mr. DOYLE 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 question now before the House is on the Doyle amendment. Will the House agree to the amendment?

The Chair recognizes Mr. Ryan, who will speak on that motion.

#### POINT OF ORDER

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. CAPUTO. Are we not considering Senate bill No. 573?

Mr. RYAN. Yes.

The SPEAKER pro tempore. We are considering the Doyle amendment to Senate bill No. 573.

Mr. CAPUTO. You are on Senate bill No. 572, are you not?

Mr. RYAN. Senate bill No. 573.

The SPEAKER pro tempore. Senate bill No. 573, printer's No. 604.

Will the gentleman, Mr. Ryan, proceed?

Mr. RYAN. Mr. Speaker, I am addressing you because the parliamentary rules and the courtesy of the House require that I address my remarks to the speaker. In truth, however, I am addressing my remarks to many of my Republican and Democratic colleagues.

I understand why many of you voted "no" on Doyle's amendments, and I am not all choked up supporting Mr. Doyle myself. But what he has proposed is good for Delaware County; it is good for Montgomery County; it is good for Allegheny County, and it does not hurt you a bit.

Now we have from time to time in the course of the 10, 12, 13 years I have been up here—13 years—we have helped separate counties where we have not been affected by the vote. We have almost as a body said that if this is good for a fifth class or a third class or a first class county and the members from those counties want it, why should I as a member of a different category of county vote against it?

I am asking our friends on both sides to extend to us the same courtesy that we have time and time again extended to each and every one of you. We have gone for Philadelphia bills; we have gone for Allegheny County bills; we have gone for boroughs; we have gone for townships. And that is all we are asking you to do today. The members of this General Assembly from Delaware, Montgomery and Allegheny Counties have asked our colleagues to give us a hand. It does not affect you.

Speaking for myself and I think speaking for the members, Republican and Democratic, of the delegations from Allegheny, Montgomery and Delaware, I think I could commit that if you want this type of legislation and you bring it to the floor of this House, it affects your counties and, if you people want it, we will support it. This has been traditional in the House.

I am asking you sincerely to please reconsider your vote on the Doyle amendment and pass this, because it only affects us; it does not affect you.

When your time comes, when it is third through eighth class counties, if you want it, we will support you. If it is

first class counties and everybody from the first class counties want it, we will support you. This does not affect you. It is no money out of your pocket. It is not state money. It is county money. So please reconsider your vote. Please give us a hand and pass this amendment. It is something that the people of the counties want; it is something that the press wants; and it is something that your fellow members want. Now please reconsider and give us this vote.

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

Mr. DOYLE. Mr. Speaker, I accept the accolades from my colleague from Delaware County.

I would just like to point out in rebuttal to Mr. Seltzer's argument that everyone should be treated the same. Which of your district attorneys earn as much as a district attorney in a second or second class A county? Which of the other counties have the population that the second class A counties have?

The codes are different. The salaries are different. The job is different, and the work load is different. Delaware and Montgomery Counties are adjacent, contiguous to Philadelphia. Many of the problems that the big city has with regard to law enforcement and crime are coming into our counties. We want the legislation so that we can begin at the top to provide the kind of law enforcement that we need.

Now when you say that a district attorney in an eighth class county earning \$8,000 a year should be treated the same as one in a second class A county because of the work load, et cetera, that is ridiculous. They are not the same and they should not be treated the same.

We appreciate your vote in the affirmative.

Thank you.

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

Mr. BEREN. Mr. Speaker, I rise to support my colleagues, Mr. Doyle and Mr. Ryan, on this amendment. They are both correct in stating that second class A counties have a unique situation because of the heavy population, because of the ever-increasing rate of crime that comes into these counties that used to be referred to as "bedroom" counties. And we in Montgomery County find ourselves in an additionally unique situation. We see that our first assistant district attorney will have to take a substantial cut in pay in order to assume the role of district attorney, which we assume he will be elected to this November. That does not make any sense, because as district attorney he will have burdens that will be far greater than he does as first assistant.

I think it is time that those of us in this General Assembly appreciate the very difficult job that the prosecutors have, and I ask your support of this amendment.

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

Mr. FISHER. Thank you, Mr. Speaker.

I rise in support of the Doyle amendment. The Doyle amendment as it is drawn, and I suppose as it was intended to be drawn, was probably meant only for second class A counties. But it was drawn and it also includes second class counties, and there is only one of those, and that is Allegheny County.

I share the concern of some of the other speakers that perhaps this is the wrong way to address the question of

whether or not we should have full-time district attorneys in the Commonwealth of Pennsylvania, and perhaps it should be done in a separate bill and it should be done in a bill that addresses itself not only to the district attorneys but to their assistants. But, nevertheless, this amendment is before the House and we have to face it.

I believe that the three counties that are included in this amendment are three counties that are peculiarly situated in this Commonwealth, being largely suburban communities near the centers of high crime rates and communities where the numbers of prosecutions that go through those counties far exceed the prosecutions that are handled in many of the other counties combined throughout Pennsylvania. I think it is about time that the General Assembly address itself to what kind of criminal justice we are going to have in Pennsylvania.

I think we are fooling ourselves when we cop out and when we vote "no" against this type of amendment because it is a salary increase. Sure it is a salary increase. And, sure, all of us perhaps could be standing here and saying that we should not vote for a salary increase for anybody until we address all salary increases around the Commonwealth. But the district attorney's position is a position where, in Allegheny County, Delaware County, and Montgomery County, these men and women—whoever they are; whoever they are to be elected—have tasks that are more difficult, more tedious, more time-consuming and have more pressure and they have to respond more to the people than the job of the judges whom we elect. This bill would provide that the county commissioners in those counties could elect whether or not the district attorneys should be full time.

Many of my colleagues in Allegheny County, I am sure, are perplexed as to why we should vote for a bill when our candidates have already stated they do not want a bill like this. Well, fine; sure they do not want a bill like this, because they are not going to stand up and say, we support a pay increase.

But I think it is time that the commissioners of Allegheny County address themselves to the fact of whether or not they want full-time criminal justice in their county or whether they want a prosecutor who is going to be part time, who is going to have a law practice that perhaps could be more lucrative than what his salary is going to be.

I think that we should approve this bill so that the three counties can make their decision, and this is all we are doing. We are not asking you people to mandate this for the counties, but we are asking you to allow the counties to make the decision. I urge your support for the amendment.

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

Mr. HEPFORD. Mr. Speaker, all that has been said with reference to Delaware County can be said for fourth and third class counties in this Commonwealth. Dauphin County is a prime example. It is not only the work load that is involved there that is the yardstick or the population, but it is the number of assistant district attorneys that are kept busy. The courts have mandated procedures that require it.

Everything that is said for that county of Delaware can be said for the other counties that you represent, and the authority and the power thereof should be vested in the people who are your county commissioners to decide, and

you are going to be sold down the river piecemeal by piecemeal.

Mr. Speaker, the question is important, but the question is: Are you going to permit larger counties with blocks of votes in this House to separate the issues that are issues before your constituents and satisfy the issues of their constituents, and then when the vote is needed in order to pass legislation, have it piecemeal in this Commonwealth?

This issue is important. It addresses the majority of the counties of this Commonwealth and it should not be attempted to be remedied in one particular class. Let us treat all the citizens of the Commonwealth equally and every member of this House have an equal vote on issues that are presented. Therefore, I urge a "no" vote on this amendment.

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

Mr. RYAN. Mr. Speaker, the only solution I see to the problem is that an amendment to this amendment should be prepared to encompass all the counties of the Commonwealth. Now I do not think it can be done with this particular bill because the title of the bill is a second class, second class A bill. I have not had an opportunity to review the calendar, but perhaps there are other bills on the calendar that could be amended that way.

We are willing that all of the counties of the Commonwealth be treated this way. It just so happens that what is before the House is second class and second class A. If they want it, we are willing to agree to it. And I fail to understand why our colleagues would deprive a good principle to counties that want it and are in a position now to get it, and I would ask that this amendment be supported.

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

Mr. GLEASON. Thank you, Mr. Speaker.

I think the gentleman from Delaware is correct in raising a problem in amending the amendment by pointing out that Senate bill No. 573, which is presently before us, amends the Second Class County Code.

Now I would like to direct this question to the gentleman from Delaware, if he would consent to interrogation.

The SPEAKER pro tempore. Will the minority whip consent to interrogation?

Mr. RYAN. Yes, sir.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. GLEASON. The question that I have, Mr. Speaker, is: Is there any distinction between a second class and a second class A county?

Mr. RYAN. Do you mean in this amendment?

Mr. GLEASON. In other words, does the same code apply to second class counties as applies to second class A counties?

Mr. RYAN. Are you talking about the general code or are you talking about this amendment?

Mr. GLEASON. I am talking about the general code.

Mr. RYAN. That is a terribly difficult question because the second class A county is somewhere between the second class and the third class counties. Generally speaking—and I can only speak generally because the second class counties are governed in some measure by third class county statutory provisions—but generally speaking, yes, the Second Class County Code and second class A are similar in many respects, but they are different.

Mr. GLEASON. Does the gentleman agree that there might be a slight technical problem in including second class A counties' district attorneys with the second class county's district attorneys?

Mr. RYAN. No; I do not agree that there would be a problem.

Mr. GLEASON. Well, if there would be no problem in that respect, does the gentleman agree that possibly the third class county and the fourth class county district attorneys could be included in this amendment or as an amendment to the amendment?

Mr. DOYLE. Mr. Speaker, could I perhaps answer?

Mr. Speaker, No. They are covered by entirely different codes. There is a Second Class County Code. As I understand it, when the second class A counties were created, they were created out of the Second Class County Code, differentiating certain provisions; but it is, nevertheless, one code. The other counties are covered under a separate and distinct code. You cannot do it—put provisions dealing with third and fourth and fifth class, all the way down, in this code. It simply would not be germane.

PARLIAMENTARY INQUIRY

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

Mr. GLEASON. Mr. Speaker, may I address this parliamentary inquiry to the Chair?

The SPEAKER pro tempore. The gentleman will state it.

Mr. GLEASON. Senate bill No. 572 was an amendment to the County Code and it provided for annual assessments for district attorneys' association. My inquiry is this: First of all, can we reconsider the vote by which Senate bill No. 572 passed on final passage?

The SPEAKER pro tempore. We are presently on the amendment to Senate bill No. 573, printer's No. 604. Now the parliamentary inquiry, if I understand it, is whether or not the amendment can be offered to this Senate bill. Is that your question?

Mr. GLEASON. No. My question is this, Mr. Speaker, and my concern, Mr. Speaker, is that I do not want to have to oppose the amendment allowing this provision for second class and second class A counties, but the gentleman, Mr. Hepford, raised very valid points with respect to third and fourth class counties and there may be others who represent lower designations. What I am suggesting is that perhaps if we could reconsider Senate bill No. 572—and I know this is somewhat out of order—we could perhaps put an amendment in to Senate bill No. 572, and we could vote on that which would then free, I think, enough votes to support the second class and second class A counties.

The SPEAKER pro tempore. The matter on the floor at the present time is the amendment to Senate bill No. 573, printer's No. 604. Whether or not we can reconsider Senate bill No. 572 so that amendments may be offered is not a proper motion to be brought at this time.

Mr. GLEASON. I am not making a motion; I am making an inquiry, and I just want to find out if the Chair still has in its possession Senate bill No. 572.

The SPEAKER pro tempore. If the gentleman will again make his parliamentary inquiry at the proper time, a ruling will be given at that time.

Senate bill No. 572 is still in the possession of the House

and it is still capable of being reconsidered, at the proper time, of course.

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

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

YEAS—137

Anderson, J. H.	Geisler	Menhorn	Schmitt
Arthurs	Giammarco	Miller, M. E.	Schweder
Barber	Gillespie	Miller, M. E., Jr.	Scirca
Bellomini	Gleason	Miliron	Shane
Bennett	Gleeson	Miscevich	Shelton
Beren	Goodman	Morris	Shuman
Berlin	Green	Mullen	Shupnik
Berson	Greenfield	Mullen, M. P.	Sirianni
Bittle	Grieco	Musto	Smith, E.
Blackwell	Hamilton, J. H.	Myers	Stapleton
Bonetto	Hammock	Noye	Stout
Brunner	Haskell	O'Brien	Taddonio
Burns	Hopkins	O'Donnell	Tayoun
Caputo	Hutchinson, A.	O'Keefe	Toil
Cohen	Hutchinson, W.	Oliver	Trello
Cole	Irvis	Pancoast	Ustynoski
Cowell	Itkin	Perri	Vann
Crawford	Johnson, J.	Perry	Vroom
Davis, D. M.	Katz	Petrarca	Walsh, T. P.
DeMedio	Kelly, A. P.	Pievsky	Wansacz
Dicarlo	Kernick	Pitts	Wargo
DiDonato	Klingaman	Polite	Westerberg
Dombrowski	Kolter	Pratt	Whelan
Dorr	Kowalyszyn	Prendergast	Whittlesey
Doyle	LaMarca	Pyles	Wilson
Dreibelbis	Laughlin	Rappaport	Wilt, R. W.
Eckensberger	Lederer	Reed	Wojdak
Englehart	Letterman	Rhodes	WorriLOW
Fawcett	Lincoln	Richardson	Wright
Fee	Manderino	Rieger	Yohn
Fisher	McCall	Romanelli	Zearfoss
Foster, A.	McClatchy	Ross	
Foster, W.	McIntyre	Ruggiero	Fineman,
Gallagher	McLane	Ryan	Speaker
Garzia	Mebus	Salvatore	

NAYS—58

Abraham	Gring	McCue	Smith, L.
Brandt	Halverson	McGinnis	Spencer
Cessar	Hasay	Moehlmann	Stahl
Cimini	Hayes, D. S.	Mrkonic	Taylor
Cumberland	Hayes, S.E.	Novak	Thomas
Deverter	Hepford	O'Connell	Turner
Dietz	Hill	Parker, H. S.	Valicenti
Dininni	Kelly, J. B.	Renninger	Wagner
Fischer	Kistler	Renwick	Weidner
Flaherty	Knepper	Ritter	Wilt, W. W.
Fryer	Kusse	Saloom	Yahner
Gallen	Laudadio	Scheaffer	Zeller
Geesey	Lehr	Seltzer	Zord
George	Levi	Shelhamer	Zwilk
Gillette	Manmiller		

NOT VOTING—7

Bradley	Davies	McGraw	Sullivan
Butera	Lynch	Milanovich	

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

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

Mr. RYAN. Mr. Speaker, I am prepared to pay my IOU's at the appropriate time.

The SPEAKER pro tempore. The Chair thanks the gentleman.

PARLIAMENTARY INQUIRY

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

Mr. SELTZER. I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.



Mr. SELTZER. Mr. Speaker, as I understand it, the inquiry made of the Chair by the gentleman from Cambria, Mr. Gleason, a moment or two ago was whether or not Senate bill No. 572 was still in the possession of the House. Is that correct?

The SPEAKER pro tempore. That is correct.

Mr. SELTZER. And the answer was in the affirmative, the House still has possession of the bill?

The SPEAKER pro tempore. That is my understanding.

Mr. SELTZER. Mr. Speaker, would it be possible that that bill be reconsidered and be placed in position so an amendment could immediately be prepared to take care of the other class counties of Pennsylvania in the same way that this second class A was just taken care of and passed today as amended and be sent to the other body at the same time?

The SPEAKER pro tempore. If a motion in writing is offered, the bill may be reconsidered in view of the fact that it is still in the possession of the House.

Mr. SELTZER. Mr. Speaker, I ask you to recognize the gentleman from Cambria, Mr. Gleason.

POINT OF ORDER

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 point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. RITTER. Senate bill No. 573 has been amended, is that correct?

The SPEAKER pro tempore. That is correct.

Mr. RITTER. What is the position of Senate bill No. 573 at the moment, Mr. Speaker? Is it being prepared for final passage?

The SPEAKER pro tempore. It has been suggested by the Parliamentarian, in conformity with the suggestion made by the gentleman, Mr. Ritter, that we should dispose of Senate bill No. 573, printer's No. 604, as amended, before we take up the matter of reconsideration of Senate bill No. 572.

On the question,

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

Bill as amended was agreed to.

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

The question is, Shall the bill pass finally?

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

YEAS—116

Arthurs	Fisher	McIntyre	Romanelli
Barber	Gallagher	McLane	Ross
Bellomini	Garzia	Mebus	Ruggiero
Bennett	Geisler	Menhorn	Ryan
Beren	Giammarco	Miller, M. E.	Salvatore
Bertin	Gillespie	Miller, M. E., Jr.	Schmitt
Berson	Gleason	Miscevich	Scirica
Bittle	Goodman	Morris	Shane
Blackwell	Greenfield	Mullen, M. P.	Shelton
Bonetto	Hamilton, J. H.	Mullen	Shupnik
Bradley	Hammock	Musto	Smith, E.
Brunner	Haskell	Myers	Stapleton
Burns	Hopkins	O'Brien	Stout
Caputo	Hutchinson, A.	O'Donnell	Toll
Cohen	Hutchinson, W.	O'Keefe	Trello

Cole	Irvin	Oliver	Vann
Cowell	Itkin	Pancoast	Walsh, T. P.
Crawford	Johnson, J.	Perri	Wansacz
Davis, D. M.	Katz	Perry	Wargo
DeMedio	Kelly, A. P.	Petrarca	Westerberg
Dicarlo	Kernick	Polite	Whelan
DiDonato	Kowalyshyn	Pratt	Whittiesey
Dininni	LaMarca	Prendergast	Wilson
Dombrowaki	Lederer	Pyles	Wilt, R. W.
Doyle	Letterman	Rappaport	Wojdak
Eckensberger	Lincoln	Reed	Worrlow
Engelhart	Manderino	Rhodes	Wright
Fawcett	McCall	Richardson	Yohn
Fee	McClatchy	Rieger	Zearfoss

NAYS—76

Abraham	Grieco	Manmiller	Shuman
Anderson, J. H.	Green	McCue	Sirianni
Brandt	Gring	McGinnis	Smith, L.
Cessar	Halverson	Milliron	Spencer
Cimini	Hasay	Moehlmann	Stahl
Cumberland	Hayes, D. S.	Mrkonic	Taddonio
Deverter	Hayes, S. E.	Novak	Taylor
Dietz	Hepford	Noye	Thomas
Dorr	Hill	O'Connell	Turner
Dreibelbis	Kelly, J. B.	Parker, H. S.	Ustynoski
Fischer	Kistler	Pitts	Valicenti
Flaherty	Klingaman	Renninger	Vroon
Foster, A.	Knepper	Renwick	Wagner
Foster, W.	Kolter	Ritter	Weidner
Fryer	Kusse	Saloom	Wilt, W. W.
Gallen	Laudadio	Scheaffer	Yahner
Geesey	Laughlin	Schweder	Zeller
George	Lehr	Seltzer	Zord
Gillette	Levi	Shelhamer	Zwick

NOT VOTING—10

Butera	Lynch	Plevsky	Fineman,
Davies	McGraw	Sullivan	Speaker
Gleason	Milanovich	Tayoun	

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.

REQUEST BY MINORITY WHIP

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

Mr. RYAN. Mr. Speaker, may I respectfully request the Speaker to expeditiously move Senate bill No. 573 over to the Senate chamber so that we, hopefully, can get concurrence prior to their adjourning until November 17.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Does the gentleman, Mr. Gleason, now wish to be recognized?

Mr. GLEASON. Upon what point, Mr. Speaker? I did not catch the colloquy between the Speaker and the previous gentleman.

The SPEAKER pro tempore. The Chair will return to the motion made by the gentleman from Cambria, Mr. Gleason.

SENATE BILL No. 572 RECONSIDERED

Mr. GLEASON. I move that the vote by which Senate bill No. 572 was agreed to on final passage be reconsidered.

The problem, Mr. Speaker, is that I am ordering the amendment now which would encompass the ideas of several of the members. I do not have the amendment before me. Just have the vote reconsidered and then we will temporarily pass it over.



The SPEAKER pro tempore. Will the gentleman then withdraw his motion until the amendment arrives?

Mr. GLEASON. No; I do not wish to withdraw the motion. I wish it to be reconsidered, but I do not wish action to be taken until the amendment comes down from the Legislative Reference Bureau.

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

**BILL PASSED OVER TEMPORARILY**

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

Mr. GLEASON. Mr. Speaker, I move that Senate bill No. 572 be temporarily passed over.

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

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

Mr. ZELLER. I am likewise having amendments prepared to this bill, so I would like to have it held for my amendments which are coming down also.

The SPEAKER pro tempore. The Chair has already passed it over temporarily.

**POINT OF ORDER**

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 point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. RITTER. I know what Mr. Gleason's amendments are going to do, but I want to offer an amendment to his amendment, and I do not know how in the world I can do that until I see his amendment.

My point of order, Mr. Speaker, is, how am I going to do that if when he gets his amendment, we are going to move the bill?

The language of his amendments is very critical to the amendment that I intend to offer. I do not know how in the world we are going to accomplish this, but I think if you are going to accept his amendments, then you have to give me time to prepare amendments to those amendments.

The SPEAKER pro tempore. The Chair recognizes the difficulty which might be encountered by the gentleman and can merely suggest that he consult with Mr. Gleason, and if time is needed to prepare amendments to that amendment, the Chair will take up that matter at the proper time.

Mr. RITTER. Thank you, Mr. Speaker.

**BILL REMOVED FROM TABLE AND REREFERRED**

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

Mr. IRVIS. Mr. Speaker, the Rules Committee has instructed me to make a motion to remove the following bill from the table for the purpose of rereferral to the Appropriations Committee for a fiscal note, and I so move: House bill No. 770.

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

**RULES SUSPENDED TO ADD AND DELETE SPONSORS**

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

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

**Additions:**

- House bill No. 17—Mr. Reed;
- House bill No. 216—Mr. Halverson;
- House bill No. 337—Mr. Reed;
- House bill No. 538—Mr. Pancoast;
- House bill No. 580—Mr. McLane;
- House bill No. 643—Mr. Mrkonic;
- House bill No. 644—Mr. Mrkonic;
- House bill No. 826—Mr. Mrkonic;
- House bill No. 911—Messrs. Reed and Mrkonic;
- House bill No. 932—Mr. Mrkonic;
- House bill No. 1405—Mr. Mrkonic;
- House bill No. 1513—Mr. Reed;
- House bill No. 1514—Mr. Reed;
- House bill No. 1515—Mr. Reed;
- House bill No. 1517—Messrs. Schmitt and Mrkonic;
- House bill No. 1546—Mr. Mrkonic;
- House bill No. 1590—Mr. Mrkonic;
- House bill No. 1629—Mr. Mrkonic; and
- House bill No. 1642—Mr. Letterman.

**Deletions:**

- House bill No. 852—Mr. Hopkins;
- House bill No. 856—Mr. Reed;
- House bill No. 959—Mr. Romanelli;
- House bill No. 970—Mr. Hopkins;
- House bill No. 1620—Mr. Romanelli; and
- House bill No. 1621—Mr. Romanelli.

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

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

**YEAS—187**

Abraham	Gillespie	McGinnis	Schmitt
Anderson, J. H.	Gillette	McIntyre	Schweder
Arthurs	Gleason	McLane	Scirca
Barber	Gleeson	Mebus	Seltzer
Bennett	Goodman	Menhorn	Shane
Beren	Green	Miller, M. E.	Sheihamer
Berlin	Greenfield	Miller, M. E., Jr.	Shelton
Berson	Grieco	Milliron	Shuman
Bittle	Gring	Miscevich	Shupnik
Blackwell	Halverson	Moehlmann	Sirianni
Bonetto	Hamilton, J. H.	Morris	Smith, E.
Bradley	Hammock	Mrkonic	Smith, L.
Brunner	Hasay	Mullen, M. P.	Spencer
Burns	Haskell	Mullen	Stapleton
Caputo	Hayes, D. S.	Musto	Stout
Cessar	Hayes, S.E.	Myers	Sullivan
Cimini	Hepford	Novak	Taddonio
Cohen	Hopkins	Noye	Taylor
Cole	Hutchinson, A.	O'Brien	Tayoun
Cowell	Hutchinson, W.	O'Connell	Thomas
Cumberland	Irvis	O'Donnell	Toll
Davis, D. M.	Itkin	O'Keefe	Trello
DeMedio	Johnson, J.	Oliver	Turner
Deverter	Katz	Pancoast	Ustvoski
Dicarlo	Kelly, A. P.	Parker, H. S.	Valicenti
DiDonato	Kelly, J. B.	Perri	Vann
Dietz	Kernick	Perry	Vroon
Dininni	Kistler	Pievsky	Wagner

Dombrowski	Klingaman	Pitts	Walsh, T. P.
Dorr	Knepper	Polite	Wansacz
Doyle	Kolter	Pratt	Wargo
Dreibelbis	Kowalyszyn	Prendergast	Westerberg
Eckensberger	Kusse	Pyles	Whelan
Englehart	LaMarca	Rappaport	Whittlesey
Fee	Laudadio	Reed	Wilt, R. W.
Fischer	Laughlin	Renwick	Wilt, W. W.
Fisher	Lederer	Rhodes	Wojdak
Flaherty	Lehr	Richardson	Worrilow
Foster, A.	Letterman	Rieger	Wright
Foster, W.	Levi	Ritter	Yahner
Fryer	Lincoln	Romanelli	Yohn
Gallagher	Lynch	Ross	Zeller
Gallen	Manderino	Ruggiero	Zord
Garzia	Manmiller	Ryan	Zwikel
Geesey	McCall	Saloom	
Geisler	McClatchy	Salvatore	Fineman
George	McCue	Scheaffer	Speaker
Giammarco			

NAYS—3

Weidner	Wilson	Zearfoss
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NOT VOTING—12

Bellomini	Crawford	Hill	Petrarca
Brandt	Davies	McGraw	Renninger
Butera	Fawcett	Milanovich	Stahl

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

TAX BILLS CALLED UP

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

Mr. IRVIS. Mr. Speaker, if the Chair will turn to page 6, the House has not yet considered House bills Nos. 1482 and 1483, amendments to both of which are to be offered by Mr. Ritter.

TAX BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 1482, printer's No. 1743, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

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

Amend Sec. 1 (Sec. 265), page 1, line 19 by inserting after "of]": three-fourths of

On the question,

Will the House agree to the amendment?

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

Mr. RITTER. Mr. Speaker, the present penalty for non-payment of taxes due the Commonwealth from corporations, et cetera, is 6 percent. This bill seeks to raise that to 12 percent.

We had several hearings on the national economy and its effect on business, and the recommendation of the Chamber of Commerce and others was that the penalty ought to be the same as the Federal Government's penalty, and that is 9 percent.

My amendment seeks to raise the penalty from 6 percent to 9 percent, and I have talked to the sponsor of the bill and he agrees to the amendment. I think it is a good amendment. We ought to accept it.

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

The yeas and nays were required by Messrs. RITTER and BRUNNER and were as follows:

YEAS—183

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

NAYS—10

Dietz	Laughlin	Richardson	Wansacz
Hammock	Miller, M. E.	Shuman	Yahner
Hasay	O'Brien		

NOT VOTING—9

Brandt	Geisler	McGraw	Renninger
Butera	Hill	Milanovich	Rhodes
Davies			

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

On the question,

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

Bill as amended was agreed to.

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

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

YEAS—167

Abraham	Garzia	McCall	Scheaffer
Anderson, J. H.	Geesey	McClatchy	Schweder
Arthurs	Geisler	McGinnis	Scirica
Bellomini	Giammarco	McIntyre	Seltzer
Bennett	Gillespie	McLane	Shane

Beren	Gillette	Mebus	Shelhamer
Berlin	Gleason	Menhorn	Sirianni
Berson	Gleason	Miller, M. E., Jr.	Smith, E.
Bittle	Goodman	Milliron	Smith, L.
Bonetto	Green	Miscevich	Spencer
Bradley	Greenfield	Moehlmann	Stapleton
Brunner	Grieco	Morris	Sullivan
Burns	Gring	Mullen, M. P.	Taddonio
Caputo	Halverson	Mullen	Tayoun
Cessar	Haskell	Myers	Thomas
Cimini	Hayes, D. S.	Novak	Toll
Cohen	Hayes, S. E.	Noye	Trello
Cole	Hepford	O'Brien	Turner
Cowell	Hopkins	O'Connell	Ustynoski
Crawford	Hutchinson, W.	O'Donnell	Valicenti
Cumberland	Irvic	O'Keefe	Vann
Davis, D. M.	Itkin	Oliver	Vroon
DeMedio	Johnson, J.	Pancoast	Wagner
Deverter	Kelly, A. P.	Parker, H. S.	Walsh, T. P.
Dicarlo	Kelly, J. B.	Perry	Weidner
DiDonato	Kernick	Petrarca	Westerberg
Dininni	Kistler	Pievsky	Whelan
Dombrowski	Knepper	Pitts	Whittlesey
Dorr	Kolter	Polite	Wilson
Doyle	Kowalyszyn	Pratt	Wilt, R. W.
Dreibelbis	Kusse	Prendergast	Wilt, W. W.
Eckensberger	LaMarca	Pyles	Wojdak
Engelhart	Laudadio	Rappaport	Worrilow
Fawcett	Laughlin	Reed	Wright
Fee	Lederer	Renninger	Yohn
Fischer	Lehr	Rhodes	Zearfoss
Fisher	Letterman	Rieger	Zeller
Flaherty	Levi	Ritter	Zord
Foster, A.	Lincoln	Romanelli	Zwikel
Foster, W.	Lynch	Ruggiero	
Fryer	Manderino	Ryan	Fineman,
Gallagher	Manmiller	Saloom	Speaker
Gallen			

NAYS—26

Blackwell	Katz	Renwick	Shupnik
Dietz	Klingaman	Richardson	Stout
George	McCue	Ross	Taylor
Hamilton, J. H.	Miller, M. E.	Salvatore	Wansacz
Hammock	Mrkoncic	Schmitt	Wargo
Hasay	Musto	Shuman	Yahner
Hutchinson, A.	Perri		

NOT VOTING—9

Barber	Davies	McGraw	Shelton
Brandt	Hill	Milanovich	Stahl
Butera			

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. 1483, printer's No. 1744, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

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

Amend Sec. 1 (Sec. 266), page 1, line 21 by inserting after "of]": three-fourths of

On the question,

Will the House agree to the amendment?

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

Mr. RITTER. Mr. Speaker, this amends another section of the Tax Reform Code of 1971, and, again, present law is for 6-percent interest. The bill purports to go to 12 percent.

My amendment would in effect make it a 9-percent interest, and that is the same as the penalty under the Federal Internal Revenue Service. Again I ask for support of the amendment.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Messrs. RITTER and BRUNNER and were as follows:

YEAS—182

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

NAYS—14

Barber	Hasay	Pancoast	Shuman
Blackwell	Laughlin	Richardson	Vann
Dietz	Lederer	Ross	Yahner
Hammock	McCue		

NOT VOTING—6

Butera	McGraw	Shelton	Fineman,
Davies	Milanovich		Speaker

So the question was determined in the affirmative and the amendment was 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 pro tempore. This bill has been considered on three different days and agreed to and is now on final passage.

The question is, shall the bill pass finally?

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

YEAS—168

Abraham	Fryer	Manmiller	Ryan
Anderson, J. H.	Gallagher	McCall	Saloom
Arthurs	Gallen	McClatchy	Scheaffer
Barber	Garzia	McGinnis	Schweder
Bellomini	Geesey	McIntyre	Scirica
Bennett	Geisler	McLane	Seltzer
Beren	Giammarco	Mebus	Shane
Berlin	Gillespie	Menhorn	Shelhamer
Berson	Gleason	Miller, M. E., Jr.	Sirianni
Bittle	Gleeson	Milliron	Smith, E.
Blackwell	Goodman	Miscevich	Smith, L.
Bonetto	Green	Moehmann	Spencer
Bradley	Greenfield	Morris	Stahl
Brandt	Greene	Mullen, M. P.	Stapleton
Brunner	Gring	Mullen	Sullivan
Burns	Halverson	Myers	Taddonio
Caputo	Haskell	Novak	Tayoun
Cessar	Hayes, D. S.	Noye	Thomas
Cimini	Hayes, S. E.	O'Brien	Toll
Cohen	Hepford	O'Connell	Trello
Cole	Hill	O'Donnell	Turner
Cowell	Hopkins	O'Keefe	Ustynoski
Crawford	Hutchinson, W.	Oliver	Valicenti
Cumberland	Irvic	Pancoast	Vann
Davis, D. M.	Itkin	Parker, H. S.	Vroon
DeMedio	Johnson, J.	Perry	Wagner
Deverter	Kelly, A. P.	Petrarca	Walsh, T. P.
Dicarlo	Kelly, J. B.	Pievsky	Weidner
DiDonato	Kernick	Pitts	Westerberg
Dininni	Kistler	Polite	Whelan
Dombrowski	Knepper	Pratt	Whittlesey
Dorr	Kowalshyn	Prendergast	Wilson
Doyle	Kusse	Pyles	Wilt, R. W.
Dreibelbis	LaMarca	Rappaport	Wilt, W. W.
Eckensberger	Laudadio	Reed	Wojdak
Engelhart	Laughlin	Renninger	Worrlow
Fawcett	Lehr	Rhodes	Wright
Fee	Letterman	Rieger	Yohn
Fisher	Levi	Ritter	Zearfoss
Flaherty	Lincoln	Romanelli	Zeller
Foster, A.	Lynch	Ross	Zord
Foster, W.	Mandolino	Ruggiero	Zwinkl

NAYS—28

Dietz	Hutchinson, A.	Mrkonic	Shuman
Fischer	Katz	Musto	Shupnik
George	Klingaman	Perri	Stout
Gillette	Kolter	Renwick	Taylor
Hamilton, J. H.	Lederer	Richardson	Wansacz
Hammock	McCue	Salvatore	Wargo
Hasay	Miller, M. E.	Schmitt	Yahner

NOT VOTING—6

Butera	McGraw	Shelton	Fineman,
Davies	Milanovich		Speaker

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.

SENATE BILL No. 25 CALLED UP

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

Mr. IRVIS. Mr. Speaker, I wish to call up now Senate bill No. 25, the child abuse bill.

The bill has been reported to the floor with a fiscal note by the Appropriations Committee chairman. I am inquiring now as to whether the fiscal note has been distributed. It has been distributed. Very well, Mr. Speaker, I would call up now Senate bill No. 25.

Agreeable to order,

The House proceeded to third consideration of Senate bill No. 25, printer's No. 1236, entitled:

An Act establishing child protective services; providing procedures for reporting and investigating the abuse of children; establishing and providing access to a statewide central register on child abuse; investigating

such reports; providing for taking protective action including taking a child into protective custody; placing duties on the Department of Public Welfare and county child welfare agencies; establishing child protective services in each county child welfare agency; and providing penalties.

On the question,

Will the House agree to the bill on third consideration?

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

Mrs. WHITTLESEY. Mr. Speaker, I wonder if someone could inform me as to the cost to the counties of this bill.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Wojdak. Does the gentleman consent to be interrogated?

Mr. WOJDAK. Yes, Mr. Speaker.

The SPEAKER pro tempore. The lady may proceed.

Mrs. WHITTLESEY. The fiscal note is somewhat unclear on the subject of the cost impact of this bill on the county governments, and I wonder if the chairman of the Appropriations Committee could inform me as to the possibilities of increased cost to the county governments.

Mr. WOJDAK. The cost to county government, once the program is fully implemented, would be approximately \$1 million.

Mrs. WHITTLESEY. Does that apply to every county or counties throughout the state?

Mr. WOJDAK. No; that is the entire county cost throughout the state.

Mrs. WHITTLESEY. What about the statement contained in the fiscal note that the exact cost cannot be ascertained?

Mr. WOJDAK. What part of the fiscal note are you referring to?

Mrs. WHITTLESEY. It is on the reverse side, page 2.

Mr. WOJDAK. Well, we really do not know what the exact costs are going to be. We have some exact figures from some counties, for instance, where the fiscal note indicates the \$10-million cost and then proceeds to detail the method of reimbursement. Within that \$10-million cost, for instance, Philadelphia has a 1½-million cost; Allegheny has a \$1.4-million cost; and the remaining counties would make up the remaining difference in cost of about \$10 million. After the various methods of reimbursement, it would break out to a statewide cost to the counties of approximately \$1 million, but, again, until the program is fully implemented, that is an estimate.

Mrs. WHITTLESEY. Mr. Speaker, I wonder if the chairman of the Appropriations Committee could inform me whether or not any of this cost to the counties is reimbursable by the state?

Mr. WOJDAK. Well, if you will refer to the second page of the fiscal note or the back side of the fiscal note in the first full paragraph beginning with the words "In addition, the estimated county cost, . . ." the total statewide cost would be approximately \$10 million.

Now 75 percent of that would be reimbursed totally by the Federal Government, or roughly \$7.5 million of the \$10 million. Of the remaining \$2.5 million, the state would pick up 60 percent of that cost. And if in fact Senate bill No. 852 is passed into law, it would raise that 60-percent reimbursement to 75-percent reimbursement, and the bottom line figure of \$1 million would even be lower.

Mrs. WHITTLESEY. Is it true, Mr. Speaker, that the exact cost could be considerably higher than this if the regulations implemented by the Department of Welfare mandate additional services?

Mr. WOJDAK. Well, again it is an estimate. We have really figured the fiscal note on the high side, and I am not optimistic that they would be higher.

Mrs. WHITTLESEY. Thank you, Mr. Speaker.

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

Mr. DiCARLO. Mr. Speaker, what was the question?

The SPEAKER pro tempore. I was made to understand that I was to recognize you for remarks on the matter before the House, Senate bill No. 25.

Mr. DiCARLO. Mr. Speaker, I am under the impression that amendments are being offered to the bill, and if they are at this time, I would like to respond to those amendments or any interrogation that might be asked for.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lackawanna, Mr. McLane.

Mr. McLANE. Mr. Speaker, I wonder if Mr. Wojdak would consent to brief interrogation.

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

Mr. WOJDAK. I shall.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. McLANE. Mr. Speaker, on your fiscal note which lists \$10 million, if you will go to page 2 on the bottom, it says that these county governments are going to have to spend much of this money anyway to come into compliance with current regulations which do exist. Now is it possible that many of these county children's service agencies are already in compliance and therefore are already spending this money anyway?

Mr. WOJDAK. Yes; that is very possible.

Mr. McLANE. Well, then this fiscal note could be much too high an estimate.

Mr. WOJDAK. Well, I indicated that we estimated the fiscal note at the high side. The statement you made could very well be true, and I suspect it is in many counties.

Mr. McLANE. I believe it to be true in many counties. Therefore, I would say to the members of the House that the \$10 million estimated in this note here will not be the actual cost of the bill. Therefore, whether or not the bill should be considered and passed should not be a financial concern, simply because many of the counties that are not in compliance now, if they are not, are going to have to expend these funds anyway, and those that are already in compliance are not going to have to expend any additional funds.

Mr. WOJDAK. That is absolutely true, Mr. Speaker.

Mr. McLANE. Thank you, Mr. Speaker.

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

Mr. RICHARDSON. Mr. Speaker, I would like to interrogate Mr. Wojdak to start off with.

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

Mr. WOJDAK. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. RICHARDSON. Mr. Speaker, it is my understanding that when the fiscal notes are prepared, the exact amount must be noted for the record?

Mr. WOJDAK. Where exact information is available, we, of course, would provide that. Until this program is fully implemented, until it gets into gear, we at best can use estimates which are based on costs, discussion with the Welfare Department and some of the county offices to determine what their best estimate would be.

Mr. RICHARDSON. Okay. Then could you tell me which department under this fiscal note, just starting off, would deal with the protection of the abused child whenever a child is taken into custody by the department if there is hospital treatment made available?

Mr. WOJDAK. Mr. Speaker, I do not know if it is the acoustics, but I really did not hear the question.

The SPEAKER pro tempore. Will the gentleman please repeat his question?

**RULES SUSPENDED**

The SPEAKER pro tempore. If the gentleman would please suspend, the Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I neglected to make a necessary motion before we can proceed.

Rule 71 requires that the bills reported from committee shall be listed on the calendar, and this bill is not listed on any calendar even though it is in print and we all have it. So that there be no question about the legitimacy of the actions of the House, I now move that we suspend rule 71, which requires the listing of bills on the calendar, so that Senate bill No. 25 may be properly before this House.

The SPEAKER pro tempore. The majority leader moves that the rules be suspended so that we may consider Senate bill No. 25 without it appearing on the calendar.

On the question,

Will the House agree to the motion?

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

**YEAS—184**

Abraham	Garzia	McCall	Saloom
Anderson, J. H.	Geesey	McClatchy	Salvatore
Arthurs	Gelsler	McGinnis	Scheaffer
Beilomini	George	McIntyre	Schmitt
Barber	Giammarco	McLane	Schweder
Bennett	Gillespie	Mebus	Scirica
Beren	Gillette	Menhorn	Seltzer
Berlin	Gleason	Miller, M. E.	Shane
Berson	Gleason	Miller, M. E., Jr.	Shelhamer
Bittle	Goodman	Milliron	Shuman
Blackwell	Green	Miscevich	Shupnik
Bonetto	Greenfield	Moehlmann	Sirianni
Bradley	Grieco	Morris	Smith, E.
Brandt	Gring	Mrkonje	Smith, L.
Brunner	Halverson	Mullen	Spencer
Burns	Hammock	Mullen, M. P.	Stahl
Caputo	Hasay	Musto	Stapleton
Cessar	Haskell	Myers	Stout
Cimini	Hayes, D. S.	Novak	Taddonio
Cohen	Hayes, S. E.	Noye	Taylor
Cole	Hepford	O'Brien	Thomas
Cowell	Hill	O'Donnell	Toil
Crawford	Hopkins	O'Donnell	Trello
Cumberland	Hutchinson, A.	O'Keefe	Turner
Davis, D. M.	Hutchinson, W.	Oltver	Ustynoski
DeMedio	Irvis	Pancoast	Valicenti
Deverter	Itkin	Parker, H. S.	Vann
Dicarlo	Kelly, A. P.	Perri	Vron
DiDonato	Kelly, J. B.	Perry	Wagner

Dininni	Kernick	Petrarca	Walsh, T. P.
Dombrowski	Kistler	Plevsky	Wansacz
Dorr	Klingaman	Polite	Wargo
Doyle	Knepfer	Pratt	Weidner
Dreibelbis	Kolter	Prendergast	Westerberg
Eckensberger	Kowalshyn	Pyles	Whelan
Englehart	LaMarca	Reed	Whittlesey
Fawcett	Laudadio	Renninger	Wilt, R. W.
Fee	Laughlin	Renwick	Wilt, W. W.
Fischer	Lederer	Rhodes	Wojdak
Fisher	Lehr	Richardson	Worrilow
Flaherty	Letterman	Rieger	Wright
Foster, A.	Levi	Ritter	Yahner
Foster, W.	Lincoln	Romanelli	Yohn
Fryer	Lynch	Ross	Zeller
Gallagher	Manderino	Ruggiero	Zord
Gallen	Manmiller	Ryan	Zwinkl

NAYS—8

Dietz	Katz	McCue	Wilson
Hamilton, J. H.	Kusse	Pitts	Zearfoss

NOT VOTING—10

Butera	McGraw	Shelton	Fineman,
Davies	Milanovich	Sullivan	Speaker
Johnson, J.	Rappaport	Tayoun	

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

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

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

Miss SIRIANNI. Mr. Speaker, we do not have copies of it.

The SPEAKER pro tempore. I beg your pardon?

Miss SIRIANNI. Are we not supposed to have copies of this bill? We do not have copies of it.

The SPEAKER pro tempore. The Chair was informed that all the members do have copies of the bills on their desks before them.

Will somebody please make a copy of Senate bill No. 25 available to the lady?

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

Mr. RICHARDSON. Yes, I will repeat my question. What I had asked, Mr. Speaker, of the Appropriations chairman was that, in this fiscal note, I would like to know what department in cases of emergency takes care of those injured children who are taken into custody? With all your lawyer support, I am sure you will be able to get the answer.

The SPEAKER pro tempore. Will the gentleman, Mr. Wojdak, please respond to the question posed by the gentleman from Philadelphia, Mr. Richardson?

Mr. WOJDAK. Mr. Speaker, if I understand the question, if a child is abused and there is an injured child, the question is, who takes care of that child or provides the necessary medical treatment or hospitalization? Is that the question, sir?

Mr. RICHARDSON. Right, yes.

Mr. WOJDAK. Well, you are really speaking to the substance of the bill.

Mr. RICHARDSON. No, I am speaking to the fiscal note and how much it will cost, because there has to be costs made available for this.

Mr. WOJDAK. As I understand it, it could really be taken care of, and I assume would be taken care of by the guardian ad litem for the actual payment of the hospitalization or medical care that would be taken care of

by the emergency caretaker's service or the emergency shelter service.

Mr. RICHARDSON. Okay. Is there a breakdown then of that service indicated that they do take injured children?

Mr. WOJDAK. Yes, there is. If you will look on the bottom of the first page of the fiscal note, item (d) would be the guardian ad litem breakdown, (e) and (f) would provide the emergency services—caretaker and shelter.

Mr. RICHARDSON. I raise the question now, Mr. Speaker, that it does not speak directly to, and I see what it says in (d), (e) and (f), but I do not see where it says hospital services or that it takes care of the emergency situation in the event that there is a broken arm, or a broken leg, or et cetera. And I am saying that this does not include doctor's fees and, you know, other medication or what have you, and I am wondering whether or not this is also to be included in the fiscal note. If not, I have no problem, I would rather go on with the bill. I just want to ask you this question as the chairman of the Appropriations Committee.

Mr. WOJDAK. Well, you would have to look at the individual case. If the child is, in fact, covered by medical assistance—Blue Cross, Blue Shield or whatever—we already picked that up. You are talking about the payment for services of a child who has none of those coverages, and that would be taken care of by the various items that are indicated in the fiscal note.

Mr. RICHARDSON. The only problem, Mr. Speaker, is, taking that was correct, in the cases where a person is not on fixed income or is not on welfare and is abused and it is reported, and that child has to be taken out and taken into custody because he or she has been injured, I am saying, under this fiscal note, where is that emergency included in the bill? Would your answer, then, still be the same?

Mr. WOJDAK. Well, first of all, in the bill, as I understand it, the hospital cannot refuse treatment to the abused child or injured child no matter whether there is medical coverage, be it medical assistance, Blue Cross, Blue Shield, or whatever.

Mr. RICHARDSON. So they are treated free.

Mr. WOJDAK. Beg pardon?

Mr. RICHARDSON. They are treated free.

Mr. WOJDAK. Well, they cannot refuse coverage.

Mr. RICHARDSON. So I am saying they are treated free, then?

Mr. WOJDAK. No, I do not think you can immediately jump to that conclusion.

Mr. RICHARDSON. Then what are you concluding that I can jump to?

Mr. WOJDAK. Mr. Speaker, let us take the various categories of children. If the child is from a family receiving welfare or is a welfare recipient, the cost of the hospitalization or medical treatment will be taken care by medical assistance, third party or whatever. That category I am assuming, Mr. Speaker, would know how that hospitalization would be paid for. Mr. Speaker, as I said earlier, if the child is a welfare recipient, the welfare department would already have to pay for any hospitalization or medical treatment. If he is from a family with Blue Cross or Blue Shield, they would pick up that treatment. Now I do not know the type of child who has been abused that Mr. Richardson is referring to. If he or she would be someone who does not fall into these categories for payment either by the welfare department,

medical assistance or by Blue Cross or Blue Shield, in that event the Welfare Department has to pay for it.

Mr. RICHARDSON. But I am saying that in the fiscal note, I am only speaking to that—

Mr. WOJDAK. In the fiscal note the category that would pay for that, the category that would have responsibility for that, would be items (d), (e) and (f) at the bottom of page 1 of the fiscal note.

Mr. RICHARDSON. Well, then, the only thing that I would ask for—and then I will be finished with my line of questions with you—would be a breakdown, and not in terms of its number or the cost, but the breakdown in terms of the definition of the emergency caretaker service and the definition of the emergency shelter services and guardian ad litem.

Mr. WOJDAK. Well, those definitions are in the bill.

Mr. RICHARDSON. All right. Okay. Thank you very much.

Then on that point, Mr. Speaker, before I introduce my amendments, I would say that it is clear to me that in this particular fiscal note the bill does not deal with the treatments of the abused child, or the treatment of the causes of child abuse nor with the appropriation of funds necessary for the treatment as I outlined it. I would like to offer these following amendments.

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

On the question recurring,

Will the House agree to the bill on third consideration?

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

Amend Sec. 8, page 22, line 17, by removing the colon after "CUSTODY"

Amend Sec. 8, page 22, lines 18 through 25, by striking out all of said lines and inserting: by a law enforcement officer or duly authorized officer of the court, or by a physician examining or treating the child or by the director, or a person specifically designated in writing by such director, or any hospital or other medical institution where the child is being treated, if there is reasonable cause to suspect that there exist an imminent danger to the life of the child if he were not so taken or retained in custody:

Amend Sec. 8, page 23, line 14, by removing the period after "HEARING" and inserting: before a judge at which time the individual or agency seeking to continue the temporary protective custody shall establish probable cause to believe that the failure to continue protective custody will present an imminent danger to the life and health of the child or the imminent danger of sexual abuse. At the hearing the court shall appoint an attorney for the child pursuant to section 23 of this act, and, pursuant to the Juvenile Act, shall additionally advise the parent, parents, guardian or guardians of the child of the right to legal counsel, at the hearing and proceedings thereafter. The court may continue the proceeding to enable a party to obtain counsel.

Amend Sec. 8, page 23, lines 19 through 30; page 24, lines 1 through 3, by striking out all of said lines and inserting: (d) Any agency or individual who takes a child into temporary protective custody but fails to follow any provisions of subsection (b) shall be denied the immunity granted to it or him under section 11 of this act.

(e) If it is determined at the detention hearing that protective custody shall be continued, the child protective service agency shall, within 48 hours, file a petition with the court under the Juvenile Act, at which time a hearing shall be fixed to be not later than ten days from the filing of the petition, pursuant to the Juvenile Act. Prior to the filing of any petition under the Juvenile Act, the child protective service shall either (i) have exhausted unsuccessfully the provision of services to the family

in order to enable the child to remain in the home of the parent, custodian or guardian, or (ii) have determined that there is imminent danger to the life and health of the child or imminent threat of sexual abuse of the child in remaining at home. The petition shall explicitly aver sufficient factual basis to show that either of these two prerequisites have been met. The summons, with the petition attached, directed to the parents, guardian, custodian or guardian ad litem, and to the child over 14 years of age, shall clearly and in understandable language notify such person of his or her right to legal counsel at the hearing.

Amend Sec. 8, page 23, lines 23 through 30; page 24, lines 1 through 3, by striking out all of said lines and inserting: (e) If it is determined at the detention hearing that protective custody shall be continued, the child protective service agency shall, within 48 hours, file a petition with the court under the Juvenile Act, at which time a hearing shall be fixed to be not later than ten days from the filing of the petition, pursuant to the Juvenile Act. Prior to the filing of any petition under the Juvenile Act, the child protective service shall (i) have exhausted unsuccessfully the provision of services to the family in order to enable the child to remain in the home of the parent, custodian or guardian, and (ii) have determined that there is imminent danger to the life and health of the child or imminent threat of sexual abuse of the child in remaining at home. The petition shall explicitly aver sufficient factual basis to show that either of these two prerequisites have been met. The summons, with the petition attached, directed to the parents, guardian, custodian or guardian ad litem, and to the child over 14 years of age, shall clearly and in understandable language notify such person of his or her right to legal counsel at the hearing.

(f) No petition under the Juvenile Act shall be filed nor temporary custody sought initially nor continued after a 72 hour detention hearing where environmental factors and factors beyond the control of the parent, guardian, or custodian, such as inadequate housing, furnishings, income, clothing and medical care are the sole grounds for seeking temporary or permanent custody of the child.

(g) No child taken into protective custody under this act shall be detained during such protective custody except in an appropriate medical facility, foster home or other appropriate facility approved by the department for this purpose.

(h) A conference between the parent, guardian or other custodian of the child taken into temporary protective custody pursuant to this section and the case worker designated by the child protection service to be responsible for such child shall be held within 48 hours of the time that the child is taken into such custody for the purpose of (i) explaining to such parent, guardian or other custodian the reasons for the temporary detention of the child and the whereabouts of the child, and (ii) to expedite, wherever possible, the return of the child to the custody of such parent, guardian or other custodian where such custody is no longer necessary.

Amend Sec. 25, page 41, line 12, by striking out "THE PROVISIONS" and inserting: any provision

Amend Sec. 25, page 41, line 14, by inserting after "ACT,": other than clause (3) of section 11 thereof

On the question,

Will the House agree to the amendments?

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

Mr. RICHARDSON. Mr. Speaker, these are the same bills that I offered last week. I would like, for clarity's sake, that the members of the House break them down.

#### POINT OF ORDER

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

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



The SPEAKER pro tempore. The gentleman will state it.

Mr. DiCARLO. The amendments that the gentleman, Mr. Richardson, is offering, are they the same ones that he distributed 2 weeks ago?

Mr. RICHARDSON. Yes, they are.

Mr. DiCARLO. Okay; thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman, Mr. Richardson, may proceed.

Mr. RICHARDSON. The first set of amendments that I am offering start with "Amend Sec. 8, page 22, line 17, by removing the colon after 'CUSTODY'; Amend Sec. 8, page 22, lines 18 through 25, by striking out all of said lines and inserting", going all the way down to the last word of that particular part of the first amendment, to the word "custody." Do you have that?

The SPEAKER pro tempore. Is the gentleman finished?

Mr. RICHARDSON. No, I am not.

The SPEAKER pro tempore. I am sorry. The gentleman may proceed. I was under the impression that he was finished.

Mr. RICHARDSON. The gentleman asked for clarity about which part of the amendment I was dealing with. I gave him that answer and then I was ready to proceed into the amendment.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. RICHARDSON. Mr. Speaker, I raised the question on section 8, (a) (1) of this bill where it is proposed that a child may be taken into protective custody pursuant to section 2 of the Juvenile Act. The question that I raise is: What standards are used under section 2 of the Juvenile Act to determine whether or not a child is taken into protective custody?

#### PARLIAMENTARY INQUIRY

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

Mr. MORRIS. I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MORRIS. Would the Speaker state for us exactly where this amendment is being divided? Because of the noise and so on I am rather lost.

Mr. RICHARDSON. For clarity's sake, I will again read the section of the amendment that I am dealing with. It is the first set of the Richardson and Blackwell amendments. It states: "Amend Sec. 8, page 22, line 17, by removing the colon after 'CUSTODY'".

"Amend Sec. 8, page 22, lines 18 through 25, by striking out all of said lines and inserting".

And then it goes on, starting with the first word "by" and ending with the word "custody:". That is the first amendment.

Okay. My question again to you: Under this vague standard of the Juvenile Act, under section 8 (a) (1) of the bill, it is presently proposed that a child may be taken into protective custody pursuant to section 11 of the Juvenile Act.

What standard is used under section 11 of the Juvenile Act to determine whether or not a child is to be taken into protective custody? That is my question.

The SPEAKER pro tempore. To whom is the gentleman directing his question, may I ask?

Mr. RICHARDSON. The gentleman who spoke up, Mr. Speaker, and said that he would be willing to be interrogated.

The SPEAKER pro tempore. Does the gentleman from Erie, Mr. DiCarlo, consent to interrogation?

Mr. DiCARLO. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. DiCARLO. Mr. Speaker, the custody section in the Juvenile Act that you mentioned spells out who should remove the child from protective custody, who may be a probation officer or a police official. That procedure is set up under the Juvenile Act.

Mr. RICHARDSON. What I am asking you to do, though, Mr. Speaker, is, let this House know what that says because I am not clear on whether or not the House knows what this amendment does under this section of the Juvenile Act. If you do not know, I can read it to you.

The SPEAKER pro tempore. Will the gentleman please suspend? Is the gentleman talking on the amendment which he has offered to this bill?

Mr. RICHARDSON. Yes; I am and I am referring to a specific part of the Juvenile Act which deals with this amendment, sir.

Mr. DiCARLO. Mr. Speaker, very basically and very simply what the section does is, the child abuse act dovetails with the Juvenile Act and all we are doing is just spelling it out. If the Speaker has any problems with the Juvenile Act, I wish he would explain that to the House. But I do not see any problem with that. What we are trying to do is expand the protective custody section in the child abuse bill. We are not changing the present Juvenile Act or anything; we are keeping that intact.

Mr. RICHARDSON. Okay. Mr. Speaker, let me say this then: In answer to the question that I raised about what standard is used under section 11 of the Juvenile Act to determine whether or not a child is to be taken into protective custody, it says, under the juvenile code, by a law enforcement officer or duly authorized officer of the court if there are reasonable grounds to believe the child is suffering from illness or injury or imminent danger from his surroundings and that his removal is necessary.

I am saying at this point now that I have read that which is in the Juvenile Code, but can you explain to me what "imminent danger of his surroundings" means?

Mr. DiCARLO. Well, Mr. Speaker, we are very specific in section 8 of the bill and we set up the means of child abuse and we define child abuse. But as far as protective custody, it spells it out as follows: "If such protective custody is immediately necessary to protect the child from . . . serious physical injury, sexual abuse or . . . physical neglect . . ." Now what the gentleman's amendment is doing is testing abuse and putting in the words "imminent danger to life". What Mr. Richardson is saying is, if you adopt his amendment, that child has to be almost dead. We are saying under this child abuse bill that we are setting up a means test. We are saying that physical neglect and we are saying that physical abuse and sexual abuse are indeed grounds for protective custody.

Mr. RICHARDSON. No, I am not saying that. I wish the speaker would not put words into my mouth.

What I am saying though, however, is that under the law and the terminology of which it is set up under

section 8 of this bill on page 22, I would like to make it very clear—

The SPEAKER pro tempore. Will the gentleman please suspend? Is the gentleman speaking on his amendment? Or is the gentleman explaining his amendments to the House?

Mr. RICHARDSON. Yes; I am, Mr. Speaker.

The SPEAKER pro tempore. The Chair would suggest that if the gentleman would explain his amendment, then later it may be right to go into interrogation on the amendment as explained by the member proposing the amendment.

Mr. DiCARLO. Mr. Speaker, I would like to interject, if I can, at this time. Maybe we can clear something up. It seems the gentleman from Philadelphia has a problem with the language in the Juvenile Act. And, indeed, this is not the vehicle to amend or change the Juvenile Act. This is setting up a child abuse act in Pennsylvania. If he has those problems, I would say that he is addressing them at a wrong time and this is not the vehicle to do that.

Mr. RICHARDSON. I beg to differ with you, Mr. Speaker. I am saying that in this amendment which is already clarified in this bill, it goes under the Juvenile Act. Maybe you should take out the Juvenile Act, because at this present time, the Juvenile Act is included in this particular bill, which is why I am asking that it be amended, which is correct and proper procedure.

What I am questioning is that at this particular time it would seem to me that the definition that is raised in it does not give clarity to what is serious physical injury, physical injury, or sexual abuse or physical neglect.

What I am raising now is the fact that I have inserted an amendment that says, number one:

by a law enforcement officer or duly authorized officer of the court, or by a physician examining or treating the child or by the director, or a person specifically designated in writing by such director, or any hospital or other medical institution where the child is being treated, if there is reasonable cause to suspect that there exist an imminent danger to the life of the child if he were not so taken or retained in custody:

What I am saying to you, Mr. Speaker, is that in your bill at this present time leaving "imminent danger from his surroundings" does not make it clear, and I am suggesting that the proponents who put the bill together did not check that out first themselves and, therefore, you are saying that we should deal with the Juvenile Act. If we should have dealt with the Juvenile Act, perhaps the Juvenile Act should not have been included in this particular bill or the language should have been cleared up.

Mr. Speaker, may I ask a question? Are we supposed to have other people on the floor who are not members of this House helping to debate this bill? If so, I would like to have some of my conferees help me.

The SPEAKER pro tempore. Will the House please come to order?

Will all unauthorized personnel please leave the floor of the House and remove themselves to behind the rail in the rear of the House?

Is the gentleman from Philadelphia, Mr. Richardson, finished with his explanation of the amendment?

Mr. RICHARDSON. No. I am waiting for a response.

Mr. DiCARLO. Yes, Mr. Speaker, I will try to respond

as specifically as I can. I hope that I can explain it to the gentleman to his understanding.

We did put certain safeguards in the bill. I think the gentleman is alluding to certain facts as far as inadequate housing, furnishings, home, income. I am assuming that these areas may be reasons for a child to be pulled out of a home and put in protective custody and the parents be labeled with child abuse. We inserted language on page 18 to take care of that.

As far as his questions about the Juvenile Act, what I have said we have done is expand the protective custody section under child abuse, under the child abuse legislation in front of us, specifically setting a means test defining what an abused child is. That is spelled out very specifically, if a child is physically abused, if he is sexually attacked or molested.

If you accept the Richardson amendment, you are in essence making the protective custody section of this bill unworkable. He is using the terminology "imminent danger of life."

In essence, what you really have to do is have a dead child or a child that is almost dead before you can remove him from the family. We are saying, no, that is not right. We have language in there that sets up a means, and we are setting standards so that we know what should be followed when a child is indeed taken away and put into protective custody. I urge a negative vote on the amendment.

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

Mr. RICHARDSON. I will go back again to my question that I raised earlier. In page 18, where the gentleman speaks to the definition of child abuses, which is under section 3 and not in section 8, I raised the question again to the gentleman: Can he please tell me, number one, what does "imminent danger from his surroundings" mean? And number two, are you referring to a child who lives in Philadelphia, for instance, in the north Philadelphia section or in south Philadelphia? Or are you talking about because a person does not have—and this is not in section 8 and I am only dealing with section 8 (a) of this particular bill and not section 3 where you have the definition of "abused child." I am dealing specifically with section 8—could you please tell me what the definition of "imminent danger from his surroundings" means? And if you are talking about north Philadelphia or a particular geographical area or where a person lives, I feel that it is too loose and is not precise in its definition, therefore leaving it too broad for anyone to come in and take a child based on the definition that you have said is cleared up in the bill. It is not cleared up.

Mr. DiCARLO. Mr. Speaker, I can only respond in that I think the means test that we have in the bill under the definition of what an abused child is and also by stating very specifically ". . . if such protective custody is immediately necessary to protect the child from further serious physical injury, sexual abuse or serious physical neglect. . . ." I think that is very specific and that defines very specifically what "imminent danger" is. It does not leave the broad category that Mr. Richardson has in the amendment. Again, if you accept his language, he is making the protective custody section of this whole bill totally unworkable.

Mr. RICHARDSON. Well, since you have not answered

my question, perhaps you could get someone who can, because what I am saying is that by the definition that has been included under section 3 of the abused child definition, where you spell out your definition the—

The SPEAKER pro tempore. The Chair wishes to remind the gentleman again that these are his amendments and that he should confine himself to the explanation of the amendments before the House.

Mr. RICHARDSON. Well, I am, Mr. Speaker, but he referred to the section so I had to refer to it also. If you go by the section that he referred to, I am saying I can only respond to what he said so there can be clarity.

My amendment clearly spells out what "imminent danger of life" means, because at this present time "imminent danger of his surroundings" is very broad. "Imminent danger of his surroundings" does not make it specific. And I am saying that my amendment clarifies that by saying, "imminent danger to life." But I am saying also at the same time, that the question that is raised is if you are talking about imminent danger of his surroundings, then you are leaving it to, say, someone in north Philadelphia, someone in south Philadelphia, someone who lives in a very poor home or has poor conditions in the home. I am saying that in itself does not make it fair and it discriminates against people in this Commonwealth.

Mr. DiCARLO. Mr. Speaker, just one comment, the gentleman is misleading this House. Under the definition of abused child, that is not so.

I can only say to the Speaker and the rest of the members, on looking at the language in front of me that Mr. Richardson has suggested for an amendment, I have tried to comment as pertinently and specifically as I can to his amendment. I have tried to explain why I am against his amendment. If the gentleman disagrees with that, that is his prerogative, but that is the thing that I am dealing with, the language that you have submitted to this House and just by reviewing it and as I see it applied to the bill.

Again I say, we are specific. I say that we do set a means test. I say that if the language you have in this amendment goes in the bill, what you are doing is destroying child abuse protection in this Commonwealth because you just cannot enforce it. It is unworkable. Again I ask this House to dispose of this amendment.

Mr. RICHARDSON. Well, Mr. Speaker, I would say, in response to your last comment on this and hope that others would also pick it up, is the fact that this amendment clearly specifies and spells out what we are talking about when we are talking about imminent danger. I am speaking of imminent danger of life. Presently, the bill does not direct itself to that in section 8 (a) which we are talking about.

Presently, the bill says that it is imminent danger of his surroundings. It could mean anywhere. It could mean your child; it could mean my child. His surroundings could mean a definition based upon whatever his surroundings are. I am saying that that is not a clear definition.

Mr. DiCarlo at this present time is leading the House into believing that saying "imminent danger to his life" is misleading to the other members. I am saying that it clarifies it because by saying "imminent danger to his surroundings" could mean my home. It could mean where I live. It could mean where I work. It could mean any-

thing. It could give anyone justification to either calling or contacting the police or contacting a physician and saying, because of his surroundings, I will be able to take your child.

I feel that it only clarifies this particular part of the bill to bring out the exact point that we are trying to raise. If we are only talking about trying to clarify the bill, then I do not see any reason why Mr. DiCarlo and others would be against trying to amend the bill that would only clarify the definition of what imminent danger to a child's life is.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Berks, Mr. LaMarca.

Mr. LaMARCA. Mr. Speaker, I will not belabor the House with this, but I rise to oppose the amendment. I do so because I feel we are in serious need of a child abuse bill. I understand the definition of "imminent danger of life" as opposed to imminent surroundings as put out by Mr. Richardson. But I believe it necessary for us to oppose these amendments simply because, as Mr. DiCarlo has pointed out, you would have to wait until the child is half dead in order to invoke the provisions that we have in this act. If this act is going to work, it has to do so without these amendments. I urge that we vote them down.

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

Mr. McGINNIS. I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. McGINNIS. Will a motion to table come first over any of these other votes?

The SPEAKER pro tempore. The motion to table the amendments?

Mr. McGINNIS. The motion to table the bill.

The SPEAKER pro tempore. The bill with the amendments?

Mr. McGINNIS. And the amendments.

The SPEAKER pro tempore. The motion to table would take precedence.

#### MOTION TO TABLE

Mr. McGINNIS. Mr. Speaker, I have listened to my colleagues today. I believe this bill is needed. But I have tried to find out how many child abuse cases were reported in Pennsylvania last year that would cost approximately \$12 million to the taxpayers of this state.

Now I do not want to make a motion to put the bill back into committee because I think when we come back some of these questions that have been brought up today should be answered. Our colleagues in the Senate are going home this afternoon. So I would like to get some of these answers and I would like to put this bill on the table so that we can take it up when we come back.

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

Mr. DiCARLO. Yes, Mr. Speaker. I totally oppose the tabling of this bill. The bill was tabled 2 weeks ago. At that time, the membership had the chance to review the bill and, if they had any specific questions, to look at those and try to get the information.

As far as the information, I can tell you that at least

in Pennsylvania, in 1974 there were over 2,000 cases of reported child abuse in Pennsylvania.

I think we have gotten to the point where the bill is in very good order to pass. I think it is a bill that is much needed in the Commonwealth of Pennsylvania. I think the Appropriations chairman very evenly dealt with the problem of funding the program. I think we are neglectful if we again table this much needed bill.

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

Mr. MCGINNIS. Mr. Speaker, at the worst, Mr. Speaker, if we could table this for 1 day, at least we could caucus on this bill and get some answers. We could vote it tomorrow.

The SPEAKER pro tempore. Is the gentleman making a motion or is he not?

Mr. MCGINNIS. I have a motion to table. I would not oppose the motion to take it off the table tomorrow.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Centre, Mr. Dreibelbis.

Mr. DREIBELBIS. May I respond to the inquiry of Mr. McGinnis on the motion to table?

The SPEAKER pro tempore. I will caution the members, the motion to table is not debatable.

Mr. DREIBELBIS. I understand that, Mr. Speaker, but he made an inquiry.

The SPEAKER pro tempore. Does the gentleman, Mr. McGinnis, consent to a brief interrogation?

Mr. MCGINNIS. I will.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. DREIBELBIS. I am responding to his interrogation which was not answered. I wanted to tell him that in the last 5 years there were 53 counties which reported no cases of suspected child abuse. In 1974, there were four counties that had zero suspected cases. In 1973, there were nine counties that had zero suspected cases. In 1972, there were nine counties that had zero suspected cases; in 1971, 11; and in 1970, 22.

In the last 5 years, there were 14 counties that had less than 10 suspected cases of child abuse. Those figures come from the Department of Welfare.

Mr. MCGINNIS. Thank you very much. We are going to vote \$12 million to take care of that? I would like to keep the motion to table.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Berks, Mr. LaMarca.

Mr. LAMARCA. On the motion to table some statistics were introduced that go to the very merit of the bill. I think the latitude that was allowed by the Speaker was commendable, if he will allow me a minute of latitude.

Those figures that were cited, the very reason for this bill is the fact that those figures are the ones that you cite. There has been no obligation and duty, and there has been no penalty imposed if people do not report child abuse.

I oppose the motion to table. I say it is time for us to get this bill passed.

The SPEAKER pro tempore. The only question before the House is on the motion to table the bill with the amendments.

The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I call for a negative vote on the motion.

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

Mrs. FAWCETT. Mr. Speaker, I support the majority leader.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Messrs. MCGINNIS and DiCARLO and were as follows:

YEAS—25

Anderson, J. H.	Hepford	McGinnis	Smith, L.
Barber	Hutchinson, W.	Noye	Spencer
Dreibelbis	Katz	Perri	Whelan
Foster, A.	Lehr	Richardson	Whittlesey
Gleason	Letterman	Ryan	Zearfoss
Hamilton, J. H.	McCue	Salvatore	Zeller
Hasay			

NAYS—169

Abraham	Garzia	McClatchy	Schmitt
Arthurs	Geesey	McIntyre	Schweder
Bellomint	Geisler	McLane	Scirica
Bennett	George	Mebus	Seltzer
Beren	Giammatco	Menhorn	Shane
Berlin	Gillespie	Miller, M. E.	Shelhamer
Berson	Gillette	Miller, M. E., Jr.	Shelton
Bittle	Gleeson	Milliron	Shuman
Blackwell	Goodman	Miscevich	Shupnik
Bonetto	Green	Moehlmann	Sirianni
Bradley	Greenfield	Morris	Smith, E.
Brandt	Grieco	Mrkonic	Stahl
Brunner	Gring	Mullen, M. P.	Stapleton
Burns	Halverson	Mullen	Stout
Caputo	Hammock	Musto	Taddonio
Cassar	Haskell	Myers	Taylor
Cimalini	Hayes, D. S.	Novak	Tayoun
Cohen	Hayes, S. E.	O'Brien	Thomas
Cole	Hill	O'Connell	Toll
Cowell	Hopkins	O'Keefe	Trello
Crawford	Hutchinson, A.	Oliver	Turner
Cumberland	Irvis	Pancoast	Valcenti
Davis, D. M.	Itkin	Parker, H. S.	Vroom
DeMedio	Johnson, J.	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	Wilson
Dorr	Kolter	Pyles	Wilt, R. W.
Doyle	Kowalshyn	Rappaport	Wilt, W. W.
Eckensberger	Kusse	Reed	Wojdak
Englehart	LaMarca	Renninger	Worrlow
Fawcett	Laudadio	Renwick	Wright
Fee	Laughlin	Rhodes	Yahner
Fischer	Lederer	Rieger	Yohn
Fisher	Levi	Ritter	Zord
Flaherty	Lincoln	Romanelli	Zwickl
Foster, W.	Lynch	Ross	
Fryer	Manderino	Ruggiero	Fineman,
Gallagher	Manmiller	Saloom	Speaker
Gallen	McCall	Scheaffer	

NOT VOTING—8

Butera	McGraw	O'Donnell	Ustynoski
Davies	Milanovitch	Sullivan	Vann

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

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. RICHARDSON and DiCARLO and were as follows:

YEAS—15

Barber	Hammock	Renninger	Salvatore
Blackwell	Katz	Rhodes	Shelton
Caputo	Lederer	Richardson	Vann
Hamilton, J. H.	Perri	Ross	

NAYS—177

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

NOT VOTING—10

Butera	McGraw	Rieger	Fineman,
Davies	McIntyre	Scirica	Speaker
Johnson, J.	Milanovich	Tayoun	

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

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

Mr. RICHARDSON. Mr. Speaker, since everyone is so clear of what "imminent danger" is and has allowed it to go into the bill, I offer this second set of amendments that state: "Amend Section 8, page 23, line 14, by removing the period after 'Hearing' and inserting", and then starting with the word "before" and ending with the word "counsel."

PARLIAMENTARY INQUIRY

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

Mr. DiCARLO. I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. DiCARLO. Mr. Speaker, am I right in assuming that the omnibus amendment that Mr. Richardson gave us has been divided? It has not been divided?

The SPEAKER pro tempore. There was no motion to divide, and the amendment was all inclusive. We are now on the second amendment.

Mr. RICHARDSON. No, it was not, Mr. Speaker. I did divide. I asked the Chair. I first said what my first part of the amendment was. I read the section you asked me to read. I read the section; I read the lines; and I read

the last word. I went on and said what was amendment No. 2, which is on the same page.

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

Mr. DiCARLO. Mr. Speaker, I say to the Chair that there was no motion to divide the amendment, and I was under the impression that the debate and the vote that we just made was on the total Richardson-Blackwell amendment. If that is right, I wish the Chair would inform us of that.

The SPEAKER pro tempore. That is the impression of the Chair. There was no motion to divide the amendment, and the vote of the House was on the amendment in its entirety.

Mr. RICHARDSON. Mr. Speaker, I would like to make an appeal to the Chair. When I first started speaking, I spoke to this Chair and I said, because you asked me. If you had not asked me, it would be different, but you, out of your mouth, asked me what was I dealing with. I said, "Amend Section 8, page 22, line 17, by removing the colon after 'custody'". I then went on to talk about where the beginning of this line was. I think you should check with your Parliamentarian. I said it began with the word "by" and ended with the word "custody", as being the first section of this amendment. I said then, coming to amendment No. 2, that we would deal with "Amend Section 8, page 23, line 14, by removing the period after 'hearing'".

The SPEAKER pro tempore. In view of the fact that the Chair was under the misapprehension, as probably many of the members, that we were voting on all the amendments, and although it is true that the gentleman spoke on one of them, he never requested that the amendments be severed, divided, we will reconsider the amendments. We will take a vote on the first portion of the amendment and strike the last vote that was taken.

Mr. RICHARDSON. Then can we clarify for the members, Mr. Speaker, so they know which part of the amendment they are voting on?

The SPEAKER pro tempore. Will the gentleman please move back from the microphone so that we can hear what he is saying?

Mr. RICHARDSON. Is it possible, Mr. Speaker, that we could make it very clear to the members of the House what part of this amendment we are voting on, because I think that there was some mistake about what they were voting on.

The SPEAKER pro tempore. If the gentleman will briefly explain the portion of the amendment that we are going to vote on.

Mr. RICHARDSON. The first portion of the amendment, Mr. Speaker, speaks directly to what is the definition of "imminent danger" as it so reads now under the Juvenile Act. What I propose in this amendment is to change the present language because it seems to me that "imminent danger to his surroundings" is not a clear definition. A lot of people would like to take that, and I feel that this is one of the components of the bill that makes it very discriminatory.

When you talk about imminent surroundings of a person's surroundings, you are not talking about a person's physical injury, you are not talking about sexual abuse as it is under the definition of the word "abused child." I think that for clarity's sake, this amendment only clarifies the definition by stating that "by a law enforcement

officer or duly authorized officer of the court, or by a physician examining or treating the child or by the director, or a person specifically designated in writing by such director, or any hospital or other medical institution where the child is being treated, if there is reasonable cause to suspect that there exist an imminent danger to the life of the child if he were not so taken or retained in custody:".

I am saying that that "imminent danger to life" does not mean that a child has to be half dead in order for there to be a custody, a protective custody, taking place in this particular matter.

I would hope that the rest of the members would divide the amendments as they are presently in front of them and understand that "imminent danger of his surroundings" does not specify or clarify in my mind and a lot of other people's minds in this Commonwealth exactly what it means. It is not clear in the bill.

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

Mr. DiCARLO. Mr. Speaker, again the arguments are basically the same. What the gentleman has done is use the same concept and use different language in amendment No. 2, and what he is really doing again is destroying and making the protective custody section under the new child abuse bill unworkable. Again I ask for a negative vote.

On the question,

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

The yeas and nays were required by Messrs. RICHARDSON and DiCARLO and were as follows:

YEAS—20

Barber	Hammock	Pitts	Shelton
Blackwell	Hasay	Rappaport	Vann
Caputo	Hutchinson, W.	Renninger	Whelan
Gleason	Klingaman	Richardson	Whittlesey
Hamilton, J. H.	McGinnis	Ross	Zearfoss

NAYS—165

Abraham	Gallagher	Lynch	Saloom
Anderson, J. H.	Gallen	Manderino	Scheaffer
Arthurs	Garzia	Manmiller	Schmitt
Bellomini	Geesey	McCall	Schweder
Bennett	Geisler	McClatchy	Seltzer
Beren	George	McCue	Shane
Berlin	Giammarco	McLane	Shelhamer
Berson	Gillespie	Mebus	Shuman
Bittle	Gillette	Menhorn	Shupnik
Bonetto	Gleason	Miller, M. E.	Sirianni
Bradley	Goodman	Miller, M. E., Jr.	Smith, E.
Brandt	Green	Milliron	Smith, L.
Brunner	Greenfield	Miscevich	Spencer
Burns	Grieco	Moehlmann	Stahl
Cessar	Gring	Morris	Stapleton
Cimini	Halverson	Mrkonic	Stout
Cohen	Haskell	Mullen, M. P.	Taddonio
Cole	Hayes, D. S.	Mullen	Taylor
Cowell	Hayes, S. E.	Musto	Thomas
Crawford	Hepford	Myers	Toll
Cumberland	Hill	Novak	Trello
Davis, D. M.	Hopkins	Noye	Turner
DeMedio	Hutchinson, A.	O'Brien	Ustynoski
Deverter	Irvis	O'Connell	Valicenti
Dicarlo	Itkin	O'Donnell	Wagner
DiDonato	Kelly, A. P.	O'Keefe	Walsh, T. P.
Dietz	Kelly, J. B.	Oliver	Wansacz
Dininni	Kernick	Pancoast	Wargo
Dombrowski	Kistler	Parker, H. S.	Weidner
Dorr	Knepper	Petrarca	Westerberg
Doyle	Kolter	Pievsky	Wilson
Dreibelbis	Kowalyszyn	Polite	Wilt, R. W.
Eckensberger	Kusse	Pratt	Wilt, W. W.
Engelhart	LaMarca	Prendergast	Wojdak
Fawcett	Laudadio	Pyles	Worrlow

Fee	Laughlin	Reed	Wright
Fischer	Lederer	Renwick	Yahner
Fisher	Lehr	Ritter	Yohn
Flaherty	Letterman	Romanelli	Zeller
Foster, A.	Levi	Ruggiero	Zord
Foster, W.	Lincoln	Ryan	Zwinkl
Fryer			

NOT VOTING—17

Butera	McIntyre	Rieger	Vroon
Davies	Milanovich	Salvatore	
Johnson, J.	Perri	Scirica	Fineinan, Speaker
Katz	Perry	Sullivan	
McGraw	Rhodes	Tayoun	

So the question was determined in the negative and Part I of the Richardson amendments was not agreed to.

The SPEAKER pro tempore. The Chair will now take up the second amendment: "Amend Section 8, page 23, line 14, by removing the period after 'hearing' and inserting" the language that follows.

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

Mr. RICHARDSON. The present language in the bill now deals with the judge.

Mr. Speaker, in interrogating the speaker now, I would like to ask him what is the judge to determine at the detention hearings after the child is taken into protective custody?

The SPEAKER pro tempore. May the Chair suggest that rather than starting out with interrogation, that the member please explain to us the amendment he is now offering to the bill and what he intends to accomplish by that amendment.

Mr. RICHARDSON. In amendment No. 2, Mr. Speaker, what I have done is insert some language that clarifies the definition of what happens at a detention hearing. I am saying that we should insert after the word "hearing" that "before a judge at which time the individual or agency seeking to continue the temporary protective custody shall establish probable cause to believe that the failure to continue protective custody will present an imminent danger to the life and health of the child or the imminent danger of sexual abuse. At the hearing the court shall appoint an attorney for the child pursuant to section 23 of this act, and, pursuant to the Juvenile Act, shall additionally advise the parent, parents, guardian or guardians of the child of the right to legal counsel, at the hearing and proceedings thereafter. The court may continue the proceeding to enable a party to obtain counsel."

In that amendment it specifies very clearly—it does not go around or beat around the bush as it does in the bill—and I am asking the members of the House to support this particular amendment. It deals specifically with the fact that the parents of the child who is taken into custody have the right to counsel and that it should also be clear, whether it be before a judge or anyone else, that this probable cause be established before any determination be considered.

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

Mr. DiCARLO. Mr. Speaker, again the gentleman's fears as far as legal counsel for the child abuse is covered under section 23, the guardian ad litem. As far as advising the parents or the guardian of the child, that is also under the present law. I ask the House to vote in the negative.

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

Mr. RICHARDSON. I want to ask the gentleman, Mr. DiCarlo, a question, because these are very vague and I really feel that this is one of the most important pieces of legislation that has been up before us for a while. I think it is being taken in a very jokingly manner.

It seems to me that dealing with child abuse—everybody is for child abuse, and I am also a proponent for child abuse. But I am not for child abuse for the sake of just passing a piece of legislation that says that we as a legislative body have passed a child abuse bill. It seems to me that some members feel that it is a funny situation; I do not. I feel that it is dealing with our children and I would like to ask a couple of questions that I think will be in order. One is: Referring to section (A) of the same amendment that I have presently before you, I am asking, how soon after a child is taken into protective custody by police officers does the police officer have to obtain a court order? In the bill it says 72 hours. I am wondering, then, from that response that I have here, why we are proposing different time periods for obtaining a court order for taking a child into protective custody depending on whether or not the child is picked up by a police officer or by a physician? That is not clear.

The SPEAKER pro tempore. It seems to the Chair that the gentleman is debating the merits of the bill rather than the merits of his amendment. I suggest that the gentleman please confine himself to the amendment.

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

Mr. DiCARLO. Mr. Speaker, it is my understanding that this section that you are interested in, the 72-hour limit, does, under the abuse legislation in front of us, run parallel with the Juvenile Act and indeed it is 72 hours that it has to be reported, that a hearing has to be held.

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

Mr. HAMMOCK. Thank you, Mr. Speaker. I know it is a little bit confusing, but the amendment, the portion of the amendment, that Mr. Richardson now is addressing himself to, I feel should be supported. This section of Mr. Richardson's amendment merely clarifies the grounds upon which a judge is to make his determination. Those grounds being those traditionally used in the law of probable cause for the judge to believe that the child would suffer imminent danger to his life because of the surrounding circumstances.

I think that Mr. Richardson's amendment when added to that section already within the law gives us a better feel. It gives the judge something more to hang his teeth on in that particular section. That is to say, in spite of the fact that the child must be given a hearing within 72 hours, the judge still has to make that determination very often in the dark. I think that what this section would do is establish some reasonable grounds for which the jurist can make his decision in that case. Therefore, I think it adds some greater weight of credibility to this particular section, and perhaps it would go towards avoiding the abuse that we all desire to avoid. Therefore, I support Mr. Richardson's motion at this point.

On the question,

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

The yeas and nays were required by Messrs. RICHARDSON and DiCARLO and were as follows:

## YEAS—47

Barber	Hamilton, J. H.	Moehlmann	Scirica
Beren	Hammock	Morris	Seltzer
Blackwell	Hasay	Perri	Shelton
Burns	Haskell	Perry	Vann
Caputo	Hutchinson, W.	Pitts	Wagner
Cowell	Irvis	Reed	Weidner
Doyle	Katz	Renninger	Whelan
Eckensberger	Lederer	Rhodes	Whittlesey
Fisher	McGinnis	Richardson	Wilson
Gleason	Mebus	Ross	Wright
Greenfield	Miscevich	Ryan	Zearfoss
Halverson	Miller, M. E.	Salvatore	

## NAYS—141

Abraham	Gallagher	Levi	Saloom
Anderson, J. H.	Gallen	Lincoln	Scheaffer
Arthurs	Garzia	Lynch	Schweder
Bellomini	Geesey	Manderino	Shane
Bennett	Geisler	Manniller	Shelhamer
Berlin	George	McCall	Shuman
Berson	Giammarco	McClatchy	Shupnik
Bittle	Gillespie	McCue	Sirianni
Bonetto	Gillette	McIntyre	Smith, E.
Bradley	Gleason	McLane	Smith, L.
Brandt	Goodman	Menhorn	Spencer
Brunner	Green	Miller, M. E., Jr.	Stahl
Cessar	Grieco	Milliron	Stapleton
Cimini	Gring	Mrkonic	Stout
Cohen	Hayes, D. S.	Mullen, M. P.	Taddonio
Cole	Hayes, S. E.	Myers	Taylor
Crawford	Hepford	Novak	Thomas
Cumberland	Hill	Noye	Toll
Davis, D. M.	Hopkins	O'Brien	Trello
DeMedio	Hutchinson, A.	O'Connell	Turner
Deverter	Itkin	O'Donnell	Ustynoski
DiCarlo	Kelly, A. P.	O'Keefe	Vron
DiDonato	Kelly, J. B.	Pancoast	Walsh, T. P.
Dietz	Kernick	Parker, H. S.	Wansacz
Dininni	Kistler	Petrarca	Wargo
Dombrowski	Klingaman	Pievsky	Westerberg
Dorr	Knepper	Polite	Wilt, R. W.
Dreibelbis	Koiter	Pratt	Wilt, W. W.
Englehart	Kowalyszyn	Prendergast	Wojdak
Fawcett	Kusse	Pyles	Worriow
Fee	LaMarca	Rappaport	Yahner
Fischer	Laudadio	Renwick	Yohn
Flaherty	Laughlin	Ritter	Zeller
Foster, A.	Lehr	Romanelli	Zord
Foster, W.	Letterman	Ruggiero	Zwickl
Fryer			

## NOT VOTING—14

Butera	Milanovich	Rieger	Valicenti
Davies	Mullen	Schmitt	
Johnson, J.	Musto	Sullivan	Fineman,
McGraw	Oliver	Tayoun	Speaker

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

The SPEAKER pro tempore. The Chair will now take up amendment No. 3 which amends section 8, page 23, lines 19 through 30; page 24, lines 1 through 3, by striking out all of said lines and inserting the language that follows.

If I might suggest and if it is agreeable to the gentleman from Philadelphia, Mr. Richardson, this amendment will be all-inclusive and take the other sections amending section 25, page 41, line 12 and also line 14. Is that agreeable to the gentleman?

Mr. RICHARDSON. No, it is not, Mr. Speaker, and I would like to divide my own amendments if I possibly could.

The SPEAKER pro tempore. Then the Chair will take all the language ending with the words "is no longer necessary" on page 2 of the amendment.



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

Mr. RICHARDSON. Now that you have made your proposal, can I tell you where I would like to have it divided, please?

It is different language, and I would like to make sure it is clear to the members.

I would like to amend section 8, page 23, lines 19 through 30 by starting with (d) section and starting with the word "Any" and ending with the word "act." This will be amendment No. 3.

The SPEAKER pro tempore. Is the gentleman suggesting that he wishes to divide and vote on the subsection (d)?

Mr. RICHARDSON. As the amendment reads, that is correct. It speaks specifically to parent protection, and I think that it is in order and I ask that it be divided at that level.

The SPEAKER pro tempore. The Chair retracts what it said. Without objection, we will be voting on the section on page 23, subsection (d), commencing with the language, "Any agency or individual . . ." and ending with "of this act."

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

Mr. RICHARDSON. Thank you, Mr. Speaker.

Under this amendment No. 3 which deals with parent protection—

#### POINT OF ORDER

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. DiCARLO. Mr. Speaker, have you given the gentleman the consent to divide the amendment further.

The SPEAKER pro tempore. The Chair suggested that, without objection, the division was permissible. I heard no objection.

Mr. DiCARLO. Well, Mr. Speaker, I do object to that. Very basically if you look at it, if you do divide it and his amendment goes in or does not go in, you are going to throw off the whole written piece of legislation in front of us and you will be unable to deal with it. I think the legislation has to be dealt with in total. The amendment has to be dealt with in total.

Mr. RICHARDSON. Mr. Speaker, I beg to differ. Under subsection (d) it deals with immunity and section 4 deals with the whole exhaustive services before the petition is filed. I think that they are two separate amendments, and I am speaking to those two separate amendments.

The SPEAKER pro tempore. Is the gentleman, Mr. DiCarlo, contesting the ruling of the Chair that this section is subdivisible?

Mr. DiCARLO. Yes, I am, Mr. Speaker.

The SPEAKER pro tempore. On the motion of the gentleman from Erie, Mr. DiCarlo, as to whether or not the Chair was proper in its ruling that this section is subdivisible, as suggested, the members will—

#### POINT OF ORDER

Mr. RICHARDSON. Point of order, Mr. Speaker.

The SPEAKER pro tempore. Will the gentleman please suspend until the Chair is finished with its instruction?

Mr. RICHARDSON. I have a point of order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. RICHARDSON. Mr. Speaker, did you not make a ruling on this just moments ago?

The SPEAKER pro tempore. The gentleman takes issue with the ruling of the Chair, and it is up to the House to decide whether or not the Chair was correct in its ruling.

Mr. RICHARDSON. At that time did not you ask if there were any objections, Mr. Speaker?

The SPEAKER pro tempore. Would the gentleman please repeat that?

Mr. RICHARDSON. At that time, Mr. Speaker, did you not ask whether or not there were any objections to the division of this particular section?

I broke it down for you and I think before you do that—I feel it is unfair, but before you do that—I am saying that I also specifically indicated under subsection (d) for amendment No. 3 what it was speaking directly to. I said in terms of parent protection and loss of immunity.

#### OBJECTION WITHDRAWN

The SPEAKER pro tempore. The Chair has been permitting a wide latitude. The man has stated his objection to the ruling of the Chair. The question recurs.

Mr. DiCARLO. Mr. Speaker, I withdraw my objection.

The SPEAKER pro tempore. The gentleman has withdrawn his objection to the ruling of the Chair, and the House will proceed to vote on the amendment as subdivided as explained by the Chair previously.

Mr. RICHARDSON. Mr. Speaker, I think there are two things that are happening. One is that you are a little excited because you are running the House; but I think you are not giving us courtesy in relationship to this particular bill.

There were some questions about the bill. We have never debated the particular issue because I have never spoken on the amendment yet because there were questions raised. I am saying that you are asking for a vote before we even have an opportunity to speak on it.

The SPEAKER pro tempore. The Chair does not want to curtail debate on the amendment. If the gentleman has not finished explaining it, he may proceed.

Mr. RICHARDSON. It has never been explained, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. RICHARDSON. Amendment No. 3, Mr. Speaker, speaks directly to parent protection, and I raise the question, having inserted a new definition under subsection (d) which says—

#### POINT OF ORDER

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. BENNETT. Will the Chair advise me what is before the House at the moment?

The SPEAKER pro tempore. The matter before the House presently is Mr. Richardson's third amendment as

subdivided and as explained by the Chair, being, namely, subsection (d) on page 1 of the Richardson amendments.

Mr. BENNETT. I respectfully suggest that the Chair have the board cleared.

The SPEAKER pro tempore. Will the clerk please strike the vote from the board?

The amendments are before you on your desk. I suggest that you look at subdivision (d), and that is what the gentleman is about to explain to the House.

Will the gentleman from Philadelphia, Mr. Richardson, please proceed with the explanation?

### QUESTION OF INFORMATION

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. POLITE. Mr. Speaker, I see you have changed it now. We had House bill No. 25 up there, and I think we are debating the amendments on Senate bill No. 25. Is that correct?

The SPEAKER pro tempore. We are debating the amendment to Senate bill No. 25 offered by Mr. Richardson, being subdivision (d) of the Richardson amendments which should be before you on your desk.

Will the gentleman from Philadelphia please proceed.

Mr. RICHARDSON. Mr. Speaker, what I have done in this amendment No. 3 under subsection (d) is say that "Any agency or individual who takes a child into temporary protective custody but fails to follow any provisions of subsection (b) shall be denied the immunity granted to it or him under section 11 of this act."

What I am raising a question to is the fact that at the present time it seems that it is important for the protection for parents that if a hospital or doctor fails to notify the parents or specify any of these facts, there is no remedy open presently to the parents. I am saying that everyone should be all-inclusive of this. In this language it says: "Any agency or individual who takes a child into temporary protective custody . . ." In this particular part of the bill, it only specifies the doctor or the hospital. I think that it should be everybody.

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

Mr. DiCARLO. Mr. Speaker, I oppose the amendment to Senate bill No. 25. It will directly affect, in some instances, the immunity that is given to persons who report child abuse, and I think if we inject this language, we are going to destroy that concept. I ask a negative vote.

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

Mr. RICHARDSON. I do not know why you cannot hear me. I have a question, Mr. Speaker, and I am trying to be recognized.

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

Mr. DiCARLO. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. RICHARDSON. Mr. Speaker, I would like to raise the question under subsection (b) of section 8 which provides important protection for the parents because it re-

quires that when the child is taken into protective custody, the parents will be notified of why the child has been taken and where he or she is. What I would ask now is, if the hospital or the doctor fails to notify the parents of these facts, what remedy is open to the parents?

Mr. DiCARLO. Mr. Speaker, I cannot basically tell you what would happen in that instance. What we do know is, if that occurs, it is a violation of the law; and what is happening is that parent, that guardian or individual who is involved has a basis for a civil suit.

Mr. RICHARDSON. If that is true, Mr. Speaker, saying that the hospital or the doctor, under subsection (11) of the act, gives the hospital and the doctor immunity from liability, suing is not much of an answer.

I am suggesting to you that this part of our amendment that we are asking for will only clarify, number one, why, if we are proposing to give the broad immunity in Section 11 to hospitals and doctors, should hospitals and doctors not have to comply with subsection (b) of section 8 also?

Mr. DiCARLO. Mr. Speaker, I think this may deal with the heart of the issue of child abuse, and this is where we have to weigh the matter of what do we do about protecting the child that has been drastically abused, physically or sexually, and we have to deal with the rights of the parents involved.

In any piece of legislation, this legislature or anybody else cannot guarantee that it will be carried out conceptually, but we have to insert some kind of good faith with the persons who are involved in carrying out the law. Again, what I am saying to the gentleman, if indeed that is violated, there are provisions under the law, there are sanctions involved and the guardians involved do have civil action available to them. I say that if you put this language in, you are jeopardizing the whole immunity process in the child abuse legislation. If you do that, you are again weakening the bill.

Mr. RICHARDSON. At this present time doctors and hospitals have the right of immunity from liability. I am saying that the particular part of the amendment that I have in subsection (d) clarifies that, Mr. Speaker. It does speak directly to it.

I would hope that the members are listening very closely to it, because it would certainly seem to me that if a doctor or a hospital commits some wrong on a child—This is very important, Mr. Speaker, and I do not think we have the response of the House.

What I am raising is: Why should the immunity of Section 11 be conditional on complying with the obligations under subsection (b) of Section 8? You have not answered that in relation to my amendment, which says that we are talking about any agency or individual who takes the child in temporary protective custody. If anything happens to that child, this bill does not clarify any particular injury that might be incurred while that person is there. I am saying that you are saying that this immunity only applies in one particular case, and I am saying it should apply in a cross-perspective; it should apply for everybody. The bill does not do that.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lackawanna, Mr. McLane.

Mr. McLANE. Mr. Speaker, I rise to oppose this amendment as I have opposed the others. The question of immunity must remain there because it is a vital part of the legislation. Also, the time span which is being used, 24 hours, that the doctor has and if he misses that

through a technicality in a written report or something, then he would be held totally liable.

He must get in touch with the Child Protective Agency. It is not as if the Child Protective Agency is going in initially. The Child Protective Agency, within 72 hours, 48 hours later, must be in the court with that child. I see no real harm being done to that child in that period of time.

On the question,

Will the House agree to Part III of the Richardson amendments?

The yeas and nays were required by Messrs. RICHARDSON and DiCARLO and were as follows:

YEAS—17

Barber	Johnson, J.	Perri	Shane
Blackwell	Katz	Pitts	Shelton
Hamilton, J. H.	McGinnis	Richardson	Vann
Hammock	Mullen, M. P.	Salvatore	Whittlesey
Hutchinson, W.			

NAYS—172

Abraham	Gallagher	Lynch	Saloom
Anderson, J. H.	Gallen	Manderino	Scheaffer
Arthurs	Garzia	Manmiller	Schmitt
Bellomini	Gelsler	McClatchy	Schweder
Bennett	Geesey	McCue	Scirica
Beren	George	McIntyre	Seltzer
Berlin	Giammarco	McLane	Shelhamer
Berson	Gillespie	Mebus	Shuman
Bittle	Gillette	Menhorn	Shupnik
Bonetto	Gleason	Miller, M. E.	Sirianni
Bradley	Gleeson	Miller, M. E., Jr.	Smith, E.
Brandt	Goodman	Milliron	Smith, L.
Brunner	Green	Miscevich	Spencer
Burns	Greenfield	Moehlmann	Stahl
Caputo	Grieco	Morris	Stapleton
Cessar	Gring	Mrkonic	Stout
Cimini	Haskell	Mullen	Taddonio
Cohen	Hayes, D. S.	Musto	Taylor
Cole	Hayes, S. E.	Myers	Thomas
Cowell	Hepford	Novak	Toll
Crawford	Hill	Noye	Trello
Cumberland	Hopkins	O'Brien	Turner
Davis, D. M.	Hutchinson, A.	O'Connell	Ustyynski
DeMedio	Irvin	O'Donnell	Valicenti
Deverter	Itkin	O'Keefe	Vroon
DiCarlo	Kelly, A. P.	Pancoast	Wagner
DiDonato	Kelly, J. B.	Parker, H. S.	Wansacz
Dietz	Kernick	Petrarca	Wargo
Dininni	Klingaman	Plevsky	Weidner
Dombrowski	Kistler	Polite	Westerberg
Dorr	Knepper	Pratt	Whelan
Doyle	Kolter	Prendergast	Wilson
Dreibelbis	Kowalshyn	Pyles	Wilt, R. W.
Eckensberger	Kusse	Rappaport	Wilt, W. W.
Englehart	LaMarca	Reed	Wojdak
Fawcett	Laudadio	Renninger	Worrlow
Fee	Laughlin	Renwick	Wright
Fischer	Lederer	Rieger	Yahner
Fisher	Lehr	Ritter	Yohn
Flaherty	Letterman	Romanelli	Zearfoss
Foster, A.	Levi	Ross	Zeller
Foster, W.	Lincoln	Ruggiero	Zord
Fryer		Ryan	Zwilk

NOT VOTING—13

Butera	McGraw	Rhodes	Walsh, T. P.
Davies	Milanovich	Sullivan	
Halverson	Oliver	Tayoun	Fineman,
McCall	Perry		Speaker

So the question was determined in the negative and Part III of the Richardson amendments was not agreed to.

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

Mr. RICHARDSON. Mr. Speaker, I would like to go to page 2 and just have one amendment on it, because there was a mistake made and that was why these amendments were divided and could not be taken in totality.

This is subsection 8 and says, Amend section 8, page 23, lines 23 through 30; page 24, lines 1 through 3 by striking out all of said lines, and inserting section (e). That is the second Richardson-Blackwell amendment.

The SPEAKER pro tempore. Do I understand the gentleman to say that he wishes to now offer the amendment? What subsection on page 2 is the gentleman speaking of?

Mr. RICHARDSON. It is not on page 2 of the first amendment. It is a separate amendment altogether and it is the Richardson-Blackwell amendment.

The SPEAKER pro tempore. Is the gentleman withdrawing the other amendments that he has previously offered?

Mr. RICHARDSON. On that page.

The SPEAKER pro tempore. What about the amendments on page 2?

Mr. RICHARDSON. I have not gotten to them yet.

The SPEAKER pro tempore. As I understand it, Mr. Richardson, you are substituting the (e) on the page by itself for the (e) that follows subdivision (d), which the House just acted upon.

Mr. RICHARDSON. Mr. Speaker, this speaks to amendment number 4 and exhausting services before the petition is filed.

Subsection (c) of section 8 requires the child protection service to file a petition within 48 hours of the detention hearing. What I have asked in this particular section, Mr. Speaker, is that, "If it is determined at the detention hearing that a protective custody shall be continued, the child protective agency shall, within 48 hours, file a petition with the court under the Juvenile Act, at which time a hearing shall be fixed to be not later than 10 days from the filing of the petition, pursuant to the Juvenile Act. Prior to the filing of any petition under the Juvenile Act, the child protective service shall either (i) have exhausted unsuccessfully the provision of services to the family in order to enable the child to remain in the home of the parent, custodian or guardian, or (ii) have determined that there is imminent danger to the life and health of the child or imminent threat of sexual abuse of the child in remaining at home. The petition shall explicitly aver sufficient factual basis to show that either of these two prerequisites have been met. The summons, with the petition attached, directed to the parents, guardian or custodian or guardian ad litem, and to the child over 14 years of age shall clearly and in understandable language notify such person of his or her right to legal counsel at the hearing."

I feel this is a reasonable amendment. It clarifies it specifically. It makes it a very drawn-out piece of legislation, and it is not now under subsection 8, on page 23. I feel that it would begin to answer some of the questions that have been raised about petition filing. I offer these amendments.

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

Mr. RICHARDSON. Mr. Speaker, may I interrogate the gentleman, Mr. DiCarlo?

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

Mr. DiCARLO. Mr. Speaker, I will respond to the question of the gentleman.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. DiCARLO. Yes, Mr. Speaker, before I debate the

merit of the amendment, I will address myself to Mr. Richardson's question.

Mr. RICHARDSON. The filing of the petition will more drastically decrease the possibility of preserving the family unit, Mr. Speaker. The filing of the petition will draw the line between the parents and the child protective service.

What steps does this bill, where I have the amendment, require the child protective service to take before filing a petition in order to bring the family back together?

Mr. DiCARLO. Mr. Speaker, on page 23, line 23, section (e) states that after the first 24 hours, "A conference between the parent, guardian or other custodian of the child taken into temporary protective custody pursuant to this section . . ." and goes on to tell that the case worker shall deal with the parents, talk about the problems, explain the temporary detention. On page 24 it says, "To expedite, wherever possible, the return of the child to the custody of such parent, guardian or other custodian where such custody is no longer necessary."

Mr. RICHARDSON. Mr. Speaker, but I am speaking directly now in relationship—and I agree that that section is there. What I am speaking to now, though, is in direct relationship to the fact that this does not take place before the filing of the petition. It comes after. I am saying that this is the end of section (e) of section 8.

What step does this bill, Senate bill No. 25, require the child protective service to take before the filing of the petition in order to bring the family back together? At present, I am saying there is none.

Mr. DiCARLO. Mr. Speaker, all I can say is that if the child is taken into protective custody, the act says very specifically that within 48 hours the person from the protective agency has to sit down with the parent or guardian and do everything within the power that is feasible to put the child back with that parent. If indeed it is deemed necessary to keep a child in protective custody, then a detention hearing has to be held and the procedure carries on.

Mr. RICHARDSON. Mr. Speaker, why is it that the filing of the petition exists without first trying to unite the family? Why then is section (e) not before?

What I am raising the question on says that presently the filing of the petition draws a fine line between the parents and the protective service. At the present time you have the language in the bill reading before this particular section that you have the 48 hours coming into effect. I am saying that people can misinterpret that. For clarity's sake I am raising the question that we should insert this language before that particular section (e) that is already in the bill.

Mr. DiCARLO. Mr. Speaker, I have tried to respond as to what is in section (e) of the bill and I am trying to deal with the Richardson amendment. What he is saying and what the amendment says are two different things. What I am saying is: If the amendment goes in that he has in front of us, he is going to make it completely unworkable; and he is going to, again, destroy the means test which we outlined very specifically in the definition of the abused child.

On the question,

Will the House agree to Part IV of the Richardson amendments?

The yeas and nays were required by Messrs. RICHARDSON and DiCARLO and were as follows:

## YEAS—24

Barber	Hasay	Morris	Shane
Blackwell	Hutchinson, W.	Perri	Sheiton
Gleason	Irvis	Pitts	Vann
Greenfield	Johnson, J.	Richardson	Whelan
Hamilton, J. H.	Katz	Ross	Whittlesey
Hammock	Lederer	Salvatore	Zearfoss

## NAYS—164

Abraham	Fryer	McClatchy	Scheaffer
Anderson, J. H.	Gallagher	McCue	Schmitt
Arthurs	Gallen	McGinnis	Schweder
Bellomini	Garzia	McIntyre	Scirca
Bennett	Geesey	McLane	Seltzer
Beren	George	Mebus	Shelhamer
Berlin	Giammarco	Menhorn	Shuman
Berson	Gillespie	Miller, M. E.	Shupnik
Bittle	Gillette	Miller, M. E., Jr.	Smith, E.
Bonetto	Gleeson	Milliron	Smith, L.
Bradley	Goodman	Miscevich	Spencer
Brandt	Green	Moehlmann	Stahl
Brunner	Grieco	Mrkonic	Stapleton
Burns	Gring	Mullen, M. P.	Stout
Caputo	Halverson	Mullen	Taddonio
Cessar	Haskell	Musto	Taylor
Cimini	Hayes, D. S.	Novak	Thomas
Cohen	Hayes, S.E.	Noye	Toll
Cole	Hepford	O'Brien	Turner
Cowell	Hill	O'Connell	Ustynoski
Crawford	Hopkins	O'Donnell	Vroon
Cumberland	Hutchinson, A.	O'Keefe	Wagner
Javis, D. M.	Itkin	Oliver	Walsh, T. P.
DeMedio	Kelly, A. P.	Pancoast	Wansacz
Deverter	Kelly, J. B.	Parker, H. S.	Wargo
DiCarlo	Kernick	Petrarca	Weidner
DiDonato	Kistler	Pievsky	Westerberg
Dietz	Klungaman	Polite	Wilson
Jininni	Knepper	Pratt	Wilt, R. W.
Jombrowski	Kolter	Prendergast	Wilt, W. W.
Dorr	Kowalyszyn	Pyles	Wojdak
Doyle	Kusse	Rappaport	Worriow
Jreibelbis	LaMarca	Reed	Wright
Zekensberger	Laudadio	Renninger	Yahner
Englehart	Laughlin	Renwick	Yohn
Fawcett	Lehr	Rieger	Zeller
Fee	Levi	Ritter	Zord
Fischer	Lincoln	Romanelli	Zwickl
Fisher	Lynch	Ruggiero	
Flaherty	Manderino	Ryan	Fineman,
Foster, A.	Manmiller	Saloom	Speaker
Foster, W.	McCall		

## NOT VOTING—14

Butera	McGraw	Rhodes	Tayoun
Davies	Milanovich	Siranni	Trelio
Geisler	Myers	Sullivan	Valicenti
Letterman	Perry		

So the question was determined in the negative and Part IV of the Richardson amendments was not agreed to.

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

Mr. RICHARDSON. Mr. Speaker, now I will go back to the first part of the amendment, second page, dealing with subsection (f), amendment No. 5.

The SPEAKER pro tempore. Is the Chair correct that the gentleman now wishes to take up page 2 of his amendments, subsection (f)?

Mr. RICHARDSON. That is correct.

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

Mr. RICHARDSON. In this section, Mr. Speaker, which is amendment No. 5—and I thank the House for bearing with me—I am inserting the language that says:

No petition under the Juvenile Act shall be filed nor temporary custody sought initially nor continued after a 72 hour detention hearing where environmental factors and factors beyond the control of the parent, guardian, or custodian, such as inadequate housing, furnishings, income,

clothing and medical care are the sole grounds for seeking temporary or permanent custody of the child.

Subsection (f) of the bill goes into the amendment of section 8 on page 23. I, therefore, ask, because I feel this amendment is important, that it sees that the Health and Welfare Committee try to clean up one of the major problems of this bill by making it clear that the abused child is not the same child as the poor child, and particularly for many of my constituents who are poor black children.

Unfortunately, this change does not provide protection from the temporary custody powers that are in section 8. The abused child is not necessarily the child taken into protective custody under section 8. I raise the question, Mr. Speaker, what provision in section 8 insures that the poor children will not be taken into protective custody simply because they are poor?

The SPEAKER pro tempore. On the—  
Mr. RICHARDSON. Mr. Speaker, I asked a question. I would like a response.

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

Mr. DiCARLO. Mr. Speaker, I share the gentleman's concern, and the committee was very concerned about that. If we put similar language in the definition of abused child—and it reads as such—I believe that is adequate under the Abused Child Act.

Mr. RICHARDSON. Mr. Speaker, I raise the question to this House that of all the amendments this is one of the most important amendments that I offered today, and that is because it gives clear definition to section 8.

This particular bill which we have now before us, under section 8 it does not clarify, not one time in it at all, where at this particular time does that petition under the Juvenile Act shall be filed nor where there is temporary custody sought initially nor continued after a 72-hour period for detention here where environmental factors and factors beyond the control of the parent, guardian, or custodian, such as inadequate housing, furnishings, income, clothing and medical care are the sole grounds for seeking temporary or permanent custody of the child. And I am saying to you, members of the House, to those who do not feel that this is important, I feel that this is the most important part of it, because as Mr. DiCarlo has referred to several times today, which you have gone back on by having agreed to go back to section 3 which only gives the definition of abused child but which is not covered in section 8 at all of this bill, and I feel there needs to be some clarity as to what are the provisions for a person coming into someone's home and taking a child for the sole purpose of just taking him based around environmental factors. I feel this. Mr. DiCarlo said he sympathizes with us, and I do not want anybody to sympathize. I am speaking now of improvising a particular part of this amendment that would deal specifically with needs due to environmental factors, which at this present time are being discriminated against in section 8.

If it was so clear, then it should have been spelled out throughout the entire bill. I am saying this particular amendment speaks directly to it and I am asking that the members of this House please look at the amendment and vote in the affirmative.

On the question,  
Will the House agree to Part V of the Richardson amendments?

The yeas and nays were required by Messrs. RICHARDSON and DiCARLO and were as follows:

YEAS—27

Barber	Hammock	McGinnis	Salvatore
Blackwell	Hasay	Menhorn	Shane
Caputo	Hutchinson, W.	Morris	Vann
Cowell	Irvis	Perri	Whittlesey
Greenfield	Johnson, J.	Rhodes	WorriLOW
Halverson	Katz	Richardson	Zearfoss
Hamilton, J. H.	Lederer	Ross	

NAYS—161

Abraham	Garzia	McCue	Scirica
Anderson, J. H.	Geesey	McIntyre	Seltzer
Arthurs	Geisler	McLane	Shelhamer
Bellomini	George	Mebus	Shuman
Bennett	Giammarco	Miller, M. E.	Shupnik
Beren	Gillespie	Miller, M. E., Jr.	Sirianni
Berlin	Gillette	Milliron	Smith, E.
Berson	Gleason	Miscevich	Spencer
Bittle	Gleeson	Moehlmann	Stahl
Bonetto	Goodman	Mrkonic	Stapleton
Bradley	Green	Mullen	Stout
Brandt	Grieco	Mullen, M. P.	Sullivan
Brunner	Gring	Musto	Taddonio
Burns	Haskell	Myers	Taylor
Cessar	Hayes, D. S.	Novak	Thomas
Cimini	Hayes, S. E.	Noye	Toll
Cohen	Hepford	O'Brien	Trello
Cole	Hill	O'Connell	Turner
Crawford	Hopkins	O'Donnell	Ustynoski
Cumberland	Hutchinson, A.	O'Keefe	Vroom
Davis, D. M.	Itkin	Pancoast	Wagner
DeMedio	Kelly, A. P.	Parker, H. S.	Walsh, T. P.
DiDonato	Kelly, J. B.	Petrarca	Wansacz
Dietz	Kernick	Pievsky	Wargo
Dininni	Kistler	Pitts	Weldner
Dombrowski	Klingaman	Polite	Westerbert
Dorr	Knepper	Pratt	Whelan
Doyle	Kolter	Prendergast	Wilson
Dreibelbis	Kowalyshyn	Pyles	Wilt, R. W.
Eckensberger	Kusse	Rappaport	Wilt, W. W.
Englehart	LaMarca	Reed	Wojdak
Fawcett	Laudadio	Renninger	Wright
Fee	Laughlin	Renwick	Yahner
Fischer	Lehr	Ritter	Yohn
Fisher	Letterman	Romanelli	Zeller
Flaherty	Levi	Ruggiero	Zord
Foster, A.	Lynch	Ryan	Zwikel
Foster, W.	Manderino	Saloom	
Fryer	Manmiller	Scheaffer	Fineman,
Gallagher	McCall	Schmitt	Speaker
Gallen	McClatchy	Schweder	

NOT VOTING—14

Butera	Lincoln	Perry	Smith, L.
Davies	McGraw	Rieger	Tayoun
Deverter	Milanovich	Shelton	Valicenti
DiCarlo	Oliver		

So the question was determined in the negative and Part V of the Richardson amendments was not agreed to.

AMENDMENTS WITHDRAWN

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

Mr. RICHARDSON. Mr. Speaker, I withdraw the rest of my amendments and I ask that I have time to debate the bill.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

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

The question is, Shall the bill pass finally?

POINT OF ORDER

The SPEAKER pro tempore. The Chair recognizes the

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

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. RICHARDSON. Mr. Speaker, before I finished my amendments, I asked whether I could be recognized to debate the bill and you went right into the bill and asked for a vote.

The SPEAKER pro tempore. The Chair apologizes to the gentleman.

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

Mr. RICHARDSON. Mr. Speaker, Senate bill No. 25 as it comes before us is a piece of legislation that has been debated for quite some time, especially before I became a member of this House. I feel that child abuse in the State of Pennsylvania is certainly a very important consideration and something that needs to be spoken to. I feel that during the entire debate this afternoon I did not at one time recognize in the members, who were sitting here in the debate that was going on, an understanding of what we talked about on clarifying the definition of imminent danger of his surroundings, other than by the fact that in one section of the bill it was clarified by a definition that was put in to appease some folks on the bill so that they could say that this particular part of the bill will satisfy certain environmental factors.

I feel personally attacked by this bill, because for myself as an individual, who has a child who if I choose to spank and some idiotic person who has a vendetta against me looks into my home and says that there is child abuse going on in there, because I chose to spank my child, has the right under this particular bill in this present condition to come into my home and take my child into protective custody under a 72-hour particular notice that says they can keep them for that long a period of time within which then at a specific point you will have a hearing, but I do not get legal counsel.

I am saying that these things to me are very important. It did not seem that the members of this House were taking it very seriously. I have to take it seriously because I have to talk to the constituents back home in my district.

There were some statements prepared that I was going to read but I feel at this point now there is no need in reading them. Most of the minds of the members of this House are already made up.

The thing is that we have been spanked into believing by the press and others that we need a child abuse bill no matter how raggedy it is. I am saying at this particular time it is raggedy in its content, that it is not in its proper form, that it is not defined specifically, that the moneys that have been allocated we got by a fiscal note prepared as rapidly as we could so that we could say we had a fiscal note attached to this particular child abuse bill.

It is clear to me that when we are dealing with children in this Commonwealth that we take a second or third step back and we do not deal with it up front. I am saying that I feel it is not only an attack against poor children but it is an attack against all children, because it could be any one of your children in the House of Representatives who could be taken into protective custody because somebody feels as though they should be.

Then it also speaks to the fact in this particular bill that if the social worker who tends to live on a different

plane or a different social-economical background than someone else that they feel the right to walk into your home and take your child out because of his surroundings. I feel it is incorrect.

But this does not clear that up under section 8 as I clarified. I am saying to you that if we are really concerned about a child abuse bill, it would seem to me that we would delve into its deepest background to make sure that we come up with the kind of language that is going to specify exactly what we want and not something that someone has superimposed on us, not something that someone has put in and said that this is the language we want to adopt, not because we are saying that someone over in the Senate has put some pressure on members of the Health and Welfare Committee on this side and told them they better get the bill passed or else there is not going to be any consideration of other bills. I feel that is a direct insult to members on this side.

If we are passing it just for that reason, then I think we had better take a second look at ourselves. We are dealing with children's lives. I am saying that a child abuse bill and child abuse in this State of Pennsylvania is important, but I do not think that we should take the language that we are taking today.

As Mr. DiCarlo, who debated the bill today, indicated, there was some language that clarified one particular section, and I am saying to you that you are getting on very touchy ground when you cannot describe to me what sexual abuse is, what physical injury is, or what imminent danger to his surroundings is. When you do not clarify that to me you are indicating to me that you accept any language that is put before you and it does not matter who it is or what it is that is put before you that you accept it.

I am saying that I felt and I feel that the members of this House are more intelligent than that and would not allow themselves to stoop below that kind of a degree to allow themselves to be superimposed into a position where they would just accept the bill because somebody has forced it on them. I thank you very much.

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

Mr. COWELL. Mr. Speaker, I would like to direct a question to Mr. Wojdak, if he is in the House, with respect to a fiscal note.

The SPEAKER pro tempore. Is the gentleman, Mr. Wojdak, on the floor of the House?

Mr. DiCARLO. Mr. Speaker, he is not, but I will try to answer.

Mr. COWELL. Perhaps I can direct it to Mr. DiCarlo.

Mr. Speaker, the fiscal note on page 2 indicates that over the course of a full year the cost to the several counties in the Commonwealth will be approximately \$10 million, and that 75 percent of that cost will be reimbursed by the Federal Government under Title 20 program. Perhaps, Mr. Speaker, I can be educated a little bit about the Title 20 program.

As I recall, yesterday in our Democratic caucus we discussed some difficulties with Title 20 moneys. The thrust of the comments at that point was that Pennsylvania is in a situation where a ceiling has been established by the Feds and that we are now in a situation where we are receiving and expending as much as we can possibly receive under Title 20 programs. I am simply wondering if that is the case, can we really expect an additional \$7.5 million from the Federal government under Title 20?

Mr. DiCARLO. Yes, Mr. Speaker, it is my understanding that even though Pennsylvania has hit the saturation point on Title 20 that we have been guaranteed, under the area of children's services, the \$7.5 million. It is there in the Department of Public Welfare for the implementation of this program.

Mr. COWELL. Okay. That would be new money above and beyond what we addressed ourselves to yesterday really?

Mr. DiCARLO. That is within the existing ceiling now.

Mr. COWELL. Is there any type of limit with which we would be dealing then, Mr. Speaker? Are you suggesting that there are \$7.5 million? I assume that is for the next fiscal year.

Mr. DiCARLO. No, Mr. Speaker, the \$7.5 million is available this fiscal year.

Mr. COWELL. Well, then, Mr. Speaker, I am confused a little because the fiscal note suggests that the costs for this current fiscal year, since we are pretty well through it, would be much less than \$10 million because \$10 million is the projected cost for a full year. On the one hand we seem to be dealing with a partial year; on the other hand we seem to be dealing with figures that speak to a full year.

Mr. DiCARLO. Mr. Speaker, it is my understanding that the appropriation of the \$10 million is part of the total appropriation for child services under the Department of Public Welfare, and it has been our understanding that the Department of Public Welfare has already guaranteed that that money be available in this fiscal year for the implementation of the program.

Mr. COWELL. Okay. Again, Mr. Speaker, I will only comment that now we are speaking in terms of an appropriation of \$10 million. The fiscal note does not even address that; it speaks in terms of total cost of \$10 million to all the counties, but it does not speak to any type of an appropriation for \$10 million. So that has simply added to my confusion. The thrust of your remarks, however, Mr. Speaker, is that the Welfare Department under existing Title 20 moneys has set aside, I guess, \$7.5 million?

Mr. DiCARLO. Yes. I think where the question may be is that it is really not an appropriation; it is a reimbursement. We now have the child protective agencies throughout the Commonwealth, and this is a line item that is already there, and we have just been guaranteed that the moneys are there for the implementation of the program. Does that clear up anything?

Mr. COWELL. It does.

Mr. DiCARLO. It is not a new appropriation; it is that we have carried out that line item. We have the Title 20 funding, and it is there along with child protective services. We also will be able to include this child abuse program.

Mr. COWELL. Let me restate my question more directly then. I am curious whether or not the adoption of this particular program and the incurring of additional costs would in any way act as a detriment to some of the other programs that we have going on around the state—senior citizens' programs, mental health programs, and what have you—that are dependent upon Title 20 funds, and for even the day-care programs which we said a little bit about today?

Mr. DiCARLO. I share your concern and I know what your reason is for going through that whole process for the aging and the day care. Again, it has been assured by the Department that these moneys are set aside for

this program. It will not be taking other programs, and it will not jeopardize other funding programs.

Mr. COWELL. Okay. Thank you very much, sir.

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

Mr. ZELLER. Mr. Speaker, this is a very serious subject because if you vote against it, it is like voting against motherhood and apple pie. You are in real trouble because I am sure, with all respect to the liberal press, that one can be labeled a real monster if you voted against it. So I am going to have to be one of those people, I guess, because Mr. Richardson does make a point as to what could be determined as child abuse.

I voted against his amendments for the simple reason that I feel it can be done now. I do not feel it necessary because, as Mr. DiCarlo stated, it is very difficult to cite in a bill what abuses are; this has to be determined by those filing charges and handling the case as to what those abuses really are. It is very difficult to put into a bill.

Mr. McGinnis and I discussed earlier that what was considered correcting a child for not complying with a parent's wish of proper guidance could be considered child abuse. For example, "sparing the rod and spoil the child," or too many parents have forgotten where the woodshed is. As a matter of fact, many of them tore it down. They employ the so-called Doctor Spock attitude of raising children, but even Doctor Spock not too long ago stated that his approach has been all wrong.

So what I am really getting at is this, that the laws presently under the Crimes Code, Chapter 43, Section 4304, subsection (a), as well as Act 91 of 1967—I think it is called the Juvenile Act—Chapter 16, Sections 2101 through 2110, very well spell out child abuse and what can be done.

Not too long ago this afternoon, we voted on some DA bills for a group of prima donnas whom I believe could be doing the job if they get off their haunches and do a job, but the trouble is they have not been doing it.

I think it is about time we lowered the boom, quit slapping their wrists and really give out some justice—and I mean really tough justice against these people, really take care of these offenders and do a job.

I believe it can be done today. All we are going to do is put \$12 million in the pockets of an already, I should say, padded Welfare Department. You are going to put a whole gang of people in cars and jobs and running around the state. What are they going to do? Are they going to correct child abuse? The only way you are going to correct child abuse is to get these offenders and lower the boom on them, but you are not going to do it by giving them \$12 million and put the guys on the job.

Sure, like Senate bill No. 24 last week, vote against it; everybody is scared of the Pennsylvania State Education Association. I agree that there are too many people who felt that way, and probably rightly so in some ways. But I can see here where another scare tactic is brought about through the good old story of well, we are afraid that if we are going to go against this, we are going to get written up bad and the public is going to look at us as being brutes, and here we are.

So spend the \$12 million. Give the Welfare Department another little plum, and you still are not going to correct child abuse. Let us lower the boom on these



characters and you will do something. So let us vote against it.

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

Mr. CAPUTO. Mr. Speaker, last week at the request of the Allegheny County delegation and with the support of the majority leader, we were able to delay action on this bill. I want to thank the House of Representatives for going along with us at that time. I want also to thank the Appropriations Committee for making an assessment of costs.

Last week we were under the impression that this bill's implementation in Allegheny County would add \$1.5 million to its budget. With the good work done by the Appropriations Committee and other investigations we were able to make because of the delay granted us by the House, we find that there will be some additional costs to Allegheny County for the implementation of the program, but the benefits that will be derived from its implementation are worth it.

I would ask, therefore, Mr. Speaker, that all of my colleagues from Allegheny County and, of course, all the ladies and gentlemen of the House vote "yes" in support of this bill.

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

Mr. SELTZER. Mr. Speaker, would the gentleman from Erie, Mr. DiCarlo, permit himself to be inter-rogated?

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

Mr. DiCARLO. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. SELTZER. Mr. Speaker, could the gentleman describe to the House what a multidisciplinary team is, what all it would encompass and the number of people and the disciplines?

Mr. DiCARLO. Yes, Mr. Speaker. It would be my understanding that this would be perhaps a position of social worker, a counsellor. And from checking with different child service agencies throughout the Commonwealth, I am informed that the definition of a multidisciplinary team may vary from county to county, but it is really a professional staff which is already on board in the agency and very often sits right with the board of directors of that agency.

Mr. SELTZER. Mr. Speaker, as I read the bill on page 35, where it refers to multidisciplinary teams, it says that each child protective service shall have one of these teams. That is subsection (d), on page 35, line 7.

Mr. DiCARLO. Yes, you are absolutely right, Mr. Speaker, but what you have to remember is that presently in Pennsylvania there is a procedure for treatment of child abuse, and this does already exist. What this is doing in the child abuse bill is just spelling it out more specifically.

Mr. SELTZER. Well, Mr. Speaker, if we already have these multidisciplinary teams, what is the need for the additional \$12 million of expenditures then?

Mr. DiCARLO. The only response that I can give you, Mr. Speaker, is that, although it is already in effect, it should be carried out that the agencies or the county should have them. Many of the agencies have not complied.

I think that you will know if you look from county to county—I can see in western Pennsylvania that the caliber of children services varies from county to county depending on the agency there. What this is saying is that it mandates very specifically that these services do, indeed, be provided and that all counties shall have that level of care.

Mr. SELTZER. And, Mr. Speaker, further along on that same page it indicates that each child protective service must be on a 24-hour-a-day, seven-day-a-week operating schedule. My question, Mr. Speaker, is, can you determine how many people will be involved at sitting in their offices on a 24-hour-a-day, seven-day-a-week schedule?

Mr. DiCARLO. No, I cannot, Mr. Speaker, and I think the fiscal note address that problem, that it really does not know adequately at this point how much staff may be involved in each county. I can tell you that counties that do have programs, good programs, treating child abuse, do already have this system in effect. And I can tell you that there are judges in many, many areas who are also on 24-hour call to handle child abuse cases.

Mr. SELTZER. Mr. Speaker, in broad terms, what does this bill do that the current child abuse law does not do?

Mr. DiCARLO. Mr. Speaker, basically, what it does is it addresses the problem trifoldly. It makes it much more feasible and much easier to have child abuse cases reported. One of the problems in the Commonwealth of Pennsylvania and other states is that the cases never get reported.

Secondly, there is no real protection for the abused child involved. In Pennsylvania there has never really been a clear-cut case of what an abused child is and how that child should be handled.

Thirdly, this bill mandates that the children services agencies have the facilities available to treat the abused child, make sure that medical facilities are available, make sure that foster homes or some sort of other dwellings are available to put the child in.

It also mandates that the protective services agency deal with the problem of abuse in the community. It sets up special terms, whether they be voluntary or not, to go out and deal with and counsel the abused child's parents, to give that counseling that may be needed to rehabilitate those parents and hopefully to keep the child and family intact.

Mr. SELTZER. Mr. Speaker, under the bill that is before us would it be possible, after a complaint is issued, that the Department of Welfare could take jurisdiction over a child under 18 years of age who has been incarcerated under the Department of Justice because of alleged child abuse?

Mr. DiCARLO. Mr. Speaker, the only thing that I can tell you is that they have no more jurisdiction under the passage of this act than they do under the present child abuse legislation in the Commonwealth.

Mr. SELTZER. Then the answer would be that the Department of Welfare would have the power to take the child who has already been under the control of the Department of Justice and place him under the Department of Welfare?

Mr. DiCARLO. Mr. Speaker, I would say to you honestly, I do not know, but off the top of my head, I would say, no, that would not be the case.

Mr. SELTZER. Mr. Speaker, as I read the legislation, it is very clear that this could happen.

I thank the gentleman.

Mr. Speaker, we are all for motherhood and we are all against child abuse, and I agree that legislation should be passed by this General Assembly and become law that would strengthen the Child Abuse Act of Pennsylvania. But, Mr. Speaker, this bill really does not help child abuse nearly as much as it helps bureaucracy. We have set up within this Commonwealth, within the Department of Public Welfare and within the counties, a bureaucracy like we have not seen before and under the guise of helping the poor battered child. That is the only way that you could set up this bureaucracy, by putting it on the back of the battered child. Anyone of us who votes against this will be accused of being for beating children, and that is not true.

But when the years come in the very near future and when this \$12 million rises to something more outlandish than the \$12 million, just recall that the day you had the opportunity to do something about it was today—not to defeat an act strengthening the law in child abuse but really taking the bull by the horns and taking bureaucracy out of this act and holding the cost of government down where it belongs.

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—169

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

NAYS—22

- |                 |         |       |         |
|-----------------|---------|-------|---------|
| Anderson, J. H. | Hammock | McCue | Shelton |
|-----------------|---------|-------|---------|

- |                 |                |            |             |
|-----------------|----------------|------------|-------------|
| Arthurs         | Hasay          | Richardson | Shuman      |
| Barber          | Hutchinson, A. | Ruggiero   | Vann        |
| Blackwell       | Hutchinson, W. | Schweder   | Wilt, W. W. |
| Cumberland      | Klingaman      | Shelhamer  | Zeller      |
| Hamilton, J. H. | Kowalshyn      |            |             |

NOT VOTING—11

- |           |            |        |         |
|-----------|------------|--------|---------|
| Butera    | McGraw     | Oliver | Seltzer |
| Davies    | McIntyre   | Rieger | Tayoun  |
| Englehart | Milanovich | Saloom |         |

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

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

ANNOUNCEMENT

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

Mr. RAPPAPORT. For an announcement, Mr. Speaker.

The SPEAKER pro tempore. Will the gentleman please state his announcement.

Mr. RAPPAPORT. Mr. Speaker, there was a meeting of the committee of which I am the chairman scheduled for half an hour after the close of business today. That meeting will be rescheduled for tomorrow with the call of the chairman. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

ANNOUNCEMENT BY MINORITY WHIP

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

Mr. RYAN. Mr. Speaker, a number of the members and the members of the staff and other interested persons have inquired about Mr. Butera. Because he had a back problem, he had an operation this morning, which, I am pleased to say, worked out well from all reports from his family. He will be back here to harass Mr. Fineman and Mr. Irvis and the Governor on November 17.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair regrets the operation, but is happy to hear that he is doing well.

CONSIDERATION OF SENATE BILL No. 572  
RESUMED

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

Mr. GLEASON. Mr. Speaker, I believe the Chair requested of me as to whether my amendment was ready. The amendment has been prepared. I sent it downstairs for duplication but it has not yet been returned to the floor of the House so that the members could have it on their desks. I would ask that the matter be held over until tomorrow.

SENATE BILL No. 572 PLACED ON FINAL PASSAGE  
POSTPONED CALENDAR

The SPEAKER pro tempore. The Chair places the bill on final passage, postponed calendar.

The Chair recognizes the majority leader.

Mr. IRVIS. For the information of the members of the House, the Senate, to all intents and purposes, have already gone home. So they are in token session tomorrow only.

Senate bill No. 572, to have any meaning, would have to be passed today. I understand that Mr. Gleason's amendment will address itself also to a change in date. So those of you who were questioning whether or not Senate bill No. 572 has any meaning whatsoever for tomorrow, the answer is, yes. I agree with Mr. Gleason's motion that it be held over until tomorrow.

### HOUSE FINANCE COMMITTEE MEETING CANCELED

Mr. IRVIS. Mr. Speaker, while I am on my feet, I would like to announce that the hearings scheduled for tomorrow before the House Finance Committee have been canceled and rescheduled for Monday, October 20, 1975.

I believe that, before the members disappear, there are announcements to be made. Mrs. Whittlesey asked for recognition, and I wish the Chair would grant her that recognition.

The SPEAKER pro tempore. The Chair recognizes the lady from Delaware, Mrs. Whittlesey. For what purpose does the lady rise?

Could we defer until we finish the Calendar? I understand that the calendar has not yet been completed.

Mrs. WHITTLESEY. Yes, Mr. Speaker.

### HOUSE BILL No. 605 PASSED OVER

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

Mr. DORR. Did the Speaker call up House bill No. 605?

The SPEAKER pro tempore. Does the gentleman, Mr. Dorr, have an amendment to House bill No. 605?

Mr. DORR. I have an amendment, Mr. Speaker. But the chairman of the Appropriations Committee, I am certain, wants to participate in the debate and I do not see him on the floor. I wonder if it can go over until tomorrow?

The SPEAKER pro tempore. Without objection, House bill No. 605 will go over until tomorrow.

### 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, October 14, 1975

RESOLVED, (the House of Representatives concurring). That when the Senate adjourns this week it reconvene on Monday, November 17, 1975 unless sooner recalled by the President Pro Tempore, and when the House of Representatives adjourns this week it reconvene on Monday, November 17, 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 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. 363

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.

#### SENATE BILL No. 510

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.

#### SENATE BILL No. 545

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.

#### SENATE BILL No. 634

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.

#### SENATE BILL No. 930

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.

Whereupon,

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

### HOUSE BILLS INTRODUCED AND REFERRED

By Mr. HAMMOCK

HOUSE BILL No. 1834

An Act amending the act of July 11, 1923 (P. L. 1044, No. 425), referred to as the Prisoner Transfer Law, further restricting the transfer of adult prisoners.

Referred to Committee on Judiciary.

By Mr. HAMMOCK

HOUSE BILL No. 1835

An Act making an appropriation to the Pennsylvania Program for Women and Girl Offenders, Inc.

Referred to Committee on Appropriations.

By Mrs. WHITTLESEY

HOUSE BILL No. 1836

An Act defining and regulating town-watch units for further protection of communities against crime; imposing powers and duties on local police departments; and making an appropriation.

Referred to Committee on Law and Justice.

By Mrs. WHITTLESEY

HOUSE BILL No. 1837

A Supplement to the act of (No. ), entitled "An act providing for the capital budget for the fiscal year 1975-1976," itemizing a public improvement project to be constructed by the Department of Transportation, \*\*\*; and making an appropriation.

Referred to Committee on Transportation.

By Mrs. CRAWFORD, Mrs. KELLY, Mrs. TOLL,  
Mrs. FAWCETT, Miss SIRIANNI, Messrs. MEBUS,  
ZEARFOSS, BUTERA, BEREN, HILL, DiCARLO,

COWELL, PARKER, GLEASON, Mrs. WHITTLESEY,  
Mrs. GILLETTE, Mrs. KERNICK and Mr. LINCOLN  
**HOUSE BILL No. 1838**

An Act creating a Commission for the Advocacy of Women; establishing a women's advisory board; providing for appointment of members; authorizing powers and duties and making an appropriation.

Referred to Committee on State Government.

By Messrs. ECKENSBERGER, DOYLE, ZORD, REED,  
DAVIS, ZELLER, PRATT, FRYER, TAYLOR,  
POLITE, Mrs. WHITTLESEY, Messrs. FISCHER,  
CUMBERLAND, FISHER, McCUE, CIMINI, LEVI,  
PITTS, SHELHAMER, LEHR, BRANDT, WALSH  
and RENWICK **HOUSE BILL No. 1839**

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for the imposition of the death penalty.

Referred to Committee on Judiciary.

By Messrs. ECKENSBERGER, DOYLE, ZORD,  
REED, DAVIS, ZELLER, PRATT, FRYER,  
TAYLOR, POLITE, Mrs. WHITTLESEY,  
Messrs. FISCHER, CUMBERLAND, FISHER,  
McCUE, CIMINI, GRIECO, PITTS, LEHR,  
BRANDT, SHELHAMER, WALSH and RENWICK  
**HOUSE BILL No. 1840**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for sentencing in cases of murder.

Referred to Committee on Judiciary.

By Messrs. DREIBELBIS, LETTERMAN, GEORGE,  
DeVERTER and S. E. HAYES **HOUSE BILL No. 1841**

An Act amending the "Intangible Personal Property Tax Law," approved June 17, 1913 (P. L. 507, No. 335), further providing for counties to determine whether or not to impose the taxes permitted under this act.

Referred to Committee on Finance.

By Messrs. SCHWEDER, WANSACZ, REED and  
KOWALYSHYN **HOUSE BILL No. 1842**

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), providing for an exclusion from taxation on sales of items by any bicentennial commission.

Referred to Committee on Finance.

By Mr. FISCHER **HOUSE BILL No. 1843**

An Act requiring school districts to allow time to teachers and students for silent meditation.

Referred to Committee on Education.

By Messrs. KNEPPER, CAPUTO, ZORD, PARKER,  
TADDONIO, COWELL, Mrs. GILLETTE,  
Mrs. KERNICK, Messrs. ABRAHAM,  
MISCEVICH, J. B. KELLY and HASKELL  
**HOUSE BILL No. 1844**

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723, No. 230), combining the county offices of prothonotary, clerk of quarters sessions, clerk of orphans' court, register of wills, and recorder of deeds to create the office of Director of Dockets and Deeds.

Referred to Committee on Urban Affairs.

By Messrs. TRELLO, FRYER, MORRIS, YAHNER,  
SHUMAN, A. C. FOSTER, MEBUS, BURNS,  
ABRAHAM, COWELL, MISCEVICH, MRKONIC  
and GARZIA **HOUSE BILL No. 1845**

An Act amending the "Parking Authority Law," approved June 5, 1947 (P. L. 458, No. 208), authorizing the purchasing of errors and omissions insurance.

Referred to Committee on State Government.

By Messrs. ARTHURS, KOLTER, PRATT, COLE,  
CUMBERLAND, GREEN, FEE, BENNETT,  
O'KEEFE, DOMBROWSKI, TAYLOR, SHUMAN,  
GLEESON, O'CONNELL, FRYER, GEESEY,  
BERLIN, S. E. HAYES, GALLEN, DORR,  
A. C. FOSTER, WESTERBERG, MRKONIC,  
GEORGE, M. M. MULLEN, GEISLER, CAPUTO,  
VALICENTI, FLAHERTY, SCHMITT, WARGO,  
SHUPNIK, MUSTO, RUGGIERO, BARBER, ROSS,  
McINTYRE, RIEGER, MYERS, OLIVER and  
HAMMOCK **HOUSE BILL No. 1846**

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), excluding from the tax on sales reproductions of any flag used by the United States or the Commonwealth.

Referred to Committee on Finance.

By Messrs. REED, SCHWEDER, MILLIRON,  
LAUGHLIN, BRADLEY, ZWIKL, O'BRIEN,  
GOODMAN, LINCOLN, ROMANELLI,  
RICHARDSON, COHEN, Mrs. KELLY, Mrs. TOLL,  
Messrs. McLANE and KOWALYSHYN  
**HOUSE BILL No. 1847**

An Act amending the act of March 31, 1937 (P. L. 160, No. 43), entitled "An act creating a commission to be known as the Pennsylvania Public Utility Commission; \*\*\*," further providing for a quorum of commissioners.

Referred to Committee on Consumer Protection.

By Messrs. REED, GEORGE, SCHWEDER,  
LAUGHLIN, BRADLEY, DREIBELBIS and  
KOWALYSHYN **HOUSE BILL No. 1848**

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further regulating the payment of benefits.

Referred to Committee on State Government.

By Messrs. ZWIKL, ZELLER, RITTER and  
ECKENSBERGER **HOUSE BILL No. 1849**

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), providing for sale of liquor and malt and brewed beverages by hotel and restaurant licensees on adjacent premises.

Referred to Committee on Liquor Control.

By Messrs. REED, BERLIN, TURNER, WAGNER  
and SHELHAMER **HOUSE BILL No. 1850**

An Act imposing a moratorium on the construction of nuclear energy generating plants; establishing a joint bipartisan committee to investigate the nuclear energy field; establishing a Nuclear Energy Review Commission and providing for local referendums.

Referred to Committee on Mines and Energy Management.

By Messrs. ANDERSON, A. C. FOSTER, GEESEY,  
DORR and LEHR **HOUSE BILL No. 1851**

An Act to provide for an additional law judge of the court of common pleas in the nineteenth judicial district.

Referred to Committee on Judiciary.

By Messrs. ENGLEHART, BELLOMINI and PIEVSKY  
**HOUSE BILL No. 1852**

An Act amending the act of December 11, 1967 (P. L. 707, No. 331), entitled "An act providing for and regulating thoroughbred horse racing with pari-mutuel wagering \*\*\*," further defining "thoroughbred horse racing".

Referred to Committee on State Government.

By Messrs. KOWALYSHYN, RUGGIERO, SPENCER, DORR, REED, SCHWEDER, WANSACZ, GEORGE, ZWIKL, USTYNOSKI, MUSTO, McCALL, DOMBROWSKI, ROMANELLI, GOODMAN, PRENDERGAST and W. W. FOSTER

**HOUSE BILL No. 1853**

An Act amending the "Mechanics' Lien Law of 1963," approved August 24, 1963 (P. L. 1175, No. 497), imposing duties on lending institutions with respect to certain subcontractors and suppliers.

Referred to Committee on Judiciary.

By Mr. A. C. FOSTER **HOUSE BILL No. 1854**

An Act providing for a Statewide referendum on compensation increases for members of the General Assembly.

Referred to Committee on State Government.

By Mr. A. C. FOSTER **HOUSE BILL No. 1855**

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania providing for compensation of members of the General Assembly.

Referred to Committee on State Government.

By Messrs. A. C. FOSTER, GEESEY, KOLTER, YAHNER, M. E. MILLER and NOYE

**HOUSE BILL No. 1856**

An Act amending the "Public Official Compensation Law," approved June 1, 1956 (P. L. 1959, No. 657), further providing for the compensation of the members of the General Assembly.

Referred to Committee on State Government.

By Mr. A. C. FOSTER **HOUSE BILL No. 1857**

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58, No. 32), eliminating the requirement of testimony by at least two peace officers for a prosecution for excessive or unusual noise.

Referred to Committee on Judiciary.

By Messrs. M. M. MULLEN, GEISLER, FLAHERTY, CAPUTO, CESSAR, ZORD and NOVAK

**HOUSE BILL No. 1858**

An Act amending the act of August 1, 1975 (No. 87), entitled "An act relating to pensions for employees of the City of Pittsburgh," authorizing members to purchase credit for military service and clarifying the effective date of the act.

Referred to Committee on Military and Veterans Affairs.

By Messrs. REED, GIAMMARCO, GILLESPIE, O'KEEFE, LEDERER and MYERS

**HOUSE BILL No. 1859**

An Act amending the "Public Employee Relations Act,"

approved July 23, 1970 (P. L. 563, No. 195), further providing for certain negotiable conditions.

Referred to Committee on Labor Relations.

By Messrs. REED, BERLIN, GIAMMARCO, GILLESPIE, LEDERER and MYERS

**HOUSE BILL No. 1860**

An Act amending "The Pennsylvania Civil Procedural Support Law," approved July 13, 1953 (P. L. 431, No. 95), relating to collective bargaining by probation officers and their assistants.

Referred to Committee on Labor Relations.

By Messrs. HASAY, WALSH, SALOOM, WHELAN, GLEASON, WAGNER, CESSAR, WEIDNER, PYLES, Mrs. FAWCETT, Messrs. VROON, USTYNOSKI, M. E. MILLER, JR., SCHEAFFER, McGINNIS, POLITE, E. H. SMITH, W. W. FOSTER, D. S. HAYES, McCUE, HASKELL, CIMINI, Miss SIRIANNI, Messrs. TURNER, LEVI, McCLATCHY, PITTS, Mrs. CRAWFORD, Messrs. O'CONNELL, ANDERSON, MEBUS, A. C. FOSTER, DORR, S. E. HAYES, DIETZ, L. E. SMITH, LEHR, NOYE, HOPKINS, WILSON, ZORD, CUMBERLAND, TADDONIO and KUSSE

**HOUSE BILL No. 1861**

An Act amending "The Administration Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), providing for the type and equipment in the purchase of State vehicles and providing for the assignment of certain funds.

Referred to Committee on State Government.

By Messrs. BRANDT, ANDERSON, WARGO, Mrs. GILLETTE, Messrs. COWELL and WALSH

**HOUSE BILL No. 1862**

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), providing a credit toward the bank shares tax and the title insurance and trust companies shares tax for profits from loans for restoring historical landmarks.

Referred to Committee on Finance.

By Messrs. BRANDT, ANDERSON, GRING, WARGO, Mrs. GILLETTE, Messrs. COWELL and WALSH

**HOUSE BILL No. 1863**

An Act amending "The Mutual Thrift Institutions Tax Act," approved June 22, 1964 (P. L. 16, No. 2), providing a credit for loans made for restoring historical landmarks.

Referred to Committee on Finance.

## SENATE MESSAGE

### BILLS FOR CONCURRENCE

The clerk of the Senate, being introduced, presented for concurrence bills numbered and entitled as follows:

#### SENATE BILL No. 931

An Act amending the act of April 18, 1929 (P. L. 612, No. 253), entitled, as amended, "An Act for the election of the mayor, members of town council and auditors in incorporated towns of the Commonwealth; . . .," authorizing town council to appoint an independent auditor.

Referred to Committee on Local Government.

#### SENATE BILL No. 936

An Act amending the act of June 25, 1919 (P. L. 581,

No. 274), entitled "First Class City Government Law," further providing for the borrowing of money.

Referred to Committee on Urban Affairs.

**SENATE BILL No. 1006**

An Act making an appropriation from the Korean Conflict Veterans' Compensation Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

Referred to Committee on Appropriations.

**HOUSE RESOLUTIONS INTRODUCED  
AND REFERRED**

By Mr. DiCARLO, Mrs. KELLY, Messrs. WAGNER,  
M. E. MILLER, JR., ROSS, OLIVER, McLANE  
and LINCOLN

**RESOLUTION No. 174**

The House of Representatives of the Commonwealth of Pennsylvania directs the House Committee on Health and Welfare to conduct a thorough review of the Commonwealth's statutes, regulations, and programs relating to foster care and the implementation of the Adoption Opportunities Program with special emphasis on foster care placements, review of placements, relationships between the placement agency, natural parents and foster parents, foster care payments and the supervision of foster care and the Adoption Opportunity Program by the Department of Public Welfare.

Referred to Committee on Rules.

By Messrs. ZEARFOSS, RITTER, GLEASON,  
Mrs. WHITTLESEY, Messrs. W. D. HUTCHINSON  
and FINEMAN

**RESOLUTION No. 175**

The House of Representatives of the Commonwealth of Pennsylvania urges negative action on House Resolution 9155.

Referred to Committee on Rules.

**PERMISSION TO ADDRESS HOUSE**

Mrs. WHITTLESEY requested and obtained unanimous consent to address the House.

Mrs. WHITTLESEY. Mr. Speaker, I listened in amazement to Governor Shapp on television on June 26 of this year commenting upon the Senate amendments to the budget bill which purported to allocate some additional \$25 million to the two major urban counties of Philadelphia and Allegheny. In criticizing those Senate amendments, our Governor stated: "Even the citizens of Philadelphia and Allegheny Counties would agree that it isn't good government or smart politics to grab up over three-fourths of the taxpayers' money in the counties contributing less than thirty percent of the state's population." In blue-lining some of the new appropriations to Philadelphia and Allegheny Counties, the Governor noted, and I quote: "The formula in the Senate version of the budget"—which, parenthetically, appropriated this \$25 million in additional funds to Philadelphia and Allegheny—"is just plain unfair to the rest of the people in the Commonwealth." Unfortunately, this inequity is anything but new in the Governor's distribution of mental health and mental retardation funds in this Commonwealth. Governor Shapp's condemnation of his own position applies with equal force to the discriminatory funding program supported by him throughout his two administrations.

It appears to me that the Governor is continuing to

proclaim certain standards for public consumption, then privately undermining them. If you will bear with me, I will attempt to document a consistent and complete disregard for the standards of equitable distribution of mental health and mental retardation funds, the standards so piously proclaimed by our Governor on June 26.

In 1966, the legislature passed a bill entitled "The Mental Health and Mental Retardation Act of 1966," which provided that in carrying out the mandate of the act, the Department of Welfare shall have the power, and I quote: "To assure within the State the availability and equitable provision of adequate mental health and mental retardation services for all persons who need them regardless of religion, race, color, national origin, settlement, residence or economic or social status."

Naturally, we in the legislature, who often seem to be anxious to shift the painstaking task of devising an equitable formula, shifted that important responsibility to the Welfare Department's bureaucracy without another word.

What has occurred since that delegation of authority in 1966 is not a product of our own doing but that of the policymakers in the Department of Welfare exercising their own discretion and accountable only to the executive.

The manner in which the executive branch has, to my mind, abused that discretion, should serve as a warning to us in the future as we are urged time and time again to delegate further responsibilities to executive agencies.

Breaking down the entire distribution of mental health and mental retardation funds by comparing how much is received by each person in each county of this Commonwealth is revealing in terms of our Governor's stated goals of equitable distribution of tax revenues.

By any standards, the southeast region in the allocation of mental health and mental retardation funds does extremely well in per capita allocations, receiving some \$8.43 in fiscal year 1974-75, in contrast with \$6.98 for the western region, \$6.10 for the central region, and \$5.93 for the northeastern region. However, the lion's share of the allocation to the southeast goes to the city of Philadelphia, which has ranked either first or second in per capita allocations by county unit from fiscal year 1969-70 to fiscal year 1974-75, receiving some \$11.43 per capita in fiscal year 1974-75.

By contrast, in fiscal year 1974-75, Montgomery County ranked only 16th, receiving \$6.12; Bucks County, 23rd, receiving \$5.57; Chester County, 27th, receiving \$5.14; and my own county of Delaware, 33rd, receiving a mere \$4.61.

The inequities in these rankings for the southeastern suburban counties is emphasized when one recalls that there are only 41 county units, not 67, so that only eight county units receive less per capita than my own county of Delaware. Moreover, Delaware has declined significantly in ranking in the past 6 years, from 22nd in fiscal year 1969-70 to 33rd in fiscal year 1974-75. Indeed, the fiscal year 1974-75 allocation is the lowest rank in the entire 6-year period, even worse than our rank of 32nd in fiscal year 1970-71.

During this same period, the other southeastern suburban counties have fared little better, with Bucks plummeting from a high of 7th in fiscal year 1969-70 steadily downward to a low of 26th in fiscal year 1973-74 and rebounding only slightly to 23rd in fiscal year 1974-75; with Chester County ranging erratically with a low of

35 in fiscal year 1973-74 and a high of 20 in fiscal year 1971-72; and with Montgomery County somewhat more stable, with lows of 16 in fiscal year 1973-74 and 1974-75 and a high of 9 in fiscal year 1971-72.

These erratic and irrational variations in relative funding received demonstrate the irrationality, if not total nonexistence, of the Welfare Department's inequitable distribution of mental health funds on the theory that most of the money should go to the counties with the highest concentration of low-income families. Even if that allocation formula were justifiable, it has not been carried out in practice. Philadelphia, which has ranked first or second in levels of funding received every year since fiscal year 1969-70, is by no means a poor county compared with the other counties of this Commonwealth. In 1970, its mean income of \$10,431 placed it ahead of 54 counties as the 13th most wealthy county in this Commonwealth.

Allegheny, with a 1970 mean income of \$11,840, is, in fact, the 7th most wealthy county in the Commonwealth, and yet received \$8.27 per capita in fiscal year 1974-75, for a ranking of 6th, and fared even better in previous years to rank 2nd in fiscal years 1969-70 and 1970-71, 3rd in fiscal years 1971-72 and 1972-73, and 4th in fiscal year 1973-74.

Ironically, Fayette County, one of the very poorest counties in this state, with a mean income of only \$7,594 in 1970—just ahead of Greene County, with a mean income of \$7,589—has fared quite poorly over the past 6 years from this administration, receiving only \$4.34 per capita in fiscal year 1974-75, less than any other county unit but Lawrence, which received \$3.93, itself only a moderately wealthy county with a 1970 mean income of only \$9,254, ranking 30th, well behind the 1970 13th ranked county of Philadelphia.

Several other county units receiving low per capita allocations are by no means wealthy counties: Northumberland, in particular, ranks 39th out of the 41 in per capita allocations for fiscal year 1974-75. Yet Northumberland's 1970 mean income was only \$7,862, just ahead of Fulton, Fayette, and Greene. Again, the Clarion-Forest-Venango-Warren unit, with 1970 county mean income rankings of 56, 49, 42, and 20 respectively, ranks only 29th in fiscal year 1974-75 allocations, receiving a mere \$5.03 per capita.

Other comparatively wealthy counties besides Philadelphia and Allegheny receiving high per capita allocations in fiscal year 1974-75 are:

Erie, ranking 3rd, with a per capita allocation of \$9.58, but the 14th most wealthy county in the Commonwealth in 1970, with a mean income of \$10,404;

Lebanon, ranking 4th, with a per capita allocation of \$8.57 from this administration, but the 15th most wealthy county in the Commonwealth in 1970, with a mean income of \$10,386; and

Dauphin, ranking 7th, with a per capita allocation of \$8.26, but the 12th most wealthy county in the Commonwealth in 1970, with a mean income of \$10,798.

Nor is fiscal year 1974-75 an aberration. Erie and Lebanon have never ranked below 10 in allocations for the past 6 fiscal years, and Dauphin has so ranked only once—in fiscal year 1969-70.

One possible argument that can be raised in opposition to higher allocations for Delaware County is that our county mental health-mental retardation program is exclusively oriented toward outpatient treatment, with no

contracting for inpatient or partial hospitalization services. Instead, Delaware is, in effect, subsidized by the state through our use of the state hospitals, especially Haverford State, for these services. Yet, on closer examination, this argument simply does not hold water, even if it may have had some validity several years ago.

In fiscal year 1969-70, Haverford State Hospital had total expenditures of \$6,167,513, with a resident and on-leave population at year-end of 1,220. Haverford State Hospital's per patient expenditure was, therefore, approximately \$5,000. This contrasted favorably with Philadelphia State Hospital's per patient expenditure of approximately \$3,500 during the same period. However, by contrast, Philadelphia's per patient expenditure has risen to \$14,000 approximately per patient for fiscal year 1972-73, but Haverford State Hospital's has risen to only \$12,000. Thus, Delaware's low per capita MH-MR reimbursement is no longer compensated for by a higher per capita state hospital expenditure.

It should be noted, however, that a high per patient expenditure in a county's state hospital only partly compensates for low allocations under the Mental Health Act of 1966 since state hospital treatment and community mental health and mental retardation programs really address themselves to two entirely different problems. Nor can low allocations be justified merely because of a county's wealth since, under the Mental Health Act of 1966, the financing of community mental health and mental retardation programs is really a state responsibility, at least to the tune of 90 percent reimbursement by the state.

Moreover, inequitable allocations under the Mental Health Act are only one example of the discriminatory manner in which 65 of this state's counties are treated for the benefit of Philadelphia. Although Delaware has nearly 10 percent of southeastern Pennsylvania's aid-to-dependent-children families, it receives scarcely more than 5 percent of the region's day-care slots. Bucks County, with 5 percent of the AFDC—aid to families with dependent children—population, receives less than 2 percent; Chester, with a 4-percent AFDC population, receives only about 3 percent of the slots; and Montgomery, with a 5-percent AFDC population, receives exactly 5 percent of the slots. Philadelphia, in contrast, again receiving favorable treatment, receives 85 percent of the day-care slots in this area, but has only 77 percent of the region's AFDC families.

Nor can the Governor plead ignorance of the issue of maldistribution of funds, the inequity with regard to mental health and mental retardation having been called to his attention in the last session of the legislature.

In the present session of the legislature, Representative Bennett and myself, along with others of both parties, have cosponsored a bill—House bill No. 352—which attempts to correct the pattern of maldistribution of mental health and mental retardation funds which has been clearly documented. That bill was introduced early this year and assigned to the Committee on Health and Welfare on February 11, 1975. It has not been acted upon by that committee. I have today a discharge resolution for House bill No. 352. I urge those of you who represent counties which have suffered by this maldistribution of mental health and mental retardation funds in your own areas to join me in cosponsoring it. I am hopeful that those of you who come from counties which have benefited at the expense of the rest of us will also proclaim your adherence to Governor Shapp's standard by joining



as well. Then we all will be closer to what we all seek—fair and equitable treatment for all citizens in need of mental health and mental retardation services regardless of place of residence.

Thank you, Mr. Speaker.

### WELCOMES

The SPEAKER pro tempore. The Chair wishes to recognize the presence of Mr. Dick Touvell of the McKeever Environmental Center and Dr. Robert Baldwin of Clarion State College.

They are the guests of the gentleman from Mercer, Mr. Roy W. Wilt.

The Chair is pleased to welcome a party of 35 persons from the Monroe County Republican Committee with Mr. Ed Katz, the chairman.

They are the guests of the gentleman, Mr. William W. Foster.

The Chair would like to recognize the presence of Colonel Samuel F. Hepford of Roswell, New Mexico, retired colonel of the Air Force. He is the brother and the guest of the gentleman from Dauphin, Mr. Hepford.

The Chair also wishes to recognize the presence of Mr. and Mrs. Fye from Wintlings Corners. They are the guests of the gentlemen, Messrs. Cumberland and Arthurs.

The Chair is pleased to welcome a group of 40 persons from the Hazleton area representing the Hazleton Tax-

payers Association, who are accompanied by their president, Mr. Carlo DeMarco. They are the guests of Mr. Ustynoski.

The Chair is pleased to welcome Mr. Nicholas Kish, who is president of the United Societies of USA, McKeesport, Pennsylvania. He is accompanied by Mr. Edward Sudzina and Mr. Joseph Petrus, members of the Board of the United Societies of USA.

They are the guests of the gentlemen from Allegheny, Messrs. Mrkonic and Novak.

### DR. WILLIAM A. KERNICK WELCOMED

The SPEAKER pro tempore. The Chair is very pleased to welcome Dr. William A. Kernick, who is the husband of our distinguished legislator of the distaff side from Allegheny County, Representative Kernick.

### ADJOURNMENT

Mr. STAPLETON moved that this House do now adjourn until Thursday, October 16, 1975, at 9:30 a.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and (at 6:28 p.m., e.d.t.) the House adjourned.